

In-person participation by the public will be permitted. In addition, remote public participation is available in the following ways:

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 Commissioners 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) 357-6230.

NOTICE OF SPECIAL MEETING PLANNING COMMISSION OF THE CITY OF ATWATER

NOTICE IS HEREBY GIVEN that a special meeting of the City Council of the City of Atwater will be held on **Wednesday, May 22, 2024, at 6:00 PM**, or as soon thereafter may be held. This meeting will be held at the Council Chambers, 750 E. Bellevue Road, Atwater, California.

AGENDA

May 22, 2024

SPECIAL MEETING CALL TO ORDER:

6:00 PM



ROLL CALL:

Kadach____, **Mokha**____, **Sanchez-Garcia**____, **Sanders**____,
Borgwardt_____

PUBLIC COMMENT: Pursuant to Government Code Section 54954.3, residents wishing to address the Planning Commission regarding **only the items on the agenda may do so when the item is read for consideration**. You may state your name and address for the record; however, it is not required. Please limit comments to three (3) minutes or less. Under the provisions of the California Government Code, the Planning Commission may not discuss or take action on any item that is not on the agenda.

PETITIONS AND COMMUNICATIONS:

1. Request from APC to consider approving a Festa Parade and temporary road closures.

Staff's Recommendation: Approval of request from the APC to host a Festa Parade on June 29, 2024, starting at 10:00am and June 30, 2024, starting at 8:00am with temporary road closures.

PUBLIC HEARINGS:

2. Consistency Determination that the proposed Five-Year Capital Improvement Program for fiscal years of 2024/25 through 2028/29 conforms to the goals and policies of the City's General Plan, as required by California Government Code section 65103 (c).

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

Make the determination that the proposed Five-Year Capital Improvements Program conforms to the goals and policies of the City's General Plan, as required by California Government Code sections 65103 (c)

3. Public hearing to make a finding that the proposed Mural for Civic Center 2, located at 1350 Broadway, Atwater, CA (APN: 002-208-002), conforms with the City's policies, codes, and guidelines for government buildings pursuant to the Atwater Municipal Code 17.12.060.

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

Close the public hearing

Make a finding that proposed mural for Civic Center 2 is consistent with the City's policies, codes, and guidelines for government buildings pursuant to the Atwater Municipal Code 17.12.060

ADJOURNMENT:

Dated this 21st day of May 2024.



Don Borgwardt, Chairperson

Pc: Chairperson and Commissioners
Merced Sun Star
Merced County Times

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 krashad@atwater.org



OUTDOOR EVENTS APPLICATION/PERMIT



CHECKLIST:

Insurance received 5/2/24
Application Received: 4/24/24
Permit No.: _____

Prior to submitting your application, please confirm by checking (✓) the boxes below that all the following have been completed.

- Have you completed the "Description of Event" below and signed the application on Page 4? (Incomplete information may delay your application.)
- Have you allowed at least 3-4 weeks prior to the event for your application to be approved?
- Have you obtained the required insurance, and do you have proof of that insurance to submit with your application? (See "Insurance" section on Page 3 for details.)
- Has the Indemnification Agreement on Page 3 of this application been initialed by an authorized representative of the sponsoring organization?

After obtaining approval from the City, but prior to the event, please make sure you have done the following:

- Have you read the conditions of approval and is your event prepared to abide by all conditions?
- Have you arranged for "Outdoor Event" City refuse service by calling (209) 357-6370?
- Have you made arrangements for supplying any necessary electricity to your event? (Plugging outlets into City light poles is NOT allowed unless prior approval is obtained. Please call Atwater Public Works at (209) 357-6370 for additional information.)
- If you are selling alcohol at your event, have you obtained an Alcoholic Beverage Control (ABC) license or permit for this event?

DESCRIPTION OF EVENT:

Applicant/event sponsor

Contact person Robert Teixeira phone 209-495-0935

Title APC President

Address 20350 Caravan Drive Hilmar CA 95324

e-mail Macer17m@Gmail.com

Description of event (continued):

Description of event (include equipment, obstructions, etc., to be placed in the encroachment area):

~~Parade: Ocean walking in procession from APC~~
~~To the church.~~

This event requires an Amplified Sound Permit:

yes _____ no ✓

If yes, state type and description of amplified equipment permitted:

This event requires a Dance Permit: yes _____ no ✓

If yes, list name of Security Company, Address, and Phone: _____

If yes, number of officers required: _____

Will you sell or serve alcohol: yes _____ no ✓

Estimated number of people in attendance: Unknown

Date(s) and times of use (include time for setup and takedown as well as event time):

~~June 29th at 10 am and June 30th at 3:00 am~~
~~to~~ ~~backstage~~ ~~should be much more than one hour.~~

(Note: Dance Permits and Amplified Sound Permits require a fee, which are subject to change with yearly updated Miscellaneous Fee Schedule.)

(Attach a map and traffic control plan to identify parade routes, street closures, and any obstructions to be placed within the right-of-way)

If this event requires closure of street, please see below.

List all streets proposed for closure: Streets See Attached Maps

CHECK (✓) ONE BOX AND INITIAL:

City to place barricades. (By checking this box, you are acknowledging that you are responsible for **actual** costs associated with placing barricades if outside of normal Public Works Department operational hours.)

RT (Applicant to initial)

Applicant to place barricades.

_____ (Applicant to initial)

STANDARD CONDITIONS FOR STREET/PARKING LOT CLOSURES:

1. Event Sponsor must remove all equipment, trash, and debris generated by the event prior to the expiration of the permit.
2. Supervision/security shall be provided by Event Sponsor to ensure the safety of event participants and the public if required by the Police Department.
3. Event Sponsor shall be responsible for insuring that all vendors involved with the event obtain a City of Atwater business license (if applicable).
4. The applicant shall arrange and pay for Special Event City refuse service by contacting Atwater Public Works at (209) 357-6370.
5. The applicant shall comply with the Indemnification and Insurance provisions as outlined on Page 3 of this application.
6. Event sponsor shall provide and maintain a minimum 22-foot-wide emergency vehicle access path into and through the closure area at all times via movable barriers. Fire hydrant access shall not be blocked at any time whatsoever.

(Additional conditions may be imposed as deemed necessary)

INDEMNIFICATION AGREEMENT: Event Sponsor shall indemnify, defend, and hold harmless the City, its officers, employees, agents, and volunteers ("City indemnitees") from and against any and all causes of action, claims, liabilities, obligations, judgments, or damages, including reasonable legal counsels' fees and costs of litigation ("claims"), arising out of the Event Sponsor's performance of its obligations under this agreement or out of the operations conducted by Event Sponsor, including the City's active or passive negligence EXCEPT for such loss or damage arising from the sole negligence or willful misconduct of the City. In the event the City indemnitees are made a part to any action, lawsuit, or other adversarial proceeding arising from Event Sponsor's performance of this agreement, the Event Sponsor shall provide a defense to the City indemnitees, or at the City's option, reimburse the City indemnitees their costs of defense, including reasonable legal counsels' fees, incurred in defense of such claims. Acceptance by City of insurance certificates and endorsements required for this event does not relieve Event Sponsor from liability under this indemnification and hold harmless clause. This indemnification and hold harmless clause shall apply to any damages or claims for damages whether or not such insurance policies shall have been determined to apply. RT (Applicant to initial)

INSURANCE: Event Sponsor shall maintain commercial general liability insurance with coverage at least as broad as Insurance Services Office form CG 00 01, in an amount not less than one million dollars (\$1,000,000) per occurrence for bodily injury, personal injury, and property damage, including without limitation, blanket contractual liability. Event Sponsor's general liability policies shall be primary and shall not seek contribution from the City's coverage and be endorsed using Insurance Services Officer form CG 20 10 (or equivalent) to provide that City and its officers, officials, employees, and agents shall be additional insureds under such policies.

The insurance policy is to contain, or be endorsed to contain, the following provisions: Additional Insured Endorsement

The City of Atwater, its officers, officials, agents, employees, and volunteers are to be named as additional insured on the General Liability policy via an Additional Insured Endorsement, with respect to liability arising out of the permitted event.

The Certificate of Liability must include the following language in the **Certificate Holder Box**:

City of Atwater, its officials, officers, agents, employees, and volunteers:

750 Bellevue Road

Atwater, CA 95301

The Certificate of Liability must include the following language in the **Description Box**:

The City of Atwater, its officials, officers, agents, employees, and volunteers shall be named as an additional insured under the General Liability and Liquor Liability (if applicable) policies. All Liability policies are Primary and Non-Contributory. 30-day notice of cancellation will be provided to the Certificate Holder.

Additional resources for obtaining one (1) day liability insurance for Special Events include, but are not limited to:

Penatta Poncy (Alliant) rponcy@alliant.com

HUB International www.hubinternational.com/programs-associations/event-

insure K&K Insurance www.kandkinsurance.com

Event Sponsor must submit insurance certificate and endorsements prior to event.

Please submit application and insurance certificate to:

City of Atwater Community Center
Attn: Community Events Department
760 E Bellevue Road
Atwater, CA 95301

events@atwater.org

REFUSAL OR REVOCATION OF PERMIT: Failure to comply with any law, rule, or regulation applicable to the use of said streets shall be grounds to revoke any such permit and, in such circumstances, the Chief of Police shall immediately revoke said permit. The Event Sponsor or permit holder, in such case, shall have the right to appeal said revocation to the City Council.

The undersigned declares under penalty of perjury that he/she has the authority to sign for and bind the Event Sponsor to the conditions imposed by the City upon the granting of this Application/Permit/Agreement.

Signature: 

Print Name: Robert Teiveira

Date: 4/24/24

OFFICE USE

APPLICATION/PERMIT/AGREEMENT APPROVED SUBJECT TO CONDITIONS

BY <u>Justin Vinson</u> <small>Justin Vinson (May 2, 2024 13:14 PDT)</small>	DATE <u>05/02/24</u>
Public Works (357-6370)	
BY <u>Michael Salvador</u> <small>Michael Salvador (May 2, 2024 13:14 PDT)</small>	DATE <u>24/05/01</u>
Police Department (357-6384)	
BY <u>Blairne Lopes</u> <small>Blairne Lopes (May 2, 2024 11:00 PDT)</small>	DATE <u>02/05/24</u>
Fire Department (357-6341)	
BY <u>Greg Thompson</u> <small>Greg Thompson (May 3, 2024 10:07 PDT)</small>	DATE <u>05/03/24</u>
City Manager Approval (357-6300)	

PLANNING COMMISSION APPROVAL DATE

(If necessary) _____

RETURN COMPLETED APPLICATION TO PD FOR TRACKING. kwaller@atwater.org

Revised March 2024



DATE (MM/DD/YYYY)

5/2/2024

CERTIFICATE OF LIABILITY INSURANCE

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERs NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Rico Pfitzer Pires and Associates Insurance P.O. Box 129 Gustine, CA 95322		CONTACT Danielle Clarot NAME PHONE (A/C, No, Ext): (209) 856-8857 FAX (A/C, No): E-MAIL ADDRESS: dclarot@rppins.com
		INSURER(S) AFFORDING COVERAGE INSURER A: Great American Insurance Co. NAIC # 26832
INSURED Atwater Pentecost Club PO Box 331 Atwater, CA 95301	INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

REVISION NUMBER: _____

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
The City of Atwater, its officials, officers, agents, employees and volunteers are included as Additional Insured with respect to General Liability per the attached endorsement. General Liability policy is primary and non contributory. 30 Day Notice of cancellation will be provided to the certificate holder.

CERTIFICATE HOLDER

CANCELLATION

**City of Atwater
750 Bellevue Road
Atwater, CA 95301**

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

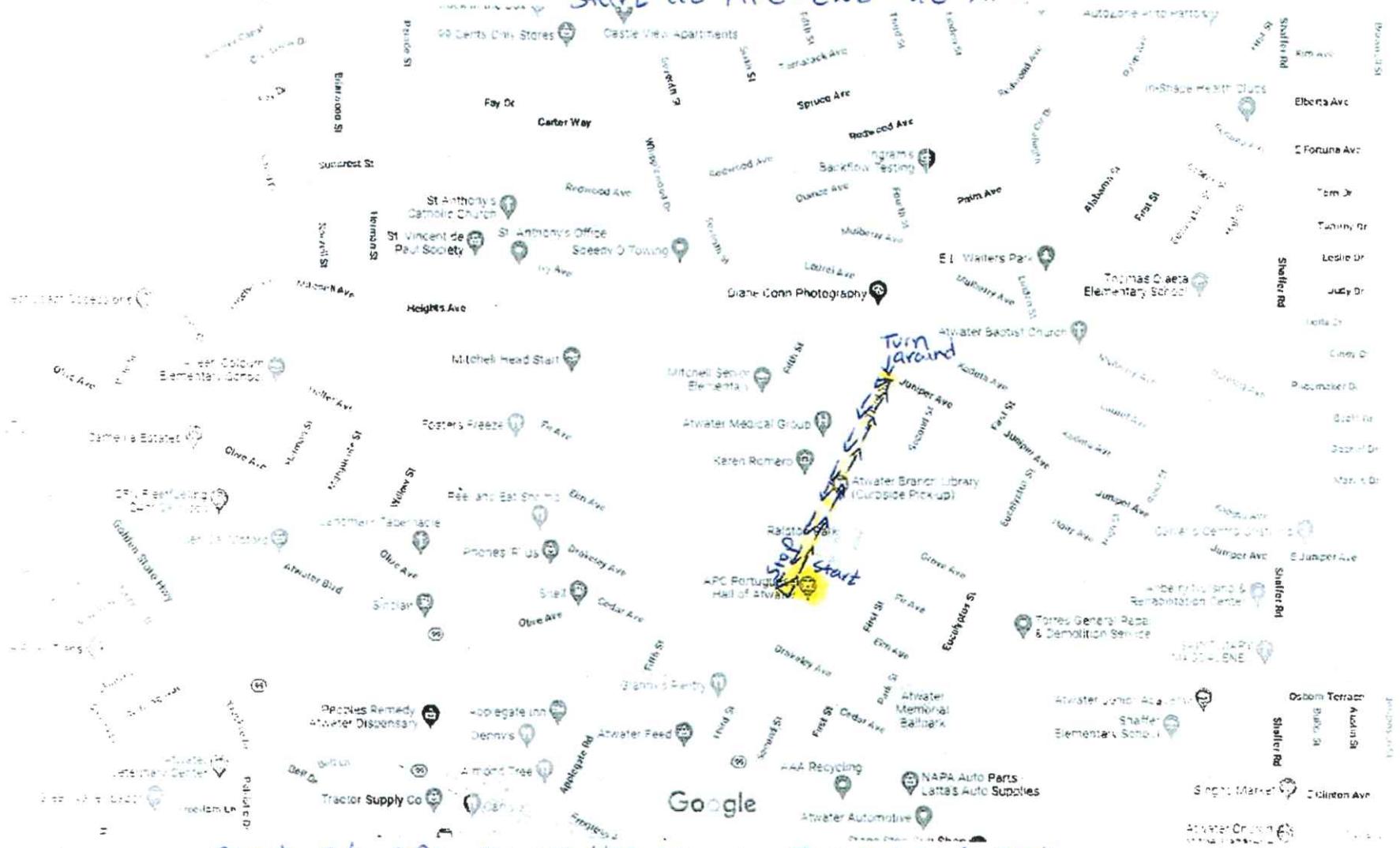
•Q•all•Q•at

Parade Route Saturday

Google Maps

Google Maps

Close Street 8:00am. - 12:00pm
Start at APC - END - at APC



We would start at APC, go all the way to Juniper and make a turn around and back to APC. Streets that would be closed for the time of the parade would be, Fir Ave, Grove Ave, Juniper Ave and the Main Street of Parade, Third Street.

Map data ©2023 500 ft

APC HALL SATURDAY PORTUGUESE OXEN PARADE

THIRD ST CLOSED
AT IVY AVE

IVY AVE

THIRD
ST

MERRILL FORTY
LIBRARY

GROVE AVE

GROVE AVE

CLOSE

CLOSE

THIRD
ST

BALSTON PARK

BALSTON PARK

FIR AVE

FIR AVE

CLOSED

HOUSE

CLOSE

APARTMENTS

THIRD
ST

APC HALL

ELM AVE

ELM AVE

THIRD ST CLOSED AT ELM AVE

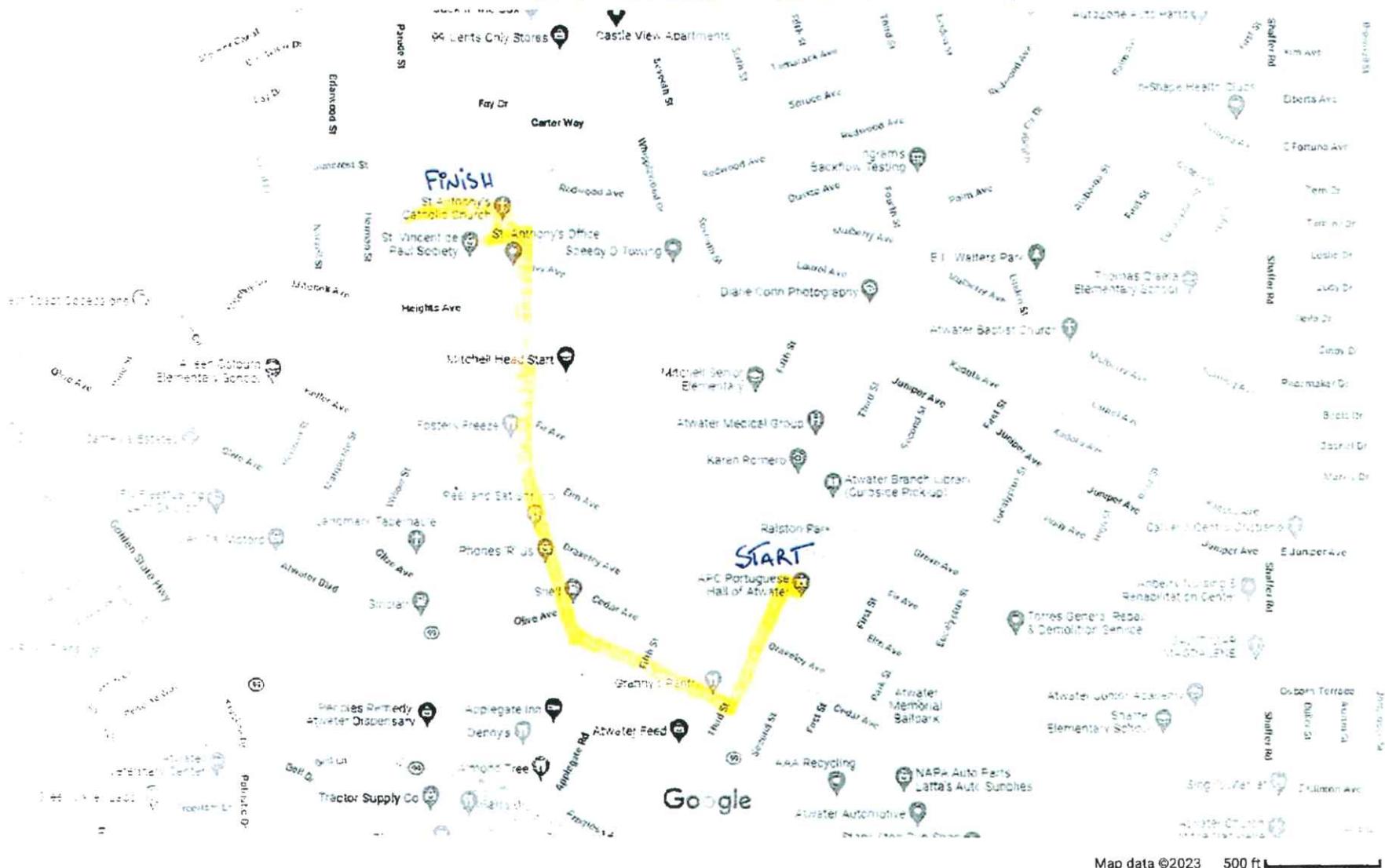
PARADE ROUTE SUNDAY 1^o PART

Google Maps

start at 8:00 am

Street closed 8:00 - 9:45
ST. ANTHONY'S a.m. a.m.

Google Maps



PARADE ROUTE SUNDAY 2^o PART.

Google Maps

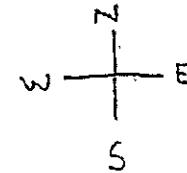
Google Maps

Street closed 11:00 a.m. - 12:00 p.m.

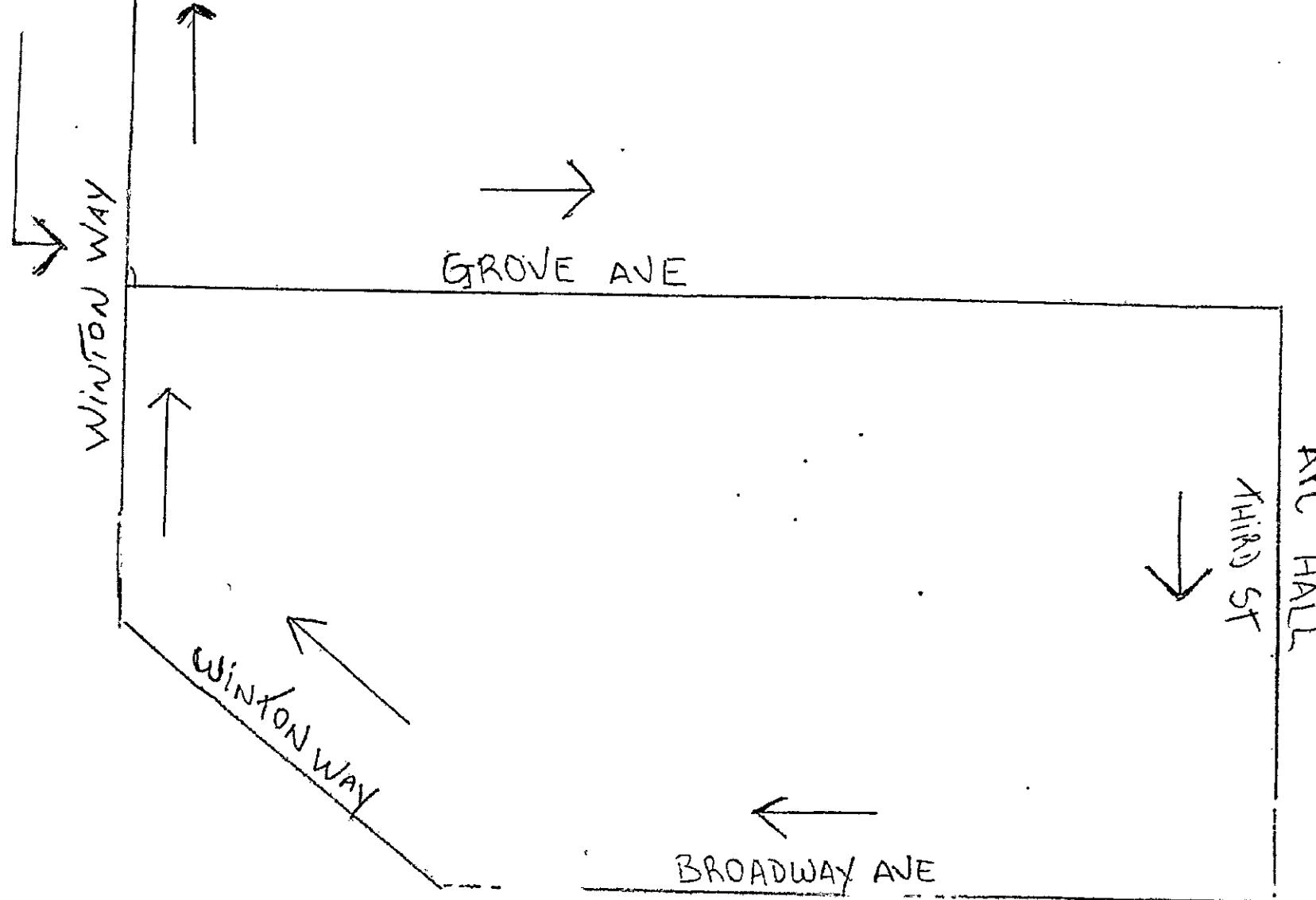
START AT ST. ANTHONY'S - END APC.



ST. ANTHONY
CATHOLIC CHURCH



APC HALL SUNDAY PARADE





PLANNING COMMISSION AGENDA REPORT

PLANNING COMMISSION

Donald Borgwardt Jagandeep Mokha
Harold Kadach Ileisha Sanders
Mayra Sanchez-Garcia

MEETING DATE: May 22, 2024

TO: Chair and Commissioners

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

SUBJECT: **Consistency Determination that the proposed Five-Year Capital Improvement Program for fiscal years of 2024/25 through 2028/29 conforms to the goals and policies of the City's General Plan, as required by California Government Code section 65103 (c).**

RECOMMENDED COMMISSION ACTION:

It is recommended that Planning Commission:

1. Make the determination that the proposed Five-Year Capital Improvements Program conforms to the goals and policies of the City's General Plan, as required by California Government Code sections 65103 (c)

I. BACKGROUND:

The City of Atwater Capital Improvement Plan (CIP) acts as a major policy document similar to the City's annual budget. The CIP outlines the vision for the short- and long-range development, maintenance, improvement, and construction of new infrastructure assets to benefit our residents, businesses, property owners, and visitors of the City. It provides a linkage between the General Plan, our Infrastructure Master Plans and goals set within our budget. It also serves to plan, schedule, and prioritize the implementation of capital projects over the next 5 years. Although the plan is updated annually, it allows the reader to review projects planned over a 5-year timeline and provides an overview to the public and the City Council of their progress. This process allows the city to strategically invest in our inventory of infrastructure assets. Typically, expenditures of less than \$75,000 are not included in the CIP.

The Capital Improvement Plan Provides for a projected schedule of capital improvements to be undertaken in the next budget year and within the following four (4) years. It contains

projects that can be accomplished through one year budget allocations as well as those which need to be spread over multiple years.

The attached report lists the proposed coordinated five-year Capital Improvements Program (CIP) for the fiscal years of 2024/25 through 2028/29.

II. ANALYSIS:

Government Code Section 65103(c) requires planning agencies to review annually their city capital improvement programs and other local agencies public works projects for consistency with the General Plan.

The projects listed in the 5-year CIP are presented to the Planning Commission during a Public Hearing before the City Council adopts the Plan. The Planning Commission of the City of Atwater reviewed and found consistency of the 5-year Capital Improvement Plan at a Special Planning Commission Hearing on May 22, 2024.

III. FISCAL IMPACTS:

The program report lists the fiscal amounts and funding sources. This item has been reviewed by the Finance Department.

IV. LEGAL REVIEW:

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

V. EXISTING POLICY:

California Government Code 65103 (c): A coordinated program of proposed major public works shall be submitted to the city planning agency for review and report to find conformity with the adopted general plan or part thereof. The City of Atwater Planning Commission is the official planning and land use agency for the City, and therefore must make the determination of conformity with the general plan

VI. INTERDEPARTMENTAL COORDINATION:

Public Works, Finance, and the Community Development Departments coordinated to complete the Capital Improvement Program.

VII. PUBLIC PARTICIPATION:

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

VIII. ENVIRONMENTAL REVIEW:

The development of the 5-year plan is not a project, as defined under Section 21065 of the California Environmental Quality Act (CEQA) therefore an environmental evaluation and review is not required. Individual projects listed herein may be subject to CEQA and further review conducted at the appropriate time during implementation of those projects.

IX. STEPS FOLLOWING APPROVAL:

Coordination with the Finance Director to include findings of consistency in the new proposed budget.

Prepared by: Kayla Rashad, Administrative Assistant II

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

Attachments:

1. Capital Improvement Program Schedule

Capital Improvement Program

Description						Funding Source
	2024/25	2025/26	2026/27	2027/28	2028/29	
General Fund Capital (0003)						
*Phase 2 Ped Imp Proj Downtown	2,016,193					0003 General Fund Capital - CMAQ
*Phase 3 Ped Imp Proj Downtown	18,665					0003 General Fund Capital - CMAQ
*Phase 4 Ped Imp Proj Downtown	74,422					0003 General Fund Capital - CMAQ
*City Wide Signal Synchronization	1,195,857					0003 General Fund Capital - CMAQ
General Fund Capital (0003) Totals	3,305,137	0	0		0	
Measure B (0004)						
*Fire Station 41 Bathroom Flooring	150,000					0004 Measure B Fund (Public Safety Transactions & Use Tax Fund)
Measure B (0004) Totals	150,000					
Measure V (0007)						
*Fruitland Avenue Road Improvements	2,690,000					0007 Measure V
Measure V (0007) Totals	2,690,000	0	0		0	
Measure V 20% Alternative Modes (0008)						
*Active Transportation Plan	120,000					0008 Measure V Alternative Modes
*Phase 2 Ped Imp Proj Downtown	287,006					0008 Measure V Alternative Modes
*Phase 3 Ped Imp Proj Downtown	7,101					0008 Measure V Alternative Modes
*Phase 4 Ped Imp Proj Downtown	9,642					0008 Measure V Alternative Modes
Measure V 20% Alternative Modes (0008) Totals	423,749	0	0		0	
Measure V Regional Funds (0010)						
*Bellevue Road Realignment	112,638					0010 Measure V Regional Funds
Measure V Regional Funds (0010) Totals	112,638	0	0		0	

Capital Improvement Program

Description						Funding Source
	2024/25	2025/26	2026/27	2027/28	2028/29	
ARPA-American Rescue Plan Act (1010)						
Police Dept Remodel/Rehab	120,000					1010 American Rescue Plan Act of 2021
City Bldg - Civic Center #2	1,728,774					1010 American Rescue Plan Act of 2021
*Osborn Park Renovation	392,476					1010 American Rescue Plan Act of 2021
*Fruitland Ave Phase 3	900,801					1010 American Rescue Plan Act of 2021
ARPA-American Rescue Plan Act (1010) Totals	3,142,051	0	0		0	
Local Transportation Fund (1013)						
*Fruitland Avenue Road Improvements	164,458					1013 LTF Fund
*Olive Avenue Road Improvements	230,370					1013 LTF Fund
Local Transportation Fund (1013) Totals	394,828	0	0		0	
Traffic Circulation Fund (1015)						
*Traffic Signal at Juniper Ave & Bridgewater St.	184,000					1015 Traffic Circulation Fund
Traffic Circulation Fund (1015) Totals	184,000					
Regional Surface Transportation Program-RSTP (1017)						
*Fruitland Ave. Road Improvements	2,230,350					1017 RSTP Fund
*Ace Train Platform	243,118					1017 RSTP Fund
Regional Surface Transportation Prog-RSTP (1017) Totals	2,473,468	0	0		0	

Capital Improvement Program

Description						Funding Source
	2024/25	2025/26	2026/27	2027/28	2028/29	
SB1-Road Maintenance & Rehab RMRA (1018)						
*Fruitland Avenue Road Improvements	2,447,653					1018 SB1 Fund
SB1-Road Maintenance & Rehab RMRA (1018) Totals	2,447,653	0	0		0	
Parks & Recreation (1020)						
*Osborn Park Renovation	600,000					2018 Parks Bond Act, Per Capita Grant Program
Parks & Recreation (1020) Totals	600,000	0	0		0	
Water Capital (6001)						
Hydrant Replacement	75,000					6001 Water Capital Fund
*Well #20A Rehab	1,639,176					6001 Water Capital Fund
Installation-New Water Meters	3,200,000					6001 Water Capital Fund
*Property Acq.-Future Well Site	300,000					6001 Water Capital Fund
*Canal Creek Utility Crossing	250,000					6001 Water Capital Fund
Water Capital (6001) Totals	5,464,176	0	0		0	
1,2,3-TCP Fund (6007)						
*Well #20A Rehab	649,640					6007 TCP Fund
1,2,3-TCP Fund (6007) Totals	649,640	0	0		0	

Capital Improvement Program

Description						Funding Source
	2024/25	2025/26	2026/27	2027/28	2028/29	
Sewer (6010)						
*Canal Creek Utility Crossing	250,000					6010 Sewer Fund
*Castle Sewer Interceptor	1,300,000					6010 Sewer Fund
*Lower Shaffer Storm Drain Imp	3,000,000					6010 Sewer Fund
*Atwater Blvd Drainage Improvements	200,000					6010 Sewer Fund
*Eucaluptus and First St Drainage Improvements	300,000					6010 Sewer Fund
Sewer (6010) Totals	5,050,000	0	0		0	
Capital Improvement Projects Total	26,937,340	0	0		0	

* Major public works projects such as land, buildings, and public infrastructure. Must conform with the City's General Plan.



PLANNING COMMISSION AGENDA REPORT

PLANNING COMMISSION

Donald Borgwardt Jagandeep Mokha
Harold Kadach Ileisha Sanders
Mayra Sanchez-Garcia

MEETING DATE: May 22, 2024

TO: Chair and Commissioners

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

SUBJECT: **Public hearing to make a finding that the proposed mural for Civic Center 2, located at 1350 Broadway, Atwater, CA (APN: 002-208-002), conforms with the City's policies, codes, and guidelines for government buildings pursuant to the Atwater Municipal Code 17.12.060.**

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 proposed mural for Civic Center 2 is consistent with the City's policies, codes, and guidelines for government buildings pursuant to the Atwater Municipal Code 17.12.060

I. BACKGROUND:

The subject property is located at 1350 Broadway Avenue (APN: 002-208-002) on the South side of Broadway Avenue, approximately one hundred and sixty-five feet from its intersection with Fifth Street (refer to Figure 1). The parcel is approximately .132 acres and currently has City Civic Center 2 located on it. The existing building for Civic Center 2 is approximately a 5,500 sq-ft facility.

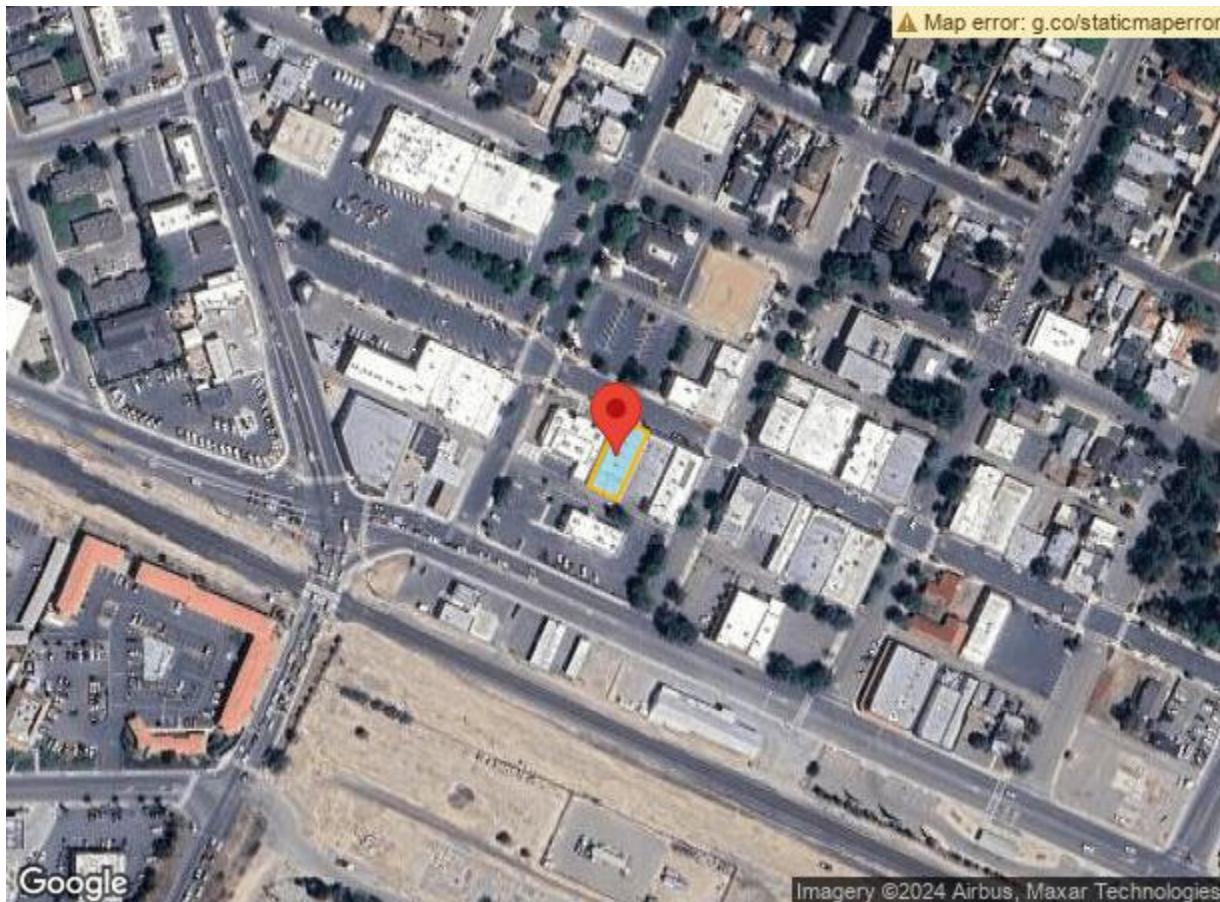
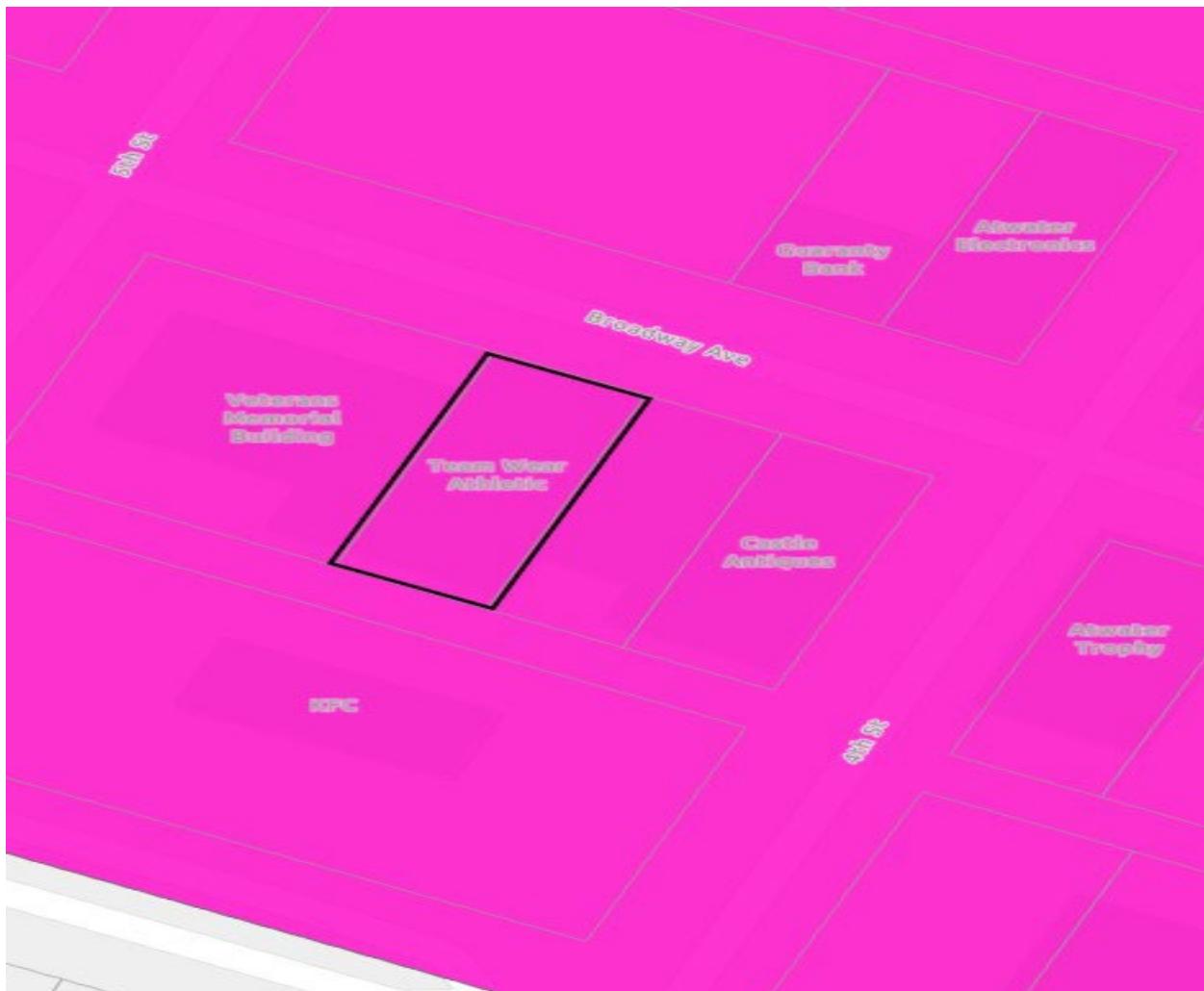


Figure 1: Site Location

ANALYSIS:

The applicant requests approval to paint a mural on the side of Civic Center 2 at 1350 Broadway Avenue (APN: 002-208-002) in the Downtown Business District. Per the Atwater Municipal Code Section 17.12.060, no public or government structure can be altered without the approval from the Planning Commission. Altering the exterior paint scheme will conform with the City of Atwater's Policies, Codes, and Guidelines.

Land Use Designation

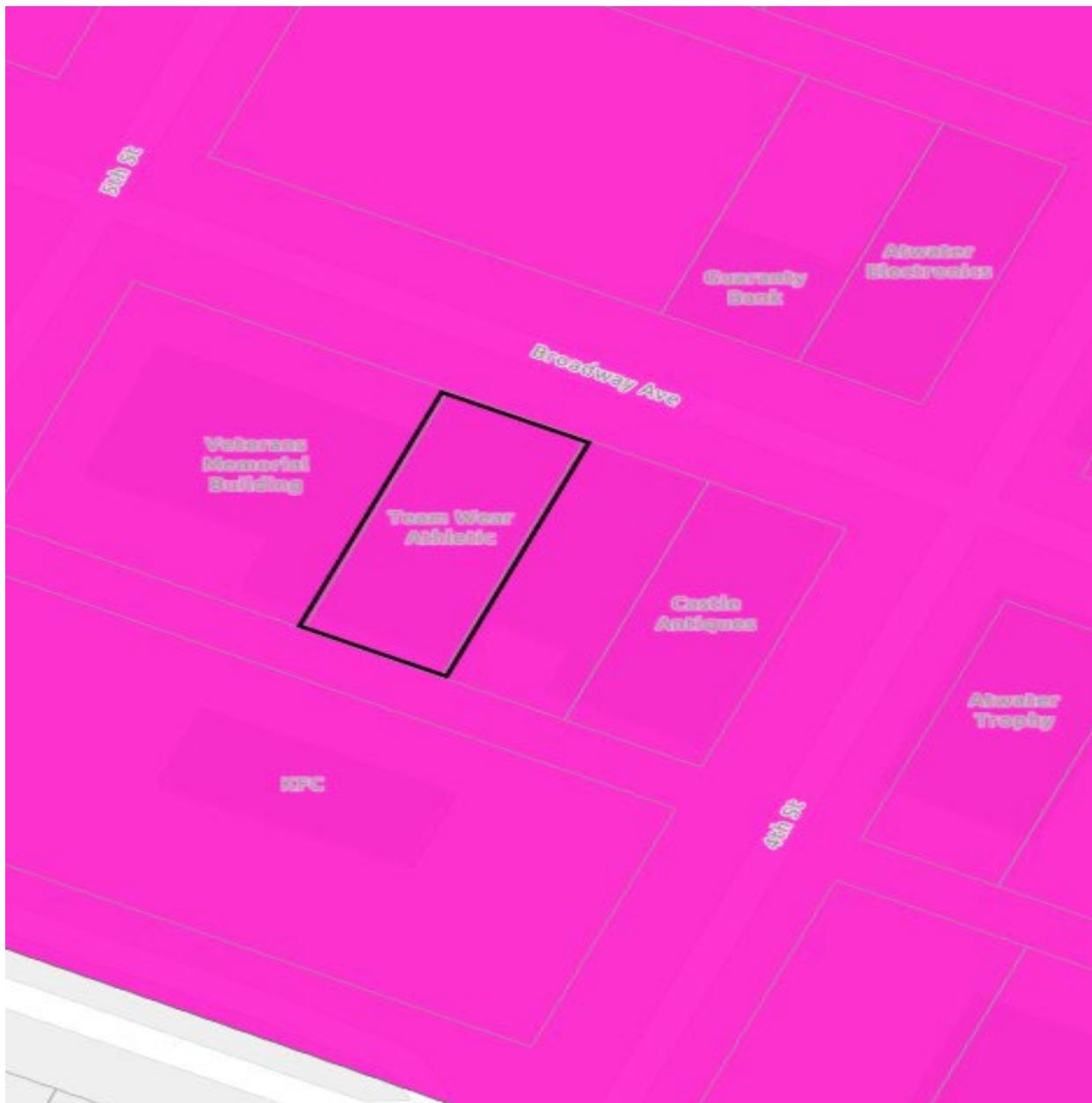


Residential Transition (RT)

Land Use Designation:

The project site has a land use designation of Residential Transition (RT); this designation is intended to provide a transition between commercial development and adjacent residential neighborhoods. The project intends to paint a mural on the west side of Civic Center 2 which is consistent with the designated use of the Atwater General Plan land use designation.

Zoning



Downtown Business District (D-BD)

Surrounding Uses:

The properties immediately to the north, south, east, and west also have a zoning designation of Downtown Business District.

Zoning Consistency:

The Downtown Business District zone is intended to provide a mixture of public and private uses designated to create a downtown shopping experience and pedestrian friendly environment. Emphasis on a mix of small-scale commercial and retail businesses and locally oriented professional and personal services are encouraged. Other supported businesses are to include mixed or multiple us developments, higher density loft type housing units, and civic and governmental offices. High quality design and signage requirements are key features to this district. Civic Center 2 is consistent with the current zoning designation.

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:

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

IV. EXISTING POLICY:

Per the Atwater Municipal Code Section 17.12.060 No public and/or governmental building, fountain, monument, wall, arch, or other structure shall be erected, placed on or upon, removed from, relocated or materially altered on or upon any public land or allowed to extend over or upon any street, avenue, square, park, recreation ground, or other public property unless plans for the same and the location thereof have first been submitted to the Planning Commission to ensure consistency with the City of Atwater's Policies, Codes, and guidelines.

V. INTERDEPARTMENTAL COORDINATION:

N/A

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 Public Resources Code PRC § 21065 this is not considered a project.

VIII. STEPS FOLLOWING APPROVAL:

Following the approval of Planning No. 24-13-0100, the Recording Secretary will forward the signed Minutes to the applicant.

Prepared by: Kayla Rashad, Administrative Assistant II

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

