

In-person participation by the public will be permitted.

Submit a written public comment prior to the meeting: Public comments submitted to krashad@atwater.org by 4:00 p.m. on the day of the meeting will be distributed to the Planning Commission and made part of the official minutes but will not be read out loud during the meeting.

Assistance will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Persons requesting accommodation should contact the City in advance of the meeting, and as soon as possible, at (209) 357-6241.

CITY OF ATWATER PLANNING COMMISSION

AGENDA

Council Chambers
750 Bellevue Road
Atwater, CA 95301

August 16, 2023

CALL TO ORDER:

6:00 PM



INVOCATION:

Invocation by Police Chaplin McClellan

PLEDGE OF ALLEGIANCE TO THE FLAG:

ROLL CALL:

Borgwardt____, Kadach____, Sanchez-Garcia _____, Sanders____, Daugherty_____

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.

APPROVAL OF MINUTES:

a) July 19, 2023 – Regular Meeting

Staff’s Recommendation: Approval of minutes as listed.

PETITIONS AND COMMUNICATIONS: None

PUBLIC HEARINGS:

- 1. Public hearing to consider adopting a resolution approving Conditional Use Permit No. 23-04-0100 for a Mobile Food Vendor located at 601 Atwater Boulevard, Atwater (APN: 003-082-014)**
(Applicant: Alexandra Medina)

Staff’s Recommendation: Open the public hearing and receive any testimony given;

Close the public hearing;

Make a finding that the project is categorically exempt under California Environmental Quality Act (CEQA) guideline section 15311 (c), “Accessory Structures,” and Adopt Resolution No. 0223-23 Approving Conditional Use Permit No. 23-04-0100.

REPORTS AND PRESENTATION FROM STAFF:

- 1. Deputy City Manager / Community Development Director Verbal Updates**

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:

Planning Commissioner Comments

ADJOURNMENT:

CERTIFICATION:

I, Kayla Rashad, Planning Commission Recording 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.

Kayla Rashad

Kayla Rashad,
Planning Commission Recording 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) 812-1031. You may also send the request by email to



CITY OF ATWATER

PLANNING COMMISSION

ACTION MINUTES

July 19, 2023

REGULAR SESSION: (Council Chambers)

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 Daugherty presiding.

INVOCATION:

Invocation by Chaplain Mead

PLEDGE OF ALLEGIANCE TO THE FLAG:

The Pledge of Allegiance was led by Chairperson Daugherty.

ROLL CALL:

Present: *Planning Commission Members Borgwardt, Kadach, Sanchez-Garcia, Sanders, Chairperson Daugherty*

Absent: *None*

Staff Present: *Battalion Chief Lopes, City Engineer Seymour, City Manager Waterman, Deputy City Manager / Community Development Director Thompson, Senior Planner Rashe, Recording Secretary Rashad .*

SUBSEQUENT NEED ITEMS:

None

APPROVAL OF AGENDA AS POSTED OR AS AMENDED:

MOTION: Planning Commission Member Kadach moved to approve the agenda as posted. The motion was seconded by Planning Commission Member Sanders and the vote was: Ayes: Planning Commission Members Borgwardt, Kadach, Sanchez-Garcia, Sanders, Daugherty ; Noes: None; Absent: None. The motion passed.

APPROVAL OF MINUTES:

a) June 21 – Regular Meeting

MOTION: Planning Commission Member Sanchez-Garcia moved to approve the minutes. The motion was seconded by Planning Commission Member Borgwardt and the vote was: Ayes: Planning Commission Members Borgwardt, Kadach, Sanders, Sanchez-Garcia, Daugherty; Noes: None; Absent: None. The motion passed.

PETITIONS AND COMMUNICATIONS:

None.

PUBLIC HEARINGS:

Public Hearing to consider adopting a Resolution approving a tentative parcel map located North of Broadway Avenue, and West of Green Sands Ave, Atwater APN: 004-110-012.

(Applicant: Jason Hoogenhous)

Senior Planner Rashe presented a PowerPoint on this item.

Adam Reed spoke on the project.

Chairperson Daugherty opened the public hearing.

No one else came forward to speak.

Chairperson Daugherty closed the public hearing.

MOTION: Planning Commission Member Sanders moved to Make a finding that the project is categorically exempt under California Environmental Quality Act (CEQA) guideline section 15332, Class 32, "Infill Development;" and, Adopt Resolution No. PC 0226-23 approving Tentative Parcel Map No. 23-07-0100, 800 feet west of Green Sands Avenue and North of Broadway Avenue, Atwater (APN: 004-110-012). The motion was seconded by Planning Commission Member

Borgwardt and the vote was: Ayes: Planning Commission Members Kadach, Sanchez-Garcia, Borgwardt, Sanders, Daugherty; Noes: None; Absent: None. The motion passed.

Public hearing to consider adopting a resolution approving a tentative parcel map located West of Hazel Ave, Atwater; APN: 003-160-026.

(Applicant: Brad Kessler)

Senior Planner Rashe presented a PowerPoint on this item.

Chairperson Daugherty opened the public hearing.

No one came forward to speak.

Chairperson Daugherty closed the public hearing.

MOTION: Planning Commission Member Borgwardt moved to Make a finding that the project is categorically exempt under California Environmental Quality Act (CEQA) guideline section 15332, Class 32, "Infill Development;" and, Adopt Resolution No. PC 0202-22 approving Tentative Parcel Map No. 22-09-0100, located west of Hazel Avenue, Atwater (APN: 003-160-026). The motion was seconded by Planning Commission Member Kadach and the vote was: Ayes: Planning Commission Members Kadach, Sanchez-Garcia, Borgwardt, Sanders, Daugherty; Noes: None; Absent: None. The motion passed.

REPORTS AND PRESENTATIONS FROM STAFF:

Deputy City Manager / Community Development Director Thompson spoke about the new Planning Area for the City of Atwater.

COMMENTS FROM THE PUBLIC:

Chairperson Daugherty opened the Public Comment.

Notice to the public was read.

Brad Kessler stated his appreciation for staff and his project.

Chairperson Daugherty closed the public comment.

COMMISSIONER MATTERS:

Vice Chairperson Borgwardt inquired about receiving an estimated attendance

number for the 4th of July event.

Planning Commission Member Sanchez-Garcia stated her appreciation for the 4th of July event.

ADJOURNMENT:

Chairperson Daugherty adjourned the meeting at 6:17 PM.

Ron Daugherty, Chairperson

By: Kayla Rashad
Recording Secretary



PLANNING COMMISSION AGENDA REPORT

PLANNING COMMISSION

Donald Borgwardt Ronald Daugherty
Harold Kadach Ileisha Sanders
Mayra Sanchez-Garcia

MEETING DATE: August 16, 2023

TO: Chair and Commissioners

FROM: Greg Thompson, Deputy City Manager / Community Development Director

SUBJECT: Public hearing to consider adopting a Resolution Approving a Conditional Use Permit No. 23-04-0100 for a mobile food vendor to be located at 601 Atwater Boulevard, Atwater (APN: 003-082-014)

RECOMMENDED COMMISSION ACTION:

It is recommended that Planning Commission:

1. Open the public hearing and take any testimony from the public;
2. Close the public hearing;
3. Make a finding that the project is categorically exempt under California Environmental Quality Act (CEQA) guideline section 15311 (c), "Accessory Structures," and Adopt Resolution No. 0223-23 Approving Conditional Use Permit No. 23-04-0100.

I. BACKGROUND:

The subject property is located at 601 Atwater Boulevard (APN: 003-082-014) on the west side of Castle Street, approximately eighty feet from its intersection with Atwater Boulevard (refer to Figure 1). The parcel is approximately .5 acres and has a gun shop/archery/shooting range and thirty-nine parking spaces. The existing gun shop is an 18,800 sq-ft facility with 4,800 sq-ft dedicated to sales, twenty lanes for indoor shooting, six lanes for archery, two classrooms, and VIP rooms.



Figure 1: Site Location

ANALYSIS:

The applicant requests to operate a mobile food truck at 601 Atwater Boulevard (APN: 003-082-014). The food truck is approximately 16 x 5 (80 sq-ft) and will be located on the northeast side of the property, with the serving area facing south. The food truck will have a fifty-five-gallon garbage trash can located to the immediate west of its location and have indoor/outdoor lighting. The food truck will be powered by a gas-powered generator (Predator Super Quiet Inverter 9500) which, according to an article published by Popular Mechanics, published an article on July 16, 2021, titled “PM Approved: The New Predator 9,500-Watt Inverter Generator from Harbor Freight is an Emergency Essential” rated the

generator at 67 db. According to figure 2 below, this is the equivalent of a Commercial jet aircraft interior during flight. The food truck will operate with two employees between the hours of 10:00 am – 10:00 pm, Tuesday through Sunday. The applicant has arranged the use of restrooms located in the Stage Stop Gun Shop and has secured a commissary to pick up and house its food products during hours of non-operation.

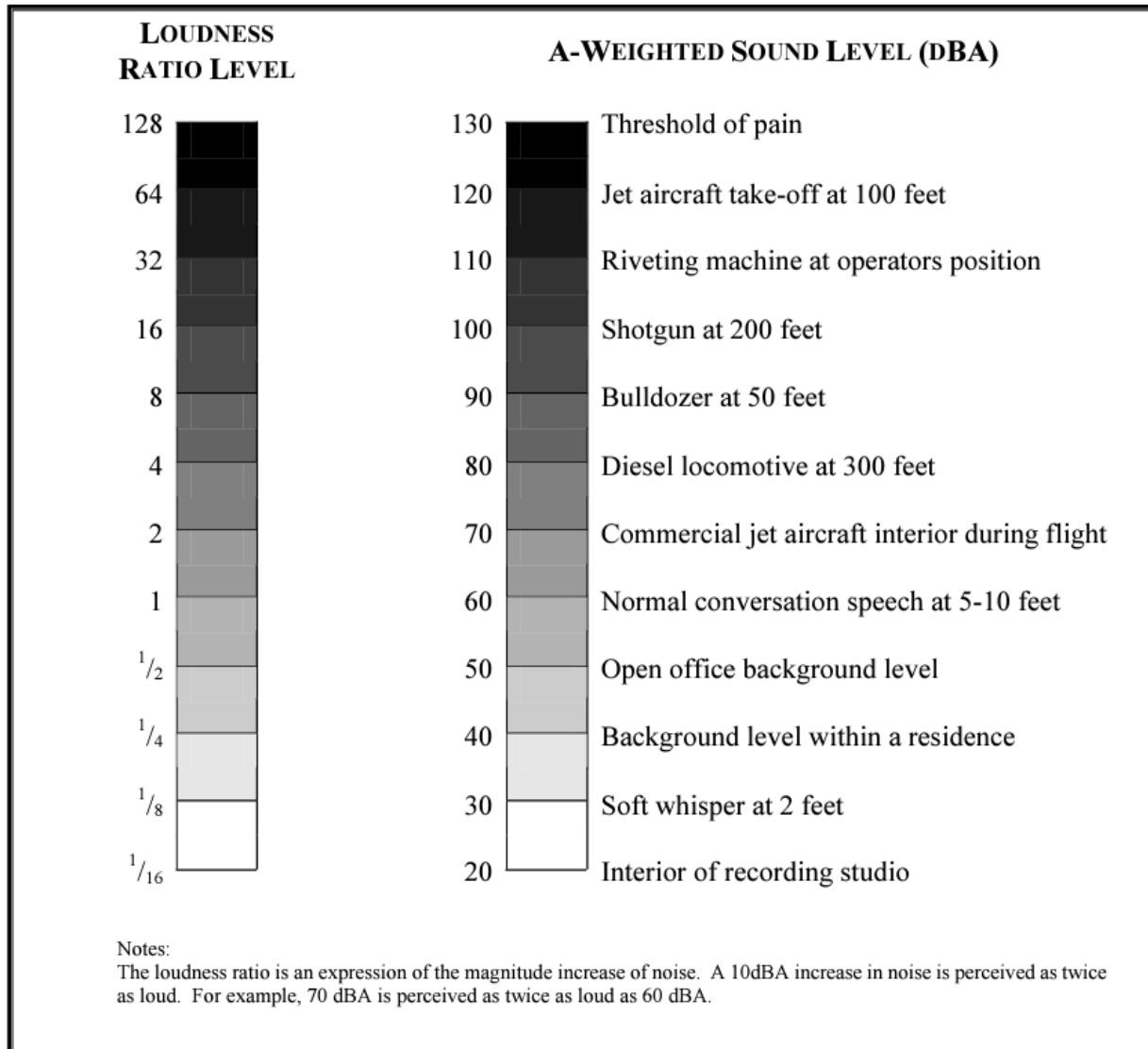


Figure 2

As previously stated, the Stage Stop Gun Shop, where the food truck will be located, has thirty-nine parking spaces. The food truck will utilize three parking spaces leaving thirty-six parking spaces available. Per the Atwater Municipal Code (AMC) section 17.43.060 the following parking requirements are required for commercial uses:

- A. Retail stores, personal services, professional and business offices, banks, and post offices: one space for every 500 square feet of floor area. However, uses which do not generate significant traffic, including but not limited to furniture stores, may convert part of the required parking into landscaping at the discretion of the Planning Commission; this landscaped area is to be converted if the need arises or the land use changes.

- B. Mobile Food Vendor:
 - a. If the mobile food vendor shares a site with an established use, any parking spaces occupied by patrons of the mobile food vendor shall not be counted against the established use's parking requirements. If the established use notifies the City that parking has become an issue for its own patrons as a result of the mobile food vendor's operations, the Planning Commission shall hold a hearing to determine whether to revoke or modify the mobile food vendor's conditional use permit.
 - b. Side Street parking will be considered when assessing the availability of parking for mobile food vendors in the Downtown Business District.

The Stage Stop Gun Shop is approximately 18,000 square feet and requires maintaining a minimum of thirty-six parking spaces as previously stated, the Gun Shop has thirty-nine parking spaces with the mobile food truck utilizing a total of thirty-six for patrons, providing the minimum requirement per the Atwater Municipal Code.

Land Use Designation



Downtown Residential Mixed Use

Land Use Designation:

The project site has a land use designation of Downtown Residential Mixed Use (DMU) ; this designation is intended to provide a full range of uses in Downtown Atwater, including retail stores, eating and drinking establishments, commercial recreation, entertainment, and cultural facilities. The project intends to operate a food truck that is consistent with the designated use of the Atwater General Plan land use designation.

Zoning



Zoning:

The Downtown Business District is intended to provide a mix of public and private uses designated to create a downtown shopping experience and pedestrian-friendly environment.

Surrounding Uses:

The properties immediately to the north, south, east, and west also have a land use designation of Downtown Residential Mixed Use.

Zoning Consistency:

The Downtown Business District is intended to provide a mix of public and private uses designated to create a downtown shopping experience and pedestrian-friendly environment. The use of a food truck is consistent with the current zoning.

Recommendation:

The applicant’s request for a conditional use permit to operate a food truck/mobile food vendor located at 601 Atwater Boulevard is consistent with the land use designation and the AMC 17.43.030. Staff recommends Planning Commission approve the use permit.

II. FISCAL IMPACTS:

No negative fiscal impacts are anticipated with the approval of this project. This item has been reviewed by the Finance Department.

III. LEGAL REVIEW:

IV. EXISTING POLICY:

V. INTERDEPARTMENTAL COORDINATION:

An interdepartmental routing sheet was sent to all required departments and affected agencies for review, and their comments and conditions have been incorporated.

VI. PUBLIC PARTICIPATION:

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

VII. ENVIRONMENTAL REVIEW:

Pursuant to the California Environmental Quality Act (CEQA), this project is categorically exempt under guideline section 15311(c), “Accessory Structures,” because section 15311(c) Placement of seasonal or temporary use items such as lifeguard towers, mobile food units, portable restrooms, or similar items in generally the same location from time to time in publicly owned parks, stadiums, or other facilities designed for public use.

VIII. STEPS FOLLOWING APPROVAL:

Following the adoption of Resolution No. PC 0223-23, the Recording Secretary, will forward the signed Resolutions to the applicant.

Prepared by: Sam Rashe, Senior Planner

Submitted by: Greg Thompson, Deputy City Manager / Community Development Director

Attachments:

1. Resolution
2. UDA
3. Operational Statement
4. Site Plan



PLANNING COMMISSION OF THE CITY OF ATWATER

RESOLUTION NO. PC 0223-23

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ATWATER APPROVE CONDITIONAL USE PERMIT NO. 23- 04-0100 FOR A MOBILE FOOD VENDOR TO BE LOCATED AT 601 ATWATER BOULEVARD

WHEREAS, at a duly noticed public hearing held on August 16th, 2023, the Planning Commission of the City of Atwater reviewed Conditional Use Permit No. 23-04-0100.

WHEREAS, this project is statutorily exempt under California Environmental Quality Act (CEQA) guideline 15311(c), "Accessory Structures;" and,

WHEREAS, ___ person(s) spoke in favor of the Conditional Use Permit, ___ person(s) spoke in opposition of the Conditional Use Permit, and ___ written comment(s) have been submitted either in opposition or in favor of the Conditional Use Permit; and,

WHEREAS, the proposed Conditional Use Permit No. 23-04-0100 would not have a detrimental effect on the health, safety, and welfare of the neighborhood nor have any adverse effect on the community; and,

WHEREAS, the Planning Commission finds that the following findings can be made for Conditional Use Permit No. 23-04-0100.

1. The applicant proposes to operate as a Mobile Food Vendor in compliance with all applicable City regulations.
2. The project is consistent with the City's General Plan and Zoning Ordinance.
3. The project is exempt from environmental review pursuant CEQA guideline 15311(c), "Accessory Structures".
4. The public hearing for this application has been adequately noticed and advertised.
5. Adoption of the resolution will not have a detrimental effect on the health, safety, and welfare of the neighborhood or any adverse effects on the community.

NOW THEREFORE BE IT RESOLVED, that the recitals above are true and correct and hereby incorporated by reference. Planning Commission of the City of Atwater does hereby approve Conditional Use Permit No. 23-04-0100 for a mobile food

vendor located at 601 Atwater Boulevard (APN: 003-082-014) subject to the following conditions:

BUILDING

1. No Conditions needed.

CODE ENFORCEMENT

2. Generator subject to noise complaints and enforcement as complaints arise.
3. NO additional “pop-ups” or expandable covers encroaching into additional parking spaces.

ENGINEERING

4. No exceptions taken.

FINANCE

5. If applicant is connecting or using City Water, Sewer or Garbage, owner must submit a Start Service Application for Water, Sewer, and Garbage services.
6. Before business is up and running, the owner must submit a business license application for review and approval and pay all applicable taxes and fees.

FIRE

7. No special conditions are needed.

POLICE

8. Ensure that there is sufficient parking and travel space to prevent traffic hazards.

PLANNING

9. All on-site graffiti shall be the responsibility of the property owner. All graffiti shall be abated in accordance with City Graffiti Ordinances.
10. Project shall comply with the most current California Code of Regulations Title 24, parts 1 through 12, the most current Health and Safety Codes and the most current Fire and Life Safety Codes, all along with the California State

Amendments. All building permit applications received by the City of Atwater Building Division on or after January 1, 2020, shall comply with parts 1 through 10 and part 12 of the 2019 edition of the California Code of Regulations Title 24.

11. The Mobile Food Trailer will operate Tuesday through Sunday between the hours of 10:00 am and 10:00 pm.
12. Provide an annual Conditional Use Permit Monitoring fee in accordance with the Miscellaneous Fee Schedule.
13. Applicant shall comply with all of the conditions of approval prior to issuance of a business license.
14. The Planning Commission shall retain the right to reconsider Conditional Use Permit No. 23-04-0100.
15. Applicant shall comply with all Commercial and Industrial Design Guidelines.
16. This approval is dependent upon and limited to the proposals and plans contained, supporting documents submitted, presentations made to staff, and Planning Commission as affirmed to by the applicant. Any variation from these plans, proposals, supporting documents, or presentations is subject to review and approval prior to implementation.
17. The applicant or applicant's successor in interest shall indemnify and defend and hold harmless the City of Atwater, its agents, officers, and employees from any and all claims, actions, or proceedings against the City of Atwater, its agents, officers, and employees to attack, set aside, void, or annul any approval by the City of Atwater and its advisory agency, appeal board, or legislative body concerning this application, which action is brought within applicable statutes of limitations. The City of Atwater shall promptly notify the applicant or applicant's successor in interest of any claim or proceedings and shall cooperate fully in the defense. If the City fails to do so, the applicant or applicant's successor in interest shall not thereafter be responsible to defend, indemnify or hold the City harmless. This condition may be placed on any plans or other documents pertaining to this application.

PUBLIC WORKS

18. No special conditions needed.

The foregoing resolution is hereby adopted this 16th day of August, 2023.

**AYES:
NOES:
ABSENT:**

APPROVED:

**RONALD DAUGHERTY,
CHAIRPERSON**

ATTEST:

**GREG THOMPSON,
DEPUTY CITY MANAGER /
COMMUNITY DEVELOPMENT DIRECTOR**



City of Atwater

Uniform Development Application
750 Bellevue road

RECEIVED
FEB 28 2023
BY: KR

RSO # 223-23
Cup # 23-04-0100

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: proppsed project is to park a food truck and conduct business in food sales.

APPLICANT: ALEXANDRA MEDINA

PHONE NO: (209) 910-2340

ADDRESS OF APPLICANT:

EMAIL: alexamedina63@gmail.com

PROPERTY OWNER: JOLEY VERA

PHONE NO: (209) 658-0955

ADDRESS OF PROPERTY OWNER: 601 ATWATER BLVD, ATWATER CA 95301

ASSESSOR'S PARCEL NUMBER:

003-082-014

Address/General Location of Property: 601 ATWATER BLVD, ATWATER CA 95301

EXISTING ZONING OF PROPERTY: Commercial

GENERAL PLAN DESIGNATION OF PROPERTY:

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: Alexandra Medina
Applicant Date: 2/10/23

There are no deed restrictions on this land that would prohibit this type of use or development. I (we) _____ 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: [Signature]
PROPERTY OWNER DATE:

Signed: [Signature] 2/28/23
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)
- 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.
- 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.
- 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).
- 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.
- 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
- Identification of existing and proposed lot area(s).

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 _____

Atwater Municipal Code Chapter 16 Section 16.20.020 Tentative Map Requirements

The following information shall be delineated on the tentative map or contained in a written statement to accompany each map:

- Tract number as obtained from the City Engineer and name of the subdivision, if the subdivider so desires;
- Sufficient legal description of the land to describe the location of the proposed subdivision;
- Name and address of the owner and subdivider;
- Name and address of the person preparing the map;
- If adjoining land has been subdivided, the recordation data of the map shall be shown;
- Approximate acreage and boundary lines of the subdivision;
- North point, scale and date;
- Location, width and proposed names of all streets within the boundaries of the subdivision;
- Location and width of easements;
- Approximate street centerline radii of curves;
- Names of utility companies and location of existing and proposed public utilities;
- Existing culverts and drain pipes;
- Watercourses and channels including proposed facilities for control of storm waters;
- Railroads and other rights and other rights-of-way;
- Dimensions of reservations;
- Adjoining property and lot lines;
- Lot lines and approximate dimensions;
- The approximate location of areas subject to inundation of storm water overflow and the location width and direction of flow of all water courses;
- Location of all existing buildings, structures and trees;
- Proposed source of water supply;
- Proposed method of sewage disposal and storm water drainage;
- Proposed street improvements;
- Proposed protective covenants regarding use of property and building lines;

Tentative Map Requirement Continued

- Proposed tree planting which shall conform substantially as to species and location with the street tree plan of the City and otherwise with the regulations of Chapter 12.32 Trees;
- Proposed public areas; location, names and widths of, existing and proposed streets, highways, alleys, easements, railroads, and other open spaces in adjacent areas;
- Contours with maximum interval of two feet, unless waived by the City Engineer;
- Existing use of property immediately surrounding;
- Proposed land use of lots;
- Existing zoning and proposed zoning;
- If private streets are proposed, the method of maintenance and financing such maintenance;
- A description of the proposed fencing to provide a physical and visual barrier between the subdivision and all open ditches, drains and canals;
- Proposed unit boundary lines, if the subdivision is to be developed in more than one unit.

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.
- Show size and species of all trees 6 inches and greater in diameter at 3 feet. Indicate whether to be removed or retained.
- 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: Joly Verna

ADDRESS: 601 ATWATER BLVD, ATWATER CA 95301

NAME OF APPLICANT: ALEXANDRA MEDINA

ADDRESS: 813 S Blaker Rd Turlock CA, 95380

ADDRESS OF SITE: 601 ATWATER BLVD, ATWATER CA 95301

003-C82-014

APN: 003-C82-014

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: 2/28/23

APPLICANT SIGNATURE: Alexandra Medina Date _____

City of Atwater Processing Agreement

This is 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 ALEXANDRA MEDINA 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 \$ 2,000 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: ALEXANDRA MEDINA Date: 2/28/23

Print Name and Title: ALEXANDRA MEDINA - OWNER

Owner: [Signature] Date: 2-28-23

Print Name and Title: JOEY VERNA OWNER

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

003-082-014

Application: _____

APN: 003-082-014

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.

Alexandra Medina

Signed

Date

2/28/23

CITY OF ATWATER COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT
ENVIRONMENTAL INFORMATION FORM

(This form to be completed by Applicant and returned with all Land Use Applications. Please note that additional environmental information may be requested as necessary. Use additional sheets as necessary.)

GENERAL PROJECT INFORMATION (Please type or print legibly in ink)

1. Name, Address, telephone number, and email address of land owner/applicant:
JOEY VERNA (209) 658-0955
601 ATWATER BLVD, ATWATER CA 95301
2. Name, Address, telephone number, and email address of applicant if other than land owner:
ALEXANDRA MEDINA (209) 410-2340
alexamedina63@gmail.com
3. Address/General location and APN of the project:
601 ATWATER BLVD, ATWATER CA 95301
4. Existing zoning: Commercial zoning DOWNTOWN BUSINESS DISTRICT
5. Land use designation within the current General Plan: DOWNTOWN BUSINESS DISTRICT
6. Proposed change in use and project for the proposed application (Please provide an Operational Statement for the proposed project and/or business activity):
proposed project is to park a food truck and
conduct business in food sales.
7. Indicate the type of Permit(s) Application(s) to which this form pertains:
conditional use permits
8. List any other agencies and related permits or approvals that will be required for the project: MERCED COUNTY HEALTH PERMIT
9. List all adjacent uses to the project/property location:
North: KENNEY'S CABINETS
South: ATWATER BLVD ST
East: _____
West: BANKS SAFETY SERVICE INC

PROJECT DESCRIPTION (Attached additional Sheets as Necessary)

10. Project Area: _____ Parcel Size: _____

11. Proposed Structures: (New and Existing) 16ft/5ft
ROAD TRUCK. (NEW)
Gun shop (existing)

12. Percentage of lot coverage (before and after any construction generated from the project): _____

13. Number of required off-street parking spaces (including Accessable): 30

14. School district(s) that serve the project area:
MERCED UNIFIED School district

15. Describe the landscaping improvements for the proposed project (please include all compliance with State mandated water conservation requirements):
NO landscaping improvements are proposed.

16. If the proposed project is to be a phased development, please described incremental phasing and implementation of improvements. (Use additional sheets if necessary): will not be a phased development

17. If the proposed project will represent a change to any resource of cultural significance as defined in Public Resources Code section 21074 (Tribal Cultural Resource) Please provide a copy of your consultation letter and the name and address of the consulting authority:
NO change to any resource of cultural significance

18. List any and all hazardous or toxic materials, chemicals, pesticides, flammable liquids, or other similar products used as a part of the day to day operations of the project and all storage methods. (Please note that the use and storage of certain materials will require filing of a Hazardous Materials Business Plan and Spill Prevention Containment and Countermeasure Plan as may be determined. Applicants are encouraged to consult with the Merced County Environmental Health Division and local Fire Department as Administrators of said plans.):
MERCED County Health Division will be contacted.

19. Described the estimated consumption of water, the estimated sewage generation, and the estimated amount of storm water run-off during a 10-year, 24-hour, storm event.
 Water: N/A Gallons per day; Sewage: N/A Gallons per day; Storm water: N/A
20. Provide a description of the proposed water delivery system(s) including any on-site treatment necessary for the proposed project. (Include water use and management in the Operational Statement for the Project.): NO water treatment will be necessary
21. Provide a description of the proposed sanitary sewer system(s) including any on-site treatment necessary for the proposed project. (Include any capture and waste water treatment needs in the Operational Statement for the Project.): NO Sanitary Sewer systems are necessary
22. Provide a "Can-and-will" serve letter for the project for any/all outside agencies or service districts that are anticipated to serve the project including any discharge agreement that may be necessary from the offices of The Merced Irrigation District. (Attach as necessary)
23. Provide any necessary percolation tests as may be necessary as determined by the City Engineer or building division.
24. Please provide the estimated amount of solid waste (garbage, spoils, or animal waste/manure) generated from the project site and methods of disposal:
Garbage estimated to have will be 50-55 gallon per day disposed of in a standard garbage can
25. Describe any earthwork (grading) that will be necessary for the project including all work associated with access roads or improvements located on adjacent lands or City owned/managed improvements. (please also list dust control methods and any compliance or permits necessary for the local Air Pollution Control District.): NO earthwork is necessary
26. Provide the estimated amount of traffic and nominate the roads impacted, which would be a result from the project. Roads impacted:
ATI WATER Blvd
 Average Daily Trips: unknown, approx 40

PROJECT DESCRIPTION CONT.

Please indicate below the response that most applies to the described project. Should the answer indicated differ from the information provided in the General Project Information shown above or from information already obtained from the offices of the City of Atwater, the applicant(s) will be required to provide evidence or documentation to support the answers shown. (Please attach additional sheets as may be necessary)

	Yes	Maybe	No
27. Change to existing features of any vegetation, lakes, streams, rivers, hills, or substantial alteration of ground contours.	___	___	✓
28. Any change in quantity, direction of flow of groundwater.	___	___	✓
29. Change in quality or alteration of drainage patterns to any lake, stream, Natural or man-made water body.	___	___	✓
30. Change in absorption rates, drainage patterns, or the rate or amount of surface runoff.	___	___	✓
31. Discharge into any surface water, or any alteration of surface water quality, i.e., temperature, dissolved oxygen, turbidity, etc.	___	___	✓
32. Change in amount of surface water in any water body.	___	___	✓
33. Change in scenic views of vistas from existing residential areas, public lands or roads.	___	✓	___
34. Change in pattern, scale or character of the general area of the project.	___	___	✓
35. Will the project affect existing housing or create a demand for additional housing.	___	___	✓
36. Will the project result in a substantial alteration of the present or planned land use of the area.	___	___	✓
37. Will significant amounts of solid waste (garbage, spoils, manure) or litter be generated as a result of the project.	___	___	✓

PROJECT DESCRIPTION CONT.

	Yes	Maybe	No
38. Will substantial air emissions or deterioration of ambient air quality be a result of the project.	_____	_____	✓ _____
39. Will there be a change in dust, ash, smoke, fumes, or odors in the vicinity.	_____	✓ _____	_____
40. Creation of objectionable odors.	_____	_____	✓ _____
41. Change in existing noise or vibration levels in the vicinity, or exposure of people to major noise sources.	_____	✓ _____	_____
42. Will the project produce new light or glare.	_____	_____	✓ _____
43. Site on filled land or on a slope of 10 percent or more.	_____	_____	✓ _____
44. Substantial disruptions, displacements, compaction or over covering of soil.	_____	_____	✓ _____
45. Any uses of disposable or potential hazardous materials, toxic substances, flammables or explosives.	✓ _____	_____	_____
46. Substantial change in demand for municipal services such as police, fire, water, waste water treatment, City maintenance, etc.	_____	_____	✓ _____
47. Substantial increase in demand on fossil fuel consumption.	_____	_____	✓ _____
48. Relationship to larger project(s) or planning areas.	_____	_____	✓ _____
49. Impacts to plant or animal species or any species as may be State or Federally listed as a sensitive or endangered species.	_____	_____	✓ _____
50. Impacts to areas designated for use by agriculture.	_____	_____	✓ _____

PROJECT DESCRIPTION CONT.

GENERAL ENVIRONMENTAL SETTING: Please provide a brief description of any special environmental conditions present on the project site and include photographs depicting the site and the surrounding area: _____

CERTIFICATION

I hereby certify that I/We are the legal owners of the property and project shown and described herein and that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Alexandra Medina

Dated: 2/28/23

(Original signature required)

LIST OF ATTACHMENTS

1. (_____
2. (_____
3. (_____
4. (_____
5. (_____
6. (_____
7. (_____
8. (_____
9. (_____
10. (_____

Business Name: "Taco Crazy"

Proposed: Food Truck Space

Applicant: Alexandra Medina

Address: 601 Atwater Blvd, Atwater CA 95301 APN:

Phone: (209) 410 -2340

Email: alexamedina63@gmail.com

1. A generator will be used for electricity during business hours.
2. Food truck has clean and waste water tanks that will be used.
3. We will have a 55 gallon garbage can for garbage disposal.
4. Lighting that may be necessary the food truck has indoor and outdoor lighting for client and worker safety.
5. Business hours: Tuesday-Sunday 10:00 am- 10:00 pm
6. Employees will only be 2, owner and sister operated.
7. Employees will have restroom access at Stage Stop Gun Shop.
8. Food truck serving area is facing the ~~North~~ established building at 601 Atwater Blvd, Atwater CA 95301.
South

9. Commissary name: "Carniceria Dos Gallos #1"
1122 R St MERCED, CA 95340

BROADWAY AVE

BROADWAY AVE

1040 High St
Atwater CA 95301
Atwater Tire
Services Inc

586 Broddway
Ave, Atwater,
CA 95301
Keney's
Cabinets

532 Broadway
Ave, Atwater,
CA 95301
B+B Plumbing
Construction Inc

②

④

⑥

⑪

⑫

⑦

⑪

⑩

⑦

⑨

⑬

⑬

180.446
~~217.876~~ ft

property line

10x lines

76.23 ft

property line

625
Atwater
Blvd
Atwater
CA 95301

Banks
Safety
service
Inc.

601 Atwater Blvd,
Atwater CA 95301
Stage Stop Gun Shop
+ Indoor Range

1 2 3 4 5 6 7 8

9 10 11 12 13 14 15 16

A A A
D D D
A A A 17 18

19 20 21 22 23

FOOD
TRUCK
x lights

5 FT

126.30 ft

116.39 FT
(bathroom distance)

10 FT
93.27 ft

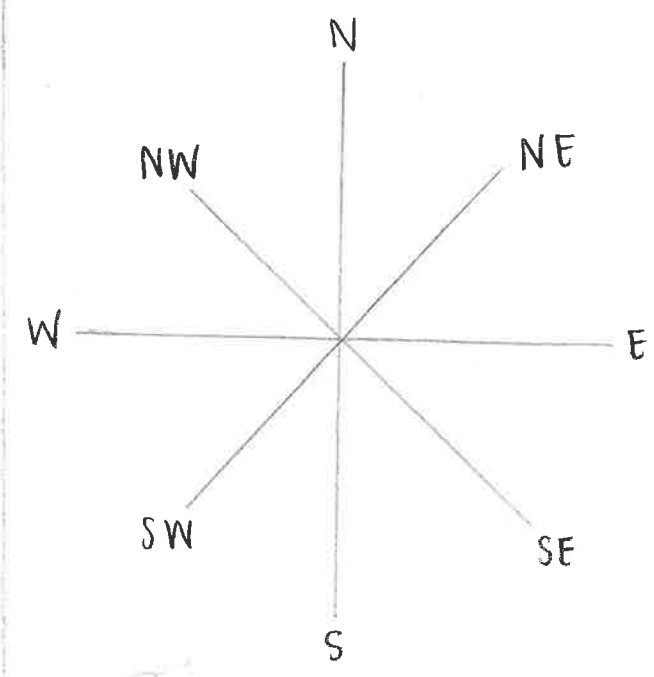
27 28 29 30 31 DRIVE WAY

32 33 34 35 36 37 38 39

▽ Δ

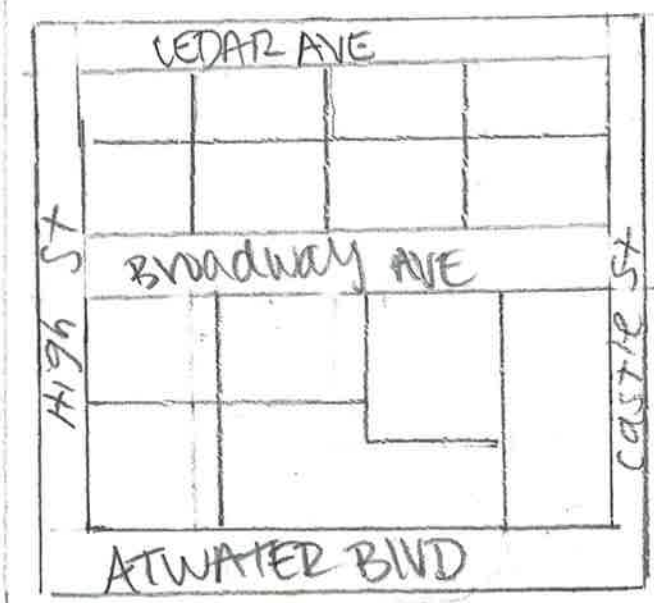
ATWATER BLVD

ATWATER BLVD



CASTLE ST

VICINITY MAP



CASTLE ST

High St

CASTLE ST

High St

High St