



# PLANNING COMMISSION

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## ACTION MINUTES

**October 16, 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 Vice Chairperson Daugherty.*

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

ROLL CALL:

**Present:** Commissioners Borgwardt, Mead, Warchol, Vice Chairperson Daugherty  
**Absent:** Chairperson Nelson  
**Staff Present:** Interim City Attorney Splendario, Public Works Director Haddix, Police Chief Salvador, VVH Senior Planner Thompson, General Services Manager Pereida, Planning Commission Secretary Lopez.

SUBSEQUENT NEED ITEMS:

Request from the Atwater Chamber of Commerce for assistance with their annual Christmas Parade

***MOTION:*** *Commissioner Warchol moved to place a subsequent need item, a request from the Atwater Chamber of Commerce for assistance with their annual Christmas Parade as item #3 on the agenda. The motion was seconded by Commissioner Mead and the vote was: Ayes: Warchol, Mead, Daugherty; Noes: None; Abstain: Borgwardt; Absent: Nelson. The motion passed.*

APPROVAL OF AGENDA AS POSTED OR AMENDED:

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

MINUTES:

September 18, 2019 (Regular Meeting)

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

PETITIONS AND COMMUNICATIONS:

Request from Valley Christian Chapel for assistance with street closure for their annual Harvest Festival (Glenn Summerton/ Alfred Perez)

***Glenn Summerton representing Valley Christian Chapel presented the request for recommending the approval of the petition to the City Council.***

***Chief Salvador commented that he and Public Works Director Haddix will work with the applicant to secure lighting and road closures.***

***MOTION:*** Commissioner Warchol moved to recommend that the City Council approve the request from Valley Christian Chapel for assistance with their annual Harvest Festival on Thursday, October 31, 2019 to block of Third Street between Broadway Avenue and Cedar Avenue from 5:00 pm to 9:00 pm. The motion was seconded by Commissioner Borgwardt and the vote was: Ayes: Warchol, Borgwardt, Daugherty; Noes: None; Abstain: Mead; Absent: Nelson. The motion passed.

Request from Atwater Chamber of Commerce for assistance with their annual Christmas Parade. (Alice Gilbertson-Committee Member)

***General Services Manager Pereida provided a summary of the street closures and parade route.***

***Commissioner Borgwardt left the dais at 6:10 PM.***

***Don Borgwardt, President of the Atwater Chamber of Commerce, offered a brief description of the history and details of the parade.***

***Commissioner Borgwardt returned to the dais at 6:12 PM.***

***MOTION:*** Commissioner Warchol moved to recommend that the City Council approve the request from the Atwater Chamber of Commerce for assistance with their annual Christmas Parade scheduled for Friday, December 7, 2019 starting at

**7:00 PM in front of Foster Freeze, traveling south on Winton Way, east on Broadway Avenue, and ending at the Bloss House; to block roads and for use of electricity boxes along the route. The motion was seconded by Commissioner Mead and the vote was: Ayes: Warchol, Mead, Daugherty; Noes: None; Abstain: Borgwardt; Absent: Nelson. The motion passed.**

PUBLIC HEARINGS:

A Resolution making an environmental finding that the project is exempt under CEQA; and approving Conditional Use Permit for Nishan Singh; located at 1385 Winton Way, Atwater, Ca. (APN: 001-104-001)

**VVH Senior Planner Thompson provided a PowerPoint presentation detailing the intent of the applicant for use of this commercially zoned property. The use of the property will be a gas station and a convenience store at the corner of Elm Avenue and Winton Way. There will be sale of alcohol at the premises and all regulatory requirements have been met and will also involve a transfer of an existing alcohol license issued by the State.**

**Vice Chairperson Daugherty opened the Public Hearing.**

**Three people spoke in opposition to the location of a gas station/liquor store at the proposed site.**

**Two people spoke in favor of the gas station/liquor store at the proposed site.**

**Applicant Nishan Singh spoke in favor of the request and offered a brief summary of his plans to develop the area.**

**No one else came forward to speak.**

**Vice Chairperson Daugherty closed the Public Hearing.**

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

**MOTION: Commissioner Warchol moved to adopt Resolution No. PC 0117-19 approving Conditional Use Permit No. 567-19. The motion was seconded by Commissioner Mead and the vote was: Ayes: Warchol, Borgwardt, Mead, Daugherty; Noes: None; Absent: Nelson. The motion passed.**

A Resolution making the environmental finding that the project is categorically exempt under CEQA; and approving Conditional Use Permit and Site Plan for Three Habitat Consultants, LLC.; located at 261 Business Parkway, Atwater Ca. (APN: 056-330-021)

**VVH Senior Planner Thompson provided a PowerPoint presentation detailing the use of the property, the site plan details, and clarified that Three Habitat Consultants is also doing business as One Plant.**

***Vice Chairperson Daugherty opened the Public Hearing.***

***Applicant Josh Rogina spoke to request approval from the Planning Commission.***

***No one else came forward to speak.***

***Vice Chairperson Daugherty closed the Public Hearing.***

***MOTION: Commissioner Mead moved to make the finding that the project is exempt under the California Environmental Quality Act (CEQA) guidelines section 15301 "Existing Facilities" exemption. The motion was seconded by Commissioner Borgwardt and the vote was: Ayes: Borgwardt, Mead, Warchol, Daugherty; Noes; None; Absent: Nelson. The motion passed.***

***MOTION: Commissioner Borgwardt moved to adopt Resolution No. PC 0118-19 approving Conditional Use Permit No. 568-19 and Site Plan No. 724-19. The motion was seconded by Commissioner Warchol and the vote was: Ayes: Warchol, Borgwardt, Mead, Daugherty; Noes: None; Absent: Nelson. The motion passed.***

**COMMENTS FROM THE PUBLIC:**

***Mayor Creighton praised the work of the Commission and staff and thanked them for their service to the community.***

**COMMISSIONER MATTERS:**

***Commissioner Borgwardt commented that the Atwater Community Center kitchen stove is in need of repairs.***

***Public Works Director Haddix responded that repairs have been made as of this date.***

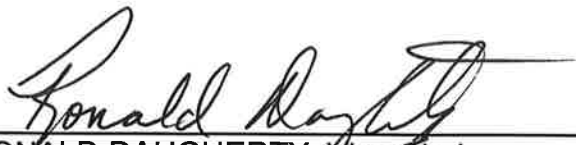
***Commissioner Mead praised the work of Public Works staff and particularly the improvements to street maintenance. She also cited that Albiana Park needs some attention and that she received a request for a basketball hoop at Joan Faul Park. She commented that she also received a request to consider placing a stop sign and crosswalk at Redwood and Third Streets.***

***Commissioner Warchol thanked Public Works for the recent landscaping done at City Hall. He also expressed a concern for the timeliness of applications for parades and other activities within the City having to show up to both the Commission and the City Council; citing that the process seems a bit redundant. He asked staff to present his request for a City Council agenda item to review the process for improvement.***

***Vice Chairperson Daugherty had no comments.***

**ADJOURNMENT:**

***The meeting adjourned at 6:58 PM.***

A handwritten signature in black ink, appearing to read "Ronald Daugherty". The signature is written in a cursive style with a horizontal line extending from the end of the name.

RONALD DAUGHERTY, Vice Chairperson

By: Lesa Rasmussen  
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