

**MINUTES  
PLANNING COMMISSION  
MEETING OF FEBRUARY 25, 2021**

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

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

Roll Call

Present:

Anne Mallett

Jeff Sanguinetti

Gerardo Garcia

Brenda Jones

Xavier Mountain

Waqar Rizvi

Brando Villapudua

**2. PLEDGE TO FLAG**

The Pledge of Allegiance was led by Commissioner Rizvi

**3. ADOPTION OF CONSENT CALENDAR**

None

**4. PUBLIC COMMENT**

None

**5. PUBLIC HEARINGS/ENVIRONMENTAL ASSESSMENTS**

**5.1 21-0094 REQUEST FOR A USE PERMIT AND DESIGN REVIEW TO ALLOW THE ESTABLISHMENT OF A CONVENIENCE STORE WITH OFF-SALE OF BEER AND WINE, GENERAL MERCHANDISE, AND A FUELING STATION, WITH A CAR WASH FACILITY, AT 1243 WEST MARCH LANE (P20-0301)**

Legislation Text

Attachment A - Aerial Photo and Location Map

Attachment B - Site Plan, Floor Plan and Elevations

Proposed Resolution - Recommending Approval

Exhibit 1 - Site Plan, Floor Plan and Elevations

Approved Resolution 2021-02-25-0501

Powerpoint

COMMISSIONER DISCLOSURES: None

The following person provided electronic public comment: Arturo Carrasco-Becerra

Electronic Public Comment

Approve **Resolution 2021-02-25-0501** approving a Use Permit and Design Review to allow a new convenience store with off-sale of beer and wine, general merchandise, a fueling station, and car wash facility, at 1243 West March Lane, based on the findings and subject to the conditions in the proposed resolution.

**Moved by:** Jeff Sanguinetti, seconded by Xavier Mountain.

**Vote:** Motion carried 7-0

**Yes:** Anne Mallett, Jeff Sanguinetti, Gerardo Garcia, Brenda Jones, Xavier Mountain, Waqar Rizvi, and Brando Villapudua.

**5.2 21-0115 APPEAL OF A DIRECTOR'S DETERMINATION THAT THE DEMOLITION OF THE STRUCTURE LOCATED AT 434,436,440 EAST WEBER AVENUE (APN 149-140-11) DOES NOT CONCERN A HISTORIC RESOURCE**

Legislation Text

Attachment A - Director Determination Letter

Attachment B - Submittal Appeal

Attachment C - Appeal Response/Rebuttal

Attachment D - Cultural Resources Memorandum

Attachment E - Demolition Permit Process

Proposed Resolution - Recommending Denial of Appeal

Powerpoint

Note: A memorandum to the Commission, dated February 25, 2021, regarding Item 5.2 was distributed around the bench (document filed)

Around the Bench Memo - Public Comments

Approve waiving the reading of public comments received as commissioner correspondence

**Moved by:** Gerardo Garcia, seconded by Gerardo Garcia.

**Vote:** Motion carried 7-0

**Yes:** Anne Mallett, Jeff Sanguinetti, Gerardo Garcia, Brenda Jones, Xavier Mountain, Waqar Rizvi, and Brando Villapudua.

COMMISSIONER DISCLOSURES: none

Note: the appellant, Phillip Merlo, provided a statement to be read into the record (document filed)

Appellant Statement

The following person provided public comment: Robert Holzer

Approve **Resolution 2021-02-25-0502** approving the appeal and reversing the Director's Determination that the demolition of 434, 436, 440 East Weber Avenue does not concern a historic resource; and approving forwarding this item to the Cultural Heritage Board for review.

**Moved by:** Jeff Sanguinetti, seconded by Xavier Mountain.

**Vote:** Motion carried 7-0

**Yes:** Anne Mallett, Jeff Sanguinetti, Gerardo Garcia, Brenda Jones, Xavier Mountain, Waqar Rizvi, and Brando Villapudua.

Approved Resolution 2021-02-25-0502

**5.3 21-0105 AMENDMENT TO TITLE 16 CHAPTER 16.44 AND CHAPTER 16.72, SECTION 16.72.125 OF THE STOCKTON MUNICIPAL CODE RELATED TO WIRELESS COMMUNICATION FACILITIES**

Legislation Text

Attachment A - Photos of Traditional Wireless Facilities

Attachment B - Photos of Small Cell Wireless Communication Facilities

Attachment C - Existing Code

Attachment D - Proposed Ordinance Redline Version

Proposed Resolution - Recommending Approval

Exhibit 1 - Proposed Ordinance Clean

Approved Resolution 2021-02-25-0503

Powerpoint

Note: A memorandum to the Commission, dated February 25, 2021, regarding Item 5.3 was distributed around the bench (document filed)

Around the Bench Memo - Minor Revisions to Ordinance

COMMISSIONER DISCLOSURES: None

The following person(s) provided electronic public comment: Judith Fairweather, Hannah Borris

Electronic Public Comment

Approve waiving the reading of public comments received as commissioner correspondence

**Moved by:** Gerardo Garcia, seconded by Waqar Rizvi.

**Vote:** Motion carried 7-0

**Yes:** Anne Mallett, Jeff Sanguinetti, Gerardo Garcia, Brenda Jones, Xavier Mountain, Waqar Rizvi, and Brando Villapudua.

Approve **Resolution 2021-02-25-0503** recommending the City Council:

1. Find the Title 16 (Development Code) Amendment is not subject to review under the California Environmental Quality Act (CEQA) pursuant CEQA Guidelines sections 15060 (c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment), 15061(b)(3) (there is no possibility the activity in question may have a significant effect on the environment), and 15303(e) (similar Project fall under "small facilities"); and

2. Adopt an ordinance amending Title 16 (Development Code) of the Stockton Municipal Code (SMC) sections related to wireless communication facilities: Chapter 16.44 (Communications Facilities) and continue Chapters 16.72 (Public Improvements), Section 16.72.125 (Encroachment Permit) to a later meeting date.

**Moved by:** Jeff Sanguinetti, seconded by Waqar Rizvi.

**Vote:** Motion carried 7-0

**Yes:** Anne Mallett, Jeff Sanguinetti, Gerardo Garcia, Brenda Jones, Xavier Mountain, Waqar Rizvi, and Brando Villapudua.

**6. NEW BUSINESS**

None

**7. UNFINISHED BUSINESS**

None

**8. REPORTS/COMMUNICATIONS/INFORMATIONAL ITEMS**

None

**9. COMMISSIONERS COMMENTS**

Commissioner Rizvi - good discussions, congratulated Chair Mallet and Vice Chair Sanguinetti

Vice Chair Sanguinetti - thanked staff and Chair Mallet

Commissioner Villapudua - thanked commissioners; San Joaquin County Office of Education vaccinations, thanked teachers schools, medical, health care professionals

**10. ADJOURNMENT - 8:35 PM**



WILLIAM CREW  
DIRECTOR, COMMUNITY  
DEVELOPMENT DEPARTMENT