



PLANNING COMMISSION
STAFF REPORT

DATE:	September 18, 2024
APPLICATION NO:	Time Extension No. TE-24-134
LOCATION:	310 and 342 Shilling Avenue Lathrop, CA 95330 APNs: 196-080-34 and -35
REQUEST:	Planning Commission to consider adoption of a resolution approving a two-year time extension to the previously approved Alaniz Estates Vesting Tentative Subdivision Map (VTPM-22-118)

APPLICANT:	Rama Builders, Inc. a California Corporation Attn: Mr. Manny Alaniz 4114 Hubbard Road Stockton, CA 95215
PROPERTY OWNER:	Same
GENERAL PLAN:	MD, Medium Density
ZONING:	RM-3, Multi-Family Residential
CEQA STATUS:	Categorically Exempt According to the California Environmental Quality Act Article 19, § 15332 Class 32 “In-Fill Development”.

SUMMARY:

The applicant has submitted a request for a time extension to the previously approved Vesting Tentative Subdivision Map No. VTM-22-118. The Vesting Tentative Subdivision Map proposes to subdivide two (2) parcels consisting of approximately 0.75-acres into eight (8) individual residential lots. Parcels 1 through 7 are 3,850 sq. ft. in size and Parcel 8 is 5,744 sq. ft. in size. The map will serve as the basis for design and construction of future single-family homes.

ITEM 9.2

BACKGROUND:

On November 14, 2022, the City of Lathrop City Council adopted CC Resolution No. 22-5189 approving the Vesting Tentative Subdivision Map for the Alaniz Estates Vesting Tentative Subdivision Map (VTM-22-118). The Project site is located in east Lathrop on Shilling Avenue approximately ¼ mile, east of Harlan Road. The property is located at the southwest corner of Shilling Avenue and Avon Avenue and is bounded on all sides by residential uses. The Project site has a General Plan Land Use Designation of MD, Medium Density Residential and is within the RM-3, Multi-Family Residential Zoning District.

ANALYSIS:

Section 16.12.070.A of the Lathrop Municipal Code provides the Planning Commission the authority to grant an extension not exceeding two (2) years for tentative maps, with extensions not exceeding a total of six (6) years. If the current request is approved, the total extension granted for this project will be two (2) years, extending the approval to November 14, 2026. This is consistent with Government Code §66452.6 of the Subdivision Map Act if an applicant has filed the request in a timely manner.

The applicant is requesting the time extension to acquire additional funding to prepare improvement and architectural plans.

Staff believes that the proposed time is a reasonable request to allow the project proponent additional time to fund the project and plan for development. The original Conditions of Approval dated October 19, 2022, will be amended to include the new project expiration date of November 14, 2026.

CEQA REVIEW:

Categorically Exempt According to the California Environmental Quality Act (CEQA) Article 19, § 15332 Class 32 “In-Fill Development”.

RECOMMENDATION:

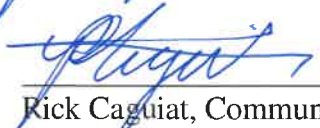
Staff recommends the Planning Commission adopt Resolution No. 24-17 approving a two (2) year time extension to the previously approved Alaniz Estates Vesting Tentative Subdivision Map No. VTM-22-118, subject to the original Conditions of Approval dated October 19, 2022, attached and incorporated by reference herein.

Approvals:

for 

David Niskanen, Contract Planner

8/23/24
Date



Rick Caguiat, Community Development Director

8/23/24
Date



Salvador Navarrete, City Attorney

8-26-2024
Date

Attachments:

- 1. Planning Commission Resolution No. 24-17
- 2. VTM-22-118 Amended Conditions of Approval dated October 19, 2022
- 3. Time Extension Request dated August 15, 2024
- 4. Tentative Map

**CITY OF LATHROP
PLANNING COMMISSION RESOLUTION NO. 24-17**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LATHROP
APPROVING A TWO (2) YEAR TIME EXTENSION TO THE PREVIOUSLY
APPROVED VESTING TENTATIVE SUBDIVISION MAP VTM-22-118 FOR THE
ALANIZ ESTATES SUBDIVISION PROJECT (TE-24-134)**

WHEREAS, the City of Lathrop Planning Commission held a duly noticed public meeting on the Vesting Tentative Subdivision Map Time Extension request pursuant to the Lathrop Municipal Code; and

WHEREAS, the request is for a time extension to the previously approved Vesting Tentative Subdivision Map (VTM-22-118) to subdivide two (2) parcels consisting of approximately 0.75-acres into eight (8) individual residential lots; and

WHEREAS, the property is located at 310 and 342 Shilling Avenue (APNs: 196-080-34 and -35; and

WHEREAS, the subject site is located in the Medium Density Residential (MD) General Plan designation, Multi-Family Residential (RM-3) Zoning District and is within the Historic Overlay District; and

WHEREAS, the Vesting Tentative Subdivision Map is exempt according to the California Environmental Quality Act (CEQA) Article 19, §15332 Class 32 “In-Fill Development”; and

WHEREAS, the Planning Commission hereby grants a two-year time extension to VTM-22-118, extending the project approval to November 14, 2026, subject to the amended Conditions of Approval dated October 19, 2022; and

WHEREAS, proper notice regarding the proposed Vesting Tentative Subdivision Map Time Extension was given in all respects as required by law; and

WHEREAS, the Planning Commission has reviewed all written evidence and oral testimony presented to date.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Lathrop based on public testimony, substantial evidence in the administrative record of proceedings, its findings above and pursuant to its independent review and consideration, does hereby Approve Time Extension No. TE-24-134 subject to the amended Conditions of Approval dated October 19, 2022 for VTM-22-118, attached and incorporated by reference herein.

PASSED AND ADOPTED by the Planning Commission of the City of Lathrop at a Special meeting on the 18th day of September, 2024 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Tosh Ishihara, Chair

ATTEST:

APPROVED AS TO FORM:



Rick Caguiat, Secretary

Salvador Navarrete, City Attorney

Community Development Department – Planning Division

Consolidated Conditions of Approval

Amended October 19, 2022

Project Name: Alaniz Estates Vesting Tentative Subdivision Map
File Number: Vesting Tentative Subdivision Map No. VTM-22-118
Project Address: 310 and 342 Shilling Avenue (APNs: 196-080-34 and -35)

The following list of conditions shall be incorporated into the final construction plans and development phases of the project. The list of conditions are not intended to be all-inclusive or a comprehensive listing of all City or district regulations. Please note that additional comments and/or conditions may be added pending the response to the comments noted below and/or changes to the proposed project. The following comments and conditions of approval are based on the exhibits and diagrams dated June 29, 2022.

DESCRIPTION

The applicant is requesting approval of a Vesting Tentative Subdivision Map to subdivide two (2) parcels consisting of approximately 0.75-acres into eight (8) individual residential lots. Parcels 1 through 7 are 3,850 sq. ft. in size and Parcel 8 is 5,744 sq. ft. in size. The map will serve as the basis for design and construction of future single-family homes.

PLANNING

CEQA Determination

The City finds that the project is Categorical Exempt according to the California Environmental Quality Act Article 19 § 15332 Class 32 “In-Fill Development”. In this regard, the proposed project it is consistent with the General Plan and Zoning regulations of the parcel, and occurs within the City limits and is no more than 5-acres. The project site is substantially surrounded by urban uses; has no value as habitat for endangered, rare, or threatened species; does not result in any significant effect relating to traffic, noise, air and water quality; and can be adequately served by all required utilities and public services. No significant impacts are anticipated and no mitigation measure have been required.

1. The applicant shall contact the Finance Department to process the assessment apportionment or pay off the outstanding assessment prior to final map recordation.
2. Future development of the parcel shall comply with the development standards for Multifamily Residential Detached Units (MFD Small Lots) per Section 17.38.090 of the Lathrop Municipal Code (LMC).
3. Prior to any ground disturbance, the project shall consult with the San Joaquin County Multi-Species Habitat Conversation and Open Space Plan (SJMSCP) for biological coverage, mitigation and participation in the plan. Participation in the SJMSCP satisfies requirements for both the State and Federal endangered species acts, and ensures that the impact are mitigated below a level of significance in compliance with the California Environmental Quality Act (CEQA).

4. The applicant shall coordinate with the San Joaquin Valley Air Pollution Control District to comply with District rules and regulations including but not limited to Rule 8021, Dust Control Plan, Rule 9510, Indirect Source Review, etc. The applicant shall provide proof of compliance prior to building permit issuance.
5. The Final Map shall be in substantial conformance with the approved Vesting Tentative Subdivision Map, as conditioned, and future development shall be consistent with applicable sections of the Lathrop Municipal Code.
6. The applicant is responsible for contacting all appropriate utility companies to obtain their agreement for extension and/or relocation of services necessary to final the proposed Vesting Tentative Subdivision Map.
7. Any activity authorized by this Vesting Tentative Subdivision Map shall constitute acceptance of all of the conditions and obligations imposed by the City on this Vesting Tentative Subdivision Map. The applicant(s), by said acceptance of these Conditions, waives any challenge as to the validity of these conditions.
8. Unless otherwise specified, all conditions of approval shall be complied with prior to issuance of any Building Permits.
9. The Vesting Tentative Subdivision Map shall expire [on November 14, 2026](#) unless a time extension is granted consistent with the policies and procedures of the Lathrop Municipal Code and the Subdivision Map Act.

BUILDING

1. All construction shall comply with the most recent adopted City and State building codes:
 - [2022](#) California Building Code
 - [2022](#) California Residential Code
 - [2022](#) California Electrical Code
 - [2022](#) California Mechanical Code
 - [2022](#) California Plumbing Code
 - [2022](#) California Fire Code
 - [2022](#) California Green Code
2. Dimensioned building setbacks and property lines, street centerlines and between buildings or other structures shall be designed on plot plan.
3. All property lines and easements must be shown on plot plan. A statement that such lines and easements are shown is required.
4. The project design will conform with energy conservation measures articulated in Title 24 of the California Code of Regulations and address measures to reduce energy consumption such as flow restrictors for toilets, low consumptions light fixtures, and insulation and shall use to the extent feasible draught landscaping.

PUBLIC WORKS

1. Wastewater

- a. Applicant shall be required to connect to the City sewer system prior to certificate of occupancy for the first building within the project.
- b. The wastewater will be treated at the Manteca Wastewater Quality Control Facility (MWQCF) and capacity is available for purchase. Each parcel will require one ISU of wastewater capacity (240 gallons per day for low density residential).
- c. Applicant shall submit a wastewater study proving that the existing City infrastructure can support the additional wastewater contribution and shall participate in and fund any Master Plan updates if required.
- d. Wastewater laterals shall be shown on the utility site plans and shall not be located within the driveway. A clean out shall be provided at the property line.

2. Potable Water

- a. Applicant shall be required to connect to the water utility for domestic supply and pay all applicable connection fees. Any groundwater wells on site shall be abandoned under a permit from San Joaquin County prior to connecting potable water to the site.
- b. Water capacity is available for purchase from the City and each parcel will require 430 gallons per day of capacity.
- c. Applicant shall submit a potable water study proving that the existing City infrastructure can support the additional demand and shall participate in and fund any Master Plan updates if required.
- d. Water laterals and meter locations shall be shown on the utility site plans and shall not be located within the driveway.

3. Storm Drain

- a. Applicant shall show storm water conveyance on the utility site plan.
- b. Applicant shall submit a storm water study proving that the existing City infrastructure can support the additional storm water contribution and shall participate in and fund any Master Plan updates if required. Applicant shall fund and construct improvements to the City's storm drain system if it is determined to be insufficient to support the additional storm water from the Project.

4. Storm Water – Construction

- a. Project is less than one acre, applicant shall complete a small project ESCP and submit to City for review and approval.

5. Frontage Improvements

- a. Applicant shall dedicate Right-of-Way Easement (ROW) and Public Utility Easement (PUE) to City as necessary.
- b. Applicant shall move all existing overhead utilities less than 34.5 kVA underground within the frontage of the proposed development. All new utility connections shall be placed underground.

- c. Applicant shall submit a photometric plan to support the number and placement of the streetlight(s).
- d. Applicant shall install all frontage improvements including but not limited to ½ street width paving, sidewalk, curb, gutter, landscaping, hydrants, signing and striping, and streetlights.
- e. Applicant shall enter into a Subdivision Improvement Agreement prior to the approval of the final map to guarantee all public improvements.

6. General Comments

- a. Applicant shall retain the services of a California licensed civil engineer to design the improvements and utility plans for sewer, water storm drain lines and systems.
- b. Applicant shall create or participate in a Community Facilities District (CFD) to fund the maintenance of all public infrastructure prior to issuance of the first building permit within the subdivision.
- c. Applicant shall insure that all off-site and on-site improvements comply with City Standards.
- d. Hydrology and hydraulic calculations and plans for on-site storm water system shall be submitted to the City for review and approval.
- e. The Applicant shall execute a maintenance agreement for all onsite storm water quality treatment devices, swales and/or ponds.
- f. Applicant shall install as part of their onsite improvement all necessary Best Management Practices (BMP's) for post construction in accordance with City guidelines and standards. The BMP's must be in place prior to final occupancy.
- g. Applicant shall pay all appropriate fees including but not limited to Levee Impact Fee, Capital Facilities Fees, and Plan Check and Inspection Fees.
- h. A geotechnical report shall be submitted for the project, which includes groundwater elevations, percolation rates for retention basins, soil compaction requirements, and recommendations for asphalt paving.
- i. Grading and other construction activities that may cause dust shall be watered to control dust at the City Engineer's direction. A water vehicle shall be available for dust control operations at all times during grading operations. The adjacent public street shall be kept free and clean of any project dirt, mud, materials, and debris.
- j. Applicant shall provide a separate demolition plan and apply for a demolition permit for any existing buildings.
- k. All improvements shall be designed and constructed per the most current City Standards.

LATHROP-MANTECA FIRE DISTRICT (LMFD)

1. The project must conform to the appropriate edition of the California Fire Code (currently the [2022](#) edition) and all related standards.
2. Permits shall be obtained from the fire code official. Permit(s) and fees, shall be paid prior to issuance of any and/or all permits. Issued permits shall be kept on the premises designated therein at all times and shall be readily available for inspection by the fire code official. (Permits are to be renewed on an annual basis)

3. Fire Department Development Fees for all new buildings must be paid in accordance with the City of Lathrop's Ordinance and Resolutions adopting the fee schedule.
4. An approved water supply for fire protection, either temporary or permanent, shall be made available prior to commencing construction beyond the foundation stage, or as soon as combustible material arrives on the site.
5. Approved vehicle access for firefighting shall be provided to all construction or demolition sites. Vehicle access shall be provided to within 100 feet (30 480 mm) of temporary or permanent fire department connections. Vehicle access shall be provided by either temporary or permanent roads, capable of supporting vehicle loading under all weather conditions. Vehicle access shall be maintained until permanent fire apparatus access roads are available.
7. The Fire Department Fire Access Roads shall meet the requirements established by the San Joaquin County Fire Chief's Association.
8. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, a key box is required to be installed in an approved location. Please note that a separate key box will be required for each of the two access points. The key box shall be of an approved type and shall contain keys to gain necessary access as required by the fire code official. In addition to key box(es), any automatic gates shall have Opticom access ability to provide necessary access for emergency apparatus.
9. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet (122 m) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.
10. Other fire & life safety requirements may be required at time of building plan review.
11. Final approval is subject to field inspections. Minimum 48-72-hour notice required prior to any life-safety fire inspections. Other conditions may apply at time of inspections and are subject to correction.

ADMINISTRATIVE SERVICES

1. By exercising this Permit, the applicant hereby agrees to indemnify, hold harmless and defend the City, its officers, agents, elected and appointed officials, and employees, from any and all liability or claims that may be brought against the City arising out of its approval of this Vesting Tentative Subdivision Map to the fullest extent permitted by law.

SAN JOAQUIN COUNTY ENVIRONMENTAL HEALTH DEPARTMENT

See enclosed memo dated August 23, 2022.



SAN JOAQUIN
— COUNTY —
Greatness grows here.

Environmental Health Department

Jasjit Kang, REHS, Director

Muniappa Naidu, REHS, Assistant Director

PROGRAM COORDINATORS

Robert McClellon, REHS

Jeff Carruesco, REHS, RDI

Willy Ng, REHS

Michael Kith, REHS

Melissa Nissim, REHS

Steven Shih, REHS

Michelle Henry, REHS

Elena Manzo, REHS

August 23, 2022

To: City of Lathrop Community Development Department
Attention: David Niskanen

From: Aldara Salinas; 209-616-3019
Environmental Health Specialist

CR

RE: **TSM-22-118, Referral, SU0015102**
310 & 342 Shilling Ave., Lathrop

The San Joaquin County Environmental Health Department (EHD) recommends the following conditions as a part of developing this project:

1. Any geotechnical drilling shall be conducted under permit and inspection by The Environmental Health Department (San Joaquin County Development Title, Section 9-1115.3 and 9-1115.6).

TIME EXTENSION APPLICATION FORM

TE-24-134

Application Number: VTM-22-118	Receipt Number: 25-2024	Received By: MARIA H
Application Date: 8/15/2024	Project Name: Alaniz Estates	Project Planner: DAVID N.

THIS FORM TO BE COMPLETED BY THE APPLICANT PRIOR TO FILING & PRIOR TO EXPIRATION OF YOUR EXISTING PERMITS

Owner/Applicant Information					
Owner's Name	Manuel Alaniz				
Address	4114 Hubbard Rd				
City/State	Stockton Ca	Phone	2099152016	Fax	
Applicant's Name	Manuel Alaniz				
Address	4114 Hubbard Rd				
City/State	Stockton Ca	Phone	2099152016	Fax	
Business Name (DBA)					

Property Information	
Assessor's Parcel Numbers (APNs)	APN: 196-080-35, APN: 196-080-34
Subject Site(s)	310 Shilling Ave, 342 Shilling Ave

Existing Permit Information	
Existing Permit Numbers	VTM-22-118
Date of Original Approval	11/23/22
Expiration Date	11/23/24

Basis for Request	
<p>Please state your reason for a time extension and the length of time requested (up to one year may be approved):</p> <p>Selling properties to acquire added funds as the savings I had was insufficient. Interest rates went up therefor I have had to resort to selling property to cover improvement plans, new engineering firm, and deposits from the architect. Working through these issues but am close to resolving.</p>	

Time Extension Application

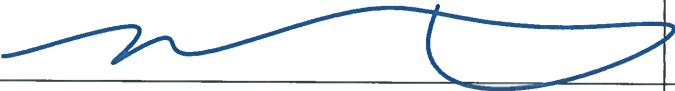

Certifications and Signatures

1. Is the project site included on the "Hazardous Waste and Substance Sites List" or other similar list?

2. Is the proposal an application for a development permit as defined by State law?

(If you're not sure how to answer these questions, please ask a staff member for assistance)

I, the undersigned, do hereby certify that I have read and understand the attached cover sheet(s) and that the facts and information contained in this application are true and correct, to the best of my knowledge.

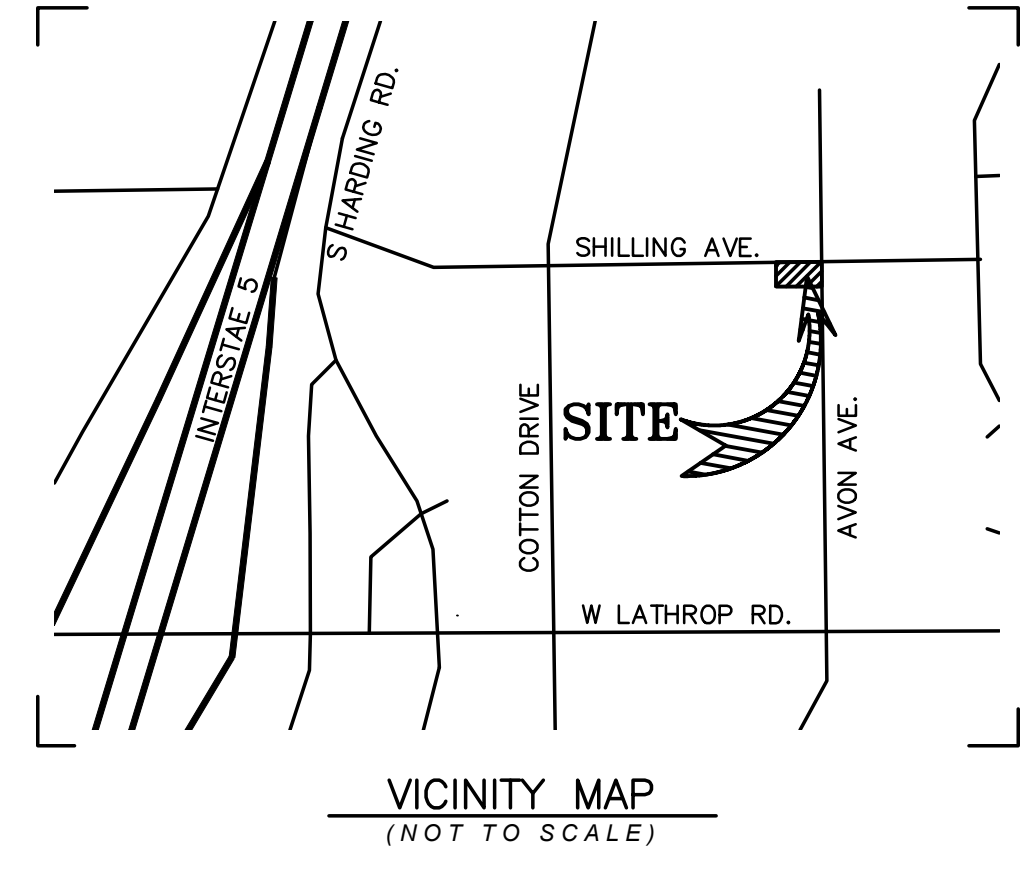
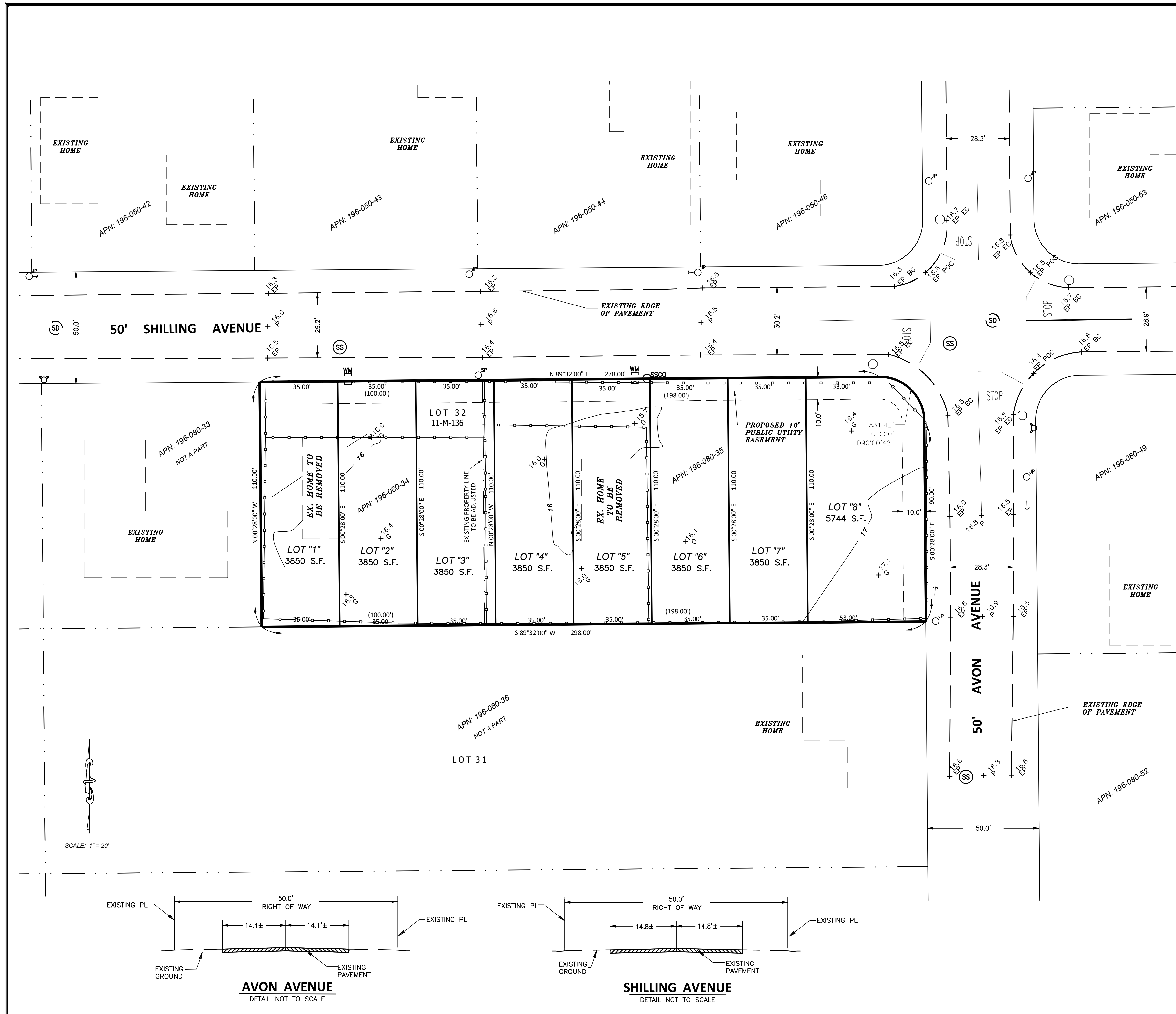
Signature of Applicant/Agent	Signature of Owner(s)*
	
Please print signed name here	Please print signed name here
Manuel Alaniz	Manuel Alaniz
Date 8/15/2024	Date 8/15/2024

- All property owners must sign or provide a signed Agent Authorization Form included in the application packet. (If more space is needed for signatures, please attach additional sheets).

For Official Use Only

General Plan Designation		Zoning District	
Application Fee		Initial Study	
Environmental Review Fee		Development Committee	
Notification Fee		Concurrent Applications	
Total Fees		Public Hearing Dates	
Referral Date		Comments Due Date	
State Clearinghouse Review			

Time Extension Application



OWNER: RAMA BUILDERS INC.
4114 HUBBARD ROAD
STOCKTON, CA 95215
PH: (209) 915-2016

PROJECT DESCRIPTION:
TO SUBDIVIDE 0.75± ACRES, CONSISTING OF TWO (2) EXISTING PARCELS INTO SEVEN (7) 3,850 SQFT LOTS AND ONE (1) 5,744 SQFT CORNER LOT - EIGHT (8) LOTS IN TOTAL.

LEGAL DESCRIPTION:
PER TITLE REPORT
PARCEL 1:
THE EAST 100 FEET OF THE WEST 198 FEET OF LOT 32, AS SHOWN ON MAP OF TRACT NO. 142, LATHROP ACRES, FILED FOR RECORD APRIL 10, 1947, IN VOLUME 11 OF MAPS AND PLATS, PAGE 136, SAN JOAQUIN COUNTY RECORDS.

PARCEL 2:
LOT 32, EXCEPT THE WEST 198 OF TRACT NO. 142, LATHROP ACRES, FILED FOR RECORD APRIL 10, 1947, IN VOLUME 11 OF MAPS AND PLATS, PAGE 136, SAN JOAQUIN COUNTY RECORDS.

APN: 196-080-34 & 196-080-35

PROJECT ADDRESS: 310 & 342 SCHILLING AVE.

PROJECT SIZE: 0.75± GROSS ACRES

LOT SIZE: LOTS 1-7 3850 S.F.
LOT 8 5744 S.F.

A.P.N.: 196-080-34 & 196-080-35

ZONING: RM-3 MULTIFAMILY RESIDENTIAL

- LEGEND:**
- SUBJECT PARCEL LINE
 - RIGHT-OF-WAY
 - SURROUNDING PARCEL LINES
 - EXISTING WOOD FENCE
 - 16 — EXISTING CONTOUR
 - (100.00) — EXISTING LOT DISTANCE
 - ⊗ — EXISTING SEWER MANHOLE
 - — EXISTING STOP SIGN
 - ⊕ — EXISTING STORM DRAIN MANHOLE
 - ⊙ — EXISTING JUNCTION POLE
 - ⊕ — EXISTING FIRE HYDRANT
 - ⊕ — EXISTING WATER METER BOX
 - ⊕ — EXISTING SEWER CLEAN OUT
 - + — EXISTING GRADE

VESTING TENTATIVE SUBDIVISION MAP FOR

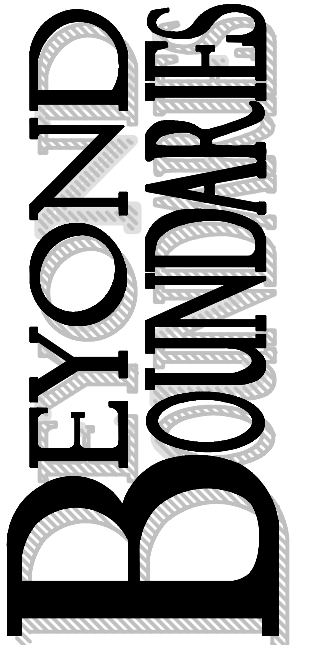
ALANIZ ESTATES SUBDIVISION

BEING A DIVISION OF A PORTION OF LOT 32 OF THE LATHROP ACRES, MAPS AND PLATS VOLUME 11 AT PAGE 136, SAN JOAQUIN COUNTY RECORDS, BEING IN A PORTION OF THE SOUTHWEST QUARTER SECTION 23, T. 1 S., R. 6 E., MOUNT DIABLO BASE AND MERIDIAN, CITY OF LATHROP, COUNTY OF SAN JOAQUIN, CALIFORNIA



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936 RUSSELL ROAD, MODESTO, CA 95338
(209) 404-0350
lsilva315@gmail.com
lsilva315@gmail.com



JOB NO: 21-07

SHEET 1 OF 1 6/29/2022