

**CITY OF LOS BANOS
PLANNING COMMISSION REGULAR MEETING MINUTES
OCTOBER 24, 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 Spada.

ROLL CALL – MEMBERS OF THE PLANNING COMMISSION PRESENT: Planning Commission Members John Cates, Brett Jones, Palmer McCoy, and Tom Spada; David Dees and Susan Toscano absent.

STAFF MEMBERS PRESENT: Community & Economic Development Director Elms, Associate Planner Rudy Luquin, and Deputy City Clerk Sara Blevins.

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

CONSIDERATION OF APPROVAL OF THE ACTION MINUTES FOR THE REGULAR PLANNING COMMISSION MEETING OF OCTOBER 10, 2018. Motion by Spada, seconded by McCoy to approve the minutes as submitted. The motion carried by the affirmative action of all Planning Commission Members present; Dees and Toscano 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 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.

Associate Planner Luquin presented the staff report, which included a PowerPoint presentation, and noted that staff made changes to the staff report and resolutions and has distributed those changes to the Planning Commission.

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

There was discussion between the Commissioners and staff regarding the masonry wall condition, the process relating to conditions added by the Project Review Board, and how and when applicants are made aware of changes.

Community & Economic Development Director Elms spoke of how the intent of the Design Review Study Session is to provide feedback to the applicant early on, how it's a preliminary stage, how the Project Review Board reviews projects at a more final stage, and how the Planning Commission's decision tonight involves going thru the Conditions of Approval to determine if they are reasonable.

Chairperson Cates reopened the Public Hearing. Bryce Howard, applicant, stated that he was not aware of the addition of a Condition of Approval regarding the masonry wall. Associate Planner Luquin responded that he sent an email to the applicant letting him know to review the staff report and let him know if he had any questions and reminded the applicant that he still has an opportunity to speak regarding his concerns during this public hearing. Bryce Howard, applicant, spoke to his concerns regarding costs associated with the addition of the masonry wall, questioned the necessity of that masonry wall since he owns the adjacent property in which he plans on using for expansion, spoke of how he raised funding for the parking lot, landscaping, and lighting and was going to build this project in stages. Community & Economic Development Director Elms spoke of this being within the purview of the Planning Commission to modify the language of the Conditions of Approval if they so choose. Commissioner Jones spoke of how he would like to work with the applicant and his budget to determine the right path moving forward and suggested putting in sections of the walls by phase. Chairperson Cates spoke of how the apartment complex to the south has a buffer between the properties and his hopes that we can come up with a compromise. Commissioner Jones suggested restricted open hours until the wall is built in order to eliminate some security concern. Commissioner Spada spoke of how he feels it would be most important for the wall to be put at least at the southern property line adjacent to the apartments. Commissioner McCoy suggested to build the building parallel to H Street first and prior to finishing the second building then install the wall at the southern property line, spoke of how he doesn't agree to requiring the wall at the western property line, and how the wall at the eastern property line should be contingent on finishing the rest of the buildings and if he doesn't expand within a certain time frame.

Kathy Ballard, Los Banos, suggested including wording in the Conditions of Approval to allow the applicant to develop in phases and allow him to rent out the finished structures prior to the wall being installed.

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

There was further discussion between the Commissioners and Staff regarding how the build-out phases will work in relation to permits and the order in which the phases will be done. The Commissioners requested that the lighting on the property be LED lighting. An issue regarding fire concerns arose and that changed the Commissioner's opinions about the walls. They suggested the buildings be made of metal otherwise the walls will have to be done to avoid fire hazards. The applicant stated he cannot do the wall as it will be too expensive so he may have to take another approach to the project.

Motion by McCoy, seconded by Spada to adopt 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 with the revision to Condition of Approval #16 to state that the applicant shall install a concrete masonry wall on the southern property line prior to occupancy of any second building; the masonry wall on the eastern property line shall be required to be constructed within one (1) year if the applicant does not submit plans for expansion within five (5) years from the final of the last building; the construction of Building A shall require a masonry wall prior to occupancy of this storage unit; and addition of a condition that all outdoor lighting shall be LED. The motion carried by the affirmative action of all Planning Commission Members present; Dees and Toscano absent.

Motion by McCoy, seconded by Spada to adopt 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 with the revision to add a Condition of Approval to state that the applicant shall install a concrete masonry wall on the southern property line prior to occupancy of any second building; the masonry wall on the eastern property line shall be required to be constructed within one (1) year if the applicant does not submit plans for expansion within five (5) years from the final of the last building; the construction of Building A shall require a masonry wall prior to occupancy of this storage unit; and addition of a condition that all outdoor lighting shall be LED. The motion carried by the affirmative action of all Planning Commission Members present; Dees and Toscano absent.

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 MERCY SPRINGS ROAD AND 370 FEET NORTH OF SCRIPPS DRIVE, MORE SPECIFICALLY IDENTIFIED AS ASSESSOR’S PARCEL NUMBERS: 083-100-005 & 083-100-006.

Associate Planner Luquin presented the staff report, which included a PowerPoint presentation. He also read a letter that was sent to the Planning Department regarding a request in relation to a masonry wall requirement.

There was discussion between the Commissioners and Staff regarding the street width within this new development.

Chairperson Cates opened the public hearing. Tony De Melo, North Star Engineering Group, stated that he appreciated the opportunity to work on this project and provided a brief history of how they took over the project at the end of 2017. He further noted a masonry wall as a condition that the developer would like to negotiate on but that it would be accepted if there was no way around it. Kathy Ballard, Los Banos, inquired as to certain street designs and about the grading of the ground for which Community & Economic Development Director Elms stated that the design of the streets is intended to minimize any traffic conflicts that could arise and make it more pedestrian friendly. The grading levels of the development would be comparable to existing properties. Walt Ballard, Los Banos, spoke to ground grading issues in the area and made an inquiry regarding a four way stop for which Community & Economic Development Director Elms stated that speed mitigation factors, such as speed cushions, will be put in place. Betsy Carter, Los Banos, stated that she owns property in the area and that her weakened fence will be backed up to the developing property and had concerns about it. Tony De Melo stated that all fencing will be replaced.

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

There was further discussion between the Commissioners and Staff regarding changes to the conditions and lot sizes.

Motion by Spada, seconded by McCoy to adopt 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. The motion carried by the affirmative action of all Planning Commission Members present; Dees and Toscano absent.

Motion by McCoy, seconded by Spada to adopt 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. The motion carried by the affirmative action of all Planning Commission Members present; Dees and Toscano absent.

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT REPORT.

Community & Economic Development Director Elms reported that today was a very exciting day for the Community & Economic Development Department as well as the City of Los Banos as a whole. The City hosted 50 delegates from South America who were touring places of agricultural innovation. They felt very at home here and were very impressed with the agricultural knowledge the community and City possessed. She noted that Planning Technician Benetti will be out for a couple of weeks and hopes she will be on the mend very soon.

PLANNING COMMISSION MEMBER REPORTS.

CATES: Chairperson Cates echoed the other comments made by the other commissioners.

DEES: Absent.

JONES: Commissioner Jones spoke to updating neighborhood standards and also spoke to items on tonight's agenda.

McCOY: Spoke to the work being done adjacent to Togo's and how it will be a Boot Barn, expressed his agreement with Commissioner Spada's comments earlier regarding how applicants should be notified of conditional changes made by the project review board.

SPADA: Commissioner Spada spoke to a semi-truck that has been parked in the Harbor Freight parking lot and how much of a mess it is causing. Staff is doing a great job at the work they are doing. He was surprised that the applicant from one of today's items did not read the packet that was provided to him regarding his project and suggests that applicants be made aware of changes the project review board makes.

TOSCANO: Absent.

ADJOURNMENT: The meeting was adjourned at the hour of 8:49 p.m.

APPROVED:

/s/ John Cates

John Cates, Planning Commission Chairperson

ATTEST:

/s/ Sandra Benetti

Sandra Benetti, Planning Technician