

CITY OF ATWATER COMMUNITY DEVELOPMENT AND RESOURCES COMMISSION AGENDA

Council Chambers
750 Bellevue Road
Atwater, California

May 18, 2016

6:00 PM



CALL TO ORDER:

PLEDGE OF ALLEGIANCE TO THE FLAG:

INVOCATION:

Invocation by Police Chaplain Jim McClellan

ROLL CALL:

**Brice _____, Dash _____, Daugherty _____, Hylar III _____, McWatters _____, Murphy III _____,
Reed _____,**

COMMENTS FROM THE PUBLIC:

NOTICE TO THE PUBLIC

At this time any person may comment on any item which is not on the agenda that is within the jurisdiction of the Community Development and Resources Commission. Please state your name and address for the record. Action will not be taken on an item that is not on the agenda. If it requires action, it will be referred to staff and/or placed on a future agenda.

To comment on an item that is **on** the agenda, please wait until the item is read for consideration; please limit comments to a maximum of three (3) minutes.

Civility is expected from members of the public during the meeting. For more efficient use of time, disruptive behavior will not be tolerated. While you may not agree with what an individual is saying, please treat everyone with courtesy and respect.

Presentation:

1. **Request to block off White Pines Court for a 4th of July Block Party on July 4, 2016 from 4:00 p.m. to 12:00 a.m.** (Applicant White Pines Court Neighborhood Adam Aguilar- continued item)

APPROVAL OF MINUTES:

2. **Regular Meeting, April 20, 2016**

Staff's Recommendation: Approval of minutes as listed.

REPORTS AND PRESENTATIONS FROM STAFF

3. **Verbal update on the new programs at the Community Center** (Recreation Supervisor Dan Barton)
4. **Request to approve a letter directed to the City Council from the Community Development & Resource Commission regarding the General Plan.** (Community Development Director Scott McBride, Chairperson Brice or Vice Chair Hyler III)

COMMISSIONER MATTERS:

Comments from Community Development and Resources Commissioners.

ADJOURNMENT:

CERTIFICATION

I, Patricia Mead, Community Development and Resources Recording Secretary, do hereby certify that a copy of the foregoing Agenda was posted at City Hall a minimum of 72 hours prior to the meeting.

/s/ Patricia Mead

PATRICIA MEAD
RECORDING SECRETARY

SB 343 NOTICE

In accordance with California Government Code Section 54957.5, any writing or document that is a public record, relates to an open session agenda item and is distributed less than 72 hours prior to a regular meeting will be made available for public inspection in the Police Department, by the Community Development and Resources Commission Recording Secretary at City Hall during normal business hours at 750 Bellevue Road.

If, however, the document or writing is not distributed until the regular meeting to which it relates, then the document or writing will be made available to the public at the location of the meeting, as listed on this agenda at 750 Bellevue Road.



In compliance with the Federal Americans with Disabilities Act of 1990, upon request, the agenda can be provided in an alternative format to accommodate special needs. If you require special accommodations to participate in a City Council, Commission, or Committee meeting due to a disability, please contact the City Clerk's Office at least 48 business hours in advance of the meeting (209) 357-6205. You may also send the request by email to pmead@atwater.org



CITY OF ATWATER

COMMUNITY DEVELOPMENT AND RESOURCES COMMISSION

ACTION MINUTES

April 20, 2016

CALL TO ORDER:

The City of Atwater Community Development and Resources Commission met in Regular Session this date at 6:10 PM in the City Council Chambers located at the Atwater Civic Center, 750 Bellevue Road, Atwater, California; Vice Chairperson Hyler III presiding.

PLEDGE OF ALLEGIANCE TO THE FLAG:

The Pledge of Allegiance was led by Vice Chairperson Hyler III.

INVOCATION:

The Invocation was led by Police Chaplin McClellan

ROLL CALL:

Present: Dash, Daugherty, Hyler III, McWatters, Murphy III, Reed,
Absent: Brice
Staff Present: Police Lieutenant Joseph, Community Development Director McBride, Interim Public Works Director Faretta, Recording Secretary Mead.
Staff Absent: Senior Planner Hendrix, Recreation Supervisor Barton,

COMMENTS FROM THE PUBLIC:

Notice to the public was read.

ZACK, Joe of 200 Manzanita Drive Atwater, re-addressed traffic safety concerns within his housing development. He reported the absence of Stop Signs at each of the (12) intersections within the area not including the Jacobs Ranch development and speeding on Manzanita Drive. Zack commented he reported the same safety issues to the former City of Atwater Traffic Commission. He reported there are only two entrance and exit points for the housing area, both locations having traffic control stop signs to pull out onto Shaffer Road. He pointed out Manzanita is the only street to get to and from Jacobs Ranch housing area. Zack further reported the street at times is like a "Race Track" in both directions and the street itself is unsafe with no type of traffic controls. He reported drivers have total disregard for bicyclists and pedestrians. He would like to see some method of controlling the speed on Manzanita put in place and enforced from time to time. ZACK suggested speed bumps installed, or a couple of rain run-off troughs engineered across Manzanita as a default deterrent and or a couple stop signs as a method of traffic control. He quoted the California Vehicle Code section 22352 and asked the aforementioned be placed on the agenda or brought before the City Council. He noted the situation has only gotten worse since more houses were built in Jacobs Ranch.

LEE, Eric of 1199 Atwater Blvd Atwater, inquired if Mr. Zack's concerns can be placed on a future agenda, or be studied. LEE inquired if there is a way to address the problem as he has witnessed close calls in the area as well.

Community Development Director McBride explained the area issues can be placed on the Commission's Project List but enforcement can be a good first step. Lt Joseph explained he can place a radar trailer in the area to slow down the traffic and provide some enforcement.

MINUTES:

Regular Meeting, March 16, 2016

MOTION: Commissioner McWatters moved to approve the minutes. The motion was seconded by Commissioner Reed and the vote was: Ayes: Dash, Hyler III, McWatters, Murphy III, Reed; Noes: None; Absent: Brice, Abstained: Daugherty. The motion carried.

PRESENTATIONS:

Request to hold an open air community event under a Gospel Tent. The purpose of the event is to minister to the community. Amazing Grace Holiness Tabernacle is requesting to hold the event at Ralston Park in Atwater on Sunday, May 8th - May 15th with set up on Saturday, May 7th and take down on Monday, May 16th. (Applicant Rev. Jared Burris-Amazing Grace Holiness Tabernacle)

MOTION: Commissioner Reed moved to post-pone the item. The motion was seconded by Commissioner Dash and the vote was: Ayes: Dash, Reed Noes: Daugherty, Hyler III, McWatters, Murphy III; Absent: Brice. The motion failed

MOTION: Commissioner Dash moved to refer the item to the Atwater City Council for their next meeting. The motion was seconded by Commissioner Reed and the vote was:...No vote was taken. Dash rescinded the motion and Reed rescinded the second in lieu of contacting the applicant to ask him to attend the meeting for the purpose of clarification of his event. All Commissioners agreed to contact the applicant.

Note: The next City Council meeting was set for April 25, 2016 and the Commission will not meet until May 18, 2016, after the event date. Therefore the Commission asked for a recess to obtain further information prior to rendering a recommendation. The meeting was recessed for 5 minutes for Recording Secretary Mead to contact the applicant.

The meeting reconvened at 6:37 p.m.

Recording Secretary Mead contacted the applicant at the Commission's request and the applicant agreed to attend the meeting.

Rev. Burris answered questions regarding the times of the event (Sunday 6:00 p.m.-8:30 p.m., Monday-Friday 7:00 p.m.-8:30 p.m.) location within the park, dimensions of the tent and the removal of sound equipment every evening.

MOTION: Commissioner Hyler III moved to recommend the event move forward to the City Council. The motion was seconded by Commissioner Daugherty and the vote was: Ayes: Dash, Daugherty, Hyler III, McWatters, Murphy III, Reed; Noes: none; Absent: Brice. The motion carried.

Request to block off White Pines Court for a 4th of July Block Party on July 4, 2016 from 4:00 p.m. to 12:00 a.m. (Applicant White Pines Court Neighborhood Adam Aguilar)

MOTION: Commissioner Reed moved to postpone the item. The motion was seconded by Commissioner Murphy III and the vote was: Ayes: Dash, Hyler III, McWatters, Murphy III, Reed; Noes: Daugherty Absent: Brice. The motion carried.

Atwater Pentecost Association request approval assistance with their Annual Parade for the Holy Spirit Festa on Sunday June 26, 2016.

MOTION: *Commissioner Dash moved to recommend the aforementioned to the City Council. The motion was seconded by Commissioner Murphy III and the vote was: Ayes: Dash, Hyler III, McWatters, Murphy III, Reed; Noes: Daugherty; Absent: Brice. The motion carried.*

PUBLIC HEARINGS:

Adopt Community Development Resources Commission Resolution No. 018-16 Approving Conditional Use Permit No. 544-16 establishing a Motorcycle Repair Shop at 1789 Sycamore Avenue (Applicant Roberto Muniz) (Senior Planner Justin Hendrix)

Vice Chairperson Hyler III (acting Chairperson) opened the Public Hearing

LEE, Eric of 1199 Atwater Blvd Atwater, spoke in favor of the project. He asked if the business will be selling parts along with providing service.

MOORE, Michael 3524 Paseo Verde Avenue Merced, spoke in favor of the project. He provided his personal knowledge of the character and strong work ethic of the applicant.

Chairman Hyler closed the Public Hearing.

MOTION: *Commissioner Murphy III moved to adopt Resolution No 018-16 approving Conditional Use Permit No. 544-16 establishing a Motorcycle Repair Shop at 1789 Sycamore Avenue. The motion was seconded by Commissioners Dash and Reed and the vote was: Ayes: Dash, Daugherty, Hyler III, McWatters, Murphy III, Reed; Noes: None; Absent: Brice. The motion carried.*

MOTION: *Commissioner Reed moved to reconsider the aforementioned item. The motion was seconded by Commissioner Murphy III and the vote was: Ayes: Dash, Daugherty, Hyler III, McWatters, Murphy III, Reed; Noes: Absent: Brice. The motion carried.*

MOTION: *Commissioner Reed moved to adopt Resolution No 018-16 approving Conditional Use Permit No. 544-16 establishing a Motorcycle Repair Shop at 1789 Sycamore Avenue and remove item #14 (trash enclosure) as a condition. The motion was seconded by Commissioners Dash and the vote was: Ayes: Dash, Daugherty, Hyler III, McWatters, Murphy III, Reed; Noes: None; Absent: Brice. The motion carried.*

REPORTS AND PRESENTATIONS FROM STAFF

Verbal update on the General Plan Extension

Community Development Director McBride reminded the commissioners of their request to draft a letter to the City of Council expressing concern with the General Plan expiration date of 2020. McBride reported Staff has researched the possibility for an extension on the general plan process. He explained the criteria needed to request an extension. The City must have a plan in place, a budget in place and it allows for a two year extension. If granted, the City cannot implement general plan amendments. The City must have a process in place and funding in place to request an extension. He further mentioned extensions are not automatic.

Hyer III mentioned he highly recommends a letter be drafted by the Commission so it would be on the record.

MOTION: Commissioner Hyer III moved to recommend the Commission draft a letter recommending steps be taken towards the General Plan (Conference of update) from the CD&RC to the Atwater City Council. The motion was seconded by Commissioner Daugherty and the vote was: Ayes: Dash, Daugherty, Hyer III, McWatters, Murphy III, Reed; Noes: none; Absent: Brice. The motion carried.

Note: Hyer III offered to assist Staff in drafting the letter.

COMMISSIONER MATTERS

Comments from Community Development and Resources Commissioners

Commissioner Reed made a motion to reconsider the public hearing item to remove a condition within the Conditional use permit. (The motion is listed under the public hearing item within the body of this document).

Commissioner Murphy III reported on the fast traffic existing off Highway 99 onto Atwater Boulevard. He inquired if there can be place rumble strip or a sign to slow traffic.

Commissioner McWatters commented on how nice the new playground equipment is in Ralston Park.

Commissioner Dash-None

Commissioner Daugherty shared concerns for the overgrown weeds located at the propane business off of Green Sands. (It should be noted the property is located in county jurisdiction)

Commissioner Hyler III inquired about the un-kept condition of the City Parks. Interim Public Works Director Faretta explained the conditions are due to the City's lack of personnel to facilitate all year grooming. He reported there is an Adopt a Park Program but it has been unsuccessful.

ADJOURNMENT:

The meeting adjourned at 7:30 PM.

APPROVED:

Chairperson Hyler III

ATTEST:

Patricia Mead, Recording Secretary

City of Atwater



CIVIC CENTER
750 BELLEVUE ROAD
ATWATER, CALIFORNIA 95301

May 18, 2016

Re: General Plan Update for the City of Atwater

Honorable Mayor and Council Members of the City of Atwater,

This correspondence has been prepared by the Chair and Vice Chair of the City's Community Development & Resources Commission (CDRC). It expresses the opinions of the entire committee. The CDRC reviewed this item during our regular meeting held May 18, 2016 with the vote as follows; ***(insert names and votes after the action is considered.)***

As you are aware the City of Atwater's General Plan expires in 2020. Updating the plan is a considerable expense and burden on the City however it cannot be overlooked. There are potential consequences of not having a valid General Plan. These may include the following;

- inability to approve new development projects,
- prohibited from approving zone changes or general plan amendments,
- no basis to approve Conditional Use Permits,
- the preconditions required to enter into Development Agreements may be lost,
- no basis to adopt CEQA documents, and
- the City would likely not be able to annex new territory into the city

Additionally, the Commission is concerned that the State of California's enforcement could potentially include a moratorium on issuing building permits for new homes or new commercial – industrial projects.

The Chair, Vice Chair, and members of the CDRC urge the Mayor and Atwater City Council to dedicate the appropriate resources to allow the city to begin working on this most important item. The time to conduct the update will exceed one fiscal year therefore the costs to perform the work will be spread out over multiple years. The costs can also likely be allocated to multiple funds since the General Plan addresses public safety, public utilities, and items which are not specific to the General Fund.

This work will require a great deal of community input and involvement as well as dedicated time by the city's staff. Given the detailed nature and procedures involved we would also encourage that the city initiate the process to obtain an extension by the

State's Office of Planning and Research. The city's staff provided information to the Commissioners on requirements of obtaining an extension. It will be difficult to achieve but it may be the only option available. It does however require that the city make a commitment to the process and be substantially underway.

We collectively want to assure you that the CDRC members are committed to improving the community and this tool is essential in doing so. We are ready to do our share and hope you will provide the leadership to allow this to proceed.

Respectfully,

Gary Brice
Chair

Don Hyler III
Vice Chair