

**MINUTES
PLANNING COMMISSION
MEETING OF SEPTEMBER 22, 2016**

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

1. CALL TO ORDER/ROLL CALL - 6:04 PM

Roll Call

Present:

Don M. Aguillard

D'Adrea Davie

Kevin Hernandez

Elizabeth Hull

Sol Jobrack

Kim A. Tutt

Absent:

Christopher Eley.

2. PLEDGE TO FLAG

The pledge was led by Commissioner Aguillard.

3. ADOPTION OF CONSENT CALENDAR

None

4. PUBLIC COMMENT*

None

5. PUBLIC HEARINGS/ENVIRONMENTAL ASSESSMENTS

5.1 16-3017 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) (THIS HEARING WAS CONTINUED FROM AUGUST 25 AND SEPTEMBER 8, 2016)

Legislation Text

Attachment A - Location Map and Aerial Photograph

Attachment B - Zoning Map

Attachment C - Project Description

Proposed Resolution - Recommending Approval

Exhibit 1 - Site Plan

Commissioner Disclosures - none.

Senior Planning Manager Jenny Liaw - provided a recap of the project, explained the revised conditions f. and n., and added new condition u. with the aid of a PowerPoint presentation (filed); and she responded to questions from the commissioners.

PowerPoint Presentation

Additional communications: letter dated September 22, 2016 from C&R International Sales Inc regarding purchasing odor neutralizing/atomizing system from Chem Station (Scott Robbins) and confirmed the system operated effectively; and a letter dated September 22, 2016 from Joseph Salazar of Lewis Brisbois Bisgaard & Smith LLP regarding the application of Grimaud Farms to obtain a Conditional Use Permit for formerly Del Monte property located at 2716 E. Miner Avenue, Stockton CA (P16-0301).

Letter dated September 22, 2016 from C&R International Sales, Inc. to Howard Chan regarding Chem Station's odor neutralizing/atomizing system - filed by Chan

Letter dated September 22, 2016 from Joseph A. Salazar Jr. of Lewis Brisbois Bisgaard & Smith LLP to Senior Planning Manager Jenny Liaw regarding the application of Grimaud Farms to obtain a Conditional Use Permit for formerly Del Monte property located at 2716 E. Miner Avenue, Stockton CA (P16-0301) - filed by Salazar

Chair Hernandez - noting the length of the communications received, entertained a motion to waive staff reading the communications into the record.

Approve a waiver of staff's required reading of additional communication into the record.

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

Vote: Motion carried 6-0

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

Absent: Christopher Eley.

Approve a motion to recess for 5 minutes to allow time to read through the additional communication.

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

Vote: Motion carried 6-0

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

Absent: Christopher Eley.

The Commission requested an additional 10 minutes to complete its review of the materials.

The Planning Commission proceeded with questions of the added communications with Senior Planning Manager Liaw responding to questions along with Deputy Director Pace and Direct Kwong providing comment throughout.

Jim Martin, realtor representing the applicant Grimaud Farms - noted a representative from Chem Station was present to speak to issues of the masking chemical.

Scott Robbins, Chem Station representative - spoke to the masking chemical system and responded to Commissioners questions along with Deputy Director Pace commenting throughout.

Jim Martin, realtor representing the applicant Grimaud Farms - continued his comments with the aid of staff's PowerPoint presentation (slides 23-90)

Public comment in support:

Steve Schwartz, owner-representative for Crosstown Commons (facility owner) - spoke in support of the project; spoke to the masking system and the importance of addressing it; and spoke to the results of this project failing, a vacant facility.

Jim Martin - responded to the Mr. Schwartz's hypothetical question, the odor masking system isn't employed now because it is not required; the facility has no odor violations; and spoke to the consideration of utilizing an odor neutralizing system as an effort to be a good neighbor, meet the concerns of its' neighbor (RTD), and address the perception that the facility would generate offensive odor.

Public comment in opposition:

Joe Salazar Jr., counsel representing San Joaquin Regional Transit District (SJRTD) - spoke in opposition to the project with the aid of the letter submitted as additional communication; spoke to the concerns listed in the letter; and responded to the comments made by the applicant and those members of the project.

Jim Martin - provided rebuttal of comments in opposition to the project and responded to questions from the Commissioners along with comments from Senior Planning Manager Liaw, Albert Mora (Maintenance Supervisor) and Scott Robbins (Chem Station).

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

Approve **Resolution 2016-09-22-0501** a Use Permit allowing the establishment and operation of a proposed slaughterhouse in existing warehouse buildings at 2716 East Miner Avenue.

WITH REVISED CONDITIONS:

f. Live poultry shall not be held in the buildings for more than twenty-four (24) hours. The ODS shall be responsible for cleaning up bird feathers and related debris in the loading area on the southeast side of Building 3 at the end of operations every day.

n. An odor neutralizing system shall be utilized, installed, and maintained inside the buildings and be subject to approval by the Community Development Director and if required, the San Joaquin Valley Air Pollution Control District (SJVAPCD) prior to the initiation of the subject use. Any chemicals used to neutralize odors shall be non-toxic and shall not be noxious or offensive to persons residing or working in the vicinity.

AND ADDED CONDITION:

u. The ODS shall be responsible for obtaining any required permit related to the subject operation from SJVAPCD prior to the initiation of the subject use.

Moved by: D'Adrea Davie, seconded by Kim A. Tutt.

Vote: Motion carried 6-0

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

Absent: Christopher Eley.

Approved Resolution 2016-09-22-0501

6. NEW BUSINESS*

None

7. UNFINISHED BUSINESS

None

8. REPORTS/COMMUNICATIONS/INFORMATIONAL ITEMS

Deputy Director Pace - spoke to the public General Plan Update Workshops of September 20 and 21, 2016; announced the next workshop will be on September 28th at Delta College; spoke to meeting with the (General Plan) sub-committee; spoke to a General Plan workshop for the Planning Commission on October 27th; and explained there are 3 more phases of public outreach.

Commissioners Aguillard, Davie and Vice Chair Jobrack expressed an interest in attending the September 28th General Plan Update Workshop at Delta College.

Commissioner Hull - asked staff to talk about the bus tour; Deputy Director Pace - on October 19, 2016 from 9:00 am to 12:00 pm there will be a bus tour of development opportunity sites in the City; this will be a public mobile meeting.

Director Kwong cautioned the Commissioners if there are more than 3 Commissioners to refrain from participating at that time.

9. COMMISSIONERS COMMENTS

Commissioner Davie - how has the new ABC law affected our current Ordinance; Deputy Director Pace responded that he will need to get back to the Commission for a response.

The Commissioners continued to discuss the new ABC law with Deputy Director Pace responding throughout.

10. ADJOURNMENT 7:34 PM

DAVID KWONG
DIRECTOR COMMUNITY DEVELOPMENT