



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, AUGUST 28, 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 Desehabilidad (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 __, 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 JULY 10, 2019

Recommendation: Approve the minutes as submitted.

6. CONSIDERATION OF APPROVAL OF THE ACTION MINUTES FOR THE ADJOURNED CITY COUNCIL/PLANNING COMMISSION MEETING OF AUGUST 14, 2019

Recommendation: Approve the minutes as submitted.

7. 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.

8. 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 Site Plan Review #2019-03 for the Development of One (1) Commercial Structure Totaling 5,156 Square Feet with Site Improvements within the General-Commercial Zoning District and a Categorical Exemption from the California Environmental Quality Act Pursuant to Section 15332 In-Fill Development Projects Located at 1101 F Street, More Specifically Identified as Assessor’s Parcel Number: 025-152-009.

1) Planning Commission Resolution No. 2019-16 – Approving Site Plan Review #2019-03 for the Development of One (1) 5,156 Square Foot Commercial Structure Along with Site Improvements within the General-Commercial Zoning District and a Categorical Exemption from the California Environmental Quality Act Pursuant to Section 15332, In-Fill Development Projects Located at 1101 F Street, More Specifically Identified as Assessor’s Parcel Number: 025-152-009.

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) and a Mobile Food Vendor Permit #2019-06 to Allow the Operation of a Mobile Food Vending Vehicle on Private Property for Kenneth Lambert dba Biggins Texas BBQ Located within the Public-Facilities Zoning District at 520 West I Street, More Specifically Identified as Assessor’s Parcel Number: 027-032-007.

- 1) Planning Commission Resolution No. 2019-17 – Approving the Project to Be Categorically Exempt from the California Environmental Quality Act Pursuant to Section 15311, Accessory Structures, and Approving Mobile Food Vendor Permit #2019-06 for the Operation of a Mobile Food Vending Unit to Vend on Private Property Located at 520 West I Street, More Specifically Identified as Assessor’s Parcel Number: 027-032-007.

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

9. DESIGN REVIEW STUDY SESSION – ESTABLISHMENT OF ONE (1) MODULAR BUILDING TOTALLING 2,208 SQUARE FEET FOR A MULTI-PURPOSE ROOM INCLUDING CLASS SPACE AND AN ASSEMBLY/SOCIAL HALL FOR FIRST BAPTIST CHURCH LOCATED IN THE LOW-DENSITY RESIDENTIAL (R-1) ZONING DISTRICT ADJACENT TO 819 D STREET, MORE SPECIFICALLY IDENTIFIED AS ASSESSOR’S PARCEL NUMBERS: 025-092-002, 003, 004.

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

10. COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT REPORT

11. COMMISSIONER REPORTS

- A. Cates
- B. Dees
- C. Giuliani
- D. Higby
- E. Toscano

12. ADJOURNMENT.

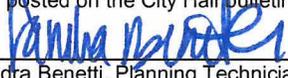
APPEAL RIGHTS AND FILING PROCEDURES

Any person dissatisfied with an act or determination of the Planning Commission may appeal such act or determination to the Planning Commission by filing written notice with the Planning Commission Secretary not later than five (5) business days (excluding holidays) after the day on which the act or determination was made. An appeal must state the act or determination which is being appealed, the identity of the applicant and his/her interest in the matter, and set forth in concise statement(s) the reasons which render the Commission’s decision unjustified or inappropriate. (Los Banos Municipal Code Section 9-3.2326)

Concerning an action taken by the Planning Commission related to Chapter 2 Articles 1 through 17 of the Los Banos Municipal Code “Subdivisions”, if a subdivider or other affected property owner is

dissatisfied with any action of the Commission with respect to a tentative map or the nature and extent of improvements recommended or required he/she may within fifteen (15) days after such action appeal to the Planning Commission Secretary for a public hearing on the matter. An appeal must state the action being appealed, identify the agenda item by agency number or project title, and set forth in concise statement(s) the reasons for the appeal. (Los Banos Municipal Code Sections 9-2.807)

Appeals must be in writing and include the appellant's name and address and original signature. A filing fee of \$150.00 must accompany the notice of appeal.

<p>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.</p> <p> _____ Sandra Benetti, Planning Technician</p> <p>Dated this 23rd day of August 2019</p>
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**CITY OF LOS BANOS
PLANNING COMMISSION MEETING MINUTES
JULY 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, and Thomas Higby III; Tom Spada and Susan Toscano absent.

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

CONSIDERATION OF APPROVAL OF AGENDA. Motion by Higby, seconded by Dees 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 JUNE 26, 2019. Motion by Higby, seconded by Giuliani 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. No one came forward to speak and the public forum was closed.

PUBLIC HEARING – TO CONSIDER AND MAKE A RECOMMENDATION TO THE LOS BANOS CITY COUNCIL TO AMEND CHAPTER 3 OF TITLE 9 OF THE LOS BANOS MUNICIPAL CODE TO ALLOW CHILD DAY CARE CENTERS IN ALL ZONING DISTRICTS SUBJECT TO A CONDITIONAL USE PERMIT. Community & Economic Development Director Elms presented the staff report.

Commissioner Dees inquired as to which zones a family daycare center can currently operate.

City Attorney Vaughn responded that a Conditional Use Permit (CUP) is required for large family daycares, it's allowed in all residential zones in the City, there is not any framework within the code for daycare centers, and it is an institutional setting.

Commissioner Dees inquired how residents will be notified.

City Attorney Vaughn responded that notification would be done as they are now by a mailed public hearing notice, if no request for public hearing is requested then it will be administered administratively, if a daycare center is proposed then a CUP will be required with a public hearing no matter what.

Commissioner Dees inquired if a business license is required.

Community & Economic Development Director Elms responded that it will be required with the exception for small family daycares.

Commissioner Dees stated that we seem to let everything happen in every zone and inquired about the purpose of zoning districts if we'll still allow the uses thru a CUP.

City Attorney Vaughn responded that staff shouldn't look at zoning at completely exclusive, there are guidelines but you want to give people the opportunity to make their property profitable, and a CUP is an opportunity to look at it at a case-by-case basis.

There was discussion among commissioners, staff, and legal counsel regarding signage for daycare centers in residential zones and establishing rules for daycare centers.

Chairperson Cates opened the public hearing. KATHY BALLARD, Los Banos, spoke of her concern allowing these centers in the H-C and C-N zoning districts.

City Attorney Vaughn responded that many daycare centers are in commercial areas, didn't want to eliminate an area that would be amenable for a good location, and if they are located where people work it can be ideal.

Ms. Ballard stated that she didn't read the criteria.

City Attorney Vaughn responded that the state requires many things including play areas, the City limits hours of operations and parking, schools and churches are located in all zones and they often run preschools and nurseries, didn't want to eliminate any current uses, the City is in contract to sell the child development center which is in a park zone and those centers are not currently allowed in park zones, and stated that the next agenda item will be to address this property's zoning and use.

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

Commissioner Dees thanked City Attorney Vaughn for enlightening the commissioners.

Motion by Giuliani, seconded by Dees to adopt Planning Commission Resolution No. 2019-14 – Recommending to the City Council Adoption of an Ordinance of the City Council of the City of Los Banos Amending Article 37 Chapter 3 of Title 9 of the Los Banos Municipal Code Relating to Child Day Care Facilities and Related Zoning Code Classifications and Definitions. The motion carried by the affirmative action of all Planning Commission Members present; Spada and Toscano absent.

PUBLIC HEARING – TO CONSIDER RECOMMENDING TO THE LOS BANOS CITY COUNCIL GENERAL PLAN AMENDMENT 2019-01, ZONE CHANGE #2019-01, AND CATEGORICAL EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO SECTION 15301 (EXISTING FACILITIES) FOR THE CHILD DEVELOPMENT CENTER TO REDESIGNATE CURRENT PARK GENERAL PLAN LAND USE DESIGNATION TO PROFESSIONAL OFFICE LAND USE DESIGNATION AND ZONE CHANGE FROM PARK ZONING DISTRICT TO PROFESSIONAL OFFICE (P-O) ZONING DISTRICT LOCATED AT 1624 SAN LUIS STREET, MORE SPECIFICALLY IDENTIFIED AS A PORTION OF ASSESSOR'S PARCEL NUMBER: 428-070-001. Community & Economic Development Director Elms presented the staff report.

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

Motion by Dees, seconded by Giuliani to adopt Planning Commission Resolution No. 2019-15 – Recommending Approval to the Los Banos City Council of General Plan Amendment #2019-01 and Zone Change #2019-01 of Approximately 1.33 Acres for the Child Development Center Facility Located at 1624 San Luis Street, More Specifically Identified as a Portion of Assessor's Parcel Number: 428-070-001 and Finding that the Disposition of the Property is Consistent with the City's General Plan. The motion carried by the affirmative action of all Planning Commission Members present; Spada and Toscano absent.

DESIGN REVIEW STUDY SESSION – DEVELOPMENT OF ONE (1) COMMERCIAL STRUCTURE TOTALLING 5,156 SQUARE FEET FOR AN AUTOMOTIVE REPAIR SHOP AND RESTAURANT FOR JOSE TELLEZ LOCATED IN THE GENERAL-COMMERCIAL (C-1) ZONING DISTRICT AT 1101 F STREET, MORE SPECIFICALLY IDENTIFIED AS ASSESSOR'S PARCEL NUMBER: 025-152-009. Associate Planner Luquin presented the staff report, which included a PowerPoint presentation.

Jose Perez, architect, stated he was present on behalf of the applicant and available for questions.

There was discussion among Commissioners, staff, and the applicant regarding architecture.

Commissioner Dees observed that a food service is being proposed next to a smog service and inquired what the applicant has done in regards to air quality.

Mr. Perez responded that there is a 2 hour fire separation wall between the smog repair and the lobby waiting area and stated that the automotive side will be well-ventilated.

Commissioner Dees inquired if there will be some kind of purifier.

Mr. Perez responded that he approached a mechanical contractor about these concerns as well and it hasn't been resolved yet.

Commissioner Dees stated that he wants the business to be successful but has concerns about safety and hopes it can be resolved within the architecture.

Mr. Perez responded that it is up to the business owner, but they are addressing it once they receive approval from the Planning Commission.

Commissioner Dees commented that he is enthusiastic for this project.

Commissioner Higby spoke of his concern regarding the waiting area and inquired if there is there a secondary door between the uses.

Mr. Perez responded that they can look at adding a vestibule to create an additional way to control fumes coming into the eatery.

Community & Economic Development Director Elms suggested the consideration of addressing the large massing with the addition of trellises on the south elevation.

Chairperson Cates commented that he would like to see the massing broken up on the south and east elevations and spoke of how he appreciates how the applicant has taken Young's design and matched it.

Commissioner Giuliani inquired if the restaurant would be serving beer only.

Mr. Perez responded that the applicant does intend to serve just beer.

There was discussion among Commissioners, staff, and the applicant regarding lighting including how staff will require a photometric plan and it will have to meet City standards.

There was discussion among Commissioners, staff, and the applicant regarding landscaping including sidewalk that will be improved per City standards, proposed parking and easement for parking, and security cameras.

Commissioner Dees spoke of his concern about the storage area for automobiles.

Informational item only, no action taken.

COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR REPORT.

Community & Economic Development Director Elms thanked those who attended the Downtown Strategic Plan community workshop, spoke of the importance to guide development of downtown, upcoming community outreach event at Ranchwood Park, the Downtown Strategic Plan will be presented to Planning Commission at a future date, there will be a joint City Council/Planning Commission meeting on August 14th at 6:00 p.m. regarding the police facility needs at the Police Annex so the meeting will need to be adjourned to that date.

PLANNING COMMISSION MEMBER REPORTS.

CATES: Thanked staff for their work, expressed sorrow for Commissioner Limon's resignation, hopeful to have talent fill his shoes, how it was great to attend the Downtown Strategic Plan meeting the other night, and PlaceWorks is doing a great job.

DEES: No report.

GIULIANI: Thanked Mr. Perez for his drawings and Mr. Tellez for bringing this to the community.

HIGBY: No report.

SPADA: Absent.

TOSCANO: Absent.

ADJOURNMENT: The meeting was adjourned at the hour of 8:08 p.m. to 6:00 p.m., Wednesday, August 14, 2019 at the Police Annex located at 535 J Street, Los Banos, California to conduct a Joint Study Session with the City Council regarding the Police Facility Needs Assessment.

APPROVED:

John Cates, Chairperson

ATTEST:

Sandra Benetti, Planning Technician

**CITY OF LOS BANOS
ADJOURNED JOINT CITY COUNCIL/
PLANNING COMMISSION MEETING MINUTES
AUGUST 14, 2019**

ACTION MINUTES – These minutes are prepared to depict action taken for agenda items presented to the City Council and 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 – CITY COUNCIL: Mayor Villalta called the Adjourned Joint City Council/Planning Commission Meeting to order at the hour of 6:03 p.m.

CALL TO ORDER – PLANNING COMMISSION: Chairperson Cates called the Adjourned Joint City Council/Planning Commission Meeting to order at the hour of 6:03 p.m.

PLEDGE OF ALLEGIANCE: The pledge of allegiance was led by Police Chief Brizzee.

ROLL CALL – MEMBERS OF THE CITY COUNCIL PRESENT: Mayor Mike Villalta and City Council Members, Daronica Johnson-Santos, Brett Jones, and Deborah Lewis; Tom Faria absent.

ROLL CALL – MEMBERS OF THE PLANNING COMMISSION PRESENT: Planning Commission Chairperson John Cates and Commissioners David Dees, Mona Giuliani, Thomas Higby III, and Susan Toscano.

STAFF MEMBERS PRESENT: Police Chief Gary Brizzee, Fire Chief Mason Hurley, Public Works Director/City Engineer Mark Fachin, Assistant Public Works Director Greg Pimentel, Finance Director Sonya Williams, Community & Economic Development Director Stacy Elms, Planning Technician Sandra Benetti, and Associate Planner Rudy Luquin.

CONSIDERATION OF APPROVAL OF AGENDA – CITY COUNCIL: Motion by Lewis, seconded by Jones to approve the agenda as submitted. The motion carried by the affirmative action of all City Council Members present; Faria absent.

CONSIDERATION OF APPROVAL OF AGENDA – PLANNING COMMISSION: Motion by Giuliani, seconded by Higby to approve the agenda as submitted. The motion carried by the affirmative action of all Planning Commissioners present.

PUBLIC FORUM: MEMBERS OF THE PUBLIC MAY ADDRESS THE CITY COUNCIL AND PLANNING COMMISSION ON ANY ITEM OF PUBLIC INTEREST THAT IS WITHIN THE JURISDICTION OF THE CITY COUNCIL AND PLANNING 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.

Planning Commission Chairperson Cates opened the public forum. No one came forward to speak and the public forum was closed.

JOINT STUDY SESSION REGARDING THE POLICE FACILITY NEEDS ASSESSMENT.

Assistant Public Works Director Pimentel gave a brief overview of the assessment and introduced the consultants present tonight.

Bruce Playle and Prescott Nichols, Indigo/Hammond & Playle Architects, facilitated the study session, which included a couple of PowerPoint presentations.

Discussion item only; no action taken.

ADJOURNMENT – CITY COUNCIL: The meeting was adjourned at the hour of 7:38 p.m.

ADJOURNMENT – PLANNING COMMISSION: The meeting was adjourned at the hour of 7:38 p.m.

APPROVED:

John Cates, Planning Commission 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: AUGUST 28, 2019

SUBJECT: SITE PLAN REVIEW #2019-03 – JOSE TELLEZ

RECOMMENDATIONS:

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

1. Approve Resolution No. 2019-16, approving Site Plan Review #2019-03 for the development of one (1) 5,156 square foot commercial structure along with site improvements within the General Commercial Zoning District and a Categorical Exemption from the California Environmental Quality Act pursuant to Section 15332, In-Fill Development Projects. The proposed project site is located at 1101 F Street; more specifically identified as Assessor's Parcel Numbers: 025-152-009.

PROJECT DESCRIPTION:

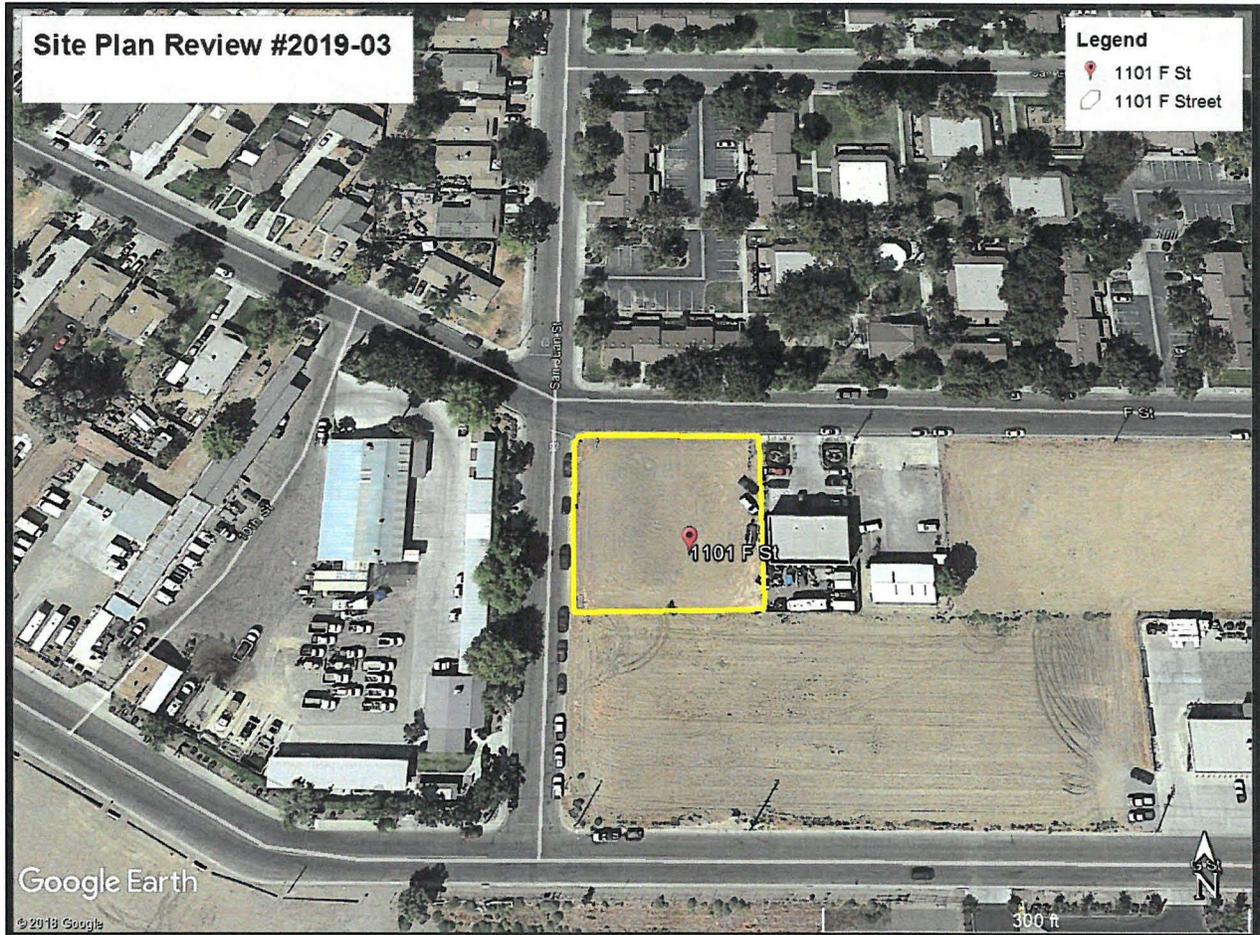
The City of Los Banos Community and Economic Development Department received an application in request for a Site Plan Review entitlement. The applicant, Jose Tellez and his representative Jose Perez, are proposing to develop one commercial building totaling 5,156 square feet on a vacant parcel located at 1101 F Street. The proposed commercial structure is proposed to serve as a Smog Shop and specialty eatery area. The project site is surrounded by various uses North of the project site are multi-family residential units, to the east is Young's Automotive, to the west is the City of Los Banos Public Works Department Operations Division yard and to the south is a vacant lot. The proposed Smog Shop and specialty eatery uses are permitted within the General Commercial Zoning District.

The proposed commercial structure will consist of two different uses; 1,620 square feet that will serve as a smog shop and the remaining 3,536 square feet will serve as the

proposed eatery area consisting of kitchens, wash area, office area, and dining area and will be constructed to be approximately twenty-two feet (22') tall at the buildings highest point. The proposed project also consists of improvements to the project site such as paving, landscaping, and lighting.

PROJECT LOCATION:

The project site is located on a 5,156 square foot lot at 1101 F Street, APN 025-152-009.



LAND USE:

<u>Property</u>	<u>Land Use</u>	<u>Zone</u>	<u>General Plan</u>
Project site	Commercial	C	C
North	High Density Residential	R-3	HDR
South	Commercial	C	C
East	Commercial	C	C
West	Commercial	C	C

R-3 = High Density Residential

C= Commercial

ENVIRONMENTAL ASSESSMENT:

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

PROJECT ANALYSIS:

Existing Setting

The proposed project site is vacant. The parcel immediately to the east contains a commercial structure that operates as an automotive repair shop. The properties to the north have existing high density residential uses and structures. The property to the west is utilized by the City of Los Banos Public Works Operations Division. The zoning for the proposed project site is General Commercial and the General Plan Land Use Designation is Commercial. The topography of the project site is relatively flat with small vegetation throughout the vacant lot. The vegetation will be removed as part of the proposed project.

SITE PLAN REVIEW ANALYSIS:

Code Requirements

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

Project Design

The proposed project will consist of the development of a 5,156 square foot commercial building along with associated site improvements and landscaping. There is no particular design theme for the project area. Nonetheless the applicant will be utilizing some Spanish/ Mission architectural theme features. The applicant has incorporated Spanish/ Mission architectural characteristics directly from the Design Standards such as stucco walls, Spanish tile on awning, towers, stone veneer accents at the on the wall elevations of the entrance and the base of the building, and earth tone colors.

The proposed building materials are going to be compatible to the commercial development to the east.

The proposed development will add value and compliment the residential area to the north and the commercial operation to the east of the project site as this project will be consistent with the General Commercial Zoning District and the General Plan Commercial Land Use Designation.

The architecture includes detailed site plans and elevations.

The site plan is designed with 16 off-street parking spaces with one (1) designated as handicap parking. Pursuant to Section 9-3.2004 of the Los Banos Municipal Code, the required off-street parking spaces are 18 in regards to the commercial uses. There are two less off-street parking stalls than required, in which the applicant also owns the neighboring property to the east and will record a reciprocal parking easement with the two properties to acquire additional parking stalls. Thus the proposed total of 22 off-street parking spaces combined exceeds the required amount and is consistent Los Banos Municipal Code Title 9 Article 20.

Land Use

The project site's land use designation is Commercial in according with the Los Banos 2030 General Plan and is zoned General Commercial in consistency with the Los Banos Municipal Code. The proposed project will bring the parcel to consistency with the General Plan land use designation and the Los Banos Municipal Code Title 9, Chapter 3, Article 12, General Commercial Zoning District.

Landscape and Lighting

The applicant is proposing landscaping throughout the development, mainly along the street frontages, proposed parcel lines and parking lot. The landscape plan consists of five (5) tree species and one (1) shrubs and ground cover species to be used throughout the project site. The landscape plan was designed in consistency with the City's "Water Efficient Landscape Ordinance". The applicant has proposed standard exterior down facing lighting fixtures for the project. The project will consist of three (3) exterior lighting fixtures which will complement the aesthetic nature of the elevations. The proposed three (3) exterior light pole fixtures are consistent with the City of Los Banos Standards and Specifications. The lighting/ photometric plan shall include a Lumen Dispersion Map and comply with the City of Los Banos Standards and Specifications. Maintenance of the landscape and lighting areas will be financed through a Landscape and Lighting District. The developer will be required to form or annex to an existing Landscape and Lighting District.

Circulation

It is not anticipated that the proposed project will affect circulation on F Street, as F Street does not presently have circulation issues. The project will aid the traffic circulation as the project proposes to have two points of ingress egress, one being on F Street and the other being on San Juan Avenue. The proposed project of a dine-in restaurant will have a minimal increase in traffic, but not to the extent to consider a Traffic Impact Study for the project. In consistency with the Los Banos 2030 General Plan in accordance with Circulation Implementing Action C-I-12, it is not required for the project to perform an Impact Traffic Study as the proposed project will not generate 100 or more peak hour trips.

Infrastructure/Services

Water: The City of Los Banos will provide water service for the new development.

Sewer: The City of Los Banos will provide service to the new development.

Drainage: The City of Los Banos currently provides storm water drain services through an existing connection off of San Juan Avenue.

It should be noted that all City infrastructure has been sized to accommodate this use and will be built in accordance with the City's Utility Master Plans.

Signage

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

DESIGN REVIEW

Pursuant to Section 9-3.2818(a) of the Los Banos Municipal Code, the Los Banos Planning Commission held a study session on July 10, 2019, to provide the applicant with feedback early on in the design process. The Planning Commission evaluated architectural elements, landscape and site treatment, and lighting elements as described in Section 9-3.2818(c) of the Los Banos Municipal Code.

The Planning Commission did have a concern regarding fumes from the proposed smog shop into the eatery and suggested a vestibule or double door system to mitigate fumes. It was also suggested to provide wall trellises on the south side elevation to break up the massing of the building..

PROJECT REVIEW BOARD

The Project Review Board (PRB) reviewed the project proposal on July 9, 2019, for these aspects

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

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

FINDINGS FOR APPROVAL:

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

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

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

ECONOMIC DEVELOPMENT POLICY ED-G-1:

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

ECONOMIC DEVELOPMENT POLICY ED-G-3:

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

ECONOMIC DEVELOPMENT POLICY ED-G-7:

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

LAND USE POLICY LU-G-1:

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

Evidence/Analysis: The project is consistent with the General Plan, Commercial land use designation. The proposed commercial structure would create employment opportunities for the community and the creation of new business fosters economic development and business vitality.

- b. *The zoning designation for the project site is General Commercial (C-1). The purpose of the General Commercial Zoning District is to provide a district for the sale of goods and services which meet the needs of a broad trade area.*

Evidence/Analysis: The proposed commercial development will be consistent with the permitted uses in the General Commercial Zoning District and the variety of goods and services that will potentially be provided, Smog Shop and Eatery, is also consistent with the intent of the General Commercial Zoning District.

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

Evidence/Analysis: The proposed project is located near commercial development and uses and residential development and uses that range from Low Density to High Density. The design of the proposed commercial structure will be compatible with the commercial structure to the east and will complement the residential uses as far as having a restaurant with a variety of food within close proximity. The project will aid the traffic circulation as the project proposes to have two points of ingress egress, one being on F Street and the other being on San Juan Avenue. As noted previously, the project is not required to perform a Traffic Impact Study, in compliance with the Los Banos 2030 General Plan in accordance with Circulation Implementing Action C-I-12, it is not required for the project to perform an Impact Traffic Study as the proposed project will not generate 100 or more peak hour trips.

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

Evidence/Analysis: The proposed design of the commercial structure is a Spanish themed architectural style which is compatible to the neighboring commercial structure to the east, also the color pattern for the structure will be earth tone colors which is similar to the existing commercial structure to the east,

which are City preferred colors. The applicant received positive feedback from the Planning Commission Study Session.

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

Evidence/Analysis: As stated earlier, the design of the proposed development will provide desirable environment for the surrounding area. Aesthetically, the project will develop a vacant lot, the immediate aesthetic features of the actual structure will be similar to the existing commercial structure to the east. The proposed development will complement the area and the proposed uses, such as the eatery, will attract neighboring residents to the vicinity. Overall the proposed development will aesthetically be of good composition, materials, textures and colors.

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

Evidence/Analysis: The proposed project and uses of the project are consistent with the Los Banos Municipal Title 9 Article 12, General Commercial Zoning District and the Los Banos 2030 General Plan Commercial land use designation.

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

Evidence/Analysis: The comprehensive design of the proposed commercial structure conforms to good planning in that the physical design elements are will not inhibit the public health safety and general welfare of the surrounding area.

PUBLIC COMMENT:

A public hearing notice was published in the Los Banos Enterprise and notices were mailed out to property owners within a 300' radius of the Project site on August 16, 2019. As of the date of this report no comments have been received.

RECOMMENDATION:

1. Approve Resolution No. 2019-16, approving Site Plan Review #2019-03 for the development of one (1) 5,156 square foot commercial structure along with site improvements within the General Commercial Zoning District and a Categorical Exemption from the California Environmental Quality Act pursuant to Section 15332, In-Fill Development Projects. The proposed project site is located at 1101 F Street; more specifically identified as Assessor's Parcel Numbers: 025-152-009.

ATTACHMENTS:

1. Resolution 2019-16
 - Exhibit A: CEQA Findings
 - Exhibit B: Findings for Approval
 - Exhibit C: Conditions of Approval
2. Plan Set
3. Public Hearing Notice – August 16, 2019

RESOLUTION #2019-16

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS BANOS APPROVING SITE PLAN REVIEW #2019-03 FOR THE DEVELOPMENT OF ONE (1) 5,156 SQUARE FOOT COMMERCIAL STRUCTURE ALONG WITH SITE IMPROVEMENTS WITHIN THE GENERAL COMMERCIAL ZONING DISTRICT AND A CATEGORICAL EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO SECTION 15332, IN-FILL DEVELOPMENT PROJECTS. THE PROPOSED PROJECT SITE IS LOCATED AT 1101 F STREET; MORE SPECIFICALLY IDENTIFIED AS ASSESSOR'S PARCEL NUMBER: 025-152-009.

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

WHEREAS, the subject property has a land use designation of Commercial pursuant to the Los Banos General Plan and is zoned General Commercial by the Los Banos Zoning Map; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) and the City of Los Banos Environmental Quality Guidelines, project was considered and adequately reviewed and evaluated in the initial study and was deemed to be categorically exempt pursuant to Section 15332, In-Fill Development Projects; and

WHEREAS, a public hearing was duly noticed for August 28, 2019, in accordance with California Government Code Section 65091 by advertisement in the Los Banos Enterprise and by mail to property owners within 300 feet of the project boundaries on August 16, 2019 to consider and take testimony regarding Site Plan Review #2019-03; and

WHEREAS, at the August 28, 2019 Planning Commission meeting the Los Banos Planning Commission heard and considered testimony, if any, of all persons desiring to be heard; reviewed the Project Site Plan and staff report; studied the compatibility of the applicant's request with adjacent land uses; has considered the applicant's request in accordance with the Site Plan criteria established in Section 9-3.2320 of the Los Banos Municipal Code; and

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

NOW, THEREFORE BE IT RESOLVED that the Planning Commission of the City of Los Banos does hereby approve Site Plan Review #2019-03 for the development of one (1) 5,156 square foot commercial structure along with site improvements within the Highway Commercial Zoning District and a Categorical Exemption from the California Environmental Quality Act pursuant to Section 15332, In-Fill Development Projects. The proposed project site is located at 1101 F Street; more specifically identified as Assessor's Parcel Numbers: 025-152-009, 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 28th day of August 2019, by Commissioner _____, who moved its adoption, which motion was duly seconded by Commissioner _____, and the Resolution is hereby adopted by the following vote:

AYES:

NOES:

ABSENT:

APPROVED:

John Cates, Planning Commission Chair

ATTEST:

Sandra Benetti, Planning Commission Secretary

EXHIBIT A

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS FOR SITE PLAN REVIEW #2019-03 – JOSE TELLEZ

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

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

1. Pursuant to CEQA, the CEQA Guidelines, and the City of Los Banos Environmental Quality Guidelines, Site Plan Review #2019-03 was evaluated and determined to be categorically exempt pursuant to Article 19, Class 32, Section 15331 In-Fill Development Projects as the comprehensive project qualifies as an in-fill development project as determined in the Initial Study and further elaborated in the Notice of Exemption..
2. Site Plan Review #2019-03 was adequately noticed on August 16, 2019, for consideration at a public meeting on August 28, 2019.
3. No further environmental documentation is required as the Site Plan Review was contemplated and adequately analyzed in the initial review.
4. Prior to considering the proposed Project, the Planning Commission considered the Categorical Exemption.

EXHIBIT B

FINDINGS FOR APPROVAL OF SITE PLAN #2019-03 – JOSE TELLEZ

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

1. That the proposed development is consistent with the general plan, any specific plans, and any design standards adopted by the City Council.

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

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

ECONOMIC DEVELOPMENT POLICY ED-G-1:

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

ECONOMIC DEVELOPMENT POLICY ED-G-3:

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

ECONOMIC DEVELOPMENT POLICY ED-G-7:

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

LAND USE POLICY LU-G-1:

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

Evidence/Analysis: *The project is consistent with the General Plan Commercial land use designation. The proposed commercial structure would create employment opportunities for the community and the creation of new business fosters economic development and business vitality.*

- b. *The zoning designation for the project site is General Commercial (C-1). The purpose of the General Commercial Zoning District is to provide a district for the sale of goods and services which meet the needs of a broad trade area.*

Evidence/Analysis: The proposed commercial development will be consistent with the permitted uses in the General Commercial zoning designation and the variety of goods and services that will potentially be provided, Smog Shop and Eatery, is also consistent with the intent of the General Commercial Zoning District.

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

Evidence/Analysis: The proposed project is located near commercial development and uses and residential development and uses that range from Low Density to High Density. The design of the proposed commercial structure will be compatible with the commercial structure to the east and will compliment the residential uses as far as having a restaurant with a variety of food within close proximity. The project will aid the traffic circulation as the project proposes to have two points of ingress egress, one being on F Street and the other being on San Juan Avenue. As noted previously, the project is not required to perform a Traffic Impact Study, in compliance with the Los Banos 2030 General Plan in accordance with Circulation Implementing Action C-I-12, it is not required for the project to perform an Impact Traffic Study as the proposed project will not generate 100 or more peak hour trips.

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

Evidence/Analysis: The proposed design of the commercial structure is a Spanish themed architectural style which is compatible to the neighboring commercial structure to the east, also the color pattern for the structure will be earth tone colors which is similar to the existing commercial structure to the east, which are City preferred colors. The applicant received positive feedback from the Planning Commission Study Session.

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

Evidence/Analysis: As stated earlier, the design of the proposed development will provide desirable environment for the surrounding area. Aesthetically, the project will develop a vacant lot, the immediate aesthetic features of the actual structure will be similar to the existing commercial structure to the east. The proposed development will compliment the area and the proposed uses, such as the eatery, will attract neighboring residents to the vicinity. Overall the proposed development will aesthetically be of good composition, materials, textures and colors.

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

Evidence/Analysis: The proposed project and uses of the project are consistent with the Los Banos Municipal Title 9 Article 12, General Commercial Zoning District and the Los Banos 2030 General Plan Commercial land use designation.

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

Evidence/Analysis: The comprehensive design of the proposed commercial structure conforms to good planning in that the physical design elements are will not inhibit the public health safety and general welfare of the surrounding area.

EXHIBIT C

CONDITIONS OF APPROVAL FOR SITE PLAN #2019-03 – JOSE TELLEZ

Planning:

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

7. Construction shall be limited to those hours specified in Section 9-3.2706 of the Los Banos Municipal Code: Monday through Friday from 7:00 am to 9:00 pm; Saturday and Sunday from 8:00 am to 5:00 pm.
8. The applicant shall comply with all requirements of other appropriate governmental agencies.
9. The applicant shall meet all requirements of the currently adopted edition of the California Building, Fire, and City of Los Banos Municipal Codes in effect at time of the building permit application.
10. The applicant shall comply with the Americans with Disabilities Act (ADA) requirements in the design, construction and maintenance of this project.
11. The applicant shall provide a copy of the conditions of approval to all contractors and subcontractors prior to commencement of construction.
12. During construction, and for safety purposes, the public right-of-way shall be kept clear of obstructions and shall be cleaned on a daily basis.
13. The applicant shall require and all contractors and subcontractors shall obtain a City of Los Banos Business License, prior to start of work on the project. All work performed on the project shall comply with the requirements of the California Business and Professions Code.
14. The applicant shall obtain any necessary encroachment permits from the City prior to performing any work within that jurisdiction's right-of-way.
15. All structures, foundations, and footings for buildings on the project site shall be designed and constructed to conform to the current California Building Code, including amendments adopted by the City.
16. An engineering soils report shall be prepared in order to identify soil characteristics requiring special structural design. On-site and off-site structural design shall conform to the findings and recommendation of the engineering soils report. The report shall be prepared prior to issuance of a grading permit, subject to review and written approval by the City Engineer.
17. A minimum 200-foot separation shall be maintained between the public right-of-way and material stockpiles, debris piles, or containers and equipment storage during the construction process. If such storage must be located within 200 feet of the public right-of-way, a six-foot high opaque fence shall shield the storage area from view when the storage area is inactive for more than eight hours. This requirement shall be incorporated into the specifications for all construction plans, subject to review and written approval by the Community and Economic Development Department.

18. During construction activities, all food-related trash items shall be enclosed in sealed containers and regularly removed from the project site to avoid attracting wildlife to the project site. Pets shall not be allowed on the construction site. The proper location of the trash containers shall be subject to the review and written approval of the Community and Economic Development Department.
19. Prior to placement of combustible materials on the site, two points of all-weather access, at least one paved, shall be provided, to the satisfaction and written approval of the Fire Chief.
20. Temporary construction trailers shall be permitted only in areas immediately adjacent to or within that portion of the Site Plan where active construction is taking place. Placement of said construction trailer is subject to the written approval of the Community and Economic Development Director and shall be removed in accordance with Title 9, Chapter 3, Article 39 Temporary Use Ordinance of the Los Banos Municipal Code. The Project site shall be controlled of weeds and free of debris and litter. The applicant shall provide protection against wind and water soil erosion.
21. The development site shall be controlled of weeds and free of debris and litter. The applicant shall provide protection against wind and water soil erosion.
22. Due to the possibility that significant buried cultural resources might be found during construction, the following language shall be included in any permits issued for the project site, including, but not limited to building permits for future development, subject to the review and approval of the Los Banos Community Development Department:

“If archaeological resources or human remains are discovered during construction, work shall be halted from the find and the area shall be staked off. The project developer shall notify a qualified professional archaeologist. If the find is determined to be significant, appropriate mitigation measures shall be formulated and implemented.”
23. In the event of an accidental discovery or recognition of any human remains in any location other than a dedicated cemetery, the City shall ensure that this language is included in all permits in accordance with CEQA Guidelines section 15064.5(e):

“If human remains are found during construction there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the Los Banos Police Department contacts the coroner of Merced County to determine that no investigation of the cause of death is required. If the coroner determines the remains to be Native American, the coroner shall contact the Native American Heritage Commission within 24 hours. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descendent from the deceased Native American. The most likely descendent may then make recommendations to the landowner or

the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and associated grave goods as provided in Public Resources Code Section 5097.98. The landowner or his authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further disturbance if: a) the Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission; b) the descendent identified fails to make a recommendation; or c) the landowner or his authorized representative rejects the recommendation of the descendent, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.”

24. The Project site shall be kept in a dust-free condition during construction of the project in. Prior to issuance of a building permit, dust control requirements shall be included in all construction contract specifications to reduce significant levels of construction-related hazardous air emissions.

- a. All disturbed areas, including storage piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, or vegetative ground cover.
- b. All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions using water or chemical stabilizer/suppressant.
- c. All land clearing, grubbing, scraping, excavation, land leveling, grading, and cut and fill activities shall be effectively controlled of fugitive dust emissions utilizing application of water or by presoaking.
- d. When materials are transported off-site, all material shall be covered, effectively wetted to limit visible dust emissions, or at least six inches of freeboard space from the top of the container shall be maintained.
- e. All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at least once every 24 hours when operations are occurring. (The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions. The use of blower devices is expressly forbidden.)
- f. Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant.

25. Prior to issuance of building permits, the developer/applicant shall include the following requirements in all construction bids and documents including contracts (and implemented during construction activities) for the purpose of reducing diesel particulate and acrolein emissions during construction of the project:
- a. All pre-1994 model year and older diesel equipment shall be retrofitted with EPA-certified diesel oxidation catalyst filters;
 - b. Contractor shall maintain records of all purchases of diesel oxidation catalyst filters or biodiesel fuel until construction is complete; and
 - c. The SJVAPCD shall have the right to inspect all construction and demolition equipment, as well as the contractor's records at any time during demolition and construction.
26. The Project site shall include a bicycle rack for a minimum of 10% of the number of required automobile parking spaces. Size and location shall be approved by the Community and Economic Development Director.
27. All development impact fees shall be paid in full prior to occupancy and as a condition of issuance of an occupancy permit. The developer shall provide a receipt from the Los Banos Unified School District for all applicable school impact fees.
28. The Applicant will take reasonable steps to preserve all survey monuments. The Applicant is responsible for the preservation of survey monuments within the work area under this permit at Applicant's sole expense. If any monuments are disturbed, the Applicant is responsible for re-establishing the monuments upon completion of the permitted work. Re-establishing of monuments shall be performed by a duly licensed land surveyor and a corner record shall be filed in accordance with State law at Applicant's sole expense.
29. All Community and Economic Development processing and application fees shall be paid in full prior to the issuance of a building permit.

Utilities and Drainage:

30. Subject to the review and approval of the Los Banos Public Works Department, project improvement plans shall include Best Management Practices (BMPs) to reduce the introduction of oils and other contaminants to the Los Banos storm water drainage system and main canal. Water quality safeguards shall be installed prior to occupancy of the parking lots. A water quality Best Management Practices plan shall be implemented upon occupancy.

31. A trash enclosure shall be built according to City specifications; colors, materials, and textures matching those of the main building, and provide for recycling services within. A concrete apron is required across the width of the trash enclosure opening that shall extend a minimum depth of ten feet in front of the opening. The location shall be specifically shown on the improvement plans and approved by the Community and Economic Development Director. The trash enclosure shall be large enough to accommodate the solid waste, recyclables, and organic waste for the restaurant. The trash bins shall have lids and the enclosure must be properly screened. The enclosure needs to follow City Standards and Specifications as well as Republic Services Standards.

Landscape and Lighting:

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

33. Prior to issuance of a building permit the developer/applicant shall submit a lighting plan pursuant to standards in the Los Banos Standards. All exterior lighting including parking lot lighting, shall meet the provisions of the Los Banos Municipal Code.

34. All landscaping and irrigation shall be continuously maintained in a healthy and thriving manner and shall fulfill the City Shade Canopy Ordinance. Should any landscape material die, it shall be immediately replaced with landscaping of a similar type, size and quantity or an approved alternative should a different type of landscape material be determined to fare better than the deceased material in the project environment. The applicant shall provide the Public Works Department a Landscape Plan and a Landscape Maintenance Plan describing their strategy for maintaining all landscaped areas in a healthy, litter free and thriving manner. Said plan shall identify responsible parties and be submitted for Public Works Department approval prior to issuance of building permit(s). Failure to maintain and replace landscaping and shade canopy in a healthy manner may result in administrative citations and fines.

Signage:

35. A Sign Review application, consistent with the provisions of the City's Sign Ordinance shall be submitted to the Community and Economic Development Department for review prior to the issuance of a building permit.

36. All advertising signage shall be subject to Sign Review and permit approval from both the Community and Economic Development and Building Departments, prior to installation, consistent with the development criteria of the Los Banos Municipal Code Sign Ordinance.

Design/Aesthetics:

37. The design of the improvements shall be conforming to the approved site plan. Any significant changes in color or architecture (i.e. paint, texture, material) shall require prior written approval by the Community and Economic Development Director or Planning Commission approval. The applicant shall maintain the color as presented in the site plan for the life of the project. Any changes to the site plan as to color or architecture shall require prior written approval by the Community and Economic Development Director or Planning Commission. This condition shall run with the land and be binding on successors in interest and shall be applicable beyond the issuance of an occupancy permit.
38. Downspouts shall be located within the building walls or architecturally integrated into the design and color of the structures, and there shall be no drainage across the public access ways or across the public right-of-way.
39. All rooftop mechanical equipment and appurtenances shall be screened from view from the public right-of-way and adjacent properties.

Fire Department

40. There shall be a fire control room, which shall have an exterior access door only and be large enough to accommodate the fire riser and fire alarm annunciator panel per City code.
41. There shall be a permanent sign on the exterior of the fire control room stating "Fire Control Room" per City code.
42. The applicant/ property owner shall install a fire sprinkler system throughout the commercial structure.
43. The applicant/ property owner shall install a Full Occupancy Fire Alarm System throughout the building which shall include valve monitoring, pull stations, Audio and Visual stations and HVAC smoke detector monitoring.
44. There shall be HVAC smoke detector test and reset switches in the fire control room.
45. Maintain clear access to Fire Sprinkler Risers and Fire Department Connections (FDC's).
46. FDC's shall be located at Sprinkler Riser or new Double Back Flow devices OS&Y.
47. Fire lines shall be installed as a loop system.
48. Hydrant Locations shall be indicated on Final Improvement Plan.

49. The fire system double check back flow preventer shall be installed in consistency with current regulations and shall be hydro tested.
50. All fire lane curbs on the project site shall be painted.
51. There shall be a main electrical disconnect located on the exterior of the building for Fire Department use only.
52. Commercial grade Knox Boxes with Click 2 Enter access shall be required on the exterior of the building for each tenant in the area of all gate entrances. Applications can be obtained through the Fire Department. The Knox Boxes shall have FDC locking caps.
53. A fire alarm control panel shall be located within the fire control room. A minimum of one (1) pull station and one (1) audio visual station shall be provided within 5' of the front entrance. The fire alarm system shall be plan checked and approved by the Los Banos Fire Department. These plans shall be through deferred submittal to the Fire Department.
54. Deferred submittals shall be provided to the Fire Department regarding Fire Alarm Improvements and Fire Protection System
55. The development shall be required to follow National Fire Protection Association (NFPA) Section Numbers 58-6.5 and 58-6.6.

Public Works

56. The developer/applicant shall prepare improvement plans (separate from the building plans) submitted to the Public Works Department for the entire site and plans shall be approved by the City Engineer prior to the start of any site work. Included in those improvement plans shall be, but not limited to, topography, site, grading and drainage, utilities, circulation striping and signage, landscape, site plan, on and offsite lighting (street frontage), curb gutter and sidewalk improvements, and offsite improvements. These improvements shall be installed per City of Los Banos Standards.
57. The existing water lines shall be shown on the improvement plans and the proposed building shall not be allowed to be built over the existing water line.
58. The applicant/developer shall provide a utility plan including; utility lateral locations and detail separate water lateral for domestic, landscape, and fire protections water uses pursuant City of Los Banos Standards and Specification.
59. Full landscape plans per the City's landscape ordinance shall be submitted with the improvement plans, including 50% tree shade canopy requirement.
60. All frontage improvement as per City standards. These improvements include undergrounding existing utilities along the streets.

61. A Storm Water Pollution Prevention Plan (SWPPP) shall be generated if the property is greater than 1-acre. In any case Construction and Post-Construction Best Management Practices (BMP's) shall be implemented to the City's MS-4 Phase II designation.
62. The developer/applicant shall prepare a grading and drainage plan prior to the issuance of a building permit. The grading and drainage plan shall be prepared per City standards and shall be approved by the City Engineer prior to the commencement of grading and work of any kind.
63. Storm drain, water main, and sanitary sewer main line improvements shall be installed by the developer/applicant per the City of Los Banos Utility Master Plans.
64. All development fees, including but not limited to all inspection fees, processing fees, landscape and light plan fees, and improvement plan fees shall be paid prior to issuance of the building permit.
65. Prior to occupancy, the Developer shall form or annex the Subject Property to a Lighting and Landscaping District created for purposes of maintaining public landscape areas, signage and public lighting including a share of traffic signal maintenance costs as authorized pursuant to the Landscape and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code, and Article XIID of the California Constitution. The form, terms and conditions and the tax rate for the formation of the Lighting and Landscaping District, or in the alternative the annexation of the Subject Property to an existing district, shall be as approved by the City Council, as determined in its sole and exclusive discretion. It is the intent of the parties that the assessment of the Subject Property will be apportioned to each parcel in proportion to the special benefit it receives. District formation or annexation shall be at the sole cost of the Developer.
66. The property owner shall process a dedication of property line at the intersection shall be processed prior to project final. The radius of the property line shall be twenty (20') feet.
67. The property owner shall process a dedication of a ten (10') foot Public Use Easement (PUE) to the City along F Street and San Juan Avenue frontages prior to project final.
68. The following note shall be on all improvement plans: The Contractor shall be responsible for protecting and preserving survey monuments and other survey markers. Any survey monuments damaged as a direct result of construction activities shall be re-established by a duly licensed land surveyor at the Contractor's sole expense. A corner record shall be filed in accordance with State law for any reset monuments at the Contractor's sole expense.

69. The applicant/developer shall install an ADA path of travel at required along San Juan Avenue and F Street.
70. The applicant/ developer shall install a minimum four (4') foot clear sidewalk on F Street and San Juan Avenue required pursuant to the Americans with Disabilities Act.
71. The applicant/developer shall ground power pole lines at the designated driveway and will require an easement and/or dedication.

Police Department

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

Revisions	

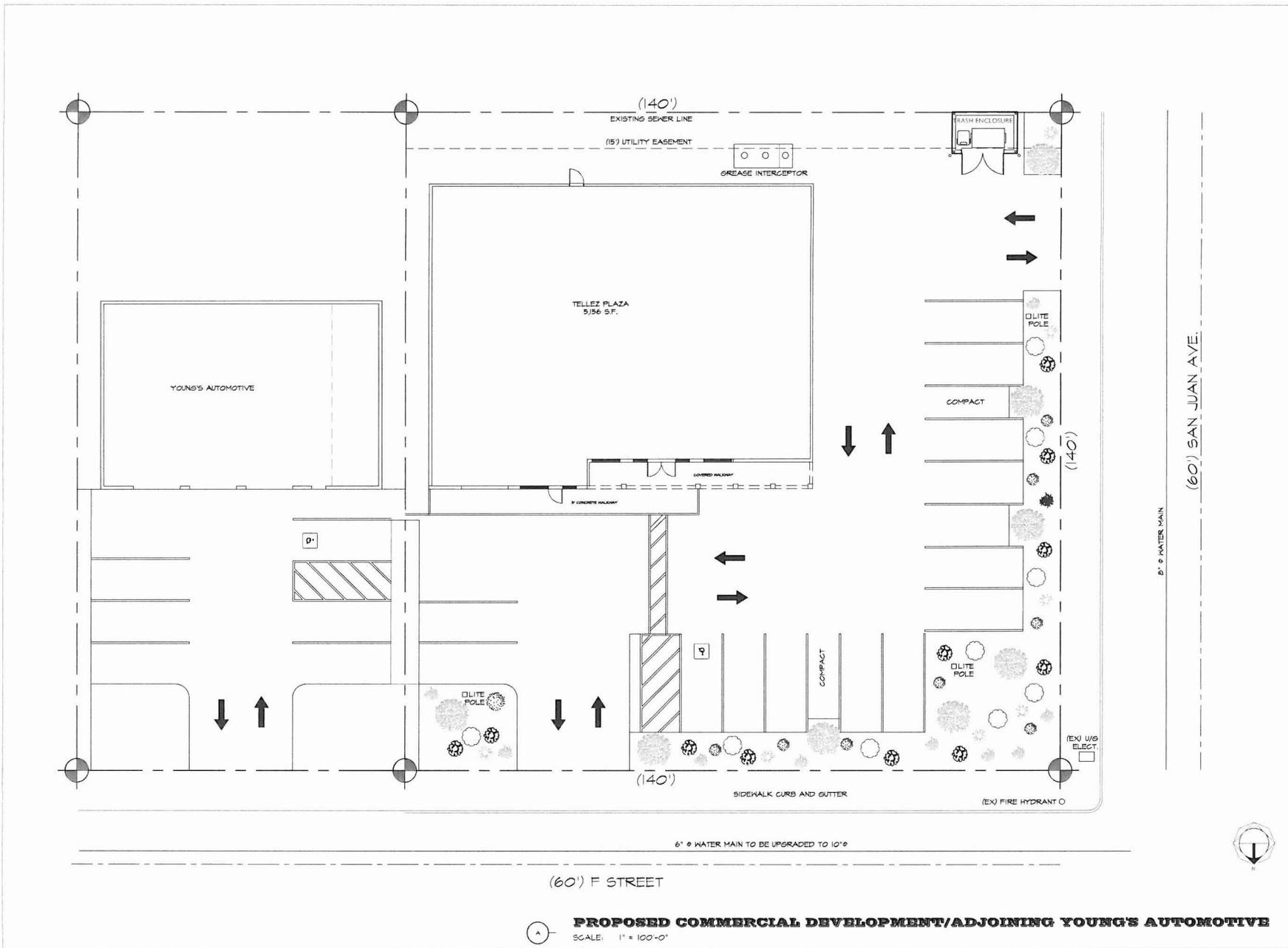
Proposed Commercial Development;
 Tellez Plaza
 1101 F Street
 Los Banos, Calif. 95635

J.M. PEREZ
 PROJECT ARCHITECT

Job No.	Date		
Job No.	Checked By		
REVISIONS			
No.	Description	Date	Checked

SITE PLAN

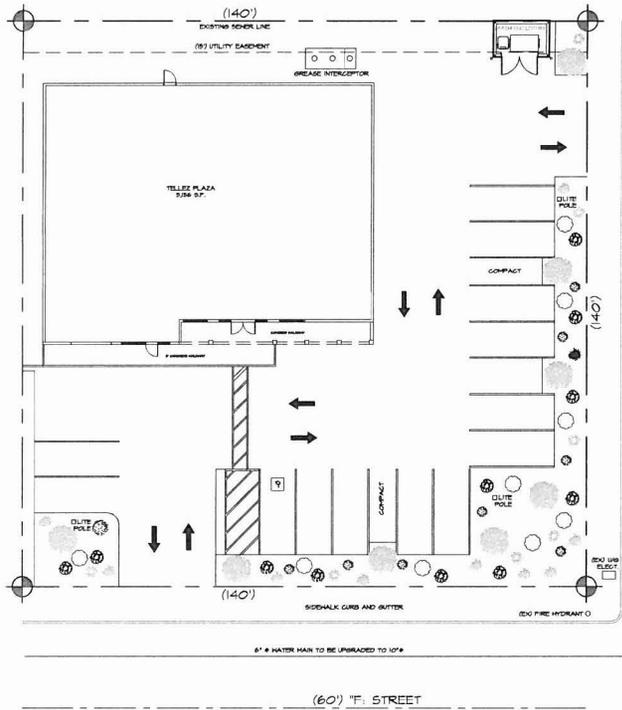
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(60') F STREET

(60') SAN JUAN AVE.

PROPOSED COMMERCIAL DEVELOPMENT/ADJOINING YOUNG'S AUTOMOTIVE
 SCALE: 1" = 100'-0"



8\"/>



TREE / SHRUB LEGEND

	SIZE	QTY	MIN. PLANTER SPACING	WATER USE
Fragaria angustifolia Raysod Ash (Zone B)	5 GAL.	8	5'	W
Limonum prae Sea Statice (Zone B)	1 GAL.	7	3'	W
Syringa vulgaris Common lilac (Zone B)	1 GAL.	8	4'	L
Gazania App Trailing Gazania (Zone B)	5 GAL.	8	3'	L
Carpobrotus Chilensis Ice Plant (Zone B)	5 GAL.	9	3'	L

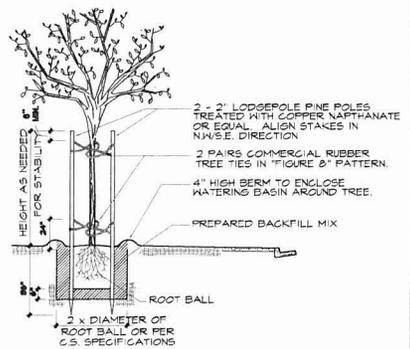
PERENNIALS

	SIZE	QTY	MIN. PLANTER SPACING	WATER USE
Olandularia Lilacina Lilac Verbena	5 GAL.	10	3'	L

PLANT/TREE LEGEND

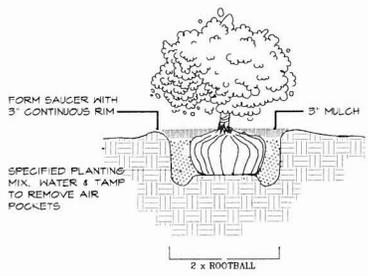
SCALE: 1/4" = 1'-0"

LANDSCAPE COMPLETION STATEMENT:
THE DEVELOPER, HIS SUCCESSORS AND ASSIGNS SHALL BE RESPONSIBLE FOR INSTALLATION, MAINTENANCE AND REPLACEMENT OF ALL LANDSCAPE MATERIALS SHOWN OR INDICATED ON THE APPROVED SITE PLAN OR LANDSCAPE PLAN ON FILE IN THE COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT. ALL LANDSCAPING WILL BE INSTALLED AND DELINEATED ON THE PLAN PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY UNLESS OTHERWISE APPROVED BY THE PLANNING COMMISSION OR LAND CITY COUNCIL.



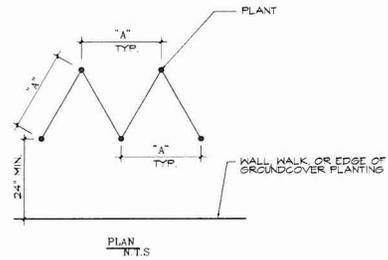
TREE PLANTING

SCALE: 1/4" = 1'-0"



SHRUB PLANTING

SCALE: 1/4" = 1'-0"



PLANTING TRIANGULAR SPACING

SCALE: 1/4" = 1'-0"

Revisions

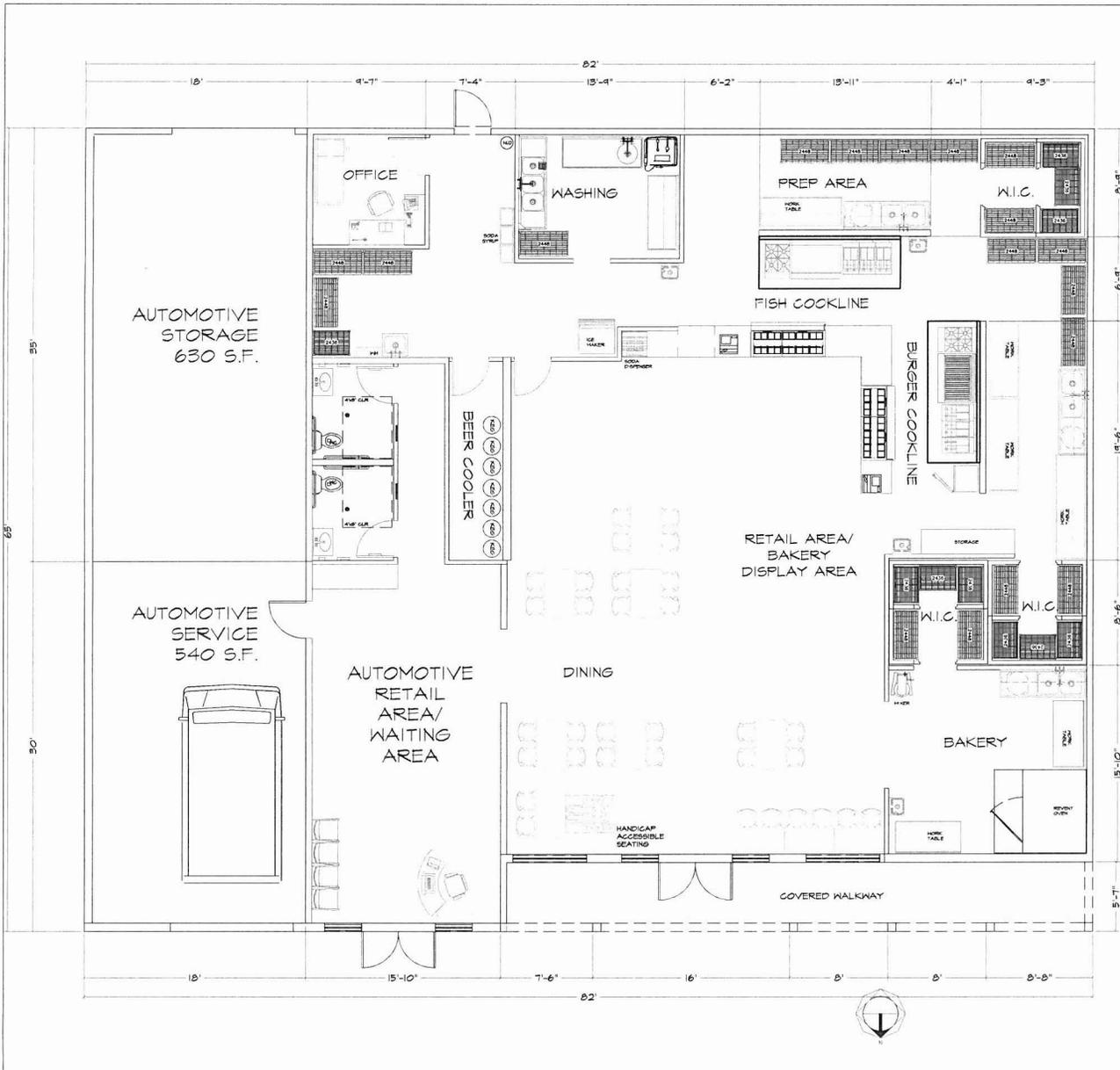
Proposed Commercial Development;
Tellez Plaza
1101 F Street
Los Banos, Calif. 95635

J.M. PEREZ
ARCHITECT
1101 F STREET
LOS BANOS, CALIF. 95635
TEL: 209/851-1101
FAX: 209/851-1102

Job No. _____ Date _____
Job No. _____ Checked By _____
REVISIONS
No. Description Date Checked

LANDSCAPE PLAN

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OF



A PROPOSED FLOOR PLAN
SCALE: 1/4" = 1'-0"

OCCUPANT LOAD TABLE

ROOM NAME	AREA	OCC	OCCUPANT LOAD FACTOR	# OCC.	REQ'D EXIT WIDTH
KITCHEN/PANADERIA	1481	B	1.200/SERV	0	56"
RETAIL/BAKERY DISPLAY	850	B	1.200/RETAIL	5	56"
DINING AREA	254	A-2	1.50/DINING	2	56"
WAITING AREA	40	B	1.50/WAITING	5	56"
AUTO RETAIL AREA	287	B	1.200/RETAIL	2	56"
AUTO REPAIR SHOP	540	SI	1.200/SERVICE	5	56"
AUTO REPAIR STORAGE	630	SI	1.500/STOR	2	56"
PUBLIC ADA RESTROOM	120	B	ACCESSORY	0	56"
TOTAL	4,484			27	

B OCCUPANT LOAD CALC'S
SCALE: N.A.

OFFSITE PARKING REQUIREMENTS

ROOM NAME	AREA	OCC	PARKING REQ'T FACTOR	PARK'G REQ'T
KITCHEN/PANADERIA	1481	B	1.400/SERV	3
RETAIL/BAKERY DISPLAY	850	B	1.500/RETAIL	2
DINING AREA	254	A-2	1.60/DINING	6
WAITING AREA	40	B	1.60/WAITING	2
AUTO RETAIL AREA	287	B	1.500/RETAIL	1
AUTO REPAIR SHOP	500	SI	1.500/SERVICE	1
AUTO REPAIR STORAGE	630	SI	1.500/STOR	1
PUBLIC ADA RESTROOM	120	B	ACCESSORY	0
TOTAL	4,488			16

C PARKING REQUIREMENTS
SCALE: N.A.

Revisions

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△	

Proposed Commercial Development;
Tellez Plaza
1101 F Street
Los Banos, Calif. 95635

J.M.PEREZ
Professional Engineer
No. 42765 - State of California
Professional Seal No. 42765
1101 F Street, Los Banos, CA 95635
Tel: (209) 831-1111

Job No. _____ Date _____
Checked By _____
REVISIONS
No. Description Date Checkd

PROPOSED FLOOR PLAN
EXISTING FLOOR PLAN

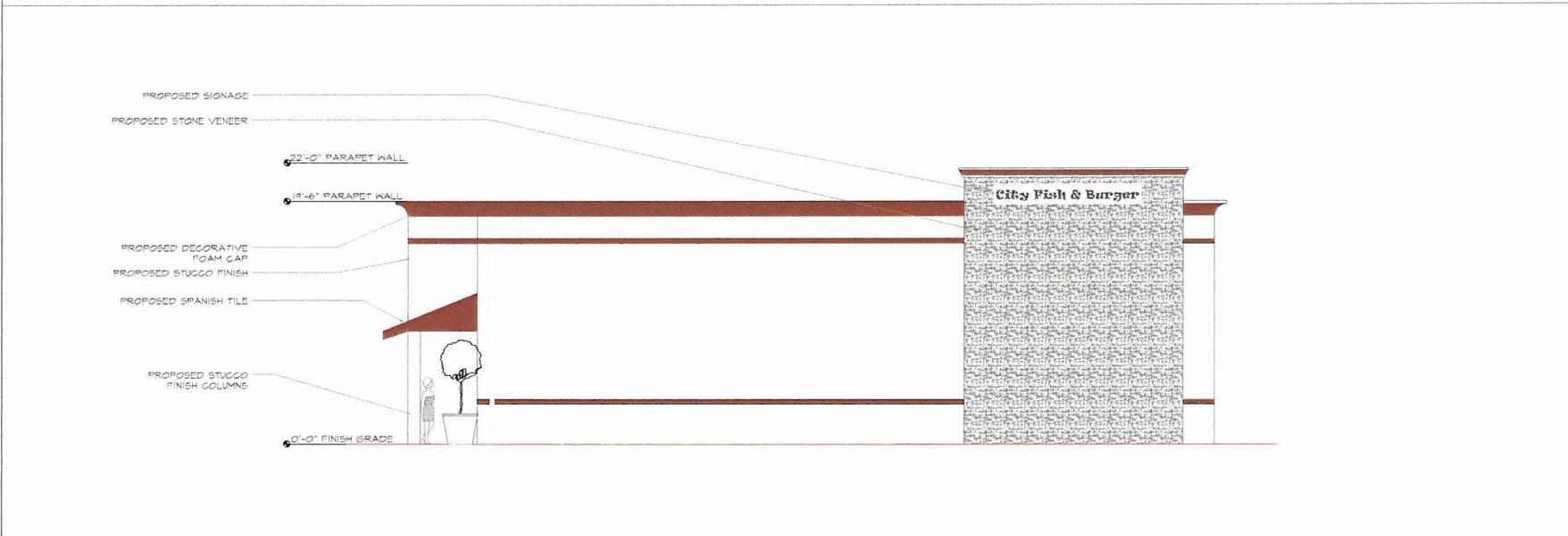
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THESE DRAWINGS ARE THE INSTRUMENT OF SERVICE AND ARE THE PROPERTY OF JOSE M. PEREZ. ANY USE, REUSE OR DISCLOSURE OF SAID PLANS IS PROHIBITED WITHOUT EXPRESS WRITTEN PERMISSION OF JOSE M. PEREZ.



PROPOSED NORTH ELEVATION

SCALE: 1/4" = 1'-0"



PROPOSED WEST ELEVATION

SCALE: 1/4" = 1'-0"

Revisions	
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Proposed Commercial Development;
Tellez Plaza
 1101 F Street
 Los Banos, Calif. 95635

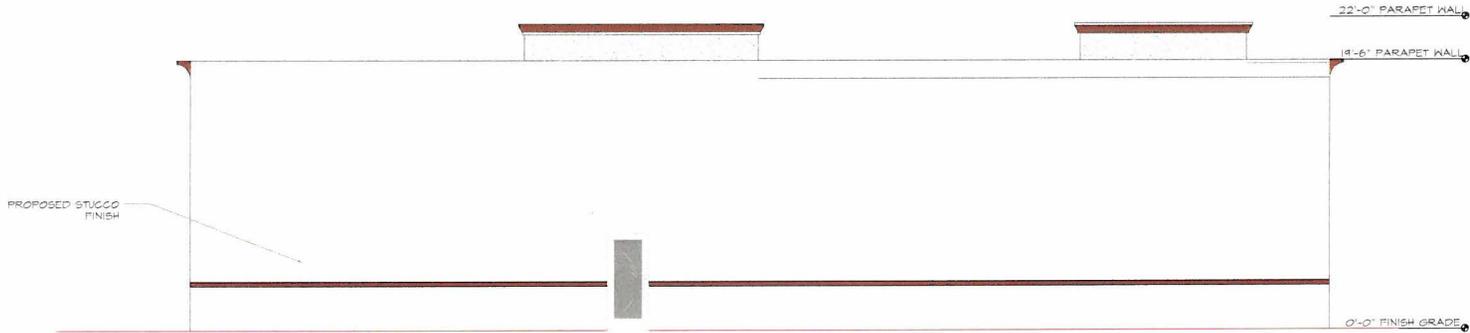
J.M.PEREZ
 design and construction
 2240 Pacheco Road
 Meridian, Calif. 95351
 phone: (209) 237-0200
 e-mail: jperez@jmcps.com

Job No.	Date		
Job No.	Checked By		
REVISIONS			
No.	Description	Date	Check'd

PROPOSED NORTH &
 WEST ELEVATIONS

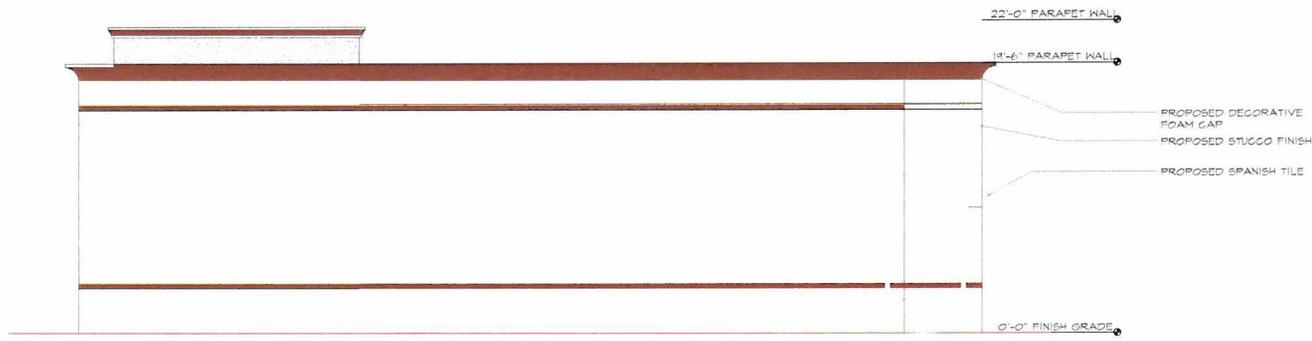
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PROPOSED SOUTH ELEVATION

SCALE: 1/4" = 1'-0"



PROPOSED EAST ELEVATION

SCALE: 1/4" = 1'-0"

Revisions	
△	
△	

Proposed Commercial Development;
Tellez Plaza
 1101 F Street
 Los Banos, Calif. 95635

J.M.PEREZ
 design and consulting
 2500 Redwood Road
 Hugheson, CALIF. 95021
 phone: (209) 237-6222
 e-mail: jper@jmcpc.com

Job No.:	Date:
Job No.:	Checked By:
REVISIONS	
No.:	Description: Date: Check'd

PROPOSED SOUTH &
 EAST ELEVATIONS

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City of
Los Banos
At the Crossroads of California

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT

Date: August 16, 2019

Re: Notice of Public Hearing

Proposal: Site Plan Review #2019-03- Jose Tellez

NOTICE IS HEREBY GIVEN THAT a Public Hearing will be held by the Los Banos Planning Commission to consider a Site Plan Review #2019-03 for the development of one (1) commercial structure totaling 5,156 square feet with site improvements within the General Commercial Zoning District and a Categorical Exemption from the California Environmental Quality Act pursuant to Section 15332 In-Fill Development Projects. The proposed project site is located at 1101 F Street; more specifically identified as Assessor's Parcel Number: 025-152-009.

A PUBLIC HEARING on this matter will be held at the next scheduled meeting of the Planning Commission on Wednesday, August 28, 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 the Community & Economic Development Department at 520 J Street, Los Banos, California. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Office of the City Clerk at (209) 827-7000. Notification at least 72 hours prior to the public hearing will enable the City to make reasonable arrangements to allow participation at this hearing

THE CITY OF LOS BANOS

Rudy Luquin
Associate Planner



City of
Los Banos
At the Crossroads of California

PLANNING COMMISSION STAFF REPORT

TO: CHAIRMAN CATES AND PLANNING COMMISSIONERS

FROM: RUDY LUQUIN, ASSOCIATE PLANNER 

FOR: AUGUST 28, 2019

**SUBJECT: MOBILE FOOD VENDOR PERMIT #2019-06 – BIGGINS TEXAS
BBQ- KENNETH LAMBERT**

RECOMMENDATION:

That the Planning Commission adopt Resolution No. 2019-17 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 #2019-06 for the operation of a mobile food vending unit to vend on private property located at 520 West I Street, Assessor's Parcel Number: 027-032-007.

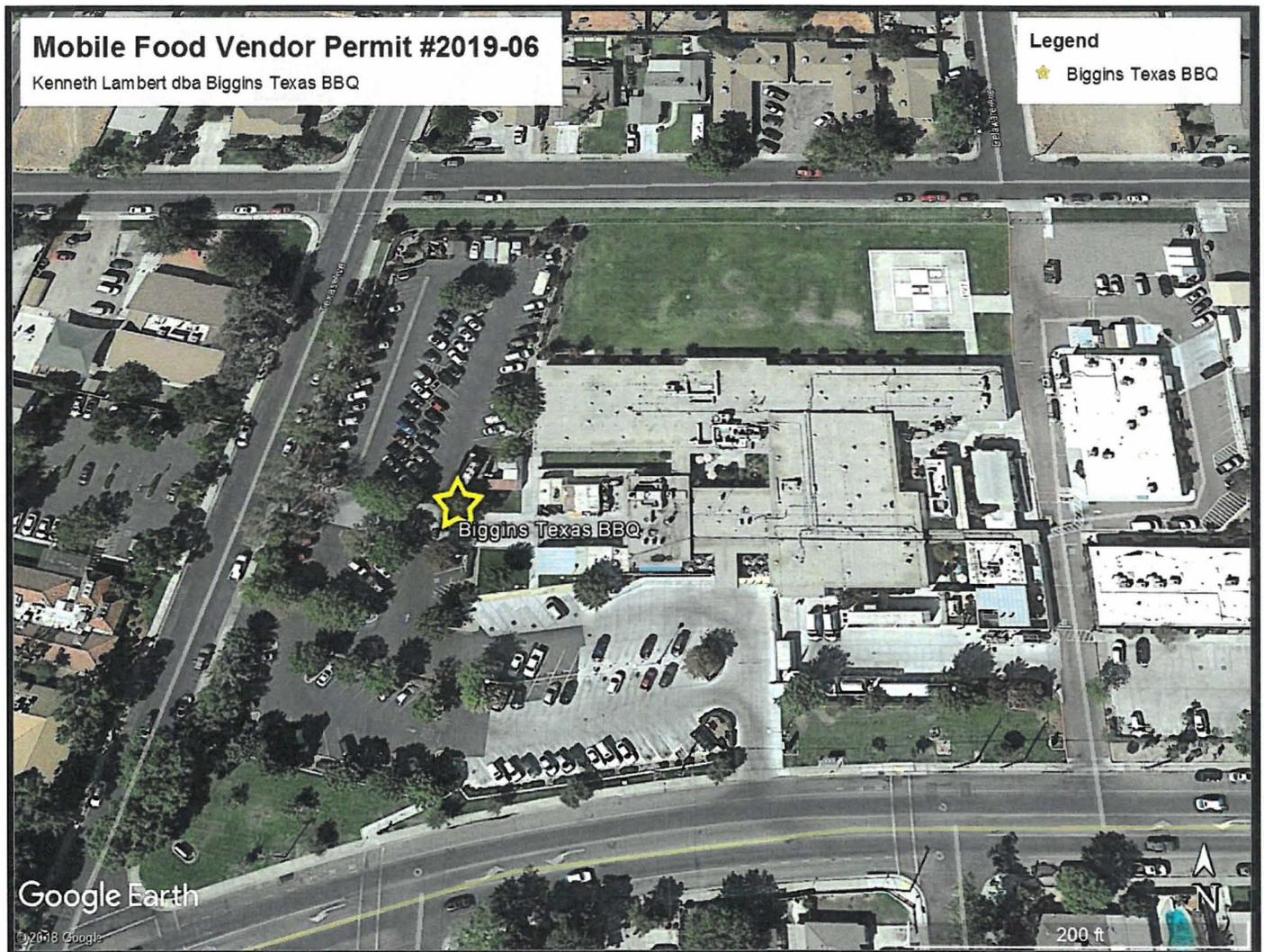
PROJECT BACKGROUND/DESCRIPTION:

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.

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 property located at 520 West I Street (Los Banos Memorial Hospital). The proposed mobile food vending unit will operate three (3) days a week, Friday through Sunday from 11:00 A.M. to 7:00 P.M. The proposed mobile food vending operation will consist of one (1) employee at this time. 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 520 West I Street; APN: 027-032-007. The mobile food vending unit will be located in a parking stall within the parking lot approximately fifty feet (50') to the west of the Hospital. The project site can be accessed from Texas Avenue and West I Street. The specific location of the proposed mobile unit is detailed in the yellow star 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 Community and Economic Development 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 Hospital which has a valid Business License. The mobile food vending unit will be an accessory use to the main and primary Hospital 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 520 West I Street which is within the Public Facilities Zoning District (PF), which is private property that is used for commercial medical purposes.

3. Not be located on a vacant parcel.

The mobile food vending unit will be located in the parking stall approximately fifty feet (50') west of the Hospital.

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

The mobile food vending unit will be stationed on a parking lot that is consistent with City Standards and Specifications.

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 more than sufficient parking as the proposed mobile food vendor location is within the parking lot for the Hospital.

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 eight (8) 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
Tacos La Bonita	Eliseo Jarrillo	140 W. Pacheco Blvd.	Taco Truck
El Gurellense, Jal #6	Jaidel Perez	1301 W. Pacheco Blvd.	Taco 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 Friday, August 16, 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. 2019-17 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 #2019-06 for the operation of a mobile food vending unit to vend on private property located at 520 West I Street, Assessor's Parcel Number: 027-032-007.

ATTACHMENTS:

1. Resolution #2019-17
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 – August 16, 2019

RESOLUTION NO. 2019-17

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS BANOS APPROVING THE PROJECT TO BE CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO SECTION 15311, ACCESSORY STRUCTURES AND APPROVING MOBILE FOOD VENDOR PERMIT #2019-06 FOR THE OPERATION OF A MOBILE FOOD VENDING UNIT TO VEND ON PRIVATE PROPERTY LOCATED AT 520 WEST I STREET, ASSESSOR'S PARCEL NUMBER: 027-032-007.

WHEREAS, the applicant, Kenneth Lambert, d.b.a: Biggins Texas BBQ, 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 property located at 520 West I Street; and

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) and the City of Los Banos Environmental Quality Guidelines, Mobile Food Vendor Permit #2019-06 for Biggins Texas BBQ 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 August 16, 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 August 28, 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 #2019-06 to permit the use of a mobile food vending unit to operate on private property, located at 520 West I Street, APN: 027-032-007, 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 28th day of August 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 #2019-06 – BIGGINS TEXAS BBQ (KENNETH LAMBERT)

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 Public Facilities Zoning District (PF) as follows:

1. Pursuant to CEQA, the CEQA Guidelines, and the City of Los Banos Environmental Guidelines, Mobile Food Vendor Permit #2019-06 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 #2019-06 was adequately noticed and circulated for public review and comment on August 16, 2019 for consideration at a public meeting on August 28, 2019 and no comments were received.
3. No further environmental documentation is required as the Mobile Food Vendor 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 #2019-06 – BIGGINS TEXAS BBQ (KENNETH LAMBERT)

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 Hospital, which has a valid Business License. The mobile food vending unit will be an accessory use to the main and primary 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 located at 520 West I Street, which is within the Public Facilities Zoning District (PF), which is private property that is used for commercial medical purposes.

- c) Not be located on a vacant parcel.

The mobile food vending unit will be located in the parking stall approximately fifty feet (50') north of the existing structure.

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

The mobile food vending unit will be stationed on a parking lot that is consistent with City Standards and Specifications.

- 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 more than sufficient parking as the proposed mobile food vendor location is within the parking lot of the hospital.

- 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 #2019-06 – BIGGINS TEXAS BBQ (KENNETH LAMBERT)

Community and Economic 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 #2019-06 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 property, in the location depicted in the application, located at 520 West I Street; 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 8:00 a.m. to 9:00 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.

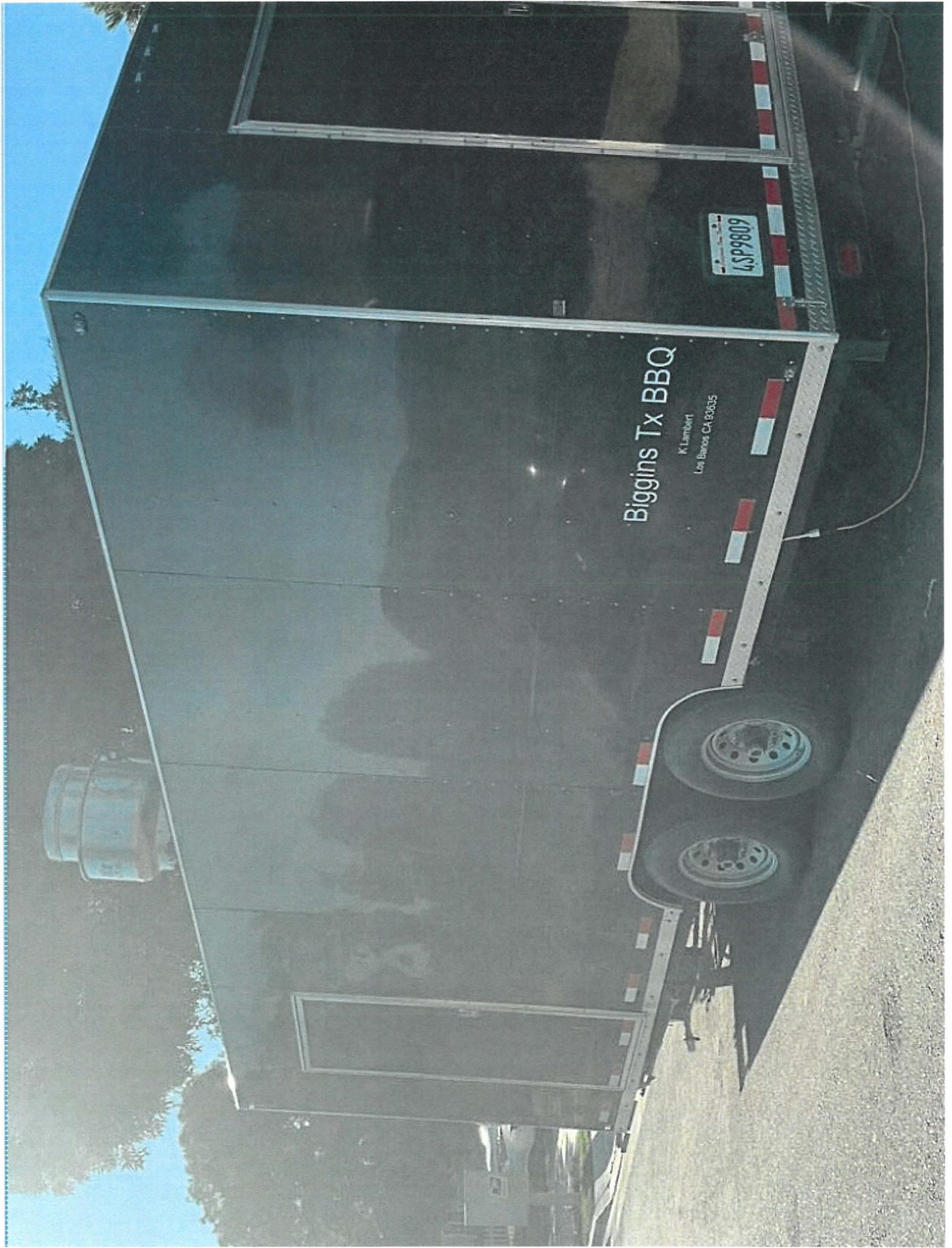
7. The mobile food vending unit shall obtain Fire Department approval and shall be subject to inspection by the Los Banos Fire Department prior to issuance or renewal of a business license involving use of the mobile vending unit if the unit contains any combustibles (i.e. propane, natural gas).
8. The 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 #2019-06 shall be located at 520 West I Street approximately 50' west of the hospital 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.



BBQ

BIGGINS TEXAS
BBQ
EST. 2011

Biggins Tx BBQ



Biggins Tx BBQ

K Lambert
Los Blancos CA 90335

4SP9809



4SP9809

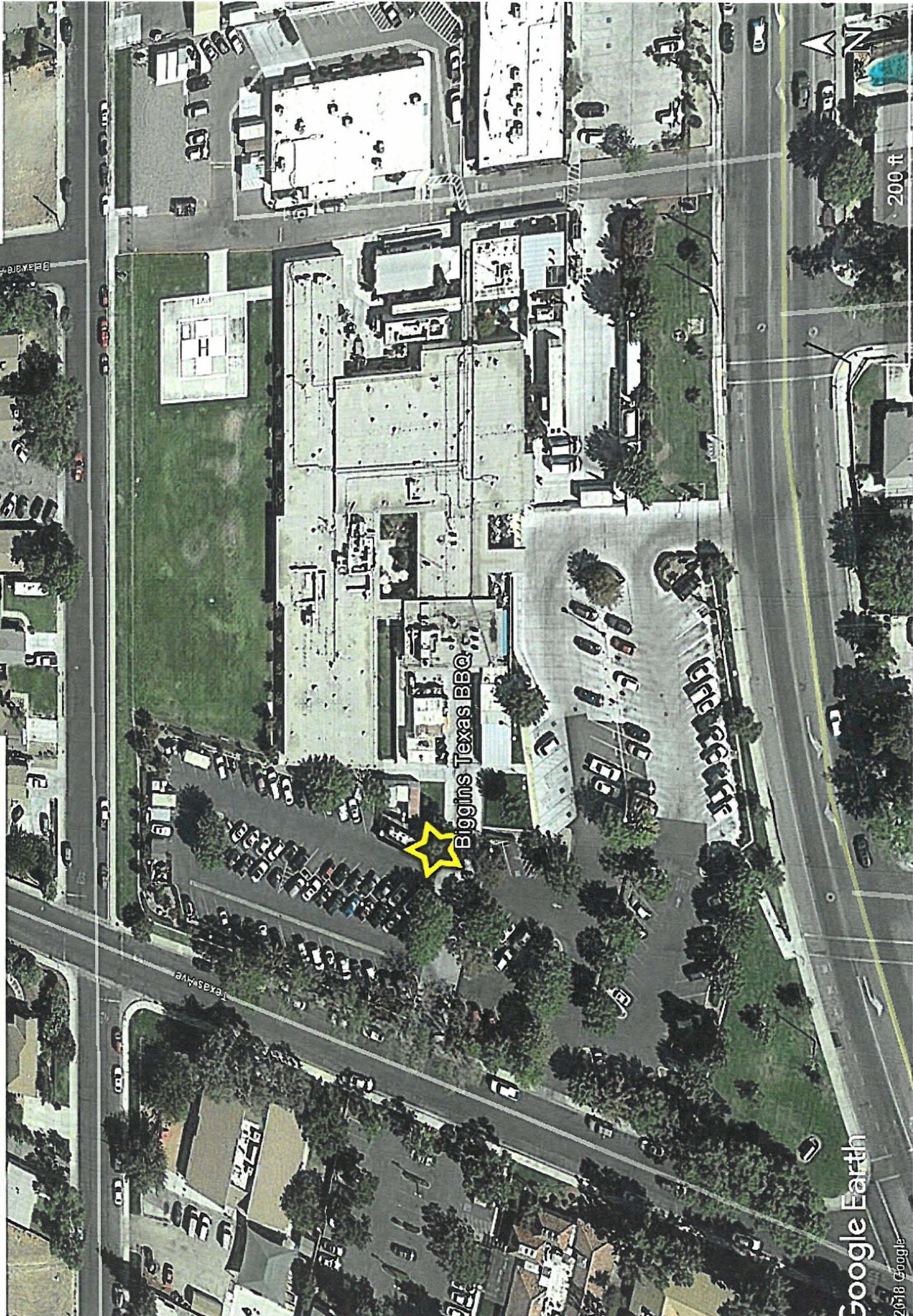


Mobile Food Vendor Permit #2019-06

Kenneth Lambert dba Biggins Texas BBQ

Legend

 Biggins Texas BBQ



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

Biggins Texas BBQ (4SP9809)
1520 Cardinal Street
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 7/9/2019 10:51:53AM

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

5303.rpt (updated 7/9/2019)



**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 7/9/2019 to 12/31/2019

REGULATED FACILITY :

**Biggins Texas BBQ (4SP9809)
1031 Iowa Ave.
Los Banos, CA 93635**

Facility ID: FA0009095
Account ID: AR0018948
Issued: 7/9/2019

OWNER NAME :

Kenneth Lambert

Program Element Number and Description

0143 MOBILE FOOD FAC (MOBILE FOOD PREP UNIT)

Permit ID # Units

PT0015212 PR0019369

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: Kenneth Lambert. 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
Environmental Health Director



City of
Los Banos
At the Crossroads of California

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT

Date: August 16, 2019

Regarding: Notice of Public Hearing

Proposal: Mobile Food Vendor Permit #2019-06 – Kenneth Lambert (dba Biggins Texas BBQ)

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 #2019-06 to allow the operation of a mobile food vending vehicle on private property for Kenneth Lambert dba Biggins Texas BBQ. The subject property is located within the Public Facilities Zoning District at 520 West I Street, more specifically identified as Assessor's Parcel Number: 027-032-007.

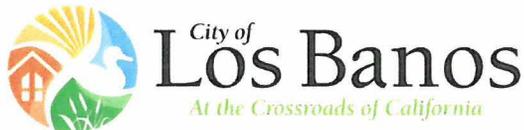
A PUBLIC HEARING on this matter will be held at the next scheduled meeting of the Los Banos Planning Commission on Wednesday, August 28, 2019 at 7:00 p.m. in the Council Chambers of Los Banos City Hall, located at 520 "J" Street, Los Banos, California. Questions regarding the above-referenced item may 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



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: August 28, 2019

SUBJECT: Project Study Session Review – 809 D Street

Project Description

The City of Los Banos Community and Economic Development Department received an application in request for a Site Plan Review entitlement. The applicant, First Baptist Church, Roy Mitchell and his representative Ramon Sanchez are proposing to establish one (1) modular building totaling 2,208 square feet on vacant parcels located adjacent to 809 D Street. The proposed modular structure is expected to serve as a multi-purpose room as class space and an assembly/ social hall. The project site is surrounded by single family residential structures and uses. The proposed accessory uses and structures for the church are permitted with a Conditional Use Permit within the Low Density Residential Zoning District.

The proposed modular structure was constructed with three (3) modular structures that were joined together structurally approved, licensed, and registered by the California Department of Housing and Community Development (HCD). The proposed 2,208 square foot modular structure will be an accessory structure to the church as it will provide space for classes and can also be used for assembly or social uses. The modular unit will have two bathrooms and a break room/ kitchen area. The project site consists of four (4) adjoining parcels, three (3) of those parcels is where the structure will be placed. The parcels are vacant. At one time there was a structure there that was used as class rooms and was demolished due to the dilapidated state of the structure. The proposed project also consists of improvements to the project site 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

There are no specific design themes or criteria for the project area in reference to the City of Los Banos Community Design Standards. The exterior of the modular structure is T-111 siding, including the skirting. The modular structure has accents such as a belly band around the structure and the same material is used for the trimming of the structure which provides a slight contrast in the T-111 siding elevation. The roof of the structure is a raised rib metal roof and will measure to be sixteen (16') feet and two (2") in height. The structure will be painted white on the body and blue for the belly band and trimming to match the existing structure.

The project site has an existing chain link perimeter fence.

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 project site has existing landscaping in the front of the church structure on the D Street frontage and also along the side of the church structure on the Eighth Street frontage. The existing landscaping consists of fescue grass and fifteen (15) Crape Myrtle trees. There is proposed landscaping as part of the parking lot improvements of the project which will consist of fescue grass and three (3) Crape Myrtle trees to be planted.

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

Exterior lighting has been proposed for the project. There will be three or four (3 or 4) wall lights to be located near the doors to the structure and a flood light. There are five (5) parking lights proposed throughout the parking lot that will be exceed or be consistent to City of Los Banos Standard.

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

Recommendation

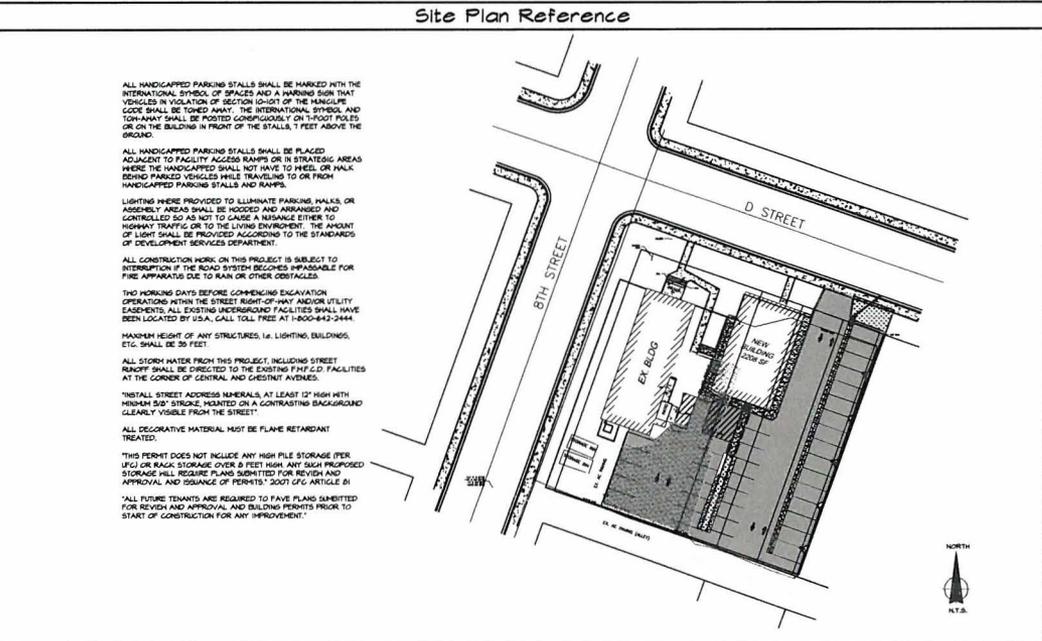
Staff recommends that the Planning Commission evaluate the proposed projects architectural considerations, landscaping, site improvements and exterior lighting elements as described above and provide initial commentary to the applicant regarding the proposed design as no formal action will be taken at this juncture.

Attachments:

Plan Set
Site Photos

Symbols / Abbreviations	
Office ID#	ROOM NAME / NUMBER
101	DOOR SYMBOL
○	HATCH SYMBOL
◇	KEYNOTE SYMBOL
△	PLAN REVISION SYMBOL
□	HALLMARK SYMBOL
ELEVATION MARK	INTERIOR ELEVATION SYMBOL
1/2" X 1/2" X	DIRECTION
1/2" X 1/2" X	SHEET NUMBER
1/2" X 1/2" X	DETAIL NUMBER
1/2" X 1/2" X	DETAIL CUT SYMBOL
1/2" X 1/2" X	SECTION CUT SYMBOL
1/2" X 1/2" X	PROJECT NORTH SYMBOL
1/2" X 1/2" X	ELEVATION MARK
1/2" X 1/2" X	VARIABLES
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Proposed Modular Building for:
First Baptist Church
 809 D Street
 Los Banos, CA 93635



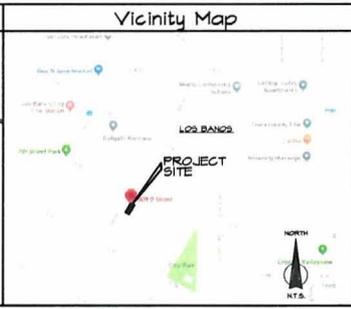
Organization

THE ORGANIZATION OF THESE DRAWINGS IS NOT INTENDED TO CONTROL THE DIVISION OF WORK, AND NO CONTRACTORS, IT SHALL BE THE GENERAL CONTRACTORS RESPONSIBILITY TO DIVIDE THE WORK.

IT IS THE INTENT OF THE PLANS AND SPECIFICATIONS TO COVER ALL THINGS REQUIRED TO MAKE COMPLETE AND OPERATIVE SYSTEMS. CONTROL IS TO FURNISH ALL LABOR, MATERIALS, TRANSPORTATION, EQUIPMENT, AND ANY OTHER MISCELLANEOUS SERVICES REQUIRED TO COMPLETE THE PROJECT. ANYTHING WHICH MAY BE REASONABLY CONSIDERED AS A NECESSARY PART OF THE PROJECT IS TO BE INCLUDED WHETHER SPECIFIED OR NOT.

THE CONSULTANT WILL GIVE ANY INTERPRETATIONS NECESSARY FOR THE CONTRACTOR TO PROPERLY ESTIMATE THE PROJECT.

IT IS THE CONTRACTORS RESPONSIBILITY TO VERIFY ALL FIELD MEASUREMENTS AND CONDITIONS FOR CONFORMANCE WITH THE PLANS SHOULD THE CONTRACTOR FIND ANY ERRORS, OMISSIONS OR DISCREPANCIES IN THE PLANS WITH RESPECT TO THE FIELD OBSERVATIONS OR OTHER PARTS OF THE PROJECT. THE CONTRACTOR SHALL NOTIFY THE CONSULTANT IMMEDIATELY AND THE CONSULTANT SHALL RESOLVE ALL ERRORS, OMISSIONS AND DISCREPANCIES BEFORE COMMENCING THAT PORTION OF THE WORK. OMISSIONS GOVERN ANY DISCREPANCIES. ALL CHANGES TO THE PLANS SHALL REQUIRE THE APPROVAL OF THE OWNER.



General Project Data	
Project Scope:	Modular Building
Legal Description:	Convert to Case Room
Project Data:	SITE ADDRESS: 809 D Street ZONING: C BUILDING OCCUPANCY: B TYPE OF CONSTRUCTION: V-1 PROJECT AREA: 2,208 SF 260-01-01.02.03 1 04
Project Directory	
OWNER: FIRST BAPTIST CHURCH 809 D STREET LOS BANOS, CA 93635 909-767-0261 809 D STREET LOS BANOS, CA 93635 909-767-0261	

Sheet Index

ARCHITECTURAL SHEETS	
C1	COVER SHEET / REFERENCE SITE PLAN
G-1	GRADING PLAN
A1	PROPOSED SITE PLAN
A2	PROPOSED FLOOR PLAN
A3	PROPOSED ELEVATION
A4	SCHEDULE / TOILET RM.
A5	PIER LAYOUT

- General Notes
- GENERAL CONTRACTOR SHALL VISIT THE PROJECT SITE AND VERIFY ALL EXISTING BUILDING & SITE DIMENSIONS FOR ACCURACY WITH CONSTRUCTION DOCUMENTS. HE SHALL NOTIFY THE DRAFTING OF ANY DISCREPANCIES PRIOR TO SUBMISSION OF BIDS AND START OF CONSTRUCTION.
 - NO THIRD PARTIES OR KEYED CYLINDER DEAD BOLTS ALLOWED ON ANY DOORS UNLESS OPERATED BY A SINGLE ACTION WITH A LEVER.
 - THE LATEST ADOPED EDITIONS OF CODES, STANDARDS, AND REGULATIONS REQUIRED BY THE LOCAL JURISDICTION SHALL GOVERN ALL WORK SHOWN IN CONSTRUCTION DOCUMENTS.
 - CONSTRUCTION DOCUMENTS (DRAWINGS) ARE NOT TO BE SCALED WRITTEN DIMENSIONS SHALL GOVERN.
 - THE DEVELOPMENT SHALL MEET THE LATEST ADOPTED ADDITIONS OF THE CALIFORNIA BUILDING CODE (CBC) TITLE 24 WHICH INCLUDES: THE UNIFORM BUILDING CODE, UNIFORM MECHANICAL CODE, UNIFORM PLUMBING CODE, UNIFORM FIRE CODE, THE NATIONAL ELECTRICAL CODE, CALIFORNIA ENERGY CODE, AND DISABILITY ACCESS STANDARDS AS APPROVED BY THE BUILDING INSPECTION DIVISION.

UNIFORM BUILDING CODE	2016
UNIFORM PLUMBING CODE	2016
UNIFORM MECHANICAL CODE	2016
NATIONAL ELECTRICAL CODE	2016
UNIFORM FIRE CODE	2016
CALIFORNIA ENERGY CODE	2016
CALIFORNIA TITLE 24 AND 25 ADMINISTRATIVE CODES	2016
 - SURFACE SLOPES OF PARKING SPACES FOR THE PHYSICALLY HANDICAPPED SHALL BE THE MINIMUM POSSIBLE AND SHALL NOT EXCEED 1/4" PER FT. IN ANY DIRECTION.
 - NO THRESHOLDS OR CHANGE IN FLOORING MATERIAL SHALL EXCEED 1/2" OFFSET PER ADA REQUIREMENTS. PROVIDE A MINIMUM 10' HIGH SOLID PANEL AT THE BOTTOM OF ALL DOORS.
 - EXIST DOORS SHALL BE OPERABLE FROM THE INSIDE WITHOUT THE USE OF A KEY OR ANY SPECIAL KNOWLEDGE OR EFFORT REFER TO FLOOR PLAN NOTES FOR MAIN ENTRANCE DOOR. EXCEPTIONS.
 - ALL DOOR HARBARE SHALL BE HANDICAPPED APPROVED LEVER OR PULL TYPE THROUGHOUT.
 - MANUALLY OPERATED EDGE OR SURFACE MOUNTED FLUSH BOLTS AND SURFACE BOLTS SHALL BE PROHIBITED.
 - PROVIDE AIRTIGHT CALLINGS OR GASKETS AT ALL PERIMETER HALL WALL PLATES, JANETS, ELECTRICAL OUTLETS AND SWITCHES OR OTHER SOURCES OF AIR INFILTRATION. PROVIDE WEATHER STRIPPING AT ALL EXTERIOR DOORS.
 - THE SURFACE OF FLOORS SHALL BE SLIP RESISTANT WHEN TESTED IN ACCORDANCE WITH ASTM G226 TEST PROCEDURE FOR COEFFICIENT OF FRICTION.
 - PRIOR TO MODIFICATION OF OR ADDITION TO EXISTING FIRE SPRINKLER SYSTEM GENERAL CONTRACTOR SHALL CONTACT THE LOCAL FIRE DEPARTMENT TO IDENTIFY ALL REQUIREMENTS. GENERAL CONTRACTOR SHALL PROVIDE ALL DRAWINGS AND CALCULATIONS TO THE FIRE DEPARTMENT PRIOR TO MODIFICATION OF FIRE SPRINKLER SYSTEM.
 - IF NOT EXISTING, PROVIDE KNOX BOX IN LOCATION PER POLICE & FIRE DEPARTMENTS.
 - THESE DRAWINGS SHALL BE CONSIDERED SUBSTANTIALLY COMPLETE. HOWEVER, IT IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO PROVIDE ALL LABOR AND MATERIALS NECESSARY TO REDUCE THE WORK COMPLETE, AS IS THE INTENT OF THESE DRAWINGS, EITHER SHOWN OR IMPLIED HEREIN THROUGHOUT PROPER ESTABLISHED CONSTRUCTION PRACTICES.
 - PROVIDE MINIMUM (1) 2A-105C FIRE EXTINGUISHER SO THAT THE MAXIMUM HORIZONTAL DISTANCE FROM ANY SPOT WITHIN THE SUITE TO THE EXTINGUISHER DOES NOT EXCEED 75 FEET.
 - THIS PERMIT DOES NOT INCLUDE ANY HIGH PILE STORAGE (PER UFG) OR RACK STORAGE OVER 8 FEET HIGH. ANY SUCH PROPOSED STORAGE WILL REQUIRE PLANS SUBMITTED FOR REVIEW AND APPROVAL AND ISSUANCE OF PERMITS.
 - WHERE WORK OF A NATURE REQUIRED IS INDICATED ON THE PLANS OR IN THE SPECIFICATIONS, THIS REQUIREMENT SHALL GOVERN.
 - CONPLY WITH 2016 CBC, CFC, CPC, CAL. SEC. AND THE NONRESIDENTIAL CEC ENERGY STANDARDS.

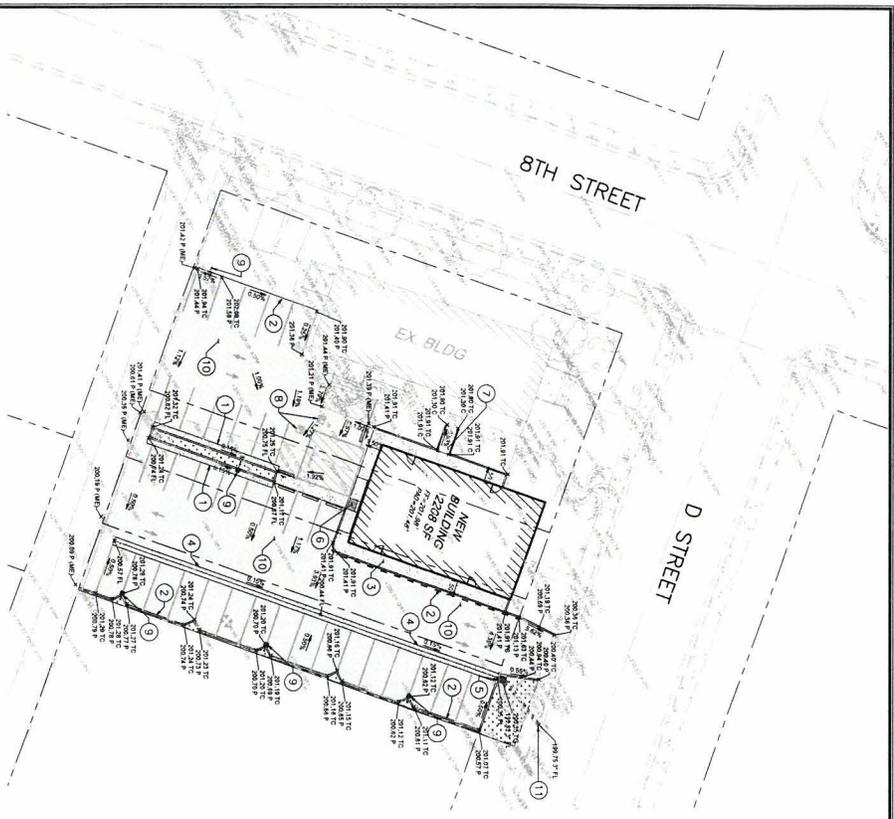
REVISIONS	BY

California Shine Construction
 1920 N. Main Ave., Turlock, CA 95322
 Phone: 909-833-8888
 Email: CaliforniaShineConstruction@gmail.com
 Jeff Brown, CA 19141, License # 19141
 California License # 19141

COVER SHEET

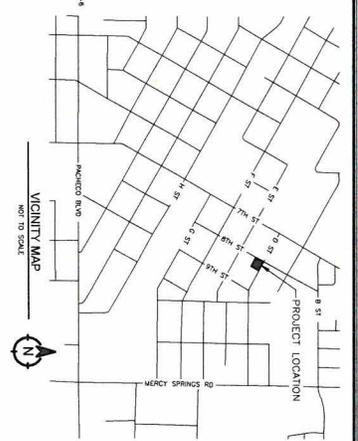
Proposed Modular Building For:
First Baptist Church
 809 D Street
 Los Banos, CA 93635

DATE	SCALE	JOB NO.	SHEET
04-20-18	AS NOTED	18-174	01



- KEYNOTES**
1. CONCRETE 6" CURB AND GUTTER PER CITY OF LOS ANGELES STD. 51-4
 2. CONCRETE 6" CURB PER CITY OF LOS ANGELES STD. 51-3
 3. CONCRETE CONCRETE SIDEWALK PER CITY OF LOS ANGELES STD. 51-4
 4. CONCRETE 3" CONCRETE WALKWAY CURB PER CITY OF LOS ANGELES STD. 51-4
 5. CONCRETE 2-1/2" W/ 10% LF (FRAGILE SAND GRAD) CURB PER CITY OF LOS ANGELES STD. 51-4
 6. CONCRETE ACCESSIBLE RAMP PER DETAIL A
 7. CONCRETE ACCESSIBLE SIDE DETAIL D, E, F, & G
 8. VAN ACCESSIBLE PARKING PER DETAIL B
 9. CONCRETE ACCESSIBLE SIDE DETAIL D, E, F, & G
 10. CONCRETE 2-1/2" W/ 10% LF (FRAGILE SAND GRAD) CURB PER CITY OF LOS ANGELES STD. 51-4
 11. CONCRETE 2-1/2" W/ 10% LF (FRAGILE SAND GRAD) CURB PER CITY OF LOS ANGELES STD. 51-4

- LEGEND**
- PROPOSED 6" RED CURB FOR FIRE LINE
 - PROPOSED 6" CURB
 - PROPOSED 6" CURB & GUTTER
 - PROPOSED PARKING STALL STRIPING
 - PROPOSED CONCRETE SIDEWALK
 - PROPOSED AC PAVEMENT
 - PROPOSED EXISTENTIAL CROSS WALK
 - PROPOSED MANICURING & BUSHING
 - PROPOSED LIGHT
 - EXISTING 6" CURB
 - EXISTING 6" CURB & GUTTER
 - EXISTING SIDEWALK
 - EXISTING CONCRETE
 - EXISTING PROPERTY LINE
 - EXISTING SIDEWALK
 - EXISTING LIGHT
 - EXISTING POWER POLE
 - EXISTING FIRE HYDRANT
 - EXISTING TREE



PROJECT DATA

PROJECT OWNER: FIRST BAPTIST CHURCH
 PROJECT LOCATION: 1208 S. D STREET, LOS ANGELES, CA 90015
 PROJECT NUMBER: 19-015
 SCALE: 1/4" = 10' (PLAN) AND 1/8" = 10' (SECTION)

BENCHMARK

BM 1: 1208 S. D STREET CORNER OF 8TH STREET
 BM 2: 1208 S. D STREET CORNER OF D STREET

OFF-SITE NOTE

THIS DRAWING SHALL BE FOR APPROVAL OF ON-SITE EDITIONS ONLY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF LOS ANGELES AND THE CALIFORNIA DEPARTMENT OF TRANSPORTATION AND PUBLIC SAFETY (CALTRANS). THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF LOS ANGELES AND CALTRANS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF LOS ANGELES AND CALTRANS.



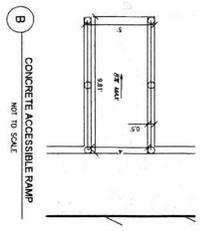
3 SIGN AND SYMBOLS OF ACCESSIBILITY

NOT TO SCALE



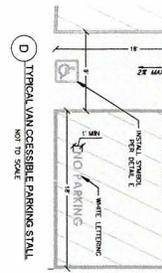
A CONCRETE ACCESSIBLE RAMP

NOT TO SCALE



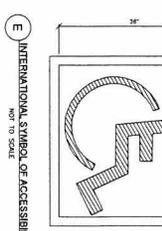
B CONCRETE ACCESSIBLE RAMP

NOT TO SCALE



D TYPICAL VAN ACCESSIBLE PARKING STALL

NOT TO SCALE



E INTERNATIONAL SYMBOL OF ACCESSIBILITY

NOT TO SCALE



F ACCESSIBLE EXIST SIGN

NOT TO SCALE

811
 Know what's below.
 Call before you dig.

GRADING REQUIREMENTS

1. THE OWNER SHALL OBTAIN A GRADING PERMIT AND PAY THE CASH CHECK FEE PRIOR TO CONSTRUCTION.
2. THE GRADING CONTRACTOR SHALL PROVIDE ALL EXISTING WATER DRAINAGE, STORM DRAINAGE, AND OTHER UTILITIES TO BE MAINTAINED OR RECONSTRUCTED TO EXISTING CONDITIONS AND SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF LOS ANGELES AND CALTRANS.
3. ESTIMATED QUANTITIES

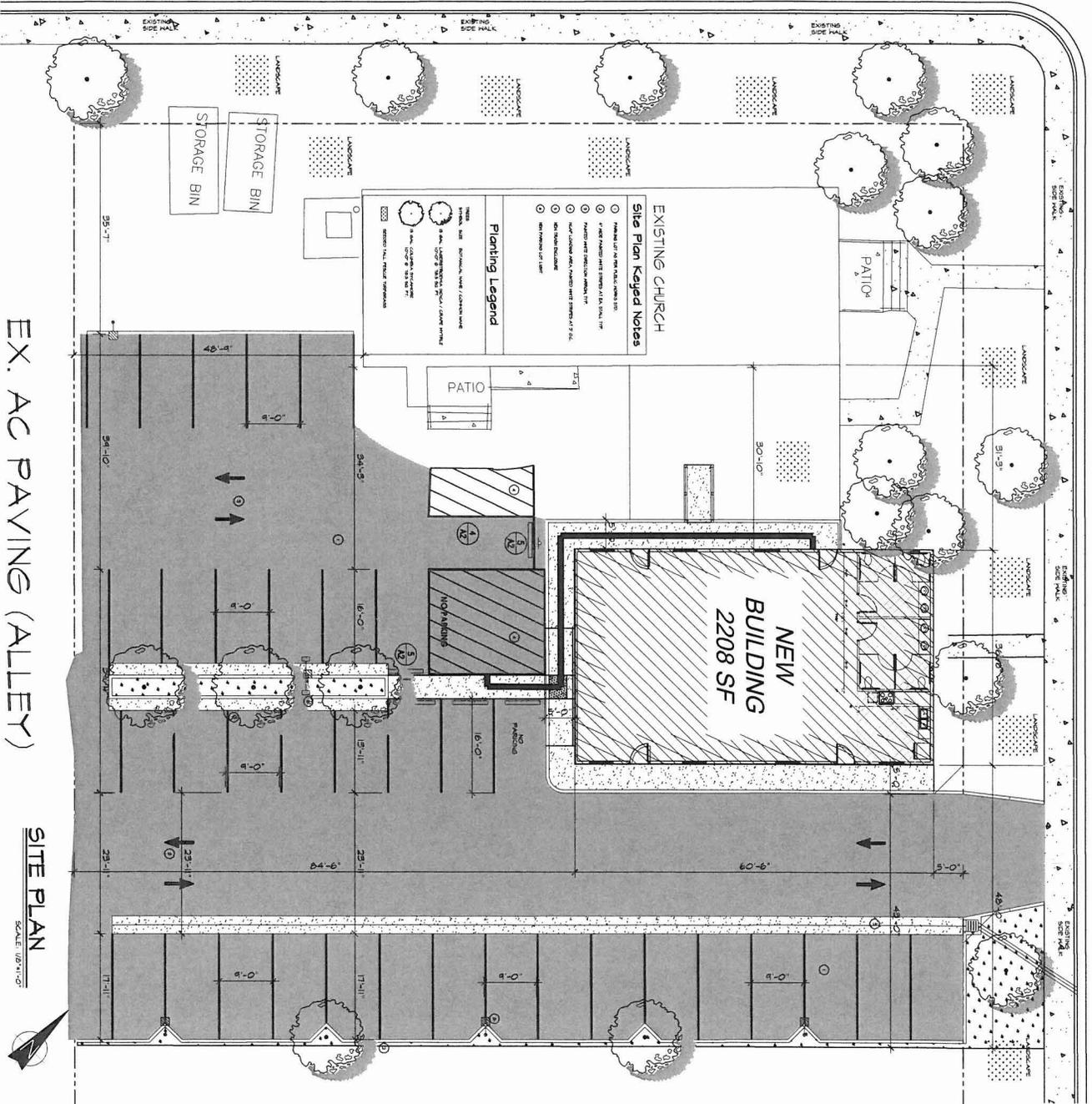
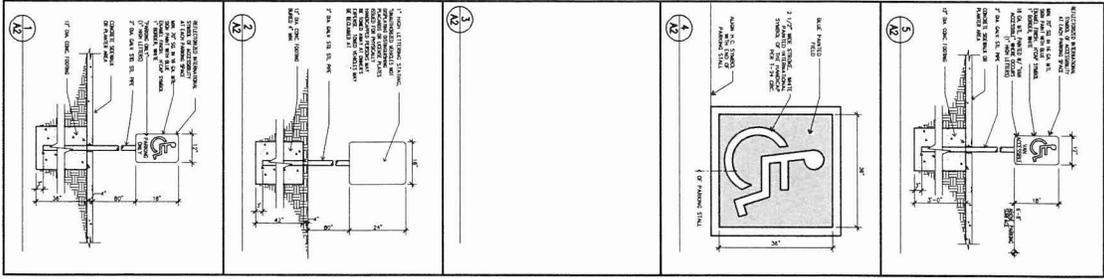
ESTIMATED QUANTITIES	110	C.Y.
FILL	178	C.Y.
CUT	178	C.Y.

NOTE: ESTIMATED QUANTITIES ARE IN C.Y. AND ARE SUBJECT TO CHANGE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF LOS ANGELES AND CALTRANS.

NOTES

1. THE EXISTING GRADE OF THE LOT IS SHOWN BY A DASHED LINE. THE PROPOSED GRADE IS SHOWN BY A SOLID LINE. THE PROPOSED GRADE SHALL BE MAINTAINED TO WITHIN 1/4" TOLERANCE.
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	<p>PROJ. ENGR: LEW</p> <p>PROJ. LEAD: LEW</p> <p>DRAWN BY: LEW</p> <p>PROJ. NUMBER: 19-015</p> <p>SHEET NO.: 1 / 1</p> <p>PROJECT NUMBER: 19-015</p>	<p>LOS ANGELES FIRST BAPTIST CHURCH GRADING PLAN</p> <p>CITY OF LOS ANGELES CALIFORNIA</p>	<p>VICE VAN INC. CONSULTING ENGINEERS</p> <p>2451 ALLUVAL AVE CLOVIS, CA 95326 (559) 775-0023 FAX: (559) 775-0016 WWW.VICE-ENGR.COM</p>	<p>REVISIONS</p> <table border="1"> <tr> <th>NO.</th> <th>DATE</th> <th>BY</th> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>	NO.	DATE	BY			
NO.	DATE	BY								



EX. AC PAVING (ALLEY)

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

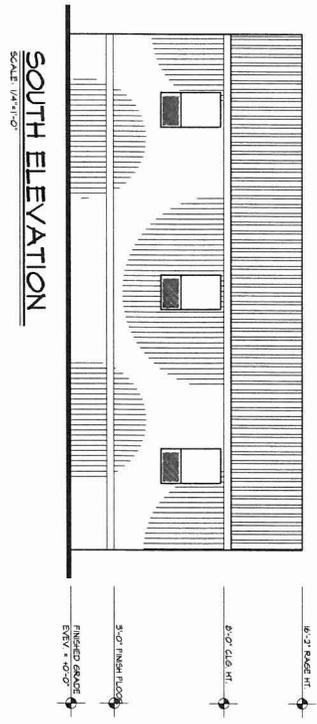
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Proposed Modular Building For:
First Baptist Church
 809 D Street
 Los Banos, CA 93635

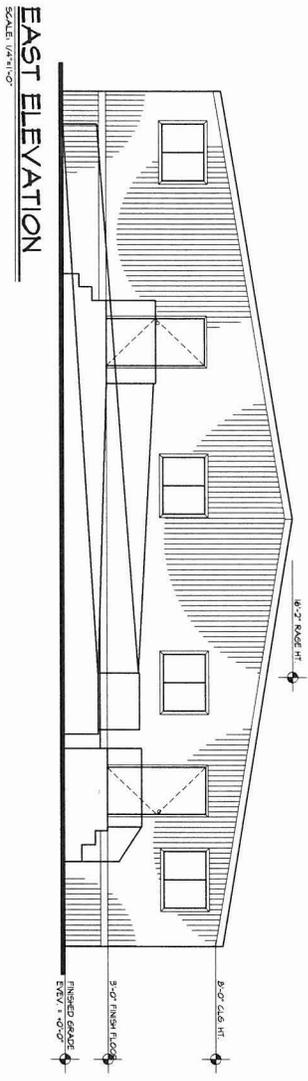
**PROPOSED
 SITE PLAN**

**California Shine
 Construction**
 3251 N. Marka Ave. Fresno, CA 98702
 E-mail: Calshin@constructionphotos.com
 Live Brod. Cal: 5591 444-5504
 Office Fax: 5591 442-7422
 California Lic # 704852

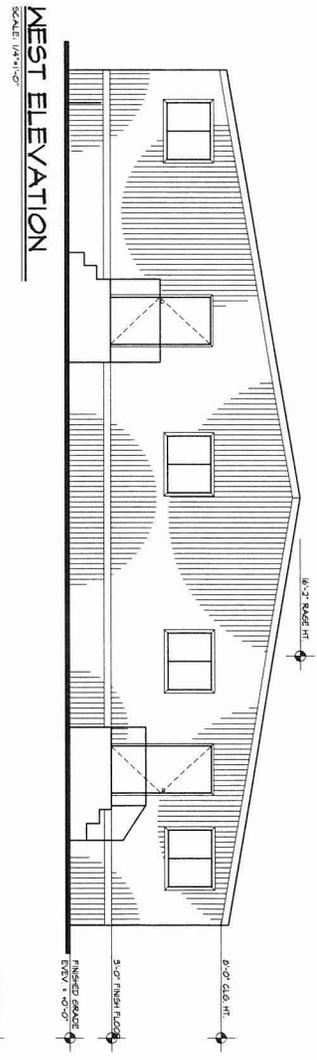
REVISIONS	BY



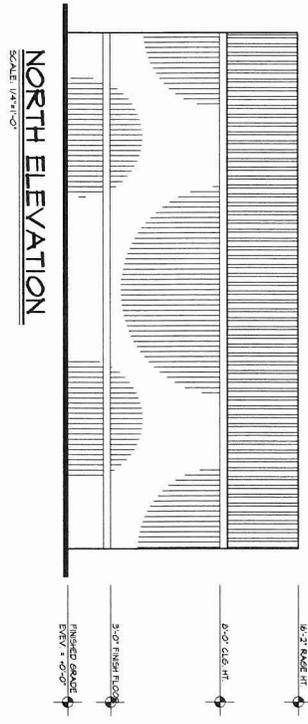
SOUTH ELEVATION
SCALE: 1/4"=1'-0"



EAST ELEVATION
SCALE: 1/4"=1'-0"



WEST ELEVATION
SCALE: 1/4"=1'-0"



NORTH ELEVATION
SCALE: 1/4"=1'-0"

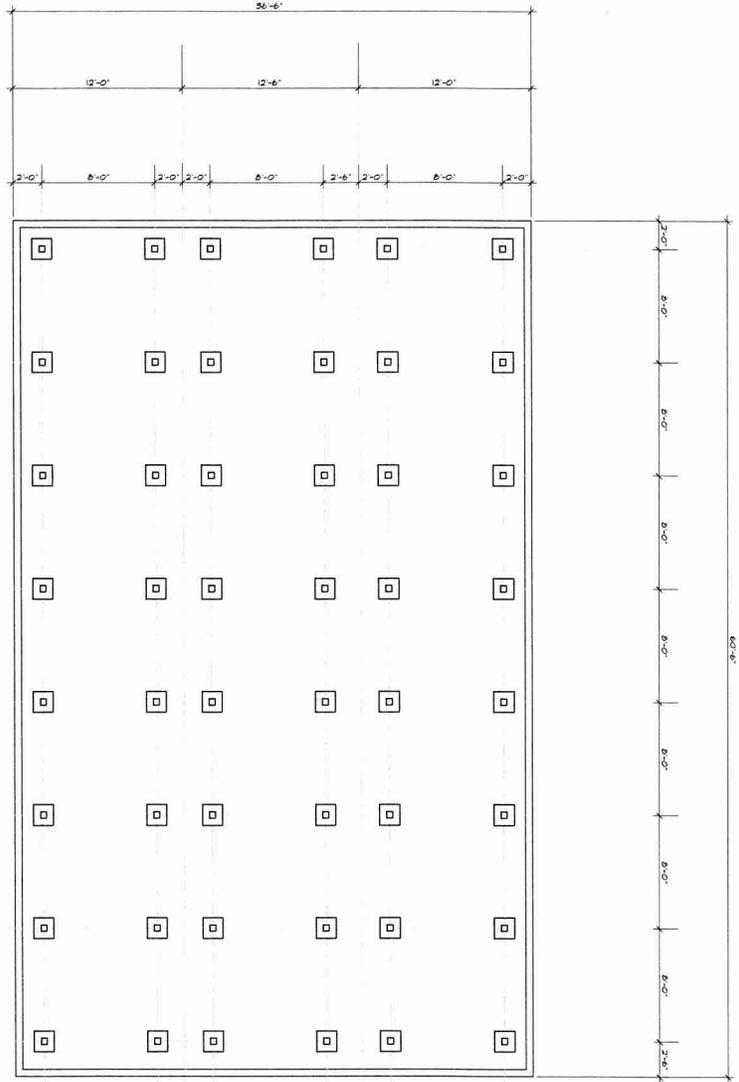
REVISIONS	BY

California Shine Construction
3251 N. Marks Ave. Fresno, CA 93722
e-mail: calshinconstruction@yahoo.com
Lic. Brno. Cal. #: 5591 888-1504
Office Fax: 559-412-1422
California Lic. #: 704552

ELEVATIONS

Proposed Modular Building For:
First Baptist Church
804 D Street
Los Banos, CA 93635

DATE	DRAWN
04-20-14	
BY	CHECKED
AS NOTED	
JOE NID	
SHEET	
A3	



PIER LAYOUT

SCALE: 1/4"=1'-0"



General Notes

1. GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL AGENCIES AND AGENCIES INVOLVED IN THE PROJECT.
2. FOUNDATION SHALL BE CONSTRUCTED TO SUPPORT ALL LOADS INCLUDING BUT NOT LIMITED TO DEAD, LIVE, WIND, ETC. TO BE DETERMINED BY THE ENGINEER.
3. FOUNDATION SHALL BE CONSTRUCTED WITH REINFORCED CONCRETE AND SHALL BE PROTECTED AGAINST CORROSION BY ALL APPLICABLE CODES AND STANDARDS.
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36. FOUNDATION SHALL BE PROTECTED AGAINST CORROSION BY ALL APPLICABLE CODES AND STANDARDS.

DRAWN	CHECKED
DATE	DATE
SCALE	SCALE
AS NOTED	AS NOTED
BY	BY
SHEET	SHEET

Proposed Modular Building For:
First Baptist Church
 809 D Street
 Los Banos, CA 95635

PROPOSED PIER LAYOUT

California Shine Construction
 9251 N. Marka Ave Fresno, CA 95122
 e-mail: calshinconstruction@gmail.com
 Luis Bravo Cell: (559) 498-5548
 Office: (559) 498-5548
 California Lic # 704552

REVISIONS	BY

A5



FIRST BAPTIST CHURCH
WOMEN'S BIBLE CLASS
SUNDAY SCHOOL
BAPTIST BIBLE SOCIETY
LADIES' GUILD
YOUTH LEAGUE
SINGERS
CHORUS
PRAYER MEETING
BAPTIST CONVENTION



FIRST BAPTIST CHURCH
SUNDAY 9:30 am
Sunday School 11:30 am
Worship Service
WEDNESDAY 7:00 PM
Bible Study
*I want you to know that each week, we
"let the Spirit of God" be the focus of our
worship.*
Pastor: MICHAEL NEWMAN, M.D.

