



City of Los Banos

At the Crossroads of California

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AGENDA

PLANNING COMMISSION

CITY HALL COUNCIL CHAMBERS
520 J Street
Los Banos, California

JANUARY 27, 2016

If you require special assistance to attend or participate in this meeting, please call the Planning Secretary @ (209) 827-7000 extension 118 at least 48 hours prior to the meeting.

The City of Los Banos complies with the Americans with Disabilities Act (ADA) of 1990.

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 118 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.

Any writings or documents provided to a majority of the Planning Commission regarding any item on this agenda will be made available for public inspection at the meeting and in the Planning Department's office located at City Hall, 520 J Street, Los Banos, California during normal business hours. In addition, such writings and documents may be posted on the City's website at www.losbanos.org.

Cualquier escritura o los documentos proporcionaron a una mayoría del Departamento de Planificación con respecto a cualquier artículo en este orden del día será hecho disponible para la inspección pública en la reunión y en la oficina del Secretaria del Departamento de Planificación del City Hall, 520 J Street, Los Banos, California durante horas de oficina normales. Además, tales escrituras y los documentos pueden ser anunciados en el website de la Ciudad en www.losbanos.org.

1. CALL TO ORDER **7:00 PM**
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL: (Planning Commission Members)

Cates __, Faktorovich __, Limon __, Llamas __, McCoy __, Spada __,
Toscano __

4. APPROVAL OF AGENDA

Recommendation: Approve the agenda as submitted

5. CONSIDERATION OF APPROVAL OF THE ACTION MINUTES FOR THE REGULAR PLANNING COMMISSION MEETING OF JANUARY 13, 2016

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 – to Consider a Conditional Use Permit to Allow the Operation of a Spray Booth for Auto Restoration at Evolution Collision Located at 930 G Street, More Specifically Identified as Assessor's Parcel Number: 025-113-016.

- 1) Planning Commission Resolution No. 2016-02 – Approving Conditional Use Permit #2015-14 to Allow the Operation of a Spray Booth for Evolution Collision Center Located at 930 G Street

Recommendation: Receive staff report, open the public hearing, receive public comment, close the public hearing, and adopt the resolution as submitted

B. Public Hearing – to Consider a Conditional Use Permit to Allow the Use of a Type 23 Alcohol License for a Small Beer Manufacturer Onsite Tasting Room for Paraiso Brewery Located at 80 West G Street, More Specifically Identified as Assessor's Parcel Number: 081-190-008

- 1) Planning Commission Resolution No. 2016-03 – Recommending Approval of Conditional Use Permit #2016-01 to the Los Banos City Council for the Use of a Type 23 Alcohol License for a Small Beer Manufacturer for the On and Off-sale of Beer for Paraiso Brewery Located at 80 West G Street, Suite C

Recommendation: Receive staff report, open the public hearing, receive public comment, close the public hearing, and adopt the resolution as submitted

C. Public Hearing – to Consider Vesting Tentative Tract Map #2015-04 for the Subdivision of Approximately 3 Acres into 14 Residential Lots in the Medium Density Zoning District Located at the Northwest Corner of Racquet Club Drive and San Luis Street, More Specifically Identified as Assessor's Parcel Number: 428-030-019

- 1) Planning Commission Resolution No. 2016-04 – Approving Vesting Tentative Tract Map No. 2015-04 for the Subdivision of Approximately 3.1 Acres into 14 Medium Density Parcels Located at the Northwest Corner of San Luis Street and Racquet Club Drive; More Specifically Identified as Assessor’s Parcel Number: 428-030-019

Recommendation: Receive staff report, open the public hearing, receive public comment, close the public hearing, and adopt the resolution as submitted

- D. Public Hearing – to Consider and Make a Recommendation to the Los Banos City Council to Adopt a Proposed Ordinance to Regulate and Create a Process for Temporary Uses on Private (Non-residential) Property in the City of Los Banos **(Continued from January 13, 2016)**

Recommendation: Receive the staff report, open the public hearing, receive public comment, and close the public hearing

8. COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT REPORT

9. COMMISSIONER REPORTS

- A. Cates
- B. Faktorovich
- C. Limon
- D. Llamas
- E. McCoy
- F. Spada
- G. Toscano

10. ADJOURNMENT

APPEAL RIGHTS AND FILING PROCEDURES

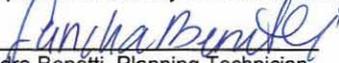
Any person dissatisfied with an act or determination of the Planning Commission may appeal such act or determination to the Planning Commission by filing written notice with the Planning Commission Secretary not later than five (5) business days (excluding holidays) after the day on which the act or 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 9-3.2326)

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 Planning Commission Secretary 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.


Sandra Benetti, Planning Technician

Dated this 22nd day of January 2016

**CITY OF LOS BANOS
PLANNING COMMISSION MEETING MINUTES
JANUARY 13, 2016**

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.

ADMINISTRATION OF OATHS OF OFFICE TO NEWLY APPOINTED PLANNING COMMISSIONERS. Assistant City Clerk Jana Sousa administered oaths of office to reappointed Commissioner John Cates and newly appointed Commissioner Erik Limon.

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

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

ROLL CALL – MEMBERS OF THE PLANNING COMMISSION PRESENT: Planning Commission Members John Cates, Arkady Faktorovich, Erik Limon, Palmer McCoy, Tom Spada, and Susan Toscano.

STAFF MEMBERS PRESENT: Senior Planner Stacy Elms, Planning Technician Sandra Benetti, and City Attorney William Vaughn.

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

REORGANIZATION OF PLANNING COMMISSION – SELECTION OF NEW CHAIRPERSON AND VICE CHAIRPERSON. Motion by Toscano to nominate Planning Commissioner Spada as Chairperson.

Motion by Limon to nominate Planning Commissioner Cates as Chairperson.

Motion by Toscano, seconded by McCoy to select Planning Commissioner Spada as Chairperson. The motion carried by the affirmative action of a majority of Planning Commission Members present, Cates and Limon dissenting.

Motion by McCoy to nominate Planning Commissioner Cates as Vice Chairperson.

Motion by McCoy, seconded by Limon to select Planning Commissioner Cates as Vice Chairperson. The motion carried by the affirmative action of all Planning Commission Members present.

CONSIDERATION OF APPROVAL OF THE ACTION MINUTES FOR THE REGULAR PLANNING COMMISSION MEETING OF DECEMBER 9, 2015. Motion by McCoy, seconded by Faktorovich 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. Chairperson Spada opened the public forum. No one came forward to speak and the public forum was closed.

PUBLIC HEARING – TO CONSIDER TENTATIVE PARCEL MAP NO. 2015-04 TO SUBDIVIDE APPROXIMATELY 4.2 ACRES INTO TWO PARCELS IN THE HIGHWAY COMMERCIAL ZONING DISTRICT (H-C) LOCATED AT 2160 E. PACHECO BLVD., MORE SPECIFICALLY IDENTIFIED AS ASSESSOR’S PARCEL NUMBER: 428-160-032. Senior Planner Elms presented the staff report, which included a PowerPoint presentation.

Chairperson Spada opened up the public hearing. KATHY BALLARD, Los Banos, inquired if the subdivision of the parcel will be for different property owners and if the parcel was changing land use. Senior Planner Elms responded that the property owner will be able to sell off a parcel if they choose after the large parcel is subdivided into two parcels and the land use would remain Highway Commercial zoning. No one else came forward to speak, and the public hearing was closed.

Motion by McCoy, seconded by Faktorovich to adopt Planning Commission Resolution No. 2016-01 – Approving Tentative Parcel Map 2015-04 for the Subdivision of Approximately 4.18 Acres into Two Parcels Located at 2160 E. Pacheco Blvd., More Specifically Identified as Assessor’s Parcel Number: 428-160-032. The motion carried by the affirmative action of all Planning Commission Members present.

PUBLIC HEARING – TO CONSIDER AND MAKE A RECOMMENDATION TO THE LOS BANOS CITY COUNCIL TO ADOPT A PROPOSED ORDINANCE TO REGULATE AND CREATE A PROCESS FOR TEMPORARY USES ON PRIVATE (NON-RESIDENTIAL) PROPERTY IN THE CITY OF LOS BANOS (CONTINUE TO JANUARY 27, 2016). Senior Planner Elms stated that staff would like to continue this item to January 27, 2016 to allow more time to gather further research.

Chairperson Spada opened up the public hearing. KATHY BALLARD, Los Banos, spoke of how she doesn’t understand why a fee would be charged by the City for events on private property. No one else came forward to speak, and the public hearing was closed.

Motion by McCoy, seconded by Faktorovich to continue the Public Hearing – to Consider and Make a Recommendation to the Los Banos City Council to Adopt a Proposed Ordinance to Regulate and Create a Process for Temporary Uses on Private (Non-residential) Property in the City of Los Banos to January 27, 2016. The motion carried by the affirmative action of all Planning Commission Members present.

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT REPORT. Senior Planner Elms spoke of the upcoming Planning Commissioners Academy in San Ramon in March, keeping alert for other learning opportunities for the Commission, working on upcoming projects for a Conditional Use Permit for a paint booth, Tentative Tract Map for 14 parcels, and a Conditional Use Permit for a brewery with a tasting room, welcomed back Commissioner Cates, and welcomed Commissioner Limon to the Commission.

Commissioner McCoy inquired by AAA Jumpers never opened for business even though they were approved for a Conditional Use Permit.

Senior Planner Elms responded that the business owner couldn't pull together financing for this project in this location.

Commissioner Toscano inquired about the status of Prime Shine Car Wash.

Senior Planner Elms responded that the business is still coming and they are working on their building plans.

Chairperson Spada asked if there was any news on the former K-Mart building.

Senior Planner Elms responded that it closed escrow two weeks ago, how the property owner was working on getting access off of Highway 152, and spoke of the progress being made at the former Lowe's building with an application for tenant improvements being submitted for a fitness business.

Commissioner McCoy inquired how many homes were built in 2015.

Senior Planner Elms responded that there were 127 building permits issued and 88 finalized.

Commissioner McCoy asked for an update regarding the Industrial Park and airport relocation.

Senior Planner Elms spoke of how City Manager Carrigan's last day at work is Friday, how direction to staff has been to continue to work on projects as status quo, working on a water supply assessment for the industrial park, and waiting on the arrival of wind equipment to study the prospective airport site.

Commissioner Cates stated that he saw an advertisement for commercial space near the new courthouse.

Senior Planner Elms stated that the commercial piece is a separate parcel from the courthouse.

Commissioner Toscano inquired why the City is paying for industrial park studies if the land is in the County.

Senior Planner Elms stated that it is a private/public/public unique partnership with the City investing only their portion for due diligence to see if this project is feasible.

Commissioner Limon inquired if the cement at the former Lindemann packing site near the new courthouse will be removed.

City Attorney Vaughn responded that the property owners has indicated that they will remove it.

Commissioner McCoy stated that he is unhappy about the combination of the new water restrictions in place with new residential and commercial development, asked if they could take the drain on City resources into account when deciding to approve residential development projects, allowed to water landscaping daily and the 50% shade tree requirement for parking lots.

City Attorney Vaughn spoke of how there isn't an environmental code that indicates that there is a water shortage in which the City wouldn't be able to serve new housing developments and the item that Commissioner McCoy was referring to that went to the City Council was an attempt to temporarily encourage people not to water their yards in the next three months during the wet winter.

Commissioner McCoy stated that the City is only imposing this on established residents and not new properties.

City Attorney Vaughn responded that those questions regarding water supply fall under the jurisdiction of the Public Works Department who develops those rules.

Senior Planner Elms stated that a new water efficiency ordinance that will come forward to the City Council soon.

Commissioner Faktorovich inquired about the status of the new junior high being built.

Senior Planner Elms stated that it was still on schedule to open in time for the new school year to start and how the Los Banos Unified School District is looking to expand the Mercey Springs Elementary School.

City Attorney Vaughn stated that the draft ordinance currently in review by the Public Works Department will have three emergency phases with corresponding restrictions and how the third phase will go to not allowing yards to be watered at all and no new building permits to be issued at all.

PLANNING COMMISSION MEMBER REPORTS.

CATES: Thanked everyone for welcoming him back, wished all a happy New Year, and welcomed Planning Commissioner Limon.

FAKTOROVICH: Wished all a happy New Year.

LIMON: Spoke of how this is a privilege to be part of the Community & Economic Development movement in Los Banos and it being a great feeling for a homegrown boy.

McCOY: Thanked staff and the City Attorney and congratulated the newly appointed commissioners.

SPADA: Congratulated the newly appointed commissioners, thanked the Commission for selecting him as Chairperson again, and spoke of how exciting and challenging 2016 will be.

TOSCANO: Wished all happy New Year and congratulated the newly appointed commissioners.

ADJOURNMENT. The meeting was adjourned at the hour of 7:58 p.m.

APPROVED:

Tom Spada, Chairperson

ATTEST:

Sandra Benetti, Planning Technician



City of
Los Banos
At the Crossroads of California

PLANNING COMMISSION STAFF REPORT

TO: CHAIRMAN SPADA AND COMMISSIONERS

FROM: STACY SOUZA ELMS, SENIOR PLANNER

FOR: JANUARY 27, 2016

SUBJECT: CONDITIONAL USE PERMIT #2015-14 – EVOLUTION COLLISION CENTER

RECOMMENDATIONS:

1. That the Planning Commission adopt Resolution No. 2016-02 approving Conditional Use Permit #2015-14 for the use of an automotive paint spray booth for auto body repair at Evolution Collision Center located at 930 G Street.

PROJECT BACKGROUND/DESCRIPTION:

The requested application is for the use of an automotive paint spray booth at Evolution Collision Center located at 930 G Street. The property is in the General Commercial (C-1) zoning district. Automotive repair garages are permitted uses in the C-1 zoning district, but the use of an automotive paint spray booth requires a Conditional Use Permit. This location was previously approved for a Conditional Use Permit for an automotive paint spray booth in 2003. The use of the spray booth was discontinued for more than a year, and therefore requires a new Conditional Use Permit.

An automotive paint spray booth is a power-ventilated structure provided to enclose or accommodate a spraying operation to confine and limit the escape of spray, vapor, and residue, and to safely conduct or direct them to an exhaust system.

The proposed automotive paint spray booth is 288 square feet (12' x 24') and located outside of the repair garage at the rear of the property. Direct access to the booth is through the repair garage via roll-up doors or through the back alley where there is access through a gate. All work will be performed inside the repair garage or within the automotive paint spray booth. Operations of the business will be Monday thru Friday from 8 a.m. to 5 p.m. The business would provide auto body repair as well as some welding as needed.

The project site is consistent with surrounding general commercial uses in the neighborhood. The west end of the block contains a mini storage facility and an undeveloped lot. The parcel on the east side of the project site contains a vacant automotive repair garage, All American Plumbing and Heating corporation yard, and the Los Banos Public Works Corporation Yard. The north side of the project site does consist of residential uses. The closes residence is approximately 85 feet from the proposed automotive paint spray booth.

The booth will be inspected by the Los Banos Building Department and Fire Department for compliance with the Fire Code, Uniform Building Code and Los Banos Municipal Code. In addition, the applicant is also required by law to obtain a permit from the San Joaquin Valley Air Pollution Control District for air quality purposes. Conditions of approval from the Fire Department have been included for proper maintenance of the proposed spray booth.

LOCATION:

The project site is located at 930 G Street, more specifically identified as Assessor's Parcel Number: 025-113-016.



LAND USE:

Property	Land Use	Zone	General Plan
Project site	Commercial	C-1	CN
North	Undeveloped/Residential	R-1	LDR
South	Undeveloped	R-C	MX
East	Commercial	C-1	CN
West	Undeveloped/Commercial	C-1	CN

C-1 = General Commercial CN = Neighborhood Commercial
R-1 = Low Density Residential LDR = Low Density Residential
R-C = Rail Corridor MX = Mixed Use

ENVIRONMENTAL ASSESSMENT:

Pursuant to the California Environmental Quality Act (CEQA) and the City of Los Banos Environmental Quality Guidelines, it has been determined that this project is categorically exempt from the provisions of CEQA – Article 19, Section 15301. The applicant’s request for the use of a spray booth consists of a previously existing use at an existing facility. No alterations to the existing property are being proposed at this time.

USE PERMIT ANALYSIS

Code Requirements

According to Section 9-3.2322 of the Los Banos Municipal Code, before any Conditional Use Permit may be granted, the Planning Commission shall make the following findings:

- 1. That the proposed use and project is consistent with the City of Los Banos General Plan, and Los Banos Municipal Code;**

The existing General Plan land use designation for the project site is Neighborhood Commercial, which is intended for a mix of neighborhood-scale commercial uses that includes small-scale office space and small retail stores. The subject property is currently zoned General Commercial (C-1). Pursuant to Section 9-3.1202 of the Los Banos Municipal Code, automotive repair garages are permitted uses; however, as set forth in Section 9-3.1203 (a), paint and spray booths; provided all paint and spraying operations are conducted within booths which meet all the requirements of the latest edition of the National Board of Fire Underwriters Pamphlet 33 for Paint Spray Booths are allowed in the C-1 zoning district subject to securing a conditional use permit.

The following specific General Plan Goals, Objectives and Policies are applicable to the proposed project:

ECONOMIC DEVELOPMENT POLICY ED-G-2

Facilitate the development of new businesses, and/or expansion of existing businesses through site availability, infrastructure investments, and labor force preparedness.

ECONOMIC DEVELOPMENT POLICY ED-G-3

Make Los Banos an ideal place to do business by fostering a business friendly climate.

- 2. That the proposed use or project will not be a nuisance or detrimental to the public health, safety, morals, comfort, and general welfare of the persons residing or working in the neighborhood of such proposed use;**

The proposed use will be conducted within a previously existing auto restoration facility. The areas function and character is General Commercial, which includes auto repair services. The project would include conditions of approval which regulate the operational characteristics of the spray booth and are intended to preserve the public health, safety, or welfare of persons and property in the vicinity.

- 3. That the proposed use is compatible with the adjacent uses, properties and neighborhoods and will not be detrimental or injurious to property and improvement in the neighborhood or to the general welfare of the City.**

The use of the spray booth for auto restoration was previously an existing use on project site. The use will continue to operate harmoniously in the neighborhood and conditions of approval have been incorporated into the project to ensure there are no adverse affects to the surrounding neighborhood.

PUBLIC COMMENT:

A public hearing notice was published in the Los Banos Enterprise and notices were provided to adjacent property owners within a 300 foot radius of the subject property on October 14, 2011. As of the date of this staff report, no comments have been received.

APPLICABLE ORDINANCES/GUIDELINES:

Los Banos General Plan

Los Banos Municipal Code - Sections 9-3.1203 and 9-3.2326(a).

RECOMMENDATIONS:

1. That the Planning Commission adopt Resolution No. 2016-02 approving Conditional Use Permit #2015-14 for the use of a spray booth for auto restoration at Evolution Collision Center located at 930 G Street.

ATTACHMENTS:

1. Resolution #2016-02
Exhibit A CEQA Findings
Exhibit B Project Findings
Exhibit C Conditions of Approval

2. Site Plan
3. Site Photos
4. Public Hearing Notice – January 15, 2016

RESOLUTION NO. 2016-02

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS BANOS APPROVING CONDITIONAL USE PERMIT #2015-14 TO ALLOW THE OPERATION OF AN AUTOMOTIVE PAINT SPRAY BOOTH AT EVOLUTION COLLISION CENTER LOCATED AT 930 G STREET

WHEREAS, the applicant has requested that the City of Los Banos consider a Conditional Use Permit to allow the operation of an automotive paint spray booth for auto body repair located at 930 G Street further identified as Assessor's Parcel Number: 025-113-016; and

WHEREAS, a public hearing was duly noticed for January 27, 2016, in accordance with California Government Code Section 65091 by advertisement in the Los Banos Enterprise and by mail to property owners within 300 feet of the project boundaries on January 15, 2016 to consider and take testimony regarding the Conditional Use Permit for an automotive restoration spray booth; and

WHEREAS, the Los Banos Planning Commission has held a public hearing and received public testimony, reviewed said Conditional Use Permit request including the staff report and related documents, has studied the compatibility of the applicant's request with adjacent land uses and has considered this request in accordance with the Use Permit criteria established in the Los Banos Municipal Code; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) and the City of Los Banos Environmental Quality Guidelines, Conditional Use Permit #2015-14 at Evolution Collision Center was determined to be categorically exempt from the provisions of CEQA per Article 19, Section 15301 as the project site is an existing facility; and

WHEREAS, the Planning Commission of the City of Los Banos hereby makes the appropriate findings set forth in Exhibit A (California Environmental Quality Act (CEQA) Findings), and Exhibit B (Findings for Approval), attached hereto and incorporated herein by this reference.

BASED UPON THE EVIDENCE PRESENTED AT THE PUBLIC HEARING, the Planning Commission of the City of Los Banos does hereby make the findings set forth in Exhibit A (CEQA Findings), and Exhibit B (Findings of Approval), attached hereto and incorporated herein by this reference.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Los Banos does hereby approve Conditional Use Permit #2015-14 to permit an automotive spray booth located at 930 G Street subject to the Conditions of Approval set forth in Exhibit C, attached hereto and incorporated herein by this reference.

The foregoing resolution was introduced at a regular meeting of the Planning Commission of the City of Los Banos held on the 27th day of January 2016, by Commissioner _____, who moved its adoption, which motion was duly seconded by Commissioner _____, and the Resolution is hereby adopted by the following vote:

AYES:

NOES:

ABSENT:

APPROVED:

Tom Spada, Planning Commission Chairman

ATTEST:

Sandra Benetti, Planning Commission Secretary

EXHIBIT A

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS FOR CONDITIONAL USE PERMIT #2015-14 – EVOLUTION COLLISION CENTER

Pursuant to the requirements of California Public Resources Code Section 21000 et seq. (CEQA) and Title 14, California Code of Regulations 15000 et seq. (the CEQA Guidelines), the City as Lead Agency under CEQA adopts the following findings required by CEQA, along with the facts and evidence upon which each finding is based.

The City of Los Banos Planning Commission hereby finds as follows:

1. Pursuant to CEQA, the CEQA Guidelines, and the City of Los Banos Environmental Quality Guidelines, Conditional Use Permit #2015-14 was evaluated and determined to be categorically exempt per Article 19, Section 15301 as the request for the operation of an automotive spray booth involves the permitting of an existing private structure and involves no expansion at 930 G Street.
2. Conditional Use Permit #2015-14 was adequately noticed on January 15, 2016 for consideration at a public meeting on January 27, 2016.
3. No further environmental documentation is required as the Conditional Use Permit was contemplated and adequately analyzed in the initial review.
4. Prior to considering the proposed Project, the Planning Commission considered the Categorical Exemption.

EXHIBIT B

FINDINGS FOR APPROVAL OF CONDITIONAL USE PERMIT #2015-14 – EVOLUTION COLLISION CENTER

The City of Los Banos Planning Commission hereby finds as follows:

1. The project is consistent with the City of Los Banos General Plan and the Los Banos Municipal Code.

The existing General Plan land use designation for the project site is Neighborhood Commercial, which is intended for a mix of neighborhood-scale commercial uses. The subject property is currently zoned General Commercial (C-1). As set forth in Section 9-3.1203 (a) of the Los Banos Municipal Code, Paint and spray booths; provided all paint and spraying operations are conducted within booths which meet all the requirements of the latest edition of the National Board of Fire Underwriters Pamphlet 33 for Paint Spray Booths are allowed in the C-1 zoning district subject to securing a conditional use permit.

The following specific General Plan Goals, Objectives and Policies are applicable to the proposed project:

ECONOMIC DEVELOPMENT POLICY ED-G-2

Facilitate the development of new businesses, and/or expansion of existing businesses through site availability, infrastructure investments, and labor force preparedness.

ECONOMIC DEVELOPMENT POLICY ED-G-3

Make Los Banos an ideal place to do business by fostering a business friendly climate.

Evidence/Analysis: The automotive restoration facility will be providing a service to the community. The proposed use previously existed on the site and is compatible with and complementary of existing commercial uses in the neighborhood. In addition, the project would also be consistent with General Plan land use policies as set forth above.

2. That the proposed use or project will not be a nuisance or detrimental to the public health, safety, morals, comfort, and general welfare of the persons residing or working in the neighborhood of such proposed use.

Evidence/Analysis: The proposed use will not adversely affect the peace, health, safety, morals or welfare of persons residing or working in the surrounding area, impair the utility or value of property of other persons located near the site, or be detrimental to public health, safety or general

welfare. The proposed operation of a spray booth will be contained on the premises and regulated by the City and the San Joaquin Valley Air Pollution Control District. Potential impacts to the surrounding areas would be minimal.

3. The proposed Conditional Use Permit is compatible with the adjacent uses, properties and neighborhoods and will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.

Evidence/Analysis: The proposed use will be conducted within a previously approved spray booth facility. The use was discontinued for a year, but the reestablishment of the use will not result in significant operation changes to the existing area. The proposed conditions of approval would ensure consistency with other uses in the neighborhood and promote compatibility.

EXHIBIT C

CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT #2015-14 – EVOLUTION COLLISION CENTER

1. Conditional Use Permit 2015-14 is for one (1) auto restoration spray booth for Evolution Collision Center located at 930 G Street; more specifically identified as Assessor's Parcel Number: 025-113-016 and the requested use shall expire after one (1) year from date of approval by the Los Banos Planning Commission unless implemented. The City for cause may revoke this Conditional Use Permit.
2. The applicant shall comply with all other requirements, laws and policies of other governmental agencies in the conduct and operation of said business.
3. The applicant shall obtain a permit to operate a spray booth by the San Joaquin Valley Air Pollution Control District and shall provide a copy of said permit upon issuance by the San Joaquin Valley Air Pollution Control District to the Planning Department prior to the use of the spray booth on the premises.
4. A copy of these Conditions of Approval and the San Joaquin Valley Air Pollution Control District permit are required to be kept on the premises and presented to any law enforcement officer or authorized City official upon request.
5. The Planning Commission reserves the right to review and/or revoke this permit should the City receive complaints or should the applicant not adhere to the Conditions of Approval. The City may amend or impose new conditions to mitigate adverse affects in the neighborhood resulting from the use of the auto restoration spray booth.
6. The applicant agrees to indemnify, hold harmless, and defend the City of Los Banos, its officers, agents and employees from any and all liability or claims that may be brought against the City of Los Banos arising out of its approval of this permit, or the environmental determination rendered in connection with the permit approval, or arising out of the operation of the use or uses allowed under the permit, save and except that caused solely by the City's active negligence.
7. The premises shall be operated primarily as an auto body shop for the restoration of automobiles as described in the application prepared by the applicant and filed with the Community and Economic Development Department.

8. The premises of the subject site shall not be inconsistent with the Conditions of Approval and shall not be operated in a manner that deviates from the approved use permit or filed operational statement, which shall constitute a violation and may result in the revocation or modification of the permit upon written notice to the owner of the subject site.
9. Authorization of a Use Permit granted pursuant to the provisions of Section 9-3.2322 of the Los Banos Municipal Code shall run with the land and shall continue to be valid upon change of ownership of the site or structure which was the subject of the use permit application provided the use shall be limited to all provisions of the Municipal Code and all conditions placed on approval of the Conditional Use Permit are continually met.
10. A fire suppression system shall be obtained directly from the Los Banos Fire Department prior to operation of the spray booth.
11. The spray booth shall be protected by the fire sprinkler system through extension into the spray booth, duct and plenum or an approved special suppression system as approved by the Fire Chief.
12. The fire sprinkler system shall be inspected, tested and maintained in accordance with the Los Banos Fire Department.
13. Dry chemical, carbon dioxide, gaseous agent or other special systems protecting the spray booth shall have a current State Fire Marshal service tag attached and is required to be inspected and tested at least every six months or after activation in accordance with the Los Banos Fire Department.
14. Portable fire extinguishers shall be provided for the spraying area in accordance with the requirements of an "extra hazard" occupancy. At least one 4-A: 40BC rated fire extinguisher with a current State Marshal service tag attached shall be properly located within 30 feet of travel distance from the booth.
15. Smoking shall be prohibited in the spray booth, flammable vapor areas and in flammable liquid storage rooms. "**NO SMOKING**" signs with approved lettering and size shall be posted in these areas.
16. Open flames and spark-producing devices shall not be used in the spray booth, flammable vapor areas or within 20 feet of such areas unless properly separated.

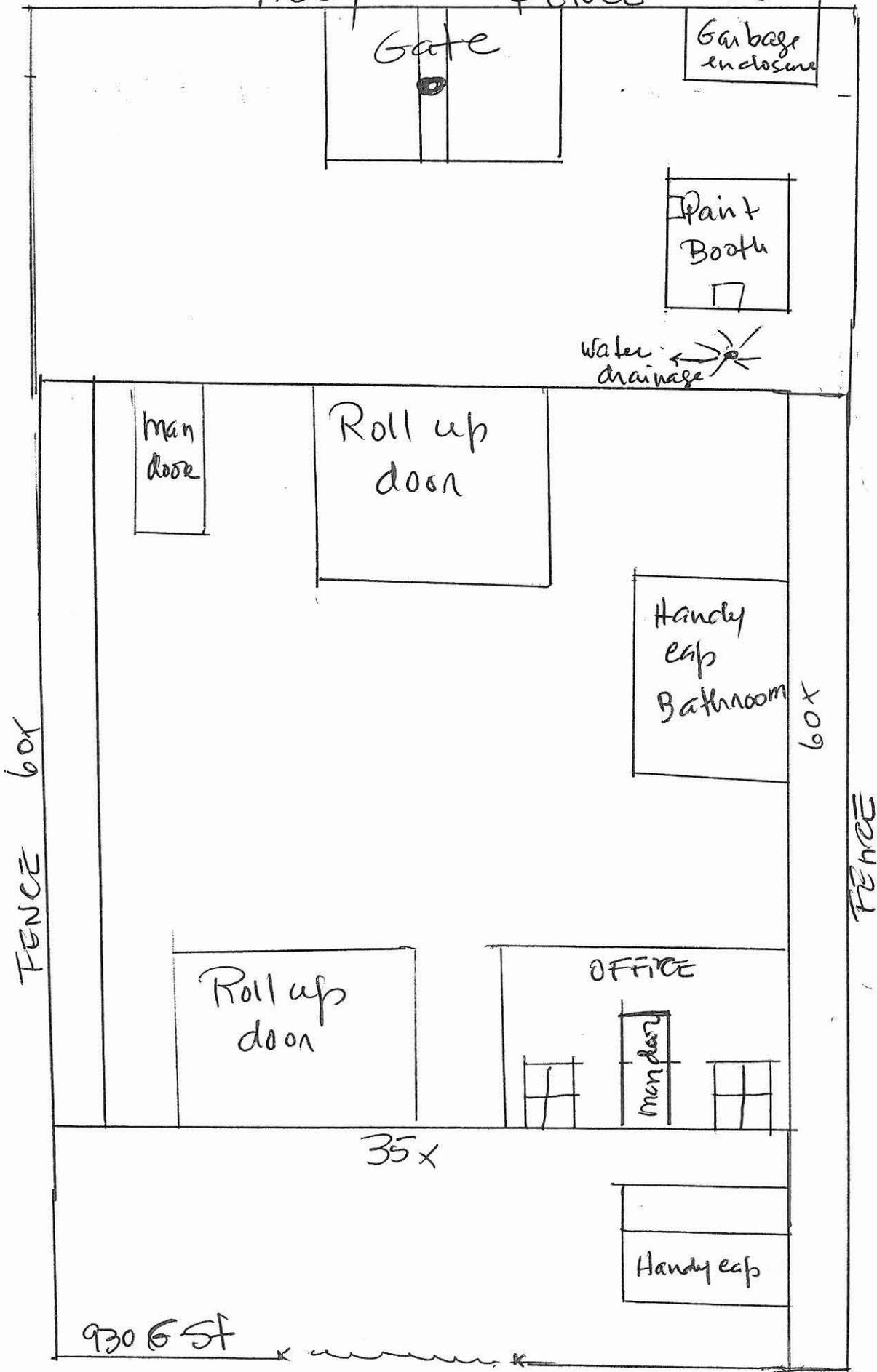
17. Welding, cutting or similar operations shall not be conducted in or adjacent to flammable vapor areas. Conspicuous signs with the following warning shall be posted in these areas:

**NO WELDING
THE USE OF WELDING OR CUTTING EQUIPMENT
IN OR NEAR THIS AREA
IS DANGEROUS BECAUSE OF
FIRE AND EXPLOSION HAZARDS, WELDING
AND CUTTING SHALL BE DONE ONLY
UNDER THE SUPERVISION OF THE
PERSON IN CHARGE**

18. The spray booth, exhaust fan blades and exhaust ducts shall be kept free from the accumulation or deposits of combustible residues.
19. Tools used for cleaning purposes shall be constructed of non-sparking materials.
20. Residues removed during cleaning and debris contaminated with residue shall be immediately removed from the premises and be properly disposed.
21. Metal waste cans with self-closing lids shall be provided for the disposal of rags or waste impregnated with finishing material. The contents of the waste cans shall be properly disposed of at least once daily and at the end of each shift.
22. The spray booth shall be readily available for cleaning and a clear space of not less than 3 feet around the exterior of the booth shall be kept free of storage or combustible materials.
23. Portable electric lamps shall not be used in flammable vapor areas during spraying operations. Portable electric lamps used during cleaning or repairing operations shall be of a type approved for hazardous locations by the Los Banos Fire Department.
24. Approved (explosion proof type) electrical wiring is required inside the booth and within 20 feet of the booth opening. Wiring shall be in approved conduit and all receptacles, fixtures and switches shall not be damaged and must be properly sealed.
25. Exit doors shall be readily available for access from the inside, unobstructed and swing in the direction of egress.

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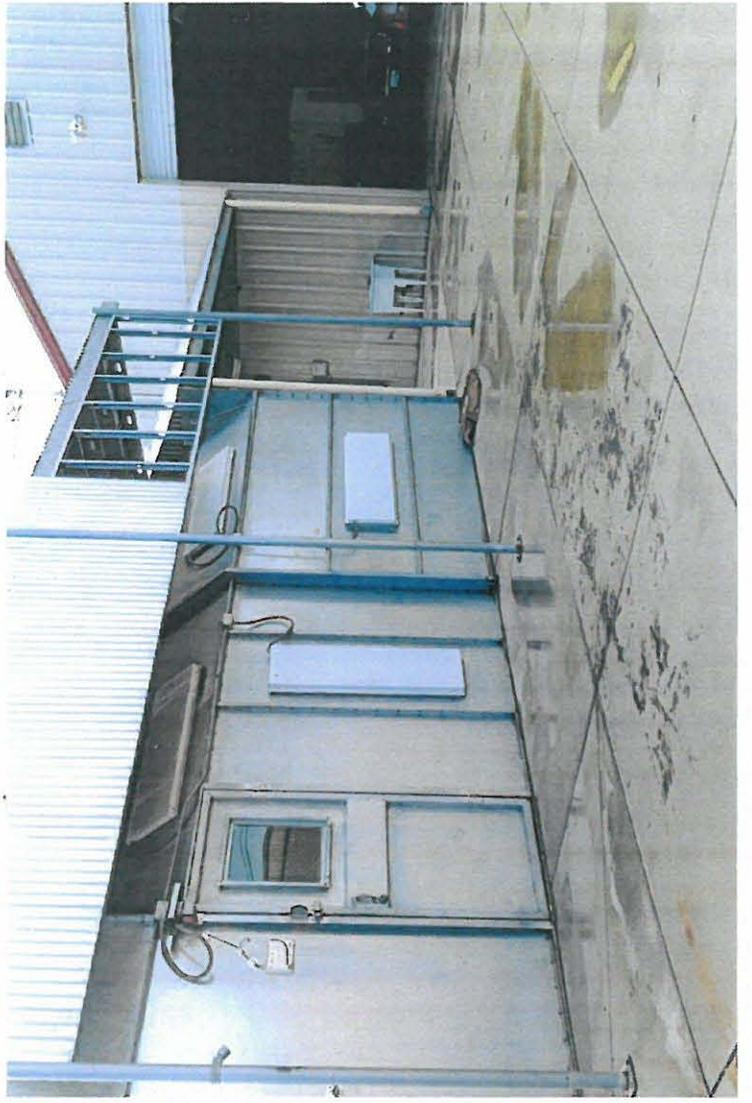
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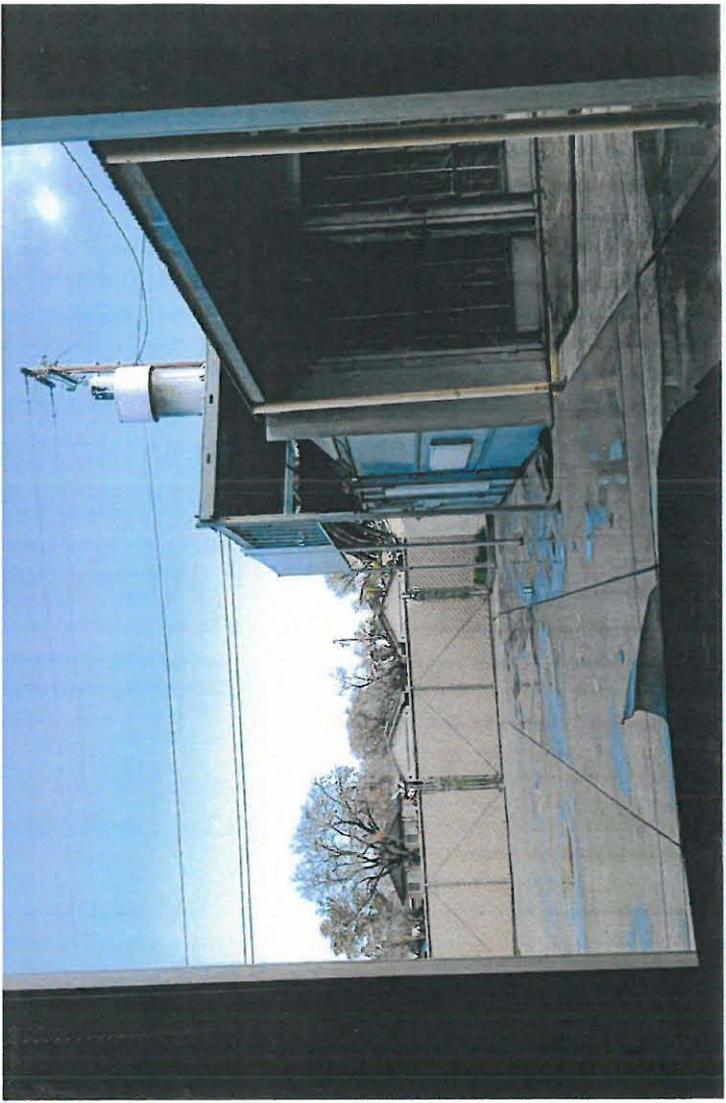


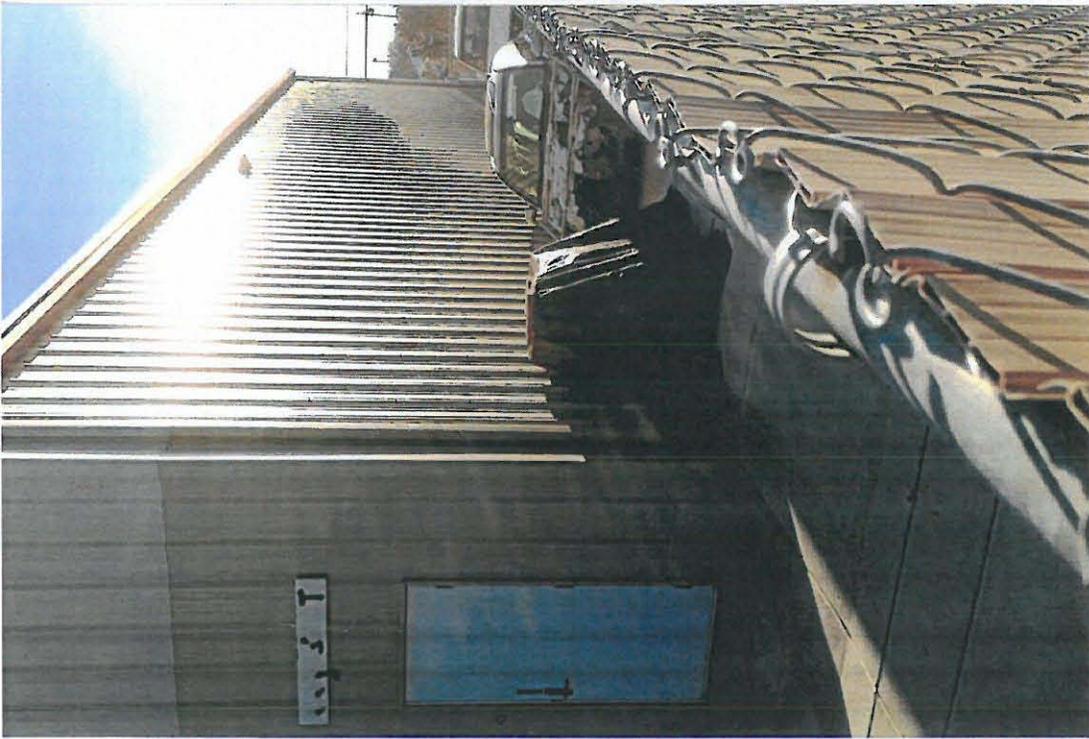
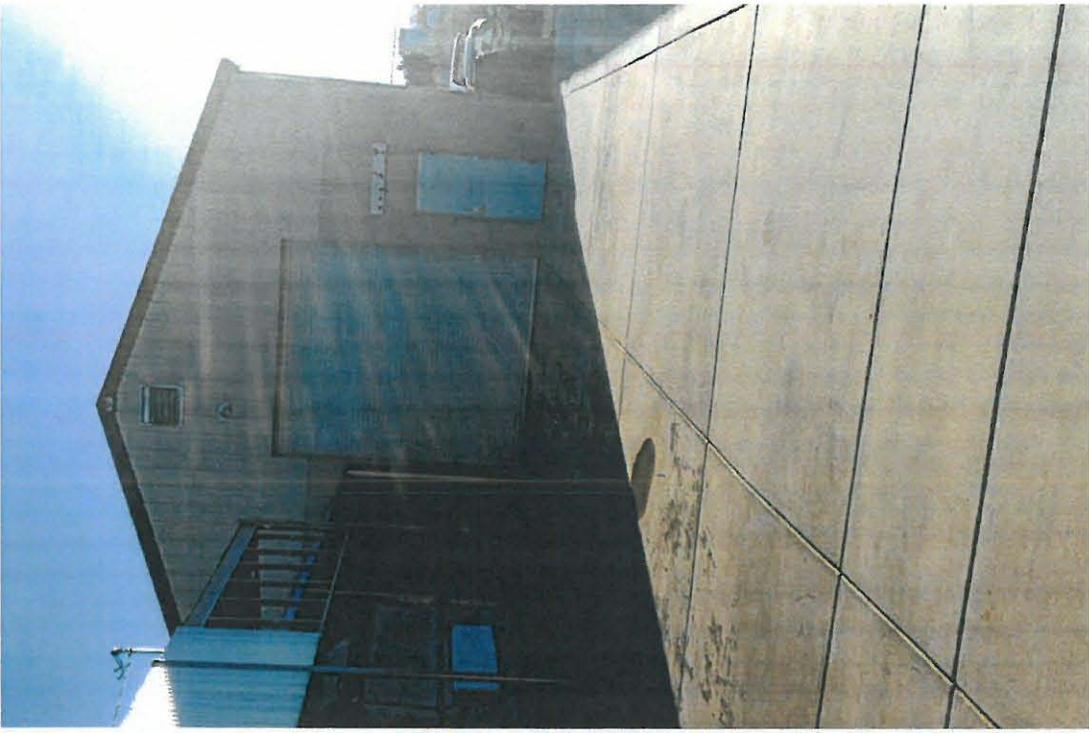
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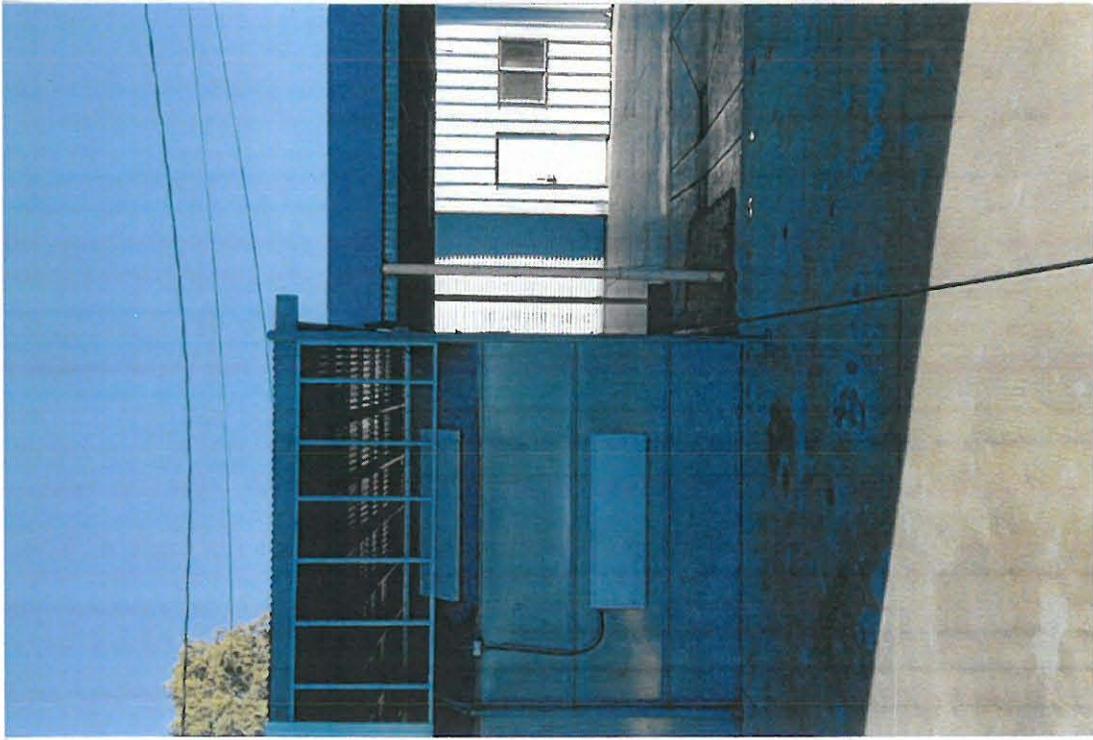
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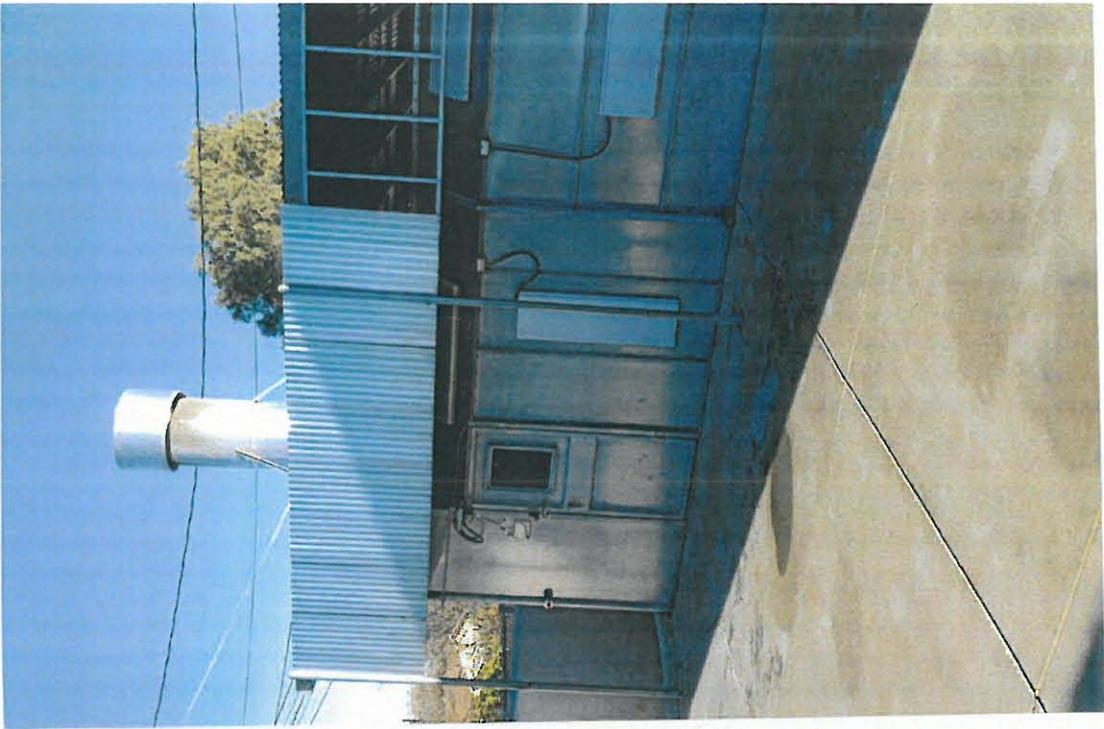


















City of
Los Banos
At the Crossroads of California

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT

Date: January 15, 2016

Regarding: Notice of Public Hearing

Proposal: Conditional Use Permit #2015-14 – Evolution Collision

NOTICE IS HEREBY GIVEN THAT a Public Hearing will be held by the Los Banos Planning Commission to consider a Conditional Use Permit to allow the operation of a spray booth for auto restoration at Evolution Collision. The subject property is located at 930 G Street, more specifically described as Assessor's Parcel Number: 025-113-016.

A PUBLIC HEARING on this matter will be held at the next scheduled meeting of the Los Banos Planning Commission on Wednesday, January 27, 2016 at 7:00 p.m. in the Council Chambers of Los Banos City Hall located at 520 "J" Street. Questions regarding the above-referenced item may be directed to Stacy Souza Elms, Senior Planner at City Hall or at (209) 827-7000, Ext. 133.

All persons are invited to be present at the public hearing. Written and oral testimony is invited. Notice is hereby further given that if you challenge the above described Ordinance 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 Planning Commission at, or prior to, the public hearing.

Additional information may be obtained from Community & Economic Development Department at 520 J Street, Los Banos, California. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Office of the City Clerk at (209) 827-7000. Notification at least 72 hours prior to the public hearing will enable the City to make reasonable arrangements to allow participation at this hearing

THE CITY OF LOS BANOS

Stacy Souza Elms
Senior Planner



City of
Los Banos
At the Crossroads of California

PLANNING COMMISSION STAFF REPORT

TO: CHAIRMAN SPADA AND COMMISSIONERS

FROM: STACY SOUZA ELMS, SENIOR PLANNER

DATE: JANUARY 27, 2016

SUBJECT: PARAIISO BREWERY CONDITIONAL USE PERMIT #2016-01 FOR ON AND OFF-SALE BEER (TYPE 23)

RECOMMENDATION:

That the Planning Commission adopt Resolution No. 2016-03 recommending approval of Conditional Use Permit #2016-01 to the Los Banos City Council for the on and off-sales of beer for Paraiso Brewery (small beer manufacturer) located at 80 West G Street, Suite C.

PROJECT BACKGROUND/DESCRIPTION:

The applicant, De La Paz Enterprises (d.b.a Paraiso Brewery), is currently requesting a Conditional Use Permit for a Type 23 alcohol license for the on and off-sale of beer, for beer that is manufactured on site at 80 West G Street, Suite C. The micro brewery is proposing to serve only their own brewed products.

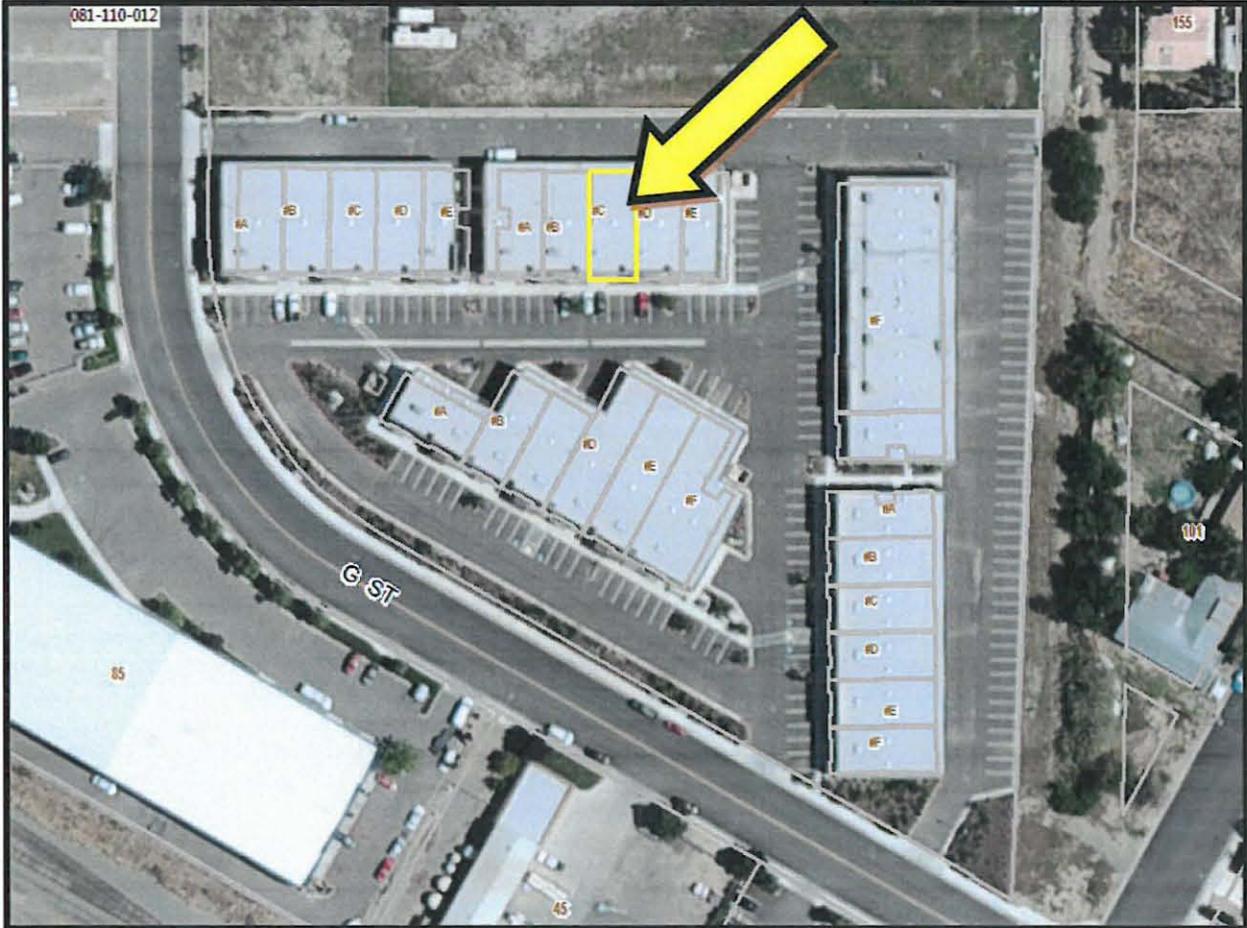
The request consists of a tasting room where people can sample Paraiso Brewery's craft beers as well as the sale of their brewed products. The tasting area is located at the front of the building and consists of a bar with the various taps as well as tables with chairs. The manufacturing of beer will take place at the rear of the building and will be separate from the tasting area. The applicant is proposing their hours of operation to be Thursday through Sunday from 5 p.m. to 10 p.m. on weekdays and 10 a.m. to 10 p.m. on weekends. The applicant will have approximately 2-3 employees and hopes to expand to more in the future.

Paraiso Brewery will be located in the Hacienda Business Park, which is surrounded by various businesses and such as Merced County Mental Health, Fastenal, DaVita Dialysis, Tomato Growing Board Association, IEM, and Conquer MMA Fitness. The proposed use is not in close proximity to any schools or places of worship.

The proposed micro brewery would be the first in the City and will have the capacity to brew 4 barrels a day.

LOCATION AND ACCESS:

The project site is located at 80 West G Street, Suite C, more specifically identified as Assessor's Parcel Number: 081-190-008.



LAND USE:

Property	Land Use	Zone	General Plan
Project site	Industrial	I	Industrial
North	Industrial	I	Industrial
South	Industrial	I	Industrial
East	Industrial	I	Industrial
West	Industrial	I	Industrial

I = General Industrial

ENVIRONMENTAL ASSESSMENT:

Pursuant to the California Environmental Quality Act (CEQA) and the City of Los Banos Environmental Quality Guidelines, it has been determined that this project is

categorically exempt from the provisions of CEQA – Article 19, Section 15301. The applicant's request for the on-sale of beer involves the permitting and licensing of an existing private structure and involves no expansion at 80 West G Street, Suite C.

USE PERMIT ANALYSIS

Code Requirements

Pursuant to the Los Banos Municipal Code Section 9-3.2322, a Conditional Use Permit is required for any establishment dispensing for sale or other consideration alcoholic beverages, including beer and wine, for on-sale or off-sale. The Planning Commission is the recommending body and the City Council is the decision making body for Conditional Use Permits for the on-sale and off-sale of alcoholic beverages. A Conditional Use Permit may be granted if the proposed use is conforming to the following criteria:

General Use Permit Criteria:

1. That the proposed use and project is consistent with the City of Los Banos General Plan, and Los Banos Municipal Code;
2. That the proposed use or project will not be a nuisance or detrimental to the public health, safety, morals, comfort, and general welfare of the persons residing or working in the neighborhood of such proposed use;
3. That the proposed use is compatible with the adjacent uses, properties and neighborhoods and will not be detrimental or injurious to property and improvement in the neighborhood or to the general welfare of the City.

Specific On-Sale and Off-Sale Alcoholic Beverages Criteria:

1. That the proposal will not contribute to undue proliferation of such uses in an area where additional ones would be undesirable with consideration given to the area's function and character, problems of crime and loitering, and traffic problems and capacity;
2. That the proposal will not adversely affect adjacent or nearby churches, temples, or synagogues; public, parochial, or private elementary, junior high, or high schools; public parks or recreation centers; or public or parochial playgrounds;
3. That the proposal will not interfere with the movement of people along an important pedestrian street; and
4. That where the proposed use is in close proximity to residential uses, and especially to bedroom windows, the use will be limited in hours of operation, or designed operated so as to avoid the disruption of residents' sleep between the hours of 10:00 p.m. and 7:00 a.m.

Staff has evaluated the proposal pursuant to the above criteria set forth in the Municipal Code and offers the following observations:

The project will not contribute to the proliferation of alcohol in the area or cause an increase in crime in that there are currently no other microbrewers in the City of Los Banos. The tasting room will only sample craft beers brewed on-site and will only sell

the beer they produce on site. The proposed on and off-sale of beer manufactured onsite will be conducted pursuant to ABC regulations.

The proposal will not adversely affect adjacent or nearby churches, temples, or synagogues; public, parochial, or private elementary, junior high, or high schools; public parks or recreation centers; or public or parochial playgrounds. The proposed use is not located in close proximity to any of the above mentioned uses.

The proposal will not have an effect on the movement of people in that the proposed business is located in an area of the City consisting of industrial and office uses. On-site consumption will be for tasting purposes only.

The proposed use is not in direct proximity to residential uses and is located more than 100 feet from any bedroom windows. In addition, all beer tasting will be conducted within the premises and the project will be subject to conditions, which will mitigate any adverse affects on the surrounding neighborhood.

Alcoholic Beverage Control

The Alcoholic Beverage Control Board (ABC) is the issuing authority for a Type 23 alcohol license. The City's authority for the sale of alcohol is through its land use powers embodied within the Los Banos Zoning Code.

ABC has the authority according to Section 23801 of the Business and Professions Code to exercise certain conditions under the license, the personal qualifications of the licensee, the conduct of the business or the condition of the premises, which will protect the public welfare and morals, including, but not limited to, the following:

- a) Restrictions as to hours of sale
- b) Display of signs
- c) Employment of designated persons
- d) Types and strengths of alcoholic beverages to be served where such types or strengths are otherwise limited by law
- e) The portion of the privileges to be exercised under the license
- f) The personal conduct of the licensee

ABC may also refuse to issue a license to any person who has violated the Alcoholic Beverage Control Act, has a disqualifying criminal record, or is otherwise disqualified.

ABC provides a Type 23 License for small beer manufacturers. The Type 23 ABC License allows the following:

- Production of specialty beers
- May have a restaurant, but not required
- With additional license may sell wine (not a part of this application)
- May conduct beer tastings under specified conditions pursuant to California Business and Professions Code Section 23357.3
- Minors are allowed on the premises

PUBLIC COMMENT:

A public hearing notice was published in the Los Banos Enterprise and notices were provided to adjacent property owners within a 300 foot radius of the subject property on January 15, 2016. As of the date of this staff report, no comments have been received.

APPLICABLE ORDINANCES/GUIDELINES:

Los Banos General Plan

Los Banos Municipal Code – Section 9-3.2322

ABC Act, California Business and Professions Code

RECOMMENDATION:

That the Planning Commission adopt Resolution No. 2016-03 recommending approval of Conditional Use Permit #2016-01 to the Los Banos City Council for the on and off-sales of beer for Paraiso Brewery (small beer manufacturer) located at 80 West G Street, Suite C.

ATTACHMENTS:

1. Resolution 2016-03
 - Exhibit A CEQA Findings
 - Exhibit B Project Findings
 - Exhibit C Conditions of Approval
2. Floor Plan
3. Site Photos
4. Public Hearing Notice – January 15, 2016

RESOLUTION NO. 2016-03

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS BANOS RECOMMENDING APPROVAL OF CONDITIONAL USE PERMIT #2016-01 TO THE LOS BANOS CITY COUNCIL FOR THE USE OF A TYPE 23 ALCOHOL LICENSE, "SMALL BEER MANUFACTURER", FOR THE ON AND OFF-SALE OF BEER FOR PARAISO BREWERY LOCATED AT 80 WEST G STREET, SUITE C

WHEREAS, the applicant, Del La Paz Enterprises (d.b.a. Paraiso Brewery), has requested that the City of Los Banos consider a Conditional Use Permit to allow the use of a Type 23 alcohol license for small beer manufacturer for the on and off-sale of their own brewed beer located at 80 West G Street, more specifically identified as Assessor's Parcel Number: 081-190-008; and

WHEREAS, a public hearing notice was published in the Los Banos Enterprise on January 15, 2016 and notices were mailed to property owners within a 300 foot radius of the project site as required by the Los Banos Municipal Code and Government Code Section 65091; and

WHEREAS, the Los Banos Planning Commission has held a public hearing, reviewed said Conditional Use Permit request and staff report, has studied the compatibility of the applicant's request with adjacent land uses and has considered this request in accordance with the Conditional Use Permit criteria established in Section 9-3.2322 of the Los Banos Municipal Code; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) and the City of Los Banos Environmental Quality Guidelines, Conditional Use Permit #2016-01 for Paraiso Brewery was determined to be categorically exempt from the provisions of CEQA per Article 19, Section 15301 as the project site is an existing facility; and

WHEREAS, the request/proposed use satisfies the criteria of the Los Banos Municipal Code.

BASED UPON THE EVIDENCE PRESENTED AT THE PUBLIC HEARING, the Planning Commission of the City of Los Banos hereby makes the appropriate findings set forth in Exhibit A (California Environmental Quality Act (CEQA) Findings), and Exhibit B (Findings for Approval), attached hereto and incorporated herein by this reference.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Los Banos does hereby recommend the approval of Conditional Use Permit #2016-01 to the Los Banos City Council to allow on and off sale of beer in conjunction with an ABC License, Type 23, for Paraiso Brewery located at 80 West G Street, more specifically identified as Assessor's Parcel Number: 081-190-008, subject to the Conditions of Approval set forth in Exhibit C, attached hereto and incorporated herein by this reference.

The foregoing resolution was introduced at a regular meeting of the Planning Commission of the City of Los Banos held on the 27th day of January 2016 by Planning Commissioner _____ who moved its adoption, which motion was duly seconded by Planning Commissioner _____, and the Resolution adopted by the following vote:

AYES:

NOES:

ABSENT:

APPROVED:

Tom Spada, Planning Commission Chairman

ATTEST:

Sandra Benetti, Planning Commission Secretary

EXHIBIT A

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS CONDITIONAL USE PERMIT #2016-01 – PARAISO BREWERY

Pursuant to the requirements of California Public Resources Code Section 21000 et seq. ("CEQA") and Title 14, California Code of Regulations Section 15000 et seq. (the "CEQA Guidelines"), the City as Lead Agency under CEQA adopts the following findings required by CEQA, along with the facts and evidence upon which each finding is based.

The City of Los Banos Planning Commission hereby finds as follows:

1. Pursuant to CEQA, the CEQA Guidelines, and the City of Los Banos Environmental Quality Guidelines, Conditional Use Permit #2016-01 was evaluated and determined to be categorically exempt per Article 19, Section 15301 as the request for the instructional tasting of alcohol involves the permitting and licensing of an existing private structure and involves no expansion at 80 West G Street, Suite C.
2. Conditional Use Permit #2016-01 was adequately noticed on January 15, 2016 for consideration at a public meeting on January 27, 2016.
3. No further environmental documentation is required as the Conditional Use Permit was contemplated and adequately analyzed in the initial review.
4. Prior to considering the proposed Project, the Planning Commission considered the Categorical Exemption.

EXHIBIT B

FINDINGS FOR APPROVAL OF CONDITIONAL USE PERMIT #2016-01 – PARAISO BREWERY

A. General Findings

1. That the proposed use and project is consistent with the City of Los Banos general plan, and the Los Banos Municipal Code.

The existing General Plan land use designation for the project site is Industrial, which allows primary manufacturing, R&D, whole sale and distribution, agricultural sales and services, and similar activities including those with outdoor facilities. It also accommodates warehousing and distribution, with support commercial services and ancillary office space. The zoning designation for the project site is General Industrial (I). The purpose of the General Industrial District is to provide a district exclusively for industrial development wherein manufacturing and other industries can locate and operate away from the restricting influences on non-industrial uses while maintaining an environment free from offensive or objectionable noise, dust, odor, or other nuisances.

The following specific General Plan Goals, Objectives, and Policies are applicable to the proposed project:

ECONOMIC DEVELOPMENT POLICY ED-G-7:

Seek and promote particular businesses or economic opportunities that provide needed local goods, services, employment, or those that enhance the City's physical and social well being.

LAND USE POLICY LU-G-13:

Foster high quality design and allow secondary uses in Employment Park or industrial areas if they can complement or enhance the primary use.

Evidence/Analysis: The on and off-sale of the distilled beer manufactured on-site will help serve the needs of the community at large, including residents, visitors, and the surrounding region. The proposed craft beer tasting would be compatible with and complementary to the primary use of the facility as a microbrewery. In addition, the project would also be consistent with General Plan land use policies as set forth above.

2. That the proposed use or project will not be a nuisance or detrimental to the public health, safety, morals, comfort, and general welfare of the persons residing or working in the neighborhood of such proposed use.

Evidence/Analysis: The on and off-sale of the distilled beer manufactured on-site will be conducted in accordance with ABC regulations and therefore, will not be a nuisance or detrimental to the neighborhood in which the brewery is located. The project would include conditions of approval which regulate the operational characteristics of the serving and sale of alcohol and are intended to preserve the public health, safety, or welfare of persons and property in the vicinity.

3. That the proposed use is compatible with the adjacent uses, properties, and neighborhoods and will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.

Evidence/Analysis: The proposed on and off-sale of alcohol will be complimentary to the primary use of the facility as a small beer manufacturer, and will be conducted pursuant to ABC regulations. The proposed conditions of approval would ensure consistency with other uses in the industrial park and promote compatibility.

B. Specific Findings

1. That the proposal will not contribute to undue proliferation of such uses in an area where additional ones would be undesirable with consideration given to the area's function and character, problems of crime and loitering, and traffic problems and capacity.

Evidence/Analysis: Currently there are no other breweries in the City of Los Banos. Paraiso Brewery will conduct their business in accordance with ABC regulations and will implement security measures to combat crime and loitering. The proposed use is not anticipated to generate significant traffic. The General Industrial zoning district is the only land use which allows breweries, and the on and off-sale of the distilled beer from the brewery will be secondary to the primary use as a small beer manufacturer.

2. That the proposal will not adversely affect adjacent or nearby churches, temples, or synagogues; public, parochial, or private elementary, junior high, or high schools; public parks or recreation centers; or public or parochial playgrounds.

Evidence/Analysis: There are no such uses in the immediate vicinity of the brewery.

3. That the proposal will not interfere with the movement of people along an important pedestrian street.

Evidence/Analysis: Sampling of alcohol will only be allowed inside the premises and the use will be regulated by City, State and Federal regulations. The purpose of the requested use is to benefit customers and will not interfere with the movement of people along an important pedestrian street.

4. That where the proposed use is in close proximity to residential uses, and especially to bedroom windows, the use will be limited in hours of operation, or designed operated so as to avoid the disruption of residents' sleep between the hours of 10:00 p.m. and 7:00 a.m.

Evidence/Analysis: The project site is not in close proximity to any residential uses and the operational statement states that the brewery will not open before 10 a.m. and will close by 10 p.m.

EXHIBIT C

CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT #2016-01 – PARAISO BREWERY

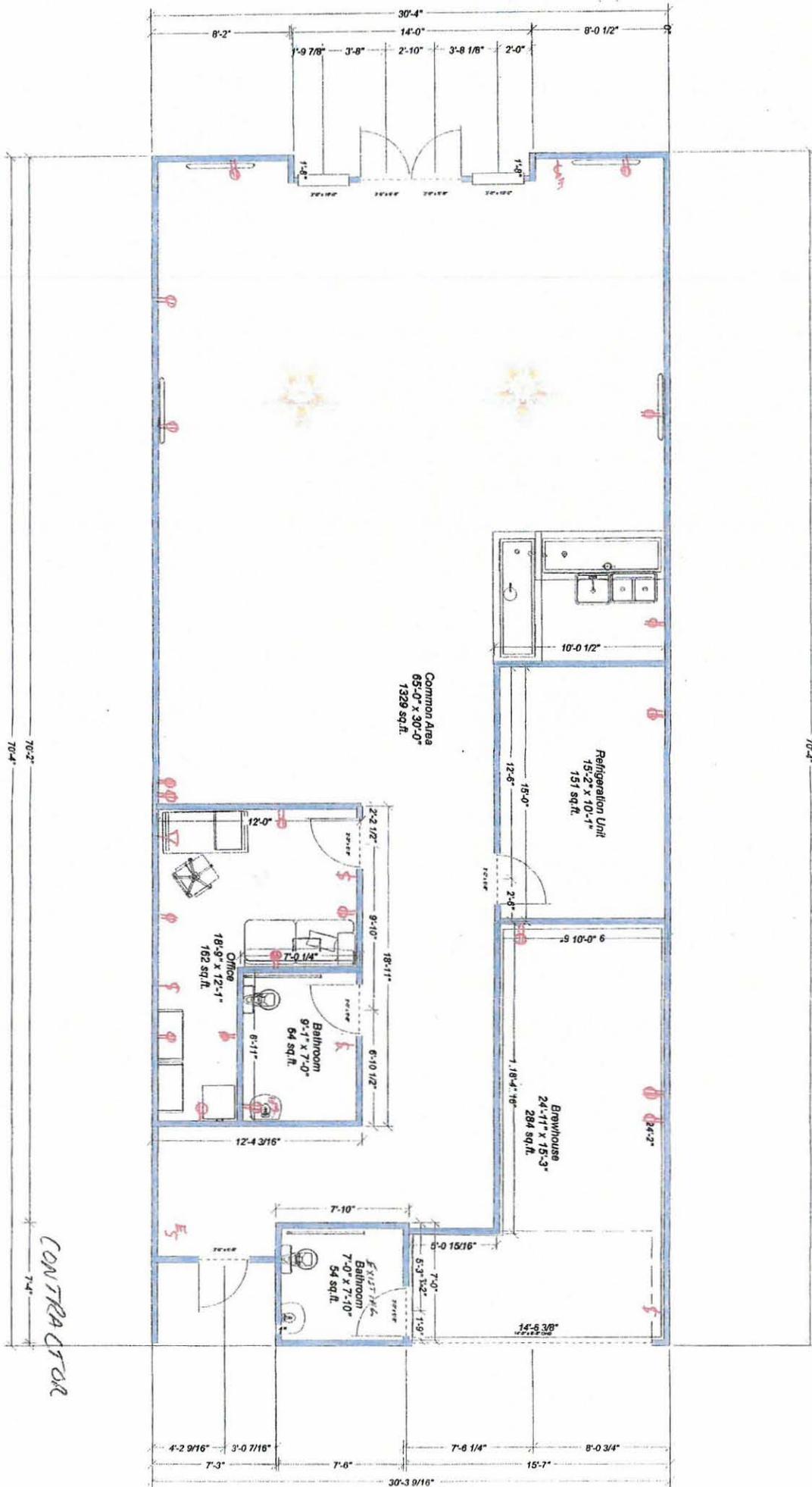
Planning:

1. The following conditions of approval shall apply to and be applicable to the applicant, property owner, and/or operator. Reference to applicant, property owner, and/or operator shall be interpreted to include all.
2. Conditional Use Permit 2016-01 is for Paraiso Brewery located at 80 West G Street, Suite C; more specifically identified as Assessor's Parcel Number: 081-190-008 and the requested use shall expire after one (1) year from date of approval by the Los Banos City Council unless implemented. The City for cause may revoke this Conditional Use Permit. Any expansion, intensification, or changes to the uses approved under this Conditional Use Permit shall be permitted only upon modification of this Conditional Use Permit or approval of a separate Conditional Use Permit application.
3. The applicant/operator shall comply with all other requirements, laws and policies of other governmental agencies in the conduct and operation of said business. The applicant/operator shall comply with the conditions of approval of related project permits and approvals.
4. The applicant/operator shall obtain and maintain an active Type 23 "small beer manufacturer" license as defined by the Department of Alcoholic Beverage Control and shall provide a copy of said license upon issuance by the Alcoholic Beverage Control to the Community Development Department prior to any instructional tasting events on the premises. The approval of this Conditional Use Permit shall allow only on-site beer tastings and off-sale of beer manufactured by the brewer. The applicant shall be required to comply with all regulations of the Department of Alcoholic Beverage Control.
5. A copy of these Conditions of Approval and the California Department of Alcoholic Beverage Control license are required to be kept on the premises and presented to any law enforcement officer or authorized City official upon request.
6. The applicant/operator shall be responsible for maintaining the property free of litter at all times in the parking lot area and the areas adjacent to the premises over which they have control.

7. The Planning Commission shall have the right to review and/or revoke this permit should the applicant not adhere to the Conditions of Approval. The City may amend or impose new conditions to mitigate adverse affects in the neighborhood resulting from the use of alcohol on the premises.
8. The applicant/operator agrees to indemnify, hold harmless, and defend the City of Los Banos, its officers, agents and employees from any and all liability or claims that may be brought against the City of Los Banos arising out of its approval of this permit, or the environmental determination rendered in connection with the permit approval, or arising out of the operation of the use or uses allowed under the permit, save and except that caused solely by the City's active negligence.
9. The exterior of the premises, including adjacent public sidewalks and the parking lot areas, shall be illuminated during all hours of darkness when the premises are open for business in a manner so that persons standing in those areas at night are identifiable by law enforcement personnel.
10. The premises shall be operated primarily as a small beer manufacturer with tasting as described in the application prepared by the applicant and filed with the Community and Economic Development Department. Any substantial or significant changes in use or operation of the premises from the Operational Statement may cause a review, amendment or revocation of the Conditional Use Permit.
11. The use of the premises of the subject site shall be consistent with the Conditions of Approval and shall not be operated in a manner that deviates from the approved Conditional Use Permit filed application and operational statement, which shall constitute a violation and may result in the revocation or modification of the permit upon written notice to the owner of the subject site.
12. Authorization of a Conditional Use Permit granted pursuant to the provisions of Section 9-3.2322 of the Los Banos Municipal Code shall run with the land and shall continue to be valid upon change of ownership of the site or structure which was the subject of the Conditional Use Permit application provided the use shall be subject to all provisions of the Municipal Code and all conditions placed on approval of the Conditional Use Permit are continually met.
13. This Conditional Use Permit shall be subject to revocation by the Community and Economic Development Director or the Planning Commission upon a finding that:

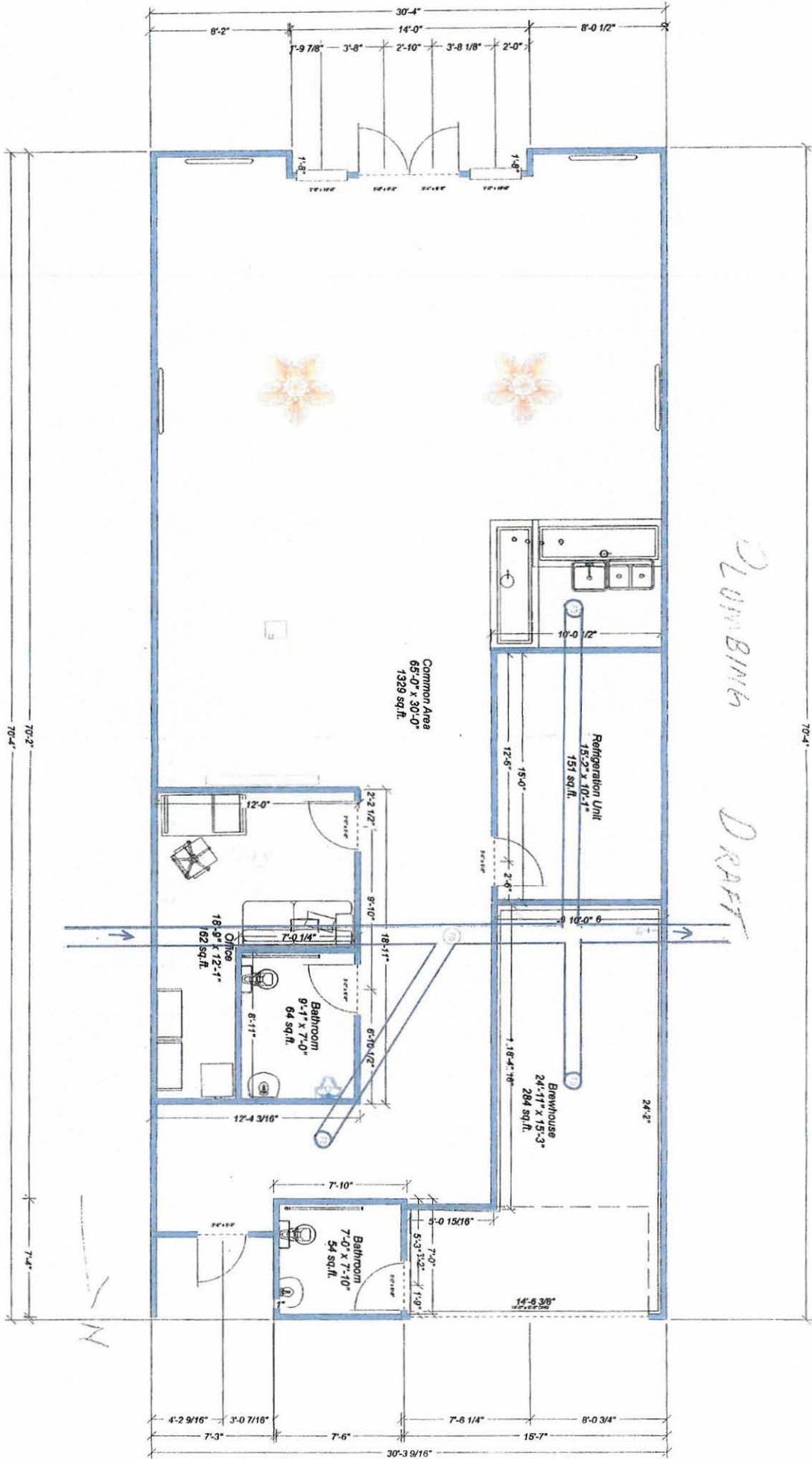
- a. Conditions of approval have not been fulfilled;
 - b. A significant change or intensification of the approved use;
 - c. The use has resulted in a nuisance or detriment to the public health, safety, morals, comfort, and general welfare of the persons residing or working in the neighborhood or is detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.
14. No person under 21 years of age shall serve, or be served alcohol on the premises.
 15. On-site beer tastings shall only take place between the hours of 10:00 a.m. and 9:00 p.m. All activities shall take place inside the building.
 16. Customers shall be prohibited from leaving the premises with an open container of alcohol.
 17. The applicant shall post the maximum occupancy loads per Building Code and Fire Code requirements.
 18. Anyone under the age of 21 entering the microbrewery must be accompanied by a parent or guardian.
 19. No other brands of beer or alcoholic beverages may be sold at this location other than that manufactured by this facility.
 20. The applicant or an employee of the licensee must be present to monitor all areas of the establishment during all times that alcoholic beverages are being served or consumed.
 21. All employees serving alcoholic beverages must complete Responsible Beverage Service Training, or an equivalent approved by the State Department of Alcoholic Beverage Control, prior to being able to serve alcoholic beverages to patrons. Evidence of the completion of such training must be maintained on the premises and available for inspection upon request by the City.
 22. All disruptive and/or intoxicated patrons shall be denied entry.
 23. No entertainment, including but not limited to, amplified music, karaoke, performers and dancing, shall be held at this location, except in-house sound system is permitted.
 24. The permittee shall install a video surveillance monitoring system; the video system shall be capable of recording a clear view of all areas of

the subject property. Copies of recording shall be provided to the Los Banos Police Department upon request.



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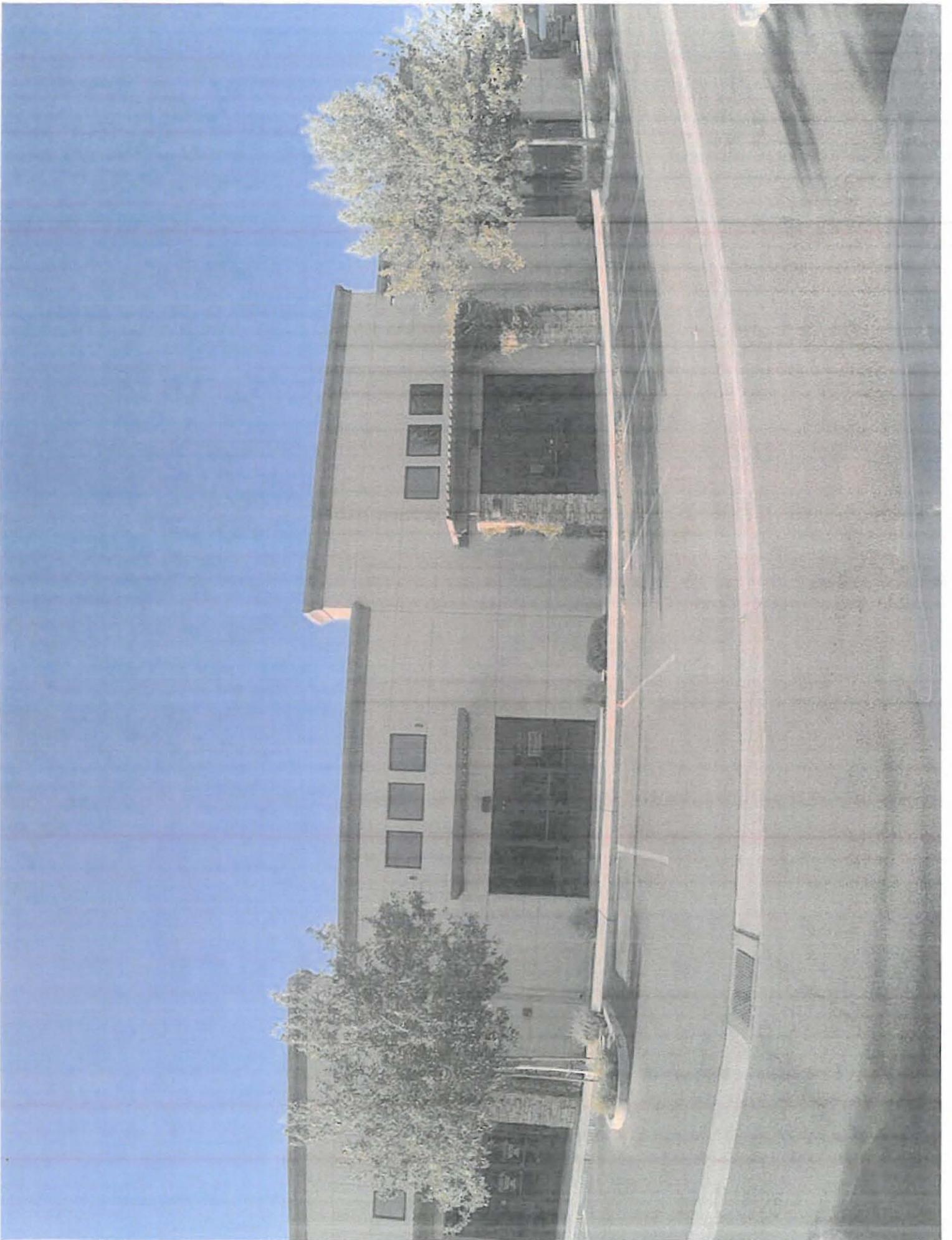
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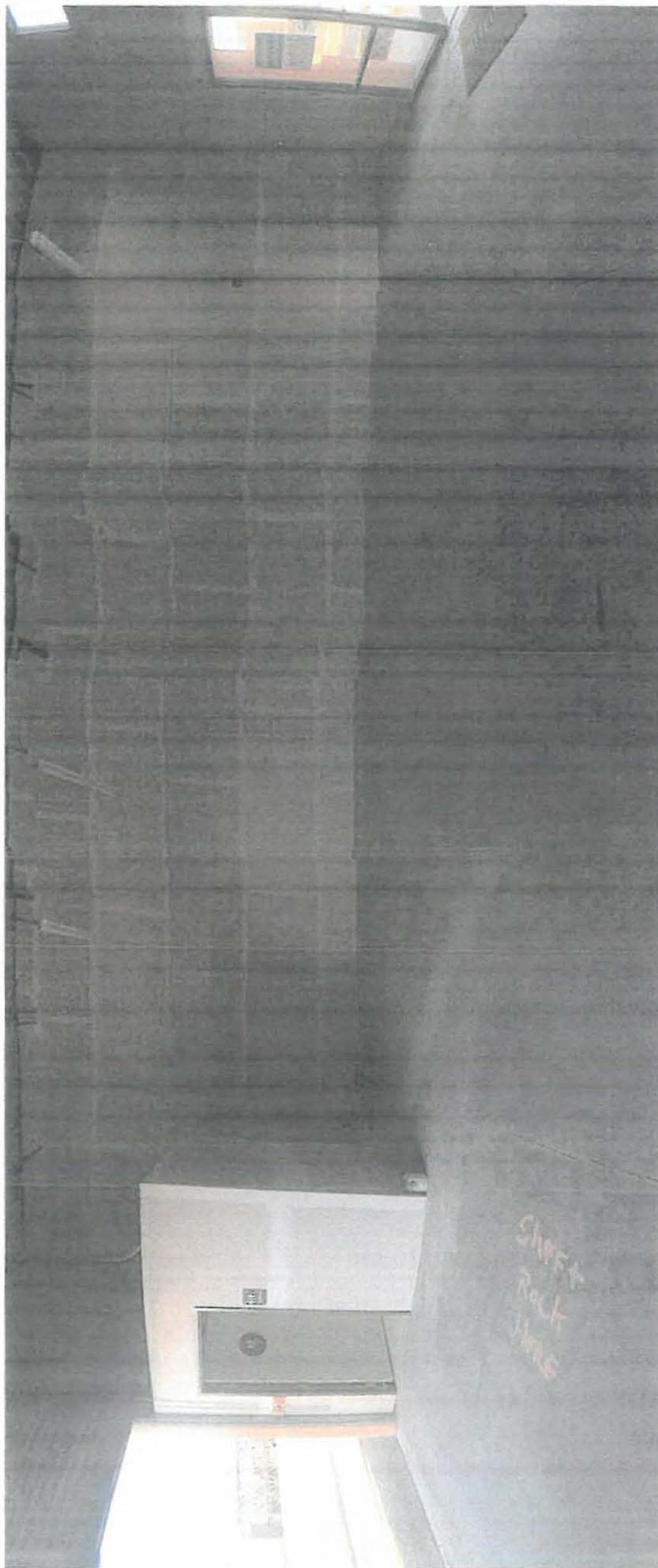
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Los Banos, California
Street View - Sep 2012

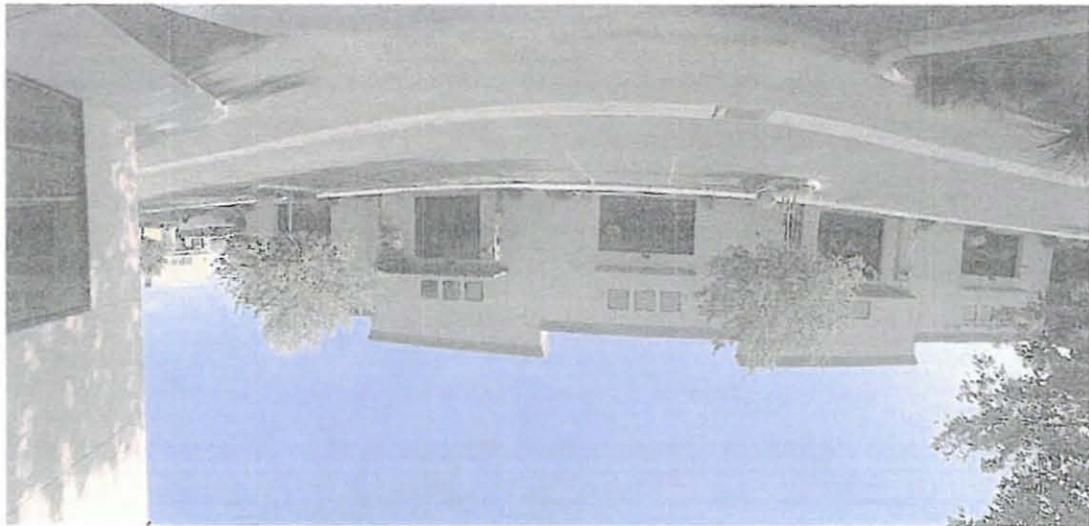
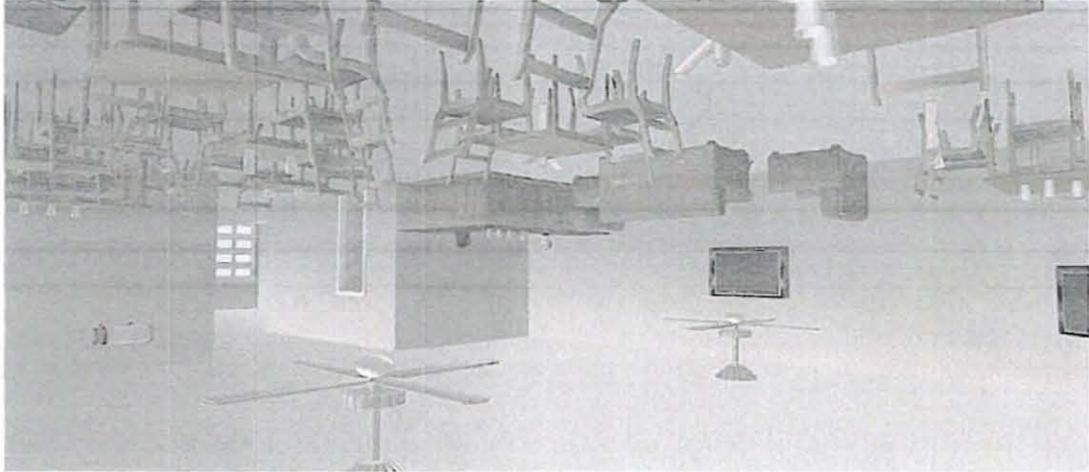
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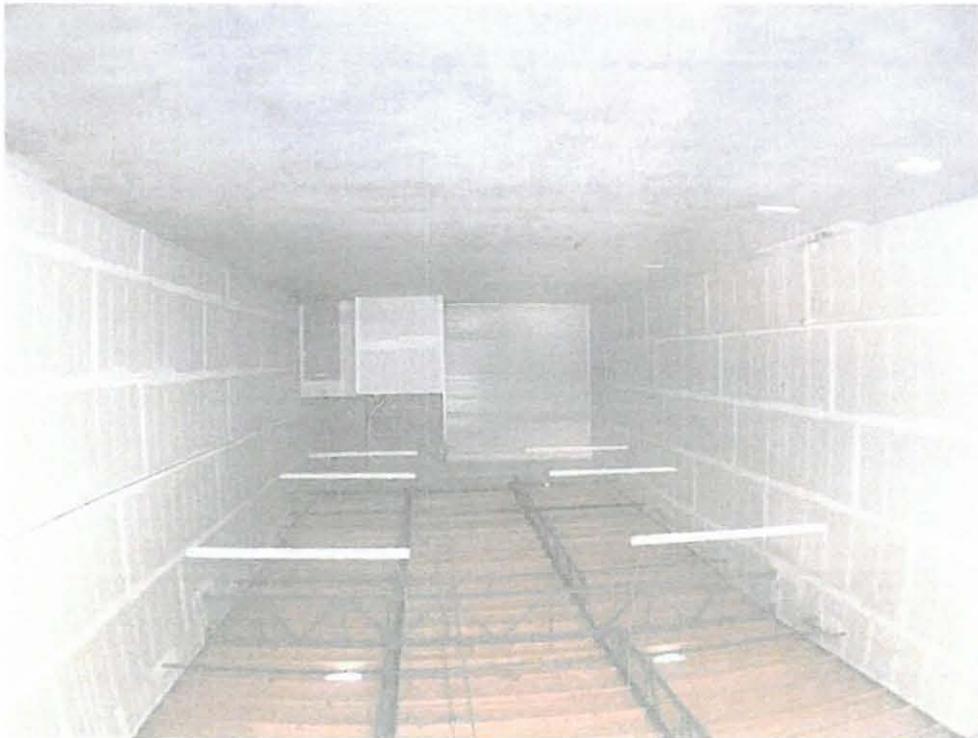


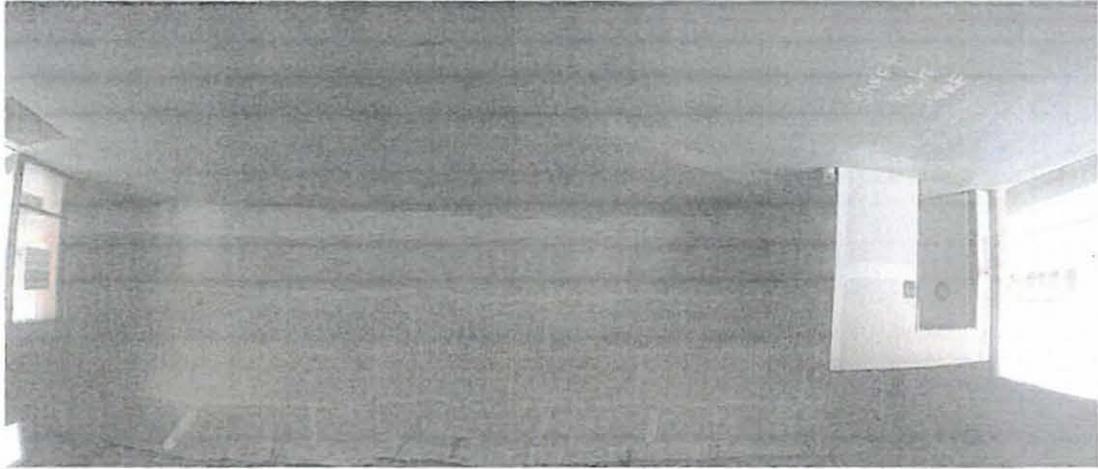














City of
Los Banos
At the Crossroads of California

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT

Date: January 15, 2016

Regarding: Notice of Public Hearing

Proposal: Conditional Use Permit #2016-01 – Type 23 Alcohol License

NOTICE IS HEREBY GIVEN THAT a Public Hearing will be held by the Los Banos Planning Commission to consider a Conditional Use Permit to allow the use of a Type 23 Alcohol License for a small beer manufacturer onsite tasting room. The requested Conditional Use Permit is for Paraiso Brewery located at 80 West G Street, more specifically described as Assessor's Parcel Number: 081-190-008.

A PUBLIC HEARING on this matter will be held at the next scheduled meeting of the Los Banos Planning Commission on Wednesday, January 27, 2016 at 7:00 p.m. in the Council Chambers of Los Banos City Hall located at 520 "J" Street. Questions regarding the above-referenced item may be directed to Stacy Souza Elms, Senior Planner at City Hall or at (209) 827-7000, Ext. 133.

All persons are invited to be present at the public hearing. Written and oral testimony is invited. Notice is hereby further given that if you challenge the above described Ordinance 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 Planning Commission at, or prior to, the public hearing.

Additional information may be obtained from Community & Economic Development Department at 520 J Street, Los Banos, California. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Office of the City Clerk at (209) 827-7000. Notification at least 72 hours prior to the public hearing will enable the City to make reasonable arrangements to allow participation at this hearing

THE CITY OF LOS BANOS

Stacy Souza Elms
Senior Planner



City of
Los Banos
At the Crossroads of California

PLANNING COMMISSION STAFF REPORT

TO: CHAIRMAN SPADA AND PLANNING COMMISSIONERS

FROM: STACY SOUZA ELMS, SENIOR PLANNER

FOR: JANUARY 27, 2016

SUBJECT: VESTING TENTATIVE TRACT MAP #2015-04 – RACQUET CLUB ESTATES

RECOMMENDATIONS:

1. That the Planning Commission adopt Resolution No. 2015-04 approving Vesting Tentative Tract Map #2015-04 for the subdivision of approximately 3.1 acres into fourteen (14) Medium Density parcels located at the northwest corner of San Luis Street and Racquet Club Drive; more specifically identified as Assessor's Parcel Number: 428-030-019.

BACKGROUND SUMMARY:

On November 8, 2000, the Los Banos Planning Commission approved Tentative Tract Map #2000-03 for the subdivision of 3.1 acres into fourteen R-2 (Medium Density Residential) parcels. The property owner initiated the Final Map process with the City's Engineering Division, but the map was never recorded. Pursuant to the Subdivision Map Act Section 66452.6, an approved or conditionally approved tentative map shall expire after 24 months. The subdivider can request an extension, but not to exceed an additional 12 months. The property owner never requested an extension and the original map has expired.

In preparation for of recordation of the original map, the property owner installed improvements to the property site which included curb, gutter, sidewalk, asphalt, walls, and utilities.

The property owner is currently seeking approval of Vesting Tentative Tract Map #2015-04 to subdivide approximately 3.1 acres into fourteen Medium Density Residential parcels ranging from 6,141 square feet to 11,527 square feet. The proposed map is the same subdivision previously approved in 2000. The current request meets the

standards of the Los Banos Municipal Code and will be developed in accordance to Los Banos Standards and Specifications.

At this hearing the Planning Commission will consider conditionally approving the Vesting Tentative Tract Map.

LOCATION AND ACCESS:

The proposed project is located on the northwest corner of San Luis Street and Racquet Club Drive. Access to the project site will be from Racquet Club Drive. The project site is outlined in yellow on the area map below.



LAND USE:

Property	Land Use	Zone	General Plan
Project Site	Undeveloped	R-2	Medium Density
North	Commercial	H-C	Commercial
East	Residential	R-3	High Density
South	Residential	R-2	Medium Density
West	Commercial	H-C	Commercial

R-1 = Low Density Residential

ENVIRONMENTAL ASSESSMENT:

Pursuant to the California Environmental Quality Act (CEQA) and the City of Los Banos Environmental Quality Guidelines, it has been determined that this project is categorically exempt from the provisions of CEQA – Article 19, Section 15332. CEQA provides several “categorical exemptions” which are applicable to categories of projects and activities that have been determined to generally not pose a risk of significant impacts to the environment. The project consists of the subdivision of 3.1 acres into fourteen residential parcels in the Medium Density zoning district. The project is consistent with applicable General Plan designation and Zoning Code requirements and is located within the City limits. The project site is surrounded by urban development and has no value as habitat for endangered, rare or threatened species. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. The project has been reviewed by City staff and can be adequately served by all required utilities and public services. Based on this evidence, the project is exempt under Section 15332 of the CEQA Guidelines – Infill Development Projects.

TENTATIVE TRACT MAP ANALYSIS:

In General

Land cannot be divided in California without local government approval. Dividing land for sale, lease or financing is regulated by local ordinances based on the State Subdivision Map Act (commencing with Government Code Section 66410). The local General Plan, zoning, subdivision, and other ordinances govern the design of the subdivision, the size of lots, and the types of improvements (street construction, sewer lines, drainage facilities, etc.).

There are essentially two types of subdivisions: parcel maps (minor subdivisions), which are limited to divisions resulting in fewer than five lots (with certain exceptions), and subdivision maps (also referred to as tract maps), which apply to divisions resulting in five or more lots. Applications for both types of land divisions must be submitted to the local government for consideration in accordance with the local subdivision ordinance and the Subdivision Map Act.

Upon receiving an application for a subdivision map, staff examines the design of the

subdivision to ensure that it meets the requirements of the General Plan, the Zoning Ordinance, the local Subdivision Ordinance, and the California Subdivision Map Act. A public hearing must be held prior to approval of a Tentative Tract Map.

Approval of a Tentative Tract Map generally means that the subdivider will be responsible for installing improvements such as streets, drainage facilities or sewer lines to serve the subdivision. These improvements must be installed or secured by bond before the City will grant final approval of the map (final map) and allow the subdivision to be recorded in the County Recorder's office. Lots within the subdivision cannot be sold until the final map has been officially recorded. The subdivider has at least two years and up to five years if extended, in which to comply with the improvement requirements, gain final administrative approval, and record the final map. If the tentative map expires, it cannot be revived. Instead, a new tentative map must be applied for, processed, and approved.

Code Requirements

Title 9, Chapter 2 of the Los Banos Municipal Code regulates the processing and approval of all subdivisions within the City of Los Banos. In accordance with the subdivision code, the Tentative Map has been reviewed by the Project Review Board prior to its submission to the Planning Commission. Among other things the Project Review Board has reviewed the Tentative Map for: suitability of the land for subdivision; overall design of the subdivision; provisions for public improvements such as street improvements, utilities, storm drains, sidewalks, water supply, and sewage disposal; provisions for public areas such as parks and schools. The Project Review Board reviewed the Tentative Map on January 5, 2016 and their recommendations are incorporated into the Conditions of Approval for Planning Commission consideration.

Pursuant to Section 9-2.806(b) of the Los Banos Municipal Code, the Planning Commission shall determine whether the tentative map is in conformity with the provisions of law and of the Municipal Code, and shall approve, conditionally approve, or disapprove such map.

Project Design

The proposed residential subdivision is a replica of the original tentative map approved in 2000. The street improvements currently exist as originally designed. The residential subdivision includes fourteen (14) Medium Density parcels ranging in size from 6,141 square feet to 11,527 square feet, with an average lot size of 7,575 square feet. The Medium Density Residential zoning district allows for the development of attached or detached single-family dwellings, duplexes, or triplexes. The project site will be built in accordance with the Municipal Code and all City Standards and Specifications will apply.

Pursuant to the Zoning Code, the minimum lot size for single-family dwellings shall be 4,000 square feet and the lot width shall be a minimum of 40 feet for interior lots and 45 feet for corner lots. The project meets the requirements of the Zoning Code for minimum lot size.

Architecture is not a required component of the Tentative Tract Map, but the proposed subdivision will be required to be designed in accordance with the Residential Community Design Guidelines and will be compatible with adjacent neighborhoods. Pursuant to Section 9-3.2316, all new residential buildings requiring a building permit of five or more units is subject to Site Plan Review, which requires Planning Commission project study session review to consider architecture, landscape and lighting elements.

Land Use

The project site is designated as Medium Density Residential according to the Los Banos General Plan and Medium Density Residential (R-2) in accordance with the Zoning Map. The proposed project is proposing to subdivide 3.1 acres into fourteen (14) medium density parcels. The proposed use is consistent with the Los Banos General Plan and Zoning Code.

Landscape and Lighting

Prior to issuance of any permits, the developer will be required to prepare a Landscape and Lighting Plan for the proposed subdivision in the public right of way. The landscape plan will be designed in accordance with the City's "Water Efficient Landscape Ordinance" and the lighting plan will include a Lumen Dispersion Map and comply with the City of Los Banos Standards and Specifications. Maintenance of the landscape and lighting areas will be financed through a Landscape and Lighting District. The developer will be required to form or annex to an existing Landscape and Lighting District.

Circulation

The project will result in additional traffic conditions. The residences in the proposed subdivision will contribute their fair share to the cost of future traffic improvements to the area by paying adopted City of Los Banos traffic impact fees and therefore will result in a less than significant impact.

Infrastructure/Services

Water: The City of Los Banos would provide domestic water services by connecting to an existing eight-inch water line located at the intersection of San Luis Street. The project is subject to the provisions of the Los Banos Water Master Plan and will conform to its requirements including, but not limited to, payment of water impact fees.

Sewer: The City of Los Banos would provide wastewater service to the project site by connect to an existing sewer line located at the intersection of San Luis Street. Project build-out has been contemplated in the Wastewater Master Plans and will conform to its requirements including, but not limited to, payment of the wastewater impact fees.

Drainage: The City of Los Banos would provide storm water drain services by connecting to an existing 15" storm drain line located at the intersection of San Luis Street.

It should be noted that all City infrastructure has been sized to accommodate this use

and will be built in accordance with the City's Utility Master Plans.

Fire and Police Services: The proposed project would add an additional dwellings to the service demands of the Fire Department and Police Department. The project will be conditioned to annex into a Community Facilities District (CFD) to fund expansion of public safety services.

PUBLIC COMMENT:

A public hearing notice was published in the Los Banos Enterprise and Merced Sun-Star and notices were mailed out to property owners within a 300' radius of the project site on January 15, 2016. As of the date of this staff report, no written comments have been received.

RECOMMENDATION:

1. That the Planning Commission adopt Resolution No. 2015-04 approving Vesting Tentative Tract Map #2015-04 for the subdivision of approximately 3.1 acres into fourteen (14) Medium Density parcels located at the northwest corner of San Luis Street and Racquet Club Drive; more specifically identified as Assessor's Parcel Number: 428-030-019.

ATTACHMENTS:

1. Resolution 2016-04
 - Exhibit A: CEQA Findings
 - Exhibit B: Findings for Approval
 - Exhibit C: Conditions of Approval
2. Tentative Tract Map
3. Site Photos
4. Public Hearing Notice – January 15, 2016

RESOLUTION NO. 2016-04

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS BANOS APPROVING VESTING TENTATIVE TRACT MAP NO. 2015-04 FOR THE SUBDIVISION OF APPROXIMATELY 3.1 ACRES INTO 14 MEDIUM DENSITY PARCELS LOCATED AT THE NORTHWEST CORNER OF SAN LUIS STREET AND RACQUET CLUB DRIVE; MORE SPECIFICALLY IDENTIFIED AS ASSESSOR'S PARCEL NUMBER: 428-030-019

WHEREAS, the Los Banos General Plan was adopted by the City of Los Banos City Council on July 15, 2009; and

WHEREAS, the subject property has a land use designation of Medium Density Residential pursuant to the Los Banos General Plan and is zoned Medium Density Residential (R-2) by the Los Banos Zoning Map; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) and the City of Los Banos Environmental Quality Guidelines, Vesting Tentative Tract Map #2015-04 was adequately analyzed and determined to be categorically exempt from the provisions of CEQA per Article 19, Section 15332 as the project meets the conditions for an infill exemption; and

WHEREAS, Vesting Tentative Tract Map #2015-04 was reviewed by the Project Review Board on January 5, 2016 and was determined to be in compliance with State laws and the Los Banos Subdivision Code; and

WHEREAS, a public hearing was duly noticed for January 27, 2016, in accordance with California Government Code Section 65091 by advertisement in the Los Banos Enterprise and by mail to property owners within 300 feet of the project boundaries on January 15, 2016 to consider and take testimony regarding Vesting Tentative Tract Map #2015-04; and

WHEREAS, at the January 27, 2016 Planning Commission meeting the Los Banos Planning Commission, heard and considered testimony, if any, of all persons desiring to be heard; reviewed the Vesting Tentative Tract Map and staff report; studied the compatibility of the applicant's request with adjacent land uses; has considered the applicant's request in accordance with the Tentative Tract Map criteria established in Title 9, Chapter 2, Article 8 of the Los Banos Municipal Code; and

BASED UPON THE EVIDENCE PRESENTED AT THE PUBLIC HEARING, the Planning Commission of the City of Los Banos does hereby make the findings set forth in Exhibit A (CEQA Findings), and Exhibit B (Findings of Approval), attached hereto and incorporated herein by this reference.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Los Banos does hereby approve Vesting Tentative Tract Map #2015-04 subject to the conditions of approval attached hereto in Exhibit C for the subdivision of approximately 3.1 acres into 14 medium density residential parcels located at the northeast corner of San Luis Street and Racquet Club Drive, more specifically identified as Assessor's Parcel Number: 428-030-019.

The foregoing Resolution was introduced at a regular meeting of the Planning Commission of the City of Los Banos held on the 27th day of January 2016, by Commissioner _____ who moved its adoption, which motion was duly seconded by Commissioner _____ and the Resolution recommended for approval by the following vote:

AYES:
NOES:
ABSENT:

APPROVED:

Tom Spada, Chairman

ATTEST:

Sandra Benetti, Planning Commission Secretary

EXHIBIT A

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS FOR VESTING TENTATIVE TRACT MAP #2015-04 – RACQUET CLUB ESTATES

Pursuant to the requirements of California Public Resources Code Section 21000 et seq. (“CEQA”) and Title 14, California Code of Regulations Section 15000 et seq. (the “CEQA Guidelines”), the City as Lead Agency under CEQA adopts the following findings required by CEQA, along with the facts and evidence upon which each finding is based.

The City of Los Banos Planning Commission hereby finds as follows:

1. Pursuant to CEQA, the CEQA Guidelines, and the City of Los Banos Environmental Guidelines, the project was evaluated within the context of those guidelines and found to be categorically exempt from the provisions of CEQA — per Class 32 - Section 15332, as the project meets the conditions for an infill exemption. The project consists of the subdivision of 3.1 acres into fourteen residential parcels in the Medium Density zoning district. The project is consistent with applicable General Plan designation and Zoning Code requirements and is located within the City limits. The project site is surrounded by urban development and has no value as habitat for endangered, rare or threatened species. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. The project has been reviewed by City staff and can be adequately served by all required utilities and public services. Based on this evidence, the project is exempt under Section 15332 of the CEQA Guidelines – Infill Development Projects.
2. Vesting Tentative Tract Map #2015-04 was adequately noticed on January 15, 2016 for consideration at a public meeting on January 27, 2016.
3. No further environmental documentation is required as the Vesting Tentative Tract Map was contemplated and adequately analyzed in the initial review.
4. Prior to considering the proposed Project, the Planning Commission considered the Categorical Exemption.

EXHIBIT B

FINDINGS FOR APPROVAL OF VESTING TENTATIVE TRACT MAP #2015-04 – RACQUET CLUB ESTATES

Based upon the entire record, the City of Los Banos Planning Commission hereby finds as follows:

1. None of the findings (a) through (g) in Section 66474 of the California Subdivision Map Act that require a City to deny approval of the proposed Tentative Tract Map apply to this project.
2. As described in the project staff report the proposal is consistent with the Los Banos General Plan and Zoning Ordinance as it meets the use and development standards specified within. Evidence. Attached or detached single-family dwelling units, duplexes or triplexes are permitted in the district per the text of the Zoning Code. The proposed subdivision is consistent with the Los Banos General Plan as the proposal is compatible in scale and character with existing uses and historic structures and neighborhoods.
3. The proposal will not be detrimental to the health, safety, comfort, or general welfare of the persons residing or working in the City of Los Banos, or injurious to property or improvements in the surrounding neighborhoods or within the City. Evidence. The proposal will enhance the surrounding area. The proposed project has been reviewed by the Project Review Board for conformance to applicable policies and regulations. Comments and requirements have been addressed or incorporated as conditions of approval to ensure protection of public health, welfare, and safety.
4. The proposed medium density parcels are compatible with the adjacent uses, properties, and neighborhoods, and will not be detrimental or injurious to property or improvements in the neighborhood or to the general welfare of the City. Evidence. The project density matches those of the surrounding subdivisions and the configuration of the residential lots is compatible with the surrounding neighborhoods.
5. The Vesting Tentative Tract Map will provide for infrastructure services and will meet the requirements of the Los Banos Fire Department as the project is within the five-minute response area of the Main Fire Station.

6. As described in the project staff report and with the recommended conditions of approval, the proposed subdivision design, lot sizes, lot configurations, and proposed infrastructure improvements are consistent with the Los Banos General Plan and Municipal Code, and are adequate to accommodate the density and intensity of the development proposed.
7. The project site is physically suitable for residential development. Evidence. Access to the site is existing and available. Necessary services and facilities including water, sewer, and storm drain are available or can be provided.
8. No conflicts with easements acquired by the public at large, for access through or use of the property within the proposed subdivision have been identified.

EXHIBIT C

CONDITIONS OF APPROVAL FOR VESTING TENTATIVE TRACT MAP #2015-04 – RACQUET CLUB ESTATES

Planning:

1. The applicant shall submit a final vesting tentative tract map to the Community and Economic Development Department within 30 days from Planning Commission approval, reflecting any modifications or additions identified within the staff report and conditions of approval, or imposed by Planning Commission. The final tentative tract map shall be reviewed and signed by the Community and Economic Development Director or designatee for purposes of providing a clear record of the approved final vesting tentative tract map.
2. Prior to recordation of a Final Map, the developer shall form or annex the subject property to a Community Facilities District created for the purposes of funding public safety, as authorized by Government Code Section 53313(a) and (b). The form, terms and conditions, and the tax rate for the formation of the Mello-Roos district, or in the alternative the annexation of the subject property to an existing district, shall be as approved by the City Council, as determined in its sole and exclusive discretion. District formation or annexation shall be at the sole cost of the Developer.
3. Prior to recordation of a Final Map, the developer shall form or annex the subject property to a Landscape and Lighting District created for the purposes of maintaining public landscape areas, signage, and public lighting including a share of traffic signal maintenance costs as authorized pursuant to the Landscape and Lighting Act of 1972, Part of Division 15 of the California Streets and Highways Code, and Article XIID of the California Constitution. The form, terms and conditions, and tax rate for the formation of the Landscape and Lighting district, or in the alternative the annexation of the subject property to an existing district, shall be as approved by the City Council, as determined in its sole and exclusive discretion. District formation or annexation shall be at the sole cost of the Developer.
3. The project shall be subject to and the Developer shall pay development impact fees enacted by the City, including scheduled or periodic increases as provided for in the adopting ordinances or resolutions, in effect at the time of the Developer's request for the issuance of building permits and/or as included in the Subdivision Improvement Agreement.
4. Off-site public improvement plan(s) shall be submitted to the Public Works Department for approval prior to/or concurrent with the application for the Final Map. The developer shall not commence off-site improvements until approval is received by the Public Works Department. The developer shall enter into a subdivision improvement agreement with the City and provide labor and maintenance bonds in

an amount of 100% of the Engineer's Estimate for public improvements to be completed following recordation of the Final Map.

6. A Final Map shall be prepared by a professional land surveyor licensed in California or a professional engineer licensed in California and qualified to practice land surveying, according to the Subdivision Map Act, and local ordinances.
7. At least two points on the Final Map shall be tied to the California State Plane Coordinate System (NAD 83) with ties shown and closure calculations depicting the tie bearings and distances.
8. The developer shall be responsible for ensuring that the development complies with the Americans with Disabilities Act requirements.
9. The following note shall be on all improvement plans - The Contractor is responsible for protecting and preserving survey monuments and other survey markers. Any survey monuments damaged as a direct result of construction activities shall be re-established by a duly licensed land surveyor at the Contractor's sole expense. A corner record shall be filed in accordance with State law for any reset monuments at the Contractor's sole expense.

Pre-Construction and Construction:

10. All contractors performing work relative to this project shall obtain City of Los Banos Business Licenses, prior to start of work on the project. All work performed on the project shall comply with the requirements of the State Business and Professions Code.
11. Construction shall be limited to those times allowed by City Ordinance: Monday through Friday from 7:00 am to 7:00 pm; Saturday from 8:00 am to 7:00 pm; and Sunday from 9:00 am to 7:00 pm. Properly muffled equipment shall be used.
12. During construction, and for safety purposes, the applicant and assigned contractors shall keep the public right-of-way clear of obstructions, and provide for clean up on a daily basis.
13. Prior to the issuance of grading permits, the grading plan shall include the following language, "Large bulldozers, loaded trucks, or heavy equipment which causes significant ground vibration will not operate closer than 50 feet to an occupied residence without notifying the resident 48 hours in advance of construction work."
14. The applicant shall convey copies of the conditions of approval to all contractors and subcontractors.
15. Building permits shall be issued in accordance with the Los Banos Municipal Code and Standards and Specifications that identifies the improvements required in order for a building permit to be issued.

16. The developer shall be responsible for obtaining encroachment permits from the City of Los Banos, County of Merced, Caltrans, or other jurisdictions prior to performing any work within that jurisdiction's right-of-way.
17. All structures, foundations, and footings for buildings on the project site shall be designed and constructed to conform to the current California Building Code, including amendments adopted by the City.
18. An engineering soils report shall be prepared for all projects in order to identify soil characteristics requiring special structural design. On-site and off-site structural design shall conform to the findings and recommendation of the engineering soils report. The report shall be prepared prior to issuance of a grading permit, subject to review and approval of the City Engineer.
19. The developer shall incorporate soil erosion control measures into grading and drainage plans that comply with NPDES storm water regulations. These measures shall be monitored for effectiveness by the City of Los Banos. Such measures may include, but not be limited to, the following:
 - a. Limit disturbance of soils and vegetation disturbance removal to the minimum area necessary for access and construction;
 - b. Confine all vehicular traffic associated with construction to the right-of-way of designated access roads;
 - c. Adhere to construction schedules designed to avoid periods of heavy precipitation or high winds;
 - d. Ensure that all exposed soil is provided with temporary drainage and soil protection when construction activity is shut down during the winter periods;
 - e. Inform construction personnel prior to construction and periodically during construction activities of environmental concerns, pertinent laws and regulations, and elements of the proposed erosion control measures;
 - f. Compliance with National Pollution Discharge Elimination System (NPDES) permits administered by the California Regional Water Quality Control Board; and
 - g. Development of a plan to employ best management practices that reduce the level of pollutants discharged into natural waterways and wetlands.
20. Silt fencing shall be installed in accordance with American Society for Testing and Materials standard D6462.
21. A minimum 200-foot separation shall be maintained between residences and material stockpiles, debris piles, or containers and equipment storage during the

construction process. If such storage must be located within 200 feet of a residence, a six-foot high opaque fence shall shield the storage area from view when the storage area is inactive for more than eight hours. This requirement shall be incorporated into the specifications for all construction plans, subject to review and approval by the Community Development Director and/or designatee.

22. During construction activities, all food-related trash items shall be enclosed in sealed containers and regularly removed from the project site to avoid attracting wildlife to the project site, and pets shall not be allowed on the construction site. The proper location of the trash containers shall be subject to the review and approval of the Community and Economic Development Director and/or designatee.
23. Prior to placement of combustible materials on the site, two points of all-weather access, at least one paved, shall be provided for each phase, to the satisfaction of the Fire Chief.
24. Temporary construction trailers shall be permitted only in areas immediately adjacent to or within that portion of the subdivision where active subdivision construction is taking place. Placement of said construction trailer is subject to approval of the Public Works Director and the Community and Economic Development Director and/or designatee.
25. Temporary on-site and off-site subdivision signs shall conform to the use permit requirements of Los Banos Municipal Code section 9-3.1709 and be consistent with the development criteria of the Los Banos Municipal Code Sign Ordinance. Separate sign reviews and bonding may be required.
26. If parking for model homes is to be provided in a temporary parking lot, such lot shall be approved by the Community and Economic Development Director as a commercial lot conforming with Los Banos Municipal Code section 9-3.2009, and shall be removed within 60 days of the end of sales, if not intended to serve a permanent use.
27. Prior to acceptance of public improvements, all streets shall be barricaded to prevent the public from entering the construction site. The developer and assigned contractors shall keep all streets clear of obstructions, whether not yet accepted or within the public right-of-way, and provide for clean up on a daily basis.
28. Undeveloped portions of the development site shall be controlled of weeds and free of debris and litter. The applicant shall provide protection against wind and water soil erosion on undeveloped portions of the project site. Temporary vegetation on undeveloped portions of the project site shall not be allowed to grow taller than eighteen inches.
29. Prior to issuance of building permits for development on the project site, if the project site has remained fallow and reverted to grassland vegetation, the following measures shall be required, subject to the review and approval of the City of Los Banos Community Development Department:

a) A pre-construction survey shall be conducted by a qualified biologist for burrowing owls within 30 days of the on-set of construction according to methods described in the Staff Report on Burrowing Owl Mitigation (CDFG 1995).

b) If pre-construction surveys undertaken during the breeding season (February through July) locate active nest burrows within or near construction zones, these nests, and an appropriate buffer around them (as determined by a qualified biologist) must remain off-limits to construction until the breeding season is over. The CDFG recommends setbacks from occupied nest burrows of 100 meters where construction will result in the loss of foraging habitat.

c) During the non-breeding season (August through January), resident owls may be relocated to alternative habitat. The relocation of resident owls must be according to a relocation plan prepared by a qualified biologist in consultation with the California Department of Fish and Game. Passive relocation is the preferred method of relocation. This plan must provide for the owls relocation to nearby lands possessing available nesting and foraging habitat.

30. Due to the possibility that significant buried cultural resources might be found during construction, the following language shall be included in any permits issued for the project site, including, but not limited to building permits for future development, subject to the review and approval of the Los Banos Community Development Department:

“If archaeological resources or human remains are discovered during construction, work shall be halted at a minimum of 200 feet from the find and the area shall be staked off. The project developer shall notify a qualified professional archaeologist. If the find is determined to be significant, appropriate mitigation measures shall be formulated and implemented.”

31. In the event of an accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the City shall ensure that this language is included in all permits in accordance with CEQA Guidelines section 15064.5(e):

“If human remains are found during construction there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the Los Banos Police Department contacts the coroner of Merced County to determine that no investigation of the cause of death is required. If the coroner determines the remains to be Native American, the coroner shall contact the Native American Heritage Commission within 24 hours. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descendent from the deceased Native American. The most likely descendent may then make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and associated grave goods as provided in Public Resources Code Section 5097.98. The landowner or his authorized representative shall rebury the Native American

human remains and associated grave goods with appropriate dignity on the property in a location not subject to further disturbance if: a) the Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission; b) the descendent identified fails to make a recommendation; or c) the landowner or his authorized representative rejects the recommendation of the descendent, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.”

32. Prior to issuance of a building permit, dust control requirements consistent with SJVAPCD District Rule VIII shall be included in all construction contract specifications to reduce significant levels of construction contract specifications to reduce significant levels of construction-related hazardous air emissions.
- a. All disturbed areas, including storage piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, or vegetative cover.
 - b. All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions using water or chemical stabilizer/suppressant.
 - c. All land clearing, grubbing, scraping, excavation, land leveling, grading, and cut and fill activities shall be effectively controlled of fugitive dust emissions utilizing application of water or by presoaking.
 - d. When materials are transported off-site, all material shall be covered, effectively wetted to limit visible dust emissions, or at least six inches of freeboard space from the top of the container shall be maintained.
 - e. All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at least once every 24 hours when operations are occurring. (The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions. The use of blower devices is expressly forbidden.)
 - f. Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant.
33. Prior to issuance of building permits, developers shall include the following requirements in all construction bids and documents including contracts (and implemented during construction activities) for the purpose of reducing diesel particulate and acrolein emissions during construction of the project:

- a. All pre-1994 model year and older diesel equipment shall be retrofitted with EPA-certified diesel oxidation catalyst filters;
 - b. Contractor shall maintain records of all purchases of diesel oxidation catalyst filters or biodiesel fuel until construction is complete; and
 - c. The SJVAPCD shall have the right to inspect all construction and demolition equipment, as well as the contractor's records at any time during demolition and construction.
34. Prior to issuance of building permits for development of sensitive residential land uses (e.g. houses, schools, parks, day care), or other uses in which persons may contact soils), a Phase 1 environmental assessment shall be prepared to determine if soils contain hazardous materials. If necessary, a remediation plan shall be created and implemented. The assessment and any necessary remediation plans shall be subject to the approval of the Community and Economic Development Department.

Access and Circulation:

35. The developer shall submit public improvement plans to include curb, gutter, sidewalk, street lights, decorative masonry wall, underground utilities and a landscape plan for public areas. The developer shall be responsible for constructing public streets per the public improvement plans approved by the City Engineer in substantial compliance with the Vesting Tentative Tract Map. Improvements to adjacent arterial streets and collector streets shall be completed prior to occupancy of any use, and street improvements shall be complete prior to occupancy of any house that requires the street for access.
36. Where standard corner lot side yards abut a street, a minimum three-foot landscaping area shall be provided between the back of sidewalk and the fence.
37. Restricted access rights shall be irrevocably offered for dedication to the City along the rear edge of private property where properties back onto San Luis Street and Racquet Club Drive, and shall be shown on final maps.
38. Two points of all-weather access, at least one paved, shall be provided to all areas of the development during construction to the satisfaction of the Fire Chief in areas where residential units are under construction.
39. Parking shall be as provided in LBMC section 9-3.2004.
40. Proposed street signage shall be approved by the Public Works Department and meet line-of-sight requirements.
41. Prior to acceptance of subdivision improvements, the developer shall install all street and traffic control signs, pavement striping, and street name signs in accordance with the public improvement plans and City standards.

Utilities:

42. Existing utility easements shall be preserved. If existing utilities and/or easements are relocated for the benefit of a developer, that developer shall be fully responsible for the relocation including all expenses.
43. In conformance with the Subdivision Map Act, developer shall permit installation of underground cable television delivery systems within public utility easements. All dwellings shall be made cable ready.
44. Prior to approval of Improvement Plans or Final Maps, the developer shall obtain any necessary easements for utilities that cross adjoining properties and signatures from the Irrigation District or other public agencies for relocated facilities.
45. All existing overhead utilities shall be placed underground. No new overhead utility lines and equipment shall be shown on Improvement Plans and Grading Plans.
46. Where the invert is six feet or greater below finish grade, a minimum clearance of five feet from lip of gutter to the edge of pipe shall be provided for underground utility lines.

Public Safety:

47. Fire hydrants shall be in place and functioning prior to approval of the first residential building permit. Fire hydrants shall be installed at locations as approved by the Fire Chief on the Improvement Plans and shall be installed based upon City standards.
48. A plan and cross-section shall be provided for emergency vehicle accesses, and shall be approved by the Fire Chief and Police Chief. The emergency vehicle access shall be approved by the Fire Chief and Police Chief prior to issuance of a Certificate of Occupancy for structures and uses requiring the access.
49. The developer shall install "Blue Dot" fire hydrant locators, as specified by City development standards.
50. The developer shall comply with the City Fire Codes and Regulations subject to Fire Department approval in regards to building requirements, fire hydrant placement, and sprinkler requirements.
51. Paved surface streets shall be a minimum of 32-foot curb-to-curb.
52. Street names shall be approved by the Fire Department.
53. Minimum water lines shall be 8-inch.
54. No combustible materials shall be on-site prior to the approval of the Fire Department.

55. Each residence shall have 6-inch lighted address numbers of contrasting color installed on the front elevations.
56. Driveways, parking lots, water lines, fire hydrants, and underground utilities shall be completed prior to issuance of building permits.
57. Upon completion and approval of the project plans, a CD shall be submitted to the Fire Department providing information on street layout, hydrant locations, water mains, storm drain inlets (i.e. Fire Department pre-planning).
58. The median at the end of the cul-de-sac shall be removed.

Landscaping:

59. The applicant shall submit landscape and irrigation plans with improvement plans for Public Works Department approval of streetscape landscaping as part of the public improvement plans.
60. All residential lots shall have fully landscaped front yards at time of sale.
61. Landscape plans for each dwelling unit shall utilize drought tolerant plantings for no less than 75 percent of front yards. Turf varieties shall be chosen for drought tolerance. Irrigation systems shall be set to minimize water use and spillage onto paved areas.
62. Landscape plans shall emphasize deciduous shade tree plantings to the south and west of buildings.
63. Developer shall comply with the adopted street tree ordinance.
64. Landscaping along streets shall utilize all drought tolerant plantings. Irrigation systems shall be designed and operated to minimize water use and spillage onto paved areas. The applicant shall submit an irrigation conservation plan for the approval of the Public Works Director. The irrigation conservation plan shall indicate the amount of water applied in each zone, frequency of irrigation, method of matching irrigation to soil moisture conditions, and for drought-tolerant plantings, an irrigation reduction or phase out plan when plantings are well-established.

Signage

65. The developer shall obtain City approval in advance for permanent on-site and off-site signs through separate sign reviews and bonding consistent with the development criteria of the Los Banos Municipal Code Sign Ordinance.

Architecture

66. All development shall conform to the City's applicable design guidelines and standards.

67. The interface between the street and houses shall be designed to alleviate the monotony of straight building lines along the street frontage, and facilitation of a "pedestrian friendly" streetscape that encourages community interaction. Possible approaches include but are not limited to: varying the size of individual dwellings, staggering the front yard setbacks, varying exterior building materials and colors, articulating building facades, including enhanced fenestration and trim, trellis work, or large porches on front elevations, setting garages back from the living areas, and/or utilizing extensive landscaping.
68. Development of the project is subject to approval by the Design Review Committee prior to issuance of any building permits.
69. Prior to issuance of building permits the project shall be required to comply with design review in conformance with City Ordinances.

Fencing:

70. Where the project boundary abuts existing good-neighbor fences, the Developer shall replace with new fences in accordance with the requirements of the Los Banos Municipal Code.
71. Existing fencing along San Luis Street and Racquet Club Drive shall be replaced with decorative concrete masonry wall as approved by the Community and Economic Development Director. Aggressive landscaping (i.e. vines, shrubs) shall be planted in order to discourage graffiti.

Land Use:

72. For all properties within 1,000 feet of agricultural operations, deed notices shall be recorded with the final map. The deed notice shall require property purchasers to acknowledge the existing and ongoing commercial and/or agricultural uses on adjacent and nearby properties, and the Merced County Right-to-farm Ordinance.

Air Quality:

73. Housing units shall be oriented to maximize passive solar cooling and heating when practicable.
74. Gas fired appliances shall be low NOx emitting appliances complying with California NOx Emission Rule #1121.
75. Developer shall comply with all applicable Indirect Source Rule requirements of the San Joaquin Valley Unified Air Pollution Control District. Developer shall prepare an air emissions reduction if required.

Public Works

76. A letter from the Tax Collector shall be submitted prior to the recording of the Final Map which indicates that taxes have been paid or a bond has been posted.
77. A Final Map Guarantee shall be prepared and provided to the County Recorder.
78. When the submittal has been technically approved, the original mylars and a conforming mylar will be signed and notarized (notary shall not be stamped on the map) and delivered to the Public Works Department.
79. Developer shall include a Public Utility Easement of ten (10) feet along all road frontages.
80. All improvements shall conform to the latest addition of the Los Banos Municipal Code and the Standards and Specifications.
81. Streetlights are to be installed per the City Standards. They shall be "Cobra" style with LED lights. The streetlights shall meet the illumination standards in the City Street Light standards.
82. The Developer shall prepare, prior to issuance of a permit, a Landscape and Lighting Plan. The Landscape and Lighting Plan shall be approved by the Community and Economic Development Department and Public Works Department prior to issuance of a permit, and shall include the size, type and fixtures to be used on site, and include a Lumen Dispersion Map and comply with the City of Los Banos Shade Tree Canopy Ordinance. The Landscape Plan shall be designed in accordance with the City's "Water Efficient Landscape Ordinance."
83. Prior to the recordation of the Final Map, a Subdivision Improvement Agreement will be needed between the Developer and the City. The Agreement shall outline fees, performance dates, bonding and insurance requirements, and other pertinent requirements of the project.
84. An Improvement Plan, reviewed and approved for conformance by the City Engineer, shall be designed and approved before the Final Map is recorded.
85. Prior to the approval of the Improvement Plans, the street section shall be approved by the City Engineer.
86. The Developer shall generate a Storm Water Pollution Prevention Plan (SWPPP) for pre and post construction best management practices (BMPs). A Notice of Intent (NOI) shall be submitted and approved prior to construction by the State Department of Water Resources.
87. Improvement Plans shall include mailbox locations, which shall be approved by the U.S. Postmaster and the City of Los Banos.

88. At the southwest corner of Racquet Club Drive and the new Court, the post, anchor, street name sign, and R1 stop sign shall be installed per the City of Los Banos Standard Detail ST-15 and sheet C-4 of the improvement plans.
89. Monument pins shall be installed inside all monument boxes located on Racquet Club Drive and new Court.
90. The wall located at the west end of the site shall tie into 387 LF of 10' high concrete block wall per sheet C-3 of the improvement plans.
91. Install masonry wall at the south and west ends of lots 1 and 2. Provide the Public Works Department a copy of the approved wall design plan.
92. The developer shall replace a five-foot section of sidewalk located at the existing PG&E vault due to concrete raised at edge (located adjacent to lot 7).
93. Replace ramp on southwest corner of San Luis Street and Racquet Club Drive with standard ADA ramp included truncated dome.
94. Clean and remove the stockpile of asphalt and debris located on lot 8 and 10.
95. Weed abatement shall be required in sidewalks, streets, and lots.
96. The two cobra head galvanized street lights shall be energized and the light base inspection plates shall be replaced.
97. The existing sewer main manhole located adjacent to lot 2 shall be cleaned from aggregate rock, which is blocking the line. All damaged sewer cleanout risers shall be replaced and all existing sewer cleanouts shall be viewed by a camera toward the main to check if sewer service lines are debris free.
98. Fire hydrant blue pavement reflector marker required between lots 4 and 5 shall be installed per Standard Detail W-2.
99. The developer shall apply sand slurry to the existing street asphalt.
100. The developer shall install landscaping in area between decorative masonry wall and sidewalk on San Luis Street and Racquet Club Drive and shall provide the landscape design for approval by the Public Works Department.
101. Letters of completion shall be submitted from AT&T, PG&E, and Comcast.
102. A certification letter from the soils engineer shall be submitted stating streets, sidewalks, curb and gutter, and utility trenches were tested in conformance with the soils reports.

103. The developer shall submit as built to the Public Works Department.
104. Work and improvement cost sheets shall be submitted to the Public Works Department with a Warranty/Guarantee Bond at 10% of improvement cost sheet and a Survey Monument Bond in the amount of \$3,500.

Storm Drain:

105. The Developer shall comply with the Storm Drainage Master Plan adopted by the City of Los Banos.
106. The Developer shall comply with the City's MS4 Storm Water Permit.
107. Final Improvement Plans for the storm drainage system shall utilize the TR-S5 analysis method.
108. Final Improvement Plans for the storm drainage system shall be submitted to the City and reviewed and approved by the City Engineer prior to the issuance of a Grading Permit.
109. Thermoplastic "No Dumping to Water Way" stencil at two catch basins shall require installation located adjacent to lots 1 and 14 per Standard Detail SD-4.

Sewer:

110. The Developer shall construct all on-site and off-site sewer facilities necessary to serve the project.
111. The Developer shall comply with the Sewer Master Plan adopted by the City of Los Banos.
112. Sewer Design shall be per the City's Standard and Specifications.

Water:

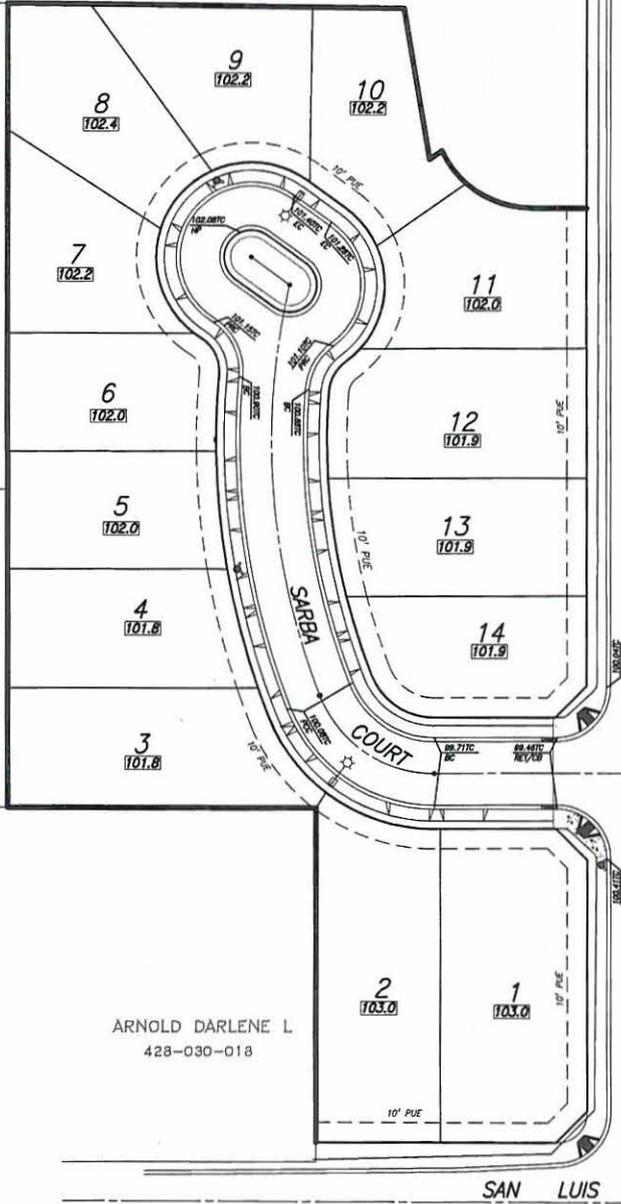
113. The Developer shall comply with the Water Master Plan adopted by the City of Los Banos.
114. Water system design shall be per the City's Standards and Specifications.
115. Domestic water services shall not be placed in driveways.

Notice: This approval may contain fees, dedications, reservations or other exactions as defined by the Mitigation Fee Act (Government code sections 66000 et seq.) This notice triggers the 90 day protest period as provided for by the Mitigation Fee Act.

JAMESTOWN
MINI WARE HOUSE
INVESTORS A PARTNERSHIP
428-030-012

SHERWOOD ROBERT C
& JANICE J.
428-030-013

ARNOLD DARLENE L
428-030-018



PFITZER ROBERT M
428-070-009

CONNELL JOHN T
& SHARON M
428-070-008

CONNELL JOHN T
& SHARON M
428-070-007

RULIFFSON SANDRA S
428-070-006



CITY OF LOS BANOS
428-070-001

RACQUET CLUB DRIVE

LOS BANOS
RACQUET CLUB TOWNHOUSE
UNIT No. 1
R.M. Vol. 24, Pgs 25

SAN LUIS STREET
925.75'
S 89°45'00" E 1697.21'

NO.	DESCRIPTIONS	DATE	APPRENTICE

BENCHMARK ENGINEERING, INC.
CIVIL ENGINEERING & LAND SURVEYING
507 J STREET - LOS BANOS, CALIFORNIA - 98888
(509) 797-0000 FAX(509) 848-0005



GRADING AND DRAINAGE PLAN
RACQUET CLUB ESTATES
LOS BANOS, CA.

JOB NO. 181161
DATE: 10-05-18
DR BY: RMB
CK BY:
SCALE: AS SHOWN



SHEET NUMBER
3
OF 4 SHEETS

JAMESTOWN
MINI WARE HOUSE
INVESTORS A PARTNERSHIP
428-030-012

SHERWOOD ROBERT C
& JANICE J.
428-030-013

ARNOLD DARLENE L
428-030-018

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428-070-009

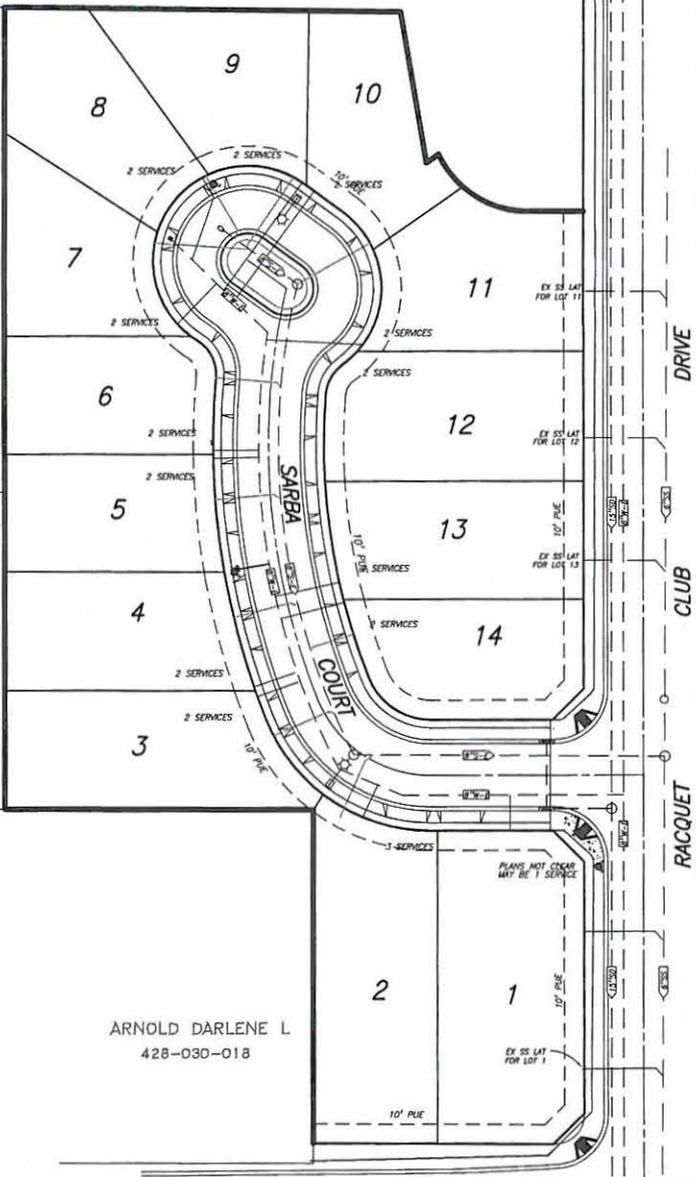
CONNELL JOHN T
& SHARON M
428-070-008

CONNELL JOHN T
& SHARON M
428-070-007

RULIFFSON SANDRA S
428-070-006

CITY OF LOS BANOS
428-070-001

LOS BANOS
RACQUET CLUB TOWNHOUSE
UNIT No. 1
R.M. Vol. 24, Pg 25



LUIS
925.75'
S 89°45'00" E 1697.21'

STREET

REVISED UNDER THE DIRECTION OF:

NO.	DESCRIPTION	DATE APPROVED	DATE

BENCHMARK ENGINEERING, INC.
CIVIL ENGINEERING & LAND SURVEYING
507 W. LOS BANOS, P.O. BOX 6806
LOS BANOS, CA 93707-0606
PHONE 782-0900



UTILITIES PLAN
RACQUET CLUB ESTATES
LOS BANOS, CA

JOB NO. 181101
DATE 10-05-18
DR BY NM
CK BY
SCALE AS SHOWN



SHEET NUMBER
4
OF 4 SHEETS



Google earth

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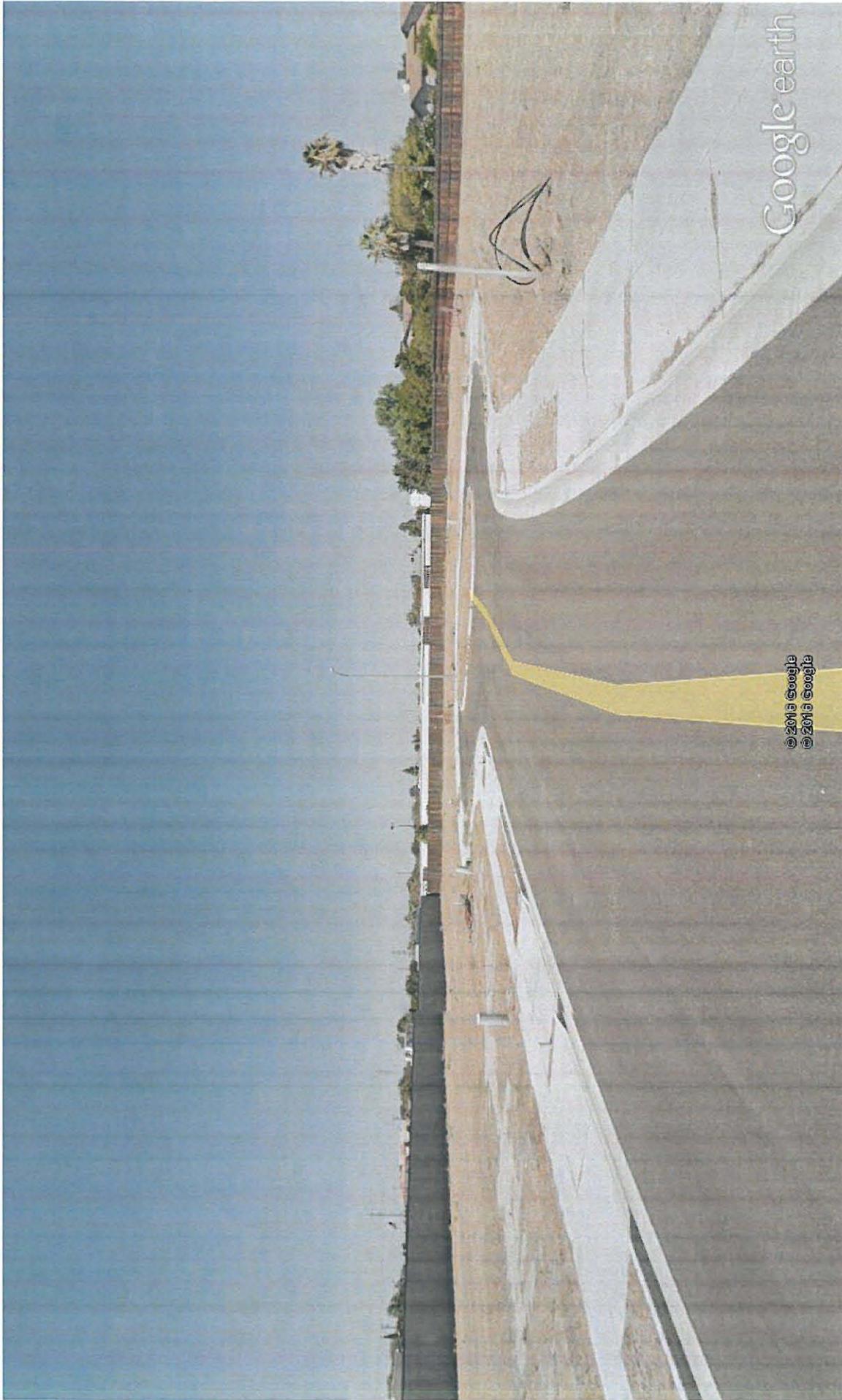
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Google earth

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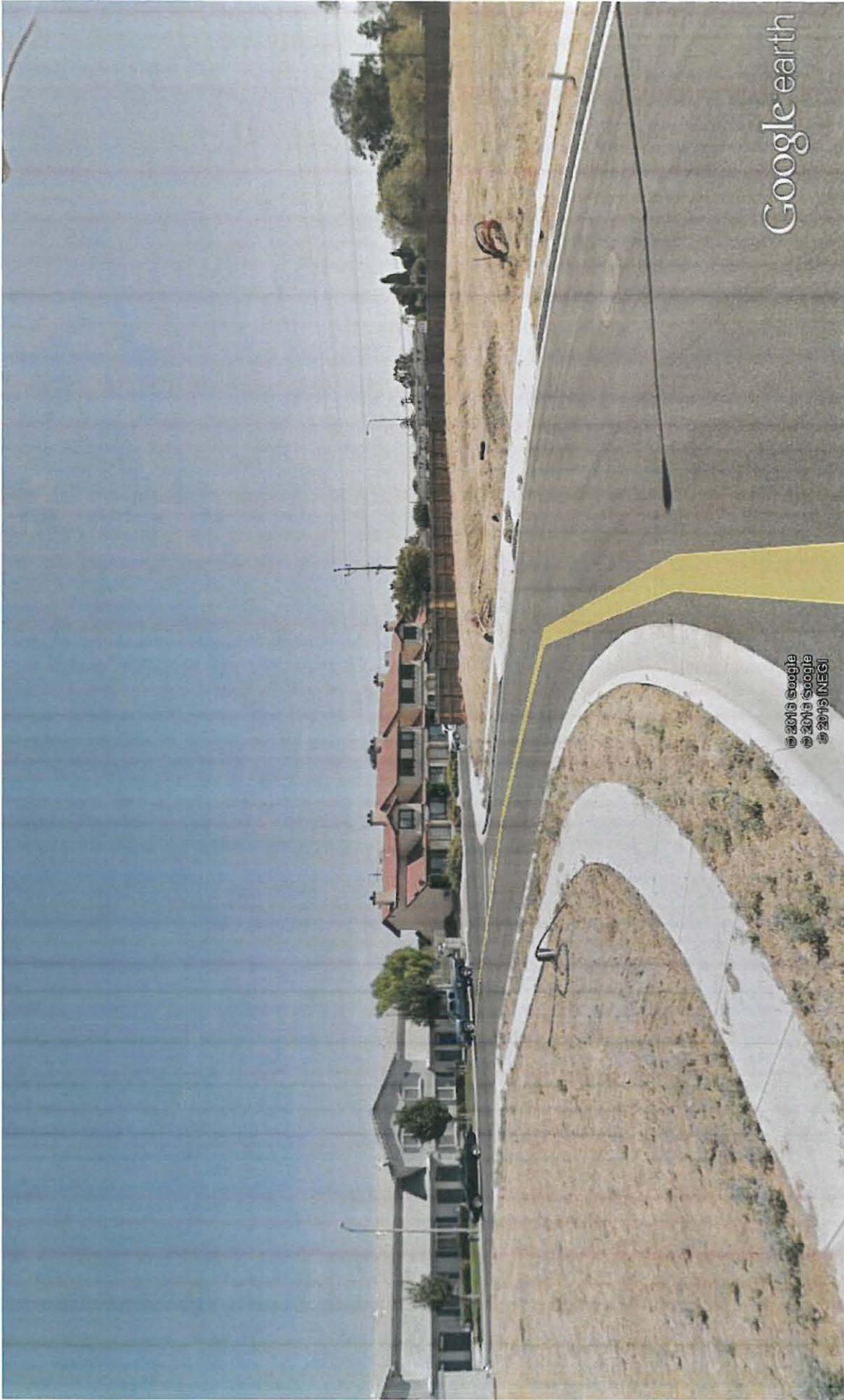
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Google earth



City of
Los Banos
At the Crossroads of California

COMMUNITY DEVELOPMENT DEPARTMENT

Date: January 15, 2016

Re: Notice of Public Hearing

Proposal: Vesting Tentative Tract Map #2015-04 – Racquet Club Estates

NOTICE IS HEREBY GIVEN THAT a Public Hearing will be held by the Los Banos Planning Commission to consider Vesting Tentative Tract Map #2015-04 for the subdivision of approximately 3 acres into 14 residential lots in the Medium Density Zoning District. The proposed project is located at the northwest corner of Racquet Club Drive and San Luis Street, more specifically identified as Assessor's Parcel Number: 428-030-019.

A PUBLIC HEARING on this matter will be held at the next scheduled meeting of the Planning Commission on Wednesday, January 27, 2016 at 7:00 p.m. in the Council Chambers of Los Banos City Hall located at 520 "J" Street. Questions regarding the above-referenced item may be directed to Stacy Souza Elms, Senior Planner at City Hall or at (209) 827-7000, Ext. 133.

All persons are invited to be present at the public hearing. Written and oral testimony is invited. Notice is hereby further given that if you challenge the above described Ordinance 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 Planning Commission at, or prior to, the public hearing.

Additional information may be obtained from Community & Economic Development Department at 520 J Street, Los Banos, California. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Office of the City Clerk at (209) 827-7000. Notification at least 72 hours prior to the public hearing will enable the City to make reasonable arrangements to allow participation at this hearing

THE CITY OF LOS BANOS

Stacy Souza Elms
Senior Planner