



# CITY OF ATWATER COMMUNITY DEVELOPMENT AND RESOURCES COMMISSION

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## ACTION MINUTES

**June 20, 2018**

CALL TO ORDER:

*The City of Atwater Community Development and Resources Commission met in Regular Session this date at 6:00 PM in the City Council Chambers located at the Atwater Civic Center, 750 Bellevue Road, Atwater, California; Chair Brice presiding.*

PLEDGE OF ALLEGIANCE TO THE FLAG:

*The Pledge of Allegiance was led by Chair Brice.*

INVOCATION:

*The Invocation was led by Police Chaplain.*

ROLL CALL:

**Present:** Commissioners Dash, Warchol, Murphy III, Pinto, Chairperson Brice  
**Absent:** Daugherty, McWatters  
**Staff Present:** Interim City Manager Waterman, Interim Police Chief Echevarria, Recreation Supervisor Rahn, Senior Planner Thompson, Interim Public Works Director Shaw, Chief Building Official Pereida, Recording Secretary Krebs

SUBSEQUENT NEED ITEMS:

A request was received after the posting of the agenda from Elena Ridge, White Pines Court for authorization for street closure for a block party on White Pines Court to be held on July 4, 2018 from 6:00 PM to 11:00 PM.

**MOTION:** Commissioner Dash moved to add the subsequent need item to the agenda. The motion was seconded by Commissioner Murphy III and the vote was: Ayes: Dash, Murphy III, Pinto, Warhol, Brice; Noes: None; Absent: Daugherty, McWatters. The motion passed.

**APPROVAL OF AGENDA AS POSTED OR AMENDED:**

**Chair Brice asked that agenda item 9 be moved forward on the agenda. A request was made for an interpreter, and is being provided by a staff member.**

**MOTION:** Commissioner Dash moved to approve the agenda as amended. The motion was seconded by Commissioner Murphy III and the vote was: Ayes: Pinto, Dash, Murphy III, Warchol, Brice; Noes: None; Absent: Daugherty, McWatters. The motion passed.

**COMMENTS FROM THE PUBLIC:**

**Notice to the public was read.**

**ADAM REED, Atwater, spoke regarding traffic concerns, speeding on Fruitland Avenue. He commented that these issues have been brought to the attention of City Council and the Interim Police Chief Echevarria, stating that radar and police presence has not solved the issue. Mr. Reed is looking for next steps, traffic a calming policy or other solution to this issue.**

**ERIC LEE, Atwater, spoke about an accident on Linden and Palm stating that he feels a lack of line of sight is to blame, and suggested a four way stop instead of the two way stop that is there now; or even a roundabout, which could be a solution for Fruitland as well. He requested to see this item on a future agenda.**

**No one else came forward to speak at this time.**

**APPROVAL OF MINUTES:**

Regular meeting of May 16, 2018

**MOTION:** Commissioner Dash moved to approve the minutes as listed. The motion was seconded by Commissioner Pinto and the vote was: Ayes; Murphy III, Warchol, Dash, Pinto, Brice; Noes: None; Absent: Daugherty, McWatters. The motion passed.

**PUBLIC HEARINGS:**

Resolution No. CDRC 056-18 approving Conditional Use Permit No. 554-18, Type 41 Alcohol Beverage Control License at 1617 Bellevue Road.

**Senior Planner Greg Thompson spoke on this item, and answered questions from the Commission. Additional questions were answered by Interim Police Chief Echevarria.**

**Chair Brice opened the Public Hearing.**

**ERIC LEE, Atwater, spoke in favor of this item.**

**No one else came forward to speak, and Chair Brice closed the Public Hearing for this item.**

**MOTION: Commissioner Dash moved to approve Resolution No. CDRC 056-18 approving Conditional Use Permit No. 554-18, Type 41 Alcohol Beverage Control License at 1617 Bellevue Road. The motion was seconded by Commissioner Warchol and the vote was: Ayes: Pinto, Warchol, Murphy III, Dash, Brice; Noes: None; Absent: Daugherty, McWatters. The motion passed.**

**PETITIONS AND COMMUNICATIONS:**

Request to block off a portion of Faxon Court for a 4<sup>th</sup> of July Block Party involving street closure between the hours of 12:00 PM and 10:00 PM on July 4, 2018. (Faxon Court Neighborhood-Scarlett Bettencourt)

**SCARLETT BETTENCOURT, 1956 Faxon Court stated the request is for the 1900 block only. Ms. Bettencourt answered questions from the Commission. A discussion occurred regarding the insurance requirement. Interim City Manager Waterman stated that the Commission could recommend this item to the City Council for approval pending the risk management assessment regarding the insurance requirement.**

**ERIC LEE, Atwater, is an insurance agent and gave additional information regarding the insurance requirement.**

**MOTION: Commissioner Pinto moved to approve the request with the addendum of risk managements' recommendation and forward to the City Council. The motion was seconded by Commissioner Warchol and the vote was: Ayes: Warchol, Pinto, Murphy III, Dash, Brice; Noes: None; Absent: Daugherty, McWatters. The motion passed.**

Request to block off White Pines Court for a 4<sup>th</sup> of July Block Party involving street closure on July 4, 2018. (White Pines Court – Elena Ridge)

**ELENA RIDGE, 1809 White Pines Court, stated they are just asking for the street closure and except for serving food all other activities will happen directly on the front lawns. The closure is generally needed from 6:00 PM to 11:00 PM.**

***MOTION:*** Commissioner Pinto moved to approve with the addendum of risk managements' recommendation and forward to City Council. The motion was seconded by Commissioner Murphy III and the vote was: Ayes: Dash, Murphy III, Pinto, Warchol, Brice; Noes: None; Absent: Daugherty, McWatters. The motion passed.

PETITIONS AND COMMUNICATIONS: ( Information Items Only )

4<sup>th</sup> of July Committee request for co-sponsorship by the City of Atwater for the 4<sup>th</sup> of July events on July 3, 2018 and July 4, 2018 for the next five (5) years beginning 2018 through and including 2023. (Information Item Only)

***This item is informational only as it was presented to the City Council on May 29, 2018.***

4<sup>th</sup> of July Committee request for assistance with the 4<sup>th</sup> of July Run. (Information Item Only)

***This item is informational only as it was presented to the City Council on June 11, 2018.***

***Interim City Manager Waterman gave background on both of these informational items, and outlined a plan for proper procedure to be followed on an annual basis.***

***Chair Brice had questions regarding any road closures needed for the 4<sup>th</sup> of July run, and Interim Police Chief Echevarria and Commissioner Vineyard responded.***

BUSINESS:

Proposed 5 Year Capital Improvement Plan for Fiscal Year 2018-2019

***Senior Planner Greg Thompson spoke on this item, and answered questions from the Commission. Additional questions were answered by Interim City Manager Waterman.***

***MOTION:*** Chair Brice moved to approve the Capital Improvement Projects listed for Fiscal Year 2018-2019 and making the determination that it is consistent with the goals, objectives, and guidelines as specified in the General Plan for the City of Atwater. The motion was seconded by Commissioner Pinto and the vote was: Ayes: Warchol, Pinto, Murphy III, Dash, Brice; Noes: None; Absent: Daugherty, McWatters. The motion passed.

Resolution No. CDRC 064-18 recommending Atwater Police Department Enforce Traffic within American West Development

**Commissioner Pinto recused himself from the dais at 7:04 PM stating a conflict of being the American West HOA Board President.**

**GARY GALE, from the law firm of Angus and Terry, representing the American West Homeowner's Association spoke on this item, and answered questions from the Commission. Additional questions were answered by Interim Police Chief Echevarria.**

**MANUEL PINTO, HOA Board President for America West, also spoke on this item, and answered questions from the Commission.**

**THOMAS HALLINAN, City Attorney, clarified for the record that Commissioner Pinto had a conflict of interest as he is a resident of the area and Board President so he was speaking as a citizen.**

**Chair Brice opened the Public Hearing.**

**ADAM REED, Atwater questioned if a gated community received relief from impact fees or CFD fees if they only receive emergency services. Mr. Reed also questioned if the City would have any liability if any accident happened on the narrow streets that do not have sidewalks, due to the discussion of taking down 10mph signs.**

**GARY GALE, from the law firm of Angus and Terry, represents the American West Homeowner's Association stated that if the signs were taken down they would be replaced with 25mph signs. He also wanted to clarify that if the Commission made the decision, the HOA would not rush implementation but would take it step by step but make sure that it went smoothly with proper notice and coordination.**

**MOTION: Chair Brice moved to approve Resolution No. CDRC 064-18 recommending Atwater Police Department Enforce Traffic within American West Development. The motion was seconded by Commissioner Dash and the vote was: Ayes: Murphy III, Dash, Warchol, Brice; Noes: None; Abstain: Pinto Absent: Daugherty, McWatters. The motion passed.**

**Commissioner Pinto returned to the dais at 7:28pm.**

Making a finding of consistency with the adopted residential design guidelines to the submitted elevations for Bell Crossing Subdivision consistent with the General Plan Land Use Designation and Zoning

**Senior Planner Greg Thompson spoke on this item, and answered questions from the Commission.**

**MOTION: Commissioner Murphy III moved to make the determination that the proposed changes to the architecture is consistent with the adopted Commercial and Industrial Design Guideline; and adopt Resolution No. CDRC 066-18**

***approving the findings and deviation from the approval to Site Plan No. 704-16. The motion was seconded by Commissioner Pinto and the vote was: Ayes: Pinto, Warchol, Dash, Murphy III, Brice; Noes: None; Absent: Daugherty, McWatters. The motion passed.***

Architectural Control Committee adopt Resolution No. CDRC 065-18 amending previously submitted elevations under SP 704-16; applicant wishes to deviate from approved architecture

***Senior Planner Greg Thompson spoke on this item.***

***MOTION: Commissioner Dash moved to adopt Resolution No. CDRC 065-18 making the findings of consistency with the adopted commercial and industrial Design Guidelines and amending previously submitted elevations under SP 704-16. The motion was seconded by Commissioner Murphy III and the vote was: Ayes: Warchol, Pinto, Murphy III, Dash, Brice; Noes: None; Absent: Daugherty, McWatters. The motion passed.***

Resolution No. 057-18 Site Plan No. 711-18: approving Site Plan No. 711-18 to construct a "Flex Serve" Car Wash with ancillary structures and a vacuum station at 2601 Redwood Avenue. This property is designated as Commercial by the City General Plan and General Commercial (C-G) by the City Zoning Map. Merced County Assessor's Parcel No.: 150-190-037

***Senior Planner Greg Thompson spoke on this item.***

***STEVEN ELSER, K12 Architects Inc., spoke about the application and the proposed car wash project and answered questions from the Commission.***

***ADAM REED, Atwater spoke in favor of the project and thinks this is great addition to the City yet had questions regarding the entrance and the location of it to existing businesses.***

***MOTION: Commissioner Dash moved to adopt Resolution No. 057-18, approving Site Plan No. 711-18. The motion was seconded by Commissioner Murphy III and the vote was: Ayes: Dash, Murphy III, Pinto, Warchol, Brice; Noes: None; Absent: Daugherty, McWatters. The motion passed.***

#### **REPORTS AND PRESENTATIONS FROM STAFF:**

Verbal Update on the TCP (Trichloropropane)

***Interim Public Works Director Shaw gave a verbal update on the TCP status of the water supply, and answered questions from the Commission.***

**Commissioner Murphy III requested to see additional information given to the residents affected.**

Verbal Update on Camellia Meadows Estates

**Senior Planner Thompson spoke on this item, and answered questions from the Commission.**

COMMISSIONER MATTERS:

Comments from Community Development and Resources Commissioners

**Commissioner Pinto had nothing to report.**

**Commissioner Murphy III had a question if there has been any movement on the General Plan as it will be expiring.**


**Commissioner Warchol had a question/concern about a missing stop sign and pole leaving the McDonald's on Shaffer, stating that he was not sure if the City or the shopping center is responsible for replacement.**

**Commissioner Dash had questions regarding the cannabis ordinances.**

**Chair Brice had asked that the next regular Community Development and Resources Commission meeting agenda include an item in writing regarding number of missing meetings by a Commissioner and if they can be removed and or required to vacate the seat, as a discussion item.**

ADJOURNMENT:

**The meeting adjourned at 8:00 PM.**

  
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Jim Murphy III, Vice Chairperson

  
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Julie Krebs, Recording Secretary

for