



City of Riverbank
Planning Commission Meeting
City Hall North • Council Chambers
6707 Third Street • Suite B • Riverbank • CA 95367

Agenda

Tuesday, September 17, 2019 – 6:00 P.M.

CALL TO ORDER: Chair: John Dinan

ROLL CALL: Chair: John Dinan
Vice Chair: Robert Ball
Commissioner: Joan Stewart
Commissioner: Melissa Hughes
Commissioner: Mallory Fenrich

Commissioner: Steve Link, Alternate Member

CONFLICT OF INTEREST

Any Planning Commission Member or Staff who has a direct Conflict of Interest on any scheduled agenda item to be considered is to declare their conflict at this time.

1. PUBLIC COMMENTS (No action to be taken)

At this time, members of the public may comment on any item not appearing on the agenda, and within the subject matter jurisdiction of the Planning Commission Board. Individual comments will be limited to a **maximum of 5 minutes** per person and each person may speak once during this time; time cannot be yielded to another person. Under State Law, matters presented during the public comment period cannot be discussed or acted upon. For record purposes, state your name and City of residence. Please make your comments directly to the Planning Commission Board.

2. CONSENT CALENDAR

All items listed on the Consent Calendar are to be acted upon by a single action of the Planning Commission Board unless otherwise requested by an individual Planning Commissioner Member for special consideration. Otherwise, the recommendation of staff will be accepted and acted upon by roll call vote.

Item 2.1: Posting of the Agenda. The Agenda for the September 17, 2019 Planning Commission Meeting was posted on the City Community Center bulletin board, City Hall North & South bulletin boards, Post Office, city website, and emailed to the Library on September 12, 2019.

Item 2.2: Approval of the Agenda. This provides an opportunity for the Planning Commission or Staff to recommend that an item be placed on the agenda for discussion or to adjust the proposed agenda to allow an item to be taken out of order.

Item 2.3: Approval of the Minutes of the August 20, 2019 Planning Commission Meeting, having been read by the individual Commissioners and stands approved as submitted. *Commissioners to abstain: from the August 20, 2019 Planning Commission Meeting, Commissioners: Hughes and Link.*

Recommendation: Approval by roll call vote.

1st _____ 2nd _____

3. PUBLIC HEARING PRESENTATIONS

Item 3.1: Prime Shine / Mister – James Kinney – (#19-0010) Request for Architecture and Site Plan Review 01-2019 for a new covered payment station. Property is located at 2375 Patterson Road, APN: 075-007-036.

Recommendation: Approval of Resolution 2019-012 by roll call vote

1st _____ 2nd _____

Item 3.2: Dollar General, LLC – Steve Rawlings – (#19-0013) Request for Conditional Use Permit (CUP) 04-2019 (License Type 20 – Off-Sale Beer & Wine) to sell beer and wine at the new Dollar General store for offsite consumption. Property is located at 5842 Roselle Avenue, APN 075-015-006.

Recommendation: Approval of Resolution 2019-013 by roll call vote

1st _____ 2nd _____

4. PLANNING COMMISSION COMMENTS (Information Only – No Action)

None.

5. COUNTY REFERRAL/CORRESPONDENCE/INFORMATION (Information Only – No Action)

None.

6. STAFF COMMENTS (Information Only – No Action)

Item 6.1: City Council Meeting Updates.

7. ADJOURNMENT - Regular Planning Commission meeting – October 15, 2019 @ 6:00 p.m.

I, Janet Smallen, do hereby certify under penalty of perjury, under the laws of the State of California that the foregoing agenda was posted 72 hours to the meeting in accordance to the Brown Act.

Posted this 13th of September 2019
Janet Smallen, Sr. CDS

AFFIDAVIT OF POSTING

NOTICE REGARDING AMERICANS WITH DISABILITIES ACT: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Development Services Department at (209) 863-7128 or jsmallen@riverbank.org. Notification 72-hours before the meeting will enable the City to make reasonable arrangements to ensure any special needs are met. [28 CFR 35.102-35.104 ADA Title II].

NOTICE REGARDING NON-ENGLISH SPEAKERS: Pursuant to California Constitution Article III, Section IV, establishing English as the official language for the State of California, and in accordance with California Code of Civil Procedures Section 185, which requires proceedings before any State Court to be in English, notice is hereby given that all proceedings before the City of Riverbank City Planning Commission shall be in English and anyone wishing to address the Planning Commission is required to have a translator present who will take an oath to make an accurate translation from any language not English into the English language.

GENERAL INFORMATION: The Riverbank Planning Commission meets on the third Tuesday of each month at 6:00 p.m.

COMMISSION AGENDAS: The Planning Commission agenda is posted pursuant to the California Brown Act, which only requires these agenda title pages to be posted near the entrance of the location where the meeting is to be held and, when technologically able, on the City's website. Additional documents may be provided by the City in its efforts of transparency to keep the public well informed. The agenda packet (agenda plus supporting documents) are posted for public review at the Development Services Department, 6617 Third Street, Riverbank, CA and at www.riverbank.org upon distribution to a majority of the Planning Commission. A subscription to receive the agenda can be purchased for a nominal fee through the City Clerk's Office.

PUBLIC HEARINGS: In general, a public hearing is an open consideration within a meeting of the Planning Commission Board, for which special notice has been given and may be required. During a specified portion of the hearing, any resident or concerned individual is invited to present protests or offer support for the subject under consideration.

Televised/Video of Meetings: Charter – Channel 2; AT&T Uverse – Channel 99
Visit www.riverbank.org to connect to meeting videos. (Note: Technical difficulty occurs on occasion preventing the televising or recording of the meeting.)

City Hall Hours: City Hall is open Monday – Thursday: 7:30 am – 5:30 pm and Fridays: 8:00 am – 5:00 pm; CLOSED alternating Fridays. **QUESTIONS:** Contact the Developmental Services Department at (209) 863-7128.

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the Planning Commission Board will be available for public inspection at the address where the meeting is taking place as indicated on the agenda, at the same time that the public records are distributed or made available to the Planning Commission Board.



City of Riverbank Development Services Department

Planning Division ≈ Building Division ≈ Neighborhood Improvement Division

6707 Third Street, Riverbank, CA 95367 Office (209) 863-7128 FAX (209) 869-7126

PUBLISH DATE: September 4, 2019

LEGAL DEPT: PLANNING

CITY OF RIVERBANK **NOTICE OF PUBLIC HEARING**

Notice is hereby given that the City of Riverbank Planning Commission will conduct a public hearing to consider the requests described below at 6:00 p.m. on Tuesday, September 17, 2019, in Council Chambers 6707 Third Street, Riverbank, California.

Project Description: Architecture & Site Plan Review 01-2019 – James Kinney - Prime Shine / Mister (#19-0010) – 2375 Patterson Road, APN: 075-007-036. Request for Architectural and Site Plan Review 01-2019 for a new covered payment station. The proposed Architecture and Site Plan review is subject to approval by the Planning Commission pursuant to Section 153.095(G) of the City of Riverbank Code of Ordinances.

Project Description: Conditional Use Permit 03-2019 - Steve Rawlings - Dollar General, LLC (#19-0013) - 5842 Roselle Avenue, APN 075-015-006. Request for Conditional Use Permit (CUP) (License Type 20 – Off-Sale Beer & Wine) to sell beer and wine at the new Dollar General store for offsite consumption.

The City of Riverbank will hold a Public Hearing as follows:

Planning Commission Meeting
September 17, 2019 at 6:00 pm
City Hall Council Chambers - 6707 Third Street - Riverbank, California

ALL INTERESTED PARTIES are invited to attend the public hearing on **September 17, 2019** at the time and place specified above to express opinions or submit evidence for or against the subject matter being considered. Written comments via e-mail to dkenney@riverbank.org by postal service, or hand delivered to **6707 Third Street, Suite A, Riverbank, California, 95367**, will be accepted by the Development Services Department up to 5:00 p.m. on said date. All written comments received by said time will be distributed to the Planning Commission for consideration. Oral comments will be received by the Planning Commission prior to the close of the Public Hearing on the subject matter being considered. The Planning Commission will receive all testimony prior to taking action. Testimony cannot be given over the telephone. If you challenge the City's action on these matters in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the City at, or prior to, the public hearing.

Meeting facilities are accessible to persons with disabilities. Any person requiring special assistance to participate in the meeting should notify the Administration Dept. at (209) 863-7122 or cityclerk@riverbank.org at least seventy-two (72) hours prior to the meeting. For questions regarding the public hearing matter contact Donna Kenney, Planning & Building Manager, at (209) 863-7124; dkenney@riverbank.org.

Any public record materials pertaining to the presentation of the subject matter being considered will be made available for review at the Development Services Counter at 6717 Third Street, Riverbank, and (if technologically possible) at <http://www.riverbank.org/Depts/planning/default.aspx> upon distribution to a majority of the Planning Commission (typically 72 hours prior to the meeting).



City of Riverbank
Planning Commission Meeting
6707 Third Street • Riverbank • CA 95367

MINUTES
Tuesday, August 20, 2019

The following minutes reflect action minutes, with added clarification for the record. A copy of the verbatim recording may be obtained, if available, for a fee by contacting the Development Services Department at (209) 863-7128.

CALL TO ORDER/ROLL CALL:

Present: Chair Dinan, Vice Chair Ball and Commissioners: Stewart, Fenrich

Absent: Commissioner: Hughes and Alternate Link

CONFLICT OF INTEREST: Any Planning Commissioner and Staff who would have a direct Conflict of Interest on any scheduled agenda item to be considered are to declare their conflict.

No one declared a conflict.

1. PUBLIC COMMENTS (No action to be taken)

At this time, members of the public may comment on any item not appearing on the agenda, and within the subject matter jurisdiction of the Planning Commission. Individual comments will be limited to a **maximum of 5 minutes** per person and each person may speak once during this time; time cannot be yielded to another person. Under State Law, matters presented during the public comment period cannot be discussed or acted upon. For record purposes, state your name and City of residence. Please make your comments directly to the Planning Commission.

None.

2. CONSENT CALENDAR

All items on the Consent Calendar are to be acted upon by a single action of the Planning Commission unless otherwise requested by an individual Planning Commissioner for special consideration. Otherwise, the recommendation of staff will be accepted and acted upon by roll call vote.

Item 2.1: Posting of the Agenda. The Agenda for the August 20, 2019 Planning Commission Meeting was posted on the City Community Center bulletin board, City Hall North & South bulletin boards, Post Office, city website and emailed to the Library on August 16, 2019.

Item 2.2: Approval of the Agenda. This provides an opportunity for the Planning Commission or Staff to recommend that an item be placed on the agenda for discussion or to adjust the proposed agenda to allow an item to be taken out of order.

ACTION: *By motion moved/second (Stewart / Fenrich / passed 4-0) was approved as submitted; motion carried by unanimous roll call vote.*

Ayes: Planning Commissioners: Dinan, Ball, Stewart, Fenrich

Nays: None

Absent: Hughes and Alternate Link

Abstained: None

3. PUBLIC HEARING PRESENTATIONS

Item 3.1: **Lucky House, LLC CUP 02-2019** – Request for CUP 02-2019 (License Type 41 – On-Sale General Eating Place) to serve alcohol, beer and wine at the newly remodeled Lucky House restaurant. Property is located at 2730 Patterson Road, APN: 075-010-062.

- Donna M. Kenney, Building and Planning Manager presented item 3.1 and Power Point.
- Public Hearing was opened at 6:08 p.m.
- Being no comments, the public hearing was closed.
- Being no further comments the Commission voted on item 3.1.

ACTION: *By motion moved/second (Ball / Fenrich / passed 4-0) was approved as submitted; motion carried by unanimous roll call vote. **Approval of Resolution #2019-011 for CUP 02-2019.***

Ayes: Planning Commissioners: Dinan, Ball, Stewart, Fenrich.

Nays: None

Absent: Hughes and Alternate Link

Abstained: None

4. PLANNING COMMISSION DIRECTION (Request from Staff)

Item 4.1: Downtown Murals

- Donna Kenney, Building and Planning Manager presented item 4.1 and PowerPoint.
- Commissioner Stewart thought a workshop would be good and possibly an Arts Commission.
- Vice Chair Ball also thought we should have some sort of approval system.
- Commissioner Fenrich agreed that there should be some oversight and Art Commission Board.
- Chair Dinan would also like to see an Art Commission.
- It was requested that staff schedule a workshop so they can discuss this topic with the public. They would prefer to have the workshop as the only item on an agenda.
- Staff agreed to start looking at the calendar for an appropriate date.
- Public Hearing was opened. Being no comments, the public hearing was closed.

Item 4.2: Tiny Houses

- Gabriel Salazar, Associate Planner presented item 4.2 and PowerPoint.
- Commissioner Stewart had questions if it could be a mobile home park, but with tiny homes, and what would the lot sizes be.
- Commissioner Ball also had some questions on the differences between tiny houses and mobile homes.
- Donna Kenney explained that there is a 2-year SB 2 grant staff would like to apply for concerning tiny houses. It is a technical planning grant that could fund a consultant to review and make

recommendations to amend our Municipal Code to accommodate tiny houses, design guidelines for tiny houses and accessory dwelling units (ADUs), and a fee study. The second year of the grant would involve working with the County and other cities to preapprove engineered plans for several ADU models that could be constructed with just a building permit and planning staff review.

- Chair Dinan and Commissioners agreed staff should apply for the grant and provided direction to staff to take this item to the City Council for further direction.
- Public Hearing was opened being no comments the public hearing was closed.

5. PLANNING COMMISSION COMMENTS (Information Only – No Action)

Item 5.1: Chair Dinan commented that he attended the Town Hall meeting and Time Capsule event.

6. COUNTY REFERRAL/CORRESPONDENCE/INFORMATION (Information Only – No Action)

None.

7. STAFF COMMENTS (Informational Only – No Action)

Item 7.1: City Council Meeting Updates.

- Donna Kenney gave an update to the Commission on the City Council Meetings she attended.

8. ADJOURNMENT - Regular Planning Commission meeting – September 17, 2019 @ 6:00 p.m.

ATTEST:

APPROVED:

Donna M. Kenney,
Planning and Building Manager

John Dinan, Chair
Planning Commission

**CITY OF RIVERBANK
PLANNING COMMISSION
STAFF REPORT**

Agenda Item No. 3.1

September 17, 2019

APPLICATION: **Architecture & Site Plan Review 01-2019 (Dept. File #19-0010) – James Kinney, applicant; Wymond Real Prop II Et Al and Mister Car Wash Inc., owners – 2375 Patterson Road, APN: 075-007-036.** The Project consists of the Architecture and Site Plan Review of a new prepayment canopy at an existing Prime Shine Car Wash. The proposed project will not have a significant effect on the environment and is categorically exempt under Article 19 Section 15332 (a-e) Class 32, In-Fill Development Projects.

OWNERS:	Mister Car Was Inc. PO Box 4900 Dept 420 Scottsdale, AZ 85261	Wymond Real Prop II Et Al 7120 Spyglass Modesto, CA 95356
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**APPLICANT
REPRESENTATIVE:** James Kinney
222 E. 5th Street
Tucson, AZ 85705

GENERAL PLAN: Community Commercial (C/C)

ZONING: General Commercial (C-2)

**ENVIRONMENTAL
DETERMINATION:** The proposed project will not have a significant effect on the environment and is categorically exempt under Article 19 Section 15332 (a-e) Class 32, In-Fill Development Projects Project pursuant to CEQA Guidelines.

PROJECT PLANNER: Gabriel R. Salazar, Associate Planner

RECOMMENDATION: Approve Architecture and Site Plan Review 01-2019 subject to the conditions in attached Resolution 2019-012

ACROMYMS: CEQA – California Environmental Quality Act

I. EXECUTIVE SUMMARY:

The applicant proposes to modify an existing car-wash establishment's on-site entrance by providing two additional payment station lanes for three total lanes, and a new shade canopy structure above them. Landscaping and the driveway immediately at the existing payment area will be modified to accommodate a triple drive entrance with payment stations. The project will not eliminate any parking stalls. The project will only involve the existing driveway and landscaping area at the northwest corner of the site. The applicant has indicated that the objective of the modification is to move traffic more quickly and alleviate any congestion and vehicles stacking up onto Estelle Avenue. The canopy structure will also provide shade for employees working in the area.

II. BACKGROUND AND PROJECT INFORMATION:

The project site, 2375 Patterson Avenue, is located at the northwest corner of Patterson Road and Estelle Avenue. New Life Community Church is located to the north of project site. To the south of the project site is Patterson Road with vacant, undeveloped land and two buildings beyond it. One of the buildings is for an automobile repair shop, The Rear End Shop, and the neighboring building is the office for American Veterans First, a non-profit organization. Aspen Fitness is located to the west of the project site. F&M Bank is located to the east of subject site.

The existing Prime Shine car wash establishment is situated on a 35,727 square foot (0.82 acres) lot. The car wash building was built in 2006.

III. ANALYSIS:

A. Site Design

The proposed site plan (Exhibit A Page 1) shows the existing building and the proposed three drive lanes with payment stations.

B. Building Design- Canopy Design and Payment Stations

The existing building is a modern architectural type and in very good condition. No changes are proposed for the existing structure. The proposed modification is only in the rear of the lot and in the parking area. The site plan (Exhibit A Page 1) illustrates the three drive lanes for the carwash; each lane now has a payment station island. Additionally, Exhibit B shows a model rendering of the new payment stations. The only exception is that the canopy structure will cover the three payment stations.

C. Parking and Traffic

The current hours of operation are Monday through Sunday from 7:00 a.m. to 8:00 p.m.

Per the Riverbank Municipal Code the existing use, Car Wash establishment, requires one (1) parking space per 300 square feet of gross floor area. The existing building square footage is 3,347 square feet, thus 12 parking stalls are required. The current site has 20 total stalls, 5 are existing standard parking stalls, 1 is handicap parking, and 14 are for vacuum use. There is no additional parking requirement for the installation of the canopy.

D. Signage

Signage is reviewed under a separate permit. The applicant has submitted the permit application for new signage and it has been approved.

IV. FINDINGS:

A. General Plan Consistency Findings

Pursuant to the City of Riverbank General Plan, the Planning Commission must make the following findings relevant to the Architecture and Site Plan Review:

1. Policy Design 2.3: The City will require appropriate signage and traffic control devices to safely accommodate pedestrian, bicyclists, and vehicular traffic. *As proposed the project will feature appropriate signage and traffic control devices to safely accommodate non-motorized transportation. This would benefit employees who may their bicycles to work.*
2. Policy DESIGN 8.3: The City will require the use of durable, high quality building materials to lower maintenance and replacement need and ensure the aesthetic appeal of new development and rehabilitation. *All materials of the proposed canopy will be of high quality, durable materials which will lower maintenance and replacement needs and ensure the aesthetic appeal of the project. Colors and materials shall match the existing building, a condition of approval of the project.*
3. Policy DESIGN 10.1: The City will require site and building access for pedestrians and bicyclists by providing the most direct pedestrian access from sidewalks and parking areas to building entrances while minimizing conflicts with motor vehicle traffic. *The proposed project will be required to feature ADA accessibility and bicycle parking for employee use.*
4. Policy DESIGN-10.11: The City will require incorporation of architectural and landscape features that allow for secure locking of bicycles in locations easily observed from indoors. *The project will include a bicycle rack in an accessible location within 10 feet of the building's front windows. This requirement will be a condition of approval of the project.*

V. PUBLIC NOTICE:

The Planning Commission hearing notice was published in the Riverbank News on September 4, 2019 and posted at City Hall North and South, the library, and the post office on September 4, 2019. In addition, the Applicant posted a Notice of Development Permit Application sign at 2375 Patterson Road on September 11, 2019 and 35 notices were mailed to residents and business within 300-feet of the Project site in accordance with City standard practices. At the time of writing this Staff Report

Riverbank Planning Commission

Staff Report 3.1

Meeting of September 17, 2019

Page 3 of 4

(September 12, 2019), the City has not received any written public comment. Written comments received by the City shall be supplied to the Commission at the day of the meeting.

VI. RECOMMENDATION:

Find that the project is categorically exempt under Article 19 Section 15332 (a-e), and approve the Conditional Use Permit pursuant to findings and conditions contained in attached Resolution 2019-012.

VI. ATTACHMENTS:

1. Resolution 2019-012
2. Exhibit A - Site Plan, Elevations, and Color Elevations
3. Exhibit B – Model Payment Station Rendering

Respectfully Submitted By:

Gabriel R. Salazar

Gabriel R. Salazar
Associate Planner

**City of Riverbank
Planning Commission
Resolution No. 2019-012**

**ADOPTION OF ARCHITECTURE AND SITE PLAN REVIEW 01-2019
FOR JAMES KINNEY – PRIME SHINE / MISTER
2375 PATTERSON ROAD (APN 075-007-036)**

WHEREAS, an application has been received from James Kinney for the Architectural and Site Plan Review of a new covered self-pay station with canopy at 2375 Patterson Road (APN 075-007-036); and

WHEREAS, the Planning Commission held a public hearing on September 17, 2019, to consider Architecture and Site Plan Review 01-2019; and

WHEREAS, the proposed project will not have a significant effect on the environment and is categorically exempt under Article 19 Section 15332 (a-e) Class 32, In-Fill Development Projects Project pursuant to CEQA Guidelines; and

WHEREAS, The Riverbank Planning Commission made the following findings:

1. The proposed project, together with the provisions for its design and improvements, is consistent with the goals, policies, program and uses of the General Plan.
2. The proposed Architecture and Site Plan Review along with the Conditions of Approval is in conformity with both the intent and provisions of the Zoning Ordinance, Title 153, of the City of Riverbank Code of Ordinances.

WHEREAS, the proposed project is consistent with the following aspects of the General Plan:

1. Policy Design 2.3: The City will require appropriate signage and traffic control devices to safely accommodate pedestrian, bicyclists, and vehicular traffic.
2. Policy DESIGN-8.3: The City will require the use of durable, high quality building materials to lower maintenance and replacement needs and ensure the aesthetic appeal of new development.
3. Policy DESIGN-10.1: The City will require site and building access for pedestrians and bicyclists by providing the most direct pedestrian access from sidewalks and parking areas to building entrances while minimizing conflicts with motor vehicle traffic.

4. Policy DESIGN-10.11: The City will require incorporation of architectural and landscape features that allow for secure locking of bicycles in locations easily observed from indoors.

WHEREAS, the request and plans of James Kinney, applicant, are hereby granted and approved, subject to the following conditions:

1. Applicant shall comply with the City of Riverbank Standard Conditions as contained in the Planning Commission Resolution 2013-014 and/or receive confirmation from the Community Development Director that a specific condition or conditions does not apply to the subject project; and
2. The applicant shall build the entire project according to the site plans and elevations date stamped [REDACTED] and on file with the Community Development Department and presented to the Planning Commission as part of this action; and
3. New signage shall be reviewed and approved under a separate permit. Any existing nonconforming signage shall be removed; and
4. Any new exterior lighting shall be LED and focused downward on the site; and
5. The project will include a bicycle rack in an accessible location within 10 feet of the building's front windows; and
6. Colors and materials shall match the existing building.

NOW THEREFORE, BE IT RESOLVED by the City of Riverbank Planning Commission that Architecture and Site Plan Review 01-2019 is hereby approved, subject to those conditions established by Resolution No. 2019-012 and as illustrated in Exhibit "A": Site Plans and Elevations.

PASSED AND ADOPTED by the Planning Commission of the City of Riverbank at a regular meeting held on the 17th of September, 2019, motioned by Commissioner _____, seconded by Commissioner _____, and upon roll call was carried by the following vote _-_:

AYES: Commissioners:

NOES: None

ABSENT: None

ABSTAIN: None

Attest:

Approved:

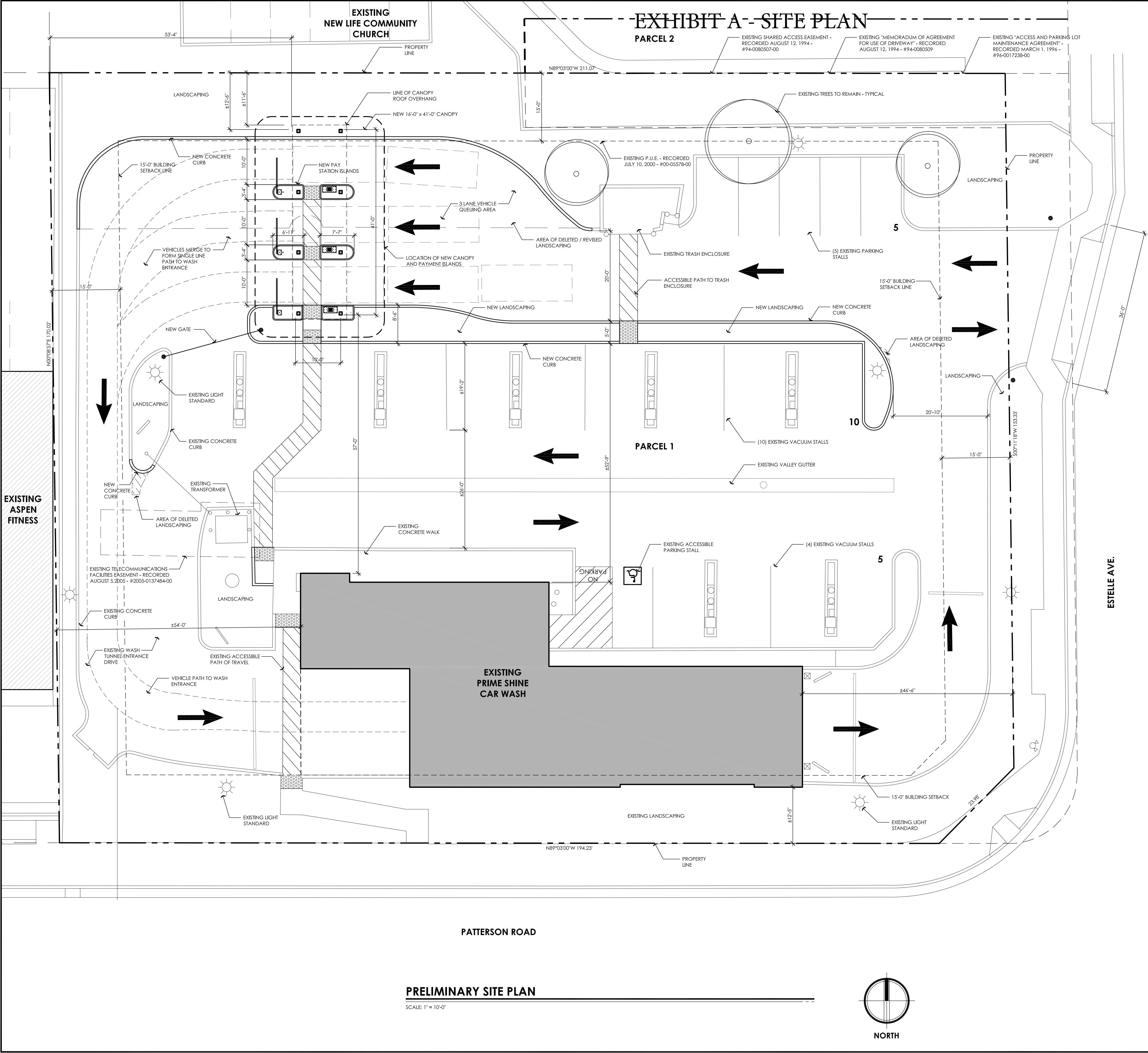
Donna M. Kenney,
Planning and Building Manager

John Dinan, Chair
Planning Commission

ATTACHMENTS

Exhibit A - Site Plan and Elevations

Exhibit B – Payment Station Rendering



PROJECT LOCATION

2375 PATTERSON ROAD
RIVERBANK, CA

PROJECT TEAM

PROJECT CONTACT:
MISTER CAR WASH
222 E. 5th AVENUE
TUCSON, AZ 85705
(520) 615-4000 EXT. 258
CONTACT: ELANA WEBER
eweber@mistercarwash.com

ARCHITECT:
API
4335-B NORTH STAR WAY
MODESTO, CA 95356
(209) 577-4661
CONTACT: JOSEPH L. SMITH
joe@apiarc.com
BRIAN ROSENBERGER
brian@apiarc.com

PROJECT DESCRIPTION

REVISE CAR WASH TUNNEL APPROACH DRIVE TO PROVIDE A SECOND AND THIRD LANE AND POINT-OF-SALE EQUIPMENT. A NEW SHADE CANOPY WILL BE CONSTRUCTED TO COVER THE NEW POINT-OF-SALE AREA.

SITE DATA

ASSESSORS PARCEL NUMBER:	075-007-036
PROPERTY AREA:	35,727 SQ. FT. / .82 AC
EXISTING BUILDING COVERAGE:	±3,347 SQ. FT. (9%)
CURRENT ZONE:	C-2
GENERAL PLAN:	COMMERCIAL
SITE COVERAGE OF PROPOSED PROJECT:	
BUILDING AREA:	
EXISTING CAR WASH:	3,347 SQ. FT.
NEW CANOPY:	792 SQ. FT.
TOTAL:	4,139 SQ. FT. / 13% OF SITE AREA
EXISTING LANDSCAPING:	9,263 SQ. FT.
REMOVED LANDSCAPING:	1,994 SQ. FT.
ADDED LANDSCAPING:	740 SQ. FT.
TOTAL LANDSCAPING AREA:	8,009 SQ. FT. / 22% OF SITE AREA
PAVEMENT / HARDSCAPE AREA:	
HARDSCAPE AREA:	1,781 SQ. FT. / 5% OF SITE AREA
PAVED PARKING AREA:	5,190 SQ. FT. / 15% OF SITE AREA
PAVED DRIVE AREAS:	16,204 SQ. FT. / 45% OF SITE AREA
TOTAL PAVED / HARDSCAPE AREA:	23,175 SQ. FT. / 65% OF SITE AREA
TOTAL:	35,727 SQ. FT. / 100%

BUILDING DATA

EXISTING BUILDING AREAS:	
EXISTING CAR WASH:	±3,347 SQ. FT.
EXISTING BUILDING HEIGHT:	
EXISTING CAR WASH:	±18'-0" MAX (1 STORY)
NEW CANOPY:	792 SQ. FT. ROOF AREA
NEW CANOPY HEIGHT:	±18'-6"

PARKING DATA

PARKING REQUIRED:	3,347 SQ. FT. / 300 = 12 STALLS
PARKING PROVIDED:	
EXISTING STANDARD:	5 STALLS
ACCESSIBLE:	1 VAN ACCESSIBLE
VACUUM:	14 STALLS
TOTAL:	20 STALLS

LEGAL DESCRIPTION

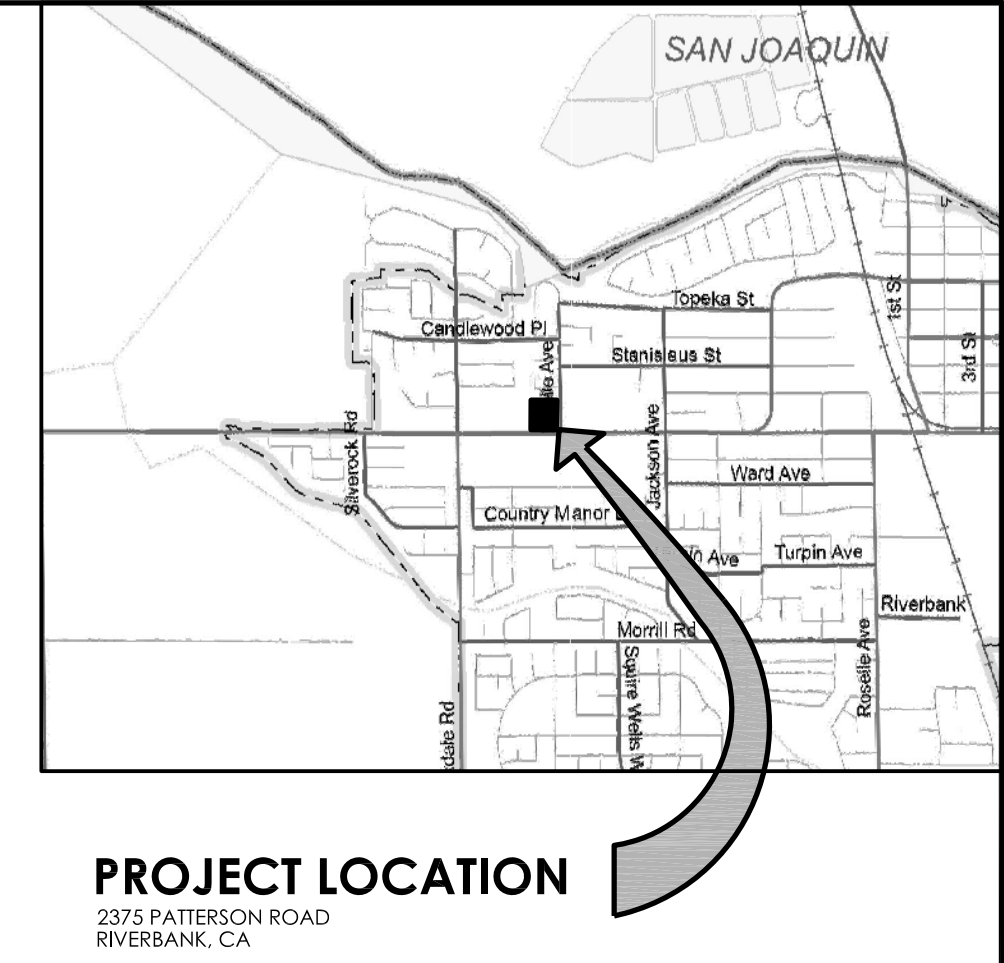
PARCEL ONE:
PARCEL 1 AS SHOWN ON PARCEL MAP FILED FOR RECORD MAY 6, 1971 IN BOOK 11 OF PARCEL MAPS, AT PAGE 49, STANISLAUS COUNTY RECORDS.

EXCEPTING THEREFROM ALL THE PORTION AS DEDICATED TO THE CITY OF RIVERBANK, A MUNICIPAL CORPORATION BY DEED RECORDED DECEMBER 3, 1999, AS INSTRUMENT NO. 1999-113124, STANISLAUS COUNTY RECORDS.

PARCEL TWO:
AN EASEMENT FOR SHARED ACCESS OVER AND ACROSS A STRIP OF LAND 12.00 FOOT WIDE, THE SOUTH LINE OF WHICH IS DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF PARCEL 4, AS SHOWN ON MAP FILED IN BOOK 18 OF PARCEL MAPS, AT PAGE 64, STANISLAUS COUNTY RECORDS; THENCE NORTH 89°03' WEST, 120.00 FEET TO THE POINT OF TERMINATION OF THIS DESCRIPTION.

THE LEGAL DESCRIPTION SHOWN ABOVE DESCRIBES ALL THAT PROPERTY IN THE PRELIMINARY TITLE REPORT IDENTIFIED AS "FIDELITY NATIONAL TITLE COMPANY" ORDER NUMBER FSST-1018002535, WITH AN EFFECTIVE DATE OF SEPTEMBER 6 2018



PROJECT LOCATION
2375 PATTERSON ROAD
RIVERBANK, CA

**NEW CANOPY AND
DRIVE ALTERATIONS:**

PRIME SHINE CAR WASH

**2375 PATTERSON RD.
RIVERBANK, CA.**



ARCHITECTURE PLUS INC.
4335-B NORTH STAR WAY
MODESTO, CA 95356

ph. 209.577.4661
fx. 209.577.0213

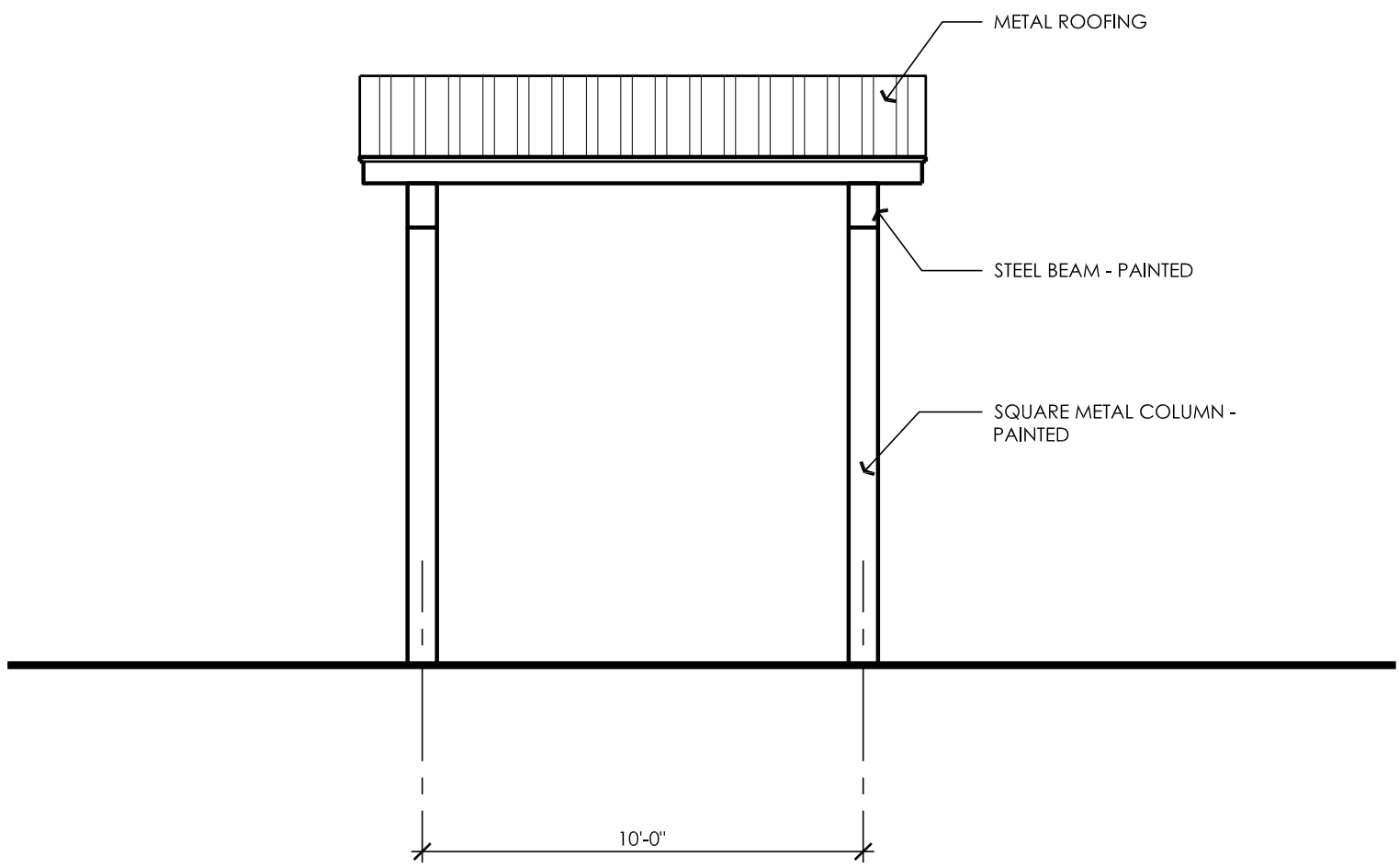
www.apiarc.com

PRELIMINARY SITE PLAN

SCALE: 1" = 10'-0"

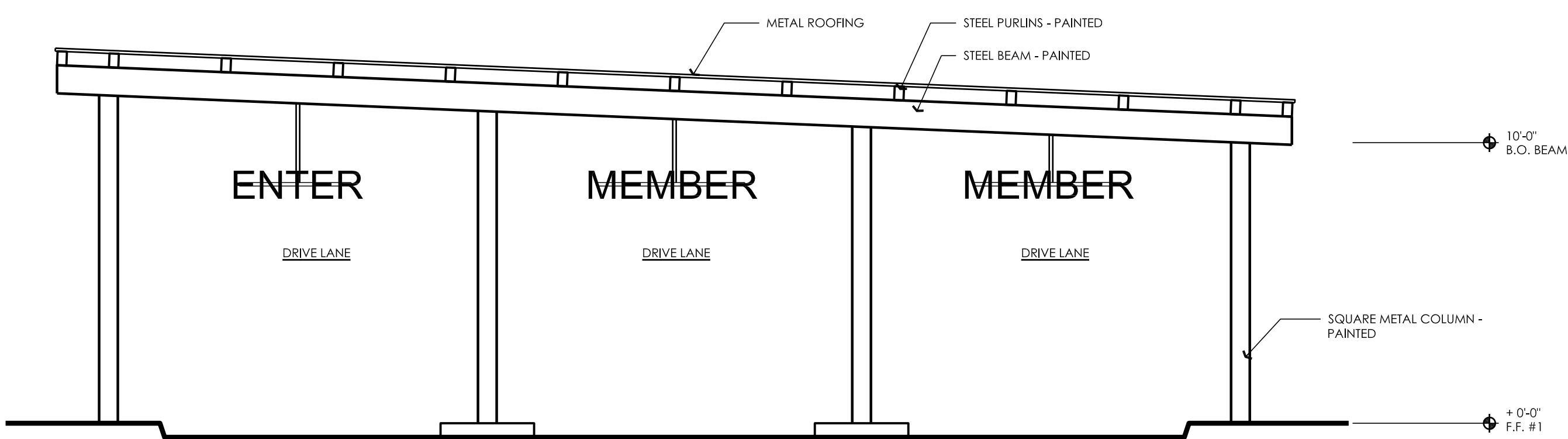


EXHIBIT A - ELEVATION



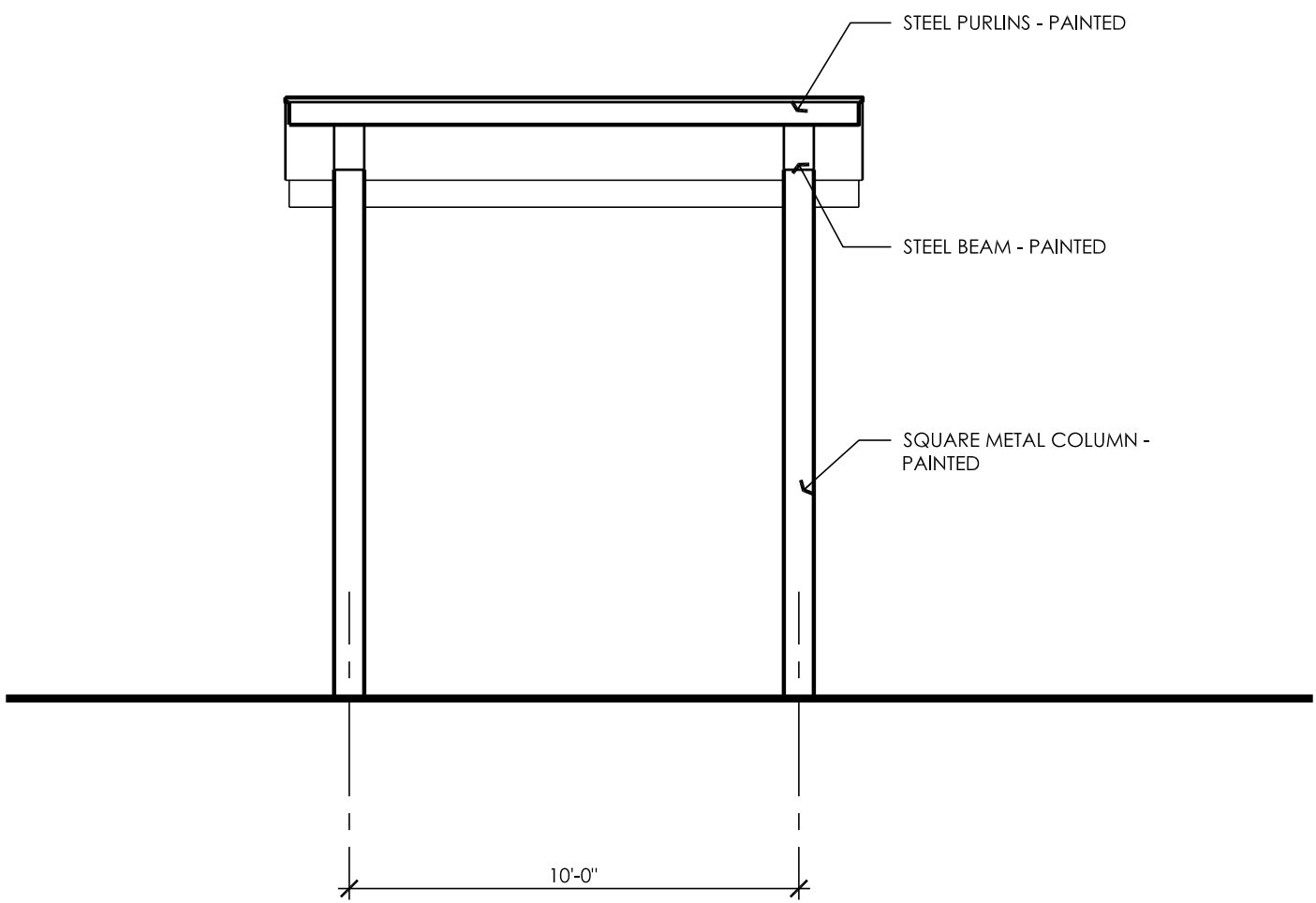
NORTH ELEVATION

SCALE: 1/4" = 1'-0"



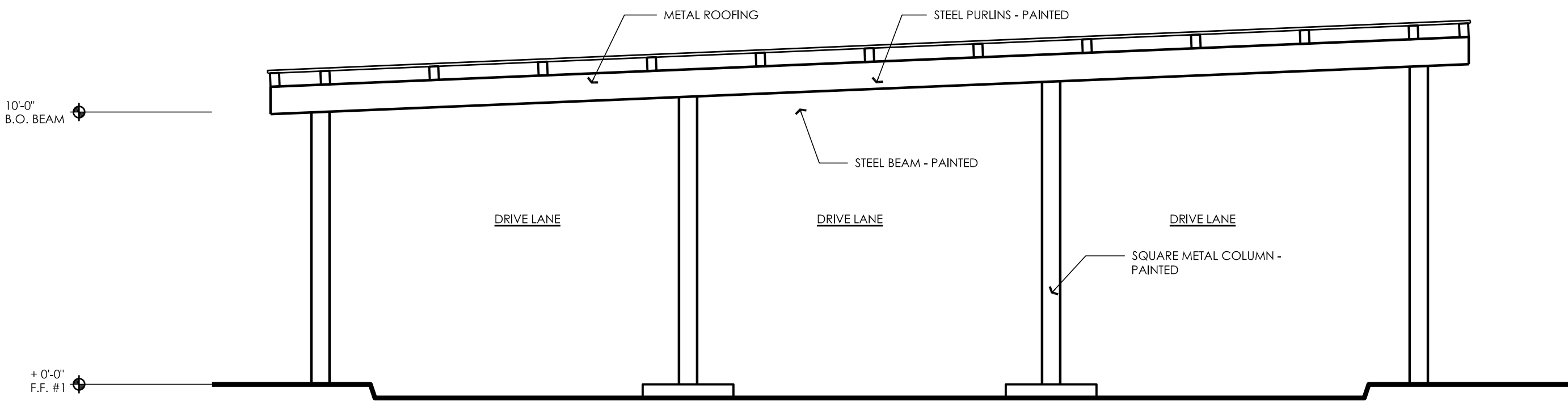
EAST ELEVATION

SCALE: 1/4" = 1'-0"



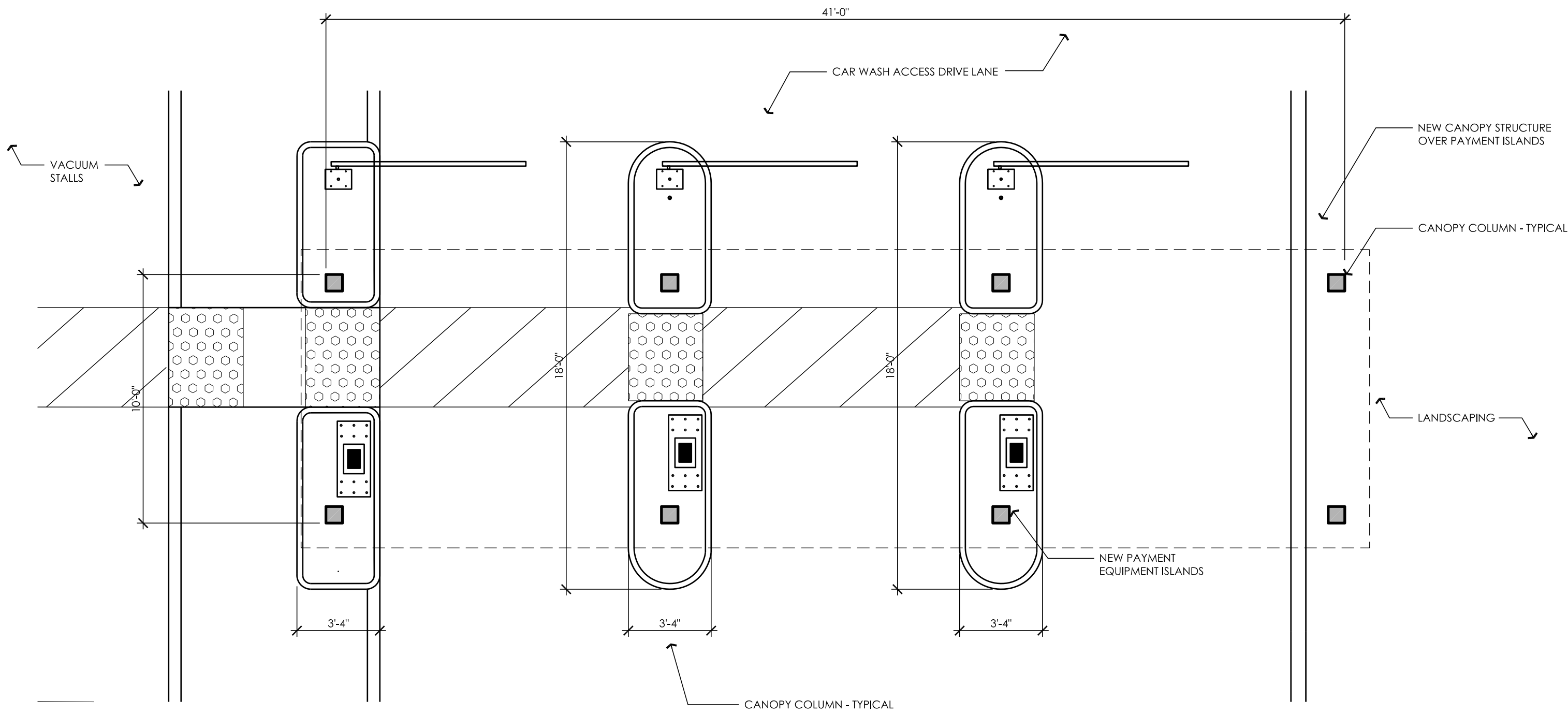
SOUTH ELEVATION

SCALE: 1/4" = 1'-0"



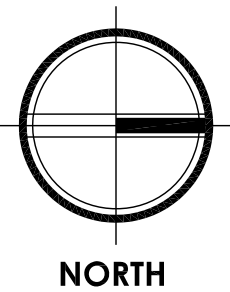
WEST ELEVATION

SCALE: 1/4" = 1'-0"

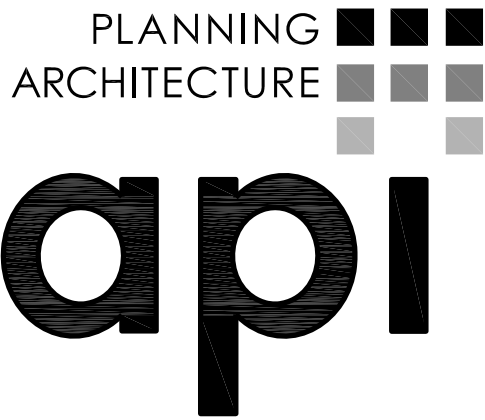


PRELIMINARY PLAN

SCALE: 1/4" = 1'-0"



NEW CANOPY AND
DRIVE ALTERATIONS:
**PRIME SHINE
CAR WASH**
2375 PATTERSON RD.
RIVERBANK, CA.

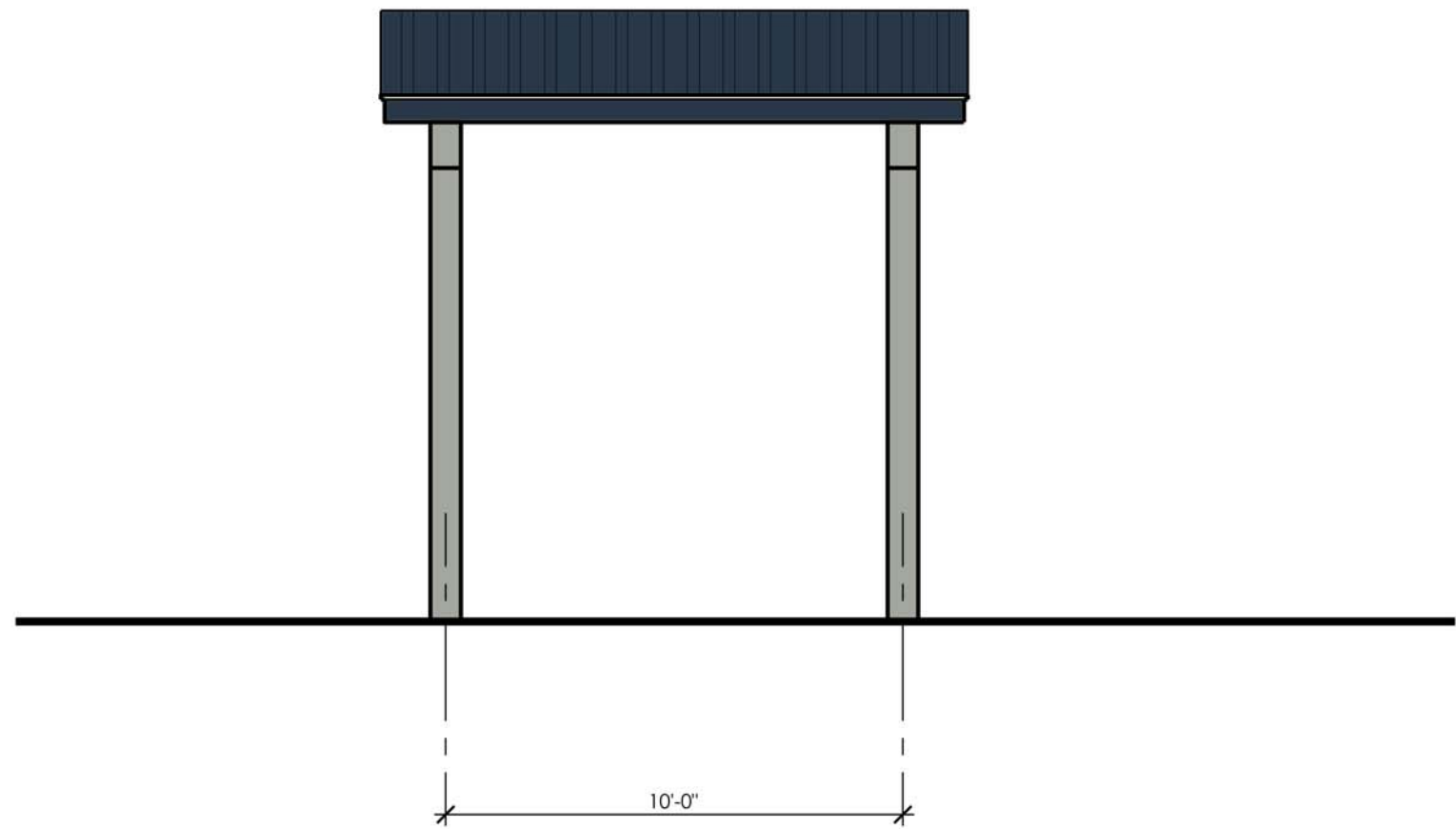


ARCHITECTURE PLUS INC.
4335-B NORTH STAR WAY
MODESTO, CA 95356

ph. 209.577.4661
fx. 209.577.0213

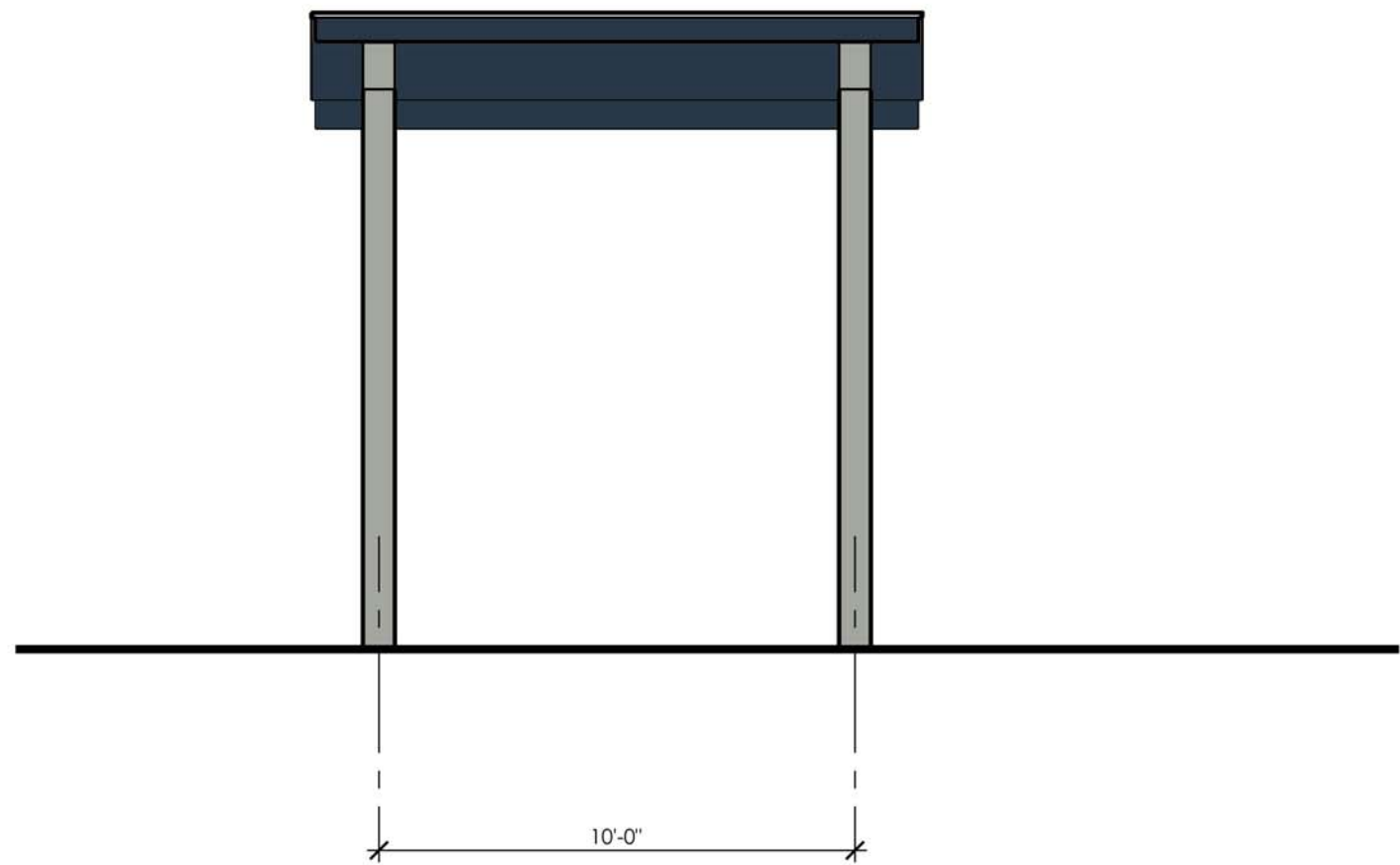
www.apiarc.com

EXHIBIT A - COLORED ELEVATIONS



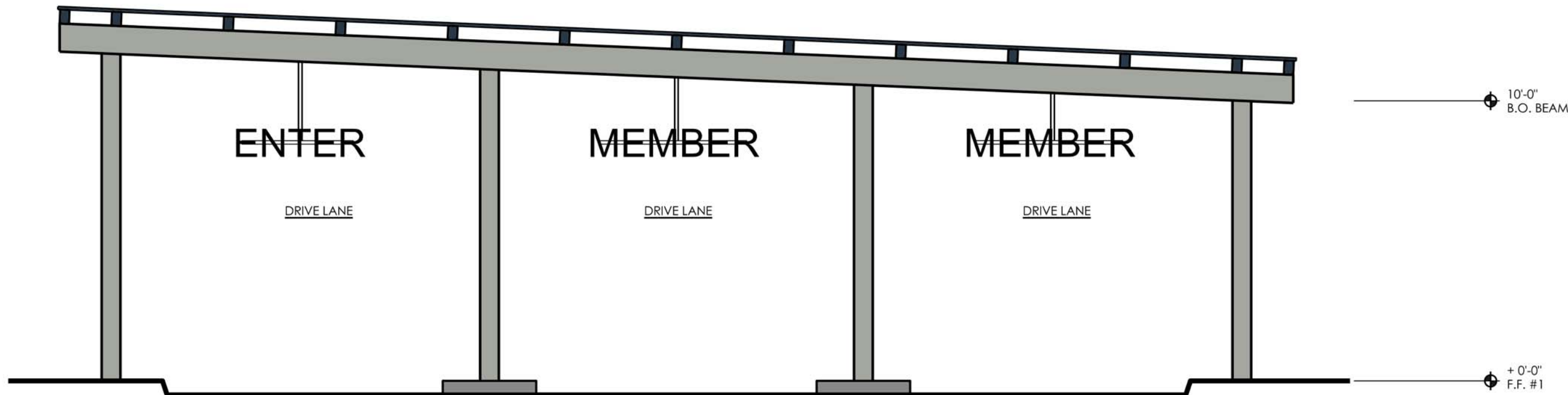
NORTH ELEVATION

SCALE: 1/4" = 1'-0"



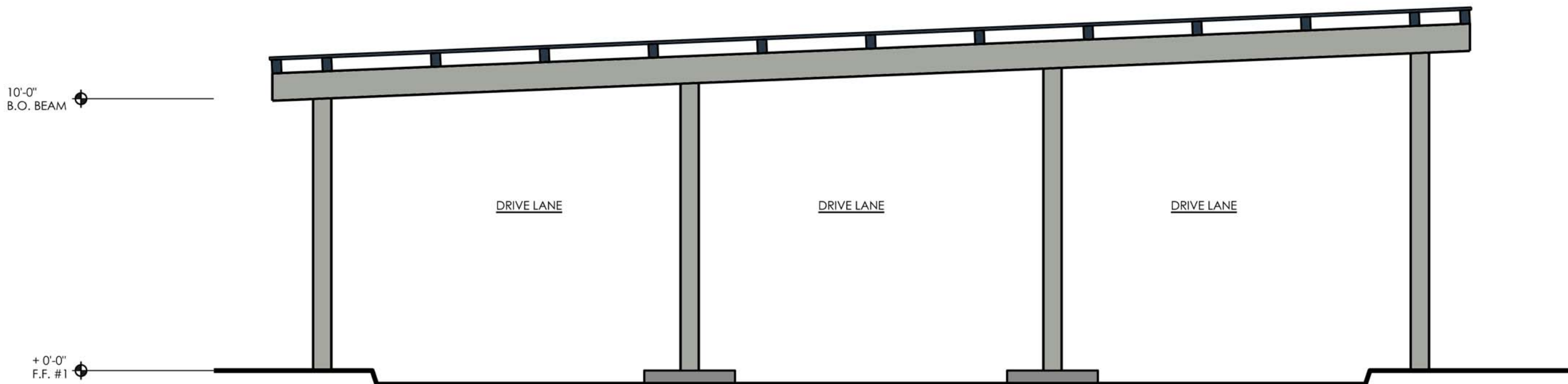
SOUTH ELEVATION

SCALE: 1/4" = 1'-0"



EAST ELEVATION

SCALE: 1/4" = 1'-0"



WEST ELEVATION

SCALE: 1/4" = 1'-0"



STEEL TUBE COLUMNS & BEAMS:
SHERWIN WILLIAMS:
#7059 UNUSUAL GRAY



METAL ROOFING & PURLINS:
SHERWIN WILLIAMS:
#9178 IN THE NAVY

NEW CANOPY AND
DRIVE ALTERATIONS:
**PRIME SHINE
CAR WASH**
2375 PATTERSON RD.
RIVERBANK, CA.



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EXHIBIT B MODEL PAYMENT STATION



EXHIBIT B MODEL PAYMENT STATION





**CITY OF RIVERBANK
PLANNING COMMISSION
STAFF REPORT**

Agenda Item No. 3.2

September 17, 2019

APPLICATION: **Dollar General, LLC CUP 04-2019 (#19-0013) – Dollar General** - Request for Conditional Use Permit (CUP) 04-2019 (License Type 20 – Off-Sale Beer & Wine) to sell beer and wine at the new Dollar General store for off-site consumption.

LOCATION: 5842 Roselle Road
APN: 075-015-006

GENERAL PLAN: Industrial/Business Park (I/BP)

ZONING: Light Industrial (M-1)

ENVIRONMENTAL DETERMINATION: The proposed project will not have a significant effect on the environment and is categorically exempt under Article 19 Section 15332 (a-e).

PROJECT PLANNER: Gabriel R. Salazar, Associate Planner

RECOMMENDATION: Conditionally approve the sale of alcoholic beverages for off-site consumption within a general retail store.

ACROMYMS: ABC – Alcoholic Beverage Control
CEQA – California Environmental Quality Act
CUP – Conditional Use Permit
RMC – Riverbank Municipal Code
SF or sf – Square Feet or Foot

I. EXECUTIVE SUMMARY:

The applicant, Dollar General California, LLC Store #20555 (DBA “Dollar General”) is seeking a Conditional Use Permit (“CUP”) to allow the sale of beer and wine for off-site consumption (License Type 20) at a new grocery and general consumer goods store. With proper conditions addressing the sale of alcoholic beverages and property maintenance, the use is not anticipated to impact neighboring commercial uses and existing residential uses.

II. BACKGROUND AND ANALYSIS:

Dollar General has been an affordably priced retail store since 2005 and there are over 15,000 stores nationwide. The new 9,100 square foot general retail store (Attachment 2) is anticipated to open this Fall or early Winter. Currently, the building is being constructed along with associated public improvements such as curb, gutter, and sidewalks. The business will operate 7 days a week, from 6:00 a.m. to 11:00 p.m. Approximately twenty (20) total employees will be working at the store; 3-8 employees per shift and two shifts a day. On December 18, 2018, the Planning Commission approved Architectural and Site Plan Review 03-2018 for a Dollar General Store Commercial Building.

The General Plan designation of the Dollar General site is Industrial/Business Park (I/BP). This I/BP designation accommodates manufacturing uses, as well as a mixture of manufacturing and office spaces. This category is meant to accommodate a variety of employment-generating, basic enterprises. This land use designation and others permitted with this designation are subject to performance standards to ensure against noise, traffic, safety, light spillage and glare, and other impacts typically generalized as compatible.

The zoning designation of the site is Light Industrial (M-1) in the Municipal Code. Under Section §153.121 (A) retail sales are permitted in the M-1 zone. As a standalone establishment, the Dollar General Store is permitted by right. With the request to conduct alcohol sales this “use” requires a Conditional Use Permit (CUP). Section §153.360 indicates that the purpose of alcoholic beverage sale regulations is to promote the public health, safety, comfort, convenience, prosperity, and general welfare. To minimize any negative impacts by such activities and to ensure the protection and safety of the public, per Section §153.361 Use Permit Required, conditions are applied to the use permit and to insure compliance.

There are no other alcohol selling establishments in the immediate vicinity or within 3,500 feet. There are other Type 20 Licenses (grocery stores selling packaged liquor) along Patterson Road and near downtown. There are also various restaurant locations along Patterson Road with a Type 41 License (On-Site Beer and Wine). Similar to the sale of packaged beer and wine at Star Market, CVS, or O’Brien’s Market, negative impacts to the surrounding area are not expected.

III. ENVIRONMENTAL DETERMINATION:

The project will have minimal impact upon the environment and meets all applicable criteria to qualify as categorically exempt from further review under CEQA. The project meets the criteria of Article 19 Categorical Exemptions 15332 (a-e) In-Fill Development Projects. The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

IV. PUBLIC NOTICE:

The Planning Commission hearing notice was published in the Riverbank News on September 4, 2019 and posted at City Hall North and South on September 4, 2019. In addition, the Applicant posted a Notice of Development Permit Application at 5842 Roselle on September 6, 2019 and notices were Riverbank Planning Commission

Staff Report 3.1

Meeting of September 17, 2019

Page 2 of 3

distributed to 39 residents and business within 300-feet of the Project site in accordance with City standard practices. At the time of writing this Staff Report (September 12, 2019), the City has not received any written public comment. Written comments received by the City shall be supplied to the Commission at the day of the meeting and read into the public record.

V. RECOMMENDATION:

Find that the project is categorically exempt under Article 19 Section 15332 (a-e), and approve the Conditional Use Permit pursuant to findings and conditions contained in attached Resolution 2019-013.

VI. ATTACHMENTS:

1. Resolution No. 2019-013
2. Floor Plan

Respectfully Submitted By:

Gabriel R. Salazar
Gabriel R. Salazar
Associate Planner

**City of Riverbank
Planning Commission
Resolution No. 2019-013**

A Resolution of the Planning Commission of the City of Riverbank Approving a
Conditional Use Permit for the Sale of Alcoholic Beverages for Off-Sale Beer & Wine
(Type 20 License) in a Dollar General Store Located at
5842 Roselle Avenue APN: 075-015-006

Whereas, the proposed sale of beer and wine for off-site consumption is located within the City of Riverbank at 5842 Roselle Avenue (APN: 075-015-006); and

Whereas, the property has a General Plan Land Use Element Designation of Industrial/Business Park (I/BP); and

Whereas, the Industrial/Business Park category is meant to accommodate a variety of employment-generating, basic (as opposed to community serving) enterprises; and

Whereas, the proposed conditional use permit for Dollar General LLC, DBA “Dollar General” would allow beer and wine sales for off-site consumption only; and

Whereas, the property has a zoning designation of Light Industrial (M-1); and

Whereas, the request to conduct alcohol sales for off-site consumption requires a Conditional Use Permit (CUP) pursuant to RMC Section §153.360 which indicates that the purpose of alcoholic beverage sale regulations is to promote the public health, safety, comfort, convenience, prosperity, and general welfare; and

Whereas, compliance with the conditions of this use permit is expected to mitigate any impacts created by the retail sale of alcoholic beverages and further the public convenience.

Therefore, Be It Resolved by the Planning Commission of the City of Riverbank that it hereby approves the conditional use permit to allow the sale of beer and wine for off-site consumption by Dollar General, subject to the following conditions:

1. Applicant shall comply with the City of Riverbank Standard Conditions as contained in the Planning Commission Resolution 2013-014 and/or receive confirmation from the Community Development Director that a specific condition or conditions does not apply to the subject project; and
2. The operator shall operate and abide under all conditions of the State of California Alcoholic Beverage Control Type 20 License, Off-Sale Beer and Wine – Package Store, in a general retail establishment.
3. The applicant shall insure that the sale of beer and wine does not cause any condition that will result in repeated activities that are harmful to the health, peace or safety of persons residing or working in the surrounding area. This includes, but is not limited to: on-site disturbances of the peace, drinking in public,

harassment of passersby, assaults, batteries, lewd conduct, loitering, excessive littering, or police detention and arrests. If determined that selling such products are interfering with the normal operation of the area or quiet enjoyment of neighboring properties, the use permit may be reviewed for possible suspension of the license.

4. This use permit is subject to a periodic review to monitor potential problems and for possible corrective action of the Department.
5. No variance from any City of Riverbank adopted code, policy or specification is granted or implied by the approval of this resolution.
6. Dollar General shall be prohibited from externally advertising or promoting specific or individual beer, wine and/or distilled spirits, including, but not limited to window, and exterior wall and fence signage.
7. Dollar General shall not sell alcoholic beverages to underage minors pursuant to state and federal laws. The offering of sale of such will result in the automatic review and possible suspension of this use permit.
8. That it does not result in violations to any applicable provision of any other city, state, or federal regulation, ordinance or statute.
9. Dollar General shall be assessed an additional \$250 annually during the routine annual business license renewal process to offset DUI police enforcement activities.

Passed and adopted by the Planning Commission of the City of Riverbank at a regular meeting held on the 17th day of September 2019, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

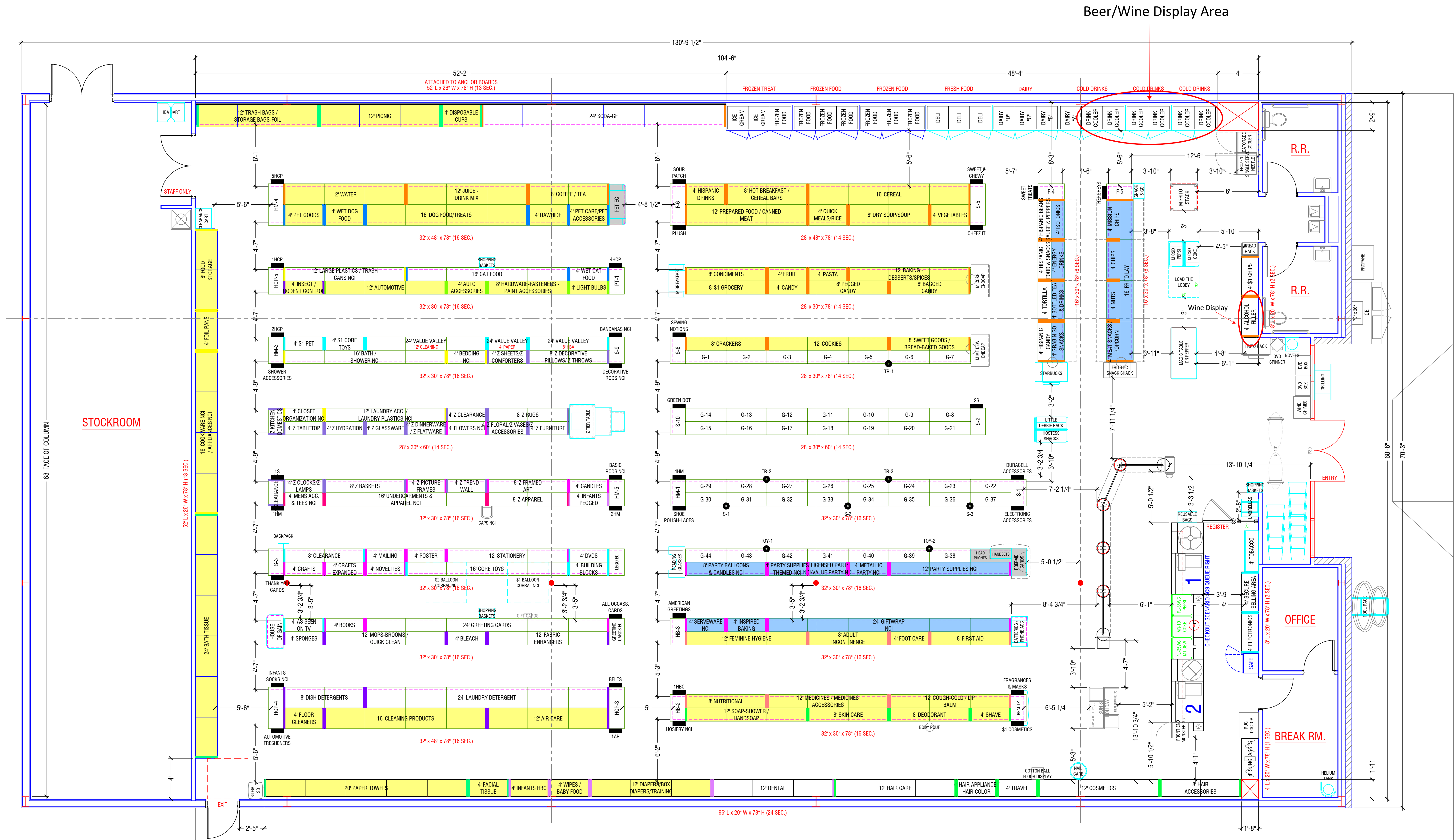
Attest:

Approved:

Donna M. Kenney, Secretary
Planning and Building Manager

John Dinan, Chairperson
Planning Commission

ATTACHMENT 2 - FLOOR PLAN



DOLLAR GENERAL

DRAWING HISTORY

DATE: 08/09/19 BY: AMG

DATE: BY:

[1]	
[2]	
[3]	
[4]	
[5]	
[6]	
[7]	
[8]	
[9]	
[10]	
[11]	

PROJECT TYPE: NEW

FORMAT TYPE: DG19

PLAN TYPE: 9100-B

LAYOUT TYPE: NCI

UPPER PERMITS: STANDARD ENHANCED

PERMIT DATE: 11/04/19

SALES FLOOR SQ. FT. 7,272

WAREHOUSE SQ. FT. 1,080

CEILING HEIGHT: OPEN

LIGHT HEIGHT: 11'-0"

SEASONAL SECTIONS: 44

SECTION COUNT: 317

ENDCAP COUNT: 36

STORE NUMBER: 20555

ADDRESS:

5842 ROSELLE AVE

CITY: RIVERBANK

STATE: CA

ZIP: 95367

STORE PLANNING HOTLINE (615) 855-5385