

City of San Juan Bautista
Special Planning Commission Meeting
Minutes
September 9, 2008

1. Call to Order at 6:02 p.m. by Chairperson Reuben Garza

A. Roll Call

Members Present: Reuben Garza, Jeff Bagley, Dan McMath, and Wanda Guibert.

Members Absent: Erika Spencer.

Staff Present: Matthew Sundt, City Planner; Steve Julian, City Manager; and Trish Paetz, City Clerk.

2. Public Comment (limited to items on the agenda)

None.

3. Action Items

A. Approve Affidavit of Posting Agenda

A motion was made by Commissioner McMath and seconded by Commissioner Bagley to approve the affidavit of posting agenda. The motion passed 4-0-0-1.

B. Planning Commission Action on Resolution to Deny Hell Bent Custom Motorcycle Conditional Use Permit. The CUP was heard by the Planning Commission on September 2 and consideration of the resolution to deny the CUP continued to September 9.

City Planner Matthew Sundt presented a staff report stating the Planning Commission denied the CUP for Hell Bent Custom Motorcycles at the September 2, 2008 meeting. Though the Planning Commission made a motion to approve the CUP conditional upon the business relocating to a location in the industrial or commercial districts and that the application should relocate within 60 days, this motion is not allowed as the CUP is for a specific location at 101 The Alameda only. This was verified with the City Attorney. Therefore, the Planning Commission must either deny the CUP or approve it. Based on the Planning Commission discussion on September 2, staff interprets the intent of the Planning Commission was to deny the CUP. A resolution presented for approval supports denial. Also, to clarify the record, an e-mail was received from Planning Commissioner Wanda Guibert conveying her opposition to the CUP for 101 The Alameda, but she is in support of this use elsewhere in the community.

During public comment Pascal Anastasi, Ray Shott's attorney stated that he had just heard Mr. Shott's case very recently and would be representing him during the appeal process. He asked the Planning Commission not to deny Mr. Shott a conditional use permit.

Ramona Hill spoke in favor of Hell Bent.

Georgeana Gularte stated she hopes the Planning Commission can come to a decision to keep peace in town as well as keep new businesses in town.

Dante Bains spoke in favor of Hell Bent.

Commissioner Guibert stated she does not feel this business is appropriate for the mixed use area of San Juan.

Commission Bagley stated he agrees that it should not be at that location.

Commission McMATH stated he agrees with others.

A motion was made by Commission McMATH and seconded by Commission Bagley to Approve Resolution 2008-02 denying a conditional use permit for Hell Bent Custom Motorcycles at 101 The Alameda. The motion passed 4-0-0-1.

Commissioner Guibert commented that she hoped Mr. Shott can relocate and stay in town.

City Manager Julian commented that the applicant knows he can appeal.

4. Adjournment

A motion to adjourn the meeting at 6:24 p.m. passed unanimously.