

CITY OF ATWATER

PLANNING COMMISSION

AGENDA

Council Chambers
750 Bellevue Road
Atwater, CA 95301

December 18, 2019

CALL TO ORDER

6:00 PM



PLEDGE OF ALLEGIANCE TO THE FLAG:

INVOCATION:

Invocation by Police Chaplain McClellan

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.)

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.

MINUTES:

1. November 20, 2019 (Regular Meeting)

Staff's Recommendation: Motion to approve minutes as listed

PUBLIC HEARINGS:

2. A Resolution making an environmental finding that the project is categorically exempt under the California Environmental Quality Act (CEQA); approving Conditional Use Permit No. 569-19 and Site Plan No.

727-19 for Type 21 alcohol license, a retail gasoline outlet and convenience store; located between Shaffer Road and First Street (APN: 003-211-010)

Applicant: Balbir Singh

Staff's Recommendation: Open the public hearing regarding Resolution No. PC 0122-19 and receive any testimony given;

Close the public hearing; and

Motion to make the finding that the project is categorically exempt under the California Environmental Quality Act (CEQA) guidelines section 15061(b)(3) "General Rule" exemption; and

Motion to adopt Resolution No. PC 0122-19 recommending the Planning Commission approve Conditional Use Permit No. 569-19 and Site Plan No. 727-19.

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



PLANNING COMMISSION

ACTION MINUTES

November 20, 2019

CALL TO ORDER:

The Planning Commission of the City 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 Police Chief Salvador.

INVOCATION: *There was no Invocation.*

ROLL CALL:

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

Absent: *None.*

Staff Present: *Interim Deputy City Attorney Taniguchi, General Services Manager Pereida, Public Works Director Haddix, Fire Marshall Overbay, VVH Senior Planner Thompson, Planning Commission Secretary Lopez.*

SUBSEQUENT NEED ITEMS: *None.*

APPROVAL OF AGENDA AS POSTED OR AMENDED:

Chairperson Nelson announced an amendment to the agenda on page 2, item #3, under Public Hearings, the second motion should read: "Motion to approve Resolution PC 0123-19 recommending City Council approve Zone Change No. 19-3 and Ordinance CS 1027 recommending that the City Council adopt the Amended 5th Cycle Housing Element Update Supplement."

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

MINUTES:

October 16, 2019 (Regular Meeting)

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

PUBLIC HEARINGS:

A Resolution making an environmental finding that the project is categorically exempt under the California Environmental Quality Act (CEQA); and recommending the City Council approve Zone Ordinance Text Amendment (Z.O.T.A) by adoption of Ordinance No. CS 1026 amending Title 17 of the Atwater Municipal Code to allow mobile food vendors and allow their use in the M-1 Light Industrial, M-2 Industrial and B-P Business Park Zones.

General Services Manager Pereida provided a summary of the Text Amendment and Ordinance CS 1026.

VVH Senior Planner provided a PowerPoint overview of a proposed conditional use permit that could apply to mobile food vendors. It does not preclude further conditions be applied as considered by the Planning Commission and the City Council. Primarily mobile food trucks would be limited to the industrial areas of the city and would not interfere or compete with existing food businesses in Atwater.

City Attorney Taniguchi summarized new laws coming forward from the State regarding "sidewalk vendors".

Chairperson Nelson opened the Public Hearing.

One person spoke regarding the potential to create a hub where mobile food vendors could set up as is done in nearby cities.

One person spoke confirming that only the industrial area would allow mobile food vendors. He also commented that he would like to see a "food court" type area set up.

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

MOTION: Vice Chairperson Daugherty moved to make the finding that the project is categorically exempt under the California Environmental Quality Act (CEQA) guidelines section 15061(b)(3) "Common Sense" exemption. The motion was seconded by Commissioner Mead and the vote was: Ayes: Daugherty, Mead, Borgwardt, Warchol, Nelson; Noes: None; Absent: None. The motion passed.

MOTION: Commissioner Borgwardt moved to adopt Resolution No. PC 0110-19 recommending the City Council approve Ordinance No. CS 1026 and Zone

Ordinance Text Amendment 19-2. The motion was seconded by Commissioner Warchol and the vote was: Ayes: Mead, Warchol, Borgwardt, Daugherty, Nelson; Noes: None; Absent: None. The motion passed.

A Resolution making the environmental finding that the project is categorically exempt under the California Environmental Quality Act (CEQA); and recommending the City Council approve Zone Change from Planned Development (PD-34) to Thoroughfare Commercial (CT); located north of Clover Avenue and east of Buhach Road (APNs 005-120-030, 032, 042, 050, 054, 055)

VVH Senior Planner Thompson provided an overview of the zoning changes in a PowerPoint presentation.

Chairperson Nelson opened the Public Hearing.

One person commented to confirm that other property owners would also be allowed to pursue development.

One person spoke with concerns regarding potential traffic congestion resulting from commercial development.

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 "Minor Alterations to Land Use Limitations" exemption. The motion was seconded by Vice Chairperson Daugherty and the vote was: Ayes: Warchol, Mead, Daugherty, Borgwardt, Nelson; Noes: None; Absent: None. The motion passed.

MOTION: Commissioner Mead moved to adopt Resolution No. PC 0123-19 recommending City Council approve Zone Change No. 19-3 and Ordinance CS 1027. The motion was seconded by Commissioner Borgwardt and the vote was: Ayes: Daugherty, Mead, Borgwardt, Warchol, Nelson; Noes: None; Absent: None. The motion passed.

A Resolution making an environmental finding that the project is exempt under California Environmental Quality Act (CEQA); and to recommend the City Council approve the Amended 5th Cycle Housing Element Update Supplement.

General Services Manager Pereida provided an overview of the historical assessment and the proposed amendments. He also reported that the amendments will enable the City to access potential grant funding.

VVH Senior Planner Thompson summarized potential uses for any grant funding. He also provided an overview of previous inadequacies in the Housing Element and how the amendments address those inadequacies.

Chairperson Nelson opened the Public Hearing.

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

MOTION: Vice Chairperson Daugherty moved to make the finding that the project is exempt under the California Environmental Quality Act (CEQA guidelines section: 15282(r) "Determinations made regarding a city or county's regional housing needs as set forth in Section 65584 of the Government Code". The motion was seconded by Commissioner Warchol and the vote was: Ayes: Borgwardt, Daugherty, Mead, Warchol, Nelson; Noes: None; Absent: None. The motion passed.

MOTION: Commissioner Borgwardt moved to approve Resolution No. PC 0124-19 recommending that the City Council adopt the Amended 5th Cycle Housing Element Update Supplement. The motion was seconded by Commissioner Mead and the vote was: Ayes: Warchol, Borgwardt, Mead, Daugherty, Nelson; Noes: None; Absent: None. The motion passed.

COMMENTS FROM THE PUBLIC:

Notice to the Public was read.

One person spoke regarding a Savemart Plaza property manager raising rents. She cited that lease agreements may not be renewed due to the substantial increases. She noted her concern for the potential of empty buildings in that area and cautioned the City to seriously consider who is approved to develop and that small businesses are prioritized.

One person reported that following investigations she learned that property owners/managers often leave buildings empty for tax write off purposes.

One person spoke citing that street lights on Business Parkway had not been working and he praised staff for their quick work fixing the problem.

COMMISSIONER MATTERS:

Commissioner Mead wished everyone Happy Holidays.

Commissioner Warchol asked for an update regarding a request to review the procedure for the Commission approving parade requests with no action from the City Council except for an appeal process.

Commissioner Borgwardt reported that the Christmas Parade, the Police and Fire Toy Drive, and downtown decorations are just a few examples of how the community has come together. He also praised Public Works staff for their great work.

Vice Chairperson Daugherty asked if any work has been achieved regarding establishing truck routes in the city and truck parking in residential areas. He also asked that an update on projects be provided at the January 2020 Planning Commission meeting.

General Services Pereida reported that Engineering is currently working on requirements for truck routes and addressing truck parking in the Ferrari Ranch area. He also responded with a brief description of ongoing projects throughout the city.

Chairperson Nelson noted that the bollard/barricade at Shaffer Road and Atwater Boulevard is still down and needs repair.

General Services Manager introduced Andrew Overbay as the new City Fire Marshall. Fire Marshall Overbay summarized his experience in Atwater as a Fire Captain.

ADJOURNMENT:

The meeting adjourned at 7:04 PM.

MIKE NELSON, Chairperson

By: Lesa Rasmussen
P-M Transcription Services



PLANNING COMMISSION AGENDA REPORT

COMMISSIONERS

Mike Nelson, Chair
Donald Borgwardt Ron Daugherty
Sharyn Mead Fred Warchol

MEETING DATE: December 18, 2019

TO: Planning Commission

FROM: Mark Pereida, General Services Manager
Greg Thompson, Senior Planner

SUBJECT: Resolution making an environmental finding that the project is categorically exempt under California Environmental Quality Act (CEQA); approving Conditional Use Permit No. 570-19 and Site Plan No. 730-19 for Type 21 Alcohol License, retail gasoline outlet and convenience store; located between Shaffer Road and First Street (APN: 003-211-010)

RECOMMENDED COMMISSION ACTION:

It is recommended that Planning Commission:

1. Open the public hearing and take any testimony from the public; and
2. Make a finding that the project is categorically exempt under the California Environmental Quality ACT ("CEQA") Guideline, 15061 (b)(3) "General Rule"; and
3. Adopt Resolution No. PC 0122-19 approving Conditional Use Permit No. 570-19 and Site Plan No. 730-19.

I. BACKGROUND:

The Applicant intends on developing the property as a retail gasoline outlet and convenience store.

The proposed project will be located on APN 003-211-010 and consists of a three-thousand square foot retail gasoline outlet, and convenient store. Hours of operation will be between the hours of 5:00 AM and 2:00 AM with no more than two employees at one time.

II. ANALYSIS:

Staff has reviewed the application for the Conditional Use Permit and Site Plan for Five Corners Mini Mart which is zoned (C-G) Commercial General and find it consistent with the City's General Plan and Zoning Ordinance and provisions of the Atwater Municipal Code.

III. FISCAL IMPACTS:

This item has no fiscal impacts and has been reviewed by the Finance Department.

IV. LEGAL REVIEW:

This item has been reviewed by the Interim City Attorney's Office.

V. EXISTING POLICY:

Under Chapter 17.38 – C-G, general commercial district (Atwater Municipal Code) provides for the anticipated use upon the approval of a C.U.P. by the planning commission.

VI. INTERDEPARTMENTAL COORDINATION:

An interdepartmental routing sheet was sent to all required departments

VII. PUBLIC PARTICIPATION:

The public hearing was adequately noticed and advertised for the regularly scheduled Planning Commission hearing. The public will have an opportunity to provide comments on this item prior to Planning Commission action.

VIII. ENVIRONMENTAL REVIEW:

Pursuant to the California Environmental Quality Act, the project is categorically exempt under Section 15061 (b)(3) of the California Environmental Quality Act (CEQA) Guidelines, (General Rule),

IX. STEPS FOLLOWING APPROVAL:

Following adoption of Resolution No. PC 0122-19 approving Conditional Use Permit 570-19 and Site Plan No. 730-19 the Recording Secretary will record the Conditional Use Permit and Site Plan with the Merced County Recorders Office.

Prepared by: Scott Ruffalo, Planning Technician

Submitted by: 
Mark Pereda, General Services Manager

Submitted by: 
Greg Thompson, Senior Planner

Approved by: 
Lori Waterman, City Manager

Attachments:

1. Resolution No. PC 0122-19
2. Site Plan No. 730-19



City of Atwater

Uniform Development Application

750 Bellevue road

Phone: (209) 357-6342/357-6349

Fax: (209) 357-6348



APPLICATION FORM

Please indicate the types of application requested

- | | | |
|---|--|--|
| <input type="checkbox"/> Administrative Application | <input checked="" type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Tentative Map |
| <input type="checkbox"/> Amend Planned Development | <input type="checkbox"/> Development Agreement | <input type="checkbox"/> Time Extension |
| <input type="checkbox"/> Amend Conditional Use Permit | <input type="checkbox"/> General Plan Amendment | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Application for Appeal | <input type="checkbox"/> Lot Line Adjustment | <input type="checkbox"/> Zone Change |
| <input type="checkbox"/> Architectural Review | <input type="checkbox"/> Lot Merger | <input type="checkbox"/> Zoning Text Amendment |
| <input type="checkbox"/> Certificate of Compliance | <input type="checkbox"/> Site Plan | <input type="checkbox"/> Other |

Describe Proposed Project: TO CONSTRUCT A GAS STATION/ MINI-MART AND TO TRANSFER A LIQUOR LICENSE TO THIS SITE FOR THE PURPOSE OF SELLING ALCOHOL - WE PROPOSE TO MOVE THE APPROVED CUP FROM APN 003-211-009 # 012 TO APN 003-211-010

APPLICANT: BALBIR SINGH PHONE NO: 357-8888

ADDRESS OF APPLICANT: 2699 FIRST STREET EMAIL: bobbisbeacon@gmail.com

PROPERTY OWNER: SAME PHONE NO: _____

ADDRESS OF PROPERTY OWNER: SAME

ASSESSOR'S PARCEL NUMBER: 003-211-010

Address/General Location of Property: ADJACENT TO INSHAPE HEALTH CLUB

EXISTING ZONING OF PROPERTY: GENERAL COMMERCIAL (G-C)

GENERAL PLAN DESIGNATION OF PROPERTY: COMMERCIAL

Indemnity Statement

To the fullest extent permitted by law, Developer, and Developer's successor in interest, shall defend, indemnify, and hold harmless City, and its agents, elected and appointed officials, officers, employees, consultants, and volunteers (collectively, "City's Agents") from any and all liability arising out of a claim, action, or proceeding against City, or City's Agents, to attack, set aside, void, or annul an approval concerning the project, the Development Agreement, the Conditional Use Permit, or Subsequent City Approvals. Failure by Developer to indemnify City, when required by

this condition of approval, the Development Agreement, and the Indemnification Agreement, shall constitute a material breach of the Development Agreement, the Conditional Use Permit, and Subsequent City Approvals, which shall entitle City to all remedies available under law, including, but not limited to, specific performance and damages. Failure to indemnify shall constitute grounds upon which City may rescind its approval of any applicable Conditional Use Permit. Developer's failure to indemnify City shall be a waiver by Developer of any right to proceed with the project, or any portion thereof, and a waiver of Developer's right to file a claim, action, or proceeding against City, or City's Agents, based on City's rescission or revocation of any Conditional Use Permit, Subsequent City Approvals, or City's failure to defend any claim, action, or proceeding based on Developer's failure to indemnify City. This condition may be placed on any plans or other documents pertaining to this application.

I have read, agree and accept the City Indemnity agreement

Signed: Balbir Singh

Applicant

Date:

There are no deed restrictions on this land that would prohibit this type of use or development. I (we) BALBIR SINGH depose and say that I am the property owner involved in this application and the forgoing statements and answers herein contained and the information herewith submitted are in all respects true and correct to the best of my knowledge and belief.

Signed: _____

PROPERTY OWNER DATE:

PROPERTY OWNER DATE:

CITY OF ATWATER UNIFORM DEVELOPMENT APPLICATION CHECKLIST

PROJECT APPLICATION: ALL ITEMS ON THE CHECKLIST MUST BE SUBMITTED WITH YOUR APPLICATION AND ALL MAPS PROPERLY FOLDED OTHERWISE IT WILL NOT BE ACCEPTED!

One (1) completed copy of the combined Development Application form.

Appropriate Schedule Fees (make checks payable to the City of Atwater).

One (1) completed and signed copy of Agreement to Pay Processing Costs. (Attached)

N/A Ten (10) 36x24-inch site plans and five (5) 11x17 reduction of the site plan (See site plan requirements). Be prepared to submit and electronic copy of the site plan.

Ten (10) 36x24-inch site plans and five (5) 11x17 reduction of the elevation drawings and copies of site plan (See site plan requirements). Be prepared to submit and electronic copy of the site plan.

N/A Ten (10) 36x24-inch site plans and five (5) 11x17 reduction of the floor plans and copies of site plan (See site plan requirements). Be prepared to submit and electronic copy of the site plan.

N/A Copies of the Tentative Parcel Map/Tentative Subdivision Map and will require to contain the information outlined in the Atwater Municipal Code Chapter 16 Section 16.20.020 attached to this form (See tentative map requirements).

N/A A letter signed by the property owner authorizing representation by a person or agency other than him/herself

Legal description of the entire project site in a metes and bounds format.

Preliminary title report, chain of title guarantee or equivalent documentation not older than (6) months which shows any and all easements affecting the project site.

N/A Ten (10) 18x24-inch site plans and five (5) 8-1/2x11 identifying the proposed Lot Line Adjustment, Parcel merger or Parcel Unmerge, and all existing features, including but not limited to easements, utilities, and structures.

Vicinity Map

N/A Identification of existing and proposed lot area(s).

SEE TITLE REPORT ATTACHED

Project Checklist Continued

Hazardous Waste and Substances Site List Disclosure form completed and signed. The California Government Code requires that applicants for all development projects, excluding building permits, must check the Comprehensive Hazardous Waste and Substances Statement list to determine if the site of the proposed project is on the list. This is to be completed as part of the application materials, The Purpose of this is to provide information to be verified and used in the environmental Review of the project.

Operational Statement, which should be printed on its own sheet of paper and have the following information: Nature of the proposal including all types of uses-sales, processing, manufacturing etc, detail existing, proposed, and future operations, brief summary of operation hours to include peak hours, estimated number of personal during peak hours, vicinity map with highlighted truck routes, proposed method of waste removal and disposal (show on plot plan trash receptacle), how is the proposed project consistent with nearby uses, uses of all structures, size of buildings.

Staff Initials _____

Date received _____

Site Plan Checklist

- Address and County Assessor's Parcel Number.
- Name, address and telephone number of applicant, architect and/or engineer.
- Summary legend describing project information including zoning and lot size. For new construction provide summary of units permitted and proposed building coverage permitted and proposed off-street parking permitted and proposed, unit square footage breakdown.
- Vicinity Map (showing property location to major roads and major landmarks).
- Scale of plot plan, north arrow, existing property lines and dimensions.
- Names and full widths of all adjacent streets and alleys (indicate location of any medians and curb cuts).
- Show location of existing and proposed structures and walls (identify existing as a dashed line and proposed as a solid line).
- Label the use of all existing and proposed structures and areas
- Indicate setbacks, yard areas, distances between structures (setbacks to be measured from ultimate property lines if dedication is required).
- Show square footage of the structure(s) and percentage of structure coverage in relationship to the entire lot.
- Show location and dimensions of adjacent street rights-of-way, property lines, building setback lines, sidewalks and easements.
- Show off-street parking. Designate open parking, carports, and garages, include dimensions of parking stalls, maneuvering areas, driveways, specify paving materials; identify all curbing and wheel stops.
- Show loading areas, including dimensions and screening
- Show location of trash enclosures and indicate materials.
- Show location and size of all existing proposed signs, walls, and fences.
- Indicate existing and proposed landscape areas. Preliminary landscaping should include trees and major planting areas (specific materials, sizes, and numbers will be required on detail plans following Planning Commission or City Council approval).
- Show proposed exterior lighting

Site Plan Checklist Continued

- Show location and general dimensions of any existing irrigation facilities, natural drainage ways and storm drainage facilities on the site, including any proposed modifications.
NONE
- Show size and species of all trees 6 inches and greater in diameter at 3 feet. Indicate whether to be removed or retained. *NONE*
- Show location of curb cuts on neighboring properties; and, in commercial and industrial zones, within 300 feet of adjacent properties and properties across the street.
- Location of buildings on adjacent properties (sides and rear) within 25 feet of the project site.
- Include development-phasing schedule (if proposed and/or applicable), including those portions of the project included in each phase, and estimated start and completion dates.
- Include a table of impervious areas showing pre and post development values.



City of Atwater

HAZARDOUS WASTE AND SUBSTANCE STATEMENT

Phone: (209) 357-6342/357-6349

Fax: (209) 357-6348

This is to determine if the proposed project or any alternatives to the proposed project in this application are on the lists compiled to Section 65962.5 of the Government Code. The applicant is required to submit a signed statement, which contains the following information:

NAME OF OWNER: BALBIR SINGH

ADDRESS: 2699 FIRST STREET, ATWATER, CA. 95301

NAME OF APPLICANT: SAME

ADDRESS: _____

ADDRESS OF SITE: APN 003-211-010

APN: APN 003-211-010

LOCAL AGENCY: COUNTY OF MERCED

NOT ON LIST

SPECIFY LIST

REGULATORY IDENTIFICATION NO: _____

Pursuant to section 65962.5 of the Government Code

DATE OF LIST: _____

APPLICANT SIGNATURE: Balbir Singh Date 10-11-19

City of Atwater Processing Agreement

This an agreement for payment of costs for the city of Atwater application processing

To be completed by applicant:

This agreement is by and between the City of Atwater, California, hereafter "City," and _____ hereinafter "applicant". This is a legally binding agreement. You should ensure to read all provisions of this agreement.

1. Applicant agrees to pay all personnel and related direct, indirect, overhead and overtime costs incurred by City employees and consultants (including engineers, attorneys and other professionals) incurred by City for review and processing the subject application, even if the application is withdrawn in writing, not approved, approved subject to conditions or modified upon approval. Applicant agrees that it shall pay any and all costs related to the subject application that the City would not have incurred but for the application. City's indirect and overhead costs will be applied to the time of City employees and consultants. All personnel and related direct, indirect, overhead and overtime rates for City employees and consultants shall be calculated annually by the City manager.
2. Applicant agrees to make an initial deposit in the amount of \$_____ at the time this agreement is signed, and subsequent deposits within 30 days of the date requested by the City in writing, The city will not pay interest on deposits. Applicant agrees that it knowingly and voluntarily waives, extends and continues each of the time limits imposed by California Government Code Section 65943 for the determination of a development application's completeness and the time limits imposed by California Government Code Sections 65950, 65950.1, 65951, and 65952 for the approval or disapproval of development permits for as many days as the applicant delays making a subsequent deposit from the date of written notice requesting such additional deposit until the deposit is received by City, not to exceed 90 days. Failure to make any subsequent deposits may result in denial of an application for development project or in the decision by the City to postpone action on the application.
3. If Applicant does not deposit such requested deposits or make payments on outstanding invoices within thirty (30) days after the date of the deposit request or invoice, City staff may cease work on the project until the required deposit or payment is made, subject to any other provisions of law.
4. Deposits shall be applied toward the City's costs in reviewing and processing the application. City will send monthly statements indicating the charges against the initial deposit and any subsequent deposits. The City may elect to send statements less frequently than monthly, if there is only limited monthly activity on the project.

5. In the event that the accumulated periodic charges exceed the initial deposit and any subsequent deposits previously received by City, City will invoice Applicant for the amount outstanding and may require an additional deposit. Applicant will pay any and all amounts exceeding the initial and subsequent deposits within thirty (30) days of the date of the invoice and shall make any additional deposit required by the City.
6. City statements and invoices shall provide summary information indicating the cost for employees and independent contractors, including direct and indirect charges. Original invoices from independent contractors (except attorney/client invoices) shall be available upon request by Applicant, at Applicants additional cost.
7. Applicant shall pay interest on all costs unpaid 30 days after the date of any invoice at the maximum legal rate, and the City is entitled to recover its costs, including attorney's fees, in collecting unpaid accounts.
8. Applicant and owner of property, if not the same, agree to and authorize City to place lien on the property subject to this application for any and all delinquent fees, Th City shall remove such a lien once the Applicant has paid all delinquent fees. For purposes of this section, an invoice amount shall become delinquent when unpaid for 30 days after the date of the invoice.
9. Any refund of amounts deposited shall be made in the name of the Applicant, to the address noted above in Section 2. Invoices are due and payable within 30 days.
10. Applicant further agrees that no building permits, Certificate of Occupancy and/or subdivision Acceptance for the project will be issued until all costs for review and processing are paid.
11. Applicant shall provide written notice to the City if any of the above information changes.
12. This Agreement shall only be executed by an authorized representative of the Applicant. The person executing this Agreement represents that he/she has the express authority to enter into agreements on behalf of the Applicant.
13. This Agreement is not assignable without written consent by the City of Atwater. The City of Atwater will not consent to assignment of this Agreement until all outstanding costs have been paid by Applicant.

Applicant: SAME Date: _____

Print Name and Title: _____

X Owner: Burt D Date: 10-11-19

Print Name and Title: _____

City of Atwater

By: _____ Date: _____

Print Name and Title: _____



**COMMUNITY DEVELOPMENT
EXISTING SITE CONDITIONS**

750 Bellevue road

Phone: (209) 357-6342/357-6349

Fax: (209) 357-6348

Application: _____

APN: _____

As Property Owner, I hereby acknowledge grading, land clearing, construction or any action that would alter the existing condition of the project site until approval of the final application is granted by the City of Atwater. I understand that alteration of the project site prior to approval will impact the City of Atwater's ability to review the project and could result in higher prices and require additional mitigation measures/conditions of approval to be applied or result in the denial of the application.

My agent/applicant has been instructed the importance of maintaining the current condition of the project site. The exception to the above-mentioned statement is an approval by the Planning department upon a written request.

B. Rossi

Signed

10-11-19

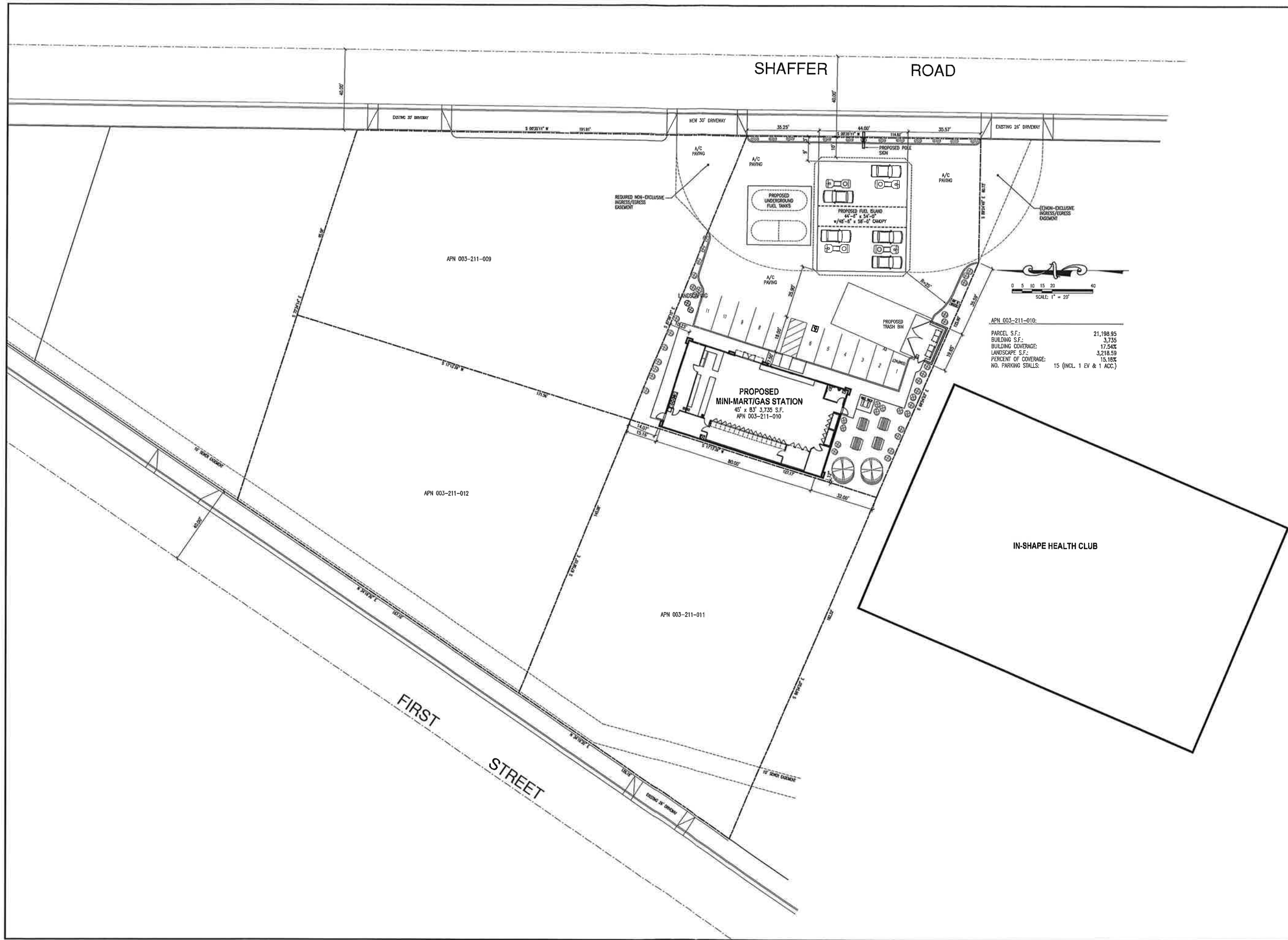
Date

These drawings are instruments of service and are the property of Golden Valley Engineering & Surveying, Inc. All designs and other information on these drawings are for use on the specified project and shall not be used otherwise without the express written permission of Golden Valley Engineering & Surveying, Inc.
Copyright © 2019 Golden Valley Engineering & Surveying, Inc.

PREPARED BY:
GOLDEN VALLEY
ENGINEERING & SURVEYING
405 West 19th Street
Merced, CA 95340
P.O. Box 349
Merced, CA 95341
Ph.: (209) 722-3200
Fax: (209) 722-3254

No.	Date	Description

It is the client's responsibility to verify the accuracy of all data and conditions to which the Engineer is relying on for the purposes of these drawings. The Engineer shall not be responsible for any errors or omissions in the data provided by the client. The Engineer shall not be responsible for any errors or omissions in the data provided by the client. The Engineer shall not be responsible for any errors or omissions in the data provided by the client.



A NEW MINI-MART / GAS STATION
FOR
BOBBI'S G&G STOP-N-GO
APN: 003-211-010
Atwater, Ca. 95301

CALIFORNIA
ATWATER



SHEET CONTENTS
- Preliminary Site Plan

PREPARED FOR:
Balbir Singh
C/o Bobbi's Beacon
2699 First Street
Atwater, CA 95301
Ph: (209) 357-8888
Email: bobbisbeacon@gmail.com

PROJECT DATA
Date: OCTOBER 2019
Scale: AS SHOWN
Drawn By: PRL
Job No.: 19-044,00
SHEET NUMBER

C1.0

19-044-001.dwg, 19-044-001.dwg, 10/16/2019 10:49:20 AM, DWG TO PDF.plt