



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

Agenda
Tuesday, May 16, 2017 – 6:00 P.M.

CALL TO ORDER: Chair: McKinney

ROLL CALL: Chair: McKinney
 Vice Chair: King
 Commissioner: Stewart
 Commissioner: Tabacco
 Commissioner: Villapudua

CONFLICT OF INTEREST

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

1. PUBLIC COMMENTS (No action to be taken)

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

2. CONSENT CALENDAR

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

Item 2.A: Posting of the Agenda. The Agenda for the May 16, 2017 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 May 12, 2017.

Item 2.B: Approval of the Agenda. This provides an opportunity for the Planning Commission or Staff to recommend that an item be placed on the agenda for discussion or to adjust the proposed agenda to allow an item to be taken out of order.

Item 2.C: Approval of the Minutes of the March 21, 2017 Planning Commission Meeting, having been read by the individual Commissioners and stands approved as submitted. *Abstain from voting: None*

Recommendation: It is recommended that Planning Commission approve the Consent Calendar by roll call vote.

3. PRESENTATIONS

Item 3.1: Weed Abatement (Neighborhood Improvement Officer Michele Garcia) – An overview of the Riverbank weed abatement process.

4. PUBLIC HEARINGS

Item 4.1: Parcel Map 17-0002 – Narcisco and Adela Hernandez – Resolution 2017-008 - The applicant is requesting to divide an existing parcel containing one dwelling unit into two parcels. The Project is exempt from the requirements of CEQA Guidelines pursuant to Section 15315 Minor Land Divisions. Property is located at 3625 Kansas Street, APN 132-054-034 and is zoned Single Family Residential (R-1). The General Plan designation for the site is Low Density Residential (LDR).

Recommendation: Approval by roll call vote

Item 4.2: CUP 17-0006 – William Inskip – Resolution 2017-009 - Request to construct a 480 square foot detached garage. A Conditional Use Permit is being requested because Section 153.032(F) of the Riverbank Municipal Code requires a use permit for the construction of accessory structures which do not meet the requirements of Section 153.031(B). The Project is exempt from the requirements of CEQA Guidelines pursuant to Section 15332 (a-e) Class 32, In-fill Development Projects. Property is located at 3954 Prince Andrew Drive, APN 075-038-015 and is zoned Single Family Residential (R-1). The General Plan designation for the site is Low Density Residential (LDR).

Recommendation: Approval by roll call vote

Item 4.3: Architecture and Site Plan Review 17-0003 – Lucky House Restaurant – Resolution 2017-010 - Request for an Architectural and Site Plan Review to demo existing and proposing a new restaurant with two office suites totaling 3,770 square feet, outdoor seating, off-site improvements and landscaping. Property is located at 2730 Patterson Road, APN: 075-010-062 within a CX-1 Mixed Use Zoning District. The General Plan designation for the site is Mixed Use (MU).

Recommendation: Approval by roll call vote

5. PLANNING COMMISSION

None.

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

6.1: Riverbank Waterfall Sign

7. UP-COMING MEETING AGENDA ITEMS (Information Only – No Action)

7.1: Accessory Dwelling Units

8. ADJOURNMENT – The next regular Planning Commission meeting – June 20, 2017 @ 6:00 p.m.

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

AFFIDAVIT OF POSTING

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

*Posted this 12th day of May, 2017
Janet Smallen, Sr. CDS*

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

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

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

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

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

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

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

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City of Riverbank Development Services Department

Planning Division ≈ Building Division ≈ Neighborhood Improvement Division

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

PUBLISH DATE: May 3, 2017

LEGAL DEPT: PLANNING

CITY OF RIVERBANK **NOTICE OF PUBLIC HEARING**

Notice is hereby given that the City of Riverbank Planning Commission will conduct a public hearing to consider the request for an Architectural and Site Plan Review, described below at 6:00 p.m. on Tuesday May 16, 2017, in Council Chambers 6707 Third Street, Riverbank, California.

Project Descriptions:

- 1. Narcisco and Adela Hernandez / Parcel Map 17-0002. Project Description:** The applicant is requesting to divide an existing parcel containing one dwelling unit into two parcels. The Project is exempt from the requirements of CEQA Guidelines pursuant to Section 15315 Minor Land Divisions. Property is located at 3625 Kansas Street, APN 132-054-034 and is zoned Single Family Residential (R-1). The General Plan designation for the site is Low Density Residential (LDR).
- 2. Lucky House Restaurant - Architecture & Site Plan Review 17-0003. Project Description:** Request for an Architectural and Site Plan Review to demo existing and proposing a new restaurant with two office suites totaling 15,681 square feet, outdoor seating, off-site improvements and landscaping. Property is located at 2730 Patterson Road, APN: 075-010-062 within a CX-1 Mixed Use Zoning District. The General Plan designation for the site is Mixed Use (MU).
- 3. William Inskip - CUP 17-0006 - Project Description:** Request to construct a garage. A Conditional Use Permit is being requested because Section 153.032(F) of the Riverbank Municipal Code requires a use permit for the construction of accessory structures which do not meet the requirements of Section 153.031(B). The Project is exempt from the requirements of CEQA Guidelines pursuant to Section 15332 (a-e) Class 32, In-fill Development Projects. Property is located at 3954 Prince Andrew Drive, APN 075-038-015 and is zoned Single Family Residential (R-1). The General Plan designation for the site is Low Density Residential (LDR).

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

Planning Commission Meeting
May 16, 2017 at 6:00 pm
City Hall Council Chambers - 6707 Third Street - Riverbank, California

ALL INTERESTED PARTIES are invited to attend the public hearing on **May 16, 2017** at the time and place specified above to express opinions or submit evidence for or against the subject matter being considered. Written comments via e-mail to dkenney@riverbank.org by postal service, or hand delivered to **6707 Third Street, Suite A, Riverbank, California, 95367**, will be accepted by the Development Services Department up to 5:00 p.m. on said date. All written comments received by said time will be distributed to the Planning Commission for consideration. Oral comments will be received by the Planning Commission prior to the close of the Public Hearing on the subject matter being considered. The Planning Commission will receive all testimony prior to taking action. Testimony cannot be given over the telephone. If you challenge the City's action on these matters in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the City at, or prior to, the public hearing.

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

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

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May 3, 2017

RN #17-048



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

MINUTES
Tuesday, March 21, 2017

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

CALL TO ORDER/ROLL CALL:

Present: Chair McKinney, Vice Chair King, Commissioner Stewart, Commissioner Tabacco
Commissioner Villapudua

Absent: Commissioner: None

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

No one declared a conflict.

1. PUBLIC COMMENTS (No action to be taken)

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

None

2. CONSENT CALENDAR

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

Item 2.1: Posting of the March 21, 2017, Planning Commission Meeting.

ACTION: *By motion moved/second (Stewart / King / passed 5-0) was approved as submitted; motion carried by unanimous roll call vote.*

Ayes: Planning Commissioners: Stewart, King, McKinney, Tabacco and Villapudua

Nays: None

Absent: None

Abstained: None

Item 2.2: The Agenda for the March 21, 2017, Planning Commission Meeting.

ACTION: *By motion moved/second (Stewart / King / passed 5-0) was approved as submitted; motion carried by unanimous roll call vote.*

Ayes: Planning Commissioners: Stewart, King, McKinney, Tabacco and Villapudua

Nays: None

Absent: None

Abstained: None

Item 2.3: The Minutes of the February 21, 2017 Planning Commission Meeting.

ACTION: By motion moved/second (King / Tabacco / passed 4-0) was approved as amended; motion carried by unanimous roll call vote.

Amendment: To Minutes of February 21, 2017 item 4.4: Commissioner Stewart would like to see rental property owners responsible for maintenance of their properties outside.

Ayes: Planning Commissioners: Stewart, Tabacco, McKinney and King

Nays: None

Absent: None

Abstained: Planning Commissioner: Villapudua

Item 2.4: Approval of Extension of Tentative Map 01-2014 for Mark Wilbur / Diamond Bar West. Request to extend the Tentative Map for 120 days, Resolution #2071-004.

ACTION: By motion moved/second (Stewart / King / passed 5-0) was approved as submitted; motion carried by unanimous roll call vote.

Ayes: Planning Commissioners: Stewart, King, McKinney, Tabacco and Villapudua

Nays: None

Absent: None

Abstained: None

Item 2.5: Approval of Extension of Tentative Map 02-2014 for Cary Pope / Diamond Bar East. Request to extend the Tentative Map for 24 months, Resolution #2071-005.

ACTION: By motion moved/second (Stewart / King / passed 5-0) was approved as submitted; motion carried by unanimous roll call vote.

Ayes: Planning Commissioners: Stewart, King, McKinney, Tabacco and Villapudua

Nays: None

Absent: None

Abstained: None

3. PRESENTATIONS – (Informational Only-No Action)

Item 3.1: Stanislaus County Dibs Program presentation by - Kari McNickle

- Kari McNickle's presented power point on the Dibs Program and answered any questions staff or public had in regards to the program.

4. PUBLIC HEARINGS

Item 4.1: Development Agreement No. 01-2015 / Reso# 2017-006 – Hayes 4, Phase 1 Tentative Map

– Project Description: The project consists of a Development Agreement to clarify the original conditions of map approval specific to Phase 1, extend the map life, and set forth criteria for the ultimate development of a future Paseo between Claus Road and Central Avenue. The project is comprised of 9.36 acres and would result in 43 to 45 single-family detached residential lots of about 5,000 square feet, for an overall density between 4.59 and 4.801 dwelling units per acre (du/acre), three (3) storm drainage/park basins to be known as a Central Paseo, associated street, sewer, water, and storm drainage improvements. The project has a General Plan Land Use Designation of Low Density Residential (LDR) and is Zoned Planned Development (P-D). **Location:** The proposed project is bounded by Claus Road and Central Avenue to the east, south of California Avenue. APN: 062-022-019 and 022. Pursuant to the California Environmental Quality Act (CEQA), an Initial Study has been prepared by the Lead Agency (City of Riverbank). This Initial Study (IS) has been circulated to the Governor's Office of Planning and Research (OPR) for consultation with other Responsible Agencies as SCH# 2016092001. The review period for the Initial Study closed on September 30, 2016 and all comments received have been incorporated into the revised IS presented in the Public Hearing. Based on the IS it has been determined that the proposed Project would not have a significant effect on the environment.

- Donna M. Kenney, Building and Planning Manager presented item 4.1 and John B. Anderson consultant with JB Anderson Land Use Planning presented the power point.
- After power point presentation Mr. Anderson asked the Planning Commission if they had any comments.
- Planning Commissioners asked Mr. Anderson questions pertaining to the project and the connectivity of the project was a concern to them.
- Mr. Anderson responded to the Planning Commissions comments and questions they had.
- Chair McKinney opened the public hearing at 6:59 p.m.
- Al Toschi project engineer spoke on behalf of project.
- Being there were no further comments the public hearing was closed at 7:04 p.m.
- Planning Commission discussed item 4.1 and Commission Tabacco stated he believes the project should keep access to the south.

ACTION: *By motion moved/seconded (King / McKinney / passed 4-1) was approved as submitted; motion carried by roll call vote.*

Ayes: Planning Commissioners: Stewart, McKinney, King and Villapudua

Nays: Tabacco

Absent: None

Abstained: None

Item 4.2: Galaxy Theatre, LLC - Conditional Use Permit No. 01-2017 / Reso# 2017-007 – Project

Description: Request to modify CUP 01-2013 / Resolution 2013-006 to (License Type 47 – On-Sale General Eating Place) and serve hard spirit mixed drinks. Property is located at 2525 Patterson Rd., APN: 075-008-029, within a C-2 General Commercial Zoning District.

- Donna M. Kenney, Building and Planning Manager presented item 4.2 and power point.
- Planning Commission had no comments.
- Chair McKinney opened the public hearing at 7:12 p.m.
- Rich Holmer consultant for Galaxy Theater spoke on behalf of the project.
- Rich Holmer introduced the new general manager to the Planning Commission, Donnie Gile. Mr. Gile introduced himself and gave a background of his experience and the training he has in serving alcohol.
- Planning Commission ask some questions to the license type they were requesting.

- Rich Holmer responded to the Planning Commission and stated that the Planning Commission could put a condition to the CUP. That they just want to add premade slushy/icy margarita and daiquiri machines.
- Planning Commission asked some additional questions.
- Rich Holmer responded to their questions.
- Being there were no further comments the public hearing was closed at 7:42 p.m.

ACTION: By motion moved/seconded (Stewart / Tabacco / passed 5-0) was approved as amended; motion carried by unanimous roll call vote.

Amendment: To Resolution 2017-007, item 9 – The retail sale of alcoholic beverages shall be by the glass. Hard spirits shall be limited to preblended ice drinks in a slushy-type machine. Any expansion of hard spirits use shall require Planning Commission review and approval.

Ayes: Planning Commissioners: Stewart, Tabacco, McKinney, King and Villapudua

Nays: None

Absent: None

Abstained: None

Continued Item 4.3: Revocation of Conditional Use Permit No. 05-2007 and Business License - Action on Code Enforcement Case #2015-0209 for 209 Concepts Reso# 2016-020 Revoking CUP & Business Lic. and/or Reso# 2016-021 CUP & Business Lic. – Project Description: Repeated violations of the City's zoning code and conditions of approval of CUP 05-2007 have resulted in the City's decision to move forward to revoke the conditional use permit and/or business license on the property. Business owner was given a 30 day extension by the Planning Commission at the December 20, 2016 meeting, another 30 day extension at the January 17, 2017 meeting, and a final 30 day extension at the February 21, 2017 meeting to abate the remaining violations. Property is located at 6607 Callander Avenue, APN: 075-004-046.

- Donna M. Kenney, Building and Planning Manager presented item 4.3 and power point.
- Public hearing was opened at 7:49 p.m.
- Business owner of 209 Concepts Nicolas Lopez spoke on behalf of his business and that he has met all the conditions by the Planning Commission.
- Being there were no further comments the public hearing was closed at 7:51 p.m.
- Planning Commission discussed item 4.3 and added into resolution 2016-021 that staff is directed to bring this item back to the Planning Commission on a date uncertain but no later than six (6) months (September 19, 2017) for review to assure continued compliance.

ACTION: By motion moved/seconded (McKinney / Villapudua / passed 5-0) was approved as amended; motion carried by unanimous roll call vote.

Amendment: To Resolution 2016-021, that staff is directed to bring this item back to the Planning Commission on a date uncertain but no later than six (6) months (September 19, 2017) for review to assure continued compliance

Ayes: Planning Commissioners: Stewart, Tabacco, McKinney, King and Villapudua

Nays: None

Absent: None

Abstained: None

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

Item 5.1: Commissioner Stewart informed the Commission of the passing of former Planning Commissioner Bess Tollefson, who had served for many years on the Planning Commission Board. She will be greatly missed and our condolences go out to her family and friends.

Item 5.2: Planning Commissioners commented on the Annual Stanislaus County Planning Commissioners Workshop they attended on March 18, 2017.

- Those that attended stated it was a very good workshop and enjoyed the presentation.

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

None

7. UP-COMING MEETING AGENDA ITEMS (Information Only – No Action)

None

8. ADJOURNMENT – There being no further business, the meeting was adjourned.

ATTEST:

Donna M. Kenney
Recording Secretary

APPROVED:

Anthony McKinney, Chair
Planning Commissioner

**CITY OF RIVERBANK
PLANNING COMMISSION
STAFF REPORT**

ITEM NO: 4.1 **May 16, 2017**

APPLICATION: **Tentative Parcel Map Application 17-0002. Project Description:** Request to subdivide an existing 18,480 square foot parcel of land into two (2) parcels consisting of Parcel 1 – 9,957.5 square feet and Parcel 2 – 8,522.5 square feet. Parcel 2 contains an existing 1,747 square foot single family residential dwelling unit and Parcel 1 is vacant. Property is located at 3625 Kansas Avenue, APN 132-054-034 and is zoned R-1 (Single-Family Residential). The General Plan designation for the site is LDR (Low Density Residential).

OWNER: Narcisco and Adela Hernandez
3625 Kansas Avenue
Riverbank, CA 95367

APPLICANT/ENGINEER: David L. Harris
Aspen Survey Company, Inc
1121 Oakdale Road, Suite 6
Modesto, CA 95355

LOCATION/APN: 3625 Kansas Avenue, APN 132-054-034

GENERAL PLAN: Low Density Residential (LDR)

ZONING: Single-Family Residential (R-1)

ENVIRONMENTAL DETERMINATION: Pursuant to the California Environmental Quality Act, the proposed Tentative Parcel Map meets the conditions prescribed by CEQA Section 15315 (Class 15, Minor Land Divisions) for an exemption.

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

RECOMMENDATION: Approval of the request to subdivide the subject parcel is recommended based on General Plan and Zoning Consistency findings.

ACRONYMS:	CEQA – California Environmental Quality Act
	RMC – Riverbank Municipal Code
	LDR – Low Density Residential
	R-1 – Single-Family Residential District
	ROW – Right of Way
	SF – Square Foot or Feet

I. EXECUTIVE SUMMARY

The proposed project consists of a request to subdivide an existing 18,480 square foot (sf) parcel of land into two (2) parcels consisting of Parcel 1 – 9,957.5 sq. ft. and Parcel 2 – 8,522.5 sq. ft. Parcel 2 contains an existing 1,747 sf single family residential dwelling unit while Parcel 1 remains vacant. The property is zoned R-1 (Single-Family Residential). The General Plan designation for the site is LDR (Low Density Residential). City services currently serving the site will remain unchanged including water and sewer.

II. BACKGROUND AND ANALYSIS

Narcisco and Adela Hernandez are the owners of a 18,480 sq. ft. property located at 3625 Kansas Avenue. They desire to do a “lot split” or Tentative Parcel Map to create two (2) parcels from one (1) parcel.

A. Development Standards

Lot Size

The proposed Tentative Parcel Map would subdivide an existing 18,480 sq. ft. parcel of land into two (2) parcels. Minimum lot area, as prescribed by the Riverbank Municipal Code (RMC), is 6,000 sq. ft. According to the Site Plan, the proposed subdivision meets minimum lot size requirements: Parcel 1 is 9,957.5 sq. ft. and Parcel 2 is 8,522.5 sq. ft.

Lot Width

Minimum lot width for an interior lot is 60 feet. According to the Site Plan, the proposed subdivision meets this requirement, as Parcel 1 has a proposed width of approximately 71 feet (South property line) and 71.5 feet (North property line) and Parcel 2 has a proposed width of 61 feet (South property line) and 60.75 feet (North property line).

B. General Plan Consistency Findings

Policy CONS-8.6: “The City will encourage compact development to achieve more efficient use of resources and provision of public facilities and services.”

Allowing a tentative parcel map will double the dwelling units on this site.

III. ENVIRONMENTAL DETERMINATION

Pursuant to the California Environmental Quality Act, staff has determined that the proposed Parcel Map is exempt pursuant to Section 15315 (Class 15) of the State CEQA Guidelines. The proposed Parcel Map meets the conditions prescribed by CEQA Section 15315 in that the project is a division of property in an urbanized area zoned for residential use into four (4) or fewer parcels when the division is in conformance with the General Plan and Zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous two (2) years, and the parcel does not have an average slope of over twenty (20) percent.

IV. FISCAL IMPACT

This project will have a minor fiscal impact. Once the final map is recorded, Parcel 1 can be developed, bringing in impact fees and additional property taxes.

V. PUBLIC NOTICE

The Planning Commission hearing notice was published in the Riverbank News on May 3, 2017 and posted at City Hall North, South, Post Office, and website on May 3, 2017. In addition, the Applicant posted a Notice of Development Permit Application at 6125 Roselle Avenue on April 28, 2017 and notices were distributed to residents and business within 300-feet of the Project site in accordance with City standard practices on May 3, 2017. At the time of writing this Staff Report (May 10, 2017), the City has not received any written public comment. Written comments received by the City shall be supplied to the Commission on the day of the meeting.

VI. RECOMMENDATION

Approval of the request to subdivide the subject parcel is recommended based on General Plan and Zoning Consistency findings.

ATTACHMENTS: 1. Planning Commission Resolution No. 2017-008
Exhibit A - Tentative Parcel Map No. 17-0002

Respectfully Submitted By:

Donna M. Kenney
Donna M. Kenney
Planning and Building Manager

**City of Riverbank
Planning Commission
Resolution No. 2017-008**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
RIVERBANK APPROVING THE REQUEST OF NARCISCO AND ADELA
HERNANDEZ FOR TENTATIVE PARCEL MAP 17-0002 TO SUBDIVIDE
ONE (1) 18,840 SQUARE FOOT PARCEL INTO TWO (2) PARCELS,
LOCATED AT 3625 KANSAS AVENUE (APN 132-054-034)**

WHEREAS, an application has been received from Narcisco and Adela Hernandez for a Tentative Parcel Map to divide one (1) 18,840 square foot parcel into two (2) parcels, specifically sized as follows:

Parcel 1: 9,957.5.4 square feet

Parcel 2: 8,522.5 square feet; and

WHEREAS, the proposed tentative map is consistent with General Plan Conservation Element Policy 8.6, which states: "The City will encourage compact development to achieve more efficient use of resources and provision of public facilities and services"; and

WHEREAS, Tentative Parcel Map 17-0002 was reviewed by the Riverbank Planning Commission at a regular meeting held on May 16, 2017 in the manner prescribed by law; and

WHEREAS, The Planning Commission did consider a proposed Exemption pursuant to the California Environmental Quality Act and considers this to be the appropriate level of environmental review in this case. The Planning Commission finds that the proposed project meets the conditions prescribed in Section 15315 (Class 15, Minor Land Divisions) of the State CEQA Guidelines; and

WHEREAS, The Riverbank Planning Commission approves the requested Tentative Parcel Map as prepared by David L. Harris of Aspen Survey Company and dated April 20, 2017, presented by Narcisco and Adela Hernandez as depicted in attached Exhibit "A", incorporated herein as a part of this Planning Commission Resolution; and

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

- A. The project is consistent with the General Plan in that the project directly implements General Plan Conservation Policy 8.6. During the Planning Commission public hearing of May 16, 2017, the City found the proposed project to be consistent because it encourages more compact development.
- B. Notice to the general public and adjoining neighbors in the time and in the manner required by State Law and City Code.

- C. According to the California Environmental Quality Act, the proposed project is exempt pursuant to Section 15315 (Class 15, Minor Land Divisions) of the State CEQA Guidelines. The proposed Project meets all conditions prescribed by CEQA Section 15315.
- D. The approval of the Tentative Parcel Map 17-0002 for the establishment of subdivision of one (1) 18,480 square foot parcel into two (2) parcels will not be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood in that proposed are similar to, and compatible with, neighboring uses in the area.

WHEREAS, the request for a Tentative Parcel Map is approved by the Planning Commission of the City of Riverbank, subject to the following conditions:

1. Prior to final map, applicant shall comply with the City of Riverbank Standard Conditions as contained in the Planning Commission Resolution 2013-014 and/or receive confirmation from the Community Development Director that a specific condition or conditions does not apply to the subject property;
2. A complete set of improvement plans shall be submitted and approved prior to the recording of the final map;
3. The improvements shall be installed and accepted prior to recording the final map or a suitable improvement security provided;
4. All overhead utilities shall be undergrounded to each parcel and along the project frontage;
5. The lot shall be graded to conform to the City's storm drainage ordinance and shall meet the MS4 post construction standards;
6. A landscaping plan conforming to the current MWELo standards is required to be submitted, approved and installed before building permit final;
7. An encroachment permit is required for all work in the public right of way; and
8. Submittals of all materials to be used within the public right of way shall be submitted and approved prior to construction.

NOW THEREFORE, BE IT RESOLVED by the City of Riverbank Planning Commission approves Tentative Parcel Map No. 17-0002, subject to those conditions established by Resolution No. 2017-008 and to be recorded as illustrated in Exhibit "A" to this Resolution for Narcisco and Adela Hernandez dated April 20, 2017.

PASSED AND ADOPTED by the Planning Commission of the City of Riverbank at a meeting held on the 16th of May, 2017; motioned by Commissioner _____, seconded by Commissioner _____, and upon roll call was carried by the following vote of ____-____:

AYES: Commissioners:

NOES:

ABSENT:

ABSTAIN:

Attest:

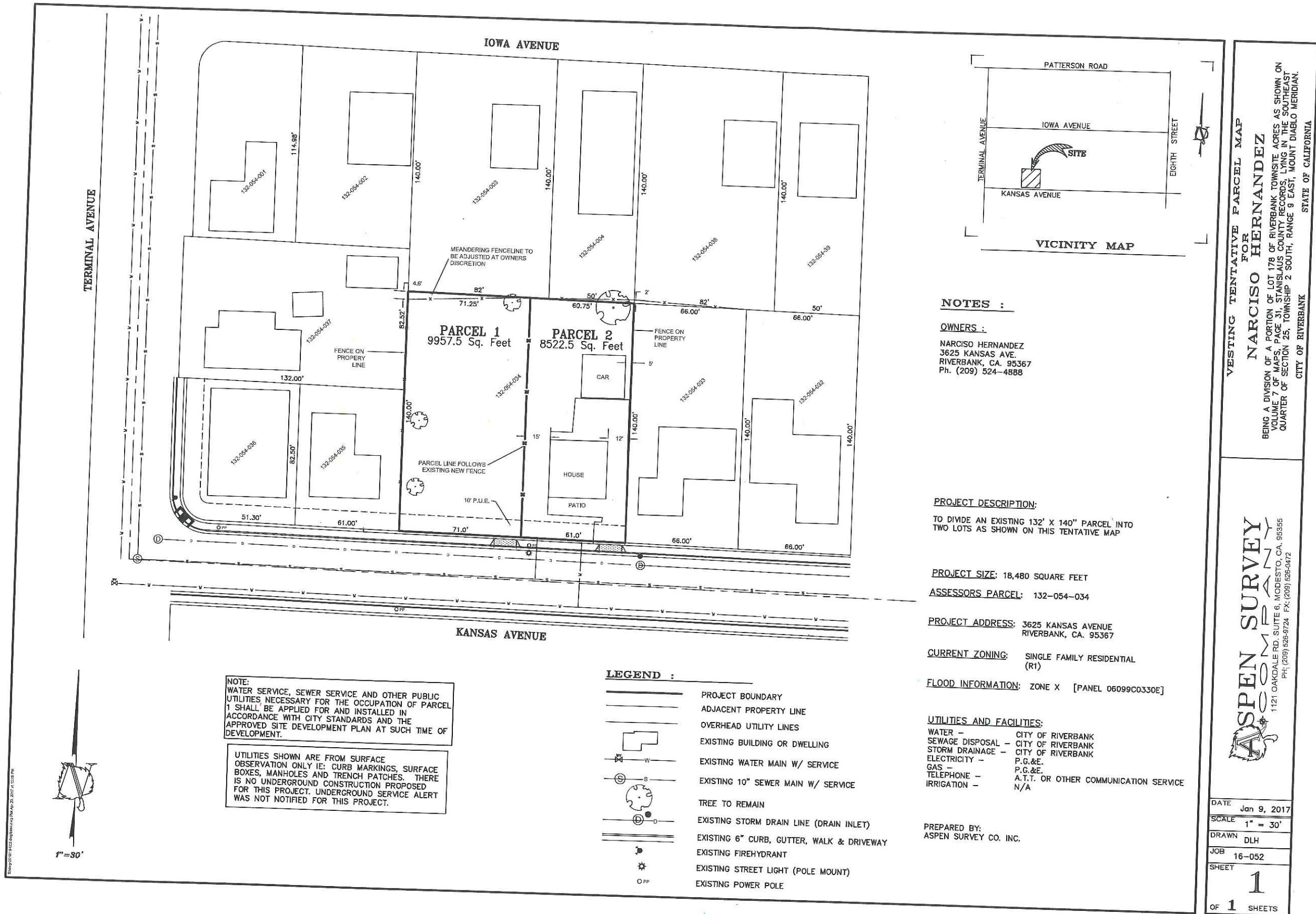
Approved:

Donna M. Kenney
Planning and Building Manager

Anthony McKinney, Chairperson
Planning Commission

Exhibits: A – Tentative Parcel Map prepared by Aspen Survey Company and dated 4-20-17.

EXHIBIT A



**CITY OF RIVERBANK
PLANNING COMMISSION
STAFF REPORT**

ITEM NO:	4.2	May 16, 2017
APPLICATION:	Conditional Use Permit 17-0006, William Inskip, for the construction of a detached accessory building, located at 3954 Prince Andrew Drive; APN: 075-038-015.	
LOCATION:	3954 Prince Andrew Drive; APN: 075-038-015	
GENERAL PLAN:	Low Density Residential (LDR)	
ZONING:	Single-Family Residential (R1)	
ENVIRONMENTAL DETERMINATION:	The proposed project will not have a significant effect on the environment and is categorically exempt under Article 19 Section 15332 (a-e), Class 32, In-Fill Development Projects.	
PROJECT PLANNER:	Donna M. Kenney, Planning and Building Manager	
RECOMMENDATION:	Approval of Conditional Use Permit Application 17-0006 to develop a detached accessory structure of approximately 480 square feet for a garage for property located at 3954 Prince Andrew Drive in a Single-Family Residential (R-1) Zoning District subject to the conditions of approval in Attachment 1 Resolution 2017-009 and subject to Attachment 2 Site, Floor and Elevation Plans.	
ACROMYMS:	CEQA – California Environmental Quality Act SF – Square Feet or Foot	

I. EXECUTIVE SUMMARY:

The applicant, William Inskip is seeking a use permit to allow the construction of a 480 square foot (“sf”) accessory building within the Single-Family Residential (R-1) zoning district. The General Plan Land Use Designation is Low Density Residential. This accessory building is a single story building and the proposed use is for covered parking and hobbies.

II. ANALYSIS

A Conditional Use Permit is being requested because Section 153.032(F) of the Riverbank Municipal Code requires a use permit for the construction of accessory structures which do not meet the requirements of Section 153.031(B). Section 153.031(B) states that accessory buildings are normally incidental to a single-family dwelling provided that such buildings are constructed concurrent with, or subsequent to the construction of the single-family dwelling. **NORMALLY INCIDENTAL** shall be deemed to mean that, in addition to a two car garage (either attached or detached), the size of the accessory building does not exceed 20% of the living area of the dwelling. The 480 sq. ft. accessory structure is 38.15% of the living area of the Residential Dwelling of 1,258 sq. ft.

As stated above, the proposed use for the building is primarily for enclosed parking and hobbies and it is located at the rear of the property near an existing swimming pool (Exhibit A). The accessory building is proposed to be 20 ft long and 24 ft wide and the pitched roof will be at the height of 19 ft. The project is surrounded by primarily single story residential dwelling units.

The building will feature a roll up vehicle door and a man door with decorative lighting fixture on the north side of the building. The east elevation, which faces the interior of the backyard, proposes three (3) windows. The west elevation, which faces the next door neighbor's back yard, and the south elevation, which faces a large underdeveloped lot, show no windows or doors at all. The color and trim (pale yellow with white trim) will match the residential unit on site. Exterior materials and roof materials will match the house as well, with siding and tile roofing, respectively. The building location will meet all setback requirements.

Pursuant to RMC 153.216 (C), in order to grant any use permit, the applicant must introduce evidence in support of his application sufficient to enable the Planning Commission to find that the establishment, maintenance or operation of the use or building applied for will not, under the circumstances of the particular case, be detrimental to the health, safety, and general welfare of persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City. The structure will be located at the rear of the lot (Attachment 2). The west side and rear of the structure propose no windows that view neighboring yards.

III. ENVIRONMENTAL DETERMINATION

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

IV. PUBLIC NOTICE

The Planning Commission hearing notice was published in the Riverbank News on May 3, 2017 and posted at City Hall North and South on May 3, 2017. In addition, the Applicant posted a Notice of Development Permit Application at 3954 Prince Andrew Drive on May 3, 2017 and notices were

distributed to residents and business within 300-feet of the Project site in accordance with City standard practices.

V. PUBLIC COMMENT

At the time of writing this Staff Report (May 10, 2017), the City has not received any public comment. Written comments received by the City shall be supplied to the Commission at the day of the meeting and read into the public record.

VI. RECOMMENDATION:

Find that the project is categorically exempt under Class 3, State CEQA Guidelines 15303, and approve the request of William Inskip for Conditional Use Permit 17-0006 subject to the conditions of approval in Resolution 2017-009 and subject to the attached Site, Floor and Elevation Plans (Exhibit A).

Respectfully Submitted By:

Donna M. Kenney
Donna M. Kenney
Planning and Building Manager

ATTACHMENTS:

1. Resolution No. 2017-009
Exhibit A - Site, Floor and Elevation Plans
2. Project Location Map

**City of Riverbank
Planning Commission
Resolution No. 2017-009**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF RIVERBANK
APPROVING THE REQUEST OF WILLIAM INSKIP FOR CONDITIONAL USE
PERMIT APPLICATION NO. 2017-0006 FOR THE CONSTRUCTION OF A 480
SQUARE FOOT DETACHED ACCESSORY BUILDING WITHIN THE SINGLE-
FAMILY RESIDENTIAL (R-1) ZONING DISTRICT AT 3954 PRINCE ANDREW DRIVE,
APN: 075-038-015**

WHEREAS, the Community Development Department of the City of Riverbank has heretofore held a duly noticed public hearing, as required by law, on the requested Use Permit, in accordance with the Riverbank Municipal Code, Section 153.360-153.374; and

WHEREAS, the project proponent is William Inskip; and

WHEREAS, the applicant is requesting the construction of a 480 square foot detached accessory building within the Single-Family Residential (R-1) zoning district; and

WHEREAS, the property has a general plan designation of Low Density Residential; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred; and

WHEREAS, the proposed Use Permit is consistent with all applicable general and specific plans; and,

WHEREAS, the proposed Conditional Use Permit with the conditions of approval is in conformity with both the intent and provisions of the Zoning Ordinance, RMC 153.216 (c) of the City of Riverbank Code of Ordinances; and,

WHEREAS, the project was found to be categorically exempt according to the California Environmental Quality Act, §15332, Article 19, Class 32 in that the proposed project is characterized as in-fill development meeting the conditions described in § 15332(a-e).

WHEREAS, the request of William Inskip for the Conditional Use Permit 2017-0006 is hereby granted and approved, subject to the following conditions:

- 1) This approval is dependent upon and limited to the proposals and plans contained, supporting documents submitted, presentations made to staff, Planning Commission and/or City Council as affirmed to by the applicant. Any variation from these plans, proposals, supporting documents or

presentations is subject to review and approval by staff prior to implementation.

- 2) The applicant shall secure and comply with all applicable federal, state and local licenses, permits, authorizations, conditions, agreements, and orders prior to or during construction and operation, as appropriate.
- 3) The applicant shall comply with all regulations and code requirements of the Community Development Director, City Engineer, Building Official, Stanislaus Consolidated Fire Protection District, the Police Chief and any other agencies requiring review of the project. If required, these agencies shall be supplied copies of the final maps, site plans, public improvement plans, grading plans and building plans.
- 4) All conditions of approval for this project shall be written by the project developer on all building permit plan check sets submitted for review and approval. These conditions of approval shall be on, at all times, all grading and construction plans kept on the project site. It is the responsibility of the building developer to ensure that the project contractor is aware of, and abides by, all conditions of approval. Prior approval from the Community Development Director must be received before any changes are constituted in site design, grading, building design, building colors or materials, etc.
- 5) Site plans shall be in substantial conformance to the approved site plan and must be submitted, in English units, to the City Engineering Department for review and approval. Plans shall be prepared, wet signed and sealed by a civil engineer, land surveyor, or architect registered in the State of California and licensed to prepare site plans.
- 6) Should the project be found, at any time, not to be in compliance with any of the Conditions of Approval, or should the applicant construct or operate this development in any way other than specified in the Application or Supporting Documents or presentations to staff, Planning Commission or City Council, as modified by the Conditions of this Approval, then the terms of this Approval shall be considered to be violated.
- 7) Work done by a contractor pursuant to this approval shall not begin before the contractor has been shown by the applicant a copy of this signed resolution and an approved building permit.
- 8) The hours of construction, including equipment warm-up, shall be limited to 7:00 a.m. to 6:30 p.m. on weekdays and 8:00 a.m. to 5:00 p.m. on weekends and legal holidays

- 9) All new construction requires building permits in accordance with all applicable building and fire codes and submission of a plot and grading plan prepared by a registered professional civil engineer showing property lines, building locations, topography and such other data as required by the Community Development Department.
- 10) The applicant shall defend, indemnify and hold harmless the City of Riverbank, its agents, officers, and employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul this approval, or any aspect of the City's consideration of applicant's project. The applicant recognizes and agrees that applicant's voluntary commitment to meet the obligations described in this condition is an integral factor in the City's approval of this project. The intent of this condition is to require the applicant to bear the cost of any and all litigation instituted to overturn or in any way modify the City's approval of this project. Such costs include without limitation, any award of attorney's fees and costs to a prevailing plaintiff or petitioner.
- 11) This approval may be recalled to the Planning Commission for review at any time due to complaints regarding lack of compliance with conditions of approval, traffic congestion, noise generation, or other adverse operating characteristics. At such time, the Commission may revoke the approval or add/modify conditions approval.
- 12) All underground utilities shall be installed in conformance with existing City policy including without limitation the City of Riverbank Subdivision and Zoning Ordinances.
- 13) All improvements, public and private, shall be designed and constructed in accordance with the most recent edition of the Standard Plans and Specifications all applicable state and local ordinances, standards and requirements. Should a conflict arise, the governing specification shall be determined by the City Engineer.
- 14) All vents, gutters, downspouts, flashing, electrical conduits, etc., shall be painted or finished to match the color of the adjacent surface unless otherwise directed by the Planning Commission.
- 15) All exterior light fixtures shall be shown on plans subject to staff review and approval. All lights attached to buildings shall provide a soft "wash" of light against the wall. All building and parking or yard lights shall conform to City Standards and shall compliment the site and building architecture.
- 16) (Projects involving land disturbances of less than five (5) acres) – During

construction activities, the project sponsor shall reduce or prevent to the maximum extent practicable the direct or indirect discharge of any pollutant into the storm drain system utilizing best management practices contained in the California Storm Water Best Management Practices Handbook for Construction Activities. Construction activities include, but are not limited to: watering operations; roadwork and paving operations; concrete and painting; structure construction and painting; construction material storage and handling; construction waste/debris storage and disposal; and, construction equipment/vehicle cleaning, maintenance and fueling operations. The project sponsor is also responsible for training all contractors and subcontractors on the best management practices which are identified in the California Storm Water Best Management Practices Handbook for Construction Activities.

NOW THEREFORE, BE IT RESOLVED by the City of Riverbank Planning Commission that the requested Conditional Use Permit Application 2017-0006 is approved subject to those conditions established by Resolution No. 2017-009 and Exhibit "A" Site, Floor and Elevation Plans.

Passed and adopted by the Planning Commission of the City of Riverbank at a regular meeting held on the 16th of May, 2017, by the following vote ____-____:

AYES: Commissioners:

NOES:

ABSENT:

ABSTAIN:

Attest:

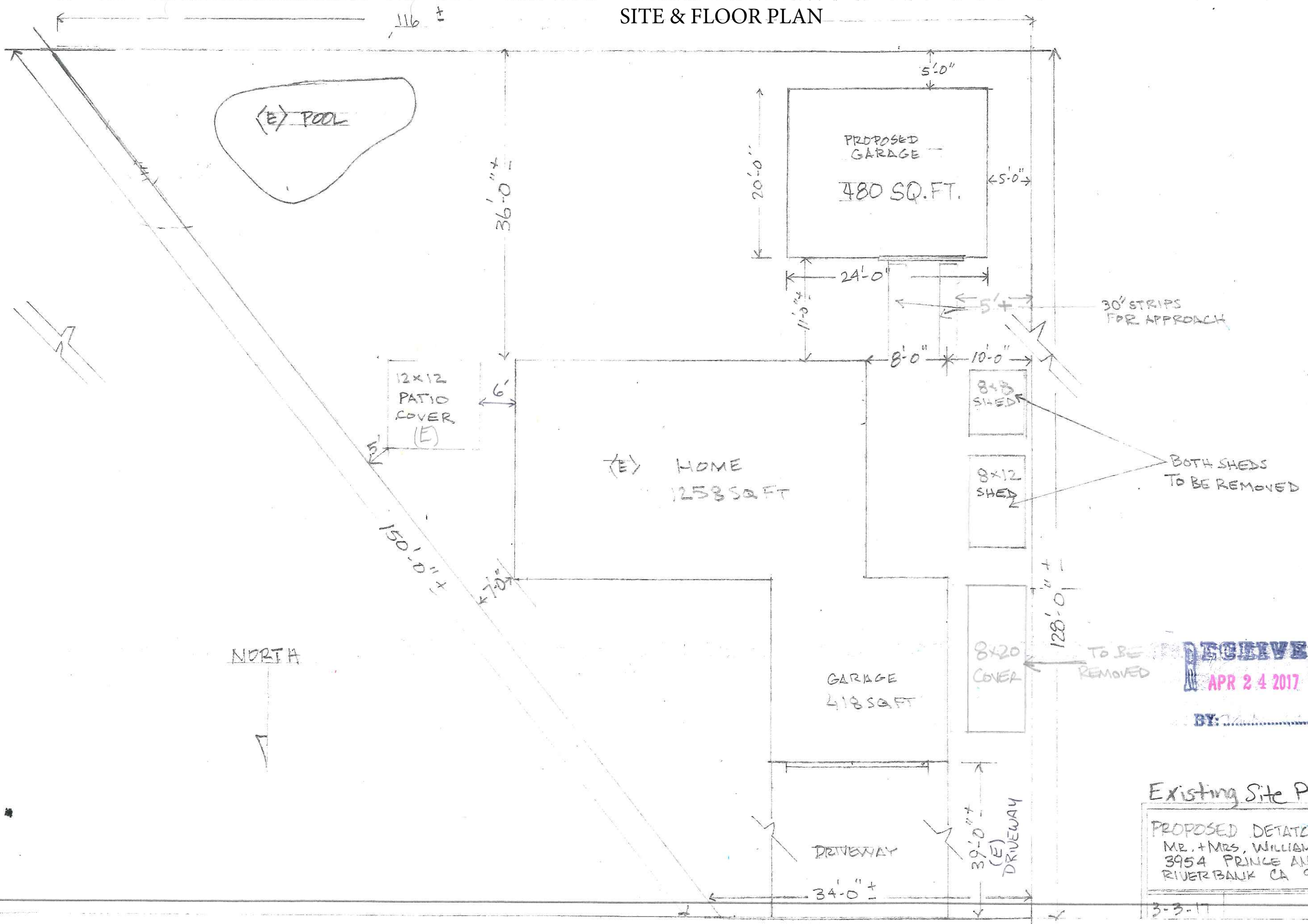
Approved:

**Donna M. Kenney, Secretary
Planning and Building Manager**

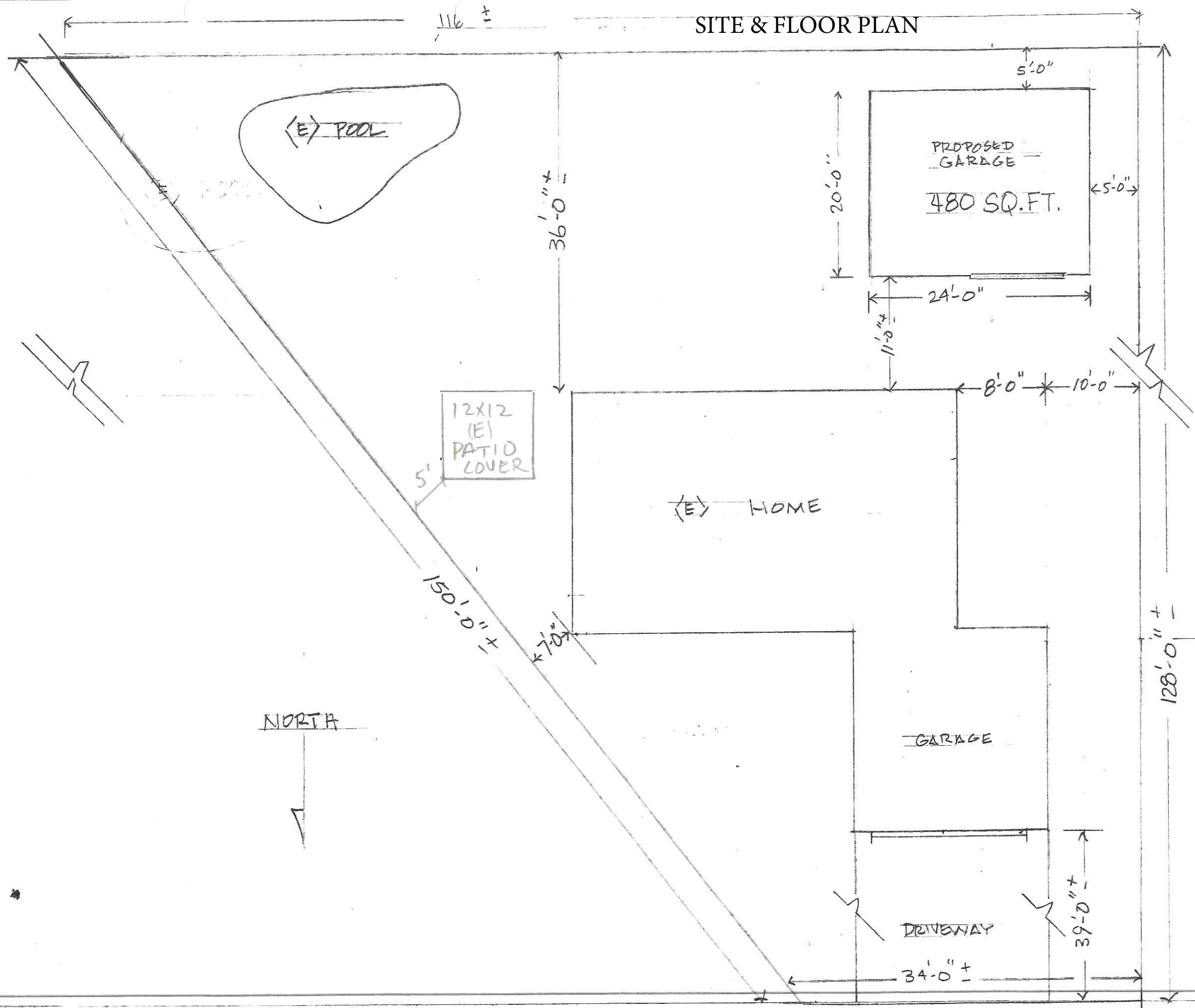
**Anthony McKinney, Chairperson
Planning Commission**

Exhibits: A – Site Plans

SITE & FLOOR PLAN



SITE & FLOOR PLAN



RECEIVED
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BY:

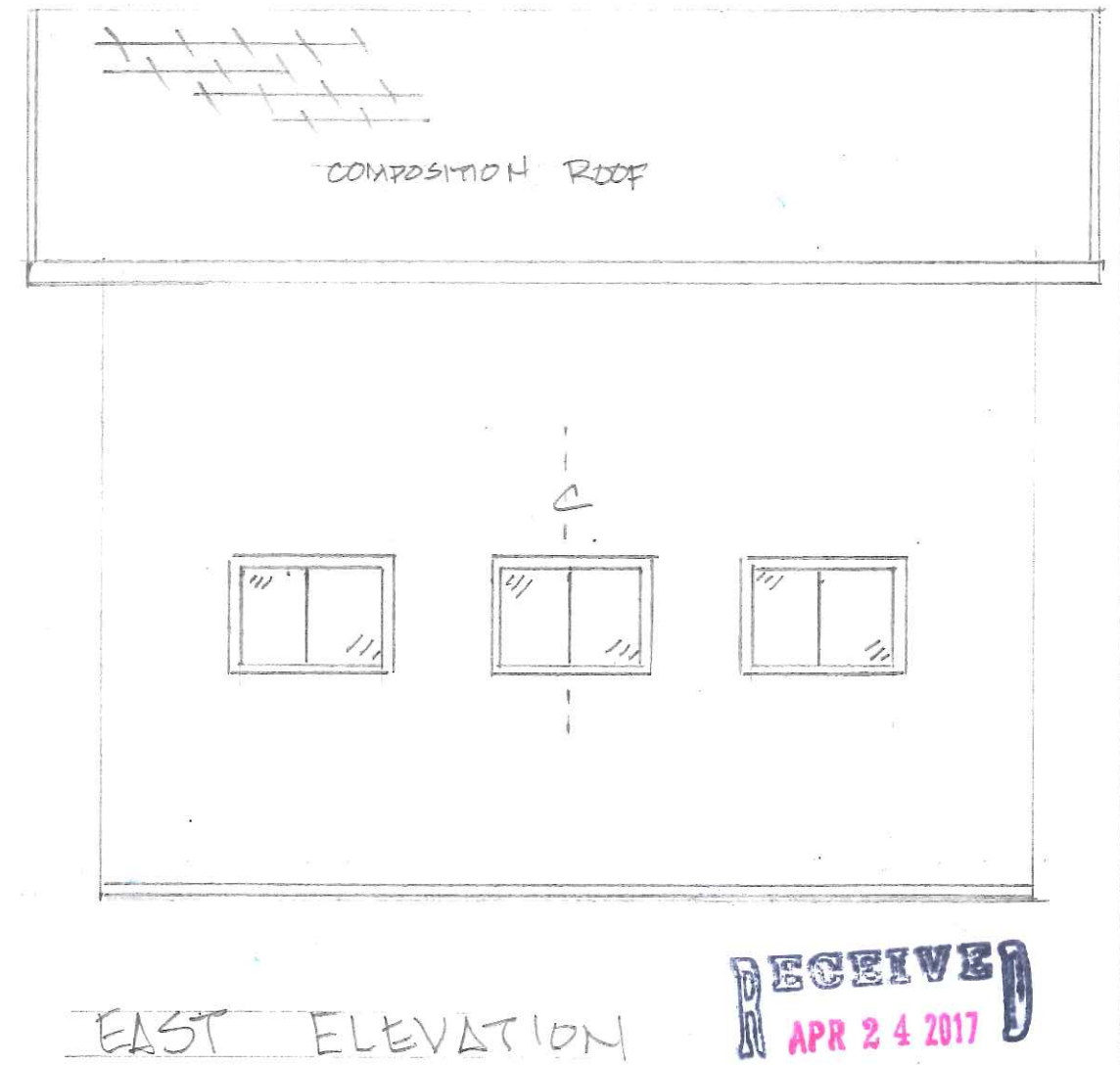
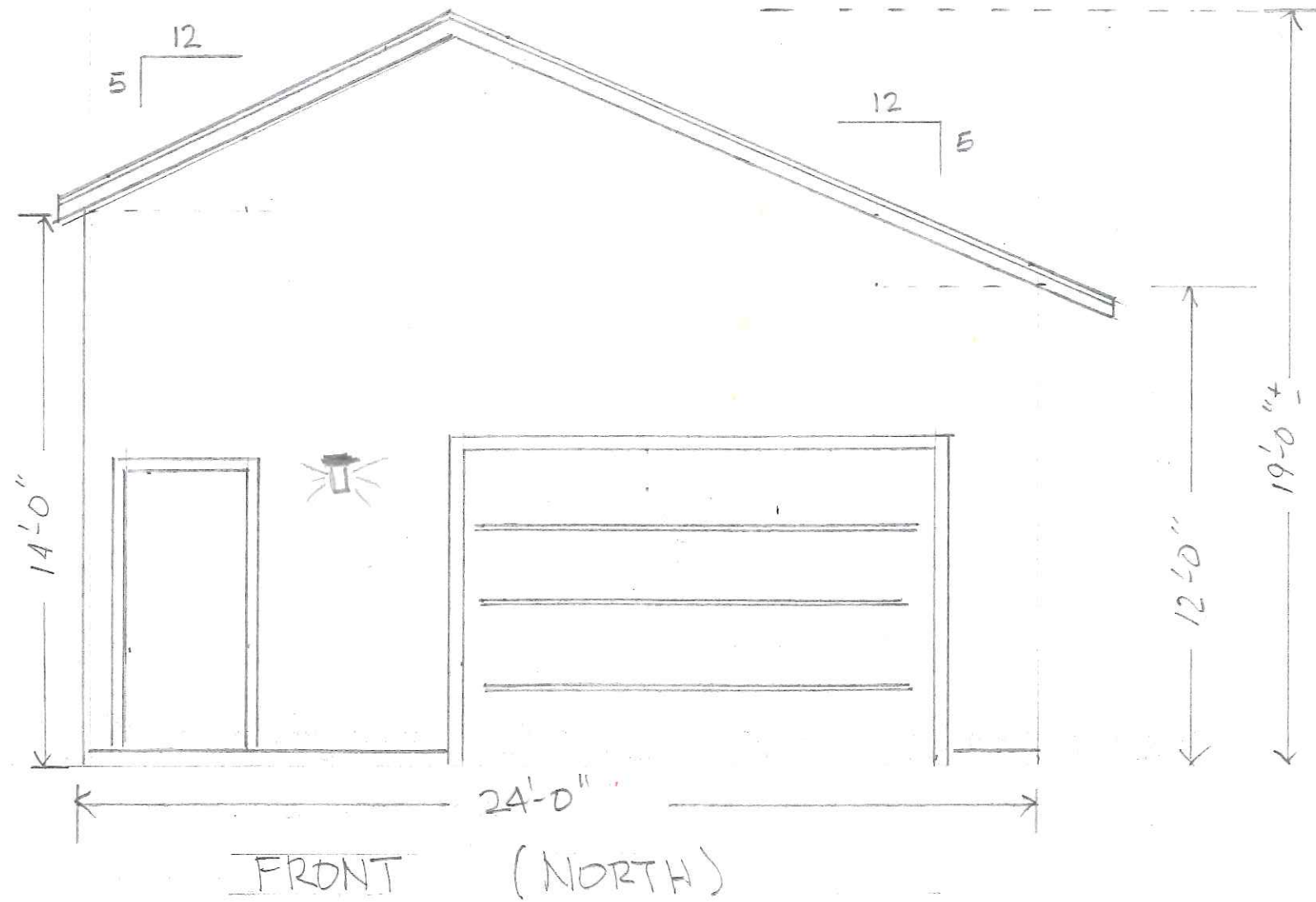
Proposed Site Plan

PROPOSED DETATCH GARAGE
MR. + MRS. WILLIAM INSKIP
3954 PRINCE ANDREW DR.
RIVERBANK CA 95367

3-3-17

SCALE 3/32

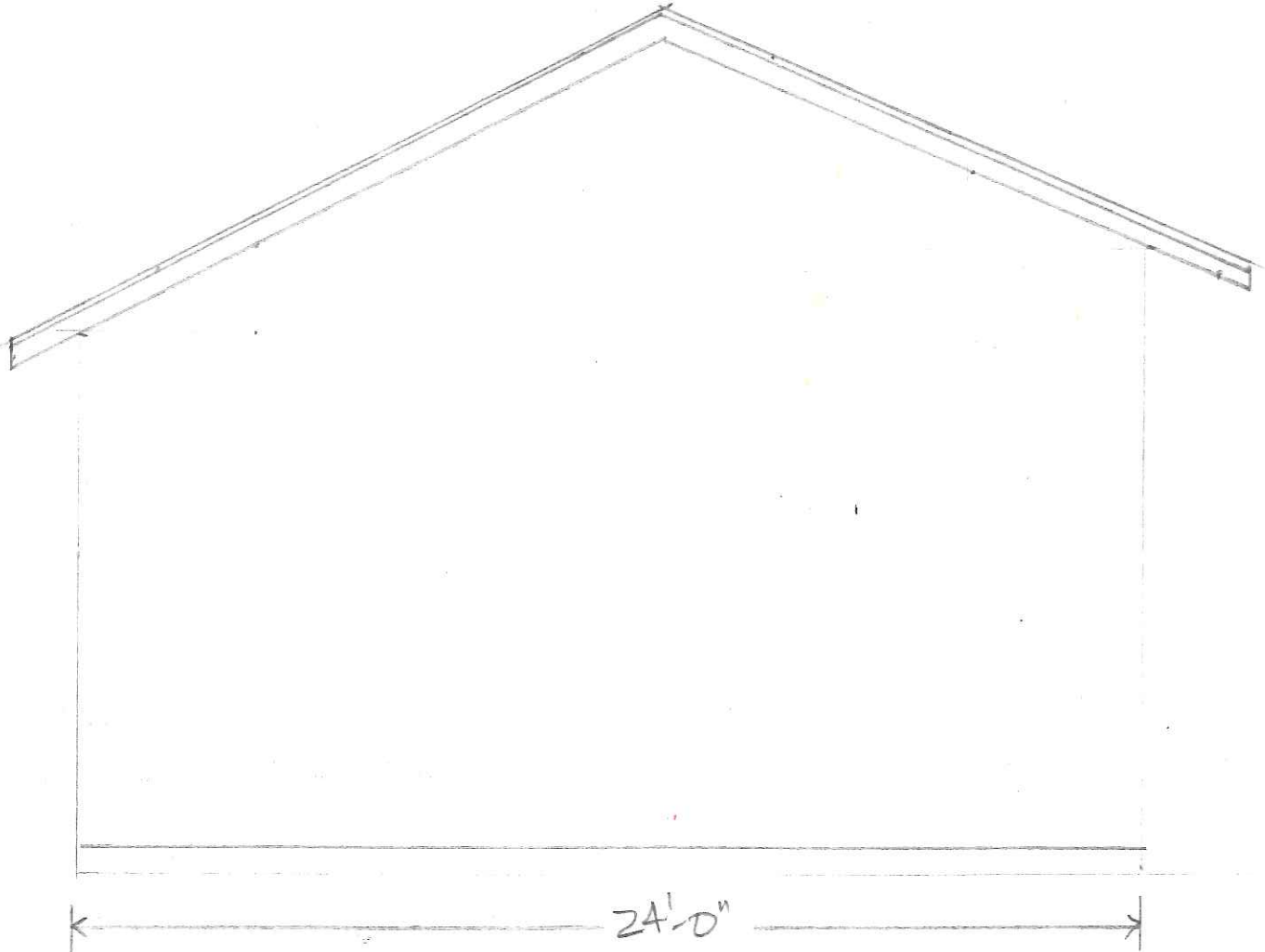
ELEVATIONS



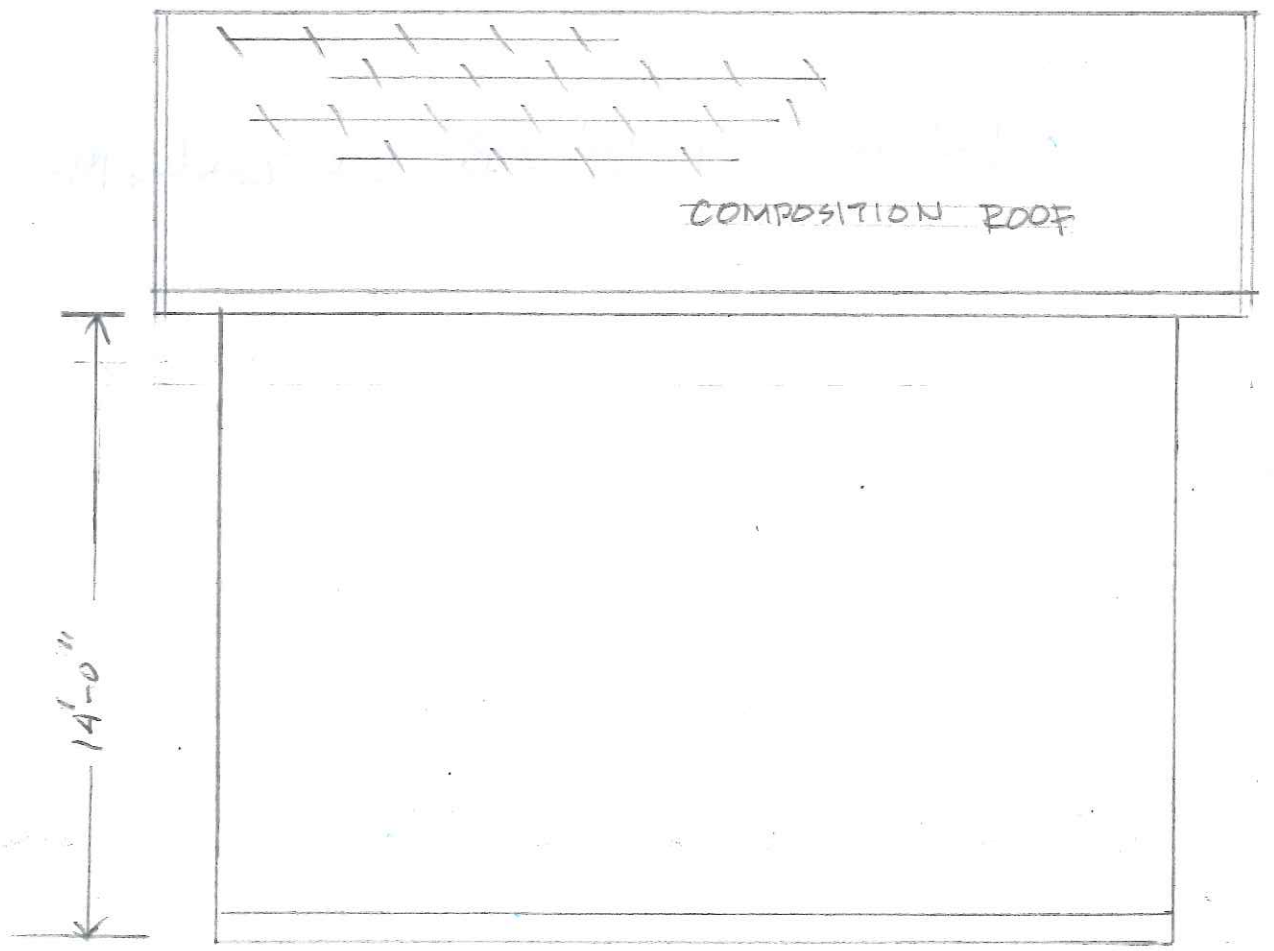
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ELEVATIONS
MR. + MRS. WILLIAM INSKIP

ELEVATIONS



SOUTH ELEVATION

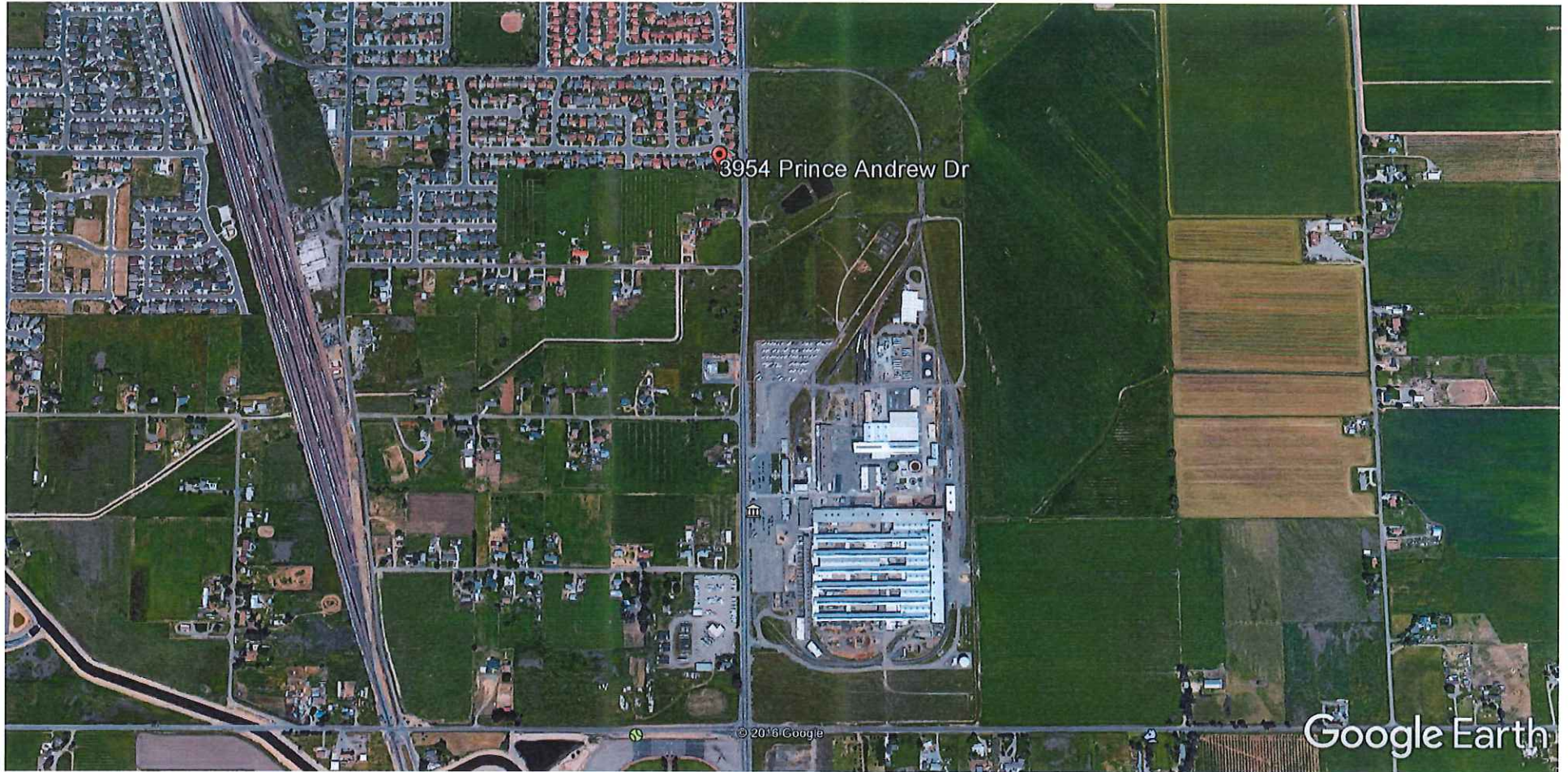


WEST ELEVATION

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APR 24 2017
BY:

ELEVATIONS		
MR + MRS WILLIAM INSKIP		

PROJECT LOCATION MAP



Google Earth



**CITY OF RIVERBANK
PLANNING COMMISSION**

STAFF REPORT

ITEM NO:	4.3	May 16, 2017
APPLICATION:	Architecture & Site Plan Review 17-0003 – Lucky House Restaurant – 2730 Patterson Road, APN: 075-010-065. Request for an Architectural and Site Plan Review to demo existing and proposing a new restaurant with two office suites totaling 3,770 square feet, outdoor seating, off-site improvements and landscaping. The proposed Architecture and Site Plan review is subject to approval by the Planning Commission pursuant to Section 153.095(G) of the City of Riverbank Code of Ordinances.	
OWNER:	Huang Yong Wei	
APPLICANT REPRESTATIVE:	Rich Murdoch with R.J. Murdoch Construction	
GENERAL PLAN:	Mixed Use (MU)	
ZONING:	Mixed Use (CX-1)	
ENVIRONMENTAL DETERMINATION:	The architectural review of an existing structure is not a Project pursuant to CEQA Guidelines.	
PROJECT PLANNER:	Donna M. Kenney, Planning and Building Manager	
RECOMMENDATION:	Approve the Architecture and Site Plan Review subject to the conditions in attached Resolution 2017-010.	
ACROMYMS:	CEQA – California Environmental Quality Act	

I. EXECUTIVE SUMMARY:

The applicant proposes to demolish the existing building and build a new restaurant with two office suites, outdoor seating, parking lot, off-site improvements, and landscaping. Staff is recommending approval of the application and conditions of approval.

II. BACKGROUND & PROJECT INFORMATION:

The subject property – 2730 Patterson Road – is located just west of the Patterson curve on the south side of Patterson Road. The property size is 15,600 sf and measures 120 feet by 130 feet. The site is currently an existing restaurant of 1,400 sf and is surrounded by a mix of existing commercial uses including an office use (insurance), two retail uses (cigarettes and gas mart), two personal service uses (tattoo parlor and smog shop), a used car lot, gas pumps, and a trucking firm.

III. ANALYSIS:

A. Site Design

The proposed site plan (Resolution Exhibit A) includes a new restaurant with two new office suites totaling 3,770 square feet and a parking lot. An outdoor restaurant seating area is proposed between the building and Patterson Road. The two new office suites are not connected internally to the restaurant and will be leased. Frontage improvements of curb, gutter, sidewalk, and shared driveway will be to City and Caltrans standards.

A truck loading area and new trash enclosure are proposed east of and adjacent to the auto parking lot. They have access to a rear kitchen door from a safe path of travel at the rear of the parking lot to a sidewalk at the rear of the building leading to that door. The neighboring trucking firm currently drives trucks across the frontage of this property to avoid driving on Patterson Road after filling up with gas. Once this site is redeveloped, trucks will need to find an alternate route. Attachment 2 shows one option.

B. Building Design

The proposed building is a form of California Contemporary architecture. The building features simple accentuated rectilinear or square building volumes. Horizontal and vertical masses are accentuated with trim and/or contrasting paint. Windows are large and rectangular compared with other more traditional building styles, stylistic and asymmetrical. Details like shutters and awnings are minimal but effective. Building materials and massing provide visual interest through the use of shadow lines. The roof is flat with a variable parapet.

The building elevation is shown in a mix of desert colors: tan, sage, rust and gold (Attachment 3). This mix of colors is skillfully accented with red roofs and matching awnings. Long flat planes have been avoided through the use of color and recessed walls and windows. Doors and one window are framed in bicolored pillars. Landscaping, including seasonal flowers, will add another pop of color.

C. Landscaping

Currently the site has little landscaping – just small planter boxes against the building. New landscape areas will incorporate bio-swaes for stormwater drainage and

numerous planters will dot the site. A condition of approval requires landscape and irrigation plans be submitted under a separate permit. Staff will review and approve the outdoor seating fence design and plant/tree palette before installation. Plants and trees will be drought tolerant and selected for specific needs and locations.

D. Parking and Traffic

The restaurant use requires one (1) parking space for every three (3) seats. The restaurant (with 48 total seats indoors and outdoors) requires sixteen (16) parking spaces. The office use requires one (1) parking space for every three hundred (300) square feet or four (4) spaces total. The site can accommodate the twenty (20) required parking spaces, including one (1) handicap accessible space and two (2) compact spaces.

A truck unloading area is proposed next to the trash enclosure on the adjacent parcel, also owned by the applicant. These uses will require an easement between the two parcels.

E. Signage

There are existing signs on the property that do not meet current code. There is a pole sign at the north property line along Patterson Road that is combined with a large plywood "food container." There is also a projecting sign on the restaurant that reaches above the roof line. A condition of approve requires these signs be removed and new signage that meets code to be processed under a separate permit.

IV. CONCLUSION:

The project is the redevelopment of a site that contains an older existing restaurant. Its proposed uses of a new restaurant and office suites are permitted uses. The new building, parking lot, and landscaping will contribute to the enhancement of the built environment at the Patterson curve, and will hopefully inspire other property owners to enhance or rebuild their buildings. This is a good project for this area.

V. 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:

1. 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 project is installing sidewalks along Patterson*

Road that can access the sidewalk to the building and the driveway into the parking lot.

2. Policy DESIGN-10.8: The City will require ground floor building façade treatments and activities that generate pedestrian interest and comfort. Large windows, canopies, arcades, plazas and outdoor seating are examples of such amenities. *The pedestrian level of the building façade, which faces east, is 50% windows and doors, facing a wide 7.5 foot sidewalk, topped with colorful awnings, and flanked by bi-colored pillars.*
3. Policy DESIGN-10.11: The City will require incorporation of architectural and landscape features that allow for secure locking of bicycles in locations easily observed from indoors. *The project includes a bicycle rack in an accessible location within 10 feet of the building's front windows.*

VI. PUBLIC NOTICE:

The Planning Commission hearing notice was published in the Riverbank News on May 3, 2017 and posted at City Hall North, South, Post Office, Community Center and website on May 3, 2017. In addition, the Applicant posted a Notice of Development Permit Application at 2730 Patterson Road on May 4, 2017 and notices were distributed to residents and business within 300-feet of the Project site in accordance with City standard practices on May 3, 2017. At the time of writing this Staff Report (May 10, 2017), the City has not received any written public comment. Written comments received by the City shall be supplied to the Commission on the day of the meeting.

VII. RECOMMENDATION:

Approve the Architecture and Site Plan Review subject to the conditions in Resolution 2017-010.

VIII. ATTACHMENTS:

1. Resolution No. 2017-010
Exhibit A - Site Plans
2. Truck Travel Option
3. Color Elevation

Respectfully Submitted By:

Donna M. Kenney
Donna M. Kenney
Planning and Building Manager

Riverbank Planning Commission
Staff Report 4.3
Meeting of May 16, 2017
Page 4 of 4

**City of Riverbank
Planning Commission
Resolution No. 2017-010**

**ADOPTION OF ARCHITECTURE SITE PLAN REVIEW 17-0003
FOR LUCKY HOUSE RESTAURANT
2730 PATTERSON ROAD (APN 075-010-065)**

WHEREAS, An application has been received from Huang Yong Wei / Lucky House Restaurant to demo existing and proposing a new restaurant with two office suites totaling 3,770 square feet, parking lot, outdoor seating, off-site improvements and landscaping at 2730 Patterson Road (APN 075-010-065); and

WHEREAS, The Planning Commission held a public hearing on May 16, 2017, to consider Architecture and Site Plan Review 17-0003; and

WHEREAS, The architectural review of an existing structure is not a Project pursuant to CEQA Guidelines; and

WHEREAS, The Riverbank Planning Commission made the following findings:

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

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

1. *Policy DESIGN-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. *Policy DESIGN-10.8:* The City will require ground floor building façade treatments and activities that generate pedestrian interest and comfort. Large windows, canopies, arcades, plazas and outdoor seating are examples of such amenities.

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

WHEREAS, the request and plans of R.J. Murdoch Construction and Huang Yong Wei, applicant are hereby granted and approved, subject to the following conditions:

1. Applicant shall comply with the City of Riverbank Standard Conditions as contained in the Planning Commission Resolution 2013-014 and/or receive confirmation from the Community Development Director that a specific condition or conditions does not apply to the subject project; and
2. The applicant shall build the entire project according to the site plans and elevations date stamped April 24, 2017 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 shall approve the outdoor seating fence design and bicycle rack before installation; and
4. An application, plans, and current fee shall be submitted for the approval of landscaping and irrigation; and
5. Existing signage which does not meet Code shall be removed and new signage reviewed and approved under a separate permit; and
6. An easement is required for the truck unloading area and trash enclosure on the adjacent parcel.

NOW THEREFORE, BE IT RESOLVED by the City of Riverbank Planning Commission that Architecture and Site Plan Review 17-0003 is hereby approved, subject to those conditions established by Resolution No. 2017-010 and as illustrated in Exhibit "A": Site Plans.

PASSED AND ADOPTED by the Planning Commission of the City of Riverbank at a regular meeting held on the 16th of May, 2017, by the following vote ____ - ____:

AYES: Commissioners:

NOES:

ABSENT:

ABSTAIN:

Riverbank Planning Commission
Resolution No. 2017-010
Meeting of May 16, 2017
Page 2 of 3

Attest:

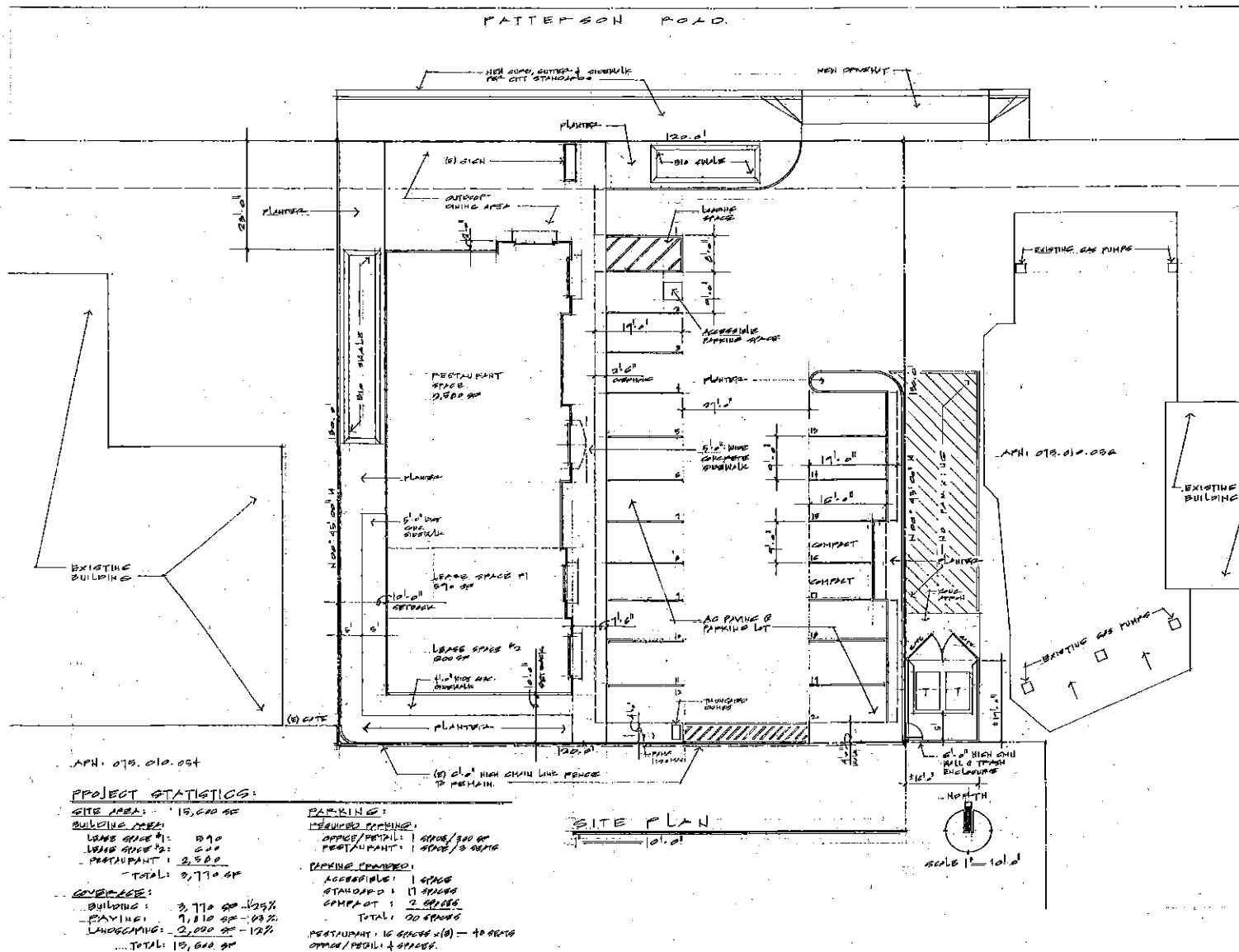
Approved:

Donna M. Kenney,
Planning and Building Manager

Anthony McKinney, Chairperson
Planning Commission

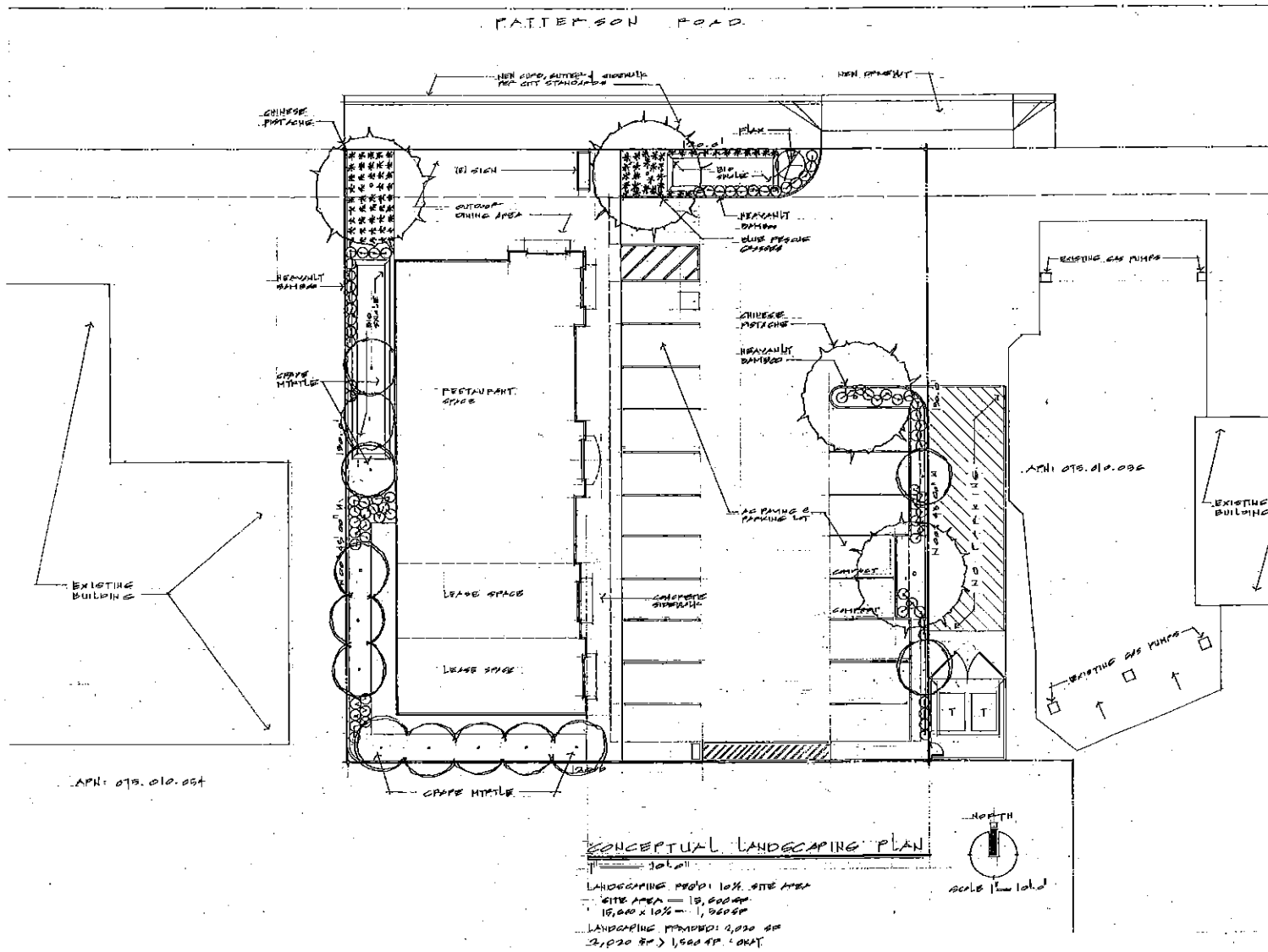
Exhibits: A – Site Plan

EXHIBIT A



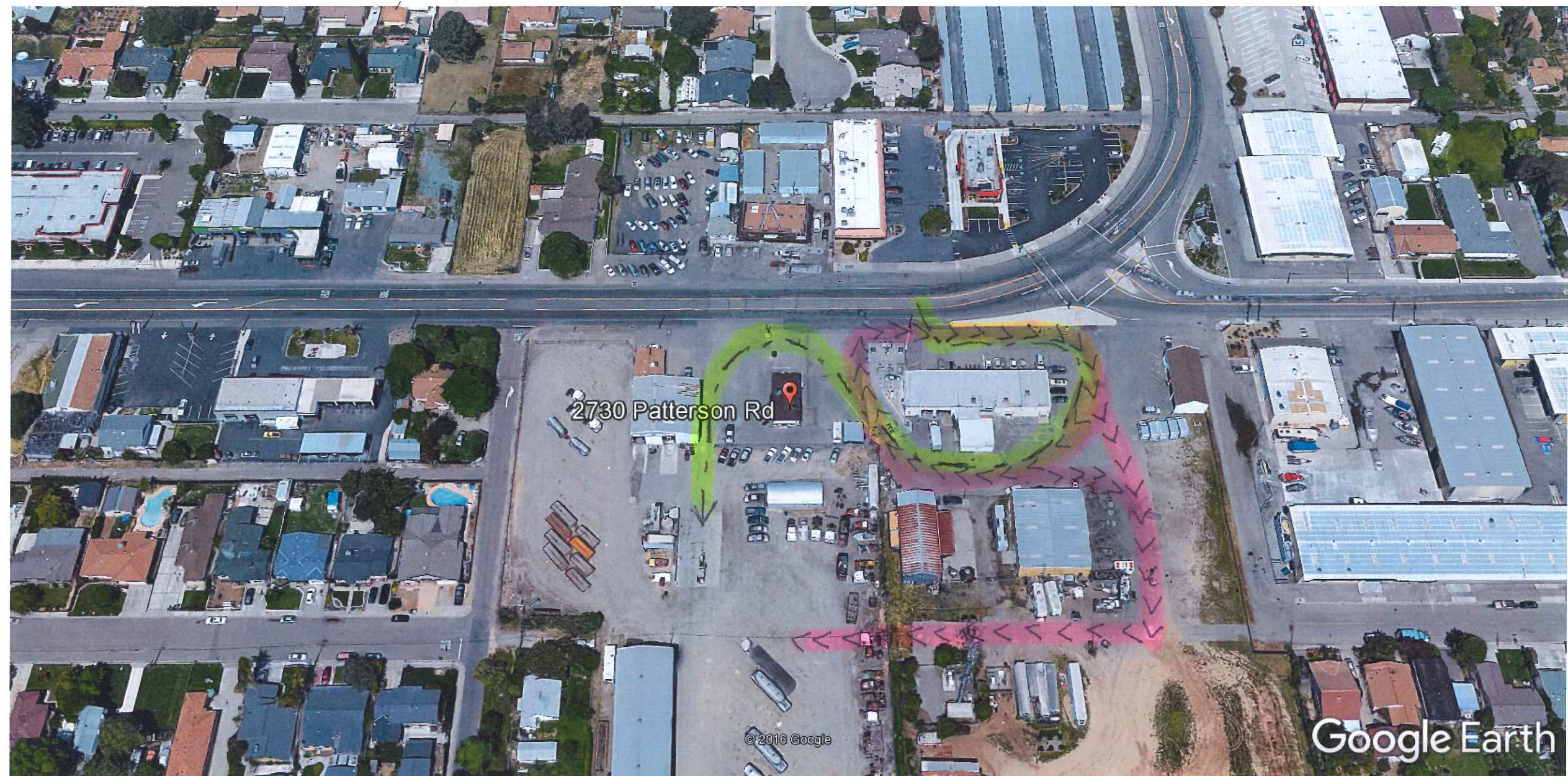
REVISED	BT
LUCKY HOUSE RESTAURANT 2730 Patterson Road Riverbank, California	
R. J. Murdoch Construction 1824 Ackley Court Oakdale, California 95361 Phone (209) 444-0131 Fax (209) 444-1669	
DATE 4-17-11 SCALE NOTED DRAWN JLF JOB G-0-0 A1	OF

EXHIBIT A



 LUCKY HOUSE RESTAURANT 2730 Patterson Road Riverside, California	R. J. Murdoch Construction 1824 Ackley Court Oakdale, California 95361 Phone: (209) 844-0612 Fax: (209) 844-1669	REVISIONS 1	D
Drawn 4-11-11 Scale NOTED Notes 05 Job 16-00 A2 Sheet	Oil Shaded	1	1

TRUCK TRAVEL OPTION



Google Earth

feet
meters

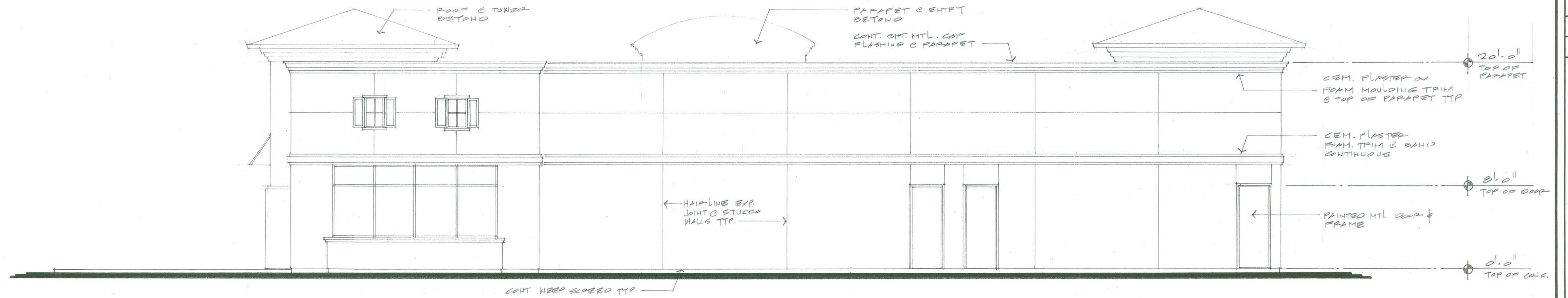
700

200



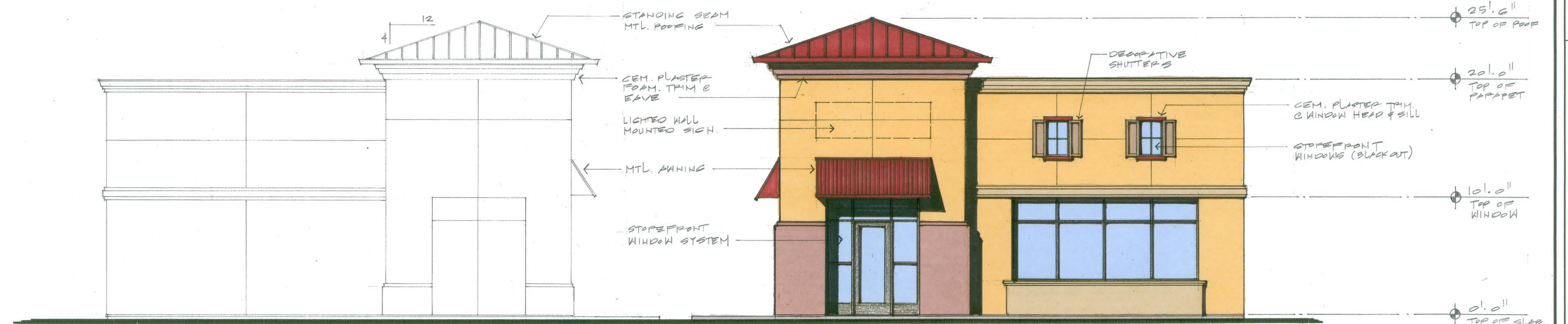
-  = current truck path for gas
-  = alternate route option:
- come into the gas pumps from the opposite direction, or
 - circle the building

ELEVATION



WEST ELEVATION

3/16" = 1'-0"



SOUTH ELEVATION

3/16" = 1'-0"

NORTH ELEVATION

3/16" = 1'-0"



EAST ELEVATION

3/16" = 1'-0"

REVISIONS	BY

R. J. Murdoch Construction
1824 Ackley Court
Oakdale, California 95361
Phone: (209) 848-1619 Fax: (209) 848-1669

LUCKY HOUSE RESTAURANT
2730 Patterson Road
Riverbank, California

EXTERIOR
ELEVATIONS

Date	12.16.16
Scale	NOTED
Drawn	OJS
Job	16.08
Sheet	A4
Of	Sheets