

**MINUTES
PLANNING COMMISSION
MEETING OF AUGUST 27, 2020**

425 N. El Dorado Street, Stockton CA

1. CALL TO ORDER/ROLL CALL - 5:30 PM

Note: Commissioners Mountain and Warmsley participated via Webex teleconference

Roll Call

Present:

D'Adrea Davie
Gerardo Garcia
Anne Mallett
Xavier Mountain
Waqar Rizvi
Kimberly A. Warmsley

Absent:

Jeff Sanguinetti.

Note: Commissioner Sanguinetti arrived to the meeting 5:37 PM

2. PLEDGE TO FLAG

The pledge was led by Commissioner Garcia

3. ADOPTION OF CONSENT CALENDAR

Approve the Consent Calendar with a single vote.

Moved by: Gerardo Garcia, seconded by Anne Mallett.

Vote: Motion carried 6-0

Yes: D'Adrea Davie, Gerardo Garcia, Anne Mallett, Xavier Mountain, Waqar Rizvi, and Kimberly A. Warmsley.

Absent: Jeff Sanguinetti.

3.1 20-6950 APPROVAL OF PLANNING COMMISSION MINUTES

Motion 2020-08-27-0301 approving filing the minutes of the July 9, 2020 Planning Commission meeting.

Legislation Text

Attachment A - 2020-07-09 Planning Commission Minutes

4. PUBLIC COMMENT

None

5. PUBLIC HEARINGS/ENVIRONMENTAL ASSESSMENTS

5.1 20-6954 COMMISSION USE PERMIT TO ESTABLISH A RETAIL STOREFRONT CANNABIS BUSINESS, ADMINISTRATIVE USE PERMIT TO ESTABLISH A RETAIL NON-STOREFRONT (DELIVERY ONLY) CANNABIS BUSINESS, AND A WAIVER OF CANNABIS BUSINESS LOCATION REQUIREMENTS - ALL CONCERNING A 2,280 SQUARE FOOT COMMERCIAL SPACE AT 3008 E. HAMMER LANE, SUITE 108 (APPLICATION NO. P20-0038)

RECOMMENDATION Staff recommends that the Planning Commission adopt a resolution to: 1. Approve a Commission Use Permit to allow the establishment of a proposed retail storefront cannabis business, in accordance with the findings and subject to the conditions herein; 2. Approve an Administrative Use Permit to allow a retail non-storefront (delivery only) cannabis business, in accordance with the findings and subject to the conditions herein; and 3. Approve a Waiver to reduce the location requirement to separate commercial cannabis businesses from at least 300 feet to approximately 250 feet of a residential zone.

Legislation Text

Attachment A - Location Map

Attachment B - Proposed Floor Plan and Site Plan

Attachment C - Neighborhood Context Map

Attachment D - Existing Retail Storefront Businesses

Attachment E - Existing Retail Non-storefront Businesses

Attachment F - Community Meeting Notice

Proposed Resolution - Recommending Approval

Exhibit 1

Powerpoint

Commissioners Disclosures - none

The following persons provided public comment and responded to Commissioners' questions: Howard Seligman, applicant's counsel; Curtis Derine, applicant's project manager

Motion to continue the Public Hearing until such date the Commission looks at adjustments to the Ordinance.

Moved by: Jeff Sanguinetti, seconded by Xavier Mountain.

Note: Meeting went into recess 7:14 pm and reconvened at 7:25 pm

Note: Motion withdrawn by Commissioner Sanguinetti

Approve **Motion 2020-08-27-0501** denying a use permit to establish a retail storefront cannabis business, administrative use permit to establish a retail non-storefront (delivery only) cannabis business, and a waiver of cannabis business location requirements - all concerning a 2,280 square foot commercial space at 3008 E. Hammer Lane, Suite 108 (Application No. P20-0038), and directing staff to return with resolution with findings for denial as articulated on the record

Moved by: Xavier Mountain, seconded by Kimberly A. Warmesley.

Vote: Motion carried 4-3

Yes: D'Adrea Davie, Xavier Mountain, Jeff Sanguinetti, and Kimberly A. Warmesley.

No: Gerardo Garcia, Anne Mallett, and Waqar Rizvi.

6. NEW BUSINESS

None

7. UNFINISHED BUSINESS

None

8. REPORTS/COMMUNICATIONS/INFORMATIONAL ITEMS

None

9. COMMISSIONERS COMMENTS

Chair Rizvi - thanked City of Stockton staff

Commissioner Sanguinetti - future agenda item, revisit Ordinance related to cannabis

Commissioner Davie - thanked staff; cannabis business process

Michael McDowell, Deputy Director - application process with Community Development Department; presentation on existing cannabis ordinance at future meeting

Commissioner Sanguinetti - staff's concerns with current ordinance, present to the commission

Michael McDowell, Deputy Director - current applicants filing according to today's regulations

Chair Rizvi - applicants can appeal to council, council can overrule our recommendation

Commissioner Davie - equity assessment

Arianna Adame, Planning Manager - procurement process for equity assessment; seeking consulting services funding through a state grant - start early next year

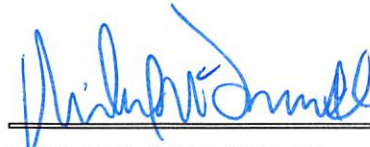
Chair Rizvi- new applications; waivers

Commissioner Davie - 2020 Lottery, results online, equity assessment

Michael McDowell, Deputy Director - no moratorium

Commissioner Warmesley - permit process, lottery, community involvement, transparency

10. ADJOURNMENT - 8:11 PM



MICHAEL MCDOWELL
DEPUTY DIRECTOR, PLANNING AND
ENGINEERING