

**CITY OF LATHROP
PLANNING COMMISSION
SPECIAL MEETING
August 28, 2019**

MINUTES

1. CALL TO ORDER

Meeting was called to order by Chair Ishihara for the August 28, 2019 Special Planning Commission meeting at 6:00 P.M.

2. ROLL CALL

PRESENT: Ishihara, Gatto, Ralmilay, Rhodes

ABSENT: Dresser

Staff Present: Mark Meissner, Community Development Director; Salvador Navarrete, City Attorney; Jay Davidson, Principal Engineer; Rick Caguiat, Principal Planner; David Niskanen, Consultant Planner; Tony Fernandes, Information Technology Manager and Maria Hermosilla, Senior Administrative Assistant.

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 July 17, 2019 – Regular Meeting.

(M) Ishihara (S) Rhodes to approve the July 17, 2019 minutes.

Ayes: Gatto, Ralmilay, Rhodes, Ishihara

Noes: None

Absent: Dresser

Abstain: None

Motion Carries: 4-0-1

8. PUBLIC HEARING ITEMS

8.1 McKinley Avenue Development Conditional Use Permit No. CUP-19-36

Mr. Niskanen made the staff report presentation. He mentioned the additional Condition of Approval (COA) which is consistent with the cease and desist letter provided to the applicant.

Commissioner Ralmilay asked about the date of completion. Mr. Niskanen replied that it is still undetermined but the applicant has three years to complete the project.

OPENED PUBLIC HEARING

Joe Murphy, Project Engineer, came forward and commended staff for their diligence. He proceeded to explain the phasing of the project and urged the Planning Commission to support their project. Mr. Murphy also confirmed that they have no opposition to the COA.

Dilbagh Singh, applicant, also spoke about the project and explained the delays in completing the project entitlement process.

Adriana Lopez, resident, is concerned that Lathrop Rd/McKinley Ave. will become STAA routes. Mr. Davidson promised to look into it. Ms. Lopez also asked about the mitigation measures for residents living in the area.

Christine Mendes, resident, reminded the Planning Commission of their responsibility to the residents. She also spoke about her concerns on the impact of the project to their lifestyle. She wanted assurance that their environmental justice is being protected.

Mary Manenga, Manteca resident is concerned about possible STAA truck traffic route. She recommended limiting truck operations from 8-5 only.

Mr. Murphy clarified that the applicant is not asking for STAA status. He added that the project is not asking for anything more than what is within permitted uses in the area.

Frank Mendes, resident, asked why the residence on the site is permitted to stay. Mr. Singh explained that the residence will serve as caretaker quarters.

CLOSED PUBLIC HEARING

Commissioner Rhodes is concerned about pedestrian safety and asked if there are any related studies done. Mr. Niskanen reassured that both Police and Fire Department have reviewed the project and they were found to be adequate. Mr. Caguiat added this is not a major concern due to low volume of expected traffic. Commissioner Rhodes urges mitigations be maintained.

Commissioner Rhodes wanted reassurance that the environment is protected in the project. Noticing truck parking close to the retention ponds, she worries that oil and sediments will seep into the ponds. Mr. Murphy replied that vegetative soils at placed in the perimeter of the pond to prevent this from happening.

Commissioner Rhodes also asked for provisions that the trucks will not emit undesirable particulate. Mr. Caguiat replied that the Air Pollution and Control District has determined that particulates from the low-volume traffic expected will not exceed limits. Commissioner Rhodes wanted to make sure that trucks will not be allowed to park on undeveloped phase.

Commissioner Rhodes asked about code enforcement direction on the site. Mr. Navarrete replied that the cease and desist letter will remain in effect until there is compliance.

Commissioner Ishihara asked about fencing materials. Mr. Niskanen replied that the applicant is proposing a chain link fence with slats.

Other commissioners addressed the applicant and project.

MOTION

Moved by Commissioner Rhodes, Second by Commissioner Ralmilay to:

Adopt Resolution 19-9 approving A Conditional Use Permit for the proposed McKinley Avenue Development Project (CUP-19-36), with recommended additional COA.

Ayes: Gatto, Ralmilay, Ishihara, Rhodes
Noes: None
Absent: Dresser
Abstain: None
Motion Carries: 4-0-1

9. SCHEDULED ITEMS

9.1 Time Extension No. TE-19-86 for SPR-16-73

Mr. Niskanen made the staff presentation.

Commissioner Ralmilay inquired about road improvements. Mr. Caguiat provided address.

Ms. Mendes asked for project location. Mr. Caguiat complied.

MOTION

Moved by Commissioner Ishihara, Second by Commissioner Rhodes to:

Adopt Resolution 19-10 approving a one (1) year time extension to the previously approved Site Plan Review SPR-16-73 for the West Yosemite Storage and Trucking project (TE-19-86), subject to the amended Conditions of Approval dated Aug.21, 2019.

Ayes: Gatto, Ralmilay, Rhodes, Ishihara
Noes: None
Absent: Dresser
Abstain: None
Motion Carries: 4-0-1

10. STAFF COMMENTS

Mr. Meissner and Mr. Caguiat provided an update on current projects throughout the City.

11. PLANNING COMMISSION COMMENTS

Commissioner Ralmilay asked staff to look into the missing sidewalk at the ~~In-N-Out~~ Starbucks restaurant site.

Commissioner Ishihara thanked staff for a job well done.

Mr. Fernandes informed the commission that the Planning Commission will be streaming live and close captions are provided to comply with ADA requirements.

12. ADJOURNMENT

Chair Gatto adjourned the meeting at 7:55 PM.