



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

## Agenda

Tuesday, January 17, 2017 – 6:00 P.M.

<b><u>CALL TO ORDER:</u></b>	<b>Chair:</b>	<b>McKinney</b>
<b><u>ROLL CALL:</u></b>	<b>Chair:</b>	<b>McKinney</b>
	<b>Vice Chair:</b>	<b>King</b>
	<b>Commissioner:</b>	<b>Stewart</b>
	<b>Commissioner:</b>	<b>Tabacco</b>
	<b>Commissioner:</b>	<b>Villapudua</b>

### 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 January 17, 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 January 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 December 20, 2016 Planning Commission Meeting, having been read by the individual Commissioners and stands approved as submitted.  
*Abstain from voting: Chair McKinney.*

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

### 3. PUBLIC HEARINGS

*The Public Hearing Notice for Public Hearing Items 3.1 & 3.2 was published in the Riverbank News on 1/4/2017.*

**Item 3.1: CUP 02-2016 – Mobilitie, LLC** – Request to install antennas within city light poles within city rights-of-way at various locations throughout the city, including one (1) located at Oakdale Road and Patterson Road. Site ID: 9CAB009302-A. CEQA Categorical Exemption: Article 19, Section 15332 In-Fill Development Projects.

**Recommendation:** Approval by roll call vote

**Item 3.2: Architecture and Site Plan Review 03-2016 and Conditional Use Permit 02-2016 – Jason Huckabee** – Request for architecture and site plan review of the Del Rio Theater building located at 3300 Atchison within the Downtown Specific Plan area. The proposed project includes a remodeled restaurant/piano bar, coffee shop with drive-thru, and banquet hall, a Conditional Use Permit for serving alcohol and a future lot merge. APN: 132-009-001. CEQA Categorical Exemption: Article 19, Section 15332 In-Fill Development Projects.

**Recommendation:** Approval by roll call vote

**Continued Item 3.3: Revocation of Conditional Use Permit No. 05-2007 and Business License -** Action on Code Enforcement Case #2015-0209 for 209 Concepts – **Location:** 6607 Callander Avenue, APN: 075-004-046. 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 business license on the property. Business owner was given a 30 day extension by the Planning Commission at the December 20, 2016 meeting.

**Recommendation:** Approval by roll call vote

### 4. PLANNING COMMISSION

**None.**

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

**None.**

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

**Item 6.1:** Development Agreement 01-2016 – Chris Hayes – approval of a Development Agreement between the City and the developer of the Hayes 4 Phase 1 subdivision. Property is located at Claus Road and Central Avenue. APN 062-022-022/-019.

**Item 6.2:** Architecture and Site Plan Review 02-2016 – Jason Huckabee – request for architecture and site plan review of a new 2,500 square foot office building located at 6800 Third Street (Reed’s Garage site) within the Downtown Specific Plan area. A second, similar building is proposed for future construction on the same site. APN: 132-009-023.

### 7. ADJOURNMENT – The next regular Planning Commission meeting – February 21, 2017 @ 6:00 p.m.

## AFFIDAVIT OF POSTING

*I, Janet Smullen, 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 12<sup>th</sup> day of January, 2017  
Janet Smullen, 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](mailto: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](http://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](http://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.