



REVISED

PLANNING COMMISSION MINUTES OF MAY 4, 2023

The San Joaquin County Planning Commission met in regular session on May 4, 2023 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
Donald Ruhstaller
Chris Meehleis
Jass Sangha

County Staff

Kimberly Johnson, County Counsel

Chris Heylin, Department of Public Works

Cesar Ruvalcaba, Environmental Health Department

Frank Girardi, Environmental Health Department

Community Development Department Staff

Jennifer Jolley, Director
Tim Burns, Code Enforcement Chief
Steve Butler, Deputy Fire Warden
Corinne King, Deputy Director of Planning
Megan Aguirre, Principal Planner
Alisa Goulart, Associate Planner
Allen Asio, Office Assistant Specialist
Laura Sauers, Office Assistant Specialist

ACTION ITEMS:

Item # 2 was presented before Item #1

2. GENERAL PLAN MAP AMENDMENT NO. PA-2100168, ZONING MAP AMENDMENT NO. PA-2100169, AND ADMINISTRATIVE USE PERMIT NO. PA-2100170 OF LIGURIAN VILLAGE PROPERTIES, LLC.

The project includes 3 applications:

- General Plan Map Amendment No. PA-2100168 to change the General Plan designation of a 1.9-acre parcel from R/L (Low Density Residential) to C/C (Community Commercial).
- Zoning Map Amendment No. PA-2100169 to change the zoning of the same 1.9-acre parcel from R-L (Low Density Residential) to C-C (Community Commercial).
- Administrative Use Permit No. PA-2100170 for construction of a 12,200-square-foot, multi-use, commercial building with leasable space for Offices, Eating and Drinking Establishments – Restaurant Limited Service, Produce Sales – Farmers’ Market Certified, and a Public Safety Facility. The project also includes an atrium and parking to include 6 EV recharging stations.

The project site is located at the southeast corner of E. Main St. and S. Miwuk Village Dr., Stockton (Supervisory District: 1)

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

PUBLIC HEARING OPENED:

PROPOSERS:

Mike Hakeem, attorney, spoke in favor of the project.

OPPOSERS:

None.

PUBLIC HEARING CLOSED.

MOTION:

It was moved, seconded (Ruhstaller / Sangha), and passed by a vote (5 to 0) to:

1. Forward the Mitigated Negative Declaration to the Board of Supervisors with a recommendation to adopt
2. Forward the Mitigation Monitoring and Reporting Program to the Board of Supervisors with a recommendation to adopt
3. Forward the Findings for General Plan Map Amendment No. PA-2100168 to the Board of Supervisors with a recommendation to adopt
4. Forward General Plan Map Amendment No. PA-2100168 to the Board of Supervisors with a recommendation to approve

5. Forward the Findings for Zoning Map Amendment to the Board of Supervisors with a recommendation to adopt
6. Forward Zoning Map Amendment No. PA-2100169 to the Board of Supervisors with a recommendation to approve
7. Forward the Findings for Administrative Use Permit to the Board of Supervisors with a recommendation to adopt
8. Forward Administrative Use Permit No. PA-2100170 with the attached Conditions of Approval to the Board of Supervisors with a recommendation to approve

VOTE:

AYES: Donald Ruhstaller, Jass Sangha, Sheri Midgley, Chris Meehleis, James Grunsky

NOES:

ABSENT:

1. **USE PERMIT NO. PA-2000012 OF 157 CALIFORNIA RESERVE, INC. (C/O JOHN VIERRA)** to establish a small winery in 2 phases over 5 years.

Phase 1 includes the construction of:

- a 10,530-square-foot production building; and
- a 2,300-square-foot covered crush pad

Phase 2 includes the construction of:

- a 9,930-square-foot multipurpose building;
- a 1,500-square-foot tasting room; and
- a 9,500-square-foot expansion to the Phase 1 production building

The following winery events are also proposed:

- Marketing Events: 12 annual events with up to of 300 attendees
- Small-scale Accessory Winery Events: 65 annual events with a maximum of 80 attendees
- Large-scale Accessory Winery Events: 40 annual events with a maximum of 300 attendees
- Wine Release Events: 4 annual events with a maximum of 300 attendees at any given time

Outdoor amplified sound is proposed for Marketing Events, Large-scale Accessory Winery Events, Wine Release Events.

A modification to reduce the Development Title regulation (Section 9-1015.5(h)(1)) requiring a 25-foot-wide access driveway for two-way aisles was submitted with the project. The applicant is requesting to reduce the required width of the access driveway from 25 feet to 20 feet. Access to the site is provided by an existing 20-foot-wide, approximately 0.5 mile long access easement.

The project site is located 0.5 miles east of N. Davis Rd., 1 mile south of W. Peltier Rd., Lodi. (APN/Address: 013-090-09, -33, -35, -36, & -37 / 20814 N. Davis Rd., Lodi) (Supervisorial District: 4)

JJ stepped out of the meeting during this item.

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

PUBLIC HEARING OPENED.

PROPONENTS:

Brett Jolley, attorney on behalf of the applicant, stated that wineries are conditionally permitted in the agricultural zone. As part of the environmental review, the traffic study and noise study found no significant impacts. The Planning Commission and Board of Supervisors have recognized the importance of promoting wineries in the county by approving a winery ordinance.

Celia Hung, owner, spoke about the reasons to why she applied for this project.

Mr. Jolley said that the applicant proposed to reduce the number of events.

OPPONENTS:

Jeff Thompson, Lance Pierovich, Craig Thompson, Scott Pierovich, and their attorney, Timothy Kassouni, presented their concerns in regard to the project's purpose and location, traffic impact, security and safety, and the use of the easement.

REBUTTAL:

Mr. Jolley addressed those concerns. He added that Ms. Hung will continue to work with neighbors and make the best improvements to the roadway, while providing the least impact to neighboring properties.

PUBLIC HEARING CLOSED.

Commissioner Grunsky stated that the market will decide if there are too many wineries. He asked if there are any road size requirements for a winery.

Chris Heylin, Public Works Engineer, answered that the minimum commercial driveway width is 20 feet.

Commissioner Sangha said that the applicant has correctly gone through the process and tried to address the issue by decreasing the number of events. She would like to see the applicant continue to work with the neighboring properties.

MOTION:

It was moved, seconded (Sangha / Ruhstaller), and passed by a vote (5 to 0) to:

1. Adopt the Mitigated Negative Declaration (Attachment D);
2. Adopt the Mitigation Monitoring and Reporting Program - MMRP (Attachment E);
3. Adopt the Findings for Use Permit (Attachment F); and
4. Approve Use Permit No. PA-2000012 with the attached Conditions of Approval (Attachment G), including the modification to Condition 1.o. as appears in the May 4, 2023, Notes for this Evening.

VOTE:

AYES: Chris Meehleis, Donald Ruhstaller, Jass Sangha, Sheri Midgley, James Grunsky

NOES:

ABSENT:

The meeting adjourned at 7:50 P.M.

James Grunsky, Chair

Jennifer Jolley, Secretary