



SAN BENITO COUNTY PLANNING COMMISSION

Eduardo
Navarro
District No. 1

Valerie Eglund
District No. 2

Robert Eggers
District No. 3

Robert
Gibson
District No. 4

Robert Rodriguez
District No. 5

*County Administration Building - Board of Supervisors Chambers, 481 Fourth Street, Hollister,
California*

REGULAR MEETING MINUTES November 20, 2019 6:00 PM

6:00 PM ~ CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL *All Commissioners Present: Chair Robert J. Rodriguez, Vice-Chair Valerie Eglund, Robert Gibson, Eduardo Navarro, Robert Eggers.*

Staff Present: Principal Planner, Taven M. Kinison Brown; Permit Technician, Rosie Habing, Associate Planner Darryl Boyd, Assistant Planner Arielle Goodspeed, Assistant Planner Richard Felsing.

PLANNING COMMISSIONER ANNOUNCEMENTS

None

DEPARTMENT ANNOUNCEMENTS

Principal Planner Taven Kinison-Brown has a minor housekeeping to get signatures and applicants to get signatures at least Commissioner Rodriguez if possible.

PUBLIC COMMENT

No comments, Public Comments Closed.

CONSENT AGENDA

- Acknowledgement of Public Hearing
- Acknowledgement of Posting of Tentative Map PLN190037,
- Acknowledgement of Certificate of Posting

1. **Tentative Parcel Map File PLN190037:** OWNER/APPLICANT: Lemos Family Trust/San Benito Engineering LOCATION: North and south sides of Union Road westerly of Ladd Lane, Hollister, CA (APN 020-280-038) REQUEST: Tentative parcel map to subdivide an approximately 17.07-acre lot into two (2) parcels of approximately 13.5 and 3.57 gross-acres in size GENERAL PLAN DESIGNATION: Residential Mixed (RM) ZONING DISTRICT: Rural Residential (RR) ENVIRONMENTAL CLEARANCE: The proposed subdivision is categorically exempt from the requirement for the preparation of environmental documents in accordance with CEQA Guidelines Section 15315 Minor Land Divisions Class 15 project. **Planner: Darryl Boyd (dboyd@cosb.us)**

*** Adoption of Action Minutes**

2. Meeting Minutes from January 2019 (Revised 2/20/2019) Robert Eggers amends January 16th minutes to report: Robert Gibson present and Robert Eggers since they were reversed.

Robert Gibson motions with approval of amended changes for January 2019 minutes
Robert Eggers 2nd the motion
Unanimously passes 5-0

3. Draft Meeting Minutes from February 2019
4. Draft Meeting Minutes from October 2019

REGULAR AGENDA

PUBLIC HEARING

5. PLN190060. Children's Cancer Funding Group, Inc. (CCFG) (Rider McDowell). A Zone Change Request to change a portion of the subject property designated as AR Agricultural Rangeland to C-1 Commercial Thoroughfare to be consistent with Goal LU- 5 of the San Benito County 20135 General Plan. The present General Plan Designation is Agriculture with a Commercial Regional Node indicated in General Plan Figure 3-5. (Assessor's Parcel Numbers: 013-150-024-000, and 013-150-025-0000). The Property is located on the West side of Highway 101 at 9664 Betabel Road, San Juan Bautista, California 95045.

EMC Planning Group Representative Michael Groves presented a PowerPoint and overview of the report.

Deputy County Counsel Ellinwood: "Point of clarification: C1 application is for a portion of 4 different parcels numbers which was previously C3 designation the application is for a C1 overlay of that C3 area.

Public Comments were opened:

Citizen James Starkewolf opposes and does not want another Prunedale on Highway 101. Glad to contribute to Cancer a close person die from cancer, it seems to be a contradiction to be building on a floodplain in the name of cancer.

Citizen Mary Hsia-Coran from Aromas opposes the project and for anyone who is going to be support the C1 rezonings, I urge you to reject it.

Citizen Andy Hsia-Coran from Aromas Opposes and circulated a petition and received well over 100 signatures and has many concerns and hope to vote on this matter in March 2020.

Citizen Jackie Morris-Lopez from San Juan and has little to add and agrees with the previous speakers and is opposed.

Citizen Jeannie Echezique opposes the project and agrees with previous speakers

Citizen Tom Karis from Aromas noted that many voters were unaware of the rezoning and recommends amending the general plan to remove the nodes along Highway 101.

Citizen Dan Devries (applicant's legal representative) from San Juan stated that Tom said it clearly and opposes but wants C3 to be saved.

Citizen Michael L. Ostrowski from San Juan Bautista opposes and concedes his time to anyone who wants to speak.

Samuel Helmke agrees that it will be taking people off the road and donating more money and for it.

Public Comments Closed

Michael Groves answered question from Commissioner Robert Gibson regarding the addendum and then turned it over to the applicant.

Dan Devries stated this is a back stop and posed the question it is either C1 or C3? It's going to get built as the general plan states. All of the owners want the ability to go forward.

Commissioner Valerie Eglund spoke about the justification it is the right of the property owner to have timely decisions made such that they're planning their own financial situation.

Michael Groves stated the board decided to tackle zoning on an individual basis. The board directed landowners to apply for zoning. That is why these are coming forward by landowners.

Commissioner Rodriguez asked if all four nodes were zoned commercial and Michael Groves confirmed.

Commissioner Eglund asked how many dots are on the map and Taven Kinsion-Brown stated there are 15 -18.

Commissioner Navarro wants to set a clear independence on voting, to be precise on the issue and not get lost on assumptions. To vote on the overlay of a C1 to the C3 district that has been approved by the Board of Supervisors

There was much discussion on the general plan, the nodes and C1 and C3 and after discussion Commission Robert Gibson motion Resolution 21 to be approved. Valerie

Egland 2nd the motion.

Vote carried 3-2 Commissioners Rodriguez, Egland and Gibson in favor and Commissioners Navarro and Eggers opposed.

6. **Tentative Subdivision Map with Density Bonus Request for 100% Affordable Housing Project File PLN190009**: OWNER: Community Services Development Corporation. APPLICANT: San Benito Engineering. LOCATION: Westerly side of Southside Road approximately 415-feet southerly Hospital Road, Hollister, CA (APN 020-320-032). REQUEST: General Plan Text Amendment to allow additional uses in the Public/Quasi Public (PQP) land use designation, change the County Zoning Map from Agricultural Productive (AP) to Single-family Residential (R1) and a Tentative Subdivision Map with Density Bonus Request for 100% Affordable Housing project consisting of 24 single-family detached lots on an approximately 4.88-acre site. GENERAL PLAN DESIGNATION: Public/Quasi Public (PQP). ZONING DISTRICT: Agricultural Productive (AP). ENVIRONMENTAL CLEARANCE: The proposed project is exempt from the requirement for the preparation of environmental documents in accordance with CEQA Guidelines Section 15061 (b) (3). **Planner: Darryl Boyd (dboyd@cosb.us)**

Darryl Boyd presented PowerPoint Presentation and gave overview of the report.

Applicant Sonny Flores spoke about the 24 units, self-help program with sweat equity and is one of the biggest affordable housing programs in Hollister.

Anne Hall confirmed there is an 8 foot setback to the front of the house and 18 foot to the garage to allow parking in the garage and is available for questions.

Commissioner Egland asked how close it was to a park and Anne Hall stated it will be across the street from the sidewalk being pulled in as part of Sunnyside Estates, so there is a safe path of travel within 10 minutes.

Public Comments were opened:

Seth Capron (the Developer) spoke on the housing program and how it's a wonderful opportunity for hundreds of families in our county. The front porches bring connectivity with your neighbors and thanked everyone for their consideration of the project.

Public Comments closed

Commissioner Valerie Egland made a motion to accept the three items in resolution. Robert Gibson seconded the motion and was carried 5-0.

7. **PLN180033 Use Permit:** OWNER/APPLICANT: Frank Saunders. LOCATION: 29960 Panoche Road, Paicines (APN 027-280-011). REQUEST: To operate a 21-stall RV Park on the rear third (1/3) of the 6.53-acre subject parcel; 24/7 on-site management by the Panoche Inn's existing live-in staff. GENERAL PLAN DESIGNATION: Rangeland (RG). ZONING: Neighborhood Commercial (C-2). ENVIRONMENTAL CLEARANCE: An Initial Study/Mitigated Negative Declaration has been prepared. **Planner: Richard Felsing(rfelsing@cosb.us)**

Richard Felsing presented a PowerPoint and overview of the project.

Applicant Frank Saunders spoke about the project and his pipe dream of an RV park and spoke about the rough road but is ready to move forward.

*Commissioner Robert Gibson motions to accept the resolution 2019-24
Commissioner Robert Eggers 2nd the motion. Motion Carries 5-0*

8. **PLN190017 Use Permit:** OWNER/APPLICANT: Barbara Lewis/LiXluya(Ted)/Chen Yi (Teresa). LOCATION: 1941 Sunset Drive, Hollister (APN 020-570- 048). REQUEST: To operate a 14-child day care center with Montessori programming in the existing single-family residence (2 teachers, children ages 2-6, M-F 7am-7pm). GENERAL PLAN DESIGNATION: Residential Mixed (RM). ZONING: Rural Residential (RR). ENVIRONMENTAL CLEARANCE: Statutory Exemption §15274 Family Day Care Homes. **Planner: Richard Felsing (rfelsing@cosb.us)**

Richard Felsing presented a PowerPoint and overview of the project.

Applicant Barbara Lewis spoke about the school and has pictures on poster boards. She spoke about the concerns of neighbors regarding noise and traffic. They dropped that number to 14 children and

Citizen Frank Guerra spoke about not being approached and would have spoken about concerns about septic and health issues and is opposed.

Citizen Ed Mauro opposes the childcare and concerned about the traffic impact. Urges to cancel this request for childcare.

Citizen Teresa Chen is one of the owners and shared the goal and issues the day care has come against and how to make the changes necessary to be successful.

Citizen Vijayalakshmi Anbalagan who is employed with childcare and is in favor and shared her experience, has a plan for any issues that may arise. Shared their childcare plan and a daily class routine.

Citizen Edith Vizueth is a Montessori teacher and is in favor of the childcare and shared her experience with Teresa Chen and Barbara Lewis and what an

asset they would be to the community.

Citizen Andrea Sagisi spoke to the traffic issue and is in favor of childcare and how the traffic runs at their school and the sense of community that their program can bring.

*Citizen Nina Roach is in favor and shared her experience of community
Citizen Robert Thompson is opposed and the CCR's in section 9 states there is no commercial use, period. Has traffic & safety concerns.*

Citizen Samuel Helmke is opposed due to traffic issues and concerns that he was not contacted and just learned about this from a neighbor.

Citizen Gary Hartman is opposed due to traffic and stands behind CCR's.

Citizen Damon Felice is opposed and it stands behinds CCR's, concerns about traffic and safety.

Citizen Brooke Carter is not in favor of childcare but not in the neighborhood.

Citizen Ted Li is the owner and in favor and shared his plan, spoke about financial plan and wants to be a neighbor for years.

Citizen Kathy Ostoja is opposed due to traffic issues

Citizen Patrick Marshall is concerned with number of children and how it can increase and traffic issues.

Citizen Barbara Lewis made a closing statement regarding the issues that were brought up by the neighbors.

Public Comments Closed

Valerie Egland commented on both sides and noted CCR's and the impediment to the type of school that is proposed.

Commissioner Eggers inquired about the traffic issue that needs to be addressed and what options we have. Looking to public for answers.

Commissioner Navarro had questions regarding school vs daycare and would like clarity regarding nonprofit. Thanked everyone for their testimonies regarding the school program.

Commissioner Robert Rodriguez while a school is a great idea I must refer back to the CCR's and what is clear and written. If you are not satisfied with our decision, you can appeal it to the board of supervisors.

Commissioner Robert Gibson motion to deny the proposed location Edward Navarro second the motion. Motion carries 5-0

Principal Planner Taven Kinison-Brown as a courtesy reminds people in the gallery and applicant if they wish to appeal the decision it can be made at the RMA office within 10 business days.

DISCUSSION Commissioner Eggers inquired about the California APA and if they have their login to review the library of information.
Taven will follow up with commissioners.

Commissioner Gibson inquired about the broadband was going to make a presentation and what a supplemental staff could do for general plan implementation. Commissioner

Rodriguez spoke about McCloskey and the improvements and Taven stated a standard letter to be sent and given a 30 days. The seven day advent says its time then we can ask for them except we don't have the money for them. We should speak in broad principal and we need to give them a chance to respond to make the improvements. Commissioner Rodriguez said no deferred improvements as in Lucy Brown.

Commissioner Egland motions to close the meeting Robert Eggers 2nd and the motion carries 5-0.

NOTE: A copy of this Agenda is published on the County's Web site by the Friday preceding each Commission meeting and may be viewed at www.cosb.us. All proposed agenda items with supportive documents are available for viewing at the San Benito County Administration Building, 481 Fourth Street, Hollister, CA between the hours of 8:00 a.m. & 5:00 p.m., Monday through Friday (except holidays.) This is the same packet that the Planning Commission reviews and discusses at the Commission meeting. The project planner's name and email address has been added at the end of each project description. As required by Government Code Section 54957.5 any public record distributed to the Planning Commission less than 72 hours prior to this meeting in connection with any agenda item shall be made available for public inspection at the Planning Department, 2301 Technology Parkway, Hollister, CA 95023. Public records distributed during the meeting will be available for public inspection at the meeting if prepared by the County. If the public record is prepared by some other person and distributed at the meeting it will be made available for public inspection following the meeting at the Planning Department.

APPEAL NOTICE: Any person aggrieved by the decision of the Planning Commission may appeal the decision within ten (10) calendar days to the Board of Supervisors. The notice of appeal must be in writing and shall set forth specifically wherein the Planning Commission's decision was inappropriate or unjustified. Appeal forms are available from the Clerk of the Board at the San Benito County Administration Office, 481 Fourth Street, Hollister and the San Benito County Planning Department, 2301 Technology Parkway, Hollister.

NOTE: In compliance with the Americans with Disabilities Act (ADA) the Board of Supervisors meeting facility is accessible to persons with disabilities. If you need special assistance to participate in this meeting, please contact the Clerk of the Board's office at (831) 636-4000 at least 48 hours before the meeting to enable the County to make reasonable arrangements to ensure accessibility.

ADJOURN 9:14

pm

