

CITY OF CERES  
PLANNING COMMISSION  
MINUTES

March 16, 2009

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

**ROLL CALL:**

**PRESENT:** Del Nero, Kachel, Kline, Smith, Williams

**ABSENT:** None

**ALSO PRESENT:** Director of Community Development Kenneth Craig, Senior Planner Tom Westbrook, Redevelopment/Economic Development Manager Bryan Briggs, Associate Planner James Michaels, City Attorney Mike Lyons, Administrative Secretary Linda Ryno

**PLEDGE OF ALLEGIANCE:**

The Pledge of Allegiance was led by Chairperson Williams.

**APPROVAL OF MINUTES:**

1. February 17, 2009.

Commissioner Kline commented that on page two, item number 2, he was identified as seconding the motion and that he was out of the room. Commissioner Del Nero stated he was the one to second the motion.

It was moved by Commissioner Kachel, seconded by Commissioner Del Nero, to approve the minutes with the correction noted above. 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 Kline, seconded by Commissioner Kachel, to approve the agenda as posted. Carried 5/0.

**CONSENT CALENDAR:**

None

**NEW BUSINESS:**

None

**PUBLIC MEETINGS:**

2. Public Hearing to consider a conditional use permit (09-02 CUP) to establish a farmers' market at Whitmore Park.

Associate Planner Michaels gave a report and handed out updated conditions to the Commission.

Redevelopment/Economic Development Manager Briggs commented that he has been working with the applicant. Mr. Briggs also said that he had reviewed the CDRAB by-laws and is planning to ask CDRAB (the Planning Commission) for funds to help market the farmers' market as it is in the downtown area.

Mr. Briggs further commented that the City has signed purchased agreements for the properties at 2743 and 2745 Fourth Street and anticipates those properties will be functioning parking lots within 4-5 months. He also said that he has been talking with the Recreation Division about scheduling activities for children during the hours that the farmers' market is open.

Commissioner Kachel expressed concern that the three vacant parcels across from the park on 3<sup>rd</sup> Street and the alleys might become parking lots for visitors that are attending the market.

Director Craig responded that the alleys are public and that the dirt lot on 3<sup>rd</sup> Street is the future TID building. He further commented that he expects the building permit to be issued within the next 30 days.

Commissioner Del Nero asked if a previous farmers' market that was on 4<sup>th</sup> Street, had to go through the same conditional use permit process. Associate Planner Michaels responded that because of the amount of time that farmers' market was held, they were only required to get a temporary use permit.

Chairperson Williams asked for clarification on the number of vendors. Associate Planner Michaels responded 52; Director Craig further clarified that a condition is built into the permit that requires a staff level review at six months which could allow modification to the number of vendors permitted.

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

Lourdes Perez, with Ceres Partnership for Healthy Children, explained that they had partnered with Dennis Mineni as well as the County Public Health Department and that Cleo Moore with the County Public Health Department was in the audience.

Ms. Moore said the health department was involved because of the lack of accessible and affordable food that could be purchased at the farmers' market and that they had received an obesity grant as well.

The public hearing was closed at 6:23 p.m.

Commissioner Kline referenced pages 12 and 13 of the staff report and questioned staff why the 18 names on the list of vendors did not state what they would be selling.

Associate Planner Michaels responded that condition d ii, on page 32, requires that the Community Development Director or his designee approve any non-food related vendor before they set up a booth.

Commissioner Kline expressed concern that condition diii on page 32, did not address entertainment being played during set-up and take-down, which he objected to.

Associate Planner Michaels stated the applicant had just acknowledged their concurrence to have entertainment only during the hours the farmers' market was open.

Commissioner Kline further commented that the project description doesn't say that no alcohol is allowed, but the conditions do.

Associate Planner Michaels informed the Commission that because of the farmers' market's proximity to city hall, staff would be making periodic checks to insure all conditions are being met.

Commissioner Del Nero asked if Partnership for Healthy Children would have a booth. The applicant nodded yes.

Chairperson Williams asked if the petition that was submitted was required.

Director Craig responded that, while it wasn't required, staff wanted to be sure that the applicant had discussed the proposal with the downtown merchants.

Associate Planner Michaels commented that staff has not received any calls regarding the public hearing notice that was published in the Courier, as well as mailed, to property owners in the vicinity.

Chairperson Williams asked if there was a list of entertainment.

The public hearing was re-opened at 6:30 p.m.

Ms. Perez informed the Commission that it would be instrumental, such as mariachi.

Chairperson Williams asked if the music would be so loud that it would be disruptive to students at Walter White School.

Director Craig responded that because of the distance, he didn't believe the noise would be an issue.

The public hearing was closed at 6:31 p.m.

It was moved by Commissioner Kline, seconded by Commissioner Kachel, to adopt PC Resolution 09-07 with modifications as presented in the conditions as presented by staff. Carried 5/0.

**UNFINISHED BUSINESS:**

None

**MATTERS INITIATED BY PLANNING COMMISSION AND STAFF:**

None

**REPORTS/COMMUNICATION:**

Director Craig talked about the recent layoffs of three employees of the Community Development Department and the impact on the department. He also informed the Commission that he has not had the opportunity to speak before the Ceres Youth Commission or speak at one of the high schools to generate interest in the position of Student Commissioner. Mr. Craig also reminded Chairperson Williams that when she reads, "Citizen Communication", that she doesn't need to include the Resolution Number.

Commissioner Kline spoke up that he can send an email to Linda Cooper at Ceres High asking if Mr. Craig could speak at her leadership classes. Commissioner Kline also said he would be willing to speak to the students as did Commissioner Smith.

Chairperson Williams said that she was participating in Relay for Life on May 17 and would accept donations if everyone is interested.

**ADJOURNMENT:**

The Commission adjourned at 6:40 p.m. to the next regularly scheduled meeting of April 6, 2009.

APPROVED:

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Ruthanne Williams, Chairperson

ATTEST:

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Tom Westbrook, Interim Secretary