

CITY OF CERES
PLANNING COMMISSION
MINUTES

May 19, 2008

MEETING CALLED TO ORDER: 6:01 p.m.

ROLL CALL:

PRESENT: Del Nero, Kachel, Kline, Smith, Williams, Student Commissioner Linhares

ABSENT: None

ALSO PRESENT: Planning Manager Barry Siebe, Senior Planner Tom Westbrook, City Attorney Mike Lyons, Economic Development/Redevelopment Manager Bryan Briggs, Administrative Secretary Linda Ryno

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Chairperson Del Nero.

APPROVAL OF MINUTES:

1. May 5, 2008.

Commissioner Kline asked that the minutes be modified to reflect his request that the maximum number of birds allowed per aviary be 35, not 50 and that he didn't abstain from the vote, but voted no. Commissioner Kline also said that staff advised the Commission that they would be able to control the maximum number of birds per each application.

It was moved by Commissioner Smith, seconded by Commissioner Williams, to amend the minutes as stated. Carried 5/0.

ADJOURNMENT TO CERES DOWNTOWN REVITALIZATION AREA BOARD

It was moved by Commissioner Kachel, seconded by Commissioner Smith, to adjourn to the Ceres Downtown Revitalization Area Board Agenda. Carried 5/0.

ROLL CALL:

PRESENT: Del Nero, Kachel, Kline, Smith, Williams, Student Commissioner
Linhares

ABSENT: None

ALSO PRESENT: Planning Manager Barry Siebe, Senior Planner Tom Westbrook,
City Attorney Mike Lyons, Economic
Development/Redevelopment Manager Bryan Briggs,
Administrative Secretary Linda Ryno

CONFLICT OF INTEREST DECLARATION:

None

CITIZEN COMMUNICATION:

None

APPROVAL OF AGENDA AS POSTED (OR AMENDED) AND CERTIFICATION OF POSTING:

It was moved by Commissioner Kachel, seconded by Commissioner Kline, to approve the agenda as posted. Carried 5/0.

CONSENT CALENDAR:

None

PUBLIC HEARINGS:

None

PUBLIC MEETINGS:

None

NEW BUSINESS:

None

UNFINISHED BUSINESS:

1. Revision to Ceres Downtown Revitalization Area Annual Report.

Economic Development/Redevelopment Manager Bryan Briggs gave a report.

Commissioner Smith thanked Manager Briggs for responding so quickly to the Commission's request of April 21, 2008 regarding allocating some funds for the Ceres Concerts in the Park.

Chairperson Del Nero asked if anyone in the audience wished to speak. Seeing no one, it was moved by Commissioner Smith, seconded by Commissioner Kline, to amend the Annual Report to reflect \$2,000 allocation to the Concerts in the Park event. Carried 5/0.

ADJOURNMENT TO THE CERES PLANNING COMMISSION:

CONFLICT OF INTEREST DECLARATION:

Commissioner Williams declared a conflict of interest on item #3 and stated that she has an interest in one of the organizations that is leasing part of the property that will be discussed tonight.

Commissioner Williams stepped down from the dais into the audience and was advised by City Attorney Lyons that she could not participate in any of the discussion relating to this item.

CITIZEN COMMUNICATIONS to the Commission on matters not included on the agenda.

None

APPROVAL OF AGENDA AS POSTED (OR AMENDED) AND CERTIFICATION OF POSTING:

It was moved by Commissioner Williams, seconded by Commissioner Kline, to approve the agenda as posted. Carried 5/0.

CONSENT CALENDAR:

None

PUBLIC HEARING(S):

2. Public Hearing for consideration of a Zoning Ordinance Text Amendment for modification of lot coverage and setback requirements (patio covers and other accessory structures).

The public hearing was opened at 6:13 p.m. Seeing no one in the audience, the public hearing was closed at 6:13 p.m.

It was moved by Commissioner Kline, seconded by Commissioner Williams, to continue this item at staff's request to the June 16, 2008 meeting. Carried 5/0.

3. 07-13 VTPM/07-14 CUP; Proposal to subdivide 16.54+/- acre parcel into nine parcels and a remainder parcel at 2812 Service Road.

Senior Planner Westbrook gave a report.

Chairperson Del Nero and Commissioners Kline and Smith asked for clarification regarding the signal on Rohde Road.

Planning Manager Siebe responded that this project has had to comply with the design of the Service/Mitchell interchange project.

Commissioner Kline expressed his concern about traffic backing up on the on-ramp. Planning Manager Siebe responded that the traffic analysis for this project looked at traffic flow and that it did not warrant signals for the on and off ramps at this time.

The public hearing was opened at 7:34 p.m.

Dennis Fitzpatrick of UC Construction, 4216 Kiernan Avenue, Modesto, representing the applicant, thanked staff for their work and also said that they agree with the conditions of approval. Mr. Fitzpatrick then introduced the other members of their development team who briefly described the project: Ken Fong, the project architect of 1450 Howser Drive, West Sacramento and Brian Snyder, JHJ Electrical.

Mr. Fitzpatrick further added that in the conditions of approval, item 31 b 2, APN 041-013-002 needs to be added. Planning Manager Siebe concurred that the APN should be added.

Commissioner Kachel asked if with the new alignment of Rohde Road will access be taken off Mitchell or Rohde and the piece on the north end-where would it access? Senior Planner Westbrook stated configuration of Rohde Road will change and access to that parcel would be off Rohde Road as well as from the commercial development to the north. The only access to Rohde Road would be the future signalized intersection.

Commissioner Kline expressed concern about traffic flow. Planning Manager Siebe responded that the traffic analysis looked at the overall traffic flow. Once this project is developed, traffic lights would be needed at the on and off ramps.

Jim McCarthy, 301 Mitchell Road, expressed concern that his employer's property due east across Mitchell Road would be affected by the realignment of Rohde and the extension of Rodhe Road would leave a little waste land at the northern portion going over to Mitchell Road. Planning Manager Siebe asked if the concern is the developability after this project is developed or that a mess would be made of the property after the development. Mr. McCarthy responded "both". Planning Manager Siebe stated the intersection will not shift. He continued that if the Mitchell Road interchange takes place, you may see some modification and if the Mitchell Road alignment changes because of a proposed extension of Mitchell south of the highway, then there would be further realignment. Rohde Road will remain the same unless the property to the east comes in with a proposal and asks for re-alignment.

Rod Hawkins, with Hawkins Engineering, commented that the new alignment for Rohde Road is perpendicular to the proposed Mitchell Road relocation. Alternative 4 has gone back to follow the same Mitchell Road alignment that currently exists. He stated that they would be willing to work with the applicant to pull that alignment down, actually creating a better intersection.

There was discussion among the Commission on the proposed size of the sign. Planning Manager Siebe stated that the Mitchell Road Corridor Specific Plan defaults to the Municipal Code. The Planning Commission can adjust the height of the sign, but not the square footage of the sign.

Commissioner Smith asked what happens to the sign when a tenant leaves and if you are able to see remnants of their logo? Mr. Snyder responded that a blank panel would be inserted.

Dennis Fitzpatrick said that they would like the sign height approved at 85' and that they would work with staff on the dimensions. Mr. Fitzpatrick further added that in the conditions of approval, page 31 b 2, APN 041-013-002 needs to be added. Planning Manager Siebe concurred that the APN should be added.

Commissioner Smith asked staff for further clarification on staff's feelings for the sign height. Planning Manager Siebe responded that staff is not opposed to 85', and further, that the Commission can adjust the height, but not the square footage. An amendment to the MRCP, a Zoning Ordinance Text Amendment or a variance application would have to be submitted and that staff is willing to work with the applicant to see if findings can be made to make the variance.

Commissioner Kline asked that the applicant come back before them when they find out who the businesses are. Chairperson Del Nero said the Commission has already been told that that Hampton Inn, LaQuinta & McDonald's, are locating there and questioned what purpose it would serve. Commissioner Kline stated he just wanted to know.

Commissioner Smith said that she feels staff should be allowed to work with the applicant on the sign height, that she doesn't feel 50' is high enough. She also suggested that the Commission

consider raising the height subject to discussion between staff and the applicant.

It was moved by Commissioner Smith, seconded by Commissioner Kline, to adopt PC Resolution 08-17 approving the negative declaration. Carried 5/0.

It was moved by Commissioner Smith, seconded by Commissioner Kachel, to approve PC Resolution 08-19. Carried 5/0.

It was moved by Commissioner Smith, seconded by Commissioner Kline, to adopt PC Resolution 08-19 with modification to conditions of approval, condition 26 to read:

26. The applicant is permitted to construct a freeway sign that does not exceed 65' in height nor 180 square feet per side. The freeway sign shall meet applicable sections of the Ceres Municipal Code.

Carried 5/0.

Commissioner Kline asked staff to update the Commission on tenants. Planning Manager Siebe said that staff is more than happy to update the Commission with tenant information as it is received.

Commissioner Williams returned to the dais.

REPORTS:

Commissioner Kline congratulated Student Commissioner Linhares on her award presented during the Ceres High Awards Banquet.

Student Commissioner Linhares reported that she received three scholarships.

Planning Manager Siebe reported that the Ceres West Master Plan is proceeding nicely. The next workshop is May 29 at Harvest Hall at 6:30 p.m. He also advised the Commission that the Downtown Specific Plan is moving forward and that a joint City Council/Planning Commission meeting will be held on July 2 to discuss the Plan.

ADJOURNMENT:

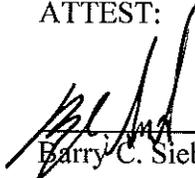
The Commission adjourned at 7:27 p.m. to the next regularly scheduled meeting of June 16, 2008.

APPROVED:



Gary Del Nero, Chairperson

ATTEST:



Barry C. Siebe, Secretary