



# PLANNING COMMISSION

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## ACTION MINUTES

**March 18, 2020**

CALL TO ORDER:

*The Planning Commission of the City of Atwater met in Regular Session this date at 6:01 PM in the City Council Chambers located at the Atwater Civic Center, 750 Bellevue Road, Atwater, California; Chairperson Nelson presiding.*

PLEDGE OF ALLEGIANCE:

*The Pledge of Allegiance was led by Commissioner Warchol.*

INVOCATION: *There was no Invocation.*

ROLL CALL:

**Present:** Warchol, Vice Chairperson Daugherty, Chairperson Nelson.  
**Absent:** Commissioners Borgwardt, Mead.  
**Staff Present:** City Manager Waterman, City Attorney Taniguchi (via teleconference), Police Chief Salvador, Public Works Superintendent Holsinger, Community Development Director Thompson, Fire Marshall Overbay, Planning Commission Secretary Lopez.

SUBSEQUENT NEED ITEMS: *None.*

APPROVAL OF AGENDA AS POSTED OR AMENDED:

*Chairperson Nelson announced that the Resolution number for agenda item #3, "Making the environmental finding that the project is categorically exempt under CEQA, and recommending City Council adopt an Ordinance approving a Development Agreement by and between the City of Atwater and Sycamore Manufacturing, LLC for property located at 1715 Sycamore Avenue (APN: 001-146-003), should read PC 133-20 and not PC 84-19.*

**MOTION:** *Vice Chairperson Daugherty moved to approve the agenda as amended. The motion was seconded by Commissioner Warchol and the vote was: Ayes: Warchol, Daugherty, Nelson; Noes: None; Absent: Borgwardt, Mead. The motion passed.*

MINUTES:

1. February 19, 2020 (Regular Meeting)

***MOTION:*** Commissioner Warchol moved to approve the minutes as listed. The motion was seconded by Vice Chairperson Daugherty and the vote was: Ayes: Warchol, Daugherty, Nelson; Noes: None; Absent: Borgwardt, Mead. The motion passed.

PUBLIC HEARINGS:

2. Making the environmental finding that the project is categorically exempt under CEQA, and recommending City Council adopt an Ordinance approving a Development Agreement by and between the City of Atwater and Global Greenz for property located at 370 Airpark Road (APN: 056-400-027)

***Community Development Director Thompson advised that due to restrictions related to the Corona Virus some of the applicants are not able to be present at this meeting. Interim City Attorney Taniguchi is available by telephone for comments or questions. Interim Community Development Director Thompson also provided a summary of the retail operation in a PowerPoint presentation.***

***Chairperson Nelson opened the Public Hearing.***

***The applicant, Albert Norfleet of Global Greenz, raised a question regarding a change to the financial obligation as it relates to recently scaling back their operation.***

***City Manager Waterman expressed concern for the mutually negotiated contract and cited that changes at this point may require the Planning Commission to return the item for any potential recommendation to a future date.***

***City Attorney Taniguchi was reached by telephone for advice moving this item forward. He advised that any change to the public benefit amount needs to be justified.***

***Albert Norfleet of Global Greenz retracted their request for a change to the public benefit amount.***

***No one else came forward to speak. Chairperson Nelson closed the Public Hearing.***

***MOTION:*** Commissioner Warchol moved to make the finding that the project is exempt under provisions of the California Environmental Quality Act (CEQA) guidelines section 15301 "Existing Facilities" exemption. The motion was seconded by Vice Chairperson Daugherty and the vote was: Ayes: Warchol, Daugherty, Nelson; Noes: None; Absent: Borgwardt, Mead. The motion passed.

***MOTION:*** Vice Chairperson Daugherty moved to adopt Resolution No. PC 127-19 recommending City Council adoption of an Ordinance of the City Council approving a Development Agreement by and between the City of Atwater and

**Global Greenz. The motion was seconded by Commissioner Warchol and the vote was: Ayes: Warchol, Daugherty, Nelson; Noes: None; Absent: Borgwardt, Mead. The motion passed.**

3. Making the environmental finding that the project is categorically exempt under CEQA, and recommending City Council adopt an Ordinance approving a Development Agreement by and between the City of Atwater and Sycamore Manufacturing, LLC for property located at 1715 Sycamore Avenue (APN: 001-146-003)

**Community Development Director Thompson provided a PowerPoint presentation and summarized the Development Agreement including infrastructure upgrades and other additional benefits to the City.**

**Chairperson Nelson opened the Public Hearing.**

**Albert Norfleet, Sycamore Manufacturing, summarized the events that lead to changes in their original plans of operation. He also provided background information related to cannabis retail, distribution and manufacturing components.**

**No one else came forward to speak.**

**MOTION: Vice Chairperson Daugherty moved to make the finding that the project is categorically exempt under provisions of the California Environmental Quality Act (CEQA) guidelines section 15303 (c) "New Construction" exemption. The motion was seconded by Commissioner Warchol and the vote was: Ayes: Warchol, Daugherty, Nelson; Noes: None; Absent: Borgwardt, Mead. The motion passed.**

**MOTION: Commissioner Warchol moved to adopt Resolution No. PC 133-20 recommending City Council adopt an Ordinance approving a Development Agreement by and between the City of Atwater and Sycamore Manufacturing, LLC. The motion was seconded by Vice Chairperson Daugherty and the vote was: Ayes: Warchol, Daugherty, Nelson; Noes: None; Absent: Borgwardt, Mead. The motion passed.**

**COMMENTS FROM THE PUBLIC:**

**Notice the Public was read. No one came forward to speak.**

**COMMISSIONER MATTERS:**

**Commissioner Warchol commented regarding the potential hazard that garage/yard sales pose in the face of the Corona Virus. He added that restricting such sales be considered. He also, once again, questioned the recurring "yard sale" on Winton Way that appears to be a commercial enterprise and should be addressed as both a health issue and an ordinance issue.**

***Vice Chairperson Daugherty expressed that any public benefit amount in Development Agreements should be addressed by the City Council and not the Planning Commission.***

***Chairperson Nelson commented that he had previously requested a report on how much revenue the City has realized from the cannabis businesses in the City and has not yet received the information.***

***City Manager Waterman advised that a report will be provided via email to each Commissioner as well as the Chairperson.***

***There were no other comments.***

**ADJOURNMENT:**

***The meeting adjourned at 6:40 PM.***



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MIKE NELSON, Chairperson

By: Lesa Rasmussen  
P-M Transcription Services