

**CITY OF LOS BANOS
PLANNING COMMISSION MEETING MINUTES
APRIL 10, 2019**

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 Higby.

ROLL CALL – MEMBERS OF THE PLANNING COMMISSION PRESENT: Planning Commission Members John Cates, David Dees, Mona Giuliani, Thomas Higby III, and Erik Limon; Tom Spada and Susan Toscano absent.

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

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

CONSIDERATION OF APPROVAL OF THE ACTION MINUTES FOR THE REGULAR PLANNING COMMISSION MEETING OF MARCH 27, 2019. Motion by Limon, seconded by Dees to approve the minutes as submitted. The motion carried by the affirmative action of all Planning Commission Members present; Spada and Toscano 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. TED MEZA, Los Banos, asked to be placed on the agenda if he needs to speak again during this meeting.

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

PUBLIC HEARING – TO CONSIDER REVISIONS TO THE CONDITIONS OF APPROVAL FOR VESTING TENTATIVE TRACT MAP #2016-01 AND #2016-02 FOR THE VILLAS AND THE HILL SUBDIVISIONS WITHIN THE EAST CENTER AREA PLAN LOCATED EAST OF CENTER AVENUE, SOUTH OF BLUFF DRIVE, WEST

OF CRESTHILLS #2 SUBDIVISION AND NORTH OF THE CITY LIMIT LINE, MORE SPECIFICALLY IDENTIFIED AS ASSESSOR'S PARCEL NUMBERS: 431-270-010, 431-270-004, AND 431-270-005. Community & Economic Development Director Elms presented the staff report, which included a PowerPoint presentation, described the background for this project, and noted the revisions proposed by the applicant.

Commissioner Giuliani inquired if the utility company is what is holding this up and not the developer.

Community & Economic Development Director Elms confirmed that the utility company cannot accommodate the construction timeline to move the utility lines.

Chairperson Cates opened the public hearing. ANDREW MEZA, Los Banos, spoke on the effect of this on his property which fronts Center Avenue, this is becoming a longer endeavor than they anticipated, these decisions affect more than the new houses, how he needs to make decisions regarding the front of his property, asked for markers in the past and asked someone to come out to his property to explain how much right-of-way will be taken from his property, spoke of how he has no idea where the lines will be, and requested that someone come out and explain and show him where the lines will be made that will affect his property. JOHN LUNA, Los Banos, spoke in support of Mr. Meza's request and stated that it would put his family at ease with minimal time and cost. CLAUDIA JORDAN, Cresthills I resident, spoke of her concern of the effect of the increase in traffic due to the delay of widening of Center Avenue. JOVAN GRANADOS, Pioneer Development Company, spoke on behalf of the applicant and addressed Mr. Meza and Mr. Luna's concerns, spoke of how the developer's priority has been to make this an easier and more comfortable transition for existing residents in the area, how she personally reached out to Mr. Meza and his wife Erica Meza and has made property visits as well and followed up with several certified letters and calls to Mr. Meza, how there are property stakes in place per Mr. Meza's request, how she has made herself directly available to Mrs. Meza, how Mrs. Meza advised that she would be reaching out to the applicant once they are ready for the information, and stated that her calls have gone unreturned and her visits have typically been cut very short. ROY TODD, Cresthills I resident, inquired how the 300 foot radius for notifying the public is determined as acceptable distance for this type of project, would like to know what the timeline is to get something acceptable in place, how he has been a resident in this area two and a half years and nothing was disclosed to him upon purchasing his property, spoke of his concern about the increase of traffic, and the need to receive clarification of impact to him. GREG HOSTETLER, 923 Pacheco Blvd., spoke of one of the issues of Center Avenue being the power pole locations, how PG&E has been backlogged as an impact substantially caused by the fires in California, how it is difficult to get power anywhere in California, PG&E has substantial financial issues as well, another issue is the right-of-way necessary from the Meza's property, how they have reached out to the Mezas, can't widen this street until they are able to obtain this right-of way, if they are not able to obtain the right-of-way then the local public agency will have to take action to acquire the property, pipeline redesign may take place as well, how they have made accommodations for residents in Cresthills I subdivision by building a 7 foot bordering fence at their request and they've never done that before, there was a requirement on the east exit on Cardoza Road which is now blocked off by a gate and won't have public

access in Road at the request of residents of Cresthills I, how they have tried to accommodate residents out there and will continue to do so to the best of our ability, and he is available to answer questions.

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

Commissioner Limon spoke of how he understands the concerns of the residents in the existing subdivision.

Chairperson Cates reminded the public and Commissioners that this item is about modifying the previously approved conditions only.

Commissioner Giuliani stated that it sounds like residents want clarification on property lines, suggested that they reach out to Ms. Granados directly to get that information, and encouraged residents to communicate with each other as it makes a difference.

Community & Economic Development Director Elms spoke to comments received at the public hearing, stated that the California Government Code determines the 300 foot radius to notify the public of this type of public hearing, how staff uses a geographical information system to develop the buffer for the notice, how the project boundary determines the reach of the 300 foot buffer, Center Avenue was designed and implemented in conformance the City's General Plan within the Villas and Hill subdivisions, how those street sections are consistent with the General Plan, how the rating was also established in the General Plan, it will be a major collector street, the right-of-way for the Mezas is up to agreement with the developer and if they fail to come to agreement then the City will intervene and make a determination, spoke of how a section of Center Avenue was inherited by the City from the County who does not have the same street standards as we do, this roadway will be widened with property sidewalks, sidewalk buffers and noise barriers with sound walls planned since it was annexed in 2006, how it's not in anyone's best interest to widen or pave Center Avenue when the utility company can't make that change yet, the Condition of Approval was implemented in the first place because staff wanted to see that done at the front end of the project but the developer is at the mercy of the utility company and their capabilities, the City is trying to accommodate, and encouraged residents to contact her if they are interested in knowing more about the project that was approved in 2016.

Motion by Dees, seconded by Giuliani to adopt Planning Commission Resolution No. 2019-05 – Approving the Request for Revision to the Conditions of Approval for Vesting Tentative Tract Map #2016-01 for The Villas Subdivision within the East Center Area Plan Located East of Center Avenue, South of Bluff Drive, West of Cresthills #2 Subdivision and North of the City Limit Line, More Specifically Identified as Assessor's Parcel Numbers: 431-270-010 and 431-270-004. The motion carried by the affirmative action of all Planning Commission Members present; Spada and Toscano absent.

Motion by Higby, seconded by Limon to adopt Planning Commission Resolution No. 2019-06 – Approving the Request for Revision to the Conditions of Approval for Vesting Tentative Tract Map #2016-02 Hill Property Subdivision within the East Center Area Plan Located East of Center Avenue, South of Bluff Drive, West of Cresthills #2

Subdivision and North of the City Limit Line, More Specifically Identified as Assessor's Parcel Number: 431-270-005. The motion carried by the affirmative action of all Planning Commission Members present; Spada and Toscano absent.

COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR REPORT.

Community & Economic Development Director Elms thanked the residents for coming out to the meeting, spoke of how staff will cancel the next Planning Commission meeting on April 24th, and how we will have joint City Council & Planning Commission study session for the General Plan Update on May 22, 2019 at 6:00 p.m. at the Community Center.

PLANNING COMMISSION MEMBER REPORTS.

CATES: Thanked the community for coming out, spoke of how they have a great passion for their neighborhoods, good to see crowds at our meetings, how the Planning Commission is comparable to the House of Representatives in that the Planning Commission makes recommendations to the City Council, would like to see more residents come down more often, thanked staff for their work, how it was a great spring street fair that was put on by the Chamber of Commerce this past Saturday, and how the Rotary Club was out raising funds from breakfast for the sober graduation event for the local high schools.

DEES: Reported that he was contacted by Melissa Hansen with Grid Alternatives, how the group is funded by the state and provides low cost solar panels to home owners, how they will do 15 homes in our area, people can go to www.gridsolar.org to get information and apply, eligibility to apply, they do a partnership with Sun Run who does the installation, the solar panels are leased to the occupants at the house for 20 years with an option to buy back at any time or removed at no cost, and how it helps reduce energy costs up to 75%.

GIULIANI: Thanked the community for coming out to this meeting, thanked the developer for coming out and answering questions, and spoke of how we can make some good changes with good communication.

HIGBY: No report.

LIMON: No report.

SPADA: Absent.

TOSCANO: Absent.

ADJOURNMENT: The meeting was adjourned at the hour of 7:43 p.m.

APPROVED:

/s/ John Cates

John Cates, Planning Commission Chairperson

ATTEST:

/s/ Sandra Benetti

Sandra Benetti, Planning Technician