

**SEPTEMBER 18, 2024 – Planning Commission Regular Meeting –  
6:00pm**



City Council Chamber  
390 Towne Centre Drive  
Lathrop, California  
(209) 941-7200  
[www.ci.lathrop.ca.us](http://www.ci.lathrop.ca.us)

**Planning Commissioners**

Tosh Ishihara, Chair  
Ash Ralmilay, Vice Chair  
Paul Camarena  
George Jackson  
Gloryanna Rhodes

**City Staff**

Rick Caguiat, Community Development Director &  
Planning Commission Secretary  
James Michaels, Senior Planner  
Trent DaDalt, Associate Planner  
David Niskanen, Consultant Planner  
Salvador Navarrete, City Attorney  
Maria Hermosilla, Executive Assistant

## **IMPORTANT NOTICE REGARDING THIS MEETING & COVID-19**

This public meeting will be conducted in person; all members of the Planning Commission will attend in person. Members of the public are welcomed in person. This meeting will also be available for public participation by teleconference via ZoomGov at the following link:

<https://www.zoomgov.com/j/1606358357?pwd=eEhNemtSZThyaFIZYUImc1RyR29hdz09>

- ✚ During the meeting, those joining by ZoomGov, will be allowed to speak prior to the close of public comment on an item. If you are using this method, please "raise the hand" feature to inform the meeting host you wish to speak on the matter. Please ensure your computer speaker and microphone are fully functional.
  - ✚ Meeting ID: 160 635 8357 / Passcode: Lathrop
  - ✚ For audio only, call-in number: +1 (669) 254 5252. To request to speak (same as the "raise hand" feature) press \*9 / when the host calls your name, press \*6 to unmute.
- If you are not able to attend the meeting in person or virtually - public comment/questions will be accepted by email to Rick Caguiat, Community Development Director and Planning Commission Secretary at [planning@ci.lathrop.ca.us](mailto:planning@ci.lathrop.ca.us).
  - Questions or comments must be submitted by 3:00 p.m., on the day of the meeting.
  - To address Planning Commission in person, please submit an orange card to the Planning Commission Secretary indicating name, address, and number of the item upon which a person wishes to speak.

Planning Commission Meetings are live-streamed (with Closed Captioning) on Comcast Cable Channel 97 and on the City's website at <https://www.ci.lathrop.ca.us/citycouncil/page/live-stream>

### **Addressing the Planning Commission**

Any person may speak once on any item under discussion by the Planning Commission after receiving recognition by the Chair. Orange speaker cards will be available prior to and during the meeting. To address the Planning Commission, a card must be submitted to the Planning Commission Secretary indicating name, address and number of the item upon which a person wishes to speak. When addressing the Planning Commission, please walk to the lectern located in front of the Planning Commission. State your name and address. In order to ensure all persons have the opportunity to speak, a time limit will be set by the Chair for each speaker (see instructions on speaker form). In the interest of time, each speaker may only speak once on each individual agenda item; please limit your comments to new material; do not repeat what a prior speaker has said.

## Citizen's Forum

Any person desiring to speak on a matter, which is not scheduled on this agenda, may do so under the Public Comment section. Please submit your orange speaker card to the Planning Commission Secretary prior to the commencement of Public Comment, or submit your request to speak via the "raise hand" feature in ZoomGov. Only those who have submitted speaker cards, or have expressed an interest to speak, prior to the conclusion of Public Comment will be called upon to speak. Please be aware the California Government Code prohibits the Planning Commission from taking any immediate action on an item, which does not appear on the agenda, unless the item meets stringent statutory requirements. The Chair will limit the length of your presentation (see instructions on speaker form) and each speaker may only speak once on this agenda item.

## Information

If you wish to appeal a decision of the Planning Commission, you must do so within ten (10) calendar days following the meeting. Please contact the Planning Division at (209) 941-7290 for information regarding the appeal procedure.

NOTE: If you challenge the nature of a proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

This agenda was posted at least 72 hours in advance of the scheduled meeting at the following locations: *City Hall, Community Center, Generations Center, Senior Center, and "J" Street and Somerston Fire Department Offices and the City website.* To obtain a hard copy of this agenda packet, please visit the Community Development Department counter located at 390 Towne Centre Drive, Lathrop, CA 95330, or you may also call (209) 941-7290 to have it sent via mail or e-mail. The agenda packet is available on the "Agendas & Minutes" page of the City of Lathrop website, please follow the link: <https://www.ci.lathrop.ca.us/meetings>



In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting please call (209) 941-7290. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting (28CFR 35.102.35.104 AD Title II).

CITY OF LATHROP  
PLANNING COMMISSION  
**Agenda**

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REGULAR MEETING  
WEDNESDAY, SEPTEMBER 18, 2024 AT 6:00 P.M.  
CITY COUNCIL CHAMBER  
390 TOWNE CENTRE DRIVE, LATHROP, CA 95330

**1. CALL TO ORDER**

**1.1 Annual appointment of Chair and Vice-Chair**

**2. ROLL CALL**

**3. PLEDGE OF ALLEGIANCE**

**4. DECLARATION OF CONFLICT OF INTEREST**

**5. PUBLIC COMMENT**

*Persons who wish to speak to the Commission regarding an item that is not on tonight's agenda may do so at this time. Upon recognition by the Chairperson, please step forward to the podium; state your name, city of residence and subject matter.*

**6. AGENDA MODIFICATIONS**

*Items on the agenda requested to be added, deleted, or continued will be announced at this time.*

**7. APPROVAL OF MINUTES**

7.1 June 19, 2024 – Regular Meeting

**8. PUBLIC HEARING ITEMS**

None

## **9. SCHEDULED ITEMS**

### **9.1 Time Extension No. TE-24-130**

Consider adoption of a resolution approving a one-year Time Extension to the previously approved Scannell Properties Industrial Project Site Plan Review (SPR-20-141)

Location: 1520 Lathrop Road (APNs: 198-040-28, -29, -30, and -31)

**ENVIRONMENTAL STATUS:** An Initial Study and Mitigated Negative Declaration (IS/MND) was originally approved for the Scannell Properties Industrial Project on November 8, 2021 (Resolution No. 21-4985) to disclose potential significant environmental effects of the proposed project and identify feasible mitigation measures that would reduce the potential significant environmental effects to a less than significant level. The IS/MND was prepared in compliance with the California Environmental Quality Act (CEQA).

### **9.2 Time Extension No. TE-24-134**

Consider adoption of a resolution approving a two-year time extension to the previously approved Alaniz Estates Vesting Tentative Subdivision Map (VTPM-22-118).

Location: 310 and 342 Shilling Avenue (APNs: 196-080-34 and -35)

**ENVIRONMENTAL STATUS:** Categorically Exempt According to the California Environmental Quality Act Article 19, § 15332 Class 32 "In-Fill Development".

## **10. STAFF COMMENTS**

## **11. PLANNING COMMISSION COMMENTS**

## **12. ADJOURNMENT**

**CITY OF LATHROP  
PLANNING COMMISSION  
REGULAR MEETING  
JUNE 19, 2024**

**MINUTES**

**1. CALL TO ORDER**

Meeting was called to order by Chair Ishihara for the June 19, 2024 Regular Planning Commission meeting at 6:02 P.M.

**2. ROLL CALL**

PRESENT: Ishihara, Camarena, Jackson

ABSENT: Ralmilay, Rhodes

Staff Present: Salvador Navarrete, City Attorney (via ZoomGov); Rick Caguiat, Community Development Director; James Michaels, Senior Planner; David Niskanen, Contract Planner; Trent DaDalt, Associate Planner and Maria Herмосilla, Executive 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 May 15, 2024 – Regular Meeting

(M) Jackson (S) Camarena to approve the May 15, 2024 minutes

Ayes: Ishihara, Camarena, Jackson  
Noes: None  
Absent: Ralmilay, Rhodes  
Abstain: None  
Motion Carries: 3-0-2-0

**8. PUBLIC HEARING ITEMS**

8.1 Conditional Use Permit No. CUP-24-68 & Site Plan Review No. SPR-24- 74 –  
River Islands High School Private Gymnasium.

Mr. DaDalt made the staff report presentation.

OPENED PUBLIC HEARING

There were no public comments received.

CLOSED PUBLIC HEARING

Commissioner Camarena asked if the gym will be available by the time school starts as anticipated. Mr. Ramon Batista of River Islands replied that the project is currently in the building permit process and is progressing quickly. Commissioner Camarena asked if the high school would open this school year. Mr. Batista replied that it will be partially open as construction is happening in phases. Mr. Camarena asked why there is another year of delay on the opening of the permanent gym. Mr. Batista stated that it is taking longer for the Division of the State Architect (DSA) to review and approve the high school plans but the construction will commence once state approves the plans. However, due to the size of the project, construction delays are anticipated and are unavoidable.

Mr. Camarena asked what would happen to the temporary gym after the permanent one opens. Mr. Batista replied that both the high school and the City could still use it for various other events. In addition, it also has the potential to integrate with the adjacent future community park.

Mr. Camarena asked about the gym’s maximum capacity. The gym capacity/occupancy will be flexible and will depend on the use.

Commissioner Jackson asked why it is named “River Islands High School Private Gymnasium”. Mr. Batista replied that River Islands privately owns and operates the gym, hence the name.

Chair Ishihara praised the great working relationship between City Staff and the River Islands team.

MOTION

Moved by Commissioner Jackson, Second by Commissioner Camarena to adopt Resolution No. 24-13, approving a Conditional Use Permit and a Site Plan Review to construct and operate the River Islands High School Private Gymnasium located in ite River Islands West Village District:

- Ayes: Ishihara, Camarena, Jackson
- Noes: None
- Absent: Ralmilay, Rhodes
- Abstain: None
- Motion Carries: 3-0-2-0

8.2 Del Webb Community Center – Conditional Use Permit No. CUP-22-162 & Site Plan Review No. SPR-22-165

Mr. DaDalt made the staff report presentation.

OPENED PUBLIC HEARING

There were no public comments received.

CLOSED PUBLIC HEARING

Aaron Head of Pulte Homes came forward to answer questions regarding the project.

Commissioner Camarena asked about the standard size of the homes. Mr. Head replied it would typically be around 2,500 sf.

Commissioner Jackson and Chair Ishihara complemented the Del Webb project located in Manteca.

MOTION

Moved by Commissioner Camarena, Second by Commissioner Jackson to adopt Resolution No. 24-14, approving a Conditional Use Permit and a Site Plan Review to construct and operate the Del Webb Community Center located in the River Islands West Village District:



Ayes: Ishihara, Camarena, Jackson  
Noes: None  
Absent: Ralmilay, Rhodes  
Abstain: None  
Motion Carries: 3-0-2-0

## 9. SCHEDULED ITEMS

### 9.1 River Islands Woodlands East Architectural Design Guidelines and Development Standards (DG/DS) Neighborhood Development Plan No. NDP-23-25

Mr. DaDalt made the staff report presentation.

Commissioner Camarena asked about the current market trend of home sales. Mr. Batista responded that the project is very close to the goal of 500 units per year. He mentioned that demand is currently high and there is a lot of interest from the builders.

Commissioner Jackson asked what the districts are and inquired how they are named. Mr. Batista explained that the River Islands project is quite large and districts were created to make the project manageable. These districts were given themed names for distinction. Commissioner Jackson asked if the districts have separate HOAs. Mr. Batista responded that HOAs are specific to a builder and River Islands (as a whole) has no HOA but has CC& Rs.

Commissioner Camarena asked about the custom lots against the levee on River Bend. Mr. Batista replied that Pulte Homes is contracted to build the semi-custom lots and they are selling quickly. However, there are several larger custom lots still owned by River Islands that would be either be fully custom or would be exclusively built for River Islands.

#### MOTION

Moved by Commissioner Jackson, Second by Commissioner Camarena to adopt Resolution 24-11 approving the Woodlands East District Architectural Design Guidelines and Development Standards (DG/DS):

Ayes: Ishihara, Camarena, Jackson  
Noes: None  
Absent: Ralmilay, Rhodes  
Abstain: None  
Motion Carries: 3-0-2-0

9.2 Time Extension No. TE-24-93

Mr. DaDalt made the staff report presentation.

Commissioner Camarena asked for more details on the time extension request. Mr Singh, applicant, explained that they are still looking for a suitable and cost-effective contractor. If they could not find one, they might decide to sell the property.

Commissioner Camarena asked if this is the only time extension allowed for the project. Mr. Niskanen replied yes per the LMC. Commissioner Camarena asked the applicant if 12 months is enough time to find a contractor. The applicant replied yes.

MOTION

Moved by Commissioner Jackson, Second by Commissioner Camarena to adopt Resolution 24-15 approving a one (1) year Time Extension to the previously approved Site Plan Review No. SPR-20-132 for the Valley Bros Project:

Ayes: Ishihara, Camarena, Jackson

Noes: None

Absent: Ralmilay, Rhodes

Abstain: None

Motion Carries: 3-0-2-0

**10. STAFF COMMENTS**

Mr. Caguiat informed the Commission that Commissioner Ishihara has been reappointed as a Planning Commissioner during the last City Council.

Staff gave updates on various projects within the City.

**11. PLANNING COMMISSION COMMENTS**

Chair Ishihara thanked staff for the work they do for the City.

**12. ADJOURNMENT**

Chair Ishihara adjourned the meeting at 7:35 PM.



PLANNING COMMISSION  
STAFF REPORT

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**DATE:** September 18, 2024

**APPLICATION NO:** Time Extension No. TE-24-130

**LOCATION:** 1520 Lathrop Road  
Lathrop, CA 95330  
APNs: 198-040-28, -29, -30, and -31

**REQUEST:** Planning Commission to consider adoption of a resolution approving a one-year time extension to the previously approved Scannell Properties Industrial Project Site Plan Review (SPR-20-141)

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**APPLICANT:** Scannell Properties #478, LLC  
Attn: Mr. Paul Starn  
3648 Mt. Diablo Blvd., Suite B-115  
Lafayette, CA 94549

**PROPERTY OWNER:** Same

**GENERAL PLAN:** GI, General Industrial

**ZONING:** IG, General Industrial

**CEQA STATUS:** An Initial Study and Mitigated Negative Declaration (IS/MND) was originally approved for the Scannell Properties Industrial Project on November 8, 2021 (Resolution No. 21-4985) to disclose potential significant environmental effects of the proposed project and identify feasible mitigation measures that would reduce the potential significant environmental effects to a less than significant level. The IS/MND was prepared in compliance with the California Environmental Quality Act (CEQA).

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**SUMMARY:**

The applicant has submitted a request for a time extension to the previously approved Scannell Properties Industrial Project Site Plan Review No. SPR-20-141. The previously approved project proposes the development of three (3) new industrial warehouse buildings totaling 191,160 sq. ft. in size.

## ITEM 9.1

Staff recommends the Planning Commission approve the request for a one (1) year time extension to the previously approved Scannell Properties Industrial Project Site Plan Review No. SPR-20-141, subject to the amended Conditions of Approval dated September 18, 2024, as amended by this action.

### **BACKGROUND:**

On November 8, 2021 and December 13, 2021, the City Council approved the following Resolutions and Ordinances related to the Scannell Properties Industrial Project:

- Resolution No. 21-4985 – Adoption of the Initial Study and Mitigated Negative Declaration;
- Resolution No. 21-4986 – Adoption of the General Plan Amendment from SC, Service Commercial to GI, General Industrial;
- Ordinance No. 21-429 – Approval of the Rezone from CS, Service Commercial to IG, General Industrial;
- Resolution No. 21-4987 – Approval of the Site Plan Review to construct three (3) industrial warehouse buildings totaling 191,160 sq. ft. in size; and
- Resolution No. 21-4988 – Approval of a Vesting Tentative Parcel Map to subdivide an existing 18.2-acre parcel into four (4) parcels broken down as follows: Parcel 1 is 6.54-acres, Parcel 2 is 5.58-acres, Parcel 3 is 3.50-acres, and Parcel 4 is 2.52-acres.

The project proposes to construct three (3) new industrial warehouse buildings that total 191,160 sq. ft. in size. Specifically, Building 1 would be located in the northern portion of the project site and have a building footprint of approximately 70,200 sq. ft. Building 2 would be located in the southwest portion of the site and have a building footprint of approximately 78,400 sq. ft. Building 3 would be located in the southeast portion of the project site and have a building footprint of approximately 42,560 sq. ft. The project will also construct associated on- and off-site improvements include paving, curb, gutter and sidewalk, landscaping, lighting, fencing, and a stormwater retention basin.

### **ANALYSIS:**

Per Section 17.100.100, *Lapse of site plan approval*, “a site plan approval shall lapse and shall become void 36 months following the date on which approval by the planning commission or city council became effective unless, prior to the expiration of 36 months, a building permit is issued by the building official and construction is commenced and diligently pursued toward completion of the site or structures which were the subject of the site plan. Approval may be extended for an additional period not to exceed 12 months upon written application to the approving body before expiration of the first approval.”

The approval of Site Plan Review No. SPR-20-141 is set to expire on November 8, 2024. According to the applicant, the request for an extension is due to a delay in securing suitable users for the buildings. As part of the review, the City has the ability to modify, remove and/or add Conditions of Approval to the project as a result of the requested time extension. In this regard,

## ITEM 9.1

staff has reviewed the current Conditions of Approval and have updated the governing codes for building and permitting.

Staff believes that the proposed time extension is a reasonable request to allow the project proponent additional time to develop the site per the approved Site Plan Review.

### **CEQA DETERMINATION:**

An Initial Study and Mitigated Negative Declaration (IS/MND) was adopted for the Scannell Properties Industrial Project on November 8, 2021 (Resolution No. 21-4985) to disclose potential significant environmental effects of the proposed project and identify feasible mitigation measures that would reduce the potential significant environmental effects to a less than significant level. The IS/MND was prepared in compliance with the California Environmental Quality Act (CEQA). The extension request is consistent with the original IS/MND that was prepared in accordance with CEQA and no further environmental review is necessary.

### **RECOMMENDATION:**

Staff recommends the Planning Commission adopt Resolution No. 24-16 approving a one (1) year time extension to the previously approved Scannell Properties Industrial Project Site Plan Review No. SPR-20-141, subject to the amended Conditions of Approval dated September 18, 2024, as amended by this action.

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**Approvals:**

  
\_\_\_\_\_  
David Niskanen, Contract Planner

8/21/2024  
Date

  
\_\_\_\_\_  
Rick Caguiat, Community Development Director

8/23/24  
Date

  
\_\_\_\_\_  
Salvador Navarrete, City Attorney

8.26.2024  
Date

**Attachments:**

- 1. Planning Commission Resolution No. 24-16
- 2. SPR-20-141 Amended Conditions of Approval dated September 18, 2024
- 3. Time Extension Application
- 4. Project Site Plan

**CITY OF LATHROP  
PLANNING COMMISSION RESOLUTION NO. 24-16**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LATHROP  
APPROVING A ONE (1) YEAR TIME EXTENSION TO THE PREVIOUSLY  
APPROVED SITE PLAN REVIEW NO. SPR-20-141 FOR THE SCANNELL  
PROPERTIES INDUSTRIAL PROJECT (TE-24-130)**

**WHEREAS**, the City of Lathrop Planning Commission held a duly noticed public meeting on the Site Plan Review Time Extension request pursuant to the Lathrop Municipal Code; and

**WHEREAS**, on November 8, 2021 and December 13, 2021, the City Council approved the following Resolutions and Ordinances related to the Scannell Properties Industrial Project:

- Resolution No. 21-4985 – Adoption of the Initial Study and Mitigated Negative Declaration;
- Resolution No. 21-4986 – Adoption of the General Plan Amendment from SC, Service Commercial to GI, General Industrial;
- Ordinance No. 21-429 – Approval of the Rezone from CS, Service Commercial to IG, General Industrial;
- Resolution No. 21-4987 – Approval of the Site Plan Review to construct three (3) industrial warehouse buildings totaling 191,160 sq. ft. in size; and
- Resolution No. 21-4988 – Approval of a Vesting Tentative Parcel Map to subdivide an existing 18.2-acre parcel into four (4) parcels broken down as follows: Parcel 1 is 6.54-acres, Parcel 2 is 5.58-acres, Parcel 3 is 3.50-acres, and Parcel 4 is 2.52-acres.

**WHEREAS**, the request is for a time extension to the previously approved Site Plan Review (SPR-20-132) for the development of three (3) new industrial warehouse buildings totaling 191,160 sq. ft. in size. Specifically, Building 1 would be located in the northern portion of the project site and have a building footprint of approximately 70,200 sq. ft. Building 2 would be located in the southwest portion of the project site and have a building footprint of approximately 78,400 sq. ft. Building 3 would be located in the southeast portion of the project site and have a building footprint of approximately 42,560 sq. ft. The project will also construct associated on- and off-site improvements include paving, curb, gutter, and sidewalk, landscaping, lighting, fencing, and a stormwater retention basin; and

**WHEREAS**, the property is located at 1520 Lathrop Road (APNs: 198-040-28, -29, -30, and -31); and

**WHEREAS**, the subject parcels have a General Plan Land Use Designation of GI, General Industrial and are within the IG, General Industrial Zoning District; and

**WHEREAS**, an Initial Study and Mitigated Negative Declaration (IS/MND) was adopted for the Scannell Properties Industrial Project on November 8, 2021 (Resolution No. 21-4985) to disclose potential significant environmental effects of the proposed project and identify feasible mitigation measures that would reduce the potential significant environmental effects to a less than significant level. The IS/MND was prepared in compliance with the California Environmental Quality Act (CEQA). The extension request is consistent with the original IS/MND that was prepared in accordance with CEQA and no further environmental review is necessary.

**WHEREAS**, the Planning Commission hereby grants a one-year time extension to SPR-20-141, extending the project approval to November 8, 2025, subject to the amended Conditions of Approval dated September 18, 2024; and

**WHEREAS**, proper notice regarding the proposed Site Plan Review Time Extension was given in all respects 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-24-130 subject to the amended Conditions of Approval dated September 18, 2024 for SPR-20-141, attached and incorporated by reference herein.



**PASSED AND ADOPTED** by the Planning Commission of the City of Lathrop at a regular meeting on the 18<sup>th</sup> day of September 2024 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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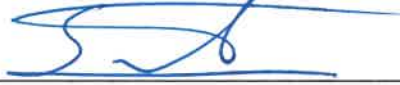
Tosh Ishihara, Chair

ATTEST:

APPROVED AS TO FORM:

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Rick Caguiat, Secretary



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Salvador Navarrete, City Attorney

Community Development Department – Planning Division

Amended Consolidated Conditions of Approval

September 18, 2024

**Project Name:** Scannell Properties Industrial Project  
**File Number:** General Plan Amendment No. GPA-20-139  
Rezone No. REZ-20-140  
Site Plan Review No. SPR-20-141  
Tentative Parcel Map No. TPM-20-142  
**Project Address:** 1520 Lathrop Road (APN: 198-040-14)

*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.*

Approval of this project authorizes the construction of three (3) new industrial warehouse buildings totaling 191,160 sq. ft. in size. Specifically, Building 1 would be located in the northern portion of the project site and have a building footprint of approximately 70,200 sq. ft. Building 2 would be located in the southwest portion of the site and have a building footprint of approximately 78,400 sq. ft. and Building 3 would be located in the southeast portion of the project site and have a building footprint of approximately 42,560 sq. ft. The Vesting Tentative Parcel Map would subdivide an existing 18.2-acre parcel into four (4) parcels: Parcel 1 is 6.54-acres (Building 1), Parcel 2 is 5.58-acres (Building 2), Parcel 3 is 3.50-acres (Building 3) and Parcel 4 is 2.52-acres. The proposed buildings include a total of 236 automobile parking spaces, 14 handicap accessible parking spaces and 101 truck trailer parking spaces in addition to the individual building dock doors. The project will include various improvements such as landscaping, lighting, and extension of public utilities. A portion of the site (Parcel 4) is proposed as a stormwater retention basin.

**CEQA DETERMINATION**

An Initial Study and Mitigated Negative Declaration (IS/MND) was prepared for the Scannell Properties Industrial Project to disclose potential significant environmental effects of the proposed project and identify feasible mitigation measures that would reduce the potential significant environmental effects to a less than significant level. The IS/MND was prepared in compliance with the California Environmental Quality Act (CEQA).

**PLANNING**

1. The project is subject to and shall comply with the applicable Mitigation Monitoring and Reporting Program (MMRP) resulting from the Scannell Properties Industrial Project Initial Study/Mitigated Negative Declaration, (attached).

2. No heavy vehicles (CA Legal and STAA trucks) shall be permitted on Lathrop Road west of McKinley Avenue, as directed by City Council at their meeting of September 13, 2021, unless this restriction is modified by City Council.
3. Prior to any ground disturbance, the developer shall consult with the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP) for biological coverage, mitigation and participation in the plan. Participation in the SJMSCP satisfies requirements of both the State and Federal endangered species acts, and ensures that the impacts 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 9510, Indirect Source Review. The applicant shall provide proof of compliance prior to building permit issuance.
5. The project shall comply with all applicable site development provisions contained in the Lathrop Municipal Code including but not limited to parking, lighting, landscaping, etc.
6. The applicant shall submit appropriate plans to the Community Development Department for plan check and building permit. Final site plan, elevation, landscaping and irrigation, exterior lighting and site improvement plans and details, etc. shall be reviewed and approved by the Planning Division. Any significant change or modification to the approved plan is subject to review and approval by the Community Development Director.
7. Landscaping and irrigation must be consistent with the City's Water Conservation Requirements (LMC 17.92.060) and the State Water Efficient Landscape Ordinance (AB 1881). Provide a water efficient landscape worksheet with water budget calculations identifying the water allowance and estimated water use.
8. The entire site including landscaping areas shall be maintained in a healthy, weed free condition.
9. If proposed, trash enclosure(s) shall include but not be limited to a covered roof, metal gate and have three solid walls. Details and/or alternative designs or location shall be subject to review and approval of the Planning, Building and Public Works Department. The trash enclosure design, material and color shall match or compliment the main building.
10. Any building or parking area lighting including security lighting, shall be arranged to not cast light onto adjoining properties.
11. A final site lighting photometric plan with detailed specifications of all lighting fixtures, poles, and wall packs as well as a manufacture's catalogue sheet containing photometric data, shall be submitted with Building Permits for City review and approval. Parking lots, driveways, trash enclosure/areas shall be illuminated during the hours of darkness with a minimum maintained one foot-candle of light and an average not to exceed four foot-candles of light. The illumination shall not exceed ten (10) foot-candles in any one location.
12. No signs are approved for this project. Sign Permits for any exterior signs shall be submitted to the Planning Division for review and approval prior to installation. All signage must be in accordance with the applicable standards of the Lathrop Municipal Code.
13. Bicycle parking shall be installed consistent with Chapter 17.76.120 of the LMC.
14. Roof-mounted mechanical equipment shall be screened and not visible from the public right-of-way. Screening materials shall be compatible with the architectural style, materials and color of the building upon which the equipment is located, subject to the approval of the Community Development Director.

15. Ground-mounted equipment that is not require to be visible, shall be screened and not visible from the public right-of-way using the most practical means of screening, such as landscaping, a freestanding wall/fence, matching paint, subject to the approval of the Community Development Director.
16. The Parcel Map shall be in substantial conformance with the approved Tentative Parcel Map, as conditioned, and future development shall be consistent with applicable sections of the Lathrop Municipal Code.
17. 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 Tentative Parcel Map.
18. Any activity authorized by this Tentative Parcel Map shall constitute acceptance of all of the conditions and obligations imposed by the City on this Tentative Parcel Map. The applicant(s), by said acceptance of these Conditions, waives any challenge as to the validity of these conditions.
19. Unless otherwise specified, all conditions of approval shall be complied with prior to the issuance of any Building Permits.
20. The Tentative Parcel Map shall expire twenty-four (24) months from the date of approval unless a time extension is granted consistent with the policies and procedures of the Lathrop Municipal Code and the Subdivision Map Act.
21. The applicant shall provide a copy of the recorded Parcel Map to create the subject parcel prior to issuance of the building permit.
22. The Site Plan shall expire [on November 8, 2025](#). Prior to the expiration, a building permit must be issued and construction is commenced and diligently pursued toward completion of the site or structures.
23. The City of Lathrop may conduct annual and or spot inspections to ensure that required site improvements and conditions are being complied with and maintained.

## **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. Special Inspections – As indicated by California Building Code Section 1704, the owner shall employ one or more special inspectors who shall provide special inspections when required by CBC section 1704. Please contact the Building Division at time of plan submittal to obtain application for special inspections.

3. The Title Sheet of the plans shall include:
 

Occupancy Group	Type of Construction
Occupant Load	Height of Building
Description of Use	Floor area of building(s) and/or occupancy group
4. School impact fees shall be paid prior to permit issuance.
5. Dimensioned building setbacks and property lines, street centerlines and between buildings or other structures shall be designed on the site plan.
6. All property lines and easements must be shown on the site plan. A statement that such lines and easements are shown is required.
7. 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.
8. A design professional will be required at time of construction drawings, to prepare plans for proposed improvements per the Business and Professions' Code.
9. Public and private site improvements shall be designed in accordance with the Americans with Disabilities Act and Chapter 11B of the California Building Code. Site plan shall include a site accessibility plan identifying exterior routes of travel and detailing running slope, cross slope, width, pedestrian ramp, curb ramps, handrails, signage and truncated domes. Path of travel shall be provided from the public right of way and accessible parking to building. The design professional shall ensure that the site accessibility plan is compliance with the latest Federal and State regulations.
10. A site accessibility plan shall be required as the attached policy from the link below. [https://www.ci.lathrop.ca.us/sites/default/files/fileattachments/building\\_division/page/1651/site\\_accessibility\\_plan\\_requirements\\_3-17-20.pdf](https://www.ci.lathrop.ca.us/sites/default/files/fileattachments/building_division/page/1651/site_accessibility_plan_requirements_3-17-20.pdf)

## **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. The total developed parcel acreage is 15.60, applying a factor of 355 gallons per day/acre per City Standard for industrial use, the development will require 5,538 gallons per day of wastewater capacity, equivalent to 23.075 ISUs. The cost per ISU for the MWQCF can be found in the City Master Fee Schedule.
- c. The sewer main shall be connected to the City force main located at Lathrop Road and McKinley Avenue.

### **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. The total gross parcel acreage is 18.15, applying a factor of 926 gallons per day/acre per the City Standard for industrial use, the development will require 16,807 gallons per day of water capacity. The City has sufficient water capacity to sell at the cost shown in the City Master Fee Schedule.

### **3. Storm Drain**

- a. There is no storm drain utility available at this time. All storm water shall be retained onsite in a retention pond sized per the City of Lathrop Design and Construction Standards.
- b. When the storm drain utility becomes available the site shall be required to connect to the storm drain utility. The applicant shall pay into the storm drain capital facility fee for future improvement and enter into a Deferred Frontage Improvement Agreement (DFIA) for the future connection to the storm system once available.
- c. Storm drain basin shall comply with City standards. Maximum side slope shall be 3:1 and the access road should be sloped away from the basin so the storm water can be concentrated on an entrance to the basin with erosion control.

### **4. Storm Water – Construction**

- a. Project is greater than one acre, applicant shall complete a SWPPP, obtain a WDID number and list the number on the improvement plans, and submit the SWPPP to the City for review and approval.

### **5. Solid Waste**

- a. Applicant shall install a trash enclosure with three solid walls, the fourth wall with a gate and a roof. Trash enclosure will require a man door. A sewer drain in the enclosure is not required as the use is industrial/warehousing.

### **6. Frontage Improvements**

- a. Applicant shall dedicate right-of-way and public utility easement as necessary.
- b. Applicant shall move all existing overhead utilities less than 34.5 kVA underground with the frontage of the proposed development.
- c. Most of the frontage improvements have been installed by the City with the Lathrop Road UPRR overcrossing project. Applicant shall reimburse City for these frontage improvements.
- d. Applicant shall complete all offsite work under a Subdivision Improvement Agreement or Encroachment Permit included the addition of driveways and any items that need to be completed include but not limited to sidewalk, curb, gutter, paving, signing, striping and fire hydrants.

### **7. Access**

- a. The proposed “D” Street access driveway crosses the SSJID parcel. An easement from SSJID is required prior to Building Permit issuance.

### **8. Parcel**

- a. Applicant shall start the reverter process in order to gain ownership of the subject parcel. The reverter process shall be complete prior to approval of the first Parcel Map or issuance of the first Building Permit, whichever occurs first.

## 9. General Comments

- a. Applicant shall retain the services of a California licensed civil engineer to design the utility plans for sewer, water storm drain lines and systems.
- b. Applicant shall ensure that all off-site and on-site improvements comply with City Standards.
- c. The parking areas and drive isles on site shall be paved with asphalt concrete.
- 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. Any driveway access to Lathrop Road shall be right-in right-out only.
- h. Applicant shall pay all appropriate fees including but not limited to Levee Impact Fee, Capital Facilities Fees, and Plan Check and Inspection Fees.
- i. 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.
- j. 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.
- k. The Applicant shall pay their fair share equal to 25% of the total cost of a traffic signal at the intersection of Lathrop Road and "D" Street, per the Transportation Analysis, dated September 9, 2021. The Applicant may install the traffic signal and associated improvements at their cost with the ability to be reimbursed in the future for the amount in excess of their fair share. Payment of the fair share shall occur prior to the approval of the first parcel map or issuance of the first building permit, whichever occurs first.
- l. Advanced warning "Truck Crossing" and "Truck Crossing Ahead" signs shall be installed on each side of the Lathrop Road/D Street intersection prior to occupancy. The signs shall be installed consistent with guidance described in the MUTCD. Final location is subject to review and approval of the City Public Works Department. If a traffic signal is installed in the future, the advanced warning signage shall be removed and new signage specific to the traffic signal shall be installed.

### **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. Approved automatic sprinkler systems shall be provided as required in 2019 California Fire Code §903.2. Tenant/Occupant/Owner shall have the responsibility to ensure that the correct fire suppression system is added/modified/tested and accepted by the (AHJ) Fire District. Fire suppression system plans shall be modified under separate fire permit and shall be submitted by a licensed contractor, to the (LMFD) Fire District for review and approval prior to modification. Deferred submittal accepted.
4. An approved fire alarm system shall be installed in accordance with [2022](#) CFC §907.2 and 2019 NFPA 72.
5. 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.
6. An approved Fire Flow test shall be conducted prior to ground breaking to determine the allowable Fire Fighting capabilities for the site.
7. 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.
8. 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.
9. The Fire Department Fire Access Roads shall meet the requirements established by the San Joaquin County Fire Chief's Association.
10. 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. 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.
11. 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.
12. Other fire & life safety requirements may be required at time of building plan review.
13. Final approval is subject to field inspections. Minimum 48 to 72-hour notice required prior to any life-safety fire inspections. Other conditions may apply at time of inspections and are subject to correction.

#### **LATHROP POLICE DEPARTMENT (LPD)**

1. Prior to occupancy, the applicant shall install roof top address, subject to review and approval by LPS. The numbers shall be at least 3' tall, 2' wide, 9" apart, with 6" brush stroke with a color that contrast the roof top. The number shall be oriented to be read from west to east.
2. Applicant shall install dedicated lights in the parking lot that are properly maintained.



3. Applicant shall install recording security camera system that is maintained and accessible to [LPD](#) with camera views covering all ingress and egress to buildings and parking areas.
4. Landscaping shall conform to standard CPTED measurements:
  - a. Maintain natural visible surveillance to building from parking lot and street.
  - b. Plants taller than 8 feet shall be trimmed up 4 feet from ground.
  - c. Plants under 8 feet shall be trimmed to allow ground level surveillance.

#### **ADMINISTRATIVE SERVICES**

1. By exercising this approval, 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 General Plan Amendment, Rezone, Site Plan Review, and Tentative Parcel Map to the fullest extent permitted by law.

#### **SAN JOAQUIN COUNTY ENVIRONMENTAL HEALTH DEPARTMENT**

See attached memo dated March 16, 2021.

#### **SAN JOAQUIN COUNTY MULTI-SPECIES HABITAT CONSERVATION & OPEN SPACE PLAN**

See attached memo dated February 5, 2021.

Scannell Properties Industrial Project  
Mitigation Monitoring and Reporting Program (MMRP)



**Environmental Health Department**

**Jasjit Kang, REHS, Director**

*Muniappa Naidu, REHS, Assistant Director*

**PROGRAM COORDINATORS**

Robert McClellon, REHS

Jeff Carruesco, REHS, RDI

Willy Ng, REHS

Melissa Nissim, REHS

Steven Shih, REHS

March 16, 2021

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

From: Naseem Ahmed; 209-616-3018  
Senior Registered Environmental Health Specialist 

RE: **Scannell Lathrop (GPA-20-139, REZ-20-140, SPR-20-141, and TPM-20-142)**

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The San Joaquin County Environmental Health Department (EHD) is supportive of this project in regards to the provision of full public services. The EHD requests the following comments be added to the above project for consideration:

1. Any existing wells or septic systems to be abandoned shall be destroyed under permit and inspection by the EHD (San Joaquin County Development Title, Section 9-1110.3 & 9-1110.4).
2. 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).
3. Before any hazardous materials/waste can be stored or used onsite, the owner/operator must report the use or storage of these hazardous materials to the California Environmental Reporting System (CERS) at [cers.calepa.ca.gov/](http://cers.calepa.ca.gov/) and comply with the laws and regulations for the programs listed below (based on quantity of hazardous material in some cases). The applicant may contact the Program Coordinator of the CUPA program, Melissa Nissim (209) 468-3168, with any questions.
  - a. Any amount but not limited to the following hazardous waste; hazardous material spills, used oil, used oil filters, used oil-contaminated absorbent/debris, waste antifreeze, used batteries or other universal waste, etc. – **Hazardous Waste Program** (Health & Safety Code (HSC) Sections 25404 & 25180 et sec.)
  - b. Onsite treatment of hazardous waste – **Hazardous Waste Treatment Tiered Permitting Program** (HSC Sections 25404 & 25200 et sec. & California Code of Regulations (CCR), Title 22, Section 67450.1 et sec.)
  - c. Reportable quantities of hazardous materials-reportable quantities are 55 gallons or more of liquids, 500 pounds for solids, or 200 cubic feet for compressed gases, with some exceptions. Carbon dioxide is a regulated substance and is required to be reported as a hazardous material if storing 1,200 cubic feet (137 pounds) or more onsite in San Joaquin County – **Hazardous Materials Business Plan Program** (HSC Sections 25508 & 25500 et sec.)
  - d. Any amount of hazardous material stored in an Underground Storage Tank – **Underground Storage Tank Program** (HSC Sections 25286 & 25280 et sec.)
    - i. If an underground storage tank (UST) system will be installed, a permit is required to be submitted to, and approved by, the San Joaquin County Environmental Health Department (EHD) before any UST installation work can begin.

- ii. Additionally, an EHD UST permit to operate is required once the approved UST system is installed.
- e. Storage of at least 1,320 gallons of petroleum aboveground or any amount of petroleum stored below grade in a vault – **Aboveground Petroleum Storage Program** (HSC Sections 25270.6 & 25270 et sec.)
  - i. **Spill Prevention, Countermeasures and Control (SPCC) Plan requirement**
- f. Threshold quantities of regulated substances stored onsite - **California Accidental Release Prevention (CalARP) Program** (Title 19, Section 2735.4 & HSC Section 25531 et sec.)
  - i. **Risk Management Plan requirement for covered processes**

If you have any questions, please call Naseem Ahmed, Senior REHS, at [nahmed@sjgov.org](mailto:nahmed@sjgov.org) or (209) 616-3018.

Steven Shih, REHS  
Program Coordinator



## SJCOG, Inc.

555 East Weber Avenue • Stockton, CA 95202 • (209) 235-0600 • FAX (209) 235-0438

*San Joaquin County Multi-Species Habitat Conservation & Open Space Plan (SJMSCP)*

### **SJMSCP RESPONSE TO LOCAL JURISDICTION (RTLJ) ADVISORY AGENCY NOTICE TO SJCOG, Inc.**

**To:** David Niskanen, City of Lathrop, Community Development Department

**From:** Laurel Boyd, SJCOG, Inc.

**Date:** February 5, 2021

**-Local Jurisdiction Project Title:** Scannell Lathrop (GPA-20-139; REZ-20-141; and TPM-20-142)

**Assessor Parcel Number(s):** 198-040-14

**Local Jurisdiction Project Number:** GPA-20-139; REZ-20-141; and TPM-20-142

**Total Acres to be converted from Open Space Use:** Unknown

**Habitat Types to be Disturbed:** Urban Habitat Land

**Species Impact Findings:** Findings to be determined by SJMSCP biologist.

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Dear Mr. Niskanen:

SJCOG, Inc. has reviewed the project referral for the Scannell Lathrop Project. This project consists of a:

- General Plan Amendment (GPA) – Modify the General Plan Land Use Designation from SC (Service Commercial) to GI (General Industrial); and
- Rezone (REZ) – Modify the Zoning District from SC (Service Commercial) to GI (General Industrial); and
- Tentative Parcel Map (TPM) – Subdivide the 18.15 acre parcel into four (4) parcels. The size the subdivided parcels are as follows: Parcel 1 – 6.55 acres; Parcel 2 – 5.58 acres; Parcel 3 – 3.47 acres and Parcel 4 – 2.55 acres.
- Site Plan Review (SPR) – Development of three (3) industrial warehouse/distribution buildings on three (3) parcels. Off street parking is provided for automobiles and commercial truck trailers. Additionally, each building includes dock doors for operation of the distribution business. The project also proposes to construct an on-site stormwater retention basin (Parcel 4) to service the entire development and to construct an on-site sewer pump station with a force main that will extend off-site and connect to the existing service.

The project site is located at 1520 Lathrop Road, Lathrop (APN: 198-040-14).

The City of Lathrop is a signatory to San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). Participation in the SJMSCP satisfies requirements of both the state and federal endangered species acts, and ensures that the impacts are mitigated below a level of significance in compliance with the California Environmental Quality Act (CEQA). **The LOCAL JURISDICTION retains responsibility for ensuring that the appropriate Incidental Take Minimization Measure are properly implemented and monitored and that appropriate fees are paid in compliance with the SJMSCP.** Although participation in the SJMSCP is voluntary, Local Jurisdiction/Lead Agencies should be aware that if project applicants choose against participating in the SJMSCP, they will be required to provide alternative mitigation in an amount and kind equal to that provided in the SJMSCP.

***This Project is subject to the SJMSCP.*** This can be up to a 30 day process and it is recommended that the project applicant contact SJMSCP staff as early as possible. It is also recommended that the project applicant obtain an information package. <http://www.sjco.org>

Please contact SJMSCP staff regarding completing the following steps to satisfy SJMSCP requirements:

- Schedule a SJMSCP Biologist to perform a pre-construction survey ***prior to any ground disturbance***
- SJMSCP Incidental take Minimization Measures and mitigation requirement:
  1. Incidental Take Minimization Measures (ITMMs) will be issued to the project and must be signed by the project applicant prior to any ground disturbance but no later than six (6) months from receipt of the ITMMs. If ITMMs are not signed within six months, the applicant must reapply for SJMSCP Coverage. Upon receipt of signed ITMMs from project applicant, SJCOG, Inc. staff will sign the ITMMs. This is the effective date of the ITMMs.

2. Under no circumstance shall ground disturbance occur without compliance and satisfaction of the ITMMs.
3. Upon issuance of fully executed ITMMs and prior to any ground disturbance, the project applicant must:
  - a. Post a bond for payment of the applicable SJMSCP fee covering the entirety of the project acreage being covered (the bond should be valid for no longer than a 6 month period); or
  - b. Pay the appropriate SJMSCP fee for the entirety of the project acreage being covered; or
  - c. Dedicate land in-lieu of fees, either as conservation easements or fee title; or
  - d. Purchase approved mitigation bank credits.
4. Within 6 months from the effective date of the ITMMs or issuance of a building permit, whichever occurs first, the project applicant must:
  - a. Pay the appropriate SJMSCP for the entirety of the project acreage being covered; or
  - b. Dedicate land in-lieu of fees, either as conservation easements or fee title; or
  - c. Purchase approved mitigation bank credits.

Failure to satisfy the obligations of the mitigation fee shall subject the bond to be called.

- Receive your Certificate of Payment and release the required permit

*It should be noted that if this project has any potential impacts to waters of the United States [pursuant to Section 404 Clean Water Act], it would require the project to seek voluntary coverage through the unmapped process under the SJMSCP which could take up to 90 days. It may be prudent to obtain a preliminary wetlands map from a qualified consultant. If waters of the United States are confirmed on the project site, the Corps and the Regional Water Quality Control Board (RWQCB) would have regulatory authority over those mapped areas [pursuant to Section 404 and 401 of the Clean Water Act respectively] and permits would be required from each of these resource agencies prior to grading the project site.*

If you have any questions, please call (209) 235-0600.



## S J C O G , I n c .

*San Joaquin County Multi-Species Habitat Conservation & Open Space Plan*

555 East Weber Avenue • Stockton, CA 95202 • (209) 235-0600 • FAX (209) 235-0438

### **SJMSCP HOLD**

**TO:** Local Jurisdiction: Community Development Department, Planning Department, Building Department, Engineering Department, Survey Department, Transportation Department, Other: \_\_\_\_\_

**FROM:** Laurel Boyd, SJCOG, Inc.

**DO NOT AUTHORIZE SITE DISTURBANCE  
DO NOT ISSUE A BUILDING PERMIT  
DO NOT ISSUE \_\_\_\_\_ FOR THIS PROJECT**

The landowner/developer for this site has requested coverage pursuant to the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). In accordance with that agreement, the Applicant has agreed to:

- 1) SJMSCP Incidental Take Minimization Measures and mitigation requirement:
  1. Incidental Take Minimization Measures (ITMMs) will be issued to the project and must be signed by the project applicant prior to any ground disturbance but no later than six (6) months from receipt of the ITMMs. If ITMMs are not signed within six months, the applicant must reapply for SJMSCP Coverage. Upon receipt of signed ITMMs from project applicant, SJCOG, Inc. staff will sign the ITMMs. This is the effective date of the ITMMs.
  2. Under no circumstance shall ground disturbance occur without compliance and satisfaction of the ITMMs.
  3. Upon issuance of fully executed ITMMs and prior to any ground disturbance, the project applicant must:
    - a. Post a bond for payment of the applicable SJMSCP fee covering the entirety of the project acreage being covered (the bond should be valid for no longer than a 6 month period); or
    - b. Pay the appropriate SJMSCP fee for the entirety of the project acreage being covered; or
    - c. Dedicate land in-lieu of fees, either as conservation easements or fee title; or
    - d. Purchase approved mitigation bank credits.
  4. Within 6 months from the effective date of the ITMMs or issuance of a building permit, whichever occurs first, the project applicant must:
    - a. Pay the appropriate SJMSCP for the entirety of the project acreage being covered; or
    - b. Dedicate land in-lieu of fees, either as conservation easements or fee title; or
    - c. Purchase approved mitigation bank credits.

Failure to satisfy the obligations of the mitigation fee shall subject the bond to be called.

Project Title: Scannell Lathrop Project

Assessor Parcel #: 198-040-14

T \_\_\_\_\_, R \_\_\_\_\_, Section(s): \_\_\_\_\_

Local Jurisdiction Contact: David Niskanen

**The LOCAL JURISDICTION retains responsibility for ensuring that the appropriate Incidental Take Minimization Measures are properly implemented and monitored and that appropriate fees are paid in compliance with the SJMSCP.**

Scannell Properties Industrial Project  
Mitigation Monitoring and Reporting Program (MMRP)



## MITIGATION MONITORING AND REPORTING PROGRAM

This document is the Mitigation Monitoring and Reporting Program (MMRP) for the Scannell Properties Industrial Project (project). This MMRP has been prepared pursuant to Section 21081.6 of the California Public Resources Code, which requires public agencies to “adopt a reporting and monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment.” A MMRP is required for the proposed project because the Initial Study / Mitigated Negative Declaration (IS/MND) has identified significant adverse impacts, and measures have been identified to mitigate those impacts.

The numbering of the individual mitigation measures follows the numbering sequence as found in the IS/MND.

### MITIGATION MONITORING AND REPORTING PROGRAM

The MMRP, as outlined in the following table, describes mitigation timing, monitoring responsibilities, and compliance verification responsibility for all mitigation measures identified in the IS/MND.

The City of Lathrop will be the primary agency responsible for implementing the mitigation measures and will continue to monitor mitigation measures that are required to be implemented during the operation of the project.

The MMRP is presented in tabular form on the following pages. The components of the MMRP are described briefly below:

- **Mitigation Measures:** The mitigation measures are taken from the IS/MND in the same order that they appear in that document.
- **Mitigation Timing:** Identifies at which stage of the Project mitigation must be completed.
- **Monitoring Responsibility:** Identifies the agency that is responsible for mitigation monitoring.
- **Compliance Verification:** This is a space that is available for the monitor to date and initial when the monitoring or mitigation implementation took place.

# MITIGATION MONITORING AND REPORTING PROGRAM

**TABLE 1: MITIGATION MONITORING AND REPORTING PROGRAM**

<i>ENVIRONMENTAL IMPACT</i>	<i>MITIGATION MEASURE</i>	<i>MONITORING RESPONSIBILITY</i>	<i>TIMING</i>	<i>VERIFICATION (DATE/INITIALS)</i>
<b>BIOLOGICAL RESOURCES</b>				
<p>a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?</p>	<p><b>Mitigation Measure BIO-1:</b> Prior to commencement of any grading activities, the Project applicant shall seek coverage under the SJMSCP to mitigate for habitat impacts to covered special status species. Coverage involves compensation for habitat impacts on covered species through implementation of incidental take and minimization Measures (ITMMs) and payment of fees for conversion of lands that may provide habitat for covered special status species. These fees are used to preserve and/or create habitat in preserves to be managed in perpetuity. Obtaining coverage for a project includes incidental take authorization (permits) under the Endangered Species Act Section 10(a), California Fish and Game Code Section 2081, and the MBTA. Coverage under the SJMSCP would fully mitigate all habitat impacts on covered special-status species.</p>	<p>City of Lathrop Community Development Department</p> <p>San Joaquin Council of Governments</p>	<p>Prior to commencement of any grading activities</p>	
	<p><b>Mitigation Measure BIO-2:</b> Prior to the commencement of grading activities or other ground disturbing activities on the Project site, the Project applicant shall arrange for a qualified biologist to conduct a preconstruction survey for nesting raptors in accordance with SJMSCP requirements. If no nests are detected, then construction activities may commence. If occupied nests are discovered, then the Project applicant shall coordinate with SJCOG regarding the appropriate buffer needed to avoid the particular bird species. If burrowing owl is discovered during the non-breeding season (September 1 through January 31) they should be evicted from the Project site by passive relocation as described in the California Department of Fish and Game’s Staff Report on Burrowing Owls (Oct., 1995). Implementation of this mitigation shall occur prior to grading or site clearing activities. SJCOG shall be responsible for monitoring and a qualified biologist shall conduct surveys and relocate owls as required.</p>	<p>City of Lathrop Community Development Department</p> <p>San Joaquin Council of Governments</p>	<p>Prior to commencement of any grading activities or other ground disturbing activities</p>	

## MITIGATION MONITORING AND REPORTING PROGRAM

CULTURAL RESOURCES				
<p>a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?</p> <p>b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?</p>	<p><b>Mitigation Measure CUL-1:</b> If cultural resources (i.e., prehistoric sites, historic sites, isolated artifacts/features, and paleontological sites) are discovered during construction, work shall be halted immediately within 50 meters (165 feet) of the discovery, the City of Lathrop shall be notified, and a qualified archaeologist that meets the Secretary of the Interior’s Professional Qualifications Standards in prehistoric or historical archaeology (or a qualified paleontologist in the event paleontological resources are found) shall be retained to determine the significance of the discovery. The City of Lathrop shall consider recommendations presented by the professional for any unanticipated discoveries and shall carry out the measures deemed feasible and appropriate. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, or other appropriate measures. Specific measures are developed based on the significance of the find.</p>	<p>City of Lathrop Community Development Department</p> <p>Qualified archaeologist</p>	<p>If cultural resources (i.e., prehistoric sites, historic sites, isolated artifacts / features, and paleontological sites) are discovered during construction</p>	
<p>c) Disturb any human remains, including those interred outside of formal cemeteries?</p>	<p><b>Mitigation Measure CUL-2:</b> If any human remains are found during grading and construction activities, all work shall be halted immediately within 50 meters (165 feet) of the discovery and the County Coroner must be notified, according to Section 5097.98 of the State Public Resources Code and Section 7050.5 of California’s Health and Safety Code. If the remains are determined to be Native American, the coroner shall notify the Native American Heritage Commission, and the procedures outlined in CEQA Section 15064.5(d) and (e) shall be followed. Additionally, if the Native American resources are identified, a Native American monitor, following the Guidelines for Monitors/Consultants of Native American Cultural, Religious, and Burial Sites established by the Native American Heritage Commission, may also be required and, if required, shall be retained at the applicant’s expense.</p>	<p>San Joaquin County Coroner</p> <p>Native American Heritage Commission</p>	<p>If any human remains are found during grading and construction activities</p>	
GEOLOGY AND SOILS				
<p>a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:</p> <p>iii) Seismic-related ground failure, including liquefaction?</p>	<p><b>Mitigation Measure GEO-1:</b> Prior to issuance of building permits, the project applicant shall submit a design-level geotechnical study and building plans to the City of Lathrop for review and approval. The building plans shall demonstrate that they incorporate all applicable recommendations of the design-level geotechnical study and comply with all applicable requirements of the most recent version of the California Building Standards Code. A licensed professional engineer shall prepare the plans, including</p>	<p>City of Lathrop Building Division</p>	<p>Prior to the issuance of building permits</p>	

## MITIGATION MONITORING AND REPORTING PROGRAM

<p>c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?</p> <p>d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?</p>	<p>those that pertain to soil engineering, structural foundations, pipeline excavation, and installation. The approved plans shall be incorporated into the proposed project. All onsite soil engineering activities shall be conducted under the supervision of a licensed Geotechnical Engineer or Certified Engineering Geologist.</p>			
<p>b) Result in substantial soil erosion or the loss of topsoil?</p>	<p><b>Mitigation Measure GEO-2:</b> The Project applicant shall submit a Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) to the RWQCB in accordance with the NPDES General Construction Permit requirements. The SWPPP shall be designed to control pollutant discharges utilizing Best Management Practices (BMPs) and technology to reduce erosion and sediments. BMPs may consist of a wide variety of measures taken to reduce pollutants in stormwater runoff from the Project site. Measures shall include temporary erosion control measures (such as silt fences, staked straw bales/wattles, silt/sediment basins and traps, check dams, geofabric, sandbag dikes, and temporary revegetation or other ground cover) that will be employed to control erosion from disturbed areas. Final selection of BMPs will be subject to approval by the City of Lathrop and the RWQCB. The SWPPP will be kept on site during construction activity and will be made available upon request to representatives of the RWQCB.</p>	<p>City of Lathrop Engineering Division</p>	<p>Prior to the issuance of building permits</p>	
HAZARDS AND HAZARDOUS WASTE				
<p>d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?</p>	<p><b>Mitigation Measure HAZ-1:</b> Prior to the issuance of grading or building permits, the Project Applicant shall destroy the permanently inactive wells located within the Project site, in accordance with standards developed by the Department of Water Resources pursuant to Section 13800 of the Water Code and adopted by the State Water Resources Control Board or local agencies in accordance with Section 13801 of the Water Code.</p>	<p>San Joaquin Department of Environmental Health Department.</p>	<p>Prior to the issuance of a grading or building permits.</p>	



## MITIGATION MONITORING AND REPORTING PROGRAM

NOISE				
<p>a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?</p>	<p><b>Mitigation Measure NOI-1:</b> During project construction activities, the applicant shall require its construction contractors to adhere to the following noise attenuation requirements:</p> <ul style="list-style-type: none"> <li>• Construction activities shall be limited to the hours between 7 a.m. to 8 p.m. daily. The City of Lathrop Director of Public Works shall have the discretion to permit construction activities to occur outside of allowable hours if compelling circumstances warrant such an exception (e.g., weather conditions necessary to pour concrete).</li> <li>• All construction equipment shall use noise-reduction features (e.g., mufflers and engine shrouds) that are no less effective than those originally installed by the manufacturer. If no noise-reduction features were installed by the manufacturer, then the contractor shall require that at least a muffler be installed on the equipment.</li> <li>• Construction staging and heavy equipment maintenance activities shall be performed on the northernmost part of the Project site (along Atherton Road) to create the greatest separation from the nearest residence, unless safety or technical factors take precedence (e.g., an equipment breakdown). Alternatively, staging and maintenance could be performed on adjacent vacant parcels so long as the separation to the nearest residence is greater than what could be achieved on the Project site.</li> </ul>	<p>City of Lathrop Community Development Department</p>	<p>During construction activities.</p>	
PUBLIC SERVICES				
<p>a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios,</p>	<p><b>Mitigation Measure PSU-1:</b> Prior to issuance of building permits for any project uses, the Project applicant shall provide the City of Lathrop with all applicable fire protection development fees in accordance with the latest adopted fee schedule.</p>	<p>City of Lathrop Engineer</p>	<p>Prior to the issuance of building permits.</p>	

## MITIGATION MONITORING AND REPORTING PROGRAM

response times or other performance objectives for any of the public services: Fire Protection?				
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390 Towne Centre Dr. - Lathrop, CA 95330  
Phone (209) 941-7290 - Fax (209) 941-7219  
[www.ci.lathrop.ca.us](http://www.ci.lathrop.ca.us)

### TIME EXTENSION APPLICATION FORM

Application Number: <i>TE - 24-130</i>	Receipt Number: <i>25-10568</i>	Received By: <i>MARIA H</i>
Application Date: <i>8/9/24</i>	Project Name: <i>SCANNELL - TE</i>	Project Planner: <i>DAVID N.</i>

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

Owner/Applicant Information					
Owner's Name	<i>SCANNELL PROPERTIES #478 LLC</i>				
Address	<i>3648 MT DIABLO BLVD, SUITE B-115</i>				
City/State	<i>LAFAYETTE CA</i>	Phone	<i>925 387 2714</i>	Fax	
Applicant's Name	<i>PAUL STARN</i>				
Address	<i>SAME</i>				
City/State	<i>SAME</i>	Phone	<i>SAME</i>	Fax	
Business Name (DBA)					

Property Information	
Assessor's Parcel Numbers (APNs)	<i>198-040-14</i>
Subject Site(s)	<i>1520 LATHROP RD</i>

Existing Permit Information	
Existing Permit Numbers	<i>RESOLUTION # 21-4987</i>
Date of Original Approval	<i>12/13/21</i>
Expiration Date	<i>12/13/24</i>

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><i>Additional time needed to accommodate potential users.</i></p>

**RECEIVED**  
AUG 09 2024  
CITY OF LATHROP  
COM. DEV. DEPT.

**Time Extension Application**

**Certifications and Signatures**

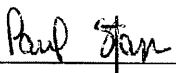

1. Is the project site included on the "Hazardous Waste and Substance Sites List" or other similar list?

NO

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)*
PAUL STARB	Marc Pflieger, Manager of Scannell Properties #478, LLC
Please print signed name here	Please print signed name here
8/7/24	8/8/24
Date	Date

- 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**

**Agent Authorization Form**

SCANNELL PROPERTIES #478, LLC is the owner of the subject property for which the following application(s) have been submitted:

Application Name and Number(s): SCANNELL PROPERTIES INDUSTRIAL PROJECT RESOLUTION #21-4987

The subject properties are located at:

1520 LATHROP RD

APNs: 198-040-14

The Agent for this project is:

Name: PAUL STARN

Address: 3648 MT DIABLO BLVD, SUITE B-115

Telephone: 925 389-2714

Fax Number: \_\_\_\_\_

Signatures of Owners: 

Marc Pfleging, Manager of Scannell Properties #478, LLC

Type or Print Name

Type or Print Name

Type or Print Name

Type or Print Name

Note: Owner of record should be as shown on the latest equalized rolls of San Joaquin County – an option to purchase does not constitute ownership. If ownership has recently been transferred, a copy of recorded deed or similar instrument must accompany this form.

**Time Extension Application**





PLANNING COMMISSION  
STAFF REPORT

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<b>DATE:</b>	September 18, 2024
<b>APPLICATION NO:</b>	Time Extension No. TE-24-134
<b>LOCATION:</b>	310 and 342 Shilling Avenue Lathrop, CA 95330 APNs: 196-080-34 and -35
<b>REQUEST:</b>	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)

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

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**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 18<sup>th</sup> day of September, 2024 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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Tosh Ishihara, Chair

ATTEST:

APPROVED AS TO FORM:



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Rick Caguiat, Secretary

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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**

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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).



390 Towne Centre Dr. - Lathrop, CA 95330  
Phone (209) 941-7290 - Fax (209) 941-7219  
[www.ci.lathrop.ca.us](http://www.ci.lathrop.ca.us)

## 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><b>Please state your reason for a time extension and the length of time requested (up to one year may be approved):</b></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**



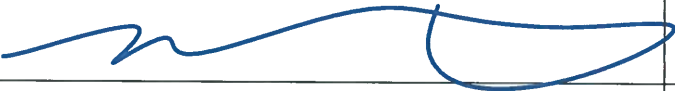

**Certifications and Signatures**

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.**

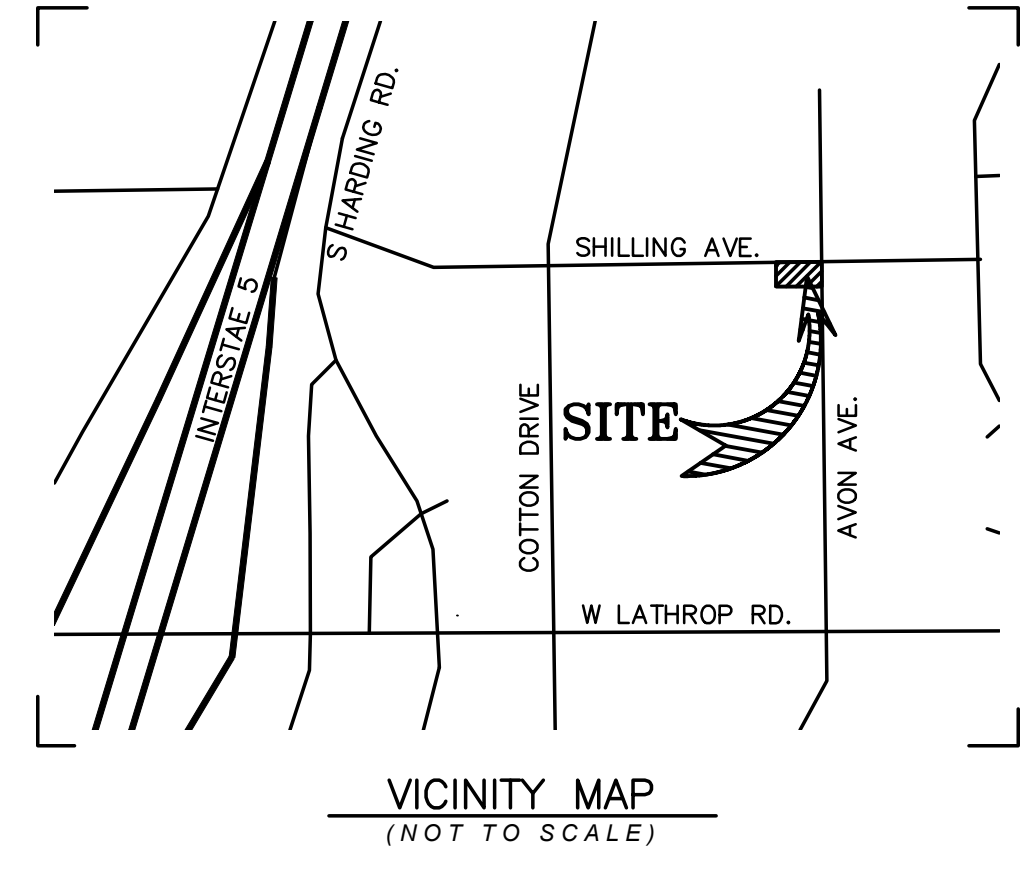
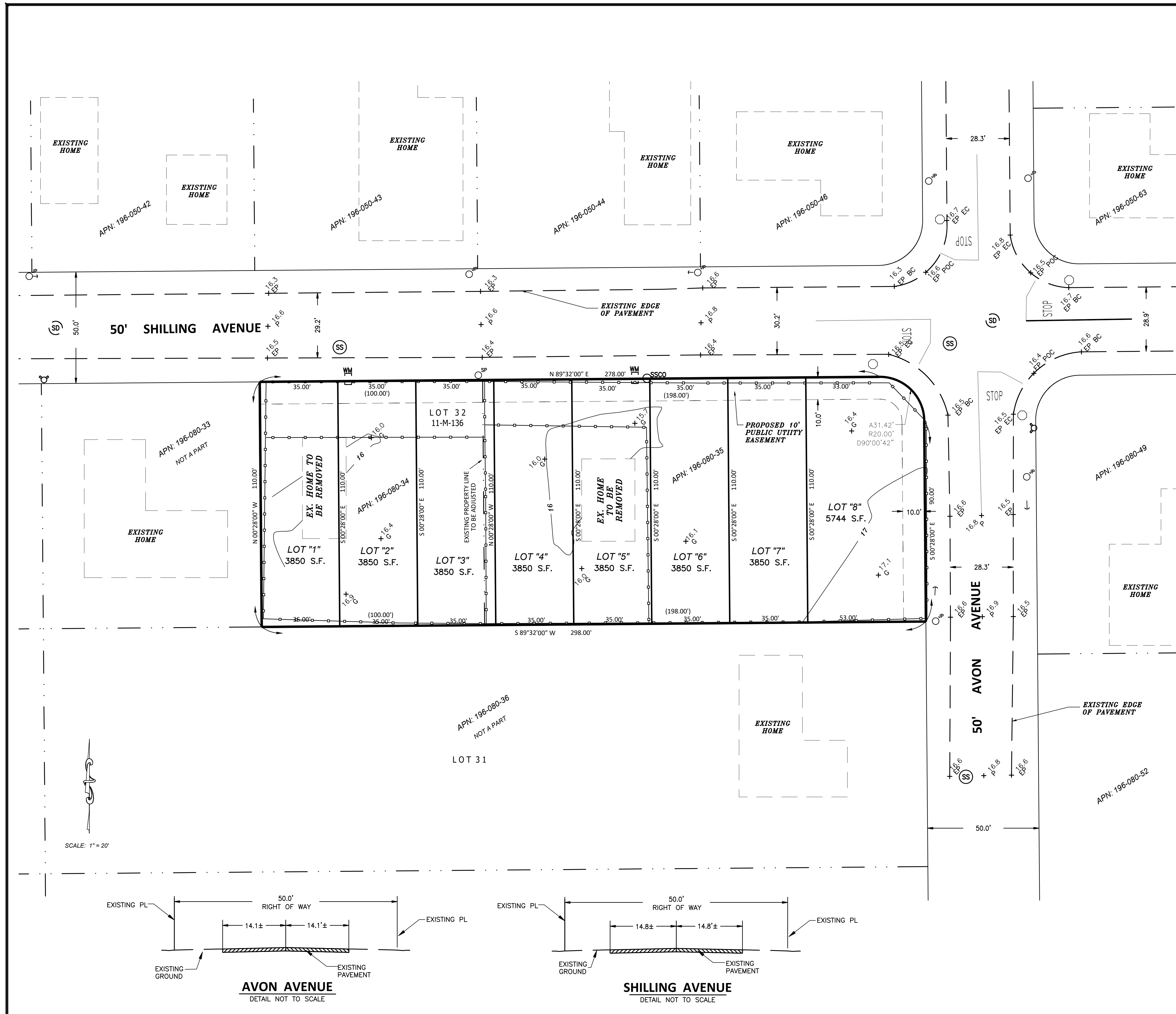
Signature of Applicant/Agent	Signature of Owner(s)*
	
Please print signed name here	Please print signed name here
Manuel Alaniz	Manuel Alaniz
Date 8/15/2024	Date 8/15/2024

- 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 FEET 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.

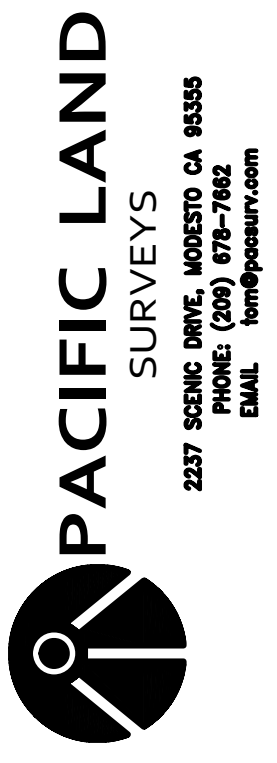
**A.P.N.:** 196-080-34 & 196-080-35

**ZONING:** RM-3 MULTIFAMILY RESIDENTIAL

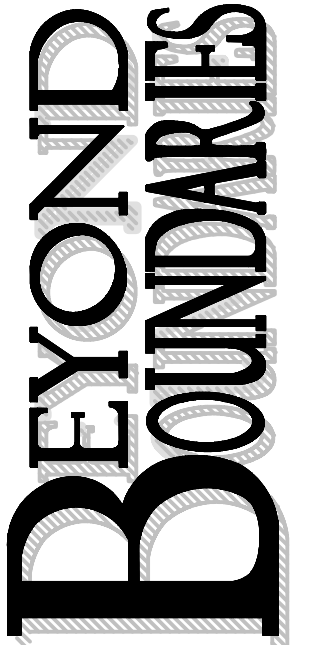
- LEGEND:**
- SUBJECT PARCEL LINE
  - RIGHT-OF-WAY
  - SURROUNDING PARCEL LINES
  - EXISTING WOOD FENCE
  - 16 — EXISTING CONTOUR
  - (100.00) — EXISTING LOT DISTANCE
  - ⊗ — EXISTING SEWER MANHOLE
  - — EXISTING STOP SIGN
  - ⊕ — EXISTING STORM DRAIN MANHOLE
  - ⊙ — EXISTING JUNCTION POLE
  - ⊕ — EXISTING 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



LORRIE SILVA  
LAND PLANNING CONSULTANT  
936 RUSSELL ROAD, MODESTO, CA 95358  
(209) 404-0350  
lsilva3.1b@gmail.com  
lsilva3.1b@plandsurveys.com



JOB NO: 21-07

SHEET 1 OF 1  
6/29/2022

