



# City of San Juan Bautista

*The "City of History"*

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

## AGENDA

**This agenda is interactive. Please click on the item on this agenda to go straight to that section of the packet.**

### REGULAR PLANNING COMMISSION MEETING

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

**TUESDAY ~ AUGUST 1, 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. Public Comment**

**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. Proposed Development on Lausen Drive - Applicant: Mark & Jeanette Graybill**

**4. Consent Items**

All matters listed under the Consent Agenda may be enacted by one motion authorizing actions indicated for those items so designated. There will be no separate discussion of these items unless requested by a member of the Planning Commission, a staff member, or a citizen.

**A. Approve Affidavit of Posting Agenda**

**B. Approve Affidavit of Posting Public Hearing Notice**

**5. Public Hearing**

**A. Consider a Conditional Use Permit (CUP 2017-82) for a Medical Clinic in the Historic District at 301 Third Street (APN 002-170-005). Applicant: Mandisa Snodey**

**i. Consider Resolution 2017-XX Making a Determination for a Categorical Exemption for a Conditional Use Permit for a Medical Clinic Under Section 15332 of CEQA**

**ii. Consider Resolution 2017-XX Approving a Conditional Use Permit (CUP 2017-61) for a Medical Clinic at 301 Third Street**

**B. Consider Conditional Use Permit for On-Site Alcohol Sales at 106 Third Street  
Applicant: Sean Fitzharris**

**i. Consider Resolution 2017-XX Making a Determination for a Categorical Exemption for a Conditional Use Permit for On-Site Alcohol Sales at 106 Third Street Under Section 15332 of CEQA**

- ii. Consider Resolution 2017-XX Approving a Conditional Use Permit (CUP 2017-81) for On-Site Alcohol Sales at 106 Third Street
- C. Consider a Site and Design Review Permit for a Monument Sign located between Nyland Road, The Alameda, and SR 156. Applicant: San Juan Committee (**CONTINUED TO 09/05/17**)
  - i. Consider Resolution 2017-XX Making a Determination for a Categorical Exemption for a Site and Design Review Permit for a Monument Sign Under Section 15332 of CEQA
  - ii. Consider Resolution 2017-XX Approving a Site and Design Review Permit (SDR 2017-81) for On-Site Alcohol Sales at 106 Third Street
- 6. Discussion Items
  - A. Agenda Items for Next Joint Meeting with City of Hollister and San Benito County Planning Commissions
  - B. Mobile Food Vending Regulation
  - C. Proposed Motor & Technology Center of Excellence
- 7. Comments and Reports
  - A. Planning Commissioners
  - B. Community Development Director
  - C. City Manager
- 8. Adjournment



# CITY OF SAN JUAN BAUTISTA

P.O. Box 1420, 311 Second Street  
San Juan Bautista, CA 95045

## PLANNING DEPARTMENT

Phone: (831) 623-4661  
Fax: (831) 623-4093

### PLANNING APPLICATION COVER PAGE TYPE OF APPLICATION (CHECK ALL THAT APPLY).

- |   |   |
|---|---|
| <input type="checkbox"/> <u>Historic Resource Design Review</u> | <input type="checkbox"/> Urban Growth Boundary              |
| <input type="checkbox"/> Informal Project Review                | <input type="checkbox"/> Rezoning / Pre-zoning              |
| <input type="checkbox"/> Major Projects                         | <input type="checkbox"/> General Plan Amendment             |
| <input type="checkbox"/> Minor Projects                         | <input type="checkbox"/> Zoning Text Amendment              |
| <input type="checkbox"/> <u>Site &amp; Design Review</u>        | <input type="checkbox"/> Certificate of Compliance          |
| <input type="checkbox"/> Informal Project Review                | <input type="checkbox"/> Lot Line Adjustment                |
| <input type="checkbox"/> Major Projects                         | <input type="checkbox"/> Secondary Dwelling Unit            |
| <input type="checkbox"/> Minor Projects                         | <input type="checkbox"/> Variance                           |
| <input type="checkbox"/> Sign Permit                            | <input type="checkbox"/> Tentative Map Amendment            |
| <input type="checkbox"/> Conditional Use Permit/Amendment       | <input type="checkbox"/> Appeal                             |
| <input type="checkbox"/> Tentative Map Major                    | <input checked="" type="checkbox"/> Informal Project review |
| <input type="checkbox"/> Tentative Map Minor                    | <input type="checkbox"/> Hillside Development Permit        |
| <input type="checkbox"/> Planning Unit Development              | <input type="checkbox"/> Others _____                       |
| <input type="checkbox"/> Annexation                             |   |

#### Applicant(s):

Name: Mark & Jeanette Graybill Signature: [Signature]

Mailing Address: 7931 Miller Ave #145

Phone: 408 603 8487 email: mwgraybill@juno.com

Initial Notice of applicant's intent to invoke the Permit Streamlining Act for this project.

#### Property/Land Owner(s):

Name: John Nuland

Mailing Address: 13510 Densmore Ave N, Seattle Wa. 98133

Phone: \_\_\_\_\_

Name and mailing address of property owner's or applicant's duly authorized agent who is to be furnished with notice of hearing (Section 65091 – California Government Code):

Name: Jeanette & Mark Graybill

Mailing Address: 7931 Miller Ave #145

Phone: 408-603-8487 email: mwgraybill@juno.com

Project Address/Location: 4 acre parcel on Lansen Dr. 00254 - 007

Most Current Assessor's Parcel Number: \_\_\_\_\_

#### For Office Use Only:

Date Application Submitted 7/25/17 Deposit Collected \$ N/A Date \_\_\_\_\_

Date Application Complete \_\_\_\_\_ Billing Number \_\_\_\_\_

File Number(s) INF PRESENTATION

ch 57  
Animal

by July 24 request  
next Aug 1



## CITY OF SAN JUAN BAUTISTA

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## PLANNING DEPARTMENT

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### INFORMAL PROJECT REVIEW

Informal Project Review is for property owners that would like a preliminary review of their project by the Planning Department and the Planning Commission. The purpose of the Informal Project Review is to provide the applicant with a comprehensive understanding of the planning and environmental issues involved with their project. Informal Project Review provides the applicant with direction on how the project can meet the overall goals and objectives of the City's Planning Department Development Codes and requirements. After Informal Project Review, the applicant can file a formal application with the Planning Department.

#### APPLICATION REQUIREMENTS INFORMAL PROJECT REVIEW:

- ☐ There is no processing fee
- ☐ Planning Application Cover Page with informal project review application.
- ☐ A copy of the building elevations (preferred drawn to scale).
- ☐ A copy of the proposed site plan with parking and traffic access and circulation (preferred drawn to scale).
- ☐ A copy of the proposed floor plan or plans. (preferred drawn to scale).
- ☐ Project Description in general.
- ☐ Photographs of the projects site and buildings if applicable.

**Note:** All items must be included in the application. Failure to include the requested information may result in a delay of the process.

#### Project Description:

1. Is any building designated as a national, state, or local historic structure on the site?
2. Describe the project (indicate the extent of proposed project).
3. List or describe in general the types buildings and the architecture style proposed for the project.
4. Provide any other information that you feel is relevant to this application.

6/24/2015

P:\Forms\Informal Project Review.doc



**CITY OF SAN JUAN BAUTISTA**

P.O. Box 1420, 311 Second Street  
San Juan Bautista, CA 95045

**PLANNING DEPARTMENT**

Phone: (831) 623-4661  
Fax: (831) 623-4093

**INFORMAL PROJECT APPLICATION**

Applicant(s) JEANETTE + MARK GRAYBILL

Mailing Address: 7931 Miller Ave #145

Phone Number: 408-603-8487

e-mail address: ms.j.graybill@gmail.com

Property Owner(s): John Nyland

Mailing Address: 13510 Densmore Ave N. Seattle WA 98133

6/24/2015

P:\Forms\Informal Project Review.doc

**Project Description:**

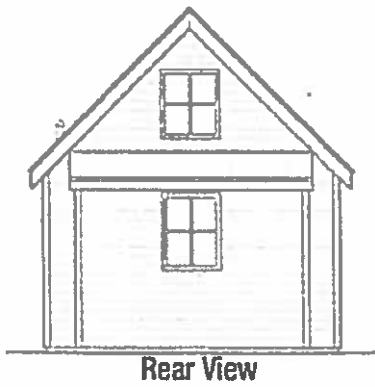
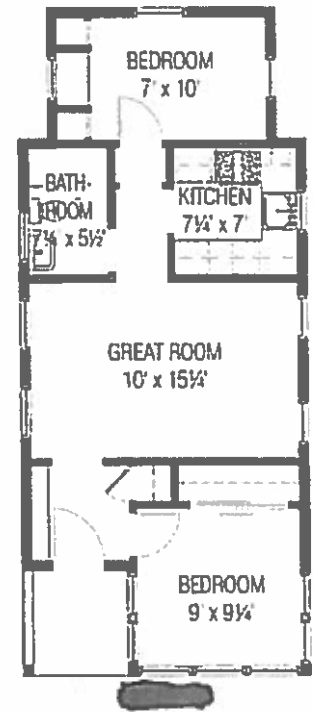
1. *Is any building designated as national, state, or local historic structure on the site?* No

2. *Describe the project (indicate the extent of the proposed project):* The property of reference is the 4 acre parcel on Lausen (Lasuen) Dr. We plan to place a mid-size 1200-1900 sqft house on the northwest area of the property for our family to live in. We will add a secondary unit as a rental or granny flat of 500-600 sqft to the east of the main house. We will place the houses so that they best conform to the lay of the land and slope in order to minimize disturbance of the soil, and to maintain an organic feel to the locale. We will also plant lines of trees such as Armstrong Maple, Redwood, and various fruit trees appropriate to climate zone 9 to soften the viewshed and provide natural shade.

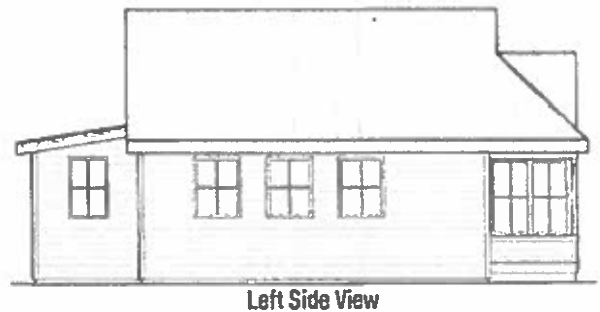
3. *List or describe the general types of buildings and the architectural style proposed for the project:* Our initial home and any secondary unit will most probably be ranch style manufactured homes. We are also considering a modern or Victorian esthetic. We have no current plans for the style or type for the other possible buildings as yet.

4. *Provide any other information that you feel is relevant to this application:*

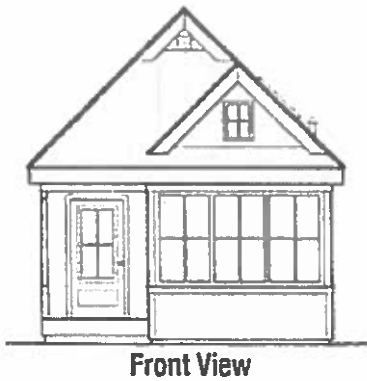
600 sqft granny flat



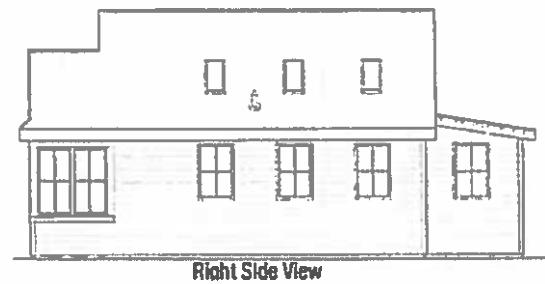
Rear View



Left Side View

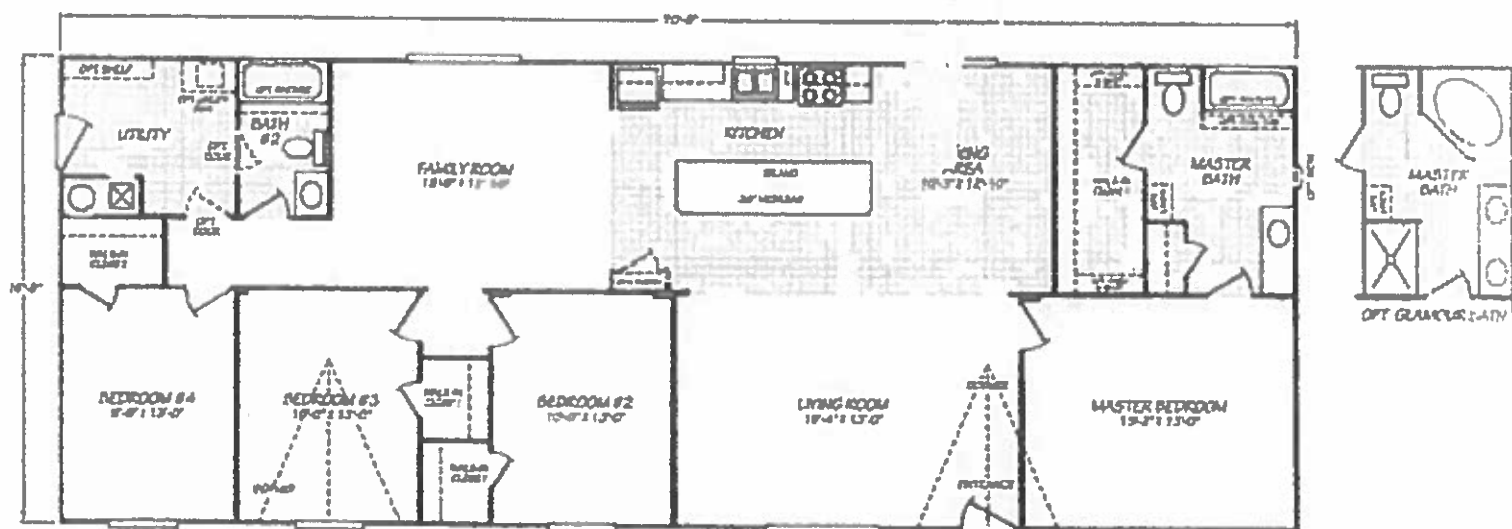


Front View



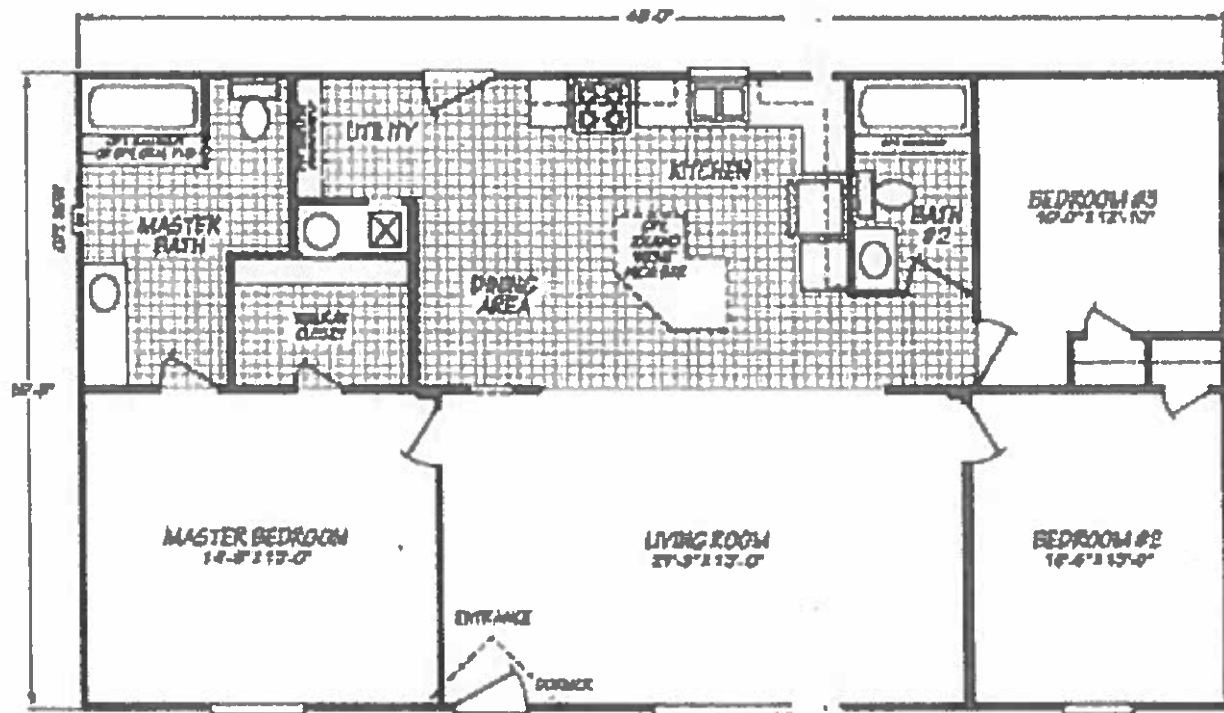
Right Side View

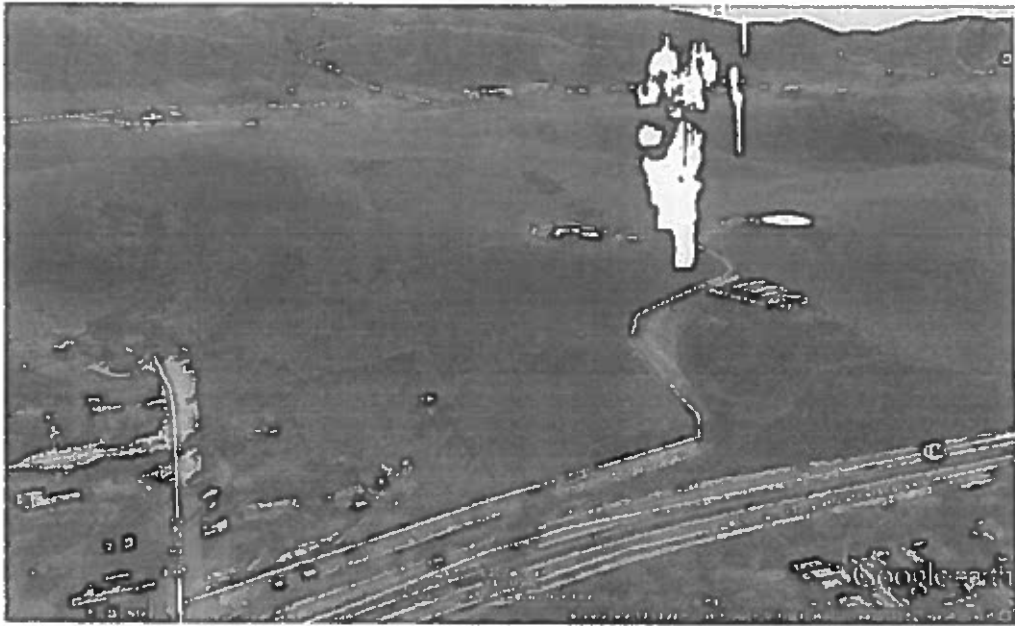
A black and white photograph of a long, single-story building with a gabled roof and multiple windows. A person is standing near the entrance, and a large white object, possibly a truck or trailer, is partially visible on the right side of the frame.

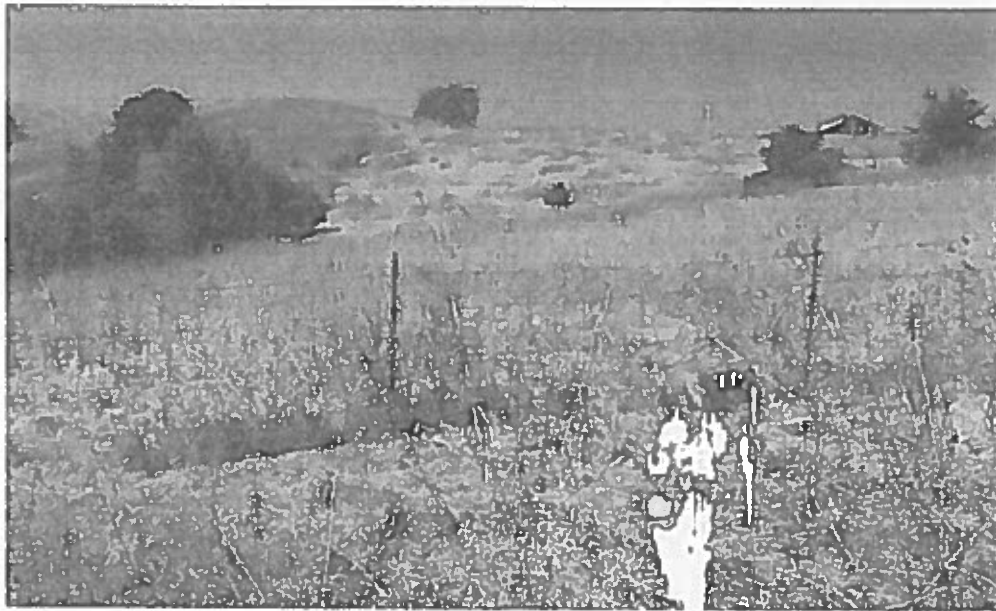
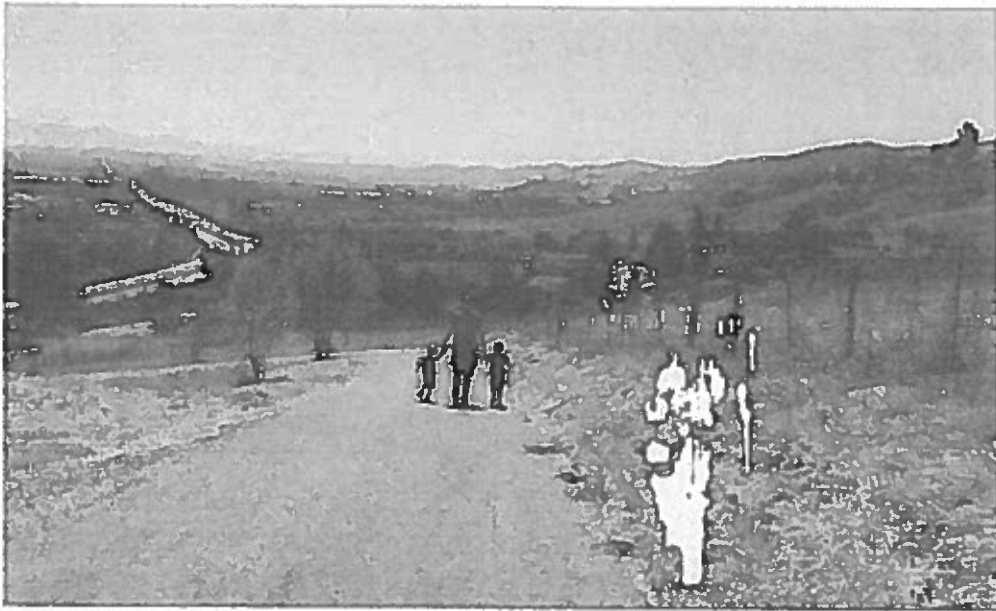


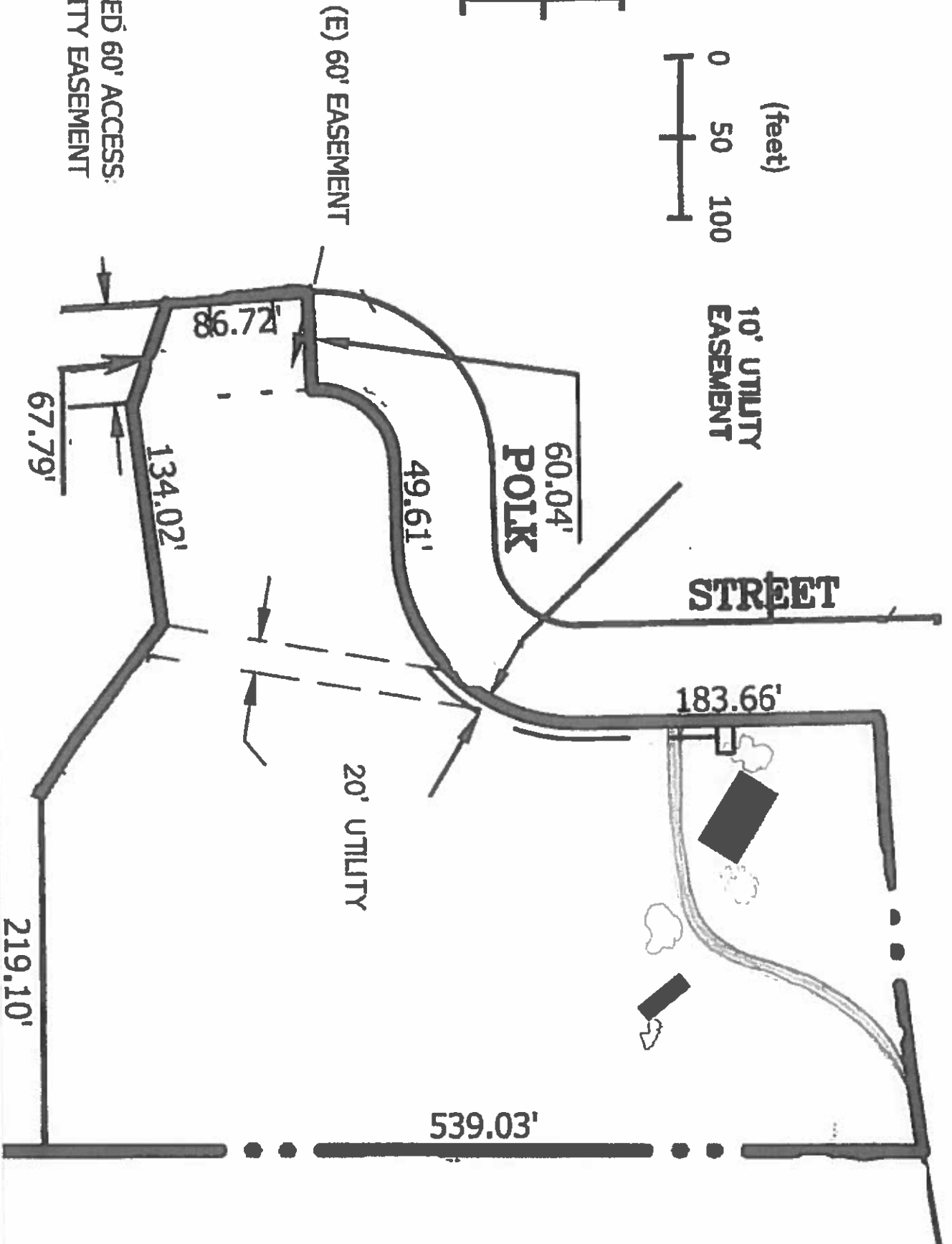
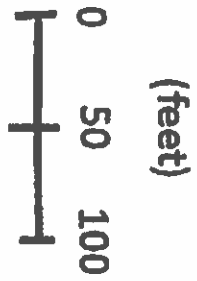


model# 28483s – cascade 1279 sqft









### 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 26<sup>th</sup> DAY OF JULY 2017, 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 26<sup>th</sup> DAY OF JULY 2017.



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TRISH PAETZ, DEPUTY CITY CLERK

### **AFFIDAVIT OF POSTING**

I, CARMEN LUJAN, DO NOW DECLARE, UNDER THE PENALTIES OF PERJURY THAT I AM THE FINANCE AND ADMINISTRATIVE OFFICE CLERK IN THE CITY OF SAN JUAN BAUTISTA AND THAT I POSTED 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 JULY 2017, 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.
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ON THE 26<sup>th</sup> DAY OF JULY 2017.



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CARMEN LUJAN, FINANCE AND ADMINISTRATIVE OFFICE CLERK

## **NOTICE OF PUBLIC HEARING**

Pursuant to Government Code Section 65090, the Historic Resources Board and Planning Commission of the City of San Juan Bautista gives notice of a public hearing on **August 1, 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 a Conditional Use Permit for a Medical Clinic at 301 Third Street (APN 002-170-005) in the Historic District. Applicant: Mandisa Snodey**
- **Consider a Conditional Use Permit for On-Site Alcohol Sales at 106 Third Street (APN 002-200-003) in the Historic District. Applicant: Sean Fitzharris**
- **Consider a Site and Design Review Permit for a Monument Sign located between Nyland Road, The Alameda, and SR 156. Applicant: San Juan Committee**

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., August 1, 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: 7/20/2017**

# CITY OF SAN JUAN BAUTISTA

## PLANNING COMMISSION

### STAFF REPORT

**DATE:** August 1<sup>st</sup>, 2017

**SUBJECT:** Conditional Use Permit – 301 Third Street

**Applicant:** Mandisa Snodey

**Zoning:** Mixed Use/Historic District/Nationally Recognized Historic District

**Assessor Parcel No.:** 002-170-005

**Size:** 0.3636 acres

**Existing Land Use:** Commercial

**Environmental Review:** This Conditional Use Permit is Categorically Exempt under Section 15332 of the California Environmental Quality Act, "In-Fill Development Projects."

**Details:** The applicant is requesting a conditional use permit for a medical clinic at 301 Third Street. The medical clinic will be made up of several licensed physicians providing recommendation services.

**Background:** The applicant came into City Hall on May 18<sup>th</sup>, 2017, to renew/update her business license for the Closet Under the Stairs Apothecarium. There were two parts to the update of her business license:

- 1) Change of address
  - a. The applicant proposed moving the business to 301 Third Street
- 2) Change of use
  - a. The use proposed by the applicant at the new address involved the addition of a licensed physician, which was not a part of her existing business

The City's business license states that "*Change of use or business location renders this license null and void,*" so in order to issue a new business license, City Staff requested that the applicant submit a description of the business being proposed for 301 Third Street in order to verify that the use was permitted



in that location. City Staff determined the addition of the licensed physician, who would be consulting with 'patients' and issuing recommendation letters, made the use fall into a grey area in terms of permitted or conditional uses in the Mixed-Use zone, so the applicant was advised that they needed to get a use determination from the Planning Commission in order to move forward with the relocation and modification of her business.

In the meantime, City Staff issued another business license to the applicant, which will have to be modified based on the determination made by the Planning Commission. This does not create a conflict, however, because it is clearly stated in San Juan Bautista Municipal Code §3-3-200 "Purpose" that:

*The payment of a business tax required by this Chapter, and its acceptance by the City, and the issuance of a business license to any person shall not entitle the holder thereof to carry on any business unless he has complied with all of the requirements of the San Juan Bautista Municipal Code and all other applicable laws, nor does the issuance of a license allow a business to be carried on in any building or on any premises designated in such business license where such building or premises are situated in a zone or locality in which the conduct of such business is in violation of this code or any law.*

A use determination is critical in establishing whether or not the proposed business will be permitted, conditionally permitted, or not permitted at 301 Third Street.

The applicant's request for a use determination was added to the agenda for the regular Planning Commission meeting on June 6<sup>th</sup>, 2017. At the meeting, it was tabled by the Planning Commission pending the Marijuana Forum that was scheduled for June 14<sup>th</sup>, 2017, guidance from the City Attorney (who was not present at the June 6<sup>th</sup> meeting), and the preliminary City Council review of current and proposed ordinances and policies related to marijuana.

Subsequently, the applicant asked if she could have her request for a use determination put before the City Council so that she would not experience a delay in opening her proposed business. The applicant's use determination request was put on the City Council agenda for their regular meeting on June 20<sup>th</sup>, 2017, as Item 7F under Action Items.

At the June 20<sup>th</sup>, 2017, meeting, the City Council declined to take up Item 7F, stating that it was a land use issue and therefore should be ruled on by the Planning Commission first. They directed the Planning Commission to take up this item at their next meeting (special or regular) and make a determination. If

the applicant disagrees with the ruling she can then appeal the decision to the City Council.

At the regular Planning Commission on July 10<sup>th</sup>, 2017, the Planning Commission decided to continue the item to the August 1<sup>st</sup>, 2017, due to confusion over new information that was presented after the packet was sent out.

After the July 10<sup>th</sup>, 2017, meeting, the applicant met with City staff several times to discuss options for moving forward. In an effort to simplify the process, the applicant decided to locate the Mariposa Center and Secret Pathway segments of her business in a different location and expand the licensed physician/recommendation letter segment to include multiple physicians. Having multiple physicians on site unquestioningly qualifies the use as a 'medical clinic,' and therefore the applicant is now applying for a conditional use permit for that use.

**Findings:** If the Planning Commission decides to issue a conditional use permit, they must make the findings listed in SJBMC §11-20-030 based on substantial evidence in view of the whole record. The Planning Commission must find that:

- A. That the use is necessary or desirable in relation to the purposes and intent of the San Juan Bautista General Plan, zoning ordinance, and the economic, social, and environmental status of the City;
- B. That the use will be properly related to other uses, transportation facilities, and other public facilities in the area, and will not cause undue environmental impacts relating to noise, odor, pollution, etc.; and
- C. That the use will not adversely affect the health or safety of persons living or working in the vicinity, or be materially detrimental to the public welfare of the City and its residents.

**Conditions of Approval:** Due to the fact that medical marijuana dispensaries are currently illegal in the City of San Juan Bautista and the proposed use provides services closely linked to those of medical marijuana dispensaries, if the Planning Commission chooses to issue a Conditional Use Permit for this use, they should consider the possibility of attaching conditions of approval to the permit that will ensure those uses remain separate. The conditions can also include provisions that allow for easier and more effective monitoring and enforcement. Those conditions could include:

- A condition stating that the permit will be revoked if any marijuana or marijuana product is sold or changes hands on the site.
- A condition requiring that the exterior storefront windows along the Mariposa Street and Third Street frontage shall be kept free from obstructions or non-transparent materials (such as display cases, posters,

applied window tint, etc.) to a degree that provides public safety officers with direct lines of sight into the establishment.

- A condition, based on the items listed in California Health and Safety Code §11014.5 (of the Uniform Controlled Substances Act) and SJBMC Chapter 5-14 "Sale and Display of Narcotic and Other Paraphernalia," prohibiting "drug paraphernalia" on the site.
- Any other conditions that either limit the allowed activities or define/clarify the parameters within which the use will be allowed.

**Action Required:**

1. Verify posting of notice of public hearing
2. Open the Public Hearing
3. Receive staff report and supporting documents
4. Receive written comments, e-mail communication, oral testimony and public input.
5. Close the public hearing
6. If, based upon independent review and judgment of the staff report, written comments, email communication, and oral testimony on the project, the Planning Commission supports the proposed use of 301 Third Street as a medical clinic, they should take the following actions.
  - A. Adopt Resolution 2017-XX, "A Resolution of the Planning Commission of the City of San Juan Bautista making a determination for a categorical exemption for a Conditional Use Permit (CUP 2017-82) for a medical clinic at 301 Third Street" under Section 15332, "In-Fill Development Projects," of the California Environmental Quality Act.
  - B. Adopt Resolution 2017-XX, "A Resolution of the Planning Commission of the City of San Juan Bautista approving a Conditional Use Permit for a medical clinic at 301 Third Street," Project No. 2017-82. (Assessor Parcel No. 002-160-003).

**Attachments:**

California Health and Safety Code §11014.5  
San Juan Bautista Municipal Code Chapter 5-14

**HEALTH AND SAFETY CODE - HSC**

**DIVISION 10. UNIFORM CONTROLLED SUBSTANCES ACT [11000 - 11651]**

*(Division 10 repealed and added by Stats. 1972, Ch. 1407.)*

**CHAPTER 1. General Provisions and Definitions [11000 - 11033]**

*(Chapter 1 added by Stats. 1972, Ch. 1407.)*

**11014.5.**

(a) "Drug paraphernalia" means all equipment, products and materials of any kind which are designed for use or marketed for use, in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance in violation of this division. It includes, but is not limited to:

- (1) Kits designed for use or marketed for use in planting, propagating, cultivating, growing, or harvesting of any species of plant which is a controlled substance or from which a controlled substance can be derived.
- (2) Kits designed for use or marketed for use in manufacturing, compounding, converting, producing, processing, or preparing controlled substances.
- (3) Isomerization devices designed for use or marketed for use in increasing the potency of any species of plant which is a controlled substance.
- (4) Testing equipment designed for use or marketed for use in identifying, or in analyzing the strength, effectiveness, or purity of controlled substances.
- (5) Scales and balances designed for use or marketed for use in weighing or measuring controlled substances.
- (6) Containers and other objects designed for use or marketed for use in storing or concealing controlled substances.
- (7) Hypodermic syringes, needles, and other objects designed for use or marketed for use in parenterally injecting controlled substances into the human body.
- (8) Objects designed for use or marketed for use in ingesting, inhaling, or otherwise introducing marijuana, cocaine, hashish, or hashish oil into the human body, such as:
  - (A) Carburetion tubes and devices.
  - (B) Smoking and carburetion masks.
  - (C) Roach clips, meaning objects used to hold burning material, such as a marijuana cigarette, that has become too small or too short to be held in the hand.
  - (D) Miniature cocaine spoons, and cocaine vials.

- (E) Chamber pipes.
- (F) Carburetor pipes.
- (G) Electric pipes.
- (H) Air-driven pipes.
- (I) Chillums.
- (J) Bongs.
- (K) Ice pipes or chillers.

(b) For the purposes of this section, the phrase "marketed for use" means advertising, distributing, offering for sale, displaying for sale, or selling in a manner which promotes the use of equipment, products, or materials with controlled substances.

(c) In determining whether an object is drug paraphernalia, a court or other authority may consider, in addition to all other logically relevant factors, the following:

- (1) Statements by an owner or by anyone in control of the object concerning its use.
- (2) Instructions, oral or written, provided with the object concerning its use for ingesting, inhaling, or otherwise introducing a controlled substance into the human body.
- (3) Descriptive materials accompanying the object which explain or depict its use.
- (4) National and local advertising concerning its use.
- (5) The manner in which the object is displayed for sale.
- (6) Whether the owner, or anyone in control of the object, is a legitimate supplier of like or related items to the community, such as a licensed distributor or dealer of tobacco products.
- (7) Expert testimony concerning its use.

(d) If any provision of this section or the application thereof to any person or circumstance is held invalid, it is the intent of the Legislature that the invalidity shall not affect other provisions or applications of the section which can be given effect without the invalid provision or application and to this end the provisions of this section are severable.

*(Added by Stats. 1982, Ch. 1278, Sec. 1.)*

## **Chapter 5-14**

### **SALE AND DISPLAY OF NARCOTIC AND OTHER PARAPHERNALIA**

#### **Sections:**

#### **Article 1. Definitions**

[5-14-100](#) Definition – Drug paraphernalia store.

[5-14-105](#) Definition – Drug paraphernalia.

#### **Article 2. License Required**

[5-14-200](#) License required.

[5-14-205](#) Minors.

[5-14-210](#) Sale and display – Signs.

[5-14-215](#) Prior convictions.

[5-14-220](#) Prior revocation of license.

[5-14-225](#) Procedures applicable.

[5-14-230](#) Nuisance.

#### **Article 1. Definitions**

##### **5-14-100 Definition – Drug paraphernalia store.**

As used herein, "drug paraphernalia store" shall mean any establishment or place where drug paraphernalia is displayed, grouped, advertised, or promoted for the purpose of sale, either as a primary business or as an incident of some other business. "Drug paraphernalia store" as used herein does not include an establishment or place specifically licensed or authorized by the state or federal government or any agency thereof to sell or offer for sale marijuana, hashish, cocaine, or any controlled substance as defined in the Health and Safety Code of the State of California, when drug paraphernalia is displayed, advertised, or promoted for the purpose of sale to persons authorized by prescription or otherwise to legally possess such marijuana, hashish, cocaine, or other such controlled substance with which the drug paraphernalia item is so used; nor does "drug paraphernalia store" include any establishment or place licensed by the state or federal government, or any agency thereof to lawfully sell drug paraphernalia.

#### **5-14-105 Definition – Drug paraphernalia.**

As used herein, “drug paraphernalia” means any of the following when displayed, grouped, advertised or promoted for sale:

(A) Any item whether useful for non-drug-related purposes or not, which is displayed, grouped with other items, advertised, or promoted in a manner to reasonably suggest its usefulness in the growing, harvesting, processing, manufacturing, preserving, **inhaling, injecting or ingesting** of marijuana, hashish, cocaine, or any controlled substance as defined in the Health and Safety Code of the State of California.

(B) Any item, whether useful for non-drug-related purposes or not, which is designed, decorated or adorned in a manner to reasonably suggest its usefulness in the growing, harvesting, processing, **inhaling, injecting, or ingesting** of marijuana, hashish, cocaine, or any controlled substance as defined in the Health and Safety Code of the State of California.

(C) Any item defined by any statute of the State of California as drug paraphernalia.

### **Article 2. License Required**

#### **5-14-200 License required.**

Every person conducting or managing a drug paraphernalia store shall first procure a license, and pay in addition to any other fees required by law, a license fee in the amount of one hundred dollars (\$100.00).

#### **5-14-205 Minors.**

Any person engaged in, conducting, managing or carrying on a drug paraphernalia store, shall not (a) permit persons under the age of eighteen (18) years of age to enter, unaccompanied by his or her parent or legal guardian, any area of such establishment or store, where such person under the age of eighteen (18) years may view drug paraphernalia; (b) sell drug paraphernalia to any person under the age of eighteen (18) years of age.

#### **5-14-210 Sale and display – Signs.**

Any drug paraphernalia store licensed under the provisions of this Chapter shall maintain a sign posted in reasonably visible and legible words to the effect that drug paraphernalia are sold or offered for sale and that minors, unless accompanied by a parent or legal guardian, are excluded.

**5-14-215 Prior convictions.**

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No person shall be eligible for a license to conduct or manage a drug paraphernalia store if such person has been convicted of violating Sections 11351, 11352, 11353, 11354, 11359, 11360, 11361 and 11364 of the California Health and Safety Code.

**5-14-220 Prior revocation of license.**

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No person shall be eligible for a license to conduct or manage a drug paraphernalia if such person has violated Section 11364.5 of the Health and Safety Code or any local ordinance regulating the sale and/or display of drug paraphernalia and, as a consequence of such violation has had revoked any license, permit or entitlement issued by a city, county, or city and county for the privilege of engaging in such a business.

**5-14-225 Procedures applicable.**

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The procedures for issuance, investigation, denial, revocation, suspension and renewal of licenses provided in Chapter 3-3 SJBMC shall be applicable to licenses issued hereunder.

**5-14-230 Nuisance.**

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In addition to any other remedy provided by law, the sale, or the exhibition or display for purposes of sale, of drug paraphernalia, as defined herein, in violation of this Chapter, is hereby declared to be a public nuisance and may be abated pursuant to the provisions of Section 731 of the Code of Civil Procedure.

Legislative History: Ord. 96-05 (5/21/96).



## **RESOLUTION 2017-XX**

### **A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN JUAN BAUTISTA MAKING A DETERMINATION FOR A CATEGORICAL EXEMPTION FOR A CONDITIONAL USE PERMIT (CUP 2017-82) FOR A MEDICAL CLINIC AT 301 THIRD STREET UNDER SECTION 15332 OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

**WHEREAS**, the Planning Commission received an application for a Conditional Use Permit for a medical clinic at 301 Third Street; and

**WHEREAS**, the Planning Commission received oral comments and public input and the staff report on August 1<sup>st</sup>, 2017, for the Conditional Use Permit (CUP 2017-82); and

**WHEREAS**, based upon the whole record before the Planning Commission and in light of the proposed medical clinic at 301 Third Street, the Planning Commission determined that the project is Categorically Exempt under CEQA §15332 "In-Fill Development Projects" by making the following findings:

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Planning Commission of the City of San Juan Bautista hereby approves the Categorical Exemption under CEQA §15332 "In-Fill Development Projects" for a Conditional Use Permit (CUP 2017-82) for a medical clinic at 301 Third Street.

**PASSED AND ADOPTED** by the Planning Commission of the City of San Juan Bautista on this 1<sup>st</sup> day of August, 2017, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

---

Chairman John Hopper

**ATTEST:**

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Trish Paetz, Deputy City Clerk

## **RESOLUTION 2017-XX**

### **A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN JUAN BAUTISTA APPROVING A CONDITIONAL USE PERMIT (CUP 2017-82) FOR A MEDICAL CLINIC AT 301 THIRD STREET. (APN 002-160-003) APPLICANT: MANDISA SNOKEY**

**WHEREAS**, the Planning Commission received a request for a conditional use permit for a medical clinic at 301 Third Street at their regular meeting on August 1<sup>st</sup>, 2017; and

**WHEREAS**, the Historic Resources Board reviewed and discussed the project staff report and received oral comments and public testimony on the project at their regular meetings on August 1<sup>st</sup>, 2017, and recommended that the Planning Commission approve a Conditional Use Permit for a medical clinic at 301 Third Street; and

**WHEREAS**, the Planning Commission found that the presence of multiple licensed physicians seeing patients and providing recommendation services constitutes a "medical clinic," and

**WHEREAS**, in the use matrix in San Juan Bautista Municipal Code §11-02-050, "Medical clinics and laboratories" are considered to be a conditional uses, which require a conditional use permit; and

**WHEREAS**, the Planning Commission has found, based on substantial evidence in view of the whole record, that:

- (A) That the use is necessary or desirable in relation to the purposes and intent of the San Juan Bautista General Plan, zoning ordinance, and the economic, social and environmental status of the City;
- (B) That the use will be properly related to other uses, transportation facilities, and other public facilities in the area, and will not cause undue environmental impacts relating to noise, odor, pollution, etc.; and
- (C) That the use will not adversely affect the health or safety of persons living or working in the vicinity, or be materially detrimental to the public welfare of the City and its residents; and

**WHEREAS**, the applicant has agreed to the following conditions of approval for a medical clinic at 301 Third Street:

1. The permit shall be revoked if any marijuana or marijuana product is sold or changes hands on the site.

2. The exterior storefront windows along the Mariposa Street and Third Street frontage shall be kept free from obstructions or non-transparent materials (such as display cases, posters, applied window tint, etc.) to a degree that provides public safety officers with direct lines of sight into the establishment.
3. No drug paraphernalia, as defined in California Health and Safety Code §11014.5 (of the Uniform Controlled Substances Act) and SJBMC Chapter 5-14 "Sale and Display of Narcotic and Other Paraphernalia" shall be allowed on the site.
4. The Planning Commission shall review the conditional use permit six (6) months and twelve (12) months after the (use determination) begins operation.

**NOW, THEREFORE, BE IT RESOLVED**, that the Planning Commission of the City of San Juan Bautista hereby approves a Conditional Use Permit (CUP 2017-82) for a medical clinic at 301 Third Street, subject to the following conditions:

1. The permit shall be revoked if any marijuana or marijuana product is sold or change hands on the site.
2. The exterior storefront windows along the Mariposa Street and Third Street frontage shall be kept free from obstructions or non-transparent materials (such as display cases, posters, applied window tint, etc.) to a degree that provides public safety officers with direct lines of sight into the establishment.
3. No drug paraphernalia, as defined in California Health and Safety Code §11014.5 (of the Uniform Controlled Substances Act) and SJBMC Chapter 5-14 "Sale and Display of Narcotic and Other Paraphernalia" shall be allowed on the site.
4. The Planning Commission shall review the conditional use permit six (6) months and twelve (12) months after the (use determination) begins operation.

**PASSED AND ADOPTED** by the Planning Commission of the City of San Juan Bautista on this 1<sup>st</sup> day of August, 2017, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

---

Chairman John Hopper

**ATTEST:**

---

Trish Paetz, Deputy City Clerk

## **CITY OF SAN JUAN BAUTISTA**

### **PLANNING COMMISSION**

#### **STAFF REPORT**

**DATE:** August 1<sup>st</sup>, 2017

**SUBJECT:** Conditional Use Permit – 106 Third Street

**Applicant:** Sean Fitzharris

**Zoning:** Mixed Use

**Assessor Parcel No.:** 002-200-003

**Size:** 6,809.6652 ft<sup>2</sup>

**Existing Land Use:** Mixed Use

**Environmental Review:** This Conditional Use Permit is Categorically Exempt under Section 15332 of the California Environmental Quality Act, "In-Fill Development Projects."

**Details:** The property is located in the Mixed Use zone in the Historic District near the northeast corner of the intersection of Franklin Street and Third Street. It is bordered by commercial uses to the east (Doña Esther's) and west (Visions of Christmas) and residential to the north.

The applicant is requesting a conditional use permit for on-site sales of alcoholic beverages. In the use matrix located in San Juan Bautista Municipal Code §11-02-050, the proposed use is listed as "C, P" for the Mixed Use zone. This is confusing, as "Conditional" and "Permitted" are mutually exclusive categorizations.

Another issue complicating the matter is that the Aimee June wine tasting room was allowed to open as a "Permitted" use.

**Analysis:** Due to the fact that SJBMC §11-02-050 is unclear as to whether or not the proposed use is conditional or permitted, City staff requested that the applicant apply for a conditional use permit for the property. This permit will cover both businesses on the property and allow the Historic Resources Board

and Planning Commission to have input on/oversight over the sale of alcohol on the site.

The site already has the Aimee June wine tasting room, so the addition of the Brewery 25 beer tasting room will give the location similar offerings to what The 18<sup>th</sup> Barrel offers at the other end of downtown. While some may argue that the downtown has a high concentration of establishments that serve alcohol, the creation of a historic downtown that features local beer and wine makes it a much more desirable destination for many visitors, who can stay at local hotels, do walking tours of the city, sample offerings from local breweries and wineries, and dine at local restaurants during their stay in San Juan Bautista.

**Procedure:** Chapter 11-20 of the San Juan Bautista Municipal Code describes the procedure for handling use permit applications. Under SJBMC §11-20-020, the Planning Commission may “*approve, approve with conditions, or disapprove a use permit,*” and they may also “*impose such reasonable conditions as it deems appropriate, including but not limited to issues such as duration of activities, and dedications or improvements of public facilities, site, structure and landscaping features and design related to the findings specified in SJBMC 11-20-030.*”

The Planning Commission must carefully consider the potential impacts of the proposed use and how those impacts could potentially be mitigated by conditions attached to the use permit (eg- limited hours of operation, safety upgrades, installation of curb and gutter, etc.).

**Findings:** In order to issue a conditional use permit, the Planning Commission must also make the findings listed in SJBMC §11-20-030 based on substantial evidence in view of the whole record. The Planning Commission must find that:

- A. That the use is necessary or desirable in relation to the purposes and intent of the San Juan Bautista General Plan, zoning ordinance, and the economic, social, and environmental status of the City;
- B. That the use will be properly related to other uses, transportation facilities, and other public facilities in the area, and will not cause undue environmental impacts relating to noise, odor, pollution, etc.; and
- C. That the use will not adversely affect the health or safety of persons living or working in the vicinity, or be materially detrimental to the public welfare of the City and its residents.

**Parking:** The biggest challenge for many businesses and/or new uses in downtown zoning districts such as ours is the requirement to provide adequate parking as required by the local municipal code. In the San Juan Bautista Municipal Code §11-11-160 “Number required – Other uses,” this use falls under

the category of "Restaurant, soda fountain, bar, cocktail lounge, or similar establishment for the sale and consumption of food or beverage on the premises not in a shopping center." This use requires:

1. One (1) space for each sixty (60) square feet of dining area, plus one (1) additional space for each three (3) employees or fraction thereof

The usable 'dining area' of the two tasting rooms is ~1,150 ft<sup>2</sup>. Therefore the requirement is 19 spaces, plus one additional spot for employee parking for each establishment, which brings the total to 21.

There are, however, exceptions to the general on-site parking requirements for businesses in the Mixed-Use zone that allow them to count spaces within a certain distance from the parcel toward their required number of parking spaces. SJBMC §11-11-120 "Mixed use district" states that:

*For parcels with mixed use development within the MU district, the number of on-street parking spaces for standard-sized vehicles within one hundred fifty feet (150') of a parcel, or the number that will be within one hundred fifty feet (150') upon completion of planned street/parking improvements, whichever is greater, may be counted toward the required number of parking spaces for commercial or mixed uses.*

There are 39 existing on-street parking spaces within 150' of the parcel at 106 Third Street that the applicant can count towards the parking requirement. This exceeds the required number of 21 spaces under SJBMC §11-11-160, and therefore this new use satisfies the parking requirement.

**Recommendation:**

Staff has reviewed the application for a Conditional Use Permit, and recommends that the Planning Commission approve CUP 2017-81.

**Conditions of Approval:** Staff also recommends the inclusion of the following hours of operation as conditions of approval of the use permit:

1. Hours of operation will be between 11 a.m. and 10 p.m.

**Action Required:**

1. Verify posting of notice of public hearing
2. Open the Public Hearing
3. Receive staff report and supporting documents

4. Receive written comments, e-mail communication, oral testimony and public input.
5. Close the public hearing
6. Based upon your independent review and judgment of the staff report, written comments, email communication, and oral testimony on the project, the Planning Commission should take the following actions.
  - A. Adopt Resolution 2017-XX, "A Resolution of the Planning Commission of the City of San Juan Bautista making a determination for a categorical exemption for a Conditional Use Permit (CUP 2017-81) for on-site sales of alcoholic beverages at 106 Third Street" under Section 15332, "In-Fill Development Projects," of the California Environmental Quality Act.
  - B. Adopt Resolution 2017-XX, "A Resolution of the Planning Commission of the City of San Juan Bautista approving a Conditional Use Permit for on-site sales of alcoholic beverages at 106 Third Street," CUP No. 2017-81. (Assessor Parcel No. 002-200-003)



## **RESOLUTION 2017-XX**

### **A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN JUAN BAUTISTA MAKING A DETERMINATION FOR A CATEGORICAL EXEMPTION FOR A CONDITIONAL USE PERMIT (CUP 2017-81) FOR ON-SITE SALES OF ALCOHOLIC BEVERAGES AT 106 THIRD STREET UNDER SECTION 15332 OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

**WHEREAS**, the Planning Commission received an application for a Conditional Use Permit for on-site sales of alcoholic beverages at 106 Third Street; and

**WHEREAS**, the Planning Commission received oral comments and public input and the staff report on August 1<sup>st</sup>, 2017, for the Conditional Use Permit (CUP 2017-81); and

**WHEREAS**, based upon the whole record before the Planning Commission and in light of the proposed on-site sales of alcoholic beverages at 106 Third Street, the Planning Commission determined that the project is Categorically Exempt under CEQA §15332 "In-Fill Development Projects" by making the following findings:

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Planning Commission of the City of San Juan Bautista hereby approves the Categorical Exemption under CEQA §15332 "In-Fill Development Projects" for a Conditional Use Permit (CUP 2017-81) for on-site sales of alcoholic beverages at 106 Third Street.

**PASSED AND ADOPTED** by the Planning Commission of the City of San Juan Bautista on this 1<sup>st</sup> day of August, 2017, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

---

Chairman John Hopper

**ATTEST:**

---

Trish Paetz, Deputy City Clerk

## **RESOLUTION 2017-XX**

### **A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN JUAN BAUTISTA APPROVING A CONDITIONAL USE PERMIT (CUP 2017-81) FOR ON-SITE SALES OF ALCOHOLIC BEVERAGES AT 106 THIRD STREET**

**WHEREAS**, the Planning Commission received an application for a Conditional Use Permit for on-site sales of alcoholic beverages at 106 Third Street; and

**WHEREAS**, the Planning Commission held a public hearing on August 1<sup>st</sup>, 2017, to consider a Conditional Use Permit (CUP 2017-81) for on-site sales of alcoholic beverages at 106 Third Street; and

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

**WHEREAS**, based upon the whole record before the Planning Commission and in light of the proposed use of on-site sales of alcoholic beverages situated at 106 Third Street, the Planning Commission determined that the project is Categorically Exempt under CEQA §15332 and made the following findings:

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

**WHEREAS**, the Planning Commission has made the necessary findings for the Conditional Use Permit (CUP 2017-81) for on-site sales of alcoholic beverages at 106 Third Street, including:

- A. That the use is necessary or desirable in relation to the purposes and intent of the San Juan Bautista General Plan, zoning ordinance, and the economic, social, and environmental status of the City;
- B. That the use will be properly related to other uses, transportation facilities, and other public facilities in the area, and will not cause undue environmental impacts relating to noise, odor, pollution, etc.; and

- C. That the use will not adversely affect the health or safety of persons living or working in the vicinity, or be materially detrimental to the public welfare of the City and its residents.

**WHEREAS**, the applicant has agreed to the following conditions of approval for on-site sales of alcoholic beverages at 106 Third Street:

1. Hours of operation will be between 11 a.m. and 10 p.m.

**NOW, THEREFORE, BE IT RESOLVED**, that the Planning Commission of the City of San Juan Bautista hereby approves the Conditional Use Permit (CUP 2017-81) for on-site sales of alcoholic beverages at 106 Third Street subject to the following condition:

1. Hours of operation will be between 11 a.m. and 10 p.m.

**PASSED AND ADOPTED** by the Planning Commission of the City of San Juan Bautista on this 1<sup>st</sup> day of August, 2017, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

---

Chairman John Hopper

**ATTEST:**

---

Trish Paetz, Deputy City Clerk

# **CITY OF SAN JUAN BAUTISTA**

## **PLANNING COMMISSION**

### **STAFF REPORT**

**DATE:** August 1<sup>st</sup>, 2017

**SUBJECT:** Mobile Food Vending Regulation

#### **Description:**

The San Juan Bautista Municipal Code (SJBMC) contains several sections with references to "catering services," but there are no specific regulations concerning catering that is provided via food trucks, which come with unique land use challenges. In order to more efficiently and effectively regulate mobile food facilities, the SJBMC should include language specific to this type of food facility.

#### **Background:**

Several local businesses have recently brought up the idea of having food trucks cater events at their establishments. Since there is nothing currently in the SJBMC, local businesses, residents, and the Planning Commission would all benefit from having clear and concise language in the SJBMC regulating mobile food facilities. It will reduce confusion over what is and is not allowed, where mobile food facilities can be located (e.g., private property, public streets, distance from restaurants, etc.), health regulations, and what type of business license is required.

#### **Analysis:**

Since there is no specific language pertaining to 'food trucks' or 'mobile food facilities' in the SJBMC, staff attempted to find another category that would cover these types of activities. "Catering services" are mentioned in both SJBMC §5-10-100 and §11-02-050, and seem to cover some of the services provided by mobile food facilities. However, there are certain planning and land use challenges that are associated with mobile food facilities that require specific language not currently included in the SJBMC. The most important of those challenges include:

- What are the specific health regulations for mobile food facilities?
  - What are the San Benito County Health Department regulations regarding mobile food vendors. Do we want to add anything more stringent?
- Where should mobile food facilities be allowed to operate?
  - Should mobile food vendors be allowed on private property, public streets, or both?
  - If they are allowed on public streets, are there certain areas where they are not allowed to park and/or operate (e.g., the Third Street Historic District)?
  - Should there be a buffer zone (e.g., 300 feet) around brick-and-mortar restaurants where mobile food vendors are not allowed to conduct business?
  - Should there be exceptions to buffer zones when a mobile food vendor is catering an event on private property for a specific business?
- What type of business license should be required for operating a mobile food vending business in San Juan Bautista?

**Recommendation:**

Discuss this item and provide direction to City staff regarding regulation of mobile food vendors in San Juan Bautista. Upon the direction of the Planning Commission, staff can have a full report and draft resolution for mobile food vending regulations ready at the September meeting.

## **CITY OF SAN JUAN BAUTISTA**

### **PLANNING COMMISSION**

#### **STAFF REPORT**

**DATE:** August 1<sup>st</sup>, 2017

**SUBJECT:** Proposed Motor & Technology Center of Excellence

#### **Description:**

City Staff recently received a packet of information from the County of San Benito Resource Management Agency, Planning and Building Inspection Services department regarding a "Motor & Technology Center of Excellence" project that is being proposed just outside of the City of San Juan Bautista (including one parcel in the City). The project would involve the development of 550 acres into a "Formula One raceway with accommodating luxury features and home sites."

#### **Background:**

The San Benito County Interagency Review Committee considered the proposal on June 15<sup>th</sup>, 2017, and provided the applicant with feedback on several potential areas of concern. The Committee also directed the applicant to "formally engage the City of San Juan Bautista and its special service districts to see if such a proposal would be welcomed by them."

At the regular meeting on July 10<sup>th</sup>, 2017, the Planning Commission did not have a quorum to discuss this item, so it was added to the August 1<sup>st</sup>, 2017, meeting so that the Planning Commission could discuss the proposal.

#### **Analysis:**

A quick analysis of the proposal reveals several issues, including: noise, availability of water, availability of sewer, and traffic. These issues would have to be analyzed as part of an Environmental Impact Report (EIR) for the project, which would most likely be the next step if this project were to move forward.

**Recommendation:**

Discuss this item and provide direction to City staff regarding a response to the applicant.

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COUNTY OF SAN BENITO  
**RESOURCE MANAGEMENT AGENCY**  
PLANNING AND BUILDING INSPECTION SERVICES



2301 Technology Parkway  
Hollister, CA 95023-2513

Phone: (831) 637-5313  
E-mail: [sbcplan@cosb.us](mailto:sbcplan@cosb.us)

June 22, 2017

William F. Yao, President  
WY2M, INC  
60 Roberts Road, Suite 5  
Los Gatos, CA 95032

Regarding: Proposed Motor & Technology Center of Excellence

Dear Mr. Yao:

Thank you for your interest in bringing new investment in the County of San Benito and your preliminary query regarding the potential development of a 550 acre Formula One raceway with accommodating luxury features and home sites adjacent to and within the City of San Juan Bautista. On June 15, 2017, the San Benito County Interagency Review Committee considered your proposal and the following comments are for your consideration.

Not only would such a proposal be character re-defining for the region, but many of the infrastructure and support utilities and facilities would need the consent and corroboration from the City of San Juan Bautista, as well as the County

It appears to us that potentially new or expanded water services and sewage treatments would be necessary and that such expansions and developments would need the consent of the City, special district service providers and most likely the Local Area Formation Commission (LAFCO). The California Department of Transportation (CalTrans) and the San Benito Council of Governments should also be directly consulted by you on the degree of regional infrastructure impacts.

It is the suggestion of the Interagency Review Committee, that you formally engage the City of San Juan Bautista and its special service districts to see if such a proposal would be welcomed by them.

Taven M. Kinison Brown,  
San Benito County Resource Management Agency

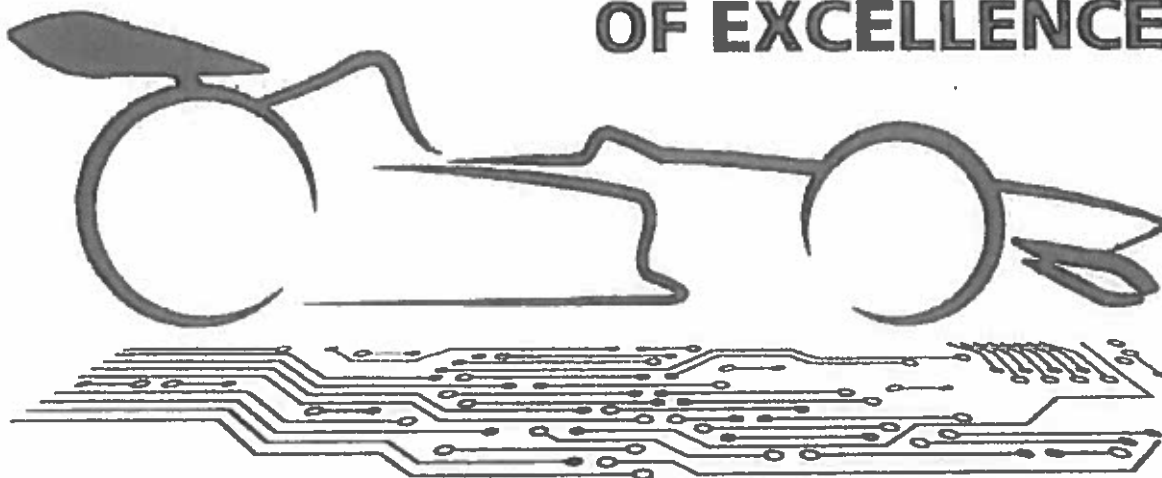
Cc City of San Juan Bautista, City Manager  
City of San Juan Bautista, Community Development Director  
County of San Benito, RMA Director, James Walgren  
San Benito County LAFCO, Director, Bill Nicholson,  
Property Owner, Nyland Trust, John Nyland, Trustee, 13510 Densmore Avenue N. Seattle, WA 98133

Attached: Proposal for the Motor & Technology Center of Excellence  
County PP of GIS known resources

# WY2M, INC.

May, 2017

## MOTOR & TECHNOLOGY CENTER OF EXCELLENCE



*William F. Yao , President*  
408-916-7620  
[info.wy2m@gmail.com](mailto:info.wy2m@gmail.com)

*WY2M, Inc*  
60 Roberts Road Suite 5  
Los Gatos, CA 95032



COUNTY OF SAN BENITO  
RESOURCE MANAGEMENT AGENCY  
PLANNING AND BUILDING INSPECTION SERVICES

2301 Technology Parkway  
Hollister, CA 95023-2513

Phone: (831) 637-5313  
E-mail: [sbcplan@cosb.us](mailto:sbcplan@cosb.us)

## APPLICATION REQUEST FORM

Note to Applicants: Please attach legible plans and materials for review by staff. If staff is unable to determine the nature of your request, project review may be delayed.

Detailed project description (Attach additional sheets, maps, site plans, etc., as appropriate):

Develop the property for commercial recreation, in five components: In Vehicle technologies test facility; a re-configurable race track that accommodates Formula 1 Gran Prix and GP Moto racing; luxury condominiums, luxury Hotel and Convention Center; and hospitality facilities  
General Plan amendment? \_\_\_\_\_ Zoning amendment? \_\_\_\_\_ C.U.P? ☒ Other? \_\_\_\_\_

Project Address: \_\_\_\_\_

Assessor's Parcel Number: 012-140-022, 012-140-28, 002-540-007, 002-350-009, 002-350-010

General Plan Land Use Designation: A Zoning Designation: AP

Property Owner Name(s): John Nyland

Address: \_\_\_\_\_

Email Address & Phone Number: \_\_\_\_\_

Agent/Representative: WY2M, Inc

Address: \_\_\_\_\_

Email Address & Phone Number: \_\_\_\_\_

Is the property served by a public or mutual water system? Please identify provider or, if no, describe water source:  
No. Project is next to both the San Juan and Aromas Water Districts and may explore service options with them, or drill wells

Is the property served by public sewer? Please identify provider or, if no, describe means/feasibility of sewage disposal:  
No - project to install batch plant or partner with San Juan Bautista for plant upgrades

Is the project located within an Alquist-Priolo fault zone? If yes, please identify fault name/zone:  
No

Is the project site located within a 100-year flood zone? No

Does the project site contain a lake, stream, pond, vernal pool, or other water feature? Yes - see map

Are there any known or mapped sensitive environmental resources on the property? Yes - see map

Does the project site contain slopes of 30% or steeper? Yes - see map

Please describe any project potential to affect scenic features as viewed from the site or onto the site:  
Project will strive to preserve the San Juan Bautista viewshed

Does the project site contain Prime Farmland, Grade-1 soil, or otherwise fertile soil suitable for agriculture?  
Grade 1 soils along the northern stream - see map

Does the project site contain any other known or mapped sensitive natural resources or hazards that would affect or be affected by the project? These may include landslides, mudflow potential, fire hazard, vegetation, important minerals, high water table, etc. none known

Will the project require the removal of vegetation? Yes, but all effort will be taken to preserve substantial trees  
If yes, please list the amount and type of vegetation proposed for removal, including trees).  
Trees, by type? All effort will be taken to preserve substantial trees  
Other native vegetation? existing scrub and brush will be removed as needed

Will the project require grading/moving of earth for building sites, access drives, and drainage? If yes, list the grading amounts: Cut: \_\_\_\_\_ cy Fill: \_\_\_\_\_ cy not known at this time

Describe any drainage modifications: Drainage modifications to comply with county and state requirements

Describe any new impermeable surfaces, including pavement and rooftops: race track, condos and hotel, with associated parking

Describe features to offset new sources of runoff and to filter pollutants such as chemicals or sediment from runoff:  
Drainage modifications to comply with the county and state requirements

Describe road/access improvements: Existing access from Hwy 156, Rocks Road and Lausen Dr will improved as needed

Describe access-safety adequacy, including accommodation of emergency vehicles and design-hazard prevention:  
The property has several options for access, and they will be developed as needed

Describe any project potential to disturb cultural resources, such as historic structures, artifacts, or human remains:  
There are no known historic structures

Describe any potential to generate substantial light, noise, or odor: The racetrack will be laid out to minimize noise generation

Describe any manufacture, use, or storage of hazardous substances: Any hazardous materials will be stored IAW county & state requirements

If any demolition or materials export, please describe destination for solid waste, such as landfill, recycling, and/or composting: \_\_\_\_\_

Have prior permits been approved for this location? If yes, provide permit number and description:  
No

Does the project require approval by a homeowners' association? If yes, has approval been received?  
No

Describe open/unresolved code violations on the property: None known

Is the property under Williamson Act Contract? If yes, please include contract number:  
The property is currently scheduled to be out of the Williamson Act in 2018

#### Submittal Details

- Attach two (2) sets of site plans, floor plans and parcel maps as applicable with Application Request Form.
- Application must be legible in order to be processed.
- Applicant will be notified within seven (7) business days of planner assignment.

Property Owner Signature

Date

Agent/ Representative Signature

Date

## **PROJECT INFORMATION: {PROJECT DESCRIPTION, LAND USE, AND SITE DESCRIPTION}**

WY2M, Inc., is a sports management company based out of California that proposes to build a Motor and Technology Center of Excellence in the South Silicon Valley. The 550-acre property is located in the northern San Benito County and within the city limits of San Juan Bautista (APNs 012-140-022, 012-140-28, 002-540-007, 002-350-009, 002-350-010). Approval of the proposed motor sport venue and related facilities, including parking, will require actions and amendments to the General Plan and zoning permission by San Benito County.

The purpose of this pre-application submittal is to inform decision makers and the general public of the proposed project and to provide sufficient information to evaluate the project and its potential to fit into the County General Plan.

The pre-application is prepared in accordance with the County of San Benito's General Plan Amendment process. This application will address the project components that directly impact the County current growth management and land use policy. Comprised within this application are the following:

- Master application form
- Cover letter of inquiry and general explanation
- A diagrammatic development scheme showing general locations of the major development components you envision, racetrack, hotels, other commercial uses, any housing, and other uses including open space.
- Information regarding general level of intensity/density of development for commercial uses.
- Information regarding the frequency and types of racing events over the course of a year.
- A circulation plan indicating how the project ties into the existing transportation network
- A general statement regarding the amount and location of terrain alteration and grading that would be involved.

### **Project Description**

The proposed project includes the following five (5) components:

- In Vehicle technologies testing facilities
- Re-configurable race track that accommodate the following races:
  - Formula 1 Grand Prix
  - GP Moto racing
  - Vehicle test drive
- Luxury condominiums
- Luxury Hotel and Convention Center
- Hospitality facilities

In addition, a component of the project is designed to support community and family/children in need. Through the establishment of a community charity, a percentage of profit each year will be designated to the charity fund account which will provide opportunities for children and young adults to apply and receive funds to support travel throughout the world to focus on aiding and educating other children.

### *The Technology of Speed Meets the Speed of Technology*

WY2M is developing a 500+ acre Motor and Technology Center of Excellence in Silicon Valley. This Venue will be the epicenter of innovation—from the beauty and sophistication of the racecar to the ever-evolving technology landscape—we will showcase both racing and the tech industry in a seamless fan experience.

#### **In Vehicle technologies testing Component**

Nowadays development and testing of complex, networked control devices for personal and commercial vehicles are hardly imaginable without the application of simulation. We can expect further increase in development and testing input because of mounting automation of road vehicles and connected communication with infrastructure or indeed more vehicles. The Silicon Valley site will host world-class technology for such research.

During our highlight event, the Silicon Valley Formula One Grand Prix, we will utilize the spectacle of Formula One to create a fully immersive fan experience around automotive innovation. The latest technology will be on full display, from electric to self-driving cars, we will create a secondary experience that attracts the attention of the world.

#### **Re-configurable racetrack**

With both Tavo Hellmund (The Brain behind Austin and Mexico F1 Track Development) and Tilke engineer (Worldwide expert in Track Design) on board, we have scoped and sequenced this project completely. The entire Track could be easily re-configured on need basis and to accommodate multiple concurrent events.

#### **Luxury condominiums**

Being in Silicon Valley, we know that there is a desire (and a budget) for high-end experiences. We will offer luxury condos with attached garages to accommodate the sports car of the owners choosing. We will enable the 100+ MPH experience for our elite guests and for those not in the need for speed, we offer an all range fun go-kart track.

#### **Luxury Hotel and Convention Center**

Surrounding the racetrack will be a luxury hotel with all of the accommodations reflective of Silicon Valley and Formula One Racing— boutiques, fine dining, conference rooms, and the most up-to-date technology for professional meetings, Auto and Moto Shows and personal get-aways.

**Diagrammatic development scheme of Project Components:**



## **2. Project Location**

The proposed project is comprised of multiple structures that will be developed over the 550 acres located in the San Benito County. The property is located next to San Juan Bautista, south of Gilroy and a 45-minute drive to Carmel, Monterey, San Jose and approximately a 1.5-hour drive to San Francisco. The property has multiple access points. The primary access point is Highway 156 that connects to Highway 101; a main thoroughfare for north and south bound traffic.

The project is a single 500+ acre property located in the San Benito County. The property has a rough estimation slope averaging 20-30% with significant variation in terrain makes it very suitable for this type of development.

**Figure: 1 – Regional – Terrain View and surroundings**



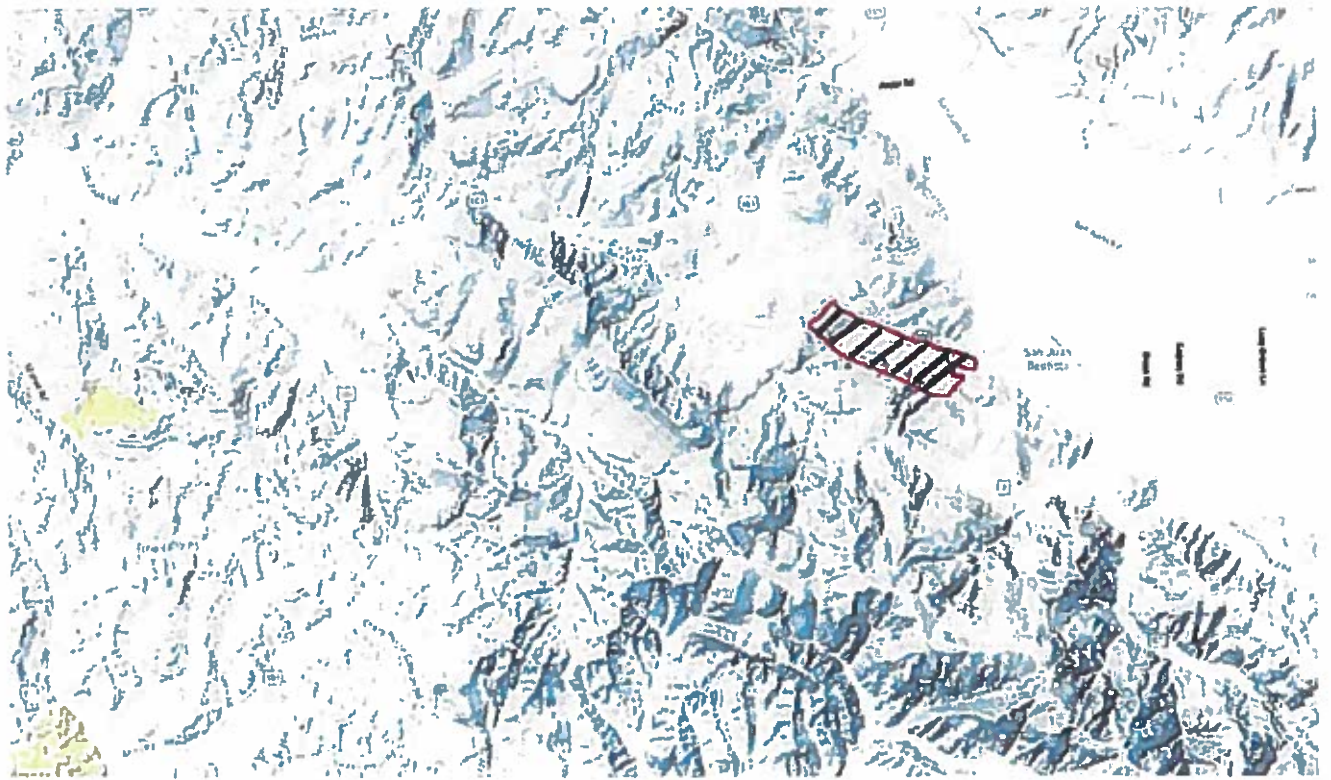


Figure: 2 – Regional Map – Satellite View





Legend:

-  Project Area Limit
-  Project Location

### EXISTING ROAD SYSTEMS

Figure 3 – Transit Map



The Project will be accessible from the major highway 101 as well as the connector Highway of 156. Traffic operations are observed on Weekends and rush hours on the 101 and the 156. The planned expansion of Hwy 101 to six (6) lanes will help diffuse a congested portion of the traffic, however, additional studies will be conducted to determine traffic patterns and congestion on Hwy 156 between Hollister and San Juan.

#### Airport Access

Airport	Distance to Project Location
San Francisco Airport	90.5 miles
San Jose Airport	49.5 miles
City of Hollister Municipal Airport	5.5 miles
Watsonville Municipal Airport	43.1 miles
Monterey Regional Airport	51.3 miles

#### Highway Access

The San Benito region's State of California highway system extends for 88 maintained miles. The California Department of Transportation (Caltrans) maintains five state highways in San Benito County that includes route 25, 101, 129, 146, and 156.

Caltrans has been working in partnership with the Council of San Benito County Governments (SBCOG) and the Santa Clara Valley Transportation Authority (VTA) since 2001 to reduce congestion and improve safety and operations on Route 25. Over time, with input from Caltrans' partners and the public, this project has evolved. The San Benito Local Transportation Authority (LTA) has developed a plan to improve services to the San Juan Batista area. The new goals for the current Performance Monitoring System more directly reflect the evolving system and address LTA's new mission, vision and values.

- I. Operate a high quality public transportation system (safe, reliable, accessible, efficient and affordable).
- II. Meet the growing demand for new services and implement innovative and cost effective solutions in meeting the increasing public transportation needs of the community.
- III. Provide leadership in public transportation to enhance the quality of life and economic vitality in San Benito County and its cities and communities.
- IV. Educate the public about transit services in the area and the benefits of public transportation to the community and individuals.
- V. Maintain a fiscally responsible, efficient transit system.

A well-functioning transportation system will increase safety and convenience, reduce environmental impacts, and improve access to public and private services. The Motor and Technology Center of Excellence project will assist in expediting the development of an expanded transportation system due to the necessity of efficient access to the venue location.

Route 156 is a Focus Route and gateway for tourists traveling from the Bay Area to the Monterey Peninsula. On the weekends, 156 is heavily congested and there are safety concerns. There is a proposal to convert the narrow two-lane conventional highway to a four-lane freeway. The Transportation Agency for Monterey County has worked with Caltrans for many years. The project development team

will work with the County and Caltrans to address the congested areas of Hwy 156 and other needed traffic pattern adjustments.

Our team of experts will work in conjunction with the City; County and State public safety and transportation officials to put together an exceptional transportation and traffic-management plan for the events on the venue.

## **GENERATION:**

The following table provides a breakdown of annual events and attendance projections for each event. The Motor and Technology Center of Excellence will operate year round and provide financial revenue to local businesses, the city of San Juan Batista and the County of San Benito.

Type	Estimated # of Events	Probable Day of the Week	Probable Time of the Day	Estimate Attendance	Estimate Parking
Formula 1 Race	1	Weekend	Afternoon	200,000 – 250,000 / 3-Days-a-Year	22,000
GP Moto Race	1	Weekend	Afternoon	200,000 – 250,000 / 3-Days-a-Year	22,000
Concerts	3	Mixed	Evening	22,500	4,100
Festivals	3	Weekend	Afternoon	15,000	3,000
Hotel	N/A	Daily	N/A	200 rooms + Staff	200
Corporate Events and Others Events	5	Mixed	Mixed	200 – 2,000	200 – 2,000
Luxury condominiums	N/A	Mixed	N/A	40 condos	40
Estimated Significant Events	13				

Note: Excludes small track and parking lot events which will have little impact or parking

## **NOISE LEVEL** (based on Austin Grand Prix data)

The Aviation department Noise office utilized the Aircraft Noise and Operations Monitoring System (ANOMS 8) one of the most sophisticated and comprehensive computerized aircraft noise and flight track data collection and processing systems. The weekend of the Formula 1 event, the highest noise level recorded was 73.8 decibels.

## **Project Property Analysis (Hazardous materials, soils report, drainage, utilities, water)**

Our Engineering firm has conducted a preliminary analysis on the project designated for the project development from the permits, zoning and land conservation perspective to natural potential issues. We plan on addressing those in a timely manner working in conjunction with the County authority. We provide below a summary of these analysis regarding Water, Sewer, flood zone and wetlands.

**Land Use:**

The majority of the property is located in the unincorporated area of an agricultural productive property. There is approximately 10 acres of the land located in the City Limits of San Juan Bautista with the majority of the remaining land falling in the sphere of influence.

**Water:**

There is limited municipal water in this area and is designated for livestock use only, but the area is in close proximity to the city of San Juan and possible water use extensions may be explored. We will need to drill a well and form a state small water system to provide domestic water to the site. Research will need to be done regarding the quality of water in the area. The land has access to city water.

**Sewer:**

There is no municipal sewer in this area. We are researching opportunities and solutions for a private treatment plant and upgrades to the current city systems.

**Flood zone:**

The property is not in a flood hazard zone.

**Wetlands:**

County maps have indicated that there are wetland areas on this property; mostly it is along the drainage swales and ponds. A biological study will be conducted to determine whether any endangered species reside in the area and address any need to purchase/mitigate land. There are currently two (2) reservoirs on the property that were recently upgraded to bring them into compliance with the State Water Resources Control boards regulations for diverting water. Although the water is currently designated for livestock purposes under the current license, exploration will be conducted to expanding the use through the State Water Resources Control Board.

# WY2M, Inc Motor and Technology Center of Excellence - Formula One

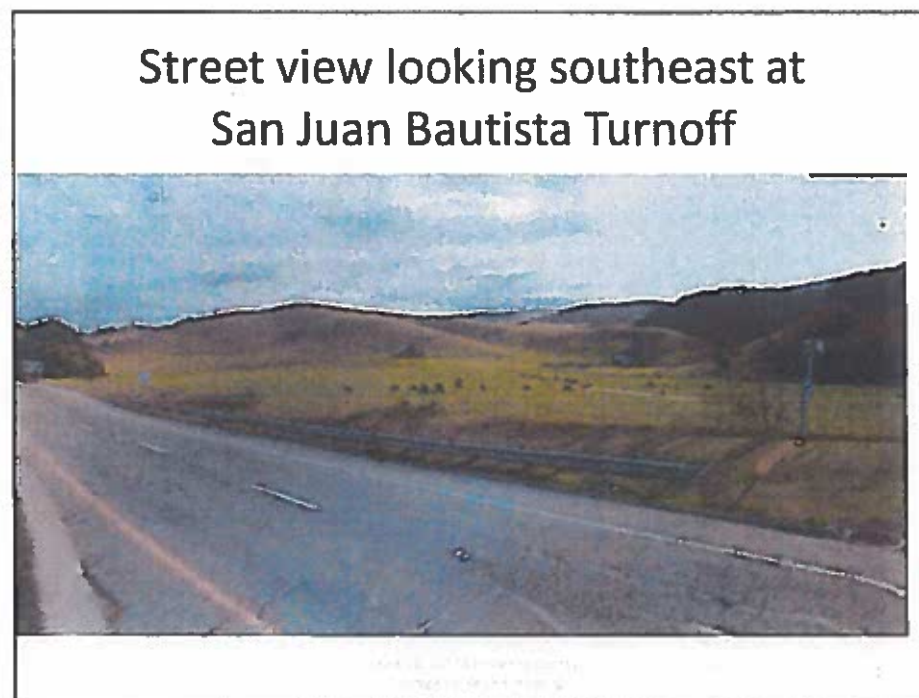
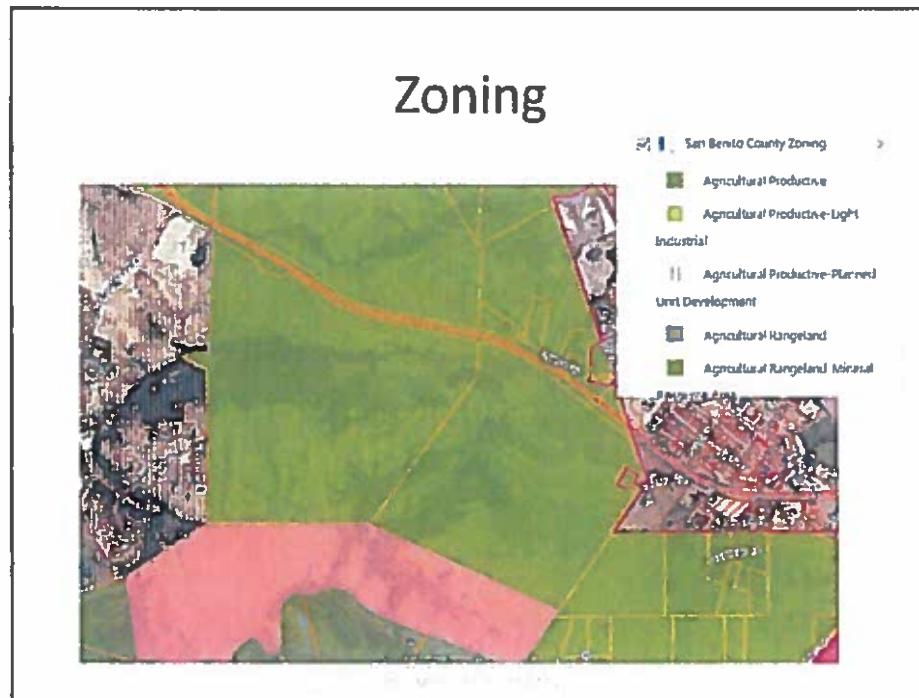
Planning Review from GIS Resources

Taven M. Kinison Brown

June 12, 2017

## General Plan







## Aerial looking southwest from above San Juan Bautista

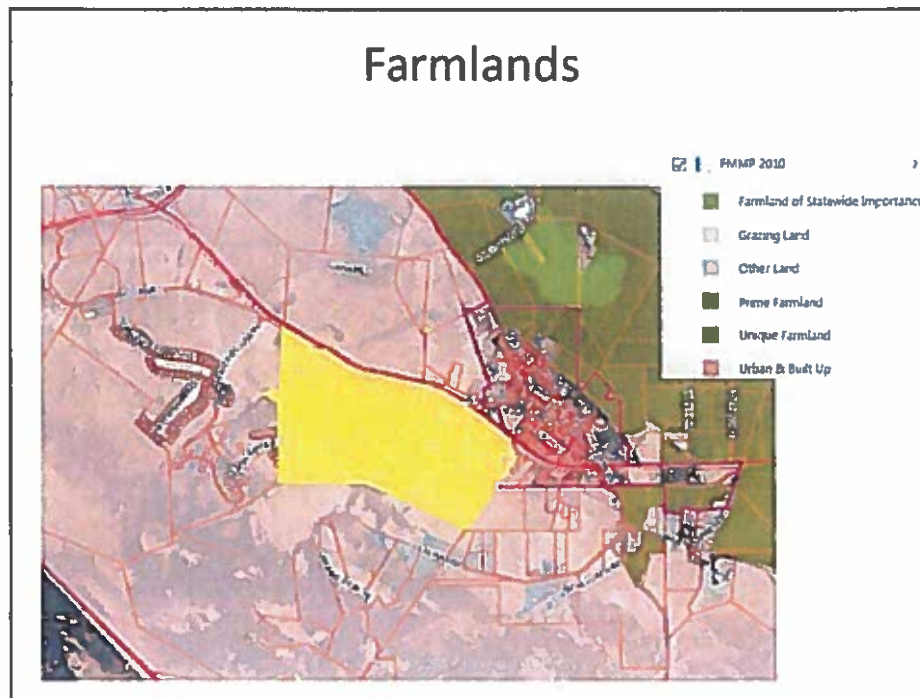


## Williamson Act

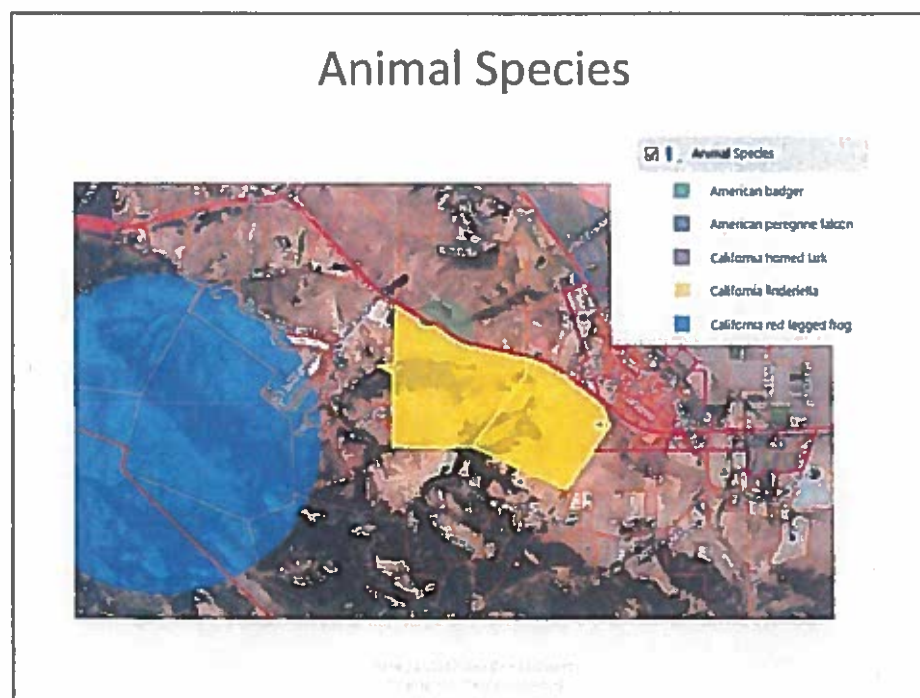




## Farmlands



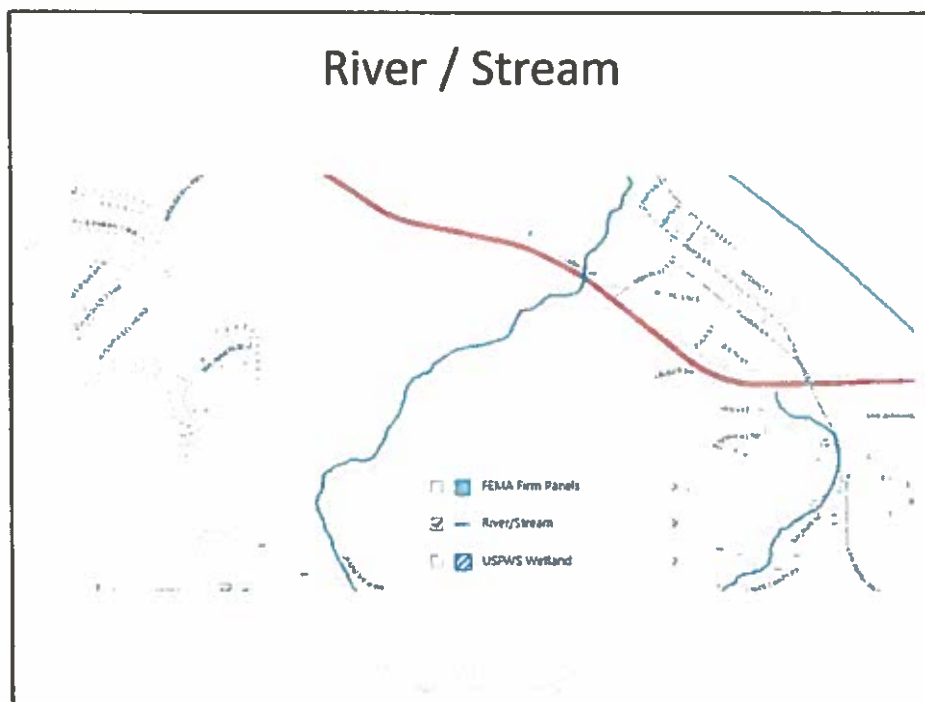
## Animal Species



## Prehistoric Cultural Resources



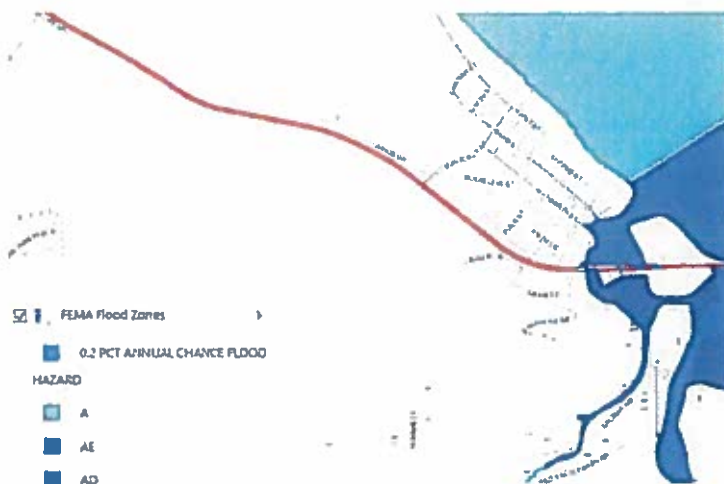
## River / Stream



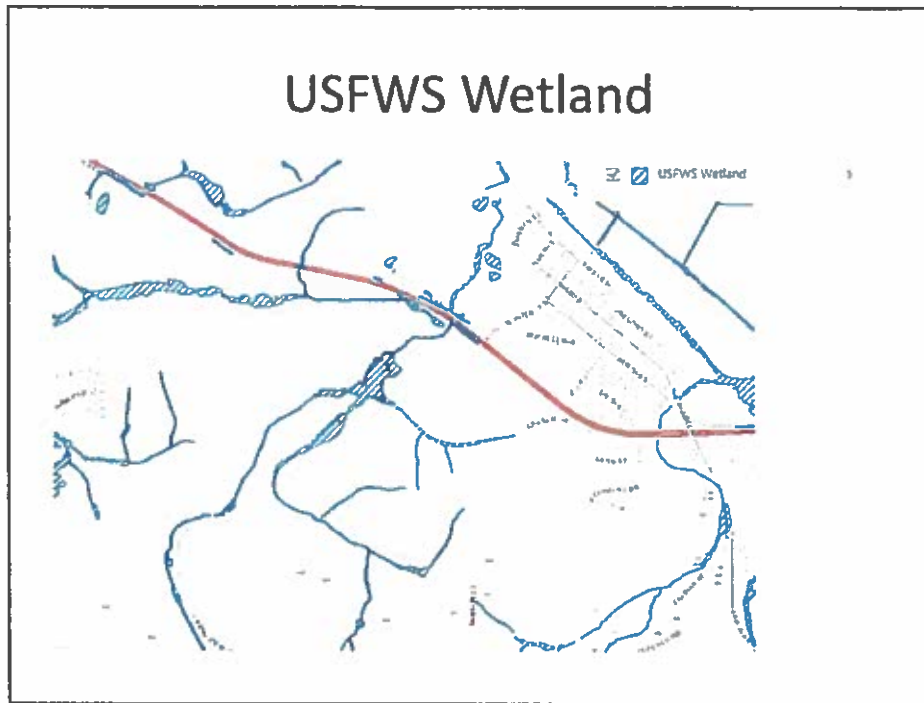
## Habitat Conservation Plan



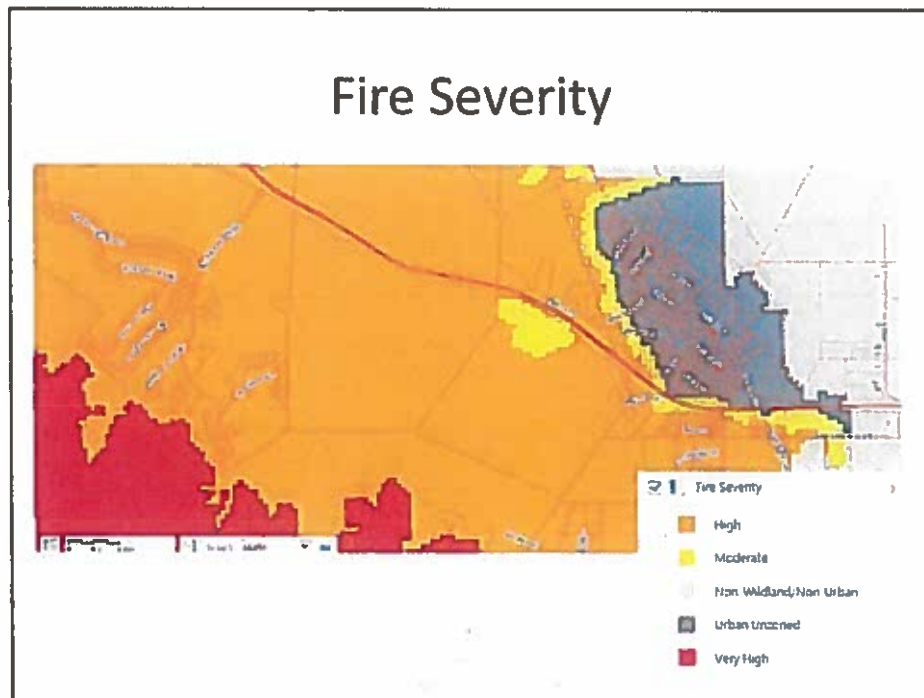
## FEMA Flood Zones



## USFWS Wetland



## Fire Severity



July 17, 2017

Dear Chairman Hopper & Members of the HRB & Planning Commission:

I hope you will strongly reject the proposal to build a Formula One Racetrack, Hotel, and condominium project on the Nyland Ranchlands along Highway 156 at the Gateway to San Juan Bautista.

As pointed out in the County of San Benito Resource Management Agency referral of July 10, 2017, "A quick analysis of the proposal reveals several issues, including: noise, availability of water, availability of sewer, and traffic". I have the following comments to make about those issues.

**Noise & Air Quality** - Prevailing winds come toward SJB from that direction. For two nights I could hear jack-hammering being done by Caltrans at the 156/101 bridge. Imagine what Formula One racing will do to our quiet little town! Huge amounts of high octane fuel will be burned at each race. What will this do to the air quality San Juan Bautista.

**Water Quality** - Our groundwater drains from this area. Where will oily surface water drain?

**Water Supply & Sewerage.** Where will this racing operation/hotel/condo project get its water supply? Where will its sewerage go? Millions of flushes for sure. This is in our groundwater basin. The limited municipal water on the site is limited for livestock use only. Apparently the applicant is proposing to go to the State Water Resources Board to seek expanded use. That would most certainly exacerbate shortages in the current limited water in the city.

**Traffic/Parking.** What sort of interchange on 156 will be required to get people to this track? Surely they are not coming by bus. If these events are attended by upwards of 200,000 people (as in Austin TX), even a conservative estimate would require 50,000 parking spaces. At 144 s.f. per space, that would require 7,200,000 s.f. (165 acres) just for parking spaces. Add in aisles at perhaps 50% of the space requirements and it is 10,800,000 s.f. ( 248 acres) of parking lots— all of which will affect our groundwater both by not allowing water to enter the basin and by draining off all sorts of petrochemicals into our remaining drainage basin. What will this huge amount of traffic do to the 101/156 interchange and the already congested weekend traffic on 101?

**In addition to those issues raised by the Resource Agency, here are a few more of my own - Garbage disposal, Loss of Agricultural Land, Scenic approach to San Juan Bautista, Fuel storage, Wildlife Impacts, and Enforcement.**

**Garbage.** The son of a friend of mine is a Formula One racer and I remember her telling me that they go through at least two sets of tires each race, so 8 tires become refuse each car, each race. The spent tires must be disposed of. And, imagine the food service waste for c.200,000 people at the various events. At 8 oz. per person, that would be 100,000 lbs or 50 tons of solid waste per event!!!!

**Agricultural Land.** How does this project qualify to be put in agricultural land?

**Scenic.** Currently the Hwy 156 approach to Historic SJB is characterized by bucolic pastoral scenery, including the ranch lands proposed to be used for this project. Currently one can truly sense the beauty the original padres must have experienced coming to San Juan. A scene of speeding Formula One racing is not exactly bucolic, nor is it an agricultural use.

**Fuel & oil storage.** Surely this sport uses large amounts of a very high octane fuel which will, of necessity, need to be on the site. There will most likely also be large amounts of lubricants stored on site. How will groundwater be protected?

**Wildlife/Wetlands impacts.** There are currently wetlands on the site and also wildlife habitat. That usually means there will be wildlife there. Page 4 of the Planning Review identifies the American Badger, American Peregrine Falcon, California Horned Lark, California Indiciela, and the endangered California Red-Legged Frog as species present on the site. This extremely urban development would effectively destroy & degrade wetlands and grassland habitat and adversely impact wildlife species on the site.

**Urban Services & Enforcement.** Since most of this property is in San Benito County, it would seem to me that the Local Agency Formation Commission (LAFCO) would require that it be annexed to San Juan Bautista to receive proper urban services such as water, sewer, building inspection, public works, fire & police protection. As you know, San Juan Bautista is pretty challenged currently to provide those services to our present level of development. If San Benito County, or a private entity is going to provide urban services, what assurances do we have that there will be enforcement and compliance?

**A picture is worth a thousand words.** The Formula One track in Austin TX gives a pretty good idea of what we could expect with this proposal. It is built on 1500 acres and seems to have some parking/shuttle arrangement with downtown Austin. No such arrangement is possible anywhere near San Juan Bautista. <<http://www.circuitoftheamericas.com/maps>>

Please convey to the San Benito County Resources Agency that this proposal is completely unacceptable to the City of San Juan Bautista.

Sincerely,

Emily M. Renzel  
101 Third Street  
San Juan Bautista, CA 95045  
831-623-9971  
<[marshmama2@att.net](mailto:marshmama2@att.net)>

**From:** Sandra Davidson  
**To:** [cityplanning@san-juan-bautista.ca.us](mailto:cityplanning@san-juan-bautista.ca.us)  
**Subject:** proposed race track etc. for San Juan  
**Date:** Wednesday, July 19, 2017 10:13:40 PM

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Hello—we reside 6+ miles out of San Juan on San Juan Canyon Road, but, though not in the city limits, we are extremely concerned about the proposed Type 1 Racetrack and associated businesses that might be built on the Nyland Ranch property at the edge of San Juan Bautista. This sort of noisy, messy, crowd-encouraging and nature-disturbing entity being allowed to be built in San Juan would be completely counter to the nice little mission town that so many know and love for its quaint and peaceful atmosphere. It seems it would only bring money into the city coffers, which should definitely NOT be the major consideration. It will impact water (which is already a problem for San Juan), sewage disposal, wildlife habitat, peaceful environment—to only name a few of the disturbing ways life in San Juan will change, and not for the better.

We hope you get many letters of protest against this unbelievably bizarre proposal. This does NOT belong in San Juan Bautista. Please do not allow it to happen.

Sincerely,

Sandra and Bill Davidson  
6425 San Juan Canyon Road  
San Juan Bautista, CA 95045  
623-4166



Virus-free. [www.avast.com](http://www.avast.com)



**From:** Emily Renzel  
**To:** [cityplanning@san-juan-bautista.ca.us](mailto:cityplanning@san-juan-bautista.ca.us) Planning  
**Subject:** Formula One Sewerage & Water use  
**Date:** Wednesday, July 19, 2017 4:32:34 PM

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**Dear Matt:** Thanks for sending the sewer plant info. Just sharing my amateur engineer perspective on the Water & Sewer issues of the Formula One Project. Emily

#### **Sewage/Water**

The San Juan Bautista Sewage Treatment Plant is designed for 270,000 gallons/day (GPD) in dry weather to 500,000 GPD in wet weather. The 2112 average GPD was 159,000. That's for the entire city of San Juan Bautista. Two large residential subdivisions have not yet connected to our sewer systems, so our remaining treatment capacity is likely to be used up by them.

The proposed **Formula One Project** could generate as much as 200,560 GPD of sewerage on each event day. That's a *conservative estimate* of one, one-gallon flush per each of 200,000 attendees, two one-gallon flushes from each of 200 hotel rooms, and four one-gallon flushes per day from each of the 40 condos. That is  $200,000 + 400 + 160$  or 200,560 gallons/day of water in the sewage.

It's important to remember that it takes a gallon+ of fresh water per flush, so that also means this project would USE a minimum of 200,560 gallons of fresh water for flushes. The human waste and other water use would add more gallons to the sewer system.

The project would also use water for bathing, washing, restaurant & bar uses, ice, and finally landscaping. That could be another 50,000 GPD *or more* of water use and some of that will also become sewerage.

**In short, the Formula One Project, from a water/sewer point of view, is like adding the equivalent of another town-and-a-half to our little town.** Even if the project builds its own sewer plant, it will have other impacts equal or greater than our own town. Unless it pipes water in from the Central Valley, it will be drawing water from the same aquifer as our town where we already have serious limitations.



**From:** Paul  
**To:** [cityplanning@san-juan-bautista.ca.us](mailto:cityplanning@san-juan-bautista.ca.us)  
**Subject:** proposed formula one track  
**Date:** Thursday, July 20, 2017 12:25:49 AM

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Dear council members,

We are property owners in San Juan Canyon. It is hard for us to believe that a formula one track would have any consideration in a beautiful rural area such as San Juan Bautista. The environmental impact would be astronomical, not to mention the total destruction of the peacefulness of this area. The proposed expansion of 156 was enough to deal with, but adding a formula one track would add insult to injury. We desperately need to preserve what we have left of our natural areas before the developers pave every last square inch! Please do all within your power to oppose this project.

Thank you,

Paul and Anna Jonkey

**From:** [CHRISTINE WARREN](#)  
**To:** [cityplanning@san-juan-bautista.ca.us](mailto:cityplanning@san-juan-bautista.ca.us)  
**Subject:** plans for race track  
**Date:** Thursday, July 20, 2017 8:10:06 PM

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To the Planning Commission,

We would like to voice our strong opposition to the idea of a Formula One Race Track in bucolic San Juan. The traffic, as it is, is mostly impossible. So why would you approve a situation that would bring 100,000 people to the venue. The water situation is tenuous at best and disposal of sewage would be a nightmare. Then imagine 100,000 people descending on little San Juan and the issues for Home Land Security. We don't want to think about this. It is all WRONG!!! Please reject this proposal.

Regards, Gary and Chris Warren  
3870 San Juan Canyon Road  
San Juan Bautista Ca, 95045  
831 623 2981

**From:** [Pauline Hsieh](#)  
**To:** [cityplanning@san-juan-bautista.ca.us](mailto:cityplanning@san-juan-bautista.ca.us)  
**Subject:** Regarding development on the 550-acre Nyland Ranch.  
**Date:** Monday, July 24, 2017 1:51:16 PM

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To whom it may concern:

As a resident of San Juan Bautista, I am very concerned about the F-1-raceway-proposal. It is absolutely unacceptable, I hope that you will strongly turn down this proposal. Sincerely, Alex Hsieh. 254 Paseo  
Gularte San Juan Bautista CA. 95045. Tel. 650-452-5397  
Sent from my iPhone

**From:** [Al Llamas](#)  
**To:** [cityplanning@san-juan-bautista.ca.us](mailto:cityplanning@san-juan-bautista.ca.us)  
**Cc:** [Mercedes Giron - Cerna](#); [Manuel De La Rosa](#)  
**Subject:** Proposed Nascar Race Track Complex (or you can't be seriously considering this)  
**Date:** Monday, July 24, 2017 2:55:00 PM

---

NO!NO!NO!

No more quiet small town  
No more environmental refuge  
No more agriculture  
No more bi-cultural haven  
No more water  
No more sewage capacity  
No more historical/cultural identity

More traffic, gridlock  
More environmental pollution  
More sewage  
More crime  
More services required  
More noise pollution  
More Nascar mentality (better served in Bakersfield and Fresno)

Sincerely,  
Alfred Llamas, resident San Juan Bautista

**From:** [Tom and D](#)  
**To:** [cityplanning@san-juan-bautista.ca.us](mailto:cityplanning@san-juan-bautista.ca.us)  
**Subject:** Nyland Ranch development proposal  
**Date:** Monday, July 24, 2017 4:36:27 PM

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This proposal is insane. A race track as a greeting backdrop for our fair city? So many people in attendance that would dwarf our present population and stretch our ability to accommodate them to the point of breaking. Access via Rocks road? Who are these people and what have they been smoking? Please don't let the lure of money cloud your good judgement. Don't let The City Of History become history.

July 24, 2017

William and Carmen Adams  
705 Second Street  
P. O. Box 1044  
San Juan Bautista, CA 95045

Attn: Chairman Hopper  
Members of the HRB & Planning Commission

Re: Nyland Ranch Proposal

We are writing this letter to express extreme disapproval for the proposed use of the 550 acre Nyland Ranch. The formula one race track, hotel, condominiums, etc. is an inappropriate option for many reasons. The city infrastructure alone is inadequate to support such an operation. The noise, traffic and the volume of people attending events will have a negative impact our small city.

This is an opportunity to enhance the unique character of our village and preserve the rich historical quality of San Juan Bautista. Once this type of development is established we'll never restore the original flavor of our community. This is our chance to carefully select the type of development that will create charm and be a compliment to the Mission at San Juan Bautista. It would be an irrevocable mistake to give away our scenic landscape and replace it with parking lots and commercial events.

Please carefully consider the affect of your decision on San Juan Bautista residents.

Thank you,

William and Carmen Adams  
408.204.2735  
408.440.7890

**From:** [Suzanne Reddy](#)  
**To:** [cityplanning@san-juan-bautista.ca.us](mailto:cityplanning@san-juan-bautista.ca.us)  
**Subject:** Formula one raceway  
**Date:** Tuesday, July 25, 2017 12:38:59 PM

---

As a resident of sjb I have read the proposal for the formula one race track,etc.  
I live on rocks road now and the jamming of cars from Hollister/Gilroy ramp to Hwy 101 is already a disaster backing up to the windmill market at times. On weekends we are confined to our homes or take an alternate route to salinas up the hill.

We have bad water and no infrastructure. Before anything is decided we need better roads, better water and a better infrastructure designed as a large city. Do we want that life in San Juan Bautista?

Sent from my iPhone

July 17, 2017

Dear Chairman Hopper & Members of the HRB & Planning Commission:

I hope you will strongly reject the proposal to build a Formula One Racetrack, Hotel, and condominium project on the Nyland Ranchlands along Highway 156 at the Gateway to San Juan Bautista.

As pointed out in the County of San Benito Resource Management Agency referral of July 10, 2017, "A quick analysis of the proposal reveals several issues, including: noise, availability of water, availability of sewer, and traffic". I have the following comments to make about those issues.

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**Water Quality** - Our groundwater drains from this area. Where will oily surface water drain?

**Water Supply & Sewerage.** Where will this racing operation/hotel/condo project get its water supply? Where will its sewerage go? Millions of flushes for sure. This is in our groundwater basin. The limited municipal water on the site is limited for livestock use only. Apparently the applicant is proposing to go to the State Water Resources Board to seek expanded use. That would most certainly exacerbate shortages in the current limited water in the city.

**Traffic/Parking.** What sort of interchange on 156 will be required to get people to this track? Surely they are not coming by bus. If these events are attended by upwards of 200,000 people (as in Austin TX), even a conservative estimate would require 50,000 parking spaces. At 144 s.f. per space, that would require 7,200,000 s.f. (165 acres) just for parking spaces. Add in aisles at perhaps 50% of the space requirements and it is 10,800,000 s.f. ( 248 acres) of parking lots— all of which will affect our groundwater both by not allowing water to enter the basin and by draining off all sorts of petrochemicals into our remaining drainage basin. What will this huge amount of traffic do to the 101/156 interchange and the already congested weekend traffic on 101?

**In addition to those issues raised by the Resource Agency, here are a few more of my own - Garbage disposal, Loss of Agricultural Land, Scenic approach to San Juan Bautista, Fuel storage, Wildlife Impacts, and Enforcement.**

**Garbage.** The son of a friend of mine is a Formula One racer and I remember her telling me that they go through at least two sets of tires each race, so 8 tires become refuse each car, each race. The spent tires must be disposed of. And, imagine the food service waste for c.200,000 people at the various events. At 8 oz. per person, that would be 100,000 lbs or 50 tons of solid waste per event!!!!



**Agricultural Land.** How does this project qualify to be put in agricultural land?

**Scenic.** Currently the Hwy 156 approach to Historic SJB is characterized by bucolic pastoral scenery, including the ranch lands proposed to be used for this project. Currently one can truly sense the beauty the original padres must have experienced coming to San Juan. A scene of speeding Formula One racing is not exactly bucolic, nor is it an agricultural use.

**Fuel & oil storage.** Surely this sport uses large amounts of a very high octane fuel which will, of necessity, need to be on the site. There will most likely also be large amounts of lubricants stored on site. How will groundwater be protected?

**Wildlife/Wetlands impacts.** There are currently wetlands on the site and also wildlife habitat. That usually means there will be wildlife there. Page 4 of the Planning Review identifies the American Badger, American Peregrine Falcon, California Horned Lark, California Indiciela, and the endangered California Red-Legged Frog as species present on the site. This extremely urban development would effectively destroy & degrade wetlands and grassland habitat and adversely impact wildlife species on the site.

**Urban Services & Enforcement.** Since most of this property is in San Benito County, it would seem to me that the Local Agency Formation Commission (LAFCO) would require that it be annexed to San Juan Bautista to receive proper urban services such as water, sewer, building inspection, public works, fire & police protection. As you know, San Juan Bautista is pretty challenged currently to provide those services to our present level of development. If San Benito County, or a private entity is going to provide urban services, what assurances do we have that there will be enforcement and compliance?

**A picture is worth a thousand words.** The Formula One track in Austin TX gives a pretty good idea of what we could expect with this proposal. It is built on 1500 acres and seems to have some parking/shuttle arrangement with downtown Austin. No such arrangement is possible anywhere near San Juan Bautista. <<http://www.circuitoftheamericas.com/maps>>

Please convey to the San Benito County Resources Agency that this proposal is completely unacceptable to the City of San Juan Bautista.

Sincerely,

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I am in complete agreement with the area  
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