

#### DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

1010 10<sup>TH</sup> Street, Suite 3400, Modesto, CA 95354 Planning Phone: (209) 525-6330 Fax: (209) 525-5911 Building Phone: (209) 525-6557 Fax: (209) 525-7759

# Referral Early Consultation

Date: January 4, 2021

To: Distribution List (See Attachment A)

From: Kristen Anaya, Assistant Planner

**Planning and Community Development** 

Subject: HISTORICAL SITE PERMIT APPLICATION NO. PLN2020-0070 - RIVERS

**EDGE RESTAURANT** 

Respond By: January 19, 2021

#### \*\*\*\*PLEASE REVIEW REFERRAL PROCESS POLICY\*\*\*\*

The Stanislaus County Department of Planning and Community Development is soliciting comments from responsible agencies under the Early Consultation process to determine: a) whether or not the project is subject to CEQA and b) if specific conditions should be placed upon project approval.

Therefore, please contact this office by the response date if you have any comments pertaining to the proposal. Comments made identifying potential impacts should be as specific as possible and should be based on supporting data (e.g., traffic counts, expected pollutant levels, etc.). Your comments should emphasize potential impacts in areas which your agency has expertise and/or jurisdictional responsibilities.

These comments will assist our Department in preparing a staff report to present to the Planning Commission. Those reports will contain our recommendations for approval or denial. They will also contain recommended conditions to be required should the project be approved. Therefore, please list any conditions that you wish to have included for presentation to the Commission as well as any other comments you may have. Please return all comments and/or conditions as soon as possible or no later than the response date referenced above.

Thank you for your cooperation. Please call (209) 525-6330 if you have any questions.

Applicant: Jie Connie Mei, Property Owner

Project Location: 17525 Sonora Road, south of Cemetery Road, north of the Stanislaus River,

in the Historic Community of Knights Ferry.

APN: 002-038-018

Williamson Act

Contract: Not Applicable

General Plan: Historical

Current Zoning: Historical (HS)

Project Description: Request to permit the expansion of an existing legal non-conforming (LNC) restaurant operating on a 0.59± acre parcel in the Historical (HS) zoning district. The historical restaurant has been in operation prior to the current HS zoning designation adoption in 1972, and in the past operated as the "Rivers Edge Resort" in conjunction with the campground that abuts the project site to the west. The restaurant currently runs independently of the campground and is required to obtain a Historical Site Permit to legalize previous expansions and modifications of the LNC use.

The site is improved with a 3,700± square-foot restaurant with a 2,322 square foot attached covered patio, and gazebo. The County recognizes the LNC use as permitting the interior of the structure to be used as a dining space; however, several expansions of the patio for outdoor dining activities

have been made without permits over the course of several decades. This request for a Historical Site Permit is to permit the extension of the covered patio as well as to permit outdoor dining. If approved, the restaurant will have 80 seats both indoor and outdoor, for 160 total. The hours of operation are currently Wednesday through Saturday 11:00 a.m. to 9:30 p.m., Sunday 11:00 p.m. to 5:00 p.m. At peak daily operation, the restaurant has 25 employees and serves up to 120 customers. Approximately 2-3 truck deliveries occur per week.

In the past, events such as weddings, music festivals, and corporate events had been held here without land use entitlements; however, no events, live entertainment, or amplified music beyond ambient music and TV are proposed to occur on-site in the future. As stipulated by Chapter 6.40 in the Stanislaus County Code, up to six outdoor events are permitted per year by the Stanislaus County Sheriff's Office without land use entitlements. If in the future, the owner or restaurant operator wishes to exceed six events, then another Historical Site Permit will be required.

The site takes access off County-maintained Sonora Road. Limited parking is available on-site and off-site throughout parts of the Knights Ferry community. A total of seven on-site parking spaces are available within the front yard setback area, three spaces are available along the frontage of the adjacent property directly east of the restaurant and under the same ownership, and 25-30 spaces available in a vacant area within the public right-of-way directly across the Main Street, which has been historically used for parking by community members and visitors. According to the applicant, approximately 12 more on-street parking spaces are traditionally used by the community for public parking in front of public/commercial buildings within 400 feet walking distance of the restaurant.

The site is served by the Knights Ferry Community Service District (CSD) for water and utilizes an on-site septic system for wastewater.

#### Attachments:

#### A - Application

Full document with attachments available for viewing at: <a href="http://www.stancounty.com/planning/pl/act-projects.shtm">http://www.stancounty.com/planning/pl/act-projects.shtm</a>



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### HISTORICAL SITE PERMIT APPLICATION NO. PLN2020-0070 - RIVERS EDGE RESTAURANT Attachment A

#### **Distribution List**

Distri	bution List		
	CA DEPT OF CONSERVATION Land Resources / Mine Reclamation		STAN CO ALUC
Х	CA DEPT OF FISH & WILDLIFE		STAN CO ANIMAL SERVICES
	CA DEPT OF FORESTRY (CAL FIRE)	Х	STAN CO BUILDING PERMITS DIVISION
	CA DEPT OF TRANSPORTATION DIST 10	Х	STAN CO CEO
Х	CA OPR STATE CLEARINGHOUSE		STAN CO CSA
Х	CA RWQCB CENTRAL VALLEY REGION	Х	STAN CO DER
Х	CA STATE LANDS COMMISSION	Х	STAN CO ERC
Х	CEMETERY DISTRICT: KNIGHTS FERRY		STAN CO FARM BUREAU
Х	CENTRAL VALLEY FLOOD PROTECTION	Х	STAN CO HAZARDOUS MATERIALS
	CITY OF:	Х	STAN CO PARKS & RECREATION
Х	COMMUNITY SERVICES DIST: KNIGHTS FERRY	Х	STAN CO PUBLIC WORKS
Х	COOPERATIVE EXTENSION		STAN CO RISK MANAGEMENT
	COUNTY OF:	Х	STAN CO SHERIFF
	DER GROUNDWATER RESOURCES DIVISION	Х	STAN CO SUPERVISOR DIST 1: OLSEN
Х	FIRE PROTECTION DIST: OAKDALE RURAL	Х	STAN COUNTY COUNSEL
Х	GSA: STANISLAUS & TUOLUMNE RIVERS GBA		StanCOG
Х	HOSPITAL DIST: OAK VALLEY	Х	STANISLAUS FIRE PREVENTION BUREAU
Х	IRRIGATION DIST: OAKDALE	Х	STANISLAUS LAFCO
Х	MOSQUITO DIST: EASTSIDE		STATE OF CA SWRCB DIVISION OF DRINKING WATER DIST. 10
Х	MOUNTAIN VALLEY EMERGENCY MEDICAL SERVICES		SURROUNDING LAND OWNERS
Х	MUNICIPAL ADVISORY COUNCIL: KNIGHTS FERRY	Х	TELEPHONE COMPANY: AT&T
Х	PACIFIC GAS & ELECTRIC		TRIBAL CONTACTS (CA Government Code §65352.3)
	POSTMASTER:	Х	US ARMY CORPS OF ENGINEERS
	RAILROAD:	Х	US FISH & WILDLIFE
Х	SAN JOAQUIN VALLEY APCD		US MILITARY (SB 1462) (7 agencies)
Х	SCHOOL DIST 1: KNIGHTS FERRY UNION		USDA NRCS
Х	SCHOOL DIST 2: OAKDALE JOINT UNIFIED	Х	CA OFFICE OF HISTORIC PRESERVATION
	WORKFORCE DEVELOPMENT		CA DEPT OF HOUSING & COMMUNITY DEV
	STAN CO AG COMMISSIONER		



TO:

### **STANISLAUS COUNTY CEQA REFERRAL RESPONSE FORM**

TO:	Stanislaus County Planning & Con 1010 10 <sup>th</sup> Street, Suite 3400 Modesto, CA 95354	nmunity Development
FROM:		
SUBJECT:	HISTORICAL SITE PERMIT APPI EDGE RESTAURANT	LICATION NO. PLN2020-0070 - RIVERS
Based on this project:	agency's particular field(s) of expe	rtise, it is our position the above described
	_ Will not have a significant effect on t _ May have a significant effect on the _ No Comments.	
capacity, soil to the following terms of the	ypes, air quality, etc.) – (attach addition are possible mitigation measures for t WHEN THE MITIGATION OR CO ECORDING A MAP, PRIOR TO ISSU	r determination (e.g., traffic general, carrying chal sheet if necessary)  he above-listed impacts: PLEASE BE SURE ENDITION NEEDS TO BE IMPLEMENTED JANCE OF A BUILDING PERMIT, ETC.):  (attach additional sheets if necessary).
Response pre	pared by:	
Name	Title	Date

HSP PLN2020-0070

### AREA MAP

#### LEGEND

Project Site

Sphere of Influence

City

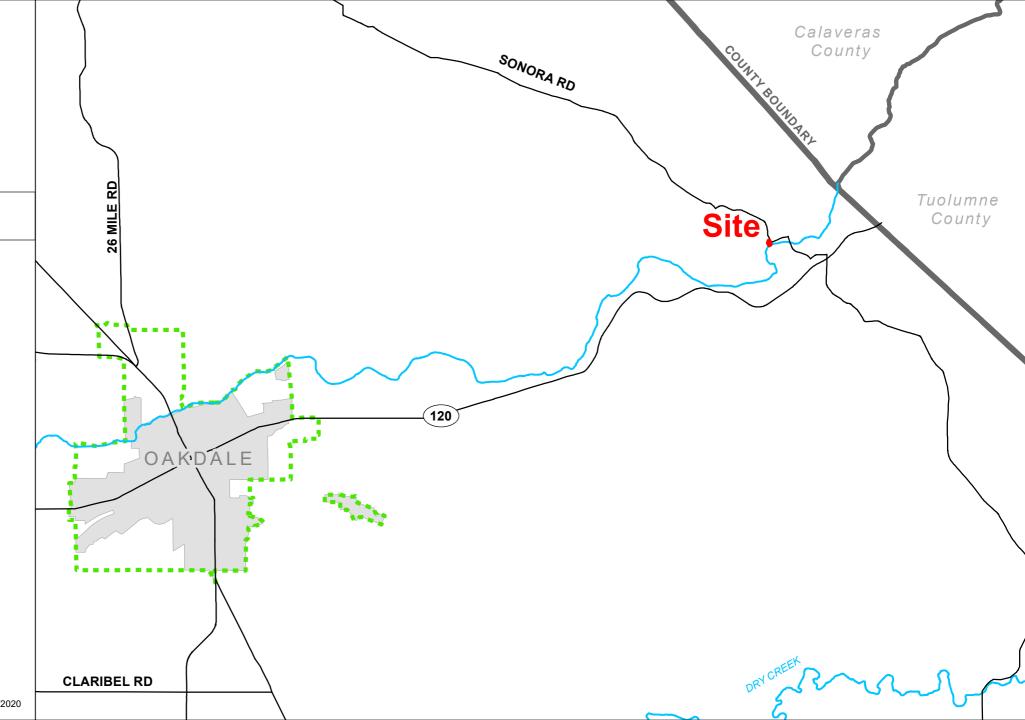
Road

River



Source: Planning Department GIS

Date: 9/24/2020



HSP PLN2020-0070

#### GENERAL PLAN MAP

### LEGEND

Project Site

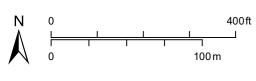
Parcel — River

---- Road ---- Canal

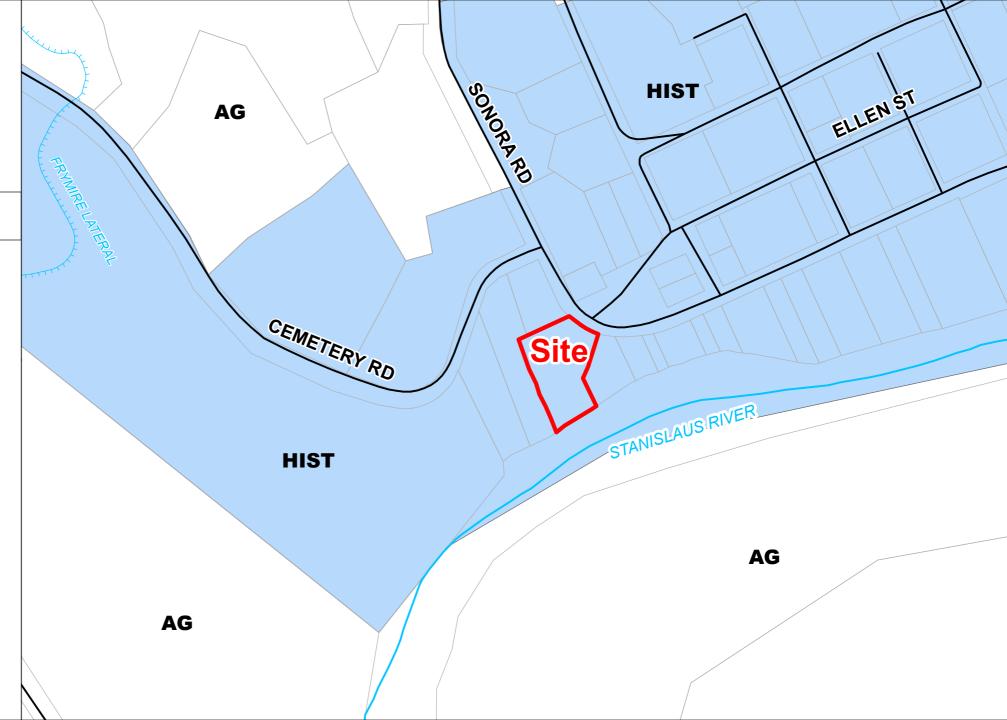
#### **General Plan**

Agriculture

Historical



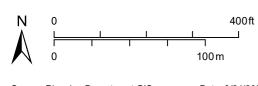
Source: Planning Department GIS



**HSP** PLN2020-0070

#### **ZONING MAP**

### LEGEND Project Site Parcel River Road Canal **Zoning Designation** General Agriculture 5 Acre General Agriculture 40 Acre Historical



Date: 9/24/2020 Source: Planning Department GIS



### **HSP** PLN2020-0070

#### ACREAGE MAP

#### LEGEND

**Project Site** 

Parcel/Acres

Road

River

Canal



1.25

400ft 100 m Date: 9/24/2020 Source: Planning Department GIS

**HSP** PLN2020-0070

2017 AERIAL AREA MAP

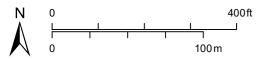
#### LEGEND

Project Site

Road

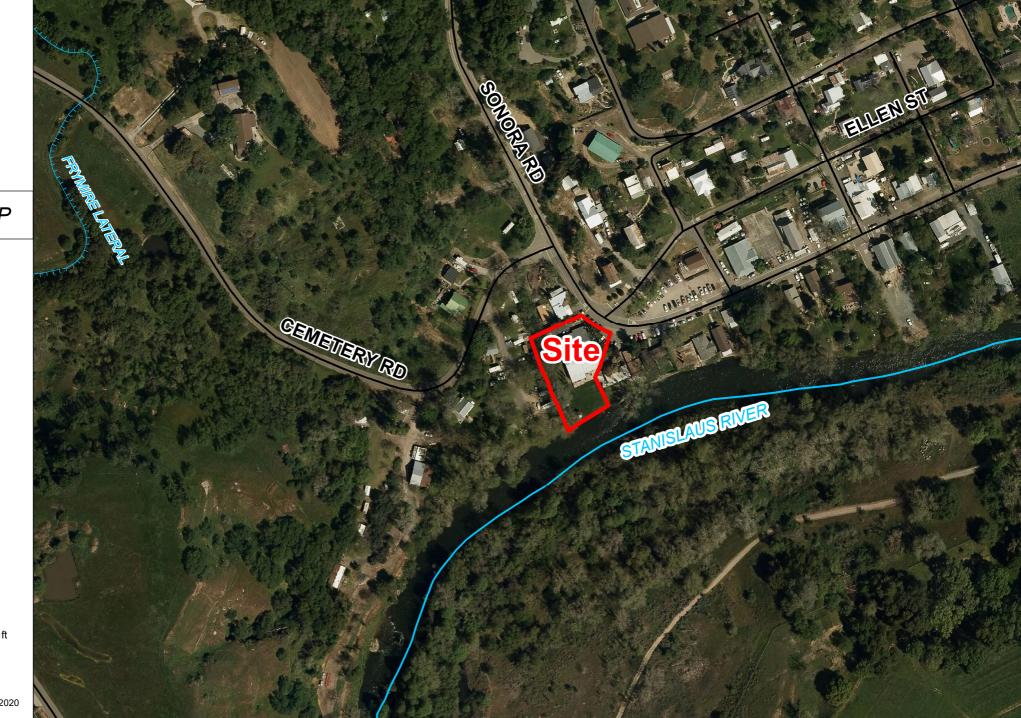
River

Canal



Source: Planning Department GIS

Date: 9/24/2020



HSP PLN2020-0070

2017 AERIAL SITE MAP

LEGEND

Project Site

— Road

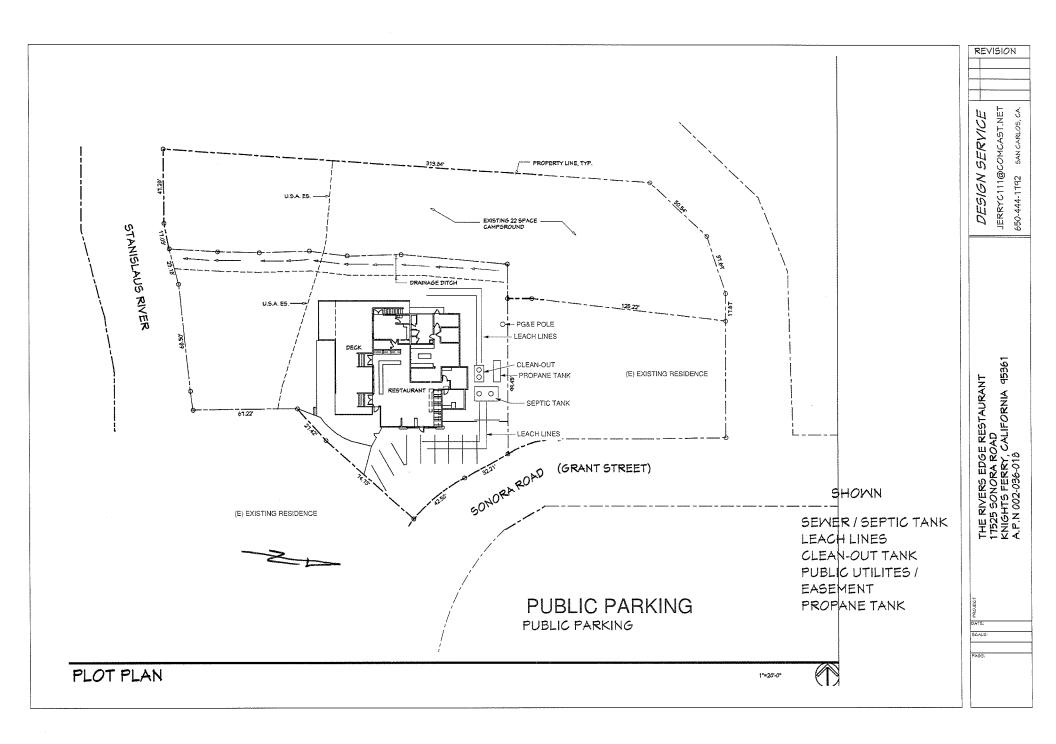
······ Canal

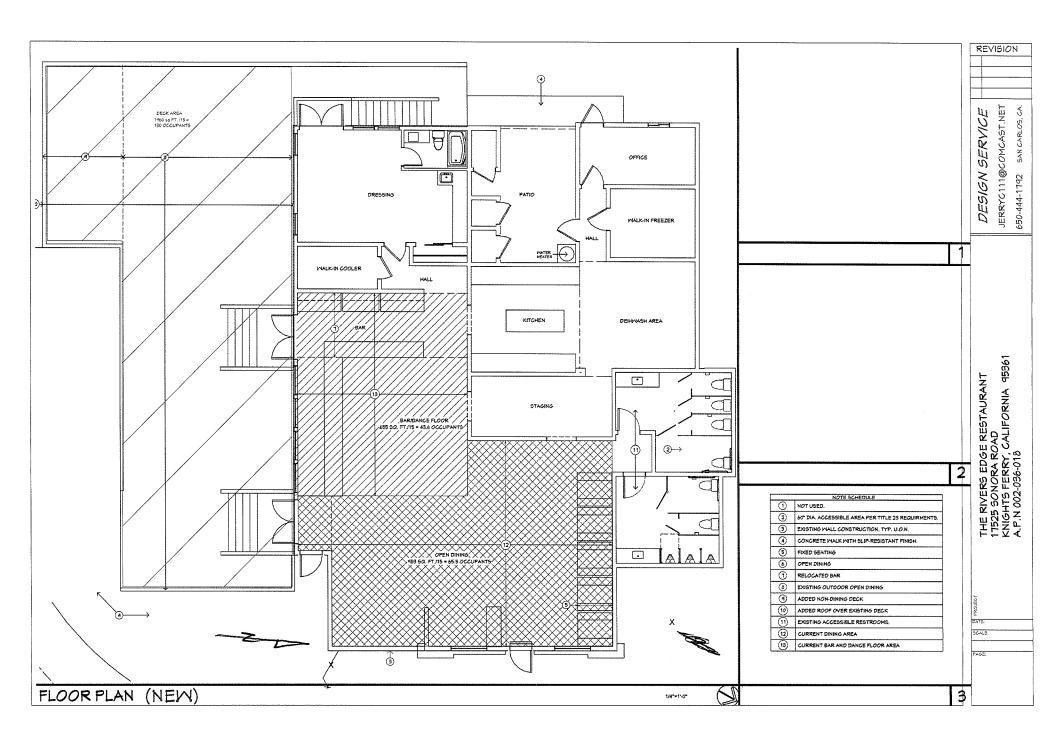


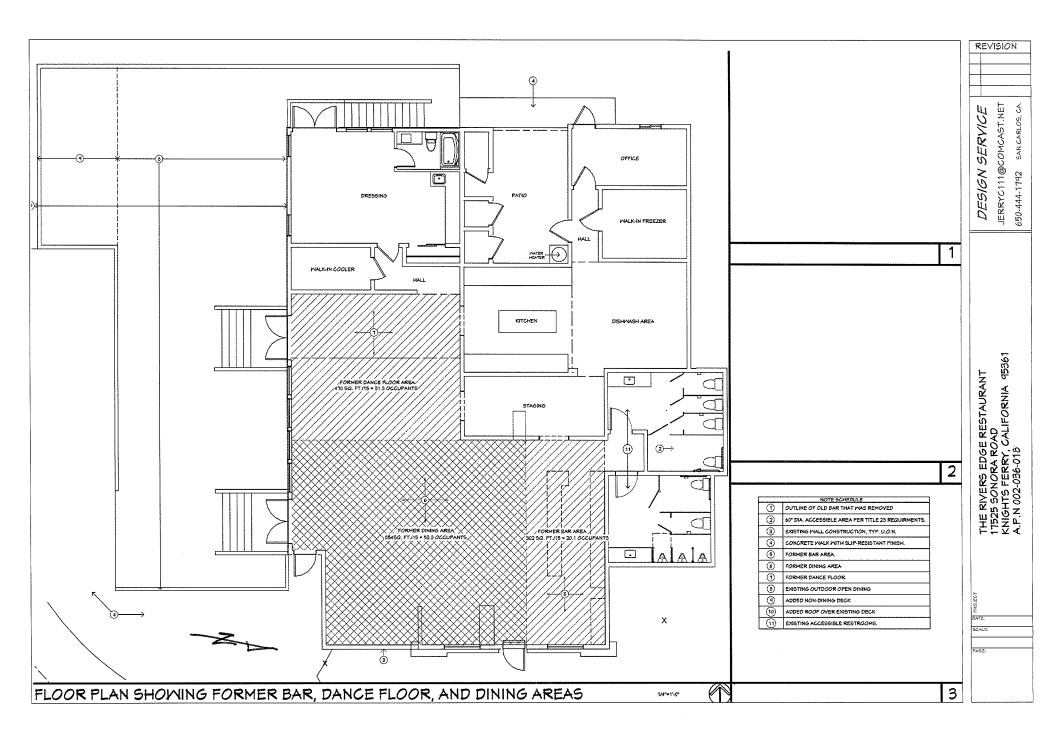
N 0 100ft 0 30 m

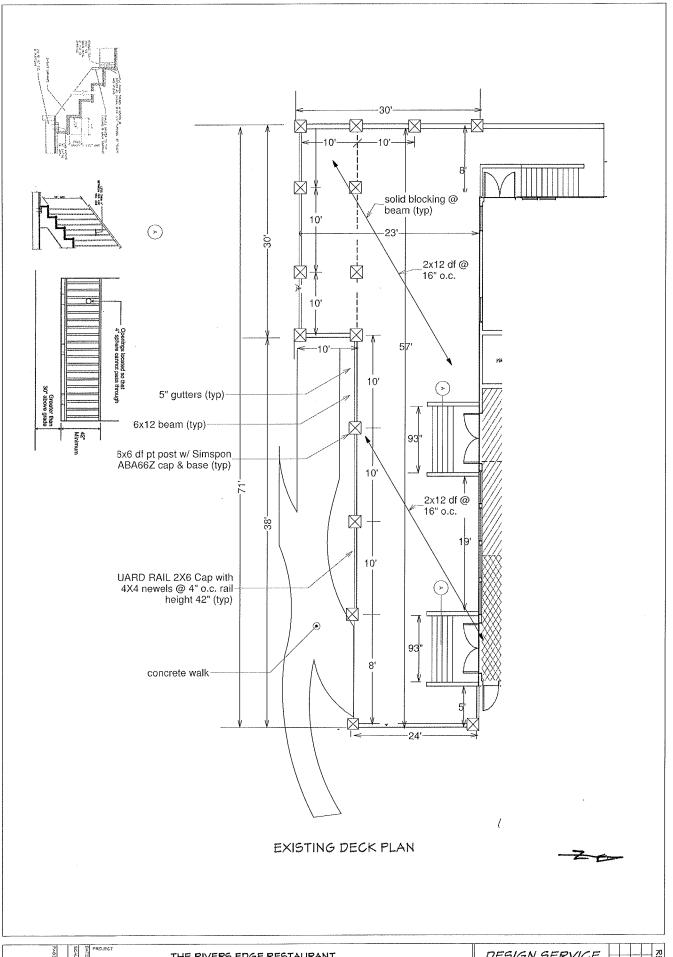
Source: Planning Department GIS

Date: 9/24/2020









THE RIVERS EDGE RESTAURANT
17525 SONORA ROAD
KNIGHTS FERRY, CALIFORNIA 95361
A.P.N 002-036-018

DESIGN SERVICE
JERRYC111@COMCAST.NET
650-444-1792 SAN CARLOS, CA.

N.T.





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Form Available Online: http://www.stancounty.com/planning/applications.shtm

## APPLICATION QUESTIONNAIRE

	e Check all applicable boxes			PLANNING STAFF USE ONLY:	
APPLICATION FOR:  Staff is available to assist you with determining which applications are necessary				Application No(s): PLN 2020-0070	
Staff is available to assist you with determine			wnich applications are necessary	Date: 7/30/2020	
	Consuel Blan Amondusent			s <u>17</u> T <u>1</u> R <u>12</u>	
	General Plan Amendment	Ш	Subdivision Map	GP Designation: HIStorical	
	Rezone		Parcel Map	zoning: HS(Historical Site)	
$\boxtimes$	Use Permit		Exception	Fee: <u>\$4704</u> Receipt No. <u>556259</u>	
	Variance	П	Williamson Act Cancellation		
<u>×</u>				Received By: <u>KA</u>	
	Historic Site Permit	Ш	Other	Notes:	
be ne meet nece all the	ecessary for you to provide addings are not required, but are ssary information is provided to e information identified on the class contact staff at (209) 525-63	dition highl the s heck	al information and/or meet with staff y recommended. An incomplete app satisfaction of the requesting agency. list.	ypically do not take the full 30 days. It may to discuss the application. Pre-application lication will be placed on hold until all the An application will not be accepted without e. Staff will attempt to help you in any way	
	PR	0.	JECT INFORMA	ATION	
*Plea appr infor "Find so the Find are a	DJECT DESCRIPTION:  ovements, proposed uses or busional sheets as necessary)  ase note: A detailed project rove a project, the Planning Commation available to be able to dings". It is your responsibility that staff can recommend that staff can recommend that applying for a Variance or Exception.	(Desusine: descomment maility a t the 19	cribe the project in detail, including ss, operating hours, number of emploraription is essential to the reviewing insign or the Board of Supervisor ke very specific statements about the san applicant to provide enough in a Commission or the Board make the san applicant to provide enough in the Board make the commission or the Board make the san applicant to provide enough in the Board make the san applicant to provide enough in the Board make the san applicant to provide enough in the Board make the san applicant to provide enough in the Board make the san applicant to provide enough in the Board make the san applicant to provide enough in the san applicant to the Board make the san applicant to the Board make the san applicant to the san applicant to the Board make the san applicant to provide enough in the san applicant to the san app	physical features of the site, proposed byees, anticipated customers, etc. – Attaching process of this request. In order to s must decide whether there is enough the project. These statements are called information about the proposed project, the required Findings. Specific project eparing your project description. (If you special requirements).	

### PROJECT SITE INFORMATION

Complete and accurate information saves time and is vital to project review and assessment. Please complete each section entirely. If a question is not applicable to your project, please indicated this to show that each question has been carefully considered. Contact the Planning & Community Development Department Staff, 1010 10<sup>th</sup> Street – 3<sup>rd</sup> Floor, (209) 525-6330, if you have any questions. Pre-application meetings are highly recommended.

002

018

038

ASSE	SSOR'S PARCEL	NUMBER(S): Bo	ook002	<sup>2</sup> Page	038	Parcel	018		
Project	nal parcel numbers: t Site Address sical Location:	 17525 Sonora R	17525 Sonora Rd. Knights Ferry CA 95361						
,									
Proper	ty Area:	Acres:	or	Square feet:					
Current	and Previous Land Us	se: (Explain existing	and previous l	and use(s) of site	for the last te	en years)			
Restau	ırant		***************************************						
project r	y known previous project, and	d date of approval)	r this site, su	ich as a Use Per	mit, Parcel	Map, etc.: (	Please identify		
Knight	Ferry Resort 1990 -	2005							
Existin	g General Plan & Zor	ning:							
Propos (if applic	sed General Plan & Zo cable)	oning:							
	CENT LAND USE n of the project site)	: (Describe adjacer	nt land uses	within 1,320 feet	(1/4 mile) a	nd/or two pa	rcels in each		
East:	Public Parking Lot	A STATE OF THE STA				AUC. 2 TO A CO. TO A	<u> </u>		
West:	Campground					SAMPAES SECTION ASSESSMENT AND ASSESSMENT ASSESSMENT ASSESSMENT ASSESSMENT ASSESSMENT ASSESSMENT ASSESSMENT AS	June 1 4000-11		
North:	Residences								
South:	River frontage, open	n space, crops							
WILLI	AMSON ACT CON	NTRACT:							
Yes C	] No 🗆	Is the property curr Contract Number:							
		If yes, has a Notice	e of Non-Rene	wal been filed?					
		Date Filed:							

Yes □ No ☒	Do you propose to cancel any portion of the Contract?
Yes □ No ☒	Are there any agriculture, conservation, open space or similar easements affecting the use of the project site. (Such easements do not include Williamson Act Contracts)
	If yes, please list and provide a recorded copy:
SITE CHARACTER	RISTICS: (Check one or more) Flat $\square$ Rolling $\square$ Steep $\square$
VEGETATION: Wh	at kind of plants are growing on your property? (Check one or more)
Field crops	Orchard
Shrubs $\square$	Woodland ☐ River/Riparian ☒ Other ☐
Explain Other:	
Yes 🔲 No 🔲	Do you plan to remove any trees? (If yes, please show location of trees planned for removal on plot plan and provide information regarding transplanting or replanting.)
GRADING:	
Yes □ No ☒	Do you plan to do any grading? (If yes, please indicate how many cubic yards and acres to be disturbed. Please show areas to be graded on plot plan.)
STREAMS, LAKES	s, & PONDS:
Yes 🛛 No 🗖	Are there any streams, lakes, ponds or other watercourses on the property? (If yes, please show on plot plan)
Yes □ No	Will the project change any drainage patterns? (If yes, please explain – provide additional sheet if needed)
Yes 🔲 No 🖾	Are there any gullies or areas of soil erosion? (If yes, please show on plot plan)
Yes □ No	Do you plan to grade, disturb, or in any way change swales, drainages, ditches, gullies, ponds, low lying areas, seeps, springs, streams, creeks, river banks, or other area on the site that carries or holds water for any amount of time during the year? (If yes, please show areas to be graded on plot plan)
	Please note: If the answer above is yes, you may be required to obtain authorization from other agencies such as the Corps of Engineers or California Department of Fish and Game.

STRUC	TUR	ES:					
Yes 🛚	No	X	Are there structures property lines and oth			ow on plot plan.	Show a relationship to
Yes 🛚	No	$\boxtimes$	Will structures be mo	ved or demolished	l? (If yes, indicate	on plot plan.)	
Yes 🗆	No	×	Do you plan to build r	new structures? (I	f yes, show locatio	n and size on plot լ	olan.)
Yes 🛚	No		Are there buildings of size on plot plan.) The				olain and show location and ny decades
PROJE	CT S	SITE CO	OVERAGE:				
Existing E	Buildir	ng Cover	age:	Sq. Ft.	Landso	caped Area:	Sq. Ft.
Proposed	Build	ding Cov	erage:	Sq. Ft.	Paved	Surface Area:	Sq. Ft.
Size of ne	ew str	ructure(s	CTERISTICS: ) or building addition(s) ch building: na				
Building h	neight	t in feet (	measured from ground	to highest point):	(Provide additiona	al sheets if necessa	ary)
			enances, excluding bui etc.): (Provide additiona			highest point (i.e	e., antennas, mechanical
			erial for parking area			ust control measu	res if non-asphalt/concrete
UTILITI	ES A	AND IR	RIGATION FACILI	TIES:			
Yes 🗆	No		Are there existing put yes, show location and	•	ies on the site?	Includes telepho	ne, power, water, etc. (If
Who prov	ides,	or will p	ovide the following ser	vices to the prope	rty?		
Electrical	:	F	Pacific Gas & Electric		Sewer*:	S	eptic
Telephon	e:		AT&T		Gas/Propane:	Am	erican Gas
Water**:		Kniç	ghts Ferry Water Dist	rict	Irrigation:		na

\*\*Please Note: A "will serve" letter is required if the water source is a City, Irrigation District, Water District, etc., and the water purveyor may be required to provide verification through an Urban Water Management Plan that an adequate water supply exists to service your proposed development. Will any special or unique sewage wastes be generated by this development other than that normally associated with resident or employee restrooms? Industrial, chemical, manufacturing, animal wastes? (Please describe:) Please Note: Should any waste be generated by the proposed project other than that normally associated with a single family residence, it is likely that Waste Discharge Requirements will be required by the Regional Water Quality Control Board. Detailed descriptions of quantities, quality, treatment, and disposal may be required. Are there existing irrigation, telephone, or power company easements on the property? (If yes, Yes 🖾 No 🗖 show location and size on plot plan.) Yes 🔲 No 🔯 Do the existing utilities, including irrigation facilities, need to be moved? (If yes, show location and size on plot plan.) Yes □ No ☒ Does the project require extension of utilities? (If yes, show location and size on plot plan.) AFFORDABLE HOUSING/SENIOR: Yes 🛛 No 🔯 Will the project include affordable or senior housing provisions? (If yes, please explain) **RESIDENTIAL PROJECTS:** (Please complete if applicable – Attach additional sheets if necessary) Total Dwelling Units: Total Acreage:\_\_\_\_\_ Total No. Lots: Gross Density per Acre: \_\_\_\_\_ Net Density per Acre: \_\_\_\_ Two Family Multi-Family Multi-Family Single Duplex Apartments Condominium/ Family (complete if applicable) Townhouse Number of Units: Acreage: COMMERCIAL, INDUSTRIAL, MANUFACTURING, RETAIL, USE PERMIT, OR OTHER **PROJECTS:** (Please complete if applicable – Attach additional sheets if necessary) Square footage of each existing or proposed building(s): Type of use(s): Dining, Dancing, Restrooms, special events (weddings, anniversary and birthday parties, social and corporate events)

\*Please Note: A "will serve" letter is required if the sewer service will be provided by City, Sanitary District,

Community Services District, etc.

Days and hours of operatio	n: <u>CoVid Wednesday - Satı</u>	urday : 11:30am - 8pm, Sunday 11am - 5pm
PreCoVid Monday 11:30	am - 9pm/Tuesday Closed/\	Nednesday - Thursday 11:30am - 9:30/Friday 11:30am - M
Seasonal operation (i.e., pa	acking shed, huller, etc.) month	s and hours of operation: na
Occupancy/capacity of build	ding:	
Number of employees: (Ma	aximum Shift):	(Minimum Shift):
Estimated number of daily	customers/visitors on site at pe	ak time:
Other occupants:		
Estimated number of truck	deliveries/loadings per day:	
Estimated hours of truck de	eliveries/loadings per day:	
Estimated percentage of tra	affic to be generated by trucks:	
Estimated number of railroa	ad deliveries/loadings per day:	
Square footage of:		
Office area:		Warehouse area:
Sales area:	·	Storage area:
Loading area:		Manufacturing area:
Other: (explain typ	e of area)	
Yes 🔲 No 🖾 Wil	Il the proposed use involve toxi	ic or hazardous materials or waste? (Please explain)
ROAD AND ACCESS	INFORMATION:	
What County road(s) will pr	ovide the project's main access	s? (Please show all existing and proposed driveways on the plot plan)

Yes 🛚	No		Are there private or public road or access easements on the property now? (If yes, show location and size on plot plan)
Yes 🛚	No	×	Do you require a private road or easement to access the property? (If yes, show location and size on plot plan)
Yes 🗖	No	Ø	Do you require security gates and fencing on the access? (If yes, show location and size on plot plan)
approva	l of a	n Exce	Is that do not front on a County-maintained road or require special access may require ption to the Subdivision Ordinance. Please contact staff to determine if an exception is uss the necessary Findings.
STORM	1 DR	AINA	GE:
How will	your (	project	handle storm water runoff? (Check one) Drainage Basin Direct Discharge Doverland
☑ Othe	r: (ple	ease ex	rplain) none
If direct of	discha	ırge is p	proposed, what specific waterway are you proposing to discharge to?
Water Q with yoเ	uality ır app	Controlicatio	
EROSI	ON	JUNII	KOL:
If you pla impleme		grading	g any portion of the site, please provide a description of erosion control measures you propose to
			ay be required to obtain an NPDES Storm Water Permit from the Regional Water Quality orepare a Storm Water Pollution Prevention Plan.
ADDIT	ONA	AL INF	FORMATION:
			e to provide any other information you feel is appropriate for the County to consider during review of ach extra sheets if necessary)
The Riv	ers E	dge R	estaurant deck has been there for to 1990. The owner twice previous to me was kind enough
to write	a lett	er abo	ut the time period she owned and operated the restaurant, as well as
photos o	of the	time p	period.
Alek munit	***		
		**	