

## **RESOLUTION 2017-05**

### **A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN JUAN BAUTISTA APPROVING THE SITE PLANS AND DESIGN REVIEW PERMIT FOR RANCHO VISTA SUBDIVISION PROJECT SDR-2016-1202**

**WHEREAS**, the Planning Commission conducted public hearings on January 3<sup>rd</sup>, 2017, February 7<sup>th</sup>, 2017 and March 7<sup>th</sup>, 2017 for the site and design review permit of Rancho Vista Subdivision Project 2016-1202, and

**WHEREAS**, the public hearings were conducted in accordance with Chapter 11-18 of the San Juan Bautista Municipal Code, and

**WHEREAS**, the Planning Commission received written comments and oral public testimony on the site plans and design review permit application of residential homes to be constructed within Rancho Vista Subdivision, and

**WHEREAS**, on March 7<sup>th</sup>, 2017, the Planning Commission, upon reviewing the information provided, the oral comments, written correspondence, does hereby make a determination that the project is part of an “ongoing project” that received approval from the Planning Commission of a Mitigated Negative Declaration with findings, conditions of approval, mitigation measures, and mitigation monitoring programs on December 16th, 2014, and

**WHEREAS**, the Planning Commission, based upon the public hearing and the entire record before them, makes the following findings to support the “ongoing project” of a previously approved Mitigated Negative Declaration.as enumerated in Resolution 2014-31.

1. The proposed residential structures are designed in a manner that respects the physical and environmental characteristics of each site.
2. The proposed residential structures are consistent with the standards and requirements of the San Juan Bautista Municipal Code, zoning regulations of the R-1 district and design guidelines.
3. The proposed residential structures are consistent with the goals and policies of the 2035 General Plan and any applicable specific or community plans.
4. The proposed residential structures are compatible with the surrounding character of the community in terms of architecture design, materials, and colors.
5. The proposed residential structures are located and configured on each site so as to be consistent and harmonious with the surrounding area.
6. The proposed residential structures incorporate the landscaping design that meets the provisions and guidelines of drought tolerant plants, trees, and shrubbery and the City’s mandatory drought regulations.
7. The proposed residential structures will not interfere with the use and enjoyment of neighboring homes and will promote the health, safety, and welfare of the area.
8. The existing and proposed public facilities to accommodate the proposed residential structures, including sidewalks, street lights, fire hydrants, street and vehicular access, and sanitary sewer facilities, will be available to the sites.

9. That the project is consistent with the density of the zoning district which it is located within.
10. That the proposed use is necessary or desirable in relation to the purposes and intent of the San Juan Bautista 2035 General Plan, the title, and the economic, social, and environmental status of the city.
11. That the uses will be properly related to other uses and transportation facilities in the area, and will not cause undue environmental impact relating to noise, odor, pollution, etc., with the implementation of proper mitigation measures outlined in the environmental document.
12. That the uses will not adversely affect the health or safety of persons living or working in the vicinity, or be materially detrimental to the public welfare of the city and its residents.
13. That the mitigation measures, monitoring programs, and conditions of approval for the project will result in the project having a less than significant impact on the environment.
14. That the project is consistent with the goals and objectives of the 2035 General Plan, to allow for urban development that is consistent and compatible to the surrounding areas and within the City's public service capabilities.
15. That the project is within the City's adopted sphere of influence, adjacent to existing city boundaries and has water, sewer, and public utilities available to the property for orderly and continuous outward growth of urban development without significant extension of public utility services.
16. That the mitigation measures identified in the initial study and mitigated negative declaration report show that there is no substantial evidence, in light of the whole record before the Planning Commission, that the project may have a significant effect on the environment.
17. That the project, as agreed by the applicant, with the mitigation measures, monitoring programs, and conditions of approval, would avoid effects or impacts to where there is no significant adverse effects to the environment of the surrounding area.
18. That the project is consistent with Policy LU 2.5.1: Development strategies to address the need for new housing as well as the need for rehabilitation and preservation of existing structures.
19. That the project is consistent with Policy LU 2.6.1: Reduce conflicts between incompatible land uses.
20. That the project is consistent with Objective LU 2.4: Increase the amount of infill development.
21. Policy LU 2.4.1: Facilitate vacant and other areas to accommodate development.
22. Goal LU 3: A compact small town with distinctive architecture.
23. Goal HO 1: An adequate housing supply that meets San Juan Bautista's needs.
24. Objective HO 1.1: Accommodate additional housing units by 2035 to fulfill regional housing needs assessment projected by San Benito Council of Governments.
25. Policy HO 1.1: Promote new housing production in targeted growth areas.
26. Objective HO 2.1.1.1: Permit secondary units, while educating the public about secondary units as an opportunity to provide additional affordable housing.
27. Objective HO 2.2: Accommodate new market rate housing units as housing needs arise.
28. Policy HO 2.2.1: Allow sufficient land and housing density to accommodate market rate housing growth targets and develop regulations that allow smaller size residential lots.
29. Goal HO 3: Respect for the character of San Juan Bautista

30. Objective HO 3.1: Promote housing that fits with the City's architectural character.
31. Goal CO 1: Growth and development balanced with environmental equality.
32. Program CO 1.2.2.1: Underutilized or vacant lands should be given priority for development.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission of the City of San Juan Bautista hereby, in accordance with SJBMC, Section 11-18-030, approves the site and design review permit for the four plans with variations of architectural front elevations, depths, and widths within the Rancho Vista Subdivision. The approval of the site and design review permit is subject to the conditions of approval for the vested tentative map, Mitigated Negative Declaration, Mitigate Monitoring Program and Approved Development Agreement.

### **CONDITIONS OF APPROVAL**

1. The applicant shall dedicate necessary right of ways, improve streets to geometric dimensions, structural cross section, underground utilities, and guarantee by bond the following streets, roads and cul-de-sacs as shown upon the approved Vested Tentative Map.
  - a. Third Street from Donner to Rancho Way
  - b. Lavagnino Drive from San Juan Highway to 200 feet west of Third Street intersection
  - c. Caetano Place from Rancho Way to south terminus at cul-de-sac.
  - d. Vista Way from Rancho Way to Lavagnino Drive
  - e. Rancho Way from Caetano Place to 150 feet west of Third Street intersection
  - f. Trailside Drive northerly 500 feet to cul-de-sac
  - g. Trailside Court southerly 350 feet to cul-de-sac.
  - h. Street improvements on San Juan Highway/First Street at Lavagnino Drive, a round-a-bout intersection and asphalt overlay northerly 480 feet to City limits; center landscaped parkway area, lane striping, and traffic signage.
2. The applicant shall provide the City with a faithful performance and labor, materials bond for all improvements necessary for the completion of the subdivision.
3. The applicant shall submit a grading, erosion control, and storm water pollution prevention plan (SWPPP) for all earthworks and grading activities of the project.
4. The applicant shall obtain an encroachment permit for any work within the public right of way along Third Street and First Street (San Juan Highway).
5. The applicant shall enter into an indemnification and hold harmless agreement with the City of San Juan Bautista for the approval of the project and an agreement to pay processing fees for land use application and access to project site.

6. The applicant shall repair and reconstruct all damaged and broken sidewalks, curbs, gutters and storm drain facilities within existing public right of ways of Third Street and First Street (San Juan Highway) arising out of the construction of the improvements required for the completion of the subdivision.
7. The applicant shall submit to the City a geotechnical soils report for the subdivision with recommendations for building foundations, structural design standards for streets and roads and field compaction testing and inspections.
8. The applicant shall submit an archaeological report to the City prior to vested tentative map approval.
9. The applicant shall install fire hydrants within the subdivision as shown on the approved vested tentative map and approved improvement plans.
10. The applicant shall dedicate to the City a rectangular area approximately 0.387 acres more or less for inclusion into the waste water treatment plant site. The rectangular area lies adjacent to and west of the treatment plant and at the most southerly portion of the 28.35 acre parcel of land shown on the vested tentative map.
11. The applicant shall install a sanitary sewer lift station and connect the force main to the sanitary sewer treatment plant situated at 1300 Third Street. The applicant may elect the option to connect to the existing sewer lift station on Ahwahnee Drive and upgrade the lift station to accommodate the increase flow of effluent from the subdivision. The applicants engineer shall submit a report to the City analyzing the pumping capacity for any upgrades necessary for the lift station.
12. The applicant shall form and implement a Community Facilities Assessment District for the continual maintenance repair and replacement of a sanitary sewer lift station, storm drain channel maintenance, street sweeping and open space maintenance.
13. The applicant shall form and implement a landscaping and Lighting District for the subdivision.
14. The applicant shall install architectural street light standards and fixtures within the subdivision similar to the lighting system within Creek Bridge Subdivision and or Third Street Downtown Historic District.
15. The applicant shall construct a roundabout intersection at First Street (San Juan Highway) and Lavagnino Drive with landscaped center parkway area, lane striping, and traffic directional signage.
16. The applicant shall install six feet wide meandering granite fines pedestrian walkway on the east side from the Trailside Drive and along the east side of Trailside Court to and across the detention pond and natural open space to Lavagnino Drive. The meandering granite fine walkway shall include landscaping.

17. The applicant shall install a six feet wide granite fines pedestrian walkway on the south side of Lavagnino Drive from Third Street to First Street (San Juan Highway) including landscaping.
18. The applicant shall install a six feet wide granite fines pedestrian walkway along the east side of the west fork of the San Juan Creek from Third Street to the open space area northerly of lots 82 thru 85.
19. The applicant shall install landscaping and security lighting along the pedestrian walkways and park areas listed in condition 16, 17, and 18 above.
20. The applicant shall install two pedestrian fitness stations and or rest stops along the pedestrian walkways listed in conditions 16, 17, and 18 above. Location to be determined during construction of the phases approved on the vested tentative map.
21. The applicant shall obtain a stream bed alternation permit, and provide a copy to the City, from the State of California, Department of Fish and Wildlife for the construction of a street crossing of the West fork of San Juan Creek at Third Street, the pedestrian overcrossing of the Creek, northerly of Lavagnino Drive with First Street (San Juan Highway) and all stream bed alternations within the subdivision.
22. The applicant shall construct a center island together with street trees, irrigation system, and ground cover from First Street (San Juan Highway) to Rancho Vista Drive.
23. The applicant shall install striping and delineate a bicycle lane northerly along Third Street from Donner Drive to Lavagnino Drive, and westerly along Lavagnino Drive from Third Street to First Street (San Juan Highway).
24. The applicant shall install a meandering 5 feet wide granite fines pedestrian walkway along the northerly property lines of lot 77 and 78 together with a meandering open rail fence, four feet in height adjacent to and on the north side of the 5 feet meandering walkway.
25. The applicant shall install a meandering 5 feet wide concrete sidewalk along the Third Street and Lavagnino side of the natural open space area together with an open rail fence between the walkway and natural open space area.
26. The applicant shall obtain a permit if required by the Army Corp of Engineers in conjunction with the stream bed alternation permit from the Fish and Wildlife Service. If a permit is required, a copy shall be submitted to the City.
27. The applicant shall landscape with low growing drought tolerant plants and scrubs the area between the westerly property line along San Juan Highway and existing trees and fence. The applicant shall repair and repaint as necessary the existing split rail fence along the east side of B Street from the southerly Cul-de-sac to the north boundary of the Subdivision. The landscaping shall be drip irrigation system.

28. The applicant shall install Group mail box pick up areas throughout the subdivision and determined by the US Postal Service Office of San Juan Bautista.
29. The applicant shall improve the entrance to the waste water treatment plant with curb, gutter, sidewalk, recessed entrance gate, fencing, and landscaping.
30. The applicant shall install a school bus stop area within the subdivision. The school bus stop area shall have a covered roof area with an all-weather surfacing and bus turn out lane. The applicant shall submit the final design of the bus stop area to the city prior to construction.
31. The applicant shall submit a sign application to the Planning Commission for all temporary on-site sales office signs and one sign at each of the principal entrances on Third Street and Lavagnino Drive during the construction and within a two year period after final approval and acceptance of the improvements of the subdivision phase. The signs shall provide for directions and information to the sales office and other essential features needed for potential buyers of homes to access the subdivision. The applicant may also make application for temporary off premises signs at Hwy. 156 and The Alameda, Hwy. 156 and Monterey Street, and San Juan Highway within the city limits during the course of construction of the subdivision.
32. The applicant shall be restricted to the hours of 7:00 A.M to 6:00 P.M. Monday through Saturday for all construction work on lots 71 to 77 and lots 82 to 85. No construction will be allowed on Sundays.
33. The applicant shall restrict all loud noises, vibratory equipment, trucks backup devices, and gas powered compaction tools to hours between 8:30A.M to 4:00 P.M. during the permitted days of the week for construction on lot 71 to 77, 82 to 85. No construction on Sundays unless it is within a confined building where all noises are contained inside the building.
34. The applicant shall have the following note placed upon all construction plans and drawings of the project.

"If prehistoric or historic archaeological resources or human remains are unexpectedly discovered during construction, work shall be halted within 50 meters (160 feet more or less) of the find until it can be evaluated by a qualified professional archeologist. If the find is determined to be significant, appropriate mitigation measures shall be formulated and implemented."
35. The applicant shall obtain all right of ways and easements required and necessary for the construction and completion of the subdivision.
36. The applicant shall submit to the City and Health Department a hazardous waste management plan together with emergency contact information.
37. The applicant shall submit to the City a solid waste disposal plan for all solid waste material disposed of from the project site.

38. The applicant shall submit a copy to the City of the Monterey Bay Air Pollution Control District permit.
39. The applicant shall submit construction plans and drawing of all improvements within the various phases of the subdivision. The plans shall include utilities include but not limited to water, sewer, storm drain, electrical, gas, telephone, and communications. The utilities shall conform to the utility company's standard and City of San Juan Bautista Standards.
40. The applicant shall install a separate water service lateral to each lot for a fire sprinkler system. The service shall conform to the City's Standard.
41. The applicant shall place a note on the construction plans and drawings that all grading activities at the project site shall cease during high wind periods. The City Planning Department shall be contacted when construction activities has ceased due to high winds.
42. The applicant shall request and obtain a final inspection before a certificate of occupancy to the building is issued.
43. The applicant shall submit an application to the Planning Commission for site and design review permit approval for the housing types to be constructed on each lot together with plans for secondary units in accordance with Article 2 "Applicable Law", Section 2.13 (a), (b) of the adopted Development Agreement.
44. The applicant shall pay all planning, building permit, plan checking, inspection, site and design, utility connections, impact, capacity impact and development review fees prior to commencement of construction of the various phases or issuance of building permits.
45. The applicant shall provide the city with confirmation that the school impact fees have been paid prior to the City's issuance of a building permit for any lots within the subdivision.
46. The applicant shall install an oversize sanitary sewer transmission line for the wastewater treatment plant to the north boundary of the subdivision. The Applicant shall enter into a reimbursable agreement with the City of San Juan for payment of the cost of the oversize line.
47. The applicant shall restrict the number of two story house on each street frontage to no more than 70%. The roof line shall vary in style, roof pitch, design, color, and type of roof materials. All home within the subdivision shall incorporate drought tolerant landscaping, drip irrigation systems, and have at least one street tree within the lot frontage of each house.
48. The applicant shall submit the final map of the phase to be recorded to the City for approval by the City Council. A copy of the approved Vested Tentative Map, lot closures, traverse sheets, subdivision guarantee document, application fee bonds, and subdivision agreement.
49. The applicant shall submit a development agreement to the Planning Commission for review and consideration. Upon review and approval by the Planning Commission, the Development agreement shall be recommended to the City Council for review and approval. The

- development agreement must be approved by the City Council prior to the City Council taking final action on any phase of final subdivision map.
50. The applicant shall submit a final copy of the Development agreement to the City for processing and recordation. The development agreement shall have the all subdivider's signatures, notary certificate, and recording fee.
51. The Vested Tentative map is shall be valid for a period of 24 months from the date of approval by the Planning Commission. The vested tentative map can be extend for a one year period. (Gov't code 66452.6(a).)
52. In order to achieve housing variety and diversity, the applicant shall avoid repetition of elevation styles for neighboring homes or homes that face one another on the same street.

**PASSED AND ADOPTED** by the Planning Commission of the City of San Juan Bautista on this 7th day of March 2017, by the following vote.

**AYES: Moore, Franco, Boyd**

**NOES: Freels, Hopper**

**ABSTAIN: None**

**ABSENT: None**

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John Hopper, Chairperson

**ATTEST:**

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Trish Paetz, Deputy City Clerk