



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, JUNE 10, 2020

In accordance with Executive Orders N-25-20 and N-29-20, with guidance from the California Department of Public Health, and in order to minimize the spread of the COVID-19 virus, the City Hall Council Chambers will be closed to the public during this Planning Commission Meeting. The following alternatives are available to members of the public who wish to watch the meeting and/or provide comments to the Commission before and during the meeting.

Audio/Video Broadcast: This Planning Commission meeting can be accessed in real time from your computer, tablet, or smartphone using GoToMeeting at the following link: <https://global.gotomeeting.com/join/795031117>. Get the free GoToMeeting application now and be ready when the meeting starts: <https://global.gotomeeting.com/install/292250869>. You can also dial in to listen to the meeting using your phone by calling (646) 749-3112 and using Access Code: 795-031-117.

Public Comment: If you wish to make either a general public comment for items not on the agenda and under the jurisdiction of the Commission or to comment on a specific agenda item, please submit your comments via email, preferably in advance of the meeting, by 4:00 p.m. on the day of the meeting. Please reference the agenda item you are commenting on and submit your comments to the Planning Commission Secretary at planningcommission@losbanos.org. Your comments will be placed into the record for the meeting. To be read into the record, your email subject line must include "Public Comment – Not on the Agenda" or "Public Comment – Agenda item #[insert item #]".

Public Hearings: Public comment during public hearings will be taken in real time via email. Once the public hearing is opened, the Commission will pause the meeting for five minutes in order to receive emails directed at the public hearing and will read comments into the record after resuming the meeting. Please indicate that comments are for a particular public hearing by including "Public Comment – Agenda item #[insert item #]" in the subject line of the email and the title of the public hearing. Emails during the meeting must be sent to the Planning Commission Secretary at planningcommission@losbanos.org.

If you require special assistance to attend or participate in this meeting, please contact the Planning Commission Secretary @ (209) 827-7000 ext. 2431 or by email at planningcommission@losbanos.org 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 Comisión de Planificación al (209) 827-7000 ext. 2431 o mandar un email al planningcommission@losbanos.org a lo menos de 48 horas previas de la junta.

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

Any writings or documents provided to a majority of the Planning Commission regarding any item on this agenda will be made available for public inspection at the meeting and in the Community & Economic Development Department's office located at City Hall, 520 J Street, Los Banos, California during normal business hours. In addition, such writings and documents may be posted on the City's website at www.losbanos.org.

Cualquier escritura o los documentos proporcionaron a una mayoría del Comisión de Planificación con respecto a cualquier artículo en este orden del día será hecho disponible para la inspección pública en la reunión y en la oficina del Departamento de Comunidad y Desarrollo Economico del City Hall, 520 J Street, Los Banos, California durante horas de oficina normales. Además, tales escrituras y los documentos pueden ser anunciados en el website de la Ciudad en www.losbanos.org.

1. CALL TO ORDER **4:00 PM**
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL: (Planning Commission Members)
Cates __, Higby __, Robinson __, Toscano __, Uhley __
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 MAY 27, 2020
Recommendation: Approve the minutes as submitted.
6. PUBLIC FORUM: Members of the public may address the Commission on any item of public interest that is within the jurisdiction of the Commission, including agenda and non-agenda items. No action will be taken on non-agenda items. Speakers are limited to a five (5) minute presentation.
7. PUBLIC HEARINGS: If You Challenge the Proposed Action as Described herein in Court, You May Be Limited to Raising Only Those Issues You or Someone Else Raised at the Public Hearing Described herein, or in Written Correspondence, Delivered to the City at, or Prior to, the Public Hearing.

A. Public Hearing – To Consider Tentative Parcel Map #2020-03, Site Plan Review #2020-02, and Conditional Use Permit #2020-03 to Divide a 4.18 Acre Parcel into Two (2) Parcels with Parcel 1 Totaling 2.21 Acres and Parcel 2 Totaling 1.97 Acres, for the Development of One (1) 4,244 Square Foot Commercial Structure Which Will Serve as a Gas Station Convenience Store with an Attached Carwash and a Canopy with Eight (8) Multi-Pump Fuel Dispensers and Associated Site and Utility Improvements, and to Allow the Off-Sale of Beer and Wine through a Type 20 ABC License and Was Previously Evaluated in the Los Banos Home Depot (SCH #2005041010) Mitigated Negative Declaration Which Was Approved by the Los Banos Planning Commission on May 11, 2005 and is Located within the Highway-Commercial (H-C) Zoning District at 2027 E. Pacheco Blvd., More Specifically Identified as Assessor Parcel Number: 083-140-031.

1) Planning Commission Resolution No. 2020-14 – Approving Tentative Parcel Map #2020-03 for the Minor Subdivision of a 4.18 Acre Parcel into Two (2) Parcels Located within the Highway-Commercial Zoning District at 2027 E. Pacheco Blvd., More Specifically Identified as Assessor’s Parcel Number: 083-140-031.

2) Planning Commission Resolution No. 2020-15 – Approving Site Plan Review #2020-02 for the Development of One (1) 4,244 Square Foot Fuel Station and Convenience Store with an Attached Carwash and Fuel Canopy with Eight (8) Multi-Pump Dual Fuel Dispensers and Associated Site and Utility Improvements Located at 2027 E. Pacheco Blvd., More Specifically Identified as Assessor’s Parcel Number: 083-140-031.

3) Planning Commission Resolution No. 2020-16 – Recommending Approval of Conditional Use Permit #2020-03 to the Los Banos City Council to Allow for the Sale of Alcohol Under Type 20 Off-Sale of Beer and Wine License for Todd Real Estate Solutions, Inc. (Arco AM/PM) to be Located at 2027 E. Pacheco Blvd., More Specifically Identified as Assessor’s Parcel Number: 083-140-031.

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

8. DESIGN REVIEW STUDY SESSION – DEVELOPMENT OF 197 LOW-DENSITY RESIDENTIAL (R-1) LOTS IN THE SUNRISE RANCH SUBDIVISION LOCATED EAST OF PLACE ROAD, SOUTH OF B STREET, AND NORTH OF SAN LUIS STREET.

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

9. COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT REPORT

10. COMMISSIONER REPORTS

A. Cates

- B. Higby
- C. Robinson
- D. Toscano
- E. Uhley

11. ADJOURNMENT

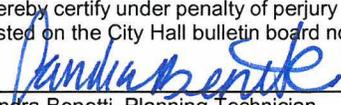
APPEAL RIGHTS AND FILING PROCEDURES

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

Concerning an action taken by the Planning Commission related to Chapter 2 Articles 1 through 17 of the Los Banos Municipal Code "Subdivisions", if a subdivider or other affected property owner is dissatisfied with any action of the Commission with respect to a tentative map or the nature and extent of improvements recommended or required he/she may within fifteen (15) days after such action appeal to the Planning Commission Secretary for a public hearing on the matter. An appeal must state the action being appealed, identify the agenda item by agency number or project title, and set forth in concise statement(s) the reasons for the appeal. (Los Banos Municipal Code Sections 9-2.807)

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

I hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted on the City Hall bulletin board not less than 72 hours prior to the meeting.


Sandra Benetti, Planning Technician

Dated this 5th day of June 2020

**CITY OF LOS BANOS
PLANNING COMMISSION MEETING MINUTES
MAY 27, 2020**

***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 4:00 p.m.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by Commissioner Robinson.

ROLL CALL – MEMBERS OF THE PLANNING COMMISSION PRESENT: Planning Commission Members John Cates, Thomas Higby III, Rob Robinson, Susan Toscano, and Katherine Uhley (joined at 4:12 p.m.) were present remotely via the GoToMeeting web based application.

STAFF MEMBERS PRESENT: City Attorney William A. Vaughn, Community & Economic Development Director Stacy Elms, Planning Commission Secretary Sandra Benetti, and Associate Planner Rudy Luquin were present remotely via the GoToMeeting web based application.

CONSIDERATION OF APPROVAL OF AGENDA. Motion by Higby, seconded by Robinson to approve the agenda as submitted. The motion carried by the affirmative action of all Planning Commission Members present; Uhley absent (joined at 4:12 p.m.)

CONSIDERATION OF APPROVAL OF THE ACTION MINUTES FOR THE REGULAR PLANNING COMMISSION MEETING OF APRIL 22, 2020. Motion by Higby, seconded by Robinson to approve the minutes as submitted. The motion carried by the affirmative action of all Planning Commission Members present; Uhley absent (joined at 4:12 p.m.)

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. Secretary Benetti confirmed that no public comments were received, and Chairperson Cates closed the public forum.

DESIGN REVIEW STUDY SESSION – DEVELOPMENT OF ONE (1) COMMERCIAL STRUCTURE FOR A GAS STATION/CONVENIENCE STORE WITH AN ATTACHED

CARWASH TOTALING 4,244 SQUARE FEET WITHIN THE HIGHWAY-COMMERCIAL ZONING DISTRICT AT 2027 E. PACHECO BLVD., MORE SPECIFICALLY IDENTIFIED AS ASSESSOR'S PARCEL NUMBER: 083-140-031. Associate Planner Luquin presented the staff report, which included a PowerPoint presentation.

Commissioner Uhley joined the meeting at 4:12 p.m.

Community & Economic Development Director Elms stated that Jim Todd and Roy Todd, applicants, were present on the call and available for comments and questions.

There was discussion among commissioners, staff, and the application regarding architecture.

Commissioner Robinson commented that this project ties in nicely to the surrounding commercial areas.

Community & Economic Development Director Elms commented that this proposal is not a prototype for Arco and explained that the applicant went to bat with BP regarding the City's design guidelines.

Jim Todd, applicant, stated that Community & Economic Development Director Elms has been a joy to work with, spoke of how he has developed all over western United States, appreciates to work with folks like her, how Arco has gone thru changes within the company and the process of approving prototypical types, how he also owns the other Arco on the westside of Pacheco as well, he is a strong believer in wanting to have sites that look cohesive to the adjacent buildings, how they emulated architectural elements of adjacent buildings into their design, and is hopeful that everyone appreciates the effort.

Chairperson Cates spoke of his appreciation for the applicant's efforts and commented that the design compliments the shopping center very well.

Commissioner Uhley commented that the project looked great.

There was discussion among commissioners, staff, and the application regarding landscaping.

Jim Todd, applicant, stated that the landscaping on eastern boundary strip of about six feet wide was incorporated into the overall design at the request of staff.

There was discussion among commissioners, staff, and the application regarding lighting including existing requirements.

Jim Todd, applicant, spoke of his concern regarding the Landscape and Lighting District (LLD), how the site doesn't have any frontage or overlap in common with the LLD, asked for consideration to that point, how he would be taking on additional responsibility to make

the center work as it gets built out, it being an obligation of the district, and inquired if there is a process to appeal this requirement.

Community & Economic Development Director Elms responded that the LLD is not under the jurisdiction of the Planning Commission and actually falls under the Public Works Department, and offered to help him get in touch with the Public Works Department to address his concern.

Commissioner Robinson commented that this project is a creative use of space and looks great.

Feedback was given to applicant only; no action taken.

DESIGN REVIEW STUDY SESSION – DEVELOPMENT OF AN UNMANNED, PUBLIC UTILITY USE BATTERY ENERGY STORAGE SYSTEM FACILITY LOCATED WITHIN THE HIGHWAY-COMMERCIAL ZONING DISTRICT ON THE WEST SIDE OF MERCY SPRINGS ROAD, NORTH OF OVERLAND AVE. AND SOUTH OF SANTA BARBARA DR., MORE SPECIFICALLY IDENTIFIED AS ASSESSOR'S PARCEL NUMBER: 082-072-027. Associate Planner Luquin stated that the applicant withdrew his application, and this project will not be moving forward at this time.

COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR REPORT.

Community & Economic Development Director Elms announced that City Hall will likely open to the public on June 1st, but it is still recommended and encouraged that customers handle business via email or phone or mail as much as possible until the executive orders change, how it is business as usual on staff's side, still meeting virtually with applicants, staff received a VTTM and a FDP which will come forward soon, how the Planning Commission meeting on June 10th may be in person, and stated that she appreciates everyone's patience and flexibility.

PLANNING COMMISSION MEMBER REPORTS.

CATES: Spoke of being home and healthy and staying safe, how he hopes we can have the next Planning Commission meeting in person, and thanked staff and the applicant.

HIGBY: Thanked staff for putting this meeting together, thanked the American Legion and VFW for putting up the flags for Memorial Day, and spoke of looking forward to not wearing masks anymore and things going back to normal.

ROBINSON: Thanked staff for their work and the applicant for the great project.

TOSCANO: No report.

UHLEY: Spoke of being excited to see this AMPM project, how she is currently out of town where masks aren't required so she feels some normalcy.

ADJOURNMENT: The meeting was adjourned at the hour of 4:37 p.m.

APPROVED:

John Cates, Chairperson

ATTEST:

Sandra Benetti, Planning Commission Secretary



City of
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PLANNING COMMISSION STAFF REPORT

TO: CHAIRMAN CATES AND PLANNING COMMISSIONERS

FROM: RUDY LUQUIN, ASSOCIATE PLANNER *RL*

FOR: JUNE 10, 2020

**SUBJECT: TENTATIVE PARCEL MAP #2020-03, SITE PLAN REVIEW #2020-02,
AND CONDITIONAL USE PERMIT #2020-03 FOR TODD REAL ESTATE
SOLUTIONS, INC (ARCO AM/PM)**

RECOMMENDATIONS:

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

1. Adopt Resolution No. 2020-14, approving Tentative Parcel Map #2020-03 for the minor subdivision of a 4.18 acre parcel into two (2) parcels within the Highway Commercial Zoning District located at 2027 E. Pacheco Blvd.; Assessor's Parcel Number: 083-140-031; and
2. Adopt Resolution No. 2020-15, approving Site Plan Review #2020-02 for the development of one (1) 4,244 square foot fuel station convenience store with an attached carwash and a fuel canopy with eight (8) multi pump dual fuel dispensers and associated site and utility improvements located at 2027 E. Pacheco Blvd.; Assessor's Parcel Number: 083-140-031; and
3. Adopt Resolution No. 2020-16 recommending approval of Conditional Use Permit #2020-03 to the Los Banos City Council to allow for the sale of alcohol under a Type 20 off-sale beer and wine license for Todd Real Estate Solutions, Inc., (ARCO AM/PM) to be located at 2027 E Pacheco Blvd.; Assessor's Parcel Number: 083-140-031

PROJECT DESCRIPTION:

On April 1, 2020, the applicant, Todd Real Estate Solutions, Inc, requested entitlements to perform a minor subdivision on the project site, the development of one (1) commercial structure to serve as a gas station/ convenience store with an attached car wash and an 8 multi pump dual fuel dispensers along with various site improvements, and a Conditional Use Permit for the off-sell of beer and wine through a Type 20 ABC license.

The project will consist of a Tentative Parcel Map for a minor subdivision of the project site which is a 4.18 acre parcel into two (2) parcels. Parcel 1 will result in a 2.21 acre parcel and Parcel 2 will total 1.97 acres.

The requested Site Plan Review entitlement for the project will be to permit the development of one (1) 4,244 square foot commercial structure which will serve as a gas station convenience store with an attached carwash and a fuel canopy with eight (8) multi pump fuel dispensers. The project proposal further includes various improvements to the project site such as grading, paving, landscaping, and exterior lighting.

The Conditional Use Permit portion of the project is for the allowance of alcohol sales of beer and wine through a Type 20 ABC License.

The project site is located on a vacant parcel at 2027 E. Pacheco Blvd. The proposed project site is presently vacant with the ability to connect to utilities. The project site is surrounded by various commercial uses to the north, west and south, and high density residential uses to the east. The proposed commercial development is a permitted use by right within the Highway Commercial Zoning District (H-C).

PROJECT LOCATION:

The Project site is located within the East Pacheco Shopping Center (Home Depot) approximately 900 feet east of the south east corner of Place Road and Pacheco Boulevard (SR 152) intersection. The site is surrounded by commercial development to the north, west, and south and high density residential development to the east. The project site can be accessed from Pacheco Boulevard and Place Road.



LAND USE:

Property	Land Use	Zone	General Plan
Project site	Commercial	H-C	C
North	Commercial	H-C	C
South	Commercial	H-C	C
East	Residential	R-3	HDR
West	Commercial	H-C	C

R-3 = High Density Residential
 H-C = Highway Commercial

HDR = High Density Residential
 C = Commercial

ENVIRONMENTAL ASSESSMENT:

Pursuant to the California Environmental Quality Act (CEQA) and the City of Los Banos Environmental Quality Guidelines, this project was previously evaluated in the Los Banos Home Depot (SCH #2005041010) Mitigated Negative Declaration which was approved by the Los Banos Planning Commission on May 11, 2005. Staff has determined that environmental review for the project is adequate and consequently did not prepare a subsequent Mitigated Negative Declaration in accordance to Section 15162 of the CEQA guidelines. The evidence in the project file support that no circumstances of further impacts requiring the preparation of a subsequent Mitigated Negative Declaration are present in this case.

PROJECT ANALYSIS:

Existing Setting

The proposed project site is within an existing shopping center, on a vacant 4.18 acre parcel located approximately on the south east corner of the Place Road and Pacheco

Boulevard (HWY 152) intersection. Urban development consisting of residential development has occurred on the east of the project site and commercial development to the north, west and south areas of the project site, along with associated street and utility improvements. The topography of the project site is relatively flat. There is small vegetation located throughout the undeveloped project site. This vegetation will be removed as part of the development of the proposed project.

TENTATIVE PARCEL MAP ANALYSIS:

In General

Land cannot be divided in California without local government approval. Dividing land for sale, lease or financing is regulated by local ordinances based on the State Subdivision Map Act (commencing with California Government Code Section 66410). The local General Plan, local zoning ordinance, local subdivision ordinance, and other local ordinances govern the design of the subdivision, the size of lots, and the types of improvements and infrastructure (street construction, sewer lines, drainage facilities, etc.).

In most cases the sub-divider will be responsible for installing or constructing improvements such as streets, drainage facilities or sewer lines to serve the subdivision. These improvements must be installed or constructed or secured by bond before the City will grant final approval of the Tentative Parcel Map (Final Map) and allow the subdivision to be recorded at the Merced County Recorder's office. Lots within the subdivision cannot be sold until the Final Map has been approved by the City and officially recorded with the Merced County Recorder. Generally, a Tentative Parcel Map has the life span of 24 months unless extended. If the Tentative Parcel Map expires before approval of the final map it cannot be revived. Instead, a new Tentative Map must be applied for, processed, and approved. The Tentative Parcel Map is consistent with the Los Banos Municipal Code and the Los Banos 2030 General Plan.

Review of a Tentative Map is limited to review of its consistency with the General Plan, the Los Banos Municipal Code, the local Subdivision Ordinance, and that State mandated findings can be made.

Code Requirements – Technical Review

Title 9, Chapter 2 of the Los Banos Municipal Code regulates the processing and approval of all subdivisions within the City of Los Banos. In accordance with the Code, the Tentative Parcel Map has been reviewed by the Project Review Board prior to its submission to the Planning Commission.

Among other things the Project Review Board was required to and has reviewed the Tentative Parcel Map for: a) suitability of the land for subdivision; b) overall design of the subdivision and its conformity with all pertinent requirements of the Code; c) provisions for and suitability of public improvements such as street improvements,

underground utilities, fire hydrants, ornamental electroliers, storm drains, streets, trees, sidewalks, water supply, and sewage disposal and easements for utilities and drainage; d) provisions for public areas such as parks and schools.

The Project Review Board reviewed Tentative Parcel Map #2020-03 and their recommendations are incorporated into the Conditions of Approval.

Project Design

The proposed commercial Tentative Parcel Map is a traditional parcel map by definition. The proposed parcel map will consist of the minor subdivision of one (1) 4.18 acre parcel into two (2). Parcel 1 will be 2.21 acre which totals 96,267 square feet and Parcel 2 will be 1.97 acres, totaling 85,813 square feet. The proposed density is approximately .0233 floor area ratio which is well below the prescribed densities ranging from 0.25 floor area ratio to 0.60 floor area ratio with a typical floor area ratio of 0.25 for buildout estimates. The minor subdivision will be a standard commercial development and will be built in accordance with the Los Banos Municipal Code and all City Standards and Specifications will apply.

Pursuant to Los Banos Municipal Code Title 9 Chapter 3 Article 13, Highway Commercial, the minimum lot size for commercial parcels is 1,000 square feet. The proposed project meets and exceeds the minimum lot size requirements for the Highway Commercial Zoning District.

Land Use

The project site is designated as Commercial according to the Los Banos General Plan and zoned Highway Commercial (H-C) in accordance with the Los Banos Zoning Map. The proposed parcel map is proposing to subdivide 4.18 acres into two (2) Highway Commercial parcels. The proposed commercial subdivision and use is consistent with the 2030 Los Banos General Plan and Los Banos Municipal Code Title 9, Chapter 3, Zoning, Article 13, Highway Commercial Zoning District.

FINDINGS:

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

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

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

The map and improvements conform to the Highway Commercial Zoning District. Commercial development is permitted in the underlying zoning district pursuant to the Los Banos Municipal Code Title 9, Chapter 3, Zoning, Article 13, Highway Commercial.

2. The proposal will not be detrimental to the health, safety, comfort, or general welfare of the persons residing or working in the City of Los Banos, or injurious to property or improvements in the surrounding neighborhoods or within the City.

The project meets all applicable City standards pertaining to public health, safety, and welfare (e.g., standards pertaining to public utilities and services, public road design and traffic safety, fire hazards and noise hazards). All public safety measures are addressed through the design and conditions of approval of the Tentative Parcel Map. The parking lot design is satisfactory to the Los Banos Fire Department and City Engineer. The proposed commercial structures will be required to meet the requirements of the California Building Code, Fire Code, and other applicable City codes and/or requirements. The site is free from toxic or hazardous materials and no earthquake, landslide, flooding, or other natural hazards exist at this site. The proposed commercial parcels are compatible with the adjacent uses, properties, and neighborhoods, and will not be detrimental or injurious to property or improvements in the neighborhood or to the general welfare of the City. The proposed minor subdivision design, parcel sizes, lot configurations, and proposed infrastructure improvements are adequate to accommodate the density and intensity of the development proposed.

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

The property is not in a flood zone or earthquake fault zone. Project construction would involve minimal site grading and alteration of existing topography. Thus, the project site is physically suitable for the proposed development. The proposed density is approximately 0.0233 floor to area ratio.

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

No conflicts with easements acquired by the public at large, for access through or use of the property within the proposed subdivision have been identified.

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

As part of the environmental assessment, the City found no potential for significant environmental effects. The project site does not include any rare, threatened or sensitive plants or wildlife. No creeks, wetlands, water bodies or mapped environmentally sensitive habitat are located on the project site. Conditions of Approval

include conditions that require best management practices to be incorporated before and during construction to minimize impacts to groundwater and surface water quality.

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

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

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

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

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

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

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 consists of one (1) commercial structure comprising of 4,244 square feet with an attached car wash to be developed on Parcel 1. The development will also consist of a fuel canopy accommodating 8 multi pump dual fuel dispensers and

various site improvements. The project site will have two (2) points of access: one off of Place Road and one off of Pacheco Boulevard

The applicant has proposed a design that includes various elements that are consistent with the Spanish/ Mission theme. The proposed Spanish/ Mission architectural elements incorporated in the design are directly from the Los Banos Community Design Standards such as thick stucco walls, towers, tile roof, architectural recesses with decorative metal crosses, wood roof line, and faux wood siding along the top of the entrance tower.

The proposed color palette consists of seven (7) colors for the proposed commercial structure. Six (6) of the proposed colors are consistent with the City of Los Banos preferred color palate and one (1) color which representative of the corporate color palate which will only be used along the awning roof line along the entrance of the building. The proposed color palette consists of the following: great plains gold at the base, brandy cream in certain locations (poster areas and entrance and exit of the car wash), weathered brown along the roof line of the structure, white opulence on the majority of the body, elephant tusk for some trimming, orange for the awning roof line along the entrance, and rustic walnut for the faux wood along the top of the entrance tower. The proposed color palette is consistent with the City of Los Banos preferred color palate and the surrounding commercial structures.

The complete design of the building will consist of the following: parapet roof, an awning along the entrance - one at the entrance and the other at the drive through area of the building, and the previously mentioned Spanish/ Mission theme aesthetics. The body of the structure will be composed of: stucco walls, four towers at the entrance, edges, and carwash portion of the building, and some indentation markings in the stucco to moderate the monotony of the walls.

The site plan includes detailed architecture and elevations.

The site plan is designed with 34 off-street parking spaces with two (2) designated as handicap parking and another two (2) stalls designated as RV Parking. Pursuant to Section 9-3.2004 of the Los Banos Municipal Code, the required off-street parking spaces are 19 in regards to the multiple commercial uses. Thus the proposed total of 34 off-street parking spaces exceeds the required amount and is consistent Los Banos Municipal Code Title 9 Article 20.

Land Use

The project site is designated as Commercial according to the Los Banos 2030 General Plan and is zoned Highway Commercial in consistency with the Los Banos Municipal Code. The proposed project is proposing to develop one (1) 4,244 square foot building with an attached car wash and a fuel canopy accommodating 8 multi pump dual fuel dispensers. The proposed commercial development is consistent with the Los Banos 2030 General Plan and Los Banos Municipal Code.

Landscape and Lighting

Prior to issuance of any permits, the developer will be required to prepare a Landscape and Lighting Plan for the proposed subdivision in the public right of way. The landscape plan will be designed in accordance with the City's "Water Efficient Landscape Ordinance" and the lighting plan will include a Lumen Dispersion Map and comply with the City of Los Banos Standards and Specifications. Maintenance of the landscape and lighting areas will be financed through a Landscape and Lighting District. The developer will be required to form or annex to an existing Landscape and Lighting District.

Circulation

The 2005 traffic study addressed the full buildout of the Home Depot (East Pacheco) Shopping Center. The trip generation analysis assumed that another anchor tenant type use would be built, and its trip generation that would be similar to the proposed project. The traffic study conditioned for the signal at the east end of the shopping center site, and the said conditioned signal is in place. Also conditioned were frontage improvements along Pacheco Boulevard and Place Road and those improvements are completed and existing. Thus, the proposed project will not impact the vehicular circulation in consistency with the 2005 Traffic Study.

Infrastructure/Services

Water: There is an existing connection on the site in which the City will provide water services.

Sewer: There is an existing connection on the site in which the City will provide sewer services.

Drainage: The City of Los Banos would provide storm water drain services by connecting to the City of Los Banos via an existing storm drain line located in the westerly adjacent parking lot.

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.

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 May 27, 2020, to provide the applicant with feedback early on in the design process. The Commission evaluated architectural elements, landscape and site treatment, and lighting elements as described in Section 9-3.2818(c) of the Los Banos Municipal Code.

The Planning Commission did not have any recommendations to the applicant and provided positive feedback on the proposed design submittal.

PROJECT REVIEW BOARD

The Project Review Board (PRB) reviewed the project proposal on May 5, 2020, 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 fuel station and convenience store with an attached carwash 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 Highway Commercial (H-C). The purpose of the Highway Commercial District is to provide a district exclusively for commercial; development wherein retail and other commercial businesses can locate and operate away from the restricting influences on nonindustrial uses while maintaining an environment free from offensive or objectionable noise, dust, odor, or other nuisances.

Evidence/Analysis: The purpose of the Highway Commercial District is to provide a district for commercial uses which do not specialize in serving the pedestrian shopper but rather, because of their character, are more appropriately located along a highway or major street and where drive-in operations are more feasible.

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

Evidence/Analysis: The proposed use is surrounded by residential development to the east, and commercial development to the west, north and south of the

project site. The proposed commercial developments will be compatible with the existing area. As noted in the Circulation Section, the 2005 Traffic Study Report, analyzed the Home Depot Shopping Center at buildout in which the proposed project is consistent with the analysis and will not impact the vehicular circulation.

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

Evidence/Analysis: The design of the proposed fuel station and convenience store with attached carwash contains many Spanish/ Mission theme architectural elements, which are consistent with the designated style for Pacheco Boulevard in accordance to the Los Banos Community Design Standards. The colors for the structures will considerably resemble earth tone colors which are preferred colors according to the Design Standards. The design of the structure will also be compatible in character with the surrounding commercial structures in the area. The applicant received positive feedback from the Planning Commission Design Review 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: The applicant has proposed a design that includes various elements that are consistent with the Spanish/ Mission theme. The proposed Spanish/ Mission architectural elements incorporated in the design are directly from the Los Banos Community Design Standards such as thick stucco walls, towers, tile roof, architectural recesses with decorative metal crosses, wood roof line, and faux wood siding along the top of the entrance tower. The complete design of the building will consist of the following: parapet roof, an awning along the entrance, and the previously mentioned Spanish/ Mission theme aesthetics. The body of the structure will be composed of: stucco walls, four towers at the entrance, corners, and carwash portion of the building, and some indentation markings in the stucco to moderate the monotony of the walls.

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 13, Highway 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 developments conforms to good planning in that the physical design elements are compatible to surrounding commercial structures and consistent with the Los Banos Community Design Standards for the Pacheco Boulevard commercial corridor.

USE PERMIT ANALYSIS

Code Requirements

Pursuant to the Los Banos Municipal Code Section 9-3.2322, a Conditional Use Permit is required for any establishment dispensing for sale or other consideration alcoholic beverages, including beer and wine, for on-sale or off-sale. The Planning Commission is the recommending body and the City Council is the decision making body for Conditional Use Permits for the on-sale and off-sale of alcoholic beverages. A Conditional Use Permit may be granted if the proposed use is conforming to the following criteria:

General Use Permit Criteria:

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

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

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

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

1. The primary use of ARCO AM/PM will be a fuel station and convenience store with an attached carwash.
2. The surrounding area, adjacent uses, and function are primarily commercial in nature with high density residential uses to the east. A fuel station and convenience store providing for the off-sale of beer and wine in this location is consistent with the commercial uses of the Highway Commercial Zoning District.
3. Staff is unaware of any significant problems related to crime and loitering, in the surrounding area which would be exacerbated by the off-sale of beer and wine at this location.
4. The approval of the off-sale of beer and wine will not contribute to the undue proliferation of alcohol sales in the area where that use would be undesirable taking into account the characteristics of the area. The entitlement will include conditions of approval which will regulate the operational characteristics of allowing the sale of beer and wine and are intended to preserve the public health, safety, or welfare of persons and property in the vicinity including crime prevention and loitering.
5. The proposed use is not located within the immediate vicinity to any churches, temples, or synagogues; public, parochial, or private elementary, junior high, or high schools; public parks or recreation centers; or public or parochial playgrounds. The nearest school would be Los Banos Junior School which is located approximately 2,400 feet northwest of the project site. The nearest places of worship are Praise Fellowship International which is approximately 2,600 feet northwest of the project site. The project will include conditions of approval which regulate the operational characteristics of allowing the selling of alcohol which are intended to preserve the public health, safety, and welfare of persons and property in the vicinity.
6. The project is located on Pacheco Boulevard which is primarily occupied by commercial uses. Conditions of approval will regulate loitering and operational characteristics to insure that the proposal will not interfere with the movement of people along the public right-of-way.
7. The nearest residence is located directly to the east of the project site. It is not anticipated that the proposed use would have a negative impact on the surrounding area. The applicant will be conditioned to operate the establishment in such a manner as to preserve the public safety, health and welfare, to prevent the use from becoming a nuisance and to operate the business in compliance with all laws, ordinances and regulations regarding the sale of alcohol. Furthermore, at all times the facility shall be operated and maintained to comply with State Laws, The City of Los Banos Municipal Code, adopted Building Codes and all other applicable laws and ordinances pertaining to the proposed use.

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

Alcoholic Beverage Control

The Alcoholic Beverage Control Board (ABC) is the issuing authority for a Type 20 alcohol license. The City’s authority for the sale of alcohol is through its land use powers embodied within the Los Banos Municipal Code Title 9 Chapter 3, Zoning.

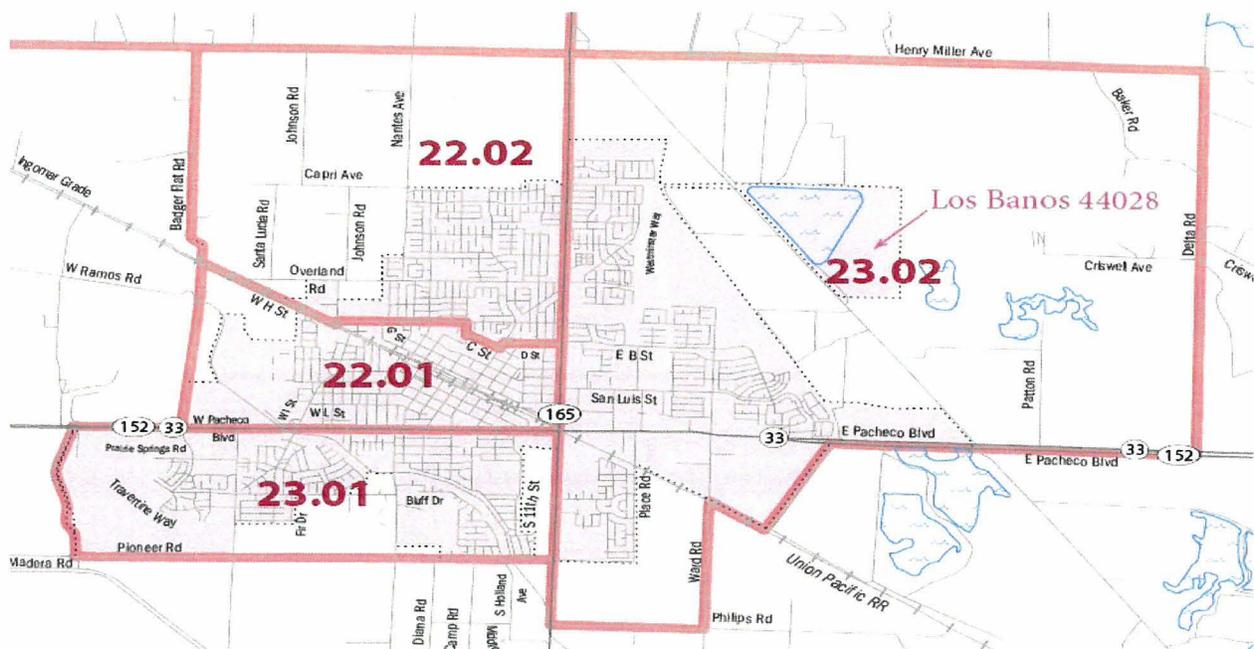
ABC has the authority according to Section 23801 of the Business and Professions Code to exercise certain conditions under the license, the personal qualifications of the licensee, the conduct of the business or the condition of the premises, which will protect the public welfare and morals, including, but not limited to, the following:

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

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

Census Tract

The project site is located within census tract 23.02.



As of the date of this report there are 6 off-sale licenses currently in use in this specific census tract. The nearest active on-sale alcohol license to the project site within the same census tract is Food 4 Less, Village Liquor & More, and Fresh Fill. All three (3) located within the College Plaza Shopping Center directly north of Pacheco Boulevard and of the project site. Approval of this off-sale license would make the seventh (7) on-sale license within the census tract.

License Type	Business Name	Premises Address
21	Food 4 Less	2000 E Pacheco Blvd.
20	Walgreens	1360 E. Pacheco Blvd.
21	Circle K Stores	410 N. Mercey Springs Rd.
21	Save Mart	1400 S. Mercey Springs Rd.
20	Fresh Fill (Chevron)	2270 E. Pacheco Blvd.
21	Village Liquor & More	2260 E. Pacheco Blvd., Ste. D & E

Type 20 license = Off-sale beer and wine Type 21 license = Off-sale general

The beer and wine will be kept in a specific location as shown on the attached floor plan at all times. The applicant has also provided a security plan showing the camera locations.

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 Friday, May 29, 2020. As of the date of this report no comments have been received.

RECOMMENDATION:

1. Approve Resolution No. 2020-14, approving Tentative Parcel Map #2020-03 for the minor subdivision of a 4.18 acre parcel into two (2) parcels for Todd Real Estate Solutions, Inc., within the Highway Commercial Zoning District located at 2027 E. Pacheco Blvd.; Assessor's Parcel Number: 083-140-031; and
2. Approve Resolution No. 2020-15, approving Site Plan Review #2020-02 for the development of one (1) 4,244 square foot fuel station convenience store with an attached carwash and a canopy with eight (8) multi pump dual fuel dispensers and associated site and utility improvements for Todd Real Estate Solutions, Inc., located at 2027 E. Pacheco Blvd.; Assessor's Parcel Number: 083-140-031; and
3. Approve Resolution No. 2020-16 recommending approval of Conditional Use Permit #2020-03 to the Los Banos City Council to allow for the sale of alcohol under a Type 20 off-sale beer and wine license for Todd Real Estate Solutions, Inc., (ARCO AM/PM) to be located at 2027 E Pacheco Blvd.; Assessor's Parcel Number: 083-140-031

ATTACHMENTS:

1. Resolution 2020-14
 - Exhibit A: CEQA Findings
 - Exhibit B: Findings for Approval
 - Exhibit C: Conditions of Approval
2. Resolution 2020-15
 - Exhibit A: CEQA Findings
 - Exhibit B: Findings for Approval
 - Exhibit C: Conditions of Approval
3. Resolution 2020-16
 - Exhibit A: CEQA Findings
 - Exhibit B: Findings for Approval
 - Exhibit C: Conditions of Approval
4. Tentative Parcel Map, Plan Set including signs, and Camera Plan
5. Public Hearing Notice – May 29, 2020

RESOLUTION NO. 2020-14

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS BANOS APPROVING TENTATIVE PARCEL MAP #2020-03 FOR THE MINOR SUBDIVISION OF A 4.18 ACRE PARCEL INTO TWO (2) PARCELS LOCATED WITHIN THE HIGHWAY-COMMERCIAL ZONING DISTRICT AT 2027 E. PACHECO BLVD., MORE SPECIFICALLY IDENTIFIED AS ASSESSOR'S PARCEL NUMBER: 083-140-031

WHEREAS, the Los Banos General Plan was adopted by the City of Los Banos City Council on July 15, 2009; and

WHEREAS, the subject property has a land use designation of Commercial pursuant to the Los Banos General Plan and is zoned Highway Commercial (H-C) 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, Tentative Parcel Map #2020-03 was adequately evaluated in the Home Depot Center Mitigated Negative Declaration (SCH#2005041010) approved by the City of Los Banos Planning Commission on May 11, 2005; and

WHEREAS, Tentative Parcel Map #2020-03 was reviewed by the Project Review Board on May 5, 2020 and was determined to be in compliance with State laws and the Los Banos Municipal Code and the Los Banos 2030 General Plan; and

WHEREAS, a public hearing was duly noticed for Wednesday, June 10, 2020, 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 Friday, May 29, 2020, to consider and take testimony regarding the Tentative Parcel Map #2020-03; and

WHEREAS, at the Wednesday, June 10, 2020, Planning Commission meeting, the Los Banos Planning Commission heard and considered testimony, if any, of all persons desiring to be heard; reviewed the Tentative Parcel Map, the staff report, studied the compatibility of the applicant's request with adjacent land uses, has considered the applicant's request in accordance with the Tentative

Parcel Map criteria established in Title 9, Chapter 2, Article 10 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 Tentative Parcel Map #2020-03 for the minor subdivision of a 4.18 acre parcel into two (2) parcels located within the Highway Commercial Zoning District located at 2027 E. Pacheco Blvd, Assessor's Parcel Number: 083-140-031.

The foregoing Resolution was introduced at a regular meeting of the Planning Commission of the City of Los Banos held on the 10th day of June 2020, by Commissioner _____, who moved its adoption, which motion was duly seconded by Commissioner _____ and the Resolution recommended for approval by the following vote:

AYES:

NOES:

ABSENT:

APPROVED:

John Cates, Planning Commission Vice Chairperson

ATTEST:

Sandra Benetti, Planning Commission Secretary

EXHIBIT A

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS FOR TENTATIVE PARCEL MAP #2020-03 – TODD REAL ESTATE SOLUTIONS, INC (ARCO AM/PM)

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 the California Environmental Quality Act (CEQA) and the City of Los Banos Environmental Quality Guidelines, Tentative Parcel Map #2020-03 was previously evaluated in the Los Banos Home Depot (SCH #2005041010) Mitigated Negative Declaration, which was approved by the Los Banos Planning Commission on May 11, 2005. Staff has determined the environmental review for the project is adequate and consequently did not prepare a subsequent Mitigated Negative Declaration in accordance to Section 15162 of the CEQA guidelines. The evidence in the project file support that no circumstances of further impacts requiring the preparation of a subsequent Mitigated Negative Declaration are present in this case.
2. Tentative Parcel Map #2020-03 was adequately noticed and circulated for public review and comment on Friday, May 29, 2020 for consideration at a public meeting on Wednesday, June 10, 2020 in which no comments were received.
3. No further environmental documentation is required as the Tentative Parcel Map was contemplated and adequately analyzed in the initial review.

EXHIBIT B

FINDINGS FOR APPROVAL OF TENTATIVE PARCEL MAP #2020-03 – TODD REAL ESTATE SOLUTIONS, INC. (ARCO AM/PM)

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

1. The proposed map is consistent with the Los Banos 2030 General Plan. It meets the minimum density requirement for Commercial development.
2. The design of the improvements of the proposed subdivision is consistent with the General Plan and design standards of the Los Banos Municipal Code. The Project will provide adequate access and public infrastructure to the site. The parcels are of adequate size to support the commercial development.
3. The site is physically suitable for commercial development because the site is designated Commercial in the General Plan and zoned for Highway Commercial uses in accordance with Los Banos Municipal Code Title 9, Chapter 3, Article 13.
4. The site is appropriate for the specified density of development because the site is designated Commercial in the General Plan and zoned for Highway Commercial uses in accordance with Los Banos Municipal Code Title 9, Chapter 3, Article 13.
5. The proposed Tentative Parcel Map has been designed to comply with Title 9 Chapter 2 Article 10 and Title 9 Chapter 3, Article 13 of the Los Banos Municipal Code. The site is void of any features that would support fish, wildlife or their habitat and, therefore, would not cause substantial environmental damage.
6. The design of the subdivision map or type of improvements will meet all applicable standards or regulations and will not cause serious public health problems. The site will be served by all required public utilities for disposal of solid waste and delivery of water to the site, have access to improved public roads, and is not located within a flood zone.
7. No conflict with easements acquired by the public at large, for access through or use of, property within the proposed subdivision, have been identified.

EXHIBIT C

CONDITIONS OF APPROVAL FOR TENTATIVE PARCEL MAP #2020-03– TODD REAL ESTATE SOLUTIONS, INC. (ARCO AM/PM)

General

1. The applicant shall submit a revised Tentative Parcel Map to the Community and Economic Development Department reflecting any modifications, additions, and/or conditions of approval, within 30 days from Planning Commission approval. If necessary, the revised Tentative Parcel Map shall be reviewed by the City Engineer and the Community and Economic Development Director and signed by the Community and Economic Development Director for purposes of providing a clear record of the approved Tentative Parcel Map.
2. Approval and life of the Tentative Parcel Map shall be as set forth in the Los Banos Municipal Code.
3. All development shall be consistent with the Tentative Parcel Map #2020-03 reflecting any amendments added during approval.
4. A Final Map shall be recorded prior to occupancy and a copy shall be provided to the Community and Economic Development Department and City Engineer.
5. All access easements shall be recorded.
6. No associated structures or portions thereof with the development shall encroach within the existing sewer easements.
7. At least two points on the Tentative Parcel Map shall be tied to the California State Plane Coordinate System (NAD 83) with ties shown and closure calculations depicting the tie bearings and distances.
8. Developer shall include a Public Utility Easement of ten (10) feet along all road frontages.
9. Improvement Plans shall include a street signage and striping plan to be approved by the Public Works Director/City Engineer.
10. On-site improvements may be constructed prior to the recording of the Final Map subject to City approval of Improvement Plans and payment of applicable plan check and inspection fees, and satisfaction of all construction conditions of approval.
11. Private property owners shall be responsible for the maintenance of sound walls and decorative masonry walls located on private property.

12. Undeveloped portions of the subdivision shall be controlled of weeds and free of debris and litter.

Access and Circulation:

13. All street signage and striping within the project area shall be approved by the Public Works Department and shall meet all line-of-sight requirements.
14. The developer shall be responsible for obtaining encroachment permits from the City of Los Banos prior to performing any work within the City's right-of-way.
15. Upon development, each parcel shall be self-sufficient with utilities (i.e. water, sewer, gas, and electricity).
16. The Developer will take reasonable steps to preserve all survey monuments. The Developer is responsible for the preservation of survey monuments within the work area under this permit at Developer's sole expense. If any monuments are disturbed, the Developer 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 Developer's sole expense.
17. Existing easements shall be identified on the Tentative Parcel Map and new easements shall be illustrated on the Tentative Parcel Map.
18. **This approval is conditioned upon and shall be effective upon payment in full of all outstanding invoices pursuant to the Cost Recovery Contract.**

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

RESOLUTION #2020-15

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS BANOS APPROVING SITE PLAN REVIEW #2020-02 FOR THE DEVELOPMENT OF ONE (1) 4,244 SQUARE FOOT FUEL STATION AND CONVENIENCE STORE WITH AN ATTACHED CARWASH AND FUEL CANOPY WITH EIGHT (8) MULTI PUMP DUAL FUEL DISPENSERS AND ASSOCIATED SITE AND UTILITY IMPROVEMENTS LOCATED AT 2027 E. PACHECO BLVD.; ASSESSOR'S PARCEL NUMBER: 083-140-031

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 Highway 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, Site Plan Review #2020-02 was adequately evaluated in the Home Depot Center Mitigated Negative Declaration (SCH#2005041010) approved by the City of Los Banos Planning Commission on May 11, 2005; and

WHEREAS, a public hearing was duly noticed for Wednesday, June 10, 2020, 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 Friday, May 29, 2020 to consider and take testimony regarding Site Plan Review #2020-02; and

WHEREAS, at the Wednesday, June 10, 2020, 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

Revised 6/8/2020

City of Los Banos does hereby approve Site Plan Review #2020-02 for the development of one (1) 4,244 square foot fuel station and convenience store with an attached carwash and fuel canopy with eight (8) multi pump dual fuel dispensers and associated site and utility improvements located at 2027 E. Pacheco Blvd.; Assessor's Parcel Number: 083-140-031, 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 10th day of June 2020, 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 #2020-02 – TODD REAL ESTATE SOLUTIONS, INC

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 the California Environmental Quality Act (CEQA) and the City of Los Banos Environmental Quality Guidelines, Tentative Parcel Map #2020-03 was previously evaluated in the Los Banos Home Depot (SCH #2005041010) Mitigated Negative Declaration, which was approved by the Los Banos Planning Commission on May 11, 2005. Staff has determined the environmental review for the project is adequate and consequently did not prepare a subsequent Mitigated Negative Declaration in accordance to Section 15162 of the CEQA guidelines. The evidence in the project file support that no circumstances of further impacts requiring the preparation of a subsequent Mitigated Negative Declaration are present in this case.
 2. Site Plan Review #2020-02 was adequately noticed and circulated for public review and comment on Friday, May 29, 2020 for consideration at a public meeting on Wednesday, June 10, 2020 in which no comments were received.
3. No further environmental documentation is required as the Site Plan Review was contemplated and adequately analyzed in the initial review.

EXHIBIT B

FINDINGS FOR APPROVAL OF SITE PLAN REVIEW #2020-02 – TODD REAL ESTATE SOLUTIONS, INC.(ARCO AM/PM)

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 fuel station and convenience store with an attached carwash 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 Highway Commercial (H-C). The purpose of the Highway Commercial District is to provide a district exclusively for commercial; development wherein retail and other commercial businesses can locate and operate away from the restricting influences on nonindustrial uses while maintaining an environment free from offensive or objectionable noise, dust, odor, or other nuisances.

Evidence/Analysis: The purpose of the Highway Commercial District is to provide a district for commercial uses which do not specialize in serving the pedestrian shopper but rather, because of their character, are more appropriately located along a highway or major street and where drive-in operations are more feasible.

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

Evidence/Analysis: The proposed use is surrounded by residential development to the east, and commercial development to the west, north and south of the project site. The proposed commercial developments will be compatible with the existing area. As noted in the Circulation Section, the 2005 Traffic Study Report, analyzed the Home Depot Shopping Center at buildout in which the proposed project is consistent with the analysis and will not impact the vehicular circulation.

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

Evidence/Analysis: The design of the proposed fuel station and convenience store with attached carwash contains many Spanish/ Mission theme architectural elements, which are consistent with the designated style for Pacheco Boulevard in accordance to the Los Banos Community Design Standards. The colors for the structures will considerably resemble earth tone colors which are preferred colors according to the Design Standards. The design of the structure will also be compatible in character with the surrounding commercial structures in the area. The applicant received positive feedback from the Planning Commission Design Review 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: The applicant has proposed a design that includes various elements that are consistent with the Spanish/ Mission theme. The proposed Spanish/ Mission architectural elements incorporated in the design are directly from the Los Banos Community Design Standards such as thick stucco walls, towers, tile roof, architectural recesses with decorative metal crosses, wood roof line, and faux wood siding along the top of the entrance tower. The complete design of the building will consist of the following: parapet roof, an awning along the entrance, and the previously mentioned Spanish/ Mission theme aesthetics. The body of the structure will be composed of: stucco walls, four towers at the entrance, corners, and carwash portion of the building, and some indentation markings in the stucco to moderate the monotony of the walls.

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 13, Highway 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 developments conforms to good planning in that the physical design elements are compatible to surrounding commercial structures and consistent with the Los Banos Community Design Standards for the Pacheco Boulevard commercial corridor.

EXHIBIT C

CONDITIONS OF APPROVAL FOR SITE PLAN #2020-02 – TODD REAL ESTATE SOLUTIONS, INC. (ARCO AM/PM)

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. 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 racks. 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 fess 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 wet waste for the tenant. 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.
32. Assessor's Parcel Number 083-140-031 shall detach from the Central California Irrigation District if the property is converted to residential uses.

Landscape and Lighting:

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

Signage:

34. 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.
35. 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:

36. 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.
37. 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.

Fire Department

38. There shall be HVAC smoke detector test and reset switches in the fire control room.
39. Hydrant locations shall be indicated on Final Improvement Plan.
40. All fire lane curbs on the project site shall be painted red.
41. There shall be a clearly identified main electrical disconnect located on the exterior of the building for Fire Department use only.
42. Fourteen (14") inch address numbering that must be visible on all four (4) sides.
43. Commercial grade Knox Boxes with Click 2 Enter access shall be required on the exterior of the building for the tenant in the area of all gate entrances. Applications can be obtained through the Fire Department. The Knox Boxes shall have FDC locking caps.
44. Identify propane site and the location of all bollards.
45. Deferred submittals shall be provided to the Fire Department regarding Fire Alarm Improvements, fuel tank installation, and propane tank location
46. The development shall be required to follow National Fire Protection Association (NFPA) Section Numbers 58-6.5 and 58-6.6.

Public Works

47. The developer/applicant shall prepare improvement plans (separate from the building plans) submitted to the Public Works Department for the entire site and plans shall be approved by the City Engineer prior to the start of any site work. Included in those improvement plans shall be, but not limited to, topography, site, grading and drainage, utilities, circulation striping and signage, landscape, on and offsite lighting (street frontage), and offsite improvements. These improvements shall be installed per City of Los Banos Standards.
48. 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.
49. Full landscape plans per the City's landscape ordinance shall be submitted with the improvement plans, including 50% shade requirement.
50. All access easements shall be recorded.
51. Display path of travel to connect to the existing ramp on the adjacent parcel to the north.

52. 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.
53. 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.
54. 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.
55. 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.
56. The following note shall be on all improvement plans: The Contractor shall be responsible for protecting and preserving survey monuments and other survey markers. Any survey monuments damaged as a direct result of construction activities shall be re-established by a duly licensed land surveyor at the Contractor's sole expense. A corner record shall be filed in accordance with State law for any reset monuments at the Contractor's sole expense.

Police Department

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

RESOLUTION NO. 2020-16

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOS BANOS RECOMMENDING APPROVAL OF CONDITIONAL USE PERMIT #2020-03 TO THE LOS BANOS CITY COUNCIL TO ALLOW FOR THE SALE OF ALCOHOL UNDER TYPE 20 OFF-SALE OF BEER AND WINE LICENSE FOR TODD REAL ESTATE SOLUTIONS. INC, (ARCO AM/PM) TO BE LOCATED AT 2027 E. PACHECO BLVD., ASSESSOR'S PARCEL NUMBER: 083-140-031

WHEREAS, the applicant, Todd Real Estate Solutions, Inc., have requested the City of Los Banos consider a Conditional Use Permit to allow the use of a Type 20 alcohol license for the off-sale of beer and wine in conjunction with a fuel station and convenience store with attached carwash to be located at 2027 E. Pacheco Blvd., Assessor's Parcel Number: 083-140-031; and

WHEREAS, a public hearing notice was published in the Los Banos Enterprise on Friday, May 29, 2020, and notices were mailed to property owners within a 300 foot radius of the project site as required by the Los Banos Municipal Code and Government Code Section 65091; and

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

WHEREAS, pursuant to the California Environmental Quality Act (CEQA) and the City of Los Banos Environmental Quality Guidelines, Conditional Use Permit #2020-03 was adequately evaluated in the Home Depot Center Mitigated Negative Declaration (SCH#2005041010) approved by the City of Los Banos Planning Commission on May 11, 2005; and

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

BASED UPON THE EVIDENCE PRESENTED AT THE PUBLIC HEARING, the Planning Commission of the City of Los Banos hereby makes the appropriate findings set forth in Exhibit A (California Environmental Quality Act

(CEQA) Findings), and Exhibit B (Findings for Approval), attached hereto and incorporated herein by this reference.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Los Banos does hereby recommend the approval of Conditional Use Permit #2020-03 to the Los Banos City Council to allow for the sale of alcohol under a Type 20 off-sale beer and wine license for Todd Real Estate Solutions, Inc., (ARCO AM/PM) to be located at 2027 E Pacheco Blvd.; Assessor's Parcel Number: 083-140-031 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 10th day of June 2020, by Planning Commissioner _____ who moved its adoption, which motion was duly seconded by Planning Commissioner _____, and the Resolution adopted by the following vote:

AYES:

NOES:

ABSENT:

APPROVED:

Planning Commission Chairman

ATTEST:

Sandra Benetti, Planning Commission Secretary

EXHIBIT A

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS FOR CONDITIONAL USE PERMIT #2020-03 – TODD REAL ESTATE SOLUTIONS, INC.

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

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

1. Pursuant to CEQA, the CEQA Guidelines, and the City of Los Banos Environmental Quality Guidelines, Conditional Use Permit #2020-03 was previously evaluated in the Los Banos Home Depot (SCH #2005041010) Mitigated Negative Declaration which was approved by the Los Banos Planning Commission on May 11, 2005. Staff has determined the environmental review for the project is adequate and consequently did not prepare a subsequent Mitigated Negative Declaration in accordance to Section 15162 of the CEQA guidelines. The evidence in the project file support that no circumstances of further impacts requiring the preparation of a subsequent Mitigated Negative Declaration are present in this case.
2. Conditional Use Permit #2020-03 was adequately noticed and circulated for public review and comment on Friday, May 29, 2020 for consideration at a public meeting on Wednesday, June 10, 2020 in which no comments were received.
3. No further environmental documentation is required as the Conditional Use Permit was contemplated and adequately analyzed in the initial review.

EXHIBIT B

FINDINGS FOR APPROVAL FOR CONDITIONAL USE PERMIT #2020-03 – TODD REAL ESTATE SOLUTIONS, INC.

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

1. General Findings:

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

The existing General Plan land use designation for the project site is Commercial, which is intended for commercial development, located off of Pacheco Blvd, allowing for commercial uses.

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

ECONOMIC DEVELOPMENT POLICY ED-G-7:

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

LAND USE POLICY LU-G-10:

Foster viable, pedestrian-oriented neighborhood centers and strong, visually attractive regional commercial centers with a mix of tenants to serve both local and regional needs.

Evidence/Analysis: The fuel station/ convenience store will have the ability to provide a wider range of service for customers and allows the restaurant to compete with similar type businesses. The proposed use would continue a commercial use that is compatible with and complementary of existing commercial uses adjacent to the project site. In addition, the project would also be consistent with General Plan land use policies as set forth above.

- b. The zoning designation for the project site is Highway Commercial (H-C). The purpose of the Highway Commercial District is to provide a district for commercial uses which do not specialize in serving the pedestrian shopper but rather, because of their character, are more appropriately located along a highway or major street and where drive-in operations are more feasible.

Evidence/Analysis: *The proposed use complies with the Los Banos Municipal Code Title 9, Chapter 3, Article 13 as the use will be consistent with the surrounding area, adjacent uses, and function are primarily commercial in nature. A fuel station and convenience store with an attached carwash, providing for the off-sale of beer and wine is permitted in this location.*

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

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

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

Evidence/Analysis: The proposed use will be conducted in a location in with existing commercial uses and will not result in significant operational changes to the existing commercial area. The areas function and character is Commercial, which includes uses that serve alcohol. The project would include conditions of approval which regulate the operational characteristics of allowing the selling of alcohol and are intended to preserve the public health, safety, or welfare of persons and property in the vicinity.

2. Specific Findings:

1. That the proposal will not contribute to undue proliferation of such uses in an area where additional ones would be undesirable with consideration given to the area's function and character, problems of crime and loitering, and traffic problems and capacity.

Evidence/Analysis: The primary use in conjunction with the selling of beer and wine is a fuel station and convenience store with an attached carwash. As reflected in the staff report, the number of off-sale licenses in the Census Tract 23.02 is currently seven (7). The census tract area and function is primarily commercial in nature, and is entirely consistent with a fuel station and convenience store with the off-sale of beer and wine. The proposed off-sale of beer and wine is complementary to the fuel station

and convenience store use that is compatible and complementary of existing commercial uses in the area. The project would include conditions of approval which regulate the operational characteristics of allowing the selling of alcohol and are intended to preserve the public health, safety, or welfare of persons and property in the vicinity including crime prevention and loitering. Staff is unaware of any significant problems in the area related to crime and loitering, which would be negatively affected by the off-sale of beer and wine at this location.

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

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

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

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

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

Evidence/Analysis: There are residential units in directly to the east of the project site. The project will include conditions of approval which regulate the operational characteristics of allowing the selling of alcohol and are intended to preserve the public health, safety, and welfare of persons and property in the vicinity.

EXHIBIT C

CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT #2020-03 – TODD REAL ESTATE SOLUTIONS, INC.

1. The following conditions of approval shall apply to and be applicable to the applicant, property owner, and/or operator. Reference to applicant, property owner, and/or operator shall be interpreted to include all.
2. Conditional Use Permit #2020-03 is for Todd Real Estate Solutions, Inc. (Arco AM/PM) located at 2027 E. Pacheco Blvd, Assessor's Parcel Number: 083-140-031 and the requested use shall automatically and without notice expire after one (1) year from date of approval by the Los Banos City Council unless commenced. The City for cause may revoke this Conditional Use Permit. Any expansion, intensification, or significant change to the primary use and the uses approved under this Conditional Use Permit shall be permitted only upon modification of this Conditional Use Permit or approval of a separate Conditional Use Permit application. The Conditional Use Permit shall automatically and without notice expire one year after discontinuance of the primary use and/or the uses approved under the Conditional Use Permit.
3. The applicant/operator shall comply with all other requirements, laws and policies of other governmental agencies in the conduct and operation of said business.
4. The applicant/operator shall obtain and maintain an active Type 20 "off-sale of beer and wine" license as defined by the Department of Alcoholic Beverage Control and shall provide a copy of said license upon issuance by the Alcoholic Beverage Control to the Community and Economic Development Department prior to the sale of alcohol on the premises.
5. A copy of these Conditions of Approval and the California Department of Alcoholic Beverage Control license are required to be kept on the premises and presented to any law enforcement officer or authorized City official upon request.
6. The applicant/operator shall be responsible for maintaining the exterior of the premises free of litter and trash at all times including the parking lot areas in front of the premises. No storage of equipment, supplies, or merchandise of any kind shall be allowed in the front or rear exterior of the building. All deliveries shall be made from the rear of the building.
7. The Planning Commission reserves the right to review and/or revoke this permit should the applicant not adhere to the Conditions of Approval. The

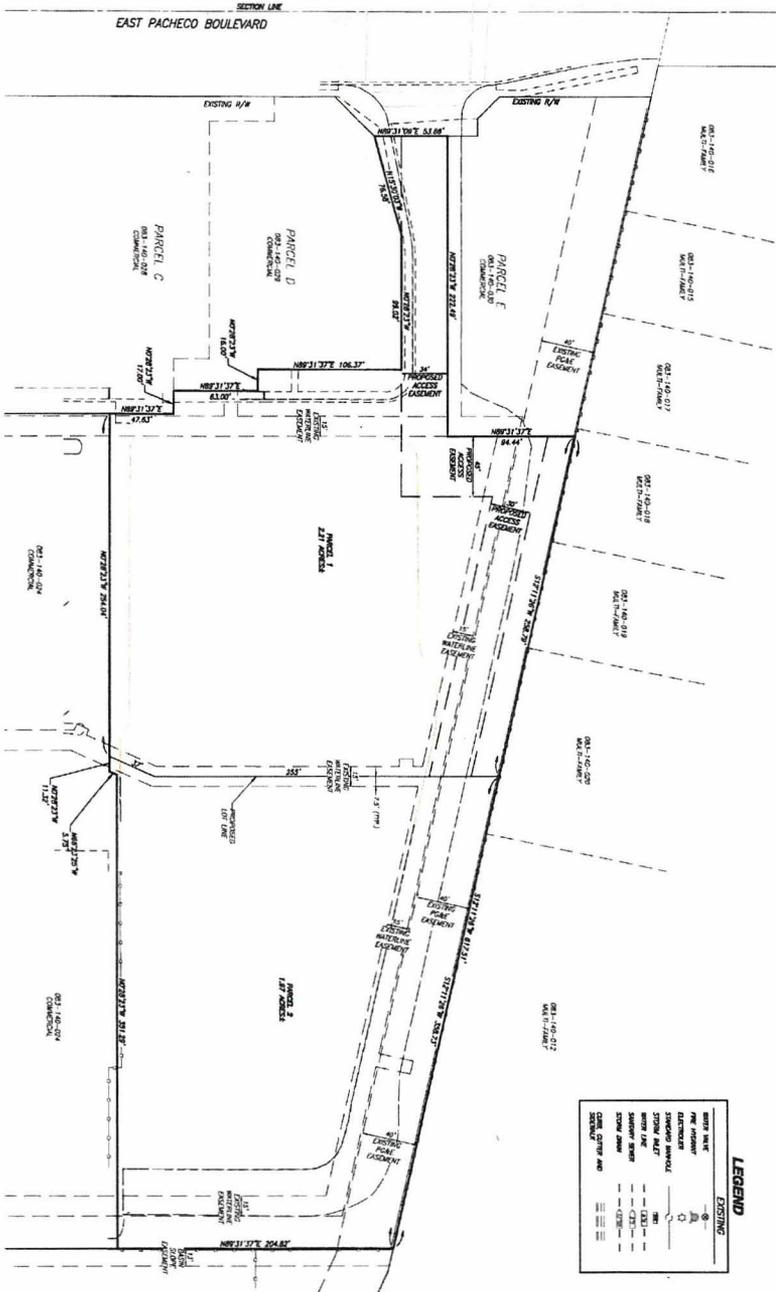
City may amend or impose new conditions to mitigate adverse effects in the neighborhood resulting from the use of alcohol on the premises.

8. The applicant/operator agrees to indemnify, hold harmless, and defend the City of Los Banos, its officers, agents and employees from any and all liability or claims that may be brought against the City of Los Banos arising out of its approval of this permit, or the environmental determination rendered in connection with the permit approval, or arising out of the operation of the use or uses allowed under the permit, save and except that caused solely by the City's active negligence.
9. The exterior of the premises, including parking lot areas (front and rear), shall be sufficiently illuminated, to the satisfaction of the Police Chief, during all hours of darkness when the premises are open for business in a manner so that persons accessing those areas at night are identifiable by law enforcement personnel.
10. The premises shall be operated primarily as a fuel station and convenience store with an attached carwash as described in the application prepared by the applicant and filed with the Community and Economic Development Department. Any substantial or significant changes in use or operation of the premises from the Operational Statement may cause a review, amendment or revocation of the Conditional Use Permit. The applicant shall notify the Community and Economic Development Department of any substantial or significant changes in use or operation of the premises from the Operational Statement. The off- sale of beer and wine shall be ancillary to the primary use as a gas station/ convenience store.
11. The use of the premises of the subject site shall be consistent with the Conditions of Approval and shall not be operated in a manner that deviates from the approved Conditional Use Permit filed application and operational statement, which shall constitute a violation and may result in the revocation or modification of the permit upon written notice to the owner of the subject site.
12. Authorization of a Conditional Use Permit granted pursuant to the provisions of Section 9-3.2322 of the Los Banos Municipal Code continue to be valid upon change of ownership of the site or structure which was the subject of the Conditional Use Permit application provided the use shall be subject to all provisions of the Municipal Code and all conditions placed on approval of the Conditional Use Permit are continually met. The applicant shall immediately notify the Community and Economic Development Department of any changes in ownership.

13. This Conditional Use Permit shall be subject to revocation by the Community and Economic Development Director or the Planning Commission upon a finding that:
 - a. Conditions of approval have not been fulfilled;
 - b. A significant change or intensification of the approved use;
 - c. The use has resulted in a nuisance or detriment to the public health, safety, morals, comfort, and general welfare of the persons residing or working in the neighborhood or is detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.
14. Consumption of alcohol shall not be allowed on the premises of the fuel station and convenience store.
15. No loud amplification of music or voice shall be allowed outside.
16. The applicant/operator shall have monitoring cameras in the exterior and interior of the fuel station and convenience store at all times to the satisfaction and approval of the Police Chief. The applicant shall always maintain the surveillance equipment in working order and keep the video recordings for 30 days to be made available to law enforcement upon request.
17. The premises shall be operated in accordance with the Los Banos Municipal Code Noise Ordinance.
18. The applicant shall acknowledge and execute receipt of a copy of the foregoing Conditions of Approval.
19. The applicant/operator shall provide signs prohibiting loitering on the property and/or building subject to the approval of the Community and Economic Development Director.
20. **This approval is conditioned upon and shall be effective upon payment in full of all outstanding invoices pursuant to the Cost Recovery Contract.**

VESTING TENTATIVE MAP EAST PACHECO CENTER LOS BANOS, CALIFORNIA

BEING ALL OF PARCEL F AS SHOWN ON THAT CERTAIN PARCEL MAP
FILED FOR RECORD ON MAY 18, 2007 IN BOOK 106 OF PARCEL MAPS
AT PAGES 43-45, MERCED COUNTY RECORDS, SITUED IN THE
NORTHERN HALF OF SECTION 28, TOWNSHIP 12N, RANGE 12E,
MOUNT Diablo 2 BASE AND MERIDIAN IN THE CITY OF LOS BANOS,
MERCED COUNTY, STATE OF CALIFORNIA



SCALE
1" = 100'

LEGEND

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APPROVED BY THE PLANNING DEPARTMENT, CITY OF LOS BANOS, CALIFORNIA

DATE: _____

BY: _____

SEAL: _____

FOR THE CITY ENGINEER AND ECONOMIC DEVELOPMENT DEPARTMENT FOR COMPLIANCE WITH PLANNING COMMISSION RESOLUTION VESTING TENTATIVE TRACT MAP



ABBREVIATIONS

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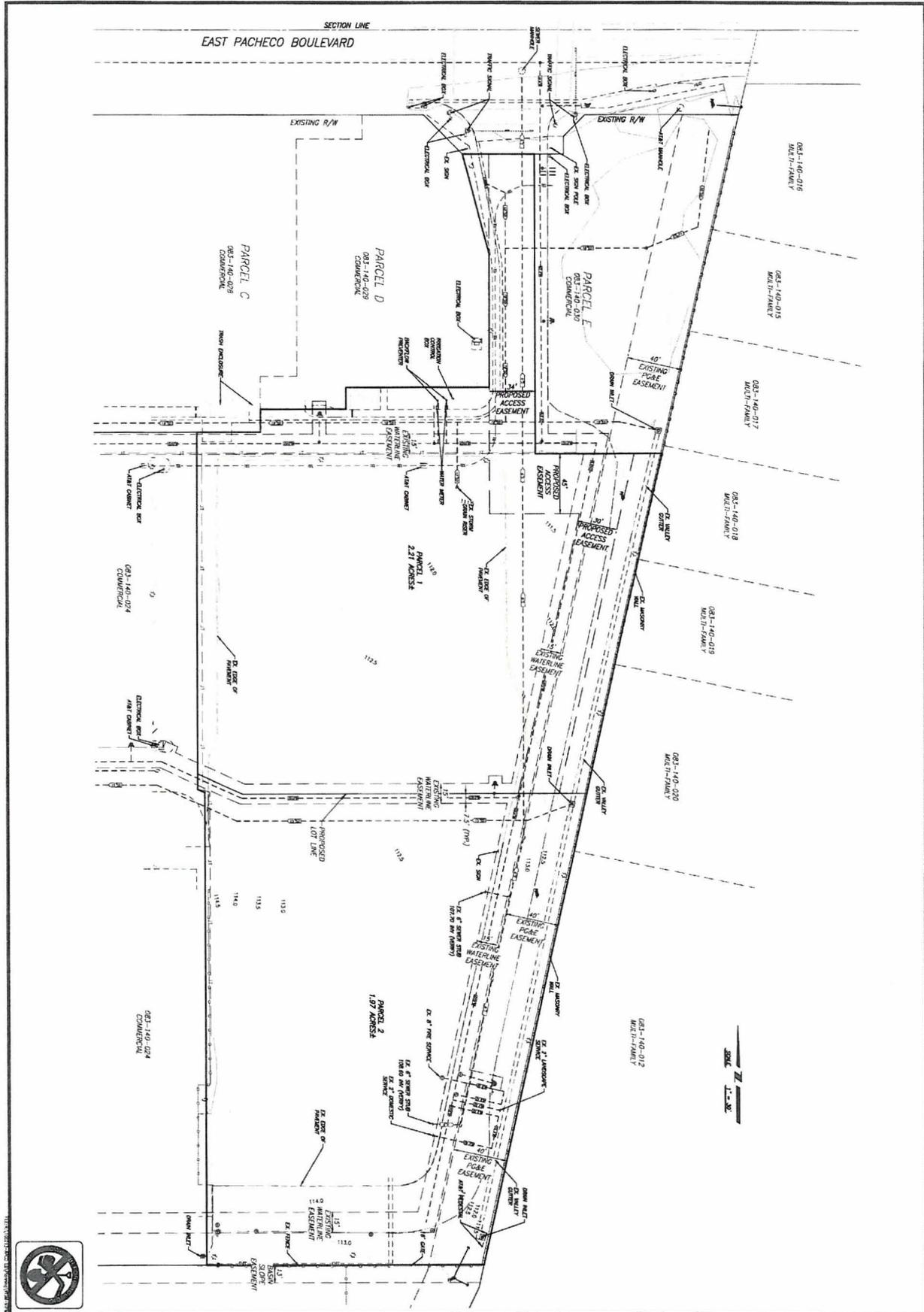
STATEMENT OF SUBMITTER

I, the undersigned, being duly qualified, do hereby certify that the above described map was prepared by me or under my direct supervision and that I am a duly licensed and qualified professional engineer and land surveyor in the State of California.

NOTES:

- 1) THE PROJECT SITE IS SHOWN ON THE 1/2" SCALE PLAN COMMISSION TRACT MAP AND ON THE 1/4" SCALE PLAN COMMISSION TRACT MAP.
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VESTING TENTATIVE PARCEL MAP EAST PACHECO CENTER LOS BANOS, CALIFORNIA	BENCHMARK ENGINEERING, INC. CIVIL ENGINEERING & LAND SURVEYING 507 J STREET • LOS BANOS, CALIFORNIA • 93835 (209) 737-0900 FAX: (209) 548-9305	PREPARED UNDER THE DIRECTION OF: _____ DATE: _____ NO. _____ DESCRIPTIONS _____ DATE _____ APPROVER _____	
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OF 2 SHEETS
2

VESTING TENTATIVE PARCEL MAP

EAST PACHECO CENTER

LOS BANOS, CALIFORNIA

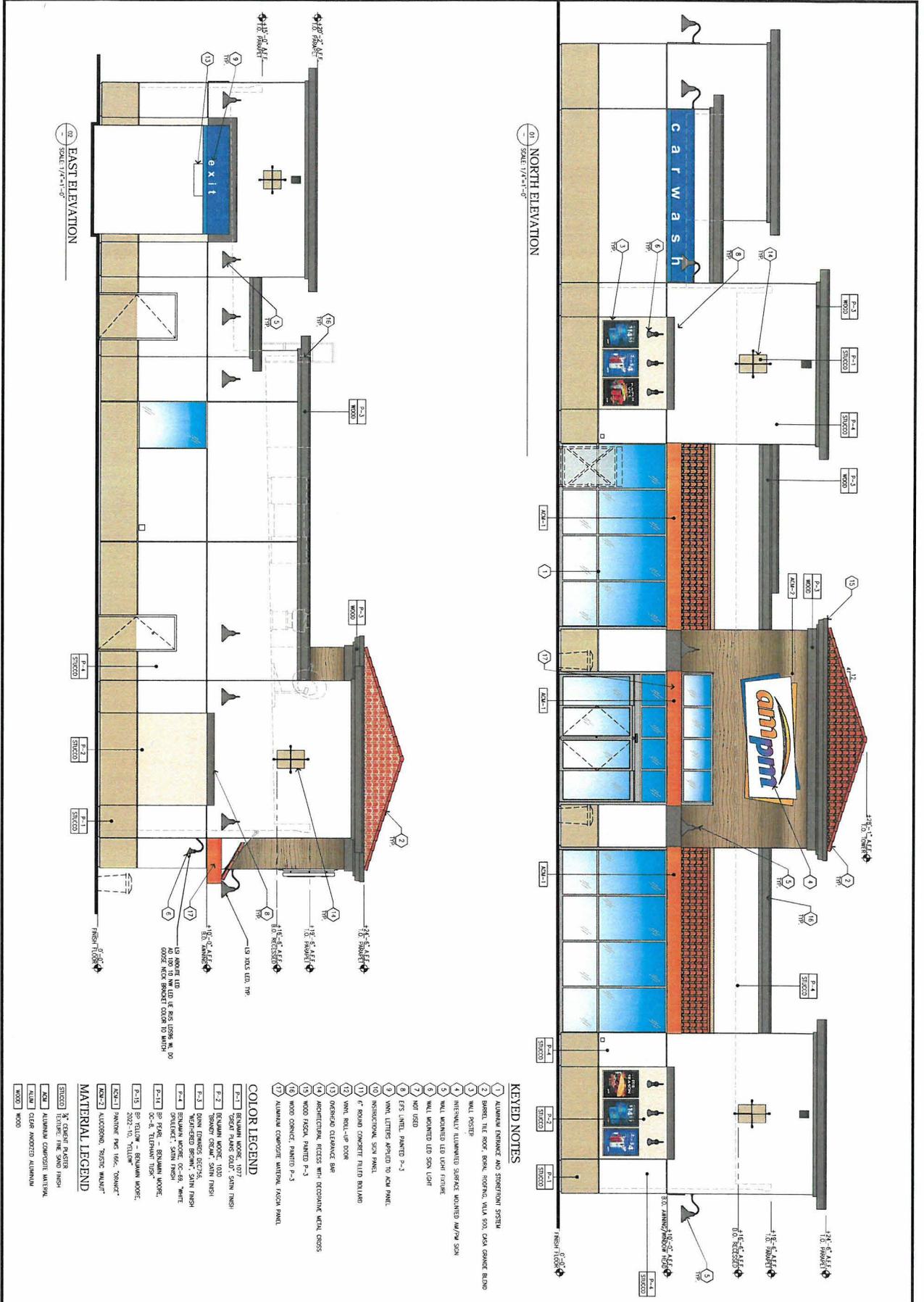


BENCHMARK ENGINEERING, INC.
 CIVIL ENGINEERING & LAND SURVEYING
 507 J STREET • LOS BANOS, CALIFORNIA • 93635
 (209) 757-0900 FAX:(209) 548-6008

PREPARED UNDER THE DIRECTION OF:

NO.	REVISIONS	DATE	APPROVED





KEYED NOTES

- 1 ALUMINUM ENHANCE AND STRENGTHEN SYSTEM
- 2 BRICK, THE ROOF, BRICK, SPONGE, VULVA SOL, SOLA CHANGE BRICK
- 3 WALL POSTER
- 4 INTERNALLY ILLUMINATED SURFACE MOUNTED LED/PM SIGN
- 5 WALL MOUNTED LED LIGHT FIXTURE
- 6 WALL MOUNTED LED SIGN LIGHT
- 7 NOT USED
- 8 EPS PANEL, PAINTED P-3
- 9 VINYL LETTERS APPLIED TO ACM PANEL
- 10 INSTRUCTIONAL SIGN PANEL
- 11 1\"/>

COLOR LEGEND

- P-1 STUCCO
- P-2 BROWN WOOD, LOG
- P-3 DOWN EDWARDS DECAYS
- P-4 BROWN WOOD, P-2, P-3
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MATERIAL LEGEND

- 1 ALUMINUM ENHANCE AND STRENGTHEN SYSTEM
- 2 BRICK
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- 4 INTERNALLY ILLUMINATED SURFACE MOUNTED LED/PM SIGN
- 5 WALL MOUNTED LED LIGHT FIXTURE
- 6 WALL MOUNTED LED SIGN LIGHT
- 7 NOT USED
- 8 EPS PANEL, PAINTED P-3
- 9 VINYL LETTERS APPLIED TO ACM PANEL
- 10 INSTRUCTIONAL SIGN PANEL
- 11 1\"/>

TOBB
THE OFFICE OF THE TOWNSHIP BOARD

ARCO
ALUMINUM COMPOSITE MATERIAL

B

Bartholomew Consulting Engineers, Inc.
18275 72nd Avenue South
Kent, VA 58022
Tel: 540-358-0000
www.bartholomew.com

DATE: _____

NO. _____

REVISION DESCRIPTION

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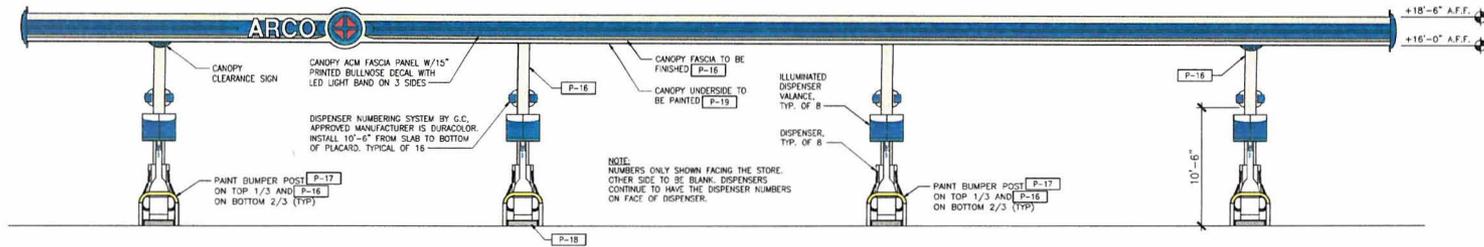
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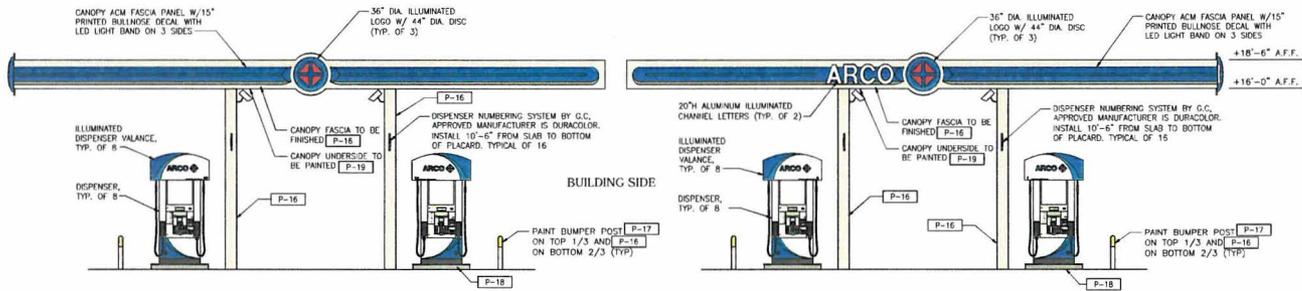
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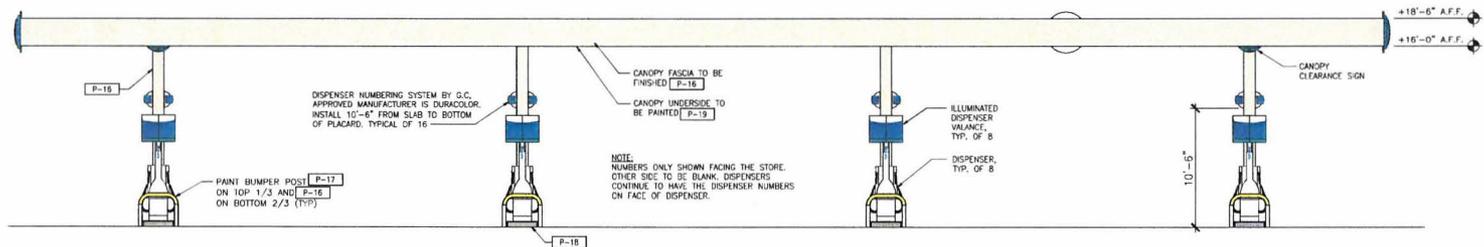


01 NORTH ELEVATION
SCALE: 3/16"=1'-0"



02 WEST ELEVATION
SCALE: 3/16"=1'-0"

03 EAST ELEVATION
SCALE: 3/16"=1'-0"



04 SOUTH ELEVATION
SCALE: 3/16"=1'-0"

FACING BUILDING

EXTERIOR PAINTS

- P-16 BP PEARL
 - BENJAMIN MOORE, OC-8, "ELEPHANT TUSK"
 - SHERWIN WILLIAMS, SW6119, "ANTIQUE WHITE"
 - ICI PAINTS, #A0083- 38Y1 22/117, "INDIAN LEGEND"
- P-17 BP YELLOW
 - BENJAMIN MOORE, 2022-10, "YELLOW"
 - SHERWIN WILLIAMS, SW6903, "CHEERFUL"
 - ICI PAINTS, #A0775- 37Y1 61/867, "OMEGA YELLOW"
- P-18 BP WARM GRAY
 - BENJAMIN MOORE, 2137-10, "DESERT TWILIGHT"
 - SHERWIN WILLIAMS, SW7053, "ADAPTIVE SHADE"
 - ICI PAINTS, #A1860- 40Y1 25/074, "GRAY MOUNTAIN"
- P-19 HIGH HOING WHITE
 - BENJAMIN MOORE, OC-67, "ICE MIST"
 - SHERWIN WILLIAMS, SW7006, "EXTRA WHITE"
 - ICI PAINTS, #A0128- 50Y1 83/010, "WHITE WING"



Berghausen
Consulting Engineers, Inc.
18215 72nd Avenue South
Kent, WA 98032
425.251.6222
berghausen.com

NO.	DATE	REVISION DESCRIPTION



DEVELOPMENT INFORMATION:
ARCO NTI
2900 am/pm
FUEL CANOPY w/ 8 MPD's
24'x48' CAR WASH

SITE ADDRESS:
2027 E PACHECO BLVD
LOS BANOS, CALIFORNIA
FACILITY #TBD

DRAWN BY: ALVINCE FINE
CHECKED BY: BP RONA
DESIGNED BY: ALVINCE FINE
VERSION: PROJECT NO. 21130

DRAWING TITLE:
CANOPY ELEVATIONS

DRAWING NO.:
CA2.1

FILE: S:\10000\10130\pennings\10130_C&E1.dwg Date/Time: 07/20/20 12:53 PM Scale: 1/8" = 1'-0" USER: bmc



City of
Los Banos
At the Crossroads of California

COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT

Date: May 29, 2020

Re: Notice of Public Hearing

Proposal: Tentative Parcel Map #2020-03, Site Plan Review #2020-02, & Conditional Use Permit #2020-03

NOTICE IS HEREBY GIVEN THAT a Public Hearing will be held by the Los Banos Planning Commission to consider a Tentative Parcel Map #2020-03, Site Plan Review #2020-02, and Conditional Use Permit #2020-03. The proposed project will consist of a Tentative Parcel Map dividing a 4.18 acres parcel into two (2) parcels; Parcel 1 totaling 2.21 acres and Parcel 2 totaling 1.97 acres; the development of one (1) 4,244 square foot commercial structure which will serve as a gas station convenience store with an attached carwash and a canopy with eight (8) multi pump fuel dispensers and associated site and utility improvements. The project will also consist of a Conditional Use Permit for the allowance of the off-sale of beer and wine through a Type 20 ABC license. This project was previously evaluated in the Los Banos Home Depot (SCH #2005041010) Mitigated Negative Declaration which was approved by the Los Banos Planning Commission on May 11, 2005. The proposed project is within the Highway Commercial Zoning District (H-C). The project site is located at 2027 E. Pacheco Boulevard, Assessor Parcel Number: 083-140-031.

A PUBLIC HEARING on this matter will be held at the next scheduled meeting of the Planning Commission on Wednesday, June 10, 2020 at 4:00 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



DESIGN REVIEW STUDY SESSION

TO: Chairman Cates and Planning Commissioners

FROM: Rudy Luquin, Associate Planner 

DATE: June 10, 2020

SUBJECT: Design Review – Stonefield Home Inc.: Sunrise Ranch

Project Description

The applicant, Stonefield Home, Inc., is preparing to develop 197 Low Density Residential (R-1) lots in the approved Vesting Tentative Tract Map #2017-03 known as Sunrise Ranch. The project is located east of Place Road, south of B Street, and north of San Luis Street. Sunrise Ranch was approved by the Planning Commission at a regularly scheduled meeting on Wednesday, November 14, 2018.

The project site has existing residential uses to the north, east, and south.



In accordance with the approved and adopted Planning Commission Resolution #2018-32, Condition No. 121 states, "Development of the project is subject to approval by the Design Review Committee prior to issuance of any building permits."

The proposed architecture for the project is reflective of traditional Craftsman style with Spanish architectural accents complemented with architecturally selected earth tone color palettes. The exterior elevations will vary with stucco finishes, stone veneer base accents, and vertical wood siding accents. The applicant is proposing five (5) different designs; The Humboldt, The Sonoma, The Ashington, The Santa Cruz, and The Monterey. Each design consists of three separate exterior themes. The applicant is proposing to use Malarkey asphalt composition roofing material and also offering a Spanish tile upgrade option for the homes. The proposal in regards to the elevation styles will be compatible and complementary to the existing surrounding residential structures which will give the two different projects a sense of cohesion.

The proposed designs consist of two (2) car garages, except The Santa Cruz and The Monterey, which provide three (3) car garages, and standard driveways for off-street parking. The proposed models will be built on standard Low Density Residential (R-1) lots which will range from a minimum of 6,000 square feet to 15,396 square feet.

Recommendation

Staff is recommending that the Planning Commission evaluate the proposed project's architectural considerations as described above and provide commentary to the applicant regarding the proposed design.

Attachments:

Elevations
Sunrise Ranch Map



Sunrise Ranch

Los Banos



BUILDING A LOCAL LEGACY OF CENTRAL CALIFORNIA COMMUNITIES SINCE 1984

Sunrise Ranch Included and Optional Features

Exterior Features:

- Spanish Lace Stucco Finish with Designer Selected Exterior Color Palettes by Kelly Moore Paint
- 3080 Fiberglass Raised 6 Panel Thermatrue Exterior Entry Doors and Kiwikset Satin Nickel Entry Door Hardware
- Doorlink 590 16x7 Raised Ranch Panel Garage Door
- Garage Door Opener and Man Door at Garage included with Elite and Supreme Packages
- Low-E Glass Windows with White Vinyl Frame
- Malarkey Asphalt Composition Roof
- Optional Spanish Tile Upgrade
- Seagull Lighting Outdoor Wall Lantern
- Front Yard Landscaping and Irrigation

Interior Features:

- Kelly Moore 2-Tone Interior Paint at Hall, Entry, Great Room and Kitchen included with Supreme Packages
- 18 x 18 Dal Tile at Entry, Baths, Laundry, Kitchen, and Dining Included with Elite and Supreme Packages
- Luxury Vinyl Plank at Entry, Baths, Laundry, and Dining Included with Supreme Packages
- Shaw Carpet Flooring in Bedrooms, and Great Room
- Ceiling Fan with Light Prewire Included in Great Room
- Phone and Cable Outlets Included in Great Room and Master Bedroom
- Lennox Air Conditioner and Furnace with Honeywell Thermostat
- Fire Alert Smoke and Carbon Dioxide Combo Detectors

The logo for Stonefield Home features the word "STONEFIELD" in a bold, black, sans-serif font inside a yellow rectangular box. Below this box, the word "HOME" is written in a smaller, black, sans-serif font, followed by ".com" in an even smaller font. The entire logo is centered between two horizontal grey bars that extend across the width of the page.

STONEFIELD

HOME.com

Sunrise Ranch Included and Optional Features

More Interior Features:

KITCHEN:

- Hand Selected Designer Granite Countertops with 6" Backsplash
- Timberlake Maple Wood Cabinets with Laminate Interior and Adjustable Hidden Hinges
- CFG Flagstone Stainless Steel Kitchen Faucet and Sink, along with Mainland Galvanized Steel Garbage Disposal
- Standard Black All Electric Appliances, Including Free-Standing Electric Range, Vented Hood and Built-In Dishwasher, with Microwave Included in Elite and Supreme Packages

BATHROOM:

- Glacier White Piedrafina Bathroom Countertops with Gerber Lux White Oval 19x15 Bathroom Sinks
- Moen Chrome Bathroom Fixtures and Accessories, as well as Moen Chrome Shower Rods in Bathroom
- Bathroom Mirrors Polished Edge with Chrome
- Aquatic Fiberglass Tub and Shower Surround with Glass Shower Enclosure at Master Bath Included with Elite and Supreme Packages
- Gerber White China Bathroom Toilets



Plan 1398

The Humboldt

Elevations A,B,C



FLOOR PLAN





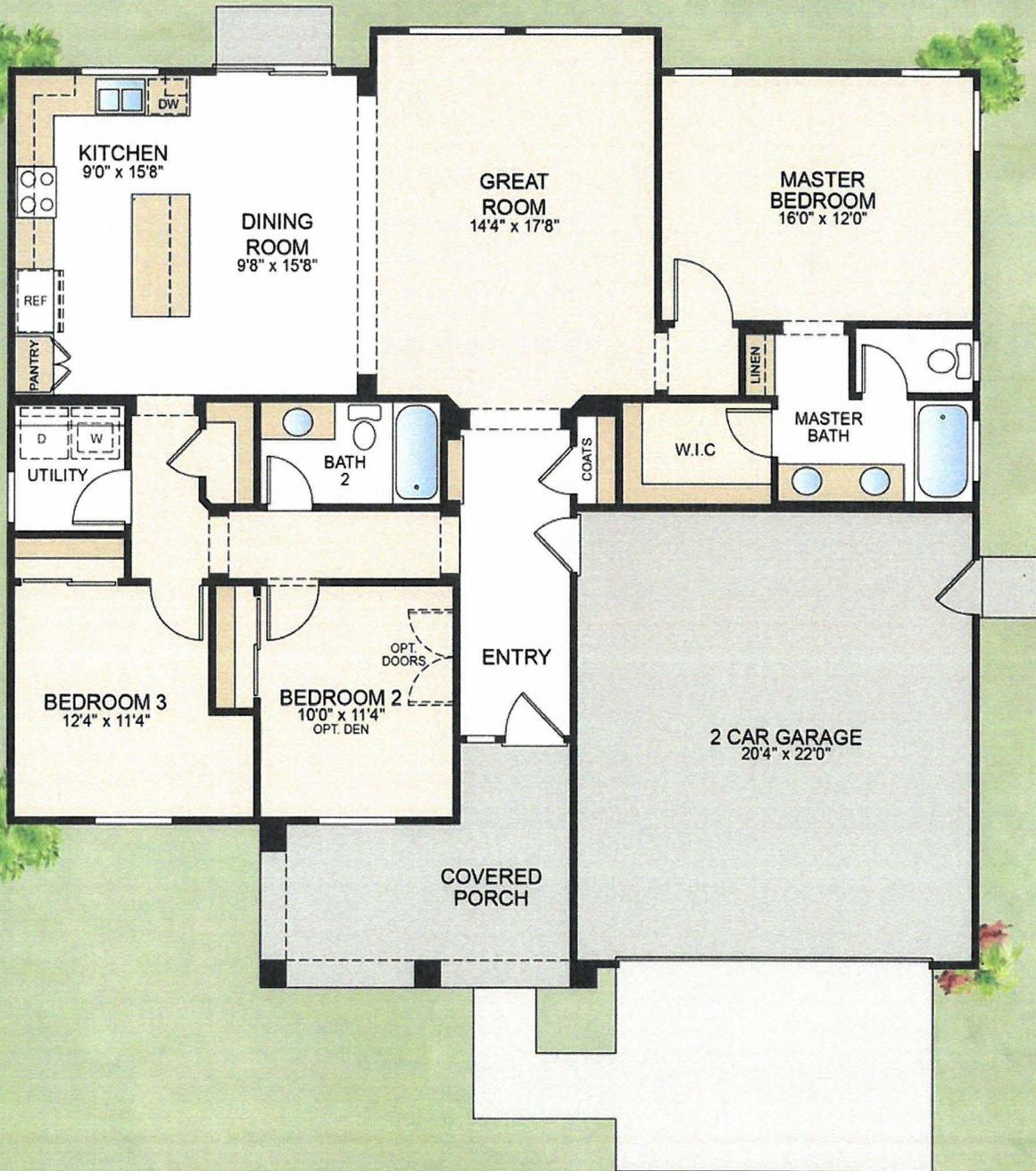




Plan 1539

The Sonoma

Elevations A,B,C



FLOOR PLAN





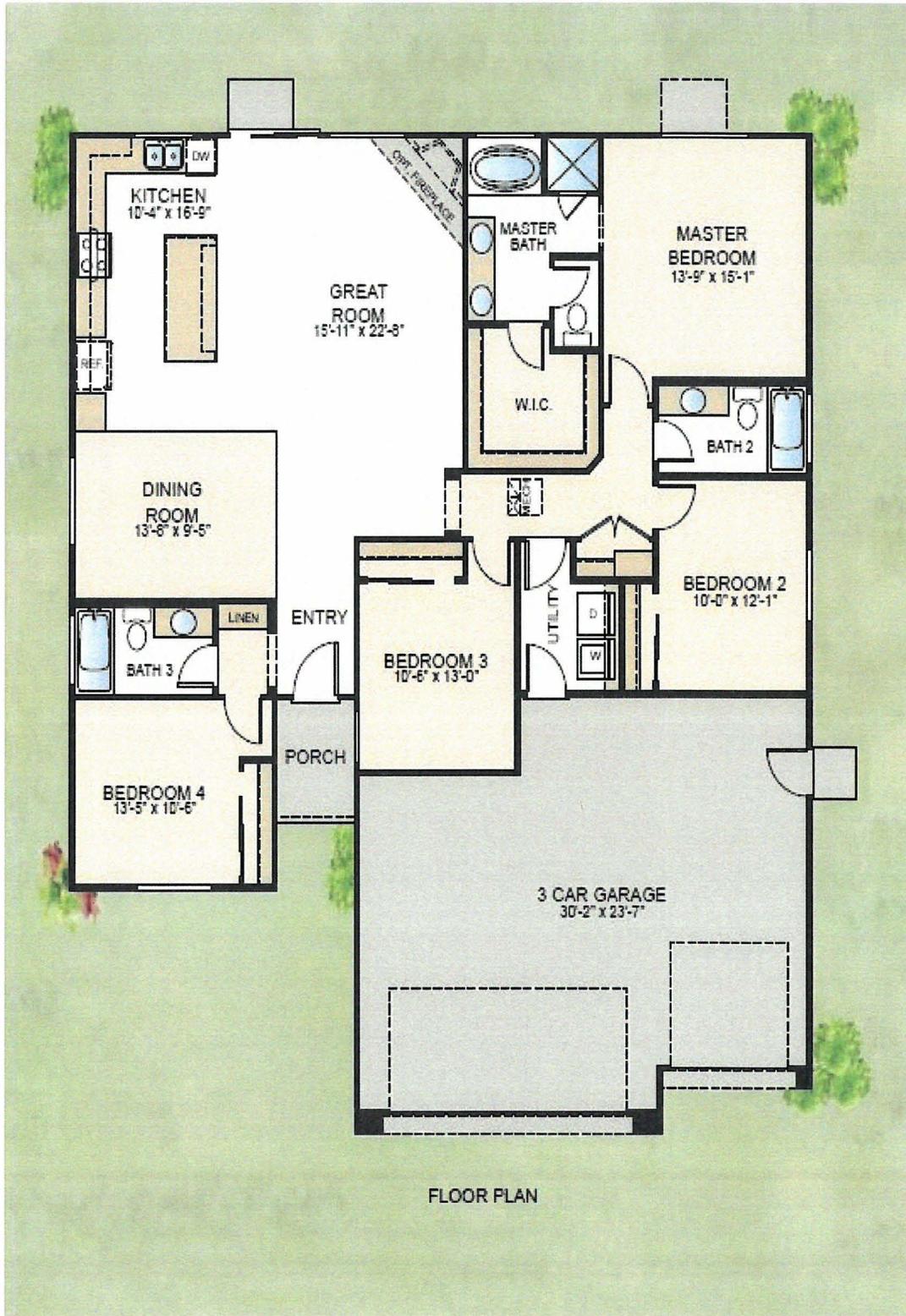




Plan 1750

The Ashington

Elevations A,B,C







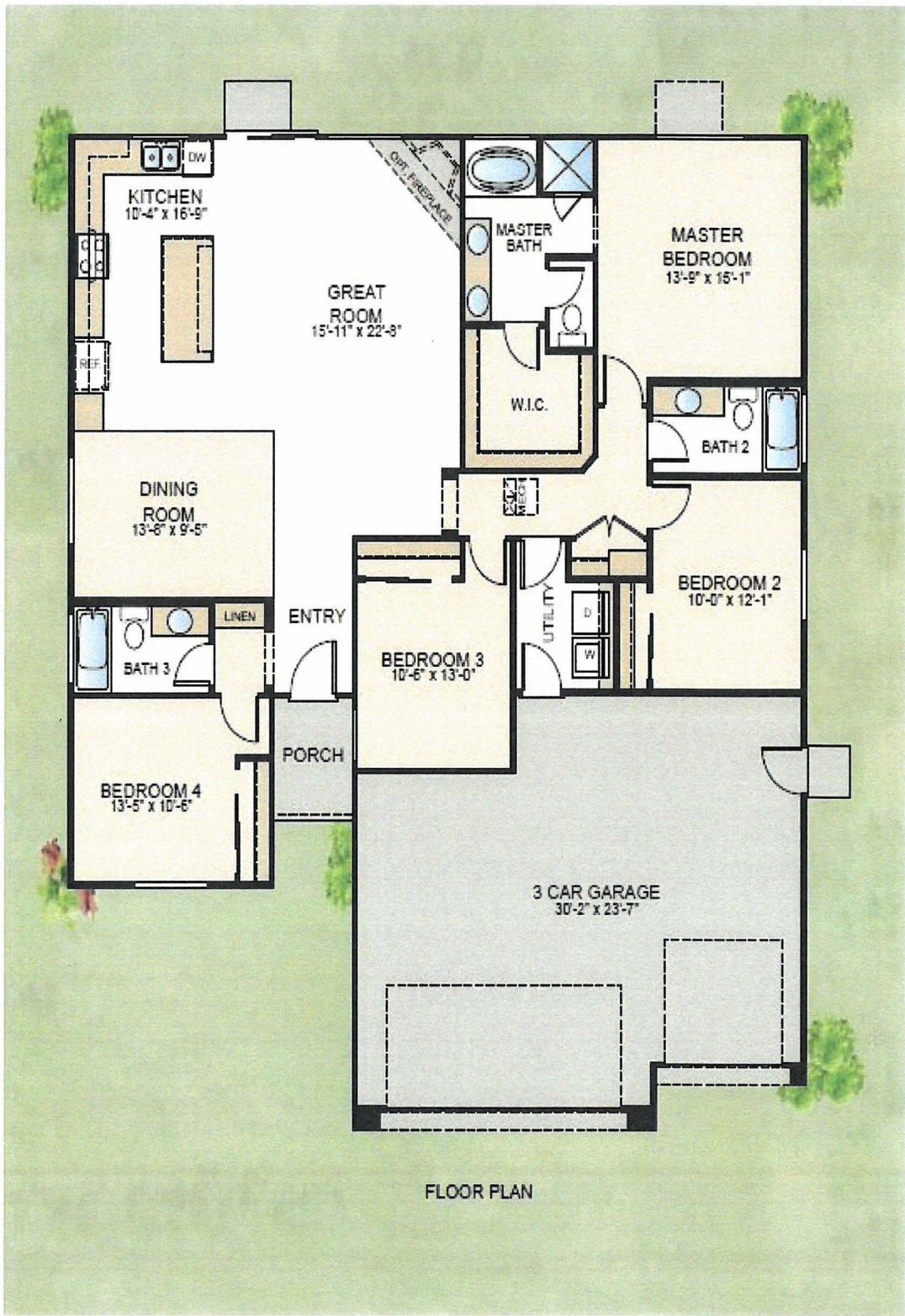




Plan 1810

The Santa Cruz

Elevations A,B,C



FLOOR PLAN









Plan 1960

The Monterey

Elevations A,B,C

