

**CITY OF LATHROP
PLANNING COMMISSION
REGULAR MEETING
JULY 14, 2021**

MINUTES

1. CALL TO ORDER

Meeting was called to order by Chair Ralmilay for the July 14, 2021 Special Planning Commission meeting at 6:00 P.M.

1.1 Annual appointment of Chair and Vice-Chair

Commissioner Dresser was appointed as Chair and Commissioner Rhodes as Vice Chair. Appointments are accepted.

Ayes: Rhodes, Ishihara, Gatto, Dresser, Ralmilay
Noes: None
Absent: None
Abstain: None
Motion Carries: 5-0-0-0

Meeting proceeded with Chair Dresser presiding.

2. ROLL CALL

PRESENT: Dresser, Rhodes, Ishihara, Gatto, Ralmilay
ABSENT: None

Staff Present: Salvador Navarrete, City Attorney; Mark Meissner, Community Development Director; Glenn Gebhardt, City Engineer; Rick Caguiat, Principal Planner; David Niskanen, Contract Planner; and Trent DaDalt, Assistant Planner

3. PLEDGE OF ALLEGIANCE

4. DECLARATION OF CONFLICT OF INTEREST

None

5. PUBLIC COMMENT

None

6. AGENDA MODIFICATIONS

None

7. APPROVAL OF MINUTES

7.1 May 19, 2021 – Regular Meeting and;

7.2 June 16, 2021 – Regular Meeting

(M) Ishihara (S) Ralmilay to approve both May 19, 2021 and June 16, 2021 minutes.

Ayes: Dresser, Rhodes, Ishihara, Gatto, Ralmilay

Noes: None

Absent: None

Abstain: None

Motion Carries: 5-0-0-0

8. PUBLIC HEARING ITEMS

8.1 RCCG Jesus House Central Valley (JHCV) Conditional Use Permit No. CUP-21-62

Mr. DaDalt made the staff report presentation.

Chair Dresser asked if the church have the same Sunday service schedules as New Life Church. Pastor Yinka, applicant, came forward and replied that there are some overlap between morning services. However, the churches has informally agreed to use separate parking lot locations to avoid congestion and traffic issues.

OPENED PUBLIC HEARING

No comments from the public, either in person or by teleconference.

CLOSED PUBLIC HEARING

Commissioner Ishihara was glad that the area has very little traffic. He welcomed the church.

Chair Dresser inquired about church programs. Pastor Yinka went over the various outreach programs offered by the church. Chair Dresser thanked the Pastor for their contributions to the community.

MOTION

Moved by Commissioner Gatto, Second by Vice Chair Rhodes to adopt Resolution 21-17 approving a Conditional Use Permit for RCCG Jesus House Central Valley (JHCV) to establish an Assembly Use (CUP-21-62)

Ayes: Dresser, Rhodes, Gatto, Ishihara, Ralmilay
Noes: None
Absent: None
Abstain: None
Motion Carries: 5-0-0-0

8.2 Warren Avenue Subdivision Tentative Subdivision Map No. TSM-21-15 and Minor Variance No. MV-21-70

Mr. DaDalt made the staff report presentation and informed the commission regarding the revised Public Works Condition #5b.

OPENED PUBLIC HEARING

Maribel Marquez of 291 Warren asked if there are plans to rezone the area because of the subdivision. Mr. Meissner replied that there is none. Ms. Marques expressed her concern about her livestock should rezoning happens. Commissioner Gatto reminded her that the grandfathered status of her property allows her to keep her livestock. Mr. Caguiat also added that raising livestock is a permitted use within her current zoning district.

CLOSED PUBLIC HEARING

Commissioner Rhodes is excited to see this type of development in Historic Lathrop.

Chair Dresser inquired about ISUs available for the development. Mr. Caguiat replied that there are available sewer for purchase and the project is conditioned to acquire sufficient ISUs.

Chair Dresser reopened the Public Hearing and asked the applicant's representative to come forward. Pam Herbert of Northstar Engineering thanked the Commission

for their consideration and the staff for the presentation. She offered to answer questions about the project. Hearing no questions, Chair Dresser closed the public hearing.

MOTION

Moved by Vice Chair Rhodes, Second by Commissioner Ishihara to adopt Resolution 21-18 recommending City Council approve the Warren Subdivision Tentative Subdivision Map (TSM-21-15) and Minor Variance (MV-21-70).

Ayes: Dresser, Rhodes, Gatto, Ishihara, Ralmilay

Noes: None

Absent: None

Abstain: None

Motion Carries: 5-0-0-0

8.3 Fairfield Inn & Suites by Marriott Conditional Use Permit No. CUP-21-54 and Site Plan Review No. SPR-21-55

Mr. Niskanen gave the overview of the proposed project.

Vice Chair Rhodes asked about the potential for other retail/restaurants in the area. Mr. Niskanen pointed out that the surrounding area is zoned Service Commercial which provides for more opportunities for retail/commercial type uses.

Chair Dresser asked if the development anticipates increased traffic at the Mossdale/I-5S on ramp. Mr. Niskanen replied that, the guests come at different times during the day and are expected to use River Islands Pkwy which is the easier access to I-5.

Commissioner Ralmilay asked about the capacity of the boardroom and the meeting area for the project.

Commissioner Gatto commented on the project's access. Mr. Niskanen confirmed that the project fronts Manthey but has access from Golden Valley thru a shared driveway.

OPENED PUBLIC HEARING

Byron Chapman, applicant, came forward to answer questions from the commissioners. He responded to Commissioner Ralmilay's questions regarding the size and capacity of the boardrooms and meeting rooms.

There were no other public comments, either in person or by teleconference,

CLOSED PUBLIC HEARING

MOTION

Moved by Commissioner Gatto, Second by Commissioner Ralmilay to adopt Resolution 21-19 approving a Conditional Use Permit (CUP-21-54) and Site Plan Review (SPR-21-55) for Fairfield Inn & Suites by Marriott

Ayes: Dresser, Rhodes, Gatto, Ishihara, Ralmilay
Noes: None
Absent: None
Abstain: None
Motion Carries: 5-0-0-0

9. SCHEDULED ITEMS

9.1 Valley Bros Trucking Site Plan Review No. SPR-20-132

Mr. Niskanen made the staff report presentation.

Mr. Lucky Singh, applicant, and Mr. Sean Samaniego, Project Engineer, requested the removal of Condition No.8 (e), regarding undergrounding of utilities. Mr. Gebhardt talked about the undergrounding process and a discussion ensued. Mr. Gebhardt stated that staff could support the provision for the applicant to enter into a deferred frontage improvement agreement (DFIA) with the City.

Commissioner Gatto asked if the applicant agrees with the provision. Mr Samaniego explained the applicant's hardship and difficulty to comply with the requirements and asked for leniency on behalf of his client. Commissioner Rhodes wanted to make sure that the applicant understands that, eventually, he would have to pay his proportional share on the improvement.

Commissioner Dresser is concerned that the applicant might take a long time to bring the site into compliance. Mr. Niskanen explained that the project is conditioned to move forward at an acceptable pace. Mr. Samaniego further explained that there are also some requirements that can potentially cause delay to the project.

Vice Chair Rhodes is concerned about the transferability of the DFIA in case of a future sale. Staff explained that the DFIA will be recorded and it would run with the land.

Mr. Caguiat stated that condition 8(e) would be modified to add, "*The City Engineer shall have authority to defer the undergrounding of the overhead utility below 34.5 KVA with a DFIA. A DFIA would require a bonding in the amount of*

an approved engineering cost estimate for the improvements and design costs to be recorded on the property”.

Mr. Navarrete further clarified that the applicant would have to agree to the modification since this is was not part of original conditions. He added that the *condition is an alternative*; the applicant can meet the conditions in the packet or they could sign a DFIA. Mr. Samaniego asked if the bond is necessary. Mr. Navarrete replied that staff has requested that the bonds be in place, as a guarantee in case of default. Chair Dresser asked how bonds work. Mr. Navarrete explained the bonding process.

Chair Dresser asked if the applicant accepts the condition, the applicant replied yes.

MOTION

Moved by Commissioner Ishihara, Second by Commissioner Ralmilay to adopt Resolution 21-20 approving a Site Plan Review for Valley Bros Trucking (SPR-20-132), with the added condition.

Ayes: Dresser, Rhodes, Gatto, Ishihara, Ralmilay
Noes: None
Absent: None
Abstain: None
Motion Carries: 5-0-0-0

10. STAFF COMMENTS

Mr. Meissner talked about the General Plan Update workshop presented to the City Council. Staff provided an update on current projects throughout the City.

11. PLANNING COMMISSION COMMENTS

Commissioners thanked staff for their hard work.

Commissioner Ralmilay asked for an update on the improvements on River Islands Pwky and I-5. Mr. Gebhardt talked about the planned road improvements to the area. He assured the problem is going to be fixed in the next expansion and the job is out to bid at this time.

12. ADJOURNMENT

Chair Dresser adjourned the meeting at 7:57 PM.