

**CITY OF CERES
PLANNING COMMISSION
MEETING MINUTES
August 16, 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.

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

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Chairperson Smith.

ROLL CALL:

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

ABSENT: None

ALSO PRESENT: City Manager Tom Westbrook, Senior Planner James Michaels, City Attorney Nubia Goldstein, Administrative Secretary 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 August 16, 2021 was posted on August 10, 2021.
2. Approval of Minutes
 - a. May 17, 2021 (Johnson absent)
 - b. June 21, 2021 (Smith absent)

(Removed from Consent/Resident Warren)

3. Lot Line Adjustment (LLA) 21-02, Resolution No. PC 21-17; Approving a Lot Line Adjustment for Oryom Ventures, LLC. and Doya Ventures, LLC. to adjust an existing property line shared between two properties located at 1351 E. Hatch Road and 1319 Herndon Road.
4. Ceres Downtown Revitalization Area (CDRAB) FY 2020-21 Quarterly Report – 4th Quarter (Hallam)

ACTION: It was moved by Commissioner Kachel; seconded by Commissioner Johnson to approve Items 1, 2.a. and 4 on the Consent Calendar. Motion passed by the following vote:

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

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

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

CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT CALENDAR

Item 3\John Warren, Ceres Resident

Mr. Warren thanked the Commission for the opportunity to speak, stating he had some questions regarding the Lot Line Adjustment. He noted that the parcels are owned by the same people and asked why they want to adjust the line. He also questioned where that line is going to be in relation to the front of the existing building, and how that will affect access if one or both properties are sold.

City Manager, Tom Westbrook explained that Lot Line Adjustments are fairly common and in this circumstance the owner is just looking to better position himself for future development. In terms of the access to the front and the back, commercial developments are required to record a *Reciprocal Parking and Access Easement*, so it won't matter where the lines are, and everyone will have access to park on either property. Further to that, staff has also been working with a developer who we anticipate will be submitting a development application that will propose some development of this area, and with that development proposal there will be a *Reciprocal Parking and Access Easement* adopted for all lots, so access will not be an issue in the future.

Mr. Warren asked if the reciprocal parking is written into the deeds of each one of these properties.

Mr. Westbrook confirmed that it will be written into the deeds, and it's usually recorded on the map, so we expect that the parcels that we see today as two, are probably going to be subdivided into four in the near future and that will be accommodated on the parcel map.

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

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

PUBLIC HEARINGS:

5. General Plan Amendment (GPA) 21-02/Rezone (RZ) 21-03/Site Plan Approval (SPA) 21-04; Proposal involving the construction of a multi-family apartment complex and an amendment to both the existing General Plan and Zoning designations of the property located at 2125 Moffett Road. Interjit S. Toor Construction, Inc., applicant.

Senior Planner, James Michaels presented the staff report.

The Public Hearing was opened at 6:17 p.m.

- David lubelt, Ceres resident

Mr. lubelt expressed his concerns with several issues with the particular property, including traffic, parking, crime, water and utilities for residents on that street. The most important concern he has is that the current apartment complex has only one entry, in and out and that entry will be less than 200 feet from the new entry/exit of the new apartments. This would mean that we're looking at doubling the danger with two driveways within 200 feet of each other and traffic already being lined up and down Moffett Road. Mr. lubelt thanked the Commission for their time and provided a copy of his letter to the Planning Commission.

- John Warren, Ceres resident

Mr. Warren stated he has similar concerns as the previous speaker. In addition, he's concerned about the driveway entrance of the proposed apartment complex not able to accommodate an average vehicle's ability to turn around, let alone an ambulance or fire truck. Mr. Warren also stated that parking is a problem, with limited open-air spaces proposed and no overflow parking for visitors.

- Alan Tucker, Ceres resident

Mr. Tucker asked if it is possible to consider at this point, changing the use on the building they are proposing to a "mixed use," with residential on top and business below, as that might cut down on some traffic and noise. He also mentioned his concern about possible future Section 8 housing.

- Melissa Bain Molina, Ceres resident

Ms. Molina thanked Inderjit Toor Construction and City Manager Westbrook for having the neighborhood meeting last week. She stated that after having the opportunity to ask questions and raise concerns about the impact of the project on their neighborhood, she and her family are far more comfortable with it. They do have several concerns that they'd like the Commission to consider before approving the site plan, including examining the stormwater currently handled by the land, the proposed location of the complex entrance to Moffett Road and placement of the wall at the project's western limit. Ms. Molina thanked the Commission for the opportunity to express their concerns and provided a copy of their letter, requesting it be made part of the Public Hearing record for this agenda item.

- Harinder Toor, Owner of Interjit Toor Construction, Inc. and Ceres resident

Mr. Toor stated he believes this is a great project, noting that the Singh's are the owners of the property and have proposed a nice development. It will definitely not be "Section 8" housing; it'll be rented at market rate. He remarked that it will provide much needed housing in the City of Ceres and will fill a void at the present lot that's been vacant since 1960. He wished he had more than 5 minutes to address the issues that were mentioned and said he's happy to address any questions there may be after the meeting and provided his cell number. He went on to say that after their neighborhood meeting last week, he and Mr. Westbrook discussed possibly switching the orientation of the building, but it would not maximize parking. They looked at every single angle and decided that this is the most efficient route to go.

Chairperson Smith announced that she would allow Mr. Tucker to speak again as long as he had something new to share, as normally each person is given one 5-minute opportunity to speak on a particular item.

- Alan Tucker, Ceres resident

Mr. Tucker asked if it is possible that they put into the rental agreements, to prohibit individual satellite dishes; having individual companies coming in and adding to the "eyesore of the community." He also wondered if that shopping center parking lot that's owned by the Pallios' could be used for offsite parking instead of the street.

- Ernie Yoshino – Architect

Due to technical issues, Mr. Yoshino was not audible in the Council Chambers, only to those participating on Zoom.

The Public Hearing was closed at 6:35 p.m.

Chairperson Smith thanked everyone for attending the meeting this evening and sharing their comments. She asked City Manager, Tom Westbrook to address the concerns that were mentioned.

Mr. Westbrook provided the following explanations:

Stormwater

Mr. Westbrook believes there was some concern that the property in its current condition is unpaved and if there is a rain event, some of the water that may sheet and pool up from the Richland Shopping Center, would go onto this property and dissipate. What we do know is that this property, when it's designed, will have to accommodate its storm drainage on site. So, the water that hits this site, if it's developed within pervious surfaces, will handle all the water that hits the site. Because of engineering and so forth, if there is water that runs from the existing shopping center to the north to this piece, then that's something that the engineer is going to have to deal with as well. But, at the end of the day, the development will make the circumstance with at least, in the north half of the commercial center, all of that water will be retained on site, most likely in a French drain that's underground.

Chairperson Smith verified, so that it will not run out into the street or the adjacent neighborhood where already there's a standing water issue.

Mr. Westbrook stated that yes, he thinks that might be a different portion of the shopping center, which is a little bit further south of where this proposed development would actually be.

Trees

Mr. Westbrook mentioned the existing fruit trees that were referenced, there at the wall, on the west of the project site for a home that faces 7th Street. He explained that when he was in the community meeting with the residents, it appeared that the wall would not impact those trees whatsoever; that it was going to be a little further to the east. So, those trees should remain unharmed with the development of the project.

Driveway location

Mr. Westbrook explained there was a concept of potentially flipping the buildings to the north side, but it was going to drop the yield in parking counts, so that would be somewhat difficult. The other issue along the northside of the property is there's the Turlock Irrigation District easement, so there's some existing overhead utility lines that run there, which would be the south side of the existing apartment complex. So, they'll continue to run from the east to the west because they provide power to some of the residents along 7th Street. It doesn't appear that in this circumstance, without sacrificing unit counts, that we would be able to flop those units to the north side.

Chairperson Smith stated that she can appreciate Mr. Westbrook's explanation with regard to the placement of the units of the building, and where the driveway must go in order to accommodate that placement. But, there is going to be a traffic issue; there's a stop sign there, there's a school there, and she's not sure if there's any way to mitigate any of this. She's sure that Mr. Westbrook has discussed this with the applicant.

Mr. Westbrook commented that the only way to do something like that is to flip the approach, so that the buildings would be on the north half of the parking lot and the drive aisle would be on the south. That's the only way to mitigate it, because the parcel is only a couple hundred feet wide; so, there's just not a lot of options to move it farther to the south.

Number of parking units being required

Chairperson remarked that there was a concern raised about the number of parking units being required. There's 28 units and as a result, we're requiring 2 for every unit. The concern that was raised was the apartment complex next door has 50 units and 100 parking spots, but still, that isn't enough according to the citizen, to accommodate the parking.

Mr. Westbrook explained, so when the municipal code was updated, the former parking standards for multi-family developments was 1.5 parking spaces per unit. That was increased to 2 parking spaces per unit. So, the development that's proposed this evening actually meets the new standard.

Number of accessible parking spaces

Mr. Westbrook stated that generally in a commercial development there's going to be a minimum of two accessible parking spaces provided and they're generally close to each other. State law requires us to have accessible parking with developments of this type.

Police and Fire access – turn around

Mr. Westbrook explained that the project doesn't have a turn-around, so to speak. Police cars are pretty nimble; they can move, but fire trucks are a little bit larger. That's why at the southwest portion of the site, there is an emergency vehicle access with a gate. If our fire trucks have to get on site and they need to move in a forward direction to get off the property, they'll have a Knox lock, for which the Fire Department will have a key too, so they can open the gate to get out. But it would not be open for residents to come or go from that end of the property.

Chairperson Smith verified with Mr. Westbrook that the Fire Department reviews the plans through the Development Review process.

Traffic and traffic generation

Mr. Westbrook went on to explain that this property had been marketed as a potential for commercial development, he believes for a period of about 2 to 3 years, where it could've been an office complex or some type of retail development. There was no interest in doing something like that because it was "pulled" so far back from Whitmore Avenue. In a commercial circumstance, the traffic generation would be much higher than it would be as a residential development. It's just the trips are different. So, in an office environment, you may have an office open from 9 in the morning until 7 o'clock at night. You're pretty much going to have constant trips throughout the day. With a residential project, generally you have kind of a peak, where you're going to have some trips early in the morning and then some trips later in the day, but you don't have as many of them constantly throughout the day. So actually, this project, likely as a residential development would generate fewer traffic counts or fewer trips than a commercial development would in total.

Water

Mr. Westbrook explained that an apartment complex is going to use a lot less water than a traditional single-family home. In terms of pressure in the system, there's a well that's on Garrison, just a couple hundred yards away from the site. As the Commission may be aware, the City has been working for a few decades on securing additional water sources to supplement our groundwater system, and that is coming in the form of the surface water treatment plant, which is online and hopefully will be under construction and be available by the year 2023. But, as a residential project, this will use far less water than a traditional single-family home and primarily because there's not the outside landscaping that's part of a traditional single-family home.

Chairperson Smith asked if the Commission had any questions.

Commission Discussion

Commissioner Johnson stated he believes that all of the questions have been answered, but it looks like a pretty congested little property.

Chairperson Smith remarked that there are some issues here that probably aren't going to be able to be addressed to the satisfaction of everyone. She appreciates the applicant's interest in meeting with the members of the community and the neighbors who are going to be experiencing the impacts daily and hopes that they'll continue to have those conversations as it relates to any concerns that come up. But the housing is an important thing; everybody knows that we have a housing shortage, and this will provide 28 new units in an area that desperately needs it. She's in favor of this project and plans to support it.

Commissioner Kachel gave a brief mention on the parking issue, noting the requirement of two spaces per unit, which is the same as a single-family residential in Ceres. The extra parking on the street is taken up by visitors and that's the way we all live in our residential communities. Since traffic is already congested on Moffett Road, he wasn't sure it was good idea to put additional units in that area, but noted that commercial use of the same size property would generate more traffic on a daily basis than residential. So, he was balancing these things out when making a decision.

Commissioner Del Nero stated that he thinks they've said most of it and noted that sometimes it's an extremely tough decision. He explained, just for the audience, that they all live in Ceres, in order to be on the Planning Commission, so they're pretty aware of the traffic issues. He does agree that this could cause more, but we have the new housing that would come in and that is positive.

ACTION: It was moved by Commissioner Del Nero; seconded by Commissioner Johnson to approve PC Resolutions 21-13, 21-14, 21-15 and 21-16. Motion passed by the following vote:

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

NEW BUSINESS:

None

PUBLIC MEETING(S):

None

UNFINISHED BUSINESS:

None

MATTERS INITIATED BY PLANNING COMMISSION AND STAFF

None

REPORTS:

- City Manager Tom Westbrook announced that this will be his last Planning Commission meeting. Over his 20-year career here, he has probably attended 400 or so Planning Commission meetings, and tonight will be the final one, which is a little bit bittersweet. This was one of his first jobs, as a professional. He started as an Associate Planner and has had the pleasure to serve many commissions. His last official day with the City of Ceres will be next Monday night, August 23rd, with the City Council meeting. He thanked the Commission members for all the support they've given to staff over the years, and he just simply says, "thank you."
- Chairperson Smith stated that she's known Mr. Westbrook for 14 ½ years, the entire time she has been on the Planning Commission, and she's learned a lot from him. She remarked that she's going to miss him and wished him all the best in his new community, Red Bluff. She's sure he's going to enjoy it up there and they're going to be very fortunate to have him.
- Commissioner Kachel said he'd like to second what Chairperson Smith said. He's known Mr. Westbrook for, not only since he's been on the Commission, almost 14 years now, but before that in a previous life; he had a job before he retired. He worked with Mr. Westbrook then, and stated that he's been the consummate professional, right from the beginning. He always had terrific input, terrific information, and serving on this Commission for all these years, Commissioner Kachel's knowledge base has changed, and Mr. Westbrook has been a rock to rely on and count on, have faith in. He, James, Ann and entire staff of the City of Ceres have been wonderful and for Mr. Westbrook to be a part of that staff for all these years. As a Ceres resident, Commissioner Kachel noted, he is proud to have Mr. Westbrook here. At the same time, he wished him all the best in his "homecoming," where he grew up.

- Commissioner Johnson told Mr. Westbrook that he will be missed. He noted that he doesn't quite have the background that the other Commissioners have with him, but said that he's been a pleasure to work with, with his open-door policy, and will be missed.
- Commissioner Del Nero thanked Mr. Westbrook.

ADJOURNMENT

The Commission adjourned at 6:53 p.m. to the next regularly scheduled meeting of Tuesday, September 7, 2021.

APPROVED:



Laurie Smith, Chairperson

ATTEST:


James Michaels, Interim Secretary