

**CITY OF LOS BANOS
PLANNING COMMISSION ADJOURNED MEETING MINUTES
NOVEMBER 27, 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 Jones.

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

STAFF MEMBERS PRESENT: Community & Economic Development Director Elms, Associate Planner Rudy Luquin, Planning Technician Sandra Benetti, and City Attorney William A. Vaughn.

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

CONSIDERATION OF APPROVAL OF THE ACTION MINUTES FOR THE REGULAR PLANNING COMMISSION MEETING OF OCTOBER 24, 2018. Motion by Dees, seconded by Toscano to approve the minutes as submitted. The motion carried by the affirmative action of all Planning Commission Members present; McCoy absent.

CONSIDERATION OF APPROVAL OF THE ACTION MINUTES FOR THE REGULAR PLANNING COMMISSION MEETING OF NOVEMBER 14, 2018. Motion by Jones, seconded by Toscano to approve the minutes as submitted. The motion carried by the affirmative action of all Planning Commission Members present; McCoy absent.

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 CONDITIONAL USE PERMIT AND CATEGORICAL EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL

QUALITY ACT PURSUANT TO SECTION 15301 (EXISTING FACILITIES) TO ALLOW THE USE OF A TYPE 21 ALCOHOL LICENSE FOR THE OFF-SALE OF GENERAL ALCOHOL FOR VILLAGE LIQUOR LOCATED AT 2220 E. PACHECO BOULEVARD, MORE SPECIFICALLY IDENTIFIED AS ASSESSOR'S PARCEL NUMBER: 428-160-029.

Associate Planner Luquin presented the staff report, which included a PowerPoint presentation, and noted receipt of a public comment letter received today from In-Shape Health Clubs, which was read into the public record.

Chairperson Cates opened the public hearing. No one came forward to speak and the public hearing was closed.

Motion by Spada, seconded by Dees to adopt Planning Commission Resolution No. 2018-35 – Finding the Proposed Project to Be Categorically Exempt from the California Environmental Quality Act Pursuant to Section 15301 and Recommending Approval of Conditional Use Permit #2018-13 to the Los Banos City Council to Allow for the Off-Sale of General Alcohol Under a Type 21 Alcohol License for Village Liquor Located at 2220 East Pacheco Boulevard, Suites D & E, More Specifically Identified as Assessor's Parcel Number: 428-160-029. The motion carried by the affirmative action of all Planning Commission Members present; McCoy absent.

PUBLIC HEARING – TO CONSIDER A CONDITIONAL USE PERMIT AND CATEGORICAL EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO SECTION 15301 (EXISTING FACILITIES) TO ALLOW THE USE OF A TYPE 21 ALCOHOL LICENSE FOR THE OFF-SALE OF GENERAL ALCOHOL FOR MI BARRIO LOCATED AT 403 MERCY SPRINGS ROAD, MORE SPECIFICALLY IDENTIFIED AS ASSESSOR'S PARCEL NUMBER: 082-072-024.

Associate Planner Luquin presented the staff report, which included a PowerPoint presentation, and noted that no comments have been received thus far.

Commissioner Dees spoke of the last approved Conditional Use Permit for Mi Barrio and how there was concern from a nearby church.

Associate Planner Luquin responded that staff has not received any concerns or complaints from anyone regarding Mi Barrio.

Community & Economic Development Director Elms explained that there were no concerns previously from a nearby church regarding Mi Barrio and how they actually had supported Mi Barrio's endeavors and corrected that the church had concerns regarding Circle K's Conditional Use Permit though.

Chairperson Cates opened the public hearing. JAY VIRK, Mi Barrio representative, spoke of his endeavors with this Conditional Use Permit and spoke of how his customers are requesting these sales.

Commissioner Dees congratulated Mr. Virk on having a successful business in Los Banos.

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

Motion by Spada, seconded by Toscano to adopt Planning Commission Resolution No. 2018-36 – Finding the Proposed Project to Be Categorically Exempt from the California Environmental Quality Act Pursuant to Section 15301 and Recommending Approval of Conditional Use Permit #2018-14 to the Los Banos City Council to Allow for the Off-Sale of General Alcohol Under a Type 21 Alcohol License for Mi Barrio Located at 403 North Mercey Springs Road, More Specifically Identified as Assessor's Parcel Number: 082-072-024. The motion carried by the affirmative action of all Planning Commission Members present; McCoy absent.

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT REPORT.

Community & Economic Development Director Elms wished Commissioner Spada a happy birthday, she will be out of the office for the rest of the week but can be reached on her cell phone, the next Planning Commission meeting will be a full agenda, looking forward to seeing everyone at that time, and announced that Planning Commission applications are due this Friday for those whose terms are expiring including the vacant seat

PLANNING COMMISSION MEMBER REPORTS.

CATES: Wished Commissioner Spada a happy birthday.

DEES: Appreciates the opportunity to serve on the Planning Commission, has enjoyed it, and thanked everyone.

JONES: No report.

McCOY: Absent.

SPADA: Thanked all for the happy birthday wishes.

TOSCANO: No report.

ADJOURNMENT: The meeting was adjourned at the hour of 7:25 p.m.

APPROVED:

/s/ John Cates

John Cates, Planning Commission Chairperson

ATTEST:

/s/ Sandra Benetti

Sandra Benetti, Planning Technician