

CITY OF CERES
PLANNING COMMISSION
MINUTES

July 6, 2010

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

ROLL CALL:

PRESENT: Del Nero, Kachel, Kline, Molina, Smith

ABSENT: None

ALSO PRESENT: Interim Development Services Director Glenn Gebhardt,
City Attorney Michael Lyions, Interim City Planner Tom
Westbrook, Associate Planner James Michaels,
Administrative Secretary Linda Ryno

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Chairperson Smith.

APPROVAL OF MINUTES:

1. June 7, 2010.

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

2. June 21, 2010.

Chairperson Smith clarified that on page 3, she asked that the quarterly report be presented at a regular meeting held no later than 30 days after the end of each quarter.

It was moved by Commissioner Molina, seconded by Commissioner Kline, to approve the minutes with the modification presented by Chairperson Smith. Carried 5/0.

CONFLICT OF INTEREST DECLARATION:

While not conflicting out, Commissioner Kachel acknowledged that he is familiar with the applicant for item #4, Ernie Ott.

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 HEARING(S):

3. 10-08 CUP; Proposal to allow a changeable copy electronic reader board sign at 3525 Mitchell Road.

Associate Planner Michaels gave a report.

Chairperson Smith asked the following questions:

- Why is there a condition that requires the street number be removed from the sign?
- What is the method of monitoring the six month staff review?

Interim City Planner Westbrook responded that originally it was staff's thought that it would be appropriate to have the street number removed, but after further consideration, it is staff's recommendation to strike that condition.

Mr. Westbrook responded also that that monitoring will be done through periodic staff visits.

Commissioner Kline asked for clarification on page 4, TID comments. Mr. Westbrook responded that TID's request will be resolved through the building permit process.

The public hearing was opened at 6:09 p.m.

Max Garcia, Garcia Davis Ringler, representing the applicant, asked the Commission to reconsider the following conditions:

1di. Mr. Garcia stated that he feels by relocating the pole light to the northeast of the proposed sign would result in a conflict with the water line; he would prefer it be relocated to the west end of the planter area. Interim City Planner Westbrook agreed.

1diii. Mr. Garcia asked that the condition be eliminated. Mr. Westbrook agreed.

1dv. Mr. Garcia said that because the building was constructed over 20 years ago, it would be very difficult to secure roof tile to match the existing building's roof time. He suggested rather that the aluminum cap be painted a color to compliment the exterior roof area of the building. Mr. Westbrook agreed.

The public hearing was closed at 6:15 p.m.

Chairperson Smith stated that while she originally didn't support the electronic reader board, she would support it now because it meets the requirements of the City Council Ordinance.

It was moved by Commissioner Kachel, seconded by Commissioner Molina, to adopt PC Resolution 10-12 with the above-mentioned modifications and approve 10-08 CUP. Carried 4/1 (Commissioner Kline, no).

4. 10-10 CUP; Proposal to establish a truck and trailer disassembly use at 2224 Rockefeller Drive.

Associate Planner Michaels gave a report. Interim City Planner added that after the report had been prepared, staff received two letters regarding the proposed project. Staff previously emailed them to the Planning Commission as well as providing them on the dais tonight.

The public hearing was opened at 6:27 p.m.

James Oak, representing the applicant, said that this component of the business can't be done at the existing facility because of the dust that can harm the parts that are being removed and repaired. Mr. Oak also said that Mr. Ott is in agreement with staff conditions.

Commission Del Nero stated his concern that it would be a wrecking yard.

Lenora Caulton, 2608 Coty Court, Ceres, advised the Commission that she has a business in the same industrial park and had visited Mr. Ott's present location on Crows Landing Road. She reported that she was dismayed to see the debris two stacks high that will not be hidden by a fence. Mrs. Caulton further complained that she believed code enforcement was not doing their job in the industrial park.

Chairperson Smith asked how code enforcement will be handled for this property.

Interim City Planner Westbrook responded that if businesses that did not require a conditional use permit had property maintenance issues, it would be handled by code enforcement. If businesses that were required to have a conditional use permit approval (such as this project), enforcement of any conditions would be handled by Planning staff and if not resolved, the Planning Commission could require corrective action or revocation of the conditional use permit.

Ernie Ott, the applicant, stated that as he was purchasing the property from G & R Enterprises, he had too much invested to not follow the rules. Mr. Ott also said that he's been operating at his current location for 10 years; his current location is three acres and he employs 15 full time individuals.

Dick Imfeld, owner of IC Refrigeration, stated he was concerned that it will be a junkyard and that there is already a lot of crime in the area. He also asked if there would be a paint booth; to which Mr. Ott responded no.

Mr. Ott then talked about the security enhancements at his existing building and that if needed, he would invest in the same level of security at his Ceres business.

Commissioner Kline ask what happens with truck cabs when the parts have been removed. Mr. Ott responded that most parts are re-usable, but if they aren't, they're shipped out in a few days. The scrap metal is trucked out weekly. Commissioner Kline then asked what was the size of the scrap bin; Mr. Ott responded five-six feet high.

Commissioner Molina asked Mrs. Caulton if she was comfortable with Mr. Ott's explanation of his operations and that he thought it sounded like a clean operation. Dwight Caulton commented that dismantling and repair are two different things and expressed concern about parts that won't be used right away.

Chairperson Smith re-iterated that if a conditional use permit is granted and conditions are not met, that the Planning Division will attempt to resolve the issues; if they're not able, it will be referred to the Planning Commission.

The public hearing closed at 6:56 p.m.

There was discussion among the Commission regarding the six month staff review. It was mentioned that the six month review could be informational at a Planning Commission meeting and that a noticed public hearing with notices mailed to surrounding property owners as required by state law, would be at one year of operation.

It was moved by Commissioner Molina, seconded by Commissioner Del Nero, to adopt PC Resolution 10-13 approving 10-10 CUP with the above-noted modification. Carried 4/1, Commissioner Kline voting no.

PUBLIC MEETING(S):

None

UNFINISHED BUSINESS:

None

MATTER INITIATED BY PLANNING COMMISSION AND STAFF

None

REPORTS:

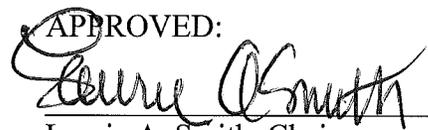
Chairperson Smith reported that she was the lone attendee at the Housing Element Workshop on June 30, 2010. Interim City Planner Westbrook advised the Commission that at a future meeting, a presentation will be made.

Mr. Westbrook also reported that the review period for the draft environmental impact report for the Mitchell Ranch Center ended at 5 p.m. today. Mr. Westbrook also stated that prior to scheduling Mitchell Ranch Center for Planning Commission review, the Commission will be polled for their availability.

ADJOURNMENT:

The Commission adjourned at 7:04 p.m. to the next regularly scheduled meeting of August 2, 2010.

APPROVED:



Laurie A. Smith, Chairperson

ATTEST:



Tom Westbrook, Interim Secretary