



PLANNING COMMISSION MINUTES OF OCTOBER 6, 2022

The San Joaquin County Planning Commission met in regular session on October 6, 2022 at 6 p.m., in the San Joaquin County Administration Building, 44 N. San Joaquin St., #640 (Board of Supervisors Chambers), Stockton, California.

The meeting was called to order by James Grunsky, Chair.

The Pledge of Allegiance to the flag was given.

Roll Call:

(present)

Commissioners

James Grunsky, Chair  
Sheri Midgley, Vice-Chair  
Randy Hamilton  
Donald Ruhstaller

County Staff

Zoey Merrill, County Counsel

Chris Heylin, Department of Public Works

Steven Shih, Environmental Health Department  
Cesar Ruvalcaba, Environmental Health Department

Community Development Department Staff

Eric Merlo, Assistant Director  
Corinne King, Principal Planner  
Stephanie Stowers, Senior Planner  
Alisa Goulart, Associate Planner  
Giuseppe Sanfilippo, Associate Planner  
Allen Asio, Office Assistant Specialist  
Domenique Martorella, Office Assistant Specialist

(absent)

Jass Sangha

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ACTION ITEMS:

1. **USE PERMIT NO. PA-2100164 AND DEVELOPMENT AGREEMENT NO. PA-2200028 OF JIANG'S PROPERTIES MANAGEMENT, LLC (C/O JKL SUNSHINE, INC.)** to establish a commercial cannabis cultivation and distribution facility to include the conversion of 3 existing structures totaling 24,130 square-feet for use in cannabis cultivation and 1 existing 4,720-square-foot structure for use in cannabis distribution. (Use Type: Commercial Cannabis – Cultivation and Distribution) The project site is located at the south end of E. Navone Rd., 0.6 miles south of E. Fairchild Ln., east of Stockton. (Supervisorial District: 4)

**ALISA GOULART, ASSOCIATE PLANNER, introduced the staff report into the record.**

Commissioner Hamilton asked for distances between nearby residences and the facility and asked for the notification requirement. Ms. Goulart said the distances of the nearest 2 residences and that the notification area was 1,400 feet.

The floor was opened to those supporting the project.

Zach Drivon, representative for the applicant, presented information on the project.

Commissioner Grunsky asked for the hours of operation and asked for confirmation that there would be no oil manufacturing at the facility. Mr. Drivon responded with the hours of operation and confirmed there would be no oil manufacturing.

Commissioner Hamilton asked about the number of truck trips and how many daily trips were expected. Mr. Drivon responded.

Commissioner Ruhstaller asked about the odor mitigation system. Mr. Drivon described the carbon filter system.

Commissioner Grunsky asked about other similar operations that Mr. Drivon was involved in and whether they received many complaints. Mr. Drivon responded in the negative.

Commissioner Midgely asked if there would be any construction. Mr. Drivon responded that all 4 buildings would be converted for the use but that most construction would be on the interior.

The floor was opened to those opposing the project.

Steve Herum, representing the Bozzano family, spoke on reasons to oppose the project including that the environmental didn't address the effect of cannabis cultivation on wine grapes, that the public and the commissioners would not be able to review the security and odor plans, that the applicant couldn't be trusted due to the recently-resigned Board member of the operating company being under investigation for illegal marijuana activity, that it will be a nuisance due to the odor, that it is located on a private road with uncertain maintenance, and that Findings 3, 4, and 5 can't be made because the project is not compatible due to possible damage to cherries, odors, and safety.

Seven property owners spoke against the project. Issues raised had to do with lighting nuisances, odor, security in the neighborhood, damage to the cherries from the cannabis cultivation, fire danger, traffic, security, property value, and that marijuana use is harmful.

MOTION:

It was moved, seconded (Midgley / Ruhstaller), and passed by a vote (3 to 1) to:

1. Forward the Mitigated Negative Declaration (Attachment D; Mitigated Negative Declaration) to the Board of Supervisors with a recommendation of approval;
2. Forward the Mitigation Monitoring and Reporting Plan (Attachment E; Mitigation Monitoring and Reporting Plan) to the Board of Supervisors with a recommendation of approval;
3. Forward Development Agreement No. PA-2200028 (Attachment F; Development Agreement) to the Board of Supervisors with a recommendation of approval;
4. Forward the Findings for Use Permit (Attachment G; Findings for Use Permit) to the Board of Supervisors with a recommendation of approval; and,
5. Forward Use Permit No. PA-2100164, with the Conditions of Approval (Attachment H; Conditions of Approval) contained in the Staff Report, to the Board of Supervisors with a recommendation of approval based on the ability to make the required findings.

VOTE:

AYES: Donald Ruhstaller, Sheri Midgley, James Grunsky  
NOES: Randy Hamilton  
ABSENT: Jass Sangha

- CONSENT 2. USE PERMIT NO. PA-2100077 OF GRANUM, INC. (C/O ALAN MOK ENGINEERING)** to develop a 3-acre parcel with a 14,575-square-foot truck stop facility. The truck stop includes a 3,500-square-foot convenience store; a 2,000-square-foot restaurant with a drive-thru; a 5,775-square-foot canopy with 4 diesel fuel dispensers for tractor trailers; and a 3,300-square-foot canopy with 5 gas dispensers for automobiles. The project site has access from the Interstate 5 and State Route 33 off ramps. The proposed project will utilize an onsite water well, septic system, and storm water drainage. The project site is located on the northeast corner of the Interstate 5 on-ramp and the terminus of the State Route 33 off-ramp, Tracy. (Supervisory District: 5)
- CONSENT 3. USE PERMIT NO. PA-2200025 OF RODNEY AND GAYLA SCHATZ (C/O OPERATIVE OFFICE)** to expand an existing large winery in 2 phases over 5 years. Phase 1 includes construction of a 7,200-square-foot office/storage room; construction of a 6,250-square-foot tasting room; and the addition of winery events. Currently, the winery is not approved for any type of winery events. This Use Permit proposes the following events:
- Marketing Events: A maximum of 20 events per calendar year, with a maximum of 100 attendees.
  - Small-scale Accessory Winery Events: A maximum of 24 events per calendar year, with a maximum of 80 attendees.
  - Wine Release Events: A maximum of 4 two-day events per calendar year, with a maximum of 100 attendees.
- The anticipated hours for winery events are 11:00 a.m. to 5:00 p.m. Outdoor amplified sound is not proposed for any winery events. Phase 2 includes construction of a 5,000-square-foot storage building. (Use Type: Wineries and Wine Cellars – Winery, Large) The project site is located at the southeast corner of N. Kennefick Rd. and E. Peltier Rd., northeast of Acampo. (Supervisory District: 4)
- CONSENT 4. USE PERMIT NO. PA-2200026 OF DANIEL R. AND SHIRLEY A COSTA** to expand an existing vegetable processing facility by constructing a new 1,954-square-foot office building. (Use Type: Agricultural Processing – Food Manufacturing) The project site is located on a private road; 1,290 north of E. Louise Ave.; 2,665 feet west of S. Wagner Rd., Escalon. (Supervisory District: 4)

MOTION:

It was moved, seconded (Ruhstaller / Hamilton), and passed by a vote (4 to 0) to:

1. Approve Item Nos. 2, 3, and 4 on consent with the recommendations contained within the Staff Reports.

VOTE:

AYES: Sheri Midgley, Donald Ruhstaller, Randy Hamilton, James Grunsky  
 NOES:  
 ABSENT: Jass Sangha

The meeting adjourned at 8:01 P.M.

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James Grunsky, Chair

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Eric Merlo, Secretary