

**CITY OF CERES  
PLANNING COMMISSION  
MEETING MINUTES**

**August 6, 2018**

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

**PLEDGE OF ALLEGIANCE:**

The Pledge of Allegiance was led by Chairperson Smith.

**ROLL CALL:**

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

**ABSENT:** None

**ALSO PRESENT:** Director of Community Development Tom Westbrook, City Manager Toby Wells, Director of Engineering Services/City Engineer Daryl Jordan, City Attorney Nubia Goldstein, Senior Planner James Michaels, Administrative Secretary/Deputy City Clerk Ann Montgomery

**CONFLICT OF INTEREST DECLARATION:**

None

**CITIZEN COMMUNICATIONS:**

- Leonard Shepherd, 2841 Fowler Road, Space 71, Ceres, CA

Mr. Shepherd reminded the Planning Commission that decisions that they make or don't make can affect people 20, 30 years down the road. He provided the example of now, over 50 years later, the people of California are paying for their poor planning. He explained that back in the 1960's he was a seasonal firefighter for the State of California. At that time, the Department of Natural Resources Division of Forestry put out a movie that they had made, called *Designs for Disaster*. It was sent out to all the cities and counties, Planning Commissions, etc. That was back in 1961-62 and it predicted exactly what is happening now in California because they allowed subdivisions and individual homes to be built in areas that there should be nothing, no residents or anything.

- Dave Pratt, Ceres Citizen

Mr. Pratt announced that after 45 years, his street finally got fire hydrants and noted that street lights are needed. All of Ceres pays for the utilities for the lights, whether they

have them in their neighborhoods or not and he stated there should be at least a couple on his street.

Chairperson Smith thanked Mr. Pratt for his comments, noting that she will refer his comments to City Engineer, Mr. Jordan to discuss with him perhaps after the meeting.

**CONSENT CALENDAR:**

1. Clerk's Report of Posting. The Agenda for the regular meeting of the Planning Commission of August 6, 2018 was posted on August 1, 2018.
2. Approval of Minutes:
  - a. July 16, 2018 (Del Nero absent)

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

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

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

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

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

None

**PUBLIC HEARINGS:**

3. Public Scoping Meeting for Whitmore Ranch Specific Plan Draft Environmental Impact Report (DEIR).

Director of Community Development, Tom Westbrook introduced Matthew Gerken, with AECOM. Mr. Westbrook explained that Mr. Gerken and his firm have been working on the Whitmore Ranch Specific Plan for some time. They have also coordinated the efforts on the Whitmore Ranch Specific Plan Draft Environmental Impact Report.

Mr. Westbrook explained that the purpose of this meeting tonight is a public scoping meeting. Staff released the Draft Environmental Impact Report earlier this year for a 45-

day public review and comment period. Typically agencies or individuals will just respond by way of email and/or letters during that timeframe, but there is a provision in the law that suggests that we can have a public scoping meeting, so that people can attend and provide those comments orally. That's really the purpose of this meeting tonight. There are really no decisions for the Planning Commission to make. The Commission just opens the Public Hearing, takes those oral comments and then moves forward. The Review and Comment period for the EIR actually ends next Monday, August 13<sup>th</sup> at 5 p.m. Today staff received a couple of letters and some specifically we received over the weekend. Those have been provided to the Planning Commission on the dais this evening; one from Stella Coakley, and the other from Patricia Cousins. Those letters will be forwarded onto AECOM so that they can be responded to in what's called the Final Environmental Impact Report (FEIR). Those comments won't start being responded to until the Comment Period ends next week.

One of the things Mr. Westbrook wanted to mention before Mr. Gerken begins is that the Power Point presentation has been updated and staff will post that to the website tomorrow. The formatting is just a bit different, but it does have the most up to date information available.

Matthew Gerken provided a brief Power Point presentation and stated that we can review details if there are questions and also receive input. Mr. Gerken noted that Mr. Westbrook mentioned that Whitmore Ranch is a proposed specific plan and gave a brief summary of that plan to refresh everyone's memory, spoke about the Environmental Review Process, the Draft EIR summary, and then explained the next steps and additional opportunities for public input.

**The Public Hearing was opened at 6:15 p.m.**

- Patricia Cousins – 3865 & 3831 Roeding Road (outside the City of Ceres and wanting to stay that way and within the City of Ceres Sphere of Influence)

Mrs. Cousins remarked that in her mind she calls this the "Whitmore Un-Ranch Project" because the whole purpose of it, as far as she can tell is to get rid of agricultural land and pave it over for purposes of developers. She thinks back to almost two years ago, September 29, 2016 when the Planning Commission, in these chambers, bravely led by Couper Condit and aided by two other votes, voted not to recommend the Whitmore Ranch Project. That night briefly, might seemed to be right on, the way she looks at it. But, only a few weeks later, the City Council rejected the Planning Commission recommendation and voted to proceed with that project. That's why we're here tonight. She again asks Couper Condit and others on the Planning Commission to side with agriculture, to look at the City's seal and see the cornucopia filled with produce, not filled with houses; deny the realtors yet another "land grab." Thank you.

- Scott Siegel, Superintendent, Ceres Unified School District

Dr. Siegel introduced Dan Pangrazio, Assistant Superintendent of Business Services for Ceres Unified School District.

Dr. Siegel stated that he and Mr. Pangrazio are here to make some comments. Additional observations and comments will be coming in the form of a letter from some attorneys who are working on it right now, on the Draft EIR and they will have that in by

the 13<sup>th</sup> of August, for the deadline. They thought it would be important for them to come and address the Commission directly.

Dr. Siegel wanted to start off by saying, as a school district, we are neither pro- nor anti-growth. We take a neutral position on that. We just ask that growth mitigate the effects it has; properly mitigate the effects it has. Their concerns here centers on traffic and safety issues that would be caused by approximately 400 new homes, at about that many students who would be residing there at full build-out. He went on to explain that if we go back in time to when La Rosa Elementary School was planned for, a traffic study was done and Environmental Impact was done, and as a result, the School District paid for portions of Eastgate Boulevard that currently are south of Whitmore Avenue. When Cesar Chavez Junior High School was built, similar proceedings occurred and the School District completed Eastgate all the way from Whitmore to where it dead ends right now, in order to properly mitigate the traffic concerns that were coming and what the study said should be done at that time. Now we have new development going in that's causing additional traffic pressures. We believe that those traffic pressures need to be properly mitigated.

Dr. Siegel continued, and there are several areas of concern that we have. One is that whether there are a proper numbers of roads. We also want to make sure that the access for emergency vehicles to both schools, and he doesn't mean to sound callous; he's not saying that there should not be proper emergency vehicle access to everywhere in the area, but he has to direct his comments on the impacts to schools. We also want to make sure that the danger due to traffic congestion in the area to pedestrians is properly mitigated. And for that, student pedestrian safety is foremost.

The School District believes that there is one road, Stanford Avenue that they have questions about. He focused his comments on that tonight, because if that development goes in, that needs to be completed. And currently in the plan, the EIR does state that Stanford Avenue should be completed as a result of the project. We could even provide the page number in the plan; page 530. But it doesn't mention what funding mechanisms will do that. To us, that's not the correct way to do it. If you're going to build a development, the funding mechanism needs to be there. You need to mitigate the effects you're going to have. If you don't mitigate the effects, what's the point of having done an EIR? We're not going to be able to tell parents later on that that road didn't get built because the funding mechanism was never established. The School District will get blamed for it and the traffic problems there will create safety issues, and we're not really keen on that idea.

The School District also noted in the EIR that on March 2, 2017, Stanislaus County Environmental Review Committee took a look at this, stated in a letter to the City, and quoted, prefacing with, that everything he's going to read, is a lengthy quote and he apologized for that. "Stanford Avenue is shown in multiple face segments to be constructed as future or optional. Public Works considers Stanford Avenue a project necessity for the safe and efficient circulation of traffic through and around the proposed site and surrounding area. This includes CCJHS, (Cesar Chavez Junior High School) and La Rosa Elementary. A full segment of Stanford Avenue from Eastgate Boulevard to Moore Road should be part of the proposed project to help alleviate the increased traffic demand." And yet it's shown as either future or possible. It's not definitely in there. It needs to be in there or the project needs to be stopped. It's not a "We'll figure it out ten years from now," because the way the world works is, we don't figure things out

ten years from now. It needs to go into the project with an absolute concrete way of having it done.

Dr. Siegel stated that the School District's comments will be submitted on August 13<sup>th</sup>, and will ask Mr. Pangrazio if he wants to add anything else. There will be much more than what he has presented tonight and these are questions that will need to be answered, in their opinion. Thank you.

- Dan Pangrazio, Assistant Superintendent, Business Services, Ceres Unified School District

Mr. Pangrazio remarked that he believes Dr. Siegel made most of the points there. He'll just add one thing, that in the past, the School District has either in part or in whole built roads related to new schools; for Helen Perry, for instance at Sam Vaughn. This is a situation, this development, that to our memory, we haven't seen in a while. It's really a different situation. We have a development that's not being created by a new school; it's a development that developers are hoping to be able to build out. And so therefore, the impact is happening to the school. And the fees that the School District receives go to building and improving facilities to house those kids, not build roads. So, really the long and short of it is that we believe the road is a necessity and we believe that the studies will show that. And, if it is, then it's not the School District's responsibility to build that road. It's very different from let's say building Helen Perry because you've built San Juan. That's the key difference here that we've had to go further back in our memories to see the difference between a new school and proposed development. Thank you.

Commissioner Condit stated that he just wanted to make something clear, there's one entry point right now to both of those schools.

Mr. Pangrazio clarified that's correct.

- Dave Pratt, Ceres Citizen

Mr. Pratt asked if anyone has done a traffic survey, going down Moore Road, noting that when he sees the traffic during the weekdays, especially when the schools are in session, it gets even worse. They turn there; they head west on Whitmore and they turn on Moore, and they go down to Roeding and Service Road, because they don't want to go to Whitmore and Mitchell. A lot of those vehicles speed up and down that street. He referred to the people that live on that corner and down that street and asked, what are you doing; are you forcing them all out and the businesses that are along there now? Are all those going to be gone? People living on the corner; he passes by those when he rides his bike. He thinks if the City winds up building this, you're going to have to have to put a traffic light there at Moore and Whitmore, and most likely you'll have to put another one down there by Roeding Road. He was hoping this thing wasn't going to go through, but it looks like it's going to head that way. He doesn't see that and it shouldn't be, and he is just wondering if all those people there know they are going to be losing their houses. Thank you.

- Leonard Shepherd, 2841 Fowler Road, Space 71, Ceres, CA

Mr. Shepherd stated that because of the Service Road construction; we go just about every day to the Chevron, to the car wash, and to the 7-11 there, we've been having to

go down Roeding Road and then along Moore Road. No more; that's a terrible road. He noted that if you go beyond Service, it's a dirt track almost. It's not a two-lane road. It's not a road for any kind of traffic; it's just a trail they happened to pave over. He asked, and you're going to tell me that people are going to be driving that road to get their kids to school? You talk about unsafe at any point; that's Moore Road. He sees these cars coming and they look like they're going to hit him, and they finally get over a little bit, and he's up against the curb; it doesn't make any sense. We're talking about people's homes, farms and you're wanting to build in it and it doesn't make any sense. The City of Ceres needs to stop growing. He advised the Commission to think about water, traffic and all that. Stop growth for a while and let's see what shakes out with intelligent thinking and intelligent planning and not just trying to get bigger. Bigger isn't always better.

Chairperson Smith announced that this is our opportunity for public comment, noting that the public comment period does close on Monday, August 13<sup>th</sup>. She stated that if anyone would like to speak to please come to the podium, or you may send an email or a letter to Mr. Westbrook.

- Hilda Rosa Muniz, Ceres Citizen

Ms. Muniz commented that she has one of the lots in front of Boothe and her question is not about building or not building, but she has six acres and she wonders if she can keep an acre. Does she need to ask about that in this meeting or somewhere else?

Chairperson Smith responded that she is not sure about the nature of her question, but it doesn't seem that it is relevant to this Specific Plan. She suggested that perhaps Ms. Muniz can speak with Mr. Westbrook after the meeting and he can address her specific question.

### **The Public Hearing was closed at 6:29 p.m.**

Chairperson Smith asked the Commission to provide comments or ask any questions of staff or Mr. Gerken they may have, reminding the Commission that this item is for public comment and no decisions are being required or requested of the Commission at this time.

### Commission Discussion:

Commissioner Johnson inquired that when the earlier stages were happening with the schools; was consideration, was it factored in that that property would eventually be residential filtering into those schools.

Mr. Westbrook explained that the sighting process happened years ago and he thinks that it was 2003 when La Rosa was built. This property, area that is being considered for annexation, is within the City's primary Sphere of Influence. And the properties that you see here were all designated for some kind of residential development. The expectation of the location of these schools is that ultimately someday, adjacent to them, there would be residential development.

Commissioner Del Nero mentioned that Dr. Siegel talked of a road being built. He's not 100% sure of the ramifications of that road. He asked if the school is responsible for that or is that now on the City.

Mr. Westbrook responded that it's likely to be a cost of the development. So, the developers would ultimately pay for that road. One of the things that has nothing to do with Whitmore Ranch and its process but the City, which will ultimately be a benefit to not only the existing residents that are out there and the school, is the City was able to secure with the District's help, a Safe Routes to School Grant, to put the improvements on Whitmore Avenue. He believes that those improvements are scheduled for 2019. So, depending upon where this project is within its process, the improvements to Whitmore Avenue are going to take place from Moore Road all the way over to Cesar Chavez Elementary in the East. The City was able to get a significant portion of funding to make those improvements to eliminate the need for students to have to cross to the north side of Whitmore Avenue and walk down to Boothe Road to come across at the signal.

Commissioner Condit remarked that he does have a question for Dr. Siegel, noting he brought up student ratios and the impact this could have on a classroom. He asked if Dr. Siegel would be able to tell us what the capacity is at Ceres schools right now and what kind of impact this would have; are we at capacity right now? Would this cause another school to be built?

Dr. Siegel responded that this probably would not cause another school to be built. We could probably manage it with the developer fees and such, which are designed to mitigate the impacts of new students, by either adding capacity at campuses or using capacity that we already have at other campuses. The issue we have is with not paying; the development will pay for classrooms it needs to create, our issue is with, around the school, the effects to be mitigated.

Chairperson Smith noted that one of the things that Dr. Siegel brought up, was his concern about the Specific Plan not identifying a funding mechanism for Stanford Avenue, and showing it as optional. She's not sure if this is the time to see if there is a response.

Mr. Westbrook stated that he is going to try to adequately describe this. He displayed the Illustrative Site Plan on the screen, and pointed out La Rosa Elementary and Cesar Chavez Junior High School. He went on to explain that originally when this project was designed and submitted to the City Council for their consideration back in 2016, it showed Stanford Avenue, which is along the south boundary, going all the way over to the termination of the Specific Plan Area. It didn't necessarily go all the way to Eastgate Boulevard. At that point in time, the City Council and specifically the Mayor, was concerned about development of that roadway and it being a raceway; a long straight stretch and speeds. To mitigate that, what has been shown in the Specific Plan is, if this future connection is made, is that Stanford Avenue would be extended over to Boothe Road; there would be a signal at Boothe Road and Whitmore Avenue or they could just simply come down, jog and back out to Stanford Avenue. So, it's not intended to go straight through, but there would be access to Moore Road through Stanford Avenue and the subdivision; if that makes sense?

Chairperson Smith replied that it does, and asked Dr. Siegel if he wouldn't mind coming back to the podium, just to make sure she is clear about what his concern was.

Dr. Siegel stated that their concern, quite frankly is that plan and there are other ways of preventing raceways besides not building roads, diverts all the traffic back onto Whitmore to dump it back onto Eastgate. It's not a through fare and cannot handle that much more added capacity.

Chairperson Smith remarked that she believes she understood what his concern was that that road there needed to be built in order to adequately handle the additional traffic. And the absence of the funding mechanism was going to make it optional and therefore the traffic problems were going to be as you see it.

Dr. Siegel commented yes, that's our concern that we're expressing in this process.

Mr. Westbrook pointed out on the Illustrative Site Plan that he thinks there's another outlet from this roadway in here; it's an east/west connector. This road will connect over to Moore Road as well. So, it wouldn't necessarily be just Stanford Avenue in the south that would connect. You'd have a road right through the middle.

Dr. Siegel said there was a school right in the way to get to La Rosa. So, his concern is the amount of traffic diverting around; it's not just his opinion. It's Stanislaus County as well.

Chairperson Smith asked, these will be also contained in your written comments that are going to be submitted on August 13<sup>th</sup>?

Dr. Siegel confirmed, absolutely; these and others.

Chairperson Smith announced that she doesn't believe the Commission is required to take any action other than to thank the members of the audience for attending and either submitting their comments or participating in the process. She encouraged everyone, if they did not get a chance to speak this evening, to submit their comments to Mr. Westbrook.

**NEW BUSINESS:**

None

**PUBLIC MEETING(S):**

None

**UNFINISHED BUSINESS:**

None

**MATTERS INITIATED BY PLANNING COMMISSION AND STAFF**

None

**REPORTS:**

Director of Community Development, Tom Westbrook announced that in celebration of the Centennial, this Saturday, August 11<sup>th</sup> the Centennial Committee is hosting a stroll of the Whitmore Mansion. He encouraged all to attend, noting if they haven't toured the Mansion previously, it's a pretty cool building.

**ADJOURNMENT:**

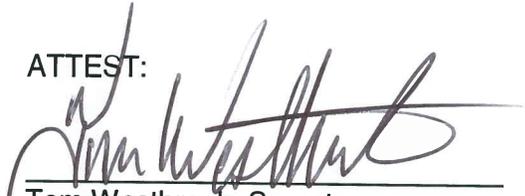
The Commission adjourned at 6:38 p.m. to the next regularly scheduled meeting of Monday, August 20, 2018.

APPROVED:



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Laurie Smith, Chairperson

ATTEST:

  
\_\_\_\_\_  
Tom Westbrook, Secretary