

**CITY OF SAN JUAN BAUTISTA
PLANNING COMMISSION REGULAR MEETING
DECEMBER 1, 2015
MINUTES**

1. CALL TO ORDER – Chairman Franco called the meeting to order at 6:48 p.m.

B. ROLL CALL

Present: Chairman Franco, Commissioners Garratt, Guibert and Gredassoff

Absent: Commissioner Medeiros

Staff Present: City Manager Grimsley and Asst. Planner Luquin

2. PUBLIC COMMENT

No comments were received.

3. INFORMAL PROJECT REVIEW

No projects were presented.

4. ACTION ITEMS

A. Approve Affidavit of Posting Agenda

B. Approve Affidavit of Posting and Mailing Public Hearing Notice – 301 The Alameda

C. Approve Affidavit of Posting and Mailing Public Hearing Notice – 100 The Alameda

D. Approve Resolution 2015-27 for Pueblo Viejo Imports Sign Permit

E. Approve Minutes of November 3, 2015

A motion was made by Commissioner Guibert and seconded by Commissioner Gredassoff to approve Items A, B and C. The motion passed unanimously, 4-0-1-0 with Commissioner Medeiros absent.

There was discussion on Item 4D. A motion was made by Commissioner Guibert and seconded by Commissioner Gredassoff to approve Resolution 2015-37 authorizing a sign permit for Pueblo Viejo Imports at 311 Third Street. The motion passed 4-0-0-1 with Commissioner Medeiros absent.

A motion was made by Commissioner Gredassoff and seconded by Commissioner Garratt to approve the minutes of the November 3, 2015 meeting. The motion passed 3-0-1-1 with Commissioner Guibert abstaining as she was not present at that meeting, and with Commissioner Medeiros absent.

5. PUBLIC HEARING ITEMS

A. Consider Site and Design Review of a Detached Accessory Restroom at Jardines de San Juan Restaurant, 115 Third Street. Applicant: Robert Winkler

i. Adopt Resolution 2015-38 Approving a Site and Design Review for a Detached Accessory Restroom

City Manager Grimsely reported applicant Robert Winkler submitted an application to construct a restroom facility with bar attached at the southwest corner of the Jardines de San Juan property at 115 Third Street in the Historic District. He further stated the site and design review went before the Historic Resources Board and they recommend approval. Chairman Franco opened the public hearing. No comments were received. Chairman Franco closed the public hearing.

A motion was made by Commissioner Guibert and seconded by Commissioner Garratt to approve Resolution 2015-38 for a site and design review for an accessory restroom at Jardines de San Juan Restaurant, 115 Third Street. The motion passed unanimously, 4-0-0-1 with Commissioner Medeiros absent.

B. Consider Site and Design Review for a Fence at the Rear of the Property at 35 Franklin Street. Applicant: Jim West.

i. Consider Resolution 2015-39 for a Categorical Exemption for the project.

ii. Consider Resolution 2015-40 Approving a Site and Design Review permit for a Fence

City Manager Grimsley reported applicant Jim West submitted an application to construct a fence as a barrier to noise from the Jardines de San Juan Restaurant. He further stated the site and design review went before the Historic Resources Board and they recommend approval.

A motion was made by Commissioner Gredassoff and seconded by Commissioner Garratt to approve Resolution 2015-39 adopting a categorical exemption for a fence to be erected at 35 Franklin Street. The motion passed 4-0-0-1 with Commissioner Medeiros absent.

A motion was made by Commissioner Gredassoff and seconded by Commissioner Garratt to approve Resolution 2015-39 approving a site and design review for a fence at the rear of the property at 35 Franklin Street. The motion passed 4-0-0-1 with Commissioner Medeiros absent.

C. Consider a Conditional Use Permit of type 41 beer and wine license at JJ's Burgers at 100 The Alameda. Applicant: Jesus Zavala.

i. Adopt Resolution 2015-41 Approving a Conditional Use Permit for a type 41 Beer, Wine and Alcohol License for JJ's Burgers

Assistant Planner Luquin reported applicant Jesus Zavala submitted a request to ABC to serve beer and wine at JJ's Burgers. A Conditional Use permit is required by the City, and ABC requires approval of a public convenience and necessity. He further reported the conditional use permit was recommended for approval by the Historic Resources Board. Chairman Franco opened the public hearing. No comments were received.

Chairman Franco closed the public hearing.

A motion was made by Commissioner Guibert and seconded by Commissioner Gredassoff to approve Resolution 2015-41 approving a conditional use permit and a public convenience and necessity for JJ's Burgers and an application for a type 41 on-sale beer and wine license for a bona-fide eating establishment at JJ's Burgers, 100 The Alameda in the Historic District. The motion passed 4-0-0-1 with Commissioner Medeiros absent.

D. Consider an Application for a Conditional Use Permit to operate a performing arts training/motion picture, sound recording, TV, web, and video studio at 301 The Alameda. Zoning is Commercial. Applicant: Estrella and Ron Johnson.

Assistant Planner Luqiu reported applicants Estrella and Ron Johnson have submitted an application for a Conditional Use Permit to operate a performing arts training and sound recording studio at 301 The Alameda in the Windmill Shopping Center. The applicants were present and responded to questions by the Commission. Chairman Franco opened the public hearing. No comments were received. Chairman Franco closed the public hearing.

A motion by was made by Commissioner Guibert and second by Commissioner Gredassoff to approve Resolution 2015-42 approving a conditional use permit to allow Estrella and Ron Johnson, doing business as Estronemicas DMR, to operate a performing arts training and sound recording studio in a general commercial zone at 301 The Alameda, Suite B-6. The motion passed 4-0-0-1 with Commissioner Medeiros absent.

E. Consider a Lot Line Adjustment for 415 Seventh Street. Applicant: Al Valles
i. Consider Resolution 2015-XX Adopting a Categorical Exemption Under Sections 15305 & 15332 of CEQA

ii. Consider Resolution 2015-XX Approving a Lot Line Adjustment.

Chairman Franco recused himself and left Council Chambers as he lives within 300 feet of the project. Commissioner Guibert chaired the meeting.

City Manager Grimsley reported this item came before the Commission last month where there was discussion about the density of the property and the four lots not fitting into the overall surrounding area. The Planning Commission approved a certificate of compliance for four lots back in 2005 and subsequently approved a lot line adjustment to a configuration where two lots fronted on Seventh Street and two were positioned at the rear by means of a 15 foot wide ingress and egress cross easement flag lot arrangement. City Manager Grimsley distributed a legal option from City Attorney Mall. There was discussion about the legal aspect of building four units on the property at 415 Seventh Street. Commissioner Guibert opened the public hearing. No comments were received. Commissioner Guibert closed the public hearing. Commissioner Garratt considered denying the lot line adjustment. Whereupon, City Manager Grimsley stated if the Commission denies the lot line adjustment then the applicant will have to use the existing lot sizes to build.

A motion was made by Commissioner Gredassoff and seconded by Commissioner Garratt to continue this item to a time when the applicant can be present as well as the City Attorney. The motion passed 3-0-0-2 with Commissioners Franco and Medeiros absent.

F. Consider Site and Design Review for 415 Seventh Street. Applicant: Al Valles
i. Consider Resolution 2015-XX Adopting Site and Design Review for four homes.

This item is continued to a time when the applicant can be present as well as the City Attorney.

Whereupon, Chairman Franco returned to the dais.

G. Consider Minor Subdivision for 44 Church Street, Applicant: Al V Inc. Zoning is Single Family Residential. APN 002-290-039.

- i. Consider Resolution 2015-XX Adopting a Categorical Exemption**
- ii. Consider Resolution 2015-XX Approving the Project with Conditions of Approval.**

City Manager Grimsley reports. The applicant was not present.

A motion was made by Commissioner Guibert and seconded by Commissioner Gredassoff to continue this item. The motion passed 4-0-0-1 with Commissioner Medeiros absent.

H. Consider a Lot Line Adjustment for John Nyland and Barbara Khozam. APN 002-540-007 (Zoning is Low Density Residential), and 002-350-009 & 10 (Zoning is Agriculture)

- i. Consider Resolution 2015-XX Approving a Categorical Exemption**
- ii. Consider Resolution 2015-XX Approving a Lot line Adjustment**

City Manager Grimsley reported. The applicants were not present.

A motion was made by Commissioner Guibert and seconded by Commissioner Gredassoff to continue this item to the next meeting when the applicant or their representative can be present. The motion passed 4-0-0-1 with Commissioner Medeiros absent.

I. Consider Resolution 2015-43 Recommending to City Council an Ordinance Regulating Hillside Development

City Manager Grimsley provided a final revised draft of a hillside regulation for the Commission's review. There was discussion and revisions were made.

A motion was made by Commissioner Gredassoff and seconded by Commissioner Guibert to recommend to the Council the draft ordinance regulating hillside development with revisions. The motion passed 4-0-0-1 with Commissioner Medeiros absent.

J. Consider Approval of the General Plan Background Report, the Final Environmental Impact Report for the General Plan, and the 2035 General Plan

i. Consider Resolution 2015-XX Recommending City Council Adopt the Background Report

ii. Consider Resolution 2015-XX Recommending City Council Adopt the Final Environmental Impact Report

III. Consider Resolution 2015-XX Recommending City Council Adopt the 2035 General Plan

City Manager Grimsley introduced previous City Assistant Planner Matt Orbach who reported on the final background report, final environmental impact report, and final 2035 general plan. A question and answer period followed. Chairman Franco commented that walkability comes through very clear. Commissioner Gredassoff commented he would need more time to review the documents. Chairman Franco opened the public hearing. Georgana Gularte commented they would be saying goodbye to the old general plan. Katherine Oesterreich of Edenbridge Homes commended the CalPoly students and the community for their work. Chairman Franco closed the public hearing. There was further discussion on the amount of time needed to review the three documents before a recommendation could be made to the City Council.

A motion was made by Commissioner Gredassoff and seconded by Commissioner Guibert to continue approval of this time to the February meeting to allow adequate time to review the documents. The motion passed 4-0-0-1 with Commissioner Medeiros absent.

6. DISCUSSION ITEMS

A. Fencing Regulations

This item was continued to the January meeting.

B. Noise Ordinance

City Manager Grimsley reported he is still working on a draft ordinance. This item was continued to the January meeting.

C. Planning Commission By-Laws – Commissioner Garratt

Commissioner Garratt stated he was still working on this. Deputy City Clerk Paetz reported she had located a copy of the current planning commission by-laws and would provide each of the commissioners a copy. This item was continued to next month.

D. Rescheduling of the Historic Downtown Streetscape Guidelines

E. Strategic Planning Committee Report

Commissioner Gredassoff summarized the Strategic Planning Committee's activities.

7. COMMENTS

A. Planning Commissioners – Commissioner Gredassoff asked that they receive an update on the Brewery and the parking lot on the property. Commissioner Guibert reported there would be a Christmas Parade on Saturday and Santa would be at Verutti Park on December 19.

B. City Manager

No comments were received.

C. Assistant Planner

No comments were received.

8. ADJOURNMENT

The meeting adjourned at 8:52 p.m.

Chairman Ernest J. Franco

ATTEST:

Trish Paetz, Secretary