



City of Los Banos

At the Crossroads of California

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AGENDA

PLANNING COMMISSION

CITY HALL COUNCIL CHAMBERS
520 J Street
Los Banos, California

WEDNESDAY, MAY 8, 2019

If you require special assistance to attend or participate in this meeting, please call the Planning Secretary @ (209) 827-7000 ext. 2431 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 ext. 2431 a lo menos de 48 horas previas de la junta.

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

Any writings or documents provided to a majority of the Planning Commission regarding any item on this agenda will be made available for public inspection at the meeting and in the 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 Comisión 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 Departamento de Comunidad y Desarrollo Economico 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 __, Giuliani __, Higby __, Limon __, 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 APRIL 10, 2019

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) and Mobile Food Vendor Permit #2019-01 to Allow the Operation of a Mobile Food Vending Vehicle on Private Property for Eliseo Jarrillo dba Tacos La Bonita Located within the Highway-Commercial Zoning District at 140 West Pacheco Boulevard, More Specifically Identified as Assessor's Parcel Number: 027-154-019.

1) Planning Commission Resolution No. 2019-07 – Approving Mobile Food Vendor Permit #2019-01 for the Operation of a Mobile Food Vendor Unit on Private Commercial Property Located at 140 West Pacheco Boulevard, More Specifically Identified as Assessor's Parcel Number: 027-154-019.

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

B. Public Hearing – To Consider a Categorical Exemption from the California Environmental Quality Act (CEQA) Pursuant to Section 15301 (Existing Facilities) and Conditional Use Permit #2019-01 to Allow the Use of a Type 41 Alcohol License for the On-Sale of Beer and Wine in Conjunction with Bona-Fide Eating Establishment for Zafiro's Seafood and Grill Located at 650 I Street, More Specifically Identified as Assessor's Parcel Number: 025-201-009.

1) Planning Commission Resolution No. 2019-08 – 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 #2019-01 to the Los Banos City Council to Allow for the Sale of Alcohol Under a Type 41 On-Sale of Beer and Wine License for Zafiro's Seafood and Grill Located at 650 I Street, More Specifically Identified as Assessor's Parcel Number: 025-201-009.

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

8. DESIGN REVIEW STUDY SESSION – DEVELOPMENT OF AN 1,800 SQUARE FOOT COMMERCIAL BUILDING FOR A STANDALONE RESTAURANT FOR CRISOFORO HERNANDEZ LOCATED IN THE HIGHWAY-COMMERCIAL ZONING DISTRICT AT 1419 PLACE ROAD, MORE SPECIFICALLY IDENTIFIED AS ASSESSOR’S PARCEL NUMBER: 083-130-030.

Recommendation: Receive staff analysis and provide initial feedback to the applicant.

9. COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT REPORT

10. COMMISSIONER REPORTS

- A. Cates
- B. Dees
- C. Giuliani
- D. Higby
- E. Limon
- F. Spada
- G. Toscano

11. ADJOURNMENT.

- A. Adjourn to 6:00 p.m., Wednesday, May 22, 2019 at the Los Banos Community Center located at 645 Seventh Street, Los Banos, California to Conduct a Joint Study Session with the City Council Regarding Legislative Updates to the General Plan Update 2040.

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 3rd day of May 2019

**CITY OF LOS BANOS
PLANNING COMMISSION MEETING MINUTES
APRIL 10, 2019**

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 Higby.

ROLL CALL – MEMBERS OF THE PLANNING COMMISSION PRESENT: Planning Commission Members John Cates, David Dees, Mona Giuliani, Thomas Higby III, and Erik Limon; Tom Spada and Susan Toscano absent.

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

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

CONSIDERATION OF APPROVAL OF THE ACTION MINUTES FOR THE REGULAR PLANNING COMMISSION MEETING OF MARCH 27, 2019. Motion by Limon, seconded by Dees to approve the minutes as submitted. The motion carried by the affirmative action of all Planning Commission Members present; Spada 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. TED MEZA, Los Banos, asked to be placed on the agenda if he needs to speak again during this meeting.

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

PUBLIC HEARING – TO CONSIDER REVISIONS TO THE CONDITIONS OF APPROVAL FOR VESTING TENTATIVE TRACT MAP #2016-01 AND #2016-02 FOR THE VILLAS AND THE HILL SUBDIVISIONS WITHIN THE EAST CENTER AREA PLAN LOCATED EAST OF CENTER AVENUE, SOUTH OF BLUFF DRIVE, WEST

OF CRESTHILLS #2 SUBDIVISION AND NORTH OF THE CITY LIMIT LINE, MORE SPECIFICALLY IDENTIFIED AS ASSESSOR'S PARCEL NUMBERS: 431-270-010, 431-270-004, AND 431-270-005.

Community & Economic Development Director Elms presented the staff report, which included a PowerPoint presentation, described the background for this project, and noted the revisions proposed by the applicant.

Commissioner Giuliani inquired if the utility company is what is holding this up and not the developer.

Community & Economic Development Director Elms confirmed that the utility company cannot accommodate the construction timeline to move the utility lines.

Chairperson Cates opened the public hearing. ANDREW MEZA, Los Banos, spoke on the effect of this on his property which fronts Center Avenue, this is becoming a longer endeavor than they anticipated, these decisions affect more than the new houses, how he needs to make decisions regarding the front of his property, asked for markers in the past and asked someone to come out to his property to explain how much right-of-way will be taken from his property, spoke of how he has no idea where the lines will be, and requested that someone come out and explain and show him where the lines will be made that will affect his property. JOHN LUNA, Los Banos, spoke in support of Mr. Meza's request and stated that it would put his family at ease with minimal time and cost. CLAUDIA JORDAN, Cresthills I resident, spoke of her concern of the effect of the increase in traffic due to the delay of widening of Center Avenue. JOVAN GRANADOS, Pioneer Development Company, spoke on behalf of the applicant and addressed Mr. Meza and Mr. Luna's concerns, spoke of how the developer's priority has been to make this an easier and more comfortable transition for existing residents in the area, how she personally reached out to Mr. Meza and his wife Erica Meza and has made property visits as well and followed up with several certified letters and calls to Mr. Meza, how there are property stakes in place per Mr. Meza's request, how she has made herself directly available to Mrs. Meza, how Mrs. Meza advised that she would be reaching out to the applicant once they are ready for the information, and stated that her calls have gone unreturned and her visits have typically been cut very short. ROY TODD, Cresthills I resident, inquired how the 300 foot radius for notifying the public is determined as acceptable distance for this type of project, would like to know what the timeline is to get something acceptable in place, how he has been a resident in this area two and a half years and nothing was disclosed to him upon purchasing his property, spoke of his concern about the increase of traffic, and the need to receive clarification of impact to him. GREG HOSTETLER, 923 Pacheco Blvd., spoke of one of the issues of Center Avenue being the power pole locations, how PG&E has been backlogged as an impact substantially caused by the fires in California, how it is difficult to get power anywhere in California, PG&E has substantial financial issues as well, another issue is the right-of-way necessary from the Meza's property, how they have reached out to the Mezas, can't widen this street until they are able to obtain this right-of way, if they are not able to obtain the right-of-way then the local public agency will have to take action to acquire the property, pipeline redesign may take place as well, how they have made accommodations for residents in Cresthills I subdivision by building a 7 foot bordering fence at their request and they've never done that before, there was a requirement on the east exit on Cardoza Road which is now blocked off by a gate and won't have public

access in Road at the request of residents of Cresthills I, how they have tried to accommodate residents out there and will continue to do so to the best of our ability, and he is available to answer questions.

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

Commissioner Limon spoke of how he understands the concerns of the residents in the existing subdivision.

Chairperson Cates reminded the public and Commissioners that this item is about modifying the previously approved conditions only.

Commissioner Giuliani stated that it sounds like residents want clarification on property lines, suggested that they reach out to Ms. Granados directly to get that information, and encouraged residents to communicate with each other as it makes a difference.

Community & Economic Development Director Elms spoke to comments received at the public hearing, stated that the California Government Code determines the 300 foot radius to notify the public of this type of public hearing, how staff uses a geographical information system to develop the buffer for the notice, how the project boundary determines the reach of the 300 foot buffer, Center Avenue was designed and implemented in conformance the City's General Plan within the Villas and Hill subdivisions, how those street sections are consistent with the General Plan, how the rating was also established in the General Plan, it will be a major collector street, the right-of-way for the Mezas is up to agreement with the developer and if they fail to come to agreement then the City will intervene and make a determination, spoke of how a section of Center Avenue was inherited by the City from the County who does not have the same street standards as we do, this roadway will be widened with property sidewalks, sidewalk buffers and noise barriers with sound walls planned since it was annexed in 2006, how it's not in anyone's best interest to widen or pave Center Avenue when the utility company can't make that change yet, the Condition of Approval was implemented in the first place because staff wanted to see that done at the front end of the project but the developer is at the mercy of the utility company and their capabilities, the City is trying to accommodate, and encouraged residents to contact her if they are interested in knowing more about the project that was approved in 2016.

Motion by Dees, seconded by Giuliani to adopt Planning Commission Resolution No. 2019-05 – Approving the Request for Revision to the Conditions of Approval for Vesting Tentative Tract Map #2016-01 for The Villas Subdivision within the East Center Area Plan Located East of Center Avenue, South of Bluff Drive, West of Cresthills #2 Subdivision and North of the City Limit Line, More Specifically Identified as Assessor's Parcel Numbers: 431-270-010 and 431-270-004. The motion carried by the affirmative action of all Planning Commission Members present; Spada and Toscano absent.

Motion by Higby, seconded by Limon to adopt Planning Commission Resolution No. 2019-06 – Approving the Request for Revision to the Conditions of Approval for Vesting Tentative Tract Map #2016-02 Hill Property Subdivision within the East Center Area Plan Located East of Center Avenue, South of Bluff Drive, West of Cresthills #2

Subdivision and North of the City Limit Line, More Specifically Identified as Assessor's Parcel Number: 431-270-005. The motion carried by the affirmative action of all Planning Commission Members present; Spada and Toscano absent.

COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR REPORT.

Community & Economic Development Director Elms thanked the residents for coming out to the meeting, spoke of how staff will cancel the next Planning Commission meeting on April 24th, and how we will have joint City Council & Planning Commission study session for the General Plan Update on May 22, 2019 at 6:00 p.m. at the Community Center.

PLANNING COMMISSION MEMBER REPORTS.

CATES: Thanked the community for coming out, spoke of how they have a great passion for their neighborhoods, good to see crowds at our meetings, how the Planning Commission is comparable to the House of Representatives in that the Planning Commission makes recommendations to the City Council, would like to see more residents come down more often, thanked staff for their work, how it was a great spring street fair that was put on by the Chamber of Commerce this past Saturday, and how the Rotary Club was out raising funds from breakfast for the sober graduation event for the local high schools.

DEES: Reported that he was contacted by Melissa Hansen with Grid Alternatives, how the group is funded by the state and provides low cost solar panels to home owners, how they will do 15 homes in our area, people can go to www.gridsolar.org to get information and apply, eligibility to apply, they do a partnership with Sun Run who does the installation, the solar panels are leased to the occupants at the house for 20 years with an option to buy back at any time or removed at no cost, and how it helps reduce energy costs up to 75%.

GIULIANI: Thanked the community for coming out to this meeting, thanked the developer for coming out and answering questions, and spoke of how we can make some good changes with good communication.

HIGBY: No report.

LIMON: No report.

SPADA: Absent.

TOSCANO: Absent.

ADJOURNMENT: The meeting was adjourned at the hour of 7:43 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: May 8, 2019

**SUBJECT: MOBILE FOOD VENDOR PERMIT #2019-01 – TACOS LA BONITA-
ELISEO JARRILLO**

RECOMMENDATION:

That the Planning Commission adopt Resolution No. 2019-07 approving the proposed project to be categorically exempt from the California Environmental Quality Act pursuant to Section 15311, Accessory Structures and approving Mobile Food Vendor Permit #2019-01 for the operation of a mobile food vending unit to vend on private commercial property located at 140 West Pacheco Boulevard, Assessor's Parcel Number: 027-154-019.

PROJECT BACKGROUND/DESCRIPTION:

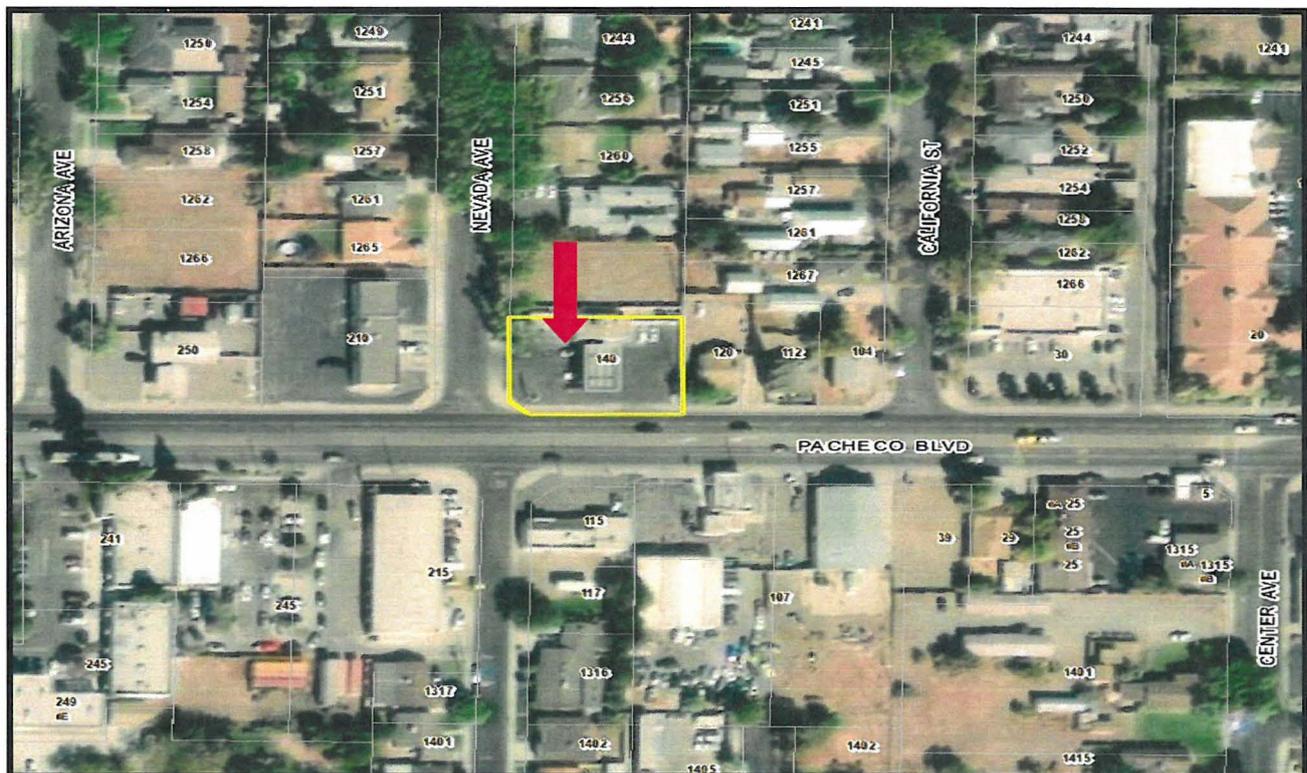
In accordance with the Los Banos Municipal Code Title 9 Chapter 3 Article 36 Mobile Food Vending, the general purpose is to promote the health, safety, comfort, convenience, prosperity and general welfare of the citizens, businesses and visitors of the City of Los Banos by requiring that mobile food vendors provide the community and customers with a minimum level of cleanliness, quality, safety and security. This article also provides mobile food vendors with clear and concise regulations to prevent safety, traffic and health hazards as well as to preserve the peace, safety and welfare of the community.

On April 5, 2019, the City of Los Banos Community & Economic Development Department received a request for a mobile food vendor permit for the operation of a mobile food vending unit to vend on private commercial property located at 140 West Pacheco Boulevard. (76 Gas Station). The proposed mobile food vending unit will operate seven (7) days a week, Monday through Sunday from 9:00 A.M. to 10:00 P.M. The proposed mobile food vending operation will consist of four (4) employees. The

mobile vending unit will be on site during proposed business hours and off site when not operating.

LOCATION AND ACCESS:

The proposed mobile vending location is at 140 West Pacheco Boulevard; APN: 027-154-019. The mobile food vending unit will be located in the parking stall immediately to the west of the existing commercial structure. The 76 Gas Station is highlighted in yellow in the aerial below. The specific location of the proposed mobile unit is detailed in the red arrow below.



VENDOR PERMIT ANALYSIS

Code Requirements

According to the Los Banos Municipal Code, the Planning Commission is the decision making authority for any initial application of a permit to operate a mobile vending unit, once the initial permit is approved, subsequent permits are approved by the Planning Director. Furthermore, mobile vendors located on private property are subject to the following conditions Section 9-3.3606(b):

1. Be incidental to a primary use with a valid Business License; a mobile vending unit shall not be the primary use of a parcel. Mobile vending units shall not be permitted as an accessory use to a standalone parking lot.

The primary use of the property is a fuel station/ convenience store (76 Gas Station), which has a valid Business License. The mobile food vending unit will

be an accessory use to the main and primary commercial/ retail use of the property.

2. Be located in a Commercial or Industrial zoning district. Mobile vendors shall not be located on private property in a residential zoning district.

The subject property site is located at 140 West Pacheco Boulevard which is within the Highway Commercial (H-C) Zoning District, which is private property that is used for commercial purposes.

3. Not be located on a vacant parcel.

The mobile food vending unit will be located in the parking stall immediately west of the existing commercial structure.

4. Be located on pavement/concrete per City standards.

The mobile food vending unit will be stationed on a paved parking stall immediately west of the existing commercial structure.

5. Not utilize, or be located on, parking spaces required for the primary use. At least two onsite parking spaces, in addition to those required for the primary use shall be provided for the mobile vending unit operation.

The project site contains 10 parking spaces, and the primary use is required to provide a minimum of 5.4 parking spaces. Conditions of approval have been added requiring the applicant to maintain 2 parking spaces in addition to the required parking spaces required for the primary use in the parking lot.

6. Not interfere with access, driveways, aisles, circulation or fire lanes and hydrants and shall not operate in a place where the operation will create an unsafe condition.

The operation and location of the proposed mobile food vending unit will not interfere or obstruct any of the access, driveways, aisles, traffic circulation, or fire lanes and hydrants within the property. The proposed mobile food vending unit will operate in safe manner as determined by the Community and Economic Development Department.

7. Comply with the requirements of the Merced County Environmental Health Department.

The applicant presently has a Merced County Department of Environmental Health Permit to operate the proposed mobile food vehicle. The applicant will comply with all the rules, regulations and requirements presented by the Merced County Environmental Health Department.

8. Not interfere with pedestrian movement or create a hazard for pedestrians.

The proposed mobile food vending unit will not disrupt pedestrian movement nor will it create a hazard for pedestrians as the proposed site location for the mobile vending unit is on private property within a parking stall and will not obstruct any pedestrian walkways.

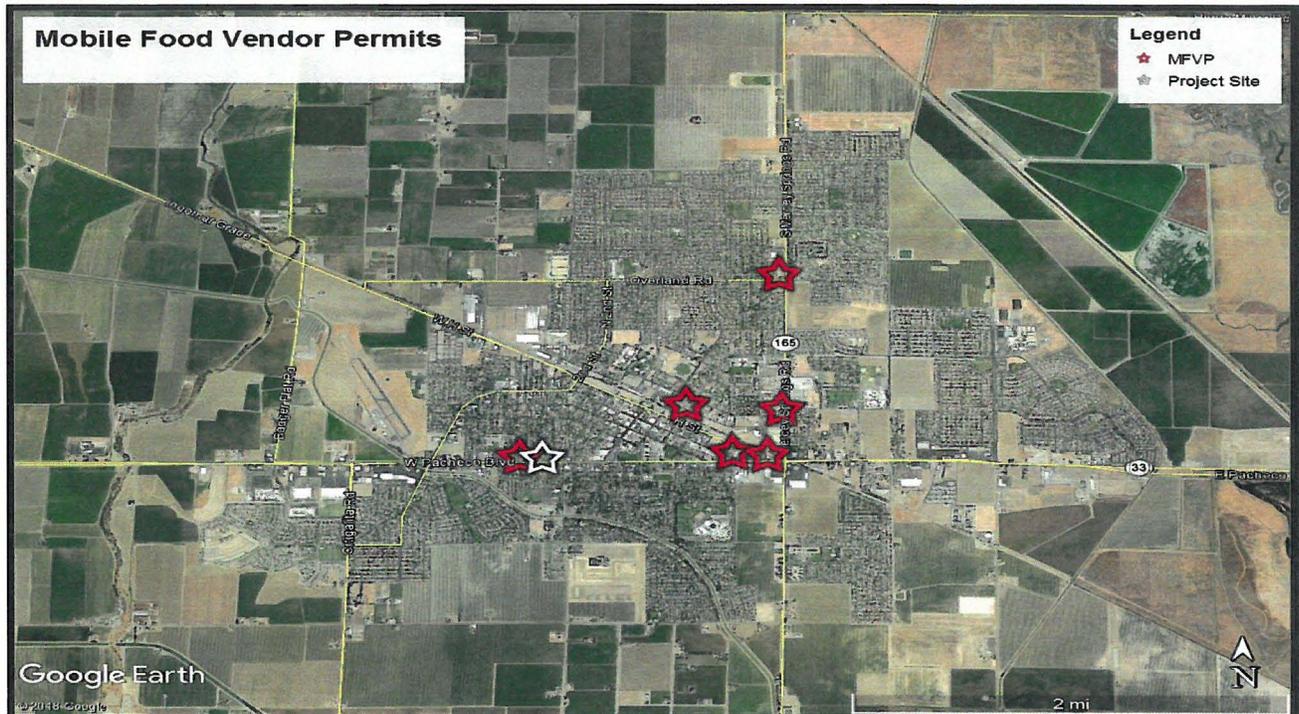
Staff has determined that the proposed vendor permit is consistent with Los Banos Municipal Code Title 9 Chapter 3 Article 36. Conditions of approval have been incorporated into the project to make certain that the applicant conforms to the required level of cleanliness, quality, safety and security required by the Los Banos Municipal Code.

Existing Vendor Permits

Currently there are six (6) active mobile vendor permits in the City. The following is a list of Vendor Permits approved by the Planning Commission for operation on private property:

Business Name	Business Owner	Location	Vendor Type
Junior's Tacos	Antemio & Gabriela Cortes	740 G St	Taco Truck
El Grullense, Jal	Leobardo Oliva	531 Mercey Springs Rd.	Taco Truck
Tacos & Mariscos Las Brasas	Natividad Parra	403 N. Mercey Springs Rd.	Taco Truck
Tacos El Jefe	Christian Mendoza	1155 I St.	Taco Truck
Taco Face	Rosa Orozco	310 W. Pacheco Blvd.	Taco Truck
A-1 Water Quality	Roger Pires	1248 E. Pacheco Blvd.	Water Truck

The existing mobile vendor locations are marked in red and the proposed mobile unit is marked in white on the following map:



PUBLIC COMMENT:

A public hearing notice was published in the Los Banos Enterprise on April 26, 2019. As of the date of this staff report no comments have been received.

APPLICABLE ORDINANCES/GUIDELINES:

Los Banos Municipal Code – LBMC Title 9 Chapter 3 Article 36

RECOMMENDATIONS:

That the Planning Commission adopt Resolution No. 2019-07 approving the proposed project to be categorically exempt from the California Environmental Quality Act pursuant to Section 15311, Accessory Structures and approving Mobile Food Vendor Permit #2019-01 for the operation of a mobile food vending unit to vend on private commercial property located at 140 West Pacheco Boulevard, Assessor's Parcel Number 027-154-019.

ATTACHMENTS:

1. Resolution #2019-07
Exhibit A CEQA Findings
Exhibit B Project Findings
Exhibit C Conditions of Approval
2. Truck Photos
3. Site Plan
4. Merced County Environmental Health Permit

5. Public Hearing Notice – April 26, 2019

RESOLUTION NO. 2019-07

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS BANOS APPROVING MOBILE FOOD VENDOR PERMIT #2019-01 FOR THE OPERATION OF A MOBILE FOOD VENDOR UNIT ON PRIVATE COMMERCIAL PROPERTY LOCATED AT 140 WEST PACHECO BOULEVARD, MORE SPECIFICALLY INDENTIFIED AS ASSESSOR'S PARCEL NUMBER: 027-154-019

WHEREAS, the applicant, Eliseo Jarrillo, d.b.a: Tacos La Bonita, has filed an application with the City of Los Banos for a Mobile Food Vendor Permit to allow the operation of a mobile food vending unit on private commercial property located within the City of Los Banos; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) and the City of Los Banos Environmental Quality Guidelines, Mobile Food Vendor Permit #2019-01 for Tacos La Bonita was determined to be Categorically Exempt from the provisions of CEQA per Article 19, Section 15332 as the project meets all the criteria for an in-fill project and it can be seen with certainty that the proposed project would not have a significant effect on the environment; and

WHEREAS, a public hearing notice was advertised in the Los Banos Enterprise on April 26, 2019, in accordance with the Los Banos Municipal Code and California Government Code Section 65091; and

WHEREAS, the Los Banos Planning Commission held a public hearing on May 8, 2019, at which time interested persons had an opportunity to provide testimony; and

WHEREAS, the Los Banos Planning Commission, heard and considered testimony, if any, of all persons desiring to be heard, and reviewed said Vendor Permit request and staff report, and considered the applicant's request in accordance with the Vendor Permit criteria established in the Los Banos Municipal Code Title 9 Chapter 3 Article 36; and

BASED ON THE EVIDENCE PRESENTED AT THE PUBLIC HEARING the Planning Commission of the City of Los Banos hereby makes the findings set forth in Exhibit A attached hereto and incorporated herein by this reference.

NOW, THEREFORE, BE IT RESOLVED that based upon the foregoing the Planning Commission of the City of Los Banos does hereby approve Mobile Food Vendor Permit #2019-01 to permit the use of a mobile food vending unit to operate on private commercial property, located at 140 West Pacheco Boulevard, APN: 027-154-019, within the City of Los Banos, 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 8th day of May 2019 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:

John Cates, Planning Commission Chairman

ATTEST:

Sandra Benetti, Planning Commission Secretary

EXHIBIT A

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS FOR MOBILE FOOD VENDOR PERMIT #2019-01 – TACOS LA BONITA (ELISEO JARRILLO)

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

The City of Los Banos Planning Commission hereby finds the proposed mobile vendor permit appropriate for the Highway Commercial Zoning District (H-C) as follows:

1. Pursuant to CEQA, the CEQA Guidelines, and the City of Los Banos Environmental Guidelines, Mobile Food Vendor Permit #2019-01 was evaluated within the context of those guidelines and found to be categorically exempt from the provisions of CEQA – Article 19, Section 15311.
2. Mobile Food Vendor Permit #2019-01 was adequately noticed and circulated for public review and comment on April 26, 2019 for consideration at a public meeting on May 8, 2019 and no comments were received.
3. No further environmental documentation is required as the Conditional Use Permit was contemplated and adequately analyzed in the initial review.
4. Prior to considering the proposed Project, the Planning Commission considered the Categorical Exemption.

EXHIBIT B

FINDINGS FOR APPROVAL FOR MOBILE FOOD VENDOR PERMIT #2019-01 – TACOS LA BONITA (ELISEO JARRILLO)

FINDINGS FOR APPROVAL:

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

1. The applicant has provided all of the information to the Community and Economic Development Department as required by the Mobile Food Vendor Ordinance.
2. The proposed operation is consistent with the criteria and requirements of the Mobile Food Vendor Ordinance as follows:
 - a) Be incidental to a primary use with a valid Business License; a mobile vending unit shall not be the primary use of a parcel. Mobile food vending units shall not be permitted as an accessory use to a standalone parking lot.

The primary use of the property is a fuel station/ convenience store, 76 Gas Station, which has a valid Business License. The mobile food vending unit will be an accessory use to the main and primary commercial/ retail use of the property.

- b) Be located in a Commercial or Industrial zoning district. Mobile vendors shall not be located on private property in a residential zoning district.

The subject property site is 140 West Pacheco Boulevard which is located within the Highway Commercial (H-C) Zoning District on private property that is used for commercial purposes.

- c) Not be located on a vacant parcel.

The mobile food vending unit will be located in the parking stall immediately west of the existing commercial structure.

- d) Be located on pavement/concrete per City standards.

The mobile food vending unit will be stationed on a paved parking stall immediately west of the existing commercial structure.

- e) Not utilize, or be located on, parking spaces required for the primary use. At least two onsite parking spaces, in addition to those required for the primary use, shall be provided for the mobile vending unit operation.

The project site contains 10 parking spaces, and the primary use is required to provide minimum of 5.4 parking spaces. Conditions of approval have been added requiring the applicant to maintain 2 parking spaces in addition to the required parking spaces required for the primary use in the parking lot.

- f) Not interfere with access, driveways, aisles, circulation or fire lanes and hydrants and shall not operate in a place where the operation will create an unsafe condition.

The operation and location of the proposed mobile food vending unit will not interfere or obstruct any of the access, driveways, aisles, traffic circulation, or fire lanes and hydrants within the property. The proposed mobile food vending unit will operate in safe manner as determined by the Community and Economic Development Department.

- g) Comply with the requirements of the Merced County Environmental Health Department.

The applicant presently has a Merced County Department of Environmental Health Permit to operate the proposed mobile food vehicle. The applicant will comply with all the rules, regulations and requirements presented by the Merced County Environmental Health Department.

- h) Not interfere with pedestrian movement or create a hazard for pedestrians.

The proposed mobile food vending unit will not disrupt pedestrian movement nor will it create a hazard for pedestrians as the proposed site location for the mobile vending unit is on private property within a parking stall and will not obstruct any pedestrian walkways.

EXHIBIT C

CONDITIONS OF APPROVAL FOR MOBILE VENDOR PERMIT #2019-01 – TACOS LA BONITA (ELISEO JARRILLO)

Community Development:

1. The operation of the Mobile Vending Unit shall at all times comply with the requirements of the Los Banos Municipal Code, the Conditions of Approval for Mobile Food Vendor Permit #2019-01 including but not limited to the application on file with the Community and Economic Development Department. Should there be a conflict, the Municipal Code and the Conditions of Approval shall control.
2. The Mobile Food Vendor Permit is to allow for a mobile food vending unit to operate on private commercial property, in the location depicted in the application, located at 140 West Pacheco Boulevard; the permit shall expire one (1) year from date of issuance.

The applicant shall comply with all other requirements, laws and policies of other governmental agencies in the conduct and operation of said business including the Merced County Environmental Health Department.

3. The mobile food vendor shall have a valid City of Los Banos Business License and renew such license each year.
4. The mobile food vending unit shall be moved off-site when not in operation.
5. A background check through the Los Banos Police Department must be obtained for the mobile food vendor and each person operating or vending out of the mobile unit prior to issuance of a Business License.
6. The applicant shall comply with the applicable requirements of the Los Banos Municipal Code including but not limited to the following:
 - a. The operation shall not interfere with access, driveways, aisles, circulation or fire lanes and hydrants and shall not operate in a place where the operation will create an unsafe condition.
 - b. The mobile food vendor shall display, in plain view and at all times, current permits and licenses.

- c. While vending, drive wheels of the mobile food vending unit shall be chocked in such a manner as to prevent movement.
- d. The permitted hours of operation are from 9:00 a.m. to 10:00 p.m.
- e. The mobile food vending unit shall be entirely self-sufficient in regard to gas, water and telecommunications.
- f. The mobile food vendor shall not discharge items onto the sidewalk, gutter, storm drainage inlets or streets.
- g. The mobile food vending unit shall be maintained in a safe and clean manner at all times.
- h. No tables, chairs, fences, shade structures or other site furniture, (permanent or otherwise) or any free standing signs shall be permitted in conjunction with the mobile food vendor.
- i. Any site improvements required for mobile vendor operations shall require application for the appropriate permits to ensure building and public safety and consistency.
- j. Exterior storage of refuse, equipment or materials associated with the mobile food vendor is prohibited.
- k. The mobile food vendor operating the mobile food vending unit as defined by the Health and Safety Code shall operate out of a commissary pursuant to Health and Safety Code Section 114295.
- l. The mobile food vending unit shall be equipped with refuse containers large enough to contain all refuse generated by the operation of such a unit, and the vendor of the mobile unit shall pick up all refuse generated by such operation on the lot before such unit is moved at the close of business each day. The mobile vendor shall not dispose of any trash or refuse in any such public or private trash receptacle other than a trash receptacle owned, operated or otherwise provided by and under the control of such vendor.
- m. The mobile food vendor shall install signage in a visible location on the mobile vending unit indicating that loitering is not permitted.
- n. The mobile food vendor shall enforce the no loitering rule.
- o. The mobile food vending unit shall be located on an improved surface at all times.

7. The mobile food vending unit shall obtain Fire Department approval and shall be subject to inspection by the Los Banos Fire Department prior to issuance or renewal of a business license involving use of the mobile vending unit if the unit contains any combustibles (i.e. propane, natural gas).
8. The mobile food vending unit shall comply with California Fire Code, California Code of Regulations, and California Mechanical Code. Should any utility hook-ups or connections to on-site utilities be used or required, the mobile food vendor shall be required to apply for appropriate permits or receive approval by the appropriate City department to ensure building and public safety and consistency with applicable building and zoning regulations.
9. 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.
10. The mobile food vending unit shall not be inconsistent with the Conditions of Approval and shall not be operated in a manner that deviates from the approved vendor permit, which shall constitute a violation and may result in the revocation or modification of the permit upon written notice to the owner of the subject unit.
11. The operation of Mobile Food Vendor Permit 2019-01 shall be located at 140 West Pacheco Boulevard immediately west of the existing commercial structure not obstructing parking, pedestrian walkways or vehicular traffic. Relocation of the mobile unit on site shall only occur with prior approval by the Community and Economic Development Director or designee or Planning Commission.
12. At least two (2) onsite parking spaces, in addition to those required for the primary use shall be provided for the mobile vending unit operation.



Los Mejores Antojitos

Los Mejores Antojitos

Tostitos
Quesadillas
Tostitos
Que Pasa
608-770-3941

8704108

Tacos - Tortas - Burritos - Quesadillas - Sopos



Los Mejores Antojitos



SALSAS



Order to go
408-710-3948



ELUSEO JARILLO
LOS BANOS CA. 95635



Los Mejores Antojitos

2500



Tacos - Tortas - Burritos - Quesadillas - Sopes



Los Mejores Antojitos

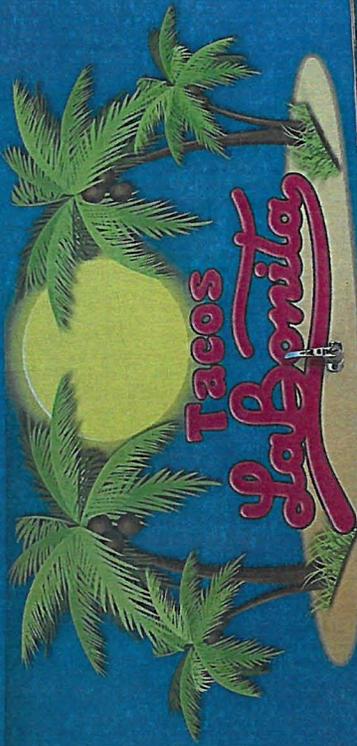
Order to go : 408-710-3948



ELISEO JARILLO
LOS BANOS CA, 93635



Los Mejores Antojitos

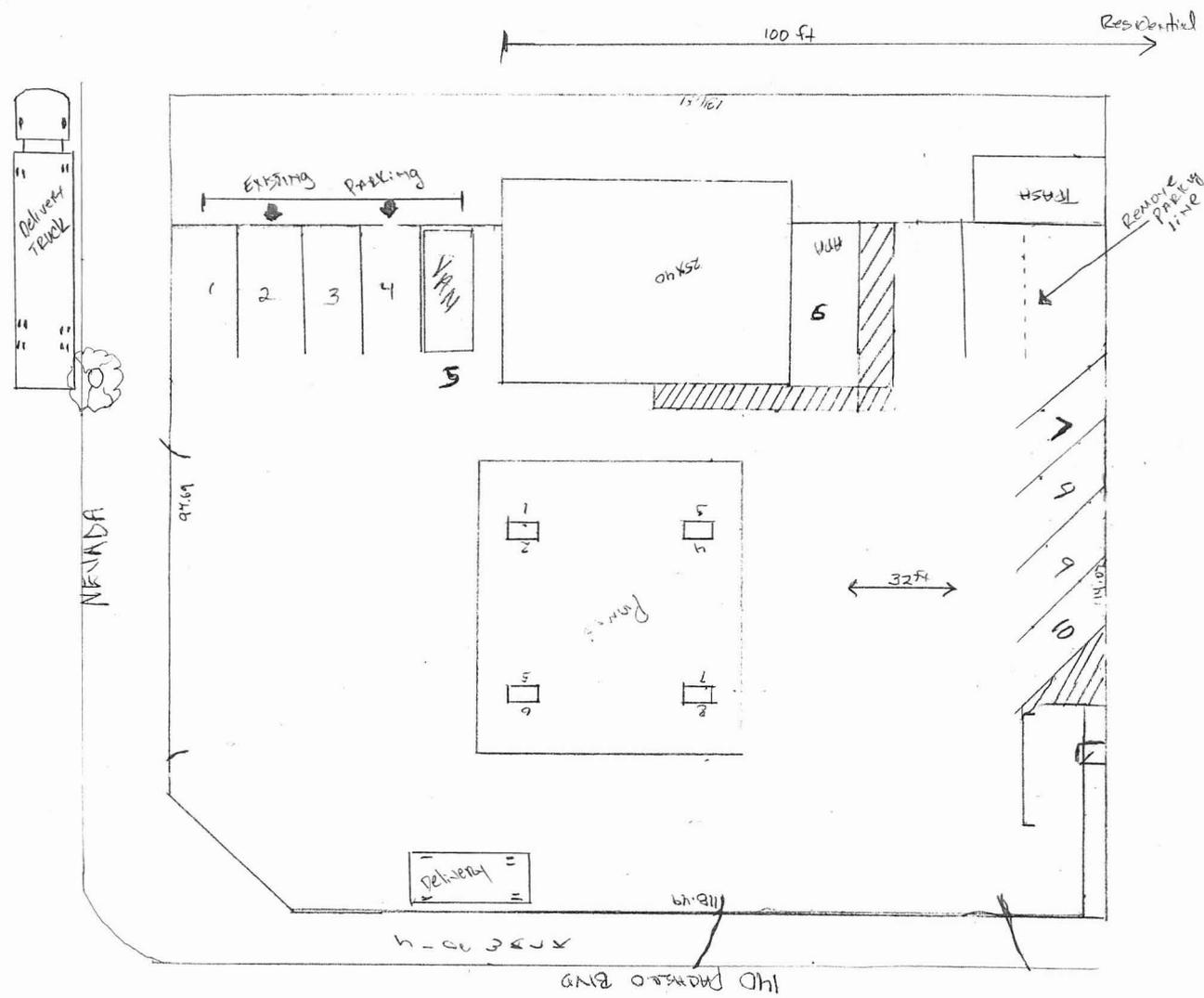


Tacos - Tortas - Burritos - Quesadillas - Sopas
Los Mejores Antojitos

8Y04108
SAN CALISTO

1301 N 10th STREET
SAN JOSE CA 95128
408.903.6522





|||||||||
 118.19 # 4000

H90500
Merced County Public Health
Division of Environmental Health
260 E. 15th Street
Merced, CA 95341-6216

Tacos La Bonita (8Y04108)
2346 Cool Springs Ct.
Los Banos, CA 93635

Attached to the bottom of this letter is your Health Permit to Operate. *The permit is valid only upon receipt of all required invoiced fees and penalties (if any), AND compliance with state, federal and local regulations.*

Facilities operating without a valid permit will be subject to **administrative penalties equal to three times the full annual permit fee and/or potential late payment penalties.** Facilities operating without a valid permit may be subject to closure. After 90 days, any unpaid invoice balances will be sent to Revenue and Reimbursement (collections).

This permit and the permit fees are **ONLY** valid for the business and owner named below and are **not transferable** to any other person, business, or facility.

If you have any questions regarding this matter, please call our office at (209) 381-1100.

Run 11/28/2018 4 00 15PM

FOLD FORM HERE AND DISPLAY PROMINENTLY WITHIN CUSTOMER VIEW ON THE PREMISES

5303.rpt (updated 11/28/2018)



**MERCED COUNTY DEPARTMENT OF PUBLIC HEALTH
DIVISION OF ENVIRONMENTAL HEALTH**

260 E. 15th Street, Merced, CA 95341
(209) 381-1100 Fax (209) 384-1593

<http://www.co.merced.ca.us/eh>

Equal Opportunity Employer

Health Permit to Operate

Valid from 1/1/2019 to 12/31/2019

REGULATED FACILITY :

**Tacos La Bonita (8Y04108)
2346 Cool Springs Ct.
Los Banos, CA 93635**

Facility ID: FA0008310
Account ID: AR0016307
Issued: 11/28/2018

OWNER NAME :

Eliseo Jarillo

Program Element Number and Description

0143 MOBILE FOOD FAC (MOBILE FOOD PREP UNIT)

Permit ID # Units

PT0013067 **PR0017636**

Permit is not valid until all permit fees are paid in full. Permits to operate and Annual Fee Payments are NOT TRANSFERABLE. This permit is valid ONLY for this owner: Eliseo Jarillo. New owners must apply and pay for a new Permit(s) PRIOR to beginning operation or penalties will be assessed.

MOBILE FOOD PREP UNITS MUST COMPLY WITH LOCAL PLANNING REGULATIONS.

THIS FORM MUST BE CONSPICUOUSLY DISPLAYED ON THE PREMISES

Vicki Jones, MPA, REHS
Interim Director of Environmental Health



City of
Los Banos
At the Crossroads of California

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT

Date: April 26, 2019

Regarding: Notice of Public Hearing

Proposal: Mobile Food Vendor Permit #2019-01 – Eliseo Jarrillo (dba Tacos La Bonita)

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) and a Mobile Food Vendor Permit #2019-01 to allow the operation of a mobile food vending vehicle on private property for Eliseo Jarrillo dba Tacos La Bonita. The subject property is located within the Highway Commercial Zoning District at 140 West Pacheco Boulevard, more specifically identified as Assessor's Parcel Number: 027-154-019.

A PUBLIC HEARING on this matter will be held at the next scheduled meeting of the Los Banos Planning Commission on Wednesday, May 8, 2019 at 7:00 p.m. in the Council Chambers of Los Banos City Hall, located at 520 "J" Street, Los Banos, California. Questions regarding the above-referenced item may be directed to Rudy Luquin, Associate Planner, at City Hall or at (209) 827-2432.

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 COMMISSIONERS

FROM: RUDY LUQUIN, ASSOCIATE PLANNER *RL*

DATE: MAY 8, 2019

SUBJECT: REQUEST FOR A CONDITIONAL USE PERMIT #2019-01 TO ALLOW FOR THE SALE OF ALCOHOL UNDER A TYPE 41 ON-SALE BEER AND WINE LICENSE FOR A BONA-FIDE PUBLIC EATING PLACE FOR ZAFIRO'S SEAFOOD AND GRILL LOCATED AT 650 I STREET: 025-201-009

RECOMMENDATION:

Staff recommends that the Planning Commission adopt Resolution No. 2019-08 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 #2019-01 to the Los Banos City Council to allow for the sale of alcohol under a Type 41 on-sale beer and wine license at Zafiro's Seafood and Grill located at 650 I Street, APN: 025-201-009.

PROJECT BACKGROUND/DESCRIPTION:

On April 22, 2019, the applicant, Gladys Sanchez (d.b.a Zafiro's Seafood and Grill), requested a Conditional Use Permit to allow the sale of beer and wine for on-site consumption subject to a Type 41 alcohol license in conjunction with a bona fide public eating place (casual restaurant) located at 650 I Street, formerly Shiners Bar and Grill. The applicant's proposed restaurant use is less intense than the previous use of a bar. The building has existing residential units immediately above the project site.

The location of 650 I Street has been vacant since 2013 when Shiners Bar and Grill ceased operations. Due to the lapse in time of more than one year, the previous Conditional Use Permits for the project site are no longer valid and a new Conditional Use Permit is required.

Zafiro's Seafood and Grill will conduct business seven (7) days a week, Sunday through Thursday from 11:00 AM until 10:00 PM and is requesting to operate on Fridays and

Saturdays from 11:00 AM until 12:00 AM. The applicant has made the request to operate the restaurant until midnight on Friday and Saturday in order to compete with other family restaurants that stay open late and offer occasional live music entertainment or karaoke. The property is located within the Mixed Use Zoning District. The intended eating establishment/ restaurant use, is an allowed use and is consistent with the Los Banos Municipal Code Title 9 Chapter 3 Article 9 Mixed-Use Zoning District and the 2030 Los Banos General Plan.

LOCATION AND ACCESS:

The project site is located at 650 I Street, Assessor's Parcel Number: 025-201-009. The project site is located within the Mixed-Use Zoning District (M-X) and consists of various commercial uses and residential uses.



LAND USE:

Property	Land Use	Zone	General Plan
Project site	Mixed Use	M-X	Mixed Use
North	Mixed Use	M-X	Mixed Use
South	Mixed Use	M-X	Mixed Use
East	Mixed Use	M-X	Mixed Use
West	Mixed Use	M-X	Mixed Use

M-X = Mixed- Use

ENVIRONMENTAL ASSESSMENT:

Pursuant to the California Environmental Quality Act (CEQA) and the City of Los Banos Environmental Quality Guidelines, it has been determined that this project is found to be categorically exempt from the provisions of CEQA – Article 19, Section 15301. The

applicant's request for the on-sale of beer and wine for a bona fide public eating place involves the permitting and licensing of an existing private structure and involves no expansion at 650 I Street, APN 025-201-009.

USE PERMIT ANALYSIS

Code Requirements

Pursuant to the Los Banos Municipal Code Section 9-3.2326 (b); a Conditional Use Permit is required for any establishment dispensing for sale or other consideration alcoholic beverages, including beer and wine, for on-sale or off-sale. The Planning Commission is the recommending body and the City Council is the decision making body for Conditional Use Permits regarding the on-sale and off-sale of alcoholic beverages pursuant to Los Banos Municipal Code Section 9-3.2314 (c). A Conditional Use Permit may be granted if the proposed use is conforming to the following criteria:

General Use Permit Criteria:

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

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

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

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

1. The primary use is a casual family restaurant (dine in).

2. The surrounding area, adjacent uses, and function are primarily mixed-use in nature. A restaurant providing for the on-sale and serving of beer and wine in this location is consistent with the commercial uses of the Mixed Use Zoning District.
3. Staff is unaware of any significant problems related to crime and loitering, in the surrounding area which would be exacerbated by the on-sale of beer and wine at this location.
4. The approval of the on-sale of beer and wine will not contribute to the undue proliferation of alcohol sales in the area where that use would be undesirable taking into account the characteristics of the area. The location has been previously operated as a bar with a Type 48 alcohol license. Additionally, the entitlement will include conditions of approval which will regulate the operational characteristics of allowing the serving of beer and wine and are intended to preserve the public health, safety, or welfare of persons and property in the vicinity including crime prevention and loitering.
5. The proposed use is not located within the immediate vicinity to any churches, temples, or synagogues; public, parochial, or private elementary, junior high, or high schools; public parks or recreation centers; or public or parochial playgrounds.
6. The project is located on I Street which is primarily occupied by mixed-use uses. Conditions of approval will regulate loitering and operational characteristics to insure that the proposal will not interfere with the movement of people along the public right-of-way.
7. There are residential units located on the second floor directly above the project site. The applicant has requested hours of operation on Fridays and Saturdays to be from 11 AM until 12 AM. This request is not consistent with the required findings, nonetheless the proposed use of a restaurant will be less intense than the previous use of a bar at the subject site, which had no restrictions on hours of operation. It is not anticipated that the proposed use would have a negative impact on the surrounding area. The applicant will be conditioned to operate the establishment in such a manner as to preserve the public safety, health and welfare, to prevent the use from becoming a nuisance and to operate the business in compliance with all laws, ordinances and regulations regarding the sale of alcohol. Furthermore, at all times the facility shall be operated and maintained to comply with State Laws, The City of Los Banos Municipal Code, adopted Building Codes and all other applicable laws and ordinances pertaining to the proposed use.

All sales and consumption of alcohol will be conducted inside the premises and in conjunction with the serving of food. In addition, the project will be subject to conditions which will mitigate any adverse effects on the surrounding neighborhood and are intended to preserve the public health, safety, and welfare of persons and property in the vicinity. The restaurant will also be subject to the Los Banos Municipal Code Noise Ordinance.

Alcoholic Beverage Control

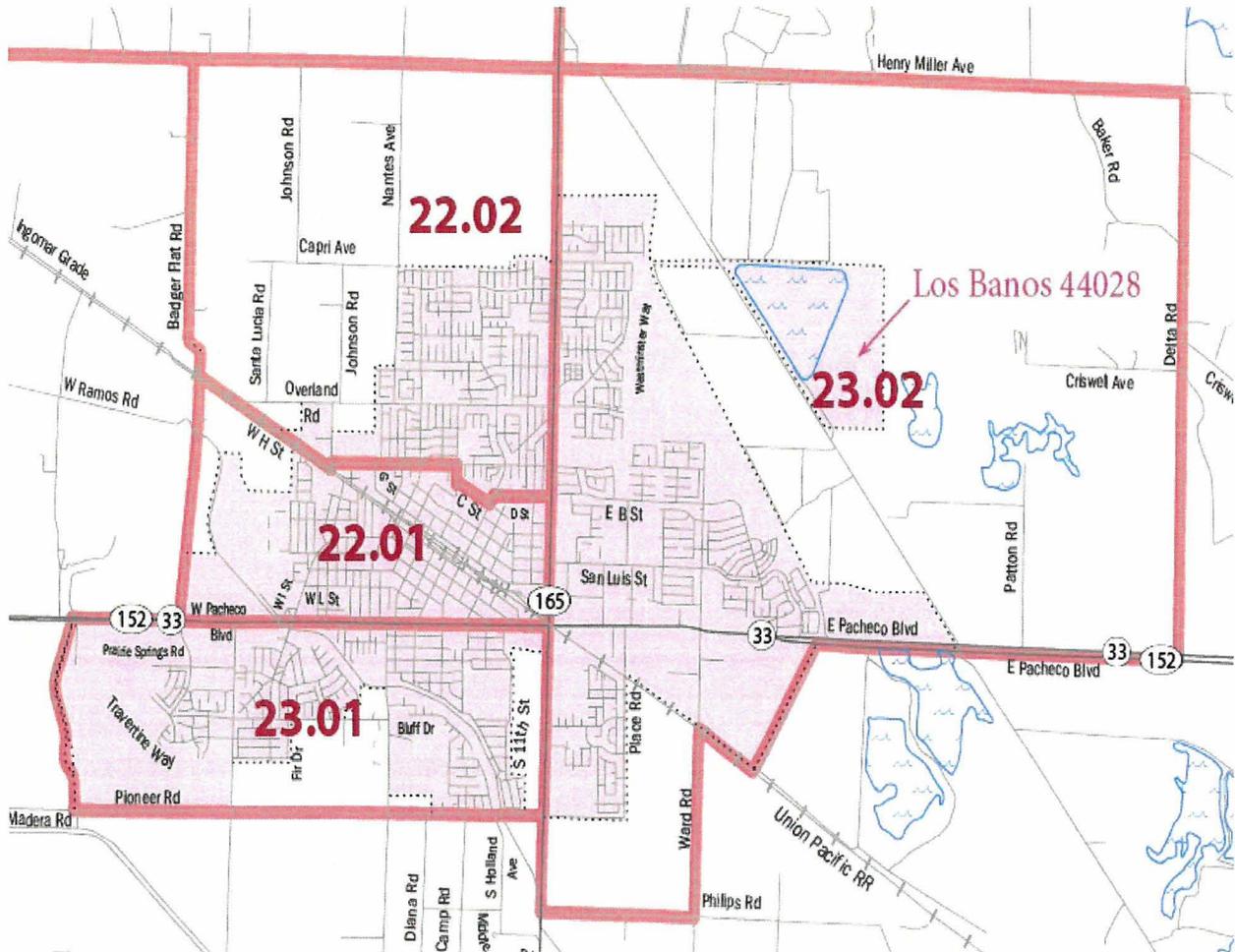
The California Department of Alcoholic Beverage Control (ABC) is the issuing authority for a Type 41 alcohol license. ABC has the authority pursuant to Section 23801 of the California Business and Professions Code to exercise certain conditions under the license, the personal qualifications of the licensee, the conduct of the business or the condition of the premises, which will protect the public welfare and morals, including, but not limited to, the following:

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

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

Census Tract

The project site is located in census tract 22.01.



As of the date of this report, there are eleven (11) on-sale licenses currently active in this specific census tract. The nearest active on-sale alcohol license to the project site within the same census tract is La Pupusa Loca y Antojitos Mexicanos Restaurant located directly across the street at 650 I Street, approximately 83 feet away. Approval of this on-sale license would make the twelfth (12) on-sale license.

License Type	Business Name	Address
41	Jesus Mexican Restaurant	631 H St.
41	Me N Ed's Pizzeria	846 W. Pacheco Blvd.
41	Cecilia's Market & Deli	455 H St.
41	6 th Street Diner	925 Sixth St.
41	El Gruellense Jal Los Banos F4	1024 E. Pacheco Blvd.
47	M & M	400 W. Pacheco Blvd
41	Little Diamonds Pizza	933 Sixth St., Ste B
41	La Pupusa Loca y Antojitos Mexicanos Restaurant	651 I St.
41	The Quail Wine Bistro	639 Ninth St.
47	Wool Growers Restaurant	609 H St.
41	Delicia's Las Palmas Taqueria y Mariscos	502 Pacheco Blvd.

Type 41 license = On-sale Beer and Wine for Bona Fide Public Eating Place

Type 47 license = On-sale General for Bona Fide Public Eating Place

PUBLIC COMMENT:

A public hearing notice was published in the Los Banos Enterprise and notices were provided to adjacent property owners within a 300 foot radius of the subject property on April 26, 2019. As of the date of this staff report, no comments have been received.

APPLICABLE ORDINANCES/GUIDELINES:

Los Banos General Plan – ED-G-7, LU-G-11

Los Banos Municipal Code – Section 9-3.2322

ABC Act, California Business and Professions Code

RECOMMENDATION:

Staff recommends that the Planning Commission adopt Resolution No. 2019-08 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 #2019-01 to the Los Banos City Council to allow for the sale and on site consumption of alcohol under a Type 41 on-sale of beer and wine license at Zafiro's Seafood and Grill located at 650 I Street, APN 025-201-009.

ATTACHMENTS:

1. Resolution 2019-08
 - Exhibit A CEQA Findings
 - Exhibit B Project Findings
 - Exhibit C Conditions of Approval
2. Floor Plan
3. Site Photos
4. Public Hearing Notice – April 26, 2019

RESOLUTION NO. 2019-08

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS BANOS 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 #2019-01 TO THE LOS BANOS CITY COUNCIL TO ALLOW FOR THE SALE OF ALCOHOL UNDER TYPE 41 ON-SALE OF BEER AND WINE LICENSE FOR ZAFIRO'S SEAFOOD AND GRILL LOCATED AT 650 I STREET, APN: 025-201-009

WHEREAS, the applicant, Gladys Sanchez (d.b.a. Zafiro's Seafood and Grill), has requested that the City of Los Banos consider a Conditional Use Permit to allow the use of a Type 41 alcohol license for the on-sale of beer and wine in conjunction with a bona-fide public eating place located at 650 I Street, Assessor's Parcel Number: 025-201-009; and

WHEREAS, a public hearing notice was published in the Los Banos Enterprise on April 26, 2019, 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 California Government Code Section 65091; and

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

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) and the City of Los Banos Environmental Quality Guidelines, Conditional Use Permit #2019-01 for Zafiro's Seafood and Grill was determined to be categorically exempt from the provisions of CEQA per Article 19, Section 15301 as the project site is an existing facility; and

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

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

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Los Banos does hereby affirm the determination that the project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Existing Facilities) and recommends the approval of Conditional Use Permit #2019-01 to the Los Banos City Council to allow the on-sale of beer and wine in conjunction with a bona-fide public eating place, Type 41, located at 650 I Street, APN: 025-201-009, 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 8th day of May 2019, 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:

John Cates, Planning Commission Chairman

ATTEST:

Sandra Benetti, Planning Commission Secretary

EXHIBIT A

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS FOR CONDITIONAL USE PERMIT #2019-01 – GLADYS SANCHEZ- ZAFIRO’S SEAFOOD AND GRILL

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 #2019-01 was evaluated and determined to be categorically exempt per Article 19, Section 15301 as the request for the on-sale of beer and wine involves the permitting and licensing of an existing private structure and involves no expansion at 650 I Street, APN 025-201-009.
2. Conditional Use Permit #2019-01 was adequately noticed on April 26, 2019, for consideration at a public meeting on May 8, 2019.
3. No further environmental documentation is required as the Conditional Use Permit was contemplated and adequately analyzed in the initial review.
4. Prior to considering the proposed Project, the Planning Commission considered the Categorical Exemption.

EXHIBIT B

FINDINGS FOR APPROVAL FOR CONDITIONAL USE PERMIT #2019-01 – GLADYS SANCHEZ- ZAFIRO’S SEAFOOD AND GRILL

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

1. General Findings:

- a. The project is consistent with the City of Los Banos General Plan.

The existing General Plan land use designation for the project site is Mixed Use, which is intended for mixed use development, located downtown, allowing for a mixture of commercial, office, institutional, public/ semi public, and residential uses.

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

ECONOMIC DEVELOPMENT POLICY ED-G-7:

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

LAND USE POLICY LU-G-11:

Develop a vibrant, mixed-use Downtown that is the pride of the community.

Evidence/Analysis: Gladys Sanchez (d.b.a. Zafiro’s Seafood and Grill) will have the ability to provide a wider range of service for customers and allows the restaurant to compete with similar type businesses. The proposed use would continue a mixed use that is compatible with and complementary of existing mixed uses adjacent to the project site. In addition, the project is consistent with General Plan land use policy LU-G-11 as the proposed project will occupy a commercial location and create some vibrancy to the area..

- b. The zoning designation for the project site is Mixed Use (M-X). The purpose of the Mixed-Use Zoning District is to allow shops on multiple levels, with the first floor primarily retail, office, residential and other non-retail uses permitted on upper levels. Uses are advocated which foster retail development, with associated residential thereby enhancing the district as a pedestrian oriented shopping area.

Evidence/Analysis: The proposed use complies with the Los Banos Municipal Code Title 9, Chapter 3, Article 9 as the use will be consistent with the surrounding area, adjacent uses, and function are primarily mixed use in nature. A restaurant providing for the on-sale and serving of beer and wine is permitted in this location.

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

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

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

1. Evidence/Analysis: The proposed use will be conducted in the location in which previously occupied by a bar and the proposed use of a restaurant with a type 41 ABC license will be a less intense use than the previous use. The areas function and character is Mixed Use, which includes uses that serve alcohol. It is not anticipated that the proposed use would have a negative impact on the surrounding area. The applicant will be conditioned to operate the establishment in such a manner as to preserve the public safety, health and welfare, to prevent the use from becoming a nuisance and to operate the business in compliance with all laws, ordinances and regulations regarding the sale of alcohol. Furthermore, at all times the facility shall be operated and maintained to comply with State Laws, The City of Los Banos Municipal Code, adopted Building Codes and all other applicable laws and ordinances pertaining to the proposed use.

2. Specific Findings

1. That the proposal will not contribute to undue proliferation of such uses in an area where additional ones would be undesirable with consideration

given to the area's function and character, problems of crime and loitering, and traffic problems and capacity.

Evidence/Analysis: The primary use in conjunction with the serving of beer and wine is a restaurant. As reflected in the staff report, the number of on-sale licenses in the Census Tract is currently eleven (11). The census tract area and function is primarily mixed use in nature, and is entirely consistent with a restaurant and the on-sale and serving of beer and wine. The proposed on-sale of beer and wine is complementary to the restaurant use that is compatible with and complementary of existing mixed use uses in the area. The project would include conditions of approval which regulate the operational characteristics of allowing the serving of alcohol and are intended to preserve the public health, safety, or welfare of persons and property in the vicinity including crime prevention and loitering. Staff is unaware of any significant problems in the area related to crime and loitering, which would be negatively affected by the on-sale of beer and wine at this location.

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

Evidence/Analysis: Conditions of Approval have been incorporated into the project which regulate the operational characteristics of allowing the serving of alcohol and are intended to preserve the public health, safety, or welfare of persons and property in the vicinity. The project is not located within the immediate proximity of any sensitive uses.

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

Evidence/Analysis: Alcohol will not be allowed to be consumed beyond the premises of the restaurant at any time and it is not anticipated that persons will congregate on sidewalks or streets as a result of the proposed use. Signage will also be provided on the property and building which prohibit loitering. It is not anticipated that the on-sale of beer and wine at this location will adversely affect any important pedestrian right of ways.

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

5. Evidence/Analysis: There are residential units located on the second floor directly above the project site. The applicant has requested hours of operation on Fridays and Saturdays to be from 11 AM until 12 AM. This request is not consistent with the required findings, nonetheless the proposed use of a restaurant will be less intense than the previous use of a bar at the subject site. It is not anticipated that the proposed use would have a negative impact on the surrounding area. The applicant will be conditioned to operate the establishment in such a manner as to preserve the public safety, health and welfare, to prevent the use from becoming a nuisance and to operate the business in compliance with all laws, ordinances and regulations regarding the sale of alcohol. Furthermore, at all times the facility shall be operated and maintained to comply with State Laws, The City of Los Banos Municipal Code, adopted Building Codes and all other applicable laws and ordinances pertaining to the proposed use.

EXHIBIT C

CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT #2019-01 – GLADYS SANCHEZ- ZAFIRO'S SEAFOOD AND GRILL

1. The following conditions of approval shall apply to and be applicable to the applicant, property owner, and/or operator. Reference to applicant, property owner, and/or operator shall be interpreted to include all.
2. Conditional Use Permit 2019-01 is for Gladys Sanchez (d.b.a. Zafiro's Seafood and Grill) located at 650 I Street, Assessor's Parcel Number: 025-201-009 and the requested use shall automatically and without notice expire after one (1) year from date of approval by the Los Banos City Council unless commenced. The City for cause may revoke this Conditional Use Permit. Any expansion, intensification, or significant change to the primary use and 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. The Conditional Use Permit shall automatically and without notice expire one year after discontinuance of the primary use and/or the uses approved under the Conditional Use Permit.
3. The applicant/operator shall comply with all other requirements, laws and policies of other governmental agencies in the conduct and operation of said business.
4. The applicant/operator shall obtain and maintain an active Type 41 "on-sale of beer and wine for a bona-fide public eating place" license as defined by the Department of Alcoholic Beverage Control and shall provide a copy of said license upon issuance by the California Department of Alcoholic Beverage Control to the city of Los Banos Community and Economic Development Department prior to the sale of alcohol on the premises.
5. A copy of these Conditions of Approval and the California Department of Alcoholic Beverage Control license are required to be kept on the premises and presented to any law enforcement officer or authorized City official upon request.
6. The applicant/operator shall be responsible for maintaining the exterior of the premises free of litter and trash at all times including the parking lot areas in front of the premises. No storage of equipment, supplies, or merchandise of any kind shall be allowed in the front or rear exterior of the building. All deliveries shall be made from the rear of the building.
7. The Planning Commission reserves the right to review and/or revoke this permit should the applicant not adhere to the Conditions of Approval. The

City may amend or impose new conditions to mitigate adverse effects in the neighborhood resulting from the use of alcohol on the premises.

8. The applicant/operator agrees to indemnify, hold harmless, and defend the City of Los Banos, its officers, agents and employees from any and all liability or claims that may be brought against the City of Los Banos arising out of its approval of this permit, or the environmental determination rendered in connection with the permit approval, or arising out of the operation of the use or uses allowed under the permit, save and except that caused solely by the City's active negligence.
9. The exterior of the premises, including parking lot areas (front and rear), shall be sufficiently illuminated, to the satisfaction of the Police Chief, 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.
10. The premises shall be operated primarily as a restaurant as described in the application prepared by the applicant and filed with the Community and Economic Development Department. Any substantial or significant changes in use or operation of the premises from the Operational Statement may cause a review, amendment or revocation of the Conditional Use Permit. The applicant shall notify the Community and Economic Development Department of any substantial or significant changes in use or operation of the premises from the Operational Statement. The onsite consumption and sale of beer and wine shall be ancillary to the primary use as a restaurant.
11. The use of the premises of the subject site shall be consistent with the Conditions of Approval and shall not be operated in a manner that deviates from the approved Conditional Use Permit filed application and operational statement, which shall constitute a violation and may result in the revocation or modification of the permit upon written notice to the owner of the subject site.
12. Authorization of a Conditional Use Permit granted pursuant to the provisions of Section 9-3.2322 of the Los Banos Municipal Code continue to be valid upon change of ownership of the site or structure which was the subject of the Conditional Use Permit application provided the use shall be subject to all provisions of the Municipal Code and all conditions placed on approval of the Conditional Use Permit are continually met. The applicant shall immediately notify the Community and Economic Development Department of any changes in ownership.
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. Consumption of alcohol shall only be allowed on the premises of the restaurant. Outside patio consumption of alcohol shall only be permitted with a barrier between the public right-of-way and restaurant patrons to be approved by the Community and Economic Development Director.
15. No loud amplification of music or voice shall be allowed outside.
16. The applicant/operator shall have monitoring cameras in the exterior and interior of the restaurant 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.
17. The premises shall be operated in accordance with the Los Banos Municipal Code Noise Ordinance.
18. The applicant shall acknowledge and execute receipt of a copy of the foregoing Conditions of Approval.
19. The applicant/operator shall provide signs prohibiting loitering on the property and/or building subject to the approval of the Community and Economic Development Director.
20. **This approval is conditioned upon and shall be effective upon payment in full of all outstanding invoices pursuant to the Cost Recovery Contract.**







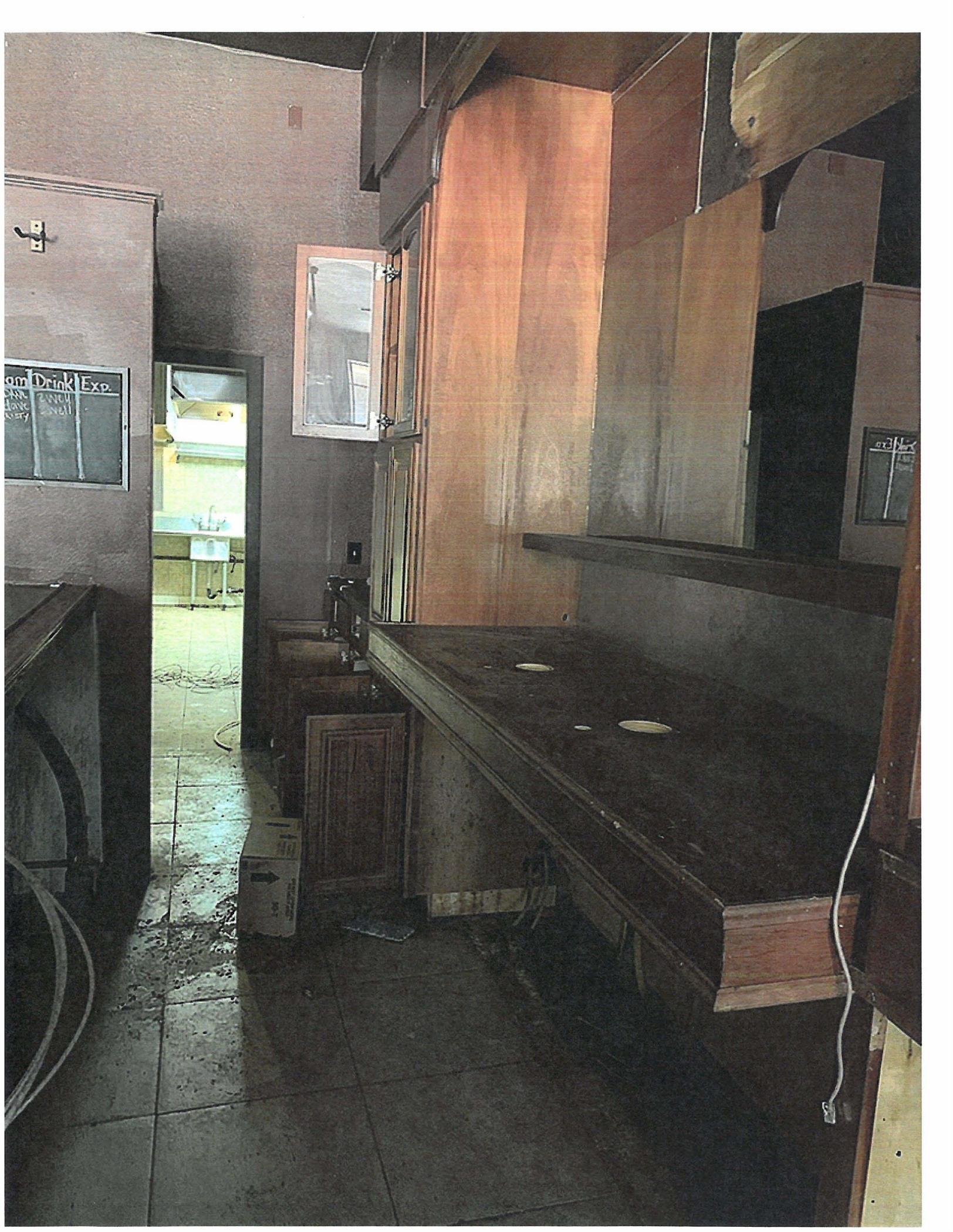
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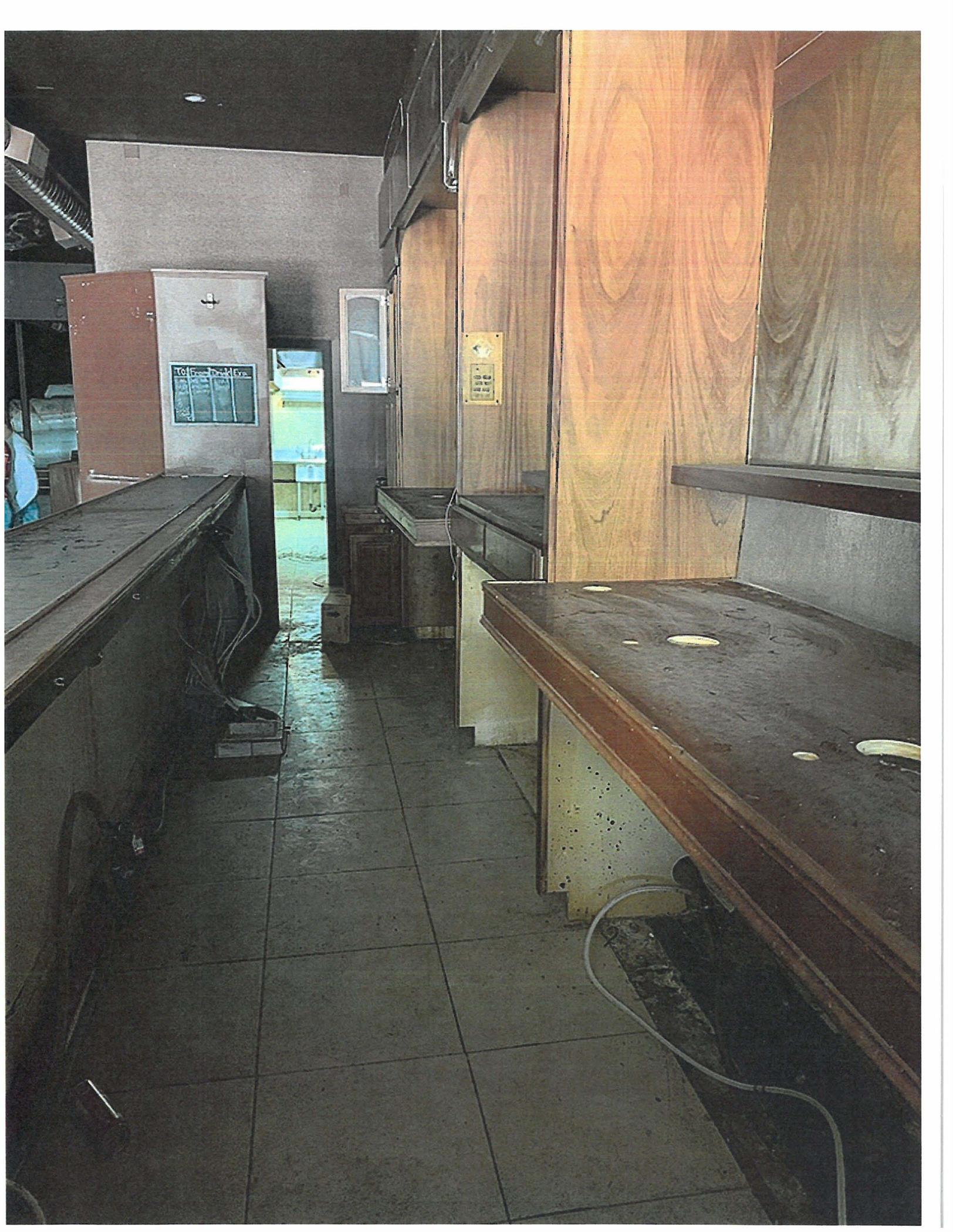
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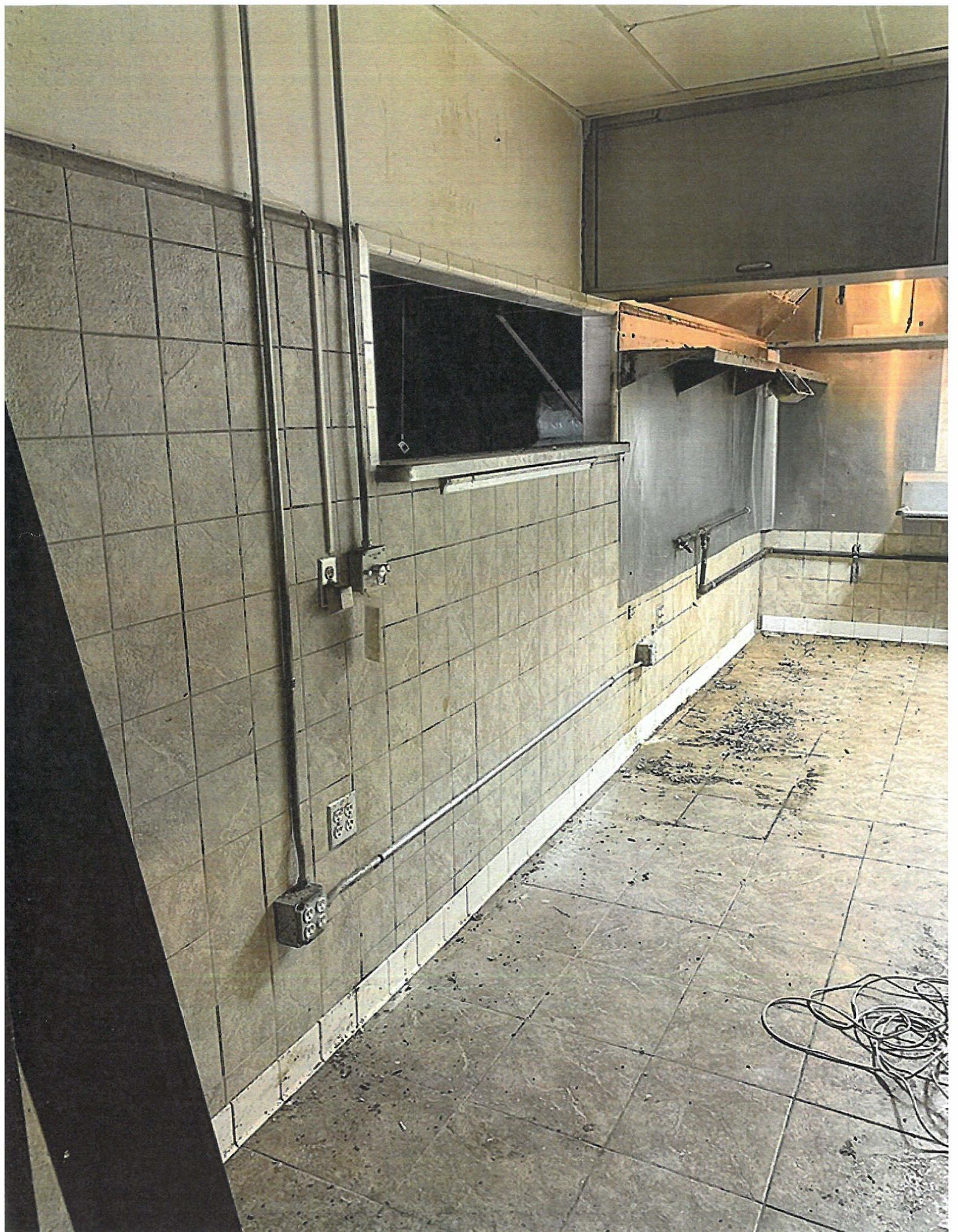
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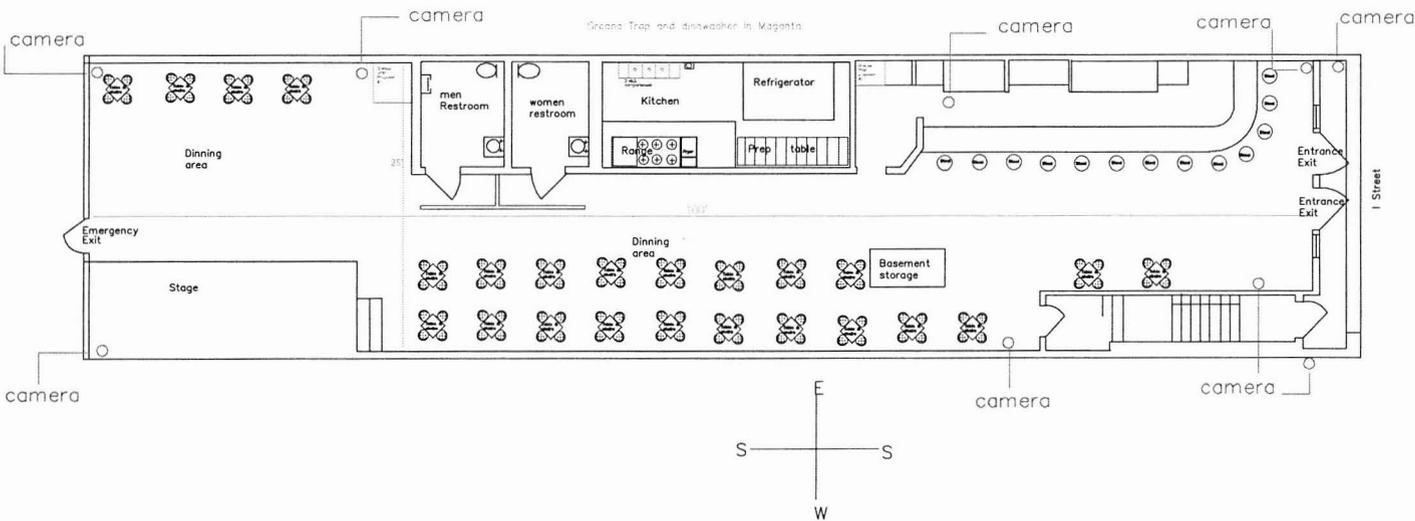








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General Notes

Floor Plan

No.	Revision/Issue	Date

File Name and Address
Frank Sanchez

Project Name and Address
**Zafiro Seafood and grill
 650 I Street
 Los Banos CA 93635**

Project Restaurant	Sheet 01
Date 04/22/2019	Scale 1:75



City of
Los Banos
At the Crossroads of California

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT

Date: April 26, 2019

Regarding: Notice of Public Hearing

Proposal: Conditional Use Permit #2019-01 – Type 41 Alcohol License

NOTICE IS HEREBY GIVEN THAT a Public Hearing will be held by the Los Banos Planning Commission to consider a Conditional Use Permit 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. The requested Conditional Use Permit is for Zafiro's Seafood and Grill located at 650 I Street, more specifically identified as Assessor's Parcel Number 025-201-009.

A PUBLIC HEARING on this matter will be held at the next scheduled meeting of the Los Banos Planning Commission on Wednesday, May 8, 2019, 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) 827-2432.

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 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

Community & Economic
Development Department
520 J Street
Los Banos, CA 93635

Phone: (209) 827-7000
www.losbanos.org

DESIGN REVIEW STUDY SESSION

TO: Chairman Cates and Planning Commissioners

FROM: Rudy Luquin, Associate Planner 

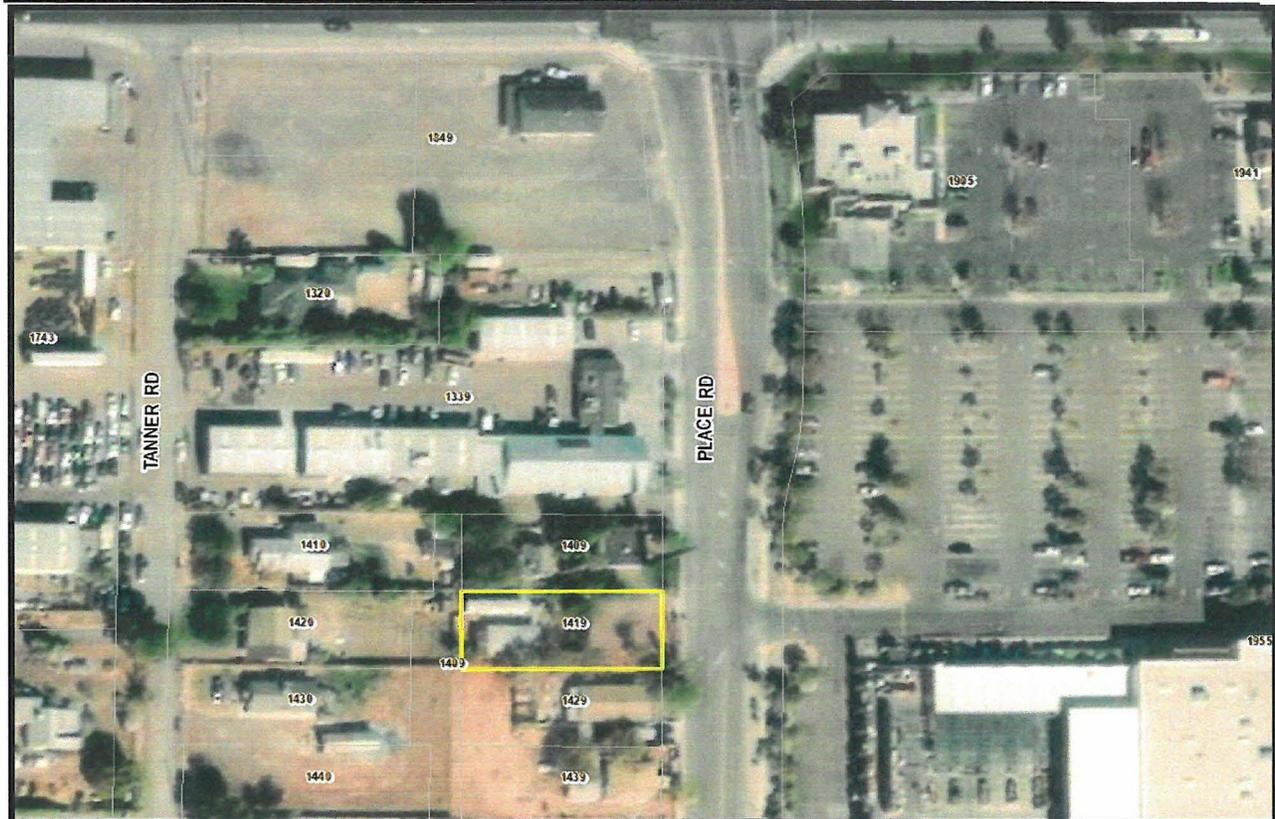
DATE: May 8, 2019

SUBJECT: Project Study Session Review – 1419 Place Road

Project Description

On April 5, 2019, the City of Los Banos Community and Economic Development Department received an application requesting a Site Plan Review entitlement. The applicant, Crisoforo Hernandez and his project designer, Joe Lyons, have been working with staff to meet certain City Standards to achieve a Site Plan Review application for the proposed project. The proposed project site is a 10,146 square foot interior lot immediately west of Place Road. The adjacent parcels to the north and south are both presently used residentially, with functioning single family dwellings. The zoning for the proposed project site is Highway Commercial. The proposed project site has an existing single family dwelling as do the neighboring parcels. The residential uses and structures are preexisting non-conforming to the zoning for the area. The proposed project consists of the demolition of the existing non-conforming residential structure and the development of a commercial building to be used as a dine-in restaurant which is permitted and will conform to the existing Highway Commercial Zoning District.

The proposed commercial structure will measure to be 1,800 square feet and will be constructed to be twenty feet (20') tall. The proposed project also consists of improvements to the parcel such as paving, landscaping, and lighting.



Planning Commission Project Study Session Review

The Community and Economic Development Department has referred the proposed project for a Design Review Study Session with the Planning Commission, in regards to the design of the proposed project in accordance with Los Banos Municipal Code, Section 9-3.2318(a), Planning Commission project study session review. Nonetheless, the proposed project will require final site plan approval by the Planning Commission through a public hearing at a later date.

The objective of the study session is to provide the applicant with analytical commentary from the Planning Commission in the forefront of the design process, prior to the applicant(s) becoming overly invested in a design that is inconsistent with the City of Los Banos Design Guidelines, in conformity with Los Banos Municipal Code Section 9-3.2318(a), Planning Commission project study sessions review. The design review study session is virtually a discussion between the Planning Commission and the applicant concerning the aesthetics of the proposed project, and does not constitute a final decision by the Planning Commission concerning the proposed development project.

In accordance with Los Banos Municipal Code Section 9-3.2318(b) ,Planning Commission project study session review, the Planning Commission's purview of the design review study session is to review, consider, and provide commentary on the following design aspects of the proposed project in light of the City's General Plan and applicable policies:

- Architecture
- Landscaping
- Lighting

Architecture

According to Los Banos Municipal Code Section 9-3.2318(c), Planning Commission project study session review, the Planning Commission shall evaluate and provide commentary on the following architectural elements:

- Architectural style and consistency
- Height
- Bulk
- Area
- Color of buildings
- Types of construction materials
- Physical and architectural relationships with existing and proposed structures
- Materials and variations of boundary walls
- Fences
- Exterior elevations of all sides of the buildings or structures
- Methods used to screen mechanical equipment from public view

The Los Banos Community Design Standards does contain specific design guidelines for commercial buildings. According to the Los Banos Community Design Standards, the preferred architectural theme along the Pacheco Boulevard corridor is Spanish/ Mission. The applicant has incorporated Spanish/ Mission architectural characteristics directly from the Design Standards such as red tile roof, stucco walls, arched door and window openings, wood facias, accentuated corner elements with bellied trimming, stone veneer accents at the base of the building, thick walls and deeply recessed windows, and earth tone colors.

The applicant is proposing to have three (3) colors; Cinnamon Crunch (trim), Clay Dust (elevations), mesquite powder (doors), and terra rosa for the stone veneer color combination. The proposed color patterns are compatible and consistent with the City of Los Banos preferred color palate and are also complimentary to the surrounding area, specifically the shopping center immediately north of home depot.

The existing project site currently has a single family structure erected, which will be demolished prior to construction of the proposed commercial structure.

The applicant is not proposing perimeter fencing to the property at this time

The applicant is proposing several aesthetic features such as cornices, metal canopies, metal trellises, metal awnings, gray tile base to all of the three proposed buildings.

Landscaping

In consistency with Los Banos Municipal Code, Section 9-3.2318(c), Planning Commission project study review,, the Planning Commission shall evaluate and provide commentary on the following landscaping and site treatment elements:

- Types of planting and vegetation;
- Rock groupings; and
- Topography and location of landscaping areas.

The applicant is proposing landscaping throughout the development, mainly along the street frontages, proposed parcel lines and parking lot. The landscape plan consists of four (4) tree species and seven (7) shrubs and ground cover species to be used throughout the project site.

Lighting

In reference to Los Banos Municipal Code, Section 9-3.2318(c), Planning Commission project study review,, the Planning Commission shall evaluate and provide commentary on the following lighting elements:

- Aesthetics of exterior lighting

The exterior lightening will be part of the project, but no light fixtures or schematics regarding the lighting for the parking lot have been incorporated as of yet. There are exterior lighting fixtures (LED Wall Scones) that are also proposed on the exterior elevations of the proposed buildings.

Project Review Board

The proposed project will be reviewed by the Project Review Board (PRB) in regards to the following elements:

- 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 will be providing a formal recommendation to the Planning Commission concerning the scope of their review during the Site Plan Review process.

Recommendation

Staff is recommending that the Planning Commission evaluate the proposed projects architectural considerations, landscaping, site improvements and exterior lighting

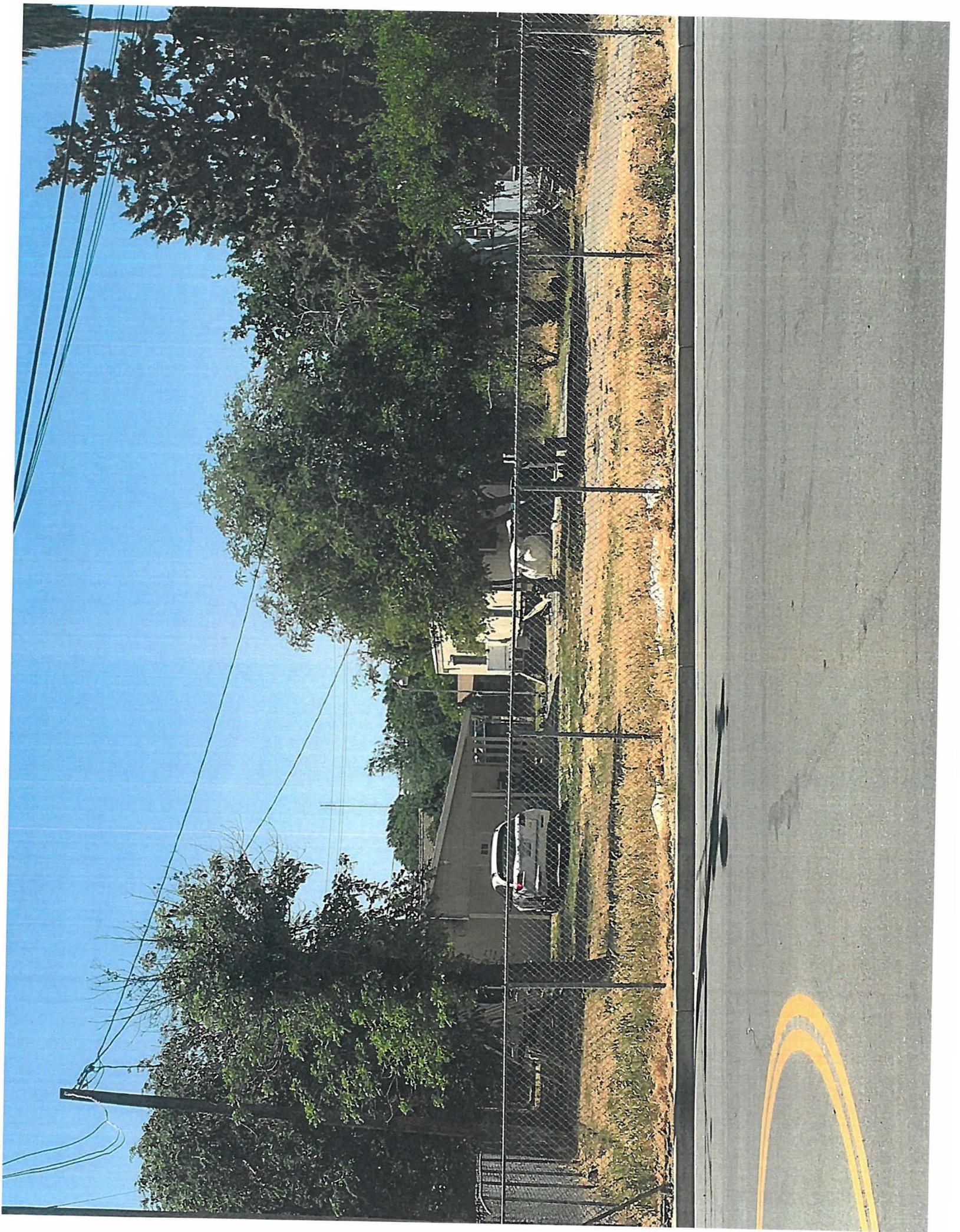
Design Review – 1419 Place Road
May 8, 2019

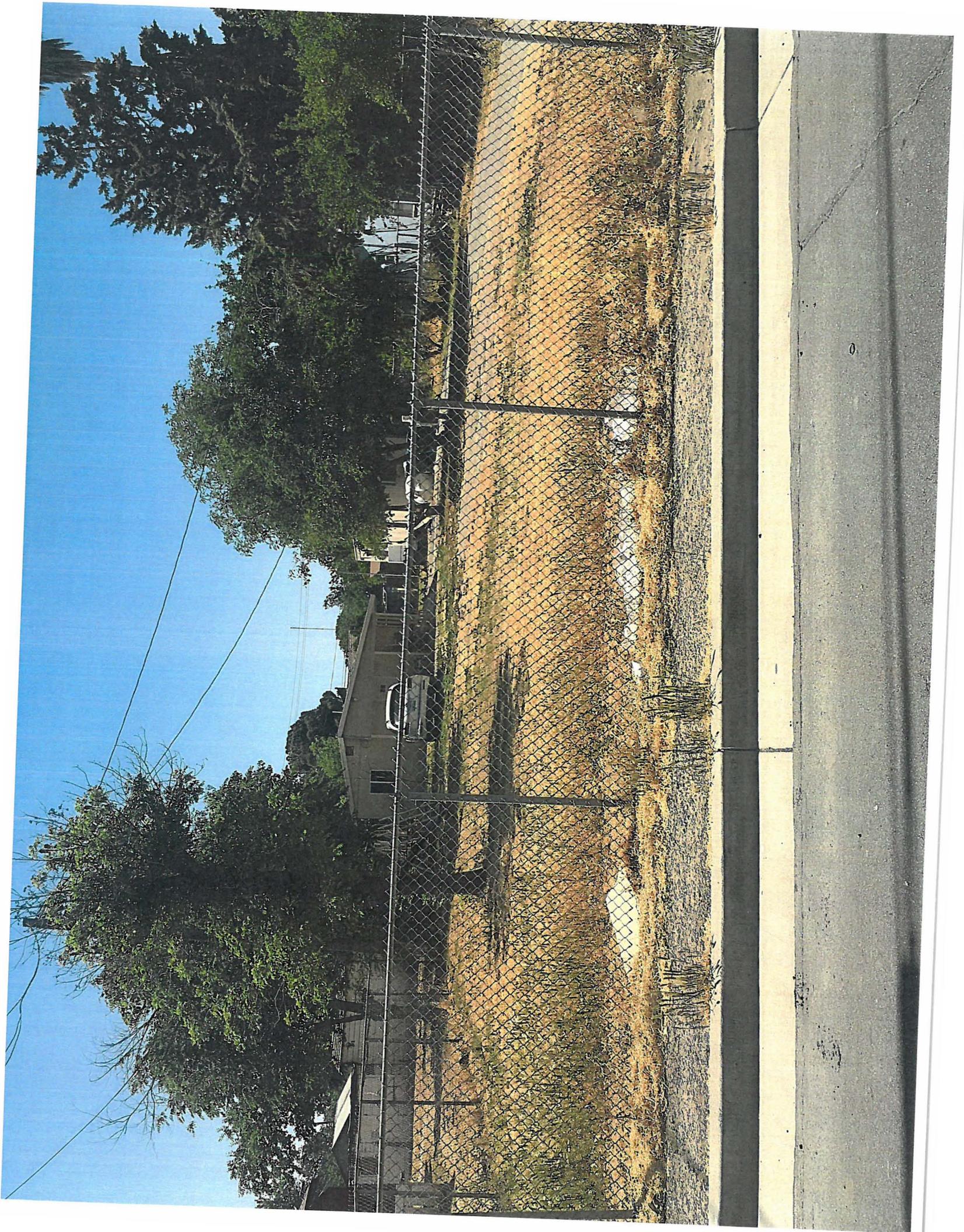
elements as described above and provide initial commentary to the applicant regarding the proposed design. No formal action will be taken at this juncture.

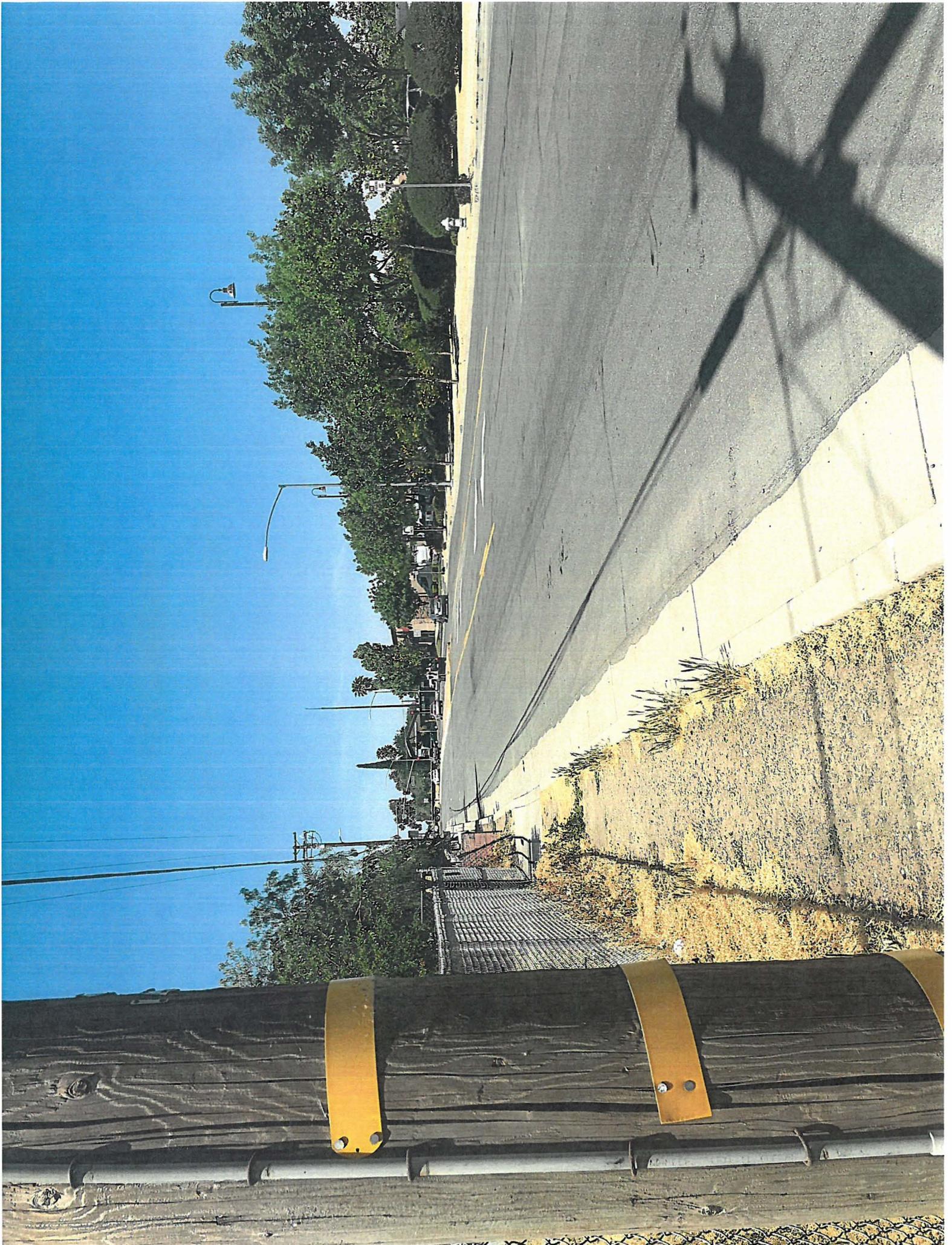
Attachments:

Site Plan
Site Photos
Elevations

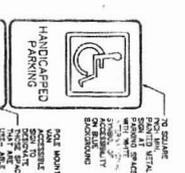












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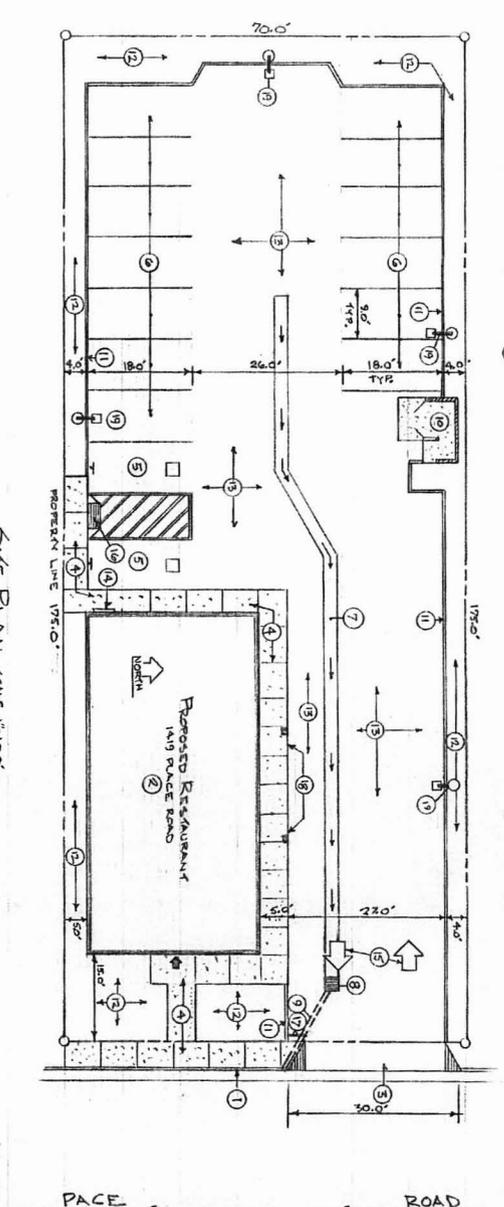
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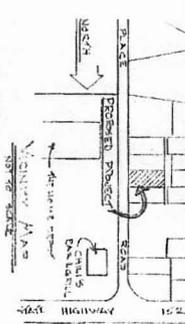
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Fire Department Notes:
1. SPRINKLER SYSTEM IS REQUIRED FOR THIS PROJECT.
2. FIRE FLOW REQUIREMENT IS 1500 GALLONS PER MIN.
3. FIRE FLOW REQUIREMENT IS 1500 GALLONS PER MIN.
4. FIRE FLOW REQUIREMENT IS 1500 GALLONS PER MIN.



SITE PLAN SCALE 1/8"=1'-0"



PARKING ANALYSIS:
REQUIRED PARKING - 15 STALLS
PROVIDED PARKING - 15 STALLS
TOTAL AVG PARKING = 15 STALLS

SITE DATA:
GENERAL LOTS AREA: 12,250 SQ FT
ADJACENT PAVEMENT: 14,175 SQ FT
PROPERTY OWNERS: CHISORFO HERNADEZ
PROJECT: PROPOSED RESTAURANT

Building Data:
TYPE OF CONSTRUCTION: V-B
NUMBER OF STORIES: A-2
FLOOR FINISH: C-1
BUILDING HEIGHT: 12'-0"

- Site Key Notes:**
1. EXISTING CURB AND GUTTER.
 2. PROPOSED 1800 S&P RESTAURANT.
 3. PROPOSED CONCRETE CURB APPROXIMATE PER CITY OF LOS BANOS PUBLIC WORKS STANDARDS.
 4. PROPOSED 5'-0" WIDE DRIVEWAY PER CITY OF LOS BANOS PUBLIC WORKS STANDARDS.
 5. PROPOSED WOODEN PAVING STALLS (3'x6') WITH SIGNAGE AND STRIPING PER TITLE 29 C.C.R. ACCESSIBILITY STANDARDS.
 6. PROPOSED STANDARD PAVING STALLS (5'x8') WITH 4 INCH WIDE WHITE PAINTED STRIPING AND SIGNAGE STALLS.
 7. PROPOSED 2'-0" CONCRETE VALLEY CURB.
 8. PROPOSED CONCRETE CURB WITH STEEL OR CURB TOP FROM AND GRILL.
 9. PROPOSED 4'-0" HIGH CONCRETE MASONRY FENCE ENCLOSURE.
 10. PROPOSED 6'-0" HIGH CONCRETE MASONRY FENCE ENCLOSURE.
 11. PROPOSED 6'-0" HIGH CONCRETE MASONRY FENCE ENCLOSURE.
 12. PROPOSED LANDSCAPED AREAS.
 13. PROPOSED ASPHALT PAVING PER CITY OF LOS BANOS PUBLIC WORKS STANDARDS.
 14. PROPOSED ELECTRICAL MAIN OVERHEAD, COORDINATE ADDITIONAL ELECTRICAL WORK WITH ELECTRICAL PLAN, SHEET E-1.
 15. PROPOSED PAINTED TRAFFIC ARROWS.
 16. PUMP TO 200 GAL.
 17. SLOPE 5/8".
 18. RED PAINTED CURB WITH NO PARKING FIRE LANE SIGN EVERY 50 FT. PER CIV. CODE.
 19. PAVING LOT LIGHT AT 24" HIGH PALE-SEE BEYOND 24" SHIRT L-2 PROVIDE 4 LIGHT UNITS PER PAV. PAV. LIGHTING FIXTURES MOUNTED TO BUILDING.

