

**CITY OF LOS BANOS
PLANNING COMMISSION MEETING MINUTES
OCTOBER 10, 2007**

***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.*

The Planning Commission of the City of Los Banos met on the above given date.

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

ROLL CALL – MEMBERS OF THE PLANNING COMMISSION PRESENT: Stephen Hammond, Araceli Anderson, Deborah Lewis, Jose Manzo and Chairman, Norm Donovan.

STAFF MEMBERS PRESENT: Administrative Assistant/Secretary Cinthia Fast, City Attorney, Bill Vaughn, Planning Manager, John LeVan, and Assistant Planner, Stacy Souza.

APPROVAL OF AGENDA: Motion by Manzo, seconded by Hammond, to approve the agenda as submitted. The motion carried by the affirmative vote of all Commission Members present.

CONSIDER APPROVAL OF ACTION MINUTES: Motion by Anderson, seconded by Hammond, to approve the September 26, 2007 minutes, with the changes as requested. The motion carried by the affirmative vote of all Commission Members present.

PUBLIC FORUM: MEMBERS OF THE PUBLIC MAY ADDRESS THE COMMISSION ON ANY ITEM OF PUBLIC INTEREST THAT IS WITHIN THE JURISDICTION OF THE PLANNING COMMISSION; INCLUDES AGENDA AND NON-AGENDA ITEMS. NO ACTION WILL BE TAKEN ON NON-AGENDA ITEMS. SPEAKERS ARE LIMITED TO A FIVE (5) MINUTE PRESENTATION. No one came forward to speak, and the public forum was closed.

CONSIDERATION OF APPROVAL OF USE PERMIT # 2007-10 TO CONSTRUCT A 150 FOOT PUBLIC SAFETY COMMUNICATIONS TOWER FOR THE CITY OF LOS BANOS FIRE DEPARTMENT ON PROPERTY LOCATED AT 333 SEVENTH STREET. ASSESSOR PARCEL NUMBER: 025-082-002. Stacy Souza presented the staff report by PowerPoint. Commissioner Lewis had a question for Chet Guintini, Fire Chief. She took a picture of Merced county tower and it had several cell dishes, will this tower look similar to the photo that was taken? Chet responded that it will have an array of antennas and microwave type dishes. The tower is designed to carry 4 large microwave dishes. He is not anticipating using any large dishes no more than 2 feet in diameter.

Motioned for approval by Anderson, seconded by Hammond, to adopt Planning Commission Resolution #2007-47, Approving Use Permit #2007-10.

CONSIDERATION OF APPROVAL OF USE PERMIT # 2007-11 FOR AN ALCOHOL LICENSE IN CONJUNCTION WITH A RESTAURANT LOCATED AT 650 I STREET. John LeVan presented the staff report by PowerPoint. The applicant is requesting a type 41 license. The restaurant will be on the bottom floor. Commissioner Anderson had commented that the previous establishment was selling alcohol and was questioning if the previous establishment was selling distilled spirits also. John LeVan had commented that no, this is strictly a beer & wine business license.

Chairman Donovan opened the Public Hearing. Leo & Linda Mikha approached the podium to speak. They were very happy about being here in Los Banos. They commented that the beer and wine will only be about 10% of their sales. They cannot

have an authentic Italian restaurant without good wine. This is truly a restaurant and not a bar. The restaurant will be open 7 days a week for lunch and dinner. They will have about 25-30 employees. Commissioner Lewis, had no questions, but did congratulate them on the business. Commissioner Anderson commented that this was a good step in helping to cleanup the downtown area and thanked them for the restoration of the area. Chairman Donovan commented that the food there was delicious and was excited about them opening. Linda Mikha had responded that they are hoping to open within the next few weeks.

Motioned for approval by Hammond, seconded by Anderson to adopt Planning Commission Resolution #2007-48, Approving Use Permit #2007-11.

DISCUSSION OF THE CITY'S PROPOSED CHANGES TO ARTICLE 16, TITLE 9, CHAPTER 2 OF THE LOS BANOS MUNICIPAL CODE, LAND FOR PARKS AND RECREATION. PROPOSED CHANGES INCLUDE PARK LAND ACREAGE STANDARD AND THE FORMULA FOR CALCULATING THE FEES IN LIEU OF LAND DEDICATION. TO RECOMMEND APPROVAL OF AMENDMENTS FOR ORDINANCE REVISIONS TO THE LOS BANOS CITY COUNCIL.

Dwayne Chisam discussed the report. Commissioner Anderson had a question about the census figures and how the numbers were figured for the population of the household. Dwayne Chisam responded that it was a weighted average. Commissioner Anderson had a second question about the figure for the 3.6 acres of parks for residents, increased to 3.83, how it was comparable to other cities? Dwayne Chisam had responded that they calculated based by amount of acreage and park land that existed and the population at that time, at which the two numbers corresponded. The number varies from community to community and varies somewhat by jurisdiction. Maximum is 5 acres per thousand, which is a goal to be established by the city council for developers. The new proposed general plan is going to recommend 7.2 acres per thousand. Commissioner Anderson also wanted to confirm that we were not double compensating? Wanted to clarify that private parks may only be given a credit of 4-5%. Dwayne responded that was correct. He also commented that subdivision maps with 5 parcels or less will be exempt. Commissioner Anderson had one more question about the language on Definitions E, H, and I, the density and low density on page 2, no definitions were written. Dwayne had commented that they are associated with various zoning designations and based on density aspects.

Motioned for approval by Hammond, seconded by Anderson to Recommend Approval of Amendments for Ordinance Revisions to the Los Banos City Council.

PLANNING MANAGER'S REPORT: Nothing to Report.

COMMISSIONERS REPORTS:

ARACELI ANDERSON: Reported that she enjoyed the Residential Design Standards Tour. It really opened up her eyes in the community to go out and see the array of styles within other communities. There was a very wide spectrum of homes, which would be fitting for our community as we grow. Was a very valuable experience.

DEBORAH LEWIS: Echoed comments from Commissioner Anderson about the tour. She was really happy that the council moved forward to take the opportunity to look at other areas outside the boundaries of Los Banos and bring to our community. It was a pleasure going on the tour and it was a good start. Commissioner Lewis thanked the Planning Department and City Council.

JOSE MANZO: Thanked John LeVan and Stacy Souza for doing a wonderful job on the tour. He also thanked Dwayne for answering his many questions.

STEPHEN HAMMOND: Reported that he was saddened he could not go on the tour, as he schedule could not allow. He is excited to see the pictures when they become available.

NORM DONOVAN: Reported that he had a great time on the tour and was sorry he had to cut it short to go home. It was a nice tour and he got some really good ideas and also some ideas with what we could do with the rail trail.

ADJOURNMENT. The meeting was adjourned at the hour of 7:39 p.m.

APPROVED:

Norm Donovan, Chairman

ATTEST:

Cynthia Fast, Administrative Assistant