

MINUTES
JOINT SAND CITY COUNCIL AND REDEVELOPMENT AGENCY
City Council Chambers
Regular Meeting - October 16, 2001
7:00 PM

Mayor Pendergrass opened the meeting at 7:00 p.m.

There was no invocation.

Police Chief Klein led the Pledge of Allegiance.

Present: Councilmember Jerry Blackwelder
Vice-Mayor Mary Ann Kline
Councilmember Craig Hubler
Councilmember Todd Kruper
Mayor David Pendergrass

Staff: Kelly Morgan, City Administrator
Steve Matarazzo, Community Development Director
Jim Heisinger, City Attorney
Stan Kulakow, City Engineer
Debra Taylor, City Clerk
Charles Pooler, Associate Planner

AGENDA ITEM 4, COMMUNICATIONS:

- A. Written communications distributed to City Council this evening included amended text for CUP #413 - Saunders (item 7-B), and a faxed letter received tonight from a representative for Mrs. Morrow regarding her Orange Avenue property (item 8-B).
- B. The floor was opened at 7:01 p.m. for oral communications, but there were no comments by the public. Mayor Pendergrass announced that the City secured the requested accommodations for the Sacramento League conference in December. All Councilmembers will be attending. City Administrator Morgan announced to the public that there will be a mixer for the Sand City Arts Committee on October 25th in the Council Chambers.

AGENDA ITEM 5, CONSENT CALENDAR:

- A. There was no discussion of the October 2, 2001 Minutes.

- B. There was no discussion of the City **RESOLUTION Authorizing Service Agreement with Centration, Inc. to Prepare Sand City Reimbursement Claims for SB90 Mandated Costs.**
- C. There was no discussion of the monthly Police Department Activity Report, September.
- D. There was no discussion of the August 30, 2001 Arts Committee Minutes and notice of Chamber of Commerce/Arts Committee mixer, October 25, 2001.

Motion to approve Consent Calendar was made by Councilmember Kruper, seconded by Councilmember Hubler. AYES: All Councilmembers. NOES: None. ABSENT: None. ABSTAINED: None. Motion carried.

AGENDA ITEM 6, CONSIDERATION OF ITEMS PULLED FROM CONSENT CALENDAR:

No items.

AGENDA ITEM 7, PUBLIC HEARING(S):

- A. Associate Planner Pooler announced that consideration of rezoning to C-2/Planned Unit Development (PUD) for property located along the 300 block of both Shasta & Orange Avenues (APN 011-253-007, 008, 017, 018) to accommodate development applications submitted for three mixed-use buildings as requested by Ben Compagno will not be considered this evening.

7:03 P.M. Floor Open to Public Comment

No comments.

7:04 P.M. Floor Closed to Public Comment

Motion to continue this public hearing item to November 6, 2001 was made by Councilmember Kline, seconded by Councilmember Kruper. AYES: All members. NOES: None. ABSENT: None. ABSTAINED: None. Motion carried.

[Due to a possible conflict of interest by residing within 500' of the proposed project area, or due to a prior business partnership, Councilmembers Blackwelder & Hubler abstained on the following item. The Councilmembers left the dais and joined the audience.]

- B. Associate Planner Pooler presented Conditional Use Permit application by Fred Saunders for the relocation from 613-A Ortiz Avenue, and establishment of a metal art fabrication workshop at 460 Elder Avenue (portion of APN 011-237-022). The project qualifies as a categorical exemption under state CEQA

Guidelines, Section 15301 and is located within a non-coastal Heavy Commercial (C-2) zoning district. Mr. Saunders proposes to work with the property owner, Greg Hawthorne, in improving the appearance of the building and site. The site has adequate parking to facilitate manufacturing uses for the entire building, and there is sufficient area for small truck loading/unloading activities. The nature of this type of operation unavoidably creates noise therefore operations are restricted to the confines of the building. Acoustical insulation should be considered as well as a report from an acoustical engineer. A handout was distributed this evening outlining amended text for item 5(a) of the Conditional Use Permit addressing noise issues and was read into the record. In response to a question by Councilmember Kline, Mr. Pooler stated that the Fire Department has been part of the review process including requirements related to ventilation. Councilmember Kruper raised a question on Condition #4 related to fences. Mr. Pooler replied that improvements will be considered in the future, but this permit addresses conditions as they presently exist.

7:10 P.M. Floor Open to Public Comment

GREG HAWTHORNE (Property Owner): Fred is a vital part of the community and is an excellent craftsman. Mr. Hawthorne showed slides of the existing buildings at Ortiz and Elder Avenues. He would like to keep encouraging artists to settle (or remain) in Sand City that would attract buyers and visitors to the area. Mr. Hawthorne also discussed some of his proposed improvements to Elder Avenue. Community Development Director Matarazzo clarified that the improvements shown are not being considered this evening. He also asked Mr. Hawthorne to consider cutouts for street trees in the front of the Elder Avenue building.

FRED SAUNDERS (Applicant): He has worked with Greg Hawthorne for a couple of years and they share the larger vision of an artist community within Sand City. He wants to stay in Sand City and it will be good to get away from the bottleneck intersection on the corner of Ortiz Avenue.

JILL CASTY (Artist): She has worked with Fred Saunders and distributed photographs of some design pieces that they created. She is in support of his application.

DAN CORT (Local Property Owner): He too stands in support of Fred's application and Greg's proposals. They are an asset to the newly evolving downtown of Sand City.

STEPHANIE ESTA (Artist): She has worked with Fred Saunders through the years and is thrilled he is aligning with Greg Hawthorne. She supports this application.

7:25 P.M. Floor Closed to Public Comment

Councilmember Kline asked Mr. Hawthorne if the new roll up door material will be able to manage noise levels? Mr. Hawthorne replied that right now the doors are solid, so these new glass doors will allow natural light and sound reduction. He indicated that noise levels would be monitored.

City Attorney Heisinger made a modification to the amended text for Condition #5b regarding possible review due to complaints.

Motion to approve Conditional Use Permit #01-413, as amended, was made by Councilmember Kline, seconded by Councilmember Kruper. AYES: Councilmembers Kline, Kruper, Pendergrass. NOES: None. ABSENT: None. ABSTAINED: Councilmember Blackwelder and Hubler. Motion carried.

[Councilmembers Blackwelder & Hubler returned to the dais.]

- C. Associate Planner Pooler presented Conditional Use Permit (#01-414) application by Gary Wiegand of Utility Services for the relocation and establishment of a shop, office, and storage for a consulting civil and mechanical engineer/contractor operation at 613-A Ortiz Avenue (portion of APN 011-197-015). The project qualifies as a categorical exemption under state CEQA Guidelines, Section 15301 and is located within a non-coastal Manufacturing (M) zoning district. The applicant proposes to use this site for 1) storage of materials and equipment; 2) shop space for prefabrication of parts; 3) office space for engineering and design; and 4) general office. There is on-site space to provide five parking stalls with additional street parking on Hickory. After-hours the company vehicles will be parked inside the building. Staff does not expect noise impacts from this operation but conditioned the permit to mitigate potential noise issues. No additional water is required; and loading/unloading will not interfere with street traffic.

7:31 P.M. Floor Open to Public Comment

GARY WIEGAND (Applicant): At present he has three full-time employees, but hopes his business will grow in the future. His background is in civil engineering, and he has worked with CalAm. In the last six months they have done some installation work, so it is possible they will buy a pipe threading machine in the future. The major portion of their jobs are in-house design work. It is possible they may partition some of the indoor space in the future. They do not currently have any company trucks, but may buy one soon. He is in agreement with the conditions of the use permit.

ROY HUBBARD (Local Property Owner): At what point is water discussed? In response, Mr. Pooler said that any new uses must conform with the

existing water credits available on a site. This new business conforms. Mr. Matarazzo said it is not a matter of the number of employees, but the proposed use that determines the water use.

7:40 P.M. Floor Closed to Public Comment

Motion to approved Conditional Use Permit #01-414 was made by Councilmember Kline, seconded by Councilmember Blackwelder. AYES: All members. NOES: None. ABSENT: None. ABSTAINED: None. Motion carried.

AGENDA ITEM 8, OLD BUSINESS:

[Due to a possible conflict of interest by residing within 500' of the project area, Councilmembers Blackwelder & Hubler must abstain. Because this item is being continued, neither Councilmember stepped down from the dais.]

- A. City Administrator Morgan announced that the John Street vacation update should be continued due to lack of progress. Council consensus to continue this item to the December 4, 2001 meeting.

- B. Progress report on Public Works projects, City water project - CalAm negotiations, Project Study Report, pending development projects and other Sand City community programs by City Engineer/Community Development Director/City Administrator. City Engineer Kulakow reported that Granite Construction will start dismantling the Robinette site batch plant next Monday. This will cause a parking issue because it has been used as fill-in parking by local residents and businesses. "No Parking" notices will be placed on vehicle windows and has been discussed with the Police Department. This clean up effort should take just over one week. The large electrical cabinet under the batch plant will remain (for the well) until development occurs on the site. Community Development Director Matarazzo reported he spoke with David Powers & Associates regarding the desal Scope of Work and EIR for the November 6th Council meeting. Mayor Pendergrass stated that current Water District issues may relate to the Robinette water credits. He stresses that City staff should secure a sign off from District staff on the credits for this site prior to November 19th. City Administrator Morgan said the possible political change on the Water District Board will effect Sand City's desal project. All the work and expense may have to be readdressed when a more "friendly" Water Board is elected. Larry Foy said the City should start working with CalAm to discuss 1) terms with a sister affiliate that will work for the City, or 2) start negotiations (with Judy Almond) for acquiring their Sand City facilities/infrastructure. The Mayor also requests that staff arrange a meeting with Cota Transfer to address their truck and storage box parking along the railroad near Contra Costa entrance. Mr. Morgan distributed a letter received this evening

regarding Mrs. Morrow's encroachment issue on Orange Avenue. Her attorney states that Mrs. Morrow may have a prescriptive easement for the mobile home structures and for the sewer and water lines. The City could deed a foot to her property and adjust lot lines for the structures encroachment. The sewer and water line problems are still being reviewed. This item will be scheduled for the November 6th meeting.

AGENDA ITEM 9, NEW BUSINESS:


- A. No items

AGENDA ITEM 10, CLOSED SESSION:

- A. It was determined that the Redevelopment Agency did not need to adjourn to Closed Session to confer with real property negotiator, in accordance with §54956.8 of the Ralph M. Brown Act to discuss possible purchase of property for redevelopment purposes, portion of APN 011-191-001 (Harper property). This item was not discussed.
- B. The City Council/Redevelopment Agency readjourned to Open Session to report any action taken at the conclusion of Closed Session in accordance with §54957.1 of the Ralph M. Brown Act. This item was not discussed, and no action was taken.

AGENDA ITEM 11, ADJOURNMENT:

- A. Motion to adjourn was made by Councilmember Kline, seconded by Councilmember Blackwelder, to the next regularly scheduled City Council meeting on November 6, 2001, 7:00 p.m. There was unanimous Council consensus to adjourn at 7:59 p.m.



Debra Taylor, City Clerk