



CITY OF RIVERBANK
Special Planning Commission Meeting
Thursday, September 7, 2023 AT 6:00 P.M.
Council Chambers, 6707 Third St., Suite B, Riverbank CA 95367

SPECIAL PLANNING COMMISSION AGENDA

THURSDAY, SEPTEMBER 7, 2023 – 6:00 P.M.

(THE AGENDA PACKET IS ONLINE AT [T HTTP://WWW.RIVERBANK.ORG/AGENDACENTER](http://www.riverbank.org/agendacenter))

CALL TO ORDER: Chair: Natasha Basso

ROLL CALL: Chair: Natasha Basso
Vice Chair: Joan Stewart
Commissioner: John Dinan
Commissioner: Benjamin Reuben
Commissioner: Taide Zamora
Commissioner (Alternant): Steve Link
Commissioner (Alternant): Michael “Syd” Halterman

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 Can 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 3 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 Members.

Refer to the last page of this agenda for the Public Comment Procedures via ZOOM.

2. CONSENT CALENDAR

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

Item 2.1: Posting of the Agenda. The Agenda for the September 7, 2023 Special 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 31, 2023.

Item 2.2: Approval of the September 7, 2023 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.

Recommendation: Approval by roll call vote.

1st _____ 2nd _____

Item 2.3: Approval of the Minutes of the July 18, 2023 Planning Commission Meeting, having been read by the individual Planning Commissioners and stands approved as submitted.

Recommendation: Approval by roll call vote.

1st _____ 2nd _____

3. PLANNING COMMISSION PUBLIC HEARINGS

Item 3.1 was published August 2, 2023 in the Riverbank News and was continued to September 7, 2023 from the meeting of August 15, 2023 by a vote of 5:0. The public notice for Item 3.2 was published on August 23, 2023 in the Riverbank News.

Item 3.1: Tentative Subdivision Map 01-2023 and Development Plan 04-2023 (Dept. File #23-0006) – Pocket Avenue Senior Apartments – 3318 Pocket Avenue (APN 075-090-063).

The applicant requests the approval of a tentative subdivision map to divide the property into seven parcels and a Development Plan (review of the site and structures for a planned development zone) for a proposed 28-unit Senior Apartment project on 2.01 acres. The project received approvals in 2022 for a general plan amendment to higher density residential and a rezone to planned development. The subject site is 3318 Pocket Avenue. Pursuant to the California Environmental Quality Act, the proposed Project is exempt pursuant to CEQA Guidelines Section 21159.21 (a-j) Exemption for Qualified Housing Projects.

Recommendation: Adopt Resolution 2023-008 to approve the tentative map.

1st _____ 2nd _____

Recommendation: Adopt Resolution 2023-009 to approve the development plan.

1st _____ 2nd _____

Item 3.2: Architecture and Site Plan Review 07-2023 (Dept. File #23-0019) – David Elliott & Associates, 2201 Morrill Road, Riverbank 95367 – (APN 075-057-001). The project, located at the northeast corner of Oakdale and Morrill Roads in the City of Riverbank, is the Architecture and Site Plan Review of a tiny house village of transitional housing behind a church with landscape and parking lot improvements. A lot line adjustment application is currently under review for the site. The proposed project will not have a significant effect on the environment and qualifies for an exemption as in-fill development 15332 Class 32 (a-e) pursuant to CEQA Guidelines.

Recommendation: Adopt Resolution 2023-011 to approve the architecture and site plan review.

1st _____ 2nd _____

4. PLANNING COMMISSION COMMENTS

None.

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

None.

6. STAFF COMMENTS (Information Only – No Action)

None.

7. ADJOURNMENT

Next Regular Planning Commission meeting – October 17, 2023 @ 6:00 pm. The September 19, 2023 meeting has been canceled.

AFFIDAVIT OF POSTING

I hereby certify under penalty of perjury, under the laws of the State of California that the foregoing agenda was posted 72 hours prior to the meeting in accordance to the California Ralph M. Brown Act. Posted this 31st day of August, 2023.

<i>/s/ Janet Smullen, Sr. CDS, City of Riverbank</i>
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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 Administration Dept. at (209) 863-7122 or the City Clerk at cityclerk@riverbank.org at least (48) hours prior to the meeting to enable the City to make reasonable arrangements. A notification of 48 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. (Exception: When a State statute requires that at a public hearing that includes a substantial number of the population that are not able to speak or understand English, the City should provide interpreters. This determination is left at the discretion of the City.)

Any documents that are not privileged or part of a Closed Session provided to a majority of the Planning Commission Board after distribution of the agenda packet, regarding any item on this agenda, will be made available for public inspection at the City Clerk's Office, 6707 Third Street, Suite A, Riverbank, CA, during normal business hours.

GENERAL INFORMATION

MEETING SCHEDULE: The Planning Commission meets on the third Tuesday of each month at 6:00 p.m.

COMMISSION AGENDA & REPORTS: The Planning Commission agenda is posted pursuant to the California Brown Act, which only requires 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, that are not privileged, 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.

City Hall Hours: City Hall is open to the public Monday through Thursday, 7:30 am – 5:30 pm.

QUESTIONS: Contact the Development Services Department at (209) 863-7138.



TELECONFERENCE/VIRTUAL PLATFORM PUBLIC PARTICIPATION COMMENT PROCEDURES FOR THE PLANNING COMMISSION MEETING HELD IN CONFORMANCE WITH THE BROWN ACT

PUBLIC “LIVE” VIEWING

- Charter Government Channel – 2 and AT&T U-VERSE – 99
- YouTube Live – City of Riverbank
- Via ZOOM Platform (See instructions below)

SUBMITTING PUBLIC COMMENTS FOR THE RECORD

Written comments must be received before 4:00 p.m. on the day of the meeting in order for them to be distributed to the Planning Commission prior to consideration of the matter. Written comments will not be read aloud at the meeting, but will be reported as received for the record. If you do not receive an acknowledgement of receipt within an hour of submission or by 5:00 p.m., please call the Planning and Building Manager at (209) 863-7124.

ACCEPTABLE METHODS OF SUBMITTING COMMENTS BEFORE THE 4:00 PM DEADLINE

- **Via Mail Service:** Mail comments to City of Riverbank, Attn. Planning and Building Manager, 6707 Third Street, Suite A, Riverbank, CA 95367.
(Call 209-863-7124 / 209-863-7198 to ensure they were received.)
- **Via Email:** Email to dkenney@riverbank.org (Note: This technology is not a guaranteed method.)
Indicate Agenda Item # in the ***subject line***.
(Call 209-863-7124 / 209-863-7198 to ensure receipt.)
- **Oral Comments In-Person:** The Chair will ask the public if anyone wishes to comment and at that time, you may approach the podium.
- **Oral Comments via Zoom:** The Chair will announce when public comments may be made for a limit of 5 minutes on the agenda item being considered, at which time you will:
(Please make sure the volume on your video device or any nearby device is turned down.)
 - Using a computer – Click on the “raise hand” feature in the webinar controls. This will alert staff that you wish to speak and you will be unmuted.
 - Using a Phone – Press *9 to “raise hand”. This will alert staff that you wish to speak and you will be unmuted.

Teleconference Phone Number (This system is a backup for ZOOM technical difficulties only when providing oral comments.) If there are technical difficulties or disconnection with ZOOM while making oral comments, please immediately call the teleconference phone number (209) 863-7151 so that the Commission may receive your comments. The Commission will be waiting for your call. Thank you.

JOIN THE MEETING VIA ZOOM PLATFORM

Join by this link: <https://us02web.zoom.us/j/82147035124>

- Join by accessing website: <https://zoom.us/join>, enter Webinar ID: 82147035124
- Join by telephone: 1-669-444-9171 OR 1-669-900-9128, enter Webinar ID: 82147035124

Learn about using ZOOM: - Visit <https://zoom.us/j/94943925973?status+success> for a free account or to download the application.



City of Riverbank

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

This table is not for publication	
PUBLISH DATE: August 23, 2023	TO LEGAL: August 16, 2023
DEPT.: Planning	Riverbank News

NOTICE OF SPECIAL PUBLIC HEARING **CITY OF RIVERBANK PLANNING COMMISSION**

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of Riverbank will hold a special public hearing on **Thursday, September 7, 2023, at 6:00 p.m.** or soon thereafter as practical via the Zoom virtual platform and in-person attendance in the City Council Chambers at 6707 Third Street, Suite B, Riverbank, CA. This meeting will be held in accordance with the Brown Act amendment (AB 361). This public hearing is to consider the following matters:

Architecture and Site Plan Review 07-2023 (Dept. File #23-0019) – David Elliott & Associates, 2201 Morrill Road, Riverbank 95367 – (APN 075-057-001). The project, located at the northeast corner of Oakdale and Morrill Roads in the City of Riverbank, is the Architecture and Site Plan Review of a tiny house village of transitional housing behind a church with landscape and parking lot improvements. A lot line adjustment application is currently under review for the site. The proposed project will not have a significant effect on the environment and qualifies for an exemption as in-fill development 15332 Class 32 (a-e) pursuant to CEQA Guidelines.

Special Planning Commission Meeting
September 7, 2023 at 6:00 pm
City Hall Council Chambers - 6707 Third St., Suite B - Riverbank, California

REPORT AVAILABILITY: Public materials pertaining to the presentation of the subject matter are made available as part of the agenda packet at <http://www.riverbank.org/AgendaCenter> upon distribution to a majority of the Planning Commission, (72 hours prior to the meeting), and may be viewed at the City Clerk's Office, 6707 Third St., Suite A, Riverbank, during normal business hours.

ALL INTERESTED PERSONS are invited to participate in this public meeting to express views or submit evidence for or against the subject matter being considered. Comments are not accepted via telephone. The following submission of comments are accepted for the record.

Written Comments Prior to the Meeting. Written comments may be delivered in-person to the City of Riverbank, City Clerk's Office, 6707 Third St., Suite A, Riverbank, 95367. Written comments submitted via email to dkenney@riverbank.org or via Mail Delivery Service requires a follow up phone call to (209) 863-7124 for verification of receipt by staff. All written comments must be received by the City Clerk **no later than 4:00 p.m. on the day of the meeting.**

Comments received by the deadline will be distributed to the Planning Commission for consideration and will be made part of the official record, but will not be read aloud during the meeting.

Oral Comments Via ZOOM or In-Person During the Meeting. Oral comments may be made at the time the Chair officially opens the hearing for public comment and in the order as called upon by the Chair. Via In-Person: Public attendees in the Council Chambers may approach the podium upon the Chair's request to do so. Via Zoom: The public participation and comment procedures are provided *on the last page of the agenda* that is posted (72) hours prior to the meeting at <http://www.riverbank.org/AgendaCenter>.

TECHNICAL DIFFICULTIES: In accordance with the amended Brown Act, if there is a disruption of the meeting broadcast, or in the ability to take call-in or internet based public comment during the conduct of the meeting, the Planning Commission will recess until the issue is resolved, or may adjourn the remainder of the agenda business to a stated time and place, which allows the current meeting to be continued.

ADA COMPLIANCE: In accordance with ADA, every effort will be made to accommodate any person requiring special assistance to participate in the meeting. Contact the City Clerk at (209) 863-7198 or cityclerk@riverbank.org at least (48) hours prior to the meeting.

Questions regarding the proposed subject matter may be made to Planning and Building Manager Donna Kenney at (209) 863-7124 or email dkenney@riverbank.org or email the City Clerk. Questions in regards to meeting procedures contact the City Clerk (209) 863-7198 or call the Administration Dept. at (209) 863-7122 prior to 4:00 p.m. on the day of the meeting.

Published this 23rd day of August 2023.

/s/ Donna M. Kenney, Planning and Building Manager, City of Riverbank

AFFIDAVIT OF POSTING
I, Janet Smallen, hereby certify under penalty of perjury under the laws of the State of California that the foregoing public notice was posted on the exterior bulletin board of North City Hall, South City Hall, and at the Community Center, Riverbank, CA. Dated this 23 rd of August 2023. /s/ Janet Smallen, Senior Community Development Specialist, Riverbank, CA

For official use only:

Posted: 8/23/2023	Publish: 8/23/2023	Remove: 8/24/2023
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City of Riverbank

6707 Third Street • Riverbank, CA 95367-2396
Phone: (209) 869-7101 • Fax: (209) 869-7100

NOTICE OF CONTINUANCE

AFFIDAVIT OF POSTING NOTICE OF CONTINUANCE:

TUESDAY, AUGUST 15, 2023

**PUBLIC HEARING ITEM 3.2 HAD FORGOT TO POST THE PROPERTY WITH
THE PUBLIC NOTICE INFORMATION SO WE HAD TO CONTINUE ITEM 3.2:**

POLICY FOR PUBLIC NOTICE POSTING REQUIREMENTS

I, JANET SMALLEN, SR. COMMUNITY DEVELOPMENT SPECIALIST, declare as follows:

That I am the Sr. Community Development Specialist of the City of Riverbank. That at a regular meeting of the City Planning Commission of the City of Riverbank held July 18, 2023, said Public Hearing Item was continued to the **September 7, 2023**, Special City Planning Commission meeting at 6:00 p.m. in the Council Chambers, 6707 Third Street, Riverbank, California; and that a copy of said notice was posted at a conspicuous place near the door at which said meeting was held.

I declare under penalty of perjury that the foregoing is true and correct.

Dated this 29th day of August 2023.

/s/ Janet Smallen,
Sr. Community Development Specialist
City of Riverbank

For official use only:

Posted: 08/29/23	Publish: n/a	Remove: 9/7/23
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**PUBLIC NOTICE
NOTICE OF PUBLIC HEARING
CITY OF RIVERBANK PLANNING
COMMISSION**

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of Riverbank will hold a public hearing on Tuesday, August 15, 2023, at 6:00 p.m. or soon thereafter as practical via the Zoom virtual platform and in-person attendance in the City Council Chambers at 6707 Third Street, Suite B, Riverbank, CA. This meeting will be held in accordance with the Brown Act amendment (AB 361). This public hearing is to consider the following matters:

Tentative Subdivision Map 01-2023 and Development Plan 04-2023 (Dept. File #23-0006) – Pocket Avenue Senior Apartments – 3318 Pocket Avenue (APN 075-090-063). The applicant requests the approval of a tentative subdivision map to divide the property into seven parcels and a Development Plan (review of the site and structures for a planned development zone) for a proposed 28-unit Senior Apartment project on 2.01 acres. The project received approvals in 2022 for a general plan amendment to higher density residential and a rezone to planned development. The subject site is 3318 Pocket Avenue. Pursuant to the California Environmental Quality Act, the proposed Project is exempt pursuant to CEQA Guidelines Section 21159.21 (a-j) Exemption for Qualified Housing Projects.

Planning Commission Meeting
August 15, 2023 at 6:00 pm
City Hall Council Chambers - 6707 Third St., Suite B - Riverbank, California
REPORT AVAILABILITY: Public materials pertaining to the presentation of the subject matter are made available as part of the agenda packet at <http://www.riverbank.org/AgendaCenter> upon distribution to a majority of the Planning Commission, (72 hours prior to the meeting), and may be viewed at the City Clerk's Office, 6707 Third St., Suite A, Riverbank, during normal business hours.

ALL INTERESTED PERSONS are invited to participate in this public meeting to express views or submit evidence for or against the subject matter being considered. Comments are not accepted via telephone. The following submission of comments are accepted for the record.

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Oral Comments Via ZOOM or In-Person During the Meeting. Oral comments

may be made at the time the Chair officially opens the hearing for public comment and in the order as called upon by the Chair. Via In-Person: Public attendees in the Council Chambers may approach the podium upon the Chair's request to do so. Via Zoom: The public participation and comment procedures are provided on the last page of the agenda that is posted (72) hours prior to the meeting at <http://www.riverbank.org/AgendaCenter>

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Published this 2nd day of August 2023.

/s/ Donna M. Kenney, Planning and Building Manager, City of Riverbank

Aug. 2, 2023

RN#23-073

**PUBLIC NOTICE
NOTICE OF SPECIAL PUBLIC HEARING
CITY OF RIVERBANK PLANNING
COMMISSION**

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September 7, 2023 at 6:00 pm
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by the Chair. Via In-Person: Public attendees in the Council Chambers may approach the podium upon the Chair's request to do so. Via Zoom: The public participation and comment procedures are provided on the last page of the agenda that is posted (72) hours prior to the meeting at <http://www.riverbank.org/AgendaCenter>

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Published this 23rd day of August 2023.

/s/ Donna M. Kenney, Planning and Building Manager, City of Riverbank

Aug. 23, 2023

RN#23-079



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

MINUTES
Tuesday, July 18, 2023
(In-Person, and Virtual via ZOOM)

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: Commissioners: Stewart, Dinan, Reuben, Zamora, Halterman (Alternate), Link (Alternate)

Absent: Chair Basso

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.

1. *Jamie Aggers stated that she is against the proposed River Walk Project.*

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 July 18, 2023, 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 July 14, 2023.

Item 2.2: Approval of the July 18, 2023 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 (Dinan / Reuben / passed 5-0) was approved as submitted; Motion carried by unanimous roll call vote.

Ayes: Planning Commissioners: Stewart, Dinan, Reuben, Zamora, Link (Alternate) filled in for Basso

Nays: None

Absent: Basso

Abstained: None

Item 2.3: Approval of the of the May 16, 2023 Minutes Planning Commission Meeting having been read by the individual Planning Commissioners and stands approved as submitted.

ACTION: Due to technical issues we were unable to vote on this item.

3. PLANNING COMMISSION PUBL HEARINGS

The public notice for Items 3.1 was published on July 5, 2023 in the Riverbank News.
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Item 3.1: Conditional Use Permit 01-2023 (Dept. File #23-0001) – Aemetis Advanced Products Riverbank, Inc., 5300 Claus Road, Modesto 95357 – (APN 062-031-005 & -011).

The project, located at the northeast corner of Claus Road and Claribel Road in the City of Riverbank, is a Conditional Use Permit for a Sustainable Aviation Fuel/Renewable Diesel Production Plant at the Riverbank Industrial Complex. The plant is expected to recycle fats and oils into a low carbon fuel and bring 50 new jobs to the City. The proposed project will not have a significant effect on the environment and an Addendum to the Riverbank Army Ammunition Plant Specific Plan Final EIR has been prepared.

- Due to technical issues we had to take a motion to continue the item until the next regularly scheduled Planning Commission Meeting to be held on August 15, 2023.
- Donna M. Kenney, Building and Planning Manager did provide the Planning Commission with a public comment we received from “We the People”.
- Public comment was opened up at 6:15 p.m.
- Anne Kurtoni from Oakdale had questions and concerns about the EIR regarding the project.
- Charlotte Eaton from Sonora who has property on Claus Road, had concerns about the project.
- Jorge from Modesto that has property by the project site was wondering what might be happening near his property.
- Being no further comments the public comment was closed at 6:20 p.m.

ACTION: By motion to continue Item 3.1 to the next scheduled Planning Commission Meeting to be held on August 15, 2023 at 6:00 p.m. due to technical issues. Moved/second (Dinan / Link / passed 5-0) Motion carried by unanimous roll call vote.

Ayes: Planning Commissioners: Stewart, Dinan, Rueben, Zamora, Link (Alternate) filled in for Basso

Nays: None

Absent: Basso

Abstained: None

4. PLANNING COMMISSION COMMENTS

None

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

None

6. STAFF COMMENTS (Information Only – NO ACTION

None

9. ADJOURNMENT - Regular Planning Commission Meeting – August 15, 2023 @ 6:00 p.m.

ATTEST:

APPROVED:

Donna M. Kenney
Planning and Building Manager

Joan Stewart
Chair Planning Commission

**CITY OF RIVERBANK
PLANNING COMMISSION**

STAFF REPORT

ITEM NO: 3.1 **September 7, 2023**

APPLICATION: **Tentative Subdivision Map 01-2023 and Development Plan 04-2023 (Dept. File #23-0006) – Pocket Avenue Senior Apartments – 3318 Pocket Avenue (APN 075-090-063).** The applicant requests the approval of a tentative subdivision map to divide the property into seven (7) parcels and a Development Plan (architectural review of the site and structures for a planned development zone) for a proposed 28-unit senior apartment project on approximately 2.01 acres. The project received approvals in 2022 for a general plan amendment to higher density residential and a rezone to planned development. This item was continued from the August 15, 2023 meeting.

CEQA: Pursuant to the California Environmental Quality Act, the proposed Project is exempt pursuant to CEQA Guidelines Section 21159.21 (a-j) Exemption for Qualified Housing Projects.

PROJECT PLANNER: Donna M. Kenney, Planning and Building Manager

APPLICANT: Mahesh Khatwani
MK Capital Group
433 Airport Boulevard, Suite 224
Burlingame, CA 94010

ARCHITECT: Stacey Wellnitz
CommericalArch
616 14th Street
Modesto, CA 95354

GENERAL PLAN: Higher Density Residential (HD)

ZONING: Planned Development (PD)

RECOMMENDATION: That the Riverbank Planning Commission reviews the materials, takes public comment, and approves Tentative Subdivision Map 01-2023 and Development Plan 04-2023.

ACRONYMS: CEQA – California Environmental Quality Act
HDR – Higher Density Residential (16+ units per net acre)

I. PROJECT DESCRIPTION:

This project is the review and approval of a tentative subdivision map to subdivide the property into seven (7) parcels and a development plan for a proposed twenty-eight (28) unit senior apartment project on approximately 2.01 acres. Each of the proposed six (6) buildings would be on its own parcel and the seventh (7th) parcel will consist of the parking area, sidewalks, shared trash enclosures, and other common spaces. The project received approvals from the City Council in 2022 for a general plan amendment to higher density residential (HDR) and a rezone to planned development (PD). A conceptual site plan was provided at that time for forty (40) units but the new site plan reduces that number to twenty-eight (28) units.

II. BACKGROUND:

The project is located in the south-central portion of Riverbank. The formal address of the project site is 3318 Pocket Avenue. The project site contains an existing single-family residential unit, which will be demolished, surrounded by agricultural fields. Existing single-family homes surround the site and a park is down the street to the east.

On April 19, 2021 at the regular Planning Commission meeting when the general plan amendment and rezone items were heard, the neighborhood presented a petition to the Commission, citing concerns about traffic and parking from the project. The Planning Commission in turn recommended that the City Council deny General Plan Amendment 01-2021 to higher density residential (HDR) and to deny Rezone 02-2021 to Planned Development (PD) for the 40 units. Subsequently, the City Council on July 26, 2022 approved the General Plan Amendment and Rezone.

The applicant recently submitted revised plans with fewer units (28) and a tentative map with each of the six (6) buildings on their own parcel. Due to some miscommunication between applicants, the public notice sign was not posted on the property by the deadline for the August 15, 2023 regular Planning Commission meeting. The Planning Commission opened and closed public comment on this item then continued it to the meeting of September 7, 2023 with a vote of 5-0.

III. Development Plan 04-2023

A. Site and Building Design

The design of the project as proposed is a senior apartment complex with six (6) buildings on six (6) separate parcels. The complex is 87,501 square feet in size and to be constructed of cement sliding, veneer stone, and stucco with elastomeric paint finish. The floor plan of each unit features a least one bedroom and bathroom (some have two), closets, a laundry room, kitchen, living room, dining room, and a foyer (Attachment 2 Exhibit A).

Model / Total Square Feet	Bedrooms	Bathrooms	Notes
Building A - 4,587	1 / 2	1 / 1	Buildings 1 and 2
Building B - 5,022	1 / 2	1 / 1	Buildings 3 and 4
Building C - 5,418	2	2	Buildings 5 and 6

The exterior building colors for Model A are proposed as white, grand banks, and peppercorn for Buildings 1 and 2 with Model B having red, grand banks, and peppercorn colors for Buildings 3 and 4. The exterior building colors for Model C are proposed as blue and peppercorn for Buildings 5 and 6. The pairs of buildings will be distinctly colored yet blend cohesively. Conditions of Approval will require the separate review and approval of the landscaping and irrigation and any proposed signage.

B. Parking

Per the Riverbank Municipal Code, one-bedroom units require one (1) parking space per unit and two-bedroom units require one and a half (1.5) parking spaces per unit. The proposed project contains twelve (12) one-bedroom units and sixteen (16) two-bedroom units, resulting in the requirement of thirty-eight (38) vehicle spaces. The applicant has provided forty (40) spaces including three (3) van accessible ADA spaces. All of the on-site parking is on a separate parcel (Parcel 7) which will have a cross access agreement and no reserved spaces. There will also be parking available in front of the site on Pocket Avenue. Each building will have an easily accessible bicycle rack near the building.

IV. Tentative Subdivision Map 01-2023

The conceptual site plan reviewed by the Planning Commission in 2021 only had one (1) lot that contained all the structures and parking. The submitted Tentative Map proposes seven (7) separate lots: one (1) lot for each of the six (6) buildings and one (1) lot for parking and common spaces. Each of the buildings could be sold separately if market conditions change.

Tentative Map Findings

A tentative map may be approved or conditionally approved by the Planning Commission if it makes all of the following findings:

1. The proposed map is consistent with applicable general and specific plans. *The proposed map is consistent with the General Plan if the recommended Conditions of Approval are adopted.*
2. The design or improvement of the proposed subdivision is consistent with applicable general and specific plans. *The proposed map is consistent with the General Plan if the recommended Conditions of Approval are adopted as they relate to connectivity, sidewalks, and the provision of amenities.*
3. The site is physically suitable for the type of development. *The site is suitable for a new*

subdivision of this type.

4. The site is physically suitable for the proposed density of the development (*18.3 dwelling units per net acre are proposed*). *The subject site is designated as Higher Density Residential per the General Plan. The site is physically suitable for a proposed density at or above sixteen (16) dwelling units per net acre.*
5. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitats. *The design of the subdivision should not injure fish, wildlife, or their habitats, none of which are present on the site.*
6. The design of the subdivision or the type of improvements is not likely to cause serious public health problems. *The design of the subdivision should not cause serious health problems.*
7. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through, or use of, property within the proposed subdivision. This division shall only apply to easements of record or to easements established by judgement of a court of competent jurisdiction. *The design of the subdivision should not conflict with any easements of record.*

V. Required Findings

A. General Plan Consistency Findings

The project site's density is 18.3 dwelling units per net acre. At this density, the Project is consistent with a General Plan designation of Higher Density Residential (HDR, net density of 16+ units per acre). Below is a discussion of General Plan Policies with which the proposed project is consistent:

1. Policy Design-3.2: Approved plans, projects, and subdivision requests shall provide residential site and building design that contributes to an attractive, pedestrian-friendly environment along neighborhood streets. Approved plans, projects and subdivision requests will minimize the visual prominence of garages and instead incorporate porches, stoops, active rooms, and functionally opening windows that face the street. *With the Planned Development zoning, the buildings on site do not contain any garages so there will not be that visual impact. All parking will occur in the shared parking lot or on Pocket Avenue. The units will have enclosed patios.*
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 and rehabilitation. *The proposed project will be constructed with cement sliding, veneer stone, and stucco with elastomeric paint finish. These materials have a longer life than painted wooden siding.*

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 contains pedestrian walkways in between buildings and along the perimeter of the site to allow for direct pedestrian access to the structures. There is also sidewalk access from Pocket Avenue parking.*

VI. PUBLIC NOTICE:

The Planning Commission public hearing notice was published in the Riverbank News on August 2, 2023 and posted at City Hall North, South, Post Office and Community Center on August 2nd. It was published on the City website on August 2nd. In addition, the Applicant was to post a Notice of Development Permit Application sign at 3318 Pocket Avenue before August 5, 2023. Unfortunately, the notice was not posted in time and this item was continued to the next public hearing. The notice sign remained on site and a new meeting date was added.

Also, public notice mailers were distributed to residents and business within 300 feet of the Project site in accordance with City standard practices on Monday, July 31, 2023. The applicants also sent letters to the neighbors, informing them of the changes made to the project in response to their previous concerns. At the time of writing this Staff Report (August 31, 2023), City staff has not received any written public comment, but any written comments received subsequent to this date shall be supplied to the Commission on the day of the meeting.

VII. RECOMMENDATION:

Adopt Resolution 2023-008 approving Tentative Map 01-2023 and adopt Resolution 2023-009 approving Development Plan 04-2023.

VIII. ATTACHMENTS:

Attachment 1 - Resolution No. 2023-008
Exhibit A – Tentative Map 01-2023

Attachment 2 - Resolution No. 2023-009
Exhibit A – Development Plan 04-2023

Respectfully Submitted By:

Donna M. Kenney

Donna M. Kenney
Planning and Building Manager

**City of Riverbank
Planning Commission
Resolution No. 2023-008**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIVERBANK
APPROVING TENTATIVE MAP 01-2023
FOR POCKET AVENUE SENIOR APARTMENTS AT
3318 POCKET AVENUE (APN 075-090-063)**

WHEREAS, the MK Capital Group has filed an application with the City for a Tentative Map (TM 01-2023) to subdivide a 2.01-acre lot property into seven (7) parcels with twenty-eight (28) residential apartment units; and

WHEREAS, the City has reviewed and has determined that the Tentative Map is consistent with the Subdivision Map Act and applicable City policies and ordinances; and

WHEREAS, the Planning Commission held a public hearing on August 15, 2023 to consider Tentative Map 01-2023 and take public comment, then continued the item to the next public hearing due to a public notice posting problem; and

WHEREAS, the Planning Commission held a special public hearing on September 7, 2023 to consider Tentative Map 01-2023 and take public comment; and

WHEREAS, the proposed project is exempt from analysis per the California Environmental Quality Act (CEQA) Section 21159.21 (a-j) Exemption for Qualified Housing Projects; and

WHEREAS, the Planning Commission of the City of Riverbank hereby finds and adopts the following findings:

1. The proposed map is consistent with applicable general and specific plans:

Policy Design 3.2: Approved plans, projects, and subdivision requests shall provide residential site and building design that contributes to an attractive, pedestrian-friendly environment along neighborhood streets. Approved plans, projects and subdivision requests will minimize the visual prominence of garages and instead incorporate porches, stoops, active rooms, and functionally opening windows that face the street.

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 and rehabilitation.

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.

2. The design or improvement of the proposed subdivision is consistent with applicable general and specific plans.
3. The site is physically suitable for the type of development.
4. The site is physically suitable for the proposed density of the development.
5. The design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitats.
6. The design of the subdivision or the type of improvements is not likely to cause serious public health problems.
7. The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through, or use of, property within the proposed subdivision. In this connection, the City Council may approve a map if it finds that alternate easements for access or for use will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This division shall only apply to easements of record or to easements established by judgement of a court of competent jurisdiction.

Whereas, the request for the Tentative Map is hereby recommended for conditional approval by the Planning Commission of the City of Riverbank, subject to and modified by the following conditions:

1. Applicant shall comply with the City of Riverbank Standard Conditions as contained in Planning Commission Resolution 2013-014, including annexing into Community Facilities District 2016-01, 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 July 11, 2023, and on file with the Community Development Department and presented to the Planning Commission as part of this action; and
3. Three (3) sets of landscape and irrigation plans conforming to the state's MWELo requirements shall be prepared and submitted with fee for review and approval by the City's contract landscape architect before Final Map approval; and

4. Complete onsite and offsite Civil Plans for grading, water, sewer, and storm drainage showing elevations are required; and
5. Stormwater Plan including geo report, calculations, and hydromodification shall be submitted. A storm filter and drainage maintenance agreement between the project owner and the City is required to be signed; and
6. The water system shall be shown on plans including the backflow device, fire department connection, water meters (1. building services and 2. landscaping), post indicator valve, and water service to the buildings; and
7. Provide City Standard details for water and sewer connections; and
8. All existing wells (City demo permit) and septic tanks (County demo permit) shall be abandoned; and
9. Driveway and sidewalks need to conform to current ADA standards; and
10. ADA signage for entrance to parking lot must be installed (11B-502.8); and
11. Utilities shall be undergrounded: electrical, communications, gas, water, fire line, and sewer; and
12. The location of any OLD facilities shall be shown and any proposed relocation or improvements including easements; and
13. All existing and proposed overhead electrical shall be placed underground; and
14. Any block walls shall be reviewed and approved under a separate permit; and
15. Applicant shall pay an in-lieu fee for parkland dedication based on values of land at the time the Final Map is recorded. The obligation for this project is the value of 0.24 acres; and
16. If potential human remains are encountered, the construction contractor shall halt work in the vicinity (within 100 feet) of the find and contact the City of Riverbank. The project applicant and/or contractor shall be required to contact the Stanislaus County Coroner in accordance with Public Resources Code Section 5097.98 and Health and Safety Code Section 7050.5. If the coroner determines the remains are Native American, the coroner would contact the Native American Heritage Commission (NAHC). As provided in Public Resources Code Section 5097.98, the NAHC would identify the person or persons believed to be most likely descended from the deceased Native American. The most likely descendent makes recommendations for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98; and
17. All wet utilities are to be cleaned, tested, and videotaped prior to acceptance by the City of Riverbank; and

18. Any street names shall be approved by City Council on the Final Map; and
19. When improvements take place, Fire Code permits through Stanislaus Consolidated Fire District shall be obtained as required by Title 24 of the California Fire Code; and
20. An automatic fire system shall be provided for all Group R occupancies. **CFC 903.2.8**; and
21. Buildings shall be provided with proper address identification in accordance with the California Fire Code as amended by the Stanislaus Consolidated Fire Protection District. **CFC 505.1**; and
22. Approved fire apparatus access roads shall be provided for every facility, building, or portion of a building hereafter constructed or moved into the jurisdiction. All fire apparatus access roads shall meet the design requirements of the California Fire Code. **CFC 503.1.1**; and
23. During construction, Fire apparatus access roads shall be clearly marked with notices or markings that include the words NO PARKING – FIRE LANE. The markings shall be clean and legible at all times. **CFC 503.3**; and
24. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to the site. **CFC 507.1**; and
25. Fire apparatus access roads and a water supply for fire protection shall be installed and made serviceable prior to and during the time of construction. **CFC 501.4**; and
26. All exposed surfaces (e.g. parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two (2) times per day; and
27. All haul trucks transporting soil, sand, or other loose material off-site shall be covered; and
28. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited; and
29. All vehicle speeds on unpaved roads shall be limited to fifteen (15) miles per hour; and
30. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binding are used; and

31. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five (5) minutes. Clear signage shall be provided for construction workers at all access points; and
32. All construction equipment shall be maintained and properly tuned in accordance with manufacture's specifications. All equipment shall be checked by a certified visible emissions evaluator; and
33. Post a publicly visible sign with the telephone number and person to contact at the Air District regarding dust complaints. The Air District shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations; and
34. Applicant shall comply with San Joaquin Valley Air Pollution Control District's Rule 9510 Indirect Source Review; and
35. Consistent with the requirements of the City of Riverbank Municipal Code, the National Pollutant Discharge Elimination System (NPDES) Construction General Permit, the project applicant shall prepare and implement a Storm Water Pollution Prevention Plan (SWPPP) designed to reduce potential adverse impacts on surface water quality through the project construction period. The SWPPP shall be designed to address the following objectives:
 - a. All pollutants and their sources, including sources of sediment associated with construction, construction site erosion, and all other activities associated with construction activity, are controlled using source control and treatment control best management practices (BMPs).
 - b. Where not otherwise permitted by the Regional Water Quality Control Board, all non-stormwater discharges are identified and eliminated.
 - c. BMPs are effective and result in the reduction or elimination of pollutants in stormwater discharges and authorized non-stormwater discharges from construction activity in accordance with the Construction General Permit; and
36. The project applicant shall fully comply with the City of Riverbank Municipal Code and all Regional Water Quality Control Board stormwater permit requirements, including Provision C.3 of the Municipal Regional Permit (MRP). This will require preparation and implementation of a complete Stormwater Control Plan (SCP) for the project, which shall be submitted to the City Engineer for review and approval prior to any construction activity. The SCP shall act as the overall program document designed to provide measures to mitigate potential water quality impacts associated with the operation of the proposed project and shall be designed to comply with both MRP and City of Riverbank requirements. At a minimum, the SCP for the project shall include the following:
 - a. An inventory and accounting of existing and proposed impervious areas.

- b. Low Impact Development (LID) design details incorporated into the project. Specific LID design details may include but are not limited to rain gardens, bio retention areas, pervious pavements, harvesting and reuse of stormwater, dispersal of runoff to landscaped areas, and/or routing of runoff swales and other small-scale facilities distributed throughout the site.
 - c. Measures to address potential stormwater contaminants. These may include measures to address potential sources of stormwater pollutants at the project site, covering trash collection and parking areas.
 - d. A Draft Stormwater Facility Operation and Maintenance Plan for the project site, which shall include periodic inspection and maintenance of the storm drainage system. Persons responsible for performing and funding the requirements of this plan shall be identified. This plan shall be finalized prior to the issuance of any building permits for the project; and
37. The City's Post Construction Standards Plan needs to be followed including DMA's LID standards, and the required worksheets located in the Appendix of the document. The document is available on the Development Services Department page on the City's website; and
38. Construction equipment shall be well maintained to be as quiet as possible. The following measures, when applicable, shall be implemented to reduce noise from construction activities:
- a. All internal combustion engine-driven equipment shall be equipped with mufflers that are in good condition and appropriate for the equipment.
 - b. "Quiet" models of air compressors and other stationary noise sources shall be used, where technology exists.
 - c. Stationary noise-generating equipment shall be located as far as feasible from sensitive receptors (neighboring dwellings).
 - d. Unnecessary idling of internal combustion engines shall be prohibited.
 - e. Staging areas and construction material storage areas shall be located as far away as possible from adjacent sensitive land uses (neighboring dwellings).
 - f. Construction-related traffic shall be routed along major roadways (Roselle Avenue and Claribel Road) and as far as feasible from sensitive receptors.
 - g. Residences or noise-sensitive land uses adjacent to construction sites shall be notified of the construction schedule in writing. The construction contractor shall designate a "construction liaison" that would be responsible for responding to any local complaints about construction noise. The liaison shall determine the cause of the noise complaints (e.g., starting too early, bad muffler, etc.) and shall institute reasonable measures to correct the problem. The construction contractor shall conspicuously post a telephone

number for the liaison at the construction site.

- h. The construction contractor shall hold a pre-construction meeting with the job inspectors and the general contractor/on-site project manager to confirm that noise mitigation and practices (including construction hours, construction schedule, and construction liaison) are completed.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF RIVERBANK HEREBY RESOLVES that it approves Tentative Map 01-2023 for the Pocket Avenue Senior project, attached hereto as “**Exhibit A**” and incorporated herein by this reference.

PASSED AND ADOPTED by the Planning Commission of the City of Riverbank at a special meeting held on the 7th of September 2023; motioned by Commissioner _____, seconded by Commissioner _____, and upon roll call was carried by the following vote of ____-____:

AYES: Commissioners:

NAYS:

ABSENT:

ABSTAIN:

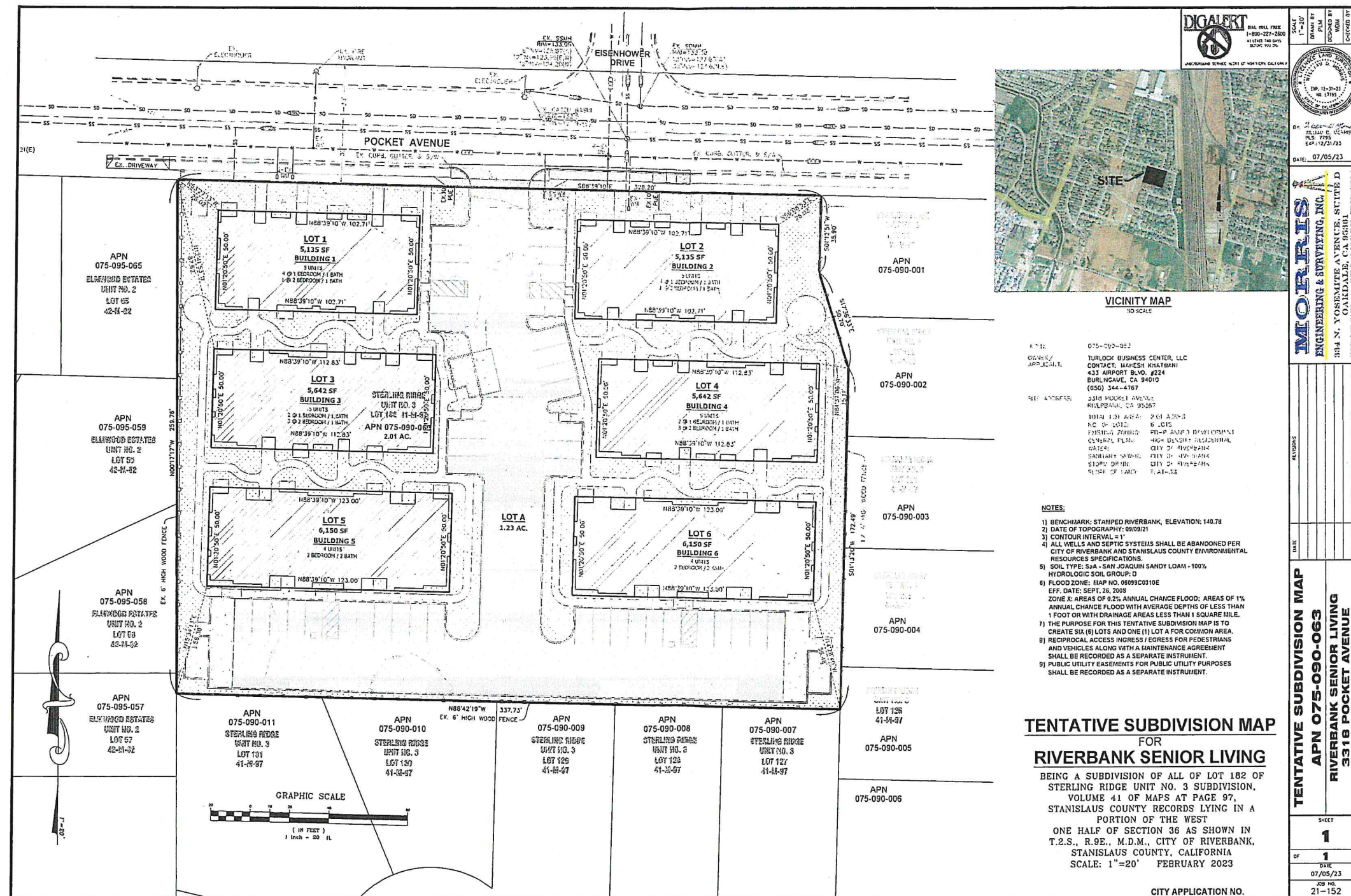
Attest:

Approved:

Donna M. Kenney,
Planning and Building Manager

Natasha Basso, Chairperson
Planning Commission

Exhibit A – Tentative Map 01-2023



**City of Riverbank
Planning Commission
Resolution No. 2023-009**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIVERBANK
APPROVING DEVELOPMENT PLAN 04-2023
FOR POCKET AVENUE SENIOR APARTMENTS LOCATED AT
3318 POCKET AVENUE (APN 075-090-063)**

WHEREAS, an application has been received from MK Capital Group for a Development Plan (Planned Development Architecture and Site Plan Review) of an approximately 87,501 square foot senior apartment complex at 3318 Pocket Avenue (APN 075-090-063); and

WHEREAS, the Planning Commission held a public hearing on August 15, 2023 to consider Architecture and Site Plan Review 04-2023 and take public comment, and due to a public notice issue, continued the item; and

WHEREAS, the Planning Commission held a special public hearing on September 7, 2023 to consider Architecture and Site Plan Review 04-2023 and take public comment; and

WHEREAS, the proposed project is exempt from analysis per the California Environmental Quality Act (CEQA) Section 21159.21 (a-j) Exemption for Qualified Housing Projects; and

WHEREAS, the Riverbank Planning Commission has made the following required 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; and
2. The proposed Development Plan (Architecture and Site Plan Review) is in conformity with both the intent and provisions of the Zoning Ordinance, Title 153, of the City of Riverbank Code of Ordinances; and

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

1. Policy Design 3.2: Approved plans, projects, and subdivision requests shall provide residential site and building design that contributes to an attractive, pedestrian-friendly environment along neighborhood streets. Approved plans, projects and subdivision requests will minimize the visual prominence of garages and

instead incorporate porches, stoops, active rooms, and functionally opening windows that face the street.

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 and rehabilitation.
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; and

WHEREAS, the request and plans of MK Capital Group are hereby granted and approved, subject to the following conditions of approval:

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 project; and
2. The applicant shall build the entire project according to the site plans and elevations date stamped July 11, 2023, and on file with the Community Development Department and presented to the Planning Commission as part of this action; and
3. The Community Development Director requires and shall approve a bicycle rack design before their installation. Installation shall occur near each of the six (6) new buildings before Building Final; and
4. Complete onsite and offsite Civil Plans for grading, water, sewer, and storm drainage showing elevations are required; and
5. Provide City Standard details for water and sewer connections; and
6. The water system shall be shown on plans including the backflow device, fire department connection, water meters (1. buildings services and 2. landscaping), post indicator valve, and water service to the buildings; and
7. Stormwater Plan including geo report, calculations, and hydromodification shall be submitted. A storm filter and drainage maintenance agreement between the project owner and the City is required to be signed; and
8. An application, landscape and irrigation plans including documentation package, water efficient landscape worksheet, soil management report, slopes, drainage patterns, pad elevations, and finished grade conforming to the state's MWELo requirements, and current fee shall be submitted and approved by the City before the issuance of a Building Permit. Landscaping and irrigation shall be installed and approved before Building Permit Final; and

9. Covered trash enclosures shall be consistent with the City's standards; and
10. ADA signage for entrance to parking lot must be installed (11B-502.8) and utilities shall be undergrounded: electrical, communications, gas, water, fire line, and sewer; and
11. Driveway and sidewalks need to conform to current ADA standards; and
12. Any signage shall be reviewed and approved under a separate permit; and
13. All exterior lighting shall be LED and focused downward on the site.

NOW THEREFORE, BE IT RESOLVED by the City of Riverbank Planning Commission that Architecture and Site Plan Review 04-2023 is hereby approved, subject to those conditions established by Resolution No. 2023-009 and as illustrated in **Exhibit A**, Development Plan 04-2023.

PASSED AND ADOPTED by the Planning Commission of the City of Riverbank at a meeting held on the 7th of September 2023; motioned by Commissioner _____, seconded by Commissioner _____, and upon roll call was carried by the following vote of ____-____:

AYES: Commissioners:

NAYS:

ABSENT:

ABSTAIN:

Attest:

Approved:

Donna M. Kenney,
Planning and Building Manager

Natasha Basso, Chairperson
Planning Commission

Exhibit A – Development Plan 04-2023

RIVERBANK SENIOR LIVING

SENIOR LIVING RESIDENTIAL UNITS

3318 POCKET AVENUE

RIVERBANK, CA

95367

075-090-063

DRAWING INDEX

GENERAL
G-1.0 COVER SHEET
ARCHITECTURAL
A-1.0 SITE PLAN
A-2.0 OVERALL FLOOR PLAN - BUILDING A
A-2.1 OVERALL FLOOR PLAN - BUILDING B
A-2.2 OVERALL FLOOR PLAN - BUILDING C
A-3.0 UNIT TYPE 1 - FLOOR PLAN
A-3.1 UNIT TYPE 2 - FLOOR PLAN
A-3.2 UNIT TYPE 3 - FLOOR PLAN
A-4.0 EXTERIOR ELEVATION G - BUILDING A
A-4.1 EXTERIOR ELEVATION G - BUILDING B
A-4.2 EXTERIOR ELEVATION G - BUILDING C
LEVEL
L-1 TENTATIVE SUBDIVISION MAP

ARCHITECTURAL SYMBOL LEGEND

NORTH ARROW	ROOM IDENTIFICATION
NORTH DIRECTION ARROW	ROOM DESIGNATION NAME
	ROOM IDENTIFICATION NUMBER
	KEYED NOTE
	KEYED NOTE
INTERIOR ELEVATION	DOOR IDENTIFICATION
INTERIOR ELEVATION NUMBER	DOOR IDENTIFICATION NUMBER
	WINDOW IDENTIFICATION
DRAWING NUMBER LOCATION	WINDOW IDENTIFICATION NUMBER
SECTION	FIXTURE IDENTIFICATION
SECTION NUMBER	FIXTURE IDENTIFICATION NUMBER
VIEW DIRECTION	EQUIPMENT IDENTIFICATION
DRAWING NUMBER LOCATION	EQUIPMENT IDENTIFICATION NUMBER
DETAIL	FINISH DESIGNATION
DETAIL NUMBER	FINISH IDENTIFICATION NUMBER
CUT DIRECTION	
DRAWING NUMBER LOCATION	
ELEVATION HEIGHT	REVISIONS
8' 0" FLOOR FINISH	ADDITIONAL NUMBER
	REVISION AREA CLOUD

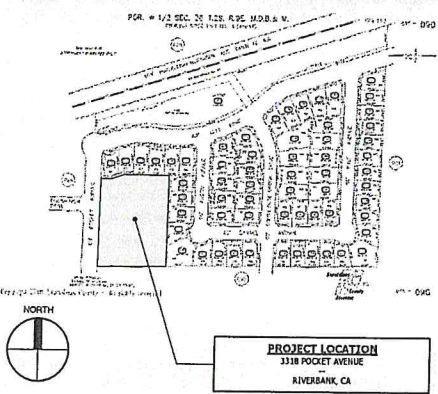
DEVELOPMENT DATA

ASSESSOR'S PARCEL NUMBER:	075-090-063
PROJECT ADDRESS:	3318 POCKET AVENUE RIVERBANK, CA
PROJECT JURISDICTION:	BUILDING: CITY OF RIVERBANK FIRE: CITY OF RIVERBANK SEWER DISTRICT: CITY OF RIVERBANK WATER DISTRICT: CITY OF RIVERBANK
SITE AREA:	87,501 SF
SITE AREA TABULATIONS:	SEE DRAWING A-1.0 FOR SITE AREA BREAKDOWN
OCCUPANCY:	R-2 MULTI-FAMILY RESIDENTIAL
STORIES:	1
FIRE SPRINKLERS:	YES
ALLOWABLE BUILDING HEIGHT:	60'-0" ABOVE GRADE PLANE
ALLOWABLE BUILDING AREA:	28,000 SF TWO AREA INCREASES
TYPE OF CONSTRUCTION:	VB
PROPOSED BUILDING AREA:	SEE DRAWING A-1.0 FOR BUILDING AREA BREAKDOWN
UNIT QUANTITY:	ONE-BEDROOM/ONE-BATHROOM ONE-BEDROOM/TWO-BATHROOM TWO-BEDROOM/TWO-BATHROOM
PARKING:	SEE PARKING CALCULATION ON DRAWING A-2.0

PROJECT TEAM

PROPERTY OWNER PK CAPITAL GROUP HAHESH KHATWANI 433 ARKING BULVARD, SUITE 440 BURLINGAME, CA 94010 PH (209) 481-2334 EMAIL: HAHESH@PKCAPITALGROUPS.COM	ARCHITECT COMMERCIALARCH STACEY WELLMITZ 118 14TH STREET MCKEESVILLE, CA 95354 PH (209) 371-8138 EMAIL: SWELLMITZ@COMMERCIALARCH.COM
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VICINITY MAP



CITY OF RIVERBANK

JUL 11 2023

DEVELOPMENT SERVICES

REVISION	BY



RIVERBANK SENIOR LIVING

SENIOR LIVING RESIDENTIAL UNITS

LOCATION
3318 POCKET AVENUE
RIVERBANK, CA
95367

PARCEL
075-090-063

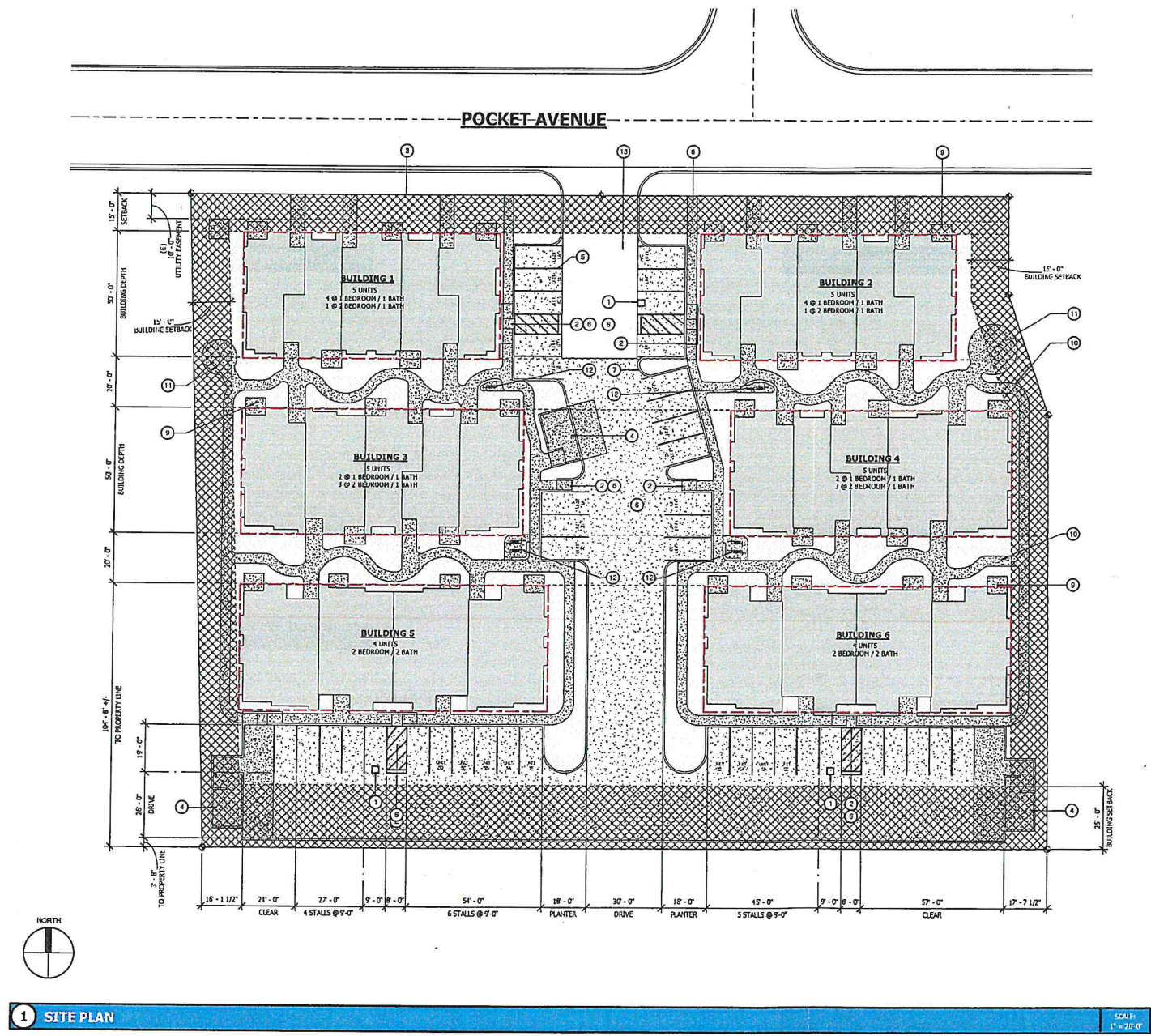
OWNER
HAHESH KHATWANI

BUILDING PERMIT NUMBER

DATE
7/10/2023 11:42:00 AM
COMPARISON #
21-222

G-1.0

COVER SHEET



KEYNOTES	
#	NOTE
1	VAN ACCESSIBLE PARKING STALL AND STAIRING
2	ACCESSIBLE CURB RAMP - SEE DETAIL
3	PROPERTY LINE, TYPICAL
4	TRASH ENCLOSURE, TYPICAL - SEE DETAIL
5	PARKING STRIPING, TYPICAL
6	TRUNCATED DOME MAT WHERE PATH OF TRAVEL CROSSES TRAFFIC - SEE DETAIL
7	CONCRETE CURB, TYPICAL - SEE DETAIL
8	4" CONCRETE WALK WITH MEDIUM BROOK FINISH, TYPICAL - SEE DETAIL
9	AREA INDICATES 50 SF MIN OF PERSONAL OUTDOOR AREA FOR EACH TENANT, SEE SITE AREA TABULATIONS BELOW FOR CUMULATIVE VALUE
10	RED LINE INDICATES PROPOSED PROPERTY LINE, TYPICAL
11	COMMON AREA SEATING, TYPICAL
12	DECORATIVE BICYCLE RACK - 30" POUND, PAINTED TUBULAR STEEL, 2-BICYCLE CAPACITY
13	STAMPED AND STAINED CONCRETE AT FRONT ENTRY, TYPICAL AS INDICATED

- PROJECT AMENITIES**
- PROJECT WILL PROVIDE THE FOLLOWING UPGRADED AMENITIES:
- ENHANCED LANDSCAPING
LANDSCAPING WILL BE PROVIDED WITH 2" BOX TREES
 - COLORFUL CONCRETE AT ENTRY
SEE KEYNOTE 13
 - UPGRADED LIGHTING
SITE LIGHTING POLES WILL BE DECORATIVE
 - COMMON OUTDOOR SEATING AREA
SEE KEYNOTE 11
 - WINDOW BLINDS
EACH UNIT WILL BE PROVIDED WITH WINDOW BLINDS

PARKING REQUIRED		
REQUIRED PARKING PER CITY OF RIVERBANK MUNICIPAL CODE		
ONE-BEDROOM UNIT	(1) ON-SITE PARKING STALL / UNIT	
TWO-BEDROOM UNIT	(1.5) ON-SITE PARKING STALLS / UNIT	
BUILDING 1	4 UNITS @ 1-BEDROOM	4 SPACES REQUIRED
BUILDING 2	1 UNITS @ 2-BEDROOM	2 SPACES REQUIRED
BUILDING 3	4 UNITS @ 1-BEDROOM	4 SPACES REQUIRED
BUILDING 4	1 UNITS @ 2-BEDROOM	2 SPACES REQUIRED
BUILDING 5	2 UNITS @ 1-BEDROOM	2 SPACES REQUIRED
BUILDING 6	3 UNITS @ 2-BEDROOM	5 SPACES REQUIRED
BUILDING 7	4 UNITS @ 2-BEDROOM	6 SPACES REQUIRED
BUILDING 8	4 UNITS @ 2-BEDROOM	6 SPACES REQUIRED
BUILDING 9	4 UNITS @ 2-BEDROOM	6 SPACES REQUIRED
PARKING PROVIDED	28 UNITS	38 SPACES

PARKING PROVIDED		
MARK	DESCRIPTION	COUNT
ADA-1	VAN ACCESSIBLE STALL - 9'-0" W x 19'-0" D	1
STD-1	STANDARD STALL - 9'-0" W x 19'-0" D	37
TOTAL		40

SITE AREA TABULATIONS		
DESCRIPTION	AREA	% OF TOTAL
ASPHALT PAVING	20836 SF	24%
BUILDING 1	4587 SF	5%
BUILDING 2	4587 SF	5%
BUILDING 3	5022 SF	6%
BUILDING 4	5022 SF	6%
BUILDING 5	5418 SF	6%
BUILDING 6	5418 SF	6%
BUILDING 7	5418 SF	6%
BUILDING 8	5418 SF	6%
BUILDING 9	5418 SF	6%
CONCRETE WALK	11000 SF	13%
CUMULATIVE LANDSCAPE	19048 SF	23%
LANDSCAPE PLANTER	21371 SF	25%
PRIVATE PATIO	1531 SF	2%
	87501 SF	100%

#

REVISION

BY

411 Southwest Street
Merced, California 95354
www.commercialarch.com
(202) 451-0114

**RIVERBANK
SENIOR
LIVING**

SENIOR LIVING RESIDENTIAL
UNITS

LOCATION
3318 POCKET AVENUE
RIVERBANK, CA
95167

PARCEL
075-090-063

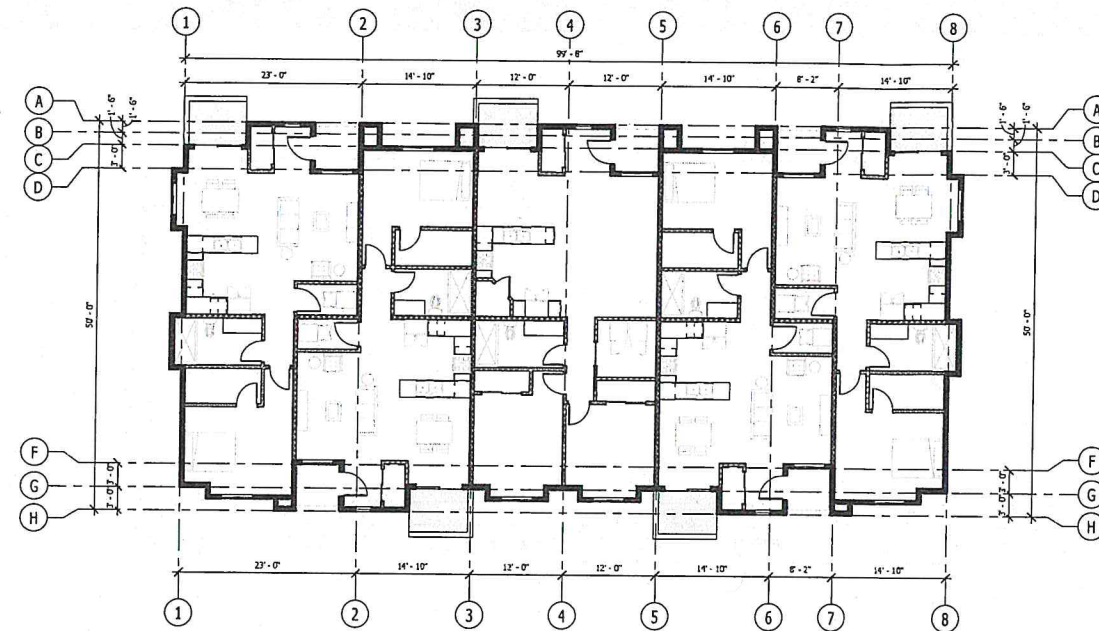
OWNER
HARSH KAPATWANI

BUILDING PERMIT NUMBER

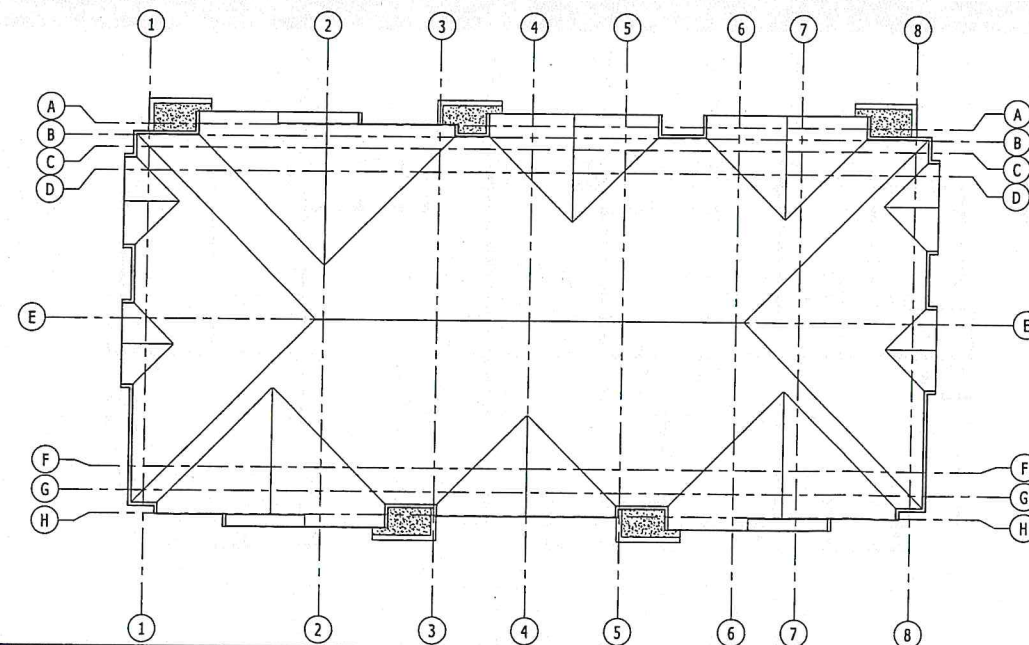
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COMPARCH #
21-222

A-1.0

SITE PLAN



1 FLOOR PLAN - BUILDING A SCALE: 1/8" = 1'-0"



2 ROOF PLAN - BUILDING A SCALE: 1/8" = 1'-0"

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**RIVERBANK
SENIOR
LIVING**

SENIOR LIVING
RESIDENTIAL UNITS

LOCATION
3318 POCKET AVENUE
RIVERBANK, CA
95367

PARCEL
075-090-063

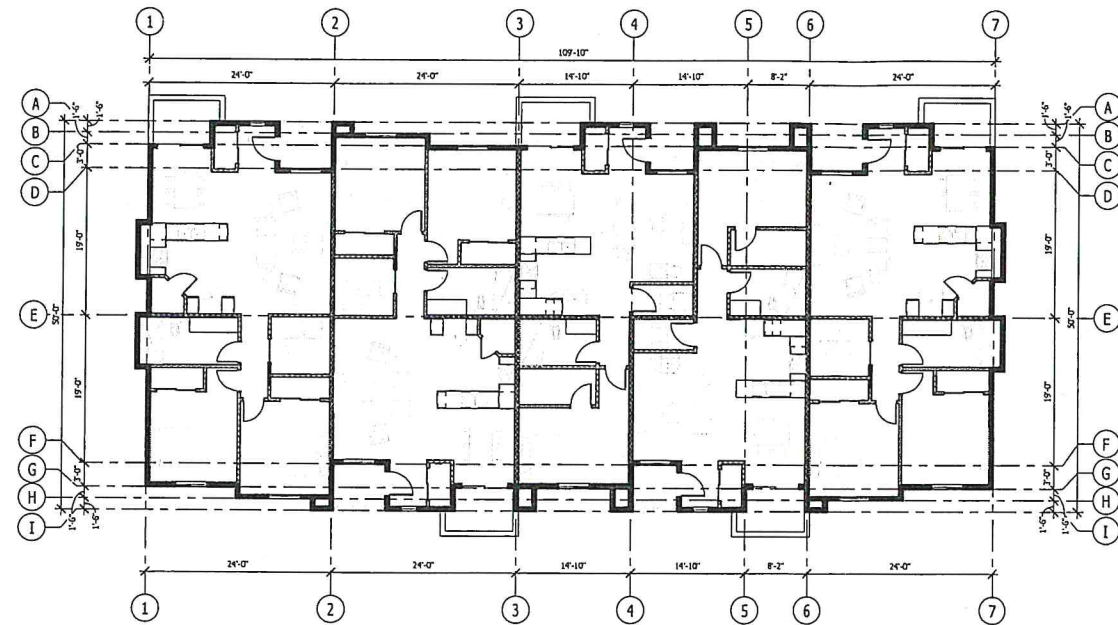
OWNER
MAHESH KHAHWAI

BUILDING PERMIT NUMBER

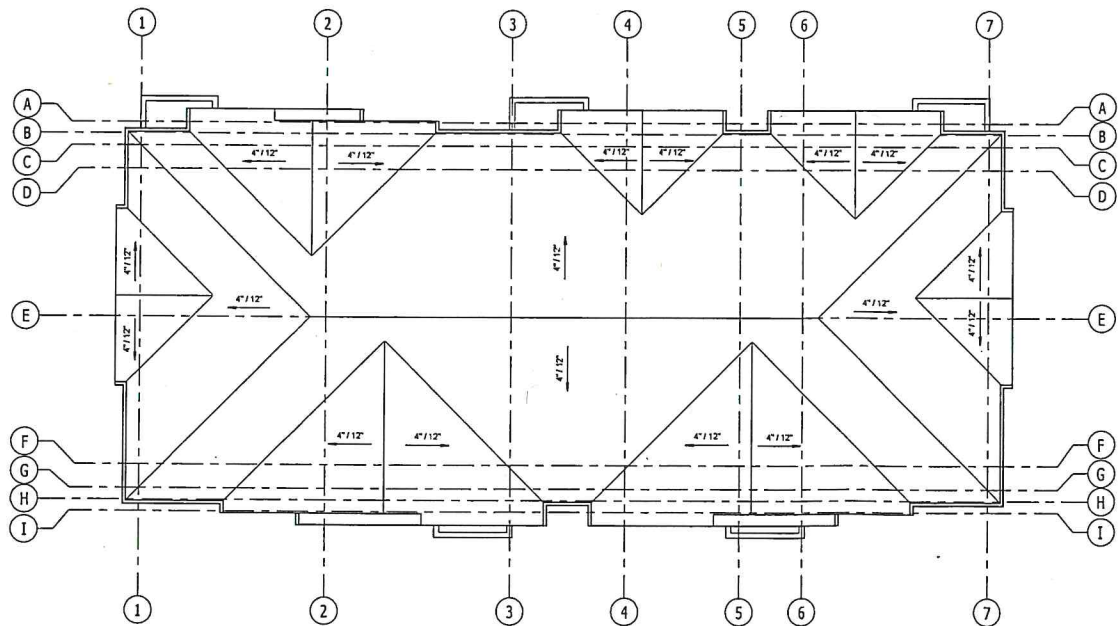
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COMPARISON #

A-2.0

OVERALL FLOOR PLAN -
BUILDING A



1 OVERALL FLOOR PLAN - BUILDING B SCALE: 1/8" = 1'-0"



2 ROOF PLAN - BUILDING B SCALE: 1/8" = 1'-0"

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RIVERBANK SENIOR LIVING

SENIOR LIVING
RESIDENTIAL UNITS

LOCATION
3318 POCKET AVENUE
RIVERBANK, CA
95367

PARCEL
075-090-063

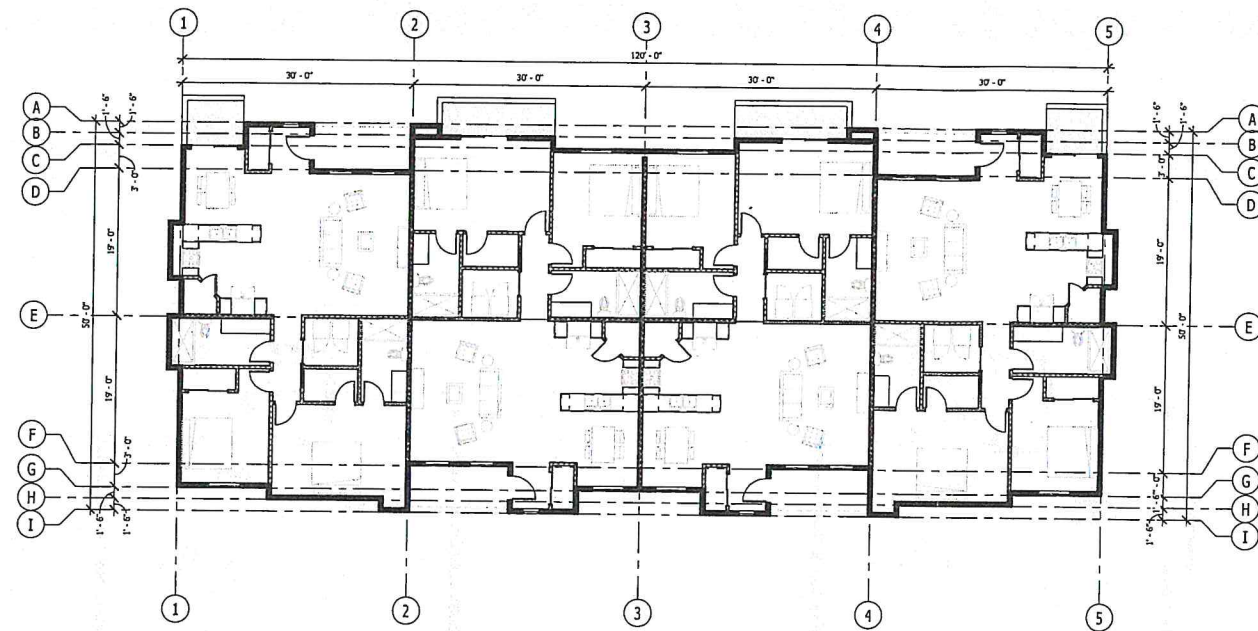
OWNER
HAHESH KHATWANI

BUILDING PERMIT NUMBER

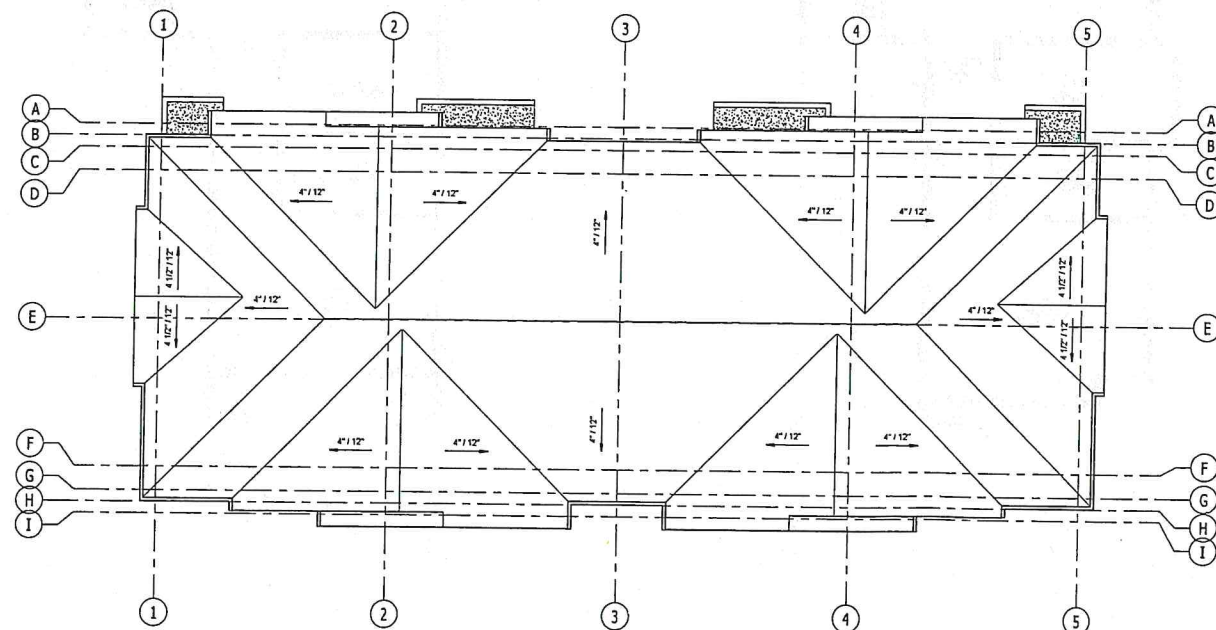
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A-2.1

OVERALL FLOOR PLAN
BUILDING B



1 OVERALL FLOOR PLAN - BUILDING C SCALE: 1/8" = 1'-0"



2 OVERALL ROOF PLAN - BUILDING C SCALE: 1/8" = 1'-0"

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SENIOR LIVING
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LOCATION
3318 POCKET AVENUE
RIVERBANK, CA
95367

PARCEL
075-090-063

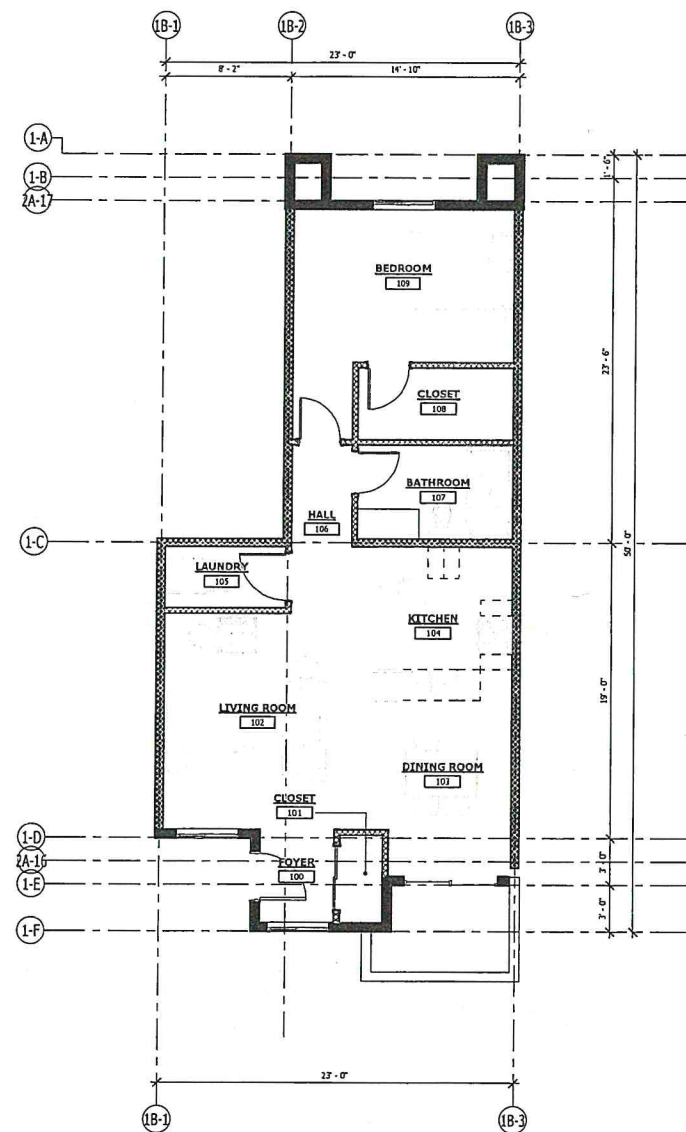
OWNER
HARSHI KHATWANI

BUILDING IDENTIFICATION

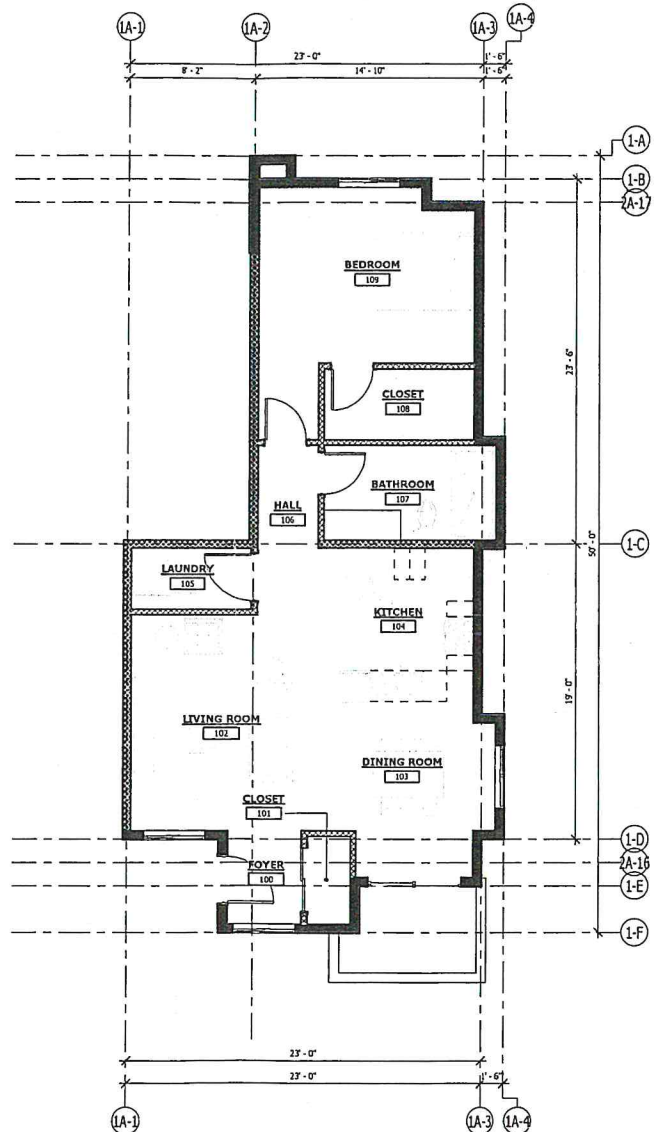
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A-2.2

OVERALL FLOOR PLAN -
BUILDING C



2 ONE BED / ONE BATH - MIDDLE UNIT (1-1-M) SCALE: 1/4" = 1'-0"



1 ONE BED / ONE BATH - END CAP UNIT (1-1-E) SCALE: 1/4" = 1'-0"

GROSS UNIT AREA - ONE-BED / ONE BATH UNIT		
NUMBER	NAME	AREA
1A - ONE-BEDROOM / ONE BATHROOM - END UNIT		
100	FOYER	36 SF
101	CLOSET	21 SF
102	LIVING ROOM	178 SF
103	DINING ROOM	132 SF
104	KITCHEN	110 SF
105	LAUNDRY	20 SF
106	HALL	47 SF
107	BATHROOM	80 SF
108	CLOSET	52 SF
109	BEDROOM	197 SF
		889 SF
1B - ONE-BEDROOM / ONE BATHROOM - CENTER UNIT		
100	FOYER	36 SF
101	CLOSET	21 SF
102	LIVING ROOM	178 SF
103	DINING ROOM	109 SF
104	KITCHEN	119 SF
105	LAUNDRY	36 SF
106	HALL	46 SF
107	BATHROOM	68 SF
108	CLOSET	52 SF
109	BEDROOM	179 SF
		845 SF

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RIVERBANK SENIOR LIVING

SENIOR LIVING RESIDENTIAL UNITS

LOCATION
3318 POCKET AVENUE
RIVERBANK, CA
95367

PARCEL
075-090-063

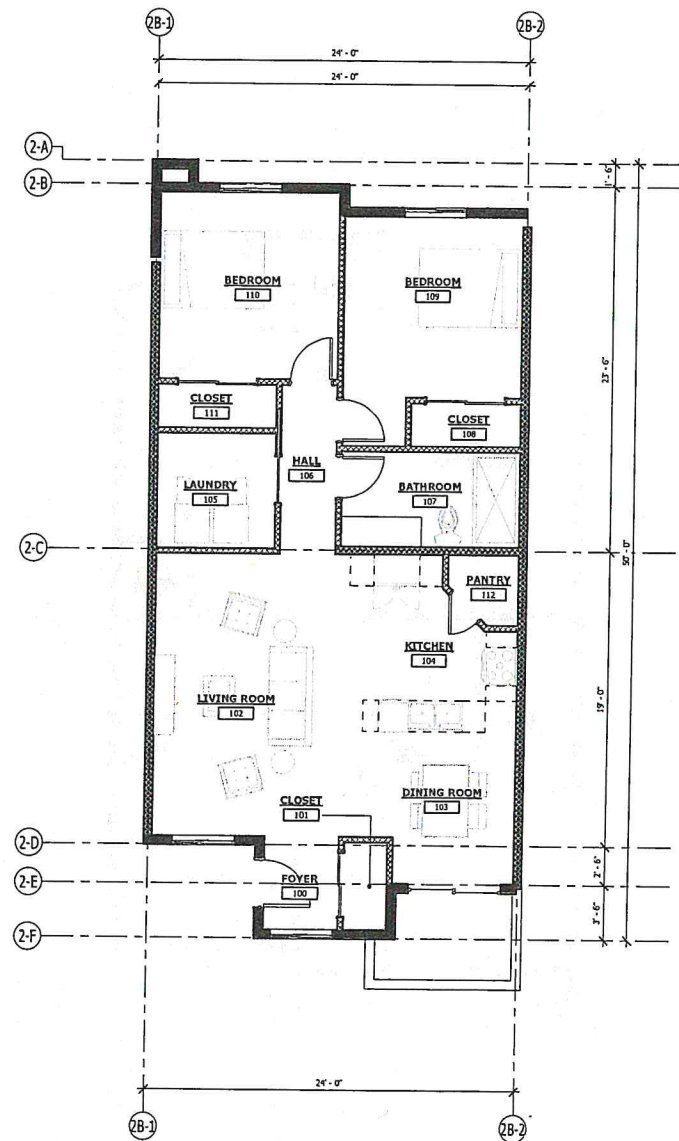
OWNER
MAHESH KHATWANI

BUILDING PERMIT NUMBER

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21-222

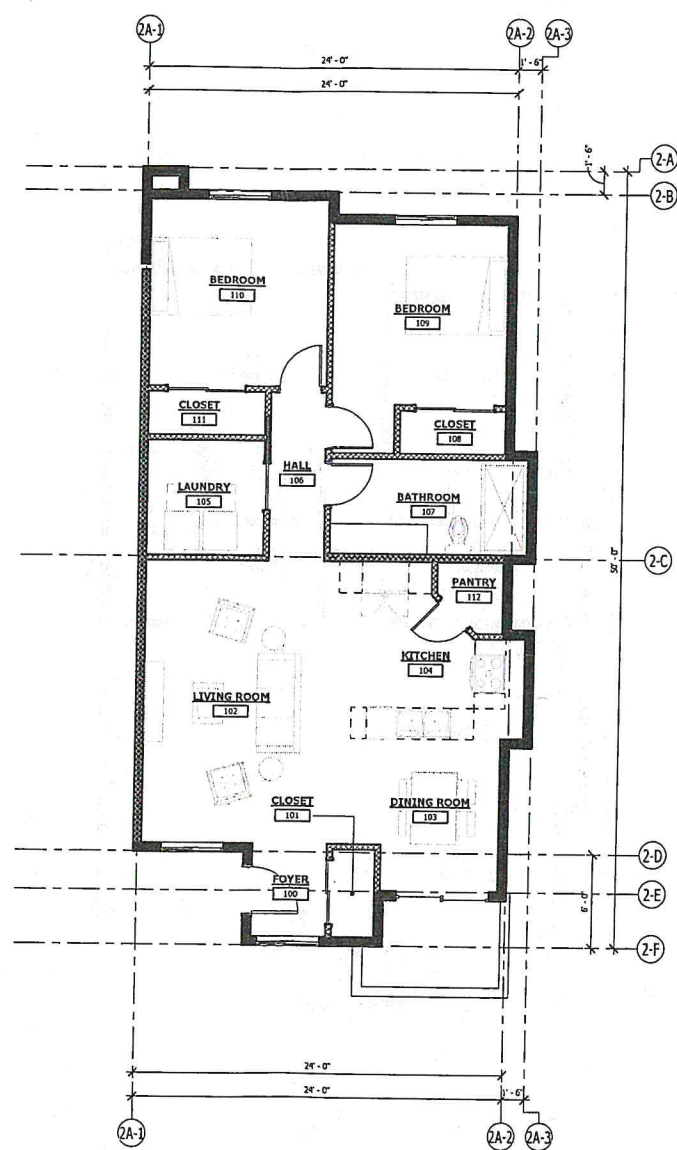
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UNIT TYPE 1 - FLOOR PLAN



2 TWO BED / ONE BATH - MIDDLE UNIT (2-1-M)

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



1 TWO BED / ONE BATH - END CAP UNIT (2-1-E)

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

GROSS UNIT AREA - TWO BED / ONE BATH UNIT		
NUMBER	NAME	AREA
2A - TWO BEDROOM / ONE BATHROOM - END UNIT		
100	FOYER	36 SF
101	CLOSET	21 SF
102	LIVING ROOM	226 SF
103	DINING ROOM	119 SF
104	KITCHEN	131 SF
105	LAUNDRY	62 SF
106	HALL	42 SF
107	BATHROOM	90 SF
108	CLOSET	21 SF
109	BEDROOM	103 SF
110	BEDROOM	151 SF
111	CLOSET	23 SF
112	PANTRY	23 SF
		1111 SF
2B - TWO BEDROOM / ONE BATHROOM - CENTER UNIT		
100	FOYER	36 SF
101	CLOSET	21 SF
102	LIVING ROOM	226 SF
103	DINING ROOM	119 SF
104	KITCHEN	119 SF
105	LAUNDRY	62 SF
106	HALL	42 SF
107	BATHROOM	79 SF
108	CLOSET	24 SF
109	BEDROOM	103 SF
110	BEDROOM	153 SF
111	CLOSET	23 SF
112	PANTRY	21 SF
		1085 SF

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RIVERBANK SENIOR LIVING

SENIOR LIVING RESIDENTIAL
UNITS

LOCATION
3318 POCKET AVENUE
RIVERBANK, CA
95367

PARCEL
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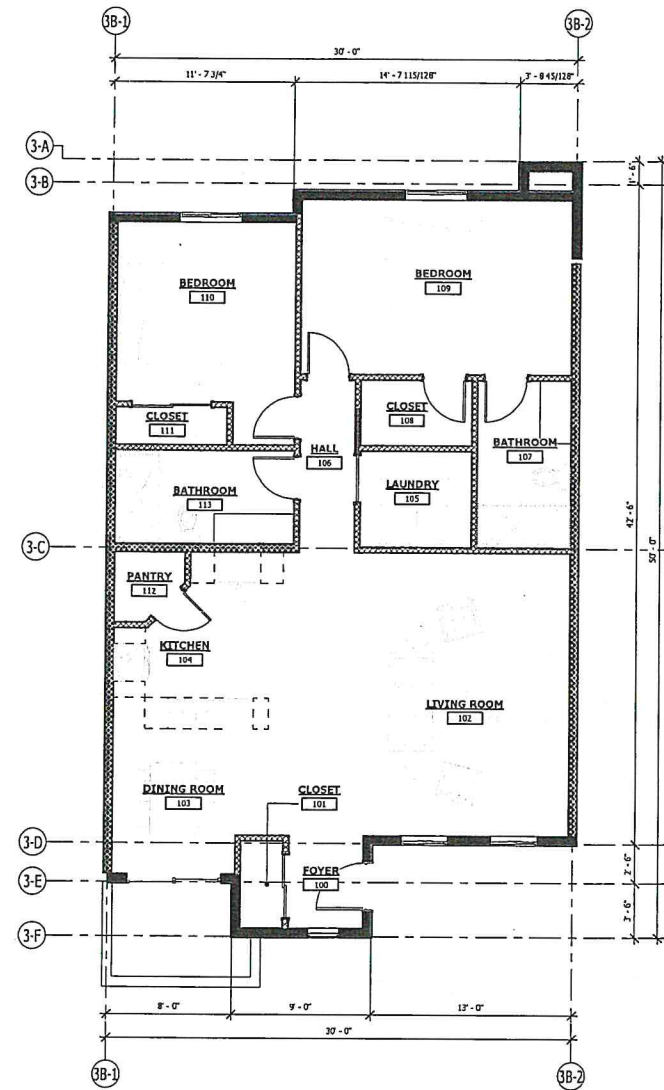
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BUILDING PERMIT NUMBER

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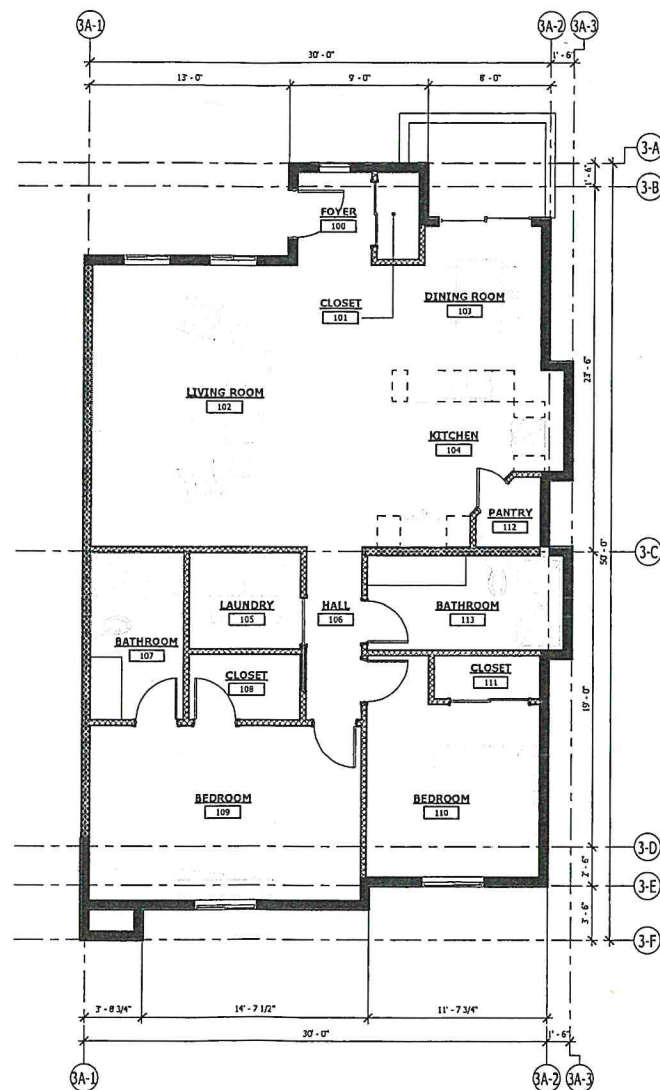
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UNIT TYPE 2 - FLOOR PLAN



2 TWO BED / TWO BATH - MIDDLE UNIT (2-2-M)

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



1 TWO BED / TWO BATH - END CAP UNIT (2-2-E)

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

GROSS UNIT AREA - TWO BED / TWO BATH UNIT

NUMBER	NAME	AREA
3A - TWO BEDROOM / TWO BATHROOM - END UNIT		
100	FOYER	36 SF
101	CLOSET	22 SF
102	LIVING ROOM	340 SF
103	DINING ROOM	105 SF
104	KITCHEN	135 SF
105	LAUNDRY	50 SF
106	HALL	44 SF
107	BATHROOM	72 SF
108	CLOSET	35 SF
109	BEDROOM	217 SF
110	BEDROOM	157 SF
111	CLOSET	24 SF
112	PANTRY	22 SF
113	BATHROOM	90 SF
	TOTAL	1347 SF
3B - TWO BEDROOM / TWO BATHROOM - CENTER UNIT		
100	FOYER	37 SF
101	CLOSET	22 SF
102	LIVING ROOM	335 SF
103	DINING ROOM	110 SF
104	KITCHEN	120 SF
105	LAUNDRY	50 SF
106	HALL	44 SF
107	BATHROOM	72 SF
108	CLOSET	35 SF
109	BEDROOM	218 SF
110	BEDROOM	160 SF
111	CLOSET	21 SF
112	PANTRY	21 SF
113	BATHROOM	79 SF
	TOTAL	1323 SF

#	REVISION	BY



**RIVERBANK
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LIVING**

SENIOR LIVING RESIDENTIAL
UNITS

LOCATION
3318 POCKET AVENUE
RIVERBANK, CA
95367

PARCEL
075-090-063

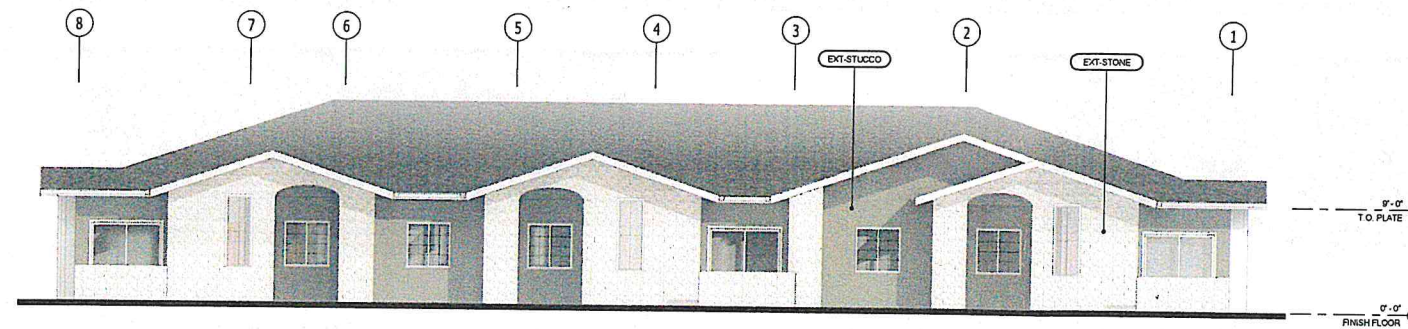
OWNER
HAHESH KHATWANI

BUILDING PERMIT NUMBER

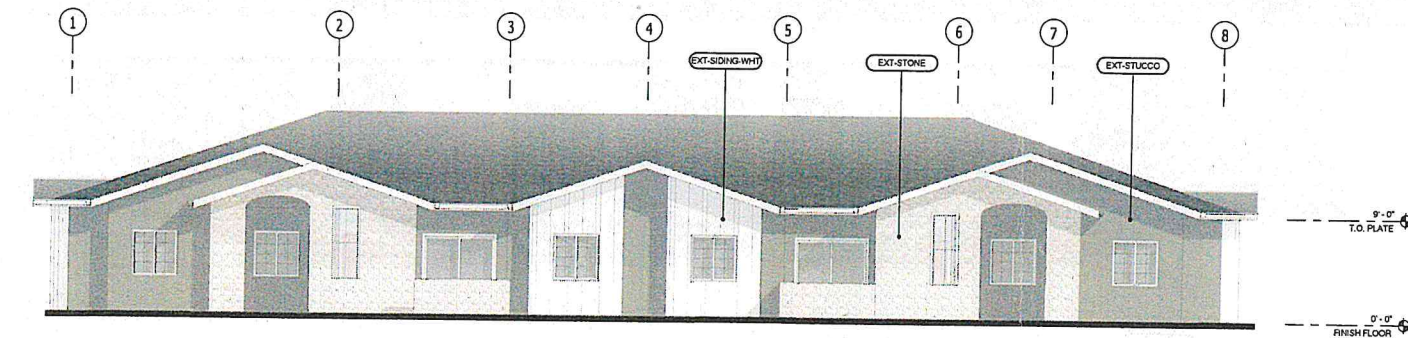
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21-222

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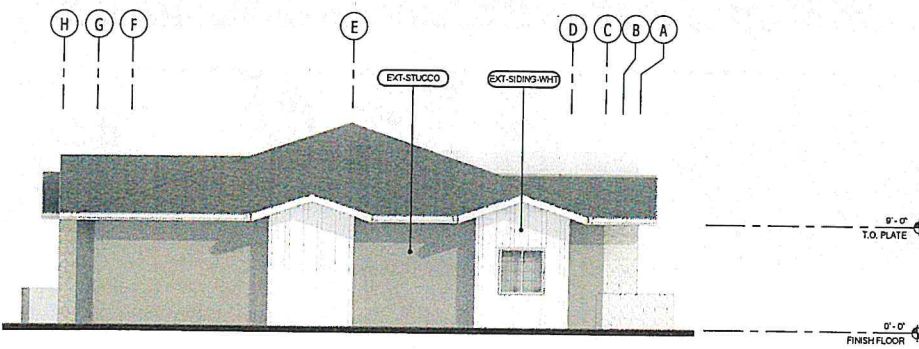
UNIT TYPE 3 - FLOOR PLAN



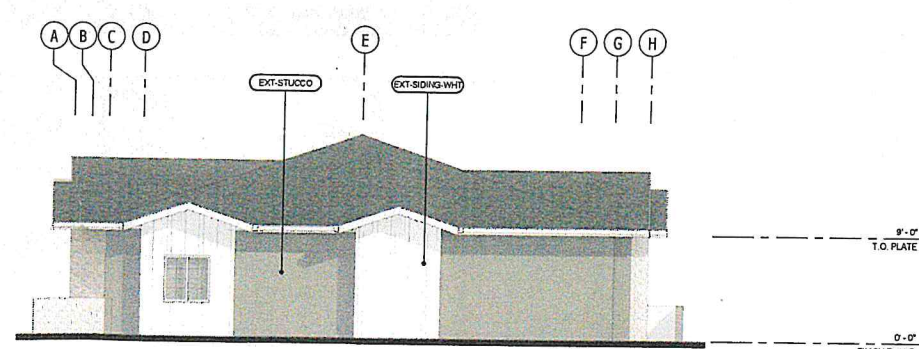
1 BUILDING A - FRONT ELEVATION SCALE: 3/16" = 1'-0"



3 BUILDING A - REAR ELEVATION SCALE: 3/16" = 1'-0"



2 BUILDING A - SIDE ELEVATION SCALE: 3/16" = 1'-0"



4 BUILDING A - SIDE ELEVATION 2 SCALE: 3/16" = 1'-0"

EXTERIOR FINISH SCHEDULE			
MARK	DESCRIPTION	MANUFACTURER	MODEL
EXT-SIDING-WHT	5/8" FIBER CEMENT SIDING	JAMES HARDIE	HARDI-PLANK LAP SIDING - VERTICAL
EXT-STONE	ARCHITECTURAL VENEER STONE	EL DORADO STONE	LIHSTONE COLOR: GRAND BANKS
EXT-STUCCO	7/8" 3-COAT STUCCO SYSTEM WITH ELASTOMERIC PAINT FINISH	-	LIGHT SAND FINISH COLOR: PEPPER CORN

#	REVISION	BY



RIVERBANK SENIOR LIVING

SENIOR LIVING
RESIDENTIAL UNITS

LOCATION
3718 POCKET AVENUE
RIVERBANK, CA
95367

PARCEL
075-090-063

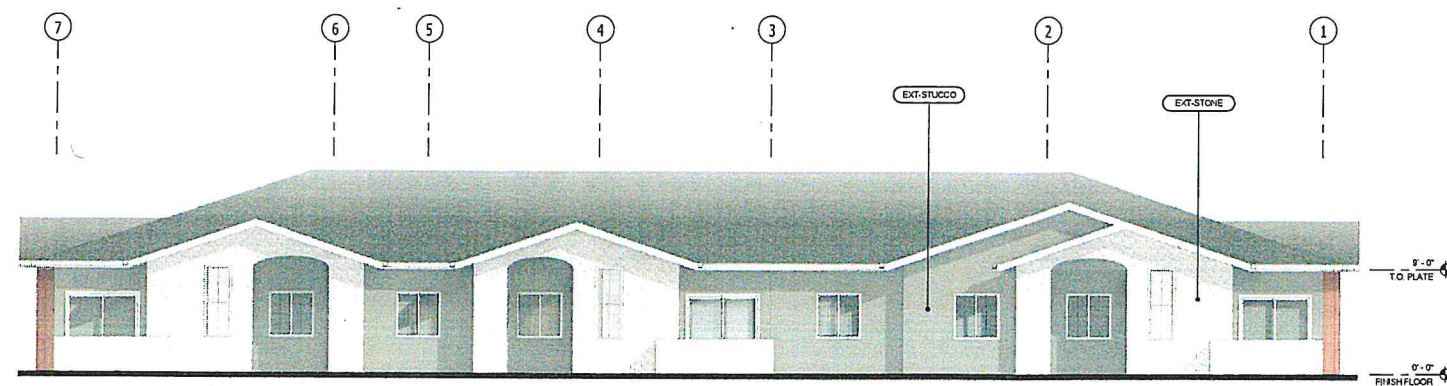
DRAWN BY
HARISH KHAIVHANI

BUILDING PERMIT NUMBER

DATE:
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COMPARISON #

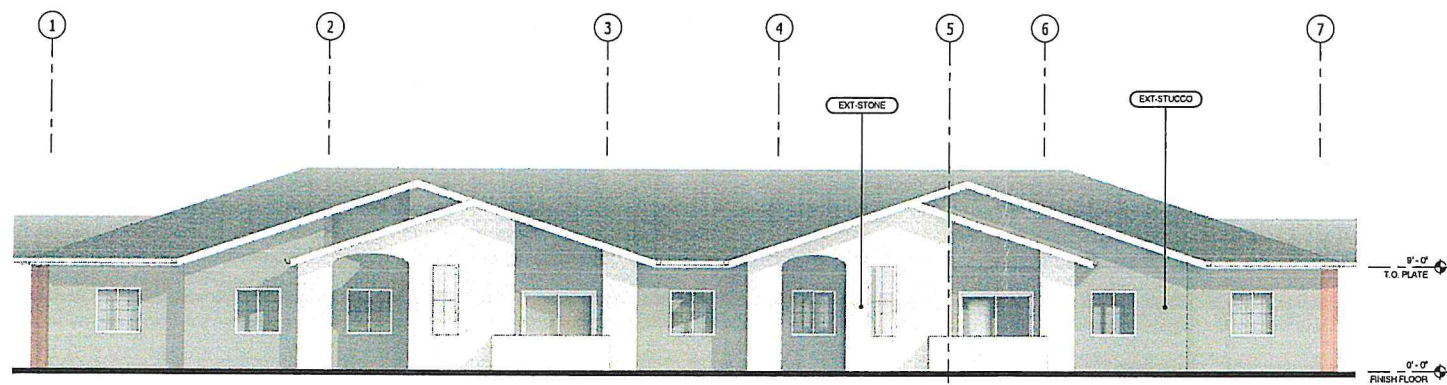
A-4.0

EXTERIOR ELEVATIONS
BUILDING A

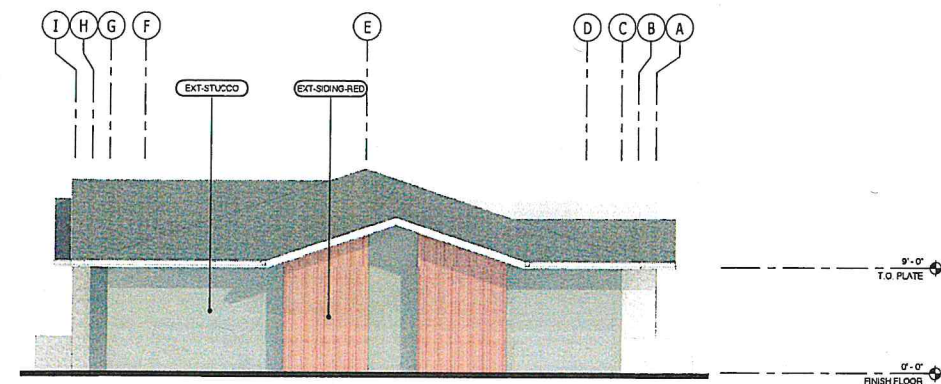


1 BUILDING B - FRONT ELEVATION SCALE: 3/16" = 1'-0"

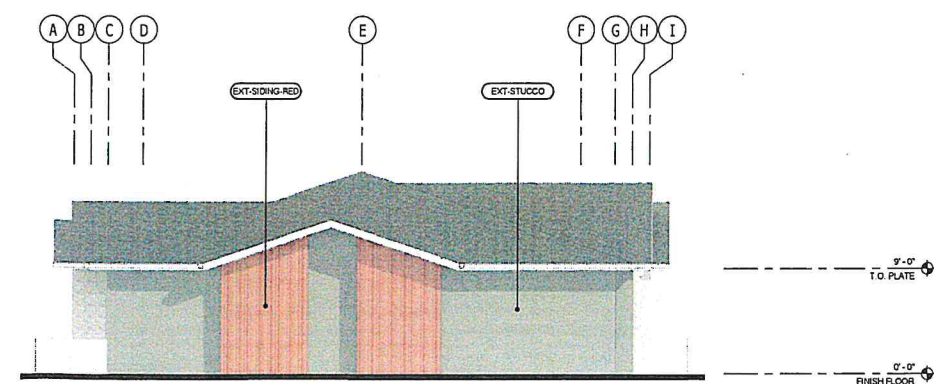
MARK	DESCRIPTION	MANUFACTURER	MODEL
EXT-SIDING-RED	5/8" FIBER CEMENT SIDING	JAMES HARDIE	HAND-PLANK LAP SIDING - VERTICAL
EXT-STONE	ARCHITECTURAL VENEER STONE	EL DORADO STONE	COLOR: RED LIFESTONE
EXT-STUCCO	7/8" - 3-COAT STUCCO SYSTEM WITH ELASTOMERIC PAINT FINISH		COLOR: GRAND BANKS LIGHT SAND FINISH COLOR: PEPPER CORN



2 BUILDING B - REAR ELEVATION SCALE: 3/16" = 1'-0"



3 BUILDING B - SIDE ELEVATION SCALE: 3/16" = 1'-0"



4 BUILDING B - SIDE ELEVATION 2 SCALE: 3/16" = 1'-0"

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RIVERBANK SENIOR LIVING

SENIOR LIVING RESIDENTIAL UNITS

LOCATION
3318 POCKET AVENUE
RIVERBANK, CA 9357

PARCEL
075-090-063

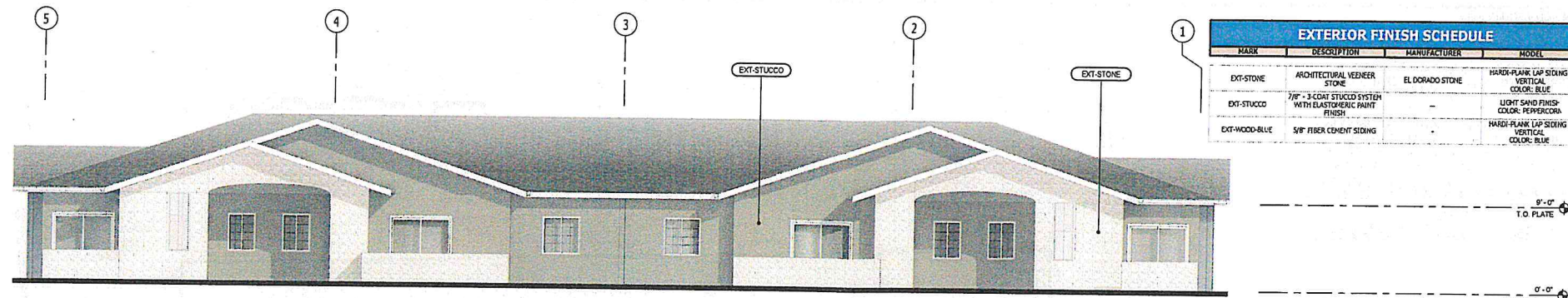
OWNER
NARESH KHAIWANI

BUILDING PERMIT NUMBER

DATE:
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COMPARISON #

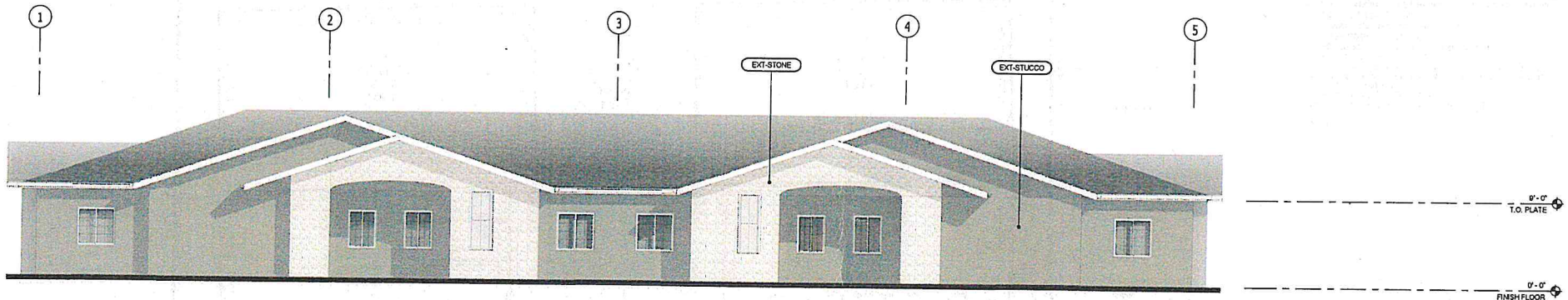
A-4.1

EXTERIOR ELEVATIONS
BUILDING B



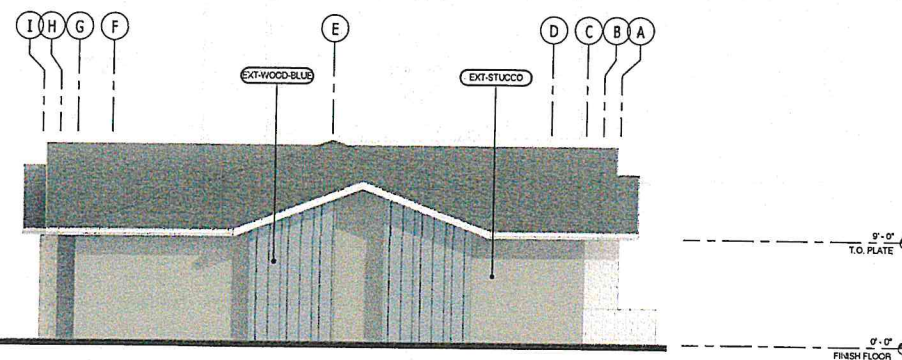
1 BUILDING C - FRONT ELEVATION

SCALE: 3/16" = 1'-0"



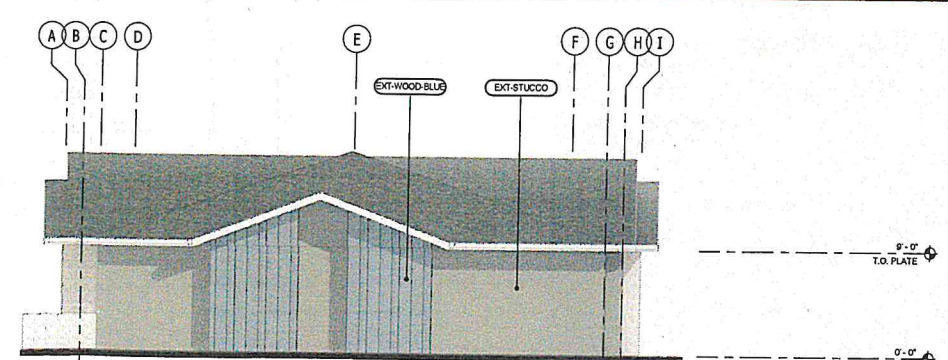
3 BUILDING C - REAR ELEVATION

SCALE: 3/16" = 1'-0"



2 BUILDING C - SIDE ELEVATION

SCALE: 3/16" = 1'-0"



4 BUILDING C - SIDE ELEVATION 2

SCALE: 3/16" = 1'-0"

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RIVERBANK SENIOR LIVING

SENIOR LIVING
RESIDENTIAL UNITS

LOCATION
3318 POCKET AVENUE
KINGMAN, CA
92347

PARCEL
075-090-063

OWNER
HARISH KHAIVANU

BUILDING PERMIT NUMBER

DATE
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COM-MARCH #

A-4.2

EXTERIOR ELEVATIONS -
BUILDING C

**CITY OF RIVERBANK
PLANNING COMMISSION**

STAFF REPORT

ITEM NO: 3.2

September 7, 2023

APPLICATION: Architecture and Site Plan Review 07-2023 (Dept. File #23-0019) – David Elliott & Associates, 2201 Morrill Road, Riverbank 95367 – (APN 075-057-001). The project, located at the northeast corner of Oakdale and Morrill Roads in the City of Riverbank, is the Architecture and Site Plan Review of a tiny house village of transitional housing behind a church with landscape and parking lot improvements. A lot line adjustment application is currently under review for the site. The proposed project will not have a significant effect on the environment and qualifies for an exemption as in-fill development 15332 Class 32 (a-e) pursuant to CEQA Guidelines.

PROJECT LOCATION: 2201 Morrill Road (APN 075-057-001).

OWNER: Joe Duran
Stanislaus Equity Partners
820 14 Street, No. 3
Modesto, CA 95354

**APPLICANT
REPRESENTATIVE:** David J. Elliott
David J. Elliott & Associates
17800 Cunha Lane
Salinas, CA 93907

GENERAL PLAN: Lower Density Residential (LDR)

ZONING: Single Family Residential (R-1)

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

PROJECT PLANNER: Donna M. Kenney, Planning and Building Manager

RECOMMENDATION: Approve Architecture and Site Plan Review 07-2023 subject to the conditions in attached Resolution 2023-011.

ACROMYMS: CEQA – California Environmental Quality Act
RMC – Riverbank Municipal Code

sf – Square Foot or Feet

I. EXECUTIVE SUMMARY:

Stanislaus Equity Partners seeks to develop a tiny house village behind an existing church building located at 2201 Morrill Road. The tiny houses consist of: six (6) units of 400 sf housing; one (1) unit of 600 sf housing; and one (1) unit of 800 sf housing. These homes would be constructed in sections off site and brought to the site to be assembled. There is common open space in the form of a community garden and playground as well as private open space within fencing at each house. The intent of the project is to create affordable housing to support vulnerable members of the community.

II. BACKGROUND & PROJECT INFORMATION:

The subject property is located at 2201 Morrill Road, cross streets Oakdale Road and Zellman Court. Developed residential properties are located to the north, east, and south of the proposed project site. Oakdale Road is adjacent to the west side of the property and has bus stops within walking distance. The total church site is approximately 0.7 acres in size and consists of four (4) lots. An existing church building is currently located at the site, facing Morrill Road on the largest lot (075-057-001), which is approximately 0.47 acres. This building will remain on-site and be used as a support center for this project's residents. The tiny houses are proposed to be located on the same lot, between the church building and the MID canal at the rear property line. There are three (3) vacant lots owned by the church located between the proposed tiny homes and Zellman Court to the east. There is currently a lot line adjustment proposed to create four (4) vacant lots from the three (3) vacant lots.

The zoning of all the lots is single family residential (R-1), which is consistent with the site's Lower Density Residential designation (0-8 housing units/net acre) in the General Plan. Within the City's adopted Tiny House Village Ordinance (RMC §153.170), a Tiny House Village is defined as a minimum of five (5) tiny houses on either a single lot or individual lots as part of a subdivision. This proposed project is eight (8) tiny houses on a single lot, meets the definition of a tiny house village, and is a permitted use in the R-1 zoning district if it meets density requirements.

In an R-1 zoning district (RMC §153.031(Q)), where 2201 Morrill Road is located, a tiny house village is a *permitted* use if it meets its General Plan density requirements, requiring only Architecture and Site Plan Review by the Planning Commission. Per Riverbank Municipal Code (RMC) §153.172 Density, the maximum density is one (1) tiny house per every 1,800 sf of lot area. The lot on which the church sits is 0.47 acres or 20,473.2 square feet.

If the footprint of the church (3,170 sf) is deducted from the 20,473.2 sf lot, there is 17,303.2 sf of open land remaining (net amount). If the 17,303.2 sf is divided by 1,800 sf per tiny house, the result is nine and a half (9.6) tiny houses. Nine and a half (9.6) houses are rounded down to nine (9) permitted tiny houses and the project is proposing eight (8) total tiny houses.

Density is the total number of units divided by lot area. Nine (9) units divided by 17,303.2 sf equates to a density of 5.2 units per acre. R-1 housing density is 0-8 housing units per net acre. At 5.2 houses per net acre, this project meets R-1 density requirements and, therefore is a *permitted* use.

III. ANALYSIS:

A. Site Plan and Building Design

The proposed site plan shows eight (8) tiny houses, each with a surrounding fence and private backyard. Six (6) houses will be 400 square feet in size, one (1) house will be 600 square feet in size, and one (1) house will be 800 square feet in size. The site plan shows a proposed raised bed community garden to the west of the church building and a proposed playground to the north of it. Vehicles will enter and exit the site from Morrill Road, not Zellman Court. Bicycle rack locations are near the site entrance and behind the existing building. Public buses travel on Oakdale Road and Morrill Road.

400 sf Tiny House details

The floor plan features two bedrooms and one bathroom, a closet, in-unit laundry, a kitchen, and a living room (Attachment 1 Exhibit A).

600 sf Tiny House details

The floor plan features four bedrooms and one bathroom, closets, in-unit laundry, a kitchen, and a living room (Attachment 1 Exhibit A).

800 sf Tiny House details

This is proposed as an accessible unit (ADA). The floor plan features four bedrooms and two bathrooms, closets, in-unit laundry, a kitchen, and an open living room space (Attachment 1 Exhibit A).

The tiny house will be constructed off site and assembled on site. The exterior building colors will match the existing church's color. Solar panels will be installed on each roof. The roofs will be constructed of metal sheeting, with the 600 and 800 sf units having roof skylights.

A conceptual landscape plan has been provided which preserves the existing trees and landscaping along Morrill Road. A Condition of Approval will require the separate review and approval of the new landscaping and irrigation. Construction is estimated to begin in the Fall of 2023 and finish in the Spring of 2024.

B. Parking

Per the RMC 153.174(I)(2), common parking areas shall be configured in clusters and provided throughout the tiny house village development. The minimum number of parking spaces for common parking areas shall be 0.8 parking space per dwelling unit and the locations shall be determined by the Community Development Director on a case by case basis. The minimum number of spaces required for this project is seven (7) spaces (rounded up from 6.4 spaces).

There are fourteen (14) common spaces proposed on-site including two (2) handicap spaces for residents and service center employees. Bicycle racks will be available in two locations. Some residents will not own a vehicle or a bicycle but will use the public transit system. The intersection of Oakdale Road and Morrill Road is where both of Riverbank's bus routes pass through so there are bus stops within a short walking distance.

C. Signage

There is no signage currently proposed for this project.

IV. REQUIRED 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 Architectural and Site Plan Review of the project:

1. Policy Design-4.6: The City will allow common ownership of parking, courtyard gardens, recreational facilities, and/or open spaces for cluster, cottage, and attached single-family residential housing. *The proposed project includes a community garden and playground for all residents in the tiny house village.*
2. Policy Design-5.1: The City will require the placement of windows and active rooms in new structures so that they view onto yards, corridors, entrances, streets, and other public and semi-public places. *Windows are placed on all sides of each tiny home unit to allow for views of yards, corridors, entrances, streets, and other public and semi-public places.*
3. Policy Design-6.3: The City will require convenient vehicular access and parking in a manner that neither limits pedestrian access nor endangers pedestrian safety and integrates parking areas with residential structures. *Common parking is located on the eastern side of the property, near the service center and the tiny houses.*
4. Policy Design-6.5: Multi-family housing projects shall provide open spaces that accommodate a wide variety of activities, both semi-public and private. Multi-family housing can also be placed directly adjacent to parkland to meet the open space requirement in master plan or specific planning efforts. On larger properties, include plazas, courtyards, small parks, and other open spaces in which residents can interact with one another or the community at large. *The proposed project includes a community garden and playground for community interaction and to provide common open spaces for residents.*

V. PUBLIC NOTICE:

The Planning Commission public hearing notice was published in the Riverbank News on August 23, 2023 and posted at City Hall North, South, Post Office and Community Center on August 24th. It was published on the City website on August 29, 2023. In addition, the Applicant posted a Notice of Development Permit Application at 2201 Morrill Road on August 23, 2023. Also, public notice mailers were distributed to residents and business within 300 feet of the Project

site in accordance with City standard practices on Wednesday, August 23, 2023. At the time of writing this Staff Report (August 31, 2023), City staff has not received any written public comment, but any written comments received subsequent to this date shall be supplied to the Commission on the day of the meeting.

VI. ATTACHMENTS:

1. Planning Commission Resolution No. 2023-011
Exhibit A - Site Plan
Exhibit B - Floor Plans and Elevations

Respectfully Submitted By:

Donna M. Kenney

Donna M. Kenney
Planning and Building Manager

**City of Riverbank
Planning Commission
Resolution No. 2023-011**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIVERBANK
APPROVING ARCHITECTURE AND SITE PLAN REVIEW 07-2023
FOR THE MORRILL TINY HOMES VILLAGE AT
2201 MORRILL ROAD (APN 075-057-001)**

WHEREAS, an application has been received from David J. Elliott & Associates for an Architecture and Site Plan Review of an eight (8) unit tiny house village at 2201 Morrill Road (APN 075-057-001); and

WHEREAS, a tiny home village is a permitted use in the R-1 zoning district where 2201 Morrill Road is located if it is consistent with its General Plan density requirements; and

WHEREAS, the tiny house village, at 5.2 units per net acre, meets its General Plan Low Density Residential (LDR) designation of 0-8 units per net acre; and

WHEREAS, the Planning Commission held a special hearing on September 7, 2023 to consider Architecture and Site Plan Review 07-2023 and take public comment; and

WHEREAS, the proposed project is exempt from analysis per the California Environmental Quality Act (CEQA) Section 15332 (a-e), Class 32 In-Fill Development Projects; and

WHEREAS, the Riverbank Planning Commission has made the following required 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; and
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; and

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

1. Policy Design-4.6: The City will allow common ownership of parking, courtyard gardens, recreational facilities, and/or open spaces for cluster, cottage, and attached single-family residential housing.

2. Policy Design-5.1: The City will require the placement of windows and active rooms in new structures so that they view onto yards, corridors, entrances, streets, and other public and semi-public places.
3. Policy Design-6.3: The City will require convenient vehicular access and parking in a manner that neither limits pedestrian access nor endangers pedestrian safety and integrates parking areas with residential structures.
4. Policy Design-6.5: Multi-family housing projects shall provide open spaces that accommodate a wide variety of activities, both semi-public and private. Multi-family housing can also be placed directly adjacent to parkland to meet the open space requirement in master plan or specific planning efforts. On larger properties, include plazas, courtyards, small parks, and other open spaces in which residents can interact with one another or the community at large.

WHEREAS, the request and plans of David J. Elliott & Associates are hereby granted and approved, subject to the following conditions of approval:

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 project; and
2. The applicant shall build the entire project according to the site plans and elevations date stamped July 28, 2023, and on file with the Community Development Department and presented to the Planning Commission as part of this action; and
3. Complete onsite and offsite Civil Plans for grading, water, sewer, and storm drainage showing elevations are required; and
4. Provide City Standard details for water and sewer connections; and
5. The water system shall be shown on plans including the backflow device, fire department connection, water meters (1. buildings services and 2. landscaping), post indicator valve, and water service to the buildings; and
6. An application, landscape and irrigation plans including documentation package, water efficient landscape worksheet, soil management report, slopes, drainage patterns, pad elevations, and finished grade conforming to the state's MWELo requirements, and current fee shall be submitted and approved by the City before the issuance of a Building Permit. Landscaping and irrigation shall be installed and approved before Building Permit Final; and
7. ADA signage for entrance to parking lot must be installed (11B-502.8) and utilities shall be undergrounded: electrical, communications, gas, water, fire line, and sewer; and

8. Driveway and sidewalks need to conform to current ADA standards; and
9. The City's Post Construction Standards Plan needs to be followed including DMA's LID standards, and the required worksheets located in the Appendix of the document. The document is available on the City's website; and
10. When improvements take place, Fire Code permits through Stanislaus Consolidated Fire District shall be obtained as required by Title 24 of the California Fire Code; and
11. The Community Development Director requires and shall approve a bicycle rack design and location before its installation; and
12. Covered trash enclosures shall be consistent with the City's standards; and
13. Utilities shall be undergrounded: electrical, communications, gas, water, fire line, and sewer; and
14. All existing and proposed overhead electrical shall be placed underground; and
15. Any signage shall be reviewed and approved under a separate permit; and
16. Any block walls shall be reviewed and approved under a separate permit; and
17. All exterior lighting shall be LED and focused downward on the site; and
18. If potential human remains are encountered, the construction contractor shall halt work in the vicinity (within 100 feet) of the find and contact the City of Riverbank. The project applicant and/or contractor shall be required to contact the Stanislaus County Coroner in accordance with Public Resources Code Section 5097.98 and Health and Safety Code Section 7050.5. If the coroner determines the remains are Native American, the coroner would contact the Native American Heritage Commission (NAHC). As provided in Public Resources Code Section 5097.98, the NAHC would identify the person or persons believed to be most likely descended from the deceased Native American. The most likely descendent makes recommendations for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98; and
19. All wet utilities are to be cleaned, tested, and videotaped prior to acceptance by the City of Riverbank; and
20. Buildings shall be provided with proper address identification in accordance with the California Fire Code as amended by the Stanislaus Consolidated Fire Protection District. **CFC 505.1**; and
21. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binding are used; and

22. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five (5) minutes. Clear signage shall be provided for construction workers at all access points; and
23. All construction equipment shall be maintained and properly tuned in accordance with manufacture's specifications. All equipment shall be checked by a certified visible emissions evaluator; and
24. Post a publicly visible sign with the telephone number and person to contact at the Air District regarding dust complaints. The Air District shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations; and
25. Applicant shall comply with San Joaquin Valley Air Pollution Control District's Rule 9510 Indirect Source Review; and
26. Consistent with the requirements of the City of Riverbank Municipal Code, the National Pollutant Discharge Elimination System (NPDES) Construction General Permit, the project applicant shall prepare and implement a Storm Water Pollution Prevention Plan (SWPPP) designed to reduce potential adverse impacts on surface water quality through the project construction period. The SWPPP shall be designed to address the following objectives:
 - a. All pollutants and their sources, including sources of sediment associated with construction, construction site erosion, and all other activities associated with construction activity, are controlled using source control and treatment control best management practices (BMPs).
 - b. Where not otherwise permitted by the Regional Water Quality Control Board, all non-stormwater discharges are identified and eliminated.
 - c. BMPs are effective and result in the reduction or elimination of pollutants in stormwater discharges and authorized non-stormwater discharges from construction activity in accordance with the Construction General Permit; and
27. Construction equipment shall be well maintained to be as quiet as possible. The following measures, when applicable, shall be implemented to reduce noise from construction activities:
 - a. All internal combustion engine-driven equipment shall be equipped with mufflers that are in good condition and appropriate for the equipment.
 - b. "Quiet" models of air compressors and other stationary noise sources shall be used, where technology exists.
 - c. Stationary noise-generating equipment shall be located as far as feasible from sensitive receptors (neighboring dwellings).
 - d. Unnecessary idling of internal combustion engines shall be prohibited.
 - e. Staging areas and construction material storage areas shall be located as

far away as possible from adjacent sensitive land uses (neighboring dwellings).

- f. Construction-related traffic shall be routed along major roadways (Roselle Avenue and Claribel Road) and as far as feasible from sensitive receptors.
- g. Residences or noise-sensitive land uses adjacent to construction sites shall be notified of the construction schedule in writing. The construction contractor shall designate a “construction liaison” that would be responsible for responding to any local complaints about construction noise. The liaison shall determine the cause of the noise complaints (e.g., starting too early, bad muffler, etc.) and shall institute reasonable measures to correct the problem. The construction contractor shall conspicuously post a telephone number for the liaison at the construction site.
- h. The construction contractor shall hold a pre-construction meeting with the job inspectors and the general contractor/on-site project manager to confirm that noise mitigation and practices (including construction hours, construction schedule, and construction liaison) are completed.

NOW THEREFORE, BE IT RESOLVED by the City of Riverbank Planning Commission that Architecture and Site Plan Review 07-2023 is hereby approved, subject to those conditions established by Resolution No. 2023-011 and as illustrated in **Exhibit A** Site Plan and **Exhibit B** Floor Plans and Elevations.

PASSED AND ADOPTED by the Planning Commission of the City of Riverbank at a meeting held on the 7th of September 2023; motioned by Commissioner _____, seconded by Commissioner _____, and upon roll call was carried by the following vote of ____-____:

AYES: Commissioners:

NAYS:

ABSENT:

ABSTAIN:

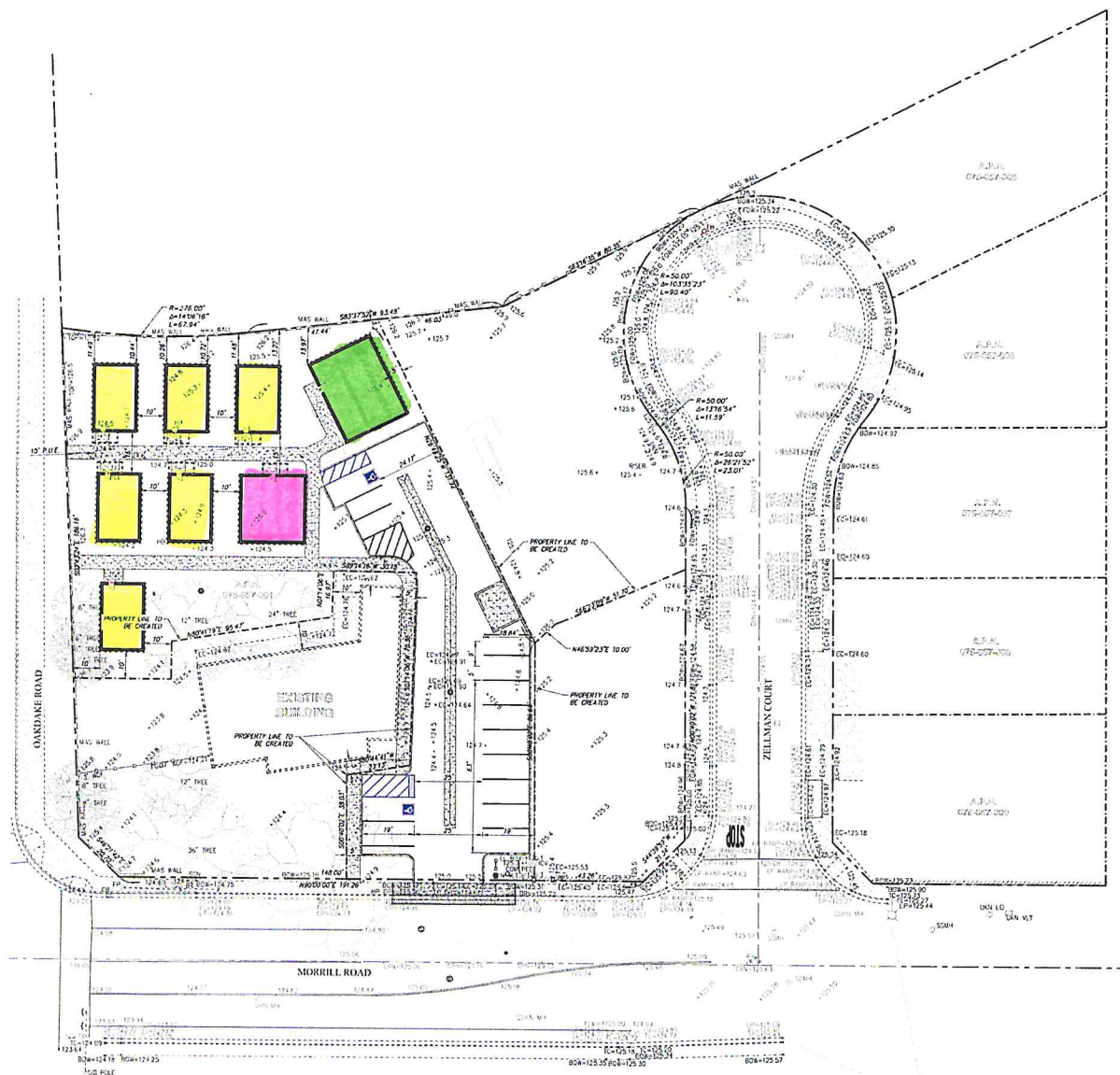
Attest:

Approved:

Donna M. Kenney,
Planning and Building Manager

Natasha Basso, Chairperson
Planning Commission

Exhibit A – Site Plan
Exhibit B - Floor Plans and Elevations



REV	DATE	DESCRIPTION	BY	APP'D
1	2023.05.15	PRELIMINARY	J. INGLEZ	



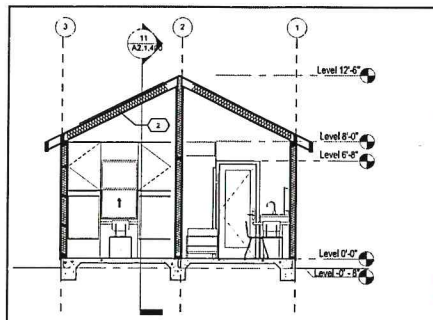
HW: J. INGLEZ
 CHK: R. HAWKINS
 DATE: 2023.05.15

HAWKINS & ASSOCIATES
ENGINEERING, INC.
 436 MITCHELL ROAD
 MODESTO, CA. 95354
 PH: (209) 575-4295
 FX: (209) 578-4295

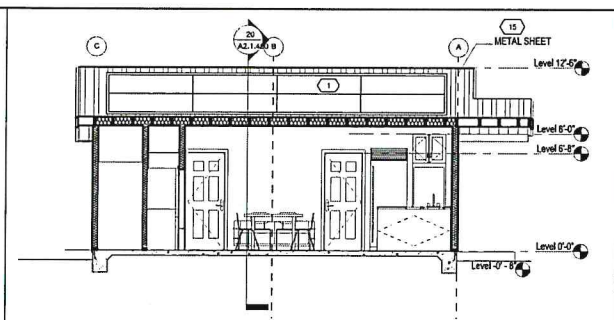
SITE PLAN
 PLANNING EXHIBIT FOR:
2201 MORRILL ROAD
 RIVERBANK, CALIFORNIA 95367

DATE: _____
 SHEET
 2
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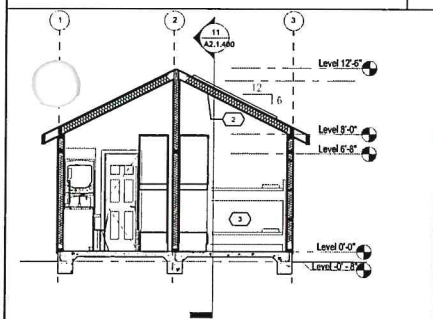
PRELIMINARY
 5/15/23



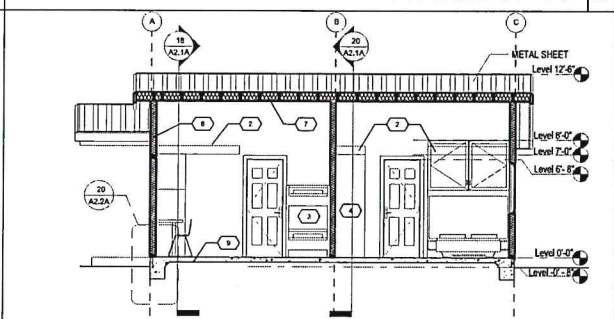
Unit 400 Section 1/4" = 1'-0" 20



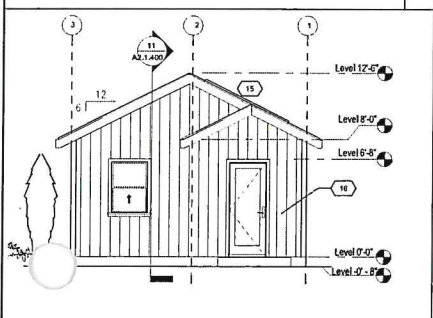
Unit 400 Section 1/4" = 1'-0" 12



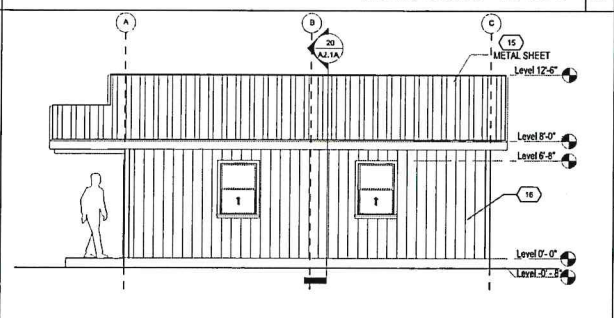
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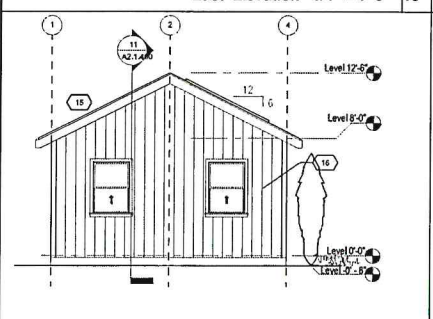
Unit 400 Section 1/4" = 1'-0" 11



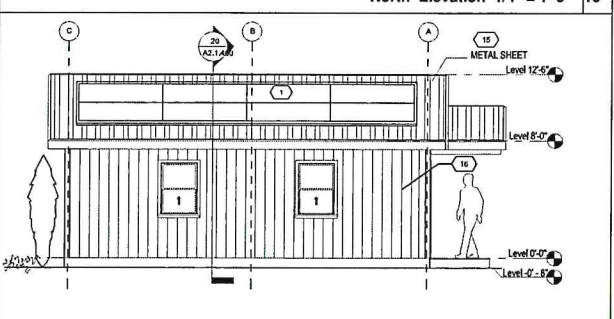
East Elevation 1/4" = 1'-0" 18



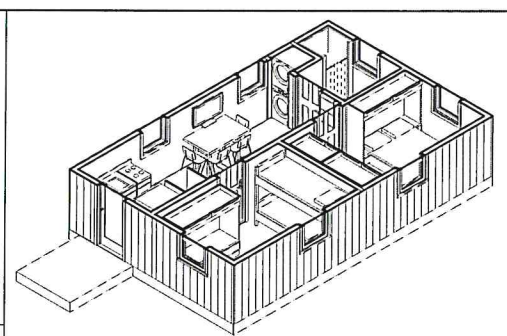
North Elevation 1/4" = 1'-0" 10



West Elevation 1/4" = 1'-0" 17

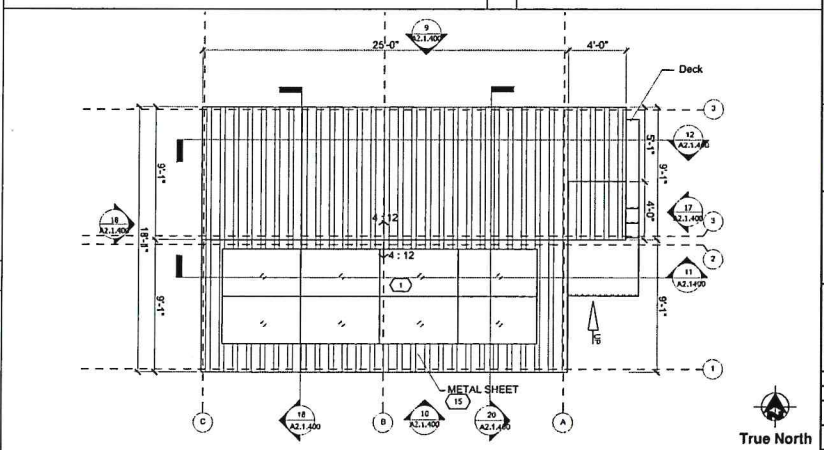


South Elevation 1/4" = 1'-0" 9

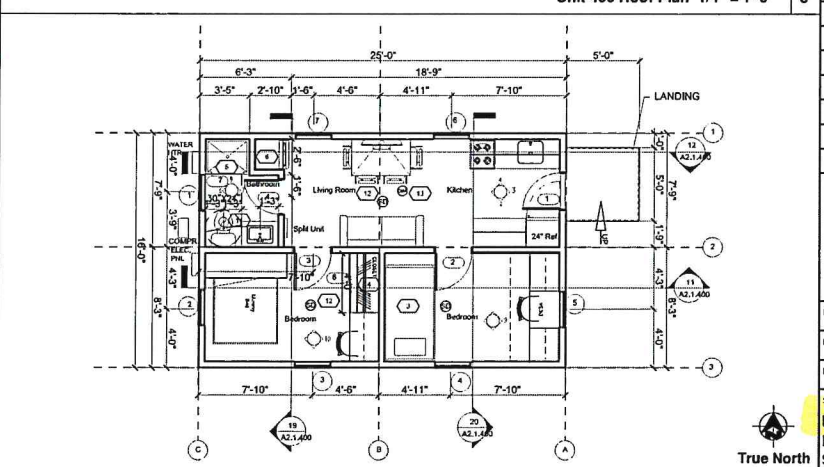


Unit 400 Isometric View 1/4" = 1'-0" 8

- Notes:**
1. SOLAR PANELS
 2. 2"X8" ROOF
 3. BUNK BED 39"X75"
 4. CLOSET
 5. 36"X30" SHOWER INSERT
 6. WASHER AND DRYER
 7. R-19 INSULATION
 8. R-13 WALL INSULATION
 9. R-19 FLOOR INSULATION
 10. SHOWER WALLS ARE A SMOOTH, HARD, NONABSORBENT SURFACE. OVER A MOISTURE RESISTANT UNDERLAYMENT TO A HEIGHT OF 72 INCHES ABOVE THE DRAIN INLET.
 11. EXHAUST FAN
 12. SMOKE ALARM
 13. CARBON MONOXIDE ALARM
 14. LANDINGS SHALL BE NOT MORE THAN 7-3/4 INCHES LOWER THAN THRESHOLD FOR BL-SWINGING DOORS AND NOT MORE THAN 1-1/2 INCHES LOWER THAN THRESHOLD FOR OUT-SWINGING DOORS.
 15. CLASS "B" ROOF ASSEMBLY OR BETTER
 16. PLASTER



Unit 400 Roof Plan 1/4" = 1'-0" 3



Unit 400 Floor Plan 1/4" = 1'-0" 1

Planning Architecture Interiors
17800 Cunha Ln
Salinas, CA 939
Tel. 831/663-14
Fax 831/663-63
david@dje-llc.com

David J. Elliot & Associate:

Riverbank Village Low-Income Rental Housing

2201 Morrill Road Riverbank, CA 95367

Stanislaus Equity Partners

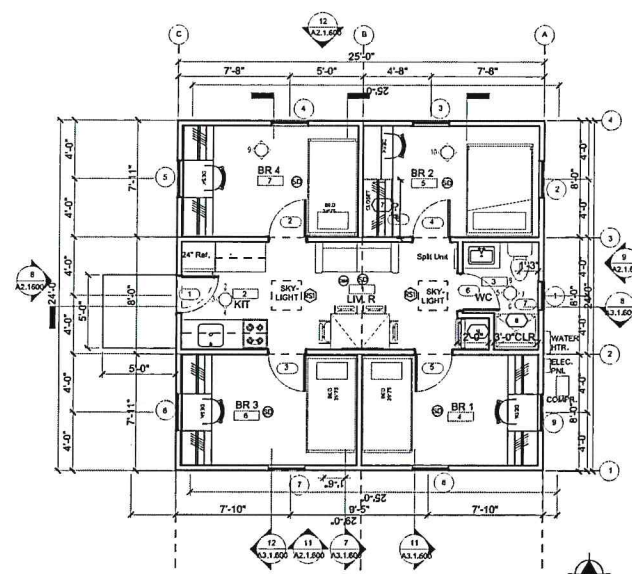
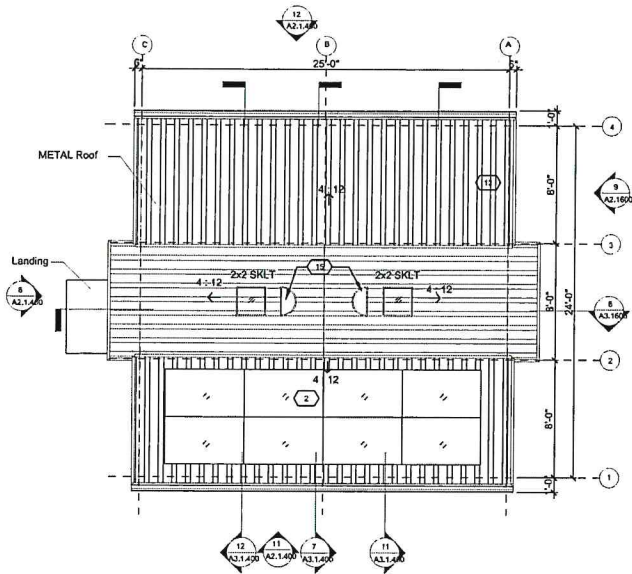
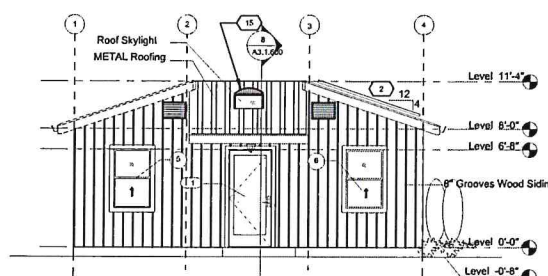
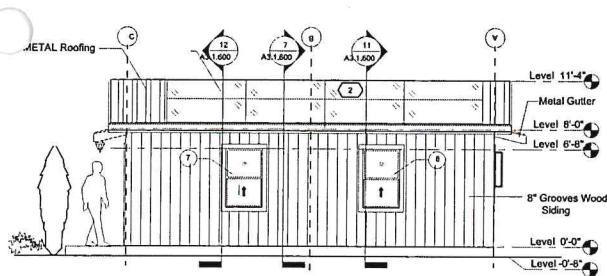
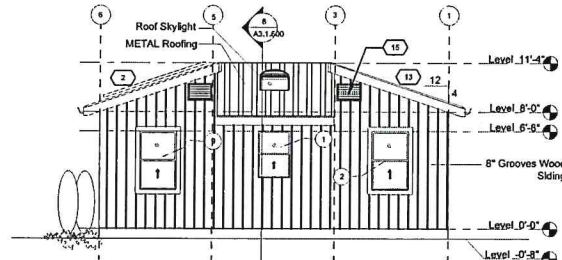
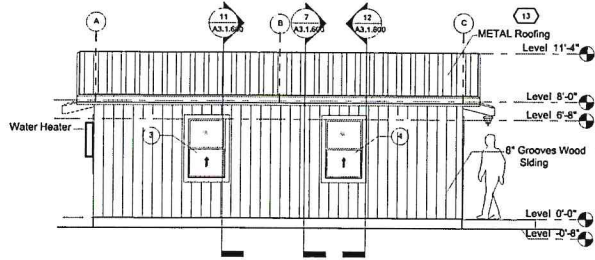
Rehabilitation Restoration Respite

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Issue Date: 07/28/22
Drawn By: JANA/D.
Project Number: 22-
Sheet Title: Unit "400" Floor Plan, Isometric, Sections & Elevations
Sheet Number: A2.1.40C

Unit 400



Notes:

1. ADJ. FLOOR AREA IS 600 SF.
2. SOLAR PANELS
3. DECK
4. -
5. -
6. BUNK BED 38"X75"
7. CLOSET
8. SHOWER INSERT 36"X30"
9. WASHER AND DRYER
10. R-19 ROOF INSULATION
11. R-15 WALL INSULATION
12. R-19 FLOOR INSULATION
13. CLASS "B" ROOF ASSEMBLY OR BETTER
14. SHOWER WALLS ARE A SMOOTH, HARD, NONABSORBENT SURFACE OVER A MOISTURE RESISTANT UNDERLAYMENT TO A HEIGHT OF 12 INCHES ABOVE THE DRAIN INLET. ALL WORK TO CONFORM TO 2019 CBC Chapter 11B
15. VENTILATION OPENING

David J. Elliott & Associates

Riverbank Village Low-Income Rental Housing

2201 Morrill Road Riverbank, CA 95367

Stanislaus Equity Partners

Rehabilitation Restoration Respite

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Revisions		
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Issue Date 07/28/22

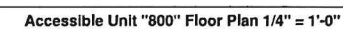
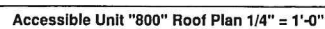
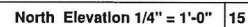
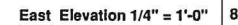
Drawn By JANA/D.

Project Number 222

Sheet Title Unit "600" Floor Plan, Roof Plan & Elevations

Sheet Number A2.1.601

Unit 600



1. SOLAR PANELS
2. DECK
3. PLASTER
4. NOT USED
5. METAL SHEET ROOFING, GLASS "B" ROOF ASSEMBLY OR BETTER
6. NOT USED
7. R-32 ROOF INSULATION
8. R-15 WALL INSULATION
9. R-30 FLOOR INSULATION
10. -
11. SHOWER WALLS ARE A SMOOTH, HARD, NONABSORBENT SURFACE
OVER A MOISTURE RESISTANT UNDERLAYMENT TO A HEIGHT OF 72
INCHES ABOVE THE DRAIN INLET. All Work To Conform To 2019 CBC
Chapter 11B
12. NOT USED
13. CONCRETE LANDING SLOPE 2%
14. RAMP 1:12
15. VENTILATION OPENING

**Riverbank
Village
Low-Income
Rental Housing**

**2201 Morrill Road
Riverbank, CA
95367**



Stanislaus
Equity
Partners



Rehabilitation
Restoration
Respite

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[illegible]

Accessible Unit "800" Floor Plan & Elevations

Sheet Number **A2.1.801**