



CITY OF ATWATER

PLANNING COMMISSION MINUTES

March 24, 2010

CALL TO ORDER: (Regular Session)

The Planning Commission of the City of Atwater met in regular session this date at 6:00 PM in the Council Chambers, 750 Bellevue Road, Atwater, California; Chairman Miller presiding.

ROLL CALL:

*Present: Commissioners Miller, Mooneyham, Werner, Davis, Warchol
Absent: None
Staff Present: Senior Planner Hendrix, Recording Secretary Ruiz*

COMMENTS FROM THE PUBLIC:

Notice to the public was read.

No one came forward to speak at this time.

MINUTES:

- a. Regular meeting of March 10, 2010

MOTION: *Commissioner Mooneyham moved to approve the minutes as amended. The motion was seconded by Commissioner Davis and the vote was: Ayes: Miller, Mooneyham, Werner, Davis, Warchol; Noes: None; Absent: None. The motion carried.*

PUBLIC HEARINGS:

- a. Zoning Ordinance Text Amendment No. 10-1 (Ord. No. CS 909): Proposing to amend the City of Atwater Zoning Code to include section 17.80 establishing a design review process for discretionary review of development projects that require additional site and design considerations beyond conformance with minimum standards of the zoning code. The purpose of the design review process is to promote orderly and harmonious growth within the City.
Applicant: City of Atwater

Senior Planner Hendrix presented the amended staff report.

Commissioner Warchol questioned why staff had not provided the amended staff report with the packet that was delivered on Friday. He also stated that when Senior Planner Hendrix receives information of this type he thinks it would be advantageous to the Commission that he notifies them as soon as this information is available, to get it at the last minute like this is disappointing and unacceptable. Commissioner Warchol also stated that hopefully in the future as soon as such information is available and if it's going to have an impact on the meeting, he would appreciate if Senior Planner Hendrix could inform them as soon as it's possible.

Senior Hendrix responded that the decision was made on Monday by the City Attorney in conjunction with City Council, which is why the information was not included in the packet on Friday. The amended staff report wasn't finalized until Tuesday after further discussions with the City Attorney. Senior Planner Hendrix also stated that he tries to accommodate the Commission to the best of his ability and he will get them information as timely as he can but sometimes they are going to get information provided to them at the Commission meeting.

The Public Hearing was opened for this item.

No one came forward to speak on this item.

The Public Hearing was closed for this item.

MOTION: *Commissioner Werner moved to table the item. The motion was seconded by Commissioner Davis and the vote was: Ayes: Miller, Mooneyham, Werner, Davis; Noes: Warchol; Absent: None. The motion carried.*

REPORTS:

- a. None.

COMMISSION / STAFF COMMENTS:

Commissioner Mooneyham asked Senior Planner Hendrix for the outcome of the Monday, March 22, 2010 City Council meeting in regards to the Commissions, specifically the Planning Commission. Commissioner Warchol volunteered to update the Commission because he was in attendance at the meeting.

Commissioner Warchol stated that Monday night the City Council discussed the different Commissions and clarified some items that impact the Planning Commission. The first item was in regards to the meeting times, previously it had been discussed among the Planning Commission that they would meet at least once a month but according to the City Council that is not sufficient. There is a City Ordinance that covers this and it states that the time and place of the regular meeting of the Planning Commission shall be the Wednesday immediately following each and every regular scheduled City Council meeting. The City Council interpreted this to mean that it's mandatory that we have a meeting after every one of theirs. Commissioner Warchol wanted clarification, so he spoke with the City Attorney and he concurred that is exactly what it means, that we are required to have a mandatory meeting every time the City Council has one.

Commissioner Mooneyham stated that Senior Planner Hendrix had mentioned that Panda Express opened today.

Commissioner Werner stated that she would like to comment on what Commissioner Warchol stated earlier about staff being able to provide information. Sometimes staff is not able to provide information as quickly as possible. Unfortunately she could not be at the City Council Monday night because she had a death in the family but had Senior Planner Hendrix called her Monday or Tuesday, she would have never gotten that call, so even if he was able to provide it to them she would have not received the information either way. By State law staff does what they have to do and they try to get the Commissioner's the information as soon as possible. Receiving this information at the dais to her doesn't cause any problems because staff got it to them as soon as staff was able to. She is offended at how Commissioner Warchol of attacked staff when they did what they possibly could within the time frame that they had.

Commissioner Warchol responded that he disagrees with Commissioner Werner, he thinks that under most circumstances she is absolutely correct and there is a lot of effort that goes in providing information to them. He is sure that many hours are spent providing this material for them and feels that this particular situation could have been handled just slightly different. To walk into a meeting and be notified at the very last minute is disconcerting, some of the Commissioner's were prepared to go forward with the decision today and he is sure staff could have provided the information in a more timely manner but unfortunately that is not the case and maybe this is just an isolated incident and there will probably never be another problem again, he hopes.

Commissioner Davis stated that in this case looking at the amount of work that has to be done, maybe the Commission should ask someone if they can get staff some more help because it seems like an awful lot of work for one person.

Commissioner Werner responded that is a budget issue and nothing that the Commission has any control over. She does think that with the Design Review coming up and prior to Senior Planner Hendrix bringing it back to them they should have a workshop so they can learn as much as possible about the issue of Design Review. So when he does bring it back to the Commission for some type of recommendation or vote they have some understanding in regards to the process of the Design Review. Commissioner Werner also stated that she thinks that as staff is going through the process and getting things together the Planning Commission should have a couple of meetings throughout so they can get an understanding of what Design Review is and when they do come for a final vote they have a clear understanding of what the Design Review process is.

Commissioner Warchol stated that this workshop may possibly be held on April 5th at 4:30, this date and time are not for sure and it is being discussed at the City administration level, so the Commissioner's might want to adjust their calendars if they wish to attend.

Commissioner Miller stated that he has been on the Commission for seven years and Senior Planner Hendrix and staff have always done an excellent job and has no complaints. A few times they have received things at the last minute but he understands that Senior Planner Hendrix has other projects on his desk and he is sure that Senior Planner Hendrix did the best he could do, and also agrees that Commissioners shouldn't be attacking Senior Planner Hendrix because he does a fine job.

ADJOURNMENT:

The meeting adjourned at 6:17 PM



**JUSTIN HENDRIX
PLANNING COMMISSION SECRETARY
CITY OF ATWATER**

By Stephanie Ruiz