



AGENDA

REDEVELOPMENT AGENCY MEETING

CITY HALL COUNCIL CHAMBERS
520 J Street
Los Banos, California

MARCH 17, 2004

7:00 PM

If you require special assistance to attend or participate in this meeting, please call the City Clerk's Office @ (209) 827-7000 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 de la ciudad al (209) 827-7000 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.
2. PLEDGE OF ALLEGIANCE.
3. ROLL CALL: Agency Members Gerbi, Hudak, McAdam, Smith, Chairman Amabile
4. APPROVAL OF AGENDA.
5. PUBLIC FORUM: Members of the public may address the Redevelopment Agency on any item of public interest that is within the jurisdiction of the Redevelopment Agency; 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.



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CITY COUNCIL

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La Ciudad de Los Banos cumple con la Acta de Americanos con Deshabilidad (ADA) de 1990.

1. CALL TO ORDER.
2. ROLL CALL: Council Members Gerbi, Hudak, McAdam, Smith, Mayor Amabile
3. APPROVAL OF AGENDA.
4. PRESENTATIONS.
 - A. Girl Scout Month Proclamation.
5. PUBLIC FORUM: Members of the public may address the City Council on any item of public interest that is within the jurisdiction of the City Council; 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.

6. APPROVAL OF CONSENT AGENDA. (Items on the Consent Agenda will be voted on in one motion unless removed from the calendar by a Council Member.)

A. Minutes for the meeting of March 3, 2004.

Recommendation: Approve the minutes as submitted.

B. Minutes for the adjourned meeting of March 4, 2004.

Recommendation: Approve the minutes as submitted.

C. Check Register for #73410 – #73759 in the amount of \$850,824.87.

Recommendation: Approve the check register as listed.

D. 2002-03 City Audit.

Recommendation: Approve the audit as submitted.

7. PUBLIC HEARINGS. (The City Council reserves the right to open one or more of the scheduled public hearings simultaneously.)

If you challenge the City Council's action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City at, or prior to, the public hearing.

A. Use Permit #2004-01 – 265 Mercey Springs Road, Suite G – APN 025-121-015. Consideration of a Use Permit to allow the off-site sale of beer and wine in conjunction with an existing grocery store. The subject property is zoned P-D (Planned Development) and is located north of Romero Street and west of Mercey Springs Road in the Premiere Cinema Plaza Shopping Center. (Applicant: Guillermo Gaona)

1) Resolution No. 4472 – Pertaining to the Issuance of Use Permit 2004-01 Pursuant to Los Banos Municipal Code Section 9-3.2214.

Recommendation: Open the public hearing, receive public comment, close the public hearing, and adopt the resolution as submitted.

B. Consideration of a Development Agreement for the Orchard Terrace II Subdivision to guide development for approximately 18.4 acres into the City of Los Banos. The property is located on the south side of Overland Avenue and on the west side of Chestnut Street and on the north side of Willmott Avenue. The project is more precisely described as Assessor Parcel Number: 081-110-041. A Mitigated Negative Declaration was considered with the main development proposal. The Development Agreement shall rely on the project for environmental clearance. **[Orchard Terrace II – Development Agreement] (Continued from February 18, 2004)**

- 1) Ordinance No. ____ – Authorizing the Mayor to Execute a Development Agreement on Behalf of the City for that Certain Development Project Known as the Orchard Terrace II Subdivision and Annexation.

Recommendation: Open the public hearing, receive public comment, and continue consideration to April 7, 2004.

- C. Consideration of an Application by Ranchwood Homes Corporation for the Following: Pre-Annexation (Development) Agreement to guide development for approximately 14.7 acres, Annexation of 14.7 acres into the City of Los Banos, Pre-zoning of 14.7 acres from A-1 (General Agricultural) to P-D (Planned Development), and a Vesting Tentative Map to subdivide 14.7 acres of the project site for the construction of 45 single-family homes, including a 16,926 square foot neighborhood park and a 1.7-acre linear park-feature surrounding the subdivision. This development shall be known as “Village Green” (previously named Vineyards 19/Erskin Subdivision). The property is located on the north side of Overland Avenue and on the west side of Nantes Avenue. **[Pre-Annexation (Development) Agreement, Annexation #98-02, Zone Change (Pre-Zone) #2002-02, and Vesting Tentative Tract Map #98-03 – Village Green] (Continued from February 18, 2004)**

- 1) Resolution No. ____ – Adopting the Mitigated Negative Declaration, Approving the Mitigation Monitoring Program, Approving the Village Green Subdivision, Approving the Development Agreement, and Considering the CEQA Findings.
- 2) Ordinance No. ____ – Authorizing the Mayor to Execute a Development Agreement on Behalf of the City for that Certain Development Project Known as the Village Green Subdivision and Annexation.
- 3) Resolution No. ____ – Authorizing the Submittal of an Annexation Application for Certain Uninhabited Territory Designated as the “Village Green Annexation”.
- 4) Ordinance No. ____ – Adding Section 9-.2399__ to Chapter 3, Title 9 of the Los Banos Municipal Code to Pre-Zone from County A-1 (General Agricultural) to P-D (Planned Development).

Recommendation: Open the public hearing, receive public comment, and continue consideration to April 7, 2004.

- D. Consideration of an Application by Ranchwood Homes Corporation for the Following: Pre-Annexation (Development) Agreement to guide development for approximately fifty acres, an Area Plan, an Annexation and Pre-zoning from County A-1 (General Agricultural) to R-1 (Low Density Residential) of the property is also proposed. A Mitigated

Negative Declaration has been prepared for the project and will also be considered. The property is generally located on the northeast corner of South Mercey Springs Road (State Highway 165) and the future extension of Pioneer Road. The site is also bound by Berkeley Drive to the north and Hastings Drive to the east. **[Pre-Annexation (Development) Agreement, East Mercey Springs Area Plan, Annexation #98-02 and Pre-Zone #2001-05] (Continued from February 18, 2004)**

- 1) Resolution No. ____ – Adopting the Mitigated Negative Declaration, Approving the East Mercey Springs Area Plan, Approving the Mitigated Monitoring Program, Approving the Pre-Annexation Development Agreement, and Considering the CEQA Findings.
- 2) Ordinance No. ____ – Authorizing the Mayor to Execute a Development Agreement on Behalf of the City for that Certain Development Project Known as the East Mercey Springs Area Plan and Annexation.
- 3) Resolution No. ____ – Authorizing the Submittal of an Annexation Application for Certain Uninhabited Territory Designated as the “East Mercey Springs Annexation”.
- 4) Ordinance No. ____ – Adding Section 9-.2399__ to Chapter 3, Title 9 of the Los Banos Municipal Code to Pre-Zone from County A-1 (General Agricultural) to P-D (Planned Development) with Low Density Residential and Commercial Land Uses.

Recommendation: Open the public hearing, receive public comment, and continue consideration to April 7, 2004.

- E. Consider of an Application by Stonecreek Properties, LLC for the Following: Pre-Annexation (Development) Agreement to guide development for approximately 493.3 acres in the southwestern part of the City. The project includes the annexation of 401.1 acres into the City of Los Banos, a General Plan land use amendment, site pre-zoning, circulation and transportation diagrams, a layout of proposed infrastructure, and an Environmental Impact Report, SCH# 2002061015. Land uses for the proposal include an office campus, mixed use (first floor retail and second floor office or residential), commercial, parks, trails, environmental reserve, fire station, elementary school, church, child day care, and several forms of residential housing including multi-family, and single family detached with lots from 4,500 to 10,000 square feet. Roads and utilities would be developed within the project, and a three-mile sewer line extension, half-mile storm drain line, and 10-acre storm drainage basin would be developed off-site. The project is located south of State Route 152 (Pacheco Boulevard), west of Ortigalita Road, north of Pioneer Road, east of Los Banos Creek partly in and partly adjacent to the City of Los Banos, Merced County. **[Stonecreek Pre-**

Annexation Development Agreement, Stonecreek Area Plan, Annexation #2001-06, General Plan Amendment #2002-03, and Pre-Zone Change #2002-05] (Continued from February 18, 2004)

- 1) Resolution No. ____ – Certifying the Environmental Impact Report, Approving the Mitigation Monitoring Program, and Considering the CEQA Findings.
- 2) Ordinance No. ____ – Authorizing the Mayor to Execute a Development Agreement on Behalf of the City for that Certain Development Project Known as the Stonecreek Area Plan and Annexation.
- 3) Resolution No. ____ – Authorizing the Submittal of an Annexation Application for Certain Uninhabited Territory Designated as the “Stonecreek Annexation”.
- 4) Resolution No. ____ – Approving the General Plan Amendment #2002-03, Approving the Stonecreek Area Plan, and Approving the Pre-Annexation Development Agreement.
- 5) Ordinance No. ____ – Adding Section 9-.2399____ to Chapter 3, Title 9 of the Los Banos Municipal Code to Pre-Zone from County A-1 (General Agricultural) to P-D (Planned Development), H-C (Highway Commercial), N-C (Neighborhood Commercial), and P-F (Public Facilities).

Recommendation: Open the public hearing, receive public comment, and continue consideration to April 7, 2004.

8. COMMISSION MEMBER APPOINTMENTS.

- A. Airport Advisory Commission – One (1) vacancy, term expiring December 31, 2006.

Recommendation: Appointment by Mayor with approval by Council.

9. ADVISEMENT OF PUBLIC NOTICES. (2 Reports)

10. CITY MANAGER REPORT.

11. M.C.A.G. REPORT.

12. CITY COUNCIL REPORTS.

- A. Council Member Gerbi
- B. Council Member McAdam
- C. Council Member Smith

D. Mayor Pro Tem Hudak

E. Mayor Amabile

13. MISCELLANEOUS INFORMATION IN COUNCIL PACKET,
NO ACTION NECESSARY.

14. CLOSED SESSION.

A. Conference with Legal Counsel – Existing Litigation, Pursuant to Subdivision (a) of Section 54956.9 of the Government Code. Name of Case: Los Banos Unified School District v. City of Los Banos and City Council of Los Banos, Superior Court of California, County of Merced, Court Case No. 147436.

B. Conference with Legal Counsel – Existing Litigation, Pursuant to Subdivision (a) of Section 54956.9 of the Government Code. Name of Case: Building Industry Association of Central California, Inc., v. Los Banos Unified School District, by and through it Board of Trustees; City of Los Banos; County of Merced; and Does 1 through 30, inclusive, Superior Court of California, County of Merced, Court Case 147440.

15. ADJOURNMENT.

A. Adjourn to 10:00 a.m., Thursday, March 27, 2004 to attend a “Parkside Chat” to discuss issues facing the community being held at College Greens Neighborhood Park, 1815 Scripps Drive, Los Banos, California.

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.

Lucille L. Mallonee, City Clerk

Dated this 12th day of March 2004

6. APPROVAL OF CONSENT AGENDA. (Items on the Consent Agenda will be voted on in one motion unless removed from the calendar by an Agency Member.)

A. Minutes for the February 18, 2004.

Recommendation: Approve the minutes as submitted.

B. Approve the 2002/2003 Audit

Recommendation: Approve the Redevelopment Agency audit as submitted.

7. STAFF REPORT.

8. ADJOURNMENT.

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.

Lucille L. Mallonee, City Clerk

Dated this 12th day of March 2004