



**CITY OF RIVERBANK**  
**PLANNING COMMISSION MEETING**  
**SPECIAL NOTICING OF MEETING PROCEDURES FOR**  
**Tuesday, March 16, 2021 AT 6:00 P.M.**  
**VIA TELECONFERENCE OR VIRTUAL PLATFORM ONLY – NO PUBLIC LOCATION**  
**OF THIS MEETING**

***NOTICE: THIS MEETING WILL BE HELD IN ACCORDANCE WITH THE GOVERNOR’S NEW EXECUTIVE ORDER N-29-20, ISSUED ON MARCH 17, 2020, REGARDING THE OPEN MEETING REQUIREMENTS OF THE RALPH M. BROWN ACT (CALIFORNIA GOVERNMENT CODE SECTION 54950, ET SEQ.), AND THE FEDERAL AMERICANS WITH DISABILITIES ACT IN AN EFFORT TO HELP AVOID THE SPREAD OF COVID-19, TO MAXIMIZE TRANSPARENCY, AND PROVIDE PUBLIC ACCESS TO CITY COUNCIL MEETINGS.***

**PLANNING COMMISSION AGENDA**

TUESDAY, MARCH 16, 2021 – 6:00 P.M.

(THE AGENDA PACKET IS POSTED AT THE PLANNING DEPARTMENTS OFFICE AND AT  
[WWW.RIVERBANK.ORG](http://WWW.RIVERBANK.ORG))

- |                              |               |                            |
|------------------------------|---------------|----------------------------|
| <b><u>CALL TO ORDER:</u></b> | Chair:        | Joan Stewart               |
| <b><u>ROLL CALL:</u></b>     | Chair:        | Joan Stewart               |
|                              | Vice Chair:   | Steve Link                 |
|                              | Commissioner: | John Dinan                 |
|                              | Commissioner: | Natasha Basso              |
|                              | Commissioner: | Mallorie Fenrich           |
|                              | Commissioner: | Benjamin Reuben, Alternate |

**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 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 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 Board.

**2. CONSENT CALENDAR - Continued**

**Item 2.1:** Posting of the Agenda. The Agenda for the March 16, 2021 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 4, 2021.

**Item 2.2:** Approval of the March 16, 2021 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 September 1, 2020, Planning Commission Meeting having been read by the individual Commissioners and stands approved as submitted. *Commissioners to abstain due to absence: from \_\_\_\_\_ Planning Commission Meeting, Commissioner: None*

**Recommendation:** Approval by roll call vote.

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

**3. PLANNING COMMISSION PUBLIC HEARINGS**

The public notice for Items 3.1, 3.2, 3.3, and 3.4 was published in the Riverbank News on March 3, 2021.

**Item 3.1:** **Tentative Parcel Map 01-2017 / Dept. File #17-0002 – Hernandez.** The request is to subdivide an existing 18,480 square foot parcel of land into two (2) parcels. 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 Parcel Map was approved by the Planning Commission on May 16, 2017 and expired twenty-four months later. There are no changes to the map. 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.

**Recommendation:** Approval of Resolution #2021-004 to approve the Tentative Parcel Map.

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

**Item 3.2:** **Architecture and Site Plan Review 01-2021 / Dept. File #21-0002 – Bruin Heights.** The Project consists of the Architecture and Site Plan Review of 51 detached single-family residential units. The project is located at 6272 Central Avenue, the northeast corner of California Avenue and Central Avenue (APN 062-021-008). This Architecture and Site Plan Review was

analyzed pursuant to the California Environmental Quality Act (CEQA). Per Section 15061 (b-3), the Project is not subject to CEQA as CEQA only applies to projects which have the potential for causing a significant effect on the environment. The architectural review of housing for an approved subdivision will not have an effect on the environment.

**Recommendation:** Approval of Resolution #2021-005 to approve the Architecture and Site Plan Review.

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

**Item 3.3:** Development Agreement (DA) Amendment 06-2020 and Conditional Use Permit (CUP) 03-2020 / Dept. File #20-0027 – Terminal Infusion.

The Project consists of an amendment to a Development Agreement and a Conditional Use Permit to infuse food and drink products with cannabis extract (Type N License). Extract will not be manufactured on site. The location is 5729 Terminal Avenue, proposed Suite #2 (APN 075-020-016). This Development Agreement amendment and Conditional Use Permit were reviewed pursuant to the California Environmental Quality Act (CEQA). Per Section 15061 (b-3), the proposed project is not subject to CEQA as CEQA only applies to projects which have the potential for causing a significant effect on the environment.

**Recommendation:** Approval of Resolution #2021-006 to recommend to the City Council the approval of the Development Agreement Amendment.

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

**Recommendation:** Approval of Resolution #2021-007 to approve the Conditional Use Permit for Suite 2.

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

**Item 3.4:** Development Agreement Amendment (DA) 01-2021 / Dept. File #21-0006 – Flavors.

The Project consists of an amendment to a Development Agreement to continue to operate as a commercial cannabis dispensary. The location is 2213 Patterson Road (075-026-044). This Development Agreement amendment was reviewed pursuant to the California Environmental Quality Act (CEQA). Per Section 15061 (b-3), the proposed project is not subject to CEQA as CEQA only applies to projects which have the potential for causing a significant effect on the environment.

**Recommendation:** The public noticing on this item was not complete. Open and close Public Comment, vote to continue the item to the April 20, 2021 meeting.

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

**4. PRESENTATION (Information Only – NO ACTION)**

**Item 4.1: GP and HE Report Yearly Presentation**

**5. PLANNING COMMISSION COMMENTS**

None.

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

None.

**7. STAFF COMMENTS (Information Only – No Action)**

Project Updates

**8. ADJOURNMENT  
Regular Planning Commission meeting – April 20, 2021 @ 6:00 p.m.**

**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 12<sup>th</sup> of March, 2021

*/s/ Gabriel Salazar, Associate Planner, 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 [aaquilar@riverbank.org](mailto:aaquilar@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.

**GENERAL INFORMATION**

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

**COMMISSION AGENDA & REPORTS:** The Planning Commission agenda is posted pursuant to the California Brown Act, which only requires agenda title pages to be posted near the entrance of the location where the meeting is to be held and, when technologically able, on the City's website. Additional documents, that are not privileged, may be provided by the City in its efforts of transparency to keep the public well informed. The agenda packet (agenda plus supporting documents) are posted for public review at the Development Services Department, 6617 Third Street, Riverbank, CA and at [www.riverbank.org](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 currently CLOSED to the public.

**QUESTIONS:** Contact the Developmental Services Department at (209) 863-7191.

### CHANGES TO THIS NOTICE OF PROCEDURES

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.



### **PUBLIC PARTICIPATION PROCEDURES FOR THE PLANNING COMMISSION MEETINGS HELD IN A TELECONFERENCE OR VIRUAL PLATFORM IN CONFORMANCE WITH THE GOVERNOR'S EXECUTIVE ORDER N-29-20**

In accordance with the Governor's Executive Order, should the meeting procedures change, the City may use the most rapid means of communication available at the time including, but not limited to, posting the notice of changes on the City's website.

#### **PUBLIC "LIVE" VIEWING**

- Charter Government Channel – 2
- AT&T U-VERSE Government Channel – 99
- YouTube Live Stream  
<https://www.youtube.com/channel/UCq2x8QChEcknBq7uuJLcZow>
- Via ZOOM Platform (See instructions below)

#### **SUBMITTING PUBLIC COMMENTS**

- **Via U.S. Postal Service:** Mail comments to City of Riverbank, Attn. Planning and Building Manager, 6707 Third Street, Suite A, Riverbank, CA 95367. (Must be received **by 4:00 p.m.** prior to the meeting.)

#### **Via Email to [dkenney@riverbank.org](mailto:dkenney@riverbank.org):**

- **Emails before the meeting:** (will be distributed to the City Council)
  - **Submit No later than 4:00 p.m.** on the day of the meeting; and
  - Indicate Agenda Item # in the ***subject line***.
- **Emails during the meeting:**
  - Indicate Agenda Item # in the subject line.

#### **Join via ZOOM Platform:**

- Visit <https://zoom.us/j/94943925973?status=success> for a free account or to download the app.
- Join by this link: <https://us02web.zoom.us/j/89397941432>
- Join by accessing website: <https://zoom.us/join>  
Webinar ID: 893 9794 1432
- Join by telephone: 1-669-900-9128 or 1-346-248-7799  
Webinar ID: 893 9794 1432
- *HOW DO I COMMENT?* The Chair will announce when public comment may be made for the agenda item, at which time you will:
  - Using a computer – click on the “raise hand” feature in the webinar controls. This will let us know you wish to speak.
    - Once you confirm that you want to be unmuted, your 3 minutes will begin for you to make your comments.
  - Using a Phone – Dial \*9, which will notify us that you have a “raised hand”
    - Once you are told “you may make your comments” you will have 3 minutes to make your comments.

*Learn about using ZOOM* – Visit <https://support.zoom.us/hc/en-us/categories/201146643>