



# City of San Juan Bautista

*The "City of History"*

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

## AGENDA

### REGULAR PLANNING COMMISSION MEETING

**TUESDAY ~ AUGUST 2, 2022 ~ 6:00 P.M.**

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

**~ HYBRID MEETING ~  
PUBLIC PARTICIPATION BY ZOOM AND IN PERSON**

**THIS MEETING WILL BE CONDUCTED PURSUANT TO GOVT. CODE §54953(e)(1)(A).**

In order to minimize the spread of the COVID 19 virus the Planning Commission is conducting this meeting by Zoom webinar and will be offering alternative options for public participation. You are encouraged to watch the meeting live on Zoom or Facebook.

#### **THIS MEETING WILL BE OPEN TO THE PUBLIC UNDER THE FOLLOWING CONDITIONS:**

All Attendees must comply and wear a face covering if not fully vaccinated and show proof. If providing proof attendees will not need to wear a face covering. If you are exempt from the state face covering guidance or not fully vaccinated, you will be required to wear a mask to attend the meeting; All attendees must comply with any other rules of procedures/instructions announced by the Chair and/or City Staff. Any violations of the above may result in the Chair closing the meeting, effective immediately, or clearing the room, as well as other enforcement actions. The meeting will be available through Zoom for those who wish to join or require accommodations with the instructions below:

The meeting can also be accessed by the public in the following methods: Through Zoom (<https://zoom.us/join>) per the instruction stated below, and on Facebook.

**Join Zoom Webinar** <https://zoom.us/j/84690810242>

**or call 1 (669) 900-6833**

**Webinar ID: 846 9081 0242**

**PUBLIC COMMENTS WILL BE TAKEN ON AGENDA ITEMS BEFORE ACTION IS TAKEN BY THE CITY COUNCIL. DURING THE MEETING:** TO PROVIDE VERBAL PUBLIC COMMENTS ON AN AGENDA ITEM DURING THIS MEETING CALL THE PHONE NUMBER LISTED ABOVE OR LOG INTO ZOOM AND ENTER THE MEETING ID NUMBER AS LISTED ABOVE.

When the Chair announces public comment is open for the item which you wish to speak, press \*9 on your telephone keypad or if joining by Zoom, use the raise your hand icon. When called to speak, please limit your comments to three (3) minutes, or such other time as the Chair may decide, consistent with the time limit for all other speakers for the particular agenda item. Comments from other platforms will not be considered during the meeting. If you would like to participate during the meeting you **MUST** use Zoom.

If you are unable to join the meeting, written comments may be mailed to the Community Development Director at City Hall (P.O. Box 1420, San Juan Bautista, CA 95045), or emailed to [ACM-CDDirector@San-Juan-Bautista.ca.us](mailto:ACM-CDDirector@San-Juan-Bautista.ca.us) not later than 5:00 p.m. on August 2, 2022, and will be read into the record during public comment on the item.

In compliance with the Americans with Disabilities Act, the City will make reasonable arrangements to ensure accessibility to this meeting. If you need special assistance to participate in this meeting, please contact the Deputy City Clerk a minimum of 48 hours prior to the meeting at (831) 623-4661.

If you challenge any planning or land use decision made at this meeting in court, you may be limited to raising only those issues you or someone else raised at the public hearing held at this meeting, or in written correspondence delivered to the City Council at, or prior to, the public hearing. Please take notice that the time within which to seek judicial review of any final administrative determination reached at this meeting is governed by Section 1094.6 of the California Code of Civil Procedure.

Materials related to all items on this agenda are available in the agenda packet on the City website [www.san-juan-bautista.ca.us](http://www.san-juan-bautista.ca.us) subject to Staff's ability to post the documents before the meeting, or by emailing [deputycityclerk@san-juan-bautista.ca.us](mailto:deputycityclerk@san-juan-bautista.ca.us) or calling the Deputy Clerk (831) 623-4661 during normal business hours. □

**1. Call to Order**

**Roll Call**

**Pledge of Allegiance**

**2. Public Comment on Items Not on the Agenda but Within the Subject Matter Jurisdiction of the Planning Commission**

This portion of the meeting is reserved for persons desiring to address the Commission on matters not on this agenda. The law does not permit Commission action or extended discussion of any item not on the agenda except under special circumstances. If Commission action is requested, the Commission may place the matter on a future agenda.

**3. Presentations**

**A. San Benito County Projects by Abraham Prada, Assistant Director of San Benito County Resource Management Agency (RMA)**

**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 the Agenda**

**B. Approve Minutes of the September 7, 2021 Regular Meeting**

**C. Approve Minutes of the June 9, 2022 Regular Meeting**

**D. Approve Minutes of the May 19, 2022 Special Meeting**

**E. Approve Minutes of the March 1, 2022 Regular Meeting**

**F. Approve Minutes of the February 8, 2022 Special Meeting**

**5. Action Items**

**A. Report of the Ad Hoc Committee on the Open Letter from the City Council to the Planning Commission**

**6. Discussion Items**

**A. Communication with Planning Commission**

**B. General Plan**

**C. Code Enforcement**

**7. Information Items**

**A. News Paper Articles: Community Plan and Community Foundation proposal**

**B. Distribution of the General Plan, Historic SJB Plan, and the Design Guidelines**

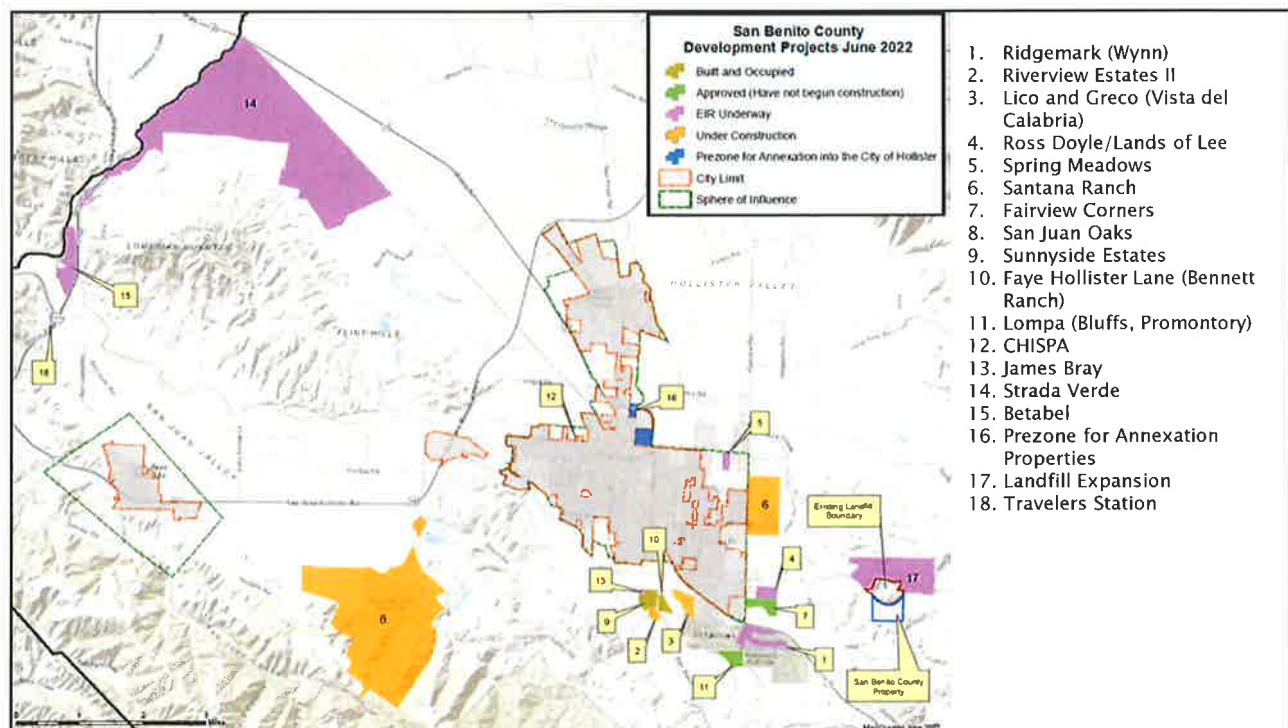
**C. Memo: Community Plan Accomplishments and Next Steps**

- 8. Comments**
  - A. Planning Commissioners**
  - B. Community Development Director Report**
- 9. Adjournment**



# Major Projects & Timelines

August 2, 2022



## PLN200017 Travelers Station

- ▶ The project is proposed on a 2.6-acre site, located at the southwest corner of the intersection of U.S. Hwy 101 and State Route 129. The proposed Traveler's Station is a 4,000 sq. ft. convenience store, auto fueling and truck fueling services, propane sales, electric vehicle charging stations and a County Informational Kiosk. Travelers Station will operate 24 hours a day.
- ▶ In order to facilitate the project, applicant is seeking the following approvals from the County:
- ▶ Environmental document pursuant to CEQA
- ▶ Use Permit



## PLN200017 Travelers Station

- ▶ Tribal consultation requested
- ▶ Projected Planning Commission Date October 19, 2022





## Project Description

- ▶ One and a half Acre Undeveloped Buffer
- ▶ 3-Story, 116 Room Motel – 60,300 sf
- ▶ 9-Room Motel “Villas” – 4,500 sf
- ▶ Outdoor Pool
- ▶ Outdoor Movie Screen
- ▶ Outdoor Event Center – 500 seats
- ▶ Restroom Building – 900 sf
- ▶ Trails
- ▶ Convenience Store – 5,000 sf
- ▶ Gas Station – 5,664 sf
- ▶ Restaurant – 2,500 sf
- ▶ Concession Stand – 200 sf
- ▶ 5 Exhibits (total of 3,125 sf)
  - Exhibit 1 – 600 sf
  - Exhibit 2 – 375 sf
  - Exhibit 3 – 1250 sf
  - Exhibit 4 – 450 sf
  - Exhibit 5 – 450 sf
- ▶ Animal/Livestock Corral – 10,300 sf
- ▶ Visitor Center – 350 sf

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## PLN190029 Strada Verde Innovation Park

- ▶ Project proposes a General Plan Amendment, a Specific Plan, a Zone Change, a Vesting Tentative Map, and a Development Agreement to allow the creation of a new automotive research and development campus and business center on the approximately 2,767-acre, triangular-shaped site.
- ▶ At maximum build-out, the project would include approximately 7,221,159 square feet of testing grounds, research park, e-commerce, and commercial areas
- ▶ In order to facilitate the project, applicant is seeking the following approvals from the County:
  - ▶ EIR Certification and adoption of MMRP and Findings
  - ▶ General Plan Amendment
  - ▶ Specific Plan Approval
  - ▶ Zone Change
  - ▶ Initial Vesting Tentative Map
  - ▶ Development Agreement



Project Name:	Location:	Size:	Entitlements Sought:	Processing Status:	Tribal Consultation:	Projected Potential Planning Commission Hearing Date:	Projected Potential Board of Supervisors Hearing Date:
Traveler's Station – Hwy 129–Searle Rd	Searle Rd S of Chittenden Pass Rd (Hwy 129), w of Hwy 101	2.5 acres	CUP	Environmental Document Pursuant to CEQA	requested	10/19/22	11/8/22
Betabel Commercial Development	Betabel Rd w of Hwy 101	26 acres	CUP	preparing DEIR	in process	9/21/22	10/25/22
Strada Verde Innovation Park	North county, w of Hwy 25	2,776 acres	GPA, SP, DA, Phased TSM	preparing DEIR	requested	2nd/3rd Quarter 23	2nd/3rd Quarter 23



**Thank You**  
Questions

### AFFIDAVIT OF POSTING

I, VERONICA MUNOZ NORIEGA, DO NOW DECLARE, UNDER THE PENALTIES OF PERJURY THAT I AM THE OFFICE ASSISTANT 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 29<sup>th</sup> DAY OF JULY 2022, 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 29<sup>th</sup> DAY OF JULY 2022.

  
\_\_\_\_\_  
VERONICA MUNOZ NORIEGA  
OFFICE ASSISTANT



**CITY OF SAN JUAN BAUTISTA  
PLANNING COMMISSION REGULAR MEETING  
SEPTEMBER 7, 2021  
DRAFT MINUTES**

**(Meeting held via Zoom Internet Video/Audio Conference Service)**

**1. CALL TO ORDER** – Chairperson Delgado called the meeting to order at 6:08 p.m.

**B. ROLL CALL**      **Present:**      Commissioners Delgado, Morris-Lopez, Bains, Matchain and Medeiros

**Staff Present:**      Community Development Director Brian Foucht and Administrative Services Manager Paetz

**2. PUBLIC COMMENT**

No public comment was received.

**3. CONSENT ITEMS**

**A. Approve Affidavit of Posting Agenda**

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

**C. Approve Minutes of the July 6, 2021 Planning Commission Meeting**

A motion was made by Commissioner Bains and seconded by Commissioner Matchain to approve all items on the consent agenda. The motion passed unanimously.

**4. INFORMAL PROJECT REVIEW**

There were no projects for informal review.

**5. ACTION ITEMS**

**A. Recommend Approval to the City Council of an Accessory Dwelling Unit (ADU) Ordinance**

Community Development Director Foucht provided a report using slides. During public comment, Connie Schobert was concerned with lot size requirements, parking requirements, setbacks and the City water supply relative to new developments. Cara Vonk was concerned with design review in and outside the historic district. Chairperson Delgado closed the public comment period.

Commissioner Matchain was concerned with lots being over built with the absence of minimum lot size requirements, and availability of City water considering new development. Commissioner Morris Lopez stated she had a considerable number of concerns and proposed tabling this item to a special meeting. Chairperson Delgado asked staff about the timing of the ordinance and the number of ADU already built in the City. Community Development Director Foucht reminded Commissioners this ordinance is mandated by the state. There was discussion about water and wastewater impacts. Community Development Director Foucht asked Commissioners to not deter too far from the state's ordinance requirements (per HCD, Housing and Community Development).

A motion was made by Commissioner Bains and seconded by Commissioner Medeiros to recommend the ordinance to the City Council for approval, after adding the historical aspect. The motion passed unanimously, 5-0.

**B. Approve a Resolution Extending the Third Street Parklet Program for Six Months**

Community Development Director Foucht provided a report, requesting to extend the parklet program through the holidays. No public comment was received. Commissioners Bains and Medeiros spoke in support.

A motion was made by Commissioner Bains and seconded by Commissioner Morris Lopez to adopt Resolution 2021-08 extending the Third Street Parklet Program for six months. The motion passed unanimously, 5-0.

**6. COMMENTS & REPORTS**

**A. Planning Commissioners**

Commissioner Bains thanked staff for delivering her meeting packet. Commissioner Matchain asked staff to provide him with the slide presentation for tonight. Commissioner Medeiros thanked the staff. Chairperson Delgado thanked the Commissioners.

**B. City Manager**

The City Manager was not present.

**C. Community Development Director**

Community Development Director Foucht did not comment.

**7. ADJOURNMENT**

The meeting adjourned at 7:40 p.m.

Respectfully submitted,

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Trish Paetz, Deputy City Clerk

**CITY OF SAN JUAN BAUTISTA  
SPECIAL PLANNING COMMISSION MEETING  
JUNE 9, 2022, at 6:00 P.M.**

**DRAFT MINUTES**

1. **CALL TO ORDER** – Chair Delgado called the meeting to order at 6:08 p.m.

**ROLL CALL**

**Present:** Chair Delgado, Vice Chair Morris-Lopez, and Commissioners Medeiros and Matchain

**Vacant:** One position is vacant.

**Staff Present:** Community Development Director Brian Foucht and RGS Clerk Advisor Norma Alley

**PLEDGE OF ALLEGIANCE** – Commissioner Delgado led the Pledge of Allegiance.

2. **Public Comment only on Items on the Agenda**

There were no public comments received.

3. **Informal Project Review**
  - A. **No projects to present.**

There were no projects to present.

4. **Action Items**
  - A. **Approve Affidavit of Posting the Agenda**

A motion was made by Vice Chair Morris-Lopez to approve the Affidavit of Posting. The motion was seconded by Commissioner Medeiros. The motion passed on a roll call vote of 4 Yes-0 No-1 Vacant.

- B. **Approve Minutes of the March 1, 2022 Meeting**

Vice Chair Morris-Lopez requested this item be pulled and moved to the next Planning Commission meeting after the wording regarding ABC liquor license is clarified and a transcript is prepared.

5. **Discussion Items**
  - A. **Joint Meeting with the City Council on the Community Plan Scheduled for June 13, 2022**

Community Development Director Brian Foucht reported on the upcoming joint meeting with the City Council regarding the public engagement meeting for the Community Program.

Chair Delgado asked for public comments, Wanda Guibert testified on this matter. Seeing no other comments, Chair Delgado closed public comments.

Discussion commenced amongst the Commission.

**B. Open Letter to the Planning Commission from the City Council**

Community Development Director Brian Foucht noted this is a discussion item only and the Commission could not take action on this item.

Discussion commenced amongst the Commissioners.

The letter was read into the record.

Chair Delgado asked for public comments, the following citizens spoke. Wanda Guibert and Phone call from citizen. Seeing no other comments, Chair Delgado closed public comments.

After a lengthy discussion, Chair Delgado appointed Commissioner Medeiros and Vice Chair Morris-Lopez to an Ad-Hoc Committee to report back at the next Planning Commission meeting regarding this item and staff to place this item as Action item for discussion and possible direction.

**C. Planning Commissioners Attendance**

Community Development Director Brian Foucht provided the staff report.

Chair Delgado asked for public comments, seeing none, she closed the public comments regarding this item.

Discussion commenced amongst the Commissioners and consensus was met to have the Ad-hoc Committee review this item and report back.

**D. Short Term Rental Update**

Community Development Director Brian Foucht provided the staff report and fielded questions from the Commissioners.

Chair Delgado asked for public comments, Dan DeVries testified on this matter. Seeing no other comments, Chair Delgado closed public comments.

**E. Accessory Dwelling Unit Update**

Community Development Director Brian Foucht provided the staff report and fielded questions from the Commissioners.

Chair Delgado asked for public comments, Dan DeVries testified on this matter. Seeing no other comments, Chair Delgado closed public comments.

Direction was given by the Commission for more detailed information to be provided at the next Commission Meeting.

**F. Parklet Inspection**

Community Development Director Brian Foucht provided the staff report and fielded questions from the Commissioners.

Chair Delgado asked for public comments, Wanda Guibert and Dan DeVries testified on this item. Seeing no other comments, Chair Delgado closed public comments.

Vice Chair Morris-Lopez voiced her concerns regarding retail parklets and noted she had received several comments on this issue.

Chair Delgado requested this item be brought back to the next Commission Meeting for discussion.

#### **G. Planning Commissioners Materials Binder**

Vice Chair Lopez requested meeting binders be provided for Planning Commissioners to better help organize themselves. She suggested a calendar of meetings and a copy of the General Plan be included as well.

Chair Delgado asked for public comments, Wanda Guibert testified on this matter. Seeing no other comments, Chair Delgado closed public comments.

Consensus of the Planning Commission was met for staff to provide binders with the attachments requested for meetings.

### **6. Comments**

#### **A. Planning Commissioners**

Commissioner Medeiros requested a future discussion item on Accessory Dwelling Units and when a Council Member is in attendance that the Clerk promote them to a panelist to the meeting. Note taken from the Clerk Advisor and stated she will follow up with legal on matters of a Council Member joining the meeting discussion for purposes of ex-parte contact on certain matters, but will announce when a member is present.

Chair Delgado thanked staff for their work and dedication to the City.

Vice Chair Morris-Lopez requested City ordinances be adhered to, action be taken on the sign ordinance, and encouraged participation at the Monday, June 13, Joint City Council and Planning Commission Meeting.

#### **B. Community Development Director Report**

No report was provided.

### **7. Adjournment**

Motion to adjourn the meeting was made by Commissioner Medeiros. The motion was seconded by Vice Chair Morris-Lopez. There being no further business, the meeting adjourned at 8:46 p.m.

Respectfully submitted,

Norma Alley, Interim City Clerk



**CITY OF SAN JUAN BAUTISTA  
SPECIAL PLANNING COMMISSION MEETING  
MAY 19, 2022, at 7:27 P.M.**

**DRAFT MINUTES**

1. **CALL TO ORDER** – Chair Delgado called the meeting to order at 7:27 p.m.

**PLEDGE OF ALLEGIANCE** – Commissioner Delgado led the Pledge of Allegiance.

**ROLL CALL**

**Present:** Chair Delgado, Vice Chair Morris-Lopez, and Commissioner Medeiros

**Absent:** Commissioners Bains and Matchain

**Staff Present:** Community Development Director Brian Foucht and General Counsel Robert Rathie

On call of the roll, Commissioners Bains and Matchain were noted as absent. A quorum of the Commission was present.

2. **PUBLIC COMMENT**

Maria Orozco testified she received a red tag violation from the City and is still awaiting the requested accompanying documents from the City.

3. **INFORMAL PROJECT REVIEW**

There were no projects for informal review.

4. **PRESENTATIONS AND REPORTS**

- A. **Community Plan (Sphere of Influence and Urban Growth Boundary) Public Engagement**

Community Development Director Brian Foucht provided a report and fielded questions from the Commission.

Upon call for public comment, Cara spoke on the topic.

- B. **Active Transportation Plan Update**

There were no matters to report.

- C. **Report on Planning Commissioners Academy by Commissioner Morris-Lopez**

Vice Chair Morris-Lopez provided a report and fielded questions from the Commission. No public comments were received.

## **5. ACTION ITEMS**

### **A. Adopt a Resolution Recommending to the City Council the Treatment of Parklets in San Juan Bautista**

Community Development Director Brian Foucht provided a report and fielded question from the Commission.

No public comments were received.

A motion was made by Commissioner Medeiros to adopt a resolution recommending to the City Council the extension of parklets with a term ending December 31, 2022. The motion was seconded by Chair Delgado. The motion passed on a roll call vote of 3 Yes-0 No-2 Absent.

### **B. Adopt a Resolution Recommending to the City Council Recognition of a Public Building for Preservation Month**

### **C. Adopt a Resolution Recommending to the City Council Recognition of a Private Building for Preservation Month**

Chair Delgado announced Agenda Items B. and C. were going to be heard as one item.

Community Development Director Brian Foucht provided the staff report and fielded question from the Commission.

No public comments were received.

A motion was made by Chair Delgado to adopt resolutions recommending to City Council recognition of public buildings for preservation month. The motion was seconded by Commissioner Morris-Lopez. The motion passed on a roll call vote of 3 Yes-0 No-2 Absent.

### **D. Reschedule the June 7 Planning Commission Meeting Due to Conflict with Gubernatorial Primary Election**

No public comments were received.

A motion was made by Commissioner Medeiros to reschedule the June 7, 2022, Planning Commission meeting to June 8, 2022, due to conflict with gubernatorial primary election. The motion was seconded by Chair Delgado. The motion passed on a roll call vote of 3 Yes-0 No-2 Absent.

### **E. Approve Affidavit of Posting the Agenda**

No public comments were received.

A motion was made by Commissioner Medeiros to approve affidavit of posting the agenda. The motion was seconded by Chair Delgado. The motion passed on a roll call vote of 3 Yes-0 No-2 Absent.

## **6. DISCUSSION**

### **A. Community Plan Public Engagement Schedule**

### **B. Code Enforcement Regarding Third Street Window Signs**

### **C. Code Enforcement Update: Casa Rosa, Midnight Express, Short Term Rentals**

- D. Roza House boardwalk/sidewalk**
- E. Plaza Market Preservation – Paint**
- F. Old Mission San Juan Bautista exempt from SJB MC 11-06**

Upon call for public comment, Cara testified on Item 6.B. and 6.F.

Shawna Freels testified on Item 6.D.

Maria Orozco testified on 6.C.

Community Development Director Brian Foucht provided the staff report and fielded question from the Commission.

## **7. COMMENTS**

- A. Planning Commissioners**
- B. Community Development Director Report**

No comments were provided.

## **8. ADJOURNMENT**

Motion to adjourn the meeting was made by Chair Delgado. The motion was seconded by Vice Chair Morris-Lopez. There being no further business, the meeting adjourned at 9:15 p.m.

Respectfully submitted,

Norma Alley, Interim City Clerk

**CITY OF SAN JUAN BAUTISTA  
PLANNING COMMISSION REGULAR MEETING  
MARCH 1, 2022  
DRAFT MINUTES**

**(Meeting held via Zoom Internet Video/Audio Conference Service)**

**1. CALL TO ORDER** – Chairperson Delgado called the meeting to order at 6:00 p.m.

**B. ROLL CALL**      **Present:**      Commissioners Delgado, Matchain, Bains,  
Morris-Lopez, and Medeiros

**Staff Present:**      Community Development Director Brian Foucht  
and Deputy City Clerk Paetz

**2. PUBLIC COMMENT**

No public comment was received.

**3. CONSENT ITEMS**

**A. Approve Affidavit of Posting Agenda**

**B. Approve Minutes of the February 2, 2022 Meeting**

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

**4. INFORMAL PROJECT REVIEW**

There were no projects for informal review.

**5. ACTION ITEMS**

**A. Adopt a Resolution of the Planning Commission of the City of San Juan Bautista Approving a Conditional Use Permit to Allow the Establishment of a Bar at 205 The Alameda (Corner of The Alameda and Pearce Street), APN: 002-460-001 and 002-460-002. The project is determined to be Exempt from CEQA per 15303 and 15305. The applicants are Jesus and Katherine Zavala.**

Community Development Director Foucht provided a report using slides, where he clarified requirements for Alcoholic Beverage Control (ABC) permits. The applicants have agreed to limiting bar hours 4 pm to 9:30 pm. Community Development Director Foucht clarified that this is for a restaurant and bar even though the agenda did not mention restaurant. Luis Vargas, representing the applicants, reviewed what was approved at past Planning Commission meetings and what the applicants are requesting today. During public comment Rachel Ponce spoke against the project. Commissioners Morris Lopez and Delgado did not support the project and did not support a Type 47 ABC License for this location and project.

Whereupon, Commissioner Bains stated she would be leaving the meeting.

Commissioner Morris Lopez motioned to deny the application as presented. The motion died for lack of a second.

A motion was made by Chairperson Delgado and seconded by Commissioner Matchain to adopt Resolution 2022-02 approving a use permit to allow the establishment of a restaurant with bar on the main floor and related on-site alcohol sales and consumption; for the property located at 205 the Alameda, at the intersection of the Alameda and Pearce Street, APN 002-460-001 and 002-460-002, and remove all reference to ABC License Type 47 in the body of the resolution and the conditions of approval. This is a ABC permit Type 41 premise to premise transfer for a restaurant with a bar component. The motion passed 3-1-0-1 with Commissioner Morris Lopez voting against and Commissioner Bains absent.

## **6. COMMENTS**

### **A. Planning Commissioners**

Commissioner Medeiros thanked staff for the work they put into this project.  
Commissioner Morris Lopez thanked Rachel Ponce for being present at the meeting.

### **B. Community Development Director**

No comments received.

## **7. ADJOURNMENT**

The meeting was adjourned at 7:42 pm.

Respectfully submitted,

Trish Paetz  
Administrative Services Manager



**CITY OF SAN JUAN BAUTISTA  
PLANNING COMMISSION SPECIAL MEETING  
FEBRUARY 8, 2022  
DRAFT MINUTES**

**(Meeting held via Zoom Internet Video/Audio Conference Service)**

**1. A. CALL TO ORDER** – Chairperson Delgado called the meeting to order at 6:07 p.m.

**B. ROLL CALL**      **Present:**      Commissioners Delgado, Matchain,  
Morris-Lopez, and Medeiros

**Absent:**      Commissioner Bains

**Staff Present:**      Community Development Director Brian Foucht  
and Deputy City Clerk Paetz

**2. ACTION ITEMS**

**A. Approve Affidavit of Posting Agenda**

A motion was made by Commissioner Medeiros and seconded by Commissioner Matchain to approve the affidavit of posting agenda. The motion passed unanimously, 4-0-1-0 with Commissioner Bains absent.

**B. Review the Recommendation of the Urban Growth Boundary (UGB) Committee and Recommend to the City Council Approval of a Sphere of Influence Study Program (*This item was continued from the February 1, 2022 Planning Commission Meeting*)**

Community Development Director Foucht reviewed his written staff report and recommended that the Planning Commission, 1) review the recommendation of the UGB Committee; and 2) recommend that the City Council review the recommendation of the UGB committee and approve a contract with EMC Planning Group to develop a Sphere of Influence proposal for presentation to San Benito County and San Benito County LAFCO.

Staff received written comments from Cara Vonk, stating her concerns with recreational open space, the De Anza trail, and impacts to the Nyland property, were read into the record. Vonk's comments were read into the record. Community Development Director Foucht stated that EMC Planning Group would conduct outreach to various groups early in the plan, next month. Outreach will include landowners. During public comment, EJ Sabathia (UGB Committee member) commented that the purpose of the Sphere of Influence is not to develop housing in the City, but to have control over development. Jerome Peters was concerned with whether contact would be made with landowners. Community Development Director Foucht responded to questions, and clarified for the Commission the purpose of the UGB and the process involved in the Study Program.

A motion was made by Commissioner Medeiros and seconded by Commissioner Matchain to recommend that the CC review the recommendation of the UGB committee and approve a contract with EMC Planning Group to develop a Sphere of Influence proposal for presentation to San Benito County and San Benito County LAFCO. The motion passed unanimously, 4-0-1-0 with Commissioner Bains absent.

### **3. ADJOURNMENT**

The meeting was adjourned at 6:53 pm.

Respectfully submitted,

Trish Paetz  
Administrative Services Manager



# City of San Juan Bautista

*The "City of History"*

May 18, 2022

## An Open Letter from the City Council to the Planning Commission:

P.O. Box 1420  
311 Second Street  
San Juan Bautista  
California 95045  
(831) 623-4661  
Fax (831)623-4093

**City Council  
Mayor**  
Leslie Q. Jordan

**Vice Mayor**  
Cesar Flores

**Councilmember**  
Mary Edge

**Councilmember**  
Scott Freels

**Councilmember**  
John Freeman

**City Manager**  
Don Reynolds

**Interim City Clerk**  
Yvonne Spence.

**City Treasurer**  
Michelle Sabathia

**Fire Chief**  
Bob Martin

The manner and demeanor in which the Planning Commission and its individual members reach decisions must be representative of the overall character and culture of the City of San Juan Bautista.

Each of the City's constituent bodies, the City Council, commissions, and committees and the City's staff members must work together to always demonstrate preparation, professionalism and a mutual respect for others who may hold different views. Respect for and consideration of all viewpoints is integral to reaching informed decisions.

Planning Commission meetings should be a source of pride for Commissioners, the City Council and our citizens and reflect what is best in our community. However, the City Council has come to believe that the Planning Commission's deliberations often fail to demonstrate the mutual respect, courtesy and the community focus and values which the Council expects from the Planning Commission and which the Council believes are essential to engender the necessary level of confidence in the Commission's decisions from our citizens and the development community. This is profoundly disappointing and gravely concerning to the City Council.

The Planning Commission frequently acts in a quasi-judicial role and must regularly make well-informed, legally defensible decisions that are supported by substantial evidence in the record. These are essential and integral elements of every decision made by the Commission. Unfortunately individual commissioners are sometimes absent from or late to meetings, frequently appear to be unprepared or unfamiliar with the staff report, ignore evidence, interrupt one another, challenge staff's professional advice, and reach arbitrary conclusions. This behavior is indicative of an insufficient level of commitment and lack of professionalism by some commissioners and it creates a risk of legal challenge based upon the Commission's abuse of its discretion.

This letter should not be construed as criticism of any single commissioner, rather it is intended to address issues pertaining to the Commission as a whole. The Council must review its assessment of how the Commission is performing its legally mandated function against the Council's expectations. This letter should be considered as notice that the City Council finds the Planning Commission, a Council-appointed body, is not meeting the City Council's expectations in terms of its demeanor and performance.




# City of San Juan Bautista

*The "City of History"*

This letter was considered at a regular public meeting of the City Council held on May 17, 2022, and its transmittal to the Planning Commission was approved by unanimous vote of the Council.

Sincerely,



Leslie Q. Jordan  
Mayor

# Initial SJB sphere of influence maps appear to minimize public input in favor of housing

Published: 06/21/2022

By Robert Eliason



**A contentious joint session of the San Juan Bautista City Council and the Planning Commission on June 13 at the San Juan VFW Hall was intended to have the public respond to proposed city planning areas and growth boundaries. Instead, the official proceedings ground to a halt when two City Council members left**



during a discussion break, which ended the meeting for lack of a quorum.

At issue was a set of maps produced for the city by EMC Planning Group to establish a new sphere of influence and planning area. It's a critical step for controlling growth, by keeping its boundaries close to existing city limits, or for allowing a city to eventually expand, by setting the boundaries further away.

EMC consulting was paid \$259,457 by the city with a stated goal of "[reconfiguring] land uses to increase housing potential in the area and explore the potential for achieving some of the desired housing units through mix of uses or a well-planned combination of residential and commercial uses," according to an agreement submitted at the Feb. 15 City Council meeting.

The California Association of Local Agency Formation Commissions (LAFCO), the agency that regulates spheres of influence, defines them as "a planning boundary outside of an agency's legal boundary (such as the city limit line) that designates the agency's probable future boundary and service area." It goes on to say spheres of influence "ensure the provision of efficient services while discouraging urban sprawl and the premature conversion of agricultural and open space lands."

Former San Benito County planning commissioner Dan DeVries put it more simply: "While an SOI isn't a city limit yet, it's going to be."

Michael Groves, senior principal at EMC, presented the three proposed land usage maps, marked "Maximum Preservation," "Maximum Residential," and "Maximum Commercial and Residential" defined the planning area as covering 2,133 acres, which is over four times the current size of the city.

With a projected growth rate of 1.9%, based on the city's General Plan, community members at a previous EMC planning meeting had set the desired limit to the city's growth to 88 new housing units over the next five years.

In comparison, the San Juan Bautista Housing Element Four-Year Update (<https://www.hcd.ca.gov/housing-element-download-tool>), also prepared by EMC, reported that the California Department of Housing and Community Development set San Juan Bautista's Regional Housing Needs Allocation at only 41 units for the years 2019-23, with 16 to be designated as low-income housing.

However, even on the maximum preservation map, there is a suggestion of much greater growth, with a total of 249 acres proposed as possible residential areas, almost half of the city's current total size of 506 acres. The maximum housing map raises that number to 360 acres of residential area.

The National Homebuilders Association (<https://www.nahbclassic.org/generic.aspx?genericContentID=235108&fromGSA=1>) says that there are just over five homes per acre in the typical single-family subdivision. This figure does not account for a possible decrease in usable space due to the

terrain, or variations due to higher or lower density housing, but the proposed residential acreage would still mean a serious expansion of the city, if all of the lots were to be developed.

Commercial and industrial development is also taken into consideration, with a total of 281 acres set aside on the maximum housing map and 316 acres on the maximum commercial/industrial map. The latter map is the most expansive of the three, targeting 588 acres for possible development, or an area 1.6 times the current size of the city.

The amount of land preserved in the plan is somewhat misleading. It includes areas such as the Nyland property, which has been placed in a land trust and cannot be developed, and prime agricultural areas below Mission San Juan Bautista, which are highly unlikely to be developed.

In all three maps, the areas indicated for possible development are mostly south of the city, across Hwy 156. Groves stressed that the areas indicated for growth were suggestions and should not be considered official rezoning.

The maps were ostensibly the product of a series of public meetings that began on May 3 and culminated in a gathering of around 60 San Juan residents (<https://benitolink.com/san-juan-bautista-holds-five-public-meetings-to-discuss-growth/>) at the San Juan School auditorium. There the participants were broken into groups and given a large map of the city and the outlying area. The groups had 20 minutes to examine the maps and mark the areas they would designate as preserved space, plus another 20 minutes to decide on areas for residential or industrial development. Those maps were on display at the Veterans Hall, the scene of the joint session, as were three new proposed maps.

Groves said the new maps were created by examining the six maps generated at the public meeting and that they would then be combined into a preferred map that would go through an approval process that would include submitting it to the county and then to the county's LAFCO group.

The methodology behind the maps, however, raises questions as to how much community input was taken into account. For instance, on all three maps, two lots on the north edge of the town were, in part, colored yellow, indicating the areas as "proposed residential." On the map with the least development, Lot 5 was almost all yellow and Lot 88 was around 35% yellow. The remainder was green, indicating a protected area.

However, the opinion expressed by the participants, by placing green and yellow colored dots on the maps of those lots, was the opposite:

- Map 1: one green dot marking the lots
- Map 2: a green line bordering lots, one yellow dot in a lower section of one lot
- Map 3: two green dots marking the lots
- Map 4: one green dot marking the lots
- Map 5: one green dot marking the lots
- Map 6: one green line

At the May 3 meeting, Groves was asked how much weight community opinion would carry.

"If every one of the maps here says no houses," he said, "we are going to put the alternative as no houses. That's how it is going to show up. We are going to present what the community presented. I will use my professional judgment where three maps say one thing and two say another or I will call that out to the decision-makers."

Asked to explain why the areas were marked for residential development when the maps clearly indicated preservation Groves said, "We might have missed it. I don't know. Why is it important?"

When reminded that he had said, at the May 3 meeting, that the community's designations on the maps would be the determining factor on preservation versus development, Groves said, "We looked at the maps and came up with an interpretation. It wasn't just me, I had two other people in my office working on it. We were working on it, coming up with the best interpretation of what those six maps said. If one of them said [develop] it, we probably thought it was an opportunity area, knowing we are coming into another part of this process and if it's not meant to be, it's going out."

A comparison of the finished maps with the six community maps shows that EMC found "opportunity areas," most of them in unmarked portions on the community maps, for new housing units that far exceed the desired goal of 88 within five years.

Although Groves told BenitoLink he had not talked with developers or landowners prior to creating the maps, "the elephant in the room," according to San Juan Bautista Planning Commissioner Jackie Morris-Lopez was the way the conversation at the June 13 meeting kept coming back to development rather than the sphere of influence or urban growth boundaries.

That boundary became the focus of the meeting when City Councilmember Scott Freels questioned why a sphere of influence map he had helped create in 2019, along with other city officials including DeVries, was not available at the meeting. He said the participants that night were engaging in work that had already been done.

Eventually, Mayor Leslie Jordan called a recess to allow for private discussion and for Community Development Director Brian Foucht to retrieve the 2019 map from City Hall. Council members Freels and Flores left the meeting, as did about a third of the participants. This ended the quorum and a stunned Jordan was unable to call the meeting back to order or even officially adjourn it, under parliamentary rules.

Jordan asked the remaining attendees to participate in an informal discussion about the maps presented by EMC and with the cooperation of approximately 20 residents, Groves began working lot by lot around the borders of the city, discussing each one and seeking a consensus on whether it should be inside or outside an urban growth boundary.

In the course of the discussion, San Benito Health Foundation Director Rosa Vivian Fernandez mentioned her intention of building a clinic on a property across from the Valero gas station at 63 Muckelemy Street. She confirmed that she was seeking to build 60 high-density two-story housing units on the property as

well, along with an unspecified number of units on the property the foundation owns on Salinas Street, which is currently agricultural land.

If the 60 units near Valero are built, that would fulfill almost 70% of San Juan's housing quota for the next five years.

After another 80 minutes, a tired Groves announced that the sphere of influence and urban growth boundary map had been completed. It was just one of the evening's several agenda items.

The map was a truncated version of the one EMC had proposed, with substantial cuts to its area. All property to the east, north, and west of the city that EMC had included for development in its maps were removed, along with more than half of the property to the south.

As with the previous public meetings on this project, the June 13 session was not available to the public on Zoom. Unlike the meeting that generated the community maps, the June 13 meeting was not videotaped, but an audio recording was made.

Limited public input and questions about the transparency of the process were brought up by several participants. Property owners said they had not been notified of the various forums. Others said there were rumors of private tours of properties that owners were interested in developing, which Foucht dismissed as untrue.

Former San Juan Bautista Mayor Chris Martorana cited a lack of public information leading up to the Copperleaf (<https://benitolink.com/san-juan-city-council-approves-45-unit-subdivision/>) (2017) and Rancho Vista (<https://benitolink.com/growth-comes-to-san-juan-bautista/>) (2015) subdivisions as one reason for pushback against EMC's plans, saying, "I think that is emblematic of the distrust that exists in this community. I think in that case, the previous staff was working very diligently behind the scenes on behalf of property owners and developers."

The result, Martorana said, was that the developments moved quickly through the planning process and then were rushed through the City Council.

"We want to put limits on what we can do, so we are not racing after the fact," he said. "That is exactly what happened with both of those developments—by the time we realized there was a problem, it was too late to do anything about it because, by that time, they had the right to do what they wanted."

On June 14, the new planning area map, which could critically change the course of San Juan's future, was posted on the city's website. It was drawn up by a handful of residents after the official meeting had concluded.

# San Benito Health Foundation plans for clinic, housing in SJB

Published: 06/22/2022

By Robert Eliason



**At the same time** that San Juan Bautista is creating boundaries for its future growth, the San Benito Health Foundation is planning to build a clinic and 60 high-density housing units on seven acres of land located at the southwestern entrance to the town. No application has yet been submitted to the city.



The foundation also intends to develop 51 acres of agricultural land located on the south of Highway 156, outside the city limits ([https://www.san-juan-bautista.ca.us/departments/planning/zoning\\_and\\_gis\\_\(geographical\\_information\\_systems\)\\_map.php](https://www.san-juan-bautista.ca.us/departments/planning/zoning_and_gis_(geographical_information_systems)_map.php)) near the southern entrance to the town and across from Windmill Market.

BenitoLink interviewed Health Foundation President/CEO Rosa Vivian Fernandez about these plans. We began by discussing the San Juan Bautista City Council and the Planning Commission meeting held on June 13, which Fernandez attended.

**BenitoLink: What did you think of the planning meeting?**

Rosa Vivian Hernandez: I just don't understand the process because my expertise is in running community health interests, not necessarily that topic. I was a little frustrated because I got an invitation to a meeting that morning with other property owners. The property owners provided feedback but it was my impression that the maps that were provided were the result of feedback from the community meetings that I had attended. I wondered where was the input of the 50 or so people who participated in those meetings. And I also did not understand how the meeting last night went forward with no quorum.

**At the meeting you attended in the morning, were they discussing other developments?**

There was a group of about six people that was discussing our particular properties. They were discussing areas that could or could not have developments because of things like high water tables. And there were areas that were marked agricultural, but they already had a home on them. There were people there who knew about the history of the land and were able to tell us things like one area marked for development was actually owned by St. Francis Retreat and would not be open for development.

**What are your plans for the seven acres you own across from the Valero station located at the corner of Muckelemy and Monterey Streets?**

For about five years we have been interested in purchasing land in SJB. When we look at where our patients come from, we have a lot of patients who are farmworkers who live outside the area like Monterey and Santa Cruz. In our strategic plan, it looks like it would make sense to have a clinic in SJB. We were interested in the first two parcels for a clinic and the adjacent parcels for workforce housing. The first two were a commercial lot and the third was mixed use.

**How many employees do you currently have?**

We currently have about 32 employees but we have the capacity of having 55 employees. We are in the process of hiring them now. It was our thought that we would have housing for our employees because it is very difficult to find good housing and many of our employees live in multi-generational housing, with their parents.

**Would that be rental properties?**

Yes. It would be similar. Our housing initiative is like the one at UC-Santa Cruz, which has a lot of housing for students and employees. We were looking at rental properties that would be owned by the organization but the employees could live in it.

**Would it be restricted to employees?**

Initially, yes. They would have the first right of refusal. And then we would have employees and some level of senior housing at that location.

**How many units would you have at that location?**

This has evolved. What we have found is that the property has a capacity of up to 60 units. There are different laws in terms of usage and we have a consulting entity working on feasibility studies. I just got a study saying we could have 58 to 69 units if we were to use 70% of the land. Before we purchased it, there was another plan from the previous owners for about 50 units.

**Who are your consultants?**

Workbench (<https://www.workbench.co/>) is the one doing the feasibility study and the other group is Mynt Systems, who are the ones who did our solar project.

**Are you connected to Blue Zones (<https://www.bluezones.com/services/blue-zones-project/#section-3>) at all?**

We are not connected to Blue Zones, but I did study the Blue Zones process and was in support of doing a Blue Zone analysis. We are not directly connected to them but we are envisioning a project like theirs that is energy efficient, off the grid, walkable, and modern in terms of technology.

**What are the plans for the 51-acre property?**

We purchased that before we bought this land and we were envisioning having houses there, medium to low density. That for us is a housing project. We would, again, have some employee housing along with hiking trails and a community garden.

**How many houses are you envisioning for that property?**

We have not decided yet. We have been focused on the other property and that is the priority right now.

**If you only have the potential for 55 employees and you are planning 60 units already, why are you calculating more employee housing?**

We are envisioning students coming through as well. We have five to 10 students who come and work with us. Currently, they are renting air b&bs or hotels, so some of the housing will be for them.

**Again, if you have 55 employees and you are adding on 10 students, that's 65 houses at most.**

When we open up the clinic and the teaching center, we will probably have the same number of employees, so we want to have the capacity for the residency programs and teaching. We are not envisioning moving staff from our current site, so it would be more appropriate for the housing to be more adjacent to Hwy 101 because we work with CSUMB and the community colleges, as well as the possibility of working with Stanford and UC-Berkeley. So that is why we say the other property will be a service facility.

**And would that development be deed-restricted to house only your employees and students?**

That would not have students—just longer-term employees or employees who have retired. It might also include senior housing. But we have not really completed envisioning for that property. It would be part housing, part retreat. In the past, we have been approached to use part of the land for a community garden, so there might be a chance of that.

**Do you see the possibility that any of the units could be open for the general public to buy or rent?**

Probably to rent, not necessarily to buy. It would be more in the sense of affordable housing. We are looking at this as solving the problem of housing, but our employees would have the right of first refusal. But they might not want to live in our community—they might want to live somewhere else.

**Is there anything else planned for that property besides housing and the garden?**

Not at this time. We have a board that will determine what we will do and we will have to seek federal approval because we are a federally funded health center. But we are not in the business of selling houses. That is not our goal. It may have a child care center or a gym. But it would have to be consistent with the mission of the organization, which is service oriented.

**If the public decided it did not want housing at that dense a level, would you be open to compromise? Say 25 units instead of 60?**

We would have to talk about that because when we purchased the land, it was approved for 60 units. That is one of the discussions that the property owners had. We need to be clear that we have land that has been purchased as an investment for a particular purpose and if that purpose is changed, then someone needs to pay for that. And with the shortage of housing, why not? It would be selfish not to allow additional housing.

*[Note: The design firm Blue Zone, along with EMC Planning Group, a land use planning and design firm, was hired by the city to “reconfigure land uses to increase housing potential in the area.” Their services, according to their website, include “permanent and semi-permanent changes on multiple levels” in communities including “optimizing” city streets, public spaces, schools, restaurants, grocery stores, and employers.]*



## CITY OF SAN JUAN BAUTISTA Memorandum

**Date:** July 5, 2022  
**To:** Planning Commission  
**From:** Brian Foucht, Community Development Director  
**Re:** Information Item – Community Plan: Accomplishments and Next Steps

### What Has Been Accomplished

The San Juan Bautista City Council has authorized the preparation of a Community Plan to determine an appropriate Sphere of Influence (SOI) Boundary. The process began with:

- Previous Growth Boundary Committee work;
- Blue Zones hired to prepare Active Transportation Plan (ATP);
- EMC/Blue Zones contracted to prepare a Community Plan to address City's SOI;
- May Stakeholder Meetings and a Website created for the project;
- May Design Charrette, Open House, and City Council Meeting;
- June follow-up City Council/Planning Commission meeting June 13, 2022 to set SOI Boundary; a Growth Boundary; and a new City General Planning Area Boundary;
- Boundary Map of the SOI, Growth Limit and a new City General Planning Area Boundary produced on the next morning (June 14, 2022) and provided to the City;

### Next Steps

- EMC Planning Group is now adding Land Uses, based on the Stakeholder Meetings, Design Charrette, and follow-on meetings with the City Council/Planning Commission for the area between the current City Limit line and the SOI/Growth Boundary; and the new City General Plan Planning area Boundary.
- City Staff will confirm with the City Council that both the boundary lines and land uses are correct and direct the consultants to proceed with the Community Plan.
- EMC Planning Group and Blue Zones will prepare a draft Community Plan, utilizing the previous boundary map work, land uses, ATP efforts for City Staff to review.
- City will release the draft Community Plan for Public Review along with proposed General Plan Amendments and hold a Joint Planning Commission City Council meeting to discuss any recommended revisions. This draft plan will also be shared with LAFCO, seeking input and direction.

The process will then need to turn to CEQA documentation, a LAFCO/City Municipal Services Review (MSR), Plan for Services, and if necessary, a Preliminary Fiscal Analysis. Once the City has completed the CEQA

documentation, the City Council can amend their General Plan, adopt the Community Plan, and apply to LAFCO for a SOI Boundary change. The City Council can also direct staff to prepare a Memorandum of Understanding (MOU) with the County Staff on how the new Planning Area will be treated from a Land Use perspective. This MOU should be adopted by the City Council and the County Board of Supervisors.