

**MINUTES
PLANNING COMMISSION
MEETING OF SEPTEMBER 14, 2017**

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

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

Roll Call

Present:

Don M. Aguillard

D'Adrea Davie

Elizabeth Mowry Hull

Sol Jobrack

Anne N. Mallett

Waqar Rizvi

Kimberly A. Warmesley

2. PLEDGE TO FLAG

The Pledge of Allegiance was led by Commissioner Davie.

3. ADOPTION OF CONSENT CALENDAR

3.1 17-3947 APPROVAL OF PLANNING COMMISSION MINUTES

Legislation Text

Attachment A - 2017 July 13 Planning Commission Minutes

Attachment B - 2017 July 27 Planning Commission Minutes

Attachment C - 2017 Aug 10 Planning Commission Minutes

Approve **Motion 2017-09-14-0301-01** for filing minutes of the July 13, 2017 Planning Commission meeting.

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

Vote: Motion carried 7-0

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

Approve **Motion 2017-09-14-0301-02** for filing minutes of the July 27, 2017 Planning Commission meeting.

Moved by: Sol Jobrack, seconded by Waqar Rizvi.

Vote: Motion carried 5-0

Yes: Don M. Aguillard, Elizabeth Mowry Hull, Sol Jobrack, Anne N. Mallett, and Waqar Rizvi.

Recuse: D'Adrea Davie, and Kimberly A. Warmesley.

Approve **Motion 2017-09-14-0301-03** for filing minutes of the August 10, 2017 Planning Commission meeting.

Moved by: Waqar Rizvi, seconded by D'Adrea Davie.

Vote: Motion carried 6-0

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

Recuse: Elizabeth Mowry Hull.

4. PUBLIC COMMENT*

None.

5. PUBLIC HEARINGS/ENVIRONMENTAL ASSESSMENTS

5.1 17-3877 USE PERMIT TO ESTABLISH AN 11,448-SQUARE FOOT MEDICAL CANNABIS CULTIVATION FACILITY IN AN INDUSTRIAL, GENERAL (IG) ZONE LOCATED AT 1903 NAVY DRIVE

Legislation Text

Attachment A - Calls for Service Navy Drive

Attachment B - Medical Cannabis Studies

Attachment C - Dispensary Calls for Service

Attachment D - Zoning Map

Attachment E - Project Description

Attachment F - Neighborhood Context Map

Attachment G - Cultivation Map and Cannabis Businesses

Attachment H - Parking and Site Plan

Attachment I - Public Meeting Notice and Notes

Attachment J - Neighbor Follow Up Letters

Attachment K - Opposition Letters

Proposed Resolution - Recommend Approval of Use Permit

Approved Resolution 2017-09-14-0501

Outside communications received by staff - letter dated September 6, 2017 from Lori Toccoli, Stockton Petroleum Company, in opposition to the application; letter from Lori Toccoli, President Stockton Petroleum, in opposition to the application; and an email dated September 12, 2017 from Chuck Wall, Creative Security Company, Inc. in support of the application - filed by Assistant Planner Kanoa Kelley

PowerPoint Presentation - Staff Presentation

PowerPoint Presentation - Applicant's Presentation

Three area photos and a letter in opposition from Lori Toccoli, President Stockton Petroleum - filed by Lori Toccoli

Approve **Motion 2017-09-14-0501-01** to forego the reading of the outside communications received by staff into the minutes; the communications were emailed to all of the Commissioners; and the Commissioners confirmed having read them.

Outside communications filed:

1. Letter dated September 6, 2017 from Lori Toccoli, Stockton Petroleum Company, in opposition to the application.
2. Letter from Lori Toccoli, President Stockton Petroleum, in opposition to the application.
3. Email dated September 12, 2017 from Chuck Wall, Creative Security Company, Inc, in support of the application.

Moved by: Kimberly A. Warmesley, seconded by D'Adrea Davie.

Vote: Motion carried 7-0

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

Approve **Resolution 2017-09-14-0501** approving a Use Permit to allow the establishment of a proposed medical cannabis cultivation facility for IG zoned property located at 1903 Navy Drive in accordance with the findings detailed herein.

Moved by: D'Adrea Davie, seconded by Kimberly A. Warmesley.

Vote: Motion carried 5-2

Yes: D'Adrea Davie, Elizabeth Mowry Hull, Anne N. Mallett, Waqar Rizvi, and Kimberly A. Warmesley.

No: Don M. Aguillard, and Sol Jobrack.

Approve **Motion 2017-09-14-0501-02** approving a five-minute recess.

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

Vote: Motion carried 7-0

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

Meeting reconvened at 7:46 pm

5.2 17-3899 REQUEST FOR A USE PERMIT TO ESTABLISH A MEDICAL CANNABIS DISPENSARY IN AN EXISTING BUILDING IN THE CG (COMMERCIAL, GENERAL) ZONE AT 3706 EAST HAMMER LANE, SUITE 6 (P17-0262)

Legislation Text

Attachment A - Location Map and Aerial Photography

Attachment B - Operation Overview

Attachment C - Neighborhood Context Maps

Attachment D - Map of Medical Cannabis Businesses

Attachment E - Community Meeting Notice

Attachment F - Neighbor Letter

Resolution - Approval of the Modification of the Use Permit

Exhibit 1 - Site Plan and Floor Plan

Approved Resolution 2017-09-14-0502

PowerPoint Presentation - Staff Presentation

PowerPoint Presentation - Applicant's Presentation

Letter dated July 6, 2017 from Gumaro Rosales of Set Stuff Inc Hollywood, CA and a letter from Farshad Rabbani of Time Zone Entertainment Inc Los Angeles CA both in support of Hollywood High Grade - filed by David Draper

Approve a motion to continue the Public Hearing (after the City Council meeting of October 17, 2017) to a date certain of October 26, 2017.

Moved by: D'Adrea Davie, seconded by Kimberly A. Warmasley.

Commissioner Davie rescinded her motion for a continuance.

Commissioner Warmasley rescinded her second motion for the continuance.

Approve **Resolution 2017-09-14-0502** approving a Use Permit to allow the establishment of a medical cannabis dispensary at 3706 East Hammer Lane, Suite 6, in accordance with the findings detailed herein.

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

Vote: Motion carried 5-2

Yes: Don M. Aguillard, Elizabeth Mowry Hull, Sol Jobrack, Anne N. Mallett, and Waqar Rizvi.

No: D'Adrea Davie, and Kimberly A. Warmasley.

6. NEW BUSINESS*

None.

7. UNFINISHED BUSINESS

None.

8. REPORTS/COMMUNICATIONS/INFORMATIONAL ITEMS

AICP Planning Manager David Stagnaro - staff is currently working on the content of the General Plan Update with the input from the City Council, the Planning Commission and the public; an Envision Stockton 2040 General Plan Update Sub-Committee meeting is

anticipated in October, or November, to review the administrative drafts of the General Plan; another update will be provided at the next Planning Commission meeting

9. COMMISSIONERS COMMENTS

Commissioner Jobrack - inquired about generic City of Stockton email links to Planning Commissioners for the public and applicants

Commissioner Warmley - inquired about applicant requests for Planning Commissioner's personal contact information from staff; AICP Planning Manager David Stagnaro responded

Commissioner Jobrack - spoke to communication sent to a public email will be a public record; feels more protected with communications that are subject to subpoena are sent to a public entity, it provides a record of the communication

Chair Mowry Hull - spoke to protecting Commissioner's private email, phone numbers and addresses; AICP Planning Manager Stagnaro responded

10. ADJOURNMENT - 8:59 PM



DAVID KWONG
DIRECTOR, COMMUNITY DEVELOPMENT