



City of Los Banos

At the Crossroads of California

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AGENDA

PLANNING COMMISSION

CITY HALL COUNCIL CHAMBERS
520 J Street
Los Banos, California

February 13, 2008

If you require special assistance to attend or participate in this meeting, please call the Planning Secretary @ (209) 827-7000 extension 150 at least 48 hours prior to the meeting.

The City of Los Banos complies with the Americans with Disabilities Act (ADA) of 1990.

Si requiere asistencia especial para atender o participar en esta junta por favor llame a la oficina de la Secretaria del Departamento de Planificación al (209) 827-7000 extensión 150 a lo menos de 48 horas previas de la junta.

La Ciudad de Los Banos cumple con la Acta de Americanos con Deshabilidad (ADA) de 1990.

1. CALL TO ORDER. **7:00 PM**
2. PLEDGE OF ALLEGIANCE.
3. ADMINISTRATION OF OATH OF OFFICE TO ERASMO VIVEROS.
Recommendation: That the Assistant City Clerk administer the oath of office.
4. ROLL CALL: (Planning Commission Members)
Anderson ____, Donovan ____, Manzo ____, Viveros ____, Chairman Hammond ____
5. APPROVAL OF AGENDA.
Recommendation: Approve the agenda as submitted.

6. CONSIDERATION OF APPROVAL OF THE ACTION MINUTES FOR THE REGULAR MEETING OF JANUARY 23, 2008.

Recommendation: Approve the minutes as submitted.

7. PUBLIC FORUM: Members of the public may address the Commission on any item of public interest that is within the jurisdiction of the Commission, including agenda and non-agenda items. No action will be taken on non-agenda items. Speakers are limited to a five (5) minute presentation.

8. PUBLIC HEARINGS: If you challenge the proposed action as described herein in court, you may be limited to raising only those issues you or someone else raised at the public hearing described herein or in written correspondence delivered to the City at, or prior to, the public hearing.

A. Public Hearing – Consideration of Site Plan Review #2007-16 to develop 1.76 acres into retail commercial located at the Northeast corner of North Mercey Springs Road and Overland Avenue, more specifically described as Assessor's Parcel Number: 424-120-006; Applicant: KSA Group Architects on behalf of Rite Aid Corporation.

1) Planning Commission Resolution No. 2008-10 – Consideration of Site Plan Review #2007-16 for the development of a 17,340 square foot Rite Aid Pharmacy and Retail Store at the northeast corner of Mercey Springs Road and Overland Avenue.

Recommendation: Receive staff report, open the public hearing, receive public comment, and close the public hearing.

B. Public Hearing - Consideration of Use Permit #2007-15 for the use of a Type 21 alcohol license for the off-sale of general alcohol located at the Northeast corner of North Mercey Springs Road and Overland Avenue, more specifically described as Assessor's Parcel Number: 424-120-006; Applicant: KSA Group Architects on behalf of Rite Aid Corporation.

1) Planning Commission Resolution No. 2008-11 – Recommending Approval of Use Permit #2007-15 to the Los Banos City Council to permit the use of a Type 21 Alcohol License at the northeast corner of Mercey Springs Road and Overland Avenue for the Rite Aid Corporation.

Recommendation: Receive staff report, open the public hearing, receive public comment, and close the public hearing.

9. PLANNING DEPARTMENT REPORT
10. COMMISSIONERS REPORTS
 - A. Donovan
 - B. Manzo
 - C. Viveros
 - D. Vice Chairman Anderson
 - E. Chairman Hammond
11. ADJOURNMENT

APPEAL RIGHTS AND FILING PROCEDURES

Any person dissatisfied with an act or determination of the Planning Commission may appeal such act or determination to the City Council by filing written notice with City Clerk not later than five (5) business days (excluding holidays) after the day on which the act or determination was made. An appeal must state the act or determination which is being appealed, the identity of the applicant and his/her interest in the matter, and set forth in concise statement(s) the reasons which render the Commission's decision unjustified or inappropriate. (Los Banos Municipal Code Section 9-3.2226)

Concerning an action taken by the Planning Commission related to Chapter 2 Articles 1 through 17 of the Los Banos Municipal Code "Subdivisions", if a subdivider or other affected property owner is dissatisfied with any action of the Commission with respect to a tentative map or the nature and extent of improvements recommended or required he/she may within fifteen (15) days after such action appeal to the City Council for a public hearing on the matter. An appeal must state the action being appealed, identify the agenda item by agency number or project title, and set forth in concise statement(s) the reasons for the appeal. (Los Banos Municipal Code Sections 9-2.807)

Appeals must be in writing and include the appellant's name and address and original signature. A filing fee of \$150.00 must accompany the notice of appeal.

I hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted on the City Hall bulletin board not less than 72 hours prior to the meeting.

Norma Fuentes, Administrative Assistant

Dated this 8th day of February, 2008