

**CITY OF CERES
PLANNING COMMISSION
MINUTES**

November 16, 2015

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

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Chairperson Smith.

ROLL CALL:

PRESENT: Commissioners: Condit, Del Nero, Kachel, Molina,
Chairperson Smith

ABSENT: None

ALSO PRESENT: Director of Community Development Tom Westbrook,
Director of Engineering Services/City Engineer Daryl
Jordan, Redevelopment and Economic Development
Manager Steve Hallam, Associate Planner James
Michaels, City Attorney Kerry Fuller, Secretary/Deputy
City Clerk Ann Montgomery

CONFLICT OF INTEREST DECLARATION:

None

CITIZEN COMMUNICATIONS:

None

CONSENT CALENDAR:

1. Clerk's Report of Posting. The Agenda for the regular meeting of the Planning Commission of November 16, 2015 was posted on November 12, 2015.
2. Approval of Minutes:
 - a. October 5, 2015
 - b. December 15, 2014
 - c. January 20, 2015

ACTION: It was moved by Commissioner Kachel; seconded by Commissioner Del Nero to approve the Consent Calendar items. Motion passed by the following vote:

AYES: Commissioners Condit, Del Nero, Kachel, Molina, Chairperson Smith
NOES: None
ABSENT: None

CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT CALENDAR

None

PUBLIC HEARING:

3. Vesting Tentative Subdivision Map (VTSM) 15-19; Proposal for a Vesting Tentative Subdivision Map to subdivide three properties that total 4.81 acres in size into 24-single-family lots at 3507, 3413, and 3307 Morgan Road. GDR Engineering, Inc., applicant.

Associate Planner, James Michaels presented the staff report.

Mr. Michaels read the proposed revision to item B.22 of the Conditions of Approval for the record:

“All lots shall connect to public water, sewer, and storm drain as approved by the City Engineer, which shall include **reimbursement** agreement(s) with the south adjacent property (APN: 086-037-008).”

Mr. Michaels noted that prior to the meeting the applicant requested staff to clarify the measurements of the setbacks for the side yard area that are listed in condition B.10; setbacks, measured from the property lines, will be 5 feet on one side and 12 feet on the side yard, to allow for parking of recreation vehicles on the side yard area on the lot.

The public hearing was opened at 6:07 P.M.

- Max Garcia, GDR Engineering, 3525 Mitchell Road, Ceres, CA

Mr. Garcia stated he is representing the three property owners and briefly explained the history of the Brown Master Plan, noting that these parcels are part of the Brown Master Plan.

Brief discussion ensued.

- Ray Smith, 3537 Morgan Road, Ceres, CA

Mr. Smith noted originally that running the utilities was going to go through his property and onto their parcels. GDR had approached him previously regarding this, and he wasn't interested. He hasn't been contacted on this proposal since then; just receiving the notice on this hearing today, as he's been out of town. He requested a postponement because he would like his engineer to look at this proposal to make sure the placement of the utilities is going to work.

Mr. Westbrook explained that the utilities are going to work. When they laid the development south of Mr. Smith's property, they got the elevations and everything needed for that sewer line. The improvements going across his property, north on to serve these parcels, are going to work.

Discussion ensued.

Mr. Westbrook noted that Mr. Smith has an approved subdivision map that requires improvements to be placed on his property. He further noted that there is some level of inconvenience with any construction project, but by allowing them to put improvements underground, it ultimately makes Mr. Smith's property more appealing for a developer at a future date because those improvements are already in the ground.

In response to Mr. Smith's concern about the inconvenience to him with the equipment on his property during the construction, Mr. Westbrook stated that per the City Engineer, there has to be coordination of construction efforts; through that process, they have to contact Mr. Smith. What we're trying to achieve, is something that works for both parties; adding value to Mr. Smith's property, and ultimately getting those utilities in the correct location. As long as all parties act reasonably, there shouldn't be any issue for both parties not to be happy through the process.

Mr. Smith stated that he wants to make it clear; he is not willing for this to go through his property at this point.

- Duane Thompson, 1197 Alondra Drive

Mr. Thompson thanked Mr. Westbrook for the better map; it's much easier to read.

He feels this proposal is all about money; for real estate investors, developers, real estate agents, the city getting the permit fees; it's all about money. If an individual comes down to an opinion with being opposed to it, he has limited ability to stand against money. Mr. Thompson then asked, if the logistics of traffic and water usage doesn't mean anything, what is it that a person has to say; a viable reason, to get a plan turned down?

Chairperson Smith noted that if Mr. Thompson has a particular question regarding this project, the Commission or Staff will be happy to answer, but the Commission will not respond to that.

- Max Garcia, GDR Engineering 3525 Mitchell Road, Ceres, CA

Mr. Garcia briefly explained the Brown Master Plan, which was approved approximately 20 years ago. He further explained the Subdivision Map Act, which protects property owners.

The public hearing was closed at 6:42 P.M.

Brief Commission discussion ensued.

ACTION: It was moved by Commissioner Molina; seconded by Commissioner Kachel to adopt PC Resolution 15-25 and 15-26, with amended condition B.22. Motion passed by the following vote:

AYES: Commissioners Del Nero, Kachel, Molina, Chairperson Smith

NOES: Commissioner Condit

ABSENT: None

NEW BUSINESS:

None

ADJOURN AS THE PLANNING COMMISSION TO THE CERES DOWNTOWN REVITALIZATION AREA BOARD

MEETING CALLED TO ORDER: 6:55 P.M.

ROLL CALL:

PRESENT: Commissioners Condit, Del Nero, Kachel, Molina, Chairperson Smith

ABSENT: None

ALSO PRESENT: Director of Community Development Tom Westbrook, Director of Engineering Services/City Engineer Daryl Jordan, Redevelopment and Economic Development Manager Steve Hallam, Associate Planner James Michaels, City Attorney Kerry Fuller, Secretary/Deputy City Clerk Ann Montgomery

CONFLICT OF INTEREST:

None

NEW BUSINESS:

4. Ceres Downtown Revitalization Area Board (CDRAB) FY 2015-16 Quarterly Report – 1st Quarter

Redevelopment and Economic Development Manager Steve Hallam presented the 1st Quarter Report.

Brief discussion ensued.

ACTION: It was moved by Commissioner Molina; seconded by Commissioner Condit to accept the FY 2015-16 Quarterly Report – 1st Quarter. Motion passed by the following vote:

AYES: Commissioners Condit, Del Nero, Kachel, Molina, Chairperson Smith

NOES: None

ABSENT: None

RECONVENED AS THE PLANNING COMMISSISON at 7:04 P.M.

PUBLIC MEETING(S):

None

UNFINISHED BUSINESS:

None

MATTERS INITIATED BY PLANNING COMMISSION AND STAFF

None

REPORTS:

City Attorney Kerry Fuller reported that City Attorney, Nubia Goldstein sends her regrets.

Director of Community Development, Tom Westbrook reported:

- On Saturday, October 10th, the County Planning Commissioners Annual Workshop was held here. The topic was health and the built environment.

Planning Commission Minutes
November 16, 2015

The speakers were very informative and he was the emcee. The Planning Directors have been talking about having another workshop in February 2016 and securing Mike Durkee, who is the leading authority on the Subdivision Map Act, to be the guest speaker. If that is scheduled, arrangements will be made for the Commissioners to attend.

- Mitchell Ranch lawsuit update – We have finally crossed a threshold; we are all briefed at the Appellate Court level. Our attorneys believe that probably in January we'll hear when the oral arguments are going to be set for that case. Hopefully by March or April we may have a decision from the Appellate Court, which is exciting. He also received a call from AppleBee's today, inquiring about the status of the lawsuit.
- November 30th at 6:00 p.m. there will be a Kick-off Workshop for the City Council and the Planning Commission for the General Plan Update. Ms. Montgomery will be sending out the calendar information to the Commission.
- Chamber Ribbon Cutting at Family Pizza on Whitmore Avenue, tomorrow at 11 a.m.
- Billboard at Whitmore Avenue has the "Shop Ceres First" listed.

Redevelopment and Economic Development Manager, Steve Hallam reported that he and Tom Westbrook attended the annual Chamber Board Retreat in Lodi on November 6th.

ADJOURNMENT:

The Commission adjourned at 7:10 p.m. to the next regularly scheduled meeting of Monday, December 21, 2015.

APPROVED:


Laurie Smith, Chairperson

ATTEST:


Tom Westbrook, Secretary