



City of Stockton

Stockton Planning
Commission

Meeting Agenda - Final Planning Commission

Don M. Aguillard, Chair (District 5)
Kimberly A. Warmesley, Vice Chair (District 6)
Sol Jobrack, Commissioner (District 1)
Waqar Rizvi, Commissioner (District 2)
Elizabeth Mowry Hull, Commissioner (District 3)
Anne N. Mallett, Commissioner (District 4)
D'Adrea Davie, Commissioner (At-Large)

Thursday, April 12, 2018

5:30 PM

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

1. CALL TO ORDER/ROLL CALL

2. PLEDGE TO FLAG

3. ADOPTION OF CONSENT CALENDAR

3.1 [18-4450](#) APPROVAL OF PLANNING COMMISSION MINUTES

Recommended Action: RECOMMENDATION

Approval for filing minutes of the February 8, 2018, February 22, 2018, and March 8, 2018, Planning Commission meetings.

Department: Community Development

Attachments: [Attachment A - 2018-02-08 Planning Commission Minutes](#)
[Attachment B - 2018-02-22 Planning Commission Minutes](#)
[Attachment C - 2018-03-08 Planning Commission Minutes](#)

4. PUBLIC COMMENT*

5. PUBLIC HEARINGS/ENVIRONMENTAL ASSESSMENTS

5.1 [18-4414](#) USE PERMIT TO UPGRADE FROM THE OFF-SALE BEER AND WINE TO
OFF-SALE OF GENERAL ALCOHOLIC BEVERAGES IN AN EXISTING
MINI MART LOCATED AT 1255 BUENA VISTA AVENUE (P17-0695)

Recommended Action: RECOMMENDATION

Staff recommends that the Planning Commission approve a resolution for a Use Permit to upgrade from off-sale beer and wine to off-sale general alcohol in an existing mini-mart at the noted address, based on the findings and conditions of approval detailed in the proposed resolution.

Department: Community Development

Attachments: [Attachment A - UP064-76](#)
[Attachment B - Finding of Public Convenience](#)
[Attachment C - Location Map and Aerial Photo](#)
[Attachment D - Floorplan](#)
[Attachment E - Liquor License Locations](#)
[Attachment F - Letter of Opposition SUSD](#)
[Proposed Resolution - Recommending Approval](#)

6. **NEW BUSINESS***

6.1 [18-4448](#) **FISCAL YEAR 2018 - 2023 CAPITAL IMPROVEMENT PROGRAM - PLANNING COMMISSION DETERMINATION OF CONFORMITY TO THE 2035 GENERAL PLAN CONSISTENT WITH THE REQUIREMENTS OF CALIFORNIA GOVERNMENT CODE SECTION 65401**

Recommended Action: RECOMMENDATION

It is recommended that the Planning Commission adopt a resolution forwarding a determination to the City Council that the 2018-2023 Capital Improvement Program (CIP) for Fiscal Years (FY) 2018/2019 through FY 2022/2023 conforms to the City of Stockton 2035 General Plan.

Department: Community Development

Attachments: [Attachment A - DRAFT FY 2018-2023 Preliminary Capital Improvement Plan 1](#)
[Proposed Resolution - CIP GP Conformity 2018](#)

7. **UNFINISHED BUSINESS**

7.1 [18-4398](#) **SIX-MONTH REVIEW OF THE USE PERMIT FOR A LOUNGE WITH THE ON-SALE OF GENERAL ALCOHOLIC BEVERAGES AT 2333 PACIFIC AVENUE (P17-0431)**

Recommended Action: RECOMMENDATION

It is recommended that the Planning Commission approve a motion to:

1. Proceed with the scheduled one (1) year review; or
2. Initiate a public hearing for the modification/revocation of the Use Permit.

Department: Community Development

Attachments: [Attachment A - Planning Commission Staff Report 8-10-17](#)
[Attachment B - Planning Commission Resolution 2017-08-10-0502](#)
[Attachment C - Notice of Noise Violaton 1-31-18](#)
[Attachment D - Notice of Noise Violation 2-11-18](#)
[Attachment E - Notice of Noise Violation 2-14-18](#)
[Attachment F - Incident Report 2-22-18](#)
[Attachment G - Incident Report 3-21-18](#)
[Attachment H - CFS Statistics](#)

- 8. **REPORTS/COMMUNICATIONS/INFORMATIONAL ITEMS**
- 9. **COMMISSIONERS COMMENTS**
- 10. **ADJOURNMENT**

CERTIFICATE OF POSTING

I declare, under penalty of perjury, that I am employed by the City of Stockton and that I caused this agenda to be posted in the City Hall notice case on April 4, 2018, in compliance with the Brown Act.

Bret Hunter, CMC
City Clerk

By: _____

Deputy

A. The meeting will be conducted in accordance with Rosenberg's Rules of Order.

B. Each person wishing to address the Planning Commission is encouraged to fill out a speaker card located at the podium. Each speaker will then be called forward to the podium to speak in the order in which their speaker card was received. Speakers are encouraged but not required to provide their name and address when speaking before the Commission.

C. All questions from members of the audience to the Planning Commission and/or city staff members shall be directed to the Chairperson of the Planning Commission.

All questions from Planning Commission members to staff shall be addressed directly to staff from the member asking the question.

No personal comments and/or exchanges will be permitted between members of the audience and individual staff or Commission members. Rather, direction shall be given to staff to follow-up on any issues brought before the Commission. This rule applies to communications outside of the public hearing process.

D. Information presented to the Commission shall only pertain directly to the item under consideration. Character assassinations, personal feuds, irrelevant data or repetitions of matters already presented shall not be permitted.

E. All rules of Decorum pursuant to Council Policy 100-3- Rules for Conduct of City Council Meetings apply equally to this Commission.

Agendas, staff reports and minutes can be viewed on the City of Stockton web

site <http://www.stocktongov.com/government/oMeetings/boardComMeetings.html>

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS:

State legislation requires disclosure of campaign contributions of \$250 or more, made to any Planning Commissioner, by any person who actively supports or opposes any application pending before the Planning Commission, and such person has a financial interest in the decision. Active support or opposition includes lobbying a Commissioner and/or testifying for or against such an application. Any person having made a \$250 or larger contribution within the preceding 12 months must disclose that fact during the public hearing or on said application.

The official City Planning Commission policy is that applications pending before this Commission should not be discussed with the Commission members outside of a public hearing. If any representations are made privately, they must be identified and placed in the public record at the time of the hearing.

If you challenge the 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.

NOTE: All proceedings before this meeting body are conducted in English. The City of Stockton does not furnish language interpreters and, if one is needed, it shall be the responsibility of the person needing one.

In accordance with the Americans With Disabilities Act and California Law, it is the policy of the City of Stockton to offer its public programs, services and meetings in a manner that is readily accessible to everyone, including those with disabilities. If you are disabled and require a copy of a public hearing notice, or an agenda and/or agenda packet in an appropriate alternative format; or if you require other accommodation, please contact the Office of the City Clerk located at 425 North El Dorado Street, Stockton, California 95202 during normal business hours or by calling (209) 937-8459, at least 5 days in advance of the hearing/meeting. Advance notification within this guideline will enable the City/Agency to make reasonable arrangements to ensure accessibility.

CONSENT ITEMS: Information concerning the consent items has been forwarded to the Planning Commission prior to the meeting. Unless a Commissioner or member of the audience has questions concerning a particular item and asks that it be removed from the Consent Calendar, the items are approved at one time by a roll call vote. Anyone wishing to speak on a consent item or public hearing item, please complete a "Request to Speak Card" and submit it to the Recording Secretary prior to the meeting.

** For any person wishing to address the Planning Commission on any matter not on the printed agenda. Chairperson may set time limit for individual speakers/groups.*