



PLANNING COMMISSION

ACTION MINUTES

April 21, 2021

CALL TO ORDER:

The Planning Commission of the City of Atwater met in Regular Session this date at 6:02 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 Commissioner Mead.

INVOCATION: ***The Invocation was led by Police Chaplain McClellan***

ROLL CALL:

Present: Commissioners: Borgwardt, Mead, Sanders, Chairperson Nelson

Absent: Commissioner Daugherty

Staff Present: Fire Marshall Overbay, Public Works/Community Development Director Thompson, Police Chief Salvador, Chief Building Official Pereida, Planning Commission Recording Secretary Lopez, City Manager Waterman.

SUBSEQUENT NEED ITEMS: ***None.***

APPROVAL OF AGENDA AS POSTED OR AMENDED:

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

APPROVAL OF MINUTES:

February 17, 2021- Regular Meeting

MOTION: Commissioner Borgwardt moved to approve the minutes as posted. The motion was seconded by Commissioner Sanders and the vote was: Ayes: Mead,

Sanders, Borgwardt, Nelson Noes: Absent: Daugherty. The motion passed.

March 17, 2021- Regular Meeting

MOTION: Commissioner Sanders moved to approve the minutes as posted. The motion was seconded by Commissioner Mead and the vote was: Ayes: Sanders, Borgwardt, Mead Noes: Absent: Daugherty. The motion passed.

PUBLIC HEARINGS:

Making an environmental finding that the project is categorically exempt under California Environmental Quality Act (CEQA) and approving the Site Plan for Charlie Brown to construct a proposed Burger King Quick Serve Restaurant with Drive-Thru located at the Northeast corner of Buhach Road and East Juniper Avenue, Atwater (APN: 004-430-007).

Public Works/ Community Development Director Thompson provided an overview of the project. Director Thompson corrected the location to be Northwest corner. He stated that this is a Master Plan project and the applicant had originally recommended a deviation. Director Thompson asks that the Commission continue the hearing to allow time to adjust.

Chairperson Nelson opened the public hearing.

Cham Dhaliwal, owner of Arco AM/PM, expressed his frustration that they had developed the improvements that were required by the City to complete and are now requesting negotiation of reimbursement of the initial development fees.

Director Thompson explained that the situation of reimbursement would be settled between the parties.

Commissioner Borgwardt asked if the documents explaining the reimbursement are specific enough to be interpreted or does it need to be negotiated.

Commissioner Mead asked if the condition of shared payments was deterring individuals from purchasing and is it being disclosed with them. Director Thompson explained that they are not involved in the real estate aspect of it. We get involved when a potential buyer contacts the City involving any development, and it has made development difficult.

Commissioner Mead asked if there was a way to change the way it is done. Director Thompson explained there was not a way to do it without disrupting the environmental document.

No one else came forward to speak. Chairperson closed the public hearing.

MOTION: Commissioner Mead moved to continue the public hearing to our next Planning Commission meeting on May 19, 2021. The motion was seconded by Commissioner Borgwardt and the vote was: Ayes: Sanders, Borgwardt, Mead, Nelson, Noes: None Absent: Daugherty. The motion passed.

REPORTS AND PRESENTATION BY STAFF:

Verbal update regarding exterior paint scheme at the new Civic Center 1 located at 1160 Fifth Street, Atwater (APN 002-207-008)

Public Works/Community Development Director Thompson and City Manager Waterman presented the possible paint color of the building and to find that it follows the downtown design guidelines. The commission found it to be in compliance.

COMMENTS FROM THE PUBLIC:

Notice to the public was read.

No Comments.

COMMISSIONER MATTERS:

Commissioner Borgwardt asked if the Albani Park is opened or closed. He showed concern for the lack of lighting and police presence at night.

Commissioner Sanders asked to meet with Director Thompson to discuss what is happening with current grants and with the General Plan.

Commissioner Mead had no comments.

Chairperson Nelson asked about the abandoned houses on High and Drakeley; Elm and Winton Way; and Cedar and Capitol. Chief Salvador responded that they are all under citation: prominently on Elm and Winton Way which caused evacuation of the area. Daniel is running about 90 cases a month. Chief Building Official Pereida said that it is an ongoing process that takes time to track down the appropriate parties and funding is required in order to take them down.

Commissioner Nelson said that Google Maps still shows that Avenue One is closed. He also said the bathrooms at Osborn Park need maintenance. City Manager Waterman said all park bathrooms have been a problem and they are discussing.

ADJOURNMENT:

The meeting adjourned at 6:50 PM.



MIKE NELSON, Chairperson

By: Christina Dyson
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Planning Department

