

**MINUTES
PLANNING COMMISSION
MEETING OF AUGUST 25, 2016**

425 N. El Dorado Street, Stockton CA

1. CALL TO ORDER/ROLL CALL - 6:01 PM

Roll Call

Present:

Don M. Aguillard
D'Adrea Davie
Christopher Eley
Kevin Hernandez
Elizabeth Hull
Sol Jobrack
Kim A. Tutt

2. PLEDGE TO FLAG

The pledge was led by Commissioner Aguillard.

3. ADOPTION OF CONSENT CALENDAR

Commissioner Eley - noted a change needed to the July 28, 2016 minutes, Waylon Williams to be corrected to Grayling Williams

Approve the consent calendar with a single vote.

Moved by: D'Adrea Davie, seconded by Don M. Aguillard.

Vote: Motion carried 7-0

Yes: Don M. Aguillard, D'Adrea Davie, Christopher Eley, Kevin Hernandez, Elizabeth Hull, Sol Jobrack, and Kim A. Tutt.

3.1 16-2971 APPROVAL OF PLANNING COMMISSION MINUTES

Motion 2016-08-25-0301 approving for filing minutes of the July 28, 2016 Planning Commission meeting.

Legislation Text

Attachment A - 072816 Planning Commission Minutes

3.2 16-2807 REQUEST FOR A TWO-YEAR TIME EXTENSION FOR AN APPROVED TENTATIVE MAP (DESTINATIONS, UNIT NO. 4, TM14-07/P16-0290)

Resolution 2016-08-25-0302 approving a request for a two-year time extension

of an approved tentative map, for property located on the south side of Eight Mile Road and Pixley Slough, east of Marlette Road (Destinations, Unit No. 4, TM14-07/P16-0290).

Legislation Text

Attachment A - Location Map

Attachment B - Amended Conditions of Approval or Notes - Redline Version

Proposed Resolution - Recommending Approval

Exhibit 1 - Clean Version

Approved Resolution 2016-08-25-0302

4. PUBLIC COMMENT*

None.

5. PUBLIC HEARINGS/ENVIRONMENTAL ASSESSMENTS

5.1 16-2665 USE PERMIT FOR A SCRAP METAL RECYCLING FACILITY AT 1020 EAST CHURCH STREET (P16-0143)

Legislation Text

Attachment A - Location Map and Aerial Photograph

Attachment B - Letters of Opposition

Proposed Resolution - Project Approval

Exhibit 1 - Site Plan

Commissioner Eley - disclosed that he went by the property and viewed video

Megan Meier, Assistant Planner - provided the staff report with the aid of a PowerPoint presentation and responded to questions from the commissioners

No additional communications received

Grayling Williams, Attorney representing the applicant, Harold Breaux - provided information on the business and the applicant; responded to questions from the Commissioners along with the applicant responding throughout

Tara Mazzanti, City Attorney - provided clarification on additional conditions; conditions may be challenged by the state

Public Comment in Support - none

Public Comment in opposition:

Ronald Shelan - owns property across from the proposed site; spoke to homeless in the area; would like to know more about the applicant

Mr. Breaux - provided rebuttal of comments in opposition to the project and responded to questions

Detective Mike Prag, Stockton Police Department - addressed crime related questions from the Commissioners as related to the proposed site and applicant history

The Planning Commission proceeded with a discussion of the application with Assistant Planner Meier responding to questions and providing comment throughout.

Approve **Resolution 2016-08-25-0501** approving a Use Permit for a scrap metal recycling facility at 1020 East Church Street.

Moved by: Kim A. Tutt, seconded by Sol Jobrack.

Vote: Motion carried 4-3

Yes: Christopher Eley, Kevin Hernandez, Sol Jobrack, and Kim A. Tutt.

No: Don M. Aguillard, D'Adrea Davie, and Elizabeth Hull.

Approved Resolution 2016-08-25-0501

5.2 16-2675 USE PERMIT TO ALLOW THE OFF-SALE OF BEER AND WINE AT 836 E MINER AVENUE (P16-0263)

Legislation Text

Attachment A - Location Map and Aerial Photograph

Attachment B - ABC Violation Information

Attachment C - Liquor License Map

Proposed Resolution

Exhibit 1 - Floor Plan

Commissioner Eley - disclosed that he drove by the location

Vice Chair Jobrack - disclosed that he is friends with security at the establishment across the street and spoke with them about it

Megan Meier, Assistant Planner - provided the staff report with the aid of a PowerPoint presentation and responded to questions from the commissioners

Additional communications: the Commissioners were provided communication from Chris Flaherty, President of Trinity Development and Construction, Cindi Fargo, Chief Executive Officer of Downtown Stockton Alliance, and David Garcia, Chief Operating Officer of Ten Space all in opposition of the Use Permit

Les-Lobo, representing applicant Sandhia Devi Sharma-- provided presentation and responded to questions from the Commissioners throughout

Public comments in support:

Dewitt Brown - spoke in support

Susan Vallo - spoke in support

Joginder Singh - spoke in support

Public comments in opposition: none

The Planning Commission proceeded with a discussion of the application with Assistant Planner Meier responding to questions and providing comment throughout.

Approve **Resolution 2016-08-25-0502** denying a Use Permit to allow the off-sale of beer and wine at 836 E Miner Avenue, in accordance with the Findings for Decision detailed herein.

Moved by: Elizabeth Hull, seconded by D'Adrea Davie.

Vote: Motion carried 7-0

Yes: Don M. Aguillard, D'Adrea Davie, Christopher Eley, Kevin Hernandez, Elizabeth Hull, Sol Jobrack, and Kim A. Tutt.

Approved Resolution 2016-08-25-0502

**5.3 16-2829 AMENDMENT TO TITLE 16 OF THE STOCKTON MUNICIPAL CODE
RELATED TO ELECTRIC VEHICLE CHARGING STATIONS**

Legislation Text

Attachment A - Proposed Ordinance - Redline Version

Proposed Resolution - Recommending Adoption

Exhibit 1 - Ordinance

Commissioner Disclosures - none.

Tom Pace, Deputy Director of Planning and Engineering - provided a presentation with the aid of a PowerPoint presentation (filed) and responded to questions from the commissioners.

Additional communications - none.

Public comments in support: none

Public comments in opposition: none

The Planning Commission proceeded with a discussion of the application with Deputy Director Pace responding to questions with City Attorney Tara Mazzanti

and providing comment throughout.

Approve **Resolution 2016-08-25-0503** recommending that the City Council adopt an ordinance amending Title 16 of the Stockton Municipal Code (the Development Code) to permit and incentivize provision of electric vehicle charging stations.

Moved by: Elizabeth Hull, seconded by Christopher Eley.

Vote: Motion carried 7-0

Yes: Don M. Aguillard, D'Adrea Davie, Christopher Eley, Kevin Hernandez, Elizabeth Hull, Sol Jobrack, and Kim A. Tutt.

Approved Resolution 2016-08-25-0503

5.4 16-2871 REQUEST FOR A USE PERMIT TO ALLOW THE ESTABLISHMENT AND OPERATION OF A PROPOSED SLAUGHTERHOUSE IN EXISTING WAREHOUSE BUILDINGS AT 2716 EAST MINER AVENUE (P16-0301)

RECOMMENDATION

Staff recommends that the Planning Commission adopt a resolution approving a Use Permit to allow the establishment and operation of a proposed slaughterhouse in existing warehouse buildings at 2716 East Miner Avenue.

Legislation Text

Attachment A - Location Map and Aerial Photograph

Attachment B - Zoning Map

Attachment C - Project Description

Proposed Resolution

Exhibit 1

Commissioner Disclosures - none.

Jenny Liaw, Senior Planner - provided a presentation with the aid of a PowerPoint presentation (filed) and responded to questions from the commissioners.

Additional communications - the commissioners were provided communication from Joseph A Salazar Jr from Lewis, Brisbois, Bisgaard, and Smith LLP representing San Joaquin Regional Transit District in opposition pending further information.

Howard Chan, applicant - spoke to the request for Use Permit and responded to questions from the commissioners along with Senior Planner Liaw responding throughout.

Public comments in support: none

Public comments in opposition: none

Joe Salazar Jr, Representing San Joaquin Regional Transit District (SJRTD) - spoke stating they were undecided; requested 30 day continuance to speak with the applicant; property to the South owned by the SJRTD

The Planning Commission proceeded with a discussion of the application with Senior Planner Jenny Liaw responding to questions and providing comment throughout.

Approve **Motion 2016-08-25 0504** continuing the Public Hearing until 09/08/2016

Moved by: D'Adrea Davie, seconded by Kevin Hernandez.

Vote: Motion carried 6-1

Yes: Don M. Aguillard, D'Adrea Davie, Christopher Eley, Kevin Hernandez, Sol Jobrack, and Kim A. Tutt.

No: Elizabeth Hull.

5.5 16-2915 REQUEST FOR A USE PERMIT TO ESTABLISH A CHILD CARE CENTER IN AN EXISTING BUILDING AT 2428 BELLEVIEW STREET (P16-0278)

Legislation Text

Attachment A - Location Map and Aerial Photograph

Proposed Resolution - Approval to Establish a Child Care Center

Exhibit 1 - Floor Plan

Commissioner Disclosures - none

Richard Larrouy, Planning Manager - provided a presentation with the aid of a PowerPoint presentation (filed) and responded to questions from the commissioners.

Public comments in support: none

Public comments in opposition: none

The Planning Commission proceeded with a discussion of the application.

Approve **Resolution 2016-08-25-0505** approving the request for a Use Permit to establish a child care center in an existing building at 2428 Bellevue Street.

Moved by: Kim A. Tutt, seconded by Don M. Aguillard.

Vote: Motion carried 7-0

Yes: Don M. Aguillard, D'Adrea Davie, Christopher Eley, Kevin Hernandez, Elizabeth Hull, Sol Jobrack, and Kim A. Tutt.

6. NEW BUSINESS*

None.

7. UNFINISHED BUSINESS

None.

8. REPORTS/COMMUNICATIONS/INFORMATIONAL ITEMS

Tom Pace, Deputy Director of Planning and Engineering - reported that City Council heard an appeal and upheld the Commission's denial of a use permit at 3440 E. Main Street; Flyer for upcoming General Plan Update

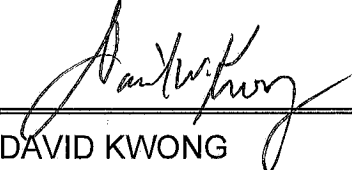
9. COMMISSIONERS COMMENTS

Commissioner Hull - spoke to format of upcoming workshops

Commissioner Davie - spoke to workshop attendance; thanked staff for meetings in the community

Chair Hernandez - thanked staff for direction during contentious agenda items

10. ADJOURNMENT - 8:44 PM



DAVID KWONG
DIRECTOR, COMMUNITY
DEVELOPMENT