

**CITY OF CERES
PLANNING COMMISSION
MINUTES**

September 6, 2016

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

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Chairperson Kachel.

ROLL CALL:

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

ABSENT: None

ALSO PRESENT: Director of Community Development Tom Westbrook,
Director of Engineering Services/City Engineer Daryl
Jordan, Associate Planner James Michaels, City
Attorney Chris LaGrassa, Administrative
Secretary/Deputy City Clerk Ann Montgomery

CONFLICT OF INTEREST DECLARATION:

None

CITIZEN COMMUNICATIONS

- Leonard Shepherd, 2841 Fowler Road, Space 71, Ceres, CA

Mr. Shepherd expressed his concern with things looking the same in many cities up and down the valley, along Highway 99. His hope is that when the Mitchell Ranch Center is developed, it will be different.

- Chairwoman of the Muwekma Ohlone Tribe of the San Francisco Bay Area

The Chairwoman remarked about community, the cost of businesses, and them being highly regulated; in addition to being different and creating more business opportunities, to generate more businesses. She also noted that we need an honest partnership. Her tribe and many other tribes fought for preservation of life, preservation of resources, and to take care of their own people. White man found fault with their tribes, took their land away, and took their spiritual places away. They created law after law. The only thing that we can do is to create

laws that will help us, and the only “turn-key” that she knows in this country is creating a casino business, and perhaps invite other small businesses to come in, so that they can get a head start and understand that Indians are here and always have been here to help. This is the time to create an honest relationship that is meaningful, that will contribute to this small city, and make it look like a different city; and one that also takes care of the citizens, and educates our young, so that they can continue the partnership that you have started and laid the foundation.

CONSENT CALENDAR:

1. Clerk’s Report of Posting. The Agenda for the regular meeting of the Planning Commission of September 6, 2016 was posted on August 31, 2016.
2. Approval of Minutes
 - a. August 15, 2016 (all present)
 - b. May 4, 2015 (Kachel absent)

ACTION: It was moved by Commissioner Molina; seconded by Commissioner Condit to approve Items 1 and 2.a. on the Consent Calendar. Motion passed by the following vote:

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

ACTION: It was moved by Commissioner Smith; seconded by Commissioner Condit to approve Item 2.b. on the Consent Calendar. Motion passed by the following vote:

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

CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT CALENDAR

None

PUBLIC HEARING:

None

NEW BUSINESS:

3. Specific Plan Site Plan (SPSP) 16-10; Proposal to allow a recycling center/donation bin within the existing parking lot of the Central Valley Marketplace Shopping Center located at 1507-1571 Mitchell Road. Green Education Foundation; applicant.

Associate Planner, James Michaels presented the staff report.

Director of Community Development, Tom Westbrook noted that back in 2007 or 2008 there was a CRV recycle bin on this site. It was located to the west, next to the Food 4 Less store. It was unmanned; people would put in their recyclables, get a receipt and turn it in at the Food 4 Less store and receive their money. That somehow, was unsuccessful and only there for a couple of years.

The public hearing was opened at 6:18 p.m.

- Leonard Shepherd, 2841 Fowler Road, Space 71, Ceres, CA

Mr. Shepherd remarked that it's pretty, but not sure how it's going to work without somebody there all the time. He likes the idea of recycling, just not where it's not staffed.

Mr. Westbrook addressed Mr. Shepherd's concerns by explaining that there are 24-hour surveillance cameras at this site. He knows that Green Education Foundation remotely surveils all of their containers within the state of California, and some in Texas as well. Specifically here in Ceres, the two instances that James referred to in the Staff Report were actually reported by their surveillance company to our Police Department. They are very much on top of their containers and their locations; they do a very good job.

- Charlene Nijmeh, Chairwoman of Green Education Foundation

Ms. Nijmeh provided a brief background of Green Education Foundation. She thanked the Planning Department Staff for working with them to mitigate any issues of concern and help guide them with the permit process. She also thanked the Staff on behalf of the Green Education Foundation Board for supporting the project, their time and thoughtful analysis of the application.

Commissioner Smith thanked Ms. Nijmeh for her presentation. She appreciates the value of the donation centers and clarified that the Green Education Foundation is a non-profit 501-C3 Public Charity organization that has been in existence for 4 years. Ms. Smith asked several questions of the applicant, who in turn responded with detailed answers.

Mr. Westbrook addressed the concern about cleanliness of the bin, explaining that he, Sergeant Berber, Sergeant Coley and Mr. Michaels met with applicant in July, noting that things have been very sightly. He also spoke with Orlando Ramirez with the City of Clovis who was very complimentary of working with Green Education Foundation, stating they've experienced no issues.

- Dave Pratt, Ceres resident

Mr. Pratt asked Ms. Nijmeh if they have these bins in Modesto or Turlock.

Ms. Nijmeh responded that they do not.

The public hearing was closed at 6:36 p.m.

Commission discussion ensued.

ACTION: It was moved by Commissioner Condit; seconded by Commissioner Smith to approve PC Resolution 16-24, with the amendment of a 6-month staff review of the public safety impact and a 12-month review of the public education aspect in the City of Ceres. Motion passed by the following vote:

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

PUBLIC MEETING(S):

None

UNFINISHED BUSINESS:

None

MATTERS INITIATED BY PLANNING COMMISSION AND STAFF

None

REPORTS:

Chairperson Kachel reported that he attended the Smoke On the River event last Saturday. Big Earl and the band were playing, lots of BBQ was being sold and he hopes it was successful. He had some friends visiting from out of town who attended and it was nice to have something for people to come to Ceres and do.

Tom Westbrook, Director of Community Development announced:

- He also attended the Smoke On The River event. Renee Ledbetter and the Chamber Board do a great amount of work to make that happen. This was the third year and we hope to make it even bigger and better in the future. They'd like to get more participants and perhaps go to a "Pro-Series," which means they would get 30 or 40 BBQ competitors. He believes there were 22 contestants this year. It was a great event; a lot of people, but also a lot of work.
- Two weeks ago we issued all the building permits for the Façade Improvement project at the Whitmore Plaza Shopping Center. We should see it completed within the next 6 months.
- The old Jenny's Family Restaurant is now the new Hot Rod Diner. He believes they got their final approvals on Friday, and they are open for business.
- General Plan Update – There are some new documents that have been added to the website. We'll be bringing the summary and those documents to the Planning Commission at a future meeting. We'll also be presenting some Guiding Principles for that document, to get the recommendations of the Planning Commission before we send that on to the City Council.
- No news on our Mitchell Ranch Shopping Center lawsuit; however, he thinks it will come any day. We're excited to get the decision in this somewhat time consuming process. As soon as we hear that decision, the City Council will be notified first, and then the Planning Commission.

ADJOURNMENT:

The Commission adjourned at 6:51 p.m. to the next regularly scheduled meeting of Monday, September 19, 2016.

APPROVED:


Robert Kachel, Chairperson

ATTEST:


Tom Westbrook, Secretary