



# City of San Juan Bautista

*The "City of History"*

[www.san-juan-bautista.ca.us](http://www.san-juan-bautista.ca.us)

## **AGENDA**

### **PLANNING COMMISSION MEETING**

CITY HALL COUNCIL CHAMBERS  
311 Second Street  
San Juan Bautista, California

**TUESDAY – JANUARY 3, 2017**

*In compliance with the American with Disabilities Act, if you need special assistance to attend or participate in the meeting, please call the City Clerk's Office at (831) 623-4661, extension 13 at least 48 hours prior to the meeting.*

*Any writings or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection at the meeting and in the City Clerk's office located at City Hall, 311 Second Street, San Juan Bautista, California during normal business hours.*

1. Call to Order  
Roll Call

**6:00 PM**

2. Ceremonial Items
  - A. Transitioning of Outgoing and Incoming Commissioners
  - B. Introduction and Swearing in of New Planning Commissioners
  - C. Selection of Chairman and Vice Chairman

3. Public Comment

4. Informal Project Review

Any potential and/or future project applicant may present his project to the Commission during Informal Project Review for the purpose of gaining information as preliminary feedback only. No formal application is required and no action will be taken by the Commission on any item at this time.

5. Consent Items

- A. Approve Affidavit of Posting Agenda
- B. Approve Affidavits of Posting and Public Hearing Notice
- C. Approve Minutes of the July 5, 2016 Meeting
- D. Approve Minutes of the August 2, 2016 Meeting

6. Public Hearing Items

- A. Consider Rezoning 0.0655 acres of land from Commercial District to R-1 Single Family Residential District (APN 002-520-011) Applicant: Kathleen Manning
- B. Consider Approval of Lot Line Adjustment LLA 2016-1101 (APN 012-130-021,023, & 031) Applicant: Kathleen Manning

- C. Consider approval of Site and Design Review Permit SDR 2016-1101 Copperleaf Subdivision (APN 012-130-031) at 200-300 San Juan Bautista-Hollister Road Applicant: Edenbridge Homes Inc.  
[Site and design review documents available at: www.san-juan-bautista.ca.us/planning/](http://www.san-juan-bautista.ca.us/planning/)
- D. Consider approval of Site and Design Review Permit SDR 2016-1102 Rancho Vista Subdivision Tract No. 322 Applicant: Meritage Homes  
[Site and design review documents available at: www.san-juan-bautista.ca.us/planning/](http://www.san-juan-bautista.ca.us/planning/)

7. Action Items

- A. Review, Discuss and Adopt Resolution 2016-XX Recommending City Council Revoke Permit under SJBMC Section 11-17-050 (A) Brewery

8. Discussion Items

- A. Report on County Wide Planning Commissioners Meeting of November 16.
- B. Informational Background Material -Planning Commissioner's Handbook
- C. Informational Background Material- Chapter 2-3 Boards and Commissions.
- D. Informational Background Material- Chapter 10-2 Subdivisions.
- E. Informational Background Material- General Plan.

9. Comments & Reports

- A. Planning Commissioners
- B. City Manager
- C. Community Development Director

10. Adjournment

**City of San Juan Bautista  
Historic Resources Board Meeting  
Tuesday, January 3, 2017**

**City Hall**

**NOTICES TO THE PUBLIC**

**6:00 P.M.**

The public may address the Historic Resources Board on items not on the agenda during the "Public Comment" portion of the agenda, and on any item listed on the agenda during the consideration of that item. Persons wishing to address the Board will be limited to three minutes. Members of the public may aggregate their speaker times, but the aggregate speaker times may not exceed fifteen minutes. Speaker times may be adjusted if the Chair finds it appropriate. After hearing public comments on an item, the public portion of the meeting is closed and the item brought to the Historic Resources Board level for discussion and action.

The Historic Resources Board enjoys and operates under an open meeting forum thus encouraging citizens and members of the audience to address their individual concerns. To the extent necessary, the Historic Resources Board expects meetings to be conducted in an orderly manner and this includes those individuals addressing the Historic Resources Board to present their matters of concern and interest.

Individuals who engage in disorderly, loud, boisterous or disruptive conduct will not be allowed to continue their presentation before the Historic Resources Board. This includes the use of threatening, profane or abusive language in the public assembly. If an individual engages in such conduct, the individual will be called to order by the Chairman. If such conduct continues, at the discretion of the Chairman or a majority of the Historic Resources Board, the individual may be ordered to leave the Historic Resources Board meeting.

A person refusing to leave the meeting upon being so ordered by the Chairman or majority of the Historic Resources Board will cause the meeting to be halted and the Chairman to declare a recess. The Sheriff's Department will then be contacted and directed to remove the individual from the meeting. Refusing to leave upon direction of the Sheriff's Department can result in arrest for violation of Section 403 of the California Penal Code, which provides in part that "Every person who, without authority of law, willfully disturbs or breaks up any assembly or meeting, not unlawful in its character, is guilty of a misdemeanor." The refusal to comply with the Sheriff's deputy may result in an additional violation of Section 148 of the Penal Code, with respect to interference with a peace officer and the performance of their duty.

In compliance with the American with Disabilities Act, if you need special assistance to participate in this meeting, please contact Trish Paetz at 831-623-4661. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.102-35.104 ADA Title 11)

**AFFIDAVIT OF POSTING**

I, TRISH PAETZ, DO NOW DECLARE, UNDER THE PENALTIES OF PERJURY THAT I AM THE DEPUTY CITY CLERK IN THE CITY OF SAN JUAN BAUTISTA AND THAT I POSTED THREE (3) TRUE COPIES OF THE ATTACHED PLANNING COMMISSION AGENDA. I FURTHER DECLARE THAT I POSTED SAID AGENDA ON THE 28<sup>th</sup> DAY OF DECEMBER 2016, AND I POSTED THEM IN THE FOLLOWING LOCATIONS IN SAID CITY OF SAN JUAN BAUTISTA, COUNTY OF SAN BENITO, CALIFORNIA.

1. ON THE BULLETIN BOARD AT CITY HALL, 311 SECOND STREET.
2. ON THE BULLETIN BOARD AT THE CITY LIBRARY, 801 SECOND STREET.
3. ON THE BULLETIN BOARD AT THE ENTRANCE TO THE UNITED STATES POST OFFICE, 301 THE ALAMEDA

SIGNED AT SAN JUAN BAUTISTA, COUNTY OF SAN BENITO, CALIFORNIA,  
ON THE 28<sup>TH</sup> DAY OF DECEMBER 2016.



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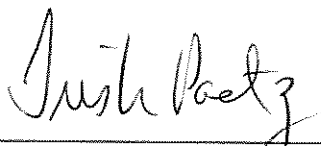
TRISH PAETZ, DEPUTY CITY CLERK

### **AFFIDAVIT OF POSTING**

I, TRISH PAETZ, DO NOW DECLARE, UNDER THE PENALTIES OF PERJURY THAT I AM THE DEPUTY CITY CLERK IN THE CITY OF SAN JUAN BAUTISTA AND THAT I POSTED AND MAILED THREE (3) TRUE COPIES OF THE ATTACHED PLANNING COMMISSION PUBLIC HEARING NOTICE. I FURTHER DECLARE THAT I POSTED SAID NOTICE ON THE 20<sup>th</sup> DAY OF DECEMBER 2016, AND I POSTED THEM IN THE FOLLOWING LOCATIONS IN SAID CITY OF SAN JUAN BAUTISTA, COUNTY OF SAN BENITO, CALIFORNIA.

1. ON THE BULLETIN BOARD AT CITY HALL, 311 SECOND STREET.
2. ON THE BULLETIN BOARD AT THE CITY LIBRARY, 801 SECOND STREET.
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SIGNED AT SAN JUAN BAUTISTA, COUNTY OF SAN BENITO, CALIFORNIA,  
ON THE 27<sup>TH</sup> DAY OF DECEMBER 2016.



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TRISH PAETZ, DEPUTY CITY CLERK

## **NOTICE OF PUBLIC HEARING**

Pursuant to Government Code Section 65090, the Planning Commission of the City of San Juan Bautista gives notice of a public hearing on **January 3, 2017 at 6:00 p.m.** in the Council Chambers at San Juan Bautista City Hall, 311 Second Street. During the public hearing, the following items will be discussed:

- **Consider Approval of a Site and Design Review Permit for the Rancho Vista Subdivision. Applicant: Meritage Homes**
- **Consider Approval of a Lot Line Adjustment at 200-300 San Juan-Hollister Road (APN 012-130-021, 023 & 031). Applicant: Kathleen Manning.**
- **Consider Approval of a Site and Design Review Permit for the Copperleaf Subdivision at 200-300 San Juan-Hollister Road (APN 012-130-021,023 & 031).**
- **Consider the Rezoning of a 0.0655 acre parcel of land situated 251.17 feet north of the northerly line of San Juan-Hollister Road (APN 002-520-011) from Commercial Zoning to R-1 Low Density Residential District.**

Staff reports and the full text of all items to be discussed will be available for public review at City Hall prior to the meeting. All members of the public are encouraged to attend the meeting and may address the Historic Resources Board and Planning Commission on the issues during the public hearing. Written comments may be hand delivered or mailed to City Hall, 311 Second Street, P.O. Box 1420, San Juan Bautista, CA 95045, or emailed to [cityplanning@san-juan-bautista.ca.us](mailto:cityplanning@san-juan-bautista.ca.us), not later than **5:00 p.m., January 3<sup>rd</sup>, 2017.**

If a challenge is made on the action of the proposed project, pursuant to Government Code Section 65009 court testimony may be limited to only those issues raised at the public hearing described in this notice or in written correspondence delivered to the City at or prior to the public hearing.

**Posted and Mailed: 12/20/2016**

**CITY OF SAN JUAN BAUTISTA  
PLANNING COMMISSION REGULAR MEETING  
JULY 5, 2016  
DRAFT MINUTES**

**1. CALL TO ORDER** – Chairman Franco called the meeting to order at 6:29 p.m.

**B. ROLL CALL**      **Present:**      Chairman Franco, Commissioners Guibert, Medeiros, Gredassoff, and Coke

**Staff Present:** City Manager Grimsley, Asst. Planner Luquin and Administrative Services Manager Paetz

**2. PUBLIC COMMENT**

Jolene Cosio as for an update of the Rancho Vista subdivision and connecting with Third Street. City Manager Grimsley responded that the new builders want to connect Third Street to Lavagnino Street first.

**3. INFORMAL PROJECT REVIEW**

Nothing was presented.

**4. CONSENT ITEMS**

- A. Approve Affidavit of Posting Agenda**
- B. Approve Affidavit of Posting and Mailing Public Hearing Notices**
- C. Approve Minutes of January 5, 2016 Meeting**
- D. Approve Minutes of March 1, 2016 Meeting**
- E. Approve Minutes of April 5, 2016 Meeting**

A motion was made by Commissioner Guibert and seconded by Vice Chairperson Medeiros to approve all items on the consent agenda. The motion passed unanimously, 5-0.

**5. PUBLIC HEARING ITEMS**

**A. Consider Approval of the Amended D'Ambrosio Vista Tentative Map into two phases, Phase 1 Lots 1-8 and Phase 2 Lots 9-27**

**i. Approve Resolution 2016-26 Recommending to the City Council the Amendment of the Tentative Map into two phases**

As three Commissioners live within 300 feet of the property, Commissioners Gredassoff, Guibert, and Medeiros drew straws to determine which of the three would remain in order to maintain a quorum. Commissioner Medeiros won the straw vote.

Commissioners Guibert and Gredassoff recused themselves and left Council Chambers.

Staff presented the project. Members of Elite Development were present as well as a representative for the project, Allen Andrade of San Benito Engineering. Mr. Andrade responded to questions regarding grading. Chairperson Franco provided corrections to the resolution and mitigation measures, including hours of construction. Chairman Franco then opened the public hearing. Karyn Gredasoff offered suggestions for layout of single story and double story units, walking path between Lots number 22 and 24, speed table on Third Street, problem with debris pile (will be eliminated during grading), and suggested incorporating pet waste receptacles into the subdivision. John Ferreira suggested eliminating the mow strip. Chairman Franco closed the public hearing.

A motion was made by Commissioner Coke and seconded by Vice Chairman Medeiros to approve Resolution 2016-26 Approving the Amendment to the D'Ambrosio Vista PUD Tentative Map, Phase 1, Lots 1-8 and Phase 2, Lots 9-27 with corrections. The motion passed, 3-0-0-2 with Commissioners Gredasoff and Guibert recused.

**B. Consider Approval for Site and Design Review for D'Ambrosio Vista Lot 1-8 Phase One**

**i. Adopt Resolution 2016-27 Approving Site and Design Review for D'Ambrosio Vista Phase One**

Architect Roberto Garcia explained the proposed home designs (8 homes, 3 designs). Chairperson Franco opened the public hearing. There was no public comment. Chairperson Franco closed the public hearing.

A motion was made by Commissioner Coke and seconded by Vice Chairman Medeiros to approve Resolution 2016-27 Approving the Site and Design Review for D'Ambrosio Vista Lot 1-8 Phase One. The motion passed, 3-0-0-2 with Commissioners Gredasoff and Guibert recused.

Whereupon, Commissioners Guibert and Gredasoff returned to the dais.

**C. Consider Amending the Site and Design Review for 403A Seventh Street. Applicant: Anthony Nicola.**

**i. Approve Resolution 2016-28 Approving Site and Design Review for 403A Seventh Street**

Staff presented a report. The applicant was present. Chairman Franco opened the public hearing. Jolene Cosio commented that the Commissioner could not recommend paint colors because the residence is not in the Historic District. Chairman Franco closed the public hearing.

A motion was made by Vice Chairman Medeiros and seconded by Commissioner Guibert to approve Resolution 2016-28 Amending the Site and design Review for 403A Seventh Street. The motion passed unanimously, 5-0.

**D. Consider Approval of a Site and Design Review for a Secondary Unit at 505 Second Street. Applicant: Andy Moore.**



**i. Approve Resolution 2016-29 Approving Site and Design Review for a Secondary Unit at 505 Second Street.**

Staff presented a report, noting the property is not in the Historical District. The applicant was present and described the structure as a 590 square foot secondary unit. Discussion ensued about ADA accessible.

A motion was made by Commissioner Gredasoff and seconded by Commissioner Guibert to approve Resolution 2016-29 Approving the Site and Design Review for a Secondary unit at 505 Second Street. The motion passed unanimously, 5-0.

**E. Consider Revision of the Proposed Noise Ordinance Recommended by the City Attorney**

Staff presented a report. Chairman Franco requested the proposed document include numbered lines and the date of edit in a footer on each page. This item was continued.

**F. Consider Revision of the Proposed Home Occupations Ordinance Recommended by the City Attorney**

Staff presented a report. There was discussion and changes were suggested.

A motion was made by Vice Chairman Medeiros and seconded by Commissioner Guibert to accept the recommendations of the City Attorney and approve Resolution 2016-30. The motion passed unanimously, 5-0.

**6. DISCUSSION ITEMS**

**A. Review Existing Fencing Regulations in the SJBMC and Design Guidelines**

This item was continued.

**B. Brewery Update**

Staff provided an update.

**C. Harvey's Lock-Up Update**

Staff provided an update.

**D. Orchard Park**

Staff presented a report to the Historic Resources Board earlier tonight.

**E. Future Preservation Month Recognition**

There was discussion about the process.

**8. COMMENTS & REPORTS**

**A. Planning Commissioners**

Commissioner Medeiros commented that the branding presentation should be brought to the Commission.

**B. City Manager**

No comments were received.

**C. Assistant Planner**

No comments were received.

**D. Strategic Planning Committee**

Commissioners received a report.

**9. ADJOURNMENT**

The meeting adjourned at 9:28 p.m.

**CITY OF SAN JUAN BAUTISTA**  
**PLANNING COMMISSION REGULAR MEETING**  
**AUGUST 2, 2016**  
**DRAFT SUMMARY MINUTES**  
(With corrections from Chairman Franco.)

**1. CALL TO ORDER** – Chairman Franco called the meeting to order at 6:12 P.M.

**B. ROLL CALL**

**Present:** Chairman Franco, Commissioners Guibert, Medeiros, and Gredassoff

**Absent:** Commissioner Coke

**Staff Present:** City Manager Grimsley, Asst. Planner Luquin and City Clerk Schobert

**2. Public Comment**  
No Public Comments

**3. Informal Project Review**

Any potential and/or future project applicant may present his project to the Commission during Informal Project Review for the purpose of gaining information as preliminary feedback only. No formal application is required and no action will be taken by the Commission on any item at this time.

**A. Secondary Unit at 501 Sixth Street. Applicants Richard De Andrade & Nicole Fisher**

Applicant Richard Andrade proposed a 534 sq. ft. project in the City. Commissioners discussed accessibility and spoke in favor of the project. City Manager Grimsley spoke on impact fees and revising fees for homes over 2,000 sq. ft.

John McCormack spoke in support of project.

**4. Consent Items**

- A. Approve Affidavit of Posting Agenda**
- B. Approve Affidavits of Posting and Mailing Public Hearing Notices**
- C. Approve Minutes for the May 3, 2016 Meeting**
- D. Approve Minutes for the June 7, 2016 Meeting**

Items C and D were deferred to following meeting pending review. Items A and B passed. Items A and B moved by Commissioner Guibert, seconded by Commissioner Medeiros. Item passed 4-0-0-1, with Commissioner Coke absent.

**5. Public Hearing Items**

**A. Consider Recommendation from the Historic Resources Board to the Planning Commission for support for the Mission San Juan Bautista Preservation and Seismic Upgrade**

Commissioner Franco asked Mission architect, Architectural Resources Group (ARG), to speak on resolution. Mission architect read the resolution and findings.

No public comments.

Chairman Guibert asked architect about tile roofing. Architect responded they may need to find the right type of tile roofing if necessary. Commissioner Medeiros inquired about the preservation of original tile if found.

Item moved by Commissioner Medeiros, seconded by Chairman Guibert. Item passed 4-0-0-1, Commissioner Coke absent.

**B. Consider Resolution 2016-XX Noise regulations with recommendation to City Council (Continued until Workshop)**

Item was continued.

**C. Consider approval and adoption of the Initial Study and Mitigated Negative Declaration for the proposed Copperleaf Subdivision Project, situated on the north side of San Juan–Hollister Road, 300 feet east of Salinas Grade Road, APN 002-130-012, 021, 023 & 031**

**i. Consider Approval of Resolution 2016-32 Adoption of an Initial Study and Mitigated Negative Declaration for the Copperleaf Subdivision Project**

Staff report presented. Representative Deborah Kruse presented a report of a draft mitigated negative declaration (MND) and initial study (IS). MND includes project description and various reports. MND was sent to various county and state agencies. Chairman Guibert stated that the Commissioners did not receive a CD.

Representative Kruse stated that the IS and MND were available on the city website and available for public view at City Hall and at the library. Representative Kruse stated that a staff reports was available to Commissioners.

Representative Kruse stated that planning staff were responsible for review of documents. Representative Kruse filed notice of determination at the County Clerk's office.

Commissioner Franco commented on Resolution Item 24, to change it to make it "Consistent with policies and the Municipal Code". Commissioner Gredassoff commented on the code of land use and stated that he did not agree with the verbiage in regards to the walkability in the project. Chairman Guibert stated that she agreed with Commissioner Gredassoff. Both commissioners do not support the project.

Commissioner Gredasoff inquired the origin of the site dirt. Representative Kathy Oesterreich stated stockpiled dirt came from Apple site in San Jose and different areas. Chairperson Franco opened the public hearing. Visitor John McCormack spoke in favor of the project.

Resident Kurt Kurasaki spoke inquiring about hydrology report.

Resident Georgana Gulate spoke in favor of the project.

Chairperson Franco closed the public hearing.

Commissioner Gredasoff moved to pass IS and MND with corrections to remove June 8th and 24 and fit with SJBMC.

Item passed 3-1-1, Chairman Guibert voting no, Commissioner Coke, absent.

**D. Consider Approval of a Vested Tentative Map for the Proposed Copperleaf Subdivision located on the north side of San Juan- Hollister Road, 300 feet east of Salinas Grade Road, APN 002-130-012.**

**i. Consider Approval of Resolution 2016-XX Approving a Vested Tentative Map for the Proposed Copperleaf Subdivision.**

Assistant Planner Luquin presented the staff report. Representative Kathy Oesterreich spoke and presented the tentative map.

Chairman Guibert stated that the conditions of approval should include drought-tolerant landscaping. Commissioner Franco stated that conditions should include provisions from the City's dark sky ordinance.

Commissioners requested changes to the conditions of approval.

Chairperson Franco opened the public hearing. There being no public comments, Chairperson Franco closed the public hearing.

Commissioner Medeiros moved to approve the item, item was seconded by Commissioner Franco. Chairman Guibert and Commissioner Gredasoff voted no. Item did not pass at 2-2-0-1 and was continued to the September meeting.

**6. Discussion Items**

**A. Consider Revisions to Fencing Regulations in the SJBMC & Design Guidelines**

Commissioners discussed creating a workshop.

Chairman Guibert spoke regarding bonds.

**B. Consider Revisions to the SJBMC Chapter 11-11 Parking (Schedule a**

workshop)

**C. Performance Bonds, Labor & Material Bonds requirements for projects**

**D. 10 Franklin Street, Building Permit No. 0563 Residential Project (Neubauer)**

**E. Future Landscaping Plans for 10 Franklin Street Residential Project**

City Manager Grimsley stated that Chairman Guibert gave him information regarding project as a historical home. City Manager Grimsley stated that he would notify the property owner.

**F. Former Taix Residents at 10 Franklin Street.**

City Manager Grimsley stated that Chairman Guibert has done research on the historic home.

**G. Water Wells Summary**

City Manager Grimsley stated that water well information has been provided. Nitrates are low in city water.

**H. Del Webb Project (San Juan Oaks Golf Property)**

City Manager Grimsley reported that there was no new information. Application was pulled from County Planning process.

**I. Increases in Development Impact Fees (Proposition 218)**

City Manager Grimsley stated that there would need to be a study to find new fees and inquire with users of the system and have a petition for the General election.

**J. San Benito County Joint Planning Commissioners Meeting August 3rd.**

Commissioner Franco stated that the joint meeting of San Benito County, Hollister, and San Juan Bautista was brought together by County Planning Commissioner Ray Pierce to discuss planning issues within county.

**7. Comments & Reports**

**A. Planning Commissioners**

**B. City Manager**

**C. Assistant City Planner**

**D. Strategic Planning Committee Report**

**8. Adjournment – Meeting adjourned 9:45**

## **CITY OF SAN JUAN BAUTISTA**

### **PLANNING COMMISSION**

#### **STAFF REPORT**

**DATE:** January 3, 2016

**SUBJECT:** Rezoning Assessor Parcel No. 002-520-011

**GENERAL PLAN:** Low Density Residential

**PRESENT ZONING:** Commercial (C)

**APPLICANT:** Kathleen Manning

**REQUEST:** Rezone existing parcel from Commercial to R-1 Single Family Residential for conformance to the 2035 General Plan.

**DETAILS:** The subject parcel is a 2,853 square feet parcel (0.0655 acres), which is zoned commercial in accordance with the 1998 General Plan and Land Use Designation. (See diagram 2-1 and 2-3 of the 1998 General Plan.) The current 2035 General Plan designates the small parcel as low density residential consistent with the proposed R-1 single family residential use. Under State Government Code Section 65300, each city must adopt a comprehensive, long-term General Plan for the physical development of both the city and any land outside the city's boundaries which may be within the adopted sphere of influence area. Cities are required to bring land use consistent with the land use designation of the General Plan. The applicant's request is intended to meet this requirement.

**RECOMMENDATION:** The staff has evaluated the current 2035 General Plan land use element and current land use zoning designations of the parcel which was consistent with the 1998 General Plan and does find the zoning is inconsistent with the 2035 General Plan. The rezoning request will make the parcel consistent with the 2035 General Plan. The staff recommends adoption of the following resolution.

1. Adopt Resolution 2017-XX Approving the Rezoning of Assessor Parcel No. 002-520-011 from Commercial to R-1 Single Family Residential together with findings and a recommendation to City Council for a zone change.

## **RESOLUTION 2017-XX**

### **A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN JUAN BAUTISTA APPROVING THE REZONING OF A 0.0655 ACRE PARCEL OF LAND SITUATED 251.17 FEET NORTH OF THE NORTH LINE OF SAN JUAN-HOLLISTER ROAD (APN 002-520-011) FROM COMMERCIAL ZONING TO R-1 LOW DENSITY RESIDENTIAL ZONING DISTRICT AND RECOMMEND TO CITY COUNCIL**

**WHEREAS**, the Planning Commission received a request to rezone APN 002-520-011 within the City of San Juan Bautista situated 251.17 feet north of San Juan-Hollister Road, and

**WHEREAS**, the Planning Commission reviewed and received the staff report describing the land and public services in the immediate area to the property, and

**WHEREAS**, the Planning Commission finds that the property is within the existing city boundary, public utility services are available to serve the property, and the property is part of a common ownership of a larger parcel adjacent to and easterly of the parcel, and

**WHEREAS**, the Planning Commission approved an Environmental Impact Report for the 2035 General Plan on February 2, 2016, that designated zoning and land uses of this parcel and property easterly to Low Density Residential Zoning District, and

**WHEREAS**, the Planning Commission determined that the rezoning of the parcel to R-1 Low Density Residential Zoning District is consistent with the proposed land uses, and consistent with the 2035 General Plan, and

**WHEREAS**, the Planning Commission determined that this parcel is part of a larger project which was approved by a Mitigated Negative Declaration with findings and conditions, of approval, mitigation measures and monitor reporting programs, in Resolution 2016-31, on August 2<sup>nd</sup>, 2016 and meets the CEQA compliance with the following findings, and

**WHEREAS**, the Planning Commission makes the following findings to support the proposed rezoning that will advance the goals and objectives, policies and programs of the 2035 General Plan and other applicable plans for the residential uses of the property that the City may adopted.

- a. The project supports and complies with the following General Plan guiding policies:  
Policy LU 2.5.1: Develop strategies to address the need for new housing as well as the need for rehabilitation and preservation of existing structures.
- b. Policy LU 2.6.1: Reduce conflicts between incompatible land uses.
- c. Program LU 2.7.1.1 Adopt a zoning ordinance to conform to the zoning code of the City and Policy LU 2,.7.1
- d. Policy HO 1.1.1: Promote new housing production in targeted growth areas.
- e. The location of the parcel and proposed zoning of R-1 Low Density Residential will not be detrimental to the public health, safety, welfare, or materially detrimental to properties or improvements in the vicinity.
- f. Policy LU 2.4.1 Facilitate vacant and other areas to accommodate new development.



- g. Objective LU 2.5 Diversify housing stock to accommodate all San Juan residents.
- h. Program LU 2.5.2.4 allow and facilitate accessory dwelling units for a relative or for additional rental income.

**NOW, THEREFORE, BE IT RESOLVED**, that the Planning Commission of the City of San Juan Bautista hereby rezones APN 002-520-011 from Commercial to R-1 Low Density Residential Zoning District and recommends to the City Council the same. The following describes the property:

All that real property situated in the City of San Juan Bautista, County of San Benito, State of California, being a portion of Section 33 of Township 12 South, Range 4 East, Mount Diablo Base and Meridian, and part of Parcel 6 of that Record of Survey Map filed for record in Book 6 of Maps, at Page 15, San Benito County Records, being more particularly described as follows. Beginning at a point which bears North 0° 12' 15" West, 251.17 feet from the north line of San Juan-Hollister Road with the easterly city limits line of the City of San Juan Bautista; thence from said point of beginning, North 0° 12' 15" West, 72.16 feet; thence leaving said easterly line, North 86° 21' 34" West, 37.15 feet; thence South 03° 38' 26" West, 72.00 feet ; thence South 86° 21' 34" East, 41.98 feet to the point of beginning. Containing 0.0655 acres.

**PASSED AND ADOPTED** by the Planning Commission of the City of San Juan Bautista on this 3rd day of January 2017 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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Chairperson












**ATTEST:**

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Trish Paetz, Deputy City Clerk

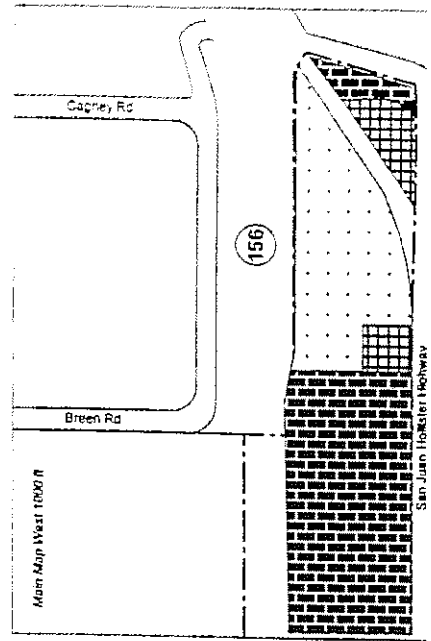
Figure 2-1  
Existing Land Use - City

Legend

-  Single Family Detached Residential
-  Single Family Attached Residential
-  Multi-Family Residential
-  Mobile Home Residential
-  Commercial
-  Warehouse/Light Industrial
-  Public/Quasi-Public
-  City Parks
-  Agriculture
-  Agriculture-Residential
-  Vacant

0 750 ft

Source: Barry J. Miller, AICP  
1997



San Juan Bautista  
General Plan  
1998

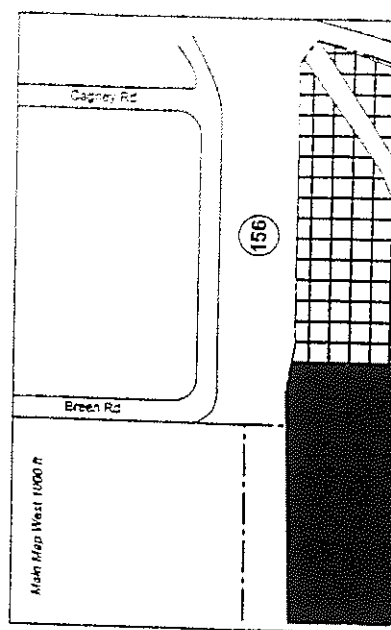
Figure 2-3  
Land Use Diagram -  
City

LEGEND

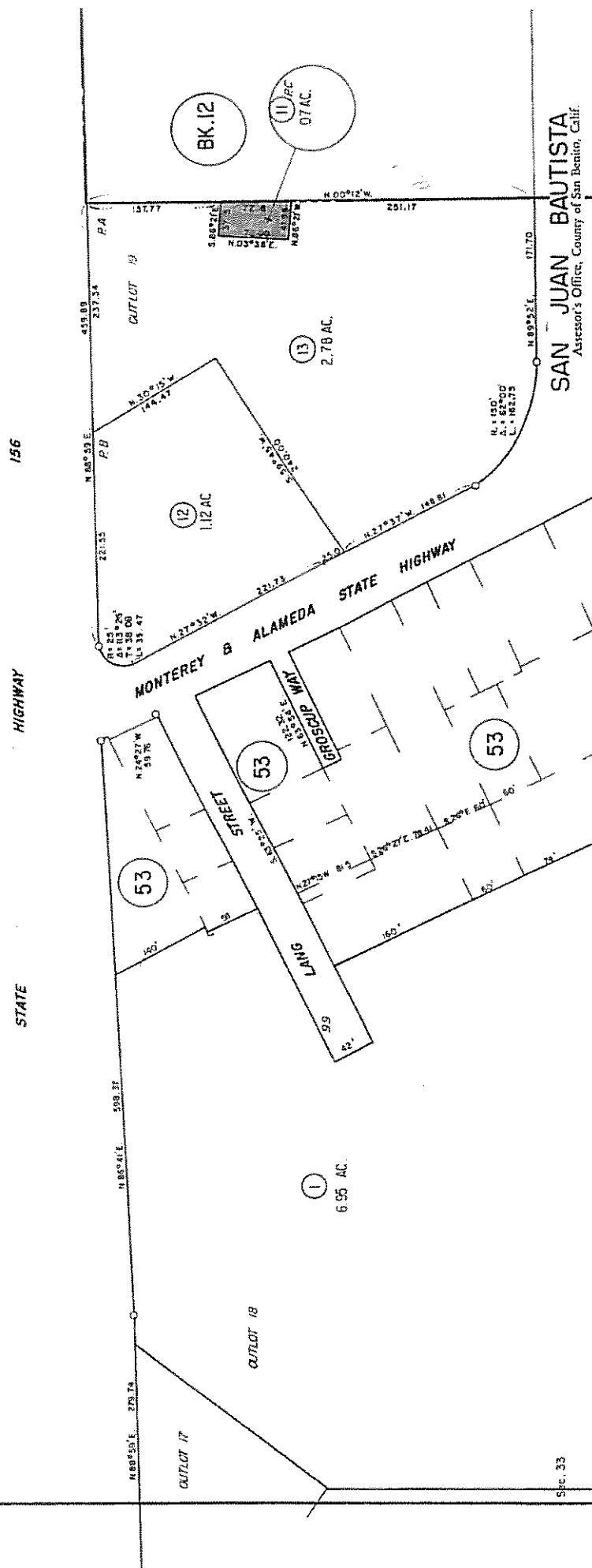
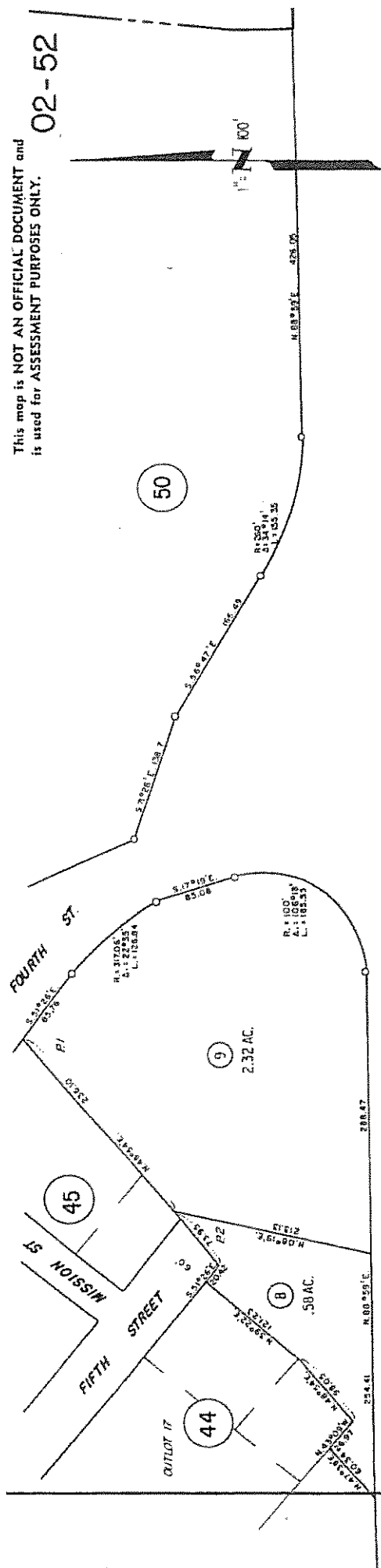
- Agriculture
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Mixed Use
- Commercial
- Public/Quasi-Public
- Industrial
- Park
- Historic District Boundary
- Potential Park Site
- Wastewater Plant



0 750 ft

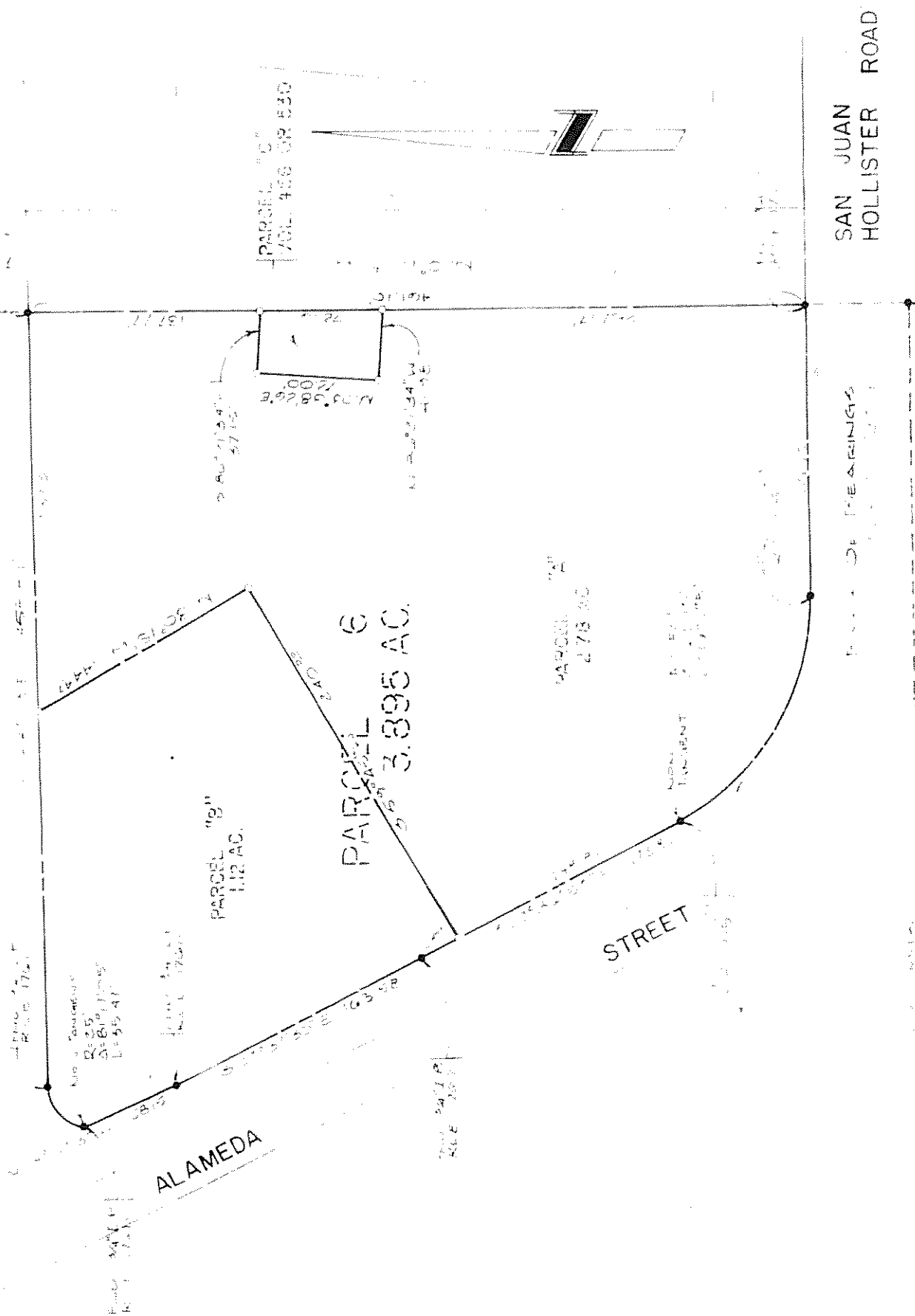


02-52



2000

**SAN JUAN BAUTISTA**  
Assessor's Office, County of San Benito, Calif.







Parcels

Proposed Land Use Categories

Agriculture

Business Park/Com

Commercial

High Density Residential

Industrial

Low Density Residential

Medium Density Residential

Mixed-Use

Open Space

Public Facility

Road





## **CITY OF SAN JUAN BAUTISTA**

### **PLANNING COMMISSION**

#### **STAFF REPORT**

**DATE:** January 3rd, 2017

**SUBJECT:** Lot Line Adjustment LLA 2016-1101

**APPLICANT:** Kathleen Manning

**APN:** 012-130-021,023 & 031 (Property is in the City but awaiting new assessor parcel numbers from Assessor's Office.)

**GENERAL PLAN:** Low Density Residential

**ZONING:** R-1 Single Family Residential

**DETAILS:** The applicant is requesting a lot line adjustment of three parcels that will adjust the lot lines to exterior boundaries of a 12.436 acre Parcel "A". Parcels 2 & 3 extend from San Juan-Hollister Road to the southerly property line of the State Highway 156. Parcel 2 will be reduced in area by 0.598 acres. Parcel 3 will be reduced in area by 0.411 acres. The reduction of Parcels 2 and 3 will be added to the existing 75' by 150' parcel (APN 012-130-021) to form a 0.961 acre parcel consisting of the residuals of Parcel 2, 3 and APN 012-130-021.

**ENVIRONMENTAL DETERMINATION:** The lot line adjustment projects are exempt under Article 19, Categorical Exemptions, Section 15305, Minor alterations in Land Use Limitations, Class 5 (a). Class 5 consists of minor alternations in land use limitations in areas with an average slope of less than 20%, which do not result in any changes in land use or density, including but not limited to:

- (a) Minor lot line adjustments, side yard, and set back variances not resulting in the creation of any new parcel.

#### **RECOMMENDATION:**

- A. Receive the Staff Report, application and supporting documents.
- B. Open the public hearing and receive comments, oral public input, written comments and electronic communication.
- C. Close the public hearing and discuss project.
- D. Adopt Resolution 2016-XX making a determination that the project is Categorical exempt Under Section 15305 of CEQA.
- E. Adopt Resolution 2016-XX approving the Lot Line Adjustment LLA 2016-1101 with finding and conditions

**RESOLUTION 2017-XX**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN JUAN  
BAUTISTA MAKING FINDING FOR A CATEGORICAL EXEMPTION UNDER ARTICLE 19,  
SECTION 15305 OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR  
LOT LINE ADJUSTMENT 2016-1101 APN 012-130-021,023 & 031**

**WHEREAS**, the Planning Commission received an application for a lot line adjustment from Kathleen Manning, and

**WHEREAS**, the Planning Commission conducted a public Hearing on the Lot Line Adjustment No. 2016-1101 on January 3rd, 2017, and

**WHEREAS**, the Planning Commission reviewed the lot line adjustment application and find the adjustments will not create more parcels than what currently exists and the parcels resulting from the lot line adjustment will conform to the general plan and zoning regulations of the City.

**NOW, THEREFORE, BE IT RESOLVED**, that the Planning Commission in accordance with Article 19, Section 15305 of the California Environmental Quality Act hereby makes the following finding to support a categorical exemption for Lot Line Adjustment 2016-1101.

1. That the lot line adjustment exemption is consistent with minor alteration in land use limitations of existing lots.
2. That the lot line adjustment exemption meets the criteria that the area has a slope less than 20% for development of housing.
3. That the lot line exemption will not increase the current density of the property as allow in the 2035 General Plan of low density residential.
4. That the lot line adjustment will not create any additional parcels from what currently exists.

**PASSED AND ADOPTED** by the Planning Commission of the City of San Juan Bautista on this 3rd, day of January, 2017 by the following vote.

**YES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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Chairperson Ernest J. Franco

**ATTEST:**

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Deputy City Clerk Trish Paetz



## **RESOLUTION 2017-XX**

### **A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN JUAN BAUTISTA APPROVING THE LOT LINE ADJUSTMENT NO. 2016-1101 FOR ASSESSOR PARCEL NO. 012-130-021, 023 & 031 OF KATHLEEN MANNING**

**WHEREAS**, the Planning Commission of the City of San Juan Bautista has received an application for a Lot Line Adjustment No. LLA 2016-1101; and

**WHEREAS**, the Planning Commission held a public hearing for the lot line adjustment to receive public input, oral comments, electronic and written communication; and

**WHEREAS**, the Planning Commission reviewed the staff report, supporting documents, legal description and Exhibit B consisting of two pages; and

**WHEREAS**, based upon the submitted information, staff report and public input, the Planning Commission conclude that LLA 2016-1101 will not increase the density of the property to which is allowed within the 2035 General Plan and by adjusting three parcels as shown on Exhibit B attached hereof.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission of the City of San Juan Bautista does hereby approve LLA 2016-1101 subject to the following conditions.

1. That the applicant record the Lot Line Adjustment No. 2016-1101 documents with the San Benito County Recorder's Office
2. That the applicant prepaid the property taxes on the three parcels prior to recordation with the County Recorder.

**PASSED AND ADOPTED** by the Planning Commission of the City of San Juan Bautista on this 3rd, day of January, 2017 by the following vote;

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

**ATTEST:**

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Chairperson Ernest J. Franco

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Deputy City Clerk Trish Paetz

# CITY OF SAN JUAN BAUTISTA

## PLANNING COMMISSION

### STAFF REPORT

**DATE:** January 3rd, 2017

**SUBJECT:** Site and Design Review Permit 2016-1201

**APPLICANT:** Edenbridge Homes Inc.

**REQUEST:** **Site and Design Review Approval for homes to be constructed in Copperleaf Subdivision**

**DISCUSSION:** The applicant is requesting approval for site and design review of residential home plans for the Copperleaf Subdivision.

**Plan 1:** 2330 Sq. Ft w/ 4 frontage styles & Deep & Wide options.

(Single story, four bedroom two car garage)

Types of frontage styles and roof designs

Spanish Frontage

Western False Frontage

Bungalow Frontage

Cottage Frontage

Of the above four frontage styles of plan 1, two options; deep & wide

a. Deep Bungalow (A-4)

b. Wide Bungalow (A-7 & A-9)

c. Deep Spanish (A-6)

d. Wide Spanish (A-11)

e. Deep Western False (A-5)

f. Wide Western False (A-10)

g. Deep Cottage (A-3)

h. Wide Cottage (A-8)

**PLAN 2:** 2670 Sq. Ft. 4 frontage styles

(Single Story, four bedroom with 3 car tandem garage)

Types of frontage styles and roof designs

Spanish Frontage

Western Frontage

Cottage Frontage

Bungalow Frontage

**PLAN 3:** 2906 Sq. Ft. 4 Frontage Styles (Two Story, five bedroom with 3 car tandem garage)

Types of frontage styles and roof designs

Spanish Frontage

Western Frontage

Cottage Frontage

Bungalow Frontage

**SECONDARY:** ACCESSORY UNITS 402 Sq. Ft. w/ carport

**RECOMMENDATION:** The mixture of the three basic house plans with different architectural front elevations provides a wide variety of combinations for individual styles and models within the Copperleaf Subdivision. San Juan Bautista's Design Guidelines provides guidelines and criteria for site plan considerations, architectural building design, façade, roof line articulations, building exterior materials and paint colors. The three basic house plans with the frontage options, roof designs and site setbacks provide an variety of housing units that substantially conforms with the City's design guideline.

The following mixture of house plans are proposed;

	Plan 1; deep floor plan	10 units
35.5 %	Plan 1; wide floor plan	6 units
33.4%	Plan 2; standard floor plan	15 units
31.1%	Plan 3; standard floor plan	14 units
100.0%		
	Secondary accessory	9 units

**ACTION:**

- A. Receive the Staff Report supporting floor plans, exterior elevations documents
- B. Open the public hearing and receive comments, oral testimony, written comments and electronic communication.
- C. Close the public hearing and discuss the proposals for the site and design review permit.
- D. Adopt Resolution 2016-XX Approving the Site and Design Review Permit for Copperleaf Subdivision Project No. 2016-1201

## **RESOLUTION 2017-XX**

### **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 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**, on January 3<sup>rd</sup>, 2017 the Planning Commission, upon reviewing the information provided, does make a determination that the project is exempt under the California Environmental Quality Act, pursuant to Statutory Exemptions, Section 15268 Ministerial Projects; (b)(1) of the California Code of Regulation (CEQA Guidelines) and is part of an ongoing project that has received previous approval from the Planning Commission of a Mitigated Negative Declaration with findings on August 2<sup>nd</sup>, 2016, 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 of a statutory exemption under Section 15268 (b) (1) and the ongoing project previously approved by a 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 consistent with the standards and requirements of the San Juan Bautista Municipal Code 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 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 for the three plans with variations of architectural front elevations, depths, and widths together with plans for a accessory structure of the Copperleaf Subdivision. The approval is subject to the following conditions:

### **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 or secondary 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 four or five 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- premise 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 and 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 3rd day of January 2017 by the following vote.

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

**ATTEST:**

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Ernest J. Franco, Chairperson

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Trish Paetz, Deputy City Clerk

## CITY OF SAN JUAN BAUTISTA

### PLANNING COMMISSION

#### STAFF REPORT

**DATE:** January 3rd, 2017

**SUBJECT:** Site and Design Review Permit 2016-1202

**APPLICANT:** Meritage Homes

**REQUEST:** **Site and Design Review Approval for homes to be constructed in Rancho Vista Subdivision.**

**DISCUSSION:** The applicant is requesting approval for site and design review of residential home plans for the Rancho Vista Subdivision. The proposed housing consists of four basic plans with variations of exterior architectural styles, frontage setbacks, landscaping schemes, widths, depths, and orientations.

**Plan 150-2347:** 2347 Sq. Ft Single story w/ three frontage styles; Early California, French Country and Craftsman  
Single story, 3/4 bedroom two car garage structure will have 3 options to provide a variety of choices.  
a. Master Bathroom option  
b. Den Front Bedroom Option  
c. Covered Patio Option

**PLAN 245-2401:** 2401 Sq. Ft. Two Story with three exterior frontage styles.  
Three car tandem garage.  
Three types of frontage styles and roof designs  
Early California, Craftsman and French Country  
Units will have optional features  
a. Rear covered Patio option  
b. Bedrooms 4 //loft option  
c. Full width frontage patio option  
d. Partial width frontage patio option

**PLAN 250-3085:** 3085 Sq. Ft. Two story units with 3 exterior elevation designs, Early California, French Country, Craftsman & 3 car tandem garage  
Units have option feature  
a. Guest Suite/Dining option  
b. Covered Rear Patio option  
c. Bedroom 6 /Bath 4 option  
d. Secondary unit attached Apartment ILO option

**PLAN 150-2701:** 2,701 Sq. Ft. Single Story units with standard French Country Exterior Elevation, optional Craftsman exterior, & 3 car tandem Garage  
a. Option Front Courtyard  
b. Four bedroom with adjoin study

**RECOMMENDATION:** The mixture of the four basic house plans with different architectural front elevations provides a wide variety of combinations for individual styles and models within the Rancho Vista Subdivision. San Juan Bautista's Design Guidelines provides guidelines and criteria for site plan considerations, architectural building design, façade, roof line articulations, building exterior materials, and paint colors. The four basic house plans with the frontage options, roof designs and front yard setback articulations provide a variety of housing units that meets and conform to the City's design guidelines and provide a livable residential setting with open space, park, pedestrian walkways, raised crosswalks, playground facilities and a covered bus stop area

**ACTION:**

- A. Receive the Staff Report supporting floor plans, exterior elevation documents
- B. Open the public hearing and receive comments, oral testimony, written comments, and electronic communication.
- C. Close the public hearing and discuss the proposals for the site and design review permit of the residential homes.
- D. Adopt Resolution 2017-XX Approving the Site and Design Review Permit for Rancho Vista Subdivision Project No. 2016-1202

## **RESOLUTION 2017-XX**

### **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 a public hearing on January 3rd, 2017 for the site and design review permit of Rancho Vista Subdivision Project 2016-1202, 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 Rancho Vista Subdivision, and

**WHEREAS**, on January 3<sup>rd</sup>, 2017 the Planning Commission, upon reviewing the information provided, the oral comments, written correspondence, does hereby make a determination that the project is exempt under the California Environmental Quality Act, pursuant to Statutory Exemptions, Section 15268 Ministerial Projects; (b)(1) of the California Code of Regulation (CEQA Guidelines) and 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 August 2<sup>nd</sup>, 2016, and

**WHEREAS**, the Planning Commission, based upon the public hearing and the entire record before them, makes the following findings to support the determination of a statutory exemption under Section 15268 (b) (1) and the “ongoing project” of a previously approved 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 consistent with the standards and requirements of the San Juan Bautista Municipal Code 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 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 for the plans with variations of architectural front elevations, depths, and widths together with plans for accessory structures of the Rancho Vista Subdivision subject to the following conditions:

### **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 D Street
  - b. Lavagnino Drive from San Juan Highway to 200 feet west of Third Street intersection
  - c. Street B from D Street to south terminus at Cul de sac.
  - d. Street C from D Street to A Street
  - e. Street D from B Street to 150 feet west of Third Street intersection
  - f. Lower Creek Side Drive northeast 500 feet to Cul de Sac
  - g. Upper Creek Side Drive south west 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 circular 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 round-a-bout intersection at First Street (San Juan Highway) and Lavagnino Drive with landscaped center circular 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 Upper Creek Side Drive and along the east side of Lower Creek Side Drive 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 premise signs at 156 and The Alameda, 156 and Monterey Street, 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 exterior building design approval for the housing types to be constructed on each lot and prior to commencement of construction of the residential homes of any phase of the subdivision.
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 subdividers' 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).)

**PASSED AND ADOPTED** by the Planning Commission of the City of San Juan Bautista on this 3rd day of January 2017 by the following vote.

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

**ATTEST:**

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Ernest J. Franco, Chairperson

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Trish Paetz, Deputy City Clerk

## **CITY OF SAN JUAN BAUTISTA**

### **PLANNING COMMISSION**

#### **STAFF REPORT**

**DATE:** January 3<sup>rd</sup>, 2017

**SUBJECT:** HRB-DR 2013-33 Brewery Project

**APPLICANT:** Hipolito Cerda/Owner/Developer

**DISCUSSION:** The City received an application back in late 2012 for the demolition and reconstruction of the Brewery building. The Planning Commission held numerous public hearings and discussions on the proposed project and approved Resolution 2013-07 approving the mitigated negative declaration, with mitigation measures, conditions of approval, approval by the Historic Resources Board for Design Review permit HRB-DR 2013-33 for the Brewery Project.

Work began on the Brewery building and, over the last three years, site work continued with sporadic and intermittent results. Numerous letters and correspondence was sent to the applicant encouraging a timely work schedule to be established for the completion of the project. On March 31, 2016 a letter was sent to Mr. Hipolito Cerda (copy enclosed) advising him that, "failure to perform work on the project over the last 180 day resulted in invalidating the building permit in accordance with California Building Code Section 105." Since the invalidation of the building permit, no work or site maintenance has been performed, resulting in weed overgrowth, deterioration of the building, site facilities damaged and improper yard maintenance for site drainage. The City erected a physical barrier around the Brewery Building and site area to protect and safeguard pedestrian and visitors from the community. The site and building is situated at the gateway to our historic downtown area; its current condition is a significantly negative distraction to the entire downtown area.

The Municipal Code allows enforcement of land use permits that have failed in their obligation to meet the conditions of approval and complete the project in a timely manner. The enforcement by code is granted to the City Council in accordance with Chapter 11, Section 11-17-050.

#### **RECOMMENDATION:**

The staff is recommending the Planning Commission receive public comments and take action to adopt Resolution 2017-XX.

**RESOLUTION 2017-XX**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN JUAN  
BAUTISTA RECOMMENDING TO THE CITY COUNCIL TO REVOCATE THE HRB-DR  
2013-33 PERMIT APPROVAL PURSUANT TO SAN JUAN BAUTISTA MUNICIPAL CODE  
SECTION 11-17-050 (A)**

**WHEREAS**, the Planning Commission approved Resolution 2013-07 consisting of the environmental compliance documents and Historic Resources Board and Design Review for the Brewery Project on July 2<sup>nd</sup>, 2013, and

**WHEREAS**, the approval was granted subject to mitigation measures and conditions of approval as outline the staff report dated July 2<sup>nd</sup>, 2013, and

**WHEREAS**, the applicant/ owner of the Brewery project has not performed any work on the project since September 15<sup>th</sup>, 2015 and on March 16<sup>th</sup>, 2016, the City sent a letter to the Applicant notifying that building permit No. 1072 is revoked in accordance with provision of the California Building Code, Section 105, subsection 105.5 "Expiration", and

**WHEREAS**, due to the lack of maintenance and upkeep of the grounds, building, and site facilities, the premises are deemed to be a public nuisance to which the City has installed a physical barrier around the brewery building and grounds for the safety and health of the general public.

**NOW, THEREFORE, BE IT RESOLVED**, that the Planning Commission of the City of San Juan Bautista does hereby recommend to the City Council enforcement actions under provisions of Section 11-17-050 of the SJBMC and to revoke the Design Review permit No. 2013-33 of the Brewery Project.

**PASSED AND ADOPTED** by the Planning Commission of the City of San Juan Bautista on this 3<sup>rd</sup> day of January 2017 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

**ATTEST:**

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Chairperson Ernest J. Franco

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Deputy City Clerk Trish Paetz