

**CITY OF CERES
PLANNING COMMISSION
MEETING MINUTES
February 1, 2021**

Planning Commission conducted this meeting in accordance with California Governor Newsom's Executive Orders N-20-20 and N-35-20 and COVID-19 pandemic protocols.

Chairperson Smith called the February 1, 2021 Regular Planning Commission meeting to order via Zoom.

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

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was recited by Chairperson Smith.

ROLL CALL:

PRESENT: Commissioners: Del Nero, Johnson, Kachel, Chairperson Smith

ABSENT: None

ALSO PRESENT: City Manager Tom Westbrook, Director of Engineering Services/City Engineer Daniel Padilla, Senior Planner James Michaels, Fire Chief Kevin Wise, City Attorney Nubia Goldstein, Administrative Secretary Ann Montgomery

CONFLICT OF INTEREST DECLARATION:

None

CITIZEN COMMUNICATIONS:

- Russell Fowler – District 5 Field Representative

Mr. Fowler introduced himself and stated that he is the Field Representative for Supervisor, Chance Condit. He remarked that Supervisor Condit will look forward to attending these meetings when he can, noting that their office is up and running and they're happy to be partners where they can.

Chairperson Smith thanked Mr. Fowler and asked him to express the Commission's appreciation to Supervisor Condit.

CONSENT CALENDAR:

1. Clerk's Report of Posting. The Agenda for the regular meeting of the Planning Commission of February 1, 2021 was posted on January 26, 2021.
2. Approval of Minutes
 - a. January 19, 2021

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

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

CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT CALENDAR

None

PUBLIC HEARINGS:

3. Site Plan Approval (SPA) 20-09; Proposal for a 10-unit multi-family residential apartment project at 3420 9th Street. Putney Ventures, LLC., applicant.

Senior Planner, James Michaels presented the staff report

The Public Hearing was opened at 6:09 p.m.

- Diane Salahuddin, Ceres resident

Mrs. Salahuddin stated she sent an email and noted that she was very disturbed to understand that the proposal is for a 10-unit apartment building, right across the street from her home. She further explained that her neighbors were petitioned by the owner to sign an "Abandonment Release" form to aid him in building this multi-unit building. The disturbing thing for her is that the property owner told the neighbor that he needed the signatures as his intention was to build the home for his mother and rent the other home out. Her neighbor was also concerned when he received the notice, stating it was going to be a 10-unit project. She doesn't feel good about the property owner and feels he's deceitful, as he came and told them one thing when he has something else in mind.

- Abdul Malik Salahuddin, Ceres resident

Mr. Salahuddin expressed his concerns with the crowded parking issues on the street and believes this project will crowd this street even more. He's also concerned that the crime rate will possibly go up and with more people, it will only de-beautify this street and area. Mr. Salahuddin feels that the property owner is very manipulative, as he lied to his neighbor when he said he wanted to build this for his mother, in order to get the people to accept what he was doing. Mr. Salahuddin remarked he is totally opposed to the project.

- Sandeep Minhas, Putney Ventures, LLC., Dublin, CA

Mr. Minhas provided an explanation about the “TID Abandonment” issue in addition to his original intent of moving his retired mother into the single-family house on the property and renting out the second unit. Due to the extent of the repairs needed and the costs, he decided to move his mother to Manteca. The 10-unit multi-family plan came up a little bit later when he was left with the land. He plans to have a nice project where people would actually want to live and wants to make sure that this is a good housing neighborhood.

- Noe Garcia, Ceres resident

Mr. Garcia stated that he lives across the street from the proposed building site and is the neighbor that spoke to Mr. Minhas regarding the abandonment. Mr. Garcia voiced his concerns about the proposal congesting the area with more traffic and residents, in addition to safety. He mentioned he has been a peace officer for more than 12 years and feels this proposal may jeopardize his and his family’s safety.

- Jorge Padres, Ceres resident

Mr. Padres commented that he lives in an apartment complex building on 10th Street and received news about this proposal. He remarked that he’s pretty neutral about the project and appalled with some of the comments he’s heard this evening. He’s concerned about the housing shortage and since there are other apartment units already in the neighborhood, he thinks this will help the City with affordable housing.

- Mr. Westbrook informed Chairperson Smith that Abdul Malik Salahuddin had his hand raised again, requesting to speak again; however, Chairperson Smith stated that we’re limiting comments to one time per person and she’d prefer to keep it that way.

Mr. Westbrook noted that Sandeep Minhas also had his hand raised, requesting to speak, but then lowered it.

Commissioner Smith announced that public comment is limited to one time per person, so we won’t be recognizing people for additional time.

The Public Hearing was closed at 6:28 p.m.

City Attorney, Nubia Goldstein inquired if both individuals who had sent email messages spoke during the Public Hearing.

Mr. Michaels confirmed that both Mr. Garcia and Mrs. Salahuddin spoke.

Commission Discussion:

Chairperson Smith remarked that the speakers were concerned about the issue of the TID irrigation line abandonment, which may or may not have had to take place with any construction that may have been taken on, on the property. So, she’s not sure we should be dealing with that. The issue before us tonight is a Site Plan Approval. She

asked Mr. Michaels or Mr. Westbrook to clarify that this property is zoned for multi-family use. Mr. Michaels confirmed that's correct.

Chairperson Smith inquired if there are any circumstances under which this property can be constructed without any sort of Planning Commission approval.

Mr. Michaels explained that yes, if it were just one single-family residence and with that perhaps a secondary dwelling unit; that would not require Planning Commission approval.

Chairperson Smith asked, we are approving, not the use, but the Site Plan; the way that it's located on the property and the elevations.

Mr. Michaels confirmed that's correct.

Mr. Westbrook added, and the parking. He displayed an exhibit that he had prepared, that showed the proposed project site in addition to several multi-family complexes in this existing area, as he wanted to give some perspective that this isn't the first, and directly adjacent to the project site, there are some complexes that already exist.

Chairperson Smith stated that it's the appropriate use; the property is properly zoned for this kind of use, and the other concern that was raised is the parking and the additional traffic. She believes the applicant said there was ample parking for guests and residents. She requested that Mr. Michaels reiterate what that parking is, as she thought he had said there were 20 units of parking on the property.

Mr. Michaels explained the parking standard is two parking spaces for each 2-bedroom unit. Since each unit is a 2-bedroom unit and there are 10 units, that's 20 spaces required and that's what the applicant is providing.

Chairperson Smith confirmed that it has adequate parking per the standards, and it's in an area that's zoned for multi-family use, and there are multiple multi-family units in the area.

Mr. Westbrook added that it has both a General Plan designation and a zoning designation that supports the project as proposed.

Commissioner Kachel asked what the allowable density per acre is in the "R-3" zone.

Mr. Michaels responded, typically 15 units per acre.

Commissioner Kachel clarified that this parcel is .62 acre, so this is in compliance with the zoning density. He added that he visited the area earlier today and explained that before he was on the Planning Commission, he lived on the southwest corner of Roeding and 9th street. He said he didn't think he committed any crimes while he was there and he didn't make a whole lot of noise while he was there, which were a couple of the things that were raised in the letters and comments tonight, so that was a little disturbing to hear that kind of comment made. He does appreciate the comments having to do with the change in the land use. As was said, there's a large(ish) apartment complex two-story just to the north of this which takes access from Roeding and there's another one to the east which takes its access off 10th Street, which is a one-story complex; so it's not like we're really changing the characteristics or the land uses in the neighborhood. The house that's on this property is pretty worn out. He thinks reading through the staff report and the General Plan goals

and policies, which are listed in that report, seems to him that this is consistent with what our plans call for in that area. And, he hasn't heard anything tonight that would cause him to think anything different. That's all he had to say; he just wanted to clarify what the density was and that everybody that lives in a multiple-family complex is not necessarily going to break the law, which as he said, he found that a little off-putting. Be that as it may, that was said.

Commissioner Del Nero stated that, like Commissioner Kachel, he did visit that area today, and he agrees with everything he had to say. He also saw all of the multi-units basically all over the place like Mr. Westbrook showed and just reiterated what Commissioner Kachel had to say.

Commissioner Johnson reported that he also drove by today and saw the street and the houses, and at the end of the day, I concur with everyone else who's on board with this.

Chairperson Smith stated that she believes Mr. Kachel did a fine job of summarizing what the issue is. She thinks this is the appropriate use; it complies with the zoning code, and given what's on the property, it will be an improvement. She thinks we have some communications challenges that occurred that may have started this out on the wrong foot and she would encourage the applicant and the neighbors to try to resolve that communication, so that when the structure is complete, we have some neighborly relationships developed. But, in the meantime she will be supporting this.

ACTION: It was moved by Commissioner Kachel; seconded by Commissioner Johnson to make the determination that the project is exempt from environmental review, pursuant to CEQA guidelines, section 15332, which is class 32 for infill development projects, and approval of 20-09 SPA, subject to the findings and conditions contained in PC Resolution 21-03. Motion passed by the following vote:

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

NEW BUSINESS:

None

PUBLIC MEETING(S):

None

UNFINISHED BUSINESS:

None

MATTERS INITIATED BY PLANNING COMMISSION AND STAFF

None

REPORTS:

None

ADJOURNMENT

The Commission adjourned at 6:38 p.m. to the next regularly scheduled meeting of Tuesday, February 16, 2021.

APPROVED:



Laurie Smith, Chairperson

ATTEST:



Tom Westbrook, Secretary

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