

**CITY OF CERES  
PLANNING COMMISSION  
MEETING MINUTES  
February 16, 2021**

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*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.*

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*Chairperson Smith called the February 16, 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, City Attorney Scott Miller, Administrative Secretary Ann Montgomery

**CONFLICT OF INTEREST DECLARATION:**

None

**CITIZEN COMMUNICATIONS:**

- Dave Pratt – Ceres resident

Mr. Pratt reported that they started working on the Dog Park today and hopefully they'll get it back into shape. He also stated that he's hoping we can get back to having public meetings in person because these online meetings don't always work out very well.

- Miguel Zamudio – Ceres resident

Mr. Zamudio stated that he is the owner of 1624 Richland Avenue and asked if this was the right meeting.

Chairperson Smith explained that it is the right meeting, as the proposal for the property at 1632 Richland Avenue is on the agenda and we will get to it. However, at this time, we are taking comments on items that are not on the agenda.

**CONSENT CALENDAR:**

1. Clerk's Report of Posting. The Agenda for the regular meeting of the Planning Commission of February 16, 2021 was posted on February 10, 2021.
2. Approval of Minutes
  - a. February 1, 2021

**ACTION:** It was moved by Commissioner Del Nero; seconded by Commissioner Johnson 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. Vesting Tentative Subdivision Map (VTSM) 20-11; Proposal for a Vesting Tentative Subdivision Map for a single-family residential subdivision consisting of 7 lots on a 2.02-acre site are located at 1632 Richland Avenue. Omar Fernandez, applicant.

Senior Planner, James Michaels presented the staff report.

**The Public Hearing was opened at 6:11 p.m.**

- Omar Fernandez, applicant

Mr. Fernandez stated that he is here to answer any questions there may be regarding the subdivision as he is the builder and developer.

Commissioner Johnson asked about an ingress or egress easement on the north side of the property.

Mr. Fernandez explained that they are talking to the nearby neighbors. What they're planning to do, based on the recommendation from the City of Ceres Planning department, is donate the easement to the nearby neighbors, so that they can have that access and they can have entry to the water basin; wherever they're going to put it, either from the front or the side. They're going to discuss that with the Planning department and they're willing to work with the nearby neighbors on that.

Commissioner Johnson inquired who is going to responsible for the maintenance on that property.

Mr. Fernandez reiterated that they're either going to donate that easement property to a nearby neighbor or to the City of Ceres.

Chairperson Smith clarified that in response to Mr. Johnson's question about the maintenance of the property, that will be determined by who ends up with the property.

Mr. Westbrook explained that the house adjacent to that easement has garage bays to the north and access through that easement, so it makes a lot sense that it would be potentially donated to that property owner just to the south, so that they can maintain access to their home just the way that they have been for many many years. That's why it's not included as part of the subdivision.

Mr. Fernandez concurred that they've been there for many years and stated that he really doesn't want to take their right-of-way to their garages.

- Miguel Zamudio, Ceres resident

Mr. Zamudio thanked the Planning Commission for taking the time to hear him. He stated that he is the owner of 1624 Richland and he just heard what Mr. Fernandez said. He explained that the east side of that location faces his garage and that's the only access point he has to his property. So, if they're going to leave him alone, he really appreciates it because that's the only way he can get into his garage.

Chairperson Smith confirmed that it sounds like Mr. Fernandez has indicated his willingness to conduct a transaction with Mr. Zamudio to make sure that his access to his property continues. Ms. Smith suggested to staff that Mr. Fernandez and Mr. Zamudio need to be connected to work out the details.

Senior Planner, James Michaels stated that at some point it's anticipated that the agreement between the two property owners would probably have a future lot line adjustment, where there would still perhaps be an easement that would go across the property for the PUE, but that would align with the edge of that 30 foot easement, which would be merged so that it's all one lot. The PUE would run across the northern end and that would be maintained for Mr. Zamudio's access.

City Manager, Tom Westbrook added that it would not be final until the finalization of the map; so it's coming.

Chairperson Smith assured Mr. Zamudio that it sounds like staff will make sure that he's connected with Mr. Fernandez so that the transaction will be completed, and it should address the concerns that he raised tonight.

Mr. Zamudio stated that he has spoken with Mr. Fernandez before, but they have never spoken about the end result. He will contact Mr. Fernandez so they can work things out.

- Sophia Balderez, Ceres resident

Ms. Balderez stated she owns property adjacent to the project and wants to encourage the Planning Commission to approve this as soon as possible because it will enhance property values that they've been challenged with. Let's get it done, please!

**The Public Hearing was closed at 6:20 p.m.**

Commission Discussion:

Commissioner Kachel inquired if there is a condition to address the resolution easement issue.

Mr. Michaels replied yes and explained it will be handled at staff level; it's flexible enough and everything will be addressed.

City Engineer, Daniel Padilla elaborated on the earlier discussion, explaining that there's an existing 30-foot access easement. The City cannot record a map that eliminates or deletes the easement without consulting with the developer and the property owner, so we would not allow this plan to move forward without everybody being made whole. There are several easements that will work with the developer and adjacent properties. If they're not resolved, this map cannot be recorded.

Commissioner Kachel thanked Mr. Padilla and stated that is exactly what he needed to hear.

**The Public Hearing was reopened at 6:22 p.m.**

- Alfonso Perez, Ceres resident

Mr. Perez stated he lives near the project on Ron Court and inquired about the fencing.

Mr. Michaels responded that typically the developer would be working with the owners of the surrounding areas to come up with new fencing if staff felt the fences that are present there were in poor condition. Usually with new homes, the developer would want to put in new fencing around the perimeter.

**The Public Hearing was closed at 6:24 p.m.**

MOTION: It was moved by Commissioner Kachel; seconded by Commissioner Del Nero to make the determination that this project is exempt from environmental review pursuant to CEQA Guidelines Section 15332, Class 32, In Fill Development Projects and approve 20-11 VTSM subject to the findings and conditions contained in PC Resolution 21-04. 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 6:26 p.m. to the next regularly scheduled meeting of Monday, March 1, 2021.

APPROVED:

  
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Laurie Smith, Chairperson

ATTEST:

  
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Tom Westbrook, Secretary