



COMMUNITY DEVELOPMENT AND RESOURCES COMMISSION

ADJOURNED MEETING

ACTION MINUTES

February 22, 2019

CALL TO ORDER:

The Community Development and Resources Commission of Atwater met in Regular Session this date at 11:03 AM 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 Chairperson Murphy III.*

ROLL CALL:

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

Absent: None

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

SUBSEQUENT NEED ITEMS: *None.*

APPROVAL OF AGENDA AS POSTED OR AMENDED:

Item No. 11 was removed from the agenda.

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

January 16, 2019 – Regular meeting

ADAM REED, Atwater, spoke to clarify his comments in the January 16, 2019 CDRC meeting minutes. He stated his intention was to have a letter of support from the Community Development and Resources Commission to the City Council regarding a component for youth education and prevention when City Council is considering the Cannabis Business Pilot Program applications. He asked that the minutes be amended to reflect his original request.

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

February 6, 2019 – Special meeting

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

PETITIONS AND COMMUNICATIONS:

Request from Valley Children's Hospital to hold a special outdoor event for their Annual Kids Day Fundraiser.

MOTION: Commissioner Krotik moved to recommend that the City Council approve the request from Valley Children's Hospital to hold a special outdoor event for their Annual Kids Day Fundraiser on March 5, 2019 across the Central Valley from 5:00 am – 3:00 pm. The motion was seconded by Commissioner Bergman and the vote was: Ayes: Daugherty, Krotik, McWatters, Bergman, Mead, Murphy III; Noes: None; Absent: None. The motion passed.

Request from Atwater Youth Baseball, Softball & T-ball for assistance with Opening Day Ceremonies.

MOTION: Commissioner Krotik moved to recommend that the City Council approve the request from Atwater Youth Baseball, Softball & T-ball to assist with their Annual Opening Day Ceremonies on Saturday, March 23, 2019 from 8:00 AM – 10:00 AM; to set out barricades and "No Parking" signs; to help control traffic and parking; and to assist with the "Procession of Players" beginning at Broadway Avenue and Fifth Street and ending at Memorial Ball Park. The motion was seconded by Commissioner Bergman and the vote was: Ayes: Bergman, McWatters, Krotik, Mead, Daugherty, Murphy III; Noes: None; Absent: None. The motion passed.

PUBLIC HEARINGS:

Adopt CDRC Resolution No. 070-18 making the finding that the project is categorically exempt under CEQA and approving Tentative Parcel Map No. 18-2 and Site Plan 714-19. Project Description: Splitting one parcel into four parcels and construction of four (4) 10,000 square foot light industrial shells; located between Aviator Drive and Business Parkway (APN: 056-330-04)

Greg Thompson, VVH Senior Planner, provided an overview of the project and affirmed that all fees have been paid and the applicant has complied with all appropriate requests from staff. He stated that the proposed site is within a light industrial zone.

Chairperson Murphy III opened the Public Hearing.

DWAYNE ANDREWS, Golden Valley Engineering, stated that some issues remain regarding this project however he is confident that working with staff the issues can be resolved.

No one else came forward to speak.

Chairperson Murphy III closed the Public Hearing.

MOTION: Commissioner Krotik moved to adopt CDRC Resolution No. 070-18 making the finding that the project is categorically exempt under the California Environmental Quality Act (CEQA) guidelines section 15315 "Minor Land Divisions" exemptions and approving Tentative Parcel Map No. 18-2 and Site Plan 714-19. The motion was seconded by Commissioner Bergman and the vote was: Ayes: Daugherty, Krotik, McWatters, Mead, Bergman, Murphy III; Noes: None; Absent: None. The motion passed.

Adopt CDRC Resolution No. 081-19 making the finding that the project is categorically exempt under CEQA and approving Conditional Use Permit No. 560-19 and Site Plan No. 715-19. Project Description: Develop and operate a convenience store (approximately 2,500 square feet), and gas station consisting of a full canopy and signage with two multi-product dispensers; located at 1385 Winton Way

Greg Thompson, VVH Senior Planner, provided an overview of the project and affirmed that the application is consistent with current zoning for thoroughfare commercial use and is suitable for this use. He noted that the current Atwater Municipal Code allows for some variance in conditions, and in this case a trade-off was applied to one parking stall.

Chairperson Murphy III opened the Public Hearing.

One person asked if a traffic study has been completed regarding this application. She cited that there have been several traffic issues in that area and the business will also bring unwanted noise, lighting, and traffic to the neighborhood. She urged the Commission to deny the application.

City Manager Waterman noted for the record that one person submitted a letter expressing his opposition to the project.

One person spoke regarding the number of accidents occurring at the site location. He questioned why there are so many gas stations in this area and spoke against approval of the application.

Adam ????, VVH Engineering Consultant, clarified that the exit will include right turn only signage onto Winton Way, and that the driveway approaches on Elm Street meet the City's minimum requirement of 27 feet from end of return. He confirmed that the 20 ft wide alley way will be paved up to the end of the property line.

No one else came forward to speak.

Chairperson Murphy III closed the Public Hearing.

MOTION: Commissioner Krotik moved to adopt CDRC Resolution No. 081-19 making the finding that the project is categorically exempt under the California Environmental Quality Act (CEQA) guidelines section 15061(b) (3) "Review From Exemption" exemptions and approving Conditional Use Permit No. 560-19 and Site Plan No. 715-19 with the exception of condition number 29 and direction to work with Engineering staff for alternative mitigation such a wall, a pole, or calming measures. The motion was seconded by Commissioner Bergman and the vote was: Ayes: Daugherty, Krotik, Bergman, Mead, McWatters, Murphy III; Noes: None; Absent: None. The motion passed.

Resolution No. CDRC 084-19 making the finding that the project is categorically exempt under CEQA and recommending that the City Council approve Ordinance NO. CS 1007 approving the Sycamore Manufacturing, LLC Development Agreement regarding Cannabis Business Pilot Program; property location 1715 Sycamore Avenue, Atwater

City Attorney White provided an overview of the manufacturing and distribution project and summarized the fee structure applied to this business. He added that this and all other Agreements before the Commission today are in keeping with previous approvals by the Commission and the City Council regarding public benefit fee amounts.

Chairperson Murphy III opened the Public Hearing.

No one came forward to speak.

Chairperson Murphy III closed the Public Hearing.

MOTION: Commissioner Daugherty moved to adopt CDRC Resolution No. 084-19 making the finding that the project is categorically exempt under the California Environmental Quality Act (CEQA) guidelines 15332 "infill development" and recommending that the City Council approve Ordinance No. CS 1007 for the approval of the Sycamore Manufacturing, LLC Development Agreement. The motion was seconded by Commissioner McWatters and the vote was: Ayes:

Krotik, McWatters, Daugherty, Bergman, Mead, Murphy III; Noes: None; Absent: None. The motion passed.

CDRC Resolution No. CDRC 085-19 making the finding that the project is categorically exempt under CEQA and recommend that the City Council approve Ordinance No. CS 1006 approving the Top Management and Distribution Inc. Development Agreement regarding Cannabis Business Pilot Program; property location 231 Business Parkway, Atwater.

City Attorney White provided an overview of the manufacturing and distribution project. He explained that it is nearly identical to the previously considered Development Agreement.

Chairperson Murphy III opened the Public Hearing.

One person spoke questioning whether any retail activities will be allowed at this location.

City Attorney White responded that only manufacturing and distribution activities are allowed under the Agreement; there will be no retail sales at this location.

No one else came forward to speak.

Chairperson Murphy III closed the Public Hearing.

MOTION: Commissioner Krotik moved to adopt CDRC Resolution No. 085-19 making the finding that the project is categorically exempt under the California Environmental Quality Act (CEQA) guidelines 15301 "existing facilities" and recommending that the City Council approve Ordinance No. CS 1006 for the approval of the Top Management and Distribution Inc. Development Agreement. The motion was seconded by Commissioner Bergman and the vote was: Ayes: Daugherty, Bergman, Mead, Krotik, McWatters, Murphy III; Noes: None; Absent: None. The motion passed.

Resolution No. CDRC 086-19 making the finding that the project is categorically exempt under CEQA and recommending that the City Council adopt Ordinance No. CS 1005 approving the Medallion Wellness Atwater (A California Corporation) Development Agreement regarding Cannabis Business Pilot Program; property location 341 Business Parkway, Atwater

City Attorney White provided an overview of the micro business project allowing for manufacturing, distribution, cultivation and retail sales activities during the three year contract. Based on the scope of the activities there will be an increased public benefit fee amount: \$15,000 per month for the first year, \$25,000 per month for the second year and \$40,000 per month for the third year. In all situations the monthly fee would be based on those amounts, or 5% of gross income whichever is higher beginning at the start of business operations.

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. 087-19 making the finding that the project is categorically exempt under the California Environmental Quality Act (CEQA) guidelines section 15301 "existing facilities" and recommending that the City Council approve Ordinance No. CS 1005 for the approval of the Medallion Wellness Atwater Development. The motion was seconded by Chairperson Murphy III and the vote was: Ayes: Daugherty, McWatters, Mead, Krotik, Bergman, Murphy III; Noes: None; Absent: None. The motion passed.

Adopt Resolution No. CDRC 087-19 making the finding that the project is categorically exempt under CEQA and recommend that the City Council approve Ordinance No. CS 1004 approving the Dabout Development Agreement regarding Cannabis Business Pilot Program; property location 288 Business Parkway, 308 Business Parkway, 591 Business Parkway and 571 Business Parkway, Atwater

City Attorney White provided an overview of the manufacturing and distribution project.

Chairperson Murphy III opened the Public Hearing.

One person questioned the uses for multiple location. For the record, he expressed his opposition to the location of growth activities in the area.

City Attorney White responded that manufacturing may occur at one location and distribution may be located at another address. He also explained that Conditional Use Permits will govern compliance over the business activities.

No one else came forward to speak.

Chairperson Murphy III closed the Public Hearing.

MOTION: Commissioner Bergman moved to adopt CDRC Resolution No. 084-19 making the finding that the project is categorically exempt under the California Environmental Quality Act (CEQA) guidelines section 15301 "existing facilities" and section 15332 "infill development" and recommending that the City Council approve Ordinance No. CS 1004 for the approval of the Dabout Development Agreement. The motion was seconded by Commissioner Mead and the vote was: Ayes: Krotik, McWatters, Daugherty, Bergman, Mead, Murphy III; Noes: None; Absent: None. The motion passed.

REPORTS AND PRESENTATIONS FROM STAFF:

Verbal presentation by staff regarding the Architectural Review for Mello Ranch #2.

This item was removed from the Agenda and no action was taken.

Verbal presentation by staff regarding the Green Education Foundation.

Greg Thompson, VVH Senior Planner, provided an overview of the Green Education Foundation activities in Atwater. The current donation bin far exceeds the design limits established in the Atwater Municipal Code regarding size, interference with parking, and some mobility. Staff is seeking direction from the Commission regarding whether a Conditional Use Permit should be required regarding this donation bin.

City Manager Waterman received direction from the Commission to bring back to the March 20, 2019 CDRC agenda a recommendation to proceed with the application for Conditional Use Permit pertaining to any Green Education Foundation donation bins in Atwater.

City Manager Waterman thanked the previous Commissioners for adjusting their schedules for this meeting. She also thanked all the new Commissioners for their willingness to serve the community.

COMMISSIONER MATTERS:

Commissioner McWatters asked for an update regarding Ferrari Ranch. Greg Thompson, VVH Senior Planner, responded that following the approval by LAFCO not much has been happening in the way of activities, but there has been some interest expressed by businesses who may wish to locate at Ferrari Ranch. Commissioner McWatters also asked about the status of Atwater's General Plan update. Greg Thompson, VVH Senior Planner, responded that typically the City would work with a consultant to move the General Plan forward. The City must have funds available to pay a consultant. The City does face several risks associated with failing to have an updated General Plan including loss of funding. City Manager Waterman confirmed that there are some activities in process already.

Commissioner Mead expressed her gratitude for having the opportunity to serve on the Commission and be of service to the community.

Commissioner Bergman expressed his gratitude for being appointed to the Commission and looks forward to being of service to the community.

Vice Chairperson Daugherty commented that a traffic study is required to be done every five years. He asked when Atwater completed their last traffic study. Greg Thompson, VVH Senior Planner, responded that on a project by project basis traffic studies are ongoing, however, a formal circulation plan for the whole city is huge undertaking and it has been some time since that was done.

Commissioner Krotik praised staff and the City Manager for their quick response to rescheduling the CDRC meeting. Their actions assured that important business decisions could be made in a timely manner and that businesses would not be negatively impacted by delays. He also expressed his admiration of the work of VVH Senior Planner Greg Thompson.

Chairperson Murphy III thanked the new Commissioners for their dedication to serving the community. He also asked about coordination of the Winton Way project and businesses coming forward with applications in that area. Greg

Thompson, VVH Senior Planner, responded that with the Commission's approval earlier today those coordination efforts will be forthcoming.

ADJOURNMENT:

The meeting adjourned at 12:28 PM.

A handwritten signature in cursive script, reading "James E. Murphy III". The signature is written over a horizontal line. To the right of the signature, there is a small handwritten mark that appears to be "TR".

James Murphy III, Chairperson

By: Lesa Rasmussen,
P-M Transcription Services