

Pursuant to the provisions of the Governor's Executive Orders N-29-20, which suspended certain requirements of the Brown Act, you may view the agenda, agenda packet and/or the minutes of the meeting at www.atwater.org.

If you wish to make either a general public comment or to comment on a specific agenda item, please submit your comment (include Agenda Item Number in the subject line) to the Planning Commission Secretary at Jlopez@atwater.org. Email comments will be accepted on or before 5:00 PM of the meeting date.

Assistance will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Persons requesting accommodation should contact the City in advance of the meeting, and as soon as possible, at (209) 357-6230.

CITY OF ATWATER PLANNING COMMISSION

AGENDA

Council Chambers
750 Bellevue Road
Atwater, CA 95301

August 19, 2020

CALL TO ORDER:

PLEDGE OF ALLEGIANCE TO THE FLAG:

INVOCATION:

Invocation by Police Chaplain Mead

ROLL CALL:

Borgwardt _____, Mead _____, Warchol _____, Daugherty _____, Nelson _____

SUBSEQUENT NEED ITEMS: (The Planning Secretary shall announce any requests for items requiring immediate action subsequent to the posting of the agenda. Subsequent need items require a two-thirds vote of the members of the Commission present at the meeting.)



6:00 PM

APPROVAL OF AGENDA AS POSTED OR AS AMENDED: (This is the time for the Commission to remove items from the agenda or to change the order of the agenda.)

Staff's Recommendation: Motion to approve agenda as posted or as amended.

APPROVAL OF MINUTES:

1. July 23, 2020 – special meeting

Staff's Recommendation: Motion to approve minutes as listed

PETITIONS AND COMMUNICATIONS:

2. Request from Octavio Valenzuela, a local rancher/farmer, for help with street closures to operate a “Certified Farmers Market” providing the Atwater community with fresh produce, fruits, nuts, etc.

Applicant: Octavio Valenzuela

Staff's Recommendation: Motion for the Planning Commission to approve the request from Octavio Valenzuela, local rancher/farmer, to hold a “Certified Farmers Market” every Thursday for 90 days, beginning August 27, 2020. It will begin at 4:30 pm and end at 8 pm. He is asking for assistance from the City of Atwater with street closure on Broadway Avenue, between Third Street and Fourth Street. There will be approximately 10 produce stands.

PUBLIC HEARINGS:

3. Making an environmental finding that the project is categorically exempt under the California Environment Quality Act (CEQA), and recommending that the City Council adopt an Ordinance approving a Development Agreement by and between the City of Atwater and Pacific Ag, LLC., to operate a cannabis cultivation, distribution and manufacturing business for property located at 1779 and 1883 Sycamore Avenue (APN's) 001-146-010, 011.

Staff's Recommendation: Open the public hearing and receive any testimony given;

Close the public hearing;

Motion to make the finding that the project is categorically exempt under provisions of the California Environmental Quality Act (CEQA) guidelines section 15301 “Existing Facilities” and 15332 “In-Fill Development” exemptions; and

Motion to adopt Resolution No. PC 0121-19 recommending that the City Council adopt Ordinance No. CS 1034 approving a Development Agreement by and between the City of Atwater and Pacific Ag, LLC.

4. **Making an environmental finding that the project is categorically exempt under the California Environment Quality Act (CEQA), and recommending that the City Council adopt an Ordinance approving a Development Agreement by and between the City of Atwater and Element 7, to operate a cannabis dispensary, distribution and cultivation business for property located at 230 Commerce Avenue (APN) 056-390-006.**

Staff's Recommendation: Open the public hearing and receive any testimony given;

Close the public hearing;

Motion to make the finding that the project is categorically exempt under provisions of the California Environmental Quality Act (CEQA) guidelines section 15301 "Existing Facilities" exemption.; and

Motion to adopt Resolution No. PC 0133-20 recommending that the City Council adopt Ordinance No. CS 1033 approving a Development Agreement by and between the City of Atwater and Element 7.

5. **Making an environmental finding that the project is categorically exempt under the California Environmental Quality Act (CEQA) and adopting a resolution approving a Conditional Use Permit and Site Plan for Global Greenz to operate a retail cannabis business for property located at 370 Airpark Road (APN) 056-400-027.**

Staff's Recommendation: Open the public hearing and receive any testimony given;

Close the public hearing;

Motion to make the finding that the project is categorically exempt under provisions of the California Environmental Quality Act (CEQA) guidelines section 15301 "Existing Facilities" exemption.; and

Motion to adopt Resolution No. PC 0137-20 approving Conditional Use Permit No. 20-16-0100 and Site Plan No. 20-16-0200 to operate a retail cannabis business, located at 370 Airpark Road (APN) 056-400-027.

6. **Making an environmental finding that the project is exempt under the California Environmental Quality Act (CEQA) and adopting a resolution approving a Conditional Use Permit and Site Plan for Central Cal. Brothers**

Inc. to operate a cannabis dispensary, cultivation, manufacturing and distribution business for property located at 664 Railroad Avenue (APN) 003-170-009.

Staff's Recommendation: Open the public hearing and receive any testimony given;

Close the public hearing;

Motion to make the finding that the project is exempt under provisions of the California Environmental Quality Act (CEQA) guidelines section 15332 "In-Fill Development" exemption.; and

Motion to adopt Resolution No. PC 0138-20 approving Conditional Use Permit No. 20-15-0100 and Site Plan No. 20-15-0200 to operate a cannabis dispensary, cultivation, manufacturing and distribution business, located at 664 Railroad Avenue (APN) 003-170-009.

- 7. Making an environmental finding that the project is categorically exempt under the California Environmental Quality Act (CEQA); and adopting a resolution approving a Conditional Use Permit for Sunbelt Rentals to operate an equipment rental and retail facility for property located at 500 Commerce Avenue (APN) 056-241-006.**

Staff's Recommendation: Open the public hearing and receive any testimony given;

Close the public hearing;

Motion to make the finding that the project is categorically exempt under provisions of the California Environmental Quality Act (CEQA) guidelines section 15301 "Existing Facilities" exemption.; and

Motion to adopt Resolution No. PC 0139-20 approving Conditional Use Permit No. 20-16-0100 to operate an equipment rental and retail facility located at 500 Commerce Avenue (APN) 056-241-006.

COMMENTS FROM THE PUBLIC:

NOTICE TO THE PUBLIC

At this time any person may comment on any item which is not on the agenda. You may state your name and address for the record; however, it is not required. 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. Please limit comments to a maximum of three (3) minutes.

COMMISSIONER MATTERS:

ADJOURNMENT:

CERTIFICATION:

I, Jacquy Lopez, Planning Commission 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.



Jacquy Lopez, Planning
Commission 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 General Services Department 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 Planning Commission meeting due to a disability, please contact the Planning Commission Secretary a minimum of five (5) business days in advance of the meeting at (209)357-6230. You may also send the request by email to jlopez@atwater.org