

RESOLUTION 2017-06

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN JUAN BAUTISTA APPROVING THE SITE PLANS AND DESIGN REVIEW PERMIT FOR COPPERLEAF SUBDIVISION PROJECT SDR-2016-1201

WHEREAS, the Planning Commission conducted a public hearing on January 3rd, 2017, February 7th, 2017 and March 7th, 2017 for the site and design review permit of Copperleaf Subdivision Project 2016-1201, and

WHEREAS, the public hearing was 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 Copperleaf Subdivision, and

WHEREAS, the Planning Commission, upon reviewing the information provided, makes the determination that the project is part of an ongoing project that has received previous approval from the Planning Commission for a Mitigated Negative Declaration with findings on August 2nd, 2016 by Resolution 2016-31, and

WHEREAS, the Planning Commission, based upon the public hearing testimony and the entire record before them, makes the following findings to support the determination that the project is part of an ongoing project previously approved by Mitigated Negative Declaration in Resolution 2016-31.

1. The proposed residential structures are in a design manner that respects the physical and environmental characteristics of each site.
2. The proposed residential structures are substantially consistent with the standards and requirements of the San Juan Bautista Municipal Code and design guidelines.
3. The proposed residential structures are substantially 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 to 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, 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 approves the site and design review permit in accordance with Section 11-18-030 of the Municipal Code for the three floor plans with variations of architectural front elevations, lot depths, and widths together with a floor plan for reserved secondary rental units within the Copperleaf Subdivision. The reserved secondary units shall conform to SJBMC Section 11-09-400 (B) (1), (2), (4), (5). Approval of the site and design review permit is subject to the conditions of approval for the subdivision and requirement of SJBMC Section 11-09-400 (4) & (5) “Deed Restriction” for secondary reserve rental units.

CONDITIONS OF APPROVAL

1. The applicant shall dedicate, improve and guarantee by bond the following streets, roads or cul-de-sac as shown upon the approved vested tentative map labeled Tentative Map for Copperleaf Subdivision, including but not limited to concrete curbs, gutters, sidewalks, aggregate base, asphalt street surfacing, sewer mains and laterals, water mains and water service laterals, underground electrical, telephone, cable TV conforming to City of San Juan Bautista Standard specification.
 - a. Street Copperleaf Lane
 - b. Street Cedar Court
 - c. Street Cypress Lane
2. The applicant shall improve and guarantee by bond the half street improvements along San Juan-Hollister Road including but not limited to concrete curbs, gutters, sidewalk, sewer mains, manhole, water valves, fire hydrants, underground electrical, telephone, cable TV, asphalt surfacing, aggregate base, pavement centerline stripping, bike lane striping, street name signs, architectural fence, low shrubbery landscaping and drip irrigation system. The improvements shall extend from Lot 1 to the easterly end of the curb, gutter and sidewalk of the Hacienda de Leal motel. Provisions shall be made for one 16’ wide concrete driveway to lot C.
3. The applicant shall enter into a Subdivision Agreement and post a faithful performance bond, labor and materials bond guaranteeing construction all improvements within the subdivision.
4. The applicant shall submit a grading, erosion control and storm water pollution prevention plan (SWPPP) for all earthwork and grading activities proposed for the subdivision.
5. The applicant shall obtain an encroachment permit for all improvement in the San Juan-Hollister, Road.
6. The applicant shall enter into an indemnification and hold harmless agreement with the City of San Juan Bautista for the approval of the subdivision.

7. The applicant shall submit a geotechnical soils report for the subdivision with recommendations for the structural sections of street improvements, foundation design standards for building and structures and recommendation for field testing, inspections and compaction standards.
8. The applicant shall submit an archaeological report to the City prior to approval of the tentative map.
9. The applicant shall submit a drainage report to the City showing the on-site storm water drainage system, retention capacity and application for the submittal of a Conditional letter of map amendment (CLOMA) to Federal Emergency Management Agency.
10. The applicant shall install fire hydrants within the subdivision. The location shall be determined by the City Engineer.
11. The applicant shall relocate and underground the electrical distribution line running across lots 7, 8, 11 and 12 to a location as determine in the final improvement plans and coordination with the utility company.
12. The applicant shall install an architectural sound wall, similar to the existing sound wall on State Route 156, along the rear lots of 10 through 23 and extended along the open space "A" for 220 feet. Also an architectural side yard fence along San Juan-Hollister Road of lots 27, 28, 36, 37, 45, and 1. A fence shall be constructed along the west property line of lot 9, 10 and Lot C.
13. The applicant shall extend the street improvements to the east boundary of the subdivision, provide finish rough grade to lot B and the 28 feet wide maintenance driveway to Lot A. The applicant shall dedicate to the City a 100'x100 lot designated lot B and participate in a fair share portion of the cost to install a domestic well meeting the City Standards together with electrical service, fencing and security night lighting. The applicant shall upon approval from the state and activation of the new well on lot B, remove and demolition of well no. 2 in accordance with state well standards.
14. The applicant shall submit improvement plans and construct a storm drainage retention pond for all surface runoff water from the subdivision.
The storm drainage retention pond shall be designed with multiple elevation levels. The pond shall have a perimeter fence with access gates or entrance which restrict pedestrian and maintenance equipment access during heavy rainy periods.
15. The applicant shall submit a traffic report to the City identifying traffic volumes, patterns, pedestrian traffic, together with mitigations measures to address impacts to the vehicular and pedestrian traffic at the intersection of The Alameda and State highway 156.
16. The applicant shall install street lights within the subdivision that conform to the City adopted dark sky ordinance. Location shall be determined by the City in coordination with the utility company.
17. The applicant shall submit plans to Caltrans for the installation of pedestrian push button signal facilities on existing signal poles situated on the east side of the intersection and install a painted pedestrian cross walk across State Highway 156 on the east side of the intersection from the south side to north side of the Alameda.
18. The applicant shall participate in fair share cost for the construction of a deceleration right turn lane and an east bound right turn overlap signal phase at the intersection of State Highway 156 in accordance with the recommendation of the traffic study report from Hatch Mott McDonald.

19. The applicant shall as part of the Subdivision Agreement, noted in condition 3 above, pay a subdivision improvement plan check fee of 1.5% and improvement plan inspection fee of 2% of the improvements cost identified in the subdivision agreement. The inspection fees shall be use for on-site inspection services to the subdivision during construction.
20. The applicant shall submit to the City a Site and Design Review Permit application for all homes and secondary rental units proposed. The application shall consist of a site plan showing all setbacks and property line dimensions, floor plans with square footage calculations, exterior elevation of all four sides, a landscaping and irrigation plan showing the drought resistant plants, turf areas not exceeding 25% of the front yard area and a layout or schematic of the drip irrigation systems.
21. The applicant shall obtain a building permit for each home and pay building permit fee, plan check fee, electrical permit fee, plumbing permit fee, mechanical permit fee, fire sprinkler permit fee, strong motion instrumentation fee, green fee, water connection fee when allowed by the State, sewer connection fee, traffic impact fee, public safety development fee, park development fee, storm drainage development fee, library development fee and public/civic facilities development fees for each dwelling permit issued. The applicant may elect to use three or four base model plans for the building permit plan check fees and the City will establish credit to each subsequent building permit issuing the same floor plans and structural improvements.
22. The applicant shall install a domestic water and fire sprinkler service to each home with a water utility box conforming to the city's standard plan B3-3. A separate ball valve or equal shall be install behind each water service box.
23. The applicant shall form and implement a landscaping and lighting district for the subdivision to maintain the landscaping and electrical costs for the street lights. The internal street light standard shall be similar to those in the down town area.
24. The applicant shall form a Community Maintenance Service District for the continual maintenance, repair of streets, storm drain facilities, park facilities and street sweeping.
25. The applicant shall install all street lighting equipped with LED fixtures within the subdivision. Location shall be determined by the City Engineer in coordination with the utility company.
26. The applicant shall contribute a fair share contribution, not exceeding 15% of the cost of a roundabout improvement project at the intersection of The Alameda and San Juan-Hollister Road.
27. The applicant shall install a small community park with walkways, benches, picnic tables, drought tolerant landscaping, trees, and turf area and irrigation facilities at the northwest quadrant of lot A.
28. Mail service for all resident of the subdivision shall be picked up at the Post Office, located in the Windmill Market complex, unless deemed otherwise by the San Juan Bautista Post Office Manager. If postal service is provided to the subdivision, group cluster drop-off boxes shall be provided at locations throughout the subdivision.
29. The applicant shall construct a school bus stop area within the subdivision within the vicinity of Lot A, or as determined by the School District. Bus services will be provided by the Aromas-San Juan School District.
30. The applicant shall submit to the Planning Commission an application for all temporary on-site sales signs and one off- premises sign for marketing and sales purposes.

31. The applicant shall allow construction activities within the subdivision to hours between 7:30 A.M. to 6:00 P.M. Monday through Friday and 8:30 A.M. to 5:30 P.M. on Saturdays. No construction shall be allowed on Sundays and State or Federal Holidays.
32. The applicant shall restrict all loud noises, vibratory equipment, trucks backup devices, and gas powered compaction tools to hours between 8:30 A.M. to 4:00 P.M. during the permitted days of the week for construction. No construction on Sundays and State or Federal Holidays unless it is done within a closed building or structure.
33. The applicant shall have the following note placed on all construction drawings and plans. "If prehistoric archaeological resources or human remains are unexpectedly discovered during construction, work shall be halted within 10 meters (25 feet) 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."
34. The applicant shall obtain all rights of way and easements required and necessary for the construction and completion of the Copperleaf subdivision.
35. The applicant shall submit to the City and San Benito County Environmental Health a hazardous waste management plan together with emergency contact information.
36. The applicant shall submit to the City a solid waste disposal plan for all solid waste material disposed of from the project site.
37. The applicant shall submit a copy of the permit from the Monterey Bay Area Air Pollution Control District if required.
38. The applicant shall install a separate water service lateral to each lot for a fire sprinkler system and potable water. The services shall conform to the City standards. Separate water, electrical and telephone services shall be to each secondary unit constructed.
39. A note shall be placed upon all improvement plans for all grading, excavation and embankment during high wind periods shall cease. The City Planning Department or building inspector shall contact the contractor when construction activities shall cease due to high winds.
40. Prior to final occupancy of the residential structures, a final building inspection shall be performed by the City.
41. Prior to issuance of a building permit, school impact fee shall be paid to the Aromas-San Juan school District. Confirmation of the payment shall be submitted to the City.
42. The applicant shall restrict the number of two story structure built on each street frontage to no more than seventy (70%). The roof line shall vary in style, roof pitch, design, color and type of roof material. All structures within the subdivision shall incorporate a drought tolerant landscaping, drip irrigation systems and have a least one street tree within the lot frontage of each house. Turf area shall be minimized to the best practices.
43. The applicant shall submit the final map of the phases to be recorded if applicable together with all the necessary documentation, recording fees, subdivisions guarantees, tax clearance letter, executed subdivision agreement,
44. All residential homes shall be constructed and designed for future solar conversions.
45. The applicant shall submit to the City a copy of the P.G. & E utility underground electrical, telephone, gas and communication plans for the subdivision.
46. The applicant shall provide sound reduction-type windows on the rear of all homes of lots 10 through 23 backing up on State Highway Route 156.

47. The applicant, in accordance with assessment findings in the WSA, Inc. Cultural Resources Assessment Report dated October 2015, shall remove the old barn, cabin and modern outbuilding situated on lot 9.

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, Boyd, Franco**

NOES: **Freels, Hopper**

ABSTAIN: **None**

ABSENT: **None**

John Hopper, Chairperson

ATTEST:

Trish Paetz, Deputy City Clerk