

**CITY OF LOS BANOS  
PLANNING COMMISSION MEETING MINUTES  
JUNE 10, 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 (joined at 4:33 p.m.), Rob Robinson, Susan Toscano, and Katherine Uhley 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 Uhley, seconded by Cates to approve the agenda as submitted. The motion carried by the following roll call vote: AYES: Cates, Robinson, Toscano, Uhley; NOES: none; ABSENT: Higby (joined at 4:33 p.m.)

**CONSIDERATION OF APPROVAL OF THE ACTION MINUTES FOR THE REGULAR PLANNING COMMISSION MEETING OF MAY 27 22, 2020.** Motion by Uhely, seconded by Robinson to approve the minutes as submitted. The motion carried by the following roll call vote: AYES: Cates, Robinson, Toscano, Uhley; NOES: none; ABSENT: Higby (joined at 4:33 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.

**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.**

Associate Planner Luquin presented the staff report, which included a PowerPoint presentation, noting that Resolution No. 2020-15 Exhibit C was revised at the request of the applicant and distributed today.

Community & Economic Development Director Elms stated that Jim Todd, Applicant, submitted a written comment that they submitted updated landscape plans per the Design Review Study Session feedback received.

Chairperson Cates recessed the meeting at the hour of 4:19 p.m. for five minutes to receive public comment via email.

The meeting resumed at 4:25 p.m.

Chairperson Cates opened the public hearing.

Secretary Benetti confirmed that no public comments were received for this public hearing item.

Chairperson Cates closed the public hearing.

Motion by Uhley, seconded by Cates to adopt 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. The motion carried by the following roll call vote: AYES: Cates, Robinson, Toscano, Uhley; NOES: none; ABSENT: Higby (joined at 4:33 p.m.)

Motion by Uhley, seconded by Robinson to adopt 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. The motion carried by the following roll call

vote: AYES: Cates, Robinson, Toscano, Uhley; NOES: none; ABSENT: Higby (joined at 4:33 p.m.)

Motion by Robinson, seconded by Uhley to adopt 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. The motion carried by the following roll call vote: AYES: Cates, Robinson, Toscano, Uhley; NOES: none; ABSENT: Higby (joined at 4:33 p.m.)

**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.**

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

Commissioner Higby joined the meeting at 4:33 p.m.

There was discussion among commissioners, staff, and the applicant regarding architecture including the roofing tile materials and color.

Dana Howell, Stonefield Home, stated that he does not have anything further to add to the presentation.

Chairperson Cates inquired if there were any measures being taken to mitigate traffic in the area.

Community & Economic Development Director Elms spoke of how this is design review only but there was a requirement of the Conditions of Approval of the tentative map regarding traffic, how any subdivision with more than 5 units requires that the Planning Commission review at design review, how the Sunrise Ranch traffic study was done and a traffic signal was required at East B Street and Place Road, a four lane intersection at Place Road and Nickel Street, how the City of Los Banos does not have jurisdiction over location or approval of schools, and how the City's task was to ensure that the tentative map was consistent with General Plan and zoning code.

Feedback was given to applicant only; no action taken.

**COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR REPORT.**

Community & Economic Development Director Elms spoke of how she was hoping to be meeting in the Council Chambers by now, but based on Brown Act requirements to ensure streaming of the meeting and allow applicant to participate we had to do the virtual meeting to allow for social distancing, how outdoor dining temporary relief for restaurants will come forward for review and approval by the City Council due to COVID pandemic and regulations on restaurants to help support economic development, how the

temporary relief would expire October 31, 2020, hoping for business as usual, Council will be able to extend that expiration if needed, looking at ways to provide economic support, the City will be eligible for CDBG NOFA grant for local businesses affected by these closures, looking for ways to help support local businesses, www.losbanosbusiness.com has resources available for businesses during this time, staff is still accepting and processing applications for projects and entitlements, and City Hall is now open to the public.

**PLANNING COMMISSION MEMBER REPORTS.**

**CATES:** Thanked staff for their work in this challenging time and hopes to see everyone in person soon.

**HIGBY:** Apologized for joining the meeting after the scheduled start time.

**ROBINSON:** No report.

**TOSCANO:** No report.

**UHLEY:** No report.

**ADJOURNMENT:** The meeting was adjourned at the hour of 4:48 p.m.

APPROVED:

*/s/ John Cates*

John Cates, Planning Commission Chairperson

ATTEST:

*/s/ Sandra Benetti*

Sandra Benetti, Planning Technician