



COMMUNITY DEVELOPMENT AND RESOURCES COMMISSION

ACTION MINUTES

March 20, 2019

CALL TO ORDER:

The Community Development and Resources Commission of Atwater met in Regular Session this date at 6:05 PM in the City Council Chambers located at the Atwater Civic Center, 750 Bellevue Road, Atwater, California; Chairperson Murphy III presiding.

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was led by Chairperson Murphy III.

INVOCATION: *The Invocation was given by Police Chaplain McClellan.*

ROLL CALL:

Present: *Commissioners Krotik, McWatters, Mead, Vice Chairperson Daugherty, Chairperson Murphy III*

Absent: *Bergman*

Staff Present: *City Manager Waterman, General Services Manager/Chief Building Official Pereida, VVH Senior Planner Thompson, Deputy City Clerk/Executive to the City Manager Martin*

SUBSEQUENT NEED ITEMS: *None.*

APPROVAL OF AGENDA AS POSTED OR AMENDED:

MOTION: *Vice Chairperson Daugherty moved to approve the agenda as posted. The motion was seconded by Chairperson Murphy III and the vote was: Ayes: Krotik, Daugherty, McWatters, Mead, Murphy III; Noes: None; Absent: Bergman. The motion passed.*

COMMENTS FROM THE PUBLIC:

Notice to the public was read. No one came forward to speak at this time.

APPROVAL OF MINUTES:

February 22, 2019 – Adjourned meeting

MOTION: Commissioner Krotik moved to approve the minutes as listed. The motion was seconded by Vice Chairperson Daugherty and the vote was: Ayes: McWatters, Daugherty, Mead, Krotik, Murphy III; Noes: None; Absent: Bergman. The motion passed.

PUBLIC HEARINGS:

Resolution No. CDRC 088-19 making the finding that the project is categorically exempt under CEQA and approving Legacy Estates, Zone Change Request No. 19-1; Project Description: zone change from Planned Development 28 to Low Density Residential (R-1-10); Located east of Shaffer, south east of Santa Fe and North of Kelly Court. (APN: 156-010-004)

VVH Senior Planner Thompson summarized the project and the need to approve staff's request in order to avoid dormant development and ensure that good development goes forward. Adequate notices have been completed regarding the proposed zone change to all property owners within the development. The zone change, if approved, will change the zoning map for subdivided lots.

Chairperson Murphy III opened the Public Hearing.

No one came forward to speak.

Chairperson Murphy III closed the Public Hearing.

MOTION: Commissioner Krotik moved to adopt CDRC Resolution NO. 088-19 making the finding that the project is categorically exempt under the California Environmental Quality Act (CEQA) guidelines section 15305 "Class 5" exemption and approving Zone Change Request No. 19-1. The motion was seconded by Commissioner Mead and the vote was: Ayes: Daugherty, Mead, McWatters, Krotik, Murphy III; Noes: None; Absent: Bergman. The motion passed.

Resolution No. CDRC 090-19 making the finding that the project is categorically exempt under CEQA and approving Aegle Commodities, Inc., Conditional Use Permit No. 561-19 and Site Plan No. 716-19; Project Description: Operate a cannabis manufacturing facility; Located at 240 Air Park Road, Atwater

General Services Manager/Chief Building Official Pereida advised that all documents are not yet in place, and staff recommends that the Public Hearing be continued to April 3, 2019 at 4:00 PM.

Chairperson Murphy III opened the Public Hearing.

No one came forward to speak.

Chairperson Murphy III continued the Public Hearing.

MOTION: Commissioner McWatters moved to continue the Public Hearing to April 3, 2019 at 4:00 PM. The motion was seconded by Commissioner Krotik and the vote was: Ayes: McWatters, Daugherty, Mead, Krotik, Murphy III; Noes: None; Absent: Bergman. The motion passed.

Resolution No. CDRC 091-19 making the finding that the project is categorically exempt under CEQA and recommending that the City Council adopt Ordinance No. CS 1008 approving the Cen Cal Brothers, Inc. Development Agreement regarding Cannabis Business Pilot Program; Property location 644 Rail Road Avenue, Atwater (APN: 003-160-026)

General Services Manager/Chief Building Official Pereida advised that all documents are not yet in place, and staff recommends that the Public Hearing be continued to April 3, 2019 at 4:00 PM.

Chairperson Murphy III opened the Public Hearing.

No one came forward to speak.

Chairperson Murphy III continued the Public Hearing.

MOTION: Commissioner McWatters moved to continue the Public Hearing to April 3, 2019 at 4:00 PM. The motion was seconded by Commissioner Mead and the vote was: Ayes: McWatters, Mead, Daugherty, Murphy III; Noes: None; Abstain: Krotik; Absent: Bergman. The motion passed.

Resolution No. CDRC 092-19 making the finding that the project is categorically exempt under CEQA and recommending that the City Council adopt Ordinance No. CS 1009 approving the Cannable LLC Development Agreement regarding Cannabis Business Pilot Program; Property location 741 Enterprise Court, Atwater (APN: 056-400-034)

General Services Manager/Chief Building Official Pereida advised that all documents are not yet in place, and staff recommends that the Public Hearing be continued to April 3, 2019 at 4:00 PM.

Chairperson Murphy III opened the Public Hearing.

One person spoke requesting further information regarding the correct address for the previous item. Staff responded that they will meet with him and confirm the address information.

Chairperson Murphy III continued the Public Hearing.

MOTION: McWatters moved to continue the Public Hearing to April 3, 2019 at 4:00 PM. The motion was seconded by Vice Chairperson Daugherty and the vote was: Ayes: McWatters, Daugherty, Mead, Murphy III; Noes: None; Abstain: Krotik; Absent: Bergman. The motion passed.

Resolution No. CDRC 093-19 making the finding that the project is categorically exempt under CEQA and recommending that the City Council adopt Ordinance No. CS 1010 approving the Mari Jane Industries Development Agreement regarding Cannabis

Business Pilot Program; Property location 460 Air Park Road, Atwater (APN: 056-400-029)

General Services Manager/Chief Building Official Pereida advised that all documents are not yet in place, and staff recommends that the Public Hearing be continued to April 3, 2019 at 4:00 PM.

Chairperson Murphy III opened the Public Hearing.

No one came forward to speak.

Chairperson Murphy III continued the Public Hearing.

MOTION: Vice Chairperson Daugherty moved to continue the Public Hearing to April 3, 2019 at 4:00 PM. The motion was seconded by Chairperson Murphy III and the vote was: Ayes: McWatters, Daugherty, Mead, Krotik, Murphy III; Noes: None; Absent: Bergman. The motion passed.

Resolution No. CDRC 095-19 making the finding that the project is categorically exempt under CEQA and approving Conditional Use Permit No. 562-19 and Site Plan No. 717-19; Project Description: Operate a cannabis manufacturing facility; Located at 1780 Bell Lane, Atwater

General Services Manager/Chief Building Official Pereida advised that all documents are not yet in place, and staff recommends that the Public Hearing be continued to April 3, 2019 at 4:00 PM.

Chairperson Murphy III opened the Public Hearing.

No one came forward to speak.

Chairperson Murphy III continued the Public Hearing.

MOTION: Commissioner Mead moved to continue the Public Hearing to April 3, 2019 at 4:00 PM. The motion was seconded by Commissioner McWatters and the vote was: Ayes: Krotik, Mead, McWatters, Daugherty, Murphy III; Noes: None; Absent: Bergman. The motion passed.

Resolution No. CDRC 077-18 making the finding that the project is categorically exempt under CEQA and approving Conditional Use Permit No. 559-18; Project Description: Place a neighborhood donation station designed to collect donations of recyclable items such as clothes, shoes, books, etc.; Located at 1701 Bellevue Road, Atwater

General Services Manager/Chief Building Official Pereida advised that staff recommends that the Public Hearing be continued to April 3, 2019 at 4:00 PM.

Chairperson Murphy III opened the Public Hearing.

No one came forward to speak.

Chairperson Murphy III continued the Public Hearing.

MOTION: Commissioner McWatters moved to continue the Public Hearing to April 3, 2019 at 4:00 PM. The motion was seconded by Chairperson Murphy III and the vote was: Ayes: Daugherty, Mead, Krotik, McWatters, Murphy III, Noes: None; Absent: Bergman. The motion passed.

REPORTS AND PRESENTATIONS FROM STAFF:

Discussion and possible action regarding the operation of food trucks within City Limits (Senior Planner: Greg Thompson)

VVH Senior Planner Thompson provided a summary of requirements needed in order to allow food trucks/wagons in the City of Atwater. Chapters 10 and 17 of the Atwater Municipal Code would need to be amended, including designating the appropriate areas where food trucks/wagons could operate under a conditional use permit. A City of Atwater business license would also be a requirement for operation.

General Services Manager/Chief Building Official Pereida advised that part of the operating permit would require the approval of the Merced County Department of Environmental Services.

By general consent the Commission directed staff to bring back to the Commission the amendment language to Chapters 10 and 17 of the Atwater Municipal Code, draft standard conditions, a draft of the Conditional Use Permit, and a zoning ordinance text amendment for the Commission's consideration.

City Manager Waterman thanked the Commission for their patience with staff as they were completing the needed documents for the Public Hearing items that were continued.

COMMISSIONER MATTERS:

Commissioner Mead commented that roadside memorials present a slight blight and suggested that maybe a time limit could be imposed for memorials sitting on city property. She asked staff to investigate and bring back potential solutions. She also stated that some speed control or monitoring is needed at Green Sands Road near the current bus stops.

Commissioner McWatters had no comments.

Commissioner Krotik asked for reflective paint and or reflectors on the curb at Shaffer and Bellevue Roads due to cars hitting the curb.

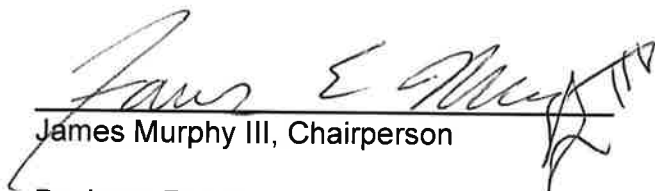
Commissioner Daugherty thanked Interim Public Works Director Shaw for getting the light poles corrected at Juniper Avenue. He also noted that another light pole at North Shaffer Road near Manzanita has been knocked down and needs attention. He asked whether the applicant planning a gas station at Juniper and Buhach Road has pulled permits. General Services Manager/Chief Building Official responded that the applicant and staff have ongoing meetings and the applicant is fine tuning their on-site plan.

Chairperson Murphy III commented on several issues:

- **He asked for updates on the Winton Way projects. General Services Manager/Chief Building Official Pereida advised that the project is still set for June/July of this year.**
- **He asked about progress regarding the phased light at Shaffer Road and Juniper Avenue. General Services Manager/Chief Building Official Pereida advised that funding is being sought and a start date has not been set.**
- **He questioned the signs at Drakeley Avenue and Winton Way violating the current sign ordinance. VVH Senior Planner Thompson replied that the signs do violate Section 17.69 of the Sign Ordinance. General Services Manager/Chief Building Official Pereida advised that prior legal counsel advised that constitutional rights override the City's ordinance.**
- **He also questioned the paving of an alley at the new 7/11 store at Five Corners. General Services Manager/Chief Building Official reported that the minutes from the meeting do not indicate that the applicant agreed to pave the entire alley way; staff will review the audio record to confirm the plans.**
- **He also asked about Shaffer and Atwater Blvd re-striping the lanes. General Services Manager/Chief Building Official responded that meetings have been achieved with Sante Fe Railroad representatives to widen that area in order to prevent collisions with poles and crossing guard arms.**
- **He commented about the need for speed control at the off ramp near the Flea Market on Atwater Blvd. General Services Manager/Chief Building Official advised that addressing potential control mechanisms at that off ramp is being considered as part of a Cal Trans project which will address all of the entries and exits from Hwy 99 into the City of Atwater.**

ADJOURNMENT:

Adjourn the regular Community Development and Resources Commission meeting of March 20, 2019 to a Special Meeting at the Atwater Civic Center, City Council Chambers, 750 Bellevue Road, Atwater on Wednesday, April 3, 2019 at 4:00 PM.


James Murphy III, Chairperson

By: Lesa Rasmussen,
P-M Transcription Services