

**City of San Juan Bautista**  
**Planning Commission Meeting**  
**Minutes**  
**August 4, 2009**

**1. Call to Order** at 6:58 p.m. by Chairperson Jeff Bagley

**A. Roll Call**

**Members Present:** Jeff Bagley, Georgana Gularte, Reuben Garza and Wanda Guibert.

**Members Absent:** Erika Spencer

**Staff Present:** Acting City Manager Steve Julian, and Deputy City Clerk Trish Paetz.

**Staff Absent:** City Planner Matthew Sundt

**2. Public Comment (limited to items not on the agenda)**

There were no comments received from the public at this time.

**3. Consent Items**

**A. Approval of Affidavit of Posting Agenda**

**B. Approval of Affidavit of Posting Public Hearing**

**C. Approval of Minutes of May 5, 2009 Planning Commission Meeting**

**D. Approval of Minutes of July 7, 2009 Planning Commission Meeting**

A motion was made by Commissioner Garza and seconded by Commissioner Guibert to approve Items A and B and continue the minutes to the next meeting. The motion passed 4-0-0-1 with Erika Spencer absent.

**4. Discussion Items**

**A. Landscaping: Gateway Corner of The Alameda and Fourth Street and the City's Corporation Yard.**

Commissioner Guibert asked the Acting City Manager if there going to be landscaping with water at the gateway corner of The Alameda and Fourth Street, to which he replied, water is not available there.

Commissioner Guibert then asked if the barbed wire on the fence around the City's Corporation yard could be removed, or if jasmine could be planted to cover the fence and barbed wire. Her concern was with the proximity of the yard and fence to Verutti Park where children play.

Cara Vonk was not present but sent the following comments via e-mail to the Commissioners:

"The corporation yard is in the middle of a residential neighborhood and across from a children's play area. Barbed wire is inappropriate and has in fact been banned in some cities altogether even in industrial areas. (Perhaps it is also a liability for the city should some kid get hurt trying to climb the fence.) Previously, I have complained about large "NO TRESPASSING" signs that "shout out" and mar the tranquility of the neighborhood. Who wants to picnic in a park with a

big “no trespassing” sign staring them in the face. The corporation yard property should be swapped for property in a more appropriate location for a corporation yard (e.g., at the end of Third Street overlooking the sewer). The corporation yard could be developed for affordable senior housing, a perfect location close to downtown and across from a city park and children’s play area.”

## **5. Public Hearing Items**

### **A. Review and Recommend Approval of an Ordinance Amending Section 11-09-500 of the San Juan Bautista Municipal Code to Provide for an Alternative In-Lieu Fee Provision for Condominium Conversions**

A staff report prepared by the City Planner and a copy of the ordinance were provided to the Planning Commission; the staff report states:

This Ordinance will allow the City Council to address conversion of apartments to condominiums in a manner that is reasonable and fair. The City’s Municipal Code (MC) Section 11.09 – *Inclusionary Housing*, requires that new residential projects either reserve units for very low or low income households (SJBMC Section 11-9-400), or as an alternative to reserving units the City Council may, in its sole discretion, allow the developer of new residential projects to pay an in-lieu of fee in an amount established by formula as set forth in SJBMC Section 11-9-505. However, SJBMC Section 11-9-505 applies to new single-family residential development projects and not condominium conversion projects. For example, Section 11-9-505 addresses the median sales price of a three bedroom single-family residence in the County. As existing apartments such as the 43-unit Mission Gardens apartments contain one and two bedroom units (680 to 1,203 square feet in this case) using a three-bedroom single-family residence as criteria for an in-lieu fee is not reasonable, fair or appropriate for conversion of apartments to condominiums. Therefore, the City staff submits the attached Ordinance, which leaves it to the discretion of the City Council to establish an in-lieu fee in a range consistent with the needs of the City and the goals of the developer. Though this proposed Ordinance is not specific to any particular apartment project the owners of the Mission Gardens apartments are interested in converting to condominiums. This ordinance has been vetted by the City Attorney, City Manager and the applicant.

Acting City Manager Julian added that this provides additional alternatives for management/ownership of property; and at this point in time, condominium development is not market driven.

A motion was made by Commissioner Gularte and seconded by Commissioner Garza to recommend acceptance of the ordinance to the City Council the acceptance of ordinance. The motion passed 4-0-0-1 with Erika Spencer absent.

**B. CONTINUED – Consideration of the Approval of a Conditional Use Permit and new signs for “Harvey’s Lock Up” storage facility at 27 Monterey Street (APN 002-004-001). The applicant is David Elliot (architect) representing Steve and Rose Adair.**

**6. Comments**

**A. Planning Commissioners**

When Commissioner Gularte asked if the City had any representation on the bike lane, Acting City Manager Julian responded that Mayor Edge is the City's representative to COG. Commissioner Gularte further questioned whether there were any San Juan people involved with the County General Plan Committee. Commissioner Garza noted that Dan Devries is a County Planning Commissioner..

**B. City Planner**

The City Planner was absent.

**C. City Manager**

When Commissioner Bagley asked if Fire Chief Scott Freels had resigned, Acting City Manager Julian responded that he has not received official notice but it appears that way.

**7. Adjournment**

A motion to adjourn the meeting at 7:28 p.m. passed unanimously.