



SPECIAL PUBLIC HEARING

PLANNING COMMISSION MINUTES OF MAY 7, 2020

The San Joaquin County Planning Commission held a special meeting on May 7, 2020, at 1:30 p.m., in the San Joaquin County Administration Building, 44 N. San Joaquin St., #640 (Board of Supervisor Chambers), Stockton, California.

The meeting was called to order by Randy Hamilton, Chair.

The Pledge of Allegiance to the flag was given.

Roll Call:

(present)

Commissioners

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

County Staff

Zayante (Zoey) P. Merrill, County Counsel

Alex Chetley, Department of Public Works
Chris Heylin, Department of Public Works

Michael Kith, Environmental Health Department

Community Development Department Staff

David Kwong, Director
John Funderburg, Principal Planner
Jennifer Jolley, Principal Planner
Stephanie Stowers, Senior Planner
Giuseppe Sanfilippo, Associate Planner
Alisa Goulart, Associate Planner
Domenique Martorella, Office Assistant Specialist
Keia Williams, Office Assistant Specialist

(absent)

APPROVAL OF PREVIOUS MEETING MINUTES:

1. Minutes from 12/05/2019, 12/19/2020, 01/16/2020, and 02/06/2020.

MOTION:

It was moved, seconded (Morri/Midgley), and passed with a vote of 4-0-1 to:

1. Approve and accept the minutes.

VOTE:

AYES: Midgley, Morri, Grunsky, Hamilton

NOES:

ABSENT:

ABSTAIN: Ruhstaller – Appointment to Planning Commission effective March 2020

ACTION ON REQUESTS FOR CONTINUANCES OR WITHDRAWALS:

Action Item #4 - Use Permit No. PA-1900127 of Gurdwara Gur Nanak Parkash, Inc. (c/o Tony Singh).

MOTION:

It was moved, seconded (Grunsky/Morri), and passed with a vote of 5-0-0 to:

1. Motion to deny the continuance and conduct the public hearing.

VOTE:

AYES: Ruhstaller, Morri, Midgley, Grunsky, Hamilton

NOES:

ABSENT:

Request for Continuance for Action Item #4. Director Kwong stated the Farm Bureau has requested to continue the item due to inadequate notice and time to review the project.

Jennifer Jolley stated that, although the Department originally thought notice had not been properly provided to the Farm Bureau, it was later determined that the Farm Bureau had been provided notice about the project multiple times throughout the project.

ACTION ITEMS:

1. **VARIANCE NO. PA-1900287 OF SJ VALLEY, LP (C/O CAPITOL AVENUE DEVELOPMENT & INVESTMENTS)** to reduce the side setback from twenty (20) feet to eight (8) feet for the side of the parcel that is adjacent to residential uses. The underlying project is the construction of a 1,750 square foot carport over existing parking spaces that will also be fenced to provide a secure yard for evidence vehicles. The project site is located on the north side of North Wilcox Road, 485 feet west of East Waterloo Road, Stockton. (Supervisory District: 4) **(CONSENT)**

2. **ONE-YEAR TIME EXTENSION NO. PA-1800071 OF VICTORIA ISLAND, LP (C/O EDGE OF CULTIVATION, LLC)** for a previously approved Use Permit for a craft distillery in two (2) phases over five (5) years. Phase 1 includes the conversion of a 4,800 square foot agricultural processing building into a distillery. Phase 2 includes the conversion of a 44,825 square foot portion of an existing 54,425 square foot agricultural processing building into a barrel-aging room, distilling area, bottling line, tasting room, and shipping and receiving area. (Use Type: Agricultural Processing - Food Manufacturing) The project site is located on the north side of West State Route 4, 1.6 miles west of Tracy Boulevard, Stockton. (Supervisory District: 3) **(CONSENT)**

3. **ONE-YEAR TIME EXTENSION NO. PA-1600266 OF PHRABUDDHIVONGSAMUNEE BUDDHIST TEMPLE (C/O DAVID MIRAFLOR)** for a previously approved Use Permit application for the expansion of an existing 4,311 square foot neighborhood religious assembly facility for a maximum of 120 attendees. The project includes the construction of a 4,183 square foot dormitory building with a kitchen and fellowship hall for visiting monks, and the addition of two (2) 400 square foot storage containers. No change is proposed to the maximum number of attendees. (Use Type: Religious Assembly – Neighborhood) The project site is located on the west side of Thornton Road, 2,630 feet north of Eight Mile Road, Stockton. (Supervisory District: 3) **(CONSENT)**

MOTION:

It was moved, seconded (Grunsky/Ruhstaller), and passed with a vote of 5-0-0 to:

1. Approve the items on consent.

VOTE:

AYES: Midgley, Ruhstaller, Grunsky, Morri, Hamilton

NOES:

ABSENT:

4. **USE PERMIT NO. PA-1900127 OF GURDWARA GUR NANAK PARKASH, INC. (C/O TONY SINGH)** to expand an existing religious assembly in two (2) phases over four (4) years. The proposal includes increasing the maximum seating capacity from the current 170 to 700. Phase 1 includes the construction of a 28,965 square foot assembly hall; a 250 square foot well house; a 700 square foot fire suppression water pump house; a 6,453 square foot porch and hallway structure to connect the proposed assembly hall with a future social hall; and the conversion of an existing 6,150 square foot agricultural building into a storage building. Phase 2 includes the construction of a 17,715 square foot social hall with a kitchen, dining area, and retreat area. (Use Type: Religious Assembly – Regional) The project site is located on the north side of West Grant Line Road, 985 feet east of South Hansen Road, northwest of Tracy. (Supervisorial District: 5)**

Alisa Goulart, Associate Planner, introduced the staff report into the record.

PUBLIC HEARING OPENED:

PROPOSERS:

Tony Singh, Applicant, spoke via phone call and thanked staff for the coordination of this project. Mr. Singh stated the Conditions of Approval have been reviewed and that he will comply with them for this project. Mr. Singh also stated that he has the Grading permit and the onsite waste treatment system from the Environmental Health Department. The grading has already been done for the building pads.

OPPOSERS:

None

REBUTTAL:

None

PUBLIC HEARING CLOSED.

MOTION:

It was moved, seconded (Ruhstaller/Midgley), and passed with a vote of 5-0-0 to:

1. Adopt the Mitigated Negative Declaration (Attachment C, Environmental Document);
2. Adopt the Findings for Use Permit (Attachment D, Findings); and
3. Approve Use Permit No. PA-1900127 with the attached Conditions of Approval (Attachment E, Conditions of Approval)

VOTE:

AYES: Grunsky, Ruhstaller, Morri, Midgley, Hamilton

NOES:

ABSENT:

Director's Report:

- **Planning Commission Hearing Location and Time (Temporary vs Permanent)**

David Kwong, Director stated, that the auditorium of the Public Health building is now closed and a contract will be moving forward soon for the demolition of the building. Staff is currently searching for a new venue for the Planning Commission hearings that will accommodate the needs of the hearings such as equipment, audio/video capacities and Information Systems support. The Agricultural Center is currently an active Emergency Operation Center (EOC) and will continue to be so until the County determines otherwise. We are not sure of the timeframe at this time. Director Kwong stated that the hearings will be held at the San Joaquin County Administration Building, in the Board of Supervisors Board Chambers, for the next couple of months.

Chair Hamilton asked if the Commissioners had been polled regarding their availability for afternoon meetings.

Jennifer Jolley, Principal Planner stated that she received confirmation of availability for the current meeting and that availability will be determined on a case by case basis for future meetings.

Zayante (Zoey) P. Merrill, County Counsel, stated that staff had some constraints in regards to being able to meet Brown Act and Due Process requirements. Ms. Merrill stated that the Governor's order has pulled back on certain aspects of the Brown Act but in its place has required certain levels of audio and video participation which was not accessible to staff in the evening.

Director Kwong stated that as Jennifer mentioned, staff will poll the commissioners for availability, for the May 21, 2020, and the June 2020 hearings. Director Kwong also stated that the Planning Commission hearing could be held on a different day which is something that will need to be worked out for the commission, as well as the support that is needed for this building-

- **Community Development Department Operations Update**

Director Kwong stated that the Community Development Department has been closed for approximately 40 days. Director Kwong stated that there is a shared lobby with Public Works and the department is trying to determine how the customers would be able to come into the building. The department has bins outside of the building and currently processes applications and requests electronically and by phone as much as possible.

Director Kwong stated that the facility is expected to reopen within the next week or two while maintaining social distancing requirements, placing limitations on how many people will be in the office, and how many people will be in the lobby.

- **Development Title Contract Update**

Director Kwong stated that the County Board of Supervisors has approved a contract to update the San Joaquin County Development Title, which is the county's comprehensive zoning code. John Funderburg, Principal Planner, is the lead for the department and will be working with the consultant, Dyett & Bhatia, to refine the scope of the Development Title. There will be scoping meetings with the commission to discuss major policy implications as to what we're going to be doing over the course of the next two years and present to the commission ordinance revisions. The commission will make policy recommendations to the Board of Supervisors.

- **Modifications to Rules of Procedure for Planning Commission**

Director Kwong stated that there will be changes to the Rules of Procedure in terms of how the Planning Commission operates such as where the commission meets, how often, and the days to meet. A copy of the Rules of Procedure will be distributed to the commission at the appropriate time for review and recommended changes.

The meeting adjourned at 2:00 P.M.

Randy Hamilton, Chair

David Kwong, Secretary