

**MINUTES
PLANNING COMMISSION
MEETING OF NOVEMBER 17, 2016**

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

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

Roll Call

Present:

Christopher Eley

Kevin Hernandez

Sol Jobrack

Kim A. Tutt

Absent:

Don M. Aguillard.

EXCUSED:

D'Adrea Davie

Elizabeth Hull

2. PLEDGE TO FLAG

The pledge was led by Commissioner Eley.

3. ADOPTION OF CONSENT CALENDAR

Commissioner Eley - absent from the September 22, 2016, meeting; recused himself from voting on the approval of the minutes.

Approve continuing the adoption of the Consent Calendar.

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

Vote: Motion carried 4-0

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

Absent: Don M. Aguillard, D'Adrea Davie, and Elizabeth Hull.

3.1 16-3168 APPROVAL OF PLANNING COMMISSION MINUTES

Approval for filing minutes of the September 22, 2016, Planning Commission meeting.

Legislation Text

Attachment A - 092216 Planning Commission Minutes

Note: this item was continued to the next meeting.

4. PUBLIC COMMENT*

None.

5. PUBLIC HEARINGS/ENVIRONMENTAL ASSESSMENTS

5.1 16-3018 USE PERMIT TO ESTABLISH A BAR WITH THE ON-SALE OF GENERAL ALCOHOLIC BEVERAGES IN AN EXISTING BUILDING AT 222 NORTH SUTTER STREET (P16-0307)

Legislation Text

Attachment A - Aerial Photograph and Site Plan

Attachment B - Floor Plan

Attachment C - Street Elevation

Attachment D - Census Tract 100 Liquor Licenses

Proposed Resolution - Recommend Denial

Planning Manager Richard Larrouy - informed the Commission that staff received a letter requesting a continuance from the applicant's attorney, Scott Malm; a copy was distributed to the Commission (filed).

Transmittal Cover Memo dated November 15, 2016, addressed to the Planning Commission from Community Development Director David Kwong regarding a request for continuance from the applicant's attorney attached - filed by Larrouy

Approve **Motion 2016-11-17-0501** approving a continuance of the Public Hearing for the Use Permit to establish a bar with the on-sale of general alcoholic beverages in an existing building at 222 North Sutter Street, to a date certain of December 15, 2016, as requested by the applicant's attorney.

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

Vote: Motion carried 4-0

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

Absent: Don M. Aguillard, D'Adrea Davie, and Elizabeth Hull.

Deputy City Attorney Lori Asuncion - informed Chair Hernandez there was a quorum for Item 3.2 of the Consent Calendar; recommended the Commission take action on the item.

3.2 16-3108 MOTION TO APPROVE PLANNING COMMISSION MEETING SCHEDULE FOR CALENDAR YEAR 2017

Legislation Text

Approve **Motion 2016-11-17-0302** approving the Planning Commission meeting schedule for Calendar Year 2017.

Moved by: Christopher Eley, seconded by Sol Jobrack.

Vote: Motion carried 4-0

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

Absent: Don M. Aguillard, D'Adrea Davie, and Elizabeth Hull.

5.2 16-3074 USE PERMIT TO ESTABLISH A PROPOSED LIQUOR STORE WITH THE OFF-SALE OF GENERAL ALCOHOLIC BEVERAGES IN AN EXISTING COMMERCIAL BUILDING AT 6221 WEST LANE (P16-0335)

Legislation Text

Attachment A - Location Map and Aerial Photograph

Attachment B - Census Tract Liquor Licenses

Attachment C - Crime Reporting District Map

Attachment D - Community Outreach Meeting Information

Proposed Resolution - Recommended Approval

Exhibit 1 - Site and Floor Plans

Planning Manager Larrouy introduced Senior Planner Jenny Liaw who provided a presentation with the aid of a PowerPoint presentation (filed) and responded to questions from the commissioners.

Powerpoint Presentation

Commissioner Disclosures: Chair Hernandez - spoke with the applicant's attorney; Vice Chair Jobrack - received a voicemail from the (attorney) Mr. Hakeem; and Commissioner Tutt - received a call from (attorney) Mr. Hakeem inquiring of his attendance at the meeting.

Additional communications - none.

Mike Hakeem, counsel representing the applicant - spoke to the request for Use Permit and responded to questions from the commissioners along with Deputy City Attorney Lori Asuncion.

Public comments in support - none.

Public comments in opposition - none.

The Planning Commission proceeded with a discussion of the application.

Approve **Resolution 2016-11-17-0502** approving a Use Permit to establish a proposed liquor store with the off-sale of general alcoholic beverages in an existing building at 6221 West Lane, in accordance with the Findings for Decision detailed herein.

Moved by: Kim A. Tutt, seconded by Christopher Eley.

Vote: Motion carried 4-0

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

Absent: Don M. Aguillard, D'Adrea Davie, and Elizabeth Hull.

Approved Resolution 2016-11-17-0502

6. NEW BUSINESS*

None.

7. UNFINISHED BUSINESS

None.

8. REPORTS/COMMUNICATIONS/INFORMATIONAL ITEMS

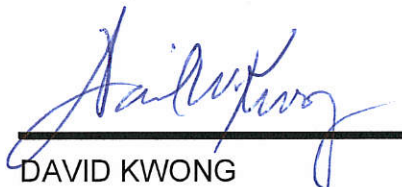
Community Development Director David Kwong - next year staff will be working with the Commission on reviewing the Planning Commission Rules and Procedures; this will include absences, excused absences and the 30-day advance notification to staff of an absence.

9. COMMISSIONERS COMMENTS

Vice Chair Jobrack - spoke to the upcoming etiquette training.

Chair Hernandez - regarding alcohol use permits, is the local ABC (California Department of Alcoholic Beverage Control) agency notified or invited to these items; Planning Manager Larrouy explained the procedure, all Use Permit applications involving alcohol are sent as referrals to ABC; staff provides (a Public) Notice, they are aware of the meeting dates but typically do not attend the meetings; on occasion, staff will receive comments from ABC; and Planning Manager Larrouy provided examples how staff works closely with ABC.

10. ADJOURNMENT - 6:30 PM



DAVID KWONG
DIRECTOR, COMMUNITY DEVELOPMENT