

**CITY OF CERES  
PLANNING COMMISSION  
MINUTES  
November 7, 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 (arrived 6:08 p.m.), 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 Nubia Goldstein, Paralegal with Churchwell White Debbie DeGuzman, Administrative Secretary/Deputy City Clerk Ann Montgomery

**CONFLICT OF INTEREST DECLARATION:**

None

**CITIZEN COMMUNICATIONS**

- Leonard Shepherd, Ceres Citizen

Mr. Shepherd remarked that he started attending City Council meetings back in 1997 and believes he has a pretty good record. The only time he has missed is when he has been on vacation, out of town or ill. He should have started coming to Planning Commission meetings at the same time because he didn't realize the things that can happen to the citizens of Ceres by an overzealous Planning Commission. He went on to explain that the thing that bothers him the most is that the Planning Commissioners have power over citizens in what they can and can't do. If the Commission was an elected body, the citizens could stop the Commissioners by choosing to not re-elect them.

- Dave Pratt, Ceres Citizen

Mr. Pratt commented that he's sorry he missed the last City Council meeting. He

sees that they still want to put that Whitmore Ranch in. He suggested the City put some car counters between Whitmore and Service Roads for a whole week and see exactly how much traffic goes down that narrow road. Then when all those houses are built, the count will really be out of sight. He referenced "exchange land - 1 acre per acre for farming," noting that the problem is when you put schools, churches and housing developments out in the fields, you put restrictions on the farmers where they can no longer do business, and wind up having to sell that property. Sooner or later all of the land is going to go away, and he's sorry to see that. We need to take care of what's in the realm right now and fill in a lot of the vacant lots, before we start new projects and taking in new land.

**CONSENT CALENDAR:**

1. Clerk's Report of Posting. The Agenda for the regular meeting of the Planning Commission of November 7, 2016 was posted on November 2, 2016.
2. Approval of Minutes
  - a. October 3, 2016 (Kachel absent)
  - b. May 28, 2015 (Smith absent)
3. General Correspondence – Information only
  - a. Ceres Downtown Revitalization Area Board (CDRAB) FY 2016-17 Quarterly Report – 1<sup>st</sup> Quarter.

**ACTION:** It was moved by Commissioner Smith; seconded by Commissioner Molina to approve Item 1 on the Consent Calendar. Motion passed by the following vote:

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

**CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT CALENDAR**

Items 2.a. and 2.b. were pulled from the Consent Calendar to be considered separately.

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

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

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

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

Commissioner Smith pulled Item 3 to ask two questions:

- Staff noted in the report that revenue for the first quarter is below projections. Furthermore, staff notes the request from the Board at the previous meeting, regarding the assessments by district. She would like to ask if there's any understanding or knowledge about why the revenues for the first quarter were short. She can't recall if they come in equally or if there's a delay.

Mr. Westbrook explained he believes there's a little bit of a lag in the assessment. There's no rhyme or reason to the fact that some quarters fall below what the expectations are, but generally they level out throughout the year.

- Commissioner Smith's second question is regarding the Façade Revitalization Program. It's noted in the staff report, that staff is working with one of the Downtown Property Business Owners that is currently contemplating moving forward, and she questioned the triggering of prevailing wage when using these funds.

Mr. Westbrook explained it's a two-step process. The first process is where there is some type of design assistance, which doesn't trigger the prevailing wage whatsoever. The second component of that is, if a business owner takes the loan for the actual improvements, that's when it's at the prevailing rate. They can get the conceptual façade improvement through the architects that we have on retainer. There are no prevailing wage requirements; it's only once they get to construction.

ACTION: It was moved by Commissioner Smith; seconded by Commissioner Del Nero to approve Item 3 on the Consent Calendar. Motion passed by the following vote:

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

**PUBLIC HEARING:**

4. Planned Community Development Plan (PCDP) 07-12 Time Extension – Proposal for a 5<sup>th</sup> Time Extension for a previously approved project that includes four buildings that totals 36,000 square feet at 1307 Service Road. The request would allow for a 1-year time extension for the project. Tom Mitsopoulos, applicant.

Associate Planner, James Michaels presented the staff report.

**The public hearing was opened at 6:17 p.m.**

- Bob DeGrasse, L Street Architects, Modesto, CA

Mr. DeGrasse stated that the details of the project are the same from the last time he attended. The challenges are still getting tenants and financing, and they are requesting another year in order to continue and pursue this activity. He is here to answer any questions there may be and to seek the Commission's approval.

Commissioner Condit asked Mr. DeGrasse what future tenants he is looking into.

Mr. DeGrasse responded that they have been looking for commercial and retail tenants, and haven't found the right fit yet.

Commissioner Condit inquired if a one-year extension is sufficient.

Mr. DeGrasse confirmed that it is.

Commissioner Molina asked if Mr. DeGrasse feels that perhaps the size or shape of the buildings may have something to do with the fact that he hasn't found tenants.

Mr. DeGrasse explained that if they had a potential tenant that said they would lease this if we changed something, he would be back to the Planning Commission with a revised site plan. He doesn't feel it's the floor plan piece; it's the economy and the location.

**The public hearing was closed at 6:19 p.m.**

**ACTION:** It was moved by Commissioner Condit; seconded by Commissioner Molina to adopt PC Resolution 16-27. Motion passed by the following vote:

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

**NEW BUSINESS:**

None

**PUBLIC MEETING(S):**

None

**UNFINISHED BUSINESS:**

None

**MATTERS INITIATED BY PLANNING COMMISSION AND STAFF**

None

**REPORTS:**

Chairperson Kachel reported that he missed the last meeting due to vacation. He read the verbatim minutes; very good job. It was an interesting meeting and he wished he had been here.

Tom Westbrook, Director of Community Development reported:

- Update on Mitchell Ranch – As you know, we’ve been working our way through the Court process. We are hopeful, within the next 10 days, that the period in which the Citizens for Ceres have to seek review before the California Supreme Court will end, so we’ll either know if they’ve requested that or they have not. If they have not, the case will be complete. Walmart Corporate has given the engineers the green light to move forward with the construction documents and the project. We have no idea how long it will take to get those to us, but we’re hopeful sooner rather than later so that we can get those into “plan check” and ultimately have the building permits issued. It’s exciting!
- Commissioner Del Nero brought something to his attention. He referenced a project that the Planning Commission approved back in early September for a donation bin for clothing at the Food 4 Less Center on Mitchell Road.

Commissioner Del Nero texted Mr. Westbrook on Friday morning, informing him that the bin was gone. Mr. Westbrook explained later that day that the City had received an e-mail from the company stating that they had elected to remove it. The property owner and the business owner, the Green Education Foundation decided that they were going to remove it at this time. The City had no prior knowledge of that; just one day it was there and the next day it wasn't. If the company would like to go through that process somewhere else in town, we'll be certainly willing, now that we've established what the correct process is, in terms of the entitlement and the location of the trailer.

- Next Tuesday, November 15<sup>th</sup> will be the Joint Study Session with the City Council and Planning Commission for the Land Use Alternatives for the General Plan Update. We have the staff report ready, with the draft alternatives, and asked that the Commissioners pick up the report from Mrs. Montgomery before they leave this evening.

Director of Engineering Services/City Engineer, Daryl Jordan reported that he received the first submittal of our Downtown Revitalization Plans today from our consultant. Staff will be reviewing those, making comments and keeping the Commission updated on the progress of that project. We'll be doing some outreach with Steve Hallam, Redevelopment and Economic Development Manager, to all the different owners on the corridor there, making sure we're coordinating construction efforts and conditions that may affect them as well.

**ADJOURNMENT:**

The Commission adjourned at 6:24 p.m. to the next regularly scheduled meeting of Monday, December 5, 2016.

APPROVED:

  
Robert Kachel, Chairperson

ATTEST:

  
Tom Westbrook, Secretary