

**CITY OF LOS BANOS
PLANNING COMMISSION MEETING MINUTES
JANUARY 8, 2014**

***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 (CD and/or audio) kept as a permanent record.*

CALL TO ORDER: Vice Chair Spada called the Planning Commission Meeting to order at the hour of 7:01 p.m.

PLEDGE OF ALLEGIANCE: The pledge of allegiance was led by Commissioner Mello.

ROLL CALL – MEMBERS OF THE PLANNING COMMISSION PRESENT: Planning Commission Members Arkady Faktorovich, Tom Mello, Tom Spada, Susan Toscano.

STAFF MEMBERS PRESENT: City Attorney Vaughn, Assistant City Clerk/Human Resources Technician Sousa, and Assistant Planner Elms.

CONSIDERATION OF APPROVAL OF AGENDA: Motion by Faktorovich, seconded by Mello to approve the agenda as submitted. The motion carried by the affirmative action of all Planning Commission Members present.

ADMINISTRATION OF OATH OF OFFICE TO NEW PLANNING COMMISSIONERS: TODD BAKER, JOHN CATES, STEPHEN HAMMOND: Assistant City Clerk/Human Resources Technician Sousa administered the Oath of Office.

ROLL CALL – MEMBERS OF THE PLANNING COMMISSION PRESENT: Planning Commission Members Todd Baker, John Cates, Arkady Faktorovich, Stephen Hammond, Tom Mello, Tom Spada, Susan Toscano.

REORGANIZATION OF PLANNING COMMISSION – SELECTION OF NEW CHAIRPERSON AND VICE CHAIR: Vice Chair Spada explained the nomination process and requested nominations for the position of Planning Commission Chair.

Commissioners Toscano and Mello nominated Commissioner Spada to serve as the new Planning Commissioner Chair.

Motion by Hammond, seconded by Faktorovich to close nominations for the position of Chair.

Motion by Mello, seconded by Toscano to appoint Commissioner Spada as Chair.

Chair Spada thanked his fellow Commissioners for the nomination and opened nominations for Vice Chair.

Commissioners Faktorovich and Mello nominated Commissioner Toscano to serve as Planning Commission Vice Chair; Commissioner Toscano nominated Commissioner Faktorovich.

Chair Spada requested a vote for either Commissioner Toscano or Commissioner Faktorovich. Commissioners Hammond, Faktorovich, Baker, and Toscano voted for Commissioner Toscano to serve as the new Vice Chair.

Motion by Faktorovich, seconded by Hammond to appoint Commissioner Toscano to serve as Vice Chair.

CONSIDERATION OF APPROVAL OF THE ACTION MINUTES FOR THE REGULAR MEETING OF OCTOBER 9, 2013: Motion by Cates, seconded by Toscano to approve the minutes as submitted. The motion carried by the affirmative action of all Planning Commission Members present.

CONSIDERATION OF APPROVAL OF THE ACTION MINUTES FOR THE REGULAR MEETING OF NOVEMBER 13, 2013: Motion by Mello, seconded by Toscano to approve the minutes as submitted. The motion carried by the affirmative action of all Planning Commission Members present.

PUBLIC FORUM: MEMBERS OF THE PUBLIC MAY ADDRESS THE CITY COUNCIL MEMBERS 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 FIVE (5) MINUTE PRESENTATION. DETAILED GUIDELINES ARE POSTED ON THE COUNCIL CHAMBER INFORMATIONAL TABLE. Chair Spada opened the public forum.

LOS BANOS CITY MANAGER STEVE CARRIGAN, Los Banos, wished everyone a Happy New Year and Congratulated the new Commissioners, announced the City is going to provide the Planning Commissioners with training on some typical projects they may see come before them and what it means to be a Planning Commissioner, Assistant Planner Elms and City Attorney Vaughn will insert training sessions at Planning Commission Meetings throughout the year, please know that when Assistant Planner Elms speaks to you it's like I am (City Manager) speaking to you because I see Ms. Elms every day and meet with her once a week, stated he had a chance to meet with a few Commissioners and invited them to come speak with him as needed, he would like to periodically attend Planning Commission meetings to discuss what Commissioners would like to hear from him, the City is contacting developers in January to find out what they are building and where they are building it, you'll have a lot to do this year and how he looks forward to working with each Commissioner. LOS BANOS MAYOR MIKE VILLALTA, Los Banos, thanked the returning Planning Commissioners for their service and welcomed the new Planning Commissioners, invited the Commissioners to speak with him or the City Manager at any time, cautioned the Commissioners that it is not always possible for him to be in the audience because a lot

of their actions move forward to the City Council for approval, the Planning Commission is here to make those decisions first, if you request our presence we'll be happy to show up, feel free to drop by my business any time, spoke about the upcoming City-County relations dinner being hosted by Los Banos on January 28, 2014 with a social at 6:00 p.m. and dinner at 6:30 p.m.; and how he and the City Manager are here tonight to invite the Planning Commissioners to attend, welcome and thank you for your service and volunteering for the Planning Commission, how he just left the Volunteers Interacting to Advance Law Enforcement (VITAL) group and thanked them for all their service, most of us are just volunteers in the City, thank you for caring.

No one else came forward to speak and Chair Spada closed the public forum.

PUBLIC HEARING – TO CONSIDER CONDITIONAL USE PERMIT #2013-14 TO OPERATE A LARGE FAMILY DAYCARE FACILITY IN THE LOW DENSITY RESIDENTIAL ZONING DISTRICT (R-1) LOCATED AT 1027 CARDOZA ROAD, MORE SPECIFICALLY IDENTIFIED AS ASSESSOR’S PARCEL NUMBER: 431-161-018. Chair Spada recused himself and left the room due to the fact that he owns property within 500 feet of the area. Assistant Planner Elms presented the staff report which included a PowerPoint presentation.

Vice Chair Toscano opened the public hearing. No one came forward to speak and the public hearing was closed.

Motion by Hammond, seconded by Mello to adopt Planning Commission Resolution No. 2014-01 Approving Use Permit #2013-14 to operate a Large Family Daycare in the Low Density Residential Zoning District (R-1) Located at 1027 Cardoza Road, More Specifically Identified as Assessor’s Parcel Number: 431-161-018. The motion carried by the affirmative action of all Planning Commission Members present.

Chair Spada returned.

PUBLIC HEARING – TO CONSIDER CONDITIONAL USE PERMIT #2013-16 TO OPERATE A LARGE FAMILY DAYCARE FACILITY IN THE LOW DENSITY RESIDENTIAL ZONING DISTRICT (R-1) LOCATED AT 714 BORDEAUX COURT, MORE SPECIFICALLY IDENTIFIED AS ASSESSOR’S PARCEL NUMBER: 082-601-031. Assistant Planner Elms presented the staff report which included a PowerPoint presentation.

Chair Spada opened the public hearing. No one came forward to speak and the public hearing was closed.

Commissioner Baker stated he spoke with neighbors near the daycare facility and all were in favor of the daycare, Baker stated he felt the daycare was a very nice facility and was well kept.

Motion by Faktorovich, seconded by Baker to adopt Planning Commission Resolution No. 2014-02 Approving Use Permit #2013-16 to operate a Large Family Daycare in the Low Density Residential Zoning District (R-1) Located at 714 Bordeaux Court, More Specifically Identified as Assessor's Parcel Number: 082-601-031. The motion carried by the affirmative action of all Planning Commission Members present.

PUBLIC HEARING – TO CONSIDER CONDITIONAL USE PERMIT #2013-17 FOR THE OPERATION OF AN INDOOR BOUNCE HOUSE BUSINESS IN THE GENERAL INDUSTRIAL ZONING DISTRICT (I) LOCATED AT 115 W. G STREET, SUITE D, MORE SPECIFICALLY IDENTIFIED AS ASSESSOR'S PARCEL NUMBER: 081-110-037. Assistant Planner Elms presented the staff report which included a PowerPoint presentation, noting the applicant was not able to make it tonight but the owner Sam Baza is here to answer any questions.

Commissioner Toscano, stated she was disappointed the applicant was not present because she had a lot of questions. Toscano inquired as to how many bounce houses and how many patrons would be allowed in the area at one time. Assistant Planner Elms stated occupancy is actually regulated by Building and Fire Codes and the Fire Chief will be involved in that occupancy load regulation, she believes the applicant plans to begin with four (4) bounce houses and also plans to provide a section for toddlers versus larger children as part of his business plan.

Commissioner Cates, stated he feels this can work out to be a great benefit to the City and asked if there had been any communication from Comcast regarding issues with this business being located next door. Assistant Planner Elms stated that a public notice was provided to Comcast and she did not hear from Comcast, currently directly adjacent to Comcast is an automotive facility with heavy equipment coming in and out, Comcast is set up with gated security, AAA Jumpers & Slides will be located at the far end of the building so they will be removed from the Comcast area and there will be various entries and exits to their facility, Comcast is a Monday through Friday 8am to 5pm operation and that is not generally the time this facility will be operating as they will operate mostly on the weekends.

Commissioner Mello stated he visited the area the other day and there is plenty of parking, it's actually a pretty good site for this type of business.

Chair Spada spoke about how this means more jobs in town and he's happy to see that, it fills a need with families and the kids have a blast, wished the applicant was present so he could be thanked personally.

Chair Spada opened the public hearing. No one came forward to speak and the public hearing was closed.

Motion by Toscano, seconded by Faktorovich to adopt Planning Commission Resolution No. 2014-03 – Approving Use Permit #2013-17 for AAA Jumpers & Slides Located at 115 W. G Street, Suite D, More Specifically Identified as Assessor's Parcel Number

081-110-037. The motion carried by the affirmative action of all Planning Commission Members present.

COMMUNITY DEVELOPMENT DEPARTMENT REPORT. Assistant Planner Elms thanked the new Planning Commissioners for applying for the Planning Commission and stated she looks forward to working with them, announced the first educational workshop held will be on the Brown Act and the next workshop will be on Conflicts of Interest, other workshops will include topics such as conditional use permits, mobile vending, site permits, California Environmental Quality Act (CEQA), the City's General Plan and the various elements, the Housing Element, she's looking forward to the upcoming year, invited all Commissioners to call her with any questions they may have stating she is happy to help.

PLANNING COMMISSION MEMBER REPORTS.

BAKER: Stated he is thankful for the opportunity to serve, looking forward to learning a lot this year.

CATES: Stated he is honored to be a representative on this Commission and appreciates the interview team and the City Council, looks forward to working with the Commissioners and taking the City on a path that is very beneficial to everyone, looks forward to the more challenging issues and learning and making a difference to the community.

FAKTOROVICH: Congratulated and welcomed the new Commissioners.

HAMMOND: Stated he is thankful for the opportunity to serve and looks forward to serving, how he is the Pastor at Bethel Community Church and will be announcing events, there is a fundraiser at Chili's January 13, 2014 and if you mention Bethel Community Church the church will receive 15% of the total bill.

MELLO: Welcomed the new Commissioners, glad you're all here, before you come to the meetings please do your homework as it makes the meetings go by faster.

SPADA: Welcomed new Commissioners, Happy New Year, thanked the City Manager for attending, thinks the educational opportunities are fabulous, thank you for electing me to chair, there is a lot of talent up here and he's excited.

TOSCANO: Welcomed the new Commissioners and thanked everyone for electing her as Vice Chair, looking forward to longer meetings this year because that means there are more items on the agenda and we are prospering as a community.

ADJOURNMENT. The meeting was adjourned at the hour of 7:55 p.m.

APPROVED:

/s/ Tom Spada
Tom Spada, Chair

ATTEST:

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