



PLANNING COMMISSION

ACTION MINUTES

September 18, 2019

CALL TO ORDER:

The Planning Commission of Atwater met in Regular Session this date at 6:00 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 Chairperson Nelson.

INVOCATION: *The Invocation was given by Police Chaplain Mead.*

ROLL CALL:

Present: Commissioners Borgwardt, Warchol, Vice Chairperson Daugherty, Chairperson Nelson.

Absent: Mead.

Staff Present: City Manager Waterman, Public Works Director Haddix, Police Chief Salvador, Interim City Attorney Taniguchi, VVH Senior Planner Greg Thompson, General Services Manager/Chief Building Official Pereida, Planning Commission Secretary Lopez.

SUBSEQUENT NEED ITEMS: *None.*

APPROVAL OF AGENDA AS POSTED OR AMENDED:

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

MINUTES:

1. August 21, 2019 (Regular Meeting)

MOTION: *Commissioner Borgwardt moved to approve the minutes as posted.*

The motion was seconded by Vice Chairperson Daugherty and the vote was: Ayes: Warchol, Borgwardt, Daugherty Nelson; Noes: None; Absent: Mead. The motion passed.

PETITIONS AND COMMUNICATIONS:

2. Request from Atwater Elementary School District and Atwater Caring About Kids Community Council for assistance with their annual Red Ribbon Walk and Drug Store Project. (Christy Lobao, Director of Special Programs)

Christy Lobao, Director Special Programs for Atwater Elementary School District provide an overview of the planned activities and routes to be taken during the Red Ribbon Week Walk. She also described the type of activities scheduled for the Atwater Elementary School District and Atwater Caring About Kids Community Council Drug Store Project.

MOTION: Vice Chairperson Daugherty moved to recommend that the City Council approve the request from the Atwater Elementary School District and Atwater Caring About Kids Community Council for assistance with their annual Red Ribbon Walk on Friday, October 18, 2019; to assist in escorting approximately 600 students and community members to walk in support of a Drug-Free Atwater at 11:30 AM beginning at Ralston Park, down third street to Broadway Avenue, right on Broadway Avenue to Fifth Street, right on Fifth street to Grove Avenue, right on Grove Avenue and back to Ralston Park; to approve road closure on Third Street between Fir Avenue and Grove Avenue from 11:15 AM to 1:00 PM; and for assistance with their annual Drug Store Project (an all-day drug prevention event) on October 25, 2019 at Mitchell K-6 school with the use of School Resource officers. The motion was seconded by Commissioner Warchol and the vote was: Ayes: Warchol, Borgwardt, Daugherty, Nelson; Noes: None; Absent: Mead. The motion passed.

3. Request from Historical Downtown Atwater Association for assistance with a special outdoor event. (John Cardenas, CEO)

John Cardenas, CEO of the Historical Downtown Atwater Association provided a summary of the activities planned for the "Atwater Spirits Festival" event in downtown Atwater.

MOTION: Commissioner Borgwardt moved to recommend that the City Council approve the request from the Historical Downtown Atwater Association for assistance with their special outdoor event on Saturday, October 19, 2019 from 1:00 PM to 8:00 PM; street closure on Broadway Avenue between Third and Fifth Streets, Third Street from Broadway Avenue to Cedar Avenue, and on the corners of Fourth Street and Broadway Avenue. The motion was seconded by Commissioner Warchol and the vote was: Ayes: Warchol, Daugherty, Borgwardt, Nelson; Noes: None; Absent: Mead. The motion passed.

PUBLIC HEARINGS:

4. A Resolution making an environmental finding that the project is exempt under CEQA; and approving Conditional Use Permit and Site Plan for Mari Jane Industries, Inc; located at 460 Airpark Way, Atwater Ca. (APN: 056-400-029)

VVH Senior Planner Thompson provided an overview of the conditions contained in the Conditional Use Permit, also noting the small size of the operation. He summarized the location of the business and zoning requirements in a PowerPoint presentation.

Chairperson Nelson opened the Public Hearing regarding Resolution No. PC 0108-19, Conditional Use Permit No. 569-19 and Site Plan No. 727-19.

Patrick King, representing Mari Jane Industries, stated he is available to answer questions from the Commissioners. There were no questions.

Commissioner Borgwardt stated his concerns for “undue concentration” of these types of business in this area.

General Services Manager Pereida clarified that currently there are no businesses in operation at that site, and that any foot traffic will not be an impact due the fact that this business is a distribution facility and not a retail facility.

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 the California Environmental Quality Act (CEQA) guidelines section 15305 “Existing Facilities” exemptions. The motion was seconded by Commissioner Warchol and the vote was: Ayes: Daugherty, Borgwardt, Warchol, Nelson; Noes: None; Absent: Mead. The motion passed.

MOTION: Vice Chairperson Daugherty moved to adopt Resolution No. PC 0108-19 approving Conditional Use Permit No. 569-19 and Site Plan No. 727-19. The motion was seconded by Chairperson Nelson and the vote was: Ayes: Warchol, Daugherty, Nelson; Noes: Borgwardt; Absent: Mead. The motion passed.

5. A Resolution making the environmental finding that the project is exempt under CEQA; and approving the Tentative Parcel Map and Site Plan for VVH Consulting Engineers; located at Aviator Road and Business Parkway, Atwater Ca. (APN: 056330-042)

VVH Senior Planner Thompson excused himself from chambers for consideration of this item due to a potential conflict of interest.

General Services Manager Pereida reported that the application has met all requirements and that the applicant is present to answer any questions.

Adam Reed, representing VVH Engineers, clarified the intent and purpose of the buildings. He also requested that condition number 51, “Sidewalks,” be deferred to a future date as build out occurs, and that condition number 48, “Shade Trees,” be removed.

Brad Kessler, Owner-Developer 280 Business Parkway, Atwater, CA, clarified that the project will create three new buildings in an undeveloped field. Condition number 33, related to installation of water lines, be removed from consideration because sufficient water supply currently exists.

General Services Manager Pereida responded to the request to remove condition number 33, and staff recommends keeping the condition in the document as does Public Works Director Haddix.

Chairperson Nelson opened the Public Hearing regarding Resolution No. PC 0115-19.

Brad Kessler, Owner-Developer 280 Business Parkway, Atwater, CA, recanted his request to eliminate condition number 33 regarding a water line.

Public Works Director Haddix expressed his concern for placing root barriers regarding any trees planted in the sidewalk areas of the project.

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

City Manager Waterman stated for clarification that the development of the project application was completed by VVH Consulting independent of their current contract with the City. City staff presented the project application to the Commission for consideration.

MOTION: Vice Chairperson Daugherty moved to make the finding that the project is exempt under the California Environmental Quality Act (CEQA) guidelines section 15315 "Minor Land Division" exemptions. The motion was seconded by Commissioner Warchol and the vote was: Ayes: Daugherty, Warchol, Borgwardt, Nelson; Noes: Noes; Absent: Mead. The motion passed.

MOTION: Commissioner Warchol moved to adopt Resolution No. PC 0115-19 approving Tentative Parcel Map No. 19-2 and Site Plan No. 721-19 as amended to remove condition number 48 and to defer condition number 51. The motion was seconded by Vice Chairman Daugherty and the vote was: Ayes: Warchol, Daugherty, Borgwardt, Nelson; Noes: None; Absent: Mead. The motion passed.

REPORTS AND PRESENTATION FROM STAFF:

6. Verbal update by staff on Parks and Roads (Vernice Haddix, Public Works Director)

Public Works Director Haddix provided a summary report on the status of the City's infrastructure deficiencies. Parks were found to be in deed of water and creating a potential hazard to the public, ants were present, and most grasses were dry. The watering pattern and mechanical equipment was reviewed and revised to address the problems in each park. He also addressed the condition of City roads and advised that staff has been busy filling pot holes and addressing safety concerns on Fruitland Avenue. He advised that work continues on addressing sidewalks where trees are uprooting the sidewalks throughout the

City. He also reviewed his three team approach to addressing needs and the inception of a new maintenance and project schedule.

COMMENTS FROM THE PUBLIC:

One person spoke requesting an update on the petition to allow food trucks in the city of Atwater.

General Services Manager responded that language has been developed and is currently being reviewed by the City Attorney. The item will be agendaized for the Planning Commission's October 16th meeting.

COMMISSIONER MATTERS:

Commissioner Comments

Commissioner Warchol asked City Manager Waterman if the Planning Commission is responsible for Traffic and Parks & Recreation items as well. City Manager Waterman responded that the City Council assigned Traffic and Parks & Recreation to the Planning Commission.

Commissioner Borgwardt had no comments.

Vice Chairman Daugherty commented that Bellevue School at Crest Avenue has no safety cones in place during high traffic times. Police Chief Salvador responded that he will contact the school district and get some answers.

Chairperson Nelson thanked City Manager Waterman for her work on the City's Facebook page. He also thanked Police Chief Salvador for recent patrols on High Street near Thomas Olaeta School.

ADJOURNMENT:

The meeting adjourned at 7:11 PM.



MIKE NELSON, Chairperson

By: Lesa Rasmussen
P-M Transcription Services