

**CITY OF LOS BANOS
PLANNING COMMISSION MEETING MINUTES
NOVEMBER 12, 2015**

***ACTION MINUTES** – These minutes are prepared to depict action taken for agenda items presented to the Planning Commission. For greater detail of this meeting refer to the electronic media (CD and/or audio) kept as a permanent record.*

CALL TO ORDER. 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 Cates.

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

STAFF MEMBERS PRESENT: Planning Technician Sandra Benetti and City Attorney William Vaughn.

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

CONSIDERATION OF APPROVAL OF THE ACTION MINUTES FOR THE REGULAR PLANNING COMMISSION MEETING OF OCTOBER 28, 2015. Motion by Faktorovich, seconded by McCoy to approve the minutes as submitted. The motion carried by the affirmative action of all Planning Commission Members present, Baker and Hammond absent.

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 SITE PLAN REVIEW #2015-08 FOR THE REMODEL OF THE FORMER LOWE’S HOME IMPROVEMENT WAREHOUSE FROM AN EXISTING SINGLE TENANT RETAIL BUILDING OF APPROXIMATELY 171,070 SQUARE FEET ON APPROXIMATELY 12.75 ACRES TO A MULTI-TENANT RETAIL

BUILDING OF APPROXIMATELY 165,850 SQUARE FEET LOCATED WITHIN THE HIGHWAY COMMERCIAL ZONING DISTRICT IN THE STONECREEK PLAZA AT 1301 W. PACHECO BOULEVARD, MORE SPECIFICALLY IDENTIFIED AS ASSESSOR'S PARCEL NUMBER: 430-010-019. City Attorney Vaughn presented the staff report, which included a PowerPoint presentation, noting that representatives for the applicant were present to answer any questions.

Commissioner Faktorovich inquired if we have identified the main tenant for the largest space.

City Attorney Vaughn stated that no application has come forward that would identify them.

Commissioner Faktorovich inquired who would have the largest space with the largest signage panel identifying the space.

City Attorney Vaughn stated that the applicant can speak to those questions.

Chairperson Spada opened up the public hearing. Russ Tuttle, Ethan Conrad Properties, thanked staff for all their work, spoke of how they want to divide this space into five separate tenants, how it is difficult to lease the large space to one tenant, and how they are currently negotiating with large retailers.

Chairperson Spada inquired if there would be changes to the back side service for deliveries.

Mr. Tuttle responded that there would be no changes on backside because the delivery space already exists.

City Attorney Vaughn stated that the trash enclosures are conditioned.

Chairperson Spada suggested that the back area should be screened and perhaps the buffer should be beefed up.

City Attorney Vaughn commented that we don't want to create a traffic hazard for people using the ingress/egress in the back of the unit.

Commissioner McCoy questioned if the fire alarm box and fire sprinkler systems could accommodate all units.

Mr. Tuttle spoke of the one riser in the front of the building being sufficient.

City Attorney Vaughn commented that the condition was written by the Fire Chief regarding the fire sprinklers and allows for the Fire Chief to approve the ultimate setup.

Commissioner McCoy commented that the building was going from having five bell towers down to three bell towers.

Mr. Tuttle stated that the architect intentionally did that because it looked better with the three bell towers.

Commissioner Faktorovich spoke of the monotony of the architecture, how he can't understand the architectural thought, understands the need to stay in budget, this being not that impressive, suggested bringing the signage of the main tenant about three feet higher so it would break up the monotony, understanding money and time, not trying to impose hardships, his desire for this building to be leased, and how it is not that difficult or expensive to accent the main tenant.

City Attorney Vaughn asked for clarification if Commissioner Faktorovich was looking to make a suggestion or a condition.

Commissioner Faktorovich stated that it was a suggestion.

Chairperson Spada agreed that this proposal didn't impress him.

Commissioner McCoy spoke of other retailers in the shopping center that have the bell tower and commented that Target did not.

City Attorney Vaughn stated that Target had resisted the bell tower idea and wanted to keep their branding style.

Commissioner McCoy stated that target has more of a layering on the building.

Chairperson Spada inquired if when the tenant improvements come forward there would be a different façade.

City Attorney Vaughn stated that this is the façade they would see.

Commissioner Toscano inquired if there was a reason they are removing the main façade.

Mr. Tuttle stated that it would look confusing for having separate tenants.

Commissioner Faktorovich suggested adding an arch and spoke of how this reminds him of an industrial building and even military barracks.

Mr. Tuttle stated that he'll have to talk to the architect and Ethan Conrad himself to discuss this.

Chairperson Spada stated that here we are removing the existing reveals and going to plain building when we made Sleep Train match the center.

Commissioner McCoy inquired if they could add a condition that there be no new monument signs.

City Attorney Vaughn stated the Condition of Approval #32 mirrors the municipal code and it can be removed.

Mr. Tuttle stated that they are negotiating with four tenants right now.

Kathy Ballard, Los Banos, inquired why the staff report lists four spaces and the site plan shows five spaces.

Mr. Tuttle stated that there are four spaces in the floor plan and the fifth space is the garden center.

City Attorney Vaughn stated that the consensus he's gathered from the Commission is that they would like to eliminate Condition of Approval #32 and add a condition that gives the Community & Economic Development Department the ability to alter the site plan in line with the discussion of the monotony of the architectural detail in which staff can entertain another proposal in light of this discussion.

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. 2015-45 - Approving Site Plan #2015-08 for the Remodel of the Former Lowe's Home Improvement Warehouse from a Single Tenant Building to a Multi-tenant Retail Building Located at 1301 W. Pacheco Boulevard in the Stonecreek Plaza with the amendment to remove Condition of Approval #32 and add a condition to allow the Community & Economic Development Department Director to administratively make changes to the site plan in regards to the architectural detail. The motion carried by the affirmative action of all Planning Commission Members present, Baker and Hammond absent.

DESIGN REVIEW STUDY SESSION – DEVELOPMENT OF A 1,914 SQUARE FOOT HEADEND FACILITY ON A 0.55 ACRE LOT LOCATED AT 604 TEXAS AVENUE IN THE PROFESSIONAL-OFFICE ZONING DISTRICT. City Attorney Vaughn presented the staff report, which included a PowerPoint presentation, noting that the applicant was present to answer any questions.

Mr. Kevin Fattal, the applicant, handed out 3D renderings of the interior of the building to the Commissioners.

Chairperson Spada inquired about screening for the cooling equipment.

Mr. Alan chambers stated that it will be screened behind the trellises.

Chairperson Spada suggested putting a concrete enclosure in front of the generator for the benefit of the residential units in the area.

Mr. Fattal spoke of how they could go from a level 4 to a level 5, how a CMU enclosure magnifies the sound, and spoke of the trellises and screening.

City Attorney Vaughn stated that the sound would be more of an issue for the residential units to the south.

Chairperson Spada inquired if the air district have any special requirements for them since they are near a school.

Mr. Fattal responded that they do not have any special requirements other than having to do the proper noticing.

City Attorney Vaughn passed around the color and material sample for the Commissioners.

Chairperson Spada inquired if there were security cameras.

Mr. Fattal responded that there are security cameras that would be monitored 24 hours/day.

Chairperson Spada asked the applicant to make sure the parapet is high enough to cover any equipment on the roof.

Commissioner Toscano inquired if there was any signage.

Mr. Fattal responded that there would not be any signage.

City Attorney Vaughn inquired what would happen with the existing structure.

Mr. Fattal stated that his recommendation to Comcast will be to remove it.

Commissioner McCoy inquired if the new fence will be in the way of what the City will take as far as improvements.

City Attorney Vaughn stated that he thinks the fence is behind the line, how it would be part of the approval process to include deferral agreements for improvements, and how the cooling units hooked to the building will have minimal noise even though it will be running all time.

Mr. Fattal stated that they are trying to be energy efficient as possible.

Chairperson Spada recommended the addition of a level five enclosure for the generator.

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT REPORT. City Attorney Vaughn reported that Planning Technician Benetti has been working feverishly, thanked her for her work, and spoke of the items coming forward for the next Planning Commission meeting taking place on December 9, 2015.

Commissioner Toscano inquired what's going on with Presidential Estates East Annexation.

City Attorney Vaughn responded that the applicant is working with the northern property owner and the Merced County Local Agency Formation Commission (LAFCO) as well as working on General Plan Amendment and Zone Change for Low Density Residential.

Commissioner McCoy inquired about the Vineyard Drive extension.

Planning Technician Benetti responded that the extension and any applicable traffic controls would be triggered by the build out of Northpointe.

PLANNING COMMISSION MEMBER REPORTS.

BAKER: Absent.

CATES: Spoke of how he is happy to see the buiding of the 99 Cent Only Store.

FAKTOROVICH: No report.

HAMMOND: Absent.

McCOY: Suggested that the City should seriously consider amending the 50% shade tree requirement and the Lowe's remodel should have came forward as a workshop for Design Review.

SPADA: Thanked Planning Technician Benetti for her work.

TOSCANO: No report.

ADJOURNMENT. The meeting was adjourned at the hour of 8:45 p.m.

APPROVED:

/s/ Tom Spada
Tom Spada, Chairperson

ATTEST:

/s/ Sandra Benetti
Sandra Benetti, Planning Technician