

**City of San Juan Bautista**  
**Planning Commission Meeting**  
**Minutes**  
**December 1, 2009**

1. **Call to Order** at 7:14 p.m. by Chairperson Jeff Bagley
  - A. **Roll Call**  
**Members Present:** Jeff Bagley, Georgana Gularte, Erika Spencer, Reuben Garza and Wanda Guibert.  
**Staff Present:** City Planner Matthew Sundt, Acting City Manager Steve Julian, and Deputy City Clerk Trish Paetz.
  
2. **Public Comment (limited to items not on the agenda)**  
During public comment resident Richard Ponce asked if the changes to the Nyland Warehouse (Harvey's Lockup) had been finalized. City Manager Julian responded that it has not been finalized, the architect has presented plans but the City has found that they are still not complete as they do not show sprinklers.
  
3. **Consent Items**
  - A. **Approval of Affidavit of Posting Agenda**
  - B. **Approval of Affidavit of Posting Public Hearing – November 19, 2009**
  - C. **Approval of Affidavit of Posting Public Hearing – November 21, 2009**A motion was made by Commissioner Guibert and seconded by Commissioner Garza to approve all items on the Consent Agenda. The motion passed unanimously.
  
4. **Discussion Item – Nothing to discuss.**
  
5. **Public Hearing Items**
  - A. **Consideration of the Approval of a Sign Permit for Gularte Gallery at 5 Second Street (APN 002-020-005)**  
Commissioner Georgana Gularte, as applicant for the project, left the dais.  
  
As the Historic Resources Board had reviewed, discussed, and recommended this item for approval, there was no further discussion.  
  
A motion was made by Commissioner Guibert and seconded by Commissioner Carpenter to approve a Sign Permit for Gularte Gallery at 5 Second Street. The motion passed 4-1-0-0 with Commissioner Gularte absent.
  
  - B. **Consideration of the Approval of a Sign Permit for Vertigo Coffee at 81 Fourth Street (APN 002-045-015)**  
As the Historic Resources Board had reviewed, discussed, and recommended this item for approval, there was no further discussion.

A motion was made by Commissioner Guibert and seconded by Commissioner Carpenter to approve a Sign Permit for Vertigo Coffee at 81 Fourth Street. The motion passed unanimously.

**C. Review Ordinance Adding Chapter 7-5 to Title 7 (Streets and Parks) Titled Refuse and Storage Containers**

City Planner Sundt provided a draft ordinance and presented a staff report stating in the past two years local residents have contacted City Hall regarding storage containers that sit either on private property or on City rights-of-way for many months. These storage containers are often provided by a business, who, as it turns out are doing business in San Juan Bautista but are not paying a business license. This ordinance responds to this situation by limiting the location and length of time that a storage and/or refuse container(s) is allowed to be parked, and it requires that a business license be applied for by the business providing the storage and/or refuse container(s).

No permit fees are required associated with the use of storage and/or refuse containers. However, if enforcement is involved, the City would incur costs associated with at least writing a letter, or perhaps greater costs if the user does not respond or conform to the request to cease the use of the storage and/or refuse container(s). In the case of a valid building permit, enforcement is enhanced by City staff not approving permits or conducting inspections until the offending situation is resolved.

The City Planner is bringing this ordinance back to the Planning Commission with their proposed changes from last month.

During public comment resident Richard Ponce suggested the City could allow for a taller fence to hide the storage container.

Commissioner Carpenter suggested the ordinance allow for providing a visual screen, for example, vegetation.

Commissioner Bagley stated he was concerned with the containers at the City Corporation Yard, as well as other existing containers in town such as those at Third and San Jose, and on Franklin Street. City Planner Sundt stated the Yard was addressed in Section 7.5.070 of the proposed ordinance.

City Manager Julian suggested including a provision for special circumstances, and that perhaps the ordinance should be reviewed further by staff for a better solution and then brought back to the Planning Commission.

City Planner Sundt reminded the Commission that special circumstances provides non-billable hours.

A motion was made by Commissioner Garza and seconded by Commissioner Bagley to recommend the ordinance to the city council with a provision for special circumstances. The motion passed unanimously.

**6. Comments**

**A. Planning Commissioners**

Commissioner Garza commented on the temporary curb at Glad Tidings Church.

Commissioner Bagley commented that Pavex Construction is replacing the sewer line at the back of Franklin Street.

**B. Planner**

City Planner Sundt reported on pending projects: development on the Wyrick property and a gas station at the Windmill Market Plaza.

**C. City Manager**

No comments provided.

**7. Adjournment**

A motion to adjourn the meeting at 8:08 p.m. passed unanimously.

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Jeff Bagley

ATTEST:

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Trish Paetz, Deputy City Clerk