

**CITY OF LOS BANOS
PLANNING COMMISSION MEETING MINUTES
JANUARY 23, 2008**

***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 (audiotapes) kept as a permanent record.*

CALL TO ORDER: Chairman Hammond called the Planning Commission Meeting to order at the hour of 7:00 p.m.

PLEDGE OF ALLEGIANCE. Commissioner Manzo led the pledge of allegiance.

ROLL CALL – MEMBERS OF THE PLANNING COMMISSION PRESENT: Donovan, Manzo, Chairman Hammond; Anderson absent.

STAFF MEMBERS PRESENT: City Attorney Vaughn, Assistant City Clerk/Human Resources Technician Sousa, Public Works Director/City Engineer Chisam, Assistant Planner Souza, Administrative Assistant Fuentes, and Planning Consultant James.

CONSIDERATION OF APPROVAL OF AGENDA: Commissioner Donovan expressed concern regarding staff's recommendation for a continuation of item 7B. Donovan stated that he would like to see the item return at the next Planning Commission for consideration. Public Works Director/City Engineer Chisam stated that additional staff time was needed to prepare and review the information before the item could return to the Planning Commission for consideration, and the date of February 27, 2008 is the next available date for that.

Motion by Manzo, seconded by Donovan to approve the agenda as submitted. The motion carried by the affirmative vote of all Planning Commission Members present; Anderson absent.

PUBLIC FORUM: MEMBERS OF THE PUBLIC MAY ADDRESS THE COUNCIL 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 THREE (3) MINUTE PRESENTATION. DETAILED GUIDELINES ARE POSTED ON THE COUNCIL CHAMBER INFORMATIONAL TABLE. No one came forward to speak and the public forum was closed.

PUBLIC HEARING – CONSIDERATION OF USE PERMIT #2007-12 TO OPERATE A RECYCLING FACILITY AT 508 MERCY SPRINGS ROAD; APPLICANT: BRIAN SUBIA AND JOANNE SUBIA. (CONTINUED FROM NOVEMBER 28, 2007). Chairman Hammond stated that the applicant's have requested to withdraw their current application for a Use Permit.

Motion by Donovan, seconded by Manzo to accept the applicant's withdrawal of application for Use Permit #2007-12 to operate a recycling facility at 508 Mercey Springs Road. The motion carried by the affirmative vote of all Planning Commission Members present; Anderson absent.

PUBLIC HEARING – CONSIDERATION OF AN ORDINANCE AMENDMENT TO THE LOS BANOS MUNICIPAL CODE REGARDING MOBILE VENDORS. THE ORDINANCE AMENDMENT WOULD APPLY CITY-WIDE (CONTINUED FROM NOVEMBER 28, 2007 AND TO BE CONTINUED TO FEBRUARY 27, 2008). Public Works Director/City Engineer Chisam stated that he was only recently asked to assist with the operations of the Planning Department, and therefore needed additional time to get familiar with the project before bringing the item back to the Planning Commission for consideration.

Planning Commission Chair Hammond opened the public hearing. **Carlos Iniguez**, Los Banos, stated he was present along with his father who also wanted to speak on the item; requested clarification on the continuation date so that he may return with his father to speak during the February 27, 2008 public hearing. No one else came forward to speak and the public hearing was closed.

City Attorney Vaughn clarified that an Ordinance is currently in place for mobile vendors, and they are able to continue operating under that Ordinance.

Motion by Donovan, seconded by Manzo to continue the public hearing to February 27, 2008. The motion carried by the affirmative vote of all Planning Commission Members present.

PUBLIC HEARING – CONSIDERATION OF USE PERMIT #2007-18 FOR A TYPE 41 ALCOHOL LICENSE LOCATED AT 651 I STREET, MORE SPECIFICALLY DESCRIBED AS ASSESSOR'S PARCEL NUMBER: 025-231-007; APPLICANT: TEODORO AND ESMERALDA LOREDO. Assistant Planner Souza presented the staff report by PowerPoint.

Planning Commission Chair Hammond opened the public hearing. **Esmeralda Lopez**, Los Banos, stated she is trying to bring a restaurant into the downtown area for families to come and enjoy. No one else came forward to speak and the public hearing was closed.

Motion by Donovan, seconded by Manzo to adopt Planning Commission Resolution No. 2008-08 – Recommending Approval of Use Permit #2007-18 to the Los Banos City Council for the on Sale of Beer and Wine in Conjunction with a Restaurant at 651 I Street. The motion carried by the affirmative vote of all Planning Commission Members present.

PUBLIC HEARING – CONSIDERATION OF USE PERMIT #2007-19 TO ALLOW A LARGE RECYCLING FACILITY TO OPERATE IN THE GENERAL COMMERCIAL ZONING DISTRICT. THE PROJECT IS LOCATED AT 1220 E STREET, SUITES F, G AND H, MORE SPECIFICALLY DESCRIBED AS ASSESSOR'S PARCEL NUMBERS: 025-134-015 AND 025-134-016; APPLICANT: BRIAN SUBIA AND JOANNE SUBIA. Assistant Planner Souza presented the staff report by PowerPoint.

Planning Commission Chair Hammond opened the public hearing. No one came forward to speak and the public hearing was closed.

Motion by Manzo, seconded by Donovan to adopt Planning Commission Resolution No. 2008-09 – Approving Use Permit #2007-19 to Allow a Large Recycling Facility at 1220 E Street, Suites F, G and H. The motion carried by the affirmative vote of all Planning Commission Members present.

A five minute recess was taken at this time.

PUBLIC HEARING – CONSIDERATION OF RECOMMENDATIONS ON THE PIONEER CORRIDOR AREA PLANS ENVIRONMENTAL IMPACT REPORT, AND THREE ANNEXATION REQUESTS AND ASSOCIATED AREA PLANS: THE WEST CENTER AREA PLAN/ANNEXATION INCLUDES ABOUT 456 ACRES NORTH AND SOUTH OF PIONEER ROAD, WEST OF CENTER AVENUE AND MOSTLY EAST OF ORTIGALITA ROAD. THE PRESIDENTIAL ESTATES AREA PLAN/ANNEXATION INCLUDES ABOUT 116 ACRES NORTH OF PIONEER ROAD AND WEST OF MERCY SPRINGS ROAD. THE WARD/PLACE AREA PLAN/ANNEXATION INCLUDES ABOUT 377 ACRES NORTH AND SOUTH OF PIONEER ROAD, BETWEEN MERCY SPRINGS ROAD AND WARD ROAD. EACH PROJECT INCLUDES A REQUEST FOR ANNEXATION, PRE-ZONING, AND A PRE-ANNEXATION DEVELOPMENT AGREEMENT. AS REQUIRED BY LOS BANOS GENERAL PLAN POLICY LU18.1, AN AREA PLAN HAS BEEN PREPARED TO GUIDE DEVELOPMENT OF THE LAND PROPOSED FOR EACH ANNEXATION. PROPOSED LAND USES ARE LOW AND MEDIUM DENSITY SINGLE-FAMILY RESIDENTIAL, PROFESSIONAL OFFICE, AND NEIGHBORHOOD COMMERCIAL. MANY OF THE AREAS WOULD BE DEVELOPED UNDER PLANNED DEVELOPMENT ZONING. SUBDIVISION MAPS, FINAL DEVELOPMENT PLANS, AND/OR SITE PLAN REVIEWS WOULD REQUIRE SEPARATE APPROVALS FOLLOWING ANNEXATION AND PRIOR TO DEVELOPMENT. ASSESSOR PARCEL NUMBERS OF THE PROPOSED ANNEXATIONS ARE AS FOLLOWS: WEST CENTER AREA PLAN: 083-030-012; 083-030-013; 083-030-016; 083-030-017; 083-030-018; 083-030-019; 083-030-020; 083-030-021; 083-030-022; 083-030-023; 083-030-025; 083-030-026; 083-030-027; 083-030-032; 083-030-033; 083-090-002; 083-090-004; 083-090-005; 083-090-006; 083-090-007; 083-090-008; 083-090-011; 083-090-012; 083-090-013; 083-090-014; 083-090-015; 083-090-016; 083-090-017; 083-090-018; 083-090-019; 083-090-020; 083-090-021; 083-090-022; 083-090-023; 083-180-016; 083-180-017; 083-180-019; 083-180-029; 083-180-032; 083-180-033; 083-180-034; 083-180-035; PRESIDENTIAL ESTATES AREA PLAN: 083-110-009, 083-110-010, 083-110-015, 083-110-016, 083-110-031, 083-120-012, 083-120-013, 083-120-014, 083-120-015, 083-120-016, 083-120-017, 083-120-018, 083-120-019, 083-120-020, 083-120-021, 083-120-022, 083-120-023, 083-120-024, 083-120-027, 083-120-028; WARD/PLACE AREA PLAN: 083-010-022, 083-010-023, 083-010-024, 083-010-025, 083-100-011, 083-100-013, 083-100-033, 083-100-038, 083-100-039, 083-100-071, 083-100-075, 083-100-076, 083-150-041, 083-150-047, 083-150-048. (CONTINUED FROM JANUARY 9, 2008) Planning Consultant James stated that his presentations were concluded at the January 9, 2008 Planning Commission meeting.

Planning Commission Chair Hammond opened the public hearing. **Dave Romano**, representing Ranchwood Homes, stated that the West Center and Ward/Place Area Plans were large enough to generate the need for a school site; has had conversations with the Los Banos Unified School District in the last couple of weeks, and is optimistic that he can find a school site; requested that the Commission see fit to recommend that the City Council consider annexation of the entire area for both West Center and Ward/Place instead of only the north side. **Steve Tietjen**, Los Banos Unified School District, stated he has met with the applicant and the applicant has agreed to make school sites available in the future due to the effect the proposed area plans will have on the School District; Los Banos Unified School District currently has a mitigation agreement in place with Ranchwood Homes, and it is helpful to the district. **Dave Anderson**, Los Banos, stated that Pioneer Road will be a major thoroughfare for the City, and he would not like to see that roadway turned into an alley like San Luis Street between Ward Road and Pacheco Boulevard; this encourages speeding in the area and it would be more effective to look into putting retail commercial or light industrial development along the roadway frontage to act as a landscape buffer between the roadway and proposed housing; much more scenic view as well; if the south side is not annexed into the city along with the north side and someone wants to build then the County would have the control not the City; intersection of Page Avenue and Pioneer Road is a major intersection and needs to be addressed as well – quite a bit of traffic in this area. **Public Works Director/City Engineer Chisam** stated that staff's recommendation stands with regards to only annexing the north side at the present moment, and that he has not had sufficient time to review the applicant's request and make a different recommendation; the applicant can also state his request at the time the item is reviewed by the City Council. No one else came forward to speak and the public hearing was closed.

Motion by Donovan, seconded by Manzo to adopt Planning Commission Resolution No. 2008-01 – Recommending Certification of the Pioneer Corridor Area Plans Environmental Impact Report. The motion carried by the affirmative vote of all Planning Commission Members present; Anderson absent.

Motion by Donovan, seconded by Manzo to adopt Planning Commission Resolution No. 2008-02 – Recommending Approval of the Ward/Place Area Plan Pre-Annexation Development Agreement. The motion carried by the affirmative vote of all Planning Commission Members present; Anderson absent.

Motion by Donovan, seconded by Manzo to adopt Planning Commission Resolution No. 2008-03 – Recommending Approval of the Ward/Place Area Plan and Request for Annexation (ANX#2006-01) and Pre-Zoning (ZC#2006-01) of the “Ward Place Annexation”. The motion carried by the affirmative vote of all Planning Commission Members present; Anderson absent.

Motion by Donovan, seconded by Manzo to adopt Planning Commission Resolution No. 2008-04 – Recommending Approval of the Presidential Estates East Area Plan Pre-Annexation Development Agreement. The motion carried by the affirmative vote of all Planning Commission Members present; Anderson absent.

Motion by Donovan, seconded by Manzo to adopt Planning Commission Resolution No. 2008-05 – Recommending Approval of the Presidential Estates East Area Plan, Request for Annexation (ANX#2005-01) and Pre-Zoning (ZC#2005-01) for the “Presidential Estates East Annexation”. The motion carried by the affirmative vote of all Planning Commission Members present; Anderson absent.

Motion by Donovan, seconded by Manzo to adopt Planning Commission Resolution No. 2008-06 – Recommending Approval of the West Center Area Plan Pre-Annexation Development Agreement. The motion carried by the affirmative vote of all Planning Commission Members present; Anderson absent.

Motion by Donovan, seconded by Manzo to adopt Planning Commission Resolution No. 2008-07 – Recommending Approval of the West Center Area Plan and Request for Annexation (ANX#2001-01) and Pre-Zoning (ZC#2001-06) of the “West Center Annexation”. The motion carried by the affirmative vote of all Planning Commission Members present; Anderson absent.

PLANNING DEPARTMENT REPORT. No report.

COMMISSION MEMBER REPORTS.

DONOVAN: Stated he has heard of a completion date for the signal at Ortigalita and Pacheco Boulevard, and requested a verbal report from Stonecreek at the next Planning Commission meeting; concerned with the amount of time taken to rewrite the Ordinance for mobile vendors.

JOSE MANZO: No report.

VICE CHAIR ARACELI ANDERSON: Absent.

CHAIRMAN HAMMOND: Thank you to staff for providing Commission with useful information each meeting.

ADJOURNMENT. The meeting was adjourned at the hour of 8:01 p.m.

APPROVED:

/ s / Stephen Hammond
Stephen Hammond, Chairman

ATTEST:

/ s / Jana R. Sousa
Jana R. Sousa, Assistant City Clerk