

**CITY OF LOS BANOS
PLANNING COMMISSION REGULAR MEETING MINUTES
NOVEMBER 14, 2018**

***ACTION MINUTES** – These minutes are prepared to depict action taken for agenda items presented to the Planning Commission. For greater detail of this meeting refer to the electronic media (CD and/or audio) kept as a permanent record.*

CALL TO ORDER: Chairperson Cates called the Planning Commission Meeting to order at the hour of 7:00 p.m.

PLEDGE OF ALLEGIANCE: The pledge of allegiance was led by Commissioner Spada.

ROLL CALL – MEMBERS OF THE PLANNING COMMISSION PRESENT: Planning Commission Members John Cates, David Dees, Brett Jones, Palmer McCoy, Tom Spada, and Susan Toscano.

STAFF MEMBERS PRESENT: Community & Economic Development Director Stacy Elms, Associate Planner Rudy Luquin, and Assistant City Clerk Jana Sousa.

CONSIDERATION OF APPROVAL OF AGENDA. Motion by McCoy, seconded by Spada to approve the agenda as submitted. The motion carried by the affirmative action of all Planning Commission Members present.

CONSIDERATION OF APPROVAL OF THE ACTION MINUTES FOR THE REGULAR PLANNING COMMISSION MEETING OF OCTOBER 24, 2018. Commissioner McCoy requested the minutes be continued to the November 27, 2018 adjourned Planning Commission meeting to allow time to listen to the October 24, 2018 Planning Commission meeting audio file and get clarification on the intent of the motion in regards to storage units and the masonry wall as the motion is not stated in the minutes the way he remembers it.

Motion by McCoy, seconded by Dees to continue the October 24, 2018 Planning Commission meeting minutes to the November 27, 2018 adjourned Planning Commission meeting. The motion carried by the affirmative action of all Planning Commission Members present.

PUBLIC FORUM: MEMBERS OF THE PUBLIC MAY ADDRESS THE PLANNING COMMISSION MEMBERS ON ANY ITEM OF PUBLIC INTEREST THAT IS WITHIN THE JURISDICTION OF THE CITY; INCLUDES AGENDA AND NON-AGENDA ITEMS. NO ACTION WILL BE TAKEN ON NON-AGENDA ITEMS. SPEAKERS ARE LIMITED TO A FIVE (5) MINUTE PRESENTATION. DETAILED GUIDELINES ARE POSTED ON THE COUNCIL CHAMBER INFORMATIONAL TABLE. Chairperson Cates opened the public forum.

No one came forward to speak and the public forum was closed.

PUBLIC HEARING – TO CONSIDER A CATEGORICAL EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO SECTION 15301, EXISTING FACILITIES AND APPROVING COTTAGE FOOD OPERATION PERMIT #2018-01 FOR STEPHANIE KUSAYANAGI-DEES LOCATED AT 780 AMELIA COURT, MORE SPECIFICALLY IDENTIFIED AS ASSESSOR’S PARCEL NUMBER 082-382-048. Commissioner Dees stated that his wife is the applicant in this operation and therefore he would not be voting on the item; he left his seat at the dais and left the Council Chambers.

Associate Planner Luquin presented the staff report, which included a PowerPoint presentation.

Chairperson Cates opened the public hearing.

Stephanie Kusayanagi-Dees, Los Banos, stated she’s already applied with the health department and is just waiting on the Cottage Food Operation Permit.

No one else came forward to speak and the public hearing was closed.

Motion by Spada, seconded by McCoy to adopt Planning Commission Resolution No. 2018-30 – Approving a Categorical Exemption from the California Environmental Quality Act Pursuant to Section 15301, Existing Facilities and Approving Cottage Food Operation #2018-01 for Stephanie Kusayanagi-Dees located at 780 Amelia Court, More Specifically Identified as Assessor’s Parcel Number: 082-382-048. The motion carried by the affirmative action of all Planning Commission Members present; Dees absent.

Commissioner Dees returned to the dais.

PUBLIC HEARING – TO CONSIDER MITIGATED NEGATIVE DECLARATION (SCH #2018101015) AND VESTING TENTATIVE TRACT MAP #2017-03 FOR SUNRISE RANCH CONSISTING OF THE SUBDIVISION OF APPROXIMATELY 43 ACRES INTO 197 LOW-DENSITY RESIDENTIAL LOTS LOCATED NORTH OF SAN LUIS STREET, SOUTH OF B STREET, EAST OF PLACE ROAD AND LOS BANOS JUNIOR HIGH, AND WEST OF EXISTING SINGLE-FAMILY RESIDENTIAL DEVELOPMENT, MORE SPECIFICALLY IDENTIFIED AS ASSESSOR’S PARCEL NUMBER: 428-080-001. Associate Planner Luquin presented the staff report, which included a PowerPoint presentation, and noted that one comment letter was received from the San Joaquin Valley Air Pollution District in regards to the Mitigated Negative Declaration and stated that a copy of the letter is in the agenda packet.

Commissioner Spada questioned the traffic study report stating that the area is already backed up when school lets out, the report addressed what would be done but it wasn’t clear on signal light placement.

Associate Planner Luquin stated a signal light would be placed at the intersection of Place Road and B Street.

Community & Economic Development Director Elms explained that the traffic signal would be installed with whichever project occurs first whether it is Sunrise Ranch or the proposed school project to occur on the opposite corner, there is also a signal light to be installed at Highway 165 and San Luis Street when it meets the signal warrants.

Commissioner Dees expressed concerns about the project causing additional dangers due to higher traffic levels.

Community & Economic Development Director Elms stated the traffic study does not indicate dangers due to higher traffic levels, it does address the issue of Place Road and B Street being mitigated at the time the project is built.

Commissioner Dees questioned if the project would add additional stress on the existing water system.

Community & Economic Development Director Elms stated the General Plan is based on a Water Master Plan which determines adequate water supply as projects are built and this project will be adequately served with the City's infrastructure.

Chairperson Cates opened the public hearing.

Rick Mummert, Principal Engineer of Benchmark Engineering, thanked Associate Planner Luquin and Community & Economic Development Director Elms for their work on the project, spoke of how this project has been in the works for a while and the main reason is that the traffic concern was an issue, looked at the cumulative effects and there was a merge with three other traffic studies in the area, had to expand the intersection which affected the layout, there is a B Street drain where the head walls are, there is a park in the middle to share, took into consideration the surrounding schools when building out the project, fourteen feet between the curb and the wall, he requested that an addition be made in regards to Conditions of Approval #59, 66, 67, 104 & 105, would like to add a sentence at the end of each condition to state "at the discretion of the City's Engineer and the City's Traffic Engineer" in relation to the timing and the need.

Community & Economic Development Director Elms stated that staff concurs with the request to add wording to the conditions as stated.

Commissioner McCoy stated this has gone through three other traffic studies and many others have looked at the project and he is concerned about adding the statement to allow discretion of the City Engineer when that person's opinion may change causing something else to come out of the project, doesn't mind leaving the timing up to the

City's Engineer, but doesn't want to see the City Engineer having to make a decision if a condition occurs or not.

Community & Economic Development Director Elms stated that Condition of Approval #59 was the only condition that concerned the City's Engineer who stated he would want to see a Traffic Engineer sign off on the impact first confirming that it does more harm than good in order for the City to agree to the condition, this design is answering the City's Project Review Board conditions.

Commissioner Spada stated he would like the message passed on that the City would like to see more parking garages to alleviate the heavy vehicle impact on the neighborhoods.

Commissioner Dees stated the issue is a really large house on a cul-de-sac and no adequate parking for the size of the home.

Kathy Ballard, Los Banos, questioned if the numbers were current since this project has been in the process for many years.

Community & Economic Development Director Elms answered stating the numbers are current.

David Bosano, Los Banos, stated he is a homeowner that will be directly affected by the decision on this project, this area gets ridiculous amounts of heavy traffic and he doesn't see how one traffic signal light solves the problem, there are some unsafe conditions out there, the kids are not safe, the kids themselves cause a lot of the problems but drivers don't look out either, been passed at 25 mph by people driving their kids to school, what you're adding is a disaster in the making, lives in the subdivision just north of B Street and sees parents parking in front of his house to pick up their children, it's not safe, needs to be some serious thought in how to handle this, it's horrible before school and after school, it's getting worse where traffic is congested even throughout the day, when the stop sign at B Street and Place Road gets backed up many vehicles are driving through his neighborhood, and how he is hoping to find a solution.

Don Larson, Los Banos Unified School District Assistant Superintendent, stated he is happy to announce the school district has entered into an agreement with Stonefield Home, Inc. that fully mitigates the impact of the project.

No one else came forward to speak and the public hearing was closed.

Motion by McCoy, seconded by Spada to adopt Planning Commission Resolution No. 2018-31 – Approving Certification of Mitigated Negative Declaration (SCH #2018101015) for Vesting Tentative Tract Map #2017-03 for Sunrise Ranch Located East of Place Road, South of B Street, and North of San Luis Street, More Specifically Identified as Assessor's Parcel Number: 428-080-001 in addition to the Mitigation

Monitoring Program. The motion carried by the affirmative action of all Planning Commission Members present.

Motion by Spada, seconded by Jones to adopt Planning Commission Resolution No. 2018-32 – Approving Vesting Tentative Tract Map #2017-03 for the Sunrise Ranch Subdivision to Subdivide Approximately 43 Acres into 197 Low Density Residential Lots Generally Located East of Place Road, South of B Street, and North of San Luis Street, More Specifically Identified as Assessor’s Parcel Number: 428-080-010 including adding a sentence to Conditions of Approval #59, 66, 67, 104 & 105 to state “at the discretion of the City’s Engineer and the City’s Traffic Engineer”. The motion carried by the affirmative action of all Planning Commission Members present.

PUBLIC HEARING – TO CONSIDER RECOMMENDING TO THE LOS BANOS CITY COUNCIL GENERAL PLAN AMENDMENT #2018-01, ZONE CHANGE #2018-01, AND NEGATIVE DECLARATION (SCH #2018101013) FOR THE LOS BANOS POLICE STATION FACILITY LOCATED AT 1111 G STREET, MORE SPECIFICALLY IDENTIFIED AS ASSESSOR’S PARCEL NUMBERS: 026-161-003 AND PORTION OF 026-161-008. Community & Economic Development Director Elms presented the staff report, which included a PowerPoint presentation, noting that one comment letter was received from the San Joaquin Valley Air Pollution Control District which is in the agenda packet.

Commissioner Dees inquired as to the zoning change.

Community & Economic Development Director Elms stated that the plan is not changing other than this section being designated to public facility institutional, the rail corridor regulating code is still in effect except for the parcels we are speaking of tonight.

Commissioner McCoy questioned the traffic increase to G Street noting the traffic study doesn’t state it will be significant.

Community & Economic Development Director Elms stated the study doesn’t show much impact with this project, but it will need to be analyzed when future projects come to the area.

City Attorney Vaughn stated one of the conditions is to zone the area correctly and the City is probably six months to a year from acquiring the property.

Chairperson Cates opened the public hearing.

Kathy Ballard, Los Banos, stated she has never seen parcels split up and re-zoned, wonders if the City owns all parcels and if the re-zone would need to meet the requirements of the rail corridor.

Community & Economic Development Director stated there will be a lot adjustment taking place in the future and how it is premature to do it now as the City does not yet own the property.

City Attorney Vaughn stated the cost of the property was high and City did not need the entire property which is why it is being split up.

No one else came forward to speak and the public hearing was closed.

Motion by McCoy, seconded by Jones to adopt Planning Commission Resolution No. 2018-33 – Recommending to the Los Banos City Council Adoption of Negative Declaration (SCH #2018101013) for the Los Banos Police Station Facility Located at 1111 G Street, More Specifically Identified as Assessor's Parcel Numbers: 026-161-003 and Portion of 026-161-008. The motion carried by the affirmative action of all Planning Commission Members present.

Motion by McCoy, seconded by Jones to adopt Planning Commission Resolution No. 2018-34 – Recommending Approval to the Los Banos City Council of General Plan Amendment #2018-01 and Zone Change #2018-01 for the Los Banos Police Station Facility Located at 1111 G Street, More Specifically Identified as Assessor's Parcel Numbers: 026-161-003 and Portion of 026-161-008 and Finding that the Acquisition of the Property is Consistent with the City's General Plan. The motion carried by the affirmative action of all Planning Commission Members present.

DESIGN REVIEW STUDY SESSION – DEVELOPMENT OF A NEW 4,200 SQUARE FOOT STRUCTURE FOR WESTERN DENTAL, LOCATED AT 1153 W. PACHECO BLVD. IN THE HIGHWAY COMMERCIAL (H-C) ZONING DISTRICT. Associate Planner Luquin presented the staff report, which included a PowerPoint presentation.

Tanner Tingey, Danville, California, applicant, stated Western Dental has been a client of his for many years and he identified Los Banos as a great community needing the service, it has taken him twelve years to convince them to come.

Commissioner Spada stated he likes what he sees, no changes or suggestions from him, this is a very nice layout, likes the trash containers off to the side.

Commissioner Jones stated it looks like traffic going through Jack-in-the-Box would have to now go around to exit onto Pacheco Boulevard.

Mr. Tingey stated that is being worked around to assist the vehicles to exit onto Pacheco Boulevard.

Kathy Ballard, Los Banos, inquired if there would be a separate biohazardous waste container and if it would be large enough to hold the trash expected.

Mr. Tingey stated he believes there is a system within the office that handles the biohazardous material and another company comes in to get that waste.

Community & Economic Development Director Elms stated that the City of Los Banos does not handle biohazardous wastes.

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT REPORT. Community & Economic Development Director Elms reported that the November 27, 2018 meeting adjournment is due to two projects that need to go to the City Council and how she wanted to make sure to do that by the end of the year.

PLANNING COMMISSION MEMBER REPORTS.

McCOY: Spoke of how there is a good chance he won't be able to attend the meeting on November 27, 2018 and congratulated Commissioner Jones on getting elected to the City Council.

JONES: No Report.

TOSCANO: No report.

SPADA: Congratulated Commissioner Jones on getting elected to the City Council.

DEES: Apologized to all for missing the last two Planning Commission meetings.

CATES: Congratulated Commissioner Jones on getting elected to the City Council.

ADJOURNMENT: The meeting was adjourned at the hour of 8:47 p.m. to 7:00 p.m., Tuesday, November 27, 2018 for a Special Planning Commission Meeting Being Held at Los Banos City Hall, Council Chambers, 520 J Street, Los Banos, California.

APPROVED:

/s/ John Cates

John Cates, Planning Commission Chairperson

ATTEST:

/s/ Sandra Benetti

Sandra Benetti, Planning Technician