

**CITY OF CERES  
PLANNING COMMISSION  
MEETING MINUTES  
June 15, 2020**

---

*Planning Commission conducted this meeting in accordance with California Governor Newsom's Executive Orders N-20-20 and N-35-20 and COVID-19 pandemic protocols.*

---

*Chairperson Smith called the June 15, 2020 Regular Planning Commission meeting to order via Zoom.*

**MEETING CALLED TO ORDER:** 6:00 p.m.

**PLEDGE OF ALLEGIANCE:**

The Pledge of Allegiance was recited by Chairperson Smith.

**ROLL CALL:**

**PRESENT:** Commissioners: Del Nero, Johnson, Kachel, Silveira, Chairperson Smith

**ABSENT:** None

**ALSO PRESENT:** City Manager Tom Westbrook, Director of Engineering Services/City Engineer Daniel Padilla, Senior Planner James Michaels, City Attorney Nubia Goldstein, Administrative Secretary Ann Montgomery

**CONFLICT OF INTEREST DECLARATION:**

Commissioner Johnson declared he has a conflict with Item 3, as he is personal friends with one of the property owners.

**CITIZEN COMMUNICATIONS:**

- Zach Zamaroni – Ceres citizen

Mr. Zamaroni stated that he lives here in Ceres and wanted to comment on Item 3.

Chairperson Smith explained that he will be given an opportunity to speak on that Agenda Item when it is presented. At this time, we are allowing comments on any item that is not listed on the Agenda.

Mr. Zamaroni understood and stated that he will wait.

**CONSENT CALENDAR:**

1. Clerk's Report of Posting. The Agenda for the regular meeting of the Planning Commission of June 15, 2020 was posted on June 10, 2020.
2. Approval of Minutes
  - a. May 18, 2020 (Johnson absent)

**ACTION:** It was moved by Commissioner Silveira; seconded by Commissioner Kachel to approve Item 1 on the Consent Calendar. Motion passed by the following vote:

**AYES:** Commissioners Del Nero, Johnson, Kachel, Silveira, Chairperson Smith  
**NOES:** None  
**ABSENT:** None

**ACTION:** It was moved by Commissioner Del Nero; seconded by Commissioner Silveira to approve Item 2.a. on the Consent Calendar. Motion passed by the following vote:

**AYES:** Commissioners Del Nero, Kachel, Silveira, Chairperson Smith  
**NOES:** None  
**ABSENT:** None  
**ABSTAIN:** Chairperson Johnson

**CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT CALENDAR**

None

**PUBLIC HEARINGS:**

*(Item 3. Commissioner Johnson recused himself due to a conflict in interest, which he declared earlier in the meeting.)*

3. Planned Community Master Plan Amendment (PCMP) 01-10; Vesting Tentative Subdivision Map (VTSM) 20-04, and Planned Community Development Plan (PCDP) 20-05; Proposal to subdivide 1.67 acres into 18 residential lots with a private driveway and a development plan to construct 18 homes that range in size from 1,390 square feet to 1,630 square feet located at 2453 and 2455 E. Hatch Road. Gary A. Rogers, applicant.

Senior Planner, James Michaels presented the staff report.

Brief Commission discussion ensued regarding concerns with vehicular left turns into the project site.

**The Public Hearing was opened at 6:22 p.m.**

- Gary Rogers, Architect – Madera, CA

Mr. Rogers, the applicant, provided a brief history on the project, explaining that they have been working with the owner and the developer for a couple of years. He noted the positive attributes of the project and concerns that were addressed.

Questions/Comments from Commission:

- Commissioner Silveira found it interesting that changes were made so that vehicles couldn't turn left out of the project, but we're still looking at vehicles turning left into it.
- Commissioner Silveira asked the applicant for verification that there will not be a gate to get into the complex.

Mr. Rogers verified that there will be no gate and provided an explanation.

- Chairperson Smith asked what type of fence will be along the three sides of the property.

Mr. Rogers replied that they will be concrete block to match the existing wall that the doctor has on his adjoining lot.

- Chairperson Smith inquired about the formation of the HOA (Homeowners' Association) and if the HOA maintains the streets as well as the other common area properties.

Mr. Rogers requested his assistant to respond.

- Benjamin Penfield - JMP Homes, Merced, CA

Mr. Penfield stated he is the developer on the project and explained that all of the interior items except the houses; the roads, the sewer, the water, the curb, the gutter; the landscaping, the park and dog park inside; all of that is maintained by the HOA. Everyone pays into that and the buildings themselves are maintained by the homeowners, but we will make a strict HOA policy, that they have to keep it up to a certain level. He noted that he does a lot of these projects up and down the valley and every one of them, 10 – 20 years down the road, still looks the same as day one. He set them up that way on purpose as they're trying to create a community; the upkeep is there.

- Chairperson Smith inquired about the elevations, noting that they looked rather simple and she wasn't able to see any distinctions between them, only the plants.

Mr. Rogers explained that there is more than one elevation, pointing out the pages in the staff report which contain elevations A, B, & C that show the different roofs and stucco. We don't want them to all look the same. We're actually going to have three different elevations; the same floor plan, but three different elevations. Mr. Rogers also thinks the townhomes look pretty good from the interior.

Public Comments:

- Zach Zamaroni – Ceres citizen

Mr. Zamaroni inquired about the block wall, as that is what he and his neighbors are curious about. The report says it will be a 6-foot block wall and he knows that Ceres recently changed the municipal code to allow 7 foot fences. He asked if there's a chance they could request it be changed to a 7-foot block wall.

Mr. Rogers responded that a 7-foot wall would be fine.

Mr. Zamaroni asked Mr. Penfield how well have the neighborhoods that he has built, with the HOA; how well have they kept up.

Mr. Penfield responded, extremely well and noted that 85% of what he has built, all the way from Fresno, Clovis, Merced, Atwater and Turlock, where they usually take infill lots like this and actually change the neighborhood. These projects typically attract first home buyers and they have a great success and sell out very quickly.

Mr. Zamaroni asked Mr. Penfield for the neighborhoods that he has built around, what's the effect on the housing costs.

Mr. Penfield replied they go up, because 9 times out of 10, he's building in a neighborhood that they're trying to beautify.

Chairperson Smith requested that we restrict the questions and answers to the item before us. She appreciates Mr. Zamaroni's questions and she can understand his interest, but she wants to stay focused on the project that we're talking about.

Mr. Zamaroni noted that in the staff report it says that the houses will be selling from \$275,000 to \$325,000 and asked if that is correct.

Mr. Penfield replied that they'll look at the market value at the time and price accordingly.

Mr. Zamaroni thanked everyone for answering his questions.

Chairperson Smith appreciated Mr. Zamaroni for joining the Planning Commission in our meeting via ZOOM, noting that he was the first member of the public we've had participate with any of the Planning Commission meetings via ZOOM.

- Dave Pratt, Ceres Citizen

Mr. Pratt expressed his concerns about the in and out maneuvers with the project. Without a raised median, there will still be people trying to turn left. He would like to see a raised median to prevent left turns, if that's possible.

Daniel Padilla, City Engineer explained to Mr. Pratt that vehicles will be allowed to turn left in there. It is a safe movement because there are no conflicting left turning movements. The Conditions of Approval state all turning movements will be allowed except a "left out" from the project site onto Hatch Road. The Conditions also state that the Developer will be installing a raised median with stamped concrete to restrict turning movements.

- Joanne Netherton, Ceres Citizen

Ms. Netherton remarked that her house backs up to the project on the north side. She expressed her concern, because she has a fence around her property, about maintenance between the two properties, like weeds growing up between the two fences.

Chairperson Smith asked if there is going to be a space between the two properties.

Mr. Penfield stated that he assumes that Ms. Netherton's property backs right up against the project's property. He explained that if there's a fence there now, they will be taking it down and replacing it with a brand-new brick wall fence and it would be on the property line. It would be like any other fence in a subdivision, where the owners maintain their respective sides. There's no gap, as it will be on the property line.

Ms. Netherton clarified that they would take down her fence.

Mr. Penfield agreed, and stated they would replace it with a 7-foot brick wall at their expense.

- Brinder Dhaliwal

Mr. Dhaliwal inquired about the project being a senior community project or open to all, the fencing around the perimeter and having only one entrance and exit to the project.

Mr. Westbrook explained that the project will be open to all, the wooden fence will be removed and replaced with a 7-foot concrete wall along the three sides and there will be a driveway entrance and exit at Hatch Road to the subdivision, but that doesn't preclude people from going through the office complex to access the project as well.

Mr. Dhaliwal also expressed his concerns with the challenges of being able to back out from the four parking spots in front of Lot #7.

Chairperson Smith told Mr. Dhaliwal that the Commission appreciates his comments and his concerns and thanked him for calling in.

**The Public Hearing was closed at 6:46 p.m.**

Commissioner Kachel responded to the inquiry about backing up from the parking spots for the office complex, noting that it's similar to what is found in some shopping centers. It's a legitimate concern, but not significant, as far as the numbers that would impact anyone getting out of there.

Commissioner Silveira agreed with Commissioner Kachel; he doesn't think there'll be that much traffic, especially since the office complex already has the ability to turn left into it, if the vehicle is eastbound.

Chairperson expressed her concerns with the project: the traffic; the number of accidents that have occurred over the past few weeks, and over the years. She also has concerns about the elevations; doesn't know if this is going to be owner-occupied or end up being owned by out-of-towners and become a situation where it's not maintained. Obviously, there's a Homeowners' Association, but that doesn't ensure that it'll be maintained. Hatch Road is an important corridor and she has concerns about it.

**ACTION:** It was moved by Commissioner Silveira; seconded by Commissioner Del Nero to approve PC Resolution 20-21 for the Vesting Tentative Subdivision Map proposal to subdivide 1.67 acres into 18 single family lots with a private driveway at 2453 and 2455 E. Hatch Road. Application 20-04 VTSM. Motion passed by the following vote:

**AYES:** Commissioners Del Nero, Kachel, Silveira  
**NOES:** Chairperson Smith  
**ABSENT:** None  
**ABSTAIN:** Commissioner Johnson

**ACTION:** It was moved by Commissioner Silveira; seconded by Commissioner Del Nero recommending the City Council approve the amendment to the existing Planned Community Master Plan per the findings listed in PC Resolution 20-20; and that the Planning Commission approve PC Resolution 20-22 for the Planned Community Development Plan entitlement; and finding that the entire project proposal is consistent with the original Mitigated Negative Declaration approved for the Olive Wood/Hatch Road Professional Complex, and that the project also falls under Categorical Exemption Section 15332, Class 32 – In Fill Development Projects of the California Environmental Quality Act (CEQA) and that approval of the amendment to the Planned Community Master Plan is not subject to further environmental review. Motion passed by the following vote:

**AYES:** Commissioners Del Nero, Kachel, Silveira  
**NOES:** Chairperson Smith  
**ABSENT:** None  
**ABSTAIN:** Commissioner Johnson

**NEW BUSINESS:**

None

**PUBLIC MEETING(S):**

None

**UNFINISHED BUSINESS:**

None

**MATTERS INITIATED BY PLANNING COMMISSION AND STAFF**

None

**REPORTS:**

None

**ADJOURNMENT**

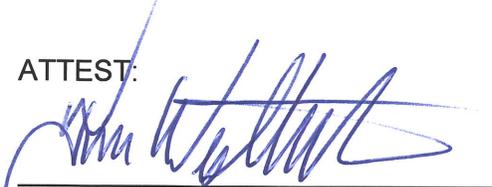
The Commission adjourned at 6:53 p.m. to the next regularly scheduled meeting of Monday, July 6, 2020.

APPROVED:



Laurie Smith, Chairperson

ATTEST:



Tom Westbrook, Secretary