

**CITY OF LOS BANOS  
PLANNING COMMISSION MEETING MINUTES  
JUNE 27, 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:** Chairman Donovan called the Planning Commission Meeting to order at the hour of 7:01 p.m.

**ROLL CALL – MEMBERS OF THE PLANNING COMMISSION PRESENT:** Araceli Anderson, Deborah Lewis, and Chairman Norm Donovan; Vice Chair Valerie Osborn; Stephen Hammond absent.

**STAFF MEMBERS PRESENT:** Administrative Assistant/Deputy City Clerk Sousa, City Attorney Vaughn, Planning Manager LeVan, Assistant Planner Farinha, and Public Works Director/City Engineer Chisam.

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

**CONSIDER APPROVAL OF ACTION MINUTES:** Motion by Anderson, seconded by Lewis to approve the June 13, 2007 minutes as submitted. The motion carried by the affirmative vote of all Commission Members present; Hammond absent.

**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.** Ray DeSa, Stonecreek Properties, provided an update on the traffic signal for the Ortigalita/Pacheco intersection. DeSa reported that work on the signal was scheduled to begin in the next few weeks and that the entire process usually lasts about fourteen weeks. No one else came forward to speak and the public hearing was closed.

**CONSIDERATION OF APPROVAL OF SITE PLAN REVIEW #2006-15, VANTI PROPERTIES FOR PROPERTY LOCATED AT 828 WEST PACHECO BLVD.; ASSESSOR PARCEL NUMBER: 027-130-009, RESOLUTION NO. 2007-31. APPROVAL WOULD ALLOW THE CONSTRUCTION OF A 4956 SQ FT. PROFESSIONAL/COMMERCIAL BUILDING IN THE HIGHWAY COMMERCIAL ZONE DISTRICT.** Chairman Donovan reported that the applicant requested a continuance of the item. Donovan then opened the public hearing, and no one came forward to speak.

Motion by Lewis, seconded by Osborn to continue the public hearing to July 11, 2007. The motion carried by the affirmative vote of all Commission Members present; Hammond absent.

**CONSIDERATION OF APPROVAL OF FINAL DEVELOPMENT PLAN 2007-01, WARD ROAD APARTMENTS L.P. FOR PROPERTY LOCATED WEST OF WARD ROAD AND 500 FEET SOUTH OF HIGHWAY 152; ASSESSOR PARCEL NUMBER 083-100-010 RESOLUTION NO. 2007-32. APPROVAL WOULD ALLOW THE CONSTRUCTION OF A 105 UNIT APARTMENT COMPLEX IN A PLANNED DEVELOPMENT ZONE.**

Planning Manager LeVan presented the report noting that a public notice was mailed to adjacent property owners along with surrounding landowners, and that a neighborhood meeting was held on June 21, 2007 to receive comments from surrounding property owners. LeVan reported that no written responses were received at the neighborhood meeting, but there were some questions that received responses at the meeting.

Chairman Donovan opened the public hearing.

Tim Miller, Miller Planning and Design, introduced Charles Brambaugh and Justin Hardt from The Corporation for Better Housing. Miller stated that as part of the area plan, an access was to be provided between Ward Road and Place Road. Miller stated he was happy to respond to any questions regarding the project.

Charles Brambaugh, Corporation for Better Housing, gave a detailed PowerPoint presentation regarding the project which included pictures of existing projects in other communities (PowerPoint presentation is on file with the City of Los Banos Planning Department). Brambaugh noted that the Corporation for Better Housing had never sold a building and was interested in the Los Banos community long-term. Brambaugh stated that if approvals occurred in July, ground could break before the end of the year and the project would take approximately eleven months to complete. Brambaugh stated that he spoke with Fire Chief Guintini and that the project provides secondary access and would contain proper fire equipment. Brambaugh noted that through the land lease with the Los Banos Redevelopment Agency, he is required to keep up maintenance for the property and that he would hire a local contractor to maintain landscaping within the project.

There was commission member concern about the project causing a noise disruption to businesses in the surrounding area due to the type of proposed fencing chosen throughout the project site.

Public Works Director/City Engineer Chisam stated that the masonry wall was not required at this time, and that in the interim a wood fence would be provided for the project. Commission members requested that the masonry wall be included right away instead of at a later date. Mr. Brambaugh agreed to include the masonry wall right away, with the request that he be allowed to place pycaster every forty feet and stucco the entire wall to allow for easy removal of graffiti. There was commission member concern regarding trash enclosures not being included in the first building. Brambaugh

stated that the first building was a three story building and a trash area would be located on the second and third floors with a trash enclosure shoot that would drop down to a main trash receptacle collecting all trash on the first floor.

There was commission member concern regarding the addition of a property maintenance agreement for the project to allow vegetation to thrive. City Attorney Vaughn reported that the Redevelopment Agency has included, within its disposition and development agreement for the project, that there shall be property management for fifty-five years.

There was commission member concern regarding the inclusion of a fire suppression system within the project. Brambaugh stated that the project included a two hour rating system with sprinklers in each room.

Chairman Donovan closed the public hearing.

**The motion began as follows:**

*The title of Resolution 2007-32 should state "approval of" instead of "approving".*

*In the paragraph beginning with therefore be it resolved that, the following changes should be made: on the second line after the word reference, add and recommends to the City Council; on the third line after the word plan, add the words "as depicted in the site plan, typical unit plan, landscape plan, exterior finish board, and interior finish board, as set forth in attachments 2, 3, 4, and 5 of the staff report".*

*Condition of approval number one under Planning, should read as follows: "Final Development Plan (FDP) shall expire if the developer does not apply for a building permit within one year from the date of approval and/or request one six month extension in writing, which may be approved by the Planning Manager."*

*Condition of approval number seventeen under Planning should read as follows: "A masonry wall will be erected on the entire west side of the project; an electronic wrought iron fence will be erected at the two ingresses and egresses on the north side of the property; a wrought iron fence will be erected at the entire south portion of the project extending the landscaping to the Rail Trail; appropriate irrigation be part of the condition of approval and that vegetation will be living and thriving and be replaced if they die"*

Motion by Lewis, seconded by Osborn to adopt Resolution No. 2007-32 by title as amended and corrected by staff and incorporating the conditions of approval as stated into the record. The motion carried by the affirmative vote of all Commission Members present; Hammond absent.

**DISCUSSION OF DOWNTOWN COMMERCIAL DESIGN STANDARDS.** Planning Manager LeVan presented the report noting that no approval action was required.

A five minutes recess was taken at this time.

Planning Manager LeVan continued his report.

There was discussion regarding the allowance of patios, plazas, courtyards or seating areas, the possibility of the downtown becoming a one-way street,

Shirley Napolitano, Los Banos, stated that she was a member of the design standards committee and that the committee put in a lot of time and effort into the project. Napolitano stated that it has been a few years since the committee recommended the design standards, and she felt the committee should be joined together once again to take a second look and make any necessary changes.

Tom Kaljian, Los Banos, stated that he thought the design standards had already been adopted, but that he agreed with Napolitano and thought the committee should take a second look at the design standards.

It was recommended that there be a workshop inviting the original design standards committee to get recommendations of the committee and clear up some terminology, and then incorporate the feedback into the document and bring it back to the Planning Commission at a later date.

Tom Kaljian, Los Banos, stated that the committee spent a lot of time on the project and he doesn't want to see a complete overhaul of the project but instead, just some minor revisions should be included.

Shirley Napolitano, Los Banos, stated that the City appoints committees to give suggestions and that sometimes they are not aware of the process that the committee went through to make its decision.

It was suggested to bring back the discussion at the July 25<sup>th</sup> Planning Commission Meeting and to notice the item as a public hearing to allow previous committee members to attend and give input regarding the document.

#### **COMMISSIONERS REPORTS:**

**ARACELI ANDERSON:** No report.

**STEPHEN HAMMOND:** Absent.

**VALERIE OSBORN:** Reported that earlier in the week she provided a written resignation to the City Clerk. Osborn stated that she would stay on the Planning Commission until the Mayor had an opportunity to nominate someone as her replacement. Osborn stated that she has learned much from each of the commissioners and appreciated the opportunity to serve with them.

**DEBORAH LEWIS:** Requested that color renditions be included in the Planning Commission packet.

**NORM DONOVAN:** Stated that he would not be present at the next commission meeting and Vice Chair Osborn would be running the meeting on his behalf.

**PLANNING MANAGERS REPORT:** No report.

**MISCELLANEOUS INFORMATION IN PLANNING COMMISSION PACKET, NO ACTION NECESSARY.**

**ADJOURNMENT.** The meeting was adjourned at the hour of 9:31 p.m.

APPROVED:

/ s / Norm Donovan  
Norm Donovan, Chairman

ATTEST:

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