

**CITY OF LOS BANOS
PLANNING COMMISSION MEETING MINUTES
MAY 26, 2021**

***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 5:30 p.m.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by Commissioner Perrecone.

ROLL CALL – MEMBERS OF THE PLANNING COMMISSION PRESENT: Planning Commission Members John Cates, Christopher Perrecone, Elias Reyes, Rob Robinson, and Katherine Uhley were present remotely via the Zoom web based application.

STAFF MEMBERS PRESENT: City Attorney William A. Vaughn, Community & Economic Development Director Stacy Elms, Planning Technician/Planning Commission Secretary Sandra Benetti, and Associate Planner Rudy Luquin were present remotely via the Zoom web based application.

CONSIDERATION OF APPROVAL OF AGENDA. Motion by Robinson, seconded by Uhley to approve the agenda as submitted. The motion carried by the following roll call vote: AYES: Cates, Perrecone, Reyes, Robinson, Uhley; NOES: None; ABSENT: None.

CONSIDERATION OF APPROVAL OF THE ACTION MINUTES FOR THE ADJOURNED JOINT CITY COUNCIL/PLANNING COMMISSION MEETING OF APRIL 27, 2021. Motion by Uhley, seconded by Robinson to approve the minutes as submitted. The motion carried by the following roll call vote: AYES: Cates, Perrecone, Reyes, Robinson, Uhley; NOES: None; ABSENT: None.

CONSIDERATION OF APPROVAL OF THE ACTION MINUTES FOR THE REGULAR PLANNING COMMISSION MEETING OF APRIL 28, 2021. Motion by Uhley, seconded by Robinson to approve the minutes as submitted. The motion carried by the following roll call vote: AYES: Cates, Perrecone, Reyes, Robinson, Uhley; NOES: None; ABSENT: None.

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. Secretary Benetti confirmed that no comments were received, and Chairperson Cates closed the public forum.

PUBLIC HEARING – TO CONSIDER SITE PLAN REVIEW #2021-02 FOR THE DEVELOPMENT OF ONE (1) 14,400 SQUARE FOOT COMMERCIAL STRUCTURE WITH ABILITY TO BECOME A MULTI-TENANT BUILDING TO ACCOMMODATE UP TO APPROXIMATELY EIGHT (8) SUITES ALONG WITH VARIOUS SITE IMPROVEMENTS LOCATED WITHIN THE HIGHWAY-COMMERCIAL (H-C) ZONING DISTRICT AT 2027 EAST PACHECO BOULEVARD, MORE SPECIFICALLY IDENTIFIED AS ASSESSOR PARCEL NUMBER: 083-140-033 (CONTINUED FROM APRIL 28, 2021 AND CONTINUE TO JUNE 9, 2021). Associate Planner Luquin asked the Planning Commission to continue the public hearing to the regularly scheduled Planning Commission meeting on June 9, 2021 at 5:30 p.m.

Chairperson Cates opened the public hearing. Secretary Benetti confirmed that no comment emails were received for this public hearing item, and Chairperson Cates asked for a motion to continue the public hearing to June 9, 2021.

Motion by Robinson, seconded by Uhley to continue the Public Hearing – To Consider Site Plan Review #2021-02 for the Development of One (1) 14,400 Square Foot Commercial Structure with Ability to Become a Multi-Tenant Building to Accommodate Up to Approximately Eight (8) Suites Along with Various Site Improvements Located within the Highway-Commercial (H-C) Zoning District at 2027 East Pacheco Boulevard, More Specifically Identified as Assessor Parcel Number: 083-140-033 to the regularly scheduled Planning Commission meeting on June 9, 2021 at 5:30 p.m. The motion carried by the following roll call vote: AYES: Cates, Perrecone, Reyes, Robinson, Uhley; NOES: None; ABSENT: None.

PUBLIC HEARING – TO CONSIDER A CATEGORICAL EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO SECTION 15301, EXISTING FACILITIES, AND COTTAGE FOOD OPERATION #2021-01 FOR MAGGIE SANDERS AT 1814 RAVINE CT., MORE SPECIFICALLY IDENTIFIED AS ASSESSOR'S PARCEL NUMBER: 431-200-006. Associate Planner Luquin presented the staff report, which included a PowerPoint presentation.

Commissioner Reyes inquired if there is any part of the residence where items will be stored other than in the kitchen.

Associate Planner Luquin responded that the applicant has informed staff that the full operation will take place in kitchen.

Commissioner Reyes inquired about additional waste generated from this business.

Associate Planner Luquin responded that they will be utilizing existing trash receptacles and will be operating on a per order basis.

Commissioner Reyes inquired about any food certification that they will need.

Associate Planner Luquin explained the process for Cottage Food Operator permit, spoke of the County's role in this process, and how there is a requirement that food safety certification is obtained by anyone performing these business operations.

Commissioner Reyes inquired if the residence will be inspected.

Associate Planner Luquin responded that City staff will not be inspecting the residence and noted that perhaps the County Health Department may do so as part of their process.

Community & Economic Development Director Elms commented that the County Health Department would be the jurisdiction for inspecting the residence, reminded all that the Planning Commission is only charged with permitting the use at this location, and stated that state law limits the City's ability to regulate much else for Cottage Food Operators.

Michael Sanders, on behalf of the applicant, clarified that Ms. Maggie Sanders' Cottage Food Operator permit is a Class A so no inspections are required and thanked the Planning Commission for their consideration.

Chairperson Cates recessed the meeting at the hour of 5:55 p.m. for five minutes to receive public comment via email.

The meeting resumed at 6:00 p.m., and Chairperson Cates opened the public hearing.

Secretary Benetti confirmed that no comment emails were received for this public hearing item, and Chairperson Cates closed the public hearing.

Motion by Uhley, seconded by Robinson to adopt Planning Commission Resolution No. 2021-07 – Approving Cottage Food Operation Permit #2021-01 for 1814 Ravine Court, More Specifically Identified as Assessor's Parcel Number: 431-200-006. The motion carried by the following roll call vote: AYES: Cates, Perrecone, Reyes, Robinson, Uhley; NOES: None; ABSENT: None.

PUBLIC HEARING – TO CONSIDER A CONDITIONAL USE PERMIT AND CATEGORICAL EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO SECTION 15301, EXISTING FACILITIES, TO ALLOW THE USE OF A TYPE 47 ALCOHOL LICENSE FOR THE ON-SALE OF GENERAL ALCOHOL FOR COURTYARD MIMOSAS LOCATED AT 245 W. PACHECO BLVD., SUITES A & B, MORE SPECIFICALLY IDENTIFIED AS ASSESSOR'S PARCEL NUMBER: 027-161-042. Associate Planner Luquin presented the staff report, which included a PowerPoint presentation.

Commissioner Uhley inquired if all cameras are interior or if any point outside to the outdoor dining.

Associate Planner Luquin pointed out the exterior camera locations on the floor plan/security plan.

Chairperson Cates recessed the meeting at the hour of 6:10 p.m. for five minutes to receive public comment via email.

The meeting resumed at 6:15 p.m., and Chairperson Cates opened the public hearing.

Secretary Benetti confirmed that no comment emails were received for this public hearing item, and Chairperson Cates closed the public hearing.

Motion by Robinson, seconded by Uhley to adopt Planning Commission Resolution No. 2021-08 – Finding the Proposed Project to be Categorically Exempt from the California Environmental Quality Act (CEQA) Pursuant To Section 15301 and Recommending Approval of Conditional Use Permit #2021-03 to the Los Banos City Council to Allow for the Sale of Alcohol Under Type 47 Alcohol License for the On-Sale of General Alcohol in Conjunction with a Bona-Fide Eating Place for Courtyard Mimosas Located at 245 W. Pacheco Blvd., Suites A & B, More Specifically Identified as Assessor's Parcel Number: 027-161-042. The motion carried by the following roll call vote: AYES: Cates, Perrecone, Reyes, Robinson, Uhley; NOES: None; ABSENT: None.

COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR REPORT.

Community & Economic Development Director Elms reported that the California Department of Finance released new population data for the state last week, noted Los Banos was listed as one of the top ten fastest growing cities with population over 30,000 at ranking #8 with a 2.4% change from the previous year, how 171 cities gained population while 305 lost population and 6 cities had no change, how this is the first time California population has decreased on record, how the information was clear in this update that the San Joaquin Valley and Inland Empire areas were the only areas that saw growth, how there was a decrease in higher metropolitan areas and seeing folks exit those communities, how staff is watching population and how that affects us, how Merced County has moved to the orange tier in the Governor's Blueprint for a Safer Economy, anticipating the June 15th statewide reopening, how there has been some discussion about meeting in person and getting off the virtual platform soon, and how the Planning Commission will likely follow how the City Council proceeds.

PLANNING COMMISSION MEMBER REPORTS.

CATES: Thanked staff and fellow Commissioners for their work and spoke of his appreciation for being part of this process which is very fulfilling for him.

PERRECONE: No report.

REYES: Congratulated Ms. Sanders on her new business and wished her the best.

ROBINSON: Spoke of how he found the population information very interesting and exciting.

UHLEY: Spoke of how she found the population information interesting and unexpected and wished Ms. Sanders all the best with her business operations.

ADJOURNMENT: The meeting was adjourned at the hour of 6:25 p.m.

APPROVED:

/s/ John Cates

John Cates, Planning Commission Chairperson

ATTEST:

/s/ Sandra Benetti

Sandra Benetti, Planning Commission Secretary