



City of  
**Los Banos**  
*At the Crossroads of California*

[www.losbanos.org](http://www.losbanos.org)

## **AGENDA**

### **PLANNING COMMISSION**

CITY HALL COUNCIL CHAMBERS  
520 J Street  
Los Banos, California

***December 12, 2007***

*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.*  
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*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. ROLL CALL: (Planning Commission Members)  
  
Anderson \_\_\_\_, Hammond \_\_\_\_, Lewis \_\_\_\_, Manzo \_\_\_\_, Chairman Donovan \_\_\_\_
4. APPROVAL OF AGENDA.  
  
*Recommendation: Approve the agenda as submitted.*
5. CONSIDERATION OF APPROVAL OF THE ACTION MINUTES FOR THE REGULAR MEETING OF November 28, 2007.  
  
*Recommendation: Approve the minutes as submitted.*
6. 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.
7. 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 – Recommending Approval of the Final Development Plan # 2007-05 to the City of Los Banos City Council.

- 1) Planning Commission Resolution No. 2007-63 – Recommending Approval of Final Development Plan # 2007-05 for the Ward Road Apartments Phase 2.

*Recommendation: Receive staff report, open public hearing, receive public comment, close public hearing, adopt Planning Commission Resolution No. 2007-63 as submitted.*

B. Public Hearing – Consideration of Use Permit #2007-14 for the on sale of beer and wine in conjunction with a restaurant at 1245 Pacheco Blvd.

- 1) Planning Commission Resolution No. 2007-64 – Recommending Approval of Use Permit # 2007-14 to the Los Banos City Council.

*Recommendation: Receive staff report, open public hearing, receive public comment, close public hearing, Adopt Planning Commission Resolution No. 2007-64 as submitted.*

C. Public Hearing – Consideration of Adoption of Resolution # 2007-65 and Approving Use Permit #2007-09 for the use of a small recycling facility.

- 1) Planning Commission Resolution No. 2007-65 - Approving the adoption of Use Permit # 2007-09.

*Recommendation: Receive staff report, open public hearing, receive public comment, close public hearing, Adopt Planning Commission Resolution No. 2007-65 as submitted.*

D. Public Hearing – Consideration of Use Permit # 2007-17 for the use of a Large Day Care at 2566 South Creekside Drive.

- 1) Planning Commission Resolution No. 2007-66 - Approving the adoption of Use Permit # 2007-17.

*Recommendation: Receive staff report, open public hearing, receive public comment, close public hearing, Adopt Planning Commission Resolution No. 2007-66 as submitted.*

E. Public Hearing – Consideration of Use Permit #2007-16 for the on sale of beer and wine in conjunction with a restaurant at 225 7<sup>th</sup> Street Suite B.

- 1) Planning Commission Resolution No. 2007-71 - Recommending denial of Use Permit #2007-16 for the on sale of beer and wine at 225 7<sup>th</sup> Street.

*Recommendation: Receive staff report, open public hearing, receive public comment, close public hearing, Adopt Planning Commission Resolution No. 2007-71 as submitted.*

F. Public Hearing – Consideration of Villa Burano Area Plan

- 1) Planning Commission Resolution No. 2007-68 – Recommending certification of the Villa Burano EIR
- 2) Planning Commission Resolution No. 2007-69 – Recommending Approval of a Pre-Annexation Agreement between the City and the Applicant.
- 3) Planning Commission Resolution No. 2007-70 – Making Findings and Recommending approval with conditions, a General Plan Amendment from Low Density Residential to Neighborhood Commercial on about one acre, an Area Plan for 117.8 acres, and a request for annexation and pre-zoning of 114.57 acres to the west of the San Luis Canal, north of the Provinces subdivision, east of the Regency at Northgate subdivision, and south of the St. Francis Estates subdivision.

*Recommendation: Receive staff report, open public hearing, receive public comment, close public hearing, Adopt Planning Commission Resolution No. 2007-68, 69, and 70 as submitted.*

8. PLANNING DEPARTMENT REPORT

9. COMMISSIONERS REPORTS

- A. Anderson
- B. Lewis
- C. Manzo
- D. Vice Chairman Hammond
- E. Chairman Donovan

10. 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.

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Cinthia Fast, Administrative Assistant

Dated this 7th day of December, 2007