



City of Los Banos

At the Crossroads of California

AGENDA

PLANNING COMMISSION

CITY HALL COUNCIL CHAMBERS
520 J Street
Los Banos, California

WEDNESDAY, OCTOBER 24, 2018

If you require special assistance to attend or participate in this meeting, please call the Community & Economic Development Department at (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.

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 Community & Economic Development 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 __, Dees __, Jones __, 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 OCTOBER 10, 2018.

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 Categorical Exemption from the California Environmental Quality Act (CEQA) Pursuant to Section 15332 (Infill Development Projects) for Site Plan Review #2018-03 and Conditional Use Permit #2018-11 for the Development of a Mini Storage within the Professional Office Zoning District, Consisting of Five (5) Storage Buildings with an Office Attached to One Building Totaling 14,300 Square Feet Located South of H Street and West of Second Street, More Specifically Identified as Assessor's Parcel Number: 027-060-012.

- 1) Planning Commission Resolution No. 2018-26 – Approving a Categorical Exemption from the California Environmental Quality Act Pursuant to Section 15332, Infill Development Projects and Approving Site Plan Review #2018-03 for the Development of a Mini Storage Facility Consisting of Five (5) Storage Structures with an Attached Office to One Storage Structure Totaling 14,300 Square Feet Located South of H Street and West of Second Street, More Specifically Identified as Assessor's Parcel Number: 027-060-012.

- 2) Planning Commission Resolution No. 2018-27 – Approving a Categorical Exemption from the California Environmental Quality Act Pursuant to Section 15332, Infill Development Projects and Approving Conditional Use Permit #2018-11 for the Development of a Mini Storage Facility Consisting of Five (5) Storage Structures with an Attached Office Space to One Storage Structure Totaling 14,300 Square within the Professional-Office Zoning District (P-O) Located South of H Street and West of Second Street, More Specifically Identified as Assessor's Parcel Number: 027-060-012.

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

- B. Public Hearing – to Consider an Addendum to Mitigated Negative Declaration (SCH # 2005071027) and Vesting Tentative Tract Map #2018-03 for Shaunessy Village Consisting of the Subdivision of Approximately 39.1 Acres into 151 Low-Density and Medium-Density Single-Family Residential Lots Located East of Mercey Springs Road and 370 Feet North of Scripps Drive, More Specifically Identified as Assessor's Parcel Numbers: 083-100-005 & 083-100-006.
 - 1) Planning Commission Resolution No. 2018-28 – Approving an Addendum to Adopted Mitigated Negative Declaration (SCH #2005071027) for Vesting Tentative Tract Map No. 2018-03 for Shaunessy Village Located East of Mercey Springs Road and 370 Feet North of Scripps Drive, More Specifically Identified as Assessor's Parcel Numbers: 083-100-005 and 083-100-006.
 - 2) Planning Commission Resolution No. 2018-29 – Approving Vesting Tentative Tract Map #2018-03 for the Shaunessy Village Subdivision to Subdivide Approximately 31.9 Acres into 151 Low and Medium-Density Residential Lots Generally Located East of Mercey Springs Road and 370 Feet North of Scripps Drive, More Specifically Identified as Assessor's Parcel Numbers: 083-100-005 and 083-100-006.

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

- 8. COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT REPORT.
- 9. COMMISSIONER REPORTS.
 - A. Cates
 - B. Dees
 - C. Jones
 - D. McCoy
 - E. Spada
 - F. Toscano
- 10. ADJOURNMENT.

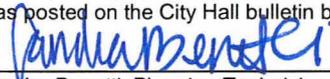
APPEAL RIGHTS AND FILING PROCEDURES

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 19th day of October 2018

**CITY OF LOS BANOS
PLANNING COMMISSION REGULAR MEETING MINUTES
OCTOBER 10, 2018**

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 Cates 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, Brett Jones, Palmer McCoy, Tom Spada, and Susan Toscano; David Dees absent.

STAFF MEMBERS PRESENT: Community & Economic Development Director Elms, Associate Planner Rudy Luquin, Planning Technician Sandra Benetti, and City Attorney William A. Vaughn.

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

CONSIDERATION OF APPROVAL OF THE ACTION MINUTES FOR THE REGULAR PLANNING COMMISSION MEETING OF SEPTEMBER 26, 2018. Motion by Spada, seconded by Jones to approve the minutes as submitted. The motion carried by the affirmative action of all Planning Commission Members present; Dees absent.

PUBLIC FORUM: MEMBERS OF THE PUBLIC MAY ADDRESS THE PLANNING COMMISSION 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 Cates opened the public forum. No one came forward to speak and the public forum was closed.

PUBLIC HEARING – TO CONSIDER SITE PLAN REVIEW #2018-02 FOR THE DEVELOPMENT OF A SHOPPING CENTER CONSISTING OF THREE COMMERCIAL STRUCTURES TOTALING TO 10,195 SQUARE FEET, TENTATIVE PARCEL MAP #2018-01 DIVIDING A 10.87 ACRE PARCEL INTO THREE (3)

PARCELS AND A REMAINDER PARCEL, A CONDITIONAL USE PERMIT #2018-10 FOR AN ABC TYPE 20 OFF-SALE BEER AND WINE LICENSE FOR A PROPOSED CONVENIENCE STORE WITHIN THE PROPOSED SHOPPING CENTER AND A CATEGORICAL EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO SECTION 15332, IN-FILL DEVELOPMENT PROJECTS LOCATED WITHIN THE HIGHWAY COMMERCIAL ZONING DISTRICT AT THE SOUTHEAST CORNER OF MERCEY SPRINGS RD. AND OVERLAND AVE., MORE SPECIFICALLY IDENTIFIED AS ASSESSOR'S PARCEL NUMBER: 424-120-017. Associate Planner Luquin presented the staff report, which included a PowerPoint presentation, and noted that there were revisions to the Conditions of Approval.

Commissioner McCoy commented that it was noted that there were changes to Conditions of Approval and inquired what those changes were.

Associate Planner Luquin stated that he needed to run back to his office to retrieve them.

Associate Planner Luquin left his seat at the staff table in the Council Chambers at 7:17 p.m. to retrieve the revised Conditions of Approval.

Associate Planner Luquin returned to the Council Chambers and his seat at 7:20 p.m. and supplied copies to each Planning Commissioner. The Planning Commission took some time to review the revised conditions.

Commissioner McCoy inquired why staff is proposing to allow them to record easements on maps instead of deeds, spoke of how that makes things difficult, and inquired if there was a hardship.

Community & Economic Development Director Elms responded that the Subdivision Map Act says what can qualify as a waiver as well as the City's ordinance, how all requirements have been met, how it will be recorded with a record of survey instead of a final map, and how the lots would be created that way.

Chairperson Cates opened the public hearing.

JIM HALFERTY, Halferty Development Company LLC, spoke of being grateful to the City for the non-difficult entitlement process, being hopeful that the Planning Commission approve this project, how this is an excellent piece of property to develop, and how he is present to answer questions.

GOON PATTANUMOTANA, representing Mi Barrio business owner, spoke in opposition to the project due to no consideration of crime report, increase of traffic, concern regarding illegal left turns on Mercey Springs Rd., how they would like to see a raised median on Mercey Springs Rd., concern regarding increased alcohol sales and consumption if 7-11 takes up tenancy in this location, and stated that he will forward the comment letter to the Planning Commission Secretary via email.

Community & Economic Development Director Elms commented that this area was studied within a traffic study, an encroachment permit was approved and obtained from Caltrans which has granted this access, how the opposition letter is from the owners of Mi Barrio which is the fuel station caddy corner to this project site, how the argument of crime would be analyzed based on existing conditions relating to crime at Mi Barrio and Circle K since there is nothing currently existing at this location, noted that the owner, Mr. Udeyvir Virk, asked to remove the Conditional Use Permit restrictions on single sales of beer one year after it was approved and it was removed based on crime report that was presented to the City Council.

No one else came forward to speak and the public hearing was closed.

Motion by McCoy, seconded by Spada to adopt Planning Commission Resolution No. 2018-21 – Approving a Categorical Exemption from the California Environmental Quality Act Pursuant to Section 15332, In-Fill Development Projects and Approving Site Plan Review #2018-02 for the Development of a Shopping Center Consisting of Three Commercial Structures Totaling 10,195 Square Feet Located at the Southeast Corner of Mercey Springs Road and Overland Avenue, More Specifically Identified as Assessor's parcel Number: 424-120-017. The motion carried by the affirmative action of all Planning Commission Members present; Dees absent.

Motion by Spada, seconded by McCoy to adopt Planning Commission Resolution No. 2018-22 – Approving a Categorical Exemption from the California Environmental Quality Act Pursuant to Section 15315, Minor Land Divisions and Approving the Southeast Corner of Mercey Springs Road and Overland Avenue Vesting Tentative Parcel Map #2018-01 for the Minor Subdivision of a 10.87 Acre Parcel into Three Parcels and a Remainder Parcel and a Request for Waiver of Final Map within the Highway Commercial Zoning District Located at the Southeast Corner of Mercey Springs Road and Overland Avenue, More Specifically Identified as Assessor's Parcel Number: 424-120-017. The motion carried by the affirmative action of all Planning Commission Members present; Dees absent.

Motion by McCoy, seconded by Spada to adopt Planning Commission Resolution No. 2018-23 – Finding the Proposed Project to Be Categorically Exempt from the California Environmental Quality Act Pursuant to Section 15332 and Recommending Approval of Conditional Use Permit #2018-10 to the Los Banos City Council to Allow for the Sale of Alcohol Under Type 20 Off-Sale of Beer and Wine License at Building 3 Located at the Southeast Corner of Mercey Springs Road and Overland Avenue, More Specifically Identified as Assessor's Parcel Number: 424-120-017. The motion carried by the affirmative action of all Planning Commission Members present; Dees absent.

PUBLIC HEARING – TO CONSIDER A CONDITIONAL USE PERMIT AND CATEGORICAL EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO SECTION 15301 (EXISTING FACILITIES) TO ALLOW THE USE OF A TYPE 41 ALCOHOL LICENSE FOR THE ON-SALE OF BEER AND

WINE IN CONJUNCTION WITH A BONA-FIDE EATING ESTABLISHMENT FOR ROUND TABLE PIZZA LOCATED AT 1462 MERCEY SPRINGS ROAD, MORE SPECIFICALLY IDENTIFIED AS ASSESSOR'S PARCEL NUMBER 083-130-038.

Associate Planner Luquin presented the staff report, which included a PowerPoint presentation.

Chairperson Cates opened the public hearing. No one came forward to speak and the public hearing was closed.

Motion by Spada, seconded by McCoy to adopt Planning Commission Resolution No. 2018-25 – Finding the Proposed Project to Be Categorically Exempt from the California Environmental Quality Act Pursuant to Section 15301 and Recommending Approval of Conditional Use Permit #2018-12 to the Los Banos City Council to Allow for the Sale of Alcohol Under Type 41 On-Sale of Beer and Wine License at Round Table Pizza Located at 1462 S. Mercey Springs Road, More Specifically Identified as Assessor's Parcel Number 083-130-038. The motion carried by the affirmative action of all Planning Commission Members present; Dees absent.

Chairperson Cates recused himself from the next public hearing item due to a conflict in having a business relationship with the applicant and left his seat at the dais at 7:40 p.m.

Commissioner Spada took the Chairperson's seat at the dais to conduct the next public hearing.

PUBLIC HEARING – TO CONSIDER A REVISION TO CONDITIONAL USE PERMIT #2016-01 TO ALLOW THE EXPANSION OF THE USE OF A TYPE 23 ALCOHOL LICENSE FOR A SMALL BEER MANUFACTURER ONSITE TASTING ROOM TO THE EXPANDED FLOOR AREA OF THE BUILDING FOR PARAISO BREWERY LOCATED AT 80 WEST G STREET, SUITES C AND D, MORE SPECIFICALLY IDENTIFIED AS ASSESSOR'S PARCEL NUMBERS: 081-190-008 AND 081-190-009.

Associate Planner Luquin presented the staff report, which included a PowerPoint presentation, and noted that he will provide the Planning Commission Secretary with the revised resolutions.

Commissioner Spada opened the public hearing. ERIKA JAUREZ, representative for Paraiso Brewery, spoke of Paraiso Brewery serving food now and she is present to answer any questions.

No one else came forward to speak and the public hearing was closed.

Motion by McCoy, seconded by Jones to adopt Planning Commission Resolution No. 2018-24 – Finding the Proposed Project to Be Categorically Exempt from the California Environmental Quality Act Pursuant to Section 15301 (A) and Recommending Approval of the Revision of Conditional Use Permit #2016-01 to the Los Banos City Council to Allow for Expansion of the Sale of Alcohol Under a Type 23 Small Beer Manufacturer

for Paraiso Brewery Located at 80 West G Street, Suites C & D, More Specifically Identified as Assessor's Parcel Numbers: 083-190-008 and 081-190-008. The motion carried by the affirmative action of all Planning Commission Members present; Cates and Dees absent.

City Attorney Vaughn stated that he has a business relationship with the applicant for the next two items and will excuse himself from the meeting for the night and left his seat and the Council Chambers at 7:48 p.m.

Chairperson Cates returned to his seat at the dais at 7:48 p.m. and Commissioner Spada returned to his regular seat at the dais at 7:48 p.m.

DESIGN REVIEW STUDY SESSION – DEVELOPMENT OF FOUR RESIDENTIAL STRUCTURES CONSISTING OF ONE (1) TWO-STORY TRIPLEX, TWO (2) TWO-STORY DUPLEXES, AND ONE (1) SINGLE-STORY SINGLE FAMILY STRUCTURE FOR SUNSET HILLS DEVELOPMENT, LLC, LOCATED AT 649 E STREET AND 661 E STREET IN THE MEDIUM-DENSITY RESIDENTIAL (R-2) ZONING DISTRICT.

Associate Planner Luquin presented the staff report, which included a PowerPoint presentation.

Joe Rocha, Sunset Hills Development LLC, was present to answer any questions.

There were comments among Commissioners, staff, and the applicant regarding architecture including suggestions to use trellis to break up the T1-11 siding, adding glazing to the exterior walls that are facing each other, addition of a belly band, and concern about parking for guests because it may clog up the streets.

Commissioner Toscano commented that we desperately need low-income housing, what he is doing is fabulous, and how this area is blighted.

Community & Economic Development Director Elms stated that Mr. Rocha has been purchasing blighted multifamily projects and rehabbing them and making them nice projects, how he will be applying for a density bonus which will require him to designate certain units with a deed restriction as affordable housing, and how the City appreciates his willingness to step up to do this.

There were comments among Commissioners, staff, and the applicant regarding landscaping including existing trees, how one tree will be replaced, and how he will be dressing up the existing landscaping.

Commissioner Spada inquired about location of power poles on the property.

Community & Economic Development Director Elms commented that the City requires underground utilities for new development so it will be required for his property, the only exception is if it's too high of a voltage, stated that most likely he will have to move the

poles to be on opposite sides of the lot, how he could possibly defer, but the Project Review Board will have to review this.

Commissioner Toscano commented that this requirement should be waived.

Commissioner McCoy spoke of his concern if the vegetation isn't taken care of then it could block visibility.

Community & Economic Development Director Elms stated that they can add a Condition of Approval that vegetation shall not grow higher than 3 feet.

There were comments among Commissioners, staff, and the applicant regarding lighting including the suggestion to use LED, lighting on the building, and possibly adding a lighting bollard or two along the walkway.

Chairperson Cates thanked Mr. Rocha for his infill projects.

Informational item only; no action taken.

DESIGN REVIEW STUDY SESSION – DEVELOPMENT A TWO-STORY STRUCTURE WITH COMMERCIAL USE DESIGNATED FOR THE LOWER FLOOR AND TWO RESIDENTIAL UNITS ON THE SECOND FLOOR FOR SUNSET HILLS DEVELOPMENT, LLC, LOCATED AT 652 K STREET IN THE MIXED-USE (M-X) ZONING DISTRICT. Associate Planner Luquin presented the staff report, which included a PowerPoint presentation.

Joe Rocha, Sunset Hills Development LLC, was present to answer any questions.

There were comments among Commissioners, staff, and the applicant regarding architecture including roofing materials probably being presidential comp, parking requirements, parking area at adjacent business encroaching on property line, the high curb, concern regarding the power poles locations but will be reviewed by the Project Review Board, and bike racks.

There were no comments among Commissioners, staff, and the applicant regarding landscaping.

There were comments among Commissioners, staff, and the applicant regarding lighting including LED and security lighting which will be on the building.

Informational item only; no action taken.

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT REPORT.

Community & Economic Development Director Elms reported that there will be the Business 2 Business Networking Event at the Community Center tomorrow from 9:00 a.m. to 12:00 p.m. co-hosted by Valley Sierra SBDC and the City of Los Banos and how

the City will also be hosting ACE10 event on October 24, 2018 at 9:15 AM at the Community Center to showcase Los Banos as an agricultural region.

PLANNING COMMISSION MEMBER REPORTS.

CATES: Thanked staff for the hard work, this was a big agenda, and stated that he commuted for 23 years to Silicon Valley and it is a tough commute.

DEES: Absent.

JONES: Stated that a landscape buffer is designed to keep water from running onto sidewalks and inquired where the water goes if it runs onto the sidewalk.

Community & Economic Development Director Elms responded that it percolates back into the earth, otherwise it goes into the storm water drains.

Commissioner Jones spoke of how he did read the newspaper article regarding Los Banos residents having the longest commute and commented that he has a tenant who commuted from Clovis to San Jose and now commutes from Los Banos to San Jose and is now thrilled to find a home here and have that commute.

McCOY: Commented that we previously spoke during the drought about vegetation.

Community & Economic Development Director Elms added that the Water Efficiency Landscape Ordinance came forward last year and was adopted by the City Council, how it was implemented in new development mostly, there is a 2 foot buffer where turf cannot touch the concrete, and how it applies to new commercial development too like with the new O'Reilly's.

Commissioner McCoy inquired if the stuff we saw today will meet that ordinance.

Community & Economic Development Director Elms responded that Halferty does meet these requirements, how Mr. Rocha has existing landscaping but the new landscaping will have to meet these requirements, and how it will be enforced with the improvement plans.

Commissioner McCoy spoke of how the new residential development by Oliveira Park is still fenced but the sidewalks are open and dirt is covering much of it with uncovered holes,

Community & Economic Development Director Elms stated that she will let the developer know to block the access.

Commissioner McCoy spoke of being a grandparent and getting to wake up and feed his grandchild who lives in his home and how he was watching CBS47 who showed that

the City of Sanger is modeling some things after Los Banos as far as how to grow the community, and stated that the world is taking note of us.

Commissioner McCoy inquired about an update on the business park.

Community & Economic Development Director Elms responded that it will be part of the General Plan Update.

SPADA: Reported that many Los Banos folks have a dismal commute to work and how an article was published in the Los Banos Enterprise and commended the Commission on making this an earlier than anticipated ending to the meeting.

Commissioner Spada spoke of how he would like to take a look at the plans for Harbor Freight Tools and how they are storing and unloading trailers without tractors for unloading, how there is no screening, he wants to find out if that area was shown to be receiving, and how we need to bring this project back and discuss this.

Community & Economic Development Director Elms responded that staff would need to review the Conditions of Approval for this project.

TOSCANO: No report.

ADJOURNMENT: The meeting was adjourned at the hour of 8:51 p.m.

APPROVED:

John Cates, Chairperson

ATTEST:

Sandra Benetti, Planning Technician



City of
Los Banos
At the Crossroads of California

PLANNING COMMISSION STAFF REPORT

TO: CHAIRMAN CATES AND PLANNING COMMISSIONERS

FROM: RUDY LUQUIN, ASSOCIATE PLANNER 

FOR: OCTOBER 24, 2018

SUBJECT: SITE PLAN REVIEW #2018-03 AND CONDITIONAL USE PERMIT #2018-11- BRYCE HOWARD

RECOMMENDATIONS:

Staff requests that the Planning Commission open the public hearing, receive public comment, and consider the following actions:

1. Approve Resolution No. 2018-26, approving a Categorical Exemption from the California Environmental Quality Act pursuant to Section 15332, In-Fill Development Projects and approving Site Plan Review #2018-03 for the development of a mini storage facility consisting of five (5) storage structures with an attached office space to one building totaling 14,300 square feet located south of H Street and west of Second Street; Assessor's Parcel Number: 027-060-012; and
2. Approve Resolution No. 2018-27, approving a Categorical Exemption from the California Environmental Quality Act pursuant to Section 15332, In-Fill Development Projects and approving Conditional Use Permit #2018-11 for the development of a mini storage facility consisting of five (5) storage structures with an attached office space to one building totaling 14,300 square within the Professional Office Zoning District (P-O) located south of H Street and west of Second Street, Assessor's Parcel Number: 027-060-012.

PROJECT DESCRIPTION:

On August 24, 2018, the City of Los Banos Community and Economic Development Department received an application from the applicant, Bryce Howard, for a Site Plan Review and Conditional Use Permit entitlements. The Site Plan Review application is for the proposed development of a Mini Storage facility that will consist of five (5)

storage buildings with one of those storage buildings having an office attached to it which will total to 14,300 square feet. The Conditional Use Permit that the applicant has applied for, is to allow the development of the proposed mini storage within the Professional Office Zoning District (P-O) as the proposed use and development are not permitted by right within the specified zoning district, a Conditional Use Permit, must be approved to allow the proposed use and development.

PROJECT LOCATION:

The project site is a vacant 52,845 square foot interior parcel located within the Professional Office Zoning District on the south side of H Street, west of Second Street. The proposed project site is surrounded by an existing commercial use to the west and existing residential uses to the south and east and industrial uses to the north.



LAND USE:

Property	Land Use	Zone	General Plan
Project site	Professional Office	P-O	C
North	Industrial	I	I
South	High Density Residential	R-3	HDR
East	Professional Office	P-O	P-O
West	Professional Office	P-O	P-O

P-O = Professional Office
I = Industrial
R-3 = High Density Residential

ENVIRONMENTAL ASSESSMENT:

Pursuant to the California Environmental Quality Act (CEQA) and the City of Los Banos Environmental Quality Guidelines, an Initial Study was prepared to identify and assess potential environmental impacts as a result of this project. Through the Initial Study, staff determined that the project would not result in any significant adverse effects and the project can be categorically exempt pursuant to Section 15332, In-Fill Development Projects.

PROJECT ANALYSIS:**Existing Setting**

The proposed project site is a vacant 52,845 square foot acre parcel located on the south of H Street and west of Second Street. The project site is surrounded by existing urban development consisting of residential development on the east and south, commercial development to the west, and industrial development to the north. The topography of the project site is relatively flat. There is small vegetation located throughout the undeveloped project site. This vegetation will be removed as part of the development of the proposed project.

SITE PLAN REVIEW ANALYSIS:***Code Requirements***

Pursuant to Section 9-3.2316(a) of the Los Banos Municipal Code, the Planning Commission shall review and evaluate a site plan for conformance with the applicable sections of the Code. Upon completion of the review and evaluation of a site plan review application, the Planning Commission shall either deny the site plan or shall grant or modify the site plan subject to reasonable conditions as may be imposed.

Project Design

The proposed project is for the development of a mini storage facility on a vacant parcel that consists of five (5) structures. The proposed sizes of the structures are: Building A 3,600 square feet, Building B 4,500 square feet, Building C 2,400 square feet, Building D 2,000 square feet, and Building E 1,800 square feet. Despite the different ranges in size, the buildings will have identical elevations. Building E will be the nearest structure to H Street and will have an office in the portion closest to the western access (main access) to the parcel. There is a secondary access at the north eastern portion of the parcel, both access points are on H Street as the proposed project site is an interior lot. The proposed project also includes new improved paved surface for parking lot with two (2) proposed ingress/egress points, landscaping, and an onsite storm water treatment system.

The applicant has proposed a Craftsman theme for the structures. The proposed materials for the exterior of the proposed structures will be T1-11 siding. Architectural elements for the proposed structures will consist of wall trellises, trim and exterior lighting features. The applicant is also proposing Presidential Composition for the roofing materials. The proposed colors are earth toned. The inclusive project will be

consistent amongst itself and the various commercial buildings near the surrounding area.

The architecture includes detailed site plans and elevations.

The site plan is designed with 5 off-street parking spaces with one (1) designated as handicap parking. Pursuant to Section 9-3.2004 of the Los Banos Municipal Code, the required off-street parking spaces are 2 minimum in regards to the proposed mini storage use. One (1) additional parking space is required for every 200 square feet of office area. The proposed office is 600 square feet and thus would require three (3) additional parking spaces totaling to five (5) off-site parking spaces. Thus the proposed total of five (5) off-street parking spaces is consistent with the required amount pursuant to Los Banos Municipal Code Title 9 Article 20.

Land Use

The project site is designated as Commercial according to the Los Banos 2030 General Plan and is zoned Professional Office in consistency with the Los Banos Municipal Code. The approval of a Conditional Use Permit will allow for the development of the proposed mini storage facility within the Professional Office Zoning District. The proposed mini storage facility is consistent with the Los Banos 2030 General Plan and Los Banos Municipal Code through the approval of a Conditional Use Permit.

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

A traffic study was performed not warranted for this project. The project will not impact circulation as the proposed project will not create amounts of traffic that will significantly impact the surrounding area. The proposed project consists of a mini storage facility, which historically does not create high traffic volumes as patrons are not constantly and simultaneously visiting the mini storage site. There are left turns allowed on H Street on to the property and there will be left turns allowed to west bound H Street traffic.

Infrastructure/Services

Water: The City of Los Banos would provide water service to the Project site. Water

service would be provided off an existing water line on H Street. The Project will connect to the existing line with a domestic and landscape line to the Project site. All existing groundwater wells within the boundary of the map will be required to be abandoned to Merced County Standards. 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 connecting to an existing sewer line located on H 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 the City of Los Banos via an existing storm drain line located on H Street, and installing storm water drain line in through the proposed project. A storm drain basin will be located to the south portion of the parcel on the project site. The basin has been sized to accommodate flow from the project area in accordance with the Storm Drain Master Plan.

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

Signage

The applicant has not proposed signage for the mini storage facility at this time. Nonetheless, when the applicant does submit for a Sign Review, the signs shall be consistent with Los Banos Municipal Code Title 9 Chapter 3 Article 28, Signs.

DESIGN REVIEW

Pursuant to Section 9-3.2818(a) of the Los Banos Municipal Code, the Los Banos Planning Commission held a study session on September 26, 2018, to provide the applicant with feedback early on in the design process. The Commission evaluated architectural elements, landscape and site treatment, and lighting elements as described in Section 9-3.2818(c) of the Los Banos Municipal Code.

The Planning Commission did provide minor recommendations to the applicant and provided positive feedback on the proposed design submittal.

PROJECT REVIEW BOARD

The Project Review Board (PRB) reviewed the project proposal on September 4, 2018, for these aspects

- Building layout;
- Location;

- Orientation of all new and existing structures and the relationship to one another and surrounding properties
- Methods of landscape irrigation;
- Location and design of facilities for physically disabled persons;
- Location of fencing and other screening;
- Location and screening of refuse facilities;
- Traffic circulation on-site and off-site;
- Pedestrian and bicycle circulation and safety;
- Arrangement of off-street parking and loading facilities;
- Location and intensity of all onsite lighting; and
- Provision of municipal and public services.

The PRB has provided a positive recommendation for the development of the proposed project with conditions of approval incorporated into the project.

FINDINGS FOR APPROVAL:

The Planning Commission shall approve a Site Plan if it makes all of the following findings specified in the Municipal Code. The Planning Commission shall consider and evaluate those aspects of the project described in Section 9-3.2317(b) and 9-3.2318(c). In approving a site plan, the Planning Commission shall make the following findings before approving a site plan:

1. That the proposed development is consistent with the general plan, any specific plans, and any design standards adopted by the City Council.
 - a. *The General Plan land use designation for the project site is Commercial however the zoning for the parcel is Professional Office, which allows small-scale offices and campus-like office complex development, including professional and medical offices, and research and development (R&D) activities. The Professional Office designation also can allow for small restaurants, support services, and convenience retail activities. Nonetheless, the applicant has applied for a Conditional Use Permit which will allow for the proposed development.*

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

ECONOMIC DEVELOPMENT POLICY ED-G-1:

Help create jobs and improve job quality for existing and future Los Banos residents.

ECONOMIC DEVELOPMENT POLICY ED-G-3:

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

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-1:

Promote a sustainable, balanced land use pattern that satisfies existing needs and safeguards future needs of the City.

Evidence/Analysis: *Through the approval of the Conditional Use Permit the project is consistent with the General Plan Commercial land use designation and the Professional Office zoning. The proposed Mini storage facility would create some employment opportunities for the community and the creation of new business fosters economic development and business vitality.*

- b. *The zoning designation for the project site is Professional Office (P-O). The purpose of the Professional Office Zoning District is to provide a location for business and professional offices, institutions and related services of a less intensive nature than allowed in commercial zone not adjacent to residential areas. Although, with the approval of the Conditional Use Permit, the proposed development will be consistent with the zoning.*

Evidence/Analysis: *The proposed project is within the Professional Office Zoning District; however with the approval of a Conditional Use Permit, the proposed project will be consistent with the Zoning.*

2. That the design and location of the proposed development and its relationship to existing or proposed developments and traffic in the vicinity thereof is such that it will not impair the desirability of investment or occupation in the neighborhood; and that it will not unreasonably interfere with the use and enjoyment of existing or proposed developments in the vicinity thereof, and that it will not create traffic hazards or congestion.

Evidence/Analysis: *The proposed use is surrounded by residential development and uses on the east and south, commercial development and uses to the west areas, and industrial uses and development to the north of the project site. The proposed mini storage facility development will be compatible with the existing area with the approval of the Conditional Use Permit. The proposed project will*

not create significant amounts of traffic to the area as mini storage facilities are not high traffic areas and patrons visit these sites sparingly. The proposed use and development will not create such traffic patterns to provoke significant traffic impacts.

3. That the design of the proposed development is in keeping with the character of the surrounding neighborhood and is not detrimental to the harmonious, orderly, and attractive development contemplated by this ordinance and the general plan of the City.

Evidence/Analysis *The proposed design of the five commercial structures is a Craftsman themed architectural style, which is consistent with the Los Banos Community Design Standards; also the colors for the structures will be earth tone colors which are City preferred colors. The design of the structure will also be compatible in character with the surrounding commercial structures in the area.*

4. That the design of the proposed development would provide a desirable environment for its occupants, as well as for its neighbors, and that it is aesthetically of good composition, materials, textures, and colors.

Evidence/Analysis: *The design of the proposed mini storage facility is consistent with the Los Banos Community Design Standards. The proposed materials for the exterior of the proposed structures will be T1-11 siding. Architectural elements for the proposed structures will consist of trimming around the window and the roof line and a trellis on proposed building E. The proposed roofing material will be presidential composition. The proposed colors are earth toned. The inclusive project will be consistent amongst itself and some of the surrounding commercial buildings in the area.*

5. That the proposed use complies with all applicable requirements of the zoning district in which it is located and all other applicable requirements.

Evidence/Analysis: *The proposed project and uses of the project are consistent with the Los Banos Municipal Code Title 9 Article 10 Professional Office Zoning District, Los Banos Municipal Code Title 9 Article 23 Use Permit, and the Los Banos 2030 General Plan commercial land use designation. With the approval of a Conditional Use Permit the proposed use is granted but subject to applicable conditions.*

6. That the overall development of the subject property is designed to ensure the protection of the public health, safety, and general welfare.

Evidence/Analysis: *The comprehensive design of the proposed mini storage facility conforms to good planning in that the physical design elements are*

compatible to surrounding commercial structures and consistent with the Los Banos Community Design Standards.

USE PERMIT ANALYSIS

Code Requirements

Pursuant 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;
 - a. The existing General Plan land use designation for the project site is Commercial, which allows for large-scale commercial developments that serve both residents, visitors, and the surrounding region. Examples of this land use include; shopping centers, large-format retail, auto sales, and travel-related services such as hotels, gas stations, and restaurants. These uses typically require excellent access to freeway interchanges.

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.

Evidence/Analysis: The proposed mini storage facility will help physically and socially serve the needs of the community at large. In addition, the project would also be consistent with General Plan land use policies as set forth above.

- b. The zoning designation for the project site is Professional Office (P-O). The purpose of the Professional Office Zoning District is to provide a location for business and professional offices, institutions and related services of a less intensive nature than allowed in commercial zones not adjacent to residential areas. Nevertheless, the proposed use is not permitted by right and required to be permitted upon the approval of a Conditional Use Permit.

Evidence/Analysis: The proposed use complies with the Los Banos Municipal Code upon the approval of the applied Conditional Use Permit. The proposed use is also less intensive than permitted uses in the Professional Office Zoning District.

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 mini storage facility will be less intensive than most of the permitted uses with the Professional Office Zoning District. Conditions of approval have been incorporated into the project to ensure the business is not a nuisance or detrimental to the neighborhood.

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 proposed mini storage use will be less intensive than most of the permitted uses within the Professional Office Zoning District. This specific use is compatible to the zoning district in that the mini storage facility resulting from the proposed use will be positively conducive with new in-fill development along the H Street corridor. The office to the mini storage facility is proposed to operate Monday through Friday 9:00 am to 2:00 pm. Conditions of approval have been incorporated into the project to ensure the operation of the mini storage is not detrimental or injurious to the property and improvements in the neighborhood or to the general welfare of the City.

PUBLIC COMMENT:

A public hearing notice was published in the Los Banos Enterprise and notices were mailed out to property owners within a 300' radius of the Project site on October 12, 2018. As of the date of this report no comments have been received.

RECOMMENDATION:

1. Approve Resolution No. 2018-26, approving a Categorical Exemption from the California Environmental Quality Act pursuant to Section 15332, In-Fill Development Projects and approving Site Plan Review #2018-03 for the development of a mini storage facility consisting of five (5) storage structures with an attached office space to one storage structure totaling 14,300 square feet located south of H Street and west of Second Street; Assessor's Parcel Number: 027-060-012; and
2. Approve Resolution No. 2018-27, approving a Categorical Exemption from the California Environmental Quality Act pursuant to Section 15332, In-Fill Development Projects and approving Conditional Use Permit #2018-11 for the development of a mini storage facility consisting of five (5) storage structures with an attached office space to one storage structure totaling 14,300 square within the Professional Office Zoning District (P-O) located south of H Street and west of Second Street, Assessor's Parcel Number: 024-060-012.

Second Street, Assessor's Parcel Number: 027-060-012.

ATTACHMENTS:

1. Resolution 2018-26
 - Exhibit A: CEQA Findings
 - Exhibit B: Findings for Approval
 - Exhibit C: Conditions of Approval
2. Resolution 2018-27
 - Exhibit A: CEQA Findings
 - Exhibit B: Findings for Approval
 - Exhibit C: Conditions of Approval
3. Notice of Exemption
4. Site Plan
5. Elevations
6. Public Hearing Notice – October 12, 2018

RESOLUTION #2018-26

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS BANOS APPROVING A CATEGORICAL EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO SECTION 15332, IN-FILL DEVELOPMENT PROJECTS AND APPROVING SITE PLAN REVIEW #2018-03 FOR THE DEVELOPMENT OF A MINI STORAGE FACILITY CONSISTING OF FIVE (5) STORAGE STRUCTURES WITH AN ATTACHED OFFICE TO ONE STORAGE STRUCTURE TOTALING 14,300 SQUARE FEET LOCATED SOUTH OF H STREET AND WEST OF SECOND STREET, ASSESSOR'S PARCEL NUMBER: 027-060-012

WHEREAS, the Los Banos General Plan was adopted in July 2009, and is the guiding document for land use in the City of Los Banos; and

WHEREAS, the subject property has a land use designation of Commercial pursuant to the Los Banos General Plan and is zoned Professional Office (P-O) 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, Site Plan Review #2018-03 for Howard Mini Storage was determined to be categorically exempt from the provisions of CEQA pursuant Article 19, Class 32, Section 15332 In-Fill Development Projects as the project site qualifies for in-fill development project; and

WHEREAS, a public hearing was duly noticed for October 24, 2018, 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 October 12, 2018 to consider and take testimony regarding Site Plan Review #2018-03; and

WHEREAS, at the October 24, 2018 Planning Commission meeting the Los Banos Planning Commission heard and considered testimony, if any, of all persons desiring to be heard; reviewed the Project Site Plan 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 Site Plan criteria established in Section 9-3.2320 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 a Categorical Exemption from the California Environmental Quality Act pursuant to Section 15332, In-Fill Development Projects and approving Site Plan Review #2018-03 for the development of a mini storage facility consisting of five (5) storage structures with an attached office space to one storage structure totaling 14,300 square feet located south of H Street and west of Second Street; Assessor's Parcel Number: 027-060-012, 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 24th day of October 2018, 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:

John Cates, Planning Commission Chair

ATTEST:

Sandra Benetti, Planning Commission Secretary

EXHIBIT A

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS FOR SITE PLAN REVIEW #2018-03 – HOWARD MINI STORAGE

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, Site Plan Review #2018-03 was evaluated and determined to be categorically exempt pursuant to Article 19, Class 32, Section 15331 In-Fill Development Projects as the comprehensive project qualifies as an in-fill development project as determined in the Initial Study and further elaborated in the Notice of Exemption..
2. Site Plan Review #2018-03 was adequately noticed on October 12, 2018, for consideration at a public meeting on October 24, 2018.
3. No further environmental documentation is required as the Site Plan Review 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 SITE PLAN #2018-03 – HOWARD MINI STORAGE

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

1. That the proposed development is consistent with the general plan, any specific plans, and any design standards adopted by the City Council.
 - a. The General Plan land use designation for the project site is Commercial, which allows large-scale commercial developments that serve both residents, visitors, and the surrounding region. Examples of this land use include: shopping centers, large-format retail, auto sales, and travel related services such as hotels, gas stations, and restaurants. These uses typically require excellent access to freeway interchanges.

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

ECONOMIC DEVELOPMENT POLICY ED-G-1:

Help create jobs and improve job quality for existing and future Los Banos residents.

ECONOMIC DEVELOPMENT POLICY ED-G-3:

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

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-1:

Promote a sustainable, balanced land use pattern that satisfies existing needs and safeguards future needs of the City.

Evidence/Analysis: Through the approval of the Conditional Use Permit the project is consistent with the General Plan Commercial land use designation and the Professional Office zoning. The proposed Mini storage facility would create some employment opportunities for the community and the creation of new business fosters economic development and business vitality.

- b. *The zoning designation for the project site is Professional Office (P-O). The purpose of the Professional Office Zoning District is to provide a location for business and professional offices, institutions and related services of a less intensive nature than allowed in commercial zone not adjacent to residential areas. Although, with the approval of the Conditional Use Permit, the proposed development will be consistent with the zoning.*

Evidence/Analysis: The proposed project is within the Professional Office Zoning District, nevertheless with the approval of a Conditional Use Permit, the proposed project will be consistent with the Zoning.

2. That the design and location of the proposed development and its relationship to existing or proposed developments and traffic in the vicinity thereof is such that it will not impair the desirability of investment or occupation in the neighborhood; and that it will not unreasonably interfere with the use and enjoyment of existing or proposed developments in the vicinity thereof, and that it will not create traffic hazards or congestion.

Evidence/Analysis: The proposed use is surrounded by residential development and uses on the east and south and commercial development and uses to the west areas and industrial uses and development to the north of the project site. The proposed mini storage facility development will be compatible with the existing area with the approval of the Conditional Use Permit. The proposed project will not create significant amounts of traffic to the area as historically storage facilities are not high traffic areas and patrons visit these sites sparingly. The proposed use and development will not create such traffic patterns to provoke significant traffic impacts.

3. That the design of the proposed development is in keeping with the character of the surrounding neighborhood and is not detrimental to the harmonious, orderly, and attractive development contemplated by this ordinance and the general plan of the City.

Evidence/Analysis: The design of the proposed design of the five commercial structures is a Craftsman themed architectural style, which is consistent with the Los Banos Community Design Standards; also the colors for the structures will be earth tone colors which are City preferred colors. The design of the structure will also be compatible in character with the surrounding commercial structures in the area.

4. That the design of the proposed development would provide a desirable environment for its occupants, as well as for its neighbors, and that it is aesthetically of good composition, materials, textures, and colors.

Evidence/Analysis: The design of the proposed mini storage facility is consistent with the Los Banos Community Design Standards. The proposed materials for the exterior of the proposed structures will be T1-11 siding. Architectural elements for the proposed structures will consist of trimming around the window and the roof line and a trellis on proposed building E. The proposed roofing material will be presidential composition. The proposed colors are earth toned. The inclusive project will be consistent amongst itself and some of the surrounding commercial buildings in the area.

5. That the proposed use complies with all applicable requirements of the zoning district in which it is located and all other applicable requirements.

Evidence/Analysis: The proposed project and uses of the project are consistent with the Los Banos Municipal Code Title 9 Article 10 Professional Office Zoning District, Los Banos Municipal Code Title 9 Article 23 Use Permit, and the Los Banos 2030 General Plan commercial land use designation. With the approval of a Conditional Use Permit the proposed use is granted but subject to applicable conditions.

6. That the overall development of the subject property is designed to ensure the protection of the public health, safety, and general welfare.

Evidence/Analysis: The comprehensive design of the proposed mini storage facility conforms to good planning in that the physical design elements are compatible to surrounding commercial structures and consistent with the Los Banos Community Design Standards.

EXHIBIT C

CONDITIONS OF APPROVAL FOR SITE PLAN #2018-03 – HOWARD MINI STORAGE

Planning:

1. The followings Conditions of Approval shall apply to and be applicable to the applicant, property owner, and/or developer. Reference to applicant, property owner, and/or developer shall be interpreted to include all including the holder of a building permit or other permit issued by the city in connection with this project. These conditions shall run with the land and shall survive the issuance of an occupancy permit.
2. This Site Plan shall expire if an application for a building permit is not applied for within 24 months from date of approval. One six-month extension may be allowed by written request submitted to and approved by the Community and Economic Development Director.
3. Subject to and in addition to the conditions of approval set forth herein the development and construction of all improvements for the Project shall substantially conform to the conditionally approved Site Plan approved by the Planning Commission consisting of the site plan layout, exterior elevations, landscape plan, floor plan, and color renderings (herein after "site plan"). The applicant shall submit a revised Site Plan to the Community and Economic Development Department reflecting any modifications, additions, and conditions of approval approved by the Planning Commission within 30 days from Planning Commission approval. Said revised Site Plan shall be reviewed by the Community and Economic Development Department and stamped "conditionally approved" for purposes of providing a clear record of the approved Site Plan.
4. Full compliance with all conditions of approval shall be satisfied prior to issuance of any certificate of occupancy. Any proposed modifications to the approved Site Plan during construction and after issuance of occupancy permit shall require approval by the Community and Economic Development Director or Planning Commission as appropriate.
5. Any application for a building permit shall be reviewed by the Community and Economic Development Department for a determination as to whether such application conforms to the prior design and site development review approval by the Planning Commission.
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 site plan, or the environmental determination rendered in connection with the site

plan approval, or arising out of the operation of the use or uses allowed under the site plan, save and except that caused solely by the City's active negligence.

7. Construction shall be limited to those hours specified in Section 9-3.2706 of the Los Banos Municipal Code: Monday through Friday from 7:00 am to 9:00 pm; Saturday and Sunday from 8:00 am to 5:00 pm.
8. The applicant shall comply with all requirements of other appropriate governmental agencies.
9. The applicant shall meet all requirements of the currently adopted edition of the California Building, Fire, and City of Los Banos Municipal Codes in effect at time of the building permit application.
10. The applicant shall comply with the Americans with Disabilities Act (ADA) requirements in the design, construction and maintenance of this project.
11. The applicant shall provide a copy of the conditions of approval to all contractors and subcontractors prior to commencement of construction.
12. During construction, and for safety purposes, the public right-of-way shall be kept clear of obstructions and shall be cleaned on a daily basis.
13. The applicant shall require and all contractors and subcontractors shall obtain a City of Los Banos Business License, prior to start of work on the project. All work performed on the project shall comply with the requirements of the California Business and Professions Code.
14. The applicant shall obtain any necessary encroachment permits from the City prior to performing any work within that jurisdiction's right-of-way.
15. The applicant shall incorporate perimeter fencing along the proposed retention basins.
16. The applicant shall install concrete masonry walls along the west, east, and south property lines.
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 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 written approval by the City Engineer.
19. A minimum 200-foot separation shall be maintained between the public right-of-way and material stockpiles, debris piles, or containers and equipment storage

during the construction process. If such storage must be located within 200 feet of the public right-of-way, 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 written approval by the Community and Economic Development Department.

20. 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. Pets shall not be allowed on the construction site. The proper location of the trash containers shall be subject to the review and written approval of the Community and Economic Development Department.
21. Prior to placement of combustible materials on the site, two points of all-weather access, at least one paved, shall be provided, to the satisfaction and written approval of the Fire Chief.
22. Temporary construction trailers shall be permitted only in areas immediately adjacent to or within that portion of the Site Plan where active construction is taking place. Placement of said construction trailer is subject to the written approval of the Community and Economic Development Director and shall be removed in accordance with Title 9, Chapter 3, Article 39 Temporary Use Ordinance of the Los Banos Municipal Code. The Project site shall be controlled of weeds and free of debris and litter. The applicant shall provide protection against wind and water soil erosion.
23. 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.
24. 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 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.”
25. 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.”

26. The Project site shall be kept in a dust-free condition during construction of the project in. Prior to issuance of a building permit, dust control requirements shall be included in all 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 ground 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.
27. Prior to issuance of building permits, the developer/applicant 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.
28. The Project site shall include a bicycle rack. Size and location shall be approved by the Community and Economic Development Director.
29. All development impact fees shall be paid in full prior to occupancy and as a condition of issuance of an occupancy permit. The developer shall provide a receipt from the Los Banos Unified School District for all applicable school impact fees.
30. The Applicant will take reasonable steps to preserve all survey monuments. The Applicant is responsible for the preservation of survey monuments within the work area under this permit at Applicant's sole expense. If any monuments are disturbed, the Applicant is responsible for re-establishing the monuments upon completion of the permitted work. Re-establishing of monuments shall be performed by a duly licensed land surveyor and a corner record shall be filed in accordance with State law at Applicant's sole expense.
31. All Community and Economic Development processing and application fees shall be paid in full prior to the issuance of a building permit.

Utilities and Drainage:

32. Subject to the review and approval of the Los Banos Public Works Department, project improvement plans shall include Best Management Practices (BMPs) to reduce the introduction of oils and other contaminants to the Los Banos storm water drainage system and main canal. Water quality safeguards shall be installed prior to occupancy of the parking lots. A water quality Best Management Practices plan shall be implemented upon occupancy.
33. A trash enclosure shall be built according to City specifications; colors, materials, and textures matching those of the main building, and provide for recycling services within. A concrete apron is required across the width of the trash enclosure opening that shall extend a minimum depth of ten feet in front of the opening. The location shall be specifically shown on the improvement plans and approved by the Community and Economic Development Director. The trash enclosure shall be large enough to accommodate the solid waste and recyclables. The trash bins shall have lids and the enclosure must be properly screened. The enclosure needs to follow City Standards and Specifications as well as Republic Services Standards.

Landscape and Lighting:

34. All ground and rooftop mounted electrical, plumbing and mechanical equipment shall be screened from view of the public right-of-way by continuous parapet wall or landscaping or combination thereof.

Signage:

35. A Sign Review application, consistent with the provisions of the City's Sign Ordinance shall be submitted to the Community and Economic Development Department for review prior to the issuance of a building permit.
36. All advertising signage shall be subject to Sign Review and permit approval from both the Community and Economic Development and Building Departments, prior to installation, consistent with the development criteria of the Los Banos Municipal Code Sign Ordinance.

Design/Aesthetics:

37. The design of the improvements shall be conforming to the approved site plan. Any significant changes in color or architecture (i.e. paint, texture, material) shall require prior written approval by the Community and Economic Development Director or Planning Commission approval. The applicant shall maintain the color as presented in the site plan for the life of the project. Any changes to the site plan as to color or architecture shall require prior written approval by the Community and Economic Development Director or Planning Commission. This condition shall run with the land and be binding on successors in interest and shall be applicable beyond the issuance of an occupancy permit.

38. Downspouts shall be located within the building walls or architecturally integrated into the design and color of the structures, and there shall be no drainage across the public access ways or across the public right-of-way.
39. All rooftop mechanical equipment and appurtenances shall be screened from view from the public right-of-way and adjacent properties.

Fire Department

40. There shall be a fire control room, which shall have an exterior access door only and be large enough to accommodate the fire riser and fire alarm annunciator panel.
41. There shall be a permanent sign on the exterior of the fire control room stating "Fire Control Room".
42. There shall be HVAC smoke detector test and reset switches in the fire control room.
43. Maintain clear access to Fire Department Connections (FDC's).
44. FDC location shall be approved by the Fire Chief.
45. Fire lines shall be installed as a loop system.
46. Hydrant Locations shall be indicated on Final Improvement Plan.
47. The fire system back flow unit shall be hydro tested.
48. All fire lane curbs on the project site shall be painted.
49. There shall be a main electrical disconnect located on the exterior of the building for Fire Department use only.
50. Commercial grade Knox Boxes with Click 2 Enter access shall be required on the exterior of the building for each tenant in the area of all gate entrances. Applications can be obtained through the Fire Department. The Knox Boxes shall have FDC locking caps.
51. A fire alarm control panel shall be located within the fire control room. A minimum of one (1) pull station and one (1) audio visual station shall be provided within 5' of the front entrance. The fire alarm system shall be plan checked and approved by the Los Banos Fire Department. These plans shall be through deferred submittal to the Fire Department.

52. Deferred submittals shall be provided to the Fire Department regarding Fire Alarm Improvements and Fire Protection System
53. The development shall be required to follow National Fire Protection Association (NFPA) Section Numbers 58-6.5 and 58-6.6.

Public Works

54. The developer/applicant shall prepare improvement plans (separate from the building plans) submitted to the Public Works Department for the entire site and plans shall be approved by the City Engineer prior to the start of any site work. Included in those improvement plans shall be, but not limited to, topography, site, grading and drainage, utilities, circulation striping and signage, landscape, on and offsite lighting (street frontage), and offsite improvements. These improvements shall be installed per City of Los Banos Standards.
55. The existing water lines shall be shown on the improvement plans and the proposed building shall not be allowed to be built over the existing water line.
56. Full landscape plans per the City's landscape ordinance shall be submitted with the improvement plans, including 50% shade requirement.
57. All frontage improvement as per City standards. These improvements include undergrounded existing utilities along the streets.
58. A Storm Water Pollution Prevention Plan (SWPPP) shall be generated if the property is greater than 1-acre. In any case Construction and Post-Construction Best Management Practices (BMP's) shall be implemented to the City's MS-4 Phase II designation.
59. The developer/applicant shall prepare a grading and drainage plan prior to the issuance of a building permit. The grading and drainage plan shall be prepared per City standards and shall be approved by the City Engineer prior to the commencement of grading and work of any kind.
60. Storm drain, water main, and sanitary sewer main line improvements shall be installed by the developer/applicant per the City of Los Banos Utility Master Plans.
61. All development fees, including but not limited to all inspection fees, processing fees, landscape and light plan fees, and improvement plan fees shall be paid prior to issuance of the building permit.
62. Prior to occupancy, the Developer shall form or annex the Subject Property to a Lighting and Landscaping District created for 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 2 of Division 15 of the California Streets and Highways Code, and Article XIII D of the California Constitution. The form, terms and conditions and the tax rate for the formation of the Lighting and Landscaping 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. It is the intent of the parties that the assessment of the Subject Property will be apportioned to each parcel in proportion to the special benefit it receives. District formation or annexation shall be at the sole cost of the Developer.

63. The following note shall be on all improvement plans: The Contractor shall be 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.

Police Department

64. The applicant/operator shall have HD quality monitoring cameras with 4k/1080p resolution in the exterior of the facility at all times to the satisfaction and approval of the Police Chief. The applicant shall always maintain the surveillance equipment in working order and keep the video recordings for 30 days to be made available to law enforcement upon request.
65. **This approval is conditioned upon and shall be effective upon payment in full of all outstanding invoices pursuant to the Cost Recovery Contract.**

RESOLUTION No. 2018-27

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS BANOS APPROVING A CATEGORICAL EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO SECTION 15332, IN-FILL DEVELOPMENT PROJECTS AND APPROVING CONDITIONAL USE PERMIT #2018-11 FOR THE DEVELOPMENT OF A MINI STORAGE FACILITY CONSISTING OF FIVE (5) STORAGE STRUCTURES WITH AN ATTACHED OFFICE SPACE TO ONE STORAGE STRUCTURE TOTALING 14,300 SQUARE WITHIN THE PROFESSIONAL OFFICE ZONING DISTRICT (P-O) LOCATED SOUTH OF H STREET AND WEST OF SECOND STREET, ASSESSOR'S PARCEL NUMBER: 027-060-012

WHEREAS, Bryce Howard has submitted an application for a Conditional Use Permit to allow the use and development of a mini storage facility within the Professional Office Zoning District (P-O) located south of H Street and west of Second Street, more specifically identified as Assessor's Parcel Number: 027-060-012; and

WHEREAS, a public hearing notice was advertised in the Los Banos Enterprise on October 12, 2018 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 Use Permit criteria established in Section 9-3.2322 of the Los Banos Municipal Code; and

WHEREAS, the project has been determined to be categorically exempt from the provisions of CEQA per Article 19, Section 15332 – In-Fill Development Projects.

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 approve a Categorical Exemption from the California Environmental Quality Act pursuant to Section 15332, In-Fill Development Projects and approving Conditional Use Permit #2018-11 for the development of a mini storage facility consisting of five (5) storage structures with an attached office space to one storage structure totaling 14,300 square within the Professional Office Zoning District (P-O) located south of H Street and west of Second Street, Assessor's Parcel Number: 027-060-012, 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 24th day of October 2018 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:

Planning Commission Chair

ATTEST:

Sandra Benetti, Planning Commission Secretary

EXHIBIT A

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS FOR CONDITIONAL USE PERMIT #2018-11 – HOWARD MINI STORAGE

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 #2018-11 was evaluated and determined to be categorically exempt pursuant to Article 19, Class 32, Section 15331 In-Fill Development Projects as the comprehensive project qualifies as an in-fill development project as determined in the Initial Study and further elaborated in the Notice of Exemption.
2. Conditional Use Permit #2018-11 was adequately noticed on October 12, 2018, for consideration at a public meeting on October 24, 2018.
3. No further environmental documentation is required as the Site Plan Review 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 #2018-11 – HOWARD MINI STORAGE

FINDINGS FOR APPROVAL:

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

- a. The existing General Plan land use designation for the project site is Commercial, which allows for large-scale commercial developments that serve both residents, visitors, and the surrounding region. Examples of this land use include; shopping centers, large-format retail, auto sales, and travel-related services such as hotels, gas stations, and restaurants. These uses typically require excellent access to freeway interchanges.

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.

Evidence/Analysis: The proposed mini storage facility will help physically and socially serve the needs of the community at large. In addition, the project would also be consistent with General Plan land use policies as set forth above.

- b. The zoning designation for the project site is Professional Office (P-O). The purpose of the Professional Office Zoning District is to provide a location for business and professional offices, institutions and related services of a less intensive nature than allowed in commercial zones not adjacent to residential areas. Nevertheless, the proposed use is not permitted by right and required to be permitted upon the approval of a Conditional Use Permit.

Evidence/Analysis: The proposed use complies with the Los Banos Municipal Code upon the approval of the applied Conditional Use Permit. The proposed use is also less intensive than permitted uses in the Professional Office Zoning District.

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 mini storage facility will be less intensive than most of the permitted uses with the Professional Office Zoning District. Conditions of approval have been incorporated into the project to ensure the business is not a nuisance or detrimental to the neighborhood.

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 proposed mini storage use will be less intensive than most of the permitted uses within the Professional Office Zoning District. This specific use is compatible to the zoning district in that the mini- storage facility resulting from the proposed use will be positively conducive with new in-fill development along the H Street corridor. The office to the mini storage facility is proposed to operate Monday through Friday 9:00 am to 2:00 pm. Conditions of approval have been incorporated into the project to ensure the operation of the mini storage is not detrimental or injurious to the property and improvements in the neighborhood or to the general welfare of the City.

EXHIBIT C

CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT #2018-11 – HOWARD MINI STORAGE

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. These conditions shall run with the land and shall survive the issuance of an occupancy permit.
2. Conditional Use Permit 2018-11 is for the use and development of a mini storage facility located south of H Street and west of Second Street; more specifically identified as Assessor's Parcel Number: 027-060-012. If the requested use is not commenced within one (1) year from date of approval by the Los Banos Planning Commission this Conditional Use Permit shall lapse and become void. 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. Subject to and in addition to these conditions of approval for Conditional Use Permit #2018-11, the use shall substantially conform to the approved Conditional Use Permit including but not limited to the application on file with the Community and Economic Development Department, Staff Report, and Floor Plan.
4. The applicant shall comply with all applicable City ordinances, specified in the Municipal Code and other requirements, laws and policies of other governmental agencies in the conduct and operation of said business.
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 to the neighborhood.
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 as a mini storage facility as described and in conformance with the application prepared by the applicant and filed with the Community and Economic Development Department. Any new use or modification/expansion of uses shall be subject to the prior review and approval of the Planning Commission.
8. The premises of the subject site shall remain in compliance with the Conditions of Approval and shall not be operated in a manner that deviates from the approved conditional 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.
9. 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 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. The applicant shall comply and adhere to all requirements set forth by the City of Los Banos Fire Department and Building Department prior to occupancy.
11. If the use is discontinued for a period of 12 months, this Conditional Use Permit shall lapse and become void.
12. The exterior of the premises, including adjacent public sidewalks and the parking lot areas (front and rear), shall be sufficiently illuminated during all hours of darkness when the premises are open for business in a manner so that persons accessing those areas at night are identifiable by law enforcement personnel.
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. This approval is conditioned upon and shall be effective upon payment in full of all outstanding invoices pursuant to the Cost Recovery Contract.

Notice of Exemption

Form D

To Office of Planning and Research
P.O. Box 3044, Room 212
Sacramento, CA 95812-3044

From: *(Public Agency)* City of Los Banos
520 J Street
Los Banos, CA 93635

County Clerk
County of Merced
2222 M Street
Merced, CA 95340

Project Title Howard Mini Storage Site Plan Review #2018-03

Project Location - Specific South of H Street West of Second Street , Assessor’s Parcel Number: 027-060-012

Project Location - City Los Banos **Project Location - County** Merced

Description of Nature, Purpose, and Beneficiaries of Project Site Plan Review (SPR) #2018-03 and Conditional Use Permit (CUP) #2018-11 for the development of a mini storage facility consisting of five (5) storage structures with an attached office space to one building totaling 14,300 square feet and associated utility and land improvements.

Name of Public Agency Approving Project City of Los Banos

Name of Person or Agency Carrying Out Project Bryce Howard

Exempt Status (check one)

- Ministerial (Sec. 21080 (b) (1); 15268);
- Declared Emergency (sec. 21080(b)(3); 15269(a);
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c)).
- Categorical Exemption – Sec. 15332 In-fill Development Projects
- Statutory Exemption – State code number:

Reasons why project is exempt CEQA provides several “categorical exemptions” which are applicable categories of projects and activities that the Lead Agency has determined generally do not pose a risk of significant impacts on the Environment. The project consists of a Site Plan Review and a Conditional Use Permit entitlements to develop of a Mini Storage facility that will consist of five (5) storage buildings with an attached office space to one building totaling to 14,300 square feet within a Professional Office Zone of the City of Los Banos. The project is exempt under Section 15332 of the State CEQA Guidelines (Class 32-Infill Development Projects). The project meets the conditions for an infill exemption described in Section 15332 of the State CEQA Guidelines as explained below.

(a) The project is consistent with the applicable general plan designation, applicable policies and applicable zoning Designation and regulations. The subject site is designated Commercial in the City’s 2030 General Plan and is zoned Professional Office. The General Plan Commercial designation call for Commercial development. Industrial/ Commercial development is permitted within the Professional Office Zoning District with the approval of a Conditional Use Permit. Thus, the project is consistent with the General Plan policies and Los Banos Municipal Code Title 9, Chapter 3, Zoning. Therefore the project is consistent with all applicable zoning regulations.

(b) The proposed project occurs within the City limits on a site of no more than 1.22 acres that is substantially surrounded by residential development and uses to the east and south, commercial use to the west and industrial uses and

development to the north.. The proposed project occurs within the city limits of Los Banos on an approximate 1.22 acre site, and thus, is less than the maximum five (5) acre site specified in Section 15332 (b) for this exemption.

(c) The project has no value as habitat for endangered, rare or threatened species. The site is vacant, previously disturbed and contains non-native, weedy grasses and has been distributed. The project site is surrounded by Commercial, industrial, and residential development and contains no sensitive habitat or habitat for special status species. Thus the project site has no value for endangered, rare or threatened species.

(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. The project does not warrant for a traffic study in accordance to the 2030 General Plan Circulation Element Implementing Action C-I-12 which states "Require traffic impact studies for all proposed new developments that will generate significant amounts of traffic (100 or more peak hour trips)." The project will not have a significant impact on traffic circulation as the project consists of a mini storage facility and associated utility and land improvements. Historically, storage and/ or mini storage facilities are not high traffic and/or high trip number type of businesses. Thus the project will not have a significant impact on traffic. The project is consistent with the impact reducing policies from the 2030 General Plan emphasized in the 2030 General Plan EIR.

The project uses will not result in a generation of substantial noise levels and would not result in significant noise impacts. The project site is located adjacent to existing residential uses in an area where future ambient noise levels are projected to be 50-60 decibels according to the City's 2030 General Plan EIR, which is within the "normally acceptable" noise range for low density residential uses. Additionally, as stated in the City's 2030 General Plan EIR, Impact 3.11-1: new development under the proposed 2030 General Plan will result in population and employment increases and more automobile and truck use. This activity will contribute to raising ambient noise levels to the noise levels shown on the future noise contours. However, the future noise contours suggest that even at buildout there is virtually no land, other than directly on the road ways, being exposed to noise levels above 60 dB. In addition, use of noise attenuation measures such as increased screening, sound-proofing and double-glazing windows will help buffer or mask increases in ambient noise, thereby reducing potential impacts to levels that exceed standards for land use compatibility.

The project would not result in significant air emissions and is below the level of development (510,000 square feet) cited in the San Joaquin Valley air Pollution Control District's "Small Project Analysis Level" Table 5-3 (d) Industrial development (2017) in accordance with the Guidance for Assessing and Mitigating Air Quality Impacts (GAMAQI) that could potentially result in a significant impact. The proposed project complies with City storm water requirements and includes "Low Impact Development" measures, and thus, will not result in significant water quality impacts.

(e) The project has been reviewed by City staff, and can be adequately served by all required utilities and public services. The City has further considered whether the project is subject to any of the exceptions to the use of a categorical exemption found at CEQA Guidelines Section 15300.2. This section prohibits the use of categorical exemptions under the following circumstances:

(a) for certain classes of projects (Classes 3,4,5,6 and 11) due to location where the project may impact an environmental resource or hazardous or critical concern;

(b) when the cumulative impact of successive projects of the same type in the same place, over time, is significant;

(c) where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances;

(d) where the project may result in damage to scenic resources, including but not limited to, trees, historic buildings rock croppings , or similar resources within a highway officially designated as a state scenic highway:

(e) where the project is located on a state designated hazardous waste site: and

(f) where the project may cause a substantial adverse change in the significance of a historical resource.

Section 15300.2(a) does not apply to the Class 32 category exemptions. Nonetheless, the project site is not located in an area of sensitive or critical concern.

With regard to Section 15300.2(b) there is no evidence of a potential significant cumulative impact because successive projects of the same type in the same place have not been approved and are not currently proposed. Cumulative impacts related to development accommodated by the City's General Plan were found to be less than significant in the 2030 General Plan EIR, except for potential significant cumulative traffic impacts with related to traffic, water supply, Population, and noise. The project will not result in significant cumulative traffic impacts with regards to the project and potential General Plan buildout. The proposed project would not contribute to the identified significant cumulative noise impact as the identified street segments where increased noise levels are projected outside of the project area H Street. Water demand from the proposed project is slightly less than was factored in the General Plan EIR cumulative water impact evaluation for the project site. Furthermore, the project would be subject to City requirements/ standards for installation of water conserving fixtures and landscaping in accordance with the City's Municipal Code and building requirements. In addition, the project will pay the required "Water Development Impact Fees", which used in part to implement conservation measures and help fund costs associated with development of a supplemental water source. The City's 2005 Urban Water Management Plan estimates the water supply is sufficient to meet the City's water demand through 2025 and the further consideration that the water supply will be sufficient to meet the City's needs in 2030 as the Delta-Mendota sub-basin is connected to one of the deepest water basins in California. Thus, incremental increases in water demand by new development have been offset by the plentiful water supply in accordance to the Delta-Mendota sub-basins connection to one of the deepest water basins in California.

Regarding Section 15300.2(c), the project would not result in any significant effects on the environment due to unusual circumstances. The project would not result in any significant effects on the environment due to unusual circumstances. The project site is surrounded by urban development and not located within a sensitive resource area. The project site is located and mapped in a non-hazardous area, as is all of the surrounding area.

Section 15300.2(d) does not apply to the project site as the site is not located adjacent to or visible from a designated scenic highway.

Section 15300.2(e) does not apply because the site is not a state-designated hazardous waste site. The project site is located in a mapped non-hazardous area as is all of the surrounding area.

Section 15300.2(f) does not apply because there are no historic resources or structures located within or around the project site.

For the reasons cited above, the project will not result in a significant environmental impact and qualifies for an exemption pursuant to Section 15332 of the California Environmental Quality Act (CEQA) Guidelines.

Leady Agency Contact Person Rudy Luquin, **Area Code/Telephone/Extension** (209) 827-7000
Associate Planner ext.2432

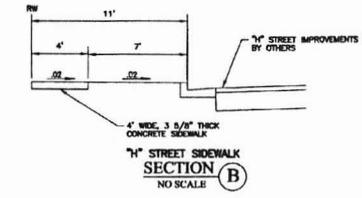
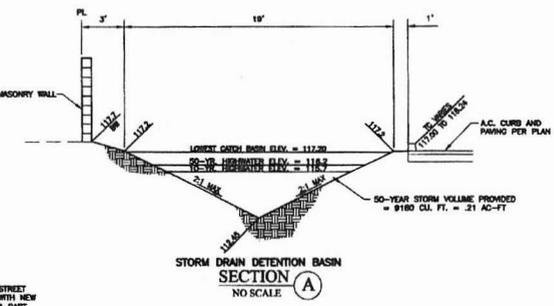
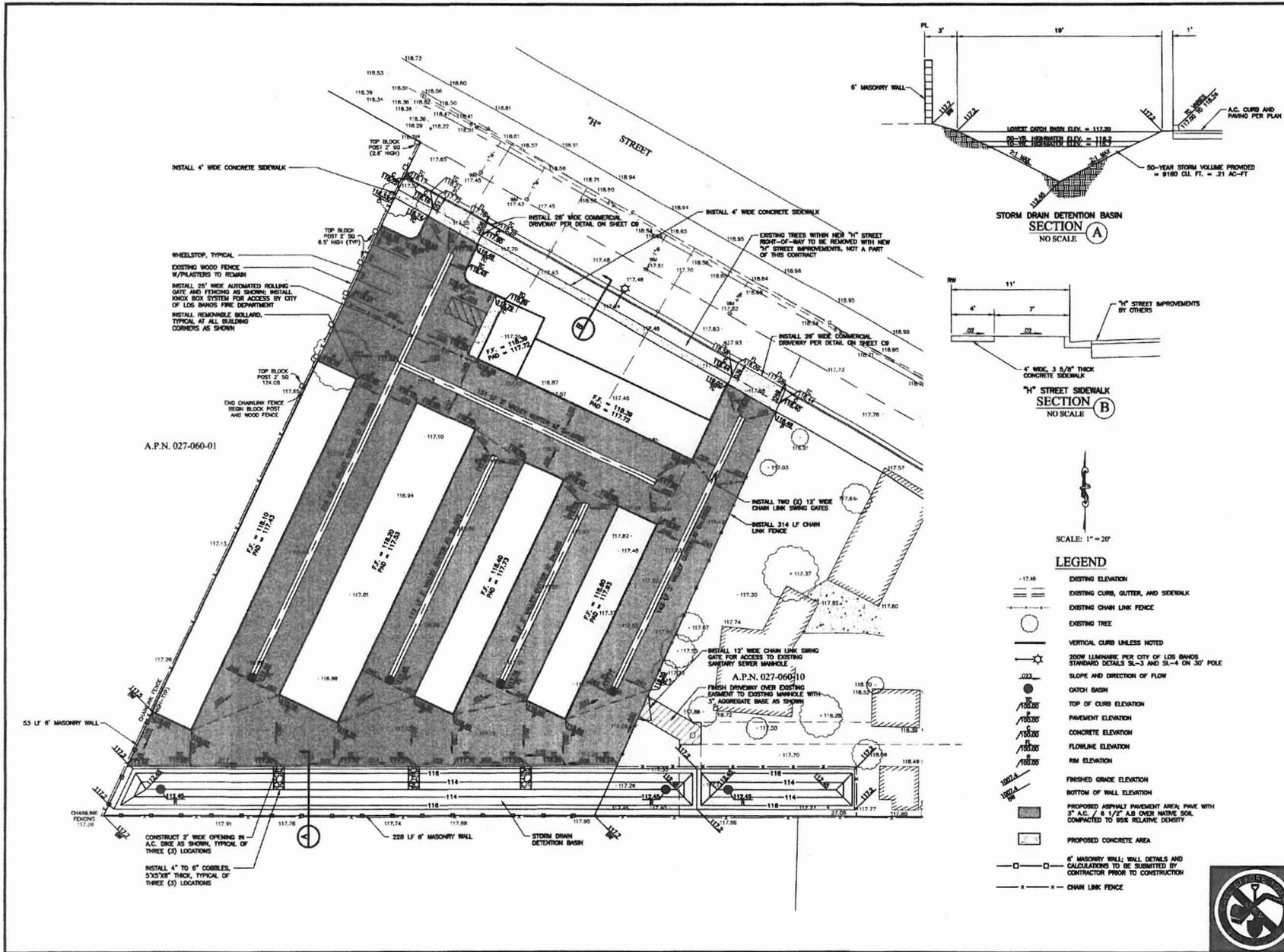
If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature	Date	Title
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- Signed by Lead Agency
- Signed by Applicant

Date received for filing at OPR: _____



SCALE: 1" = 20'

LEGEND

- 17.46 EXISTING ELEVATION
- EXISTING CURB, GUTTER, AND SIDEWALK
- - - EXISTING CHAIN LINK FENCE
- EXISTING TREE
- VERTICAL CURB UNLESS NOTED
- 300# URETHANE PER CITY OF LOS BANOS STANDARD DETAILS SL-3 AND SL-4 ON 30' POLE
- SLOPE AND DIRECTION OF FLOW
- CATCH BASIN
- TOP OF CURB ELEVATION
- PAVEMENT ELEVATION
- CONCRETE ELEVATION
- FLOWLINE ELEVATION
- RM ELEVATION
- FINISHED GRADE ELEVATION
- BOTTOM OF WALL ELEVATION
- PROPOSED ASPHALT PAVEMENT AREA: PAVE WITH 3" A.C. / 4" 1/2" A.B OVER NATIVE SOIL COMPACTED TO 96% RELATIVE DENSITY
- PROPOSED CONCRETE AREA
- 6" MASONRY WALL; WALL DETAILS AND CALCULATIONS TO BE SUBMITTED BY CONTRACTOR PRIOR TO CONSTRUCTION
- CHAIN LINK FENCE

HOWARD MINI-STORAGE

LOS BANOS, CA

GRADING AND DRAINAGE PLAN



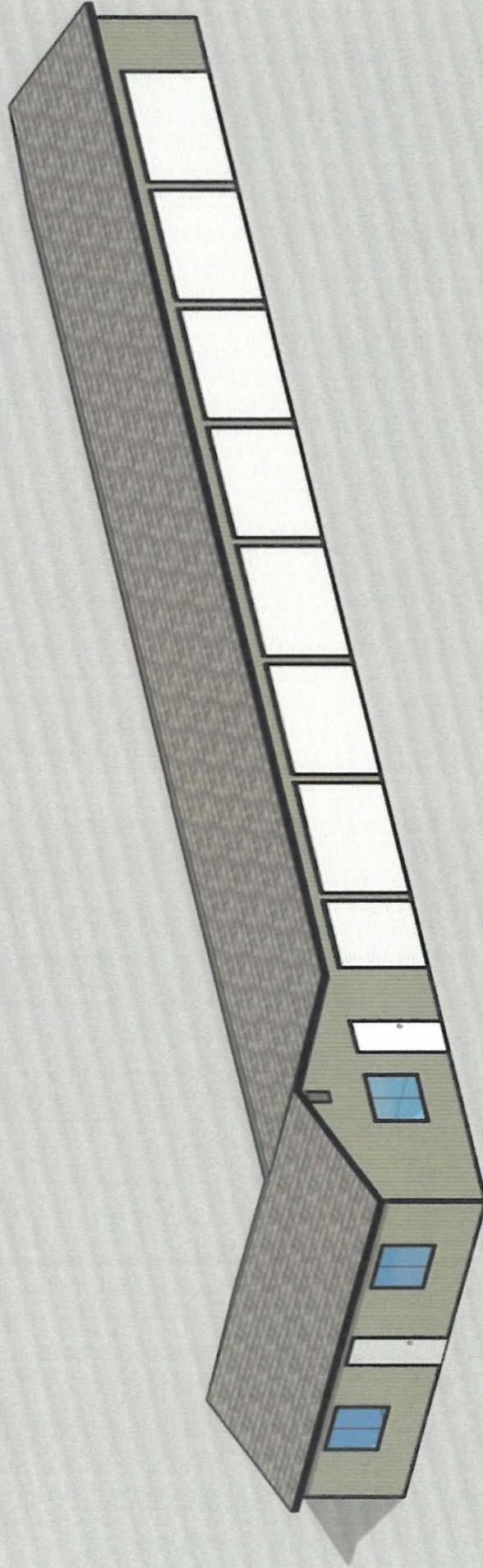
MANUEL SOUSA CONSULTING CIVIL ENGINEER
 1105 14TH STREET
 MODESTO, CA 95354
 PHONE: (209)238-3151
 FAX: (209)238-3158

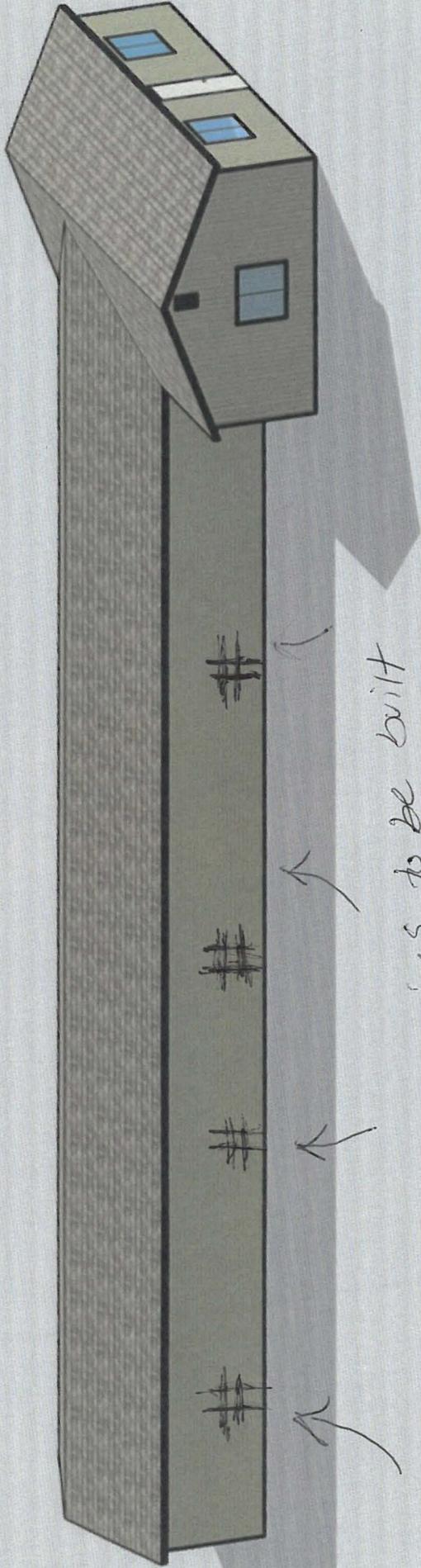
REVISIONS		
SYMBOL	DESCRIPTION	APPD.

DRAWN BY: MS
 DATE: 11/22/04
 FILE: HOWARD/2004-014/01/

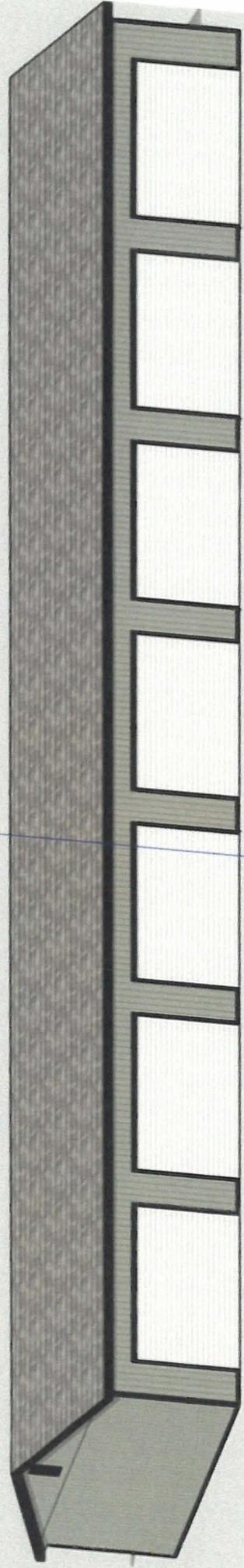
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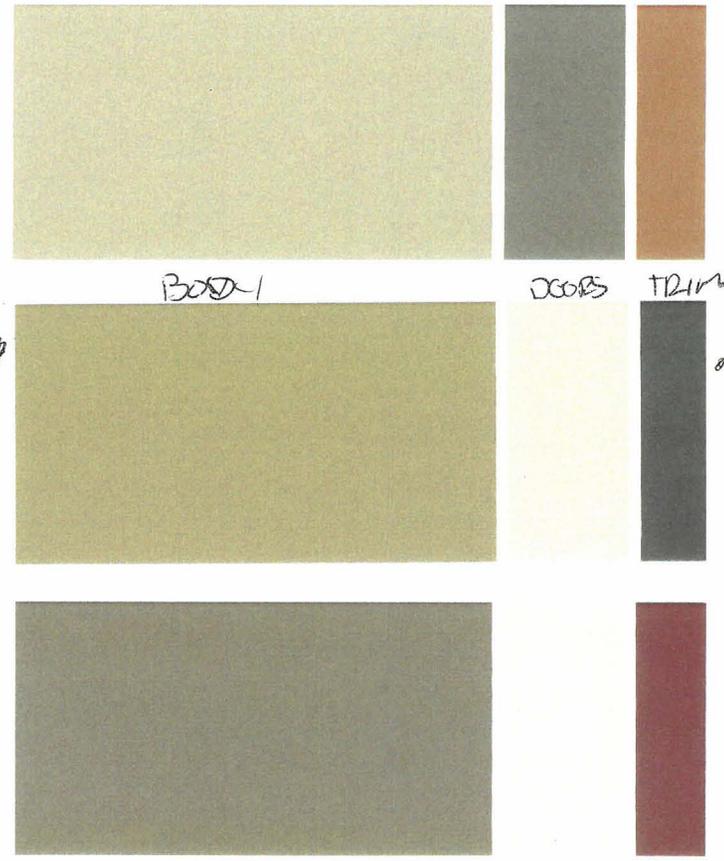






Structural trellis and vines to be built
and Planted along north wall.





BODY	TRIM	ACCENT
Khaki Shade SW 7533	Tiki Hut SW 7509	Brandywine SW 7710
Burlap SW 6137	Rice Grain SW 6155	Bitter Chocolate SW 6013
Tree Branch SW 7525	Divine White SW 6105	Rustic Red SW 7593



City of
Los Banos
At the Crossroads of California

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT

Date: October 12, 2018

Re: Notice of Public Hearing

Proposal: Site Plan Review #2018-03 and Conditional Use Permit #2018-11-Bryce Howard

NOTICE IS HEREBY GIVEN THAT a Public Hearing will be held by the Los Banos Planning Commission to consider a Categorical Exemption from the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Infill Development Projects) for Site Plan Review #2018-03 and Conditional Use Permit #2018-11 for the development of a Mini Storage within the Professional Office Zoning District. The proposed project consists of five (5) storage buildings with an office attached to one building totaling 14,300 square feet located south of H Street and west of Second Street; more specifically identified as Assessor's Parcel Numbers: 027-060-012.

A PUBLIC HEARING on this matter will be held at the next scheduled meeting of the Planning Commission on Wednesday, October 24, 2018 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 Rudy Luquin, Associate Planner at City Hall or at (209) 827-7000, Ext. 114.

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 Project 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 the 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

Rudy Luquin
Associate Planner



City of
Los Banos
At the Crossroads of California

PLANNING COMMISSION STAFF REPORT

TO: CHAIRMAN CATES AND PLANNING COMMISSIONERS

FROM: RUDY LUQUIN, ASSOCIATE PLANNER 

FOR: OCTOBER 24, 2018

SUBJECT: CONSIDERATION OF AN ADDENDUM TO MITIGATED NEGATIVE DECLARATION (SCH #20005071027) AND VESTING TENTATIVE TRACT MAP #2018-03 FOR SHAUNESSY VILLAGE SUBDIVISION

RECOMMENDATIONS:

Staff requests that the Planning Commission open the public hearing, receive public comment, and consider the following actions:

1. Adopt Resolution No. 2018-28 adopting an addendum to previously adopted Mitigated Negative Declaration (SCH #2005071027) for Shaunessy Village Subdivision; and
2. Adopt Resolution No. 2018-29 approving Vesting Tentative Tract Map #2018-03 for the Shaunessy Village Subdivision to subdivide approximately 31.9 acres into 151 low and medium density residential lots generally located on east of Mercey Springs Road and 370 feet north of Scripps Drive; more specifically identified as Assessor's Parcel Numbers: 083-100-005 and 083-100-006.

BACKGROUND SUMMARY:

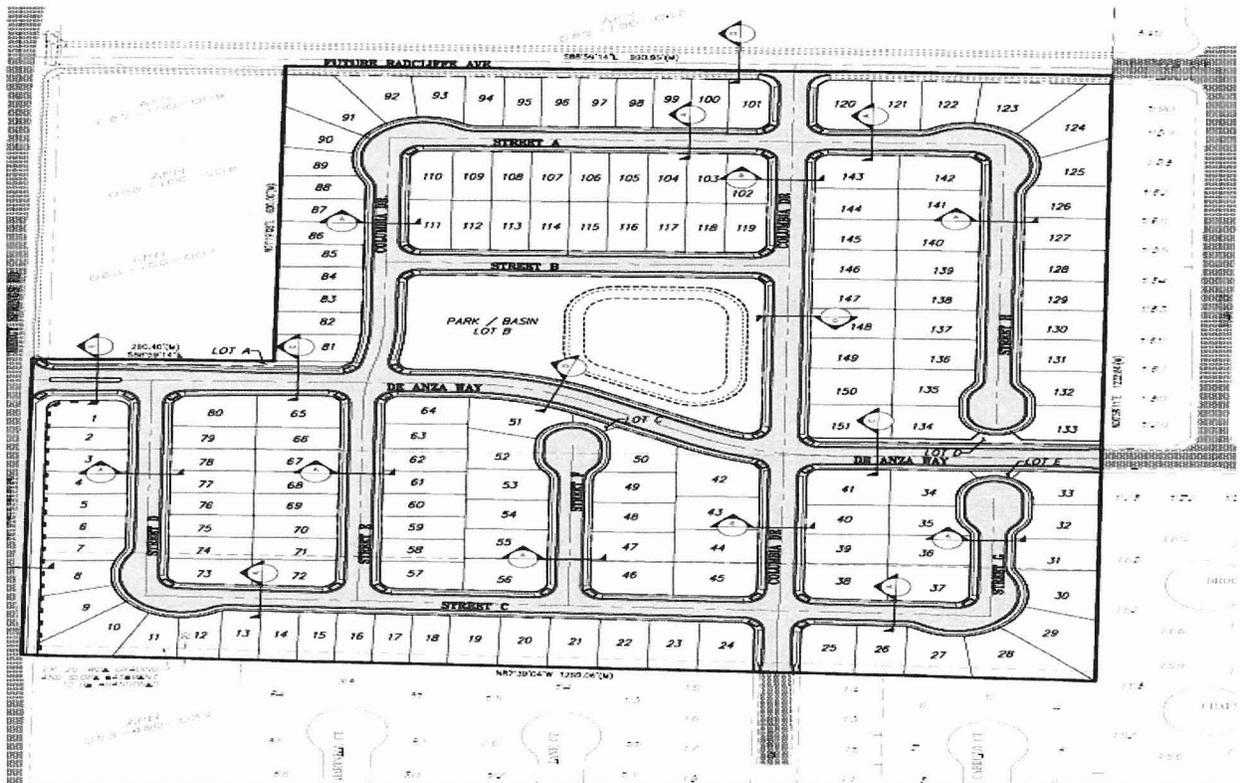
The applicant, Stonefield Homes, Inc, is reviving a previously approved and expired Tentative Tract Map for Shaunessy Village. The original Shaunessy Village Tentative Tract Map #2006-08 was approved by the Los Banos Planning Commission on October 24, 2007. Since then, Shaunessy Village Tentative Tract Map #2006-08 entitlement has expired. More recently, the applicant Stonefield Homes, Inc., has resurrected the project and modified the lot and street layout of the subdivision map. The applicant is requesting approval of Vesting Tentative Tract Map #2018-03 to subdivide approximately 31.9 acres into 151 low and medium density residential lots.

A Vesting Tentative Tract Map (VTTM) confers a vested right to proceed with a development in substantial compliance with the ordinances, policies, and standards in effect at the time an application for the map is deemed complete.

Vesting Tentative Tract Maps are analyzed in the equivalent fashion as regular tentative maps. The Planning Commission is the lone hearing body reviewing the Vesting Tentative Tract Map, unless appealed then the City Council will review the project. The review of a Vesting Tentative Tract Map is limited to the verification that the map is within consistency of the requirements of the General Plan, the Los Banos Municipal Code Title 9, Chapter 3, Zoning, the local Subdivision Ordinance, and that State mandated findings can be made. Staff considers that the proposed Vesting Tentative Tract Map is complete and consistent with the foregoing, subject to the recommended conditions of approval. Subsequently, the Vesting Tentative Tract Map is before the Planning Commission for consideration of approval.

PROJECT DESCRIPTION

The requested Vesting Tentative Tract Map is proposed to create 151 Low Density Residential and Medium Density Residential lots, as depicted below:



LOCATION AND ACCESS:

The proposed project site is located to the east of Mercey Springs Road approximately 337 feet north of Scripps Drive. Access to the project site will be from Mercey Springs Road, Columbia Drive, De Anza Way, and the future extension of Radcliff Drive. The project site is outlined in yellow on the area map below.



LAND USE:

The project site is undeveloped and not in agricultural production. The following table shows the adjacent land uses:

Property	Land Use	Zone	General Plan
Project Site	Undeveloped	R-1	Low Density Residential
North	Commercial/Vacant	H-C	Commercial
East	Residential	R-1	Low Density Residential
South	Residential	R-1	Low Density Residential
West	Residential	R-2	Low Density Residential

R-1 = Low Density Residential
 R-2 = Medium Density Residential
 H-C=Highway Commercial

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 California Government Code Section 66410). The local General Plan, local zoning ordinance, local subdivision ordinance, and other local ordinances govern the design of the subdivision, the size of lots, and the types of improvements and infrastructure (street construction, sewer lines, drainage facilities, etc.).

In most cases the sub-divider will be responsible for installing or constructing improvements such as streets, drainage facilities or sewer lines to serve the subdivision. These improvements must be installed or constructed or secured by bond before the City will grant final approval of the tentative map (final map) and allow the subdivision to be recorded at the Merced County Recorder's office. Lots within the subdivision cannot be sold until the final map has been approved by the City and officially recorded with the Merced County Recorder. Generally, a tentative map has the life span of 24 months unless extended. If the tentative map expires before approval of the final map it cannot be revived. Instead, a new tentative map must be applied for, processed, and approved.

Review of a tentative map is limited to review of its consistency with the General Plan, the Zoning Ordinance, the local Subdivision Ordinance, and that State mandated findings can be made.

Code Requirements – Technical Review

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 Code, the Vesting Tentative Tract Map has been reviewed by the Project Review Board prior to its submission to the Planning Commission.

Among other things the Project Review Board is required to and has reviewed the Vesting Tentative Tract Map for: a) suitability of the land for subdivision; b) overall design of the subdivision and its conformity with all pertinent requirements of the Code; c) provisions for and suitability of public improvements such as street improvements, underground utilities, fire hydrants, ornamental electroliers, storm drains, streets, trees, sidewalks, water supply, and sewage disposal and easements for utilities and drainage; d) provisions for public areas such as parks and schools.

The Project Review Board reviewed the Vesting Tentative Tract Map #2018-03 and their recommendations are incorporated into the Conditions of Approval.

Project Design

The proposed residential subdivision is a traditional Low and Medium Density

Residential subdivision. The single-family residential development includes 151 single-family residential lots. Out of the 151 lots, 77 lots are Medium Density Residential and 74 lots are Low Density Residential. The average lot size for the Medium Density Residential lots will be 4,734 square feet and the average lot size for the Low Density Residential lots is 7,042 square feet. The proposed density is approximately 4.33 units per acre for the Low Density Residential portion and 6.35 units per acre for the Medium Density Residential section. The subdivision will be a standard R-1/ R-2 development and will be built in accordance with the Los Banos Municipal Code and all City Standards and Specifications will apply.

Pursuant to the Los Banos Municipal Code Title 9, Chapter 3, Article 6, the minimum lot size for Low Density Residential lots shall be 6,000 square feet and the lot width shall be a minimum of 60 feet for interior lots and 65 feet for corner lots. In regards to the Medium Density Residential minimum lot size, according to Los Banos Municipal Code Title 9 Chapter 3 Article 7 the minimum lot size is 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 is consistent with the requirements of the Los Banos Municipal Code for minimum lot size for both Low Density Residential land Medium Density Residential lots.

Architecture is not a required component of the Vesting Tentative Tract Map, but the proposed single family homes will be required to be designed in consistency with the Residential Community Design Guidelines and approved by the Planning Commission Design Review process prior to issuance of any building permits.

Land Use

The project site is designated as Low Density Residential according to the Los Banos General Plan and zoned Low Density Residential (R-1) and Medium Density Residential (R-2) in accordance with the Zoning Map. The proposed project is proposing to subdivide 31.9 acres into 151 Low Density and Medium Density Residential lots. The proposed use is consistent with the 2030 Los Banos General Plan and Los Banos Municipal Code Title 9, Chapter 3, Zoning.

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

A Traffic Study was prepared by KDAnderson to analyze the proposed street layout. The street layout modification requires a minor and technical change to the Transportation/ Traffic analysis (Section 14 beginning on page 45) within the previously adopted Mitigated Negative Declaration (SCH #2005071027). The traffic study analyzed: the evaluation of existing circulation conditions in the area, "Existing Plus Approved Projects" traffic conditions, "Existing Plus Approved Projects Plus Shaunnessy Village" traffic conditions, and cumulative traffic impacts.

The study analyzed four (4) intersections; Pacheco Boulevard (SR 152)/ Mercey Springs Road (SR 165) (existing), Mercey Springs Road (SR 165)/ Scripps Drive (existing), Mercey Springs Road (SR 165) / Madison Avenue/ Radcliff Avenue (developed with the project), and Mercey Springs Road/ De Anza Way (developed with the project).

The result of the existing traffic conditions evaluation for the Pacheco Boulevard (SR 152)/ Mercey Springs Road (SR 165) intersection were a Level Of Service D during the A.M. peak hours and Level Of Service C during P.M. peak hours, and for the Mercey Springs Road (SR 165)/ Scripps Drive intersection the results were Level Of Service C during A.M. peak hours and also during P.M. peak hours. The volume of traffic observed at the Mercey Springs Road (SR 165) and Scripps Road intersection in the A.M. peak hour meets peak hour warrants for a light at the intersection, although the P.M. peak hour volumes fall below warrant levels, which does not exemplify the need for a light at the intersection.

Existing plus project traffic were also analyzed and the result was that the intersections will operate with a Level Of Service that is consistent the minimum Level Of Service D goal stated in the 2030 Los Banos General Plan. However, some of the traffic will be diverted away from the Mercey Springs Road/ Scripps Drive intersection with the development of De Anza Way, the delays at the intersection may decrease as a result of the project. Consequently, while the intersection would continue to satisfy the peak hour warrant in the A.M. peak hour, Shaunnessy Village's impact is not significant and mitigation is not required. The development of Shaunnessy Village will contribute its fair share to the cost of an eventual traffic signal at the Mercey Springs Road (SR 165)/ Scripps Drive intersection by paying adopted traffic impact mitigations fees.

In regards to the "Existing Plus Approved Projects" evaluations the analysis suggests that is Shaunnessy Village is not developed, background traffic volumes will increase and delays will be longer at the Pacheco Boulevard (SR 152)/ Mercey Springs Road (SR 165) intersection. With present timing, the intersection will operate at a Level of Service E in the A.M. both with and without the proposed project. The forecasted Levels of Service at the intersection is predicted on signal timing plans engaged by Cal Trans District 10. Based on the review of the Level of Service calculation indicated that a

better Level of Service satisfying the LOS D minimum as per the 2030 Los Banos General Plan guiding policy C-G-6 "Maintain acceptable levels of service (LOS C at street segments and LOS D at intersections and ensure the future development and the circulation system are balanced", could be achieved by optimizing the current settings. Nonetheless, the decisions for signal timing will be made By Cal Trans District 10 based on consideration of many factors in order to facilitate the overall flow of traffic through the community, and the Level of Service forecast in a traffic impact analysis is not necessarily major consideration. In reference to the analysis for "Existing Plus Approved Project" traffic signal warrants, the additional traffic associated with other approved/pending projects does not change the status of peak hour traffic signal warrants at the Mercey Springs Road (SR 165)/ Scripps Drive intersection.

The analysis for the Cumulative Traffic impacts was performed in two scenarios: Cumulative No project conditions and Cumulative Plus Project Conditions. The Cumulative No Project Conditions concluded that if anticipated improvements are constructed all study intersections would operate with Levels Of Service that satisfy the LOS D minimum standard as prescribed in the 2030 Los Banos General Plan Circulation Guiding Policy, C-G-6. The analysis for the Cumulative Plus Project conditions suggest that the development of the project and the streets associated with the project, traffic volumes will change slightly, however all studied intersections would still satisfy the LOS D minimum standard as stated in the 2030 Los Banos General Plan. While Shaunessy Village will contribute its fair share to the cost of regional improvements through the City of Los Banos traffic impact fee program, no additional mitigation is required.

Infrastructure/Services

Water: The City of Los Banos would provide domestic water services by connecting to an existing eight (8) inch water line located on Colombia Drive and De Anza Way. Routine 8-inch distribution lines are proposed to be installed throughout the project site. The eight (8) inch water line running north on Colombia Drive will be stubbed at Radcliff Avenue for water access for future development. All existing groundwater wells within the boundary of the map will be required to be abandoned to Merced County Standards. 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 connecting to an existing sewer line located on Colombia Drive and De Anza Way and installing an eight (8) inch sanitary sewer line through the project site. Routine six (6) inch lines are proposed to be installed throughout the project site. 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 the City of Los Banos via an existing storm drain line located on Mercey

Springs Road, and installing a eighteen (18) and twenty-four (24) inch lines in the proposed project. The proposed retention basin has been sized to accommodate flow from the project area in accordance with the Los Banos Storm Drain Master Plan. 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.

ENVIRONMENTAL ASSESSMENT:

A Mitigated Negative Declaration (SCH #2005071027) was adopted previous for the originally approved entitlement, Tentative Tract Map #2006-08 by the Los Banos City Council on December 7, 2005. Tentative Tract Map #2006-08 was approved by the Los Banos Planning Commission on October 24, 2007. Since then the Tentative Tract Map entitlement expired, there has been an application submitted for the expired map as Vesting Tentative Tract Map by a new developer and with a modified lay out. Despite the modification in the lot and street configuration, the lot total will still result in 151 lots which is consistent with the original Tentative Tract Map. Such changes to the project require minor amendments to the previously adopted Mitigated Negative Declaration to reflect the modifications in the proposed Vesting Tentative Tract Map. The changes in the project do not impact the analysis or conclusions contained in the previous adopted Mitigated Negative Declaration or increase the severity of the previously analyzed impacts, and no changes have occurred with respect to the circumstances under which the original project was considered. No subsequent environmental review is required pursuant to Section 15162 of the California Environmental Quality Act (CEQA) guidelines.

School Facilities

City Staff has been informed that the applicant and the Los Banos Unified School District have reached an agreement on school facility impacts.

As a reminder, SB 50 specifically limits the cities and counties powers under CEQA to mitigate school facilities impacts applicable to both adjudicative and legislative decisions. State law is very clear.

- A local agency (City) is prohibited from imposing an exaction in excess of that provided by statute;
- A local agency (City) is prohibited from denying a land use approval on the basis of a developer's refusal to provide school facilities mitigation that exceeds the amounts authorized by statute;
- A local agency (City) is prohibited from using the inadequacy of school facilities as a basis for denying or conditioning a land use approval; and
- Payment of the statutory development fees (school impact fees) is considered full and complete mitigation of impacts on the provision of adequate school facilities.

FINDINGS:

State law and the Zoning Ordinance of the Los Banos Municipal Code (LBMC) set forth the considerations to be addressed in reviewing a Vesting Tentative Tract Map. The Planning Commission must make the following findings before making its action.

1. The proposal is consistent with the Los Banos General Plan and Zoning Ordinance.

The project and its improvements are compatible with the objectives, policies, land uses, and programs specified in the General Plan.

The map and improvements conform to the Low and Medium Zoning Districts. Single-Family Residential dwelling units are permitted in the underlying zoning districts per the text of the Los Banos Municipal Code Title 9, Chapter 3, Zoning.

2. 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.

The project meets all applicable City standards pertaining to public health, safety, and welfare (e.g., standards pertaining to public utilities and services, public road design and traffic safety, fire hazards and noise hazards). All public safety measures are addressed through the design and conditions of approval of the Vesting Tentative Tract Map. The street design is satisfactory to the Los Banos Fire Department and City Engineer. The homes will be equipped with automatic residential fire sprinklers and will be required to meet the requirements of the California Building Code, Fire Code, and other applicable City codes and/or requirements. The site is free from toxic or hazardous materials and no earthquake, landslide, flooding, or other natural hazards exist at this site. The proposed single-family residential lots 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. The proposed subdivision design, lot sizes, lot configurations, and proposed infrastructure improvements are adequate to accommodate the density and intensity of the development proposed.

3. The project site is physically suitable for residential development and density.

The property is not in a flood zone or earthquake fault zone. Project construction would involve minimal site grading and alteration of existing topography. Thus, the project site is physically suitable for the proposed development. The proposed density is approximately 4.33 units per acre for the Low Density Residential portion and 6.35 units per acre for the Medium Density Residential section..

4. The design of the subdivision or its related improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.

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.

5. The design of the subdivision and improvements covered by the proposed vesting tentative subdivision map will not cause substantial environmental damage and avoidably injure fish and/or wildlife or their habitat.

As part of the environmental assessment, the City found no potential for significant environmental effects. The project site does not include any rare, threatened or sensitive plants or wildlife. No creeks, wetlands, water bodies or mapped environmentally sensitive habitat are located on the project site. Conditions of Approval include conditions that require best management practices to be incorporated before and during construction to minimize impacts to groundwater and surface water quality.

6. The discharge of waste from the proposed subdivision would not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board (RWQCB).

Future residential development would not result in the discharge of waste from the project site in violation of existing requirements prescribed by the local RWQCB. Sewer capacity is available for this subdivision. The project would not discharge any waste other than domestic sewage and all sewage would be discharged into the City's sanitary sewer system for ultimate treatment. Storm water runoff would be collected and conveyed through the City's storm water basin retention system in accordance with the City's Storm Drain Master Plan.

7. The restriction on approving a tentative subdivision map on land covered by a land conservation contract entered into pursuant to the California Land Conservation Act of 1965 (Williamson Act) is not applicable.

The site is not covered by a land conservation contract, including a Williamson Act contract.

8. The design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities.

There is sufficient northern, southern, eastern, and western exposure to allow for passive heating or cooling systems to be provided on the site. Future homes on the proposed lots could be designed, oriented and set apart from one another in order to incorporate passive heating and cooling opportunities. The homes in the project will comply with the City's residential Green Building Ordinance, which requires that each home achieve a "Green Home" rating on the "Single-Family Green Building Rating System."

PUBLIC COMMENT:

A public hearing notice was published in the Los Banos Enterprise and notices were mailed out to property owners within a 300' radius of the project site on October 12, 2018. As of the date of this staff report, no comments were received. The Planning Commission Chair opened the public hearing, asked for public comments in regards to the project

RECOMMENDATION:

Staff requests that the Planning Commission open the public hearing, receive public comment, and consider:

1. Adopt Resolution No. 2018-28 adopting an addendum to previously adopted Mitigated Negative Declaration (SCH #2005071027) for Shaunessy Village Subdivision; and
2. Adopt Resolution No. 2018-29 approving Vesting Tentative Tract Map #2018-03 for the Shaunessy Village Subdivision to subdivide approximately 31.9 acres into 151 low and medium density residential lots generally located on east of Mercey Springs Road and 370 feet north of Scripps Drive; more specifically identified as Assessor's Parcel Numbers: 083-100-005 and 083-100-006.

ATTACHMENTS:

1. Resolution No. 2018-28
Exhibit A: CEQA Findings
Exhibit B: Addendum
2. Resolution No. 2018-29 – Vesting Tentative Tract Map #2018-03
Exhibit A: CEQA Findings
Exhibit B: Findings for Approval
Exhibit C: Conditions of Approval
3. Shaunessy Village Subdivision Vesting Tentative Tract Map
4. Public Hearing Notice – October 12, 2018

RESOLUTION #2018-28

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS BANOS APPROVING AN ADDENDUM TO ADOPTED MITIGATED NEGATIVE DECLARATION (SCH #2005071027) FOR VESTING TENTATIVE TRACT MAP NO. 2018-03 FOR SHAUNESSY VILLAGE LOCATED EAST OF MERCY SPRINGS ROAD AND 370 FEET NORTH OF SCRIPPS DRIVE, MORE SPECIFICALLY IDENTIFIED AS ASSESSOR'S PARCEL NUMBERS: 083-100-005 AND 083-100-006

WHEREAS, Stonefield Homes, Inc (Applicant) filed an application for a Vesting Tentative Tract Map (VTTM # 2018-03) for the Shaunessy Village Subdivision, a 151 lot subdivision located within the Low Density Residential Zoning District (R-1) and the Medium Density Residential Zoning District located east of Mercy Springs Road and 370 feet north of Scripps Drive, Assessor's Parcel Numbers 083-100-005 and 083-100-006; and

WHEREAS, the proposed Vesting Tentative Tract Map is considered a "Project" as defined by the California Environmental Quality Act, Public Resources Section 21000 et seq. ("CEQA"); and

WHEREAS, the Planning Commission determined that a technical addendum was prepared pursuant to Article 11, Section 15164 of the California Environmental Quality Act guidelines to make minor technical changes and clarification to the project analyzed in the Mitigated Negative Declaration (SCH #2005071027), certified on December 7, 2005, by the Los Banos City Council, Ordinance No.1063. None of the conditions described in Section 15162 calling for preparation of subsequent EIR, Mitigated Negative Declaration, or Negative Declaration have occurred; and

WHEREAS, a public hearing was duly noticed for October 24, 2018, 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 October 12, 2018, to consider an addendum to Mitigated Negative Declaration (SCH #2005071027) for Vesting Tentative Tract Map 2018-03 for Shaunessy Village; and

WHEREAS, at the October 24, 2018 Planning Commission Meeting, the Los Banos Planning Commission heard and considered the testimony, if any, of all persons desiring to be heard; reviewed Vesting Tentative Tract Map 2018-03 and staff report; studied the compatibility of the applicant's request in accordance with the criteria established in Sections 9-3.605 and 9-3.606 of the Los Banos Municipal Code: and

WHEREAS, the Los Banos Planning Commission has reviewed and considered the addendum to Mitigated Negative Declaration (SCH #2005071027) for Vesting Tentative Tract Map 2018-03 for Shaunessy Village incorporated herein by reference and finds that there are no significant effects on the environment as a result of the project.

NOW, THEREFORE, BE IT RESOLVED that the Los Banos Planning Commission does hereby make the appropriate findings set forth in Exhibit A (CEQA Findings), attached hereto and incorporated herein by this reference and approves an addendum to previously adopted Mitigated Negative Declaration (SCH #2005071027);.

The foregoing resolution was introduced at a regular meeting of the Los Banos Planning Commission held on the 24th day of October 2018, by _____, who moved its adoption, which motion was duly seconded by _____, and the Resolution is hereby adopted by the following vote:

AYES:

NOES:

ABSENT:

APPROVED:

John Cates, Planning Commission Chairperson

ATTEST:

Sandra Benetti, Planning Commission Secretary

EXHIBIT A

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS FOR VESTING TENTATIVE TRACT MAP FOR SHAUNESSY VILLAGE

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, the Shaunessy Village Vesting Tentative Tract Map #2018-03 was evaluated in the addendum together with the previously adopted Mitigated Negative Declaration (SCH #2005071027).
2. Vesting Tentative Tract Map #2018-03 was adequately noticed and circulated for public review and comment on October 12, 2018 for consideration at a public meeting on October 24, 2018, in which no comments were received.
3. No further environmental documentation is required as the vesting tentative tract map was contemplated and adequately analyzed in the addendum and Mitigated Negative Declaration (SCH #2005071027).
4. Prior to considering the proposed Project, the Planning Commission considered the addendum to Mitigated Negative Declaration (SCH #2005071027).

Exhibit B

Addendum Pursuant to the California Environmental Quality Act Article 11, Section 15164

Vesting Tentative Tract Map #2018-03 Shaunessy Village Vesting Tentative Tract Map Modification

1. Introduction

This addendum was prepared for clarification and modification of the street circulation configuration information which were originally analyzed in the previously adopted Mitigated Negative Declaration (SCH #2005071027) was adopted on December 7, 2005 for Tentative Tract Map #2006-08 to allow the subdivision of 31.9 acres into 151 residential lots, including all associated utility and land improvements. Since then Tentative Tract Map #2006-08 expired and the applicant, Stonefield Homes, has purchased the project and has revived the project with a modified street and map layout with the same amount of single family residential lots (151) as approved previously.

This technical addendum has been prepared pursuant to Article 11, Section 15164 of the California Environmental Quality Act guidelines to make minor technical changes and clarification to the project analyzed in Mitigated Negative Declaration (SCH #2005071027), certified on December 7, 2005, by the Los Banos City Council, Ordinance No.1063. None of the conditions described in Section 15162 calling for preparation of subsequent EIR, Mitigated Negative Declaration, or Negative Declaration have occurred.

2. Scope and Purpose of this Addendum

An application has been received for a Vesting Tentative Tract Map for the Shaunessy Village Subdivision. The Shaunessy Village Tentative Tract Map #2006-08 was previously approved on October 24, 2007. Since then the approved Tentative Tract Map #2006-08 has expired. The applicant, Stonefield Home, Inc. has resurrected the project with the Vesting Tentative Tract Map #2018-03 application with a slightly modified street and lot configuration. A Traffic Study was prepared by KDAnderson to analyze the modified street layout. The street layout modification requires a minor and technical change to the Transportation/ Traffic analysis (Section 14 beginning on page 45) within the previously adopted Mitigated Negative Declaration (SCH #2005071027). The traffic

study analyzed; the evaluation of existing circulation conditions in the area, “Existing Plus Approved Projects” traffic conditions, “Existing Plus Approved Projects Plus Shaunessy Village” traffic conditions, and cumulative traffic impacts.

The study analyzed four (4) intersections; Pacheco Boulevard (SR 152)/ Mercey Springs Road (SR 165) (existing), Mercey Springs Road (SR 165)/ Scripps Drive (existing), Mercey Springs Road (SR 165) / Madison Avenue/ Radcliff Avenue (developed with the project), and Mercey Springs Road/ De Anza Way (developed with the project).

The result of the existing traffic conditions evaluation for the Pacheco Boulevard (SR 152)/ Mercey Springs Road (SR 165) intersection were a Level Of Service D during the A.M. peak hours and Level Of Service C during P.M. peak hours and for the Mercey Springs Road (SR 165)/ Scripps Drive intersection the results were Level Of Service C during A.M. peak hours and also during P.M. peak hours. The volume of traffic observed at the Mercey Springs Road (SR 165) and Scripps Road intersection in the A.M. peak hour meets peak hour warrants for a light at the intersection, although the P.M. peak hour volumes fall below warrant levels, which does not exemplify the need for a light at the intersection.

Existing plus project traffic were also analyzed and the result was that the intersections will operate with a Level Of Service that is consistent the minimum Level Of Service D goal stated in the 2030 Los Banos General Plan. However, some of the traffic will be diverted away from the Mercey Springs Road/ Scripps Drive intersection with the development of De Anza Way, the delays at the intersection may decrease as a result of the project. Consequently, while the intersection would continue to satisfy the peak hour warrant in the A.M. peak hour, Shaunessy Village’s impact is not significant and mitigation is not required. The development of Shaunessy Village will contribute its fair share to the cost of an eventual traffic signal at the Mercey Springs Road (SR 165)/ Scripps Drive intersection by paying adopted traffic impact mitigations fees.

In regards to the “Existing Plus Approved Projects” evaluations the analysis suggests that if Shaunessy Village is not developed, background traffic volumes will increase and delays will be longer at the Pacheco Boulevard (SR 152)/ Mercey Springs Road (SR 165) intersection. With present timing, the intersection will operate at a Level Of Service E in the A.M. both with and without the proposed project. The forecasted Levels Of Service at the intersection is predicted on signal timing plans engaged by Cal Trans District 10. Based on the review of the Level Of Service calculation indicated that a better Level Of Service satisfying the LOS D minimum as per the 2030 Los Banos General Plan guiding policy C-G-6 “Maintain acceptable levels of service (LOS C at street segments and LOS D at intersections and ensure the future development and the circulation system are balanced.”, could be achieved by optimizing the current settings.

Nonetheless, the decisions for signal timing will be made By Cal Trans District 10 based on consideration of many factors on order to facilitate the overall flow of traffic through the community, and the Level Of Service forecast in a traffic impact analysis is not necessarily major consideration. In reference to the analysis for “Existing Plus Approved Project” traffic signal warrants, the additional traffic associated with other approved/ pending projects does not change the status of peak hour traffic signal warrants at the Mercey Springs Road (SR 165)/ Scripps Drive intersection.

The analysis for the Cumulative Traffic impacts was performed in two scenarios; Cumulative No project conditions and Cumulative Plus Project Conditions. The Cumulative No Project Conditions concluded that if anticipated improvements are constructed all study intersections would operate with Levels Of Service that satisfy the LOS D minimum standard as prescribed in the 2030 Los Banos General Plan Circulation Guiding Policy, C-G-6. The analysis for the Cumulative Plus Project conditions suggest that the development of the project and the streets associated with the project, traffic volumes will change slightly, however all studied intersections would still satisfy the LOS D minimum standard as stated in the 2030 Los Banos General Plan. While Shaunessy Village will contribute its fair share to the cost of regional improvements through the City of Los Banos traffic impact fee program, no additional mitigation is required.

None of the other conclusions or analysis contained in the Mitigated Negative Declaration (SCH #2005071027) would change as a result of the proposed subdivision map and streets configuration modification.

3. Conclusion

Staff has reviewed the Mitigated Negative Declaration and has concluded that the modification of the subdivision map and street layout in consistent with the previously adopted Mitigated Negative Declaration (SCH #2005071027) by the Los Banos City Council on December 7, 2005. Therefore the City of Los Banos Community and Economic Development Department has determined that the environmental review for the Shaunessy Village project is adequate and consequently did not prepare a subsequent Mitigated Negative Declaration pursuant to Section 15162 of the CEQA guidelines. The evidence in the file supports that no circumstances or further impacts requiring preparation of a subsequent Mitigated Negative Declaration are present in this case.

Attachment: Mitigated Negative Declaration (SCH #2005071027) and Traffic Impact Analysis

TRAFFIC IMPACT ANALYSIS

For

SHAUNESSY VILLAGE

Los Banos, CA

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7043-01

Shaunessy Village 8 10 2018.rpt

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Transportation Engineers

**TRAFFIC IMPACT ANALYSIS FOR
SHAUNESSY VILLAGE**
Los Banos, CA

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**TRAFFIC IMPACT ANALYSIS FOR
SHAUNESSY VILLAGE**
Los Banos, CA

INTRODUCTION

This report summarizes **KD Anderson & Associates** analysis of the potential traffic impacts associated with development of **Shaunessy Village**. Figure 1 displays the location of this 151 lot residential subdivision in the area east of SR 165 between Pacheco Blvd (SR 152) and Pioneer Road. The project proposes access to State Route 165 and will link the state highway with existing residence to the east, as shown in Figure 2.

Study Scope

The purpose of this analysis is to identify potential project specific and cumulative traffic impacts that could accompany implementation of the project and to confirm the adequacy of site access. The analysis includes an evaluation of existing circulation conditions in the area based on recent data collected by the consultant. To develop a baseline condition against which each project can be evaluated, an “Existing Plus Approved Projects” traffic volume scenario was created based on information from the City of Los Banos regarding other approved but as yet unconstructed projects. To assess the project specific impacts the characteristics of the proposed project have been determined, including estimated trip generation, and the directional distribution / assignment of the project traffic. “Existing Plus Approved Projects Plus Shaunessy Village” conditions were then evaluated.

To address cumulative impacts this study considers long term conditions occurring in Year 2030 under the Los Banos General Plan. Information contained in the City of Los Banos Transportation Master Plan based on the citywide travel demand forecasting model is the basis for this analysis.

A total of four (4) existing or proposed intersections have been identified as study area intersections, including one location that will be constructed with the project and another which will be created as the area is developed. Study intersections include:

1. Pacheco Blvd (SR 152) / Mercey Springs Road (SR 165)
2. Mercey Springs Road (SR 165) / Madison Avenue / Radcliff Avenue (future)
3. Mercey Springs Road / De Anza Way (with the project)
4. Mercey Springs Road / Scripps Drive

Daily traffic volumes have been identified on Mercey Springs Road (SR 165) based on data collected by Caltrans.



VICINITY MAP

EXISTING SETTING

Existing Street System

Regional access to Los Banos is provided by State Route 152 (Pacheco Boulevard) and State Route 165 (Mercey Springs Road), and to a lesser extent by Pioneer Road. Access to Shaunessy Village will occur via new intersections on SR 165, via a connection to Scripps Drive and on the local streets in the existing residential neighborhoods to the east.

The text that follows describes these existing and proposed facilities. Functionally, study area streets are classified as Arterials, Collectors or Local Streets. The applicable designation is presented in the Los Banos General Plan Circulation Element.

Two state highways serve Los Banos:

Pacheco Boulevard (SR 152). SR 152 is a Major Arterial roadway providing important east/west circulation through Los Banos. This highway also provides regional access to the community, as the highway extends from an intersection with Highway 1 in Watsonville on the Pacific Coast easterly to an interchange on Highway 99 near Merced. In between, the highway connects Los Banos residents with Interstate 5, which lies about 6 miles west of the City. Through the City of Los Banos, Pacheco Boulevard is a five lane arterial street controlled by traffic signals at major intersections. In the area west and east of Los Banos, SR 152 becomes a divided four-lane expressway with limited access.

The most recent daily traffic counts reported by Caltrans (2016) indicate that Pacheco Boulevard carried an *Annual Average Daily Traffic (AADT)* volume of 23,000 to 33,500 vehicles per day through the City, with the volume west of Mercey Springs Road reported to be 28,000 AADT and the volume east of the intersection at 33,500 AADT. Trucks comprise 10% of the daily traffic on SR 152 through Los Banos.

Mercey Springs Road (SR 165). SR 165 is an Arterial road providing north/south circulation to the eastern portion of Los Banos. The highway also provides regional access to the north to SR 99 and the City of Turlock and to the south to an interchange on Interstate 5. Currently Mercey Springs Road is a two-lane road in the vicinity of the project south of the existing commercial area along Pacheco Boulevard. The road is ultimately planned to be a five-lane facility and construction to this standard has been completed near the SR 152 intersection and in those locations where recent development has occurred. The most recent Caltrans traffic counts reveal that SR 165 carries about 4,300 AADT south of Pioneer Road, 6,700 AADT between Pioneer Road and Scripps Drive and 12,000 AADT in the commercial areas immediately south of Pacheco Blvd. Trucks comprise 8% of the daily traffic on SR 165.

Important east-west streets addressed by this study include:

Madison Avenue is a two-lane local street that runs parallel to Pacheco Blvd in the area north of the Main Canal. Portions of Madison Avenue extend from Center Avenue easterly to Hillview

Drive and from an intersection on Jefferson Avenue to 11th Street. The segment of Madison Avenue between 11th Street and SR 165 is planned for construction as part of future development in the unapproved Presidential Estates East area.

Radcliff Avenue is a two-lane local street that is stubbed westerly from an intersection on Mills Drive just east of the project site. Radcliff Avenue is planned to be extended westerly across the northern project boundary to an intersection on SR 165 opposite the Madison Avenue extension. A short portion of Radcliff Avenue near SR 165 will not be constructed with the project.

De Anza Way is a two-lane local street which serves the existing neighborhood east of the project and, with St. Patrick's Drive, connects this area with Place Road. De Anza Way will be extended westerly through Shaunessy Village to a new intersection on SR 165.

Scripps Drive is a two-lane Collector street that extends easterly from SR 165 to Place Road. Scripps Drive provides access to the Mercey Springs Elementary School and to the established residential area east of SR 165 in southeastern Los Banos.

Page Avenue is a local street that links Madison Avenue and 11th Street in the area immediately south of Los Banos High School. This two lane road is planned for extension to the SR 165 / Scripps Drive intersection in the future.

North-south streets in this area include:

Columbia Drive is a local two-lane street that extends north from Scripps Drive in the area just east of Mercey Springs Elementary School. Columbia Drive will extend into the Shaunessy Village project and intersect De Anza Way and Radcliff Avenue.

Existing Study Intersections

The geometric configuration and traffic controls at study intersections are discussed in the text which follows:

The **Pacheco Blvd (SR 152) / Mercey Springs Road (SR 165)** intersection is the "widest" intersection in Los Banos. Each approach to this signalized intersection has two through lanes and separate left turn lanes. The northbound Mercey Springs Road approach has dual left turn lanes. Separate right turn lanes are provided on the Pacheco Blvd approaches and on the southbound Mercey Springs Road. Crosswalks are striped on each leg of the intersection.

The **Mercey Springs Road (SR 165) / Scripps Drive** intersection is controlled by a stop sign on the westbound Scripps Drive approach. A southbound left turn lane exists on Mercey Springs Road. The westbound Scripps Drive approach is striped as a single lane but is wide enough to permit right turns around vehicles waiting to turn left. A Hybrid Pedestrian Beacon near the crosswalk is available across the north leg of the intersection to provide access to a trail leading to Los Banos High School.

Non - Automotive Circulation

Transit service and facilities in Los Banos include both private and public operations. Private operations are limited to taxi and limo services, while public transportation is provided by Merced County Transit (MCT). The MCT operates both regularly scheduled fixed-route and Dial-A-Ride (door-to-door) transit services throughout Merced County. The fixed route bus service operates five routes that traverse major nodes in the city. It is available on weekdays between 7 a.m. to 6 p.m. and on Saturday from 9:30 a.m. to 5:30 p.m. There is no service on Sunday. The frequency between buses during both peak and off-peak hours of operation is 30 minutes. The busses have fixed stops along their designated routes but patrons may wave down the bus anywhere along the route to take advantage of transit opportunities. Recently, the MCT has equipped all buses with bike racks to encourage biking. Many of the outlying residential areas are not served by transit.

The Dial-A-Ride service is provided by a fleet of 16 vehicles throughout Merced County. In Los Banos, it is reserved for the exclusive use by the elderly (age 60 and older) and the handicapped. All Dial-A-Ride users must register for Dial-A-Ride service and pay the same fare as fixed route users.

Pedestrian / Bicycle Facilities

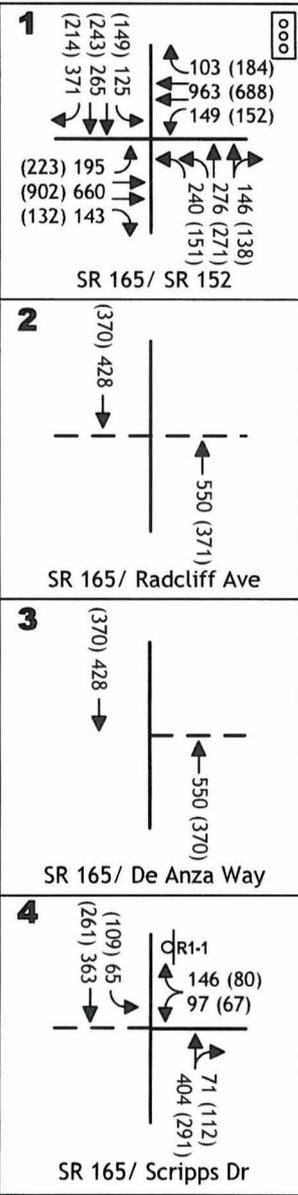
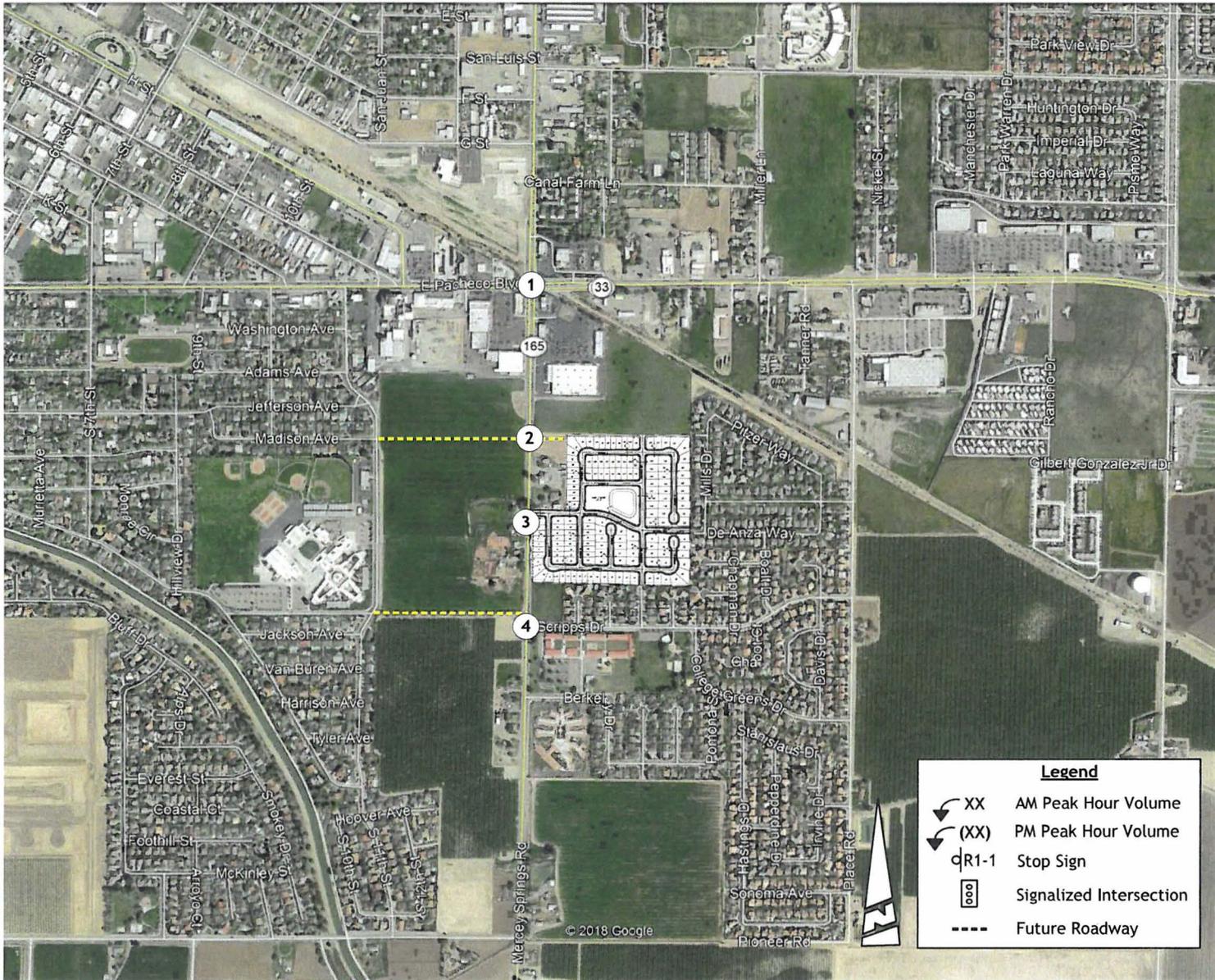
Today pedestrian and bicycle facilities are typically developed as new development proceeds. Sidewalk exists along the developed neighborhoods near the project. Sidewalk exists on the west side of SR 165 north of the project site, but no sidewalk along the project's frontage on SR 165, until the commercial area near Pacheco Blvd.

An improved pedestrian route does exist between the 11th Street / Page Avenue intersection and the SR 165 / Scripps Drive intersection. This route leads to a crosswalk across SR 165, and the HAWK pedestrian crossing system at this location.

The Los Banos General Plan Circulation Element notes that bicycle lanes will be developed along SR 165, Page Avenue, Pioneer Road and Scripps Drive.

Existing Traffic Volumes

To quantify existing traffic conditions, new a.m. and p.m. peak hour traffic counts were made by the consultant at SR 165 / Scripps Drive to supplement available data collected earlier at SR 152 / SR 165. These peak hours were selected as being representative of "Worst Case" background traffic conditions, based on review of daily traffic counts in the City of Los Banos and based on the highest hour of project trip generation. This approach is consistent with the analyses contained in other environmental documents in Los Banos. Figure 3 displays the a.m. and p.m. peak hour counts at the study intersections.



EXISTING TRAFFIC VOLUMES AND LANE CONFIGURATIONS

figure 3

Level of Service Calculation

To quantitatively evaluate traffic conditions and to provide a basis for comparison of operating conditions with and without project generated traffic, "Levels of Service" were determined at study area intersections.

"Level-of-Service" (LOS) is a quantitative measure of traffic operating conditions whereby a letter grade "A" through "F" is assigned to an intersection. LOS "A" through "F" represents progressively worsening traffic conditions. The characteristics associated with the various LOS for intersections are presented in Table 1. LOS "E" and "F" are associated with severe congestion and delay and are unacceptable to most motorists. The City of Los Banos strives to maintain Level of Service D, and the LOS "D" standard has been employed for this analysis at major intersections.

**TABLE 1
LEVEL OF SERVICE DEFINITIONS**

Level of Service	Signalized Intersection	Unsignalized Intersection	Roadway (Daily)
"A"	Uncongested operations, all queues clear in a single-signal cycle. Delay ≤ 10.0 sec	Little or no delay. Delay ≤ 10 sec/veh	Completely free flow.
"B"	Uncongested operations, all queues clear in a single cycle. Delay > 10.0 sec and ≤ 20.0 sec	Short traffic delays. Delay > 10 sec/veh and ≤ 15 sec/veh	Free flow, presence of other vehicles noticeable.
"C"	Light congestion, occasional backups on critical approaches. Delay > 20.0 sec and ≤ 35.0 sec	Average traffic delays. Delay > 15 sec/veh and ≤ 25 sec/veh	Ability to maneuver and select operating speed affected.
"D"	Significant congestions of critical approaches but intersection functional. Cars required to wait through more than one cycle during short peaks. No long queues formed. Delay > 35.0 sec and ≤ 55.0 sec	Long traffic delays. Delay > 25 sec/veh and ≤ 35 sec/veh	Unstable flow, speeds and ability to maneuver restricted.
"E"	Severe congestion with some long standing queues on critical approaches. Blockage of intersection may occur if traffic signal does not provide for protected turning movements. Traffic queue may block nearby intersection(s) upstream of critical approach(es). Delay > 55.0 sec and ≤ 80.0 sec	Very long traffic delays, failure, extreme congestion. Delay > 35 sec/veh and ≤ 50 sec/veh	At or near capacity, flow quite unstable.
"F"	Total breakdown, stop-and-go operation. Delay > 80.0 sec	Intersection blocked by external causes. Delay > 50 sec/veh	Forced flow, breakdown.

Sources: Highway Capacity Manual 6th Edition.

Levels of Service were calculated for different intersection control types using the respective methods in the following sources:

- **Signalized and Unsignalized Intersections.** Highway Capacity Manual, 6th Edition (HCM 6th Ed). Signalized intersections were evaluated using signal timing plans provided by Caltrans District 10

Local / Collector Street Segments. The City of Los Banos Improvement Standards suggest approximate daily traffic volume thresholds that are theoretically associated with satisfactory traffic operations. These thresholds are presented in Table 2.

**TABLE 2
CITY OF LOS BANOS STREET STANDARDS**

Street Classification	R/W, Curb-Curb Width (in feet)		Standard Configuration	Design Speed (in MPH)	Daily Traffic Volume Range	
Private Residential			2 lanes	25 mph	0	500
Local Residential	56	40	2 lanes	30 mph	0	4,000
Minor Collector	60	44	2 lanes	35 mph	500	4,000
Major Collector	72	56	2 lanes with left turn lanes	40 mph	4,000	7,500
Industrial (local)	66	48	2 lanes	40 mph	0	14,000
Minor Arterial	84	68	4 lanes	50 mph	7,500	---
Major Arterial	96	80	4 lanes w/ left turn lane / median	55 mph	---	25,000

Improvement Implementation Guidelines

The extent to which particular traffic controls or auxiliary lanes may be needed at intersections can be determined quantitatively.

Peak Hour Traffic Signal Warrants. The extent to which a traffic signal is an applicable traffic control device at a particular location is assessed based on the traffic signal warrant criteria contained in the *California Manual of Uniform Traffic Control Devices (MUTCD)*. While nine separate warrants are considered in a complete warrant evaluation, based on available information this analysis is limited to consideration of the status of Warrant 3 Peak Hour Volumes.

Current Peak Hour Traffic Conditions

Levels of Service (LOS) were calculated at existing study intersections (Refer to Appendix for calculation worksheets) under "Existing" conditions. Current LOS at the study intersections are presented on Table 3.

KDA

The Level of Service at study intersections vary. As shown, the signalized Pacheco Blvd (SR 152) / Mercey Springs Road (SR 165) intersection currently operates within the City of Los Banos' LOS D minimum.

**TABLE 3
EXISTING PEAK HOUR INTERSECTION LEVELS OF SERVICE**

Location	Control	AM Peak Hour		PM Peak Hour	
		Average Delay (sec/veh)	LOS	Average Delay (sec/veh)	LOS
1 SR 152 / Mercey Springs Rd (SR 165)	Signal	52.6	D	31.5	C
4. SR 165 / Scripps Drive	WB Stop	23.1	C	16.7	C
Level of Service at unsignalized intersections is indicative of "worst case" conditions on side street approach					

Status of Improvement Criteria. Current peak hour traffic volumes at un-signalized intersections were compared to traffic signal warrants to determine whether traffic signals might be appropriate today. The volume of traffic observed at the Mercey Springs Road (SR 165) / Scripps intersection in the a.m. peak hour meets peak hour warrants, but p.m. peak hour volumes fall below warrant levels.

Satisfaction of a single peak hour warrant is only one criteria used to determine whether a traffic signal is justified, and subsequent analysis is needed from two standpoints.

First, a **full warrant analysis** would be required which addresses the remaining warrants, including evaluation of Warrant 1, (8 hour volume). Such an analysis is beyond the scope of typical traffic impact studies.

Second, current Caltrans police requires that an **Intersection Control Evaluation (ICE)** be prepared when it is determined that traffic on the state highway needs to be stopped. That assessment would consider the feasibility of all-way stop control, traffic signals or a roundabout intersection. While a traffic signal could deliver adequate Level of Service and may be desirable to control pedestrian activity at this location adjoining Mercey Springs Elementary School a decision regarding applicable traffic control will be made by Caltrans and the City.

The City's *Transportation Master Plan* addresses the Mercey Springs Road (SR 165) / Scripps Drive / Page Avenue intersection, and a traffic signal at this intersection is included in the City's traffic impact fee program.

PROJECT CHARACTERISTICS

The characteristics of the development in the plan area are discussed in this report section.

Trip Generation

To quantify the amount of vehicular traffic generated by the project and the uses under the General Plan, daily and a.m. / p.m. peak hour trip generation rates presented in the Institute of Transportation Engineers (ITE) publication Trip Generation 10th Edition (2017) were employed. These rates are presented in Table 4. As shown, application of these rates results in a forecast for 1,425 daily trips, with 106 trips in the a.m. peak hour and 149 trips in the p.m. peak hour.

**TABLE 4
TRIP GENERATION RATES**

Land Use	Unit	Daily Trip Rate / Est	AM Peak Hour			PM Peak Hour		
			% In	% Out	Rate	% In	% Out	Rate
Single Family Residential	du's	9.44	25%	75%	0.74	63%	37%	0.99
Shaunessy Village	151 du's	1,425	26	80	106	94	55	149

Trip Distribution and Assignment

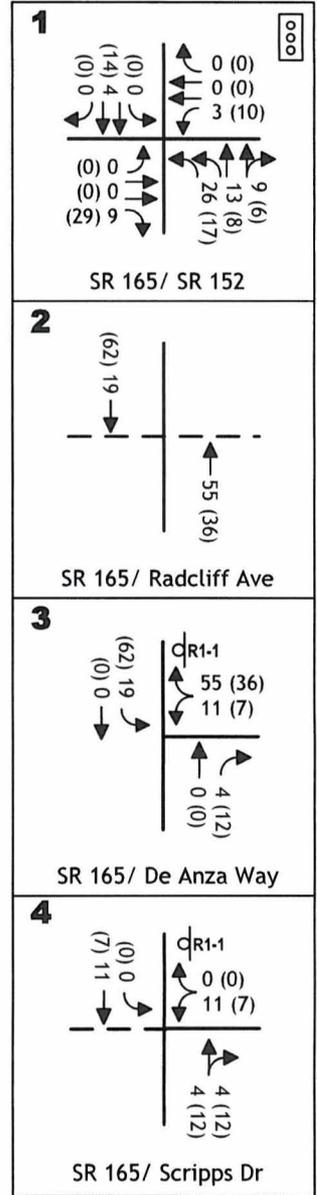
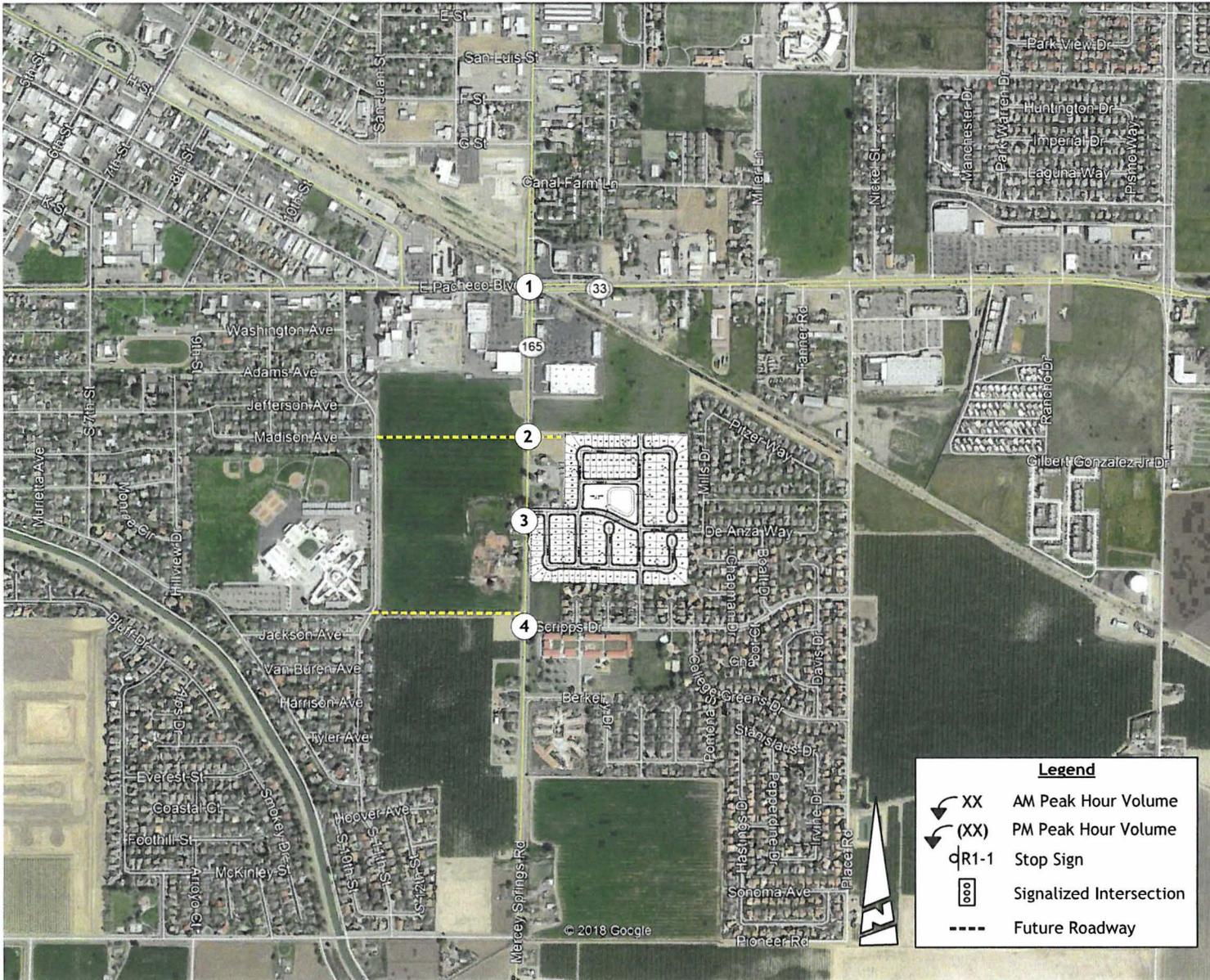
The distribution of project trips will reflect the distribution of employment, shopping and schools in the Los Banos area. For this analysis, project trip distribution was based on the location of complimentary land uses, existing travel patterns and the General Plan traffic model distribution, as presented in Table 5.

**TABLE 5
SHORT TERM - DIRECTIONAL TRIP DISTRIBUTION**

Direction	Route	Percentage of Project Trips
North	Mercey Springs Road (SR 165) north of Pacheco	15%
West	Pacheco Blvd (SR 152)	40%
South	Mercey Springs Road (SR 165)	15%
East	Mercey-Pacheco Area Retail	10%
	Pacheco Blvd (SR 152)	20%
Total		100.00%

Trip Assignment

Using the trip generation and distribution assumptions described above, the trips generated by development in the plan area were assigned to the study area street system assuming development of the new roads anticipated in the project. This analysis assumes that ½ of the trips destined easterly on SR 152 will reach the highway via De Anza Way or Radcliff Avenue to Place Road. Figure 4 presents peak hour traffic volumes associated with the project



EXISTING PLUS PROJECT IMPACTS

Existing Plus Project Volumes

Development of new roads will also create the opportunity for diversion of existing traffic already occurring in eastern Los Banos. The extension of De Anza Way through the site to Mercey Springs Road will provide an alternative route for existing residents of the area between SR 165 and Place Road and will allow motorists to avoid the area around Mercey Springs ES during periods of peak school traffic. The amount of background traffic diverted to new roads has been estimated based on review of current travel patterns at the SR 165 / Scripps Drive intersection.

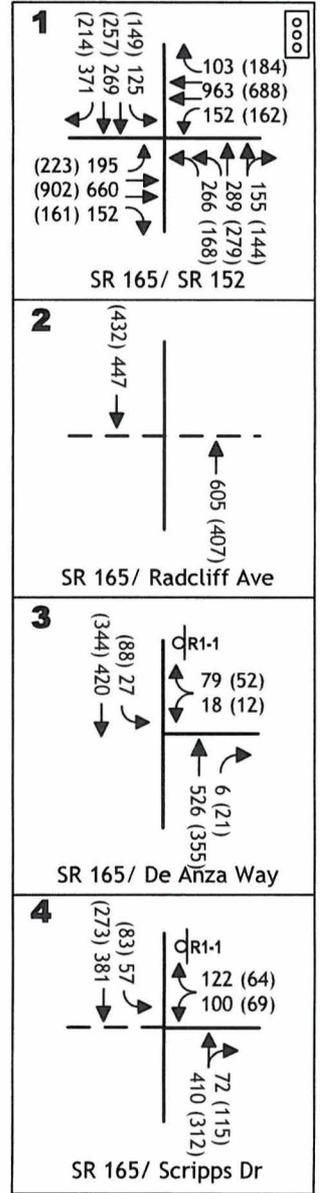
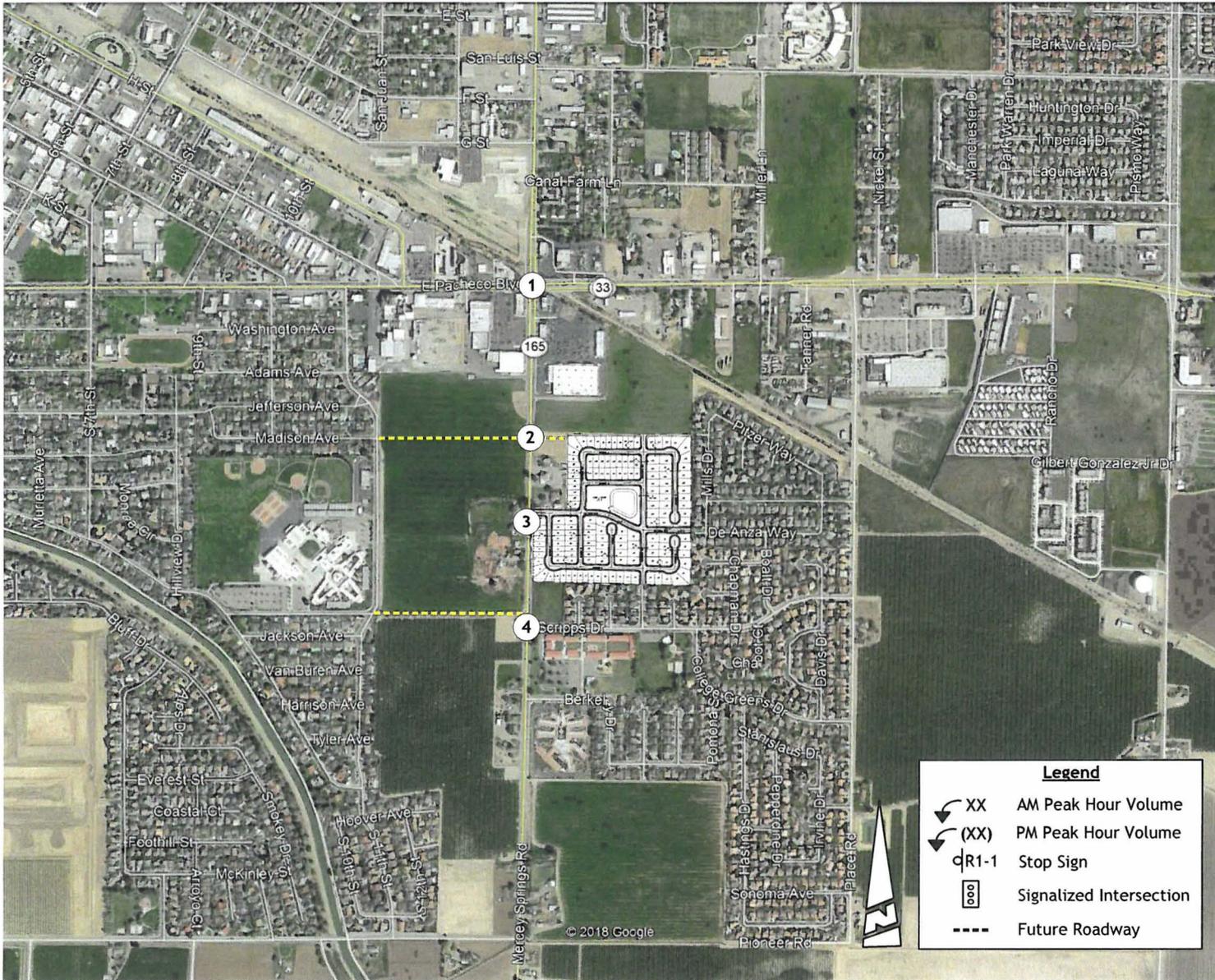
Figure 5 presents the sum of current traffic volumes with school in session, diverted background traffic and project trips and is the “Existing Plus Project” condition assessed in this analysis.

Anticipated Improvements. Development in the project area will be expected to complete frontage improvements that are consistent with City of Los Banos requirements for all new development in the community. By the time the area is built out, the following improvements will have been made:

1. Widening the east side of Mercey Springs Road (SR 165) to half of its ultimate four lane section, including a left turn lane on southbound SR 165.
2. Construct the new SR 165 / De Anza Way intersection to Caltrans standards, and use the frontage width to create an interim right turn lane.

Existing Plus Project Impacts Based on Level of Service

Table 6 compares current and Existing Plus Project Levels of Service at study area intersections. As shown, the intersections will operate with Levels of Service that meet the minimum LOS D goal. Because some traffic will be diverted away from the SR 165 / Scripps Drive intersection by the construction of De Anza Way, the length of average delays at this intersection may decrease as a result of the project. Thus, while the intersection would continue to satisfy peak hour warrant in the a.m. peak hour, Shaunessy Village’s impact is not significant and mitigation is not required. Development in Shaunessy Village would contribute its fair share to the cost of an eventual traffic signal at the SR 165 / Scripps Drive intersection by paying adopted traffic impact mitigation fees.



EXISTING PLUS PROJECT TRAFFIC VOLUMES AND LANE CONFIGURATIONS

figure 5

**TABLE 6
EXISTING PLUS PROJECT PEAK HOUR INTERSECTION LEVELS OF SERVICE**

Location	Control	AM Peak Hour				PM Peak Hour			
		Existing		Existing Plus Project		Existing		Existing Plus Project	
		Average Delay (sec/veh)	LOS						
1. SR 152 / Mercey Springs Rd (SR 165)	Signal	52.6 sec	D	54.8	D	31.5 sec	C	32.6	C
3. Mercey Springs Rd / De Anza Way Westbound approach	WB Stop			17.5	C			13.1	B
4. SR 165 / Scripps Drive	WB Stop	23.1 sec	C	24.5	C	16.7 sec	C	16.8	C
Level of Service at unsignalized intersections is indicative of "worst case" conditions on side street approach									

Project Impacts to Existing Neighborhood Streets

The area south of SR 152 and east of SR 165 is served by a system of local streets that feature direct residential access and on-street parking. Today these streets provide the access to Mercey Springs ES and connect residents with Place Road and SR 165. While the volume of traffic on these streets is not an issue with regard to Level of Service, increasing traffic volumes do have an effect on the “quality of life” that is perceived by area residents. In the past the Los Banos City Council has frequently received requests for installation of measures to control the speed and volume of traffic on various residential streets.

The development of the Shaunessy Village will affect conditions on these streets such as De Anza Way, Boalt Drive, Mills Drive and St. Patrick’s Drive in both positive and negative ways. On the positive side, the development of the De Anza Way extension and the future Radcliff Avenue extension will provide additional access for these residents. Thus, the existing volume of traffic occurring on some of these streets during the periods immediately before and after school should decrease. These road extensions will also provide alternative access for residents of Shaunessy Village, which will add traffic to those streets. Realistically, the volume of traffic added by Shaunessy Village is likely to be lower than the volume diverted through the project, but the change at any individual location could be positive or negative.

Project Impacts to Alternative Transportation Modes

Development of Shaunessy Village will result in additional pedestrian activity along SR 165 between the project and Commercial areas close to Pacheco Blvd (SR 152) and Mercey Springs ES. Because there are no dedicated pedestrian facilities along this route, pedestrians would walk on the highway shoulder, and conflict between pedestrians and motor vehicles could result. An all-weather pedestrian facility is needed. While sidewalks will be created along the project frontage and eventually along other properties when development occur, the project proponents should be responsible for working with Caltrans to install an interim facility along SR 165 within the existing right of way.

EXISTING PLUS OTHER APPROVED / PENDING PROJECTS CONDITIONS

This analysis section considers the relative impacts of Shaunessy Village within the context of traffic growth created by other approved or pending development projects in eastern Los Banos.

Approved / Pending Projects

Land Use / Trip Generation. The status of other development projects in Los Banos was discussed with Planning Department staff. Table 7 identifies the projects included in this analysis, and their location is referenced in Figure 6.

**TABLE 7
APPROVED / PENDING PROJECTS**

Development	Status	Quantity	Trip Generation		
			Daily	AM Peak Hour	PM Peak Hour
Southpointe	Approved	510 SFR	4,855	383	510
Racquet Club Estates	Approved	24 SFR 6 MFR	235	21	28
San Luis Estates	Approved	25 SFR	238	19	25
Los Banos Memory Care	Approved	164 beds	377	23	36
Place Road Elementary School	Pending	825 students	1,320	661	124
Sunrise Ranch	Pending	197 SFR	1,875	148	195
Total			8,900	1,255	918

As noted, these projects could generate 8,900 daily trips, with 1,225 trips in the a.m. peak hour and 918 trips in the p.m. peak hour. However, because the new elementary school’s attendance area is generally east of SR 165, it would serve residents already living in the area north of Pacheco Blvd study area with children attending schools west of SR 165, and few of its trips would reach the study area.

Circulation System Improvements. This analysis assumes that the identified approved projects make no improvements the study area circulation system.

Existing Plus Approved / Pending Projects (EPAP) Traffic Volumes. The amount of traffic associated with each project, as well as its trip distribution and assignment assumptions were identified, and peak hour trips were assigned to the study area intersections. Figure 7 identifies Existing Plus Approved / Pending volumes.

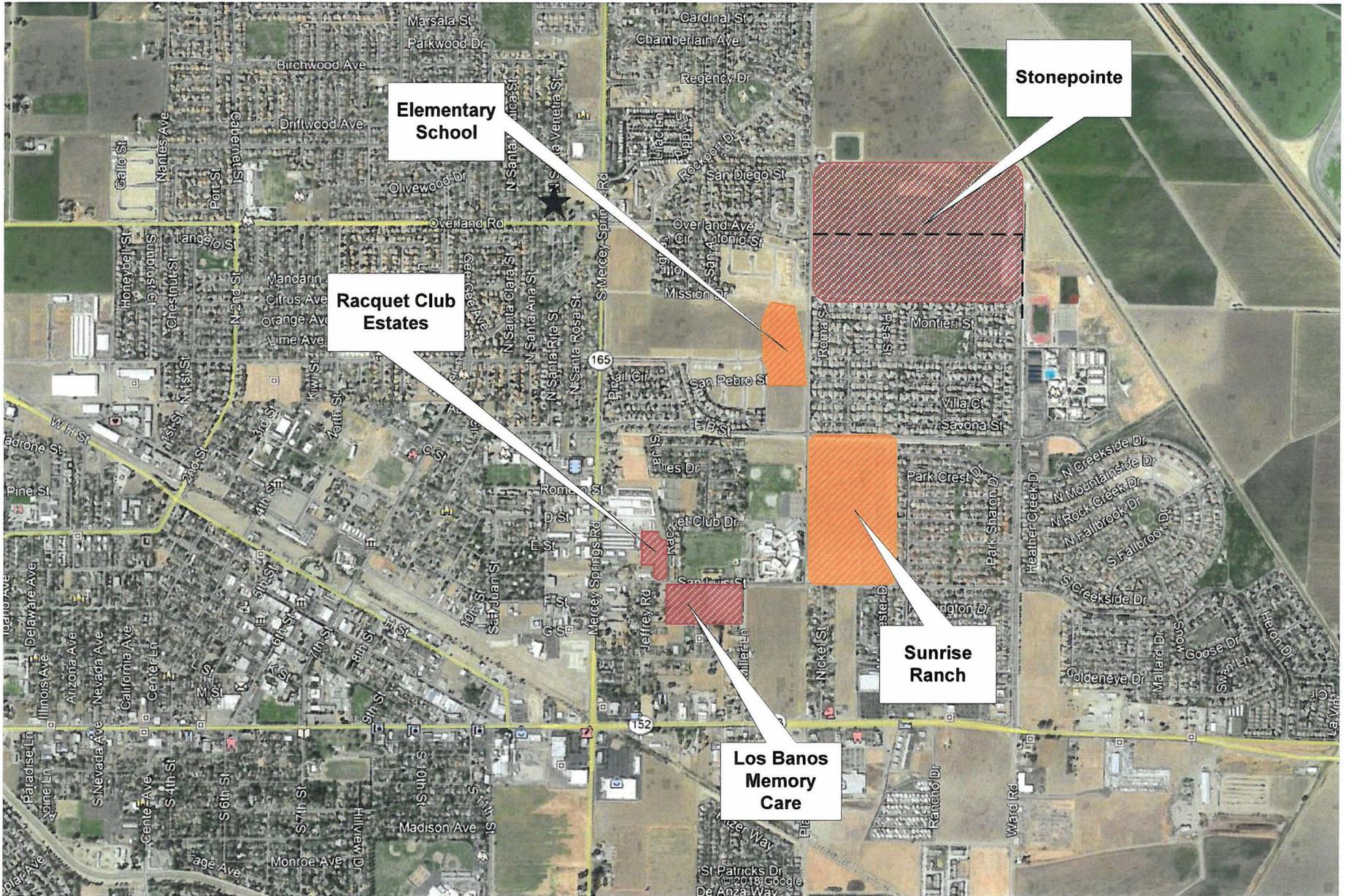
EPAP Plus Project Traffic Volumes. The trips associated with Shaunessy Village and diverted traffic were superimposed onto the baseline EPAP volumes to create the EPAP Plus Project volumes shown in Figure 8.

EPAP and EPAP Plus Project Levels of Service. Resulting Levels of Service under these conditions are compared in Tables 8.

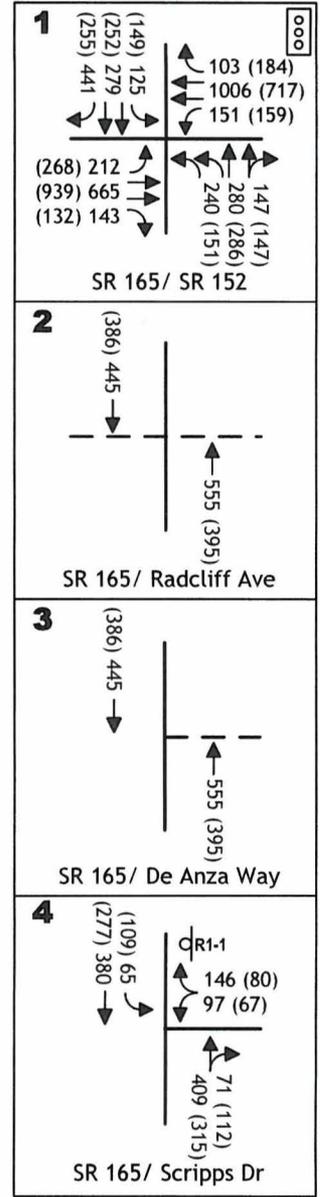
As noted, if Shaunessy Village is not developed then background traffic volumes will increase and delays will become longer at the SR 152 / SR 165 intersection. With current timing plans that location will operate at LOS E in the a.m. peak hour with and without the proposed project.

As noted earlier the forecasted Levels of Service at this location are predicated on signal timing plans employed by Caltrans District 10 (in appendix). Review of the Level of Service calculation indicated that a better Level of Service satisfying the LOS D minimum could be achieved by optimizing the current settings. However decisions regarding signal timing are made by District 10 based on consideration of many factors in order to facilitate the overall flow of traffic through the community, and the Level of Service forecast in a traffic impact analysis is not necessarily a major consideration.

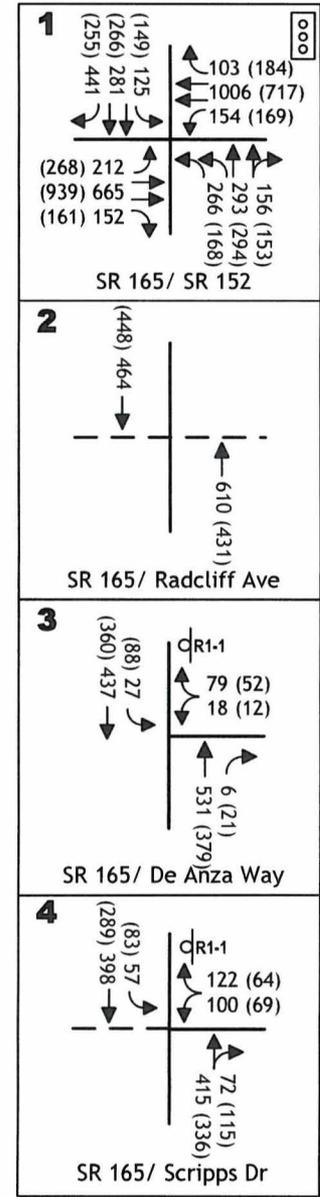
EPAP Traffic Signal Warrants. The addition of trips associated with other approved / pending projects does not change the status of peak hour traffic signal warrants at the SR 165 / Scripps Drive intersection.



APPROVED AND PENDING PROJECTS



EXISTING PLUS APPROVED PROJECT
TRAFFIC VOLUMES AND LANE CONFIGURATIONS



**EPAP PLUS PROJECT
TRAFFIC VOLUMES AND LANE CONFIGURATIONS**

**TABLE 8
EXISTING PLUS APPROVED / PENDING PROJECTS PEAK HOUR INTERSECTION LEVELS OF SERVICE**

Location	Control	AM Peak Hour				PM Peak Hour			
		Existing plus Approved / Pending Projects		EPAP Plus Project		Existing plus Approved / Pending Projects		EPAP Plus Project	
		Average Delay (sec/veh)	LOS	Average Delay (sec/veh)	LOS	Average Delay (sec/veh)	LOS	Average Delay (sec/veh)	LOS
1 SR 152 / Mercey Springs Rd (SR 165)	Signal	68.8 sec	E	71.2	E	35.4 sec	D	36.5	D
With optimization				41.3	D				
3 Mercey Springs Rd ./ De Anza Way Westbound approach	WB Stop			17.8	C			13.5	B
4. SR 165 / Scripps Drive	WB Stop	24.0	C	25.4	D	17.4 sec	C	17.6	C
Level of Service at unsignalized intersections is indicative of “worst case” conditions on side street approach									

CUMULATIVE TRAFFIC IMPACTS

The relative traffic impacts of the proposed project have also been assessed within the context of future traffic conditions that account for long term development in Los Banos. This analysis assumes Year 2030 conditions with the Los Banos Bypass forecast in the City's Transportation Master Plan based on development of the community under the current General Plan.

Methodology

The City of Los Banos' regional travel demand forecasting model was employed to create the traffic volumes presented in the Master Plan, and those volumes are the basis for cumulative analysis contained in other traffic studies. However, the traffic model itself is not available, and it is necessary to interpolate volumes at other locations or for other scenarios. This analysis makes use of data presented in the following sources:

- Pacheco Blvd (SR 152) / Mercey Springs Road (SR 165): *Walmart Expansion EIR Traffic Study*
- Mercey Springs Road (SR 165) / Scripps Drive / Page Avenue: *Transportation Master Plan*
- Mercey Springs Road (SR 165) / Pioneer Road: *Transportation Master Plan*
- Pioneer Road / 11th Street: *Transportation Master Plan*

Review of the land use data employed for the Transportation Master Plan indicates that Shaunessy Village's development was assumed. Thus, the available data includes trips anticipated from the project site.

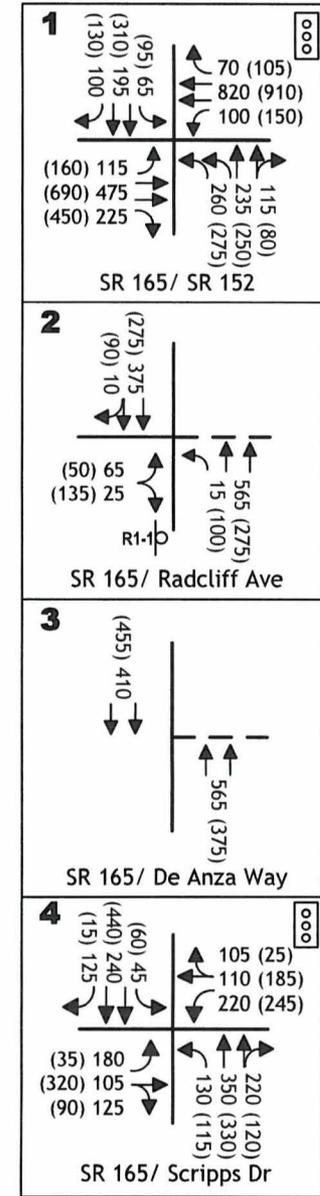
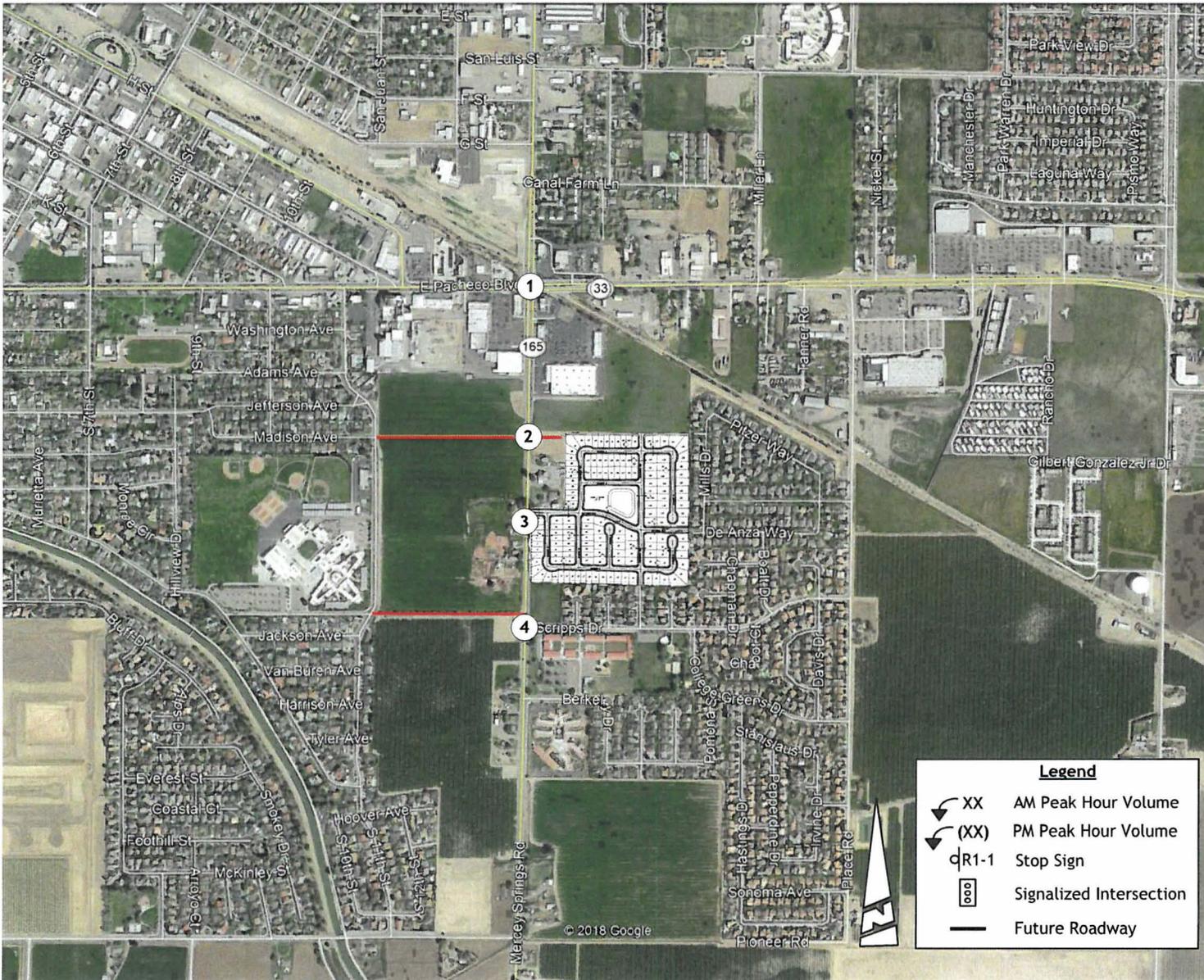
The Cumulative No Project condition would assume no site development, as well as no construction of the subdivision roads. Under this scenario neither De Anza Way nor Radcliff Drive would be extended to SR 165. Because the city-wide traffic model is unavailable, a manual approach was taken to create the "No Project" volumes. The trips associated with the Shaunessy Village were subtracted from the future volumes, subsequently, the remaining background traffic that would have used the new streets were re-assigned to the balance of the area street system. In each case the resulting forecasts were rounded to the nearest 5 vehicles.

Traffic Volume Forecasts

Figures 9 and 10 present the resulting Cumulative No Project and Cumulative Plus Project traffic volumes.

Cumulative Circulation System Improvements

The City of Los Banos General Plan and City of Los Banos Transportation Master Plan both include appreciable regional circulation system improvements that have been assumed in other environmental documents. These include the SR 152 Los Banos Bypass and the extension of Pioneer Road from SR 165 to Ward Road. Locally, SR 165 is assumed to be a four lane facility through the Pioneer Road intersection north. Local improvements to study area intersections are identified in Figures 9 and 10.



CUMULATIVE WITHOUT PROJECT
TRAFFIC VOLUMES AND LANE CONFIGURATIONS

Cumulative Traffic Impacts

Study area intersection Levels of Service assuming Cumulative traffic volumes and planned improvements are noted in Table 9.

Cumulative No Project Conditions. As shown, if anticipated improvements are constructed all study locations would operate with Levels of Service that satisfy the LOS D minimum.

Cumulative Plus Project Conditions. If the project area is developed and its streets are constructed then traffic volumes may change slightly but all study locations would still satisfy the LOS D minimum.

While Shaunessy Village will contribute its fair share to the cost of regional improvement via the City's traffic impact fee program, no additional mitigation is required.

**TABLE 9
CUMULATIVE PLUS PROJECT PEAK HOUR INTERSECTION LEVELS OF SERVICE**

Location	Control	AM Peak Hour				PM Peak Hour			
		Cumulative No Project		Cumulative Plus Project		Cumulative No Project		Cumulative Plus Project	
		Average Delay (sec/veh)	LOS						
1 SR 152 / Mercey Springs Rd (SR 165)	signal	23.2 sec	C	23.8	C	28.1	C	29.4	C
2. Mercey Springs Rd / Madison Ave	EB/WB Stop								
Westbound approach		-	-	23.9	C	-	-	20.2	C
Eastbound approach		20.5	C	29.4	D	15.3	C	24.C	C
3 Mercey Springs Rd ./ De Anza Way	WB Stop								
Westbound approach				14.1	B			12.4	B
4. SR 165 / Scripps Drive	WB Stop	30.9	C	29.1	C	35.5	D	34.5	C
Level of Service at unsignalized intersections is indicative of “worst case” conditions on side street approach									

APPENDIX

KDA

Spadafore-Giannone Area Plan Mitigation Monitoring Program

Introduction

CEQA Guidelines section 15097 requires public agencies to adopt reporting or monitoring programs when they approve projects subject to an environmental impact report or a negative declaration that includes mitigation measures to avoid significant adverse environmental effects. The reporting or monitoring program is to be designed to ensure compliance with conditions of project approval during project implementation in order to avoid significant adverse environmental effects.

The law was passed in response to historic non-implementation of mitigation measures presented in environmental documents and subsequently adopted as conditions of project approval. In addition, monitoring ensures that mitigation measures are implemented and thereby provides a mechanism to evaluate the effectiveness of the mitigation measures.

A definitive set of project conditions would include enough detailed information and enforcement procedures to ensure the measure's compliance. This monitoring program is designed to provide a mechanism to ensure that mitigation measures and subsequent conditions of project approval are implemented.

Monitoring Program

The basis for this monitoring program is the mitigation measures included in the project environmental impact report. These mitigation measures are designed to eliminate or reduce significant adverse environmental effects to less than significant levels. These mitigation measures become conditions of project approval, which the project proponent is required to complete during and after implementation of the proposed project.

The attached list is proposed for monitoring the implementation of the mitigation measures. This monitoring checklist contains all appropriate mitigation measures in the environmental impact report.

Monitoring Program Procedures

The City of Los Banos shall use the attached monitoring list for the proposed project. The monitoring program should be implemented as follows:

1. The Los Banos Planning Division should be responsible for coordination of the monitoring program, including the monitoring list. The Planning Division should

be responsible for completing the monitoring list and distributing the list to the responsible individuals or agencies for their use in monitoring the mitigation measures.

2. Each responsible individual or agency will then be responsible for determining whether the mitigation measures contained in the monitoring list have been complied with. Once all mitigation measures have been complied with, the responsible individual or agency should submit a copy of the monitoring list to the Planning Division to be placed in the project file. If the mitigation measure has not been complied with, the monitoring list should not be returned to the Planning Division.
3. The Planning Division will review the list to ensure that appropriate mitigation measures included in the monitoring list have been complied with at the appropriate time. Compliance with mitigation measures is required for project approvals.
4. If a responsible individual or agency determines that a non-compliance has occurred, a written notice should be delivered by certified mail to the project proponent within 10 days, with a copy to the Planning Division, describing the non-compliance and requiring compliance within a specified period of time. If non-compliance still exists at the expiration of the specified period, construction may be halted and fines may be imposed at the discretion of the City of Los Banos.

Each mitigation measure requires full or partial implementation at one or more of the following points in the development process:

- Prior to approval of tentative or final maps;**
- Prior to approval of demolition permits;**
- Prior to approval of grading permits;**

Mitigation Measure Checklist

Prior to approval of tentative or final maps

- 5. Prior to tentative map or site plan approvals that would result in the demolition of the project site structures, the applicant shall have a qualified historian evaluate the structures for their historical significance and make recommendations to mitigate significant impacts. Recommendations shall be implemented prior to the approval of the demolition permits.

Implementation Complete

Party Responsible for Implementation: **Applicant**

Party Responsible for Monitoring: **Los Banos Planning Division**

Monitoring Notes and Status:

- 7. Sound barriers shall be erected along Mercey Springs Road and between the residential uses and project parcel with commercial truck maintenance use, to achieve compliance with the 60 dBA Ldn exterior noise goal and the 45 dBA Ldn interior noise standards of the general plan. Project developers shall have a noise report prepared to determine the design parameters for the noise barriers, prior to approval of a tentative map or building permits for lots adjacent to either Mercey Springs Road or the parcel with the commercial truck maintenance use. Walls shall be planned and constructed in accordance with these parameters prior to issuance of occupancy permits.

Implementation Complete

Party Responsible for Implementation: **Applicant**

Party Responsible for Monitoring: **Los Banos Planning Division**

Monitoring Notes and Status:

Prior to approval of demolition permits

4. Subject to the review of the City of Los Banos Community Development Department, no more than 30 days prior to the removal of any eucalyptus trees on or immediately adjacent to the project site in conjunction with the proposed project, and/or the commencement of grading or construction activities within 200 feet of the eucalyptus trees that would occur during the nesting and/or breeding season of raptors potentially nesting in the trees (generally March 1 through August 1), a field survey shall be conducted by a qualified biologist to determine if active raptor nests are present in the trees. If active raptor nest(s) are found, clearing and construction within 200 feet of the active nest(s) shall be postponed or halted until the nest(s) are vacated and juveniles have fledged and there is no evidence of a second attempt at nesting, at the discretion of the biologist.

Implementation Complete

Party Responsible for Implementation: **Applicant**

Party Responsible for Monitoring: **Los Banos Planning Division**

Monitoring Notes and Status:

Prior to approval of grading permits

1. Dust control requirements shall be included in all construction contract specifications. These construction contract specifications shall include the following SJVAPCD Regulation VIII, Rule 8020 fugitive dust mitigation requirements for the control of fine particulate matter (PM₁₀) from construction activities. The measures shall be implemented as necessary to adequately control dust subject to the review and approval of the City of Los Banos Planning Department.
 - 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 ground cover.

- All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions using water or chemical stabilizer/suppressant.
- All land clearing, grubbing, scraping, excavation, land leveling, grading, and cut & fill activities shall be effectively controlled of fugitive dust emissions utilizing application of water or by presoaking.
- 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.
- 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.)
- 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.

Implementation Complete

Party Responsible for Implementation: **Applicant**

Party Responsible for Monitoring: **Los Banos Planning Division**

Monitoring Notes and Status:

-
2. Prior to approval of a building permit, the project proponent for any project that would require demolition of a building shall consult with the San Joaquin Valley Air Pollution Control District Asbestos Coordinator to determine the inspection and compliance requirements. Asbestos testing results showing no asbestos, or an asbestos abatement plan shall be submitted to the Building Division prior to issuance of permits.

Implementation Complete

Party Responsible for Implementation: **Applicant**

Party Responsible for Monitoring: **Los Banos Public Works Department**

Monitoring Notes and Status:

-
3. Subject to the review of the City of Los Banos Planning Department, if the project site has remained fallow and reverted to grassland vegetation, no more than 30 days prior to commencement of grading or construction activities on the project site, field surveys shall be conducted by a qualified biologist to determine if burrowing owls are present in the construction zone or within 200 feet of the construction zone. Areas within 200 feet of the construction zone that are not within the control of the applicant shall be visually assessed from the project site. These surveys shall be required only if any construction would occur during the nesting and/or breeding season of burrowing owls (February 1 through August 31) and/or during the winter residency period (December 1 through January 31). If active nests are found in the survey area, a burrowing owl habitat mitigation plan shall be submitted to the California Department of Fish and Game for review and approval. The burrowing owl habitat mitigation plan shall contain mitigation measures contained in the California Department of Fish and Game Staff Report on Burrowing Owl Mitigation (California Department of Fish and Game 1995). Compliance with this mitigation measure may include, but not be limited to, the following:

- Avoidance of occupied burrows during the nesting season (February 1 through August 31);
- Acquisition, protection and funding for long-term management and monitoring of foraging habitat adjacent to occupied habitat;
- Enhancement of existing burrows and/or creation of new burrows; and
- Passive relocation of burrowing owls.

Implementation Complete

Party Responsible for Implementation: **Applicant**

Party Responsible for Monitoring: **Los Banos Planning Division (in cooperation with United States Fish and Wildlife Service)**

Monitoring Notes and Status:

6. The project proponent shall submit a Notice of Intent (NOI) and detailed engineering designs to the Regional Water Quality Control Board to obtain a National Pollution Discharge Elimination System (NPDES) General Construction permit prior to any grading or construction activities. This permit shall require development and implementation of a Storm Water Pollution Prevention Plan that uses storm water “Best Management Practices” to control runoff, erosion and sedimentation from the site. The Storm Water Pollution Prevention Program is subject to review and approval by the Regional Water Quality Control Board.

Implementation Complete

Party Responsible for Implementation: **Applicant**

Party Responsible for Monitoring: **Los Banos Planning Division**

Monitoring Notes and Status:

-END-

RESOLUTION NO. 2018-29

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS BANOS APPROVING VESTING TENTATIVE TRACT MAP #2018-03 FOR THE SHAUNESSY VILLAGE SUBDIVISION TO SUBDIVIDE APPROXIMATELY 31.9 ACRES INTO 151 LOW AND MEDIUM DENSITY RESIDENTIAL LOTS GENERALLY LOCATED EAST OF MERCEY SPRINGS ROAD AND 370 FEET NORTH OF SCRIPPS DRIVE; MORE SPECIFICALLY IDENTIFIED AS ASSESSOR'S PARCEL NUMBERS: 083-100-005 AND 083-100-006

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 Low Density Residential pursuant to the Los Banos General Plan and is zoned Low Density Residential (R-1) and Medium Density Residential (R-2) by the Los Banos Zoning Map; and

WHEREAS, pursuant to CEQA, the CEQA Guidelines, and the City of Los Banos Environmental Quality Guidelines, the Shaunessy Village Vesting Tentative Tract Map #2018-03 was evaluated in the addendum together with the previously adopted Mitigated Negative Declaration (SCH #2005071027); and

WHEREAS, Vesting Tentative Tract Map #2018-03 was reviewed by the Project Review Board on October 16, 2018 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 October 24 2018, 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 October 12 2018, to consider and take testimony regarding the Shaunessy Village Tentative Tract Map #2018-03; and

WHEREAS, at the October 24, 2018, Planning Commission meeting the Los Banos Planning Commission, heard and considered testimony, if any, of all persons desiring to be heard; reviewed Vesting Tentative Tract Map 2018-03 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 Vesting Tentative Tract Map

criteria established in Title 9, Chapter 2, Article 15 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 #2018-03 for the Shaunessy Village Subdivision to subdivide approximately 31.9 acres into 151 Low Density and Medium Density Residential lots generally located east of Mercey Springs Road and 370 feet north of Scripps Drive; more specifically identified as Assessor's Parcel Numbers: 083-100-005 and 083-100-006

The foregoing Resolution was introduced at a regular meeting of the Planning Commission of the City of Los Banos held on the 24th day of October 2018, by _____, who moved its adoption, which motion was duly seconded by _____, and the Resolution recommended for approval by the following vote:

AYES:

NOES:

ABSENT:

APPROVED:

John Cates, Planning Commission Chairperson

ATTEST:

Sandra Benetti, Planning Commission Secretary

EXHIBIT A

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS FOR VESTING TENTATIVE TRACT MAP #2018-03 – SHAUNESSY VILLAGE

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, the Shaunessy Village Vesting Tentative Tract Map #2018-03 was evaluated in the addendum together with the previously adopted Mitigated Negative Declaration (SCH #2005071027).
2. Vesting Tentative Tract Map #2018-03 was adequately noticed and circulated for public review and comment on October 12, 2018 for consideration at a public meeting on October 24, 2018, in which no comments were received.
3. No further environmental documentation is required as the vesting tentative tract map was contemplated and adequately analyzed in the addendum and Mitigated Negative Declaration (SCH #2005071027).
4. Prior to considering the proposed project, the planning commission considered the addendum to Mitigated Negative Declaration (SCH #2005071027).

EXHIBIT B

FINDINGS FOR APPROVAL OF VESTING TENTATIVE TRACT MAP #2018-03 – SHAUNESSY VILLAGE

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

1. The proposal is consistent with the Los Banos General Plan and Zoning Ordinance.

The project and its improvements are compatible with the objectives, policies, land uses, and programs specified in the General Plan.

The map and improvements conform to the zoning district. Single-Family Residential dwelling units are permitted in the underlying zoning district per the text of the Zoning Code.

2. 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.

The project meets all applicable City standards pertaining to public health, safety, and welfare (e.g., standards pertaining to public utilities and services, public road design and traffic safety, fire hazards and noise hazards). All public safety measures are addressed through the design and conditions of approval of the Vesting Tentative Tract Map. The street design is satisfactory to the Los Banos Fire Department and City Engineer. The homes will be equipped with automatic residential fire sprinklers and will be required to meet the requirements of the California Building Code, Fire Code, and other applicable City codes and/or requirements. The site is free from toxic or hazardous materials and no earthquake, landslide, flooding, or other natural hazards exist at this site. The proposed single-family residential lots 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. The proposed subdivision design, lot sizes, lot configurations, and proposed infrastructure improvements are adequate to accommodate the density and intensity of the development proposed.

3. The project site is physically suitable for residential development and density.

The property is not in a flood zone or earthquake fault zone. Project construction would involve minimal site grading and alteration of existing topography. Thus, the project site is physically suitable for the proposed development. The proposed density is approximately 4.33 units per acre for the Low Density Residential portion of the project and 6.35 units per acre for the Medium Density Residential section.

4. The design of the subdivision or its related improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.

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.

5. The design of the subdivision and improvements covered by the proposed vesting tentative subdivision map will not cause substantial environmental damage and avoidably injure fish and/or wildlife or their habitat.

As part of the environmental assessment, the City found no potential for significant environmental effects. The project site does not include any rare, threatened or sensitive plants or wildlife. No creeks, wetlands, water bodies or mapped environmentally sensitive habitat are located on the project site. Conditions of Approval include conditions that require best management practices to be incorporated before and during construction to minimize impacts to groundwater and surface water quality.

6. The discharge of waste from the proposed subdivision would not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board (RWQCB).

Future residential development would not result in the discharge of waste from the project site in violation of existing requirements prescribed by the local RWQCB. Sewer capacity is available for this subdivision. The project would not discharge any waste other than domestic sewage and all sewage would be discharged into the City's sanitary sewer system for ultimate treatment. Storm water runoff would be collected and conveyed through the City's storm water basin retention system in accordance with the City's Storm Drain Master Plan.

7. The restriction on approving a tentative subdivision map on land covered by a land conservation contract entered into pursuant to the California Land Conservation Act of 1965 (Williamson Act) is not applicable.

The site is not covered by a land conservation contract, including a Williamson Act contract.

8. The design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities.

There is sufficient northern, southern, eastern, and western exposure to allow for passive heating or cooling systems to be provided on the site. Future homes on the proposed lots could be designed, oriented and set apart from one another in order to incorporate passive heating and cooling opportunities. The homes in the project will comply with the City's residential Green Building Ordinance, which requires that

each home achieve a “Green Home” rating on the “Single-Family Green Building Rating System.”

EXHIBIT C

CONDITIONS OF APPROVAL FOR VESTING TENTATIVE TRACT MAP #2018-03– SHAUNESSY VILLAGE SUBDIVISION

General

1. The applicant shall submit a revised Vesting Tentative Tract Map to the Community and Economic Development Department reflecting any modifications, additions, and/or conditions of approval, within 30 days from Planning Commission approval. If necessary, the revised Vesting Tentative Tract Map shall be reviewed by the City Engineer and the Community and Economic Development Director and signed by the Community and Economic Development Director for purposes of providing a clear record of the approved Vesting Tentative Tract Map.
2. Prior to the 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 approval of any Final Map, the Developer shall form or annex the subject property to a Lighting and Landscaping District created for 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 2 of Division 15 of the California Streets and Highways Code, and Article XIID of the California Constitution. The form, terms and conditions and the tax rate for the formation of the Lighting and Landscaping 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. It is the intent of the parties that the assessment of the subject property will be apportioned to each parcel in proportion to the special benefit it receives. District formation or annexation shall be at the sole cost of the developer.
4. Prior to recordation of a Final Map, certification shall be obtained by the Local Agency Formation Commission (LAFCO) that the property has been detached from the Central California Irrigation District (CCID) at the sole expense of the developer/property owner.

5. 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 ordinance or resolutions in effect at the time of the Developer's request for the issuance of a building permit and/or as included in the Subdivision Improvement Agreement.
6. Approval and life of the Vesting Tentative Tract Map shall be as set forth in the Los Banos Municipal Code.
7. All development shall be consistent with the Vesting Tentative Tract Map #2018-03 reflecting any amendments added during approval.
8. The Final Map(s) shall be in substantial compliance with the approved Vesting Tentative Tract Map, including any changes set forth in the conditions of approval.
9. 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.
10. 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.
11. 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.
12. A Final Map Guarantee shall be prepared and provided to the County Recorder.
13. 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.
14. Developer shall include a Public Utility Easement of ten (10) feet along all road frontages.
15. 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.
16. Building Master Plans shall be approved by the Community and Economic Development Department and Building Department prior to issuance of

the first building permit and the architecture shall be consistent with the Design Review approval of the Planning Commission.

17. Improvement Plans shall be submitted to the City for approval prior to/or concurrent with the application for each final map and the following note shall be required: "The Contractor is responsible for protecting and preserving survey monuments and other survey markers. Any survey monuments damaged as a direct or indirect 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."
18. Improvement Plans shall include a street signage and striping plan to be approved by the Public Works Director/City Engineer.
19. On-site improvements may be constructed prior to the recording of the final map subject to City approval of Improvement Plans and payment of applicable plan check and inspection fees, and satisfaction of all construction conditions of approval.
20. 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.
21. The project is subject to the appropriate Development Impact Fees as established by the City.
22. Private property owners shall be responsible for the maintenance of sound walls and decorative masonry walls located on private property.
23. The applicant shall obtain City approval in advance for permanent and temporary 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.
24. It is the applicant's responsibility to ensure that the development complies with the Americans with Disabilities Act requirements.
25. It shall be the responsibility of the applicant to convey copies of the conditions of approval to all contractors and sub-contractors.

26. Building permits will be issued in accordance with City Subdivision Policy that identifies the improvements required in order for a building permit to be issued.
27. 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.
28. All structures, foundations, and footings for future buildings on the project site shall be designed and constructed to conform with the current Uniform Building Code for Seismic Zone 4 to minimize structural damage resulting from potential seismic activity.
29. 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 Los Banos City Engineer.
30. 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 Development Department.
31. Improvement Plans and Grading Plans shall delineate the location and design of all required walls and fences including retaining walls.
32. Improvement Plans shall include mailbox locations, which must be approved by the US Postmaster and the City of Los Banos.
33. Undeveloped portions of the subdivision shall be controlled of weeds and free of debris and litter.
34. 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.
35. 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 Planning Division:

“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.”

36. 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.”

36. 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-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.
37. 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.

38. This approval is conditioned upon and shall be effective upon payment in full of all outstanding invoices pursuant to the Cost Recovery Contract.

Pre-Construction and Construction

39. 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 City of Los Banos Community and Economic Development Department.

40. Two points of all-weather access shall be provided to all areas of the development during all phases of construction to the satisfaction of the Fire Department in areas where residential units are under construction.

41. 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 the Community and Economic Development Director approval in accordance with Title 9, Chapter 3, Article 38, Temporary Use Ordinance of the Los Banos Municipal Code.

42. During construction, and for safety purposes, the developer and assigned contractors shall keep the public right-of-way clear of obstructions, and provide for clean up on a daily basis.

43. Prior to issuance of grading permits, the grading plans 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.”

44. Prior to acceptance of public improvements, all entries to the subdivision shall be barricaded to prevent the public from entering the construction site.
45. Undeveloped portions of development sites 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.
46. All contractors and subcontractors 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.
47. 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.
48. 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.
49. 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.
50. 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. Silt fencing installed in accordance with the American Society for Testing and Materials standard D6462.
 - d. Adhere to construction schedules designed to avoid periods of heavy precipitation or high winds;
 - e. Ensure that all exposed soil is provided with temporary drainage and

soil protection when construction activity is shut down during the winter periods;

- f. 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;
- g. Compliance with National Pollution Discharge Elimination System (NPDES) permits administered by the California Regional Water Quality Control Board; and
- h. Development of a plan to employ best management practices that reduce the level of pollutants discharged into natural waterways and wetlands.

51. Silt fencing shall be installed in accordance with American Society for Testing and Materials Standard D6462.

52. 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.

53. Restricted access rights shall be irrevocably offered for dedication to the City along the rear edge of private property where properties back onto streets, and shall be shown on final maps.

54. 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.

Air Quality:

55. Housing units shall be oriented to maximize passive solar cooling and heating when practicable.

56. Gas fired appliances shall be low NOx emitting appliances complying with California NOx Emission Rule #1121.

57. The developer shall comply with all applicable Indirect Source Rule requirements of the San Joaquin Valley Air Pollution Control District. Developer shall prepare an air emissions reduction if required.

Access and Circulation:

58. All street traffic impact fee reimbursements shall be per the Transportation Impact Fee program (TIF).

59. Half-street sections will not be permitted in the construction of VTTM #2018-03.
60. 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.
61. The developer shall be responsible for constructing public streets per the Vesting Tentative Tract Map including, but not limited to curb, gutter and sidewalk, decorative masonry wall, and landscaping where noted. Improvements to arterials and collector streets shall be completed prior to occupancy of any use within the project boundaries, and improvements to neighborhood streets shall be complete prior to occupancy of any house that requires the street for access.
62. All street signage and striping within the project area shall be approved by the Public Works Department and shall meet all line-of-sight requirements.
63. 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 and/or Caltrans standards.
64. Final Map(s) shall show a non-access strip 12 inches in width on private property along the frontage of arterial and collector streets, except at driveways, for the purpose of constructing sound walls and decorative masonry walls.
65. The developer shall be responsible for obtaining encroachment permits from the City of Los Banos prior to performing any work within the City's right-of-way.
66. The developer shall design and install traffic calming measures throughout the project area as approved by the City Engineer.
67. Traffic calming measures may include, but are not limited to, raised intersections, speed cushions, stop signs, varied cross sections, and roundabouts.

Utilities:

68. The applicant shall construct water, sewer, and storm drainage facilities as noted on the Vesting Tentative Tract Map, in accordance with City standards. The project shall comply with the current City Plans, Standards, and Specifications, all Master Plan requirements, and the applicant shall work with the Public Works Department in regards to needed infrastructure and development during the Improvement Plan Review stage.

69. 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.
70. In conformance with the Subdivision Map Act, the developer shall permit installation of underground cable television delivery systems within public utility easements. All dwellings shall be made cable ready.
71. Prior to approval of Improvement Plans or Final Maps, the developer shall obtain any necessary easements for utilities across adjoining properties and signatures from the Irrigation District or other public agencies for relocated facilities.
72. All existing overhead utilities shall be placed underground with the exception of high voltage power lines. No new overhead utility lines and equipment shall be shown on Improvement Plans and Grading Plans.
73. 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.

Water:

74. The proposed project shall conform to the requirements of the Los Banos Water Master Plan, including payment of the water connection impact fee.
75. Approved backflow devices shall be installed as required.
76. Domestic water services shall not be placed in driveways.

Sewer:

77. The developer shall construct all on-site and off-site sewer facilities necessary to serve the project, subject to reimbursement for over-sizing, as determined by the City.
78. Prior to submission of improvement plans for the first phase of development, a Master Sewer Plan for the development shall be submitted, reviewed, and approved by the Public Works Director/City Engineer.

Storm Drainage:

79. Final Improvement Plans for the storm drainage system shall utilize the TR-55 analysis method.

80. Prior to acceptance of Final Improvement Plans, the applicant shall submit verification from the manufacturer that the pump station capacity is adequate for full basin to shut-off operational conditions.
81. All development shall comply with the Phase II storm water regulations and the City's MS4 Storm Water Permit.
82. Final Improvement Plans for the storm drainage system shall be submitted to the City and reviewed and approved by the City Engineer prior to issuance of a grading permit.
83. 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.

Public Safety:

84. Fire department requirements for the placement of fire hydrants shall be complete prior to approval of development permits.
85. Fire hydrants shall be installed at locations approved during the Improvement Plan stage and shall be installed based upon City standards.
86. The developer, as specified by City development standards, shall install "Blue Dot" fire hydrant locators.
87. Each residence shall have a 6-inch lighted address numbers of contrasting color installed on the front elevations or alternative size as agreed to by developer and Fire Chief.
88. 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.
89. Fire hydrants (or other methods approved by the Fire Chief) shall be in place and functioning prior to approval of the first residential building permit. Fire hydrants (or other methods approved by the Fire Chief) shall be operational to the satisfaction of the Fire Chief prior to combustible material being located on the site.
90. No combustible materials shall be on-site prior to the approval of the Fire Department.
91. 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.

92. Street names shall be approved by the Fire Department.
93. Paved surface streets shall be a minimum of 32-foot curb-to-curb.
94. Minimum water lines shall be 8-inch.
95. Driveways, parking lots, water lines, fire hydrants, and underground utilities shall be completed prior to issuance of building permits.
96. 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).

Public Works

97. All improvements shall conform to the latest addition of the Los Banos Municipal Code and the Standards and Specifications.
98. All existing groundwater wells within the map boundary shall be abandoned to Merced County standards. The City will require copies of the well destruction permits.
99. Streetlights are to be installed per City Standards. They shall be "Cobra" style with LED lights. The streetlights shall meet the illumination standards in the City Street Light standards.
100. Streets shall be designed per the City's Improvement Standards and Specifications. The following Traffic Index's shall be used: cul-de-sac, 4.0; local streets, 5.0.
101. Prior to recordation of the Final Map, a Subdivision Improvement Agreement shall be signed between the Developer and the City. The Agreement shall outline fees, performance dates, bonding and insurance requirements, and other pertinent requirements of the project.
102. An Improvement Plan, reviewed and approved for conformance by the Public Works Director/City Engineer, shall be designed and approved before the Final Map is recorded.
103. Prior to the approval of the Improvement Plans, the street sections for all streets shall be approved by the Public Works Director/City Engineer.
104. Curb returns shall be done per City of Los Banos Standards and Specifications.
105. The Vesting Tentative Map shall remove City Engineer's Certificate.

106. Traffic calming measures shall be incorporated at all four (4) main intersections including other areas.
107. Traffic calming measure shall include but not be limited to speed cushions as approved by the City. These traffic calming measures shall be part of the signage and striping plan.
108. The Vesting Tentative Tract Map shall show the retention basin's outlet and pump station.
109. The applicant shall provide stubs for future utility connections for the following APNs; 083-100-007, 083-100-008 and 083-100-009.
110. Radcliff Avenue shall be built out completely to City Standard curb and gutter on the non-development side.

Landscaping:

111. All residential lots shall have fully landscaped front yards prior to occupancy of each dwelling. Front yard landscape plans shall be submitted with the development Master Plans prior to building permit issuance and shall be approved by the Public Works Director/City Engineer and Community and Economic Development Director.
112. Draught tolerant planting may replace front yard turf as approved by the Community and Economic Development Department and Public Works Department.
113. The developer shall comply with the adopted street tree ordinance.
114. Masonry walls shall be landscaped with vines to discourage graffiti.
115. The applicant shall submit landscape and irrigation plans with each phase of the improvement plans for City review and approval of streetscape landscaping.
116. Landscape plans for single-family residences 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.
117. Landscape plans shall emphasize deciduous shade tree plantings to the south and west of buildings.
118. 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/City Engineer.

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.

119. Landscape plans shall be designed in accordance with Title 9, Chapter 6, Water Efficient Landscape Ordinance of the Los Banos Municipal Code.

Architecture

120. All development shall conform to the City's applicable design guidelines and standards.
121. 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.
122. Development of the project is subject to approval by the Design Review Committee prior to issuance of any building permits.

Fencing:

123. Where the project boundary abuts existing good-neighbor residential fences, the Developer shall replace with new fences in accordance with the requirements of the Los Banos Municipal Code.
124. The developer shall install a decorative masonry wall along the entire eastern property line.

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

SHAUNESSY VILLAGE RESIDENTIAL SUBDIVISION

TENTATIVE SUBDIVISION MAP

LOS BANOS, CALIFORNIA



REVISIONS	DATE	APPROVED	DESCRIPTION

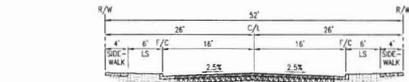
COVER SHEET
 TENTATIVE SUBDIVISION MAP
SHAUNESSY VILLAGE SUBDIVISION
 LOS BANOS, CALIFORNIA

Northstar
 Engineering Group, Inc.
 1825 INDEPENDENCE • SUITE 100 • LOS BANOS, CA 93835
 (209) 524-2525 • FAX (209) 524-2527

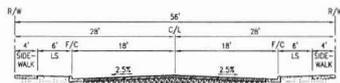
JOB # 18-2118
 DATE 07/17/2018
 SCALE AS SHOWN
 DRAWN: JH/DT
 CHECKED: JH/DT
 CHK'G: JPD

SHEET NUMBER

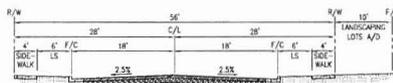
TM1.1



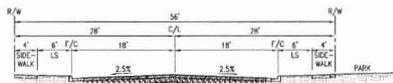
A LOCAL STREET 52' R/W
TYPICAL INTERNAL ROADS
N.T.S.



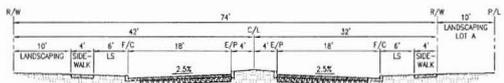
B LOCAL STREET 56' R/W
INTERNAL COLLECTOR ROADS
N.T.S.



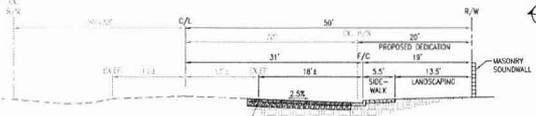
C LOCAL STREET 56' R/W
AT LANDSCAPED LOTS
N.T.S.



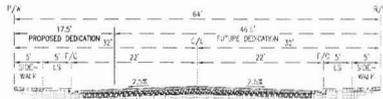
D LOCAL STREET 56' R/W
AT PARK
N.T.S.



E ENTRY STREET 74' R/W
N.T.S.

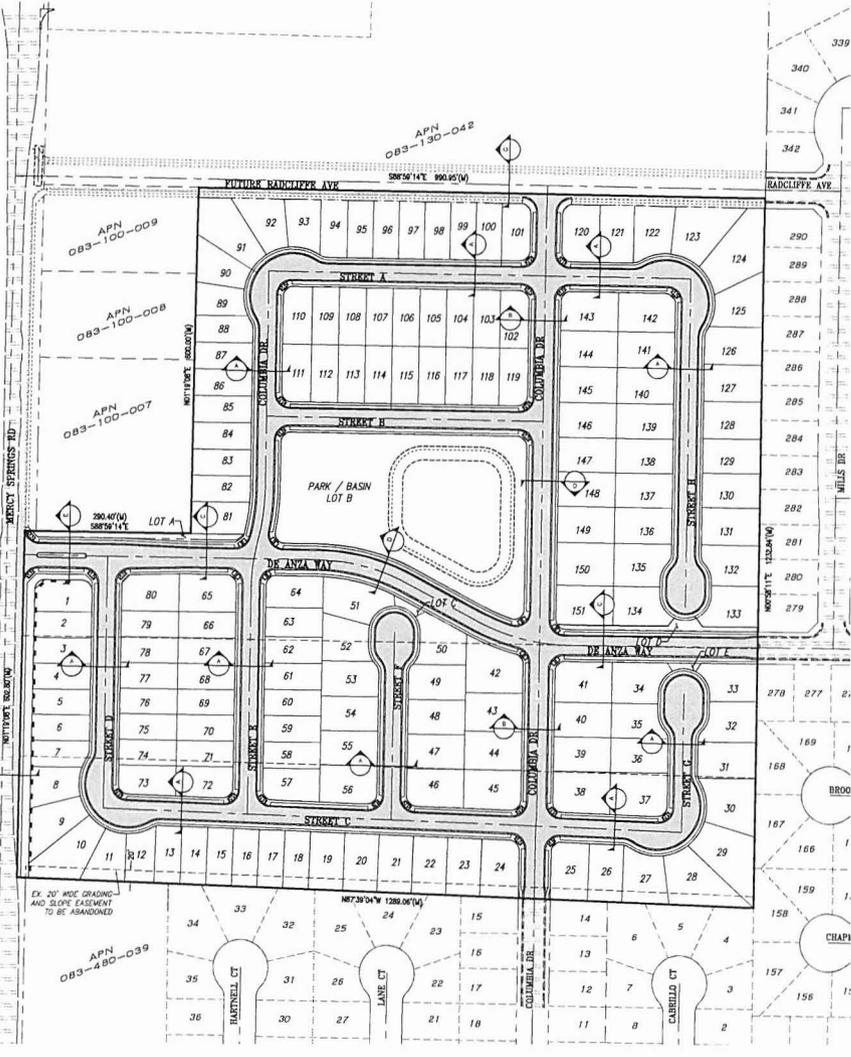


F MERCY SPRINGS ROAD 100' R/W
N.T.S.



G FUTURE RADCLIFFE AVENUE 64' R/W
N.T.S.

BENCH MARK INFORMATION
3 1/2" BRASS BENCHMARK IN REAR WALL AT SOUTH END, AT SOUTHWEST CORNER OF MERCY SPRINGS ROAD AND PIONEER ROAD.



SHEET INDEX

- 1 TM1.1 COVER SHEET
- 2 TM2.1 DIMENSION PLAN
- 3 TM3.1 UTILITY PLAN

PROJECT INFORMATION

- A. REGULATORY AGENCY: CITY OF LOS BANOS
500 J STREET
LOS BANOS, CA 93835
T: (209) 827-7000
CONTACT: PLANNING DEPARTMENT
- B. OWNER: BLUEWIRE FINANCIAL, LLC
923 E. FRANCES BLVD., SUITE C
LOS BANOS, CA 93835
T: (209) 828-6200
CONTACT: GREG HOSTETLER
- C. APPLICANT: STONEFIELD HOMES, INC.
923 E. FRANCES BLVD., SUITE C
LOS BANOS, CA 93835
T: (209) 828-6200
CONTACT: GREG HOSTETLER
- D. ENGINEER: NORTHSTAR ENGINEERING GROUP, INC.
620 12th STREET
WOODRIDGE, CA 93854
T: (209) 524-2525
CONTACT: TONY DE WEG, P.E.
- E. EXISTING LAND USE: VACANT LAND
- F. PROPOSED LAND USE: SINGLE FAMILY HOMES
- G. EXISTING ZONING/CP: R-1 AND R-2/ LOW DENSITY RESIDENTIAL
- H. PROPOSED ZONING/CP: R-1 AND R-2/ LOW DENSITY RESIDENTIAL
- I. TOTAL PROJECT SIZE: 31.98 ACRES (R-1 = 16.16 AC / R-2 = 12.75 AC)
- J. TOTAL NUMBER OF LOTS: 151
- K. R-1 DENSITY: 4.33 DU/AC
- L. R-2 DENSITY: 6.35 DU/AC
- M. CONTOURS: 1.0-FOOT INTERVALS
- N. RETURNS: PER CITY OF LOS BANOS STANDARDS
- O. UTILITIES:
 - WATER SYSTEM - CITY OF LOS BANOS
 - SEWER SYSTEM - CITY OF LOS BANOS
 - STORM DRAINAGE - CITY OF LOS BANOS
 - GAS - GAS
 - ELECTRIC - PG&E
 - TELEPHONE - A&T
 - SCHOOL DISTRICT - LOS BANOS UNIFIED SCHOOL DISTRICT

GENERAL NOTES

1. ALL IMPROVEMENTS SHALL BE CONSTRUCTED AS PER THE CITY OF LOS BANOS STANDARD PLANS AND SPECIFICATIONS EXCEPT AS NOTED.
2. STORM DRAINAGE TO BE CONVEYED TO ON-SITE STORM DRAINAGE RETENTION BASIN. ALL IMPROVEMENTS TO BE CONSTRUCTED TO THE CITY OF LOS BANOS STANDARDS.
3. ALL STORM DRAINAGE IMPROVEMENTS AS PART OF FUTURE IMPROVEMENTS PLANS AND STUDIES SHALL CONFORM TO THE REQUIREMENTS SET FORTH IN NATURAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT 2011-0001 (DMS) AND THE WASTE AGENCY POST-CONSTRUCTION STORMWATER STANDARDS MANUAL APPROVED OR ADOPTED PRIOR TO THE DATE OF THIS TENTATIVE MAP APPLICATION BEING DEEMED COMPLETE.
4. SANITARY SEWER TO BE CONSTRUCTED TO THE CITY OF LOS BANOS STANDARDS AND SPECIFICATIONS.
5. WATER SYSTEM TO BE CONSTRUCTED TO THE CITY OF LOS BANOS STANDARDS AND SPECIFICATIONS.
6. STREET LIGHTING SHALL BE INSTALLED PER CITY OF LOS BANOS STANDARD SPECIFICATIONS.
7. PUBLIC UTILITIES ARE TO BE INSTALLED UNDER GROUND IN EASEMENTS.
8. THE SUBDIVIDER HEREBY RESERVES THE RIGHT TO FILE "AS-THE-REPRESENTED" MAP AS SET FORTH BY THE SUBDIVISION MAP ACT, ARTICLE 4, SECTION 18464.1, AND FILE PARCEL MAPS FOR REASON OF SALE. ALL PARCEL LINES SHALL CONFORM TO THIS TENTATIVE MAP.
9. PUBLIC UTILITY EASEMENTS WILL BE PROVIDED ALONG ALL STREET IN-TRACT FRONTAGES.
10. ALL EXISTING STRUCTURES AND TREES ARE TO BE REMOVED, SEPTIC TANKS, LEACH FIELDS, AND WELLS ON SITE WILL BE REMOVED OR ABANDONED AS PER CITY OF LOS BANOS REQUIREMENTS.
11. ALL LOT SETBACK REQUIREMENTS ARE TO BE IN ACCORDANCE WITH CITY OF LOS BANOS STANDARD SPECIFICATIONS.

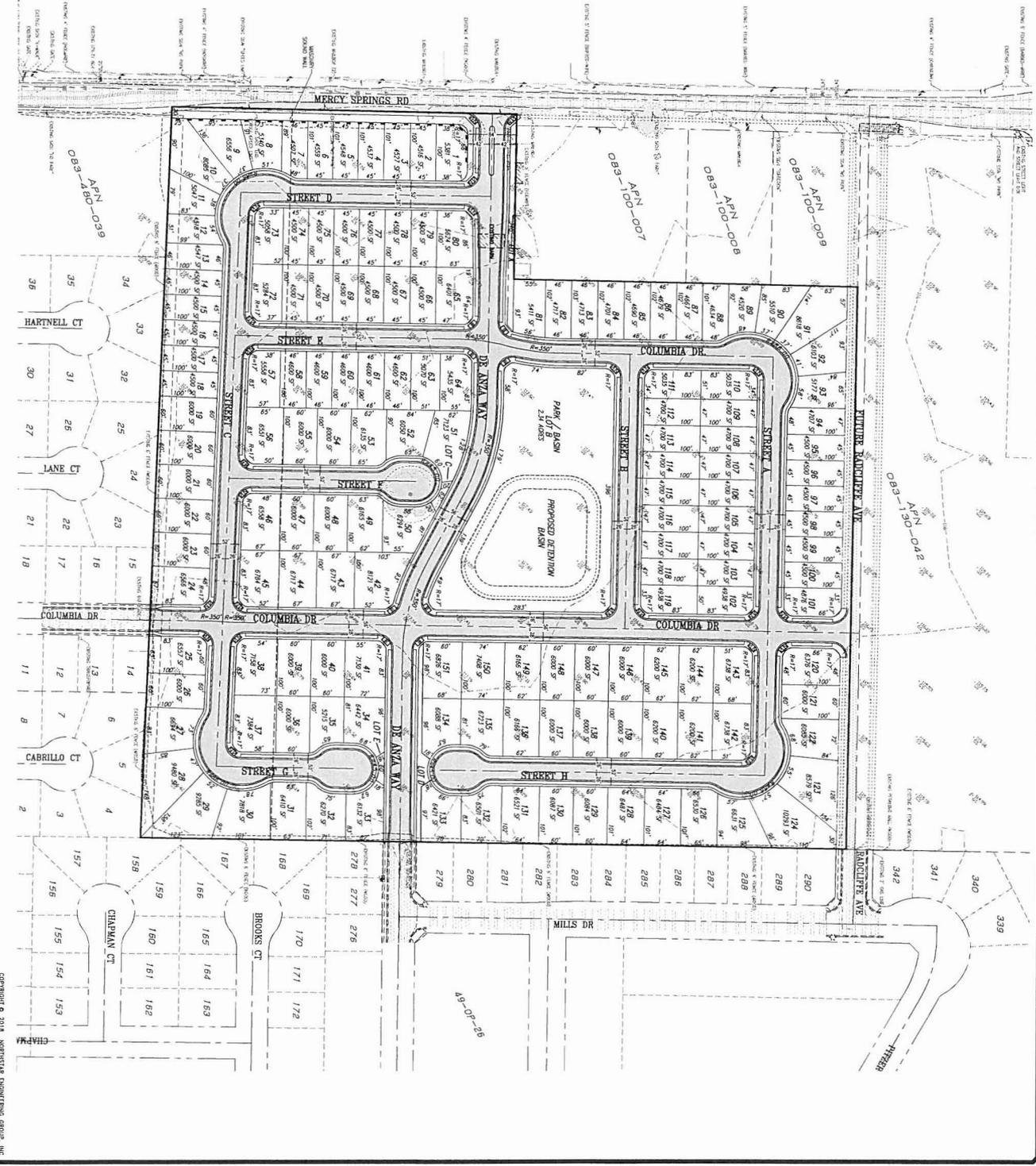
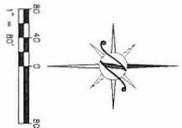
CITY ENGINEER'S CERTIFICATE

I HEREBY CERTIFY THAT THIS MAP HAS BEEN REVIEWED FOR COMPLIANCE WITH THE REQUIREMENTS OF THE CITY OF LOS BANOS MUNICIPAL CODE AND THE SUBDIVISION MAP ACT AS TO FORM AND CONTENT.

CITY ENGINEER: _____ DATE: _____

COPYRIGHT © 2018, NORTHSTAR ENGINEERING GROUP, INC.

LEGEND	
EXISTING	PROPOSED
BOUNDARY LINE	BOUNDARY LINE
CENTRINE	CENTRINE
RIGHT-OF-WAY	RIGHT-OF-WAY
PARCEL LINE	PARCEL LINE
DIR. OF FLOW	DIR. OF FLOW
TECHNICAL SYMBOLS	TECHNICAL SYMBOLS
DIR. OF FLOW	DIR. OF FLOW
TECHNICAL SYMBOLS	TECHNICAL SYMBOLS
DIR. OF FLOW	DIR. OF FLOW
TECHNICAL SYMBOLS	TECHNICAL SYMBOLS



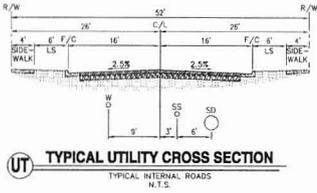
TM2.1
 SHEET NUMBER



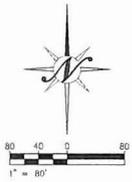
DIMENSION PLAN
 TENTATIVE SUBDIVISION MAP
 SHAUNESSY VILLAGE SUBDIVISION
 LOS BANOS, CALIFORNIA

NO.	REVISIONS	DATE	APPROVED





UT TYPICAL UTILITY CROSS SECTION
TYPICAL INTERNAL ROADS
N.T.S.



LEGEND

	EXISTING	PROPOSED
BOUNDARY LINE	---	---
CENTERLINE	---	---
RIGHT-OF-WAY	---	---
PARCEL LINE	---	---
CURB, GUTTER AND SIDEWALK	---	---
EDGE OF PAVEMENT	---	---
STORM DRAIN (MAN)	---	---
FORCE MAIN	---	---
DRAINAGE SWALE	---	---
STORM DRAIN MAINTENANCE HOLE	---	---
CURB INLET	---	---
WATER (POTABLE)	---	---
WATER VALVE	---	---
FIRE HYDRANT	---	---
SEWER MAINTENANCE HOLE	---	---
SEWER (MAN)	---	---
IRRIGATION LINE	---	N/A
IRRIGATION VALVE	---	---
IRRIGATION STRUCTURE	---	---
STREETLIGHT	---	---



NO.	REVISIONS	DATE	APPROVED
	DESCRIPTION		

UTILITY PLAN
TENTATIVE SUBDIVISION MAP
SHAUNESSY VILLAGE SUBDIVISION
LOS BANOS, CALIFORNIA



JOB #: 18-218
DATE: 6/14/2018
SCALE: AS SHOWN
DRAWN: PWT/61
CHECKED: HAD
SHEET NUMBER

TM2.2



City of
Los Banos
At the Crossroads of California

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT

Date: October 12, 2018

Re: Notice of Public Hearing

Proposal: Shaunessy Village Subdivision Vesting Tentative Tract Map #2018-03

NOTICE IS HEREBY GIVEN THAT a Public Hearing will be held by the Los Banos Planning Commission to consider an addendum to Mitigated Negative Declaration (SCH # 2005071027) and Vesting Tentative Tract Map #2018-03 for Shaunessy Village. The proposed project consists of the subdivision of approximately 39.1 acres into 151 low-density and medium density single-family residential lots. The project site is located on the east of Mercey Springs Road and 370 feet north of Scripps Drive; more specifically identified as Assessor's Parcel Numbers: 083-100-005 & 083-100-006.

A PUBLIC HEARING on this matter will be held at the next scheduled meeting of the Planning Commission on Wednesday, October 24, 2018 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 Rudy Luquin, Associate Planner at City Hall or at (209) 827-7000, Ext. 114.

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 Project 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 the 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

Rudy Luquin
Associate Planner