

**CITY OF SAN JUAN BAUTISTA
PLANNING COMMISSION REGULAR MEETING
JULY 10, 2017
MINUTES**

1. CALL TO ORDER – Chairman Hopper called the meeting to order at 6:37 p.m.

B. ROLL CALL

Present: Commissioners Boyd, Moore and Franco

Absent: Commissioners Hopper and Freels (excused)

Staff Present: Community Development Director Orbach, City Attorney Mall and Administrative Services Manager Paetz

Vice Chairperson Boyd chaired the meeting.

2. PUBLIC COMMENT

There were no comments.

3. INFORMAL PROJECT REVIEW

Nog.

4. CONSENT ITEMS

- A. Approve Affidavit of Posting Agenda**
- B. Approve Affidavit of Posting Public Hearing Notice**
- C. Approve Minutes for the October 4, 2016 Meeting**
- D. Approve Minutes for the May 2, 2017 Meeting**

A motion was made by Commissioner Franco and seconded by Commissioner Moore to approve all items on the consent agenda. The motion passed 3-0-0-2 with Commissioners Hopper and Freels absent.

5. PUBLIC HEARING ITEMS

- A. Consider Use Determination and Approval of a Conditional Use Permit for a Business in the Historic District at 301 Third Street (APN 002-170-005). Applicant: Mandisa Snodey**
 - i. Consider Resolution 2017-X Making a Determination for a Categorical Exemption for a Conditional Use Permit (Use Determination) Under Section 15332 of CEQA**
 - ii. Consider Resolution 2017-XX Approving a Conditional Use Permit (Use Determination) at 301 Third Street**

Staff presented a report. Vice Chairperson Boyd opened the public hearing. Rachel Ponce commented the project changes each time it is presented making it confusing, and how is public supposed to know what is being addressed tonight, and asked the Commissioners to protect the Historic downtown. Cara Vonk spoke in support of a wellness center at this location. Angela Firpo commented she is confused with the multiple aspects presented for the project. Mirijana Tomas also felt confused. Maria Madrigal felt it is not a good location for a wellness center. Vice Chairperson Boyd closed the public hearing. The applicant explained her business plan and she has an agreement with the landlord that no marijuana will be distributed. Vice Chairperson Boyd commented this project can be considered personal services.

A motion was made by Commissioner Moore and seconded by Commissioner Franco to continue this item to the next meeting. The motion passed 2-1-0-2 with Vice Chairperson Boyd voting against and Commissioners Hopper and Freels absent.

City Attorney Mall advised the commissioners that they do not have to hear more public comment on this item at the August meeting after closing the public hearing tonight.

B. Consider Approval of a Secondary Dwelling Unit (SDU 2017-71) at 609 Third Street. Applicant: Cara Vonk and Irvin W. Fegley

- i. Consider Resolution 2017-19 Making a Determination for a Categorical Exemption for a Secondary Dwelling Unit Permit Under Section 15332 of CEQA**
- ii. Adopt Resolution 2017-20 Approving a Secondary Dwelling Unit Permit at 609 Third Street.**

Staff presented a report. Vice chairperson Boyd opened the public hearing. Mike Statua stated he was concerned with the lack of parking area on his neighbor's lot because of the pile of debris in their driveway. Additionally, Mr. Statua was displeased with their tree that hangs over their common fence onto his lot, and the applicants' lack of attention to property maintenance over the years. The applicants responded to the issues presented stating the pile of debris is from when they replaced the foundation and it will be discarded, and the neighbor was aware of the tree because they discussed it with him when he moved in next door. Vice Chairperson Boyd closed the public hearing.

A motion was made by Commissioner Franco and seconded by Commissioner Moore to approve Resolution 2017-19 making a determination for a categorical exemption for a secondary dwelling unit permit under section 15322 of CEQA. The motion passed 3-0-0-2 with Commissioners Hopper and Freels absent.

A motion was made by Commissioner Franco and seconded by Commissioner Moore to approve Resolution 2017-20 approving a secondary dwelling unit permit for 609 Third Street with the following changes to the resolution format, repositioning the conditions statement to come directly before the resolved statement, and adding to the title Irvin W. Fegley as an applicant. The motion passed 3-0-0-2 with Commissioners Hopper and Freels absent.

6. DISCUSSION ITEMS

A. Agenda Items for Next Joint Meeting with City of Hollister and San Benito County Planning Commissions

Commissioner Boyd suggested wastewater treatment plant usage with San Benito County and housing be placed on the next joint meeting agenda, and that solutions rather than problems be discussed.

Whereupon Commissioner Moore had a meeting conflict and had to leave.

7. ADJOURNMENT

The meeting adjourned at 7:45 p.m. because there was no longer a quorum.