Good Afternoon Council Member Lenz,

I write in anticipation of an appeal to be heard by Council on September 28 filed on behalf of Jiva SCK LLC (‘Jiva’) whose application for a commercial cannabis retail storefront, despite meeting all criteria set forth by the City with Staff’s full recommendation of approval, was recommended for denial by the Planning Commission on the indefensible rationale that the proposed business may result in harm to the economic interests of an existing cannabis retailer and sole project opponent – Zen Garden Wellness.
Our appeal asks that you follow the recommendation of staff, as well as the parameters through which such businesses should be approved under the current ordinance in order to bring a thriving and mutually beneficial business enterprise into the City of Stockton. Staff now recommends that Council overturn the Planning Commission decision and approve the Commission use permit for commercial retail along with an administrative use permit for cannabis delivery from the project's proposed location at 7616 Pacific Avenue Suite A5 in the Hammer Ranch Shopping Center.

A few things we believe are important to keep in mind when considering this decision:

1. Zen Garden Wellness and its constituents present as the sole opposition to the project, claiming that they will suffer economic harm as a result of our approval due to the proximety of the proposed project to their existing location;

2. Zen Garden Wellness has offered zero evidence to show that they may suffer such harm- we have provided an economic report demonstrating the benefits of retail agglomeration (clustering of like businesses) whereby our approval is likely to benefit Zen via increased cannabis customer foot traffic and the wide notariety of the project's brand licencing partner, Cookies Retail, an internationally recognized franchise and the foremost cannabis retailer in the Nation;

3. To the contrary, 10 other businesses in the Hammer Ranch Shopping Center have endorsed the approval of this project based on the anticipated additional customer foot traffic, the filling of a long term vacancy as well as the likelihood of the proposed business serving as an anchor for other prospective businesses to fill additional existing vacancies and the resulting alleviation of blight and vagrancy the Center has suffered in recent years;

4. Jiva has offered numerous concessions to Zen Garden Wellness as a gesture of good faith to demonstrate our belief and willingness to foster a synergistic coexistence including a) paying for Zen’s security infrastructure costs; b) paying Zen’s common area management fees; c) making aesthetic improvements to the shopping center at large benefitting all tenants and customers; and d) diversifying our product lines by carrying in house brands only. Despite Zen’s rejection of these concessions as a compromise they remain on the table and in the
event Council determines that these would be most appropriate as conditions of approval we would not oppose such a decision;

5. Jiva’s majority owner Heng Heung, was a 2020 Equity Pool Lottery Selection Winner, and in partnership with Jiva, has entered into a licensing agreement the Cannabis Retail Brand ‘Cookies’ to operate the store under the Cookies Banner in the event of Jiva’s approval. As the foremost Cannabis Retail Brand in the space, Cookies currently operates more than 20 retail Stores across California with approximately 30 to be approved Statewide by the end of 2022. Heng is one of the first Equity applicants poised to launch a business in partnership with a wildly successful cannabis brand, presenting as a model for future cannabis equity partnerships in the City. This is a structure which could serve as a basis for the ongoing development of Stockton’s Equity program moving forward.

6. The prospective economic benefits to Stockton’s residents and the City at large are compelling, with $6.6 Million dollars in revenue projected in its first year of operation, with $330,000 in tax revenue to the City, and over $11,000,000 dollars in projected revenue in year 5, with a total of over $2.2 Million in Cannabis Tax revenue to the City alone over a five year period. Additionally, Jiva is offering a minimum of $50,000.00/year up to 2.5% of its gross revenues earmarked for allocation to the City’s Strategic Priorities and/or local non-profit organizations serving the community.

7. The operation will create 20-30 well-paying employment opportunities once fully operational with 90% of its workforce being drawn from City and County residents, offering Health Insurance, Vacation, Paid Leave, and Retirement benefits as well as Bonus incentives. We are committed to hiring at least 50% of our workforce from SB535 disadvantaged Communities.

8. The City of Stockton (including unincorporated County areas) currently has only 5 active retail cannabis storefronts, compared to a total of 26 active Cannabis Retailers operating in and around the Modesto-Stanislaus County area. With a larger population and fewer stores, Stockton’s cannabis market is by no means oversaturated, and would greatly benefit from a prominent Retail brand such as Cookies coming into the Market;
9. The introduction of a Cookies Cannabis Retail Store in the vicinity of Zen is likely to ultimately benefit Zen Garden (especially with the implementation of the concessions offered) as Cookies will attract out customers from outside neighborhoods and adjacent municipalities visiting Cookies as a retail destination, resulting in additional cannabis customer foot traffic in close proximity to Zen, who additionally, has had five years to develop an established and loyal customer base.

10. Stockton’s Cannabis Program was born out of an effort to eliminate potential competition in favor of existing operators by foreclosing on opportunities for new applicants to obtain licensure and do Business in the City by way of proposed business pre-requisites. This effort was thwarted by the sound discretion of our City’s leadership in 2016 and the industry here has been allowed to develop in the interests of the City itself since that time. The City has since amended its ordinance to improve the program, and provide more opportunities through a fair, equitable and transparent process.

The Council is now presented with the decision to either continue on in the spirit of fairness and equity, by following its own rules and continuing to provide opportunities to qualified business applicants in the interests of not only the City but numerous other businesses; OR validate the indefensible economic protectionism and political favoritism demonstrated by the Commission in affirming their decision for the sole benefit of a single business.

We trust that our City’s leadership will make the right decision in the interests of the City and its constituents at large.

Sincerely,

Zach Drivon, General Counsel
Jiva SCK, LLC
Attorney & CEO
Drivon Consulting, Inc.
From: Susan Lenz <slenz@iacopi.com>
Sent: Wednesday, January 5, 2022 3:36 PM
To: Taryn Jones
Subject: FW: Jiva SCK LLC communication in support of Appeal from Planning Commission Recommendation to Deny Proposed Retail Store

CAUTION: This email originated from outside the City of Stockton. Do not click any links or open attachments if this is unsolicited email.

Per your request.....

Susan Lenz, CPA
Iacopi, Lenz & Company
Accountancy Corporation
3031 W. March Lane, Suite 300E
Stockton, CA 95219
(209) 957-3691
(209) 957-0841 fax

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From: Zach Drivon <zach@drivonconsulting.com>
Sent: Friday, September 24, 2021 3:09 PM
To: Susan Lenz <slenz@iacopi.com>
Subject: Re: Jiva SCK LLC communication in support of Appeal from Planning Commission Recommendation to Deny Proposed Retail Store

Thank you Susan-

Same to you.

-Z

From: Susan Lenz <slenz@iacopi.com>
Sent: Friday, September 24, 2021 3:03 PM
To: Zach Drivon <zach@drivonconsulting.com>
Subject: RE: Jiva SCK LLC communication in support of Appeal from Planning Commission Recommendation to Deny Proposed Retail Store

Thanks for this information, Zach.
    Have a good weekend.
    Susan

Susan Lenz, CPA
Good Afternoon Council Member Lenz,

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Sincerely,

Zach Drivon, General Counsel
Jiva SCK, LLC
Attorney & CEO
Drivon Consulting, Inc.
CAUTION: This email originated from outside the City of Stockton. Do not click any links or open attachments if this is unsolicited email.

FY I.....

This is a string of emails with Mr. Drivon.

Susan Lenz, CPA
Iacopi, Lenz & Company
Accountancy Corporation
3031 W. March Lane, Suite 300E
Stockton, CA 95219
(209) 957-3691
(209) 957-0841 fax

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From: Zach Drivon <zach@drivonconsulting.com>
Sent: Friday, July 30, 2021 11:51 AM
To: Susan Lenz <slenz@iacopi.com>
Subject: Re: Request for Meeting Next Week (7/28 or 7/29)

Hi Susan,

The landlord Kathryn Smith just inquired as to whether you may have anything open on the Morning of the 3rd at all?

Right now we’re scheduled for 3pm.

If not let’s keep our 3pm, she is just trying to catch an earlier flight back to Southern CA if possible...

Thank you and see you next week.

Have a great weekend.

-Zach

Sent from my iPhone
Anytime,

Just sent out the calendar invite.

Have a great week.

-Z

From: Susan Lenz <slenz@iacopi.com>
Sent: Monday, July 26, 2021 9:17 AM
To: Zach Drivon <zach@drivonconsulting.com>
Subject: RE: Request for Meeting Next Week (7/28 or 7/29)

Thanks Zach! August 3rd at 3 p.m. is perfect!

Thanks for understanding.
   Susan

Susan Lenz, CPA
Iacopi, Lenz & Company
Accountancy Corporation
3031 W. March Lane, Suite 300E
Stockton, CA  95219
(209) 957-3691
(209) 957-0841 fax

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From: Zach Drivon <zach@drivonconsulting.com>
Sent: Monday, July 26, 2021 9:14 AM
To: Susan Lenz <slenz@iacopi.com>
Subject: Re: Request for Meeting Next Week (7/28 or 7/29)

Hi Susan,

Congrats on your son's wedding - and no worries!

Afternoon of August 3 works for me. Should we say 3pm?

Let me know the best time for you on that date and I will put it on calendar.

Thank you and please don't apologize, not a problem.

-Zach
Good morning, Zach. I’m really sorry, but I cannot meet on the 5th. I’m back in the office now and checking my work calendar with my City calendar. I have a deposition that I can’t reschedule. Can we meet the afternoon of August 3rd? I am also completely open on August 9th until 4 p.m. or anytime on August 10th. Please let me know what would work.

Sorry about this, Zach.

Susan Lenz, CPA
Iacopi, Lenz & Company
Accountancy Corporation
3031 W. March Lane, Suite 300E
Stockton, CA 95219
(209) 957-3691
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Could we book August 5 at 2pm?

Sent from my iPhone

On Jul 22, 2021, at 8:58 AM, Susan Lenz <slenz@iacopi.com> wrote:

    Tuesday, August 3rd - anytime in the afternoon, Wednesday, August 4th - anytime before 4 pm when I have another meeting or Thursday, August 5th - anytime. Let me what you prefer.
    This sounds interesting!!
    Susan

On Jul 22, 2021, at 8:46 AM, Zach Drivon <zach@drivonconsulting.com> wrote:
Hi Susan,

No problem, I am wide open the week of August 1.

Let me know the best time/place for you.

Thank you very much for getting back to me.

-Zach

From: Susan Lenz <slenz@iacopi.com>
Sent: Thursday, July 22, 2021 8:45 AM
To: Zach Drivon <zach@drivonconsulting.com>
Subject: Re: Request for Meeting Next Week (7/28 or 7/29)

Hi Zach,
   I’m sorry, but those days will not work for me. I have a tax class next week. Can you meet the week of August 1st?

   Thanks Zach,
   Susan

On Jul 21, 2021, at 1:10 PM, Zach Drivon <zach@drivonconsulting.com> wrote:

Good Afternoon Susan,

Good to see you last week and congratulations on your son’s upcoming wedding.

Knowing that you are extremely busy this week, myself and the landlord of the project, and former Stockton Chamber of Commerce President Kathryn Smith would like to meet with you next week to discuss the Hammer Ranch Retail Cannabis Project, and the mess that was made at Planning Commission in anticipation of our appeal hearing yet to be set (we filed Monday).

We are hoping you may be available on Wednesday 7/28 anytime after 12pm, or 7/29 (Thursday) anytime before 4pm.

We can meet at my offices in Brookside or wherever may be most convenient for you.

Please let me know if this is possible.
Best,

Zach Drivon
Good Afternoon Council Member Warmsley,

I write in anticipation of an appeal to be heard by Council on September 28 filed on behalf of Jiva SCK LLC (‘Jiva’) whose application for a commercial cannabis retail storefront, despite meeting all criteria set forth by the City with Staff’s full recommendation of approval, was recommended for denial by the Planning Commission on the indefensible rationale that the proposed business may result in harm to the economic interests of an existing cannabis retailer and sole project opponent – Zen Garden Wellness.

Our appeal asks that you follow the recommendation of staff, as well as the parameters through which such businesses should be approved under the current ordinance in order to bring a thriving and mutually beneficial business enterprise into the City of Stockton. Staff now recommends that Council overturn the Planning Commission decision and approve the Commission use permit for commercial retail along with an administrative use permit for
cannabis delivery from the project's proposed location at 7616 Pacific Avenue Suite A5 in the Hammer Ranch Shopping Center.

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We trust that our City’s leadership will make the right decision in the interests of the City and its constituents at large.

Sincerely,

Zach Drivon, General Counsel
Jiva SCK, LLC
Attorney & CEO
Drivon Consulting, Inc.
Councilmembers,

Julia Hayhurst is requesting a meeting with you. Below is her email. I will check with Will on the status of the application.

Florence

From: Julia Hayhurst <julia@drivonconsulting.com>
Sent: Wednesday, June 16, 2021 10:43 AM
Subject: Request for Meeting: Retail Cannabis Project

CAUTION: This email originated from outside the City of Stockton. Do not click any links or open attachments if this is unsolicited email.

Dear Councilmembers,

We are reaching out to you to see if you are available to discuss, in person or via zoom, the cannabis retail project at 7613 Pacific Avenue, A5. Could you kindly email me your availability to meet with Zach Drivon between June 17 and July 2?

Best Regards,
Julia Hayhurst
Executive Assistant
Drivon Consulting Inc.
209-636-4856
I am headed to a meeting I have right now with PD. Please, let me know how I should respond to the applicant. He’s on standby.

---

**From:** Stephanie Ocasio <Stephanie.Ocasio@stocktonca.gov>  
**Sent:** Thursday, May 13, 2021 2:59 PM  
**To:** Ariana Adame <Ariana.Adame@stocktonca.gov>; William Crew <William.Crew@stocktonca.gov>; Michael McDowell <Michael.McDowell@stocktonca.gov>  
**Subject:** RE: Jiva SCK | Request to Reschedule  
**Importance:** High

Hello,

I just had a Teams call with Taryn, Allison, and Geoff.

The PC Bylaws state the following:

> **Section 9, Subsection K.**

The Commission may, upon the request of the applicant or other interested party, and for good cause shown, grant a continuance to a date certain for any matter before the Commission subject to the following rules:

1. All continuances must be approved by a majority vote of the Planning Commission members present.
2. Continued public hearings must be set at a date and time certain.
3. Re-notification of a continued public hearing is not required.
4. The conduct of a continued public hearing shall be the same as that of the initial hearing.

Good cause includes **but is not limited to:**

a. The collection of additional data;
b. Obtaining an interpreter;
c. The illness of an interested party or witness; and
d. Any unforeseen event which might result in the denial of a fair hearing to an interested party.

In order to continue the item:

1. The applicant needs to specify a timeframe
2. The applicant needs to show good cause
3. The PC has to approve the request
Given the amount of public feedback received thus far, there’s a chance that the PC will deny the request and have the hearing anyway (this happened at CHB once).

Let's huddle up and discuss.

Stephanie Ocasio  
ASSISTANT DIRECTOR OF COMMUNITY DEVELOPMENT  
Community Development Department  
345 N. El Dorado Street, Stockton CA 95202  
Office: 209.937.8561  Direct: 209.937.8544

For City of Stockton Updates on COVID-19 please visit:  
Twitter @stocktonUpdates  
Facebook @CityofStockton  
City Website http://www.stocktonca.gov

From: Ariana Adame <Ariana.Adame@stocktonca.gov>  
Sent: Thursday, May 13, 2021 2:28 PM  
To: William Crew <William.Crew@stocktonca.gov>; Michael McDowell <Michael.McDowell@stocktonca.gov>; Stephanie Ocasio <Stephanie.Ocasio@stocktonca.gov>  
Subject: FW: Jiva SCK | Request to Reschedule  
Importance: High

The applicant has requested that we continue this item. Please, advise on next steps.

Ariana Adame, MM  
PLANNING MANAGER  
Community Development Department  
345 N. El Dorado Street, Stockton CA 95202  
Direct: 209.937.8270

From: Raj J. Pottabathni <raj@jivalife.org>  
Sent: Thursday, May 13, 2021 2:22 PM  
To: Ariana Adame <Ariana.Adame@stocktonca.gov>  
Cc: zach@drivonconsulting.com  
Subject: Jiva SCK | Request to Reschedule

CAUTION: This email originated from outside the City of Stockton. Do not click any links or open attachments if this is unsolicited email.

Hi Ariana,

While being prepared and confident our project meets all code requirements for compliance, we want an opportunity to address some of the opposition, which all seem to be from Zen (various staff/employees) or tenants in the building they share.

Specifically, we want an opportunity to correct inaccuracies in their opposition statements and clarify the factual
circumstances in and around the project site and their location, respectively, by providing both documentation and testimony from relevant parties. I did reach out to communicate with Zen Garden to address any concerns, but have been unable to connect with them thus far.

We would like to have this hearing rescheduled. Please give me a call ASAP. Thank you.

Regards,

RAJ J. POTTABATHNI
Principal & Managing Director
C: +1.732.801.6300
E: Raj@JivaLife.org
436 Clementina Street (STE 303)
San Francisco • CA • 94103

CONFIDENTIALITY NOTICE: The contents of this email message and any attachments are intended solely for the addressee(s) and may contain confidential and/or privileged information and shall be legally protected from disclosure.
Hi everyone,

As a follow-up from our meeting on Monday, I wanted to provide an update regarding the Cannabis Policy Project. Stephanie presented to the Legislative and Environmental Committee yesterday very successfully. We were able to field all the questions. Thanks to our folks in the Police Department for addressing questions directed to them.

The Committee accepted all of the recommendations, with one minor addition made by Councilmember Dan Wright regarding the addition of language in the equity program to allow equity applicants a way to sell their business prior to 5 year requirement set forth in the recommendations. Staff will work with the City Attorney’s Office to draft language.

**Upcoming Meetings**

July 8, 2021 at 5:30 pm, Council Chambers – Planning Commission Meeting presentation for consideration of a proposed Retail Storefront at 7616 Pacific Avenue. We are requesting that Lieutenant Graviette attend the meeting.

July 22, 2021 at 5:30 pm, Council Chambers – Planning Commission Meeting presentation for consideration of recommendations for the Cannabis Policy Project. We are requesting that Lieutenant Graviette attend this meeting.

It’s been a pleasure working with you all. Good luck!

Thank you,
Good Afternoon,

Please let us know if you are ready to go final.

Thanks!

Allison K. Lambertson, Senior Deputy City Clerk
City of Stockton, Office of the City Clerk
425 N. El Dorado Street, Stockton CA 95202
Office: 209.937.7121
City of Stockton

Meeting Agenda - Draft
Planning Commission

Anne N. Mallett, Chair (District 4)
Jeff Sanguinetti, Vice Chair (District 3)
Gerardo Garcia, Commissioner (District 1)
Waqar Rizvi, Commissioner (District 2)
Xavier Mountain, Commissioner (District 5)
Brenda Jones, Commissioner (District 6)
Brando Villapudua, Commissioner (At-Large)

Thursday, July 8, 2021
5:30 PM
Council Chamber, City Hall, 425 N. El Dorado Street, Stockton CA

The City of Stockton invites public participation in multiple forms. You provide your comments by using one of these methods:

1. e-Comment - follow the e-comment link on the City’s agenda page stockton.granicusideas.com/meetings
2. Email - you may email your comments to city.clerk@stocktonca.gov
3. Voicemail - you can leave a voice message by dialing (209) 937-8459.
4. WebEx - if you wish to join the meeting virtually, you must email city.clerk@stocktonca.gov no later than 90 minutes prior to the meeting on the day of the meeting to request a WebEx link.
5. In-Person Comments –
   a) Speakers must submit a request to speak cards to the Clerk prior to the Public Comment portion of the agenda. No speaker cards will be accepted after the close of Public Comment. Please redirect any inquiries to City.Clerk@stocktonca.gov.
   b) Address only issues over which the meeting body has jurisdiction.
   c) Each speaker will be limited to one 3-minute comment opportunity. Donating time is not authorized.
   d) Your time will be displayed on the speaker podium for convenience.

1. CALL TO ORDER/ROLL CALL

2. PLEDGE TO FLAG

3. ADOPTION OF CONSENT CALENDAR

4. PUBLIC COMMENT*

5. PUBLIC HEARINGS/ENVIRONMENTAL ASSESSMENTS

5.1 21-0410 CONTINUED PUBLIC HEARING - COMMISSION USE PERMIT TO ESTABLISH A RETAIL STOREFRONT CANNABIS BUSINESS AND AN ADMINISTRATIVE USE PERMIT TO ESTABLISH A RETAIL NON-STOREFRONT (DELIVERY ONLY) CANNABIS BUSINESS - ALL CONCERNING A 6,500 SQUARE FOOT COMMERCIAL SPACE
AT 7616 PACIFIC AVENUE, UNIT A5 (APPLICATION NO. P20-0693)

Recommended Action: RECOMMENDATION

Staff recommends that the Planning Commission adopt a resolution:

1. Approving a Commission Use Permit to allow the establishment of a proposed retailer storefront cannabis business, in accordance with the findings and subject to the conditions found in the Proposed Resolution; and

2. Approving an Administrative Use Permit to allow a retail non-storefront (delivery only) cannabis business, in accordance with the findings and subject to the conditions found in the Proposed Resolution.

Department: Community Development

Attachments: Attachment A - Location Map
Attachment B - Existing Retail Storefront & Non-storefront Businesses
Attachment C - Correspondence from the Public
Proposed Resolution - Cannabis Retail Storefront
Exhibit 1 - Site Plans

6. NEW BUSINESS*

7. UNFINISHED BUSINESS

8. REPORTS/COMMUNICATIONS/INFORMATIONAL ITEMS

8.1 21-0449 INFORMATIONAL PRESENTATION ON PENDING GRANT-FUNDED PLANNING EFFORTS TO INCREASE HOUSING PRODUCTION

Recommended Action: RECOMMENDATION

It is recommended that the Planning Commission receive a presentation from City staff on upcoming City initiated efforts to encourage new housing production.

Department: Community Development

9. COMMISSIONERS COMMENTS

10. ADJOURNMENT
CERTIFICATE OF POSTING

I declare, under penalty of perjury, that I am employed by the City of Stockton and that I caused this agenda to be posted in the City Hall notice case on July 1, 2021, in compliance with the Brown Act.

Eliza R. Garza, CMC
City Clerk

By: __________________________________________

Deputy
A. The meeting will be conducted in accordance with Rosenberg's Rules of Order.

B. Each person wishing to address the Planning Commission is encouraged to fill out a speaker card located at the podium. Each speaker will then be called forward to the podium to speak in the order in which their speaker card was received. Speakers are encouraged but not required to provide their name and address when speaking before the Commission.

C. All questions from members of the audience to the Planning Commission and/or city staff members shall be directed to the Chairperson of the Planning Commission.

All questions from Planning Commission members to staff shall be addressed directly to staff from the member asking the question.

No personal comments and/or exchanges will be permitted between members of the audience and individual staff or Commission members. Rather, direction shall be given to staff to follow-up on any issues brought before the Commission. This rule applies to communications outside of the public hearing process.

D. Information presented to the Commission shall only pertain directly to the item under consideration. Character assassinations, personal feuds, irrelevant data or repetitions of matters already presented shall not be permitted.

E. All rules of Decorum pursuant to Council Policy 100-3- Rules for Conduct of City Council Meetings apply equally to this Commission.

Agendas, staff reports and minutes can be viewed on the City of Stockton web site http://www.stocktongov.com/government/oMeetings/boardComMeetings.html

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS:
State legislation requires disclosure of campaign contributions of $250 or more, made to any Planning Commissioner, by any person who actively supports or opposes any application pending before the Planning Commission, and such person has a financial interest in the decision. Active support or opposition includes lobbying a Commissioner and/or testifying for or against such an application. Any person having made a $250 or larger contribution within the preceding 12 months must disclose that fact during the public hearing or on said application.

The official City Planning Commission policy is that applications pending before this Commission should not be discussed with the Commission members outside of a public hearing. If any representations are made privately, they must be identified and placed in the public record at the time of the hearing.

If you challenge the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission, at, or prior to, the public hearing.

NOTE: All proceedings before this meeting body are conducted in English. The City of Stockton does not furnish language interpreters and, if one is needed, it shall be the responsibility of the person needing one.

In accordance with the Americans With Disabilities Act and California Law, it is the policy of the City of Stockton to offer its public programs, services and meetings in a manner that is readily accessible to everyone, including those with disabilities. If you are disabled and require a copy of a public hearing notice, or an agenda and/or agenda packet in an appropriate alternative format; or if you require other accommodation, please contact the Office of the City Clerk located at 425 North El Dorado Street, Stockton, California 95202 during normal business hours or by calling (209) 937-8459, at least 5 days in advance of the hearing/meeting. Advance notification within this guideline will enable the City/Agency to make reasonable arrangements to ensure accessibility.
CONSENT ITEMS: Information concerning the consent items has been forwarded to the Planning Commission prior to the meeting. Unless a Commissioner or member of the audience has questions concerning a particular item and asks that it be removed from the Consent Calendar, the items are approved at one time by a roll call vote. Anyone wishing to speak on a consent item or public hearing item, please complete a "Request to Speak Card" and submit it to the Recording Secretary prior to the meeting.

* For any person wishing to address the Planning Commission on any matter not on the printed agenda. Chairperson may set time limit for individual speakers/groups.
CONTINUED PUBLIC HEARING - COMMISSION USE PERMIT TO ESTABLISH A RETAIL STOREFRONT CANNABIS BUSINESS AND AN ADMINISTRATIVE USE PERMIT TO ESTABLISH A RETAIL NON-STOREFRONT (DELIVERY ONLY) CANNABIS BUSINESS - ALL CONCERNING A 6,500 SQUARE FOOT COMMERCIAL SPACE AT 7616 PACIFIC AVENUE, UNIT A5 (APPLICATION NO. P20-0693)

RECOMMENDATION

Staff recommends that the Planning Commission adopt a resolution:

1. Approving a Commission Use Permit to allow the establishment of a proposed retailer storefront cannabis business, in accordance with the findings and subject to the conditions found in the Proposed Resolution; and

2. Approving an Administrative Use Permit to allow a retail non-storefront (delivery only) cannabis business, in accordance with the findings and subject to the conditions found in the Proposed Resolution.

SUMMARY

The applicant, Heng Heung, submitted a Commission Use Permit (CUP) and Administrative Use Permit (AUP) application to establish a 6,500-square foot retailer storefront cannabis business and a retail non-storefront (delivery only) cannabis business in a Commercial General (CG) zoned parcel, located at 7616 Pacific Avenue, Unit A5. The site is currently a multi-tenant commercial building within the Hammer Ranch Shopping Center. The shopping center includes restaurants, a supermarket, a US Postal Service location, and various retail stores, including an existing, previously approved cannabis retail storefront (Attachment A - Location Map).

This applicant participated in the 2020 Commercial Cannabis Lottery program and was awarded the opportunity to apply for a Retailer Storefront CUP as an equity pool applicant. The Non-storefront Retail (delivery only) use applicability is not granted through the Commercial Cannabis Lottery program. There are no caps on the number of permits for either use, however the Retailer Storefront use is required to participate in and be awarded through the Commercial Cannabis Lottery program. The Stockton Police Department has reviewed the application and indicates no opposition to this proposed project.

Staff recommends approval as the proposed project meets the City’s standards and aligns with the General Plan 2040 goals:

- (Goal LU-6) to provide for orderly, well-planned, and balanced development,
(Goal LU-4) attract and retain companies that offer high-quality jobs with wages that are competitive with the region and state, and
(Policy LU-6.2) provide opportunities for growth and expansion, particularly in infill developments.

The project complies with all applicable provisions of the Development Code and the Municipal Code, including location requirements (Stockton Municipal Code Section 16.80.195A(6) and B(4)) which requires separation from sensitive uses (i.e. residential zones, parks, schools, etc.).

DISCUSSION

Background

On March 5, 2019, City Council approved changes to the City’s cannabis regulatory program to: (a) align state/local regulation; (b) allow additional business types; (c) establish a method to control the pace of new business openings; and (d) establish a method to address historic racial inequities.

New business types were introduced, including manufacturing, distribution, testing laboratories, delivery-only non-storefront retailers, and microbusinesses. The program also included additional cultivators and storefront retailers (dispensaries) as well as an equity program to address historic racial inequities. The changes were to align local regulation with the Medical Cannabis Regulation and Safety Act and the Adult-Use of Marijuana Act of 2016 (Proposition 64). In addition to achieving regulatory consistency, the program was changed to eliminate the limit (i.e. caps) on the total number of Operator Permits regulated by the Stockton Police Department under Stockton Municipal Code (SMC) Chapter 5.100.

For certain permit types (storefront retailer, cultivation, volatile-manufacturing, and microbusinesses) where there is concern about the potential impact on public safety, public health, or community character, a controlled expansion was established. A controlled expansion program allows the City and the existing industry to adapt to an evolving industry and gives the City ongoing flexibility to accelerate or decelerate industry expansion over time. The controlled expansion also has the benefit of allowing the City to give preference to equity applicants.

The controlled expansion is accomplished on an annual basis through a lottery process for the following business types:

- a. storefront retailer
- b. cultivation
- c. volatile-manufacturing
- d. microbusinesses, which include storefront retail and/or cultivation business types

Applicants for the above business types are evenly selected by the lottery process from two pools for a total of eight (8) applications per year, as described below:

Equity Pool
- a. One (1) storefront retailer permit
- b. One (1) cultivation permit
c. One (1) volatile-manufacturing permit  
d. One (1) microbusiness permit

General Pool  
a. One (1) storefront retailer permit  
b. One (1) cultivation permit  
c. One (1) volatile-manufacturing permit  
d. One (1) microbusiness permit

The lottery includes an equity component (i.e. Equity Pool) to enable Stockton residents from disadvantaged neighborhoods to obtain cannabis business permits. Applicants for the above business types are evenly selected from 1) a general pool of applicants, and 2) an equity pool of applicants. Equity pool applicants must meet certain criteria and are also eligible to be a part of the general pool. To qualify as an equity applicant, an applicant must own more than 50 percent of the business, be a resident of Stockton, and meet one of the following: be an Minority Business Enterprise (MBE)/Women Owned Business Enterprise (WBE), live in an opportunity zone, live in the Senate Bill 535 disadvantaged area, or live in a Housing and Urban Department (HUD) designated area.

Heng Heung, the applicant of the proposed project, is a successful equity pool applicant for a storefront retailer business. The Non-storefront Retail (delivery only) use applicability is not granted through the Commercial Cannabis Lottery program. There are no limits or “caps” to the number of applications that may be approved.

This item was originally scheduled for the May 13, 2021 Planning Commission meeting and the applicant requested that the item be continued. The Planning Commission approved the continuance of this item to July 8, 2021 meeting through the approval of motion 2021-05-12-0501.

Present Situation

The applicant, Heng Heung, requests approval to operate a 6,500-square foot retailer storefront and non-storefront retail (delivery only) commercial cannabis business in a Commercial, General (CG) Zone located at 7616 Pacific Avenue, Unit A5.

The proposed project is located in the Hammer Ranch Shopping center. The shopping center includes restaurants, a supermarket, a US Postal Service location, and various retail stores, including an existing, previously approved cannabis retail storefront.

The retailer storefront and the non-storefront retail (delivery only) businesses will operate between 8:00 a.m. and 8:00 p.m. Monday through Sunday. The proposed project will employ 12-15 full-time employees within the first year.

The Stockton Police Department has reviewed the application and indicates no opposition to this proposed project. If approved, a formal security plan and lighting plan will be submitted and reviewed by the Police Department as part of an Operators Permit application.

The existing commercial center has 33 shared parking spaces of which 15 spaces are required for
the proposed project. The number of parking stalls is consistent with the requirements for proposed cannabis businesses and, therefore, is adequate to service the business.

Staff Analysis

To permit the proposed uses, the Planning Commission is asked to consider approval of a Commission Use Permit and an Administrative Use Permit. Each request and staff's analysis are provided below.

Commission Use Permit/Administrative Use Permit

When located in a CG Zone, a Commission Use Permit is required for a Cannabis Retailer Storefront and an Administrative Use Permit is required for a Non-storefront cannabis retail (delivery only). The operations of each use would be combined within a single business and within the same building area. As a result, and since the findings required to address each permit type are the same, the following analysis addresses both land uses.

SMC section 16.168.050(A) requires seven findings of fact to grant approval. Each finding and staff's analysis are as follows:

1. **Finding**: The proposed use is allowed within the subject zoning district with the approval of a use permit and complies with all other applicable provisions of this Development Code and the Municipal Code.

   **Staff Analysis**: The proposed cannabis business types (i.e., uses) are both allowed in the CG Zone. The subject uses would be located within an existing commercial building and, therefore, do not raise a question of conformance with Title 16 development standards. As noted below, adequate off-street parking spaces are provided for both the existing and proposed uses.

   The proposed project is subject to location requirements set forth in SMC 16.80.195.A(6) and 16.80.195.B(4). The project meets the location requirements. The project is not located within 300-feet of any existing residential zone. The project is not located within 600-feet of any park, school providing instruction in kindergarten or any grades 1 through 12, day care center, or youth center, childcare center, child care, in-home (family day care home), religious facilities, or drug abuse or alcohol recovery/treatment facility.

2. **Finding**: The proposed use would maintain or strengthen the integrity and character of the neighborhood and zoning district in which it is to be located.

   **Staff Analysis**: The proposed cannabis business would be situated in a shopping center with several other commercial land uses. It would be aligned with the intent of the shopping center to provide retail options to the community. It would fill a vacant unoccupied suite which would help strengthen the integrity of the surrounding area by providing added security due to the nature of the land-use.

3. **Finding**: The proposed use would be consistent with the general land uses, objectives,
policies, and programs of the General Plan and any applicable specific plan or master development plan.

**Staff Analysis:** The General Plan Land Use Map designates the subject site as Commercial. The Commercial designation is intended to accommodate a wide variety of commercial uses, including, but not limited to, service uses. SMC Section 16.20.020 Table 2-2 classifies the Cannabis Retailer Storefront and the Non-storefront Cannabis Retail Operator Permit (Delivery Only) use within a service use category. Therefore, the proposed use is consistent with the Commercial designation.

Additionally, the project is consistent with General Plan Policy LU-4.2 which states, “Attract employment- and tax-generating businesses that support the economic diversity of the city.” The proposed use furthers this policy since it would provide for a business type that generates tax revenue for the City of Stockton’s general fund.

4. **Finding:** The subject site would be physically suitable for the type and density/intensity of use being proposed including the provision of services (e.g., sanitation and water), public access, and the absence of physical constraints (e.g., earth movement, flooding, etc.).

**Staff Analysis:** The proposed project would occupy a portion of an existing commercial building within a shopping center. The project has been analyzed by all departments and it has been determined all streets and public access ways are adequate to serve the proposed project. Further, the proposed project was reviewed for compliance with all applicable and current Building Code guidelines and found to be in compliance given the nature of the proposed project. No expansion of the building is proposed. The site will have access to City utility services.

5. **Finding:** The establishment, maintenance, or operation of the proposed use at the location proposed and for the time period(s) identified, if applicable, would not endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health interest, safety, peace, or general welfare of persons residing or working in the neighborhood of the proposed use.

**Staff Analysis:** The proposed land-use will require the applicant to adhere to all applicable building code, fire code, and requirements established by the State of California, Bureau of Cannabis Control (BCC). The BCC issues annual licenses and monitors Retailer Storefronts and Non-Storefront Retail (delivery only) to ensure safety of business practices. The applicant will also be required to obtain and maintain a City of Stockton, Operator’s Permit that requires the business owner to develop and maintain a security and lighting plan that is reviewed annually by the City of Stockton, Police Department.

The operations are being carried out indoors, in a commercial zone; appropriate security provisions will be incorporated into the project operations plan, including both electronic surveillance and on-site security personnel procedures.

For the above reasons, the establishment, maintenance, or operation of the proposed land use activity would not endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health interest, safety, or general welfare of persons residing or working in the neighborhood of the proposed use.
6. **Finding**: The design, location, size, and operating characteristics of the proposed use would be compatible with the existing and future land uses on-site and in the vicinity of the subject property.

   **Staff Analysis**: The proposed Retailer Storefront and Non-Storefront Retail (delivery only) is located in an existing commercial building and no changes have been proposed to the exterior characteristics of the project site. The proposed use is commercial in nature and modest floor area raises no potential issues related to compatibility with the existing and future land uses on-site and in the vicinity of the subject property.

7. **Finding**: The proposed action would be in compliance with the provisions of the California Environmental Quality Act (CEQA) and the City’s CEQA Guidelines.

   **Staff Analysis**: The proposed uses would occur within a portion of an existing commercial building. Therefore, the project is categorically exempt from the CEQA, pursuant to CEQA Guidelines section 15301 (Existing Facilities). A categorical Exemption under section 15301, Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use.

As a point of reference, Staff has provided a location map of currently approved Retailer Storefront businesses, and Non-storefront Retail (delivery only) commercial cannabis businesses as an attachment to this report (Attachment B - Existing Retailer Storefront and Non-storefront Retail (delivery only) Businesses). However, the distance between cannabis businesses is not regulated by the SMC. Therefore, the proposed Retailer Storefront and Non-Storefront Businesses are permitted to be in the same shopping center as the existing, previously approved cannabis business.

**PUBLIC COMMENT**

Notice for this item was published in the Record on May 3, 2021, and a notice has been sent to all property owners within a 300-foot radius of 7616 Pacific Avenue on May 3, 2021. Staff received thirty-four (34) communications regarding this project. All communications received were in opposition of the project at the proposed location. The communications received prior to the posting of this staff report have been provided in Attachment C.

Although not required by the Stockton Municipal Code, a virtual community meeting was held on May 10, 2021 at 4:30 pm. All property owners within a 300-foot radius of the subject property were invited to the meeting. Meeting attendance statistics will be presented during the public hearing. The applicant recorded the presentation and made it available to community members by request.

Attachment A - Location Map
Attachment B - Existing Retailer Storefront and Non-storefront Retail (delivery only) Businesses
Attachment C - Public Communications

This report was prepared in part by Stephanie Ocasio, Assistant Community Development Director, (209) 937-8544; stephanie.ocasio@stocktonca.gov.
City of Stockton, CA

Property Information

Property ID 08150021-112708
Location 7616 PACIFIC AV
Owner

City of Stockton, CA makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 03/04/2021
Data updated 03/01/2021
**CANNABIS RETAIL STOREFRONT AND RETAIL DELIVERY LOCATIONS**

**Legend**
- Commercial Cannabis Businesses
- Retail Delivery
- Retail Storefront
- Delivery/Storefront
- City Limits Boundary

**NOTE:** "The information on this map is based on the City's best available information at the time the map was prepared and is only an approximate representation of areas that may be available for the possible establishment of Commercial Cannabis Businesses. This map should only be used as a guide and does not replace the need for an applicant's due diligence as to determining if a site complies with applicable zoning and separation requirements."

The information on this map is based on the most current information available to the City of Stockton Geographic Information System Section. This information on this map is not intended to replace engineering financial, or primary research assessments.

1:24,000
April 19, 2021
Hi Jobi,

We have received a 4th opposition correspondence for the same project. Can you distribute this letter in opposition to the proposed project at 7616 Pacific Avenue, Item 5.2 of this week's Planning Commission Agenda:

5.2 21-0273 COMMISSION USE PERMIT TO ESTABLISH A RETAIL STOREFRONT CANNABIS BUSINESS AND AN ADMINISTRATIVE USE PERMIT TO ESTABLISH A RETAIL NON-STOREFRONT (DELIVERY ONLY) CANNABIS BUSINESS - ALL CONCERNING A 6,500 SQUARE FOOT COMMERCIAL SPACE AT 7616 PACIFIC AVENUE, UNIT A5 (APPLICATION NO. P20-0693)

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From: Sunset Services <sunsetservicesagencyllc@gmail.com>
Sent: Tuesday, May 11, 2021 2:19 PM
To: Ariana Adame <Ariana.Adame@stocktonca.gov>; CC - City Clerk <City.Clerk@stocktonca.gov>
Subject: Opposition to P21-0273

CAUTION: This email originated from outside the City of Stockton. Do not click any links or open attachments if this is unsolicited email.

Commissioners,

It has come to my attention that there is consideration for a new discount cannabis store in the Hammer Ranch Shopping Center. I am writing to encourage DENIAL of another dispensary in this shopping center. Reasonable commercial landlords and commissioners do not put more than one type of business into a shopping center as it reduces revenue and creates price wars with competing businesses in the same shopping center.

Businesses that are subject to competing with their neighbors in the same space often result to discount pricing which drives in less than favorable clientele to the area and reduces the amount of profit these businesses ultimately generate. This will only serve to reduce the revenue that the community and staff will have to benefit from.
Another dispensary will NOT create healthy competition, it will effectively close down an already established dispensary in the center that followed all the required steps to operate in the community which provides jobs and steady tax, licensing dollars to the community. Cannabis is not your average type of business, it needs to be looked at as a liquor store, strip club or discount chain stores. Placing multiple of the same types of the aforementioned businesses drives down the area esthetic, attracts a lower level of consumer, increases vandalism, loitering, littering and crime in any given area. Stockton does not need more of the low price shoppers who always will require more police presence to centers that are geared towards price war discounting and discount shopping. While one liquor store, one dispensary, one gentlemen’s club, one discount store is a service for the community multiples have shown to change the dynamic of community in unfavorable ways.

I would ask the commission to think about the types of areas I have mentioned and ask themselves if they want to contribute to this shopping center being a place where it places an EXISTING BY THE BOOK QUALITY business out of business by allowing a discount dispensary to attract bargain basement shoppers from a company that failed seek all the regulatory processes by looking for loopholes and shortcuts for approval and thereby harming an existing business in the local community.

The investment I have made into Zen Wellness Gardens was due to the commitment to follow proper procedures for licensing and approvals. It would be a shame to hear that the commissioners would approve a company who does not have the same commitment and seeks to directly harm an existing business in the community.

Respectfully asking that the commission DENYS the second dispensary in the Hammer Ranch shopping center.

--
Sarah Seigart
Sunset Services Agency LLC
760-953-3072
sunsetservicesagencyllc@gmail.com
Ariana Adame

From: Brandy Renee <brandy.stephens15@gmail.com>
Sent: Tuesday, May 11, 2021 9:12 PM
To: CC - City Clerk
Subject: Dispensary

CAUTION: This email originated from outside the City of Stockton. Do not click any links or open attachments if this is unsolicited email.

I wanted to share my opinion on the dispensary possibly opening in the same lot as Zen Garden Wellness. I find it unnecessary to have two right next to each other, it’s unfair to Zen Garden especially since they already have a clientele. There is already another dispensary on Hammer lane, Packs. Having three dispensary’s on the same street in that kind of business is out disrespectful.
New eComment for Planning Commission

Guest User submitted a new eComment.

Meeting: Planning Commission

Item: 5.1 21-0301 REQUEST FOR APPROVAL OF A TENTATIVE MAP TO CREATE A SEVEN (7) LOT SUBDIVISION AT THE EXISTING ROBINHOOD PLAZA SHOPPING CENTER AT 5756 AND 5606 PACIFIC AVENUE (APNS 102-270-060; -070; -080; -090; -100) (APPLICATION NO. P20-0237)

eComment: TOO MANY DISPENSARIES IN ONE SHOPPING CENTER!!

View and Analyze eComments

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New eComment for Planning Commission

Guest User submitted a new eComment.

Meeting: Planning Commission

Item: 5.2 21-0273 COMMISSION USE PERMIT TO ESTABLISH A RETAIL STOREFRONT CANNABIS BUSINESS AND AN ADMINISTRATIVE USE PERMIT TO ESTABLISH A RETAIL NON-STOREFRONT (DELIVERY ONLY) CANNABIS BUSINESS - ALL CONCERNING A 6,500 SQUARE FOOT COMMERCIAL SPACE AT 7616 PACIFIC AVENUE, UNIT A5 (APPLICATION NO. P20-0693)

eComment: I work inside the shopping center. We do not need additional traffic that will take away from the safe and steady flow we currently maintain. Please deny! What benefit will it be to add an additional dispensary just feet away? Two dispensary’s next to each other next to a bank near the post office? Too many things going on...not enough space. Not safe. Not recommended.

View and Analyze eComments.

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New eComment for Planning Commission

Guest User submitted a new eComment.

Meeting: Planning Commission

Item: 5.2 21-0273 COMMISSION USE PERMIT TO ESTABLISH A RETAIL STOREFRONT CANNABIS BUSINESS AND AN ADMINISTRATIVE USE PERMIT TO ESTABLISH A RETAIL NON-STOREFRONT (DELIVERY ONLY) CANNABIS BUSINESS - ALL CONCERNING A 6,500 SQUARE FOOT COMMERCIAL SPACE AT 7616 PACIFIC AVENUE, UNIT A5 (APPLICATION NO. P20-0693)

eComment: A second large dispensary with such close proximity to the existing one alongside the bank and grocery store will create unnecessary unsafe congestion. The parking area gets congested on a busy Monday let alone Friday with an added dispensary. PLEASE DENY!! Our community doesn't need another dispensary in the same shopping center!

View and Analyze eComments

This email was sent from https://oranicusideas.com.

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From: noreply@granicusideass.com
To: Eliza Garza, Katherine Roland, Allison Lambertson, Geoffrey Aspiras, Miranda Komander, Gabriel Searcy
Subject: New eComment for Planning Commission
Date: Tuesday, May 11, 2021 8:28:54 PM
Importance: High

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New eComment for Planning Commission

Guest User submitted a new eComment.

Meeting: Planning Commission

Item: 5.2 21-0273 COMMISSION USE PERMIT TO ESTABLISH A RETAIL STOREFRONT CANNABIS BUSINESS AND AN ADMINISTRATIVE USE PERMIT TO ESTABLISH A RETAIL NON-STOREFRONT (DELIVERY ONLY) CANNABIS BUSINESS - ALL CONCERNING A 6,500 SQUARE FOOT COMMERCIAL SPACE AT 7616 PACIFIC AVENUE, UNIT A5 (APPLICATION NO. P20-0693)

eComment: I live and work in the area, and regularly go to that shopping center. I don't think it is appropriate to have large dispensaries in such close proximity to each other. There's already one there, what possible benefit could a 2nd one bring, other than more cannabis to an area that's already well served. We love Zen Garden Wellness. We don't need another dispensary with such close proximity!!

View and Analyze eComments

This email was sent from https://granicusideass.com.

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From: noreply@granicusideas.com
To: Flix Garza; Katherine Roland; Allison Lambertson; Geoffrey Aspiras; Miranda Komanec; Gabriel Searcy
Subject: New eComment for Planning Commission
Date: Tuesday, May 11, 2021 8:03:13 PM
Importance: High

CAUTION: This email originated from outside the City of Stockton. Do not click any links or open attachments if this is unsolicited email.

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New eComment for Planning Commission

Guest User submitted a new eComment.

Meeting: Planning Commission

Item: 4. PUBLIC COMMENT*

eComment: Dear counsel please do not consider putting another dispensary in my neighborhood! We as neighbors are trying to stay a nice quiet area & putting another dispensary will put a stop to our efforts. I would not like to visit my local post office or dollar store and have to deal with the negative traffic a dispensary like that would bring. I will not be able to shop at those stores with my children or get my groceries comfortably please reconsider putting another Dispensary around my neighborhood!

View and Analyze eComments

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This email was sent from [https://granicusideas.com](https://granicusideas.com).

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May 10, 2021

Planning Commissioners
Stockton Planning Commission
425 N El Dorado Street
Stockton, CA 95207

Subject: Opposition to P21-0273

NO to Multiple Dispensaries @ Hammer-Ranch Shopping Center

Commissioners,

I am a property owner at the proposed site, and a representative of the dispensary business that would be disenfranchised as a result of this project. We are strongly opposed to the location of a new dispensary between our front door, and where customers park. We have worked hard to invest in our location, our community, and our identity; permitting another dispensary to operate from within our parking lot, and around our building, would be confusing to customers, and detrimental to business in the area.

I do not believe the vision of future Stockton should be one of Dispensary superstores lined up next to each other in shopping centers. I have heard Planning Commissioners express dissatisfaction over how many liquor stores had been permitted in the City, and how they preferred a balanced approach to cannabis. Yet in the midst of active Council and Commission conversations to focus that ordinance, Staff asks for a discretionary approval, practically under the roofline of another dispensary, without considering either; (A) community member input, or (B) the nearby serious and substantial opposition to this project.

The above opposition notwithstanding, there are several key issues with findings in the Staff report that should be addressed. These fallacies in the findings also support denial of the use permit.

I am sympathetic to the burden placed on Commission having to sort through project details on the dais. But as significant stakeholders in the area whose voices have not been heard, please carefully consider the following with our request to DENY the use permit for the proposed mega store.
Support AGAINST Findings

Finding 2. The proposed use would NOT maintain or strengthen the integrity and character of the neighborhood:

The proposed use seeks to establish a cannabis mega-store, adjacent an already existing cannabis dispensary. You wouldn’t put (2) Liquor stores right next to each other, don’t do it with dispensaries. Doing so would forever pit two Cannabis license holders against one another. This will lead to price wars and unhealthy single-purpose commerce within the small end of a shopping center.

Permanently dedicating large chunks of SF to cannabis retail, right next to each other in the same shopping center does not create a balanced land use. This would result in almost 50% of all leasable SF on this end of the shopping center dedicated as Cannabis-Only.

Finding 3. The proposed use would NOT be consistent with the developing policies and land use objectives.

Clustering these uses is something the planning commission has sought to avoid during the permitting process. Approval at this site would set a bad precedent about co-location of these uses, and would forever
change the character of this shopping center, by locking in such a large and permanent change to the use of retail square footage in this small end of the shopping center. This is all atop the already growing number of dispensaries approved to operate on Hammer lane. This would be the 5th, to locate along the main drag.

Staff recommendation is ignorant of Council and Commission efforts to balance the use and location of these uses in across the City. The majority of business interests in the area oppose this project, and it should not be approved.

Finding 4. The site is NOT physical suitable for the type and intensity of use being proposed:

When we located our dispensary at this location just a couple years ago, it was a welcome addition to the center, the area benefitted from additional security, lighting, and commerce in the area. Doing so now would NOT serve the same benefit. Parking is already congested, there are other areas of the City that would greatly benefit from an anchor cannabis tenant, but this is not one of them.

Taken 5-7-2021 @ 5pm, Subject Site is NOT suitable for a duplicate intense use in such close proximity.
Cannabis is an intense, special regulated use. Stacking these uses on top of each other, along with the duplicate personnel required to operate them, will create problems in the center. Add to that increased vehicular traffic from a delivery service operating from the center of high retail foot traffic area, and you can count on a detrimental impact to traffic flow and safety.

Additionally, the application does not consider overnight vehicle parking, which isn’t allowed in the center, enclosed loading zones, or a traffic analysis. A second dispensary in the parking lot would not serve to increase retail opportunities, but rather intensity and focus a singular commercial element. This would be detrimental to the long-term vitality of an existing healthy shopping center.

Finding 5.6. The establishment of the proposed use at the location is NOT in the best interest, health, safety, peace, or general welfare of persons residing or working in the neighborhood of the proposed use, AND not compatible with EXISTING land uses in the vicinity.

This is not about Cannabis use, this is about the proliferation of these uses in such close proximity to each other. This doesn’t offer new or varied retail options to customers, rather it will make serving the existing clientele more difficult. The overflow from parking would result in customers spilling into the surrounding businesses, and a need to travel much farther to and from vehicles with cash and/or cannabis. Security will be more challenging, especially considering most of the parking is not in view of the proposed site.

Low prices = long lines. Dispensary @ 3706 E Hammer Lane.

This type of commerce would not be healthy in one corner of the Hammer Ranch Shopping Center. It would interfere with existing retail, restaurants, bars, and grocery stores.
Application was a sham

This process was not inclusive, neither the applicant nor staff engaged whatsoever with the community, or local property owners. There were no floorplans, no substantive discussions, this is just a land grab. No project materials were available for review, and there were no meetings. It seems the approval was decided by staff without regard for nearby stakeholders.

Equity as a substitute for land use?

We are informed, the army of lawyers and consultants running this project, will present the commission with a story about equity, and the applicant, who has been a ghost during this process. The stark reality- this group is a chain operator from San Francisco who will be hurting a locally Stockton owned business.

If equity is to be a component of review for this project, it should be noted, the owners of the existing dispensary are also rooted in equity, with a substantial portion of our company owned by both men and women of color, from Stockton. We support the applicant’s desire to start their own business in the City, but would ask they pursue commercial opportunities outside of our parking lot.

We are local business owners who have made our employees, our reputation, and our City a priority. We have been good partners, and have delivered on the promises we made to the Commission at our hearing. We must rely on that same commission again, to be steadfast in that support, and DENY this project. Please do not disenfranchise existing local operators to bring in a mega-store next door.

Respectfully Submitted,

[Signature]

Corey Travis
Director, Zen Garden Stockton
corey@zen209.com
May 11, 2021

Sent FedEx and Email

City of Stockton
Planning Commission
425 N. El Dorado Street
Stockton, CA 95202
Ariana.adame@stocktonca.gov
City.clerk@stocktonca.gov

RE: Application No. 21-0273

Dear Commissioners:

On May 13, 2021, the Commission will consider applicant Heng Heung’s Retail, Non-Storefront Cannabis Business containing 6,500 square feet of commercial space located at 7616 Pacific Avenue, Unit A5 (the “Project”). For the reasons set forth below, we believe the Commission should deny the application.

Discussion: Spatial Buffer Between Dispensaries

Environmental interventions are, at their core, designed to change the locations where social problems occur and reduce negative outcomes. Because these approaches are so inherently tied to the places where these problems happen, location must be explicitly included as part of the strategy for evaluating the effectiveness of such interventions. Thus using spatial methods for the study of environmental methods is integral for determining if such approaches work. This has become especially true for evaluating policies regulating the proliferation of marijuana dispensaries since some argue that they increase crime, youth access to marijuana, and recreational marijuana use (California Police Chief’s Association, 2009).

A variety of environmental approaches have been enacted by states and local jurisdictions in an attempt to regulate the supply and distribution of marijuana, including restrictions on density and zoning of dispensaries. These location-based approaches are designed to prevent negative social problems that are perceived to occur around these dispensaries. Thus understanding the effects of these regulatory approaches on these problems are tied closely to empirically studying those environments where these problems transpire.

Municipalities are instead implementing a variety of regulations to limit the problems perceived to occur in and around these marijuana dispensaries (California Police Chief’s Association, 2009). These include environmental interventions limiting density of dispensaries
based on population, land use ordinances, building codes and permits, and hours of operation. Despite regulating dispensaries through many of these environmental interventions, no empirical studies have examined how the characteristics of these dispensaries and their environmental contexts are related to increased crime.

Further, despite the increasing number of states legalizing marijuana for medical and adult use purposes, there remains a dearth of research examining the effects of these policies on local communities. In California's case, regulating the dispensaries has been tasked to local jurisdictions. Throughout the state of California, cities and counties are struggling with developing ordinances to regulate dispensaries through land use policies or taxation through business permits. Yet, the lack of empirical research means that the effects of these policies on reducing problems thought to be associated with cannabis dispensaries (CDs) are largely unknown.

**Distance Buffers**

Distance buffers are designed to limit geographic availability of marijuana as well as reduce problems typically assumed to co-occur in proximity to dispensary locations, such as crime. The majority of states with licensing programs mandate distance buffers ranging from 300 feet to 1,000 feet between CDs and places associated with children, such as schools. Local jurisdictions have imposed similar distance buffers around residential zones (**Los Angeles Ordinance No. 181069, 2010; Phoenix Ordinance G-5573, 2010; Sacramento Ordinance 2010–038, 2010** and/or places where children and families frequent, such as parks, youth-oriented facilities, cinemas, and places of worship (**La Paz County Ordinance No., 2011–02, 2010; Sacramento Ordinance 2010–038, 2010; The Lynn and Erin Compassionate Use Act, 2010**). Buffers are also set around establishments with potentially high-risk clientele, such as other CDs, alcohol outlets, and drug treatment facilities (**Denver Council Bill No. 34, 2015; La Paz County Ordinance No., 2011–02, 2010; Los Angeles Ordinance No. 181069, 2010; Sacramento Ordinance 2010–038, 2010**). Phoenix has the most conservative buffer, requiring 5,280 feet (~ a mile) between CDs. Similarly, San Francisco requires a 600 foot buffer between dispensaries and Los Angeles, a 700 foot buffer between dispensaries.

Location restrictions, such as zoning codes and distance buffers, have long been used to segregate activities and control for negative externalities. More recently, zoning restrictions have been used to protect residential populations from secondary effects such as crime and increased availability of unfavorable or controversial products associated with businesses that sell alcohol, tobacco, firearms, fast food, and pornography (**Ashe, Jernigan, Kline, & Galaz, 2003; Holder, et al., 2000; Papayannis, 2000**). In a multi-component community trials intervention, **Holder et al. (2000)** observed a decrease in high risk drinking and alcohol-related injuries when zoning regulations and distance buffers between alcohol outlets and public places, such as schools and parks, effectively limited alcohol access.
Here, the most glaring issue regarding this Project is an unbalanced land use. In July of 2018, the cannabis dispensary, Zen Garden Wellness, opened in the Hammer Ranch Center at 7632 Pacific Ave, Stockton, CA 95207, which is the same shopping center and immediately adjacent to the proposed Project. Additionally, the City has since approved three more dispensaries, for a total of four on Hammer Lane.

Moreover, the Project would be the fifth on Hammer Lane; and with a population of over 300,000, pigeon-holing another CD adjacent to an already thriving CD has the hallmarks of clustering, as in a red light district. To be sure, clustering another very large CD into the same shopping center with restaurants and grocery stores will undoubtedly increase unnecessary safety concerns, let alone, diminish the commercial viability of Zen Garden Wellness by oversaturation and cannibalization of each other. You would not allow two major grocery retailers to go in side by side; thus, that same principle should apply here.

Conclusion

The undue concentration of CD’s within a close proximity to each other may give rise to increased crime, high risk cannabis use and cannabis-related injuries. A majority of largely populated cities in California allowing CD’s have imposed a spatial, geographic buffer between the locations of dispensaries to avoid undue impacts on other retail businesses in the community and eliminate clustering of cannabis retail businesses. Thus, the City of Stockton’s willingness to allow retail cannabis dispensaries to be located within in the same geographical area without a measurable buffer may likely lead to:

1. increased community harm, i.e., crime, cannabis abuse, and cannabis related injuries; and

2. Co-locating may give rise to the need for increased police presence in that part of the community while decreasing police resources in others.

Therefore, it is respectfully requested that the Commission reject the application by critically considering the potential negative impact on the community’s health and safety that the Project will bring due to its very close proximity to an existing cannabis dispensary.

Sincerely,

ABDALLAH LAW GROUP, P.C.

MITCH ABDALLAH

cc: Constance Carter
    Dwight Buchanan
May 11, 2021

Planning Commissioners
Stockton Planning Commission
425 N El Dorado Street
Stockton, CA 95207

Subject: Opposition to P21-0273
NO to Multiple Dispensaries @ Hammer-Ranch Shopping Center

Planning Commissioners:

My name is Tyler, my wife and I own and operate a Pizza place in the shopping center, directly next door to the proposed project. We have been here for 3 years, and have worked hard through the COVID pandemic to stay open in wake of so many restaurant closures.

We share a parking lot with a dispensary, a retail store, and a dentist that services children and families. We also provide a family fun environment. While we appreciate our 1 dispensary tenant, and the security they brought to the area, we fear that dropping more of the same, into an already congested, area of the parking lot, will actually make it difficult to serve our customers.

We have seen the lines at other dispensaries in Stockton, like the one on Hammer Lane and 99, that kind of activity may work in large supercenters like Home Depot, but they don’t in shopping centers where small business rely on customer traffic to survive.

We have in-restaurant dining, curbside pickup, and a drive through bank that feeds into our lot. I can barely find a space for myself, wedging another dispensary into the same corner of our parking lot would hurt our business and overshadow the existing business owners who have been operating in good harmony.
Please support existing local business owners who have been here in good faith, and DENY this project.

Below is a photo of our parking lot. This middle aisle is adjacent my front door, and where my customers park. Adding a second dispensary which would operate in the same lot, would adversely affect our business, which is hard enough already.

Sincerely,

Tyler Wejmar
CAPS Pizza
Twejmar@gmail.com
May 12, 2021

Planning Commissioners
Stockton Planning Commission
425 N El Dorado Street
Stockton, CA 95207

Subject: Opposition to P21-0273
NO to Multiple Dispensaries @ Hammer-Ranch Shopping Center

Planning Commissioners,

My name is Melody and I am the General Manager of Zen Garden Wellness. I have been with Zen Garden since opening day and for 3 years, have worked hard through the COVID pandemic to control our site, build relationships with our clientele, and serve them well in our area seven days a week.

We share a parking lot with a retail store, Pizza place and a family dental office. I fear that allowing another large dispensary with such close proximity will strain our shopping center’s accessibility, safety and damage the relationships we’ve built in good faith with our clientele through our 3 years.

We are concerned when we hear rumors of a major discount retailer like Cookies wanting to open within our parking lot. While we welcome healthy competition, placing a mega store next to a small business that is founded by an industry that’s powered by supporting the community in a holistic approach, is not supporting our community’s best interest. Allowing this to pass would make it really hard to survive, and effectively control our site and serve existing clientele in a safe, clean and organized manner.
This decision raises major flags, the most important is safety of both employees and surrounding businesses as there will be an increase of product transportation, delivery vehicular traffic, and loitering due to increased long lines and overall congestion within the shopping center. A mega store would completely change the area, and destroy our business.

I love my job, my team and the city of Stockton. Please don't ruin our business to start another, we've only been here a short time, and are recovering from working through the pandemic. A shock like this would be really hard on our community.

Please support existing local business owners who have been here in good faith, and DENY this project.

Sincerely,

[Signature]

Melody Nouanhanh

General Manager, Zen Garden Wellness

melody@zen209.com
05/13/21

Planning Commissioners  
Stockton Planning Commission  
425 N El Dorado Street  
Stockton, CA 95207  

Re: Opposition to P21-0273  
NO to Multiple Dispensaries @ Hammer-Ranch Shopping Center

I am writing to share why I oppose the approval of an additional cannabis dispensary within the Hammer Ranch Shopping Center.

I run a candle company with my sister out of my house right behind the post office off of Inglewood Avenue. I go to the post office in the Hammer-Ranch Plaza at least three times a week to get shipments out to my customers or to pick up my shipping labels. I was upset to learn about a potential dispensary opening up IN ADDITION to the one that is currently there. I know we have had Zen Garden Wellness there for a few years now and although they have brought reasonable life back into Hammer Ranch, any more than that will cause unsafe traffic, an overabundance of people and product vans carrying cannabis products. WE NEED MORE DISPENSARIES BUT NOT IN THE SAME CENTER! We should prioritize cleaning up or utilizing the area in a different more productive way. We still have a homeless population in the area and believe this move would benefit Stockton. Would love to use the space in the neighborhood for anything else but another dispensary. I OPPOSE.

Best,  
Michelle Laud
May 12, 2021

Stockton Planning Commission
425 N El Dorado Street
Stockton, CA 95207

Subject: Opposition to P21-0273

**NO to Multiple Dispensaries @ Hammer-Ranch Shopping Center**

Planning Commissioners:

My name is Fabian Ordaz, I grew up in the area and live nearby. As the Assistant Manager of Zen Garden, the existing dispensary at the proposed location, I have some concerns about this project. Having worked at this site in the past 3 years we have worked hard to create a safe and welcoming location within the center. Placing another dispensary in and around our building, will cause us to lose control of our own property and will put our business at risk.

In the past we have seen what happens to sales when new dispensaries open in the City, opening a mere few feet away will be detrimental to business and staff. Already fighting through a pandemic the last thing we need is to compete for customers with our next door neighbors.

Currently we share a parking lot with multiple surrounding businesses and already see heavy traffic making it difficult for staff and patrons to find a spot. Having 2 security companies, 2 sets of customers, 2 sets of employees, and only 1 small parking lot, along with increased vendor/delivery activity, traffic will be overwhelming to all in the Hammer-Ranch Plaza. This could be especially difficult for major retailer days and seasons when activity spikes.

Our team has cultivated a culture here that has challenged the stigma behind cannabis by offering a service based on knowledge and educating the public on every visit. We are driven by competition but strongly believe that placing multiple retailers within the same shopping center will not be healthy for our industry or community.

Sincerely,

[Signature]

Fabian Ordaz
Assistant Manager, Zen Garden Wellness
fabian@zen209.com
Planning Commissioners
Stockton Planning Commission
425 N El Dorado Street
Stockton, CA 95207

Subject: Opposition to P21-0273
NO to Multiple Dispensaries @ Hammer-Ranch Shopping Center

My name is Matt Kelley and I am writing to you to represent myself and family against your proposal to allow an additional dispensary and delivery service in the Hammer Ranch Shopping Center.

As a Stocktonian with multiple generations residing in Stockton, I am here to share why I oppose your proposal. Do us a favor and don't open up another cannabis shop. Amongst the many reasons such as Cannabis use, product transportation and medicated shoppers/DRIVERS, you will be increasing those conflicts by allowing an additional set of cannabis users and its clientele next door.

I have seen the one on E Hammer Lane and was disheartened to learn we are supporting that type of business. This type of business is not the kind of future Stockton I would like to see. I was under the impression Stockton placed a hold on allowing licensing to cannabis dispensaries yet here we are with four dispensaries, many delivery services (licensed and non) as you're trying to stack two large dispensaries next door to each other?

I do not feel comfortable raising my family in a city that allows an abundance of Cannabis use. I avoid the Hammer Ranch Center at all costs but have to go there at least once a week because my disabled brother's P.O. Box is there. It's such a pain to see a nice shopping center with HUGE potential just handing the land off to the homeless, pit stop for truck drivers and security companies guarding cannabis next to a family dental office.

DENY! DENY! DENY!

Matt Kelley
Planning Commissioners  
Stockton Planning Commission  
425 N El Dorado Street  
Stockton, CA 95207

Re: Opposition to P21-0273  
NO to Multiple Dispensaries @ Hammer-Ranch Shopping Center

George Chen here writing you this letter is to express my opposition for the proposed additional cannabis dispensary and delivery service development located at 7616 Pacific Ave.

Current resident at Palms Apartments, I am quite fond of my ability to visit the Hammer Ranch just by walking. The ease of picking up last minute items at the Save Mart, late night Carl’s Jr runs and the daily visit to my family’s all time favorite restaurant Shogun Japanese Restaurant. This has been a routine of mine for years.

I am confident that the applicant’s proposal is an unnecessary component of Hammer Ranch’s continued success. An increase in the number of residents walking near a main street, businesses and bank means red flags for safety. I foresee trouble getting in and out of the shopping center with a proposed 2nd large dispensary place in an already compact lot.

Based on the quality of the dispensary on 3706 E Hammer Lane, Pack’s, coupled with its need for a much larger shopping center than Hammer Ranch, these customers will likely cause havoc in the small sized shopping center.

In conclusion, I urge you to DENY this project. SAVE HAMMER RANCH CENTER FROM FAILING!

Sincerely,  
George Chen
Planning Commissioners
Stockton Planning Commission
425 N El Dorado Street
Stockton, CA 95207

Subject: Opposition to P21-0273
NO to Multiple Dispensaries @ Hammer-Ranch Shopping Center

My name is Christina Norm,

I am writing to you to express my concerns about multiple dispensaries at Hammer Ranch Shopping Center.

I am writing to share with you that I only go to Zen Garden Wellness and have been doing so since they opened. I do not believe it to be a wise decision for our community to allow another dispensary to open next to an existing one. I appreciate what they do for me every time I go there. I am disabled and travel throughout the city running my errands in my electric scooter. I chose this dispensary because of the healthy foot traffic (I’m scared of getting robbed or followed as I have my personal items with me, on the side of my chair), the nice area, fellow customers and Zen’s ability to make me feel healthy again. I avoid crowds, loud and unsafe areas and Zen is not one of those places. Although they do get real busy, the parking lot is just right for this one dispensary and surrounding businesses.

If you allow another dispensary with their delivery service to operate within feet from each other, I will have to stop coming to this shopping center all together. There will be too many cars, people, longer lines. I avoid Packs on E Hammer lane for those same reasons. The other two dispensaries are too far for me. This place is just right, why ruin this business and the healthy relationship we have with them? I’m happy we’re getting another dispensary, but maybe a different part of Stockton or a few miles up? I’d love to visit the potential new spot, just not right next door and definitely not shut Zen down.

Please, please deny this! It is not good for anyone. Why do it? Shouldn’t fix what’s not broken.

Cheers,

Christina Norm
New eComment for Planning Commission

Guest User submitted a new eComment.

Meeting: Planning Commission

Item: 5.2 21-0273 COMMISSION USE PERMIT TO ESTABLISH A RETAIL STOREFRONT CANNABIS BUSINESS AND AN ADMINISTRATIVE USE PERMIT TO ESTABLISH A RETAIL NON-STOREFRONT (DELIVERY ONLY) CANNABIS BUSINESS - ALL CONCERNING A 6,500 SQUARE FOOT COMMERCIAL SPACE AT 7616 PACIFIC AVENUE, UNIT A5 (APPLICATION NO. P20-0693)

eComment: Another dispensary is not needed in this area. Traffic getting in and out of that area is already hard, the homeless in the area more and more prominent and hard to eject, and it would ultimately cause more of a “show” if another store is erected. It makes no sense being in such proximity to the post office, either. The existing clientele at the existing shop seem to keep to themselves and stay respectful. Why risk the peace?

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Guest User submitted a new eComment.

Meeting: Planning Commission

Item: 5.2 21-0273 COMMISSION USE PERMIT TO ESTABLISH A RETAIL STOREFRONT CANNABIS BUSINESS AND AN ADMINISTRATIVE USE PERMIT TO ESTABLISH A RETAIL NON-STOREFRONT (DELIVERY ONLY) CANNABIS BUSINESS - ALL CONCERNING A 6,500 SQUARE FOOT COMMERCIAL SPACE AT 7616 PACIFIC AVENUE, UNIT A5 (APPLICATION NO. P20-0693)

eComment: I oppose to the second dispensary near the north side Pacific in Hammer Lane! My family and children live on this side of town and I believe that it will cause too much negative traffic in this area! We already have another sketchy dispensary on the northside & we don’t want that type of traffic! We need to put more playground and fun activity centers over here for the children instead of cannabis clubs think of the children think of the citizens you have here! There is already enough! Thank you

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New eComment for Planning Commission

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Meeting: Planning Commission

Item: 4. PUBLIC COMMENT*

eComment: I oppose to the second dispensary near the north side Pacific in Hammer Lane! My family and children live on this side of town and I believe that it will cause too much negative traffic in this area! We already have another sketchy dispensary on the northside & we don’t want that type of traffic! We need to put more playground and fun activity centers over here for the children instead of cannabis clubs think of the children think of the citizens you have here! There is already enough! Thank you

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Item: 5.2 21-0273 COMMISSION USE PERMIT TO ESTABLISH A RETAIL STOREFRONT CANNABIS BUSINESS AND AN ADMINISTRATIVE USE PERMIT TO ESTABLISH A RETAIL NON-STOREFRONT (DELIVERY ONLY) CANNABIS BUSINESS - ALL CONCERNING A 6,500 SQUARE FOOT COMMERCIAL SPACE AT 7616 PACIFIC AVENUE, UNIT A5 (APPLICATION NO. P20-0693)

eComment: I not only live near this facility but I also work around it too. Being that there is already one dispensary in the area, I do not feel that it is necessary to have a dispensary within feet of another one, Regardless of it being a delivery facility. Zen garden wellness has done a great job keeping its area clean, safe, and accessible to all the neighboring areas around it and I do not Believe that adding an additional dispensary would benefit the neighborhood.

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Meeting: Planning Commission

Item: 5.2 21-0273 COMMISSION USE PERMIT TO ESTABLISH A RETAIL STOREFRONT CANNABIS BUSINESS AND AN ADMINISTRATIVE USE PERMIT TO ESTABLISH A RETAIL NON-STOREFRONT (DELIVERY ONLY) CANNABIS BUSINESS - ALL CONCERNING A 6,500 SQUARE FOOT COMMERCIAL SPACE AT 7616 PACIFIC AVENUE, UNIT A5 (APPLICATION NO. P20-0693)

eComment: I don't think we need another dispensary in the hammer ranch shopping center. It will not benefit the community having two dispensary in the same location we already have a high volume of traffic as is.

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New eComment for Planning Commission

Guest User submitted a new eComment.

Meeting: Planning Commission

Item: 5.2 21-0273 COMMISSION USE PERMIT TO ESTABLISH A RETAIL STOREFRONT CANNABIS BUSINESS AND AN ADMINISTRATIVE USE PERMIT TO ESTABLISH A RETAIL NON-STOREFRONT (DELIVERY ONLY) CANNABIS BUSINESS - ALL CONCERNING A 6,500 SQUARE FOOT COMMERCIAL SPACE AT 7616 PACIFIC AVENUE, UNIT A5 (APPLICATION NO. P20-0693)

eComment: No need for second dispensary in same lot already packed parking lot. Zen garden already contributes to this location. Does not make scents. Competition is always good but not at same location.

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Item: 5.2 21-0273 COMMISSION USE PERMIT TO ESTABLISH A RETAIL STOREFRONT CANNABIS BUSINESS AND AN ADMINISTRATIVE USE PERMIT TO ESTABLISH A RETAIL NON-STOREFRONT (DELIVERY ONLY) CANNABIS BUSINESS - ALL CONCERNING A 6,500 SQUARE FOOT COMMERCIAL SPACE AT 7616 PACIFIC AVENUE, UNIT A5 (APPLICATION NO. P20-0693)

eComment: There are schools all over the area that you guys are considering please do not put a dispensary by my child’s school thank you

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Meeting: Planning Commission

Item: 5.2 21-0273 COMMISSION USE PERMIT TO ESTABLISH A RETAIL STOREFRONT CANNABIS BUSINESS AND AN ADMINISTRATIVE USE PERMIT TO ESTABLISH A RETAIL NON-STOREFRONT (DELIVERY ONLY) CANNABIS BUSINESS - ALL CONCERNING A 6,500 SQUARE FOOT COMMERCIAL SPACE AT 7616 PACIFIC AVENUE, UNIT A5 (APPLICATION NO. P20-0693)

eComment: This would be an absolute terrible frustration not only for other shops in the plaza but also for consumers and employees. As an employee within The Hammer Ranch Shopping Plaza I DO NOT support this notion for a second dispensary directly next door to an existing dispensary. I think this would also increase crime rates within the area.

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Meeting: Planning Commission

Item: 5.2 21-0273 COMMISSION USE PERMIT TO ESTABLISH A RETAIL STOREFRONT CANNABIS BUSINESS AND AN ADMINISTRATIVE USE PERMIT TO ESTABLISH A RETAIL NON-STOREFRONT (DELIVERY ONLY) CANNABIS BUSINESS - ALL CONCERNING A 6,500 SQUARE FOOT COMMERCIAL SPACE AT 7616 PACIFIC AVENUE, UNIT A5 (APPLICATION NO. P20-0693)

eComment: There is no need to open a 2nd dispensary in the same lot at zen. It would be an inconvenience to park and the long lines.

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Meeting: Planning Commission

Item: 5.2 21-0273 COMMISSION USE PERMIT TO ESTABLISH A RETAIL STOREFRONT CANNABIS BUSINESS AND AN ADMINISTRATIVE USE PERMIT TO ESTABLISH A RETAIL NON-STOREFRONT (DELIVERY ONLY) CANNABIS BUSINESS - ALL CONCERNING A 6,500 SQUARE FOOT COMMERCIAL SPACE AT 7616 PACIFIC AVENUE, UNIT A5 (APPLICATION NO. P20-0693)

eComment: The Hammer-Ranch Plaza is not in need of another dispensary. The one currently there supports the community well. I believe it is out of pocket to try and put two right next to each other. The area will become too congested and a nuisance.

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Meeting: Planning Commission

Item: 5.1 21-0301 REQUEST FOR APPROVAL OF A TENTATIVE MAP TO CREATE A SEVEN (7) LOT SUBDIVISION AT THE EXISTING ROBINHOOD PLAZA SHOPPING CENTER AT 5756 AND 5606 PACIFIC AVENUE (APNS 102-270-060; -070; -080; -090; -100) (APPLICATION NO. P20-0237)

eComment: Please do not put another dispensary in Stockton and we have too many already. That is such a nice shopping center please don’t destroy it with another cannabis club.

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New eComment for Planning Commission

Guest User submitted a new eComment.

Meeting: Planning Commission

Item: 4. PUBLIC COMMENT*

eComment: There is already too many dispensaries in our city! I oppose to this decision!

View and Analyze eComments

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New eComment for Planning Commission

Guest User submitted a new eComment.

Meeting: Planning Commission

Item: 5.2 21-0273 COMMISSION USE PERMIT TO ESTABLISH A RETAIL STOREFRONT CANNABIS BUSINESS AND AN ADMINISTRATIVE USE PERMIT TO ESTABLISH A RETAIL NON-STOREFRONT (DELIVERY ONLY) CANNABIS BUSINESS - ALL CONCERNING A 6,500 SQUARE FOOT COMMERCIAL SPACE AT 7616 PACIFIC AVENUE, UNIT A5 (APPLICATION NO. P20-0693)

eComment: I oppose. As a resident of the community I do not feel that adding an additional dispensary and delivery service with such close proximity to the other is practical. I will not have a place to park and easily access my meds. Traffic minimizes my ability to safely and efficiently travel through the shopping center I visit daily.

View and Analyze eComments
From: noreply@granicusideas.com
To: Eliza Garza; Katherine Roland; Allison Lambertson; Geoffrey Aspiras; Miranda Komanee; Gabriel Searcy
Subject: New eComment for Planning Commission
Date: Tuesday, May 11, 2021 8:56:47 PM
Importance: High

CAUTION: This email originated from outside the City of Stockton. Do not click any links or open attachments if this is unsolicited email.

New eComment for Planning Commission

Guest User submitted a new eComment.

Meeting: Planning Commission

Item: 5.2 21-0273 COMMISSION USE PERMIT TO ESTABLISH A RETAIL STOREFRONT CANNABIS BUSINESS AND AN ADMINISTRATIVE USE PERMIT TO ESTABLISH A RETAIL NON-STOREFRONT (DELIVERY ONLY) CANNABIS BUSINESS - ALL CONCERNING A 6,500 SQUARE FOOT COMMERCIAL SPACE AT 7616 PACIFIC AVENUE, UNIT A5 (APPLICATION NO. P20-0693)

eComment: Open the dispensary miles away from this one. Why have two big dispensary’s right next to each other? That is unsafe, too much traffic, next to a bank, limited parking. Too close. I oppose.

View and Analyze eComments

This email was sent from https://granicusideas.com.

Unsubscribe from future mailings
New eComment for Planning Commission

Guest User submitted a new eComment.

Meeting: Planning Commission

Item: 5.2 21-0273 COMMISSION USE PERMIT TO ESTABLISH A RETAIL STOREFRONT CANNABIS BUSINESS AND AN ADMINISTRATIVE USE PERMIT TO ESTABLISH A RETAIL NON-STOREFRONT (DELIVERY ONLY) CANNABIS BUSINESS - ALL CONCERNING A 6,500 SQUARE FOOT COMMERCIAL SPACE AT 7616 PACIFIC AVENUE, UNIT A5 (APPLICATION NO. P20-0693)

eComment: Not that location!! We need a different dispensary in a different location! Not next to an existing one! PLEASE DENY THIS!! THAT IS TOO CLOSE.

View and Analyze eComments

This email was sent from https://granicusideas.com
New eComment for Planning Commission

Guest User submitted a new eComment.

Meeting: Planning Commission

Item: 5.2 21-0273 COMMISSION USE PERMIT TO ESTABLISH A RETAIL STOREFRONT CANNABIS BUSINESS AND AN ADMINISTRATIVE USE PERMIT TO ESTABLISH A RETAIL NON-STOREFRONT (DELIVERY ONLY) CANNABIS BUSINESS - ALL CONCERNING A 6,500 SQUARE FOOT COMMERCIAL SPACE AT 7616 PACIFIC AVENUE, UNIT A5 (APPLICATION NO. P20-0693)

eComment: I live and work in the area, and regularly go to that shopping center. I don’t think it is appropriate to have large dispensaries in such close proximity to each other. There’s already one there, what possible benefit could a 2nd one bring, other than more cannabis to an area that’s already well served.

View and Analyze eComments

This email was sent from https://granicusideas.com

Unsubscribe from future mailings
New eComment for Planning Commission

Guest User submitted a new eComment.

Meeting: Planning Commission

Item: 5.2 21-0273 COMMISSION USE PERMIT TO ESTABLISH A RETAIL STOREFRONT CANNABIS BUSINESS AND AN ADMINISTRATIVE USE PERMIT TO ESTABLISH A RETAIL NON-STOREFRONT (DELIVERY ONLY) CANNABIS BUSINESS - ALL CONCERNING A 6,500 SQUARE FOOT COMMERCIAL SPACE AT 7616 PACIFIC AVENUE, UNIT A5 (APPLICATION NO. P20-0693)

eComment: As a resident of Stockton and worker in the shopping center, I oppose this. The area will be intensified with increased security and over populated small parking space. This makes me uneasy that we will be bombarded by increased cars and foot traffic just to go to work, shop for meds or bring my family to the pizza shop. One dispensary in the shopping center is all we need, it can get real busy as is.

View and Analyze eComments
New eComment for Planning Commission

Guest User submitted a new eComment.

Meeting: Planning Commission

Item: 5.2 21-0273 COMMISSION USE PERMIT TO ESTABLISH A RETAIL STOREFRONT CANNABIS BUSINESS AND AN ADMINISTRATIVE USE PERMIT TO ESTABLISH A RETAIL NON-STOREFRONT (DELIVERY ONLY) CANNABIS BUSINESS - ALL CONCERNING A 6,500 SQUARE FOOT COMMERCIAL SPACE AT 7616 PACIFIC AVENUE, UNIT A5 (APPLICATION NO. P20-0693)

eComment: This is not practical. Two dispensaries shouldn't be so closer together. This area will be too congested..

View and Analyze eComments
STOCKTON PLANNING COMMISSION

RESOLUTION APPROVING A COMMISSION USE PERMIT TO ESTABLISH A RETAILER STOREFRONT CANNABIS BUSINESS, AND AN ADMINISTRATIVE USE PERMIT TO ESTABLISH A RETAIL NON-STOREFRONT (DELIVERY ONLY) CANNABIS BUSINESS ALL CONCERNING A 6,500 SQUARE FOOT COMMERCIAL SPACE AT 7616 PACIFIC AVENUE, UNIT A5 (APPLICATION NO. P20-0693)

The applicant, Heng Heung, submitted an application for a Commission Use Permit, and Administrative Use Permit to establish a 6,500-square foot retailer storefront cannabis business and a retail non-storefront (delivery only) cannabis business on a Commercial General (CG) zoned parcel, located at 7616 Pacific Avenue, Unit A5; and

The applicant is an equity pool applicant winner of the City's 2020 Commercial Cannabis Lottery, used to designate how many applicants are allowed to apply for certain commercial cannabis types, including Retailer Storefront; and

On May 13, 2021, the Planning Commission opened a duly noticed public hearing on the application, in compliance with Stockton Municipal Code (SMC) section 16.88, and continues the review to July 8, 2021; and On July 8, 2021, the Planning Commission conducted a continued public hearing, at which point all persons wishing to be heard were provided such opportunity, and prior to acting on the requested actions, the Planning Commission considered the California Environmental Quality Act (CEQA) determination reflected in the findings below; now, therefore,

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF STOCKTON, AS FOLLOWS:

A. The foregoing recitals are true and correct and incorporated by reference.

B. Based on the staff report, staff presentation, comments received, and the public hearing, the Planning Commission makes the following findings based on substantial evidence in the record:

USE PERMIT FINDINGS (COMMISSION AND ADMINISTRATIVE)

1. The proposed use is allowed within the subject zoning district with the approval of a use permit and complies with all other applicable provisions of this Development Code and the Municipal Code. The proposed cannabis business types (i.e., uses) are both allowed in the CG Zone. The subject uses would be located within an existing commercial building and, therefore, do not raise a question of conformance with Title 16 development standards. As noted below, adequate off-street parking spaces are provided for both the existing and proposed uses. The proposed project is subject to location requirements set
forth in SMC 16.80.195.A(6) and 16.80.195.B(4). The project meets the location requirements. The project is not located within 300-feet of any existing residential zone. The project is not located within 600-feet of any park, school providing instruction in kindergarten or any grades 1 through 12, day care center, or youth center, childcare center, child care, in-home (family day care home), religious facilities, or drug abuse or alcohol recovery/treatment facility.

2. The proposed use would maintain or strengthen the integrity and character of the neighborhood and zoning district in which it is to be located. The proposed cannabis business would be situated in a shopping center with several other commercial land uses. It would be aligned with the intent of the shopping center to provide retail options to the community. It would fill a vacant unoccupied suite which would help strengthen the integrity of the surrounding area by providing added security due to the nature of the land-use.

3. The proposed use would be consistent with the general land uses, objectives, policies, and programs of the General Plan and any applicable specific plan or master development plan. The General Plan Land Use Map designates the subject site as Commercial. The Commercial designation is intended to accommodate a wide variety of commercial uses, including, but not limited to, service uses. SMC Section 16.20.020 Table 2-2 classifies the Cannabis Retailer Storefront and the Non-storefront Cannabis Retail Operator Permit (Delivery Only) use within a service use category. Therefore, the proposed use is consistent with the Commercial designation. Additionally, the project is consistent with General Plan Policy LU-4.2 which states, “Attract employment- and tax-generating businesses that support the economic diversity of the city.” The proposed use furthers this policy since it would provide for a business type that generates tax revenue for the City of Stockton’s general fund.

4. The subject site would be physically suitable for the type and density/intensity of use being proposed including the provision of services (e.g., sanitation and water), public access, and the absence of physical constraints (e.g., earth movement, flooding, etc.). The proposed project would occupy a portion of an existing commercial building within a shopping center. The project has been analyzed by all departments and it has been determined all streets and public access ways are adequate to serve the proposed project. Further, the proposed project was reviewed for compliance with all applicable and current Building Code guidelines and found to be in compliance given the nature of the proposed project. No expansion of the building is proposed. The site will have access to City utility services.

5. The establishment, maintenance, or operation of the proposed use at the location proposed and for the time period(s) identified, if applicable, would not endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health, interest, safety, peace, or general welfare of persons residing or working in the neighborhood of the proposed use. The proposed land-use will require the applicant to adhere to all applicable building code, fire code, and requirements established by the State of California, Bureau of Cannabis Control (BCC). The BCC issues annual licenses and monitors Retailer Storefronts and Non-Storefront Retail (delivery only) to ensure safety
of business practices. The applicant will also be required to obtain and maintain a City of Stockton, Operator’s Permit that requires the business owner to develop and maintain a security and lighting plan that is reviewed annually by the City of Stockton, Police Department. The operations are being carried out indoors, in a commercial zone; appropriate security provisions will be incorporated into the project operations plan, including both electronic surveillance and on-site security personnel procedures.

For the above reasons, the establishment, maintenance, or operation of the proposed land use activity would not endanger, jeopardize, or otherwise constitute a hazard to the public convenience, health interest, safety, or general welfare of persons residing or working in the neighborhood of the proposed use.

6. The design, location, size, and operating characteristics of the proposed use would be compatible with the existing and future land uses on-site and in the vicinity of the subject property. The proposed Retailer Storefront and Non-Storefront Retail (delivery only) is located in an existing commercial building and no changes have been proposed to the exterior characteristics of the project site. The proposed use is commercial in nature and modest floor area raises no potential issues related to compatibility with the existing and future land uses on-site and in the vicinity of the subject property.

7. The proposed action would be in compliance with the provisions of the California Environmental Quality Act (CEQA) and the City’s CEQA Guidelines. The proposed uses would occur within a portion of an existing commercial building. The project is categorically exempt from the CEQA, pursuant to CEQA Guidelines section 15301 (Existing Facilities). A Categorical Exemption under section 15301, Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use.

CONDITIONS OF APPROVAL

1. This approval authorizes the operation of cannabis businesses of retailer storefront and retail non-storefront (delivery only) within the commercial building area identified in Exhibit 1, attached and incorporated by this reference.

2. Comply with all applicable State, County, and City codes, regulations, and adopted standards, and pay all applicable fees.

3. In the event the operation of this use should prove detrimental to the health, safety, peace, or general welfare of the surrounding neighborhood, this Use Permit shall be subject to revocation or modification, as provided in the Development Code.

4. The Use Permit shall become effective following the completion of a ten (10) day appeal period following approval of the application.

5. The Use Permit shall be posted in a conspicuous place and be made
available immediately to City personnel upon inspection of the premises.

6. The owners, developers and/or successors-in-interest (ODS) shall be responsible for the City’s legal and administrative costs associated with defending any legal challenge of the approvals for this project or its related environmental document.

7. All required elements of the mandatory Security Plan shall be approved by the Police Department and be in place prior to initiation of the subject use and all employees at the subject retail storefront and non-storefront retail commercial cannabis business shall be approved by the Police Department prior to the start of their employment.

8. The Fire Department shall be allowed to inspect the cannabis business at any reasonable time to ensure compliance with all applicable provisions of the Fire Code, as well as other applicable codes, laws, and provisions, and is authorized to enforce those standards, as necessary.

9. Prior to commencing operations, a Cannabis Operations Permit shall be obtained in accordance with Stockton Municipal Code Chapter 5.100 (Commercial Cannabis Activity Permits).

10. Plans submitted for purposes of building permit(s) shall reflect compliance with the standards at Development Code Table 2-3, including all aspects of Municipal Code Title 16 (Development Code).

11. Prior to the receipt of Certificate of Occupancy, three (3) trees shall be planted in the interior off-street parking lot in accordance with SMC Chapter 16.56 and Section 16.64.080.

12. The permit shall become void unless the required building permit is submitted within 12 months of this permit being issued (SMC 16.120.080(D)).

PASSED, APPROVED, and ADOPTED: July 8, 2021.

ANNE MALLETT, CHAIR
City of Stockton Planning Commission

ATTEST:

WILLIAM CREW, SECRETARY
City of Stockton Community Development
7616 Pacific Ave, Unit A5
Commercial Cannabis Business Retail Storefront
Land Use Permit Planning Application #P20-0693

PROJECT INFORMATION
ADDRESS / SUBJECT PREMISES: 7616 PACIFIC AVE, UNIT A5, STOCKTON, CA 95207
ACRES: 0.10 - 2.31 AC / 101,476 SQ.FT.
ZONING: CG (GENERAL COMMERCIAL)
OCCUPANCY GROUP: B (BUSINESS), M (MERCANTILE)
BUILDING SQUARE FOOTAGES:
BUILDING 'A':
UNIT A3: ± 3,850 SQ.FT.
UNIT A4: ± 2,400 SQ.FT.
UNIT A5: ± 6,500 SQ.FT.
UNIT A6: ± 2,100 SQ.FT.
UNIT A7: ± 2,100 SQ.FT.
TOTAL FOOTPRINT ON LOT: ± 16,950 SF (± 17%) (NO CHANGE)
PARKING: *SEE SHEET A11

SCOPE OF WORK
- DEMOLITION OF EXISTING INTERIOR PARTITIONS, CASework AND ASSOCIATED APPURTENANCES AS REQUIRED TO ACCOMMODATE NEW WORK
- CANNABIS RETAIL - PRE-PACKAGED PRODUCT, NO CONSUMPTION
- TENANT FINISH OUT OF AN EXISTING OFFICE BUILDING
- CONSTRUCT NEW INTERIOR PARTITION WALLS
- NEW HVAC SYSTEM WITH CARBON FILTERS, NO EXHAUST
- PAINT INTERIOR WALLS, INSTALL NEW POWER & LIGHTING FIXTURES, CASEWORK

SHEET INDEX
- SHEET NAME: PROJECT INFORMATION & NEIGHBORHOOD CONTEXT MAP
- SHEET NAME: PROPOSED FLOOR PLAN

PROJECT LOCATION MAP
COMMERCIAL CANNABIS BUSINESS RETAIL STOREFRONT
LAND USE PERMIT PLANNING APPLICATION
JIVA SCK LLC
12 JAN 2021
UNIT A3

UNIT A5

TO BE OCCUPIED

UNIT A4

N14°20'0"W 55.40'

N14°20'0"W 70.04'

N75°40'0"E 9.86'

N75°40'0"E 1.50' N14°20'0"W 103.48'

N72°06'06"E 510.08'

N72°06'06"E 510.08'

N172°53'0"W 95.35'

N00°02'0"E 100.00'

S87°58'0"E 286.60'

UNIT A6 UNIT A8

UNIT A7

12/23/2020 1:55 AM

COMMERCIAL
CANNABIS
BUSINESS RETAIL
STOREFRONT
HAMMER RANCH CENTER
7616 PACIFIC AVE, UNIT A5
STOCKTON, CA 95207
PARCEL ID: 081-500-021
JIVA SCK LLC
12 JAN 2021

LAND USE PERMIT
PLANNING APPLICATION
#P20-0693

KEYED NOTES
1. EXISTING PROPERTY LINE
2. EXISTING AC PAVED PARKING LOT
3. EXISTING CONCRETE RAMP
4. EXISTING CURB & SIDEWALK
5. EXISTING COVERED WALKWAY
6. EXISTING LANDSCAPED AREA TO REMAIN
7. INDICATES EXISTING 1-STORY BUILDING FOOTPRINT
8. CROSS HATCHING INDICATES AREA OF IMPROVEMENT AT SUITE 'A5'
9. INDICATES EXISTING STANDARD STALL STRIPING PER CITY STDS
10. EXISTING VAN ACCESSIBLE AND STANDARD ACCESSIBLE PARKING STALL &
ACCESS AISLE PER CBC REQMTS.
11. EXISTING SECURED CMU TRASH ENCLOSURE PER CITY STDS
12. NEW DISTRIBUTION/ DELIVERY LOADING AREA

PARKING CALCULATION
PREVIOUS USE - BUSINESS AND PROFESSIONAL
6,500 SQ.FT. / 200 = 33 EXISTING STALLS

PROPOSED USE : RETAIL ( PER SMC 16.64/040, TABLE 3-9)

REQUIRED
RETAIL STOREFRONT (1/250 SQ.FT. GFA)
3,145 / 250 = 13

OTHER (STORAGE, EMPLOYEE BREAK ROOMS, EQUIPMENT ROOMS, OFFICES,
AND CIRCULATION CORRIDORS) (1/2,000 SQ.FT. GFA)
3,355 / 2,000 = 2

TOTAL REQUIRED = 15    TOTAL PROVIDED = 33

SCALE:
1" = 20'-0"
INFORMATIONAL PRESENTATION ON PENDING GRANT-FUNDED PLANNING EFFORTS TO INCREASE HOUSING PRODUCTION

RECOMMENDATION

It is recommended that the Planning Commission receive a presentation from City staff on upcoming City initiated efforts to encourage new housing production.

Background

Due to housing production (supply) not keeping pace with housing demand, the California legislature and Governor have declared the State to be in a housing crisis. To encourage increases in housing production, the State passed a series of bills to allocate funding to jurisdictions. This funding is to be used by jurisdictions for performing planning activities that accelerate housing production and implement process improvements that facilitate housing production. This can include conducting studies, removing governmental constraints (regulations), and creating pro-housing policies to encourage local housing development. From 2019 to the present, the Stockton City Council has authorized Staff to apply and receive roughly 1.9 million dollars in grant funding to conduct housing-related planning and policy development efforts. Due to State requirements, the City has until mid-2023 to submit invoicing for the seven (7) listed efforts to receive reimbursement.

Present Situation

From 2019 to the present, the Stockton City Council authorized Staff to apply and receive funds for the following grants:

- $625,000 for Senate Bill 2 (Building Homes and Jobs Act) Grant Funding from the State. City Council approved October 8, 2019.
- $750,000 for Local Early Action Planning (LEAP) Grant Funding from the State. City Council approved June 9, 2020.
- $621,150 for Regional Early Action Planning (REAP) Grant Funding from the State but administered by the San Joaquin Council of Governments (COG). City Council approved May 11, 2021.
The following table summarizes seven (7) City-initiated efforts that correspond to the approved grant funds and are either underway or soon to be underway.  

<table>
<thead>
<tr>
<th>Grant Fund Type</th>
<th>Effort</th>
<th>Description</th>
<th>Fiscal Year</th>
<th>Scope</th>
</tr>
</thead>
<tbody>
<tr>
<td>LEAP/REAP</td>
<td>Objective Standards</td>
<td>Includes zoning code standards for specific areas and updates to Design Guidelines to expedite reviews.</td>
<td>2022-2023</td>
<td>Efforts: Public outreach, interdepartmental and public comment, best practice research, and public hearings. Action: Consultant needs to be acquired. Final action depends on scope of work. Staff anticipates Planning Commission recommendation to City Council.</td>
</tr>
<tr>
<td>REAP</td>
<td>Permit System Updates</td>
<td>Updates to the City's permit software to expedite reviews and organize data.</td>
<td>2022-2023</td>
<td>Efforts: Review of the City's current Permit System and possible improvements to software and hardware. Action: Procurement or contract amendment may be needed. May require City Council or City Manager approval for new contracts.</td>
</tr>
</tbody>
</table>
REAP Neighborhood Planning Area-specific analysis resulting in shovel-ready catalytic areas. 2022-2023 Efforts: Public outreach, inter-departmental and public comment, best practice research, analysis of past growth patterns, and public workshops. Action: Scope and areas need to be defined and consultant needs to be acquired. Final action depends on how each area will be analyzed (i.e., Entitlements, Special Plan, Specific Plan, etc.)

While the scope of work and budgets are still under review for most of these efforts, Staff would like to inform the Planning Commission on the proposed scope of work before initiating planning efforts scheduled to begin within the current fiscal year budget (2021-2022). These efforts include the City initiated rezones, comprehensive update of Development Code, preparation of Housing Strategic Action Plan, and a Housing Element Update.

Environmental Analysis

This Planning Commission informational presentation on grant-funded housing efforts will not result in action by the Commission or require analysis and is not considered a discretionary "project" under the California Environmental Quality Act (CEQA).

Public Comment

Staff has not received public comment on this or any of the other Grant funded applications presented before the City Council. Any input received at this informational presentation will be used by Staff to perform further analysis and to develop recommendations for pending City housing efforts.

This staff report was prepared by Matt Diaz, (209) 937-8598; matt.diaz@stocktonca.gov.
Ok!

From: Stephanie Ocasio <Stephanie.Ocasio@stocktonca.gov>
Sent: Thursday, September 16, 2021 3:01 PM
To: Lori Asuncion <Lori.Asuncion@stocktonca.gov>
Subject: Re: 21-0648

Hi Lori,

Thanks so much for checking in, I really appreciate it. It’s in Imelda’s queue, I reached out to her yesterday and she said that she’d keep an eye out for it. I will follow up with her again. It’ll go to Esther afterwards (hopefully soon).

Thank You,

Stephanie Ocasio
ASSISTANT DIRECTOR OF COMMUNITY
DEVELOPMENT
Community Development Department
345 N. El Dorado Street, Stockton CA 95202
Office: 209.937.8561  Direct: 209.937.8544

For City of Stockton Updates on COVID-19 please visit:
Twitter @stocktonUpdates
Facebook @CityofStockton
City Website http://www.stocktonca.gov

Haven’t seen this one yet!

From: Stephanie Ocasio <Stephanie.Ocasio@stocktonca.gov>
Sent: Wednesday, September 15, 2021 6:23 PM
To: Lori Asuncion <Lori.Asuncion@stocktonca.gov>
Subject: 21-0648

Hi Lori,

I hope this e-mail finds you well. I know you’re super busy and I hate adding to that. Given everything going on, it took me longer to prepare the PC appeal for 7616 Pacific Avenue, Suite A5 (Cannabis Retail and Delivery). I realize that it’s way late and that we’ve been behind lately but I’m hoping that you’ll be available to review the report once it gets to you. I’m not sure what your schedule looks like this week but I’m hoping that it will be in your queue tomorrow (fingers crossed).
We’re trying to keep it on the 9/28 CC agenda as the 10/12 CC agenda is supposed to already be really heavy. Again, I acknowledge that it’s super late and may need to be pushed back.

Any assistance you can provide in moving it along would be so appreciated. I apologize for the imposition.

As Always, thank you.
iMessage
Tue, Feb 2, 10:04 PM

Can you give me a call tomorrow please

Wed, Jun 23, 9:32 AM

Just pulled up and running the car through the new system here...

Wed, Jul 21, 12:37 PM

2020 Commercial Cannabis Lottery Winners
As of 7/30/2020

<table>
<thead>
<tr>
<th>Equity</th>
<th>General</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cultivation</td>
<td></td>
</tr>
<tr>
<td>Number: CE-307</td>
<td>Number: CG-103</td>
</tr>
<tr>
<td>Entity: Golden Carriers Inc</td>
<td>Entity: HRG Services, Inc</td>
</tr>
<tr>
<td>Applicant: Javin S Garcha</td>
<td>Applicant: Gurmit S Saini</td>
</tr>
<tr>
<td>Microbusiness</td>
<td></td>
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<tr>
<td>Number: ME-346</td>
<td>Number: ME-330</td>
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<tr>
<td>Entity: Antonino M’s Dispensary</td>
<td>Entity: Jesse M’s Dispensary</td>
</tr>
<tr>
<td>Applicant: Antonio Jr Moreno</td>
<td>Applicant: Jesse Magana</td>
</tr>
<tr>
<td>Retail Storefront</td>
<td></td>
</tr>
<tr>
<td>Number: RE-332</td>
<td>Number: RG-333</td>
</tr>
<tr>
<td>Entity: Jva SCK LLC</td>
<td>Entity: Concert City Retail Lompoc, LLC</td>
</tr>
<tr>
<td>Applicant: Heng Heung</td>
<td>Applicant: Julian Michalowski</td>
</tr>
<tr>
<td>Volatile Manufacturing</td>
<td></td>
</tr>
<tr>
<td>Number: VE-108</td>
<td>Number: VG-109</td>
</tr>
<tr>
<td>Entity: Concentrated Solutions, LLC</td>
<td>Entity: STGH LLC</td>
</tr>
<tr>
<td>Applicant: Jennifer Deli</td>
<td>Applicant: Ryan Nielsen</td>
</tr>
</tbody>
</table>
Thanks for taking my call. Attached is the doc confirming the Lottery winners showing our project was in the Equity Pool. Can forward prior email confirmation from the City as well. Congrats on your daughters wedding, and enjoy your time at the Lake. Call you Monday. -Z

Mon, Jul 26, 8:21 AM

Morning Paul- sorry to bug if you’re still up at the Lake and hope everyone had a good time at the Wedding. Checking in to see if you have any time to meet with myself and the landlord anytime after 2:30 Wednesday or anytime before 4pm Thursday.

Mon, Jul 26, 9:51 AM

👍 Thursday works between 2-4

Right on, thank you Paul. Do you want us to come see you at the Wash or meet at my office?

Carwash is fine

Ok, see you Thursday at 2.
Zach ahead of the meeting?

Thanks for your consideration.

-Zach Drivon

Hi Jeff, Zach Drivon here.. Wondering if
you may have 30 mins to chat towards the end of this week or any-time next week about a project we have coming in front of the commission next month? Would love to share a bit more
we have some

thing in front of the commission next month? Would love to share a bit more about the applicant + their operating partner. Let me know if you have the time. Thanks, -Zach
Monday, June 21, 2021

3439 Brookside Rd.
Suite 104 Stockton
CA 95219

If you could shoot your email over I will add to the invite. In the car ATM. Thanks Dan

2:00 PM

Zach Drivon
+12099155516

3:18 PM

Dan
.wright@stocktonca.gov

3:20 PM

Thank you

Wednesday, July 21, 2021

Hi Dan. PC hearing
Hi Dan. PC hearing was quite a mess on the project we discussed. We've filed an appeal as of Monday. Hoping you may have some time to get together so we can provide our breakdown on the situation on the afternoon of July 28, or anytime July 29 before 4pm. Let me know if this may work for you or another more convenient time to discuss. As always thanks for your consideration.

-Z
Zach Drion
+12099155516

me know if this may work for you or anot

View all

12:42 PM

I am available the entire afternoon of 7/28. I am not available on 7/29.

1:58 PM

Thanks for getting back to me Dan - would 7/28 at 1pm work for a meeting at my office?

2:15 PM

Book it.

3:20 PM

Done, thanks Dan.

3:20 PM