

**MINUTES  
PLANNING COMMISSION  
MEETING OF JULY 28, 2016**

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Council Chamber - City Hall, 425 N. El Dorado Street, Stockton CA

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**1. CALL TO ORDER/ROLL CALL - 6:00 PM**

Roll Call

Present:

D'Adrea Davie

Kevin Hernandez

Kim A. Tutt

Sol Jobrack

Don M. Aguillard

Absent:

Christopher Eley, and Elizabeth Hull.

**2. PLEDGE TO FLAG**

The pledge was led by Commissioner Davie.

**3. ADOPTION OF CONSENT CALENDAR**

Commissioner Davie - absent on the meeting of July 14, 2016; she did review the minutes and video online.

Approve the Consent Calendar with a single vote.

**Moved by:** Sol Jobrack, seconded by D'Adrea Davie.

**Vote:** Motion carried 5-0

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

**Absent:** Christopher Eley, and Elizabeth Hull.

**3.1 16-2893 APPROVAL OF PLANNING COMMISSION MINUTES**

**Motion 2016-07-28-0301** approve for filing minutes of the July 14, 2016 Planning Commission meeting.

Legislation Text

Attachment A - 2016 July 14 Planning Commission Minutes

**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

Powerpoint Presentation

Assistant Planner Megan Meier provided the staff report with the aid of a PowerPoint presentation (filed) and answered Commissioners' questions.

Commissioner disclosures - none.

No additional communications were received.

Waylen Williams, counsel representing the applicant - provided the presentation and responded to questions from the Commissioners along with Harold Breaux, applicant, responding throughout.

Public comment in support - none.

Public comment in opposition:

Michael Scott, property owner of two and a half blocks adjacent to the railroad tracks across from the project site and owner of Stockton Industrial Supply, Inc. - spoke in opposition to the use permit; spoke to recovered stolen items from his properties; photograph, finger print and hold procedures at a similar recycling center; spoke to his petition regarding the use permit; and spoke to other material thefts on his properties; and responded to Commissioners questions.

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

Carlos Maya representing a property down the street of the project site - spoke in opposition to the Use Permit.

The Planning Commission proceeded with a discussion of the application with Assistant Planner Meier and Director David Kwong responding to questions and

providing comment throughout.

Approve **Motion 2016-07-28-0501** continuing the public hearing for a Use Permit for a scrap metal recycling facility at 1020 East Church Street to a date certain of August 25, 2016.

**Moved by:** Sol Jobrack, seconded by D'Adrea Davie.

**Vote:** Motion carried 5-0

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

**Absent:** Christopher Eley, and Elizabeth Hull.

**5.2 16-2666 USE PERMIT FOR A MICRO-BREWERY TO BE LOCATED AT 110 N SAN JOAQUIN STREET (P16-0159)**

Legislation Text

Attachment A - Location Map and Aerial Photograph

Attachment B - Schools and Parks Map

Attachment C - Downtown Separation Requirement Map

Attachment D - Crime Reporting District Map

Attachment E - Crime Reporting District Statistics

Attachment F - Liquor License Map

Attachment G - Letter of Support

Attachment H - Letter of Opposition

Proposed Resolution - Project Approval

Exhibit 1

Powerpoint Presentation

Commissioner Disclosures: Chair Hernandez and Commissioner Aguillard disclosed they spoke with the David Garcia, (TenSpace, Chief Operating Officer); Commissioner Davie spoke with David Garcia and visited the project location; and Vice Chair Jobrack commented liking their Facebook page.

Additional communications: the Commissioners were provided communication from Ervin and Tina Smith of The Campus Preschool and Childcare Center in support of the Use Permit (filed).

Correspondence not dated addressed to Director Kwong and the Planning Commission in support of the Channel Brewing Use Permit - filed by Smith

Billy Chaddock, owner of Channel Brewery - provided the presentation with the aid of a Powerpoint presentation (filed) and responded to questions from the

commissioners along with Assistant Planner Meier and Deputy Director Pace responding throughout.

Powerpoint Presentation - Applicant's Presentation

Public comment in support:

David Garcia, TenSpace Chief Operating Officer - spoke in support.

Cindi Fargo, Downtown Alliance CEO - spoke in support.

Joivita Bradford - spoke in support.

Public comment in opposition - none.

The Planning Commission proceeded with a discussion of the application, with Deputy Director Tom Pace responding to questions.

Adopt **Resolution 2016-07-28-0502** approving a Use Permit for a micro-brewery at 110 N San Joaquin Street.

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

**Vote:** Motion carried 5-0

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

**Absent:** Christopher Eley, and Elizabeth Hull.

Approved Resolution 2016-07-28-0502

Meeting went into Recess at 7:24 pm.

Meeting Reconvened at 7:29 PM.

**5.3 16-2674 USE PERMIT TO REPLACE AND ENLARGE AN EXISTING CALIFORNIA WATER SERVICE COMPANY STORAGE TANK FACILITY LOCATED AT 1201 SOUTH EL DORADO STREET**

Legislation Text

Attachment A - Location Map and Aerial Photograph

Attachment B - Existing & Proposed Tank 3D Model

Proposed Resolution - Recommending Approval

Exhibit 1 - Site Plan

Powerpoint Presentation

Commissioner Disclosures: None

Assistant Planner Megan Meier provided the staff report with the aid of a PowerPoint presentation (filed) and answered Commissioners' question.

No additional communications were received.

John Freeman, California Water Service Company District Manager - introduced the presentation and presenter Nelson Lui.

Nelson Lui, California Water Service Company Senior Engineer - continued the presentation and responded to questions and comments from the Commissioners along with Mr. Freeman responding throughout.

Public comment in support - none.

Public comment in opposition:

Oscar Punla, his family owns a parcel on El Dorado and East Clay Street - spoke in opposition; the new tank will block the view from the family's property; he wasn't sure the new tank will serve the City; suggested locating the new tank in the center of the property; and spoke to no street lighting is proposed on Clay Street.

Mr. Lui - provided rebuttal of comments in opposition to the project and responded to questions from the Commissioners along with comments from Assistant Planner Meier and Deputy Director Pace.

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

Adopt **Resolution 2016-07-28-0503** approving a Use Permit to replace and enlarge an existing Cal Water storage tank facility located at 1201 South El Dorado Street.

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

**Vote:** Motion carried 5-0

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

**Absent:** Christopher Eley, and Elizabeth Hull.

Approved Resolution 2016-07-28-0503

6. **NEW BUSINESS\***

7. **UNFINISHED BUSINESS**

**8. REPORTS/COMMUNICATIONS/INFORMATIONAL ITEMS**

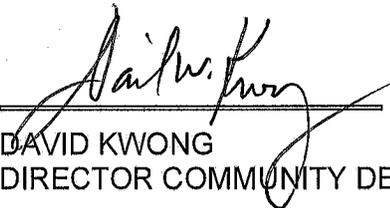
Deputy Director Pace - reported the applications (P15-0275 and P15-0453) that were denied by the Commission were heard by Council (on July 12, 2016); the denials were upheld.

**9. COMMISSIONERS COMMENTS**

Commissioner Davie to staff - requested the Commission take a look at the ordinance regarding scrap metal; Director Kwong spoke to the scrap metal recycling uses are governed by more than the City's code, and staff can explain the other governing codes.

Vice Chair Jobrack - thanked staff for the meeting's staff reports; the reports were very thorough and answered many of his questions; Commissioner Davie agreed.

**10. ADJOURNMENT - 8:05 PM**



DAVID KWONG  
DIRECTOR COMMUNITY DEVELOPMENT