

**MINUTES
PLANNING COMMISSION
MEETING OF JULY 13, 2017**

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

1. CALL TO ORDER/ROLL CALL

Roll Call

Present:

Don M. Aguillard
D'Adrea Davie
Sol Jobrack
Anne N. Mallet
Elizabeth Mowry Hull
Waqar Rizvi
Kimberly A. Warmesley

2. PLEDGE TO FLAG

The Pledge of Allegiance was led by Commissioner Warmesley.

3. ADOPTION OF CONSENT CALENDAR

Approve the Consent Calendar with a single vote.

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

Vote: Motion carried 7-0

Yes: Don M. Aguillard, D'Adrea Davie, Sol Jobrack, Anne N. Mallet, Elizabeth Mowry Hull, Waqar Rizvi, and Kimberly A. Warmesley.

3.1 17-3792 APPROVAL OF PLANNING COMMISSION MINUTES

Motion 2017-07-13-0301 filing minutes of the June 8, 2017, and June 22, 2017, Planning Commission meetings.

Legislation Text

Attachment A - 2017 June 8 Planning Commission Minutes

Attachment B - 2017 June 22 Planning Commission Minutes

3.2 17-3754 REQUEST FOR A THREE-YEAR EXTENSION FOR AN APPROVED VESTING TENTATIVE MAP TO SUBDIVIDE A 50.94-ACRE SITE INTO SIX (6) PARCELS AT PROPERTY LOCATED AT 5365 Arch Road (VTM 3732, P12-110, P17-0245)

Resolution 2017-07-13-0302 approving a request for a three-year time extension of an approved Vesting Tentative Map (VTM), for property located at 5365 Arch Road, in

accordance with the findings for decision and conditions of approval detailed herein.

Legislation Text

Attachment A - Location Map and Aerial Photograph

Attachment B - Vesting Tentative Parcel Map

Attachment C - Approved Conditions

Resolution - Recommending Approval of Time Extension

Exhibit 1 - Vesting Tentative Map Conditions of Approval

Approved Resolution 2017-07-13-0302

3.3 17-3718 REQUEST FOR A TIME EXTENSION FOR AN APPROVED VESTING TENTATIVE MAP AT THE SOUTHWEST CORNER OF EIGHT MILE ROAD AND DAVIS ROAD (WATERFORD SQUARE SHOPPING CENTER, VTM3-08, P16-0583)

Resolution 2017-07-13-0303 approving a request for a time extension of an approved Vesting Tentative Map (VTM), for property located at the southwest corner of Eight Mile Road and Davis Road (Waterford Square Shopping Center), in accordance with the findings for decision and conditions of approval detailed herein.

Legislation Text

Attachment A - Location Map

Attachment B - Amended Conditions of Approval-Redline Version

Resolution - Recommendation of Approval

Exhibit 1 - Amended Conditions of Approval

Approved Resolution 2017-07-13-0303

4. PUBLIC COMMENT

None

5. PUBLIC HEARINGS/ENVIRONMENTAL ASSESSMENTS

5.4 17-3813 REQUEST FOR A USE PERMIT TO ESTABLISH A PROPOSED MEDICAL CANNABIS DISPENSARY IN AN EXISTING COMMERCIAL BUILDING IN THE CG (COMMERCIAL, GENERAL) ZONE AT 7632 PACIFIC AVENUE (P17-0020)

Legislation Text

Attachment A - Location Map and Aerial Photograph

Attachment B - Project Description

Attachment C - Neighborhood Context Maps

Attachment D - Medical Cannabis Dispensary Restricted Area

Attachment E - Existing Medical Cannabis Businesses

Attachment F - Community Meeting Notice

Resolution - Approval of Use Permit

Exhibit 1 - Site Map and Floor Plan

Approved Resolution 2017-07-13-0504

PowerPoint presentation - Use Permit at 7632 Pacific Avenue

PowerPoint presentation - Pacific Avenue Dispensary

Approve **Resolution 2017-07-13-0504** approving a Use Permit to allow the establishment of a proposed medical cannabis dispensary at 7632 Pacific Avenue in accordance with the findings detailed herein.

Moved by: Kimberly A. Warmsley, seconded by Don M. Aguillard.

Vote: Motion carried 7-0

Yes: Don M. Aguillard, D'Adrea Davie, Sol Jobrack, Anne N. Mallet, Elizabeth Mowry Hull, Waqar Rizvi, and Kimberly A. Warmsley.

5.1 17-3628 REQUEST FOR A USE PERMIT TO UPGRADE FROM THE OFF-SALE OF BEER AND WINE TO GENERAL ALCOHOLIC BEVERAGES IN AN EXISTING CONVENIENCE STORE WITH GASOLINE SALES AT 7272 WEST LANE (P17-0096)

Legislation Text

Attachment A - Location Map and Aerial Photograph

Attachment B - Site and Floor Plans

Attachment C - Project Description

Attachment D - Census Tracts/Off-Sale Liquor Licenses

Attachment E - Census Tract 34.10 Liquor Licenses

Proposed Resolution - Denial of Use Permit Application

Legal Ad

Approved Resolution 2017-07-13-0501

PowerPoint presentation - Use Permit at 7272 West Lane

Document filed by Chris Villanueva - Calls for Service at 7272 West Lane

Adopt a resolution approving a Use Permit to upgrade from the off-sale of beer and wine to general alcoholic beverages in an existing convenience store with gasoline sales at 7272 West Lane, with the following conditions; elimination of single serve alcohol sales less than 40 ounces and no hard alcohol sales less than 750 ML.

Moved by: Sol Jobrack, seconded by Anne N. Mallet.

Vote: Motion failed 3-4

Yes: Sol Jobrack, Anne N. Mallet, and Waqar Rizvi.

No: Don M. Aguillard, D'Adrea Davie, Elizabeth Mowry Hull, and Kimberly A. Warmsley.

Approve **Resolution 2017-07-13-0501** denying a Use Permit to upgrade from the off-sale of beer and wine to general alcoholic beverages in an existing convenience store with

gasoline sales at 7272 West Lane, in accordance with the Findings for Decision detailed herein.

Moved by: Don M. Aguillard, seconded by Kimberly A. Warmesley.

Vote: Motion carried 5-2

Yes: Don M. Aguillard, D'Adrea Davie, Elizabeth Mowry Hull, Waqar Rizvi, and Kimberly A. Warmesley.

No: Sol Jobrack, and Anne N. Mallet.

5.2 17-3738 USE PERMIT TO ESTABLISH A 11,448-SQUARE FOOT MEDICAL CANNABIS CULTIVATION FACILITY IN AN INDUSTRIAL, GENERAL (IG) ZONE LOCATED AT 1903 NAVY DRIVE

Legislation Text

Attachment A - Zoning Map

Attachment B - Project Description

Attachment C - Neighborhood Context Map

Attachment D - Cultivation Map & Cannabis Businesses

Attachment E - Parking and Site Plan

Attachment F - Public Meeting Notice/Notes

Proposed Resolution - Recommend approval of use permit

PowerPoint presentation - Use Permit at 1903 Navy Drive

Documents filed by Lori Toccoli - Letters of Opposition

Approve **Motion 2017-07-13-0502** continuing the item to date certain of September 14, 2017 to allow staff to review crime statistics and access ownership; allow applicant to resolve neighborhood buy in. Staff to report back with crime statistics for neighborhoods that may have grow sites.

Moved by: Sol Jobrack, seconded by Don M. Aguillard.

Vote: Motion carried 7-0

Yes: Don M. Aguillard, D'Adrea Davie, Sol Jobrack, Anne N. Mallet, Elizabeth Mowry Hull, Waqar Rizvi, and Kimberly A. Warmesley.

Meeting went into recess at 8:48 PM

Meeting reconvened at 8:58 PM

5.3 17-3742 REQUEST FOR A USE PERMIT TO ESTABLISH A PROPOSED MEDICAL CANNABIS DISPENSARY IN AN EXISTING BUILDING IN AN INDUSTRIAL, GENERAL ZONE AT 2401 STAGECOACH RD (P17-0134)

Legislation Text

Attachment A - Location Map and Aerial Photograph

Attachment B - Project Description

Attachment C - Neighborhood Context Map

Attachment D - Dispensary Map and Cannabis Businesses

Attachment E - Community Meeting Notice

Proposed Resolution - Recommended Approval of Use Permit

Exhibit 1 - Site Plan and Floor Plan

Approve **Motion 2017-07-13-0503** continuing the item to date certain of August 10, 2017.

Moved by: Don M. Aguillard, seconded by Waqar Rizvi.

Vote: Motion carried 7-0

Yes: Don M. Aguillard, D'Adrea Davie, Sol Jobrack, Anne N. Mallet, Elizabeth Mowry Hull, Waqar Rizvi, and Kimberly A. Warmesley.

6. NEW BUSINESS

None

7. UNFINISHED BUSINESS

None

8. REPORTS/COMMUNICATIONS/INFORMATIONAL ITEMS

David Stagnaro, Planning Manager, Community Development Department - reported on recent Downtown Element Meeting regarding the Envision Stockton 2040 General Plan.

9. COMMISSIONERS COMMENTS

Commissioner Rizvi - requested a study session for the Commissioners to review Stockton's Cannabis Ordinance; specifically what is in the Commission's purview

Vice Chair Aguillard - spoke to Cannabis Ordinance and ensuring employment consideration is being given to local citizens

Commissioner Warmesley - questioned if staff has been present at Community Meetings and if so she would like information being discussed at those meetings included in the agenda

Chair Mowry Hull - use permit process for Cannabis cultivation and dispensary sites is very new and the cut-off time is quickly approaching; suggested having a study session on July 27, 2017 to discuss the Cannabis Ordinance and what is in the Commission's purview

Commissioner Mallett - concerned with land use, limited availability of sites and pending requests; would like to see all applicants and make the right decision

Chair Mowry Hull - need study session to address what action Planning Commission can take

Commissioner Jobrack - three sites south of Harding Way is an equity problem; limits access throughout the City

Commissioner Davie - concerned that locations are heavy on the south side of Stockton; Planning Commission's involvement in application decisions

Chair Mowry Hull - questioned Ballot measure language; what criteria can Planning Commission use when looking at use permits

Commissioner Warmesley - will be out of state on July 27, 2017 but will meet with staff separately

Commissioner Rizvi - available July 27, 2017

Commissioner Davie - will not be present on July 27, 2017 but will meet with staff separately

Chair Mowry Hull - requested staff hold a study session on July 27, 2017 at 6:00 PM to discuss the Ordinance, look at areas of saturation and discuss what modifications may need to go to City Council for consideration

Lori Asuncion, Deputy City Attorney - responded to questions from Commissioners throughout

10. ADJOURNMENT - 9:35 PM



DAVID KWONG
DIRECTOR, COMMUNITY DEVELOPMENT