

**CITY OF LOS BANOS
PLANNING COMMISSION MEETING MINUTES
AUGUST 28, 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 Giuliani.

ROLL CALL – MEMBERS OF THE PLANNING COMMISSION PRESENT: Planning Commission Members John Cates, Mona Giuliani, Thomas Higby III, and Susan Toscano; David Dees 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 Giuliani, seconded by Higby to approve the agenda as submitted. The motion carried by the affirmative action of all Planning Commission Members present; Dees absent.

CONSIDERATION OF APPROVAL OF THE ACTION MINUTES FOR THE REGULAR PLANNING COMMISSION MEETING OF JULY 10, 2019. Motion by Giuliani, seconded by Higby to approve the minutes as submitted. The motion carried by the affirmative action of all Planning Commission Members present; Dees absent.

CONSIDERATION OF APPROVAL OF THE ACTION MINUTES FOR THE ADJOURNED CITY COUNCIL/PLANNING COMMISSION MEETING OF AUGUST 14, 2019. Motion by Giuliani, seconded by Higby to approve the minutes as submitted. The motion carried by the affirmative action of all Planning Commission Members present; Dees absent.

PUBLIC FORUM: MEMBERS OF THE PUBLIC MAY ADDRESS THE PLANNING COMMISSION MEMBERS ON ANY ITEM OF PUBLIC INTEREST THAT IS WITHIN THE JURISDICTION OF THE CITY; INCLUDES AGENDA AND NON-AGENDA ITEMS. NO ACTION WILL BE TAKEN ON NON-AGENDA ITEMS. SPEAKERS ARE LIMITED TO A FIVE (5) MINUTE PRESENTATION. DETAILED GUIDELINES ARE POSTED ON THE COUNCIL CHAMBER INFORMATIONAL TABLE.

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

Commissioner Toscano stated that she was unsure if she had a conflict for the upcoming item because she works at 549 N. Mercey Springs Road near the project site.

City Attorney Vaughn inquired if Commissioner Toscano owned the property where she worked, asked if they were a source of income to her, and asked she was a source of income to them.

Commissioner Toscano responded no to each question.

City Attorney Vaughn stated that there is no conflict and she may participate.

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.

Associate Planner Luquin presented the staff report, which included a PowerPoint presentation, and distributed revised elevations and floor plan that was received today.

Commissioner Giuliani spoke of her appreciation for the added hallway and landscaping.

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

Motion by Higby, seconded by Giuliani to adopt 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. The motion carried by the affirmative action of all Planning Commission Members present; Dees absent.

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.

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

Commissioner Giuliani inquired about parking, accessibility, and hours of operation.

Associate Planner Luquin responded that the applicant has already received a Temporary Mobile Food Vendor Permit at this location and no concerns have been brought to staff's attention, how the parking lot is in use and often at full capacity, and hours of operation will be Friday thru Sunday from 11:00 a.m. to 7:00 p.m.

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

Commissioner Giuliani inquired about the business operations.

Kenneth Lambert, applicant, spoke of how he started out at the street fairs and tomato festival and had requests for him to open up a restaurant, how he has a different style of barbecue, how he is from Texas and brings Texan-style food, how he also has specialties, and wants to bring his style to the community.

Commissioner Giuliani inquired if he operated at other locations or if there will be other locations in the future.

Mr. Lambert responded that he has attempted to find other locations but it's been difficult.

Motion by Higby, seconded by Giuliani to adopt 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. The motion carried by the affirmative action of all Planning Commission Members present; Dees absent.

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

Ramon Sanchez, California Shine & Construction, was present to answer questions.

Roy Mitchell, First Baptist Church, was present to answer questions.

There was discussion among Commissioners, staff, and the applicant regarding architecture including design, color, façade, stucco to match the church, and temporary partitions within the building.

Chairperson Cates suggested that the applicant consider the matching the exterior design color and materials to the existing church building, suggested breaking up the massing, and inquired about parking.

Community & Economic Development Director Elms spoke of parking being based on whether it's a fellowship hall or a classroom and stated that the parking requirements are different for those uses.

There was discussion among Commissioners, staff, and the applicant regarding lighting including how they will have to meet city standards.

There was discussion among Commissioners, staff, and the applicant regarding landscaping including the type of vegetation and fencing.

Informational item only, no action taken.

COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR REPORT.

Community & Economic Development Director Elms reported that there was a City Council request made at the last City Council meeting to analyze a Planning Commission attendance policy and reduce the number of seats from 7 to 5 members, how this item will be brought to the City Council on September 4th agenda for discussion, how staff conducted research and will be recommending by-district representation and moving down to 5 members, how she will report back to Planning Commission after that City Council meeting, how the Community & Economic Development Department will have a part-time employee that will be starting on September 3rd, how they probably won't see the employee at Planning Commission meetings, but will likely see her at the Community & Economic Development window at City Hall.

PLANNING COMMISSION MEMBER REPORTS.

CATES: Thanked staff for their work.

DEES: Absent.

GIULIANI: Thanked staff for their work and was pleased with the City Council/Planning Commission study session that took place on August 14, 2019.

HIGBY: Thanked staff for their work.

TOSCANO: No report.

ADJOURNMENT: The meeting was adjourned at the hour of 7:41 p.m.

APPROVED:

/s/ John Cates

John Cates, Planning Commission Chairperson

ATTEST:

/s/ Sandra Benetti

Sandra Benetti, Planning Technician