



CITY OF ATASCADERO ***CITY COUNCIL***

Special Joint Meeting

**City of Atascadero
City Council and
Planning Commission**

Walmart / The Annex Project Eir Scoping Meeting and Project Review of the Del Rio Road Commercial Area Specific Plan

Tuesday, May 25, 2010

**Special Meeting follows the conclusion o the Community Forum
portion of the May 25, 2010 City Council Regular Session**

DRAFT MINUTES

Mayor Fonzi called the meeting to order at 6:30 p.m. and Council Member Kelley led the Pledge of Allegiance.

ROLL CALL:

Present: Council Members Clay, Béraud, Kelley, Mayor Pro Tem O'Malley, and Mayor Fonzi
Planning Commissioners Colamarino, Jack, Schmidt, Ward, Sturtevant, Vice Chairperson Bentz, and Chairperson Moreno

Absent: None

Staff Present: Community Development Director Warren Frace, City Engineer/Public Works Director Russ Thompson, City Manager Wade McKinney, and Deputy City Clerk Annette Manier

Others Present: Jason Brandman, Michael Brandman and Associates, EIR Consultant

Community Development Director Warren Frace explained the format for the meeting and stated that the first section will be conducted by the EIR Consultant. The project review portion will be conducted by City staff. Director Frace introduced Jason Brandman, EIR Consultant from Michael Brandman Associates.

Jason Brandman gave a brief introduction of the firm Michael Brandman Associates, a summary of the project, issues that relate to CEQA, discussion about the Notice of Preparation (NOP), and an overview of the EIR.

Jason Brandman answered questions from the Council and Commission.

B. PUBLIC HEARING:

1. **EIR Scoping Meeting – Del Rio Road Commercial Area Specific Plan (Walmart / The Annex Project)**
 - Fiscal Impact: This commercial project is expected to be revenue positive for the City.
 - Recommendation: Council conduct an EIR scoping meeting consistent with the requirements of the California Environmental Quality Act (CEQA). [Community Development]

PUBLIC COMMENT:

David Broadwater asked the Council to consider directing Brandman & Associates to address an email regarding the Del Rio Road interchange. Will the EIR address the

traffic upgrades and what will the funding through impact fees be? He asked that the following items be addressed: workforce, building materials, lighting, heating and air conditioning, plug-ins in the parking lot for electric cars, solar panels, and analysis of parking spaces being covered.

Fred Collins, Tribal Administrator for the Northern Chumash Tribal Council spoke about Senate Bill 18 (SB18) and mentioned that we hope to come to an agreement when we go into the consultation with the City. He stated that under SB18, the Native American community has the ability to be involved in projects from the beginning, adding that we will be consulted with and we will be heard.

George Schroff said he anticipates growth in traffic and has concern about widening the overpass.

Eric Greening said that SB18 applies directly to any General Plan Amendment. There are two nations to contact and the Salinan Nation also needs to be contacted. He also spoke about the interchange issues with Caltrans, the funding picture, and timing. Mr. Greening said mitigations have impacts. He agrees with Mr. Broadwater's comments in regards to exploring solar and generating power on site.

Randy Lawrence, Obispo Road, stated he is concerned about the intersection on Del Rio and Obispo with the increased traffic. He said this may become more of a problem and there may be an accident. He asked how this will be mitigated. He also expressed concern about pedestrian traffic.

Steve Ryburn spoke about water and its importance in development and expressed concern that the Walmart Supercenter will require 6 million gallons of water annually to operate. He asked that the EIR address this issue and stated he would like Walmart be a water-neutral project.

Don Dubaw, Del Rio Road, expressed concern about the increased traffic. He stated that in some sections of the roadway, the shoulders are less than two feet wide on the north side of the street, while on the south side of the street, there is zero access and no space for foot traffic. He is concerned about children who are students who walk on the road.

Ron Rothman, of Del Rio Neighborhood Concerned Citizens, said they would like the following concerns addressed in the EIR: increased traffic, impacts to El Camino Real/Del Rio overpass, bridge service levels, storm water run-off, noise levels, lighting, air quality, crime, and high density housing. Finally, he said they do not want to see tax breaks and incentives for mitigating these impacts.

Jennifer Monte, resident in Colony Homes, expressed concern about the traffic, the project being placed next to adjacent residential and parks, noise, noise-sensitive land

uses, and hazardous materials storage. She asked that the EIR address these issues through a full economic analysis.

Lee Perkins said she believes an economic study is needed to answer questions and assess long term impacts. Who will pay for the cost of the increased traffic -- Walmart or the City? She said if Walmart does not pay, our property taxes will. She asked what is the potential economic impact (how much of local business will go to Walmart?) and what will happen to the existing workforce? She asked if the project would expand in the future and how the project would affect our quality of life?

Tom Comar, Spokesperson for SaveAtascadero.com (formerly Oppose Walmart) said the first discussion is about ensuring an unbiased appraisal of the multiple impacts this development will have on our community, our City budget, and tax dollars, and on existing grocery stores. He stated that a reasonable alternative that must be studied in the EIR is a similar size Walmart regular department store *without* the full grocery store. He said the EIR should also address traffic, noise, glare, hazardous dumping, nighttime deliveries, idling big rigs, crime, and funding of emergency services and police.

Fred Frank expressed support for most of the concerns that were addressed, specifically the secondary roads. He said many of the concerns regarding the transfer of mitigation costs should be addressed.

Jim Wilkins, President of the Historical Society, stated that he attended the Open House and is excited to work with the Rottman Group and Walmart in preserving the Colony homes that are out there, and getting them placed.

Michael Latner said he attended the Open House meeting and has questions about the floor plan, cooling system, the parking lot, and materials used. He asked if there was a formal process for submitting a pilot program including water reclamation systems and measuring the impact of long-term urban decay.

Gary Kirkland, Portola Road, said the EIR should cover tax revenue, new jobs, and all economic impacts, both positive and negative.

Peter Henderson, resident of the Colony Homes north of the project, expressed concern about The Annex and the ability to merge onto El Camino Real. He said he is also concerned about lights, noise, pollution, and the impacts on their park.

Mayor Fonzi closed the Public Comment period.

Jason Brandman said the EIR will address all the issues that were addressed by the public.

Mayor Pro Tem O'Malley read a letter into the record from Robert and Marlene Shannon (Exhibit A)

The Council and Planning Commissioners made comments on the project. Jason Brandman and Warren Frace answered questions. The consultant will be responsible for formulating responses.

C. MANAGEMENT REPORT:

1. Project Review – Del Rio Road Commercial Area Specific Plan (Walmart / The Annex Project)

- Fiscal Impact: This commercial project is expected to be revenue positive for the City.
- Recommendation: Council take public comment on general project issues and provide staff with any additional project comments not covered under the EIR scoping. [Community Development]

Community Development Director Warren Frace gave the staff report and explained that after the Open House, the City received over 80 written comments that were delivered to the Council and Commission. Staff expects the draft EIR to be released in Fall 2010. The entire EIR is expected to be completed in Winter 2010 with hearings in early 2011.

PUBLIC COMMENT:

Mayor Fonzi announced that Fred Collins will be granted five minutes for public speaking since he is a stakeholder in the project, followed by the younger member of the public.

Fred Collins, Tribal Administrator with the Northern Chumash Tribal Council, explained that it is their opinion that the Walmart corporate structure is a criminal corporate structure in dealing with the Native Americans. Mr. Collins introduced Vennise Forte, Chairperson of the Coastal Band, and Lou Silva, an Elder and Chief of the Chumash Nation. Mr. Collins read comments from a statement which he submitted for the record (Exhibit B) and stated they do not support this project.

Sondra Flores said she is worried about having so many empty buildings in town and hopes that when Walmart and the theatres come to town, we will have more money and business.

Mike Anderson said he looks forward to the project, as this City needs income. He said the buildings are emptying out in our City and many businesses are in favor of Walmart. He said he would like to see Atascadero remain a City and not go back to the County.

He said Walmart is trying to be a good neighbor and we should support our community and local jobs.

Michael Latner submitted a formal recommendation called "Building a Future Together: How Citizens Can promote More Prosperous Development at Del Rio through the ADE Economic Development Strategy" (Exhibit C)

Randy Lawrence talked about a box store district and echoed Len Colamarino's comments. He said we have every reason to be concerned this may become a box store district. He stated that we know stores are going to close when Walmart comes in, and what will happen to the space, such as K-Mart, when they close?

Bob Martz said we have heard arguments for four to five years for and against Walmart. He said we had an election in favor of Walmart so please let Walmart proceed.

Lee Perkins said she is in agreement with Len Colamarino and Mr. Lawrence regarding big box developments and is concerned about the architectural style of the store. She stated that Walmart has been asked to provide a living wage for their employees and they have not and there is a class action suit against Walmart because of discrimination against women. She added that Walmart has a history of crime in their parking lots.

Tino Santos said he listens to KPRL. He said that for four years, we have been hearing people attack Walmart; 70% of the people want a Walmart and he thanked Walmart for not giving up. He said if you don't like Walmart, stay away from Walmart. Young students need jobs here, and Atascadero needs opportunities. He asked that people stop blaming Walmart for everything. He said Walmart provides jobs and goods, and he is fed up with the same people speaking against it -- it's about time we proceed.

Jenna Jordan spoke on behalf of her family in Atascadero. She said tax revenue will help critical services, and Walmart has contributed to neighboring cities for years, such as supporting our Hometown Heroes. She said as long as Walmart supports our local servicemen and women, she will continue to support Walmart.

Sonya Serra said in the last 10 days she has visited Walmart twice. She said tThey have what she needs and wants at good prices. While working at Twin Cities Hospital, she verified that Walmart employees have great benefits. She believes that local dollars will stay here if a Walmart comes.

Tom Comar suggested the City Council ask that the Walmart building not be allowed to expand in the future, that it pay into a traffic input fund, have no overnight deliveries, no idling delivery trucks, no trash compactors after 10 p.m. or before 7 a.m., no overnight trucks, or campers, address the lighting, pay money up front for emergency services, contribute to Police, establish a demolition escrow account, and a large percentage of their employees should be Atascadero residents.

Ron Rothman said he would like to see the best project for Atascadero and asked about the entrance into Walmart and The Annex. He said these items should be addressed to ensure we get the best scenario.

George Schroff said the local Office Depot store suffered the impacts of not having Walmart as an anchor store and other stores struggling waiting for an anchor store. He encouraged the project to move forward as quickly as possible.

Ernie Porter stated he has been here for 91 years. He said he supports Walmart because it will allow him to shop at a store where he can buy affordable goods. He said Walmart will provide some jobs.

Gary Kirkland spoke in favor of Walmart. His church teaches we should light a candle and not curse the darkness. He said people here should light a candle; If you think you can do better, open your own store.

Donald Cross voiced concern about Walmart abandoning the project. The EIR will bring these considerations to light. He said if this goes on, the field will remain empty.

Mayor Fonzi closed the Public Comment period.

Mayor Fonzi recessed the meeting at 8:25 p.m. for a break.

Mayor Fonzi called the meeting back to order at 8:35 p.m.

City Council Members, Planning Commissioners, staff, and the applicant discussed the project further and addressed questions and comments brought up during the public comment portion of the meeting.

Mayor Pro Tem O'Malley stated he had an email from Jay DeCou in support of the Walmart project and submitted it for the record. (Exhibit D)

WRAP UP

Mayor Fonzi thanked the public for their participation and continued future participation in the process.

ADJOURNMENT: *Mayor Fonzi adjourned the meeting at 8:55 p.m.*

MINUTES PREPARED BY:

Annette Manier

Deputy City Clerk / Administrative Assistant

The following exhibits are available in the Community Development Department:

Exhibit A – Email from Marlene Shannon regarding sound wall

Exhibit B – Statement from Northern Chumash Tribal Council

Exhibit C – “Building a Future Together” from Michael Latner, PhD

Exhibit D – Email from Jay DeCou