



City of San Juan Bautista

The "City of History"

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AGENDA

SPECIAL PLANNING COMMISSION MEETING

TUESDAY ~ MAY 10, 2022 ~ 6:00 P.M.

~ PUBLIC PARTICIPATION BY ZOOM ONLY ~

Join Zoom Meeting <https://zoom.us/j/86828778695>

or call 1 (669) 900-6833

Meeting ID: 868 2877 8695

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.

PUBLIC COMMENTS WILL BE TAKEN ON AGENDA ITEMS BEFORE ACTION IS TAKEN BY THE PLANNING COMMISSION. 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 Chairperson 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 Chairperson 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 you **MUST** log in to Zoom.

Written comments may be mailed to the Deputy City Clerk at City Hall (P.O. Box 1420, San Juan Bautista, CA 95045), or emailed to deputycityclerk@san-juan-bautista.ca.us not later than 5:00 p.m., May 10, 2022, and will be read into the record during public comment on the item.

In compliance with the Americans with Disabilities Act, 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 subject to Staff's ability to post the documents before the meeting, or by emailing 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 – Only on items on the Agenda**
- 3. Informal Project Review**
Any potential and/or future project applicant may present their 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. No projects to present.
- 4. Presentations and Reports**
A. Community Plan (Sphere of Influence and Urban Growth Boundary) Public Engagement
B. Active Transportation Plan Update
C. Report on Planning Commissioners Academy by Commissioner Morris-Lopez
- 5. Action Items**
A. Adopt a Resolution Recommending to the City Council the Treatment of Parklets in San Juan Bautista
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
D. Reschedule the June 7 Planning Commission Meeting Due to Conflict with Gubernatorial Primary Election
E. Approve Affidavit of Posting the Agenda
- 6. Discussion Items**
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
- 7. Comments**
A. Planning Commissioners
B. Community Development Director Report
- 8. Adjournment**



CITY OF SAN JUAN BAUTISTA PLANNING COMMISSION STAFF REPORT

AGENDA TITLE: Extension of the Third Street Parklet Program

MEETING DATE: May 3, 2022

SUBMITTED BY: Brian Foucht, Community Development Director

RECOMMENDED ACTION(S):

Staff recommends that the Planning Commission forward the Key Conclusions contained in the report of the Economic Development Citizen Advisory Committee (EDCAC) as the Planning Commission recommendation regarding the extension of the Third Street Parklet program.

BACKGROUND INFORMATION:

In April 2020 the City began meeting weekly with its downtown businesses (Meetings are now held bi-weekly) to develop a plan in response to the ongoing Public Health Emergency. The Business Forum conceived a plan to assist business owners along Third Street to remain open during the emergency. Thereafter, the City Council adopted Resolution 2020-24, enabling the establishment of outdoor shopping and dining via expansion of businesses into the right of way. Third Street was converted to a single, one-way lane to enable this expansion. Resulting parklets were originally approved for a three-month period ending December 31, 2020. On November 10, 2020, the City Council agreed to extend the parklets until March 30, 2021, and thereafter agreed to successive extensions to September 30, 2021 and March 30, 2022 pending adoption of an ongoing policy.

The City Council formally established the Economic Development Citizens Advisory Committee via resolutions 2021-65 and 2021-74 with the following purpose:

- 1) Stimulate the provision of enhanced resources for local business development and support;
- 2) Establish and maintain communication with City staff and City Council regarding business support, development and overall economic development;
- 3) Establish and maintain an ongoing liaison with economic development resources in San Benito County and State and Federal agencies.

To accomplish these purposes, the Committee may conduct the following activities, including but not limited to:

- 1) Host an active forum for exchange of ideas and information and otherwise reach out to the business community, residents, and visitors to promote business development;
- 2) Evaluate and determine the economic needs of the business community and residents;
- 3) Interact proactively with a broad spectrum of economic development interests;
- 4) Recommend strategies to the City Council to provide resources directly to local businesses.

On March 2, 2022 the EDCAC recommended that the City Council extend the deadline for parklet removal sufficient to enable review and recommendation by the EDCAC. On March 15, the City Council adopted Resolution 2022-21 requesting a recommendation by the EDCAC for review by the HRB/PC and adoption by the City Council by May 31, 2022.

DISCUSSION:

The subject of “permanence” involves issues of non-conformity, long term planning and design of the Third Street streetscape, public safety, infrastructure, relationship to buildings, structures and landscaping within the Third Street Historic District and cost of removal. A decision to allow “Permanent” Parklets will eventually result in a thorough evaluation of the historic Third Street district streetscape. The attached report was accepted by the EDCAC as the Committee’s full report and recommendation to the HRB/Planning Commission and the City Council.

Attached:

1. EDCAC Report 4.20.22
2. Planning Commission Resolution



ECONOMIC DEVELOPMENT CITIZENS ADVISORY COMMITTEE

Parklet Report

04.20.22

I. Introduction

The EDCAC has determined that the process, evaluation, and conclusions contained in this report are acceptable for use as the EDCAC recommendation to the HRB/Planning Commission and City Council regarding the treatment of parklets.

II. Overall Process

On March 24, at the direction of the EDCAC an ad hoc committee met to consider the subject of parklets. Committee members were first asked to give their individual opinions about the parklets, i.e. whether parklets are desirable, and the reasons underpinning those opinions. Members explicitly addressed circumstances under which the parklets should be retained, altered, or removed. After this discussion, members were asked to address what they heard other ad hoc members say during the first round of conversation.

On March 31, staff returned to the Committee with notes of the discussion and an organized discussion summary derived exclusively from that discussion. The discussion summary was purposely organized as a series of concise statements representing the stated opinion of each individual ad hoc committee member. During the meeting, members were first asked to verify both the notes and the organized summary, and then members were asked to either agree or disagree with each statement by a show of hands. The results were noted as "votes", as represented in the summary below in parenthesis.

The intent of this exercise was to enable the expression of opinions and perspectives about parklets in a focused, useful way to inform the EDCAC recommendation to the City Council.

III. Organized Summary Key Conclusions

The following are conclusions, designed to validate all of the various opinions from the organized summary and, if accepted, will form the core EDCAC recommendation to the City Council:

- *Parklets are generally perceived to be beneficial to the community and to the sponsoring business.*
- *There are noted adverse effects of parklets; however, the benefits outweigh the noted adverse effects.*
- *Parklets should not be prevalent on Third Street in the short term. The present parklet*

experience should not be expanded as a means of limiting noted short term adverse effects.

- *It is important to know and understand the attitudes and perspectives of the community, business owners and visitors.*
- *Parklets should remain until the Third Street Master Plan construction begins. Third Street Master Plan parklet/plaza concepts should be shaped by referenced surveys and testimonials. The parklet experience should be re-imagined for use in the context of the Third Street Master Plan.*

IV. Organized Discussion Summary

A. Parklet Benefits:

A majority of members agreed that parklets had the following favorable attributes by the margin indicated in parenthesis:

1. Provides an open space experience for the business (4-1)
2. Provides a community benefit for scaled events (4-1)
3. Enables an active street scene and gatherings (3-2)
4. Allows greater visibility for the sponsoring business and historical buildings (3-2)
5. Can be re-imagined and used to inform and integrate with the Third St Master Plan (4-1)

B. Parklet Concerns:

A majority of members disagreed that parklets had the following adverse effects by the margin indicated in parenthesis:

1. Obstructs a desirable two-way traffic flow (1-4)
2. Are a visual barrier (2-3)
3. Inhibits pedestrian street crossings (1-4)
4. Are fundamentally unsafe as located and constructed (0-5)
5. Conflicts with the historical downtown ambience or language (2-3)

C. Short Term Parklet Treatment:

The following are statements that describe various ways that parklets should be treated on a short-term basis. Members agreed and disagreed with these statements by the margins indicated in parenthesis.

1. There should be a limit on the number of parklets overall, and when a parklet is removed another should be allowed to take its place. (4-1)
2. There should be no more parklets, and there should be attrition i.e. as parklets are removed or damaged no replacement is allowed. (1-4)
3. Existing parklets should be grandfathered in until Third Street is reconstructed; i.e.

adherence to current guidelines is not required for existing parklets. (4-1)

4. All parklets should be brought up to current guideline standards and a reasonable grace-period established for this to occur. (1-4)
5. The City should charge for parklet spaces (2-3)
6. There should be more parklets (5-0)
7. Parklets should all be allowed to have individual expression (5-0)

D. Long Term Parklet Treatment:

The following are statements that describe long – term influences from the short term parklet experience. Members agreed and disagreed with these statements by margins indicated in parenthesis.

1. Additional information should be obtained through surveys of community members and visitors and through testimonials of parklet owners regarding the benefits of parklets (5-0)
2. The parklet experience should be re-imagined; i.e. no longer strictly about covid (4-1)
3. The parklet experience and information should inform the Third Street Master plan (5-0)

V. Discussion Notes

The following are notes that summarize the initial discussion among members. These notes were exclusively used to prepare the above organized discussion summary.

Member A

Pandemic caused limited in-store visits. Parklets made people feel comfortable and continue to provide an out-door venue for seasonal events open to the public. These events benefit the community. Parklets are aesthetically pleasing. We should maintain what we have and limit the development of additional parklets by limiting the number of parklets that can be developed. The City should learn from the experiences of other places that have parklets. Uncertainty is very stressful.

Member B

No more parklet permits should be issued. Parklets should be allowed for non-hospitality businesses only where they provide a community benefit or have an outdoor experience – such as a restaurant. We should give people with existing parklets time to comply with any newly required standards. A streetscape design standard for parklets should be prepared and this might be a template for the future permanent streetscape. We need to re-imagine the role of parklets as an outdoor experience otherwise missing in downtown SJB. We need additional information through community and visitor surveys and testimonials from parklet owners regarding the benefits of parklets. Information should include pandemic data.

Member C

Parklets are an important representation of the sponsoring business, provide exposure, and put a spot light on businesses and notice to businesses. Parklets provide an opportunity for outdoor activities, fresh air and downtown ambience such as music and the arts and provide a space for gathering that does not currently exist. The structures should be sound and compatible with each other and the buildings they face. Parklets help maintain an active street scene. Existing Parklets should be grandfathered as to standards for construction. There should be more parklets and they should all be allowed to have individual expression. Parklets should be allowed for non-hospitality businesses only where they provide a community benefit or have an outdoor experience – such as a restaurant.

Member D

Parklets interrupt the flow of the Downtown, and trap vehicles in a one-way environment. Parklets make me feel as though I am on display and do not allow me to feel grounded as I prefer. I would prefer sidewalk dining as opposed to parklets, personally. The outdoor experience should be oriented to the Downtown as a whole, rather than the individual businesses. Parklets can be a barrier to mid-block views and pedestrian access. There should be no more parklets and there should be attrition as parklets are changed – no replacement.

I also feel that IF the parklets were extended for a year or more, they need to be charged rent to compensate for the encroachment on public property. I firmly believe if the city allows the parklets they should be reimbursed and use the money to continue to maintain and improve downtown.

In addition, I am fine with temporary parklets for eating establishments as an emergency measure in response to the covid pandemic quarantine. However, retail was not specifically considered as an essential business, so they should not be part of the covid measures. I can't understand why retail would need outdoor space once the pandemic measures are lifted.

I am deeply concerned about the threat of fire. The parklets are made of wood and full of flammable material. Until one has been evacuated at 4 am and watched the destruction of fire there is not any sense of fear. We also have to think about the access for emergency vehicles, right now it would be pretty difficult to accommodate more than a few on the street.

On another note, I do not think testimonials are the right form of survey. We need something factual and without bias. Remember these spaces were supposed to be temporary and for essential businesses.

PS....I drove Carmel, Seaside, Monterey, Pacific Grove and New Monterey and only noted essential business parklets(eating establishments, with a few brew pubs mixed in) Downtown Monterey had only sidewalk seating and it was very attractive and uncluttered. The parklets in Carmel were low profile and attractive with many flowers along the railings. Pacific Grove had a few on lighthouse and they were pretty rustic.

Seaside only had a couple one was a brew pub.

Member E

Parklets do create a destination experience. Parklets should be consistently well- maintained. Future improvements are needed on Third Street via paved streetscape improvements. Parklets should only be allowed for restaurants. Parklets should be designed to be moveable. The deadline to remove parklets should be 2 years. Parklets provide an opportunity for community activity downtown and are one step closer to permanent open outdoor spaces, activities and visual experience in the downtown.

END

RESOLUTION 2022-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN JUAN BAUTISTA RECOMMENDING THE TERM OF THE PARKLETS ENCROACHMENT PERMIT

WHEREAS, in an effort to control the pandemic caused by the COVID-19 Virus, City Council declared a State of Emergency March 17, 2020; and

WHEREAS, the shelter in place health orders that followed the state of emergency closed all but essential businesses; and

WHEREAS, this closure of businesses was harmful to the City's economy and the City, among many other things, initiated the Transformation of Third Street by adopting Resolution 2020-24, on May 19, 2020; and

WHEREAS, to implement the Transformation of Third Street, business owners were offered the opportunity to expand their business onto the public right-of-way and build decks, also known as "parklets," where customers could sit safely and enjoy their services; and

WHEREAS, in an effort to protect the historic nature of the downtown, parklets were required to be built in compliance with Guidelines adopted via City Council Resolution 2021-61; and

WHEREAS, the parklet program was approved by the City Council for a period of six months ending December 31, 2020, and serially extended until March 30, 2021, February 16, 2021 September 30, 2021, March 30 2022, and May 31, 2022 via Resolution 2022-21;

WHEREAS, the City Council desires to consider the evaluation and recommendation of the City of San Juan Bautista Economic Development Citizens Advisory Committee (EDCAC) established, in part, for this purpose and the review and recommendation of the Historic Resources Board and Planning Commission;

WHEREAS, the Planning Commission has considered the recommendation of the EDCAC and the Historic Resources Board regarding the term of parklets;

NOW THEREFORE, BE IT RESOLVED THAT THE PLANNING COMMISSION recommends that the City Council approve the recommendation set forth in the report of the San Juan Bautista Economic Development Citizens Advisory Committee (EDCAC) as it may be amended.

PASSED AND ADOPTED by the Planning Commission of the City of San Juan Bautista on the 3rd day of May 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Yolanda M. Delgado, Chairperson

ATTEST:

Trish Paetz
Planning Commission Secretary

RESOLUTION 2022-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN JUAN BAUTISTA RECOGNIZING MARY LOPEZ, TRUSTEE OF THE RAFAEL B. LOPEZ TRUST, DURING NATIONAL PRESERVATION MONTH AND RECOMMEND TO THE CITY COUNCIL

WHEREAS, the month of May is National Preservation Month, and historic preservation is an effective tool for managing growth and sustainable development, revitalizing neighborhoods, fostering local pride, and maintaining community character while enhancing livability, and

WHEREAS, the City of San Juan Bautista supports the Secretary of the Interior's Standards for the Treatment of Historic Properties, "intended to promote responsible preservation practices that help protect our Nation's irreplaceable cultural resources," and

WHEREAS, the function of the Planning Commission is to guide the orderly development of the City in accordance with the General Plan and other policy documents, and

WHEREAS, the Planning Commission wishes to recognize a property owner whose rehabilitation of a public building reflects the City's goals to maintain its historical ambiance by preserving and restoring the historic Giacomo Ramoni buildings at 307 and 309 Third Street and the iconic A. Taix Block building at 313-315 Third.

- Making a considerable financial investment, the owners re-roofed all three of the historic Third Street facing-buildings: the 1871 two-story, locally-quarried sandstone; the 1868 single-story, locally-quarried sandstone building, and the 1908 two-story locally quarried sandstone with wood and ornate pressed tin.
- Creating curb appeal for visitors
- Enhancing the economic vitality of the nationally-registered San Juan Bautista Third Street Historic District
- Extending the economic life of the building
- Modeling responsible stewardship of an historic building,

NOW, THEREFORE, BE IT RESOLVED, at its meeting on May 3, 2022, the Planning Commission of the City of San Juan Bautista, on behalf of its citizens, acted to recognize the Lopez family's efforts in renewing existing resources at 307, 309 and 313-315 Third Street and energizing the local economy, and thanks her for being an involved citizen.

PASSED AND ADOPTED by the Planning Commission of the City of San Juan Bautista on this 3rd day of May 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Chairperson Yolanda Delgado

Trish Paetz
Planning Commission Secretary

RESOLUTION 2022-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN JUAN BAUTISTA RECOGNIZING MIKE AND VINA STATUA DURING NATIONAL PRESERVATION MONTH AND RECOMMEND TO THE CITY COUNCIL

WHEREAS, the month of May is National Preservation Month, and historic preservation is an effective tool for managing growth and sustainable development, revitalizing neighborhoods, fostering local pride, and maintaining community character while enhancing livability, and

WHEREAS, the City of San Juan Bautista supports the Secretary of the Interior's Standards for the Treatment of Historic Properties, "intended to promote responsible preservation practices that help protect our Nation's irreplaceable cultural resources," and

WHEREAS, the function of the Planning Commission is to guide the orderly development of the City in accordance with the General Plan and other policy documents, and

WHEREAS, the Planning Commission wishes to recognize a property owner whose rehabilitation of a private building reflects the City's goals to maintain its historical ambiance by preserving and restoring the structure at 607 Third Street, historically known as the "Spotswood House," an excellent example of vernacular Spanish Colonial Revival architecture that was typical in the 1920s and 30s of which few remain in San Juan Bautista:

- Re-roofing the house in what appear to be the same Spanish clay tiles, maintaining the historic integrity of the Spanish Colonial Revival house
- Re-painting the house in classic Spanish Colonial Revival colors
- Creating curb appeal for visitors
- Maintaining architectural features
- Extending the economic life of the building
- Modeling responsible stewardship of an historic building, a residence since about 1928.

NOW THEREFORE BE IT RESOLVED, at its meeting on May 3, 2022, the Planning Commission of the City of San Juan Bautista, on behalf of its citizens, acted to recognize the efforts of Mike and Vina Statua in renewing and investing in an existing resource at 607 Third Street and energizing the local economy, and thanks them for being involved citizens.

PASSED AND ADOPTED by the Planning Commission of the City of San Juan Bautista on this 3rd day of May 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Chairperson Yolanda Delgado

Trish Paetz
Planning Commission Secretary

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 29th DAY OF APRIL 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 29TH DAY OF APRIL 2022.



VERONICA MUNOZ NORIEGA
OFFICE ASSISTANT



CITY OF SAN JUAN BAUTISTA Memorandum

Date: May 3, 2022

To: Historic Resources Board & Planning Commission

From: Brian Foucht, Assistant City Manager; Community Development Director

Re: Discussion Items – No Action May Be Taken

I wanted to reach out to you ahead of the usual agenda distribution to send you some information that will come up during your May 3 meeting.

1. HRB/PC: During May and June our consultants and staff will be conducting an extensive community engagement program for both the Community Plan (Sphere of Influence/Urban Growth Boundary) and the Active Transportation Plan (ATP).

The attached flyer contains all of the information needed regarding Community Plan events. Community Plan Consultants will provide an informational overview of the Community Engagement process and the Community Plan during the May 3 Planning Commission meeting.

2. HRB/PC: Code enforcement related to window signs: staff has not yet established a survey and enforcement program, although this is certainly a concern that will be evaluated and a program will be developed within the next 60 days.
3. HRB/PC: Casa Rosa Project: On March 11, 2022 I requested that Code Enforcement Officer and Building Official place a Stop Work Order on the construction of the mixed-use project at 107 Third St. due to perceived violations of historic resource preservation requirements. An initial inspection was conducted on March 15, and a comprehensive inspection occurred last week with Building Inspection and Planning staff, the project architect and architectural historian, the project contractor and the owner/developer. The applicants have been informed of a relatively long list of items that have not been constructed per approved plans or consistent with the Building Code. A prescriptive historic resources monitoring report has been completed. Revised plans will be required prior to removal of the Stop Work Order.
4. HRB/PC: Roza House: staff is looking into the subject of public/private improvements to address with the owner regarding repairs within the public right of way. Complicating the issue is that the sidewalk overhang will need to be addressed along with the boardwalk.

5. PC: Midnight Express flood plain violation: staff issued a Stop Work Order following receipt of a complaint. That order is in effect and a Compliance Order will be prepared once the City's Flood Plain Engineer (subcontractor to CSG, the City Engineer) has characterized the violation (location, extent, resources). That order will be sent to CDFW by City agreement with agency enforcement staff for any enforcement action deemed appropriate by CDFW in addition to City requirements;
6. HRB: Plaza Market Preservation: I approved a Minor Historic Design Review permit for new paint, as provided in SJB MC 11-06-120. The methods and paint material used are consistent with the exterior concrete stucco and plaster material of the building. There have been some comments and concerns including the type of paint used and an inscription that has been uncovered while wood elements were being prepared for paint (see attached email and response).

In other similar cases, properties listed on the City Inventory with Status Codes 2-5 including those within the Third Street Historic District have been re-roofed, painted and repaired (including complete replacement of balcony deck) pursuant to administrative permits including 307/311 and 313/315 Third Street (Surber), and other properties on the inventory including 607 Third Street (Statua) have been re-roofed and painted consistent with the City's ordinance and guidelines.

7. HRB/PC: Old Mission San Juan Bautista, via the Monterey Diocese has declared (attached correspondence) that adherence to Historic Preservation Ordinance procedures in SJB MC 11-06 presents a substantial hardship by delaying needed urgent repair to the Mission Church roof and east elevation exterior walls. The Diocese has completed extensive analysis by a qualified Architectural Historian (ARG, April, 2022) that prescribes methodology that will be used to undertake repair. This declaration will enable the Diocese be allowed to proceed pursuant to Government Code Section §37361(c) as follows:

...(b) The legislative body may provide for places, buildings, structures, works of art, and other objects, having a special character or special historical or aesthetic interest or value, special conditions or regulations for their protection, enhancement, perpetuation or use, which may include appropriate and reasonable control of the use or appearance of neighboring private property within public view, or both.

(c) Until January 1, 1995, subdivision (b) shall not apply to noncommercial property owned by a religiously affiliated association or corporation not organized for private profit, whether incorporated as a religious or public benefit corporation, unless the owner of the property does not object to its application. This subdivision does apply to a charter city. Nothing in this subdivision shall be construed to infringe on the authority of the legislative body to enforce

special conditions and regulations on any property designated prior to January 1, 1994. Subdivision (b) shall not apply to noncommercial property owned by any association or corporation that is religiously affiliated and not organized for private profit, whether the corporation is organized as a religious corporation, or as a public benefit corporation, provided that both of the following occur:

- (1) The association or corporation objects to the application of the subdivision to its property.*
- (2) The association or corporation determines in a public forum that it will suffer substantial hardship, which is likely to deprive the association or corporation of economic return on its property, the reasonable use of its property, or the appropriate use of its property in the furtherance of its religious mission, if the application is approved.*

The Old Mission San Juan Bautista, as a noncommercial historic building owned by a religious organization may be exempt from Chapter 11-06 of the Municipal Code "Historic Resource Preservation" under the above referenced Govt. Code §37361(c).

To invoke this exception the Church has submitted correspondence, attached, that both:

- (1) objected to the application of the subdivision (that is subdivision (b) of §37361) and of SJB Municipal Code Chapter 11-06 to its property; and
- (2) determined in a public forum (HRB meeting) that it will suffer substantial hardship which is likely to deprive it of reasonable use of its property in furtherance of its religious mission if it is required to comply with Chapter 11-06.

Attachments:

1. Community Plan Public Meeting Flyer
2. Plaza Market Site and Design Review for Historic Resources: Correspondence April 27, 2022 from Greg McCandless to Brian Foucht, Don Reynolds, Concerned Citizens; Site and Design Review Permit; Emails regarding Plaza Market Paint project;
3. Correspondence April 27, 2022: Andre Morris Buttery on behalf of Diocese of Monterey and Roman Catholic Bishop of Monterey to Brian Foucht



SAN JUAN BAUTISTA COMMUNITY PLAN PRESERVATION, CONSERVATION & GROWTH

JOIN THE COMMUNITY-WIDE DISCUSSION ABOUT SAN JUAN BAUTISTA

The City of San Juan Bautista is beginning an important program, initiated by the City Council, to complete the work that began with adoption of the 2035 General Plan. This program, entitled, "The San Juan Bautista Community Plan," will identify where and how San Juan Bautista should grow to meet all of the policies of the 2035 General Plan. Through this program, it is likely that brand new General Plan policies and changes to existing policies will be created to guide preservation, conservation and growth within and outside our current City limits.



COMMUNITY CHARRETTE*

WEDNESDAY, MAY 4, 6PM - 8PM

LOCATION: SAN JUAN SCHOOL GYMNASIUM

100 NYLAND DRIVE (ACCESS FROM THE ALAMEDA)

This is the centerpiece of the community engagement, during which the community will work together to develop ideas and strategies to inform preservation, conservation, and growth policies and targets. This includes:

- Discussions on healthy land use planning concepts and principles of good practice
- An interactive mapping exercise to identify opportunities, challenges and flag concerns

COMMUNITY CONVERSATIONS

TUESDAY, MAY 3 - THURSDAY, MAY 5 / LOCATION: CITY COUNCIL CHAMBERS

Each conversation investigates a key issue on preservation, conservation, economic development, and growth. Please consider taking part in this watershed community-wide discussion and share your ideas!

TUESDAY, MAY 3	WEDNESDAY, MAY 4	THURSDAY, MAY 5
9AM - 11AM Economic Development	11AM - 1PM Open Space Preservation	
11:30AM - 1:30PM The Future of Growth	3PM - 5PM Mobility & Transportation	3PM - 5PM Open House
3PM - 5PM Living, Working & Playing	6PM - 8PM* Community Charrette	6PM City Council Workshop



CONTACT:

Brian Foucht, Community Development Director, San Juan Bautista

Phone: 831-623-4661 x 20 / Email: ACM-CDDirector@san-juan-bautista.ca.us

www.san-juan-bautista.ca.us/departments/planning/projects_of_community_interest.php



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T: (408) 867-6133
F: (408) 867-6932
INFO@MCCANDLESSCORP.COM

April 27, 2022

Brian Foucht, Don Reynolds, City Council, and concerned citizens,

Regarding: Plaza Market adobe building.

I have owned the building since 1998, and am very knowledgeable of its history and construction. Soon after purchasing it, I hired Gilbert Sanchez A.I.A., (the foremost expert in the field of adobe structures) as a consultant. I learned a lot about adobe construction and maintenance from him.

I am undertaking the project of repainting the exterior. Due to the concerns that have been expressed by others, I wish to explain my qualifications, and the chosen methodology for this project, so that members of the community will be informed and understand the great pride I take in the preservation of this building.

I want to assure you that I am well qualified and have extensive experience in the restoration of historic buildings. I have a Master of Urban Planning degree with an emphasis in Historic Preservation. I have both fully and partially restored historic buildings in Nevada, Central California, the S.F. Bay Area, as well as in San Juan Bautista.

In San Juan Bautista I restored the four early 20th century, very dilapidated, cottages at 106-112 Pearce lane. Also in San Juan Bautista, I restored the 205 3rd Third St. historic basement and added concrete foundations (this was certified by the National Trust for Historic Preservation). In Los Gatos, I completed a major storefront renovation of a 1906 building and restored it to its original appearance. I received a historic preservation award from the California Preservation Foundation for the total exterior and interior restoration of a landmark 1896 brick building in San Francisco. I have been a general contractor, and have worked extensively with architects, consultants, and specialty contractors who work in historic preservation.

The methodology for this project is as follows:

Stucco and Plaster surfaces.

- Hand scrape loose paint, smooth with light sanding to feather the outer layer of old paint;
- Hand wash surfaces (power washing is not used to avoid damage to surfaces) as needed;
- Minor patching with compatible material per substrate as needed;
- Apply Kelly-Moore DuraPoxy premium acrylic paint.

Wood surfaces.

- Hand scrape loose paint, smooth with light sanding to feather the outer layer of old paint;
- Patch damaged wood with epoxy based filler as needed;
- Apply wood stabilizer to dry wood as needed;
- Encapsulate and preserve remaining layers of old paint;
- Apply Kelly-Moore DuraPoxy premium acrylic paint.

With reference to the JH Lavagnino sign recently discovered, it was an exciting find and we intend to preserve it. It is integral to the historic fabric of the building and will not be altered.

I greatly appreciate the consideration in enabling me to move forward with the process of refreshing and maintaining the exterior of this historic building.

Sincerely,

Greg McCandless



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

Applicant(s):

Name: Gavilan Investments, LLC

Mailing Address: 14375 Saratoga Avenue, Suite 201, Saratoga, CA 95070

Phone: 408-867-6133 email: info@mccandlesscorp.com

Property/Land Owner(s):

Name: Gavilan Investments, LLC

Mailing Address: 14375 Saratoga Avenue, Suite 201, Saratoga, CA 95070

Phone: 408-867-6133

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: Gavilan Investments, LLC

Mailing Address: 14375 Saratoga Avenue, Suite 201, Saratoga, CA 95070

Phone: 408-867-6133 email: info@mccandlesscorp.com

Project Address/Location: 203 3rd St., San Juan Bautista

Most Current Assessor's Parcel Number: 002190011-000

For Office Use Only:

Date Application Submitted 3/10/22 Deposit Collected \$ 312.50 Date 3/9/22

Date Application Complete 3/29/22 Billing Number _____

File Number(s) ENC #171 ; Historic Review #174

12/17/2013

P:\Forms\Planning Application Cover Page.DOC



CITY OF SAN JUAN BAUTISTA

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

PLANNING DEPARTMENT

Phone: (831) 623-4661
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SITE AND DESIGN REVIEW – MINOR PROJECTS

The Design Review Permit for Minor Projects is for property owners proposing new construction or improvements totaling less than 1,000 square feet, including renovation, rehabilitation, repair, re-roofing, repainting or proposed uses changed per permitted uses allowed in Section 11-02-050 zoning district.

APPLICATION REQUIREMENTS:

- ☐ Required processing fee of \$603.75 (Additional fees for permit processing may be charged to the applicant depending on the proposed uses or improvements).
- ☐ All items described and specified by Chapter 10-2, Article 4 & 5 of the City Municipal Code (refer to the attached sheets or to the City Website).
- ☐ 262.50 fee for a Notice of Exemption (NOE), or
- ☐ CEQA Review (IS/MND or EIR). The applicant shall either submit an appropriate level CEQA document (IS/MND or EIR) prepared for the project by the applicant, to the City for peer review and processing OR submit a deposit in the amount of \$5,300 to be used for the preparation of an appropriate CEQA document. Fees will be charged to the applicant on a Time and Materials basis, using approximately \$222.00 per hour.
- ☐ Notice of Determination (NOD). An additional fee is charged by the California Department of Fish and Game for their review of all environmental documents: Check with the California Department of Fish and Game for the fee. There is also a County Recording fee. Fees are updated each year. Check with County Recorders Office for exact fees.
- ☐ Planning Application Cover page (not required if filed with previous application)
- ☐ 8 copies of the building elevations (drawn to scale) that note the proposed repairs and modifications to the structure. Existing and proposed building materials and colors should be noted if improvements are proposed.
- ☐ Exterior Photographs of the building.
- ☐ Typed mailing labels address to the property owners as shown on the most recent Assessor's roll and occupants of all units located on properties within 300' of the project site's property lines. Mailing labels for occupants of

rental units will be addressed to "Occupant". City staff is responsible for this task.

APPLICATION REQUIREMENTS FOR REPAINT OR RE-ROOF PROJECTS IF PROPOSED.

- No fee required. NOTE - as determined by the City Planner, a processing fee of \$50.00 (repaint) or \$250.00 (re-roof) is required if repaint or re-roof is not consistent with the City Design Guidelines.
- 1 copy of the building elevations that note the color applications of the building or roof materials
- Color samples, colored renderings or roof material samples for display at public hearings.
- Answers to the questions listed on the following page.
- Photographs of the building.
- (NOTE - If paint or re-roof is not consistent with the City Design Guidelines typed mailing labels address to the property owners as shown on the most recent Assessor's roll and occupants of all units located on properties within 300' of the project site's property lines is required. Mailing labels for occupants of rental units will be addressed to "Occupant". City staff is responsible for this task.)

QUESTIONS:

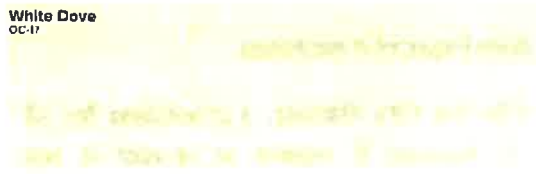
1. Please describe the project in detail (indicate the extent of work, and the materials to be used and/or replaced: The intended work will repaint the entire building in like-kind colors to the existing paint. Limited repair of stucco and wood as needed. All repair work will match existing as-is currently in-place.
2. Please describe the building materials use on existing buildings in the vicinity of the site: The building is sided with wood and stucco.
3. Please provide any other information that may be relevant to this application: Please see Exhibit A

Note: All items must be included in the application in order for it to be deemed complete. Failure to include the requested items may result in a delay of the application process.

Exhibit A

White paint to match existing as Benjamin Moore OC-17 White Dove.

White Dove
OC-17



(100% Acrylic)

Brown trim to match existing as Benjamin Moore HC-185 Tudor Brown



203 3rd Street, San Juan Bautista: Existing building.



OK / DF.
4/1/22

PRODUCT DESCRIPTION

Durapoxy Exterior is a groundbreaking waterborne coating designed with a high-hide formula that provides excellent UV protection and rapid moisture resistance. Perfect for projects that need exceptional hide and coverage or when weather can be harsh and unpredictable. Excellent for use on high-end residential homes and commercial buildings where a luxurious finish and long-lasting durability are required. Durapoxy Exterior can be used on stucco, masonry, metal, wood, and hardboard.

FEATURES & SPECIFICATIONS**PERFORMANCE FEATURES**

- Ultimate Protection
- Superior Hide & Coverage
- Resists Rain & Moisture (1 hour)
- Dirt & Mildew Resistant
- Easy to Clean
- Self-Priming
- Lifetime Warranty

MEETS VOC LIMITS

- ✓ CARB
- ✓ SCAQMD
- ✓ National AIM
- ✓ LEED v4
- ✓ GS-11

AVAILABLE PRODUCTS**FINISHES:**

1942 Matte < 5 @ 60°
1946 Eggshell 10 - 20 @ 60°

BASES & COLORANT:

911 White 0 - 5 oz/gal
933 Deep 5 - 10 oz/gal
955 Neutral 10 - 15 oz/gal

SIZES: Gallon & Five Gallon

Available finish, base, & size combinations may vary.

PRODUCT SPECIFICATIONS

RESIN TYPE: 100% Acrylic

VOC (ASTM D6886): < 50 g/L

SOLIDS BY VOLUME:

Matte 37 ± 2%
Eggshell 37 ± 2%

WEIGHT PER GALLON:

Matte 11.4 ± .25 lbs.
Eggshell 10.8 ± .25 lbs

SUBSTRATES & SYSTEM RECOMMENDATIONS

PREP: All surfaces must be cured, firm and dry. Use a suitable cleaner to remove all dirt, oil or other contamination. Sand glossy surfaces and remove dust. (See WARNING!)

PRIME: 1 Coat - Recommended Primer

Masonry, Stucco, &

Fiber Cement Board: 247 AcryShield Masonry

Wood & Hardboard: 255 AcryShield Wood

Metal: 5725 DTM Primer / Finish

Previously Painted: 295 Kel-Bond Universal or apply topcoat directly over prepared surface.

PAINT: 2 Coats - DuraPoxy Exterior

Brush: Synthetic Bristle

Roll: 3/8"-3/4" Synthetic Cover

Spray: 2000-2500 PSI / .015"-.021" Tip

Thickness: 4-6 Mils Wet / 1.4-2.4 Mils Dry

Coverage: 250-400 sq/ft Per Gallon

Temperature: 35°F - 100°F

Dry Time: 1 Hour Touch / 4 Hours Recoat

Clean-up: Water

Thinning: Not Required / <10% Water, If Necessary

PAINT & PRIMER ALL-IN-ONE: This product is self-priming over properly prepared painted surfaces and bare wood or masonry (<13 pH). Apply 1 coat as a primer with 1-2 additional topcoats. Allow at least 4 hours between all coats.

A specialty primer may be required in some situations such as significant color changes, porous substrates, dense or glossy surfaces, heavy tannins, or stains. See a Kelly-Moore representative for additional recommendations.

See following pages for detailed preparation and application instructions.

KELLY-MOORE PAINT COMPANY INC.
HURST, TEXAS 76053 USA

www.kellymoore.com

Rev. 08/20

PREPARATION & APPLICATION**BEFORE PAINTING**

GENERAL PREPARATION: All surfaces must be cured, firm, dry and cleaned free of dust, dirt, oil, grease, wax, chalk, rust, mildew or any other contamination or condition that would adversely affect the performance of the coating. Sand glossy, dense or glazed surfaces. (See WARNING!)

NEW FERROUS METAL: Remove all loose rust, mill scale, or deteriorated previous coatings by Hand Tooling (SSPC-SP-2) or Power Tool Cleaning (SSPC-SP-3).

NEW ALUMINUM & GALVANIZED METAL: Wash surface with TSP or other suitable cleaner, degreaser, or etching solution to remove oil and contaminants. Rinse thoroughly.

TANNIN RICH WOOD: Allow to weather until tannins naturally come out of the substrate. Clean tannins from surface prior to priming and painting.

NEW & BARE SURFACES: Prime surfaces following recommendations on page 1 & 2.

PREVIOUSLY PAINTED SURFACES: Remove any peeling, chalky or loosely adhering paint, sand to feather edges, dust clean (do not use tack rags). Glossy surfaces should be completely dulled prior to painting. (See WARNING!) Spot prime bare and patched areas or prime entire surface with a suitable Kelly-Moore product. When making a significant color or sheen change, a primer is recommended to aid hide and appearance of the topcoat.

MOISTURE: All surfaces should be dry before painting. Wood should have an internal moisture content of less than 15%. Masonry and plaster should be thoroughly cured and have an internal moisture content of less than 12%.

STAIN BLOCKING: When painting over stains or tannins, an appropriate primer is recommended before top coating. For heavy stains, a second coat of primer may be required. 24 hours are required between all coats.

PATCHING & CAULKING: Prime the surface then apply paintable patching or siliconized acrylic caulking to the manufacturer's recommendations. Patching should be reprimed once dry. Caulking should be allowed to fully dry, then the finish paint applied. Using fast dry primers over caulking is not recommended. Elastomeric patch & caulking are recommended with elastomeric paints only. Painting over flexible patch or caulking or in areas with substrate movement may cause cracking of the topcoat.

MIXING: Mix well before use. Purchase enough paint to complete your project at the same time. If additional paint is needed, retain some of the original material and intermix the paint before application or touch up.

THINNING: Apply at can consistency. If thinning is necessary to maintain workability, do not exceed 10%.

CONTAINERS AND TOOLS: Transfer material into a clean container for use. Use new or thoroughly cleaned tools. To avoid contamination, do not re-dip applicators or add used material into containers being used for storage.

DURING PAINTING

GENERAL PAINTING: Apply two separate finish coats to create even color, uniform sheen, maximum durability and easier touch-up. Maintain a wet edge while painting.

TESTING: Prior to full application, apply a test patch to ensure the preparation and coating system are appropriate for the project. If test patch results do not meet the needs of the project, contact a Kelly-Moore representative for recommendations.

COVERAGE: May vary depending on method of application, porosity and texture of the surface.

FILM THICKNESS: Always follow recommendations for application thickness on page 1. Over application may reduce performance and can lead to runs, extended dry times or a soft film.

WEATHER: Apply product only when material, air, and surface temperature are within the recommendations on page 1 and will remain above that temperature for at least 24 hours. Temperatures must remain 5° above the dew point during application and dry time. Do not expose to rain, fog, snow or any moisture during application or dry time. Limit exposure to heavy moisture for 24-48 hours after application.

BACKROLLING: While spraying, follow with a wet roller to ensure an even coat and fill in porous surfaces. This will reduce pinholes, create uniform sheen and make for easier touch-up.

FIBER CEMENT BOARD: Prime bare or factory primed surfaces. A minimum of two finish coats are required for sheen uniformity and touch up. Backroll all spray applied coats for best results.

RECOATING: Always follow recommendations for recoat times on page 1. Recoating too soon or too long after painting may reduce performance and can lead to adhesion loss, improper cure or a soft film.

AFTER PAINTING

DRYING: Dry times are based on standard conditions of 75°F with a relative humidity of 50%. Lower temperatures or higher humidity may extend drying times. Higher temperatures may speed drying time. Provide adequate ventilation and air movement during and after painting.

STORAGE: Store material at room temperature in a clean, tightly sealed container free of rollers, brushes, or other outside materials. Protect from freezing.

CURE: Architectural paints require up to 30 days after final application for full cure and maximum performance. Cure times vary depending on environmental conditions and air circulation.

CLEANING: Wait until at least two weeks after final paint application. Clean with fresh water and a cotton cloth. A small amount of mild detergent can be used, if necessary. See Kelly-Moore's Maintaining Painted Surfaces guide for more information.

KELLY-MOORE PAINT COMPANY INC.
HURST, TEXAS 76053 USA

SPECIALTY PRIMER RECOMMENDATIONS**Stain Blocking / Color Change**
295 Kel-Bond Universal**Tannin Rich Wood**
265 Hybrid**Chalky Surfaces**
98 Multi-Seal**Rough Surfaces**
285 Kel-Bond Ultra**Porous Masonry**
521 Block Filler**Dense or Glossy Surfaces**
287 Kel-Bond Plus

Ask a local Kelly-Moore representative for additional system recommendations.

SAFETY INFORMATION**CAUTION!**

Harmful if inhaled. Causes eye, nose, throat and lung irritation. Overexposure may cause lung damage. Close container after each use. Keep away from heat and flame.

Do not breathe dust, vapors or spray mist. Avoid contact with eyes, skin, and clothing. Wash thoroughly after handling.

Ensure fresh air entry during application and drying. If you experience eye watering, headache or dizziness or if air monitoring demonstrates vapor/mist levels are above applicable limits, wear an appropriate, properly fitted respirator (NIOSH approved) during and after application. Follow respirator manufacturer's directions for respirator use.

If spilled, contain spilled material and remove with inert absorbent. Dispose of contaminated absorbent, container and unused contents in accordance with local, state and federal regulations.

If spilled, contain spilled material and remove with inert absorbent. Dispose of contaminated absorbent, container and unused contents in accordance with local, state and federal regulations.

WARNING! If you scrape, sand or remove old paint from any surface, you may release lead dust. LEAD IS TOXIC. EXPOSURE TO LEAD DUST CAN CAUSE SERIOUS ILLNESS, SUCH AS BRAIN DAMAGE, ESPECIALLY IN CHILDREN. PREGNANT WOMEN SHOULD ALSO AVOID EXPOSURE. Wear a NIOSH approved respirator to control lead exposure. Carefully clean up with a wet mop or HEPA vacuum. Before you start, find out how to protect yourself and your family by contacting the U.S. EPA/Lead Information Hotline at 1- 800-424-LEAD (5323) or log on to www.epa.gov/lead.

 **WARNING** Cancer and Reproductive Harm- www.P65Warnings.ca.gov/product

First Aid: If you experience difficulty in breathing, leave the area to obtain fresh air. If continued difficulty is experienced, get medical attention immediately.

DO NOT TAKE INTERNALLY
USE ONLY WITH ADEQUATE VENTILATION
KEEP OUT OF REACH OF CHILDREN

SEE THE SAFETY DATA SHEET (SDS) FOR ADDITIONAL HEALTH AND SAFETY INFORMATION

KELLY-MOORE PAINT COMPANY INC.
HURST, TEXAS 76053 USA

www.kellymoore.com

Rev. 08/20

LIFETIME LIMITED WARRANTY

Subject to the limitations set forth in this Technical Data Sheet, Kelly-Moore Paint Company, Inc. ("KM") warrants that the DuraPoxy Exterior Paint product (the "Product") shall be free from peeling, blistering and cracking defects during the Lifetime (as hereinafter defined) (the "Lifetime Limited Warranty"). This Lifetime Limited Warranty applies to and requires the painting of properly-prepared exterior surfaces with two (2) separate coats of the Product by the owner ("Owner") or his/her/its contractor on the structure. For the purpose of this Lifetime Limited Warranty, the term "Lifetime" means and refers to that period commencing on the date of application of the Product on the structure until such time that the Owner conveys, assigns, sells or transfers the structure on which the Product has been applied (the "Warranty Period"). This Lifetime Limited Warranty is non-transferrable and non-assignable. All recommendations for surface preparation and application made on this Technical Data Sheet must be strictly followed in order for the Lifetime Limited Warranty to be valid. If KM verifies that the Product peels, blisters or cracks during the Warranty Period due to a defect of the Product, Owner's sole and exclusive remedy shall be KM's replacement, at no additional cost to Owner, of an adequate quantity of the Product required to repair the affected portions of the subject surfaces to a sound condition. Owner shall not be entitled to any other remedy in lieu of Product replacement. KM does not warrant the film integrity of previously applied coatings. This Lifetime Limited Warranty does not apply to improperly prepared or below grade surfaces, surfaces not specifically recommended for coating application or coating failures resulting from cracks or openings, structural defects, faulty construction, physical abuse, extreme weather, natural disasters or other causes beyond KM's reasonable control. Color fading is specifically excluded from this Lifetime Limited Warranty. This Lifetime Limited Warranty excludes labor and the cost of labor. No modifications, changes or amendments to this Lifetime Limited Warranty are valid. THE LIFETIME LIMITED WARRANTY STATED IN THIS TECHNICAL DATA SHEET IS EXCLUSIVE OF ALL OTHER WARRANTIES, WRITTEN OR ORAL, STATUTORY, EXPRESS OR IMPLIED, INCLUDING ANY WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE, NONE OF WHICH SHALL APPLY TO THE PRODUCT. TO THE MAXIMUM EXTENT PERMITTED UNDER THE LAW OF THE JURISDICTION WHERE THE PRODUCT IS SOLD, THIS WARRANTY ALSO EXCLUDES LIABILITY FOR ANY LOSS OF PROFITS, SPECIAL, INCIDENTAL OR CONSEQUENTIAL DAMAGES FOR BREACH OF ANY LIFETIME LIMITED WARRANTY ON THE PRODUCTS. KM SHALL NOT BE LIABLE FOR ANY LOSS, CLAIM, EXPENSE OR DAMAGE CAUSED BY, CONTRIBUTED TO OR ARISING OUT OF THE ACTS OR OMISSIONS OF OWNER OR THIRD PARTIES, WHETHER NEGLIGENT OR OTHERWISE. IN NO EVENT SHALL KM'S LIABILITY UNDER ANY CAUSE OF ACTION WHATSOEVER EXCEED THE COST OF THE PRODUCT GIVING RISE TO THE CLAIM, WHETHER BASED IN CONTRACT, WARRANTY, INDEMNITY OR TORT (INCLUDING NEGLIGENCE AND STRICT LIABILITY) OR OTHERWISE.

PRODUCT DESCRIPTION

Durapoxy Exterior is a groundbreaking waterborne coating designed with a high-hide formula that provides excellent UV protection and rapid moisture resistance. Perfect for projects that need exceptional hide and coverage or when weather can be harsh and unpredictable. Excellent for use on high-end residential homes and commercial buildings where a luxurious finish and long-lasting durability are required. Durapoxy Exterior can be used on stucco, masonry, metal, wood, and hardboard.

FEATURES & SPECIFICATIONS**PERFORMANCE FEATURES**

- Ultimate Protection
- Superior Hide & Coverage
- Resists Rain & Moisture (1 hour)
- Dirt & Mildew Resistant
- Easy to Clean
- Self-Priming
- Lifetime Warranty

MEETS VOC LIMITS

- ✓ CARB
- ✓ SCAQMD
- ✓ National AIM
- ✓ LEED v4
- ✓ GS-11

AVAILABLE PRODUCTS**FINISHES:**

1942 Matte < 5 @ 60°
1946 Eggshell 10 - 20 @ 60°

BASES & COLORANT:

911 White 0 - 5 oz/gal
933 Deep 5 - 10 oz/gal
955 Neutral 10 - 15 oz/gal

SIZES: Gallon & Five Gallon

Available finish, base, & size combinations may vary.

PRODUCT SPECIFICATIONS

RESIN TYPE: 100% Acrylic

VOC (ASTM D6886): < 50 g/L

SOLIDS BY VOLUME:

Matte 37 ± 2%
Eggshell 37 ± 2%

WEIGHT PER GALLON:

Matte 11.4 ± .25 lbs.
Eggshell 10.8 ± .25 lbs

SUBSTRATES & SYSTEM RECOMMENDATIONS

PREP: All surfaces must be cured, firm and dry. Use a suitable cleaner to remove all dirt, oil or other contamination. Sand glossy surfaces and remove dust. (See WARNING!)

PRIME: 1 Coat - Recommended Primer

Masonry, Stucco, &

Fiber Cement Board:

Wood & Hardboard:

Metal:

Previously Painted:

247 AcryShield Masonry

255 AcryShield Wood

5725 DTM Primer / Finish

295 Kel-Bond Universal or apply topcoat directly over prepared surface.

PAINT: 2 Coats - DuraPoxy Exterior

Brush: Synthetic Bristle

Roll: 3/8"-3/4" Synthetic Cover

Spray: 2000-2500 PSI / .015"-.021" Tip

Thickness: 4-6 Mills Wet / 1.4-2.4 Mills Dry

Coverage: 250-400 sq/ft Per Gallon

Temperature: 35°F - 100°F

Dry Time: 1 Hour Touch / 4 Hours Recoat

Clean-up: Water

Thinning: Not Required / <10% Water, If Necessary

PAINT & PRIMER ALL-IN-ONE: This product is self-priming over properly prepared painted surfaces and bare wood or masonry (<13 pH). Apply 1 coat as a primer with 1-2 additional topcoats. Allow at least 4 hours between all coats.

A specialty primer may be required in some situations such as significant color changes, porous substrates, dense or glossy surfaces, heavy tannins, or stains. See a Kelly-Moore representative for additional recommendations.

See following pages for detailed preparation and application instructions.

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HURST, TEXAS 76053 USA

www.kellymoore.com

Rev. 08/20

PREPARATION & APPLICATION**BEFORE PAINTING**

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NEW FERROUS METAL: Remove all loose rust, mill scale, or deteriorated previous coatings by Hand Tooling (SSPC-SP-2) or Power Tool Cleaning (SSPC-SP-3).

NEW ALUMINUM & GALVANIZED METAL: Wash surface with TSP or other suitable cleaner, degreaser, or etching solution to remove oil and contaminants. Rinse thoroughly.

TANNIN RICH WOOD: Allow to weather until tannins naturally come out of the substrate. Clean tannins from surface prior to priming and painting.

NEW & BARE SURFACES: Prime surfaces following recommendations on page 1 & 2.

PREVIOUSLY PAINTED SURFACES: Remove any peeling, chalky or loosely adhering paint, sand to feather edges, dust clean (do not use tack rags). Glossy surfaces should be completely dulled prior to painting. (See WARNING!) Spot prime bare and patched areas or prime entire surface with a suitable Kelly-Moore product. When making a significant color or sheen change, a primer is recommended to aid hide and appearance of the topcoat.

MOISTURE: All surfaces should be dry before painting. Wood should have an internal moisture content of less than 15%. Masonry and plaster should be thoroughly cured and have an internal moisture content of less than 12%.

STAIN BLOCKING: When painting over stains or tannins, an appropriate primer is recommended before top coating. For heavy stains, a second coat of primer may be required. 24 hours are required between all coats.

PATCHING & CAULKING: Prime the surface then apply paintable patching or siliconized acrylic caulking to the manufacturer's recommendations. Patching should be reprimed once dry. Caulking should be allowed to fully dry, then the finish paint applied. Using fast dry primers over caulking is not recommended. Elastomeric patch & caulking are recommended with elastomeric paints only. Painting over flexible patch or caulking or in areas with substrate movement may cause cracking of the topcoat.

MIXING: Mix well before use. Purchase enough paint to complete your project at the same time. If additional paint is needed, retain some of the original material and intermix the paint before application or touch up.

THINNING: Apply at can consistency. If thinning is necessary to maintain workability, do not exceed 10%.

CONTAINERS AND TOOLS: Transfer material into a clean container for use. Use new or thoroughly cleaned tools. To avoid contamination, do not re-dip applicators or add used material into containers being used for storage.

DURING PAINTING

GENERAL PAINTING: Apply two separate finish coats to create even color, uniform sheen, maximum durability and easier touch-up. Maintain a wet edge while painting.

TESTING: Prior to full application, apply a test patch to ensure the preparation and coating system are appropriate for the project. If test patch results do not meet the needs of the project, contact a Kelly-Moore representative for recommendations.

COVERAGE: May vary depending on method of application, porosity and texture of the surface.

FILM THICKNESS: Always follow recommendations for application thickness on page 1. Over application may reduce performance and can lead to runs, extended dry times or a soft film.

WEATHER: Apply product only when material, air, and surface temperature are within the recommendations on page 1 and will remain above that temperature for at least 24 hours. Temperatures must remain 5° above the dew point during application and dry time. Do not expose to rain, fog, snow or any moisture during application or dry time. Limit exposure to heavy moisture for 24-48 hours after application.

BACKROLLING: While spraying, follow with a wet roller to ensure an even coat and fill in porous surfaces. This will reduce pinholes, create uniform sheen and make for easier touch-up.

FIBER CEMENT BOARD: Prime bare or factory primed surfaces. A minimum of two finish coats are required for sheen uniformity and touch up. Backroll all spray applied coats for best results.

RECOATING: Always follow recommendations for recoat times on page 1. Recoating too soon or too long after painting may reduce performance and can lead to adhesion loss, improper cure or a soft film.

AFTER PAINTING

DRYING: Dry times are based on standard conditions of 75°F with a relative humidity of 50%. Lower temperatures or higher humidity may extend drying times. Higher temperatures may speed drying time. Provide adequate ventilation and air movement during and after painting.

STORAGE: Store material at room temperature in a clean, tightly sealed container free of rollers, brushes, or other outside materials. Protect from freezing.

CURE: Architectural paints require up to 30 days after final application for full cure and maximum performance. Cure times vary depending on environmental conditions and air circulation.

CLEANING: Wait until at least two weeks after final paint application. Clean with fresh water and a cotton cloth. A small amount of mild detergent can be used, if necessary. See Kelly-Moore's Maintaining Painted Surfaces guide for more information.

KELLY-MOORE PAINT COMPANY INC.
HURST, TEXAS 76053 USA

SPECIALTY PRIMER RECOMMENDATIONS**Stain Blocking / Color Change**
295 Kel-Bond Universal**Tannin Rich Wood**
265 Hybrid**Chalky Surfaces**
98 Multi-Seal**Rough Surfaces**
285 Kel-Bond Ultra**Porous Masonry**
521 Block Filler**Dense or Glossy Surfaces**
287 Kel-Bond Plus

Ask a local Kelly-Moore representative for additional system recommendations.

SAFETY INFORMATION**CAUTION!**

Harmful if inhaled. Causes eye, nose, throat and lung irritation. Overexposure may cause lung damage. Close container after each use. Keep away from heat and flame.

Do not breath dust, vapors or spray mist. Avoid contact with eyes, skin, and clothing. Wash thoroughly after handling.

Ensure fresh air entry during application and drying. If you experience eye watering, headache or dizziness or if air monitoring demonstrates vapor/mist levels are above applicable limits, wear an appropriate, properly fitted respirator (NIOSH approved) during and after application. Follow respirator manufacturer's directions for respirator use. If spilled, contain spilled material and remove with inert absorbent. Dispose of contaminated absorbent, container and unused contents in accordance with local, state and federal regulations.

If spilled, contain spilled material and remove with inert absorbent. Dispose of contaminated absorbent, container and unused contents in accordance with local, state and federal regulations.

WARNING! If you scrape, sand or remove old paint from any surface, you may release lead dust. LEAD IS TOXIC. EXPOSURE TO LEAD DUST CAN CAUSE SERIOUS ILLNESS, SUCH AS BRAIN DAMAGE, ESPECIALLY IN CHILDREN. PREGNANT WOMEN SHOULD ALSO AVOID EXPOSURE. Wear a NIOSH approved respirator to control lead exposure. Carefully clean up with a wet mop or HEPA vacuum. Before you start, find out how to protect yourself and your family by contacting the U.S. EPA/Lead Information Hotline at 1- 800-424-LEAD (5323) or log on to www.epa.gov/lead.

 **WARNING** Cancer and Reproductive Harm- www.P65Warnings.ca.gov/product

First Aid: If you experience difficulty in breathing, leave the area to obtain fresh air. If continued difficulty is experienced, get medical attention immediately.

**DO NOT TAKE INTERNALLY
USE ONLY WITH ADEQUATE VENTILATION
KEEP OUT OF REACH OF CHILDREN**

SEE THE SAFETY DATA SHEET (SDS) FOR ADDITIONAL HEALTH AND SAFETY INFORMATION

KELLY-MOORE PAINT COMPANY INC.
HURST, TEXAS 76053 USA

LIFETIME LIMITED WARRANTY

Subject to the limitations set forth in this Technical Data Sheet, Kelly-Moore Paint Company, Inc. ("KM") warrants that the DuraPoxy Exterior Paint product (the "Product") shall be free from peeling, blistering and cracking defects during the Lifetime (as hereinafter defined) (the "Lifetime Limited Warranty"). This Lifetime Limited Warranty applies to and requires the painting of properly-prepared exterior surfaces with two (2) separate coats of the Product by the owner ("Owner") or his/her/its contractor on the structure. For the purpose of this Lifetime Limited Warranty, the term "Lifetime" means and refers to that period commencing on the date of application of the Product on the structure until such time that the Owner conveys, assigns, sells or transfers the structure on which the Product has been applied (the "Warranty Period"). This Lifetime Limited Warranty is non-transferrable and non-assignable. All recommendations for surface preparation and application made on this Technical Data Sheet must be strictly followed in order for the Lifetime Limited Warranty to be valid. If KM verifies that the Product peels, blisters or cracks during the Warranty Period due to a defect of the Product, Owner's sole and exclusive remedy shall be KM's replacement, at no additional cost to Owner, of an adequate quantity of the Product required to repair the affected portions of the subject surfaces to a sound condition. Owner shall not be entitled to any other remedy in lieu of Product replacement. KM does not warrant the film integrity of previously applied coatings. This Lifetime Limited Warranty does not apply to improperly prepared or below grade surfaces, surfaces not specifically recommended for coating application or coating failures resulting from cracks or openings, structural defects, faulty construction, physical abuse, extreme weather, natural disasters or other causes beyond KM's reasonable control. Color fading is specifically excluded from this Lifetime Limited Warranty. This Lifetime Limited Warranty excludes labor and the cost of labor. No modifications, changes or amendments to this Lifetime Limited Warranty are valid. THE LIFETIME LIMITED WARRANTY STATED IN THIS TECHNICAL DATA SHEET IS EXCLUSIVE OF ALL OTHER WARRANTIES, WRITTEN OR ORAL, STATUTORY, EXPRESS OR IMPLIED, INCLUDING ANY WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE, NONE OF WHICH SHALL APPLY TO THE PRODUCT, TO THE MAXIMUM EXTENT PERMITTED UNDER THE LAW OF THE JURISDICTION WHERE THE PRODUCT IS SOLD, THIS WARRANTY ALSO EXCLUDES LIABILITY FOR ANY LOSS OF PROFITS, SPECIAL, INCIDENTAL OR CONSEQUENTIAL DAMAGES FOR BREACH OF ANY LIFETIME LIMITED WARRANTY ON THE PRODUCTS. KM SHALL NOT BE LIABLE FOR ANY LOSS, CLAIM, EXPENSE OR DAMAGE CAUSED BY, CONTRIBUTED TO OR ARISING OUT OF THE ACTS OR OMISSIONS OF OWNER OR THIRD PARTIES, WHETHER NEGLIGENT OR OTHERWISE. IN NO EVENT SHALL KM'S LIABILITY UNDER ANY CAUSE OF ACTION WHATSOEVER EXCEED THE COST OF THE PRODUCT GIVING RISE TO THE CLAIM, WHETHER BASED IN CONTRACT, WARRANTY, INDEMNITY OR TORT (INCLUDING NEGLIGENCE AND STRICT LIABILITY) OR OTHERWISE.

KELLY-MOORE PAINT COMPANY INC.
HURST, TEXAS 76053 USA

Brian Foucht

From: Brian Foucht
Sent: Wednesday, April 27, 2022 12:36 PM
To: 'San Juan Bautista Historical Society'
Cc: Don Reynolds
Subject: RE: inscription at the Plaza Market noted by Stephanie

Hi Cara - our ordinance does not require HRB review to paint this building. I am in close communication with the owner regarding the progress of the work and the owner understands that, preparation of the building and related elements for painting may expose areas needing repair defined by our ordinance as "major alteration", and this may warrant a revised Site and Design Review Permit for Historic Resources. Proposed alteration of the inscription referenced in your email by removal or re-covering would require a Site and Design Review Permit by the Planning Commission; however, alteration of the inscription or of other character defining features of the Plaza Market, is not proposed. The owner will employ a solution that does not involve removal of the inscription.

The appropriate paint has been incorporated into the project. As I have explained previously, the exterior finish of the Plaza Market is not adobe – it is stucco cement and plaster. The type of paint proposed to be used on the exterior walls is 100% acrylic which is a durable yet breathable type of product.

The following sections of SJB MC Chapter 11-06 apply to this situation:

- 1) Our ordinance classifies this work as a "minor alteration"

"Minor alteration" refers to any maintenance, rehabilitation, or repair work that does not change exterior appearance of an existing building or structure, including roof repair or replacement, window replacement, residing, repainting, etc., that is consistent with existing materials and colors.

- 2) The following procedure is established in the ordinance for minor alterations:

11-06-120 Site plan and design review permit procedure for historic resources. [SHARE](#)

(A) Submit Application to City. When a property owner wishes to make an alteration to a property that is more than forty-five (45) years old, the owner shall submit an application to the City Planning Department for a site plan and design review permit.

(B) Review Application. The City Planner staff shall review the permit application and determine the following:

- (1) If the structure is more than forty-five (45) years old; (NOTE it is)
- (2) If the property has been previously inventoried as part of a Citywide comprehensive survey and what the current status code for the property is (see SJ BMC [11-06-090](#) for the various possible status codes); (NOTE: it has)

(3) If the property is listed on the City Register of Historic Resources; (NOTE: there is no City Register)

(4) If the property is located within the boundaries of a designated historic district regardless of individual significance; (NOTE: it is)

(5) If the property will require additional evaluation as part of the application process; (NOTE it does not, provided the work simply involves paint)

(6) If the proposed alteration is a minor or major alteration (NOTE: at this time the work is a Minor Alteration).

(C) Determination of Appropriate Review Application Procedure. The City Planner shall review the application and determine the proper review procedure according to the following schedule:

...(3) Applications for minor alterations to properties that are included in the City of San Juan Bautista Register of Historic Resources, including those properties that contribute to a designated historic district (i.e., Status Codes 1 through 5) require review and approval by the City Planner for consistency with the City of San Juan Bautista Design Guidelines. (NOTE: This review was conducted, the project is consistent with Guidelines and relevant NPS preservation briefs)

(a) Minor alterations to historic resources that the City Planner determines to meet the City Design Guidelines shall be categorically exempt from CEQA and shall require no further review in the planning process.

In summary, there is no apparent reason to halt the project. Given the current state of preservation activities, halting work on the project without evidence of an unpermitted alteration may do more harm than good.

Brian

Brian Foucht, AICP
Asst. City Manager / CD Director
311 Second St. – PO Box 1420
San Juan Bautista, CA 95045
831-623-4661 x 20 (office)
831-207-5430 (cell)

ACM-CDDirector@san-juan-bautista.ca.us



From: San Juan Bautista Historical Society <sjbhistoricalsociety@gmail.com>

Sent: Wednesday, April 27, 2022 10:10 AM

To: Brian Foucht <ACM-CDDirector@san-juan-bautista.ca.us>; Don Reynolds <citymanager@san-juan-bautista.ca.us>

Cc: Leslie Jordan <quinn.leslie12@gmail.com>; Commissioner Jackie Morris-Lopez <J.MorrisLopez@san-juan-bautista.ca.us>; David Medeiros <david.medeiros@sbcglobal.net>; Luis Matchain <lmatchain@gmail.com>; Yolanda Delgado <357delgado@gmail.com>
Subject: GHOST SIGN at Plaa Market

Brian, one of our Board members (Stephanie Correia) sent me this photo of a recently revealed "ghost" sign at the Plaza Market. It reads

San Juan Bautista

Value \$154.75

J.H Lavagnino

We urge you to require the owner to halt re-painting until the Historic Resources Board has the opportunity to review the project. We believe the ghost signage should be preserved and not painted over. It is an important thread in the fiber of San Juan history. Furthermore, the adobe finish requires special treatment. How has that been incorporated into the plan?

In addition, projects on historic buildings in the nationally-registered Third Street Historic District should be subject to Historic Resources Board review. There was no urgency to expedite the process; the building has been in need of restoration for years and could have waited one more month. We are pleased that Mr. McCandless is now restoring the building, but let's do it right. The Plaza Market is a cornerstone of our historic downtown and must be treated as such.

Thank you for your consideration.

On behalf of the Board of Directors,
~Wanda Guibert, President

"At San Juan Bautista there lingers more of the atmosphere of the olden time than is to be found in any other place in California." ~Helen Hunt Jackson, author *Ramona*.

San Juan Bautista Historical Society
P.O. Box 1, SJB, CA 95045
(831) 524-1605

sjbhistoricalsociety@gmail.com

We are a registered 501c3 charitable organization



Brian Foucht

From: j.morrislopez@san-juan-bautista.ca.us
Sent: Wednesday, April 27, 2022 10:02 AM
To: Brian Foucht
Cc: Commissioner Medeiros; cvonk@sbcglobal.net
Subject: Re: response to email from Cara Vonk re 203 Third Street preservation activities

Hi Brian,

The work has started today at the Plaza, what colors are being used? Also , have you confirmed the colors or the Historical Society or HRB designated member to confirm? Will you provide oversight with the preservation activity to ensure compliance with the project?

Thank you,

Jackie

Commissioner Morris-Lopez

On 04.22.2022 5:45 PM, Brian Foucht wrote:

Hi All - Cara Vonk sent an email to City Council during April 19 City Council meeting (attached) that addressed the adequacy of preservation work (surface repair and paint) currently underway at 203 Third Street (Plaza Market). To address these comments it is necessary to look to the relevance of the statement to the actual work at hand.

I approved this as a minor Site and Design Review Permit for Historic Resources per SJB MC Section 11-06-120. This decision was based on my review of the attached SJB Inventory description, a review of the relevant preservation brief: [Preservation Brief 5: Preservation of Historic Adobe Buildings \(nps.gov\)](#) and Secretary of the Interior Standards (attached). I also spoke extensively with the applicant/owner of the building regarding colors and materials. The NPS Preservation Brief references to maintenance and care of cement stucco and plaster, are relevant in evaluating the approach currently taken.

The SJB inventory references that the exterior of the building is a plaster clad over adobe. This is correct and corresponds with the owner's own

evaluation as follows: The Plaza Market adobe first floor northeast and southeast structure (facing 3rd Street and Washington Street) is clad with concrete stucco which was applied towards the beginning of the 20th century. The second floor of the Plaza Market facing the same northeast and southeast directions (facing 3rd Street and Washington Street) is clad in plaster, which has been in-place since the second half of the 19th century. The Plaza Market northwest and southwest second floor structure is clad with wood surfaces. The owner has stated that research and experience with the building, coupled with photos, peripheral documentation, and circumstantial evidence, indicate with high certainty that the adobe structure was clad in plaster and wood dating back to the time at which it was constructed. The owner has stated that examination of the existing substrates and overall experience with the building, indicate that the plaster, stucco, and wood surfaces have experienced several iterations of repainting over the prior 100+ years.

This project is a preservation project, rather than restoration or rehabilitation, in accordance with the Secretary of the Interior's Standards. The current scope of work includes preparation of the existing plaster, stucco and wood surfaces for a new coat of paint. Any necessary repairs are performed with like-kind material and finish. The approved work is consistent with prior iterations of repainting, and the painting methodology is compatible with the existing plaster, stucco and wood clad surfaces. The approved approach is consistent with Secretary of the Interior Standards referenced on pp 22 and 23 related to Building Exterior finishes (attached).

The method of whitewash, while appropriate for direct adobe application, is incompatible with this project as it relates to the existing plaster, stucco and wood surfaces; at no point is the scope or work interacting directly with an adobe surface, and in fact, there is no exterior exposed adobe on the building. To convert to a whitewash exterior material, would deviate from the intention of the current building surfaces, and alter the 100+ year old historical fabric and visual presence of the Plaza Market. Secretary of Interior Standards recommend against *"removing sound stucco that is stronger than the historic material or does not convey the same visual appearance"*

At the present time, I do not see a reason to order the applicant/owner to stop work, alter the progress of current preservation work, change the current preservation methods, request a separate third – party evaluation, or change the status of the permit from a Minor to a Major Site and Design Review. Some or all such measures would likely be necessary if the exterior was exposed adobe, and that is not the case with this sound preservation effort.

Please let me know if you have any questions regarding this matter.

Thank you, Brian

Brian

Brian Foucht, AICP

Asst. City Manager / CD Director

311 Second St. – PO Box 1420

San Juan Bautista, CA 95045

831-623-4661 x 20 (office)

831-207-5430 (cell)

ACM-CDDirector@san-juan-bautista.ca.us



Brian Foucht

From: stephanie correia <stephanie@correiaco.com>
Sent: Tuesday, April 26, 2022 11:31 AM
To: Brian Foucht
Subject: Plaza market



Don't know if you have seen what they are doing with the Plaza Market. If you zoom the upper right hand corner JH Lavagnino was grandfather to Teresa and me. I believe my great grandmother was living upstairs at the time of the 1906 quake and refused to stay there so they built the yellow house at the corner of Fourth and Washington for her.

Brian Foucht

From: Cara Vonk <cvonk@sbcglobal.net>
Sent: Tuesday, April 19, 2022 9:31 PM
To: Brian Foucht; Don Reynolds; Mayor Jordan; Mary Edge; John Freeman; Scott Freels; cesar-flores@sbcglobal.net
Subject: April 19 CC - inability to connect

Dear Council -- I was attending the meeting by phone and was told to "unmute" by pressing *6. I was told "you are unmuted" but no one could hear me....

Here is my comment on Don's report that the Plaza Market is being "painted". This is an historic, National Register eligible ADOBE building. It should not be painted, it should be WHITEWASHED. As was the DeAnza Adobe and the Native Daughters Adobe. Our City should take greater care and measures to protect our historic resources. Adobe should never be painted. I know this firsthand as the owner of an Adobe in another city. We should be better stewards of our fragile buildings. Owners have to get approval for a paint job from the city. (In the past this had to go before the HRB.) Greater care should be taken. If Mr. MCCandless is still the owner, he should know better too.

Thank you for reading my rant.

--Cara Vonk

Sent from AT&T Yahoo Mail on Android

April 27, 2022

Of Counsel

Gordon E. Bosserman
Warren A. Sinsheimer, III
David A. Juhnke

Via Email

Robert Rathie
Brian Foucht
City of San Juan Bautista
311 Second Street
P.O. Box 1420
San Juan Bautista, CA 65045

Re: Mission San Juan Bautista Hardship Declaration

This firm represents the Diocese of Monterey and the Roman Catholic Bishop of Monterey, a Corporation sole (“Diocese of Monterey”). The Old Mission San Juan Bautista located within the City of San Juan Bautista is a property that is wholly owned by the Diocese of Monterey as a noncommercial property. The Diocese of Monterey proposes to undertake certain repairs to the Mission Church (roof, exterior walls, buttress and various other related elements) referenced in correspondence and accompanying materials prepared by ARG Conservation Services dated April 22, 2022. Previously, email correspondence from Brian Foucht, Community Development Director (attached dated Thursday 4/21/2022 12:47 PM), stated that Zoning Ordinance Chapter 11-06 typically applies to preservation activities within the City’s designated Historic Districts and properties and would apply to the project described in the ARG correspondence. However, under established California law, religiously affiliated organizations are entitled to an exemption of their noncommercial property from local historic preservation laws, provided that the religious organization objects, in a public forum, to regulation on the basis of a substantial hardship. Clearly, repair is urgently needed to ensure the integrity and stability of the property, and proceedings pursuant to SJB MC Chapter 11-06 present a substantial hardship to the timely and reasonable use of the Diocese property outlined in the correspondence and referenced material. Many of the resources within the Mission campus will, in time, require similar, timely repair and maintenance.

Pursuant to Government Code Section 37361(c), the Diocese of Monterey hereby objects to regulation of this or other work on any noncommercial portion of the Old Mission San Juan Bautista campus, including but not limited to, the Mission Church which is the subject of correspondence referenced herein, as may be required in Zoning Ordinance Chapter 11-06 Historic Resources Preservation, as it may be subsequently amended. The Diocese of Monterey respectfully requests that this declaration and related correspondence be included in the

708286

2739 Santa Maria Way, Third Floor
P.O. Box 1430
Santa Maria, CA 93456-1430
ph 805/937-1400 fx 805/937-1444

1102 Laurel Lane
P.O. Box 730
San Luis Obispo, CA 93406-0730
ph 805/543-4171 fx 805/543-0752

City of San Juan Bautista
Revised Mission Hardship Declaration
April 27, 2022
Page 2

proceedings of the City of San Juan Bautista Historic Resource Board on May 3, 2022 and thereafter that the City cease any proceedings related to compliance with SJB MC section 11-06.

Sincerely,



Karen Gjerdrum Fothergill

Enclosures



April 22, 2022

Brian Foucht
Planning Department
City of San Juan Bautista
311 Second Street
P.O. Box 1420
San Juan Bautista, CA 95045

Re: Mission San Juan Bautista, Roofing and Exterior Repairs Planning Application

Brian,

This letter is intended to describe to the San Juan Bautista Planning Department the subject Project. This letter accompanies the following documents, transmitted via a link from a ShareFile site:

1. 'Historic Structures Report, Mission San Juan Bautista', September 2013
2. 'Mission San Juan Bautista Assessment of Damaged North Aisle Roof and Wall', June 1, 2020.
3. 'Mission San Juan Bautista Church North Aisle Attic Inspection', February 9, 2022.
4. San Juan Bautista Planning document, 'Environmental Setting', for the subject Project.
5. San Juan Bautista Planning document, 'Planning Application Cover Page, for the subject Project.
6. San Juan Bautista Planning document, 'Historic Resources Design Review-Major Projects, for the subject Project.
7. Construction Plans 'Mission San Juan Bautista Roofing and Exterior Repairs' dated April 23, 2021, revised 2-24-22.
8. Construction Specifications 'Mission San Juan Bautista Exterior Repairs' dated April 23, 2021.

Mission San Juan Bautista is a National Historic Landmark. The work on this building requires extraordinary care to protect existing elements not specifically indicated for removal. All existing elements adjacent to the work shall be protected from damage during the course of construction. The work will be performed in keeping with the *United States Secretary of the Interior's Standards for Rehabilitation* (the standards, hereafter). Architectural Resources Group (ARG) issued a Historic Structures Report (HSR) dated September 2013. The recommendations identified in the HSR where they apply to this work have been provided in the Project construction documents. ARG/Conservation Services is a preservation contractor who employs skilled craftsman, architectural conservators and project managers who meet *the standards*. ARG and ARG/CS are separate companies that share human resources in their practices. David Wessel AIC, FAPT is a principal in both companies and has overseen this Project. As project manager, I produced the Project construction documents and will respond to any plan check comments.

The Roof and Exterior Repairs Project are part of a maintenance and repair campaign of the Diocese of Monterey. Roofing replacement at the North Aisle is needed before Fall 2022 (currently tarped). Repairs to adobe walls and ladrillo brick buttress are required maintenance to stabilize and weathertight the exterior envelope. There are exposed wood features that require routine maintenance.



ARG CONSERVATION SERVICES, INC

CONSERVATION CONSTRUCTION MANAGEMENT

Roofing Repair: Roofing replacement work includes the salvage and reuse of undamaged 'half barrel' clay tile roofing units. Existing aluminum gutters will be replaced with a copper sheet metal 'box fascia' gutter with leaf guard. Repairs to plywood sheathing and damaged portions of 2x12 rafters (c.1976) will be removed and replaced in kind. Damaged shaped 6x6 rafter tails will be replaced in kind. Waterproof membrane shall be (2) layers of SBS Rubberized sheet (min. 43-70lb./100 square feet) mechanically attached. Replacement clay tile roofing as required shall be new clay tile units to match existing, or salvaged in-kind clay tile roofing. Clay tile roofing shall be secured to the roof structure with twisted-wire-tie system (type 304 stainless steel).

Adobe Wall Repair: The existing North wall is comprised of existing adobe brick units with a cement plaster finish (installed 1985-89). The cement plaster finish retains moisture in the adobe brick units, detrimental to the protection of the adobe brick units. Erosion at the base of the North walls is due to watersplash from the roof, resulting from the damaged/missing roof gutters at the North wall. The cement plaster finish will be removed from the bottom 5 feet of the wall and replaced with a traditional lime-soil plaster finish. Future plaster repair on the North wall will take place when adequate funding is retained.

Ladrillo Buttress Repair, North elevation: The existing ladrillo (fired brick) buttress has areas of mortar and brick loss between the masonry units. Repair of the Ladrillo Buttress includes repointing with traditional lime mortar and reconstruction as required utilizing the existing masonry units. Lime-soil plaster will be installed at sloped and skyward facing surfaces of the buttress.

Wood Vegas Repair: Existing wood vegas at the North elevation of the Church roof are checked from weather exposure. The existing wood vegas will remain in place, wood consolidant will be applied and finished with paint.

Wood Lintel Repair: There are (2) deteriorated exterior wood lintels above the existing wood windows of the North Aisle. The existing wood lintels will remain in place, finished same as the vegas repair.

Window Repair: There are (5) existing wood fixed windows at the North elevation of the upper Nave wall. The existing windows have deteriorated paint finish and will be prepared and painted with an acrylic paint coating.

North Aisle Attic access: The existing North Aisle ceiling is comprised of random width full 2x ceiling boards bearing upon ceiling rafters spanning East-West direction. One existing wood ceiling board member will have nails removed to allow future access from the North Aisle to the attic area.

I am happy to discuss the repair project if you have any questions or wish to discuss in detail. Please feel free to contact me. Thank you,

Paul Nachtsheim, Project Manager
ARG/Conservation Services
paul@argcs.com
mobile: 510.703.8344

Karen Gjerdrum Fothergill

From: Brian Foucht <ACM-CDDirector@san-juan-bautista.ca.us>
Sent: Thursday, April 21, 2022 12:47 PM
To: Paul Nachtsheim
Subject: RE: contact information

Hi Paul – I have attached links to our Historic Resources ordinance and the permit forms you will need as follows;

[Chapter 11-06 HISTORIC RESOURCES PRESERVATION \(codepublishing.com\)](#)

[The Historic District Design Review Permits for New Construction are for those individuals and/or businesses that are proposing to build a new structure or alter the façade of an existing structure located in the downtown historic district \(revize.com\)](#)

[The Historic District Design Review Permits for New Construction are for those individuals and/or businesses that are proposing to build a new structure or alter the façade of an existing structure located in the downtown historic district \(revize.com\)](#)

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BTW The link descriptions don't match the document, but the links work regardless that the link descriptions sometimes don't match the document.

Please let me know if you have questions.

Thank you,

Brian

Brian Foucht, AICP
Asst. City Manager / CD Director
311 Second St. – PO Box 1420
San Juan Bautista, CA 95045
831-623-4661 x 20 (office)
831-207-5430 (cell)

ACM-CDDirector@san-juan-bautista.ca.us



From: Paul Nachtsheim <paul@argcs.com>
Sent: Thursday, April 21, 2022 12:28 PM
To: Brian Foucht <ACM-CDDirector@san-juan-bautista.ca.us>
Subject: RE: contact information

Brian,

Thank you for your information about the planning process for the Mission San Juan Bautista. I will review the historic design review applications that you are sending me that are needed for the roof repair project at Mission SJB. Thank you,

Regards,

Paul Nachtsheim, Project Manager

paul@argcs.com

ARG Conservation Services

Pier 9 | The Embarcadero | San Francisco CA 94111

T 415.828.1451 | F 415.828.1451 | C 510.703.8344

Contractor License 799537

www.argcs.com has a new look!

Your feedback is welcome and appreciated. Please send your comments to marketing@argcs.com

From: Brian Foucht <ACM-CDDirector@san-juan-bautista.ca.us>

Sent: Thursday, April 21, 2022 12:03 PM

To: Paul Nachtsheim <paul@argcs.com>

Subject: contact information

Brian Foucht, AICP

Asst. City Manager / CD Director

311 Second St. – PO Box 1420

San Juan Bautista, CA 95045

831-623-4661 x 20 (office)

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ACM-CDDirector@san-juan-bautista.ca.us





ARG CONSERVATION SERVICES, INC

CONSERVATION CONSTRUCTION MANAGEMENT

April 22, 2022

Brian Foucht
Planning Department
City of San Juan Bautista
311 Second Street
P.O. Box 1420
San Juan Bautista, CA 95045

Re: Mission San Juan Bautista, Roofing and Exterior Repairs Planning Application

Brian,

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ARG CONSERVATION SERVICES, INC

CONSERVATION CONSTRUCTION MANAGEMENT

Roofing Repair: Roofing replacement work includes the salvage and reuse of undamaged 'half barrel' clay tile roofing units. Existing aluminum gutters will be replaced with a copper sheet metal 'box fascia' gutter with leaf guard. Repairs to plywood sheathing and damaged portions of 2x12 rafters (c.1976) will be removed and replaced in kind. Damaged shaped 6x6 rafter tails will be replaced in kind. Waterproof membrane shall be (2) layers of SBS Rubberized sheet (min. 43-70lb./100 square feet) mechanically attached. Replacement clay tile roofing as required shall be new clay tile units to match existing, or salvaged in-kind clay tile roofing. Clay tile roofing shall be secured to the roof structure with twisted-wire-tie system (type 304 stainless steel).

Adobe Wall Repair: The existing North wall is comprised of existing adobe brick units with a cement plaster finish (installed 1985-89). The cement plaster finish retains moisture in the adobe brick units, detrimental to the protection of the adobe brick units. Erosion at the base of the North walls is due to watersplash from the roof, resulting from the damaged/missing roof gutters at the North wall. The cement plaster finish will be removed from the bottom 5 feet of the wall and replaced with a traditional lime-soil plaster finish. Future plaster repair on the North wall will take place when adequate funding is retained.

Ladrillo Buttress Repair, North elevation: The existing ladrillo (fired brick) buttress has areas of mortar and brick loss between the masonry units. Repair of the Ladrillo Buttress includes repointing with traditional lime mortar and reconstruction as required utilizing the existing masonry units. Lime-soil plaster will be installed at sloped and skyward facing surfaces of the buttress.

Wood Vegas Repair: Existing wood vegas at the North elevation of the Church roof are checked from weather exposure. The existing wood vegas will remain in place, wood consolidant will be applied and finished with paint.

Wood Lintel Repair: There are (2) deteriorated exterior wood lintels above the existing wood windows of the North Aisle. The existing wood lintels will remain in place, finished same as the vegas repair.

Window Repair: There are (5) existing wood fixed windows at the North elevation of the upper Nave wall. The existing windows have deteriorated paint finish and will be prepared and painted with an acrylic paint coating.

North Aisle Attic access: The existing North Aisle ceiling is comprised of random width full 2x ceiling boards bearing upon ceiling rafters spanning East-West direction. One existing wood ceiling board member will have nails removed to allow future access from the North Aisle to the attic area.

I am happy to discuss the repair project if you have any questions or wish to discuss in detail. Please feel free to contact me. Thank you,

Paul Nachtsheim, Project Manager
ARG/Conservation Services
paul@argcs.com
mobile: 510.703.8344

Karen Gjerdrum Fothergill

From: Brian Foucht <ACM-CDDirector@san-juan-bautista.ca.us>
Sent: Thursday, April 21, 2022 12:47 PM
To: Paul Nachtsheim
Subject: RE: contact information

Hi Paul – I have attached links to our Historic Resources ordinance and the permit forms you will need as follows;

[Chapter 11-06 HISTORIC RESOURCES PRESERVATION \(codepublishing.com\)](#)

[The Historic District Design Review Permits for New Construction are for those individuals and/or businesses that are proposing to build a new structure or alter the façade of an existing structure located in the downtown historic district \(revize.com\)](#)

[The Historic District Design Review Permits for New Construction are for those individuals and/or businesses that are proposing to build a new structure or alter the façade of an existing structure located in the downtown historic district \(revize.com\)](#)

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BTW The link descriptions don't match the document, but the links work regardless that the link descriptions sometimes don't match the document.

Please let me know if you have questions.

Thank you,

Brian

Brian Foucht, AICP
Asst. City Manager / CD Director
311 Second St. – PO Box 1420
San Juan Bautista, CA 95045
831-623-4661 x 20 (office)
831-207-5430 (cell)

ACM-CDDirector@san-juan-bautista.ca.us



From: Paul Nachtsheim <paul@argcs.com>
Sent: Thursday, April 21, 2022 12:28 PM
To: Brian Foucht <ACM-CDDirector@san-juan-bautista.ca.us>
Subject: RE: contact information

Brian,

Thank you for your information about the planning process for the Mission San Juan Bautista. I will review the historic design review applications that you are sending me that are needed for the roof repair project at Mission SJB. Thank you,

Regards,

Paul Nachtsheim, Project Manager
paul@argcs.com

ARG Conservation Services

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www.argcs.com has a new look!

Your feedback is welcome and appreciated. Please send your comments to marketing@argcs.com

From: Brian Foucht <ACM-CDDirector@san-juan-bautista.ca.us>

Sent: Thursday, April 21, 2022 12:03 PM

To: Paul Nachtsheim <paul@argcs.com>

Subject: contact information

Brian Foucht, AICP
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