

CITY OF ATWATER COMMUNITY DEVELOPMENT AND RESOURCES COMMISSION AGENDA

Council Chambers
750 Bellevue Road
Atwater, California

November 16, 2016

6:00 PM

CALL TO ORDER:



PLEDGE OF ALLEGIANCE TO THE FLAG:

INVOCATION:

Invocation by Police Chaplain

ROLL CALL:

Brice____, Dash____, Daugherty____, Hylar III____, McWatters____, Murphy III____,
Reed _____,

COMMENTS FROM THE PUBLIC:

NOTICE TO THE PUBLIC

At this time any person may comment on any item which is not on the agenda that is within the jurisdiction of the Community Development and Resources Commission. Please state your name and address for the record. 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.

To comment on an item that is **on** the agenda, please wait until the item is read for consideration; please limit comments to a maximum of three (3) minutes.

Civility is expected from members of the public during the meeting. For more efficient use of time, disruptive behavior will not be tolerated. While you may not agree with what an individual is saying, please treat everyone with courtesy and respect.

APPROVAL OF MINUTES:

1. Regular Meeting of October 19, 2016

Staff's Recommendation: Approve minutes as listed.

PUBLIC HEARINGS

2. Site Plan No. 705-15 & Conditional Use Permit No. 546-16:

Staff has received a Site Plan application requesting approval to convert the old auto repair and gas station facility located at 1401 Atwater Boulevard into a convenience store and gas station facility.

The CUP application is requesting approval from the Community Development and Resources Commission to submit to the Department of Alcoholic Beverage Control for a Type 21 license for use at 1401 Atwater Boulevard.

Applicant: Balbir Singh

Staff's Recommendation: Motion to adopt Resolution No. 021-16 approving Site Plan No. 705-16. Motion to adopt Resolution No. 022-16 approving Conditional Use Permit No. 546-16.

3. Site Plan No. 684-08 Amendment No. 1:

Staff has received a Site Plan Amendment requesting to amend the previously approved Site Plan which allowed for construction of a Jehovah's Witnesses Kingdom Hall on a 2.12+/- acre parcel. The amendment looks to reduce the size of the Kingdom Hall and the amount of land that would be used.

Staff's Recommendation: Motion to adopt Resolution No. 025-16 approving Site Plan No. 684-08 Amendment No. 1.

REPORTS AND PRESENTATIONS FROM STAFF

4. None.

COMMISSIONER MATTERS:

Comments from Community Development and Resources Commissioners.

ADJOURNMENT:

CERTIFICATION

I, Lori Waterman, Community Development and Resources 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.

/s/ *Lori Waterman*

LORI WATERMAN
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 Police Department, by the Community Development and Resources Commission Recording Secretary 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 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) 357-6205. You may also send the request by email to jdelreal@atwater.org



COMMUNITY DEVELOPMENT AND RESOURCES COMMISSION

ACTION MINUTES

October 19, 2016

CALL TO ORDER: .

The Community Development and Resources Commission of Atwater met in Regular Session this date at 6:00 PM in the City Council Chambers located at the Atwater Civic Center, 750 Bellevue Road, Atwater, California; Chair Brice presiding.

PLEDGE OF ALLEGIANCE:

The pledge of allegiance was led by Chair Brice.

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

ROLL CALL:

Present: *Commissioners Dash, Daugherty, Hyler III, McWaters, Murphy III, Reed, Chair Brice*

Absent: *None*

Staff Present: *Community Development Director McBride, Recording Secretary Waterman*

Staff Absent: *Senior Planner Hendrix, Interim Public Works Director Faretta, Interim Police Chief Joseph*

SUBSEQUENT NEED ITEMS: *None*

PUBLIC COMMENT:

Notice to the public was read.

Mayor Price thanked the members of the commission for attending the town hall meeting, stating he appreciated the commission and looks forward to work with the commission in the future more often.

No one else came forward to speak at this time.

APPROVAL OF MINUTES:

Special Meeting of August 2, 2016

MOTION: *Commissioner Reid moved to approve minutes as listed. The motion was seconded by Vice Chair Hyler III and the vote was: Ayes: Dash, Daugherty, Hyler III, McWattters, Reed, Chair Brice; Noes: None; Abstain: Murphy III; Absent: None. The motion carried.*

Meeting of August 17, 2016

MOTION: *Commissioner Dash moved to approve minutes as listed. The motion was seconded by Vice Chair Hyler III and the vote was: Ayes: Dash, Daugherty, Hyler III, McWattters, Murphy III, Reed, Chair Brice; Noes: None; Absent: None. The motion carried.*

Meeting of September 21, 2016

MOTION: *Vice Chair Hyler III moved to approve minutes as listed. The motion was seconded by Commissioner Dash and the vote was: Ayes: Dash, Daugherty, Hyler III, McWattters, Murphy III, Chair Brice; Noes: None; Abstain: Reed; Absent: None. The motion carried.*

PUBLIC HEARINGS:

Resolution No. 023-16 Conditional Use Permit No. 547-16 to construct a 1,200 square foot detached accessory structure. The detached accessory structure would be located at 650 Holly Avenue; Applicant: Mark Rumin

MOTION: *Commissioner Reed moved to adopt Resolution No. 023-16 approving Conditional Use Permit No. 547-16 as amended. The motion was seconded by Commissioner Daugherty and the vote was: Ayes: Dash, Daugherty, Hyler III, McWattters, Murphy III, Reed, Chair Brice; Noes: None; Absent: None. The motion carried.*

Site Plan No. 706-15 to establish a City owned and operated Tow Yard within a portion of the city Corporation Yard. The Tow Yard would be located at 470 Aviator Drive; Applicant: City of Atwater Police Department

Chair Brice opened the Public Hearing.

Mayor Price spoke in favor of the project, and stated that the City Council approved the \$26,000 cost at the last City Council meeting, with revenue estimated between \$500,000 to \$1 million. He also commented that no more cutting should be done, we need to start generating revenue. A benefit of the additional revenue will allow going from a 4 day work week, back to a 5 day work week at city hall, and will also allow supplementing Measure H funds, to replace police vehicles etc. as well as work needed in parks. Sergeant Wisdom going thru paperwork now that is required from the state.

No one else came forward to speak and Chair Brice closed the public hearing.

MOTION: *Commissioner McWatters moved to adopt Resolution No. 024-16 approving Site Plan No. 705-16. The motion was seconded by Commissioner Murphy III and the vote was: Ayes: Dash, Daugherty, Hyler III, McWattters, Murphy III, Reed, Chair Brice; Noes: None; Absent: None. The motion carried.*

REPORTS AND PRESENTATIONS FROM STAFF: *None*

COMMISSIONER MATTERS:

Commissioner Murphy III questioned the legalities of requesting attendance when a requested item is presented.

Vice Chair Hyler III commented that this will probably be his last or second to last meeting on the Commission, and he enjoyed his time and the learning process. He wished the Commission the best. He announced the International Food Festival to be held at – Landmark Tabernacle, tickets available at the gate starting at 6:00 PM Friday.

Commissioner Reed asked if Code Enforcement Officer Velazquez could give regular updates to the commission on code enforcement issues within the City.

ADJOURNMENT:

The meeting adjourned at 6:32 PM.

Gary Brice, Chairperson

ATTEST:

Lori Waterman, CMC

**RECOMMENDATION TO OPEN THE HEARING, OBTAIN
TESTIMONY FROM THE PUBLIC. ADOPT COMMUNITY
DEVELOPMENT RESOURCES COMMISSION RESOLUTION NO.
021-16 APPROVING SITE PLAN NO. 705-16. ADOPT
COMMUNITY DEVELOPMENT RESOURCES COMMISSION
RESOLUTION NO. 022-16 APPROVING CONDITIONAL USE
PERMIT NO. 546-16 (1401 ATWATER BOULEVARD)**

RECOMMENDATION:

It is recommended that the Community Development and Resources Commission take the following actions:

1. Open the Hearing to obtain testimony from the public; and,
2. Adopt Resolution No. 021-16 approving Site Plan No. 705-16; and,
3. Adopt Resolution No. 022-16 approving Conditional Use Permit No. 546-16.

BACKGROUND:

This item was originally presented before the Commission on August 17, 2016. At that time the Commission had concerns about ADA clear paths of travel from the parking area located in the rear of the building and from the public right of way to the front of the building. Applicant has submitted a new Site Plan layout showing how the clear path of travel is going to work onsite.

The Commission also had a concern that the original Site Plan did not show the location of the trash enclosure. The resubmitted Site Plan now shows the location of the trash enclosure.

On the original Site Plan the handicap accessible parking stall was located on the gas tank filling lids; this did not work due to the slope of the area. The resubmitted Site Plan has relocated the stall to opposite side of the rear of the building.

ANALYSIS:

Staff has received a Site Plan application and a Conditional Use Permit application from Balbir Singh for the conversion and reuse of a site located at 1401 Atwater Boulevard. Currently this site is a closed gas station and related auto repair facility. The applicant is proposing to convert the existing auto repair facility into a convenience store and reopen the gas station. This site is located within a Central Commercial Zone District and has a General Plan land use designation of Downtown Residential Transition.

Site Plan:

The Site Plan proposes to convert the existing two bay auto repair facility and associated office into a convenience store. The existing building is 1,135 square feet with the applicant looking to add 210 square feet for a total of 1,345 square feet. The existing floor area would be used for the sales of convenience store related items, cashier location and a small storage area. The addition to the building would be for a self contained walk in cooler, handicap accessible restroom facility and a sink area.

Conditional Use Permit:

The applicant is requesting approval to submit an application to The State of California Department of Alcoholic Beverage Control (ABC) for a Type 21 (Off Sale General)(Package Store) license. A Type 21 alcohol license is described as follows:

Type 21- Off Sale General-(Package Store)- Authorizes the sale of beer, wine and distilled spirits for consumption off the premises where sold. Minors are allowed on the premises.

The applicant is also requesting that the Community Development and Resources Commission make the determination that the Public Convenience or Necessity (PCorN) would be met by issuance of this license. A PCorN is required for liquor license applicants that may be denied by ABC pursuant to section 23958 of the Business and Professions Code. Section 23958 requires ABC to deny an application for a liquor license if "issuance of that license would tend to create a law enforcement problem or if the issuance would result in or add to an undue concentration of liquor licenses". Undue concentration is denied as follows:

The premises of the proposed license is located in a census tract where the ratio of existing retail on-sale/off-sale licenses to population in the census tract exceeds the ratio of retail on-sale/off-sale licenses to the population in the County of the proposed premise.

The proposed site is located within Census Tract No. 7.01. Census Tract 7.01 is bounded by Atwater Boulevard to the south, Winton Way to the west, Juniper Avenue to the north and Shaffer Road to the east. The current population for Census Tract 7.01 is 3,191.

Currently ABC allows 1,267 On Sale licenses and 1,114 Off Sale licenses for the entire County. When calculated the following number of On Sale and Off Sale licenses are allowed within Censes Tract 7.01.

$3,191/1,267 = 2.5$ (2 On Sale allowed by the State) (4 current On Sale approved)

$3,191/1,114 = 2.8$ (2 Off Sale allowed by the State) (6 current Off Sale approved)

Currently the State allows a total of 4 On Sale and Off Sale licenses within Census Tract 7.01. Currently the State has issued 10 On Sale and Off Sale licenses within Census Tract 7.01 which is an undue concentration. This is why Staff is requesting that the Commission also find that the Public Convenience or Necessity would be met by approval and issuance of this license.

ENVIRONMENTAL:

The Site Plan and The Conditional Use Permit for this project has been found to be exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guideline Section 15031(b)(3).

CONCLUSION:

This report is submitted for Community Development and Resources Commission review and possible action.

Respectfully submitted,

Justin D. Hendrix

Justin D. Hendrix
Senior Planner
City of Atwater



COMMUNITY DEVELOPMENT AND RESOURCES COMMISSION OF THE CITY OF ATWATER

RESOLUTION NO. CDRC 021-16

A RESOLUTION OF THE COMMUNITY DEVELOPMENT AND RESOURCES COMMISSION OF THE CITY OF ATWATER APPROVING SITE PLAN NO. 705-16 (1401 ATWATER BOULEVARD)

WHEREAS, the Community Development and Resources Commission of the City of Atwater has reviewed Site Plan No. SP 705-16 as submitted by Balbir Singh, requesting approval to convert an auto repair facility with related gas pumps into a convenience store with related gas pumps. The project site is 1401 Atwater Boulevard and is known as Merced County Assessor's Parcel Number APN 002-205-002; and,

WHEREAS, said application was reviewed by the Community Development and Resources Commission of the City of Atwater on Wednesday, August 17, 2016 and on Wednesday November 16, 2016; and,

WHEREAS the Community Development and Resources Commission held a duly noticed public hearing on August 17, 2016 and on November 16, 2016 as required by law to consider all of the information presented by staff, information from the project proponent, and public testimony presented in writing and at the meeting; and,

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

WHEREAS, the site can accommodate the aforesaid use and proposed structure and not have a detrimental effect on the health, safety, and welfare of the neighborhood nor have an adverse effect on the community; and,

WHEREAS, this project has been found to be categorically exempt from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guideline Section 15332 (In-Fill Development); and,

WHEREAS, the Community Development and Resources Commission finds that the following findings can be made for this site and architectural plan:

1. This application proposes to convert an auto repair facility with related gas pumps into a convenience store with related gas pumps. The project site is 1401 Atwater Boulevard and is known as Merced County Assessor's Parcel Number APN 002-205-002.
2. That the site is located within a Central Commercial (C-C) Zone District and the proposed use is permitted within this zone district.
3. That the site is designated as Downtown Residential Transition by the Atwater General Plan.
4. That this use is consistent with the purpose and intent and all applicable development standards of the Central Commercial (C-C) Zone District.
5. That this project is consistent with all elements of the Atwater General Plan.
6. That all the mandatory findings set forth in Section 17.36.010 of the Atwater Zoning Ordinance can be made.
7. That this project qualifies for a categorical exemption from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guideline Section 15332 (In-Fill Development).

WHEREAS, subject to the conditions identified below, the use is in conformance with the codes and standards of the City of Atwater; and,

NOW, THEREFORE, BE IT RESOLVED, that the Community Development and Resources Commission of the City of Atwater does hereby approve Site Plan No. 705-16 subject to the following conditions:

1. That the project shall comply with current Title 24 California Code of Regulations and Title 15 of the Atwater Municipal Code, including all amendments thereto.
2. That there shall be compliance with the most recent Americans With Disability Act (ADA) regulations.
3. That applicant/developer shall submit building plans and obtain all necessary permits prior to commencement of construction.
4. That the applicant shall pay all required fees prior to issuance of a Building Permit.
5. That the applicant shall submit plans to the Merced County Department of Environmental Health for review and approval prior to issuance of a building permit, if necessary.
6. Prior to final acceptance, the developer shall provide the City with copies of the "as built" improvements on 5 mil mylar and record the construction and infrastructure drawings in an AutoCAD compatible format. The mylar set shall include all construction changes.
7. For proposed improvements, the applicant shall cause a Site Improvement Plan to be prepared. The plan shall be prepared by a Licensed Civil Engineer or under his direction. The plan shall be prepared on 24" x 36" plan sheets and to a reasonable scale. This plan shall be in a format to be approved by the City Engineer and shall show all of the proposed grading and on-site and off-site

- improvements for the proposed development. The title of the plan shall be shown at the top of Sheet No. 1, being Site Improvement plan No. 705. The Site Improvement Plan number only (705) shall also be placed outside of the border of the plan at the lower right corner of all sheets. Sheets shall be numbered in consecutive order. An index showing the sheets contained within and as a part of the Site Improvement Plan shall be shown on Sheet 1.
8. The applicant shall cause to be submitted a Site Improvement Plan that shall show all items named in the conditions of approval and the proposed resolution of those requirements. The plan shall also include the applicable General Specifications and Construction Specifications of the City of Atwater, to be placed on Sheet 1. The Site Improvement plan shall contain a sheet (or sheets) containing all City Standards pertinent to the proposed construction together with specific details and notes for the proposed construction.
 9. That the applicant shall obtain an encroachment permit from the Engineering Department for any improvements done within the public right-of-way. The applicant shall pay all applicable charges prior to an encroachment permit being issued.
 10. That the applicant shall install a reduced pressure principal backflow device for potable water and an approved backflow device for irrigation water. Individual services are to be provided for potable water and landscaping purposes. The services shall be metered; a Sensus "Flex-Net" radio read meter shall be used. Each service shall include a backflow prevention device enclosure, mounted on a concrete pad. The RPP device shall include unions on both riser pipes for easier maintenance. RPP devices shall be shown on the Site Improvement plan including brand names and types.
 11. That all outdoor equipment such as transformers, refrigerator units and air conditioning units shall be screened from public view.
 12. That the applicant/developer shall provide onsite outdoor lighting. The lighting shall be shielded downward and away from public right of ways and adjacent properties.
 13. That the applicant shall comply with the requirements of the National Pollution Discharge Elimination System (NPDES).
 14. That all broken, cracked or otherwise damaged or missing public improvements, such as curb, gutter or sidewalk shall be sawcut, removed, replaced and installed in accordance with applicable City Standards.
 15. All water trenches or excavations shall be excavated, backfilled and compacted in accordance with applicable City Standards and the conditions for paving included within this resolution.
 16. The developer shall construct a refuse enclosure consistent with City Policies and the current contracted refuse service provider. The enclosure shall include a concrete slab at the entrance to the refuse container to be moved forward for pick up. The enclosure shall be constructed of concrete block and include a concrete foundation and bottom, including a bumper block to protect the block wall from damage by the refuse container. The enclosure shall have locking gates. The gates shall be constructed of chain link with slats or other approved solid materials. The enclosure shall be accessible to refuse trucks. Landscaping shall be provided that, when mature, limits the visibility of the refuse enclosure.

- This can be accomplished with vining plants or appropriate type of bushes. All refuse enclosures shall be designed with recycling container areas for compliance with CALGreen requirements. Final placement of the enclosures shall be reviewed and approved by the Community Development Department.
17. Any water wells found during construction shall be destroyed in accordance with approved City Standards and requirements.
 18. Any septic systems found during construction shall be destroyed in accordance with approved Merced County Environmental Health requirements.
 19. The applicant shall abandon and remove from the site any existing irrigation lines and other structures found. Lines shall be plugged at the property line with concrete.
 20. That the applicant shall properly abandon or relocate all utilities as necessary or required.
 21. That the applicant shall comply with all requirements of the San Joaquin Valley Air Pollution Control District (SJVAPCD). Applicant will need to submit for District Rule 9510- Indirect Source Review.
 22. That prior to installation, all proposed signs to be installed on buildings or onsite shall be reviewed and approved by the Community Development Department.
 23. That all onsite graffiti shall be the responsibility of the property owner. All graffiti shall be abated in accordance with City graffiti ordinances.
 24. That the applicant shall not be allowed to use the site until all required improvements are completed and accepted by the City.
 25. That the applicant shall pay the Regional Transportation Impact Fee (RTIF).
 26. That the applicant shall comply with the requirements of all public utility companies.
 27. 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 advisory agency appeal board or legislative body concerning this application, which action is brought within applicable statutes of limitation. 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.

The foregoing resolution is hereby adopted this 16th day of November, 2016.

AYES:

NOES:

ABSENT:

APPROVED:

GARY BRICE, CHAIRMAN

ATTEST:

JUSTIN D. HENDRIX, SECRETARY



COMMUNITY DEVELOPMENT AND RESOURCES COMMISSION OF THE CITY OF ATWATER

RESOLUTION NO. CDRC 022-16

A RESOLUTION OF THE COMMUNITY DEVELOPMENT AND RESOURCES COMMISSION OF THE CITY OF ATWATER APPROVING CONDITIONAL USE PERMIT NO. 546-16 ALLOWING FOR A TYPE 21 ALCOHOL LICENSE AND FINDING THAT THE PUBLIC CONVENIENCE OR NECESSITY WOULD BE SERVED BY ISSUANCE OF SAID LICENSE (1401 ATWATER BOULEVARD)

WHEREAS, the Community Development and Resources Commission of the City of Atwater reviewed Conditional Use Permit No. 546-16, as submitted by Balbir Singh, requesting approval to submit to The Department of Alcoholic Beverage Control for a Type 21 alcohol license and finding that the Public Convenience and Necessity would be served by the issuance of the Type 21 license; and,

WHEREAS, said application was reviewed by the Community Development and Resources Commission of the City of Atwater on Wednesday, August 17, 2016 and on Wednesday November 16, 2016; and,

WHEREAS the Community Development and Resources Commission held a duly noticed public hearing as required by laws to consider all of the information presented by staff, information from the project proponent, and public testimony presented in writing and at the meeting; and,

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

WHEREAS, the site can accommodate the aforesaid use and proposed structure and not have a detrimental effect on the health, safety, and welfare of the neighborhood nor have an adverse effect on the community; and,

WHEREAS this project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) Section 15061(b)(3); and,

WHEREAS, the Community Development and Resources Commission finds that the following findings can be made for this Conditional Use Permit Amendment:

1. That the site is located within a Central Commercial (C-C) Zone District.
2. That the site is designated as Downtown Residential Transition by the Atwater General Plan.
3. That this use is considered a Conditional Use and with the conditions set forth by this resolution will meet the intent of the Central Commercial Zone District.
4. That this project is consistent with all elements of the Atwater General Plan.
5. That all the mandatory findings set forth in Section 17.71.010 of the Atwater Zoning Ordinance can be made.
6. That this project qualifies for a categorical exemption from the provisions of the California Environmental Quality Act (CEQA) under CEQA Guideline Section 15061(b)(3).

WHEREAS, subject to the conditions identified below, the use is in conformance with the codes and standards of the City of Atwater; and,

NOW, THEREFORE, BE IT RESOLVED, that the Community Development and Resources Commission of the City of Atwater does hereby approve Conditional Use Permit No. 545-16 subject to the following conditions:

1. That the applicant is approved to submit to The Department of Alcoholic Beverage Control (ABC) for a Type 21 alcohol license.
2. That the Community Development and Resources Commission of the City of Atwater made the finding that the Public Convenience or Necessity would be served by the issuance of a Type 21 alcohol license at said location.
3. That the applicant shall comply with all requirements of The Department of Alcoholic Beverage Control.
4. That the Community Development and Resources Commission shall retain the right to reconsider Conditional Use Permit No. 546-16 at anytime.
5. That this CUP shall expire in six (6) months from the day of approval if the business has not started. A six month extension may be granted by the Community Development and Resources Commission.
6. 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 advisory agency appeal board or legislative body concerning this application, which action is brought within applicable statutes of limitation. 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.

The foregoing resolution is hereby adopted this 16th day of November, 2016.

AYES:

NOES:

ABSENT:

APPROVED:

GARY BRICE, CHAIRMAN

ATTEST:

JUSTIN D. HENDRIX, SECRETARY

PROJECT SCOPE

1. TENANT IMPROVEMENT TO AN EXISTING 1,135 SF BUILDING
2. REMODEL RESTROOMS TO MAKE ADA COMPLIANT
3. INSTALL NEW ROOF MOUNT HVAC UNIT
4. INSTALL NEW SELF-CONTAINED COOLER

VICINITY MAP



PROJECT INFO

PROJECT LOCATION: 1401 ATWATER BLVD.
ATWATER, CA 95301

A.P.N.#: 002-205-002

ORIGINAL BUILDING: 1,135 SF

NEW BUILDING: 1,345 SF

NET INCREASE IN SPACE: 210 SF

STORIES: 1

LOT SIZE: 1.1 ACRE

APPLICABLE CODES

2013 CALIFORNIA BUILDING CODE (CBC)
2013 CALIFORNIA ELECTRICAL CODE (CEC)
2013 CALIFORNIA MECHANICAL CODE (CMC)
2013 CALIFORNIA PLUMBING CODE (CPC)
2013 CALIFORNIA ENERGY CODE (CEC)
2013 CALIFORNIA FIRE CODE (CFC)
2013 CALIFORNIA GREEN CODE (CGC)

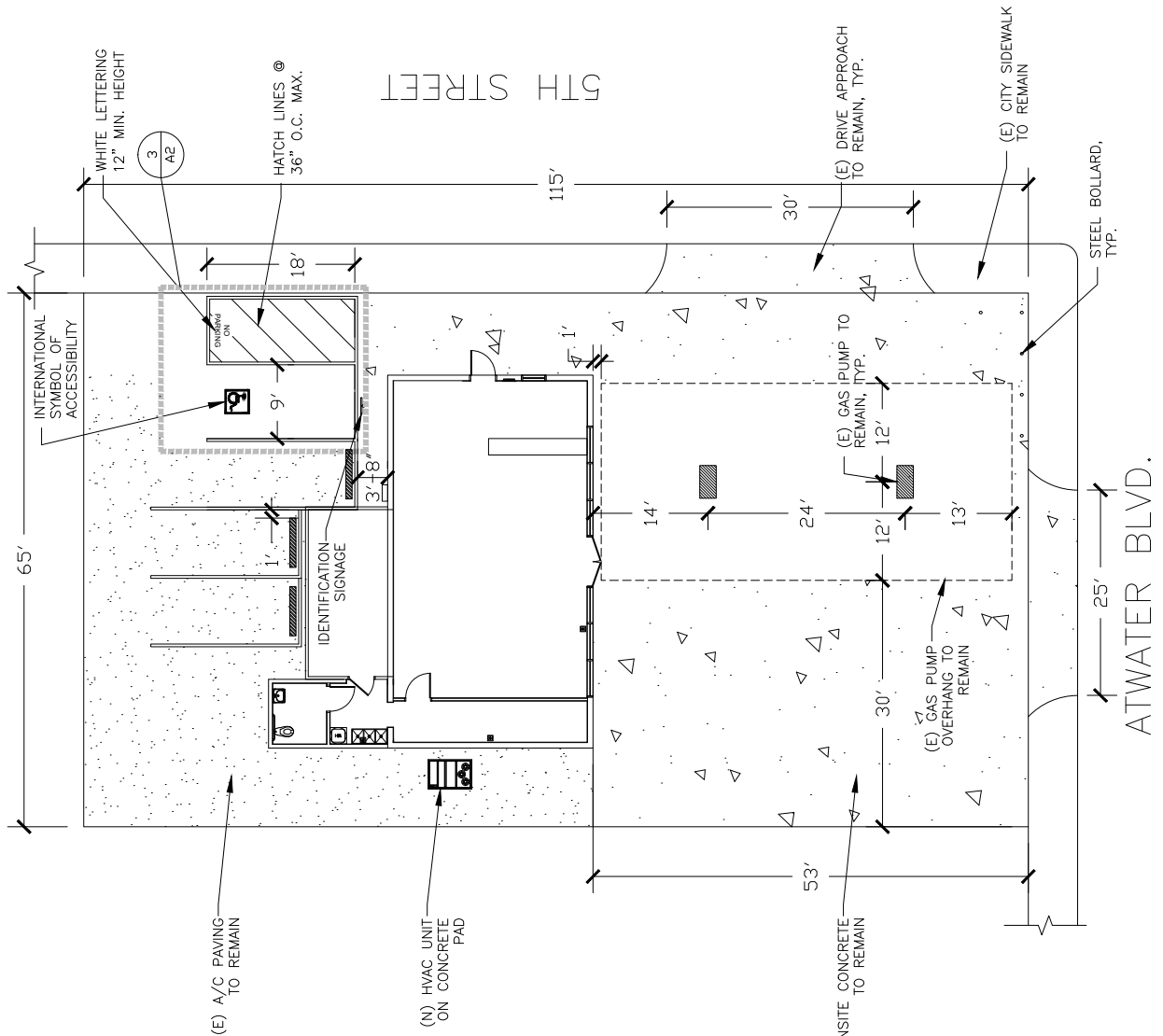
SHEET INDEX

T1	TITLE SHEET & PLOT PLAN
A1	EXISTING FLOOR PLAN
A2	NEW FLOOR PLAN
A3	INTERIOR ELEVATIONS
A4	REFLECTED CEILING PLAN
A5	REFLECTED CEILING DETAILS
A6	EXTERIOR ELEVATIONS
A7	ROOF PLAN
A8	ARCHITECTURAL DETAILS
M1	MECHANICAL DETAILS

DESIGN DATA

PROJECT TO COMPLY WITH THE FOLLOWING:

TYPE OF CONSTRUCTION	V-B
OCCUPANCY TYPE	B
WIND DESIGN SPEED	110 EXPOSURE C
TOPOGRAPHY EFFECTS	NONE
SEISMIC DESIGN CATEGORY	D
SOIL BEARING CAPACITY	1500 PSF
FLOOD HAZARD AREA	NO
CLIMATE ZONE	12



SCALE: 1" = 10'

SITE PLAN

Original Submittal

SHEET INDEX

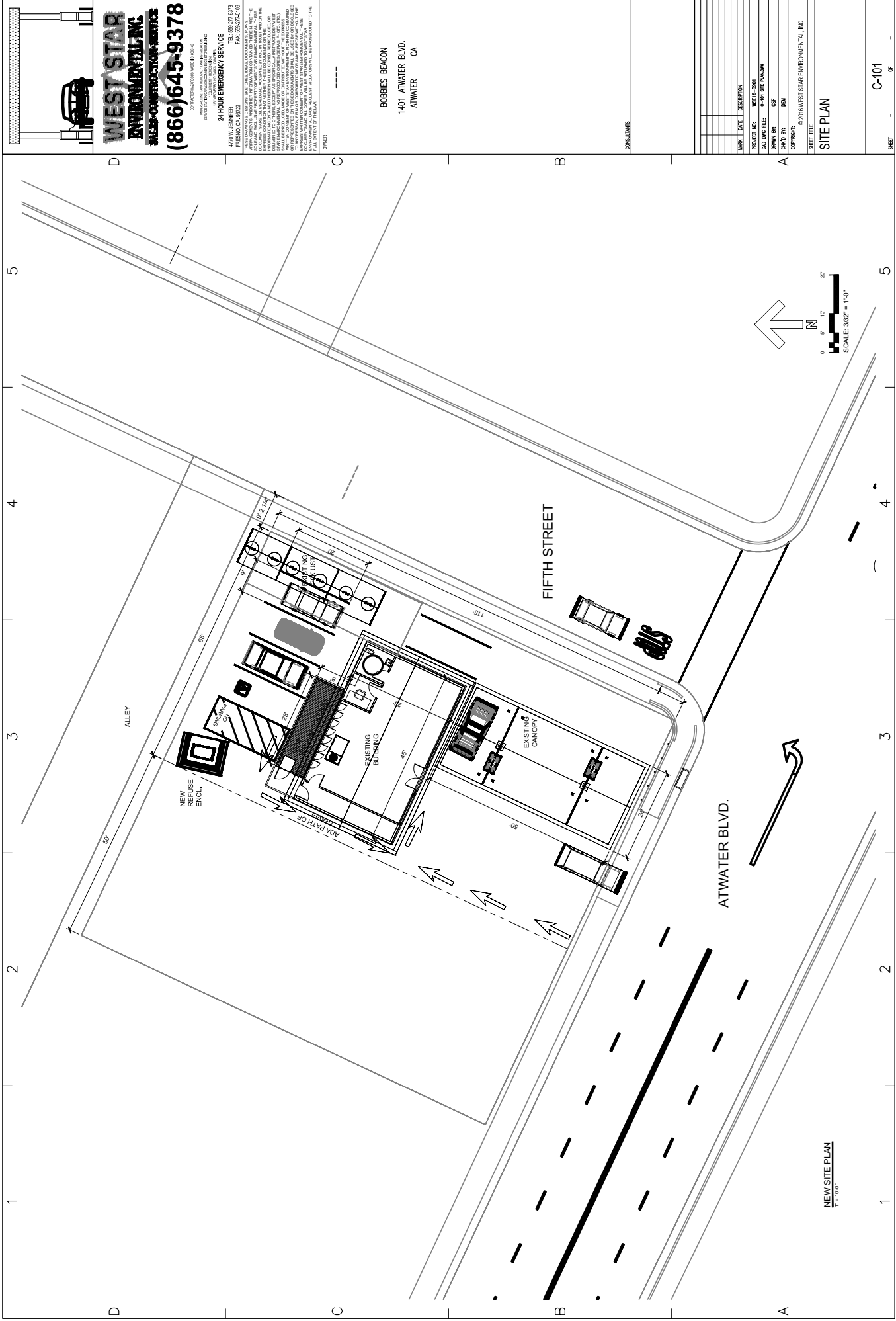
TITLE SHEET
& PLOT PLAN

No.	Revision/Issue	Date
1	PLAN CHECK CORRECTIONS	6/19/16
2	PLAN CHECK CORRECTIONS	6/25/16
3	OWNER REVISIONS	7/04/16
4	OWNER REVISIONS	7/11/16

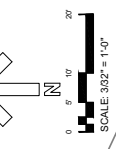
Owner Name and Address
BOYKIN & BOYKIN
CONSTRUCTION
8635 EDEN AVE.
WINTON, CA 95388
(209) 947-1287

Project Name and Address
BOBBE'S BEACON
1401 ATWATER BLVD.
ATWATER, CA 95301

Project	BOBBE'S BEACON
Date	03/26/2016
Sheet	T1
Scale	PLOT PLAN



NEW SITE PLAN
1" = 30.0'



CONSULTANTS

MARK	DATE	DESCRIPTION
PROJECT NO.	WEST-0001	
CAD DATE FILE	C-101 SITE PLAN	
DRAWN BY	CSF	
CHECKED BY	DM	
COPYRIGHT	© 2016 WEST STAR ENVIRONMENTAL, INC.	

SHEET TITLE

SITE PLAN

SHEET C-101 OF -

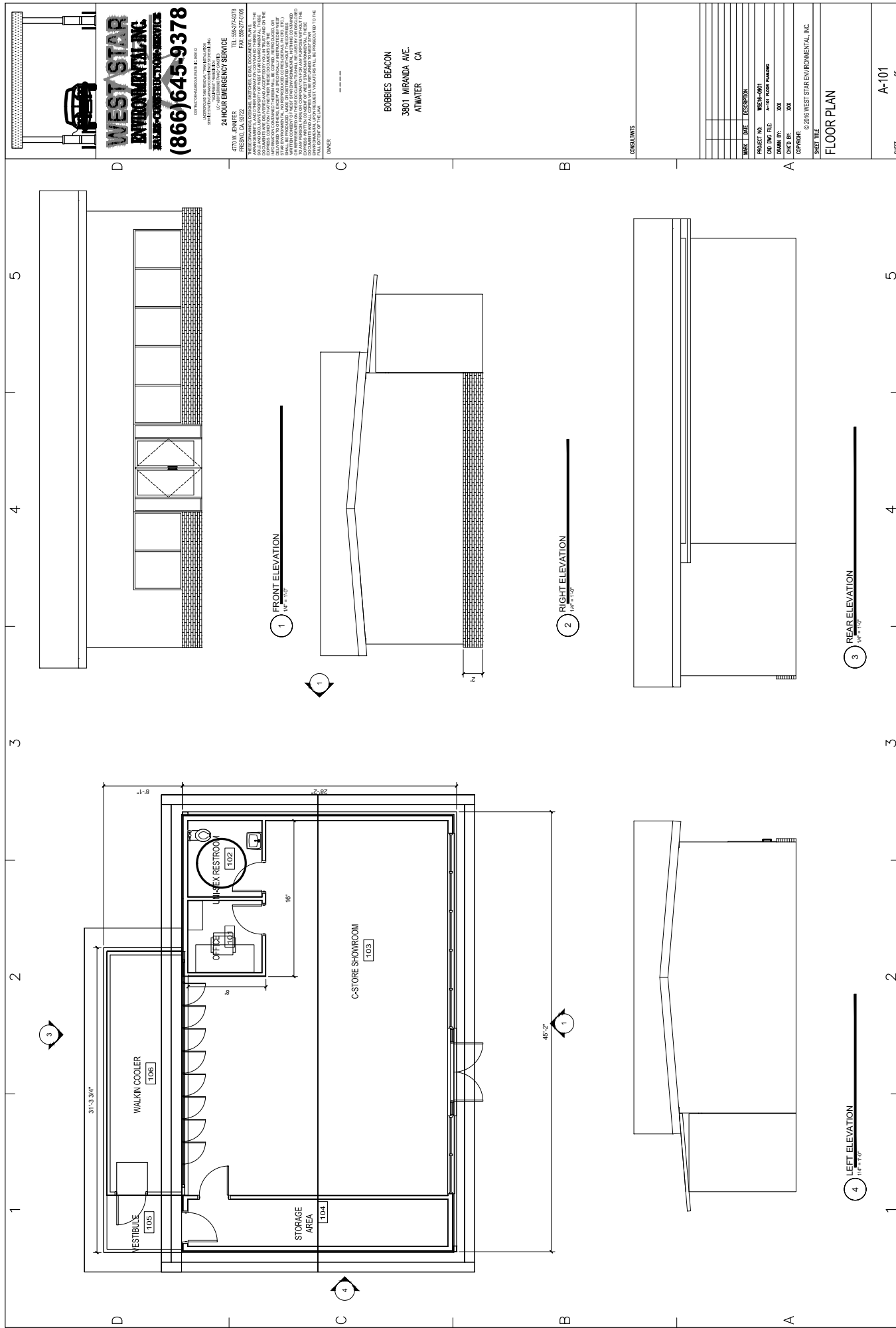
BOBBIES BEACON
1401 ATWATER BLVD.
ATWATER CA

WEST STAR
ENVIRONMENTAL, INC.
SPECIALTY CONSTRUCTION SERVICES
(866)645-9378

4770 W. JENNER
FRESNO, CA 93722
TEL: 556-275-5878
FAX: 556-275-5100

24-HOUR EMERGENCY SERVICE
CONSTRUCTION SERVICES, 24-HOUR SERVICE
FOR EMERGENCY SITUATIONS
CALL 556-275-5878
FOR EMERGENCY SERVICE

OWNER



**RECOMMENDATION TO OPEN THE HEARING, OBTAIN
TESTIMONY FROM THE PUBLIC. ADOPT COMMUNITY
DEVELOPMENT RESOURCES COMMISSION RESOLUTION NO.
025-16 APPROVING SITE PLAN NO. 684-08 AMENDMENT NO.
1. (1672 SIMON STREET- JEHOVAH'S WITNESSES KINGDOM
HALL)**

RECOMMENDATION:

It is recommended that the Community Development and Resources Commission take the following actions:

1. Open the Hearing to obtain testimony from the public; and,
2. Adopt Resolution No. 025-16 approving Site Plan No. 684-08 Amendment No. 1.

BACKGROUND:

This item was originally presented before the Commission in April of 2009. The original project involved Annexation, Pre-Zone, Tentative Parcel Map, Conditional Use Permit and Site Plan approvals. The original overall project included a Merced Office of Education Community Day School and a Jehovah's Witnesses Kingdom Hall.

ANALYSIS:

The original Kingdom Hall was to be placed on a parcel of 2.12+/- acres and have two main hall buildings each being 4,100 square feet in size. The original layout also included a 1,375 square foot site caretaker facility. The applicant submitted all necessary building plans and civil plans for this project and even had pulled their building permit to start construction. At that time they were told to place the project on hold due to organizational changes and a newer vision on how and where the Kingdom Halls were to be built. Since the applicant has been consistently working on this project from time of approval Staff believed that an Amendment to the original approval could be used instead of making the applicant start from the beginning.

The proposed Amendment will substantially reduce the overall footprint of the facility. The applicant is proposing to use 1.10+/- acres of the original 2.12+/- acre site. The applicant is not proposing to split the parcel at this time. The original layout had two Hall buildings totaling 8,200 square feet. The proposed Amendment only has one Hall building for a total of 3,312 square feet. The proposed Amendment meets the minimum requirements for parking.

The conditions of approval within CDRC Resolution No. 025-16 are very similar to the originally approved conditions, only minor updates have been made.

ENVIRONMENTAL:

At the time of original approval an initial study and Mitigated Negative Declaration were prepared and approved for this project. Since the proposed amendment reduces the overall footprint of the project Staff found this document to still be valid.

CONCLUSION:

This report is submitted for Community Development and Resources Commission review and possible action.

Respectfully submitted,

Justin D. Hendrix

Justin D. Hendrix
Senior Planner
City of Atwater



COMMUNITY DEVELOPMENT AND RESOURCES COMMISSION OF THE CITY OF ATWATER

RESOLUTION NO. CDRC 025-16

A RESOLUTION OF THE COMMUNITY DEVELOPMENT AND RESOURCES COMMISSION OF THE CITY OF ATWATER APPROVING SITE PLAN NO. 684-08 AMENDMENT NO. 1 (1672 SIMON STREET- JEHOVAH'S WITNESSES KINGDOM HALL)

WHEREAS, the Community Development and Resources Commission of the City of Atwater has reviewed Site Plan No. SP 684-08 Amendment No. 1 as submitted by Dan Acre, requesting approval to amend the originally approved Site Plan. The amendment would reduce the site area from 2.12+/- acres to 1.10+/- acres and reduce the building area from two buildings totaling 8,200 square feet to one building of 3,312 square feet. The project site is 1672 Simon Street and is known as Merced County Assessor's Parcel Number APN 056-540-005; and,

WHEREAS, said application was reviewed by the Community Development and Resources Commission of the City of Atwater on Wednesday, November 16, 2016; and,

WHEREAS the Community Development and Resources Commission held a duly noticed public hearing on November 16, 2016 as required by law to consider all of the information presented by staff, information from the project proponent, and public testimony presented in writing and at the meeting; and,

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

WHEREAS, the site can accommodate the aforesaid use and proposed structure and not have a detrimental effect on the health, safety, and welfare of the neighborhood nor have an adverse effect on the community; and,

WHEREAS, this project had a previously approved initial study and Mitigated Negative Declaration for the original project. Since this amendment reduces the site area and the

building size Staff made the determination that the previous CEQA approvals were adequate for this amendment; and,

WHEREAS, the Community Development and Resources Commission finds that the following findings can be made for this site and architectural plan:

1. This application proposes to amend the originally approved Site Plan. The amendment would reduce the site area from 2.12+/- acres to 1.10+/- acres and reduce the building area from two building totaling 8,200 square feet to one building of 3,312 square feet. The project site is 1672 Simon Street and is known as Merced County Assessor's Parcel Number APN 056-540-005.
2. That the site is located within a Residential Estate (R-E) Zone District and the proposed use is permitted within this zone district with the originally approved Conditional Use Permit for this project.
3. That the site is designated as Very Low Density Residential by the Atwater General Plan.
4. That this use is consistent with the purpose and intent and all applicable development standards of the Residential Estate (R-E) Zone District.
5. That this project is consistent with all elements of the Atwater General Plan.
6. That all the mandatory findings set forth in Section 17.16.040 and 17.75.100 of the Atwater Zoning Ordinance can be made.
7. That this project had a previously approved initial study and Mitigated Negative Declaration for the original project. Since this amendment reduces the site area and the building size Staff made the determination that the previous CEQA approvals were adequate for this amendment

WHEREAS, subject to the conditions identified below, the use is in conformance with the codes and standards of the City of Atwater; and,

NOW, THEREFORE, BE IT RESOLVED, that the Community Development and Resources Commission of the City of Atwater does hereby approve Site Plan No. 684-08 Amendment No. 1 subject to the following conditions:

1. That the project shall comply with current Title 24 California Code of Regulations and Title 15 of the Atwater Municipal Code, including all amendments thereto.
2. That there shall be compliance with the most recent Americans With Disability Act (ADA) regulations.
3. That applicant/developer shall submit building plans and obtain all necessary permits prior to commencement of construction.
4. That the applicant shall pay all required fees prior to issuance of a Building Permit.
5. That the applicant shall submit plans to the Merced County Department of Environmental Health for review and approval prior to issuance of a building permit, if necessary.
6. Prior to final acceptance, the developer shall provide the City with copies of the "as built" improvements on 5 mil mylar and record the construction and

- infrastructure drawings in an AutoCAD compatible format. The mylar set shall include all construction changes.
7. For proposed improvements, the applicant shall cause a Site Improvement Plan to be prepared. The plan shall be prepared by a Licensed Civil Engineer or under his direction. The plan shall be prepared on 24" x 36" plan sheets and to a reasonable scale. This plan shall be in a format to be approved by the City Engineer and shall show all of the proposed grading and on-site and off-site improvements for the proposed development. The title of the plan shall be shown at the top of Sheet No. 1, being Site Improvement plan No. 684. The Site Improvement Plan number only (684) shall also be placed outside of the border of the plan at the lower right corner of all sheets. Sheets shall be numbered in consecutive order. An index showing the sheets contained within and as a part of the Site Improvement Plan shall be shown on Sheet 1.
 8. The applicant shall cause to be submitted a Site Improvement Plan that shall show all items named in the conditions of approval and the proposed resolution of those requirements. The plan shall also include the applicable General Specifications and Construction Specifications of the City of Atwater, to be placed on Sheet 1. The Site Improvement plan shall contain a sheet (or sheets) containing all City Standards pertinent to the proposed construction together with specific details and notes for the proposed construction.
 9. That the applicant shall obtain an encroachment permit from the Engineering Department for any improvements done within the public right-of-way. The applicant shall pay all applicable charges prior to an encroachment permit being issued.
 10. That the applicant shall install a reduced pressure principal backflow device for potable water and an approved backflow device for irrigation water. Individual services are to be provided for potable water and landscaping purposes. The services shall be metered; a Sensus "Flex-Net" radio read meter shall be used. Each service shall include a backflow prevention device enclosure, mounted on a concrete pad. The RPP device shall include unions on both riser pipes for easier maintenance. RPP devices shall be shown on the Site Improvement plan including brand names and types.
 11. That all outdoor equipment such as transformers, refrigerator units and air conditioning units shall be screened from public view.
 12. That the applicant/developer shall provide onsite outdoor lighting. The lighting shall be shielded downward and away from public right of ways and adjacent properties.
 13. That the applicant shall comply with the requirements of the National Pollution Discharge Elimination System (NPDES).
 14. That all broken, cracked or otherwise damaged or missing public improvements, such as curb, gutter or sidewalk shall be sawcut, removed, replaced and installed in accordance with applicable City Standards.
 15. All water trenches or excavations shall be excavated, backfilled and compacted in accordance with applicable City Standards and the conditions for paving included within this resolution.
 16. The developer shall construct a refuse enclosure consistent with City Policies and the current contracted refuse service provider. The enclosure shall include a

- concrete slab at the entrance to the refuse container to be moved forward for pick up. The enclosure shall be constructed of concrete block and include a concrete foundation and bottom, including a bumper block to protect the block wall from damage by the refuse container. The enclosure shall have locking gates. The gates shall be constructed of chain link with slats or other approved solid materials. The enclosure shall be accessible to refuse trucks. Landscaping shall be provided that, when mature, limits the visibility of the refuse enclosure. This can be accomplished with vining plants or appropriate type of bushes. All refuse enclosures shall be designed with recycling container areas for compliance with CALGReen requirements. Final placement of the enclosures shall be reviewed and approved by the Community Development Department.
17. Any water wells found during construction shall be destroyed in accordance with approved City Standards and requirements.
 18. Any septic systems found during construction shall be destroyed in accordance with approved Merced County Environmental Health requirements.
 19. The applicant shall abandon and remove from the site any existing irrigation lines and other structures found. Lines shall be plugged at the property line with concrete.
 20. That the applicant shall properly abandon or relocate all utilities as necessary or required.
 21. That the applicant shall comply with all requirements of the San Joaquin Valley Air Pollution Control District (SJVAPCD). Applicant will need to submit for District Rule 9510- Indirect Source Review.
 22. That prior to installation, all proposed signs to be installed on buildings or onsite shall be reviewed and approved by the Community Development Department.
 23. That all onsite graffiti shall be the responsibility of the property owner. All graffiti shall be abated in accordance with City graffiti ordinances.
 24. That the applicant shall not be allowed to use the site until all required improvements are completed and accepted by the City.
 25. That the applicant shall pay the Regional Transportation Impact Fee (RTIF).
 26. That the applicant shall comply with the requirements of all public utility companies.
 27. 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 advisory agency appeal board or legislative body concerning this application, which action is brought within applicable statutes of limitation. 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.

The foregoing resolution is hereby adopted this 16th day of November, 2016.

AYES:

NOES:

ABSENT:

APPROVED:

GARY BRICE, CHAIRMAN

ATTEST:

JUSTIN D. HENDRIX, SECRETARY

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	-----

ODELL
ENGINEERING

11000 Santa Monica Blvd. A
Santa Monica, CA 90404
Tel: (310) 311-1111
Fax: (310) 311-1112
www.odell-engineering.com

SIMON PROPERTY
ATWATER, CALIFORNIA

SITE PLAN



Project No.	10000
Client	Simon Property
Location	Atwater, CA
Scale	1/4" = 1'-0"
Date	10/08
By	DAJ
Check	DAJ
Appr.	DAJ
Sheet No.	1 of 1

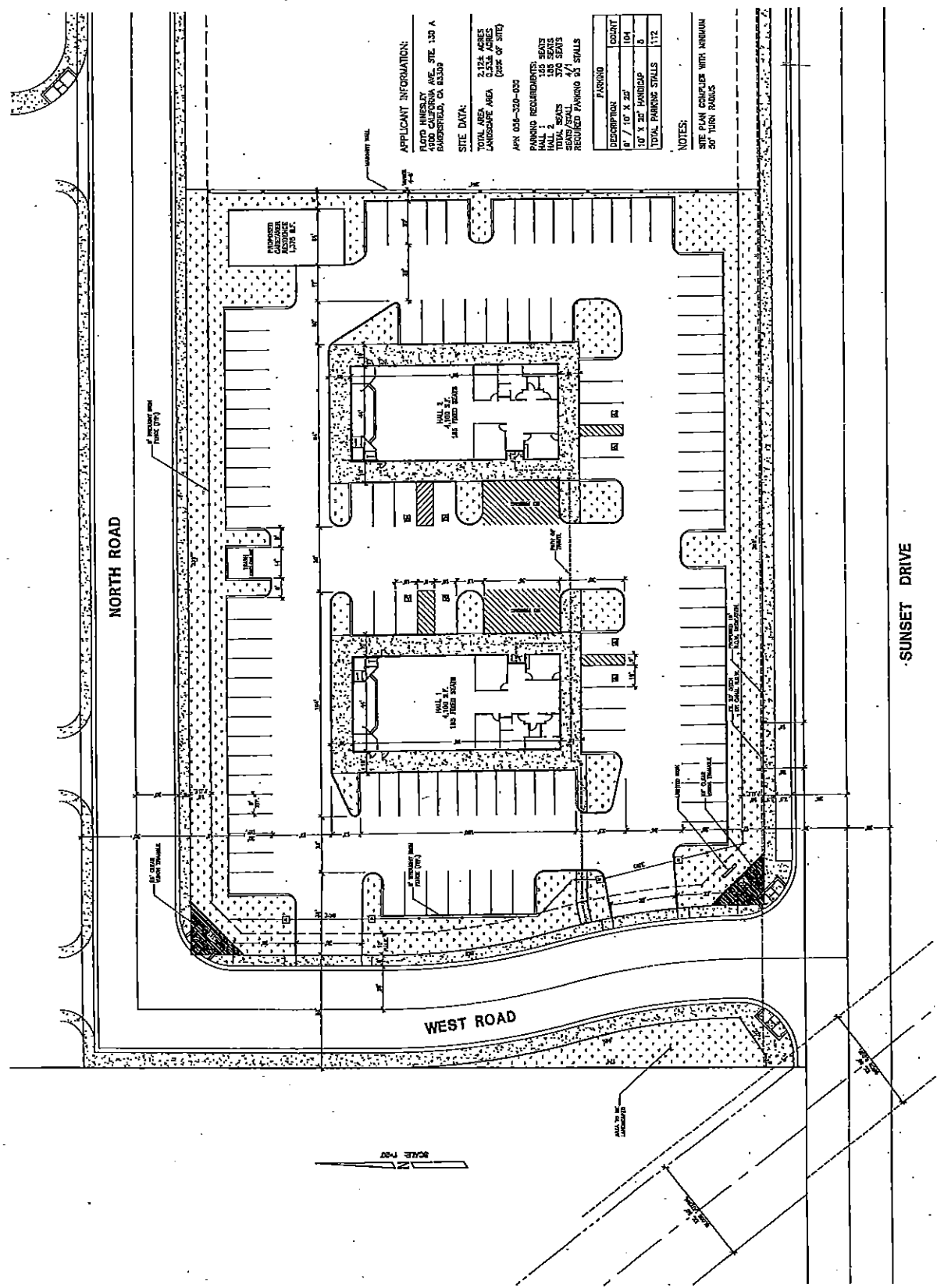
APPLICANT INFORMATION:
FLUOR HINCHESLEY
14000 SANTA MONICA BLVD. STE. 100 A
SANTA MONICA, CA 90404

SITE DATA:
TOTAL AREA: 2.154 ACRES
LANDSCAPE AREA: 0.234 ACRES (10% OF SITE)
APN: 034-220-020

PARKING REQUIREMENTS:
TOTAL SEATS: 150 SEATS
HALL 1: 100 SEATS
HALL 2: 50 SEATS
TOTAL SEATS: 150 SEATS
REQUIRED PARKING: 112 STALLS

NOTES:
SITE PLAN COMPLEX WITH MINIMUM
50' TURN RADIUS

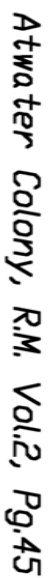
DESCRIPTION	COUNT
8' / 10' X 20'	104
10' X 20' HANDICAP	8
TOTAL PARKING STALLS	112



SUNSET DRIVE

Sheet No. 1 of 1

PM 113-6-LDT A City of Atwater
SEWER PUMP STATION



Assessor's Map Bk. 50
County of Merced,
2013

PROFESSIONAL ENGINEER
No. C20427
Exp. 03/29/17
STATE OF CALIFORNIA
JAMES A. O'DELL

CONSULTANT:

RAIDELL O'DELL
1165 SCENIC DRIVE
SUITE B
MODESTO, CA 95350
209-571-1765

NOT FOR
CONSTRUCTION

0 1/4" = 1'-0" PLANNING SUBMITTAL
NAME DATE DESCRIPTION

OWNER
JW CONGREGATION
SUPPORT, INC.
3821 RTE 22
PATERSON, NJ 07640

PROJECT TITLE
ATWATER
KINGDOM HALL
ATWATER, CA 95301

PROJECT NO.
41

SHEET NO.
G102



3 PRESENTATION - EXTERIOR FRONT LEFT

SCALE



1 BOE PRESENTATION PLAN

SCALE 1/8" = 1'-0"

EXTERIOR FEATURES



PICTURED: USA130
Photocopy by the Architect



EXTERIOR FEATURES

- 1 Exterior Insulation Finishing System (EIFS)
- 2 Stacked Stone Cladding
- 3 Stepped Parapet Profile
- 4 Double Glass Door Entryway
- 5 Emergency Exit Door
- 6 Building Signage
- 7 Streetside Monument

EXTERIOR FINISHES



PICTURED: USA130
Photocopy by the Architect

STANDARD EXTERIOR COLORS

DESCRIPTION: See® Essence DPR, medium sand texture/EIFS System

Sherrin Williams Drive White (SW6102)

Sherrin Williams Latte (SW6108)

Sherrin Williams Brinkstorm Bronze (SW7033)

STACKED STONE

DESCRIPTION: Stonecraft Hudson Berridge



RANDELL O'DELL
1165 SCENIC DRIVE
SUITE B
MODESTO, CA 95350
209-571-1765



CONSULTANT

NOT FOR
CONSTRUCTION

0 04 001-19 DRAWING SUBMITTAL
NAME DATE DESCRIPTION

OWNER
JW CONGREGATION
SUPPORT, INC.
2821 RTE 22
PATERSON, NJ 12543

PROJECT TITLE

PROJECT NO.
ATWATER
KINGDOM HALL
ATWATER, CA 95301

SHEET TITLE

EXTERIOR FINISHES

PROJECT NO.

41

SHEET NO.
G901