

RESOLUTION 2017-17

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN JUAN BAUTISTA MAKING A CEQA DETERMINATION FOR A CATEGORIAL EXEMPTION AND APPROVAL OF A SITE AND DESIGN PERMIT (SDR 2017-401) FOR TWO COMMERCIAL BUILDINGS AND TWO SEPARATE LIVING QUARTERS AT 312 AND 314 THIRD STREET

WHEREAS, the Planning Commission received an application for a Site and Design Review Permit (SDR 2017-401) for two 950 square feet commercial buildings with living quarters at 312 and 314 Third Street; and

WHEREAS, the Planning Commission held a public hearing on June 6th, 2017, to consider the Site and Design Permit for two 950 square feet commercial buildings with living quarters at 312 and 314 Third Street; and

WHEREAS, the Planning Commission has reviewed the project, staff report and received oral comments and public testimony on the project; and

WHEREAS, based upon the whole record before the Planning Commission and in light of the proposed 950 square feet commercial buildings and 600 square feet living quarters as an accessory use to commercial establishments situated at 312 and 314 Third Street, the Planning Commission determined that the project is Categorically Exempt under Article 19 of CEQA, Section 15332 and hereby makes the following findings to support the Categorical Exemption:

1. The project is consistent with the 2035 General Plan designation and polices as well as zoning designation and regulations; and
2. The proposed project occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses; and
3. The project site has no value as habitat for endangered, rare, or threatened species; and
4. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and
5. The site can be adequately served by all municipal utilities and public services; and
6. The project is consistent with the standards and requirements of the San Juan Bautista Municipal Code; and

WHEREAS, the Planning Commission hereby makes the necessary findings for the approval of the Site and Design Permit (SDR 2017-401) of two 950 square feet commercial buildings with a 600 square feet living quarters as an accessory use to a commercial establishments at 312 and 314 Third Street:

- A. That the use is necessary or desirable in relation to the purposes and intent of the San Juan Bautista General Plan, zoning ordinance, and the economic, social, and environmental status of the City;

- B. That the use will be properly related to other uses, transportation facilities, and other public facilities in the area, and will not cause undue environmental impacts relating to noise, odor, pollution, etc.; and
- C. That the use 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.
- D. That the use is consistent with policies of the 2035 General Plan and San Juan Bautista Municipal Code and standards.

WHEREAS, the applicant has agreed to the following conditions of approval for the Site and Design Permit and Conditional Use Permit at 312 and 314 Third Street:

- 1. The applicant shall construct the project as approved by the Planning Commission and in conformance with the approved plans.
- 2. A separate sign permit for the each building shall be required.
- 3. The applicant shall obtain an encroachment permit for the wood framed awing structure over the public right of way of Third Street.
- 4. The applicant shall repair and reconstruct all deteriorated and dilapidated concrete sidewalks along the frontage of the properties on 312 and 314 Third Street.
- 5. The applicant shall enter into a hold harmless agreement with the City of San Juan Bautista indemnifying the city arising out of the conditional approval of the project.
- 6. The applicant shall pay all fees including but not limited to building permits and all applicable city approved impact fees.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of San Juan Bautista hereby approves the Site and Design Permits (SDR 2017-401) for two 950 square feet commercial buildings with 600 square feet living quarters as an accessory use to the commercial establishments at 312 and 314 Third Street.

PASSED AND ADOPTED by the Planning Commission of the City of San Juan Bautista on this 6th day of June 2017, by the following vote:

AYES: Hopper, Boyd, Franco, Moore

NOES: None

ABSENT: Freels

ABSTAIN: None

Chairperson John Hopper

ATTEST:

Trish Paetz, Deputy City Clerk