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

- *Livestream online at www.atwater.org (Please be advised that there is a broadcasting delay. If you would like to participate in public comment, please use the option below).*
- *Submit a written public comment prior to the meeting: Public comments submitted to planning@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) 812-1031.

CITY OF ATWATER
PLANNING COMMISSION

AGENDA

Council Chambers
750 Bellevue Road
Atwater, California

November 18, 2026

CALL TO ORDER

REGULAR SESSION: (Council Chambers)

PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL: (Planning Commission)
Gomez___, Mokha___, Borgwardt___, Conour___, Sanchez-Garcia___

SUBSEQUENT NEED ITEMS: (The City Clerk 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 Planning Commission present at the meeting.)

APPROVAL OF AGENDA AS POSTED OR AS AMENDED: (This is the time for the Planning Commission to remove items from the agenda or to change the order of the agenda.)

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.

PUBLIC HEARINGS

1. Public Hearing To Consider Adopting Resolution No. 0283-26 Approving Conditional Use Permit No. 26-12-0100 For A Mobile Food Truck "Tacos La Mina" To Be Located At 1619 Sycamore Avenue, Atwater, CA 95301 (APN: 001-150-022).

Staff's Recommendation: It is recommended that Planning Commission:
1. Open the public hearing; and
2. Continue the item to the next scheduled Planning Commission Meeting of December 3, 2026.

2. Public Hearing To Consider Adopting Resolution No. 0286-26 Approving Conditional Use Permit No. 26-16-0100 Allowing Operation Of One Mobile Food Vehicle, To Be Determined, Within A Designated Area Of The Subject Property Located At 1485 Broadway Avenue, Atwater, CA 95301 (APN: 002-204-007).

Staff's Recommendation: It is recommended that Planning Commission:
1. Open the public hearing; and
2. Continue the item to the next scheduled Planning Commission Meeting of December 3, 2026.

REPORTS AND PRESENTATIONS FROM STAFF: ()

3. Osborn Park — Presentation from Justin Vinson, Public Works Director

Staff's Recommendation: No action

4. Third Quarter Report — Presentation from Jonnie Hanson Lan, Community Development Director

Staff's Recommendation: No action

ADJOURNMENT

CERTIFICATION:

I, Lisa Baladad, Planning Commission Recording Secretary, do hereby certify that a copy of the foregoing agenda was posted at Council Chambers a minimum of 72 hours prior to the meeting.

Lisa Baladad, 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 Community Development Department located at 1350 Broadway Avenue, Atwater, CA 95301 during normal business hours.

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, Atwater, CA 95301.



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 City Council, Commission or Committee meeting due to a disability, please contact the City Clerk's Office a minimum of three (3) business days in advance of the meeting at (209) 357-6241. You may also send the request by email to cityclerk@atwater.org.

PLANNING COMMISSION AGENDA REPORT

PLANNING COMMISSION

Donald Borgwardt Jagandeep Mokha

Michael Gomez Shawn Conour

Mayra Sanchez-Garcia

MEETING DATE: **November 18, 2026**

TO: **Chair and Commissioners**

FROM: **Alyssa Trovao, Planning Technician**

SUBJECT: **Public Hearing To Consider Adopting Resolution No. 0283-26 Approving Conditional Use Permit No. 26-12-0100 For A Mobile Food Truck "Tacos La Mina" To Be Located At 1619 Sycamore Avenue, Atwater, CA 95301 (APN: 001-150-022).**

RECOMMENDED COMMISSION ACTION:

It is recommended that Planning Commission:

1. Open the public hearing; and

2. Continue the item to the next scheduled Planning Commission Meeting of December 3, 2026.

I. BACKGROUND:

Tacos La Mina is a mobile food truck that will operate on private property with the property owner's authorization. The subject property is located at 1619 Sycamore Avenue, Atwater, CA 95301 (APN: 001-150-022) (refer to Figure 1). The parcel is approximately 0.84 acres with an existing gas station.

A mobile food vehicle has been previously approved at this location by the Planning Commission on June 20, 2024 (RSO 0247-24, CUP 24-11-0100). When said mobile food vehicle ceased operations, Conditional Use Permit No. 24-11-0100 expired. Accordingly, conditions of approval substantially similar to those imposed under CUP No. 24-11-0100 have been incorporated into RSO 0283-26, CUP 26-12-0100.
Figure 1: Site Location



ANALYSIS:

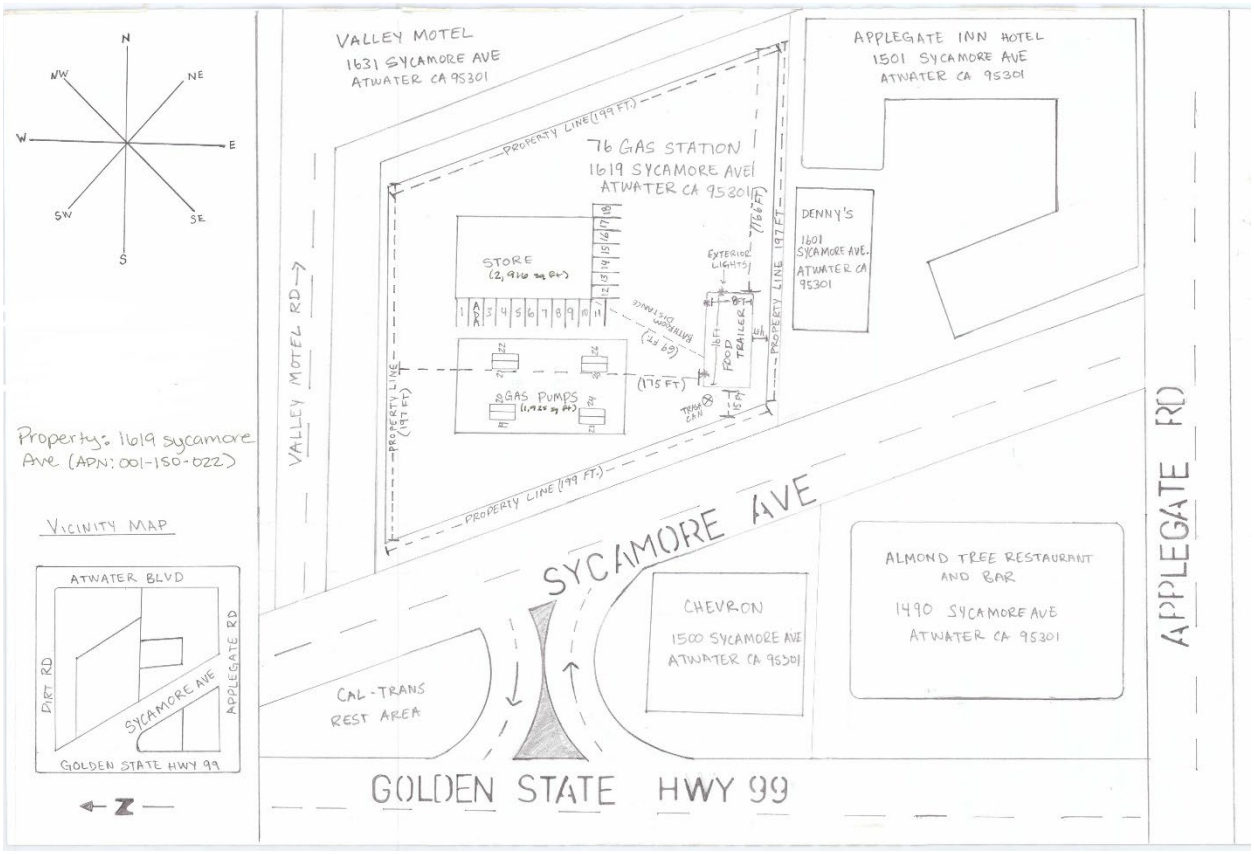
The applicant requests a Conditional Use Permit to allow a mobile food truck "Tacos La Mina" to operate on a parcel with an existing gas station on Sycamore Avenue. The zoning is Business Park and the land use designation is Business Park.

The mobile food truck will operate between the hours of 8:00 am and 5:00 pm and will obtain an approved commissary where waste removal and disposal will be properly handled.

The mobile food truck will work with Merced County to obtain necessary permits and ensure that the operation meets all applicable health and safety requirements and will remain within the designated area shown on the approved Site Plan. Customer access will be from the existing parking lot, and sidewalks and the proposed location also provide access to restroom facilities.

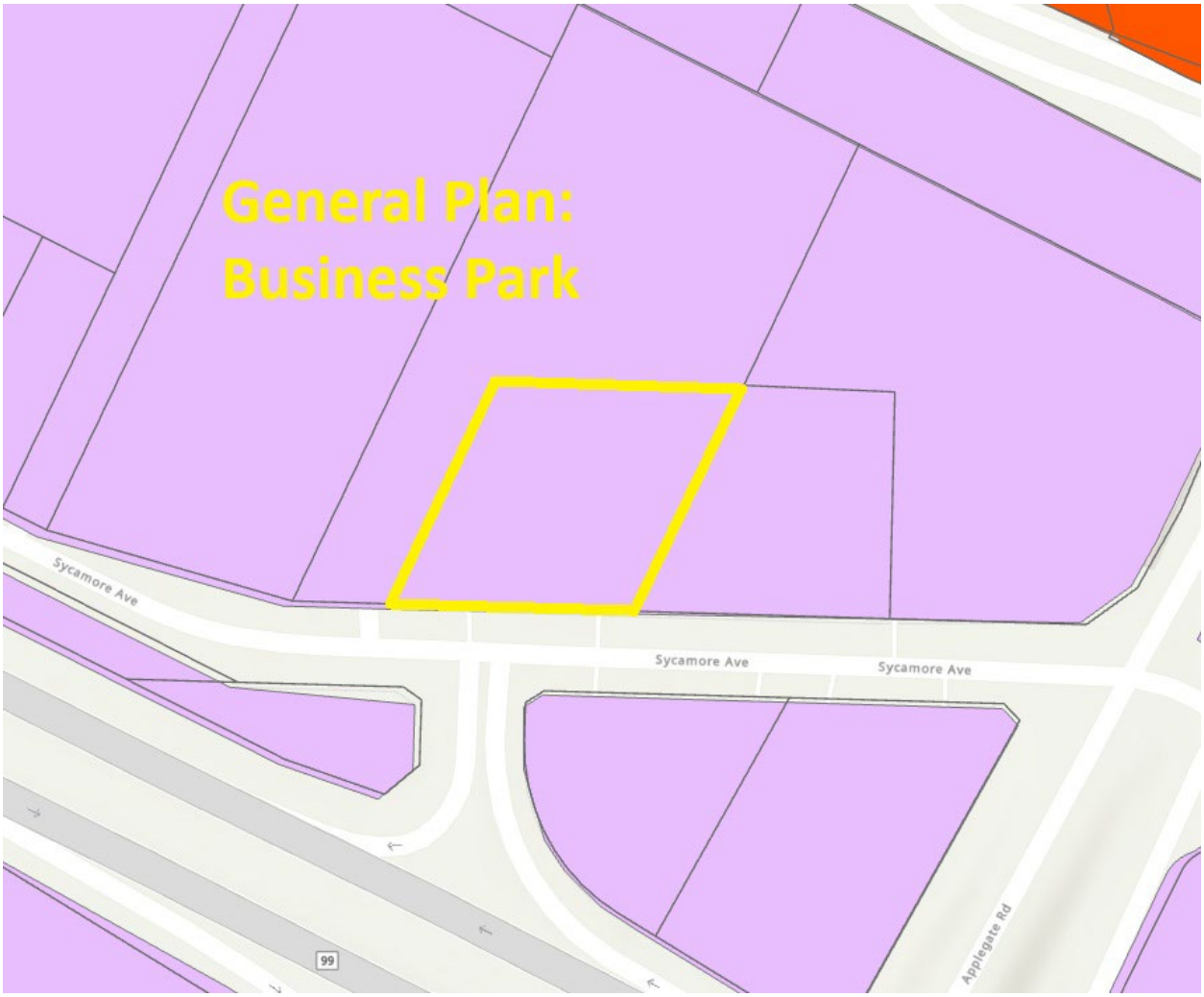
No permanent structures are proposed.

Figure 2: Site Plan



Description of Surrounding Land Use Designations: The parcels to the North, South, East, and West have a land use designation of Business Park.

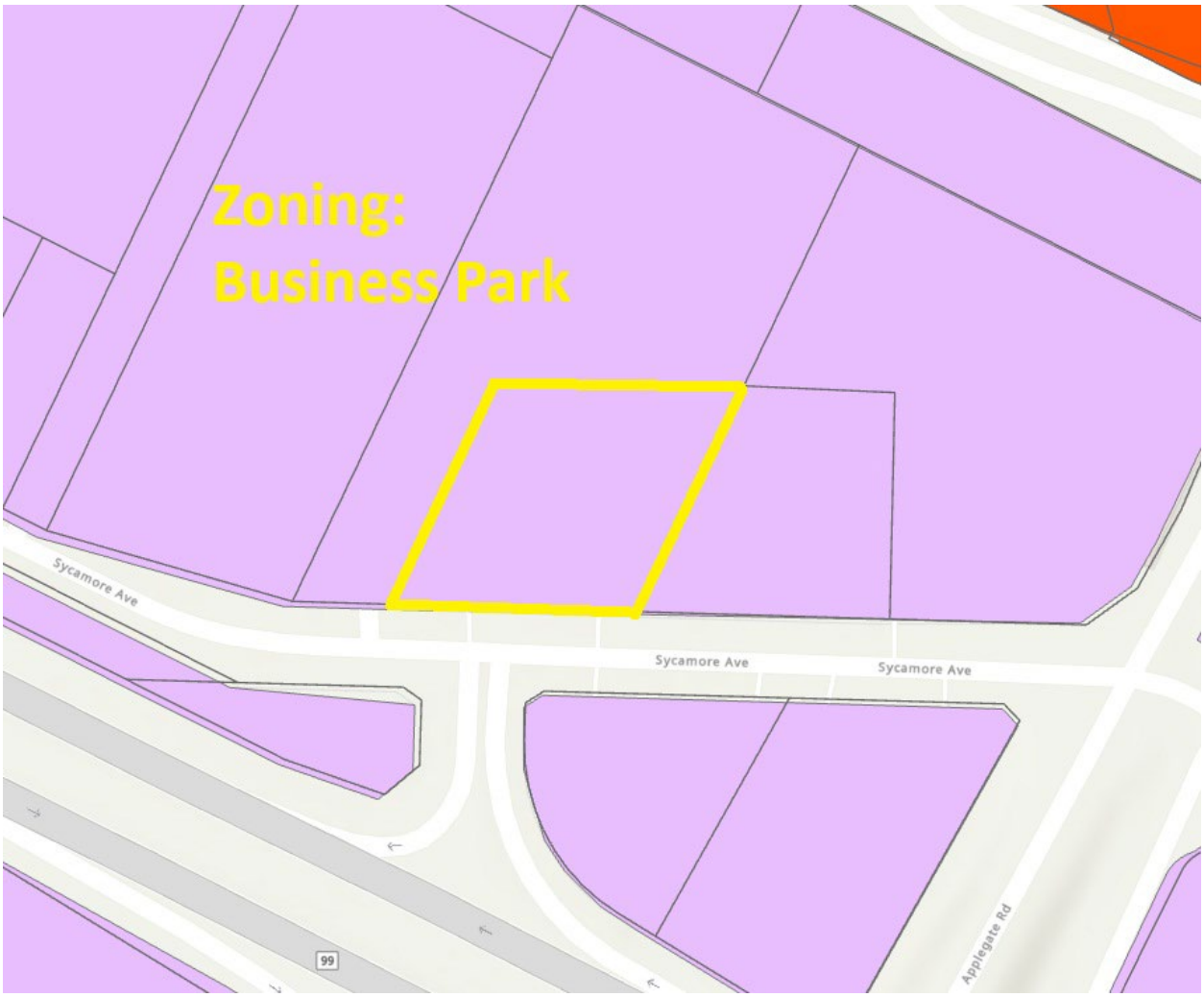
Figure 3: Land Use Designation



Business Park

Land Use Designation: The project site has a land use designation of Business Park. This designation is intended to provide a full range of uses, including retail stores, eating and drinking establishments, commercial recreation, industrial uses, entertainment, and cultural facilities. The project intends to operate a mobile food truck that is consistent with the designated use of the Atwater General Plan land use designation.

Figure 4: Zoning Designation



Business Park

Zoning: The Downtown Business District zone has been established to be consistent with the General Plan Land Use Element and to encourage a mixture of commercial and industrial development. The project intends to operate a mobile food truck that is consistent with the zoning of the parcel under **Chapter 17.39 – BUSINESS PARK DISTRICT OVERLAY, Section 17.39.020 - Permitted uses, (D) M-1, Light Industrial, Chapter 17.40 - M-1, LIGHT INDUSTRIAL ZONE, Section 17.40.030 - Conditional uses, (J) A mobile food vendor.**

Recommendation:

The applicant's request for a Conditional Use Permit to allow a mobile food truck "Tacos La Mina" to operate on a parcel with an existing gas station located at 1619 Sycamore Avenue, Atwater, is consistent with the land use designation and the AMC Sections 17.39.020(D) and 17.40.030(J). Staff recommends the Planning Commission approve the Conditional 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:

This item has been reviewed by the City Attorney.

IV. EXISTING POLICY:

N/A

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 California Environmental Quality Act (CEQA), this project is categorically exempt from environmental review under Guideline Section 15311, "Accessory Structures," because Class 11 consists of construction or placement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities, including but not limited to placement of seasonal or temporary use items such as lifeguard towers, mobile food units, portable restrooms, or similar items in generally the same locations from time to time in publicly owned parks, stadiums, or other facilities designed for public use. The mobile food truck is accessory to the existing gas station use and does not involve expansion of the site or construction of permanent structures.

VIII. STEPS FOLLOWING APPROVAL:

Following adoption of Resolution No. 0283-26, Conditional Use Permit No. 26-12-0100, and a five-day appeal period, the signed resolution will be given to the applicant.

Prepared by: Alyssa Trovao, Planning Technician

Submitted by: Lisa Baladad, Executive Assistant

Attachments:

1. Resolution No. 0283-26
2. Operational Statement
3. Property Owner's Letter of Authorization
4. Site Plan
5. Mobile Food Truck Images (1-3)

PLANNING COMMISSION
OF THE
CITY OF ATWATER

RESOLUTION NO. 0283-26

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ATWATER APPROVING CONDITIONAL USE PERMIT NO. 26-12-0100 FOR A MOBILE FOOD VEHICLE "TACOS LA MINA" TO BE LOCATED AT 1619 SYCAMORE AVENUE, ATWATER, CA 95301 (APN: 001-150-022).

WHEREAS, at a duly noticed public hearing held on November 18, 2026, the Planning Commission of the City of Atwater reviewed Conditional Use Permit No. 26-12-0100; and

WHEREAS, this project is zoned Business Park, which allows for mobile food vehicles with a Conditional Use Permit when reviewed and granted by the Planning Commission; and

WHEREAS, the proposed Conditional Use Permit No. 26-12-0100 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, all legal prerequisites for the adoption of this Resolution have occurred; and

WHEREAS, the Planning Commission finds that:

1. The applicant proposes to operate as a mobile food vehicle in compliance with all applicable City regulations.

2. The project complies with applicable provisions of the Atwater Municipal Code.

3. The project is consistent with the City's General Plan and Zoning Ordinance.

4. The use will not be detrimental to public health, safety, or welfare.

5. The project is exempt from environmental review pursuant California Environmental Quality Act (CEQA) Guideline Section 15311, "Accessory Structures".

6. The public hearing for this application has been adequately noticed.

NOW THEREFORE BE IT RESOLVED, that the recitals above are true and correct and hereby incorporated by reference. The Planning Commission of the City of Atwater does hereby approve Conditional Use Permit No. 26-12-0100 for a mobile food vehicle, "Tacos La Mina," located at 1619 Sycamore Avenue, Atwater (APN: 001-150-022), subject to the following conditions:

CONDITIONS OF APPROVAL:

The following conditions of approval apply to most projects of this type.

These conditions are not intended to be an exhaustive list of all applicable requirements. Additional project-specific conditions, state and federal regulations, or other provisions of the Atwater Municipal Code may also apply.

PLANNING

1. The 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, along with the California State Amendments.

2. Applicant must obtain a business license from the City of Atwater prior to commencement of operations. Applicant shall comply with all the conditions of approval to continue to maintain its business license.

3. The applicant shall operate the mobile food vehicle Monday through Sunday, from 8:00 a.m. to 5:00 p.m., as proposed. Any changes to hours of operation shall be reviewed and approved by the Director of the Community Development Department or their designee.

4. If the operation of the food vehicle results in a high level of code enforcement calls, the Planning Commission retains the right to reconsider, modify, and/or revoke Conditional Use Permit No. 26-12-0100.

5. If the established use notifies the City that parking has become an issue for its own patrons as a result of the mobile food vehicle's operations, the Planning Commission shall hold a hearing to determine whether to revoke or modify the mobile food vehicle's conditional use permit.

6. This Conditional Use Permit is non-transferable and a copy of it shall be posted on the mobile food vehicle during the hours of operation.

7. The mobile food vehicle's business equipment shall be placed in a way that does not interfere with sight triangles, on-site circulation, vehicular, bicycle, ADA, or pedestrian pathways, emergency access, fire lanes, drive aisles, required setbacks, landscaping requirements, parking, drainage, or any other requirements that have been imposed as part of the site plan approval for the premises or property on which the business is located, and shall be located in a manner that will not constitute a safety hazard.

8. The mobile food vehicle's business equipment shall be placed only on a paved, concrete, or other impervious surface or approved equivalent.

9. The vehicle is not permitted to be stored overnight on the premises. The applicant shall vacate the premises upon closing of the posted hours of operation and shall ensure all trash and debris created by the operation of the vehicle is collected and properly disposed in the existing on-site trash receptacle prior to leaving for the day.

10. Mobile food vehicles must have authorization from the property owner to allow the disposal of waste in appropriate waste receptacles on site. The site of the business shall always be kept clean and free of litter.

11. Grease and other waste products shall be disposed of per the requirements of the Merced County Division of Environmental Health (MCDEH).

12. Approval of this Conditional Use Permit application does not constitute approval for any other entitlement or any necessary permit, license, or approval.

13. The applicant shall comply with all City, County, State, and Federal regulations.

14. Prior to business license issuance and commencement of operations, the applicant shall obtain a mobile food facility permit from MCDEH and thereafter operate within the parameters of the permit and the applicable sections of the California Retail Food Code and shall provide their permit upon submission for a Business License with the City of Atwater.

15. The mobile food vehicles (to include self-contained trucks, trailers, and carts) shall provide and maintain access to restroom facilities for employees in accordance with applicable MCDEH requirements. Mobile food vehicle operations shall comply with all applicable MCDEH standards regarding employee handwashing and sanitation.

16. Should the water supply or sanitary sewer service to the restrooms of the premises become interrupted, then the operation of the mobile food vehicles shall cease until such time that service is restored. Any wastewater generated by this use shall not be released on site or into any storm drainage or irrigation system.

17. The mobile food vehicles must report to their approved commissary at least once every day for cleaning, discharge of wastewater, restocking of fresh potable water supply, food, and other consumable supplies.

18. Any extension cords used to supply power to the mobile food vehicles' equipment shall be rated for outdoor use. The cord must be one continuous cord that will not interfere with any paths of travel, including emergency access or accessibility.

19. Mobile food vehicles shall comply with all requirements of the San Joaquin Valley Air Pollution District (SJVAPCD) for all equipment used in association with the mobile food vehicles, equipment, accessories, and any mobile power generation.

20. The mobile food vehicle shall be positioned with the order window facing east, toward the property line.

21. This Conditional Use Permit shall expire in five (5) years from the date of this Resolution, or once the named mobile food vehicle has ceased operations at this location, whichever is sooner. If the permit expires after the 5 years, the applicant can submit for an extension with the Director of Development Services, or their Designee, for no more than 2 years.

22. 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 by the Director of Development Services, or their Designee, prior to implementation.

23. 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. 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. This condition may be placed on any plans or other documents pertaining to this application.

CODE ENFORCMENT/POLICE

24. All outdoor seating, tables, and portable shade structures are prohibited on-site.

25. The applicant shall comply with Chapter 17.69, “Sign Regulations,” of the Atwater Municipal Code.

26. The food vehicle or transport vehicles may not be parked to encroach into any curb cuts or parking lot access points.

27. The applicant must ensure that there is sufficient parking and travel space to avoid, to the extent possible, the occurrence of traffic hazards.

28. The applicant shall secure any exterior electrical and water connections in a manner that restricts unauthorized use.

29. The applicant shall provide exterior lighting sufficient to illuminate areas accessible to the public and support site security.

FIRE

30. The applicant must comply with State and Federal Accessibility requirements.

31. There must be a clearance of at least 10 ft away from buildings, structures, vehicles, and any combustible materials.

32. A commercial Class A, B, C extinguisher must be installed and clearly visible for Kitchen cooking areas in accordance with NFPA 10 and 2022 CFC.

33. If cooking with deep fryers, a Class K extinguisher will need to be installed and clearly visible.

The foregoing resolution is hereby adopted this 18th day of November, 2026.

AYES:
NOES:
ABSENT:

APPROVED:

_____
MAYRA SANCHEZ-GARCIA, CHAIR

ATTEST:

_____
JONNIE HANSON LAN,
COMMUNITY DEVELOPMENT DIRECTOR

Good afternoon,

I am writing to provide additional information regarding our proposed mobile food truck business in the City of Atwater.

We are planning to operate a Mexican food truck serving items such as tacos, burritos, sopes, and other traditional Mexican foods. Our proposed hours of operation would be approximately 8:00 a.m. to 5:00 p.m.

As part of our operation, we plan to obtain an approved commissary where we will properly handle waste removal and disposal. We will work with Merced County to obtain the necessary permits and ensure that our operation meets all applicable health and safety requirements.

The proposed location also provides access to restroom facilities. Our food truck is a 1977 mobile truck and is fully movable, so if its location ever becomes an issue or needs to be adjusted, we are able to relocate it as necessary.

We are very eager to begin this new business and look forward to the opportunity to serve the Atwater community. We believe our business can provide a convenient food option for the area while contributing positively to the City of Atwater.

Thank you for your time and consideration. We look forward to hearing from you and are happy to provide any additional information needed regarding our proposed operation.

Respectfully,

J Felix Brito Abarca



RECEIVED
SEP 0 1 2026
BY:

FOOD TRUCK PERMISSION LETTER

Date: 08/27/2026

To Whom It May Concern,

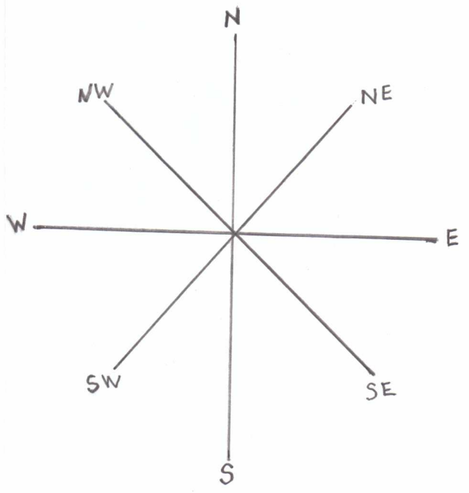
I, Simranjit Virk, owner/authorized representative of B&V Inc hereby give permission to **J. Felix Brido Abarca** to operate a food truck on the premises of my property/business.

I authorize the use of the designated area on the property for this purpose, subject to all applicable permits, licenses, health requirements, and local regulations.

If you have any questions or require additional verification, please feel free to contact me.

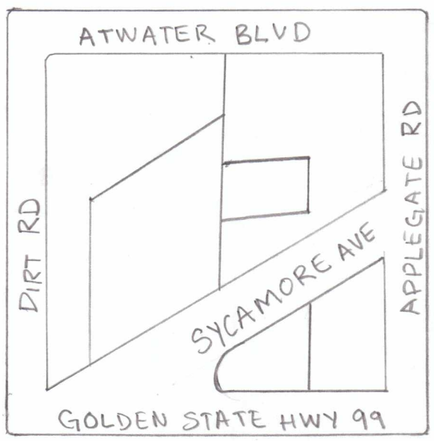
Sincerely,

Owner/Authorized Representative: Simranjit Virk
Business Name: Applegate Stop N Shop
Property Address: 1619 Sycamore Ave. Atwater CA
Phone Number: [redacted]
Signature: [redacted]
Date: 9/1/2026



Property: 1619 sycamore Ave (APN: 001-150-022)

VICINITY MAP



N

VALLEY MOTEL
1631 SYCAMORE AVE
ATWATER CA 95301

APPLEGATE INN HOTEL
1501 SYCAMORE AVE
ATWATER CA 95301

76 GAS STATION
1619 SYCAMORE AVE
ATWATER CA 95301

PROPERTY LINE (199 FT.)

STORE
(2,916 sq ft)

1 ADA 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18

EXTERIOR LIGHTS

8FT

BATHROOM DISTANCE (69 FT.)

(166FT)

PROPERTY LINE 197FT

16Ft

FOOD TRAILER

4Ft

(175 FT)

TRASH CAN

15 FT

PROPERTY LINE (197 FT)

22 26 21 25

20 GAS PUMPS
(1,925 sq ft)

19 24 23

DENNY'S
1601 SYCAMORE AVE.
ATWATER CA 95301

PROPERTY LINE (199 FT.)

VALLEY MOTEL RD

APPLEGATE RD

SYCAMORE AVE

CAL-TRANS REST AREA

CHEVRON
1500 SYCAMORE AVE
ATWATER CA 95301

ALMOND TREE RESTAURANT AND BAR
1490 SYCAMORE AVE
ATWATER CA 95301

GOLDEN STATE HWY 99


TACOS
CARNES / MEATS
Especial
Meats
Birria
Cabeza
Extra
Lengua
POLLO/CHICKEN
MENU
DEL COMAL/HANDMADE
TACOS
REGULAR
SUPREME
TORTAS
REGULAR-JAMON/HAM
CUBANA-MILANESA/BREADED STEAK
PIERNA
PAMBAZOS
BURRITOS
REGULAR
SUPREME
FRIJOL/QUESO-BEAN/CHEESE
VEGETARIANO/VEGGIE
FAJITA DE
POLLO/CHICKENFAJITA
BURRITO MOJADO/WET
BURRITO
DESAYUNO/BREAKFAST
QUESADILLAS
REGULAR SUPREME
QUESADILLA FAJITAS
QUESABIRRIAS
SOPES -TLACOYOS
QUESADILLAS FRITAS/GRILLED
QUESADILLAS
MULITAS
ENCHILADAS
TOSTADAS
NACHOS
MIXED FRIJOL
ORDEN DE PAPAS FRITAS/SIDE FRIED
ARROZ/FRIJOL
RICE/BEANS
EXTRAS $.75 c/u
Queso/mozzarella cheese
Guacamole
Limón/lime
Salsa
Gracias
Thank you
PUEDE HACER ORDEN POR TELEFONO/PHONE
2407
WM
WASTE MANAGEMENT


ASADA/STEAK--[redacted]
CABEZA/BEEFCHEEK
BIRRIA/BARBACOA
CHORIZO/MEXICANSAUSAGE
[redacted]
CARNES / MEATS
Special Meats
Birria
Cabeza
Lengua
Extra
CARNITAS / FRIED PORK
PASTOR / BBQ PORK
BUCHE / PORK STOMACH
CAMARON / SHRIMP
PESCADO / FISH
POLLO/CHICKEN
MENU
TACOS
REGULAR
SUPREME
TORTAS
REGULAR-JAMON/HAM
CUBANA--MILANESA/BREADED STEAK
PIERNA
PAMBAZOS
BURRITOS
REGULAR
SUPREME
FRIJOL/QUESO-BEAN/CHEESE
VEGETARIANO/VEGGIE
FAJITA DE
POLLO/CHICKENFAJITA
BURRITO MOJADO/WET
BURRITO
DESAYUNO/BREAKFAST
QUESADILLAS
REGULAR SUPREME
QUESADILLA FAJITAS
QUESABIRRIAS
DEL COMAL/HANDMADE
SOPES -TLACOYOS
QUESADILLAS FRITAS/FRIED
QUESADILLAS
MULITAS
ENCHILADAS
TOSTADAS
NACHOS
MEXI-FRIES
ORDEN DE PAPASFRITAS/SIDE FRIES
ARROZ/FRIJOL
RICE/BEANS
EXTRAS $.75 c/u
crema/sourcream,jalapeño
Queso/mozarella cheese
Guacamole
limon/lime
Salsa
Gracias
Thank you
PUEDE HACER ORDEN POR TELEFONO/PHONE


TACOS
LA MINA

PLANNING COMMISSION AGENDA REPORT

PLANNING COMMISSION

Donald Borgwardt Jagandeep Mokha

Michael Gomez Shawn Conour

Mayra Sanchez-Garcia

MEETING DATE: **November 18, 2026**

TO: **Chair and Commissioners**

FROM: **Alyssa Trovao, Planning Technician**

SUBJECT: **Public Hearing To Consider Adopting Resolution No. 0286-26 Approving Conditional Use Permit No. 26-16-0100 Allowing Operation Of One Mobile Food Vehicle, To Be Determined, Within A Designated Area Of The Subject Property Located At 1485 Broadway Avenue, Atwater, CA 95301 (APN: 002-204-007).**

RECOMMENDED COMMISSION ACTION:

It is recommended that Planning Commission:

1. Open the public hearing; and

2. Continue the item to the next scheduled Planning Commission Meeting of December 3, 2026.

I. BACKGROUND:

The applicant/property owner is requesting approval of a Conditional Use permit to allow operation of one mobile food vehicle, to be determined, within a designated area of the subject property, thereby authorizing future food truck vendors to operate from that approved location without requiring separate entitlements for each individual vendor. Only one food truck would be allowed at that location at a time. Located in the parking lot of 1485 Broadway Ave, Atwater (APN: 002-204-007).

A mobile food vehicle has been previously approved at this location by the Planning Commission on February 19, 2025 (RSO 0219-22, CUP 22-26-0100). When said mobile food vehicle ceased operations, Conditional Use Permit No. 22-26-0100 expired. Accordingly, conditions of approval substantially similar to those imposed under CUP No. 22-26-0100 have been incorporated into RSO 0286-26, CUP 26-16-0100.

Figure 1: Site Location



ANALYSIS:

The applicant requests a Conditional Use Permit to allow food truck operation within a designated area of the subject property. The zoning is Downtown Business District, and the land use designation is Downtown Residential.

Proposed mobile food vehicle will operate between the hours of 8:00 am and 10:00 pm, Monday through Sunday.

Proposed mobile food vehicle will be responsible for the property handling and disposal of all waste generated through its operations Waste will be collected and disposed of in accordance with applicable City of Atwater and Merced County requirements. The premises will be kept clean and free of accumulated trash.

Proposed mobile food vehicle will remain and operate within the designated area shown on the approved Site Plan. Customer access will be from the existing parking lot and sidewalks. No permanent structures are proposed.

Proposed mobile food vehicle will maintain a clean, safe, and orderly operation. Food preparation, service, employee activities, and waste handling will be conducted in compliance with all applicable health, safety, sanitation, and local regulations.

Proposed mobile food vehicle will obtain Merced County Health Permit and a City of Atwater issued Business License.

Figure 2: Site Plan



Description of Surrounding Land Use Designations: The parcels to the North, South, East, and West have a land use designation of Downtown Residential.

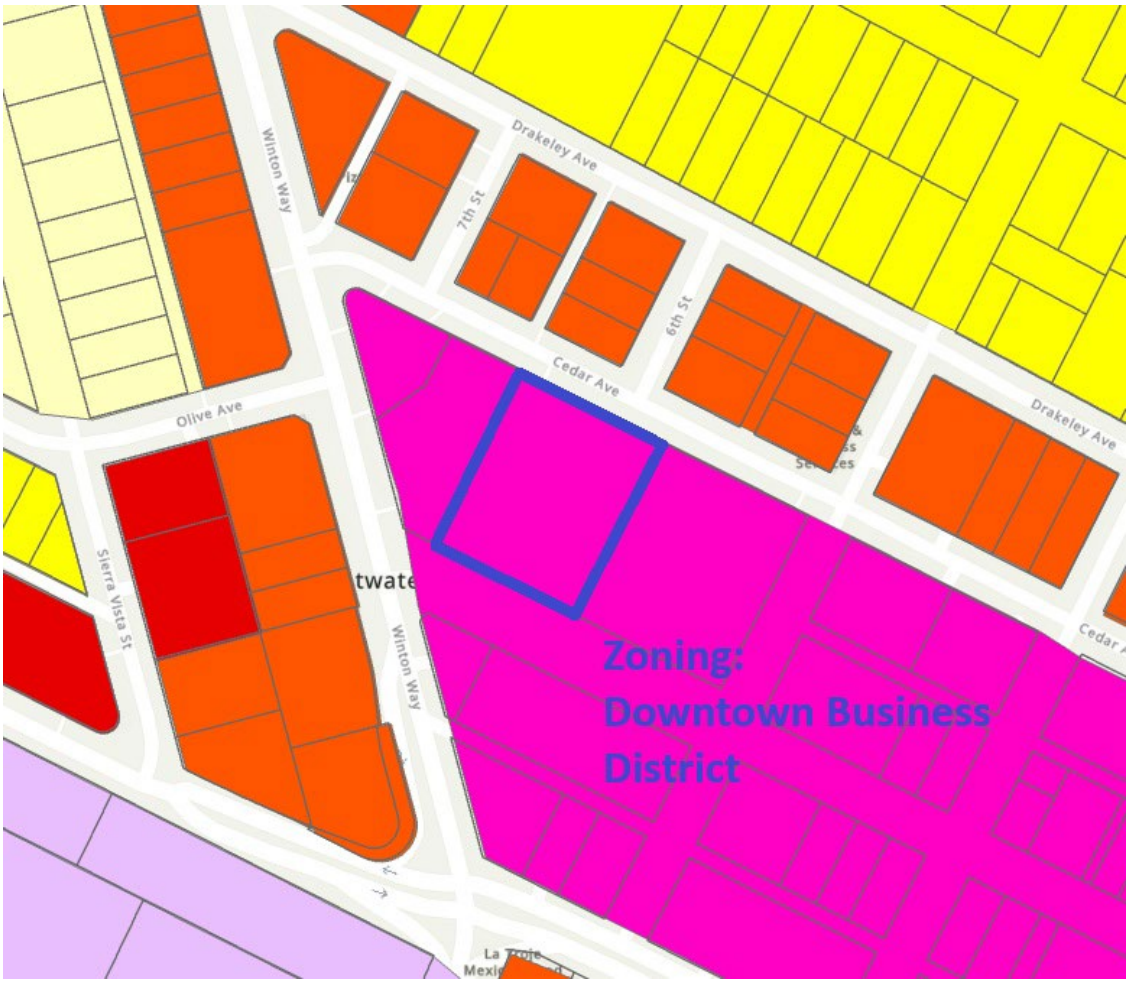
Figure 3: Land Use Designation



Downtown Residential

Land Use Designation: The project site has a land use designation of Downtown Residential. This designation provides for a full range of uses in Downtown Atwater, including retail stores, eating and drinking establishments, commercial recreation, entertainment and cultural facilities, hospitals, hotels, and motels, educational and social services, government offices, and residential uses. The project intends to operate a mobile food trailer that is consistent with the designated use of the Atwater General Plan land use designation.

Figure 4: Zoning Designation



Downtown Business District

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. The project intends to operate a mobile food trailer that is consistent with the zoning of the parcel under **Chapter 17.43 – Downtown Business District, Section 17.43.030 – Uses requiring a conditional use permit, (K) Mobile food vendors.**

Recommendation:

The applicant's request for a Conditional Use Permit allowing operation of one mobile food vehicle, to be determined, within a designated area of the subject property located at 1485 Broadway Avenue, Atwater, is consistent with the land use designation and the AMC Section 17.43.030(K). Staff recommends the Planning Commission approve the Conditional 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:

This item has been reviewed by the City Attorney.

IV. EXISTING POLICY:

N/A

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 California Environmental Quality Act (CEQA), this project is categorically exempt from environmental review under Guideline Section 15311, “Accessory Structures,” because Class 11 consists of construction or placement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities, including but not limited to placement of seasonal or temporary use items such as lifeguard towers, mobile food units, portable restrooms, or similar items in generally the same locations from time to time in publicly owned parks, stadiums, or other facilities designed for public use. The mobile food trailer is accessory to the existing gas station use and does not involve expansion of the site or construction of permanent structures.

VIII. STEPS FOLLOWING APPROVAL:

Following adoption of Resolution No. 0286-26, Conditional Use Permit No. 26-16-0100, and a five-day appeal period, the signed resolution will be given to the applicant.

Prepared by: Alyssa Trovao, Planning Technician

Submitted by: Lisa Baladad, Executive Assistant

Attachments:

1. Resolution No. 0286-26
2. Operational Statement
3. Property Owner's Letter of Authorization
4. Site Plan

PLANNING COMMISSION
OF THE
CITY OF ATWATER

RESOLUTION NO. 0286-26

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ATWATER APPROVING CONDITIONAL USE PERMIT NO. 26-16-0100 ALLOWING OPERATION OF ONE MOBILE FOOD VEHICLE, TO BE DETERMINED, WITHIN A DESIGNATED AREA OF THE SUBJECT PROPERTY LOCATED AT 1485 BROADWAY AVENUE, ATWATER, CA 95301 (APN: 002-204-007).

WHEREAS, at a duly noticed public hearing held on November 18, 2026, the Planning Commission of the City of Atwater reviewed Conditional Use Permit No. 26-16-0100; and

WHEREAS, this project is zoned Downtown Business District, which allows for mobile food vehicle with a Conditional Use Permit when reviewed and granted by the Planning Commission; and

WHEREAS, the proposed Conditional Use Permit No. 26-16-0100 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, all legal prerequisites for the adoption of this Resolution have occurred; and

WHEREAS, the Planning Commission finds that:

1. The property owner/applicant proposes to operate a mobile food vehicle on the property in compliance with all applicable City regulations.

2. The project complies with applicable provisions of the Atwater Municipal Code.

3. The project is consistent with the City's General Plan and Zoning Ordinance.

4. The use will not be detrimental to public health, safety, or welfare.

5. The project is exempt from environmental review pursuant California Environmental Quality Act (CEQA) Guideline Section 15311, “Accessory Structures”.

6. The public hearing for this application has been adequately noticed.

NOW THEREFORE BE IT RESOLVED, that the recitals above are true and correct and hereby incorporated by reference. The Planning Commission of the City of Atwater does hereby approve Conditional Use Permit No. 26-16-0100 allowing mobile food vehicle operation within a designated area of the subject property located at 1485 Broadway Avenue, Atwater (APN: 002-204-007), subject to the following conditions:

CONDITIONS OF APPROVAL:

The following conditions of approval apply to most projects of this type.

These conditions are not intended to be an exhaustive list of all applicable requirements. Additional project-specific conditions, state and federal regulations, or other provisions of the Atwater Municipal Code may also apply.

PLANNING

1. Removing on-site graffiti shall be the responsibility of the property owner. The City may abate on-site graffiti in accordance with City Municipal Code Chapter 8.38 (Graffiti Ordinance).

2. The 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, along with the California State Amendments.

3. Mobile food operator must obtain a business license from the City of Atwater prior to commencement of operations.

4. Property owner/applicant and mobile food operator shall comply with all the conditions of approval to continue to maintain its business license.

5. A mobile food vehicle shall be permitted to operate within the designated area as shown in the approved site plan, Monday through Sunday, between 8:00 a.m. and 10:00 p.m., as proposed. Any changes to hours of operation shall be reviewed and approved by the Director of the Community Development Department or their designee.

6. If the operation of mobile food vehicle results in a high level of code enforcement calls, the Planning Commission retains the right to reconsider, modify, and/or revoke Conditional Use Permit No. 26-16-0100.

7. If the established use notifies the City that parking has become an issue for its patrons as a result of the mobile food vehicle's operations, the Planning Commission shall hold a hearing to determine whether to revoke or modify the mobile food vehicle's conditional use permit.

8. This Conditional Use Permit runs with the land. The property owner shall ensure the permitted mobile food truck operator is provided a copy of the conditions contained herein, and that the operator keeps this approval posted with the business during the hours of operation.

9. Mobile food vehicle's business equipment shall be placed in a way that does not interfere with sight triangles, on-site circulation, vehicular, bicycle, ADA, or pedestrian pathways, emergency access, fire lanes, drive aisles, required setbacks, landscaping requirements, parking, drainage, or any other requirements that have been imposed as part of the site plan approval for the premises or property on which the business is located, and shall be located in a manner that will not constitute a safety hazard.

10. Mobile food vehicle's business equipment shall be placed only on a paved, concrete, or other impervious surface or approved equivalent.

11. The mobile food vehicle is not permitted to be stored overnight on the premises. The Mobile food vehicle shall vacate the premises upon closing of the posted hours of operation and shall ensure all trash and debris created by the operation of the vehicle is collected and properly disposed in the existing on-site trash receptacle prior to leaving for the day.

12. The mobile food vehicle and operator must have authorization from the property owner to allow the disposal of waste in appropriate waste receptacles on site. The site of the business shall always be kept clean and free of litter.

13. Grease and other waste products shall be disposed of per the requirements of the Merced County Division of Environmental Health (MCDEH).

14. Approval of this Conditional Use Permit application does not constitute approval for any other entitlement or any necessary permit, license, or approval.

15. The applicant and mobile food vehicle operator shall comply with all City, County, State, and Federal regulations.

16. Prior to business license issuance and commencement of operations, the mobile food operator shall obtain a mobile food facility permit from MCDEH and thereafter operate within the parameters of the permit and the applicable sections of the California Retail Food Code and shall provide their permit upon submission for a Business license with the City of Atwater.

17. The mobile food vehicles (to include self-contained trucks, trailers, and carts) shall provide and maintain access to restroom facilities for employees in accordance with applicable MCDEH requirements. Mobile food vehicle operations shall comply with all applicable MCDEH standards regarding employee handwashing and sanitation.

18. Should the water supply or sanitary sewer service to the restrooms of the premises become interrupted, then the operation of mobile food vehicle shall cease until such time that service is restored. Any wastewater generated by this use shall not be released on site or into any storm drainage or irrigation system.

19. Mobile food vehicle must report to its approved commissary at least once every day for cleaning, discharge of wastewater, restocking of fresh potable water supply, food, and other consumable supplies.

20. Any extension cords used to supply power to the mobile food vehicle's equipment shall be rated for outdoor use. The cord must be one continuous cord that will not interfere with any paths of travel, including emergency access or accessibility.

21. Mobile food vehicle shall comply with all requirements of the San Joaquin Valley Air Pollution District (SJVAPCD) for all equipment used in association with the mobile food vehicle, equipment, accessories, and any mobile power generation.

22. Only one mobile food vehicle shall be permitted on the site at any given time. Mobile food vehicle shall operate only within the location shown on the approved site plan.

23. Outdoor tables, chairs, awnings/tents shall be prohibited to be accompanied with the operating mobile food vehicle at this site.

24. Property owner shall provide accessible parking in compliance with Atwater Municipal Code and California Code of Regulations Title 24.

25. In addition to the parking space for the mobile food vehicle, at least one other parking space adjacent to the vehicle shall be reserved for a customer ordering area.

26. This Conditional Use Permit shall expire in five (5) years from the date of this Resolution if the use has not been exercised; at which point, the property owner may apply for an extension of no more than two (2) years. If a food vehicle begins operating at this site, the conditional use permit approval will apply indefinitely or until otherwise revoked for noncompliance.

27. This approval is dependent upon and limited to the proposals and plans contained, supporting documents submitted, presentations made to staff and Planning Commission, and statements made by the applicant. Any variation from these plans, proposals, supporting documents, presentations, and/or statements is subject to review and approval prior to implementation.

28. 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. 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. This condition may be placed on any plans or other documents pertaining to this application.

CODE ENFORCMENT/POLICE

29. All outdoor seating, tables, and portable shade structures are prohibited on-site.

30. The applicant shall comply with Chapter 17.69, "Sign Regulations," of the Atwater Municipal Code.

31. Mobile food trailer or transport vehicles may not be parked to encroach into any curb cuts or parking lot access points.

32. The applicant must ensure that there is sufficient parking and travel space to avoid, to the extent possible, the occurrence of traffic hazards.

33. The applicant shall secure any exterior electrical and water connections in a manner that restricts unauthorized use.

34. The applicant shall provide exterior lighting sufficient to illuminate areas accessible to the public and support site security.

FIRE

35. State and Federal Accessibility requirements shall be provided for the business.

36. There must be a clearance of at least 10 ft away from buildings, structures, vehicles, and any combustible materials.

37. A commercial Class A, B, C extinguisher must be installed and clearly visible for Kitchen cooking areas in accordance with NFPA 10 and 2022 CFC.

38. If cooking with deep fryers, a Class K extinguisher will need to be installed and clearly visible.

BUILDING

39. An accessible parking stall shall be provided adjacent to mobile food vehicle.

MERCED COUNTY FOOD PROGRAM

40. Any mobile food vehicles that propose the use of this location to operate must submit a completed Restroom Agreement to the Merced County Food Program prior to operation.

The foregoing resolution is hereby adopted this 18th day of November, 2026.

AYES:
NOES:
ABSENT:

APPROVED:

_____
MAYRA SANCHEZ-GARCIA, CHAIR

ATTEST:

_____
JONNIE HANSON LAN,
COMMUNITY DEVELOPMENT DIRECTOR

OPERATIONAL STATEMENT

Business Type: Mobile Food Truck
Location: Parking lot of 1485 Broadway Ave., Atwater, CA 95301

Hours of Operation

The food truck will operate **daily from 8:00 AM to 10:00 PM**.

Number of Employees

The business will have approximately **2 to 4 employees** working during operating hours.

Waste Management

The food truck will be responsible for the proper handling and disposal of all waste generated through its operations. Waste will be collected and disposed of in accordance with applicable **City of Atwater and Merced County** requirements. The premises will be kept clean and free of accumulated trash.

General Operations

The food truck will operate from the designated parking area and will maintain a clean, safe, and orderly operation. Food preparation, service, employee activities, and waste handling will be conducted in compliance with all applicable health, safety, sanitation, and local regulations.

Applicant/Business Owner: _____ (RAJESHWAR RANDHAWA)
Date: 9/20/26
Signature: [redacted]

BUSINESS OWNERSHIP AND AUTHORIZATION LETTER

To Whom It May Concern:

I, **Rajeshwar Randhawa**, hereby confirm that I am the owner of **ASJS Investments LLC.**

I am authorized to represent the company and conduct, manage, and oversee all business activities and transactions on behalf of ASJS Investments LLC.

All business matters undertaken by me are conducted in my capacity as the owner and authorized representative of the company.

Please feel free to contact me should any additional information or verification be required.

Sincerely,

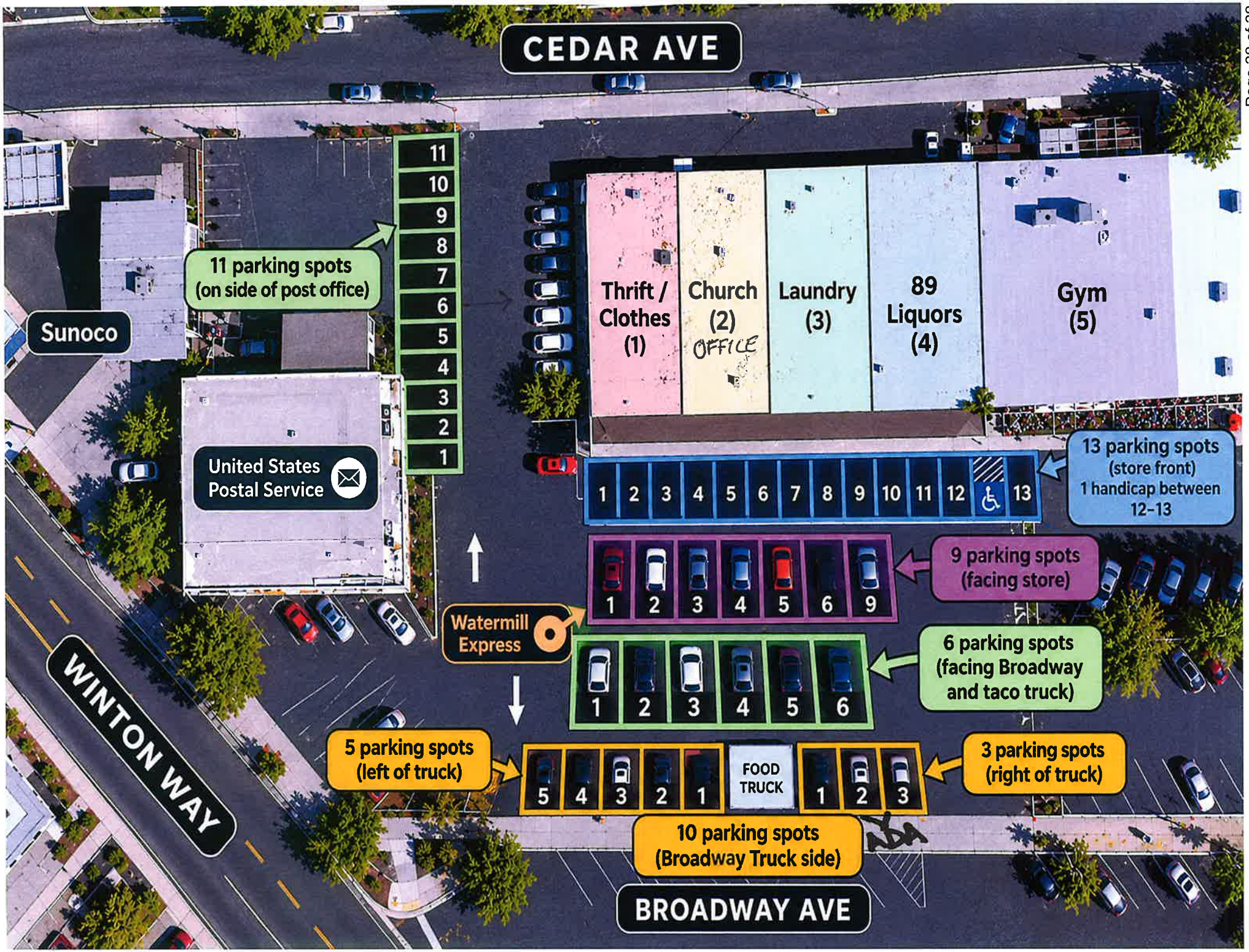
Rajeshwar Randhawa

Owner

ASJS Investments LLC

Date: 10-1-26

Signature: 


CEDAR AVE
11 parking spots (on side of post office)
11
10
9
8
7
6
5
4
3
2
1
Sunoco
United States Postal Service
Thrift / Clothes (1)
Church (2)
OFFICE
Laundry (3)
89 Liquors (4)
Gym (5)
1 2 3 4 5 6 7 8 9 10 11 12 13
13 parking spots (store front) 1 handicap between 12-13
1 2 3 4 5 6 9
9 parking spots (facing store)
Watermill Express
1 2 3 4 5 6
6 parking spots (facing Broadway and taco truck)
5 parking spots (left of truck)
5 4 3 2 1
FOOD TRUCK
1 2 3
3 parking spots (right of truck)
10 parking spots (Broadway Truck side)
WINTON WAY
BROADWAY AVE