



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

Agenda
Tuesday, March 21, 2017 – 6:00 P.M.

CALL TO ORDER: Chair: McKinney

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

CONFLICT OF INTEREST

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

1. PUBLIC COMMENTS (No action to be taken)

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

2. CONSENT CALENDAR

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

Item 2.1: Posting of the Agenda. The Agenda for the March 21, 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 March 17, 2017.

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

Item 2.3: Approval of the Minutes of the February 21, 2017 Planning Commission Meeting, having been read by the individual Commissioners and stands approved as submitted.

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

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

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

3. PRESENTATIONS

Item 3.1: Stanislaus County Dibs Program (Kerry McNichols) – An overview of the new County Dibs program.

4. PUBLIC HEARINGS

Item 4.1: Development Agreement No. 01-2015 – 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.

Recommendation: Approval by roll call vote

Item 4.2: Galaxy Theatre, LLC - Conditional Use Permit No. 01-2017 – 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.

Recommendation: Approval by roll call vote

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 – 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.

Recommendation: Approval by roll call vote

5. PLANNING COMMISSION

None.

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

None.

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

None.

**8. ADJOURNMENT – The next regular Planning Commission meeting – April 18, 2017
@ 6:00 p.m.**

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 17th day of March, 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.

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