

# CITY OF LOS BANOS

City Hall Council Chambers \* 520 J Street \* Los Banos, California 93635

## PLANNING COMMISSION

### AGENDA

### for the Regular Meeting of Wednesday, April 11, 2007 7:00 PM

*If you require special assistance to attend or participate in this meeting, please call the Office of the Planning Secretary @ (209) 827-7000 Extension 118 at least 48 hours prior to the meeting.*

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

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*Si requiere asistencia especial para atender o participar en esta junta por favor de llamar a la oficina de la Secretaria del Departamento de Planificación al (209) 827-7000 Extensión 118 al menos 48 horas previas de la junta.*

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

**I. CALL TO ORDER**

Pledge of Allegiance

**II. ROLL CALL**

Commissioners: Anderson, Hammond, Lewis, Osborn, and Chairman Donovan

**III. CONSIDER APPROVAL OF AGENDA**

Approve the agenda for April 11, 2007

**IV. CONSIDER APPROVAL OF ACTION MINUTES**

Approve the Action Minutes of the Special meeting of April 5, 2007

**V. 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.

**VI. PUBLIC HEARINGS**

*If you challenge the Commission's action in court, you may be limited to raising only those issues you or someone else raised at the public hearing or in written correspondence delivered to the City at, or prior to, the public hearing.*

**A. ORDINANCE AMENDMENT #2007-01 AND USE PERMIT #2007-01, WOODY'S CHICAGO STYLE, FOR PROPERTY LOCATED AT 1301 WEST PACHECO BLVD. (LOWE'S). ASSESSOR PARCEL NUMBER: 083-040-057. RESOLUTION NO. 2007-20 (ORDINANCE) AND 2007-19 (USE PERMIT).**

Approval of the Ordinance would allow mobile/moveable structure vendors to operate 365 days a year instead of the currently allowed 180 days, and not require an independent power source. Approval of the use permit would allow a moveable structure vendor to operate at Lowe's 180 days a year.

**Recommend:**

- Denial of the Ordinance Amendment
- Adopt Planning Commission Resolution No. 2007-19 recommending approval of Use Permit 2007-01 with Findings and Conditions of Approval to the City Council.

**B. TENTATIVE PARCEL MAP #2007-02, DANIEL NATION FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF H AND 2<sup>ND</sup> STREETS. ASSESSOR PARCEL NUMBER: 025-162-021. RESOLUTION NO. 2007-14.**

Approval would allow the division of an 18,750 square foot parcel into two parcels. Parcel 1 = 9,375 square feet and Parcel 2 = 9,375 square feet.

**Adopt Planning Commission Resolution No. 2007-14 approving Tentative Parcel Map #2007-02 with Findings and Conditions of Approval.**

**C. VESTING TENTATIVE PARCEL MAP #2007-05, STONECREEK PROPERTIES FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF PACHECO BLVD. AND ORTIGALITA ROAD. ASSESSOR PARCEL NUMBERS: 083-040-052, 053, 055, 056, AND 058. RESOLUTION NO. 2007-15.**

Approval would allow the division of 13.7 acres into 10 parcels ranging in size from .69 acres to 1.59 acres.

**Adopt Planning Commission Resolution No. 2007-15 approving Vesting Tentative Parcel Map #2007-05 with Findings and Conditions of Approval.**

**D. TENTATIVE TRACT MAP #2006-19 AND VARIANCE #2007-01, NEXT STEP HOMES FOR PROPERTY LOCATED WEST OF MERCEY SPRINGS ROAD AND NORTHEAST OF LAURELWOOD DRIVE. ASSESSOR PARCEL NUMBER: 082-030-022. RESOLUTION NO. 2007-12.**

Approval would allow the subdivision of 3.6 acre parcel into 15 single-family residential lots in an R-1 (Low Density Residential) zone and the variance would allow Lot 1 to vary from the minimum lot size requirements of the R-1 zone district.

- **Adopt Planning Commission Resolution No. 2007-12 approving Tentative Tract Map #2006-19 with Findings and Conditions of Approval.**
- **Adopt Planning Commission Resolution No. 2007-21 approving Variance #2007-01 with Findings and Conditions of Approval.**

**E. TENTATIVE PARCEL MAP #2007-06 AND VARIANCE #2007-02, MIKE REGALADO FOR PROPERTY LOCATED AT SOUTHWEST CORNER OF MADRONE STREET AND TEXAS AVENUE. ASSESSOR PARCEL NUMBER: 027-202-020. RESOLUTION NO. 2007-16.**

Approval would allow the subdivision of a 12,000 square foot parcel into 2 parcels. The variance would allow one lot to vary from the minimum lot size requirements of the R-1 zone district.

- **Adopt Planning Commission Resolution No. 2007-16 approving Tentative Parcel Map #2007-06 with Findings and Conditions of Approval.**
- **Adopt Planning Commission Resolution No. 2007-17 approving Variance #2007-02 with Findings and Conditions of Approval.**

**VII. GENERAL BUSINESS**

**A. SITE PLAN REVIEW #2007-05, ALFONSO MESA FOR PROPERTY LOCATED AT 1242 FOURTH STREET. ASSESSOR PARCEL NUMBER: 026-044-024. RESOLUTION NO. 2007-18.**

Approval would allow a residential house located in the H-C zone district to be converted to a commercial use for a car stereo installation business.

**Adopt Planning Commission Resolution No. 2007-18 approving Site Plan Review #2007-05 with Findings and Conditions of Approval.**

**VIII. COMMISSIONERS REPORTS**

**IX. PLANNING MANAGER'S REPORT**

**X. ADJOURNMENT**

The next regular meeting of the Los Banos Planning Commission is scheduled to take place on Wednesday, April 25, 2007 starting at 7:00 pm in the Council Chambers located at City Hall, 520 J Street, Los Banos, California.

**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 filling 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."

Concerning an action taken by the Planning Commission related to Chapter 2 Articles 1 through 17 of the LBMC "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." (LBMC Sections 9-2.807 and 9-3.2226)

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. Dated this 6<sup>th</sup> day of April, 2007.

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Rachel M. Solano, Planning Commission Secretary