

CITY OF CERES
PLANNING COMMISSION
MINUTES

August 18, 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: Community Development Director Kenneth H. Craig, City
Attorney Mike Lyons, Planning Manager Barry Siebe, Senior
Planner Tom Westbrook, Associate Planner James Michaels,
Administrative Secretary Linda Ryno

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Chairperson Del Nero.

APPROVAL OF MINUTES:

1. July 21, 2008.

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

CONFLICT OF INTEREST DECLARATION:

None

CITIZEN COMMUNICATION:

None

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

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

CONSENT CALENDAR:

None

NEW BUSINESS:

None

PUBLIC HEARINGS:

2. 08-07 VTPM/08-08 PCDP; Proposal to subdivide a .30+/- acre parcel into two parcels for the development of two duplexes at 3613 Morgan Road.

Associate Planner Michaels gave a report and also distributed an email with photographs from the adjacent property owner, Ray Smith.

Commissioner Kachel asked what the zoning and General Plan designation was for Mr. Smith's property. Associate Planner Michaels responded PC 49.

There was considerable discussion among the Commission regarding the fence that Mr. Smith spoke of in his email.

The public hearing was opened at 6:20 p.m.

Ray Smith, 3537 Morgan Road, expressed his concerns:

- There be a clause in the deed for the adjacent property that states there is livestock and associated smells and noise;
- The adjacent property not be lower than his so his irrigation water will not cross their property line;
- Would like a one-story home, instead of two-story home, looking into his backyard that would also have the windows trimmed out including foam pop outs;
- Would like to see a 6' or 8' chain link fence with wire on the top the entire length of his property between his property and the applicant.

There was considerable discussion among the Commission regarding the discrepancy in fence height and types.

Mr. Smith further added that the TID easement is seven feet on both properties.

Rick Ringler, of GDR Engineering, representing the applicant, responded that there's a 25 foot easement with both properties having 12.5 feet on their side. He commented that the applicant's intent is to put in redwood fencing and relocate the existing fence, which would leave a gap between the two fences.

There was more discussion among the Commission regarding requiring two fences or one.

Commissioner Smith suggested that the Commission direct staff to meet with the applicant and Mr. Smith regarding the type and location of a fence and if they can't reach a concurrence, it would be brought back to the Commission.

Mr. Ringler also stated that the buyers will have to sign a right to farm act disclosure from the Department of Real Estate and felt because of this, there was no need to add a special condition. Mr. Ringler also addressed Mr. Smith's concern about window treatment by saying there is foam trim on the top and bottom sills of the windows.

Mr. Ringler then discussed condition 6 on page 32. He said that if they were required to shift the entire structure five feet closer to San Juan Road that would push the porch section three feet into the Public Utility Easement. He further stated that if staff is requesting this because of their concern of noise from Morgan Road, that the applicant would be willing to have a sound engineer provide construction sound measures with sound requirements.

Mr. Ringler also requested that condition 6 on page 27 and condition 8 on page 36 be deleted as there is already a fire hydrant on San Juan Road.

Burl Condit, 3613 Dormea Court, expressed his concern that if rental units are situated all the way to the school, Morgan Road would look like the duplexes on Whitmore Avenue. He also suggested that an eight foot masonry wall be constructed along Morgan Road, which would match the wall across the street.

Director Craig advised the Commission that the master plan was approved in 1995; at which time, the types of land uses were established and that the application before them is a proposal that is consistent with the approved plan. He continued that three of the four ranchettes to the north have active subdivision maps.

The public hearing was closed at 7:25 p.m.

It was moved by Commissioner Williams, seconded by Commissioner Smith, to delete Fire Division Condition #6 and approve Resolution 08-24. Carried 5/0.

It was moved by Commissioner Smith, seconded by Commissioner Williams, to adopt PC Resolution 08-25 with the following revisions:

Project Specific Conditions:

6. Delete existing verbiage and replace with: "The applicant is required to provide staff with building construction information from a sound engineer which shows adequate sound attenuation to address the Morgan Road sound issues".

New Conditions:

11. The applicant is required to work with staff and the adjacent property owner to discuss and resolve the fencing issue.
12. The applicant is required to submit a recorded disclosure statement in regards to the adjacent rural activities in a form approved by staff.

Delete condition 8 of the Fire Division Conditions regarding the fire hydrant.

Carried 4/1. Commissioner Kline voting no.

PUBLIC MEETINGS:

None

UNFINISHED BUSINESS:

None

MATTERS INITIATED BY PLANNING COMMISSION AND STAFF:

None

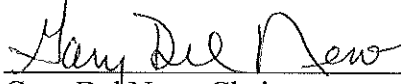
REPORTS/COMMUNICATION:

Director Craig reminded the Commission of the joint City Council/Planning Commission study session on August 21 and briefly explained that the study session was an opportunity for staff to show what has been done with the West Ceres Specific Plan and obtain feedback on whether the plan is heading in the right direction.

ADJOURNMENT:

The Commission adjourned at 8:07 p.m. to the City Council Study Session of August 21, 2008.

APPROVED:



Gary Del Nero, Chairperson

ATTEST:



Kenneth H. Craig, Secretary

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