



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, May 24, 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 [18-4616](#)

Recommended Action: RECOMMENDATION

Approval for filing minutes of the April 12, 2018, and April 26, 2018,
Planning Commission meetings.

Department: Community Development

Attachments: [Attachment A - 2018-04-12 Planning Commission Minutes](#)
[Attachment B - 2018-04-26 Planning Commission Minutes](#)

4. PUBLIC COMMENT*

5. PUBLIC HEARINGS/ENVIRONMENTAL ASSESSMENTS

5.1 [18-4534](#) REQUEST FOR A USE PERMIT TO ALLOW THE OFF-SALE OF
BEER AND WINE IN AN EXISTING MINI-MART AT 6025 PACIFIC
AVENUE (P17-0658)

Recommended Action: RECOMMENDATION

Staff recommends that the Planning Commission adopt a resolution
approving a Use Permit to allow the off-sale beer and wine in an existing
mini-mart (LK Mini-Mart) at 6025 Pacific Avenue, in accordance with the
Findings for Decision detailed herein.

Department: Planning Commission

Attachments: [Attachment A - Location Map and Aerial Photography](#)
[Attachment B - Site and Floor Plans](#)
[Attachment C - Census Tract 31.10 Liquor Licenses](#)
[Resolution - Recommend Approval](#)

5.2 [18-4571](#) RECOMMENDATION TO COUNCIL FOR ADOPTION OF AN INITIAL STUDY/PROPOSED MITIGATED NEGATIVE DECLARATION AND APPROVAL OF GENERAL PLAN AMENDMENT, REZONING AND DESIGN REVIEW FOR THE DEVELOPMENT OF THE PROPOSED TUSCANY COVE ASSISTED LIVING AND MEMORY CARE FACILITY LOCATED ON THE NORTH SIDE OF SMITH CANAL AND WEST OF FONTANA AVENUE (17-0758)

Recommended Action: RECOMMENDATION

Staff recommends that the Planning Commission adopt a Resolution forwarding a recommendation to the City Council to:

1. Adopt Initial Study/Proposed Mitigated Negative Declaration for the Tuscany Cove Assisted Living and Memory Care Project;
2. Approve a General Plan Amendment of the site from Low-Density Residential to High-Density Residential;
3. Approve Rezone of the subject site from RL, Residential, Low-Density to RH, Residential, High-Density; and
4. Approve the Design Review for the project to ensure compliance with all applicable provisions of the Citywide Design Review Guidelines.

Approval of the noted applications will allow the development of an assisted living and memory care facility on the north side of Smith Canal and west of Fontana Avenue, in accordance with the findings of fact detailed herein.

Department: Community Development

Attachments: [Attachment A - Location Map and Aerial Photograph](#)
[Attachment B - 200-year Flood Protection Analysis](#)
[Attachment C - Site Plan](#)
[Attachment D - Community Outreach Meeting Notice](#)
[Resolution - Approval of Resolution](#)
[Exhibit 1 - Initial Study/Proposed Mitigated Negative Declaration](#)
[Exhibit 2 - General Plan Map](#)
[Exhibit 3 - Approval of Ordinance with legal description and map](#)
[Exhibit 4 - Site, Floor Plans and Building Elevations](#)

6. NEW BUSINESS*

7. UNFINISHED BUSINESS

7.1 [18-4550](#) **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 May 17, 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.*