



**CITY OF RIVERBANK**  
**Regular Planning Commission Meeting**  
**Tuesday, October 17, 2023 AT 6:00 P.M.**  
 Council Chambers, 6707 Third St., Suite B, Riverbank CA 95367

**PLANNING COMMISSION AGENDA**

TUESDAY, OCTOBER 17, 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. Please note this is the last meeting in which zoom comments will be accepted.**

**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 October 17, 2023 Planning Commission meeting was posted on the City Community Center bulletin board, City Hall North & South bulletin boards, Post Office, and emailed to the Library on October 12, 2023.

**Item 2.2:** Approval of the October 17, 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 August 15, 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 \_\_\_\_\_

**Item 2.4:** Approval of the Minutes of the September 7, 2023 Special 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**  
The public notice for Items 3.1 and 3.2 were published on October 4, 2023 in the Riverbank News.

**Item 3.1:** Variance 02-2023 (Dept. File #23-0021) – Crossroads West Unit 1/DMG Development, Inc. (074-023-064 & 074-023-078). The project is a proposed variance for interior side setbacks for Lot 64 (5512 Burnbrae Way) and Lot 78 (5514 Harwood Lane). The proposed project will not have a significant effect on the environment and is categorically exempt under Article 19, Section 15305 Minor Alterations in Land Use Limitations, (a) Minor lot line adjustments, side yard and set back variances not resulting in the creation of any new parcel.

**Recommendation:** Adopt Resolution 2023-12 to approve the Variance

1st \_\_\_\_\_ 2nd \_\_\_\_\_

**Item 3.2:** General Plan Amendment (GPA) 01-2023, Rezone (RZ) 01-2023, and Vesting Tentative Map (VTM) 02-2023 (Dept. File #23-0014) – McRoy-Wilbur Communities, 6612 and 6472 Central Avenue, Riverbank 95367 – (APN 062-020-018 and 062-020-031). Request is for a general plan amendment (medium density residential to low density residential), rezone (from single family residential to planned development), and a vesting tentative map to develop 36 single family residential units, streets, and drainage basin on 8.55 acres. The proposed project is exempt from further analysis pursuant to CEQA Guidelines Section 21159.21 (a-j) Exemption for Qualified Housing Projects.

**Recommendation:** Adopt Resolution 2023-13 to approve the GPA

1st \_\_\_\_\_ 2nd \_\_\_\_\_

**Recommendation:** Adopt Resolution 2023-14 to recommend approval of the RZ

1st \_\_\_\_\_ 2nd \_\_\_\_\_

**Recommendation:** Adopt Resolution 2023-15 to approve the VTM

**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 – November 21, 2023 @ 6:00 pm.**

**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 12th day of October, 2023.

*/s/ Janet Smullen, Sr. CDS, City of Riverbank*

**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](mailto: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 to

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.

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

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**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](mailto: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 3 minutes on the agenda item being considered. **This is the last meeting in which zoom comments will be accepted.**

- 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.