

CITY OF SAN JUAN BAUTISTA
PLANNING COMMISSION REGULAR MEETING
AUGUST 5, 2014
MINUTES

1. CALL TO ORDER – Chairman Franco called the meeting to order at 6:00 p.m.

A. ROLL CALL Present: Commissioners Franco, Gularte, Garratt, Guibert and Medeiros

Staff Present: City Manager Grimsley, Assistant Planner Orbach and Deputy City Clerk Paetz

2. PUBLIC COMMENT

No comments were received.

3. INFORMAL PROJECT REVIEW

No projects were available for review.

Chairman Franco requested Discussion Item 7B, the Washing Well at 92 Fourth Street, be pulled from the agenda, stating staff has the authority to deal with this.

4. CONSENT ITEMS

- A. Approve Affidavit of Posting Agenda**
- B. Approve Affidavit of Posting Public Hearing Notice by Deputy City Clerk**
- C. Approve Affidavit of Posting Public Hearing Notice by City Manager**
- D. Approve Minutes for June 10, 2014 Special Meeting**

A motion was made by Vice Chairman Medeiros and seconded by Commissioner Garratt to approve all items on the consent agenda. The motion passed unanimously, 5-0.

5. PUBLIC HEARING ITEMS

A. Consider Approval of a Mitigated Negative Declaration, a Planned Unit Development Permit for 27 units and Tentative Map for D'Ambrosio Vista on 4.965 acres at 1113 Third Street

In his staff report City Planner Grimsley explained that the project was processed back in 2012 as a 40 unit PUD. Over the last few years, the applicant sought potential developers and contractors to construct the 40 unit PUD and it was the overwhelming conclusion that the proposed 40 unit PUD consisting of townhouses would not be the best fit for the area and not fit into city's housing needs. For this reason, the applicant has come back to the Commission with a revised tentative map reflecting a reduction in the number of lots. The lots will have front, side and rear yard setbacks of individual

homes with two car garages. This will allow on-site parking, thus reducing curbside street parking. The overall design will fit into the style and scale of the surrounding homes in the area as well as provide smaller lots, resulting in smaller homes, and more affordable housing. The revised PUD plan provides for a 14,372 square foot open space adjacent to the wastewater treatment facility.

Chairman Franco opened the public hearing. Eric Gredassoff (SJB Resident) read from his written comments that were submitted prior to the meeting. Cara Vonk (SJB property owner) was concerned with the conditions of approval, and whether design review and landscape review would come back to the Commission. Sally O'Neil (SJB Resident) submitted written comments regarding her concerns with the water supply and the height of homes near her. Chairman Franco closed the public hearing.

City Manager Grimsley responded to concerns regarding water supply, availability of public services, odor from the wastewater treatment plant, traffic, lighting, parking, hours for construction, Third Street widening, design review for the landscape plan, and stated PUD's are not subject to design review. A question and answer period followed. Commissioner Guibert addressed the conditions of approval suggested a requirement should be made for the applicant to plant trees to help eliminate odor and include lighting on Third Street. Commissioner Gularte stated she would like to see the designs of all the houses, and for a landscape plan to come back to the Commission. Steve Emick of D'Ambrosio explained there would be four different floor plans. Commissioner Garratt was concerned with how drainage would be addressed around the steep lots. Allen Andrade of Morgan Hill Engineering responded that the project would have its own storm drain retention. Whereupon, discussion ensued about using reclaimed water and storm drainage. Commissioner Garratt wanted drought resistant landscape to be made a condition of approval.

City Manager Grimsley reviewed the CEQA findings as stated on the proposed resolution.

A motion was made by Commissioner Guibert and seconded by Vice Chairman Medeiros to approve the amended Initial Study and Mitigated Negative Declaration for the D'Ambrosio Vista project. The motion passed unanimously, 5-0.

A motion was made by Commissioner Guibert and seconded by Commissioner Garratt to approve Resolution 2014-12 approving the revised tentative map for the D'Ambrosio Vista PUD with mitigation measures, monitoring programs and conditions of approval and recommending to the City Council approval of a PUD permit, subject to amendments to the conditions of approval. The motion passed unanimously, 5-0.

Cara Vonk asked whether the house plans would need to follow the design guidelines and City Manager Grimsley responded, design guidelines do not apply when the development is a PUD.

B. Consider Accepting the Proposed Draft General Plan Update

Planning Staff explained that acceptance of the proposed draft General Plan Update is a necessary step before preparation of an environmental impact report can begin. Chairman Franco explained that the goals of the City are reflected in the General Plan Update. A question and answer period followed. Commissioner Guibert commented that the new General Plan would not go into effect for another year. Vice Chairman Medeiros commented he had submitted 52 comments, which may or may not have been incorporated into the Plan.

Before opening the public hearing Chairman Franco reported that written comments were received from John Freeman (SJB Resident) and Cara Vonk (SJB property owner) that will be made a part of the record. Cara Vonk further commented that the City received certified local government status in 2005, the City adopted the Historical Plan in 2004, and suggested building in some of the current plan language into this plan. Chairman Franco closed the public hearing.

A question and answer period followed. Commissioner Gularte felt the General Plan needs more reference to the City's historic nature and constraints placed on the City by the County and Cal Trans.

A motion was made by Commissioner Guibert and seconded by Commissioner Medeiros to approve Resolution 2014-13 recommending to the City Council acceptance of the Draft 2035 General Plan Update. The motion passed unanimously, 5-0.

C. Consider Amendments to Section 7 (Signs) of the San Juan Bautista Design Guidelines, Making the Guidelines More User Friendly (Continued public hearing)

There was discussion about the document. Commissioner Guibert noted there were enough corrections that needed to be made to the document that it was not ready for adoption and offered to assist with the corrections.

A motion was made by Vice Chairman Medeiros and seconded by Commissioner Gularte to continue this item so Commissioner Guibert could make necessary corrections to the document. The motion passed unanimously, 5-0.

6. ACTION ITEMS

A. Adopt Resolution 2014-14 Recommending to the City Council Rescinding Ordinance 2014-01 Which Amended Section 11-04-110 and Chapter 11-29 of the Municipal Code to Modify Provisions for Design and Architectural Review of Retail Businesses, Restaurant Businesses, and Visitor Accommodations Within the City of San Juan Bautista

City Planner Grimsley reported Ordinance 2014-01 went into effect on April 18, 2014 and on June 13, 2014, a lawsuit was filed by the SSL Law Firm LLP, on behalf of the Alliance of Concerned Citizens Organized for Responsible Development (ACCORD) against the City of San Juan Bautista. The staff and city attorney evaluated the lawsuit to determine the most cost effective and economical way to defend Ordinance 2014-01.

Recognizing the fiscal constraints of the City's revenues and the financial obligations pending to resolve the water issue as well as other major water projects identified in the capital improvement program, it was mutually agreed upon to rescind Ordinance 2014-01 and revert back to the existing Ordinance 2007-04. This step would allow the City to minimize the legal costs to defend the lawsuit and preserve and utilize revenues for more pressing issues such as the water nitrate problems and the pellet water softening treatment plant. A question and answer period followed. The consensus of the Commission was displeasure in the direction this has taken. Vice Chairman Medeiros commented he does not know who these people are that brought the lawsuit, and was concerned with the appeal process.

During public comment Larry Gerbrandt (SJB Resident and merchant) was concerned with the effect on the Arco Station project. City Manager Grimsley stated the project will go forward without a drive through. Cara Vonk (SJB property owner) stated she is not part of ACCORD but did not support changes to the ordinance. Richard Ponce (SJB Resident) commented he was disappointed with this happening. City Manager Grimsley explains his original intent of changing the ordinance was to remove the negative wording of the ordinance to reduce its impact. Commissioner Garratt commented that what San Juan Bautista use to be, it has not been for years and it needs to change or the town will close down.

A motion was made by Commissioner Gularte and seconded by Commissioner Garratt to adopt Resolution 2014-14X recommending to the City Council rescinding Ordinance 2014-01 which amended Section 11-04-110 and Chapter 11-29 of the municipal code to modify provisions for Design and architectural review of retail businesses, restaurant businesses, and visitor accommodations within the City. The motion passed 4-1 with Vice Chairman Medeiros voting against.

B. Consider Resolution 2014-15 Recommending to the City Council the Annexation and Pre-Zoning of APN 012-190-038, 012-200-001 (owned by the City of San Juan Bautista), and 012-140-027 (owned by the Cemetery District) and Accept the Findings for a Categorical Exemption Under Section 15319, Class 19(a), and Section 15320, Class 20(b) of CEQA

City Manager Grimsley presented a staff report stating annexation of the three parcels listed above as public or quasi-public is allowed under the CEQA sections listed above. Well #3 and the new reservoir are situated on the City owned parcels, and the cemetery is situated on the site owned by the Cemetery District. A question and answer period followed. Chairman Franco read the CEQA findings.

Commissioner Garratt recused himself stating he is a commissioner on the Cemetery District.

A motion was made by Commissioner Guibert and seconded by Vice Chairman Medeiros to approve Resolution 2014-15 recommending to the City Council the annexation and pre-zoning of APN 012-190-038, 012-200-001, and 012-140-027 and

accept the findings for a categorical exemption under Section 15319, Class 19(a), and Section 15320, Class 20 (b) of CEQA. The motion passed 4-0-1-0 with Commissioner Garratt absent.

7. DISCUSSION ITEMS

A. Potential Design Review Program – Commissioner Gularte

Commissioner Gularte pulled this item.

B. Washing Well, 92 Fourth Street – Commissioner Guibert

This item was removed from the agenda.

C. Cal Poly Studio Projects

Assistant Planner Orboch reported staff was approached by Cal Poly planning students regarding creating vision plans for several areas of the City to be used as an introduction to possible future Specific Plans. Three areas were identified that could benefit from the project; the Lang Street Park/Lang Street extension/lower The Alameda area; the Mariposa Street/Second St./orchard lot area including a possible closure of Mariposa Street to vehicles; and the Muckelemi Street gateway. Cal Poly is requesting \$13,000 to complete the project. A question and answer period followed. Commissioner Guibert commented that this has been done before and nothing becomes of it. Chairman Franco opened for public comment. John Freeman (Strategic Planning Committee member) commented this could be handled by a subcommittee of the Strategic Planning Committee. Cara Vonk asked if the City could offer incentives. This item was continue to another time.

D. Parking in the City Update

City Manager Grimsley reported Council Members Edge and Boch were selected to represent the City on the Parking Committee, and staff will arrange a convenient date and time for the first meeting. Commissioner Guibert suggested using Survey Monkey or another means to arrange the meeting.

E. Brewery Update

City Manager Grimsley provided an update stating applicant Hipolito Cerdas has been involved in a legal dispute with the architect so little or no work has been done since the construction of the Brewery Building.

F. UGB Extension Appeal

City Manager Grimsley reported two appeals on the Urban Growth Boundary extension were received after the deadline and, therefore, denied by the City Clerk.

8. FUTURE AGENDA ITEMS

Nothing was added to future agendas at this time.

9. COMMENTS

A. Planning Commissioners: Commissioner Guibert read from Ed Lamb's records (newspapers) and commented how amazing it is that current issues were apparently issues thirty years ago.

B. City Manager/City Planner: No comments were received.

10. ADJOURNMENT

A motion was made to adjourn the meeting at 9:05 p.m.

Chairman Ernest J. Franco

ATTEST:

Trish Paetz, Secretary