

CITY OF CERES
PLANNING COMMISSION
MINUTES

July 6, 2015

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

ROLL CALL:

PRESENT: Commissioners: Couper, Del Nero, Kachel, Smith

ABSENT: Commissioner Molina (excused)

ALSO PRESENT: Director of Community Development Tom Westbrook,
Director of Engineering Services/City Engineer Daryl
Jordan, City Attorney Nubia Goldstein, Secretary/Deputy
City Clerk Ann Montgomery

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Chairperson Smith.

CONFLICT OF INTEREST DECLARATION:

It was noted that Commissioner Molina is excused this evening, due to the location of the proposed project being within 500 feet of his residence.

CITIZEN COMMUNICATIONS:

None

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

ACTION: It was moved by Commissioner Kachel; seconded by Commissioner Condit to approve the agenda as posted (or amended) and certification of posting. Motion passed by the following vote:

AYES: Commissioners Condit, Del Nero, Kachel, Smith

NOES: None

ABSENT: Commissioner Molina

CONSENT CALENDAR:

None

PUBLIC HEARING:

1. Conditional Use Permit (CUP) 15-06; proposal for a Conditional Use Permit to allow for an equipment rental business operation at 3131 Roeding Road; Sunbelt Rentals, applicant.

Director of Community Development, Tom Westbrook presented the staff report.

6:08 P.M. The Public Hearing was opened.

- Bob DeGrasse, L Street Architects, Modesto, CA

Mr. DeGrasse remarked that there are three items on the Conditions of Approval that he and the applicants would like to address and get clarification on:

- *Item B.2. This Conditional Use Permit (CUP) entitlement is approved to allow for an equipment rental business operation. The applicant is permitted to operate this use Monday through Friday: 7 am to 5 pm. If the applicant desires to modify the days and hours of operation, the applicant shall first submit a request in writing to the Director of Community Development for review.*

Mr. DeGrasse stated that occasionally there are truck deliveries that will occur earlier than 7:00 a.m.

Chairperson Smith confirmed with Mr. Westbrook that changes to hours of operation can be done administratively, or it can be addressed tonight at Planning Commission meeting. Chairperson Smith suggested that if this will take substantial dialogue, it may be best handled administratively since the provision is there. Mr. DeGrasse concurred that he would prefer to handle this administratively.

- *Item 4.d. If the applicant desires to display or park rental equipment at the southeast corner of the property, the applicant shall be required to provide paving and landscaping improvements to this area to enhance the site's overall appearance. This shall be done to the satisfaction of the City of Ceres.*

Mr. DeGrasse presented what the applicants are suggesting on the Site Plan, from the easterly drive all the way to the Ceres Canal, is a landscape screen; the display area up in front be a gravel display area, as opposed to a paved area. They requested the wording be changed from "paving" to "an all-weather surface, as approved by the City of Ceres."

City Engineer, Daryl Jordan explained the applicant's consultant has proposed this will be used as a storage site, not as a display site. Chairperson Smith clarified with Mr. Jordan that there is a distinction between storage and display, in terms of what the surface needs to be.

- Rick Mummert, Principal, Benchmark Engineering, 1121 Oakdale Road, Suite 1, Modesto, CA
 - Item 11. *The existing overhead utility lines/poles along Roeding Road frontage area of the project site will need to be addressed. This may include the relocation/removal of the utility poles and undergrounding the utility lines, or entering into a deferral agreement with the City, or providing the appropriate payment for future undergrounding of the utility lines. The applicant will be working with the Engineering Services Division (209-538-5792) to address this issue.*

Mr. Mummert handed out copies of an aerial map of 3131 Roeding Road and adjacent areas. Mr. Mummert explained that when the adjacent properties were developed, all the pole lines stayed in place, behind the curb. He further explained that the difference between that project and this project is that this project would have a 5-foot sidewalk rather than a 10-foot sidewalk. If we relocate one pole, there may be a kink, and we won't know what TID is going to design, as far as the other poles and how it's going to have to be guy-wired. He respectfully requested a sidewalk modification where the ADA path will go around the obstruction, and deferred to the opinion of the City Engineer.

Mr. Jordan believes the City can review a sidewalk modification to this project, as long as we can meet the ADA requirements with Mr. Mummert's design.

6:20 P.M. The Public Hearing was closed.

Commissioner Smith clarified that items B.2 and 11 will be resolved at the staff level. Item B.2 requires an administrative decision by staff. Item 11, staff is willing to work with the applicant on an ADA modification, which doesn't need to be addressed in the resolution. Item 4.d deals with the issue of paving versus gravel.

6:21 P.M. Chairperson Smith reopened the Public Hearing.

6:21 P.M. There being no comments or questions of the applicants, the Public Hearing was closed.

A short discussion ensued regarding Item 4.d.

Chairperson Smith provided a revision to resolution Item 4.d. "...applicant shall be required to provide plans for improvements to this area, subject to City staff approval."

ACTION: It was moved by Commissioner Condit; seconded by Commissioner Del Nero to adopt PC Resolution No. 15-19 with the changes as noted. Motion passed by the following vote:

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AYES: Commissioners Couper, Del Nero, Kachel, Smith
NOES: None
ABSENT: Commissioner Molina

NEW BUSINESS:

None

PUBLIC MEETING(S):

None

UNFINISHED BUSINESS:

None

MATTERS INITIATED BY PLANNING COMMISSION AND STAFF

None

REPORTS:

Tom Westbrook:

- There are two more Concerts in the Park for this season; they begin at 6:30 p.m. at Whitmore Park. They have been very well attended.
- The façade improvement project for the Whitmore Plaza Shopping Center will be on the agenda for the next Planning Commission meeting.
- We're coming up on an important date for the Mitchell Ranch (WalMart) lawsuit. This Thursday, July 9, 2015, the opening briefing is due by the Citizens for Ceres attorney. We probably won't have this decision until January or February 2016.
- City's website was down for some time today, but is now back up.

Daryl Jordan:

- The trench on Mitchell Road will be resurfaced by the end of this week.

ADJOURNMENT:

The Commission adjourned at 6:31 p.m. to the next regularly scheduled meeting of Monday, July 20, 2015.

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APPROVED:



Laurie Smith, Chairperson

ATTEST:



Tom Westbrook, Secretary

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