

**REGULAR MEETING OF THE PLANNING COMMISSION
OF THE CITY OF WATSONVILLE**

COUNCIL CHAMBERS

275 MAIN STREET, 4th FLOOR, WATSONVILLE, CALIFORNIA

January 17, 2017

6:01 PM

In accordance with City policy, all Planning Commission meetings are recorded on audio and videotapes in their entirety, and the tapes are available for review in the Community Development Department (CDD). These minutes are a brief summary of action taken.

Prior to roll call, Assistant City Clerk Irwin Ortiz administered the oath of office to the following Planning Commission members:

Jenny T. Sarmiento - District 1
Eduardo Montesino – District 2
Matthew H. Jones – District 6

1. ROLL CALL OF COMMISSIONERS

Present were Commissioners Dobie Jenkins, Rick Danna, Matthew H. Jones, Anna Kammer, Eduardo Montesino and Vice Chair Jenny T. Sarmiento. Commissioner Nick Rivera was absent.

Staff members present were Acting Community Development Director Suzi Merriam, Building Official/ Assistant CDD Director Eric Simonson, Principal Planner Justin Meek, AICP, Police Sargent David Rodriguez, Recording Secretary Deborah Muniz, Office Assistant Lizette Salgado, Assistant City Clerk Irwin Ortiz and City Interpreter Mindy Esqueda.

2. PLEDGE OF ALLEGIANCE

Commissioner Kammer led the Pledge of Allegiance.

3. PETITIONS AND ORAL COMMUNICATIONS

Commissioner Danna apologized to residents of City Council District 7 for missing the November and December 2016 Planning Commission meetings.

Commissioner Kammer invited the public to attend an open house on Saturday, January 21, 2017, to the Castro Adobe State Historic Park, the only state park in the Watsonville area.

Vice-Chair Sarmiento invited the Planning Commission and the public to a woman's march on Saturday, January 21, at 6:00 p.m. in the City of Santa Cruz. Watsonville residents will gather at the Watsonville Plaza and drive over to the event.

Commissioner Jenkins shared that the Fed-Ex building had a grand opening and recommends the public to take a tour of the facility.



4. CONSENT AGENDA**A. MOTION APPROVING MINUTES FOR THE DECEMBER 6, 2016 REGULAR MEETING**

MOTION: It was moved by Commissioner Jenkins, seconded by Commissioner Montesino and carried by unanimous voice vote to approve the Consent Agenda.

Commissioner Kammer excused herself from the meeting due to a conflict of interest regarding the proposed project at 676 East Lake Avenue because she owns a property within the 300 ft. radius of the project.

5. PUBLIC HEARINGS**A. A PUBLIC HEARING TO CONSIDER AN APPLICATION FOR A SPECIAL USE PERMIT (PP2016-178) TO ALLOW THE ESTABLISHMENT OF A SERVICE STATION WITH CONVENIENCE STORE OVER 1,000 SQUARE-FEET WITH BEER AND WINE SALES (TYPE 20 LICENSE) UNDER NEW OWNERSHIP FOR EAST LAKE UNION 76 STATION/CONVENIENCE STORE AT 676 EAST LAKE AVENUE (APN: 017-072-01), FILED BY RICHARD MAGANA, APPLICANT AND PROPERTY OWNER.****1) Staff Presentation**

The staff report was given by Principal Planner, Justin Meek. He noted that the proposed operating hours listed in the meeting packet did not include the summer hours, so Condition #12 in the Conditions of Approval will be revised. The Police Department made a modification to Condition #25 of the Conditions of Approval extending the length of video recording to 30 days.

Commissioner Danna asked for clarification regarding the change made to the Alcohol Ordinance: were the separation requirements changed because of Barsi's Liquors?

Mr. Meek clarified that the previous text amendment to the Alcohol Ordinance provided an exemption from the 1,000 foot separation requirement to a liquor store.

Commissioner Jones asked if the store has remained in compliance with the 16 oz. limitation for alcohol sales or any citations regarding anything over the legal ordinances.

Mr. Meek responded that the Police in reviewing the store did not identify this as an issue. Mr. Meek also noted that he had not asked this specific question of the Police.

Ms. Merriam stated that the Community Prevention Partners have performed studies before regarding alcohol signage and other condition restrictions. They have reviewed the convenience stores in the City, including this business.

Vice-Chair Sarmiento asked Ms. Merriam about any violations in regards to the business.

ADOPTED MINUTES

PLANNING COMMISSION 4.A.

Ms. Merriam clarified and stated that there is a recommendation for the new business owner to work with Community Prevention Partners to ensure that any alcohol is kept out of the hands of youth in the community since youth do frequent that area and business.

Commissioner Jones asked about the follow up regarding the LEAD training.

Mr. Meek responded that the business owner is responsible for doing the follow-up and submittal of required documentation.

Ms. Merriam stated that the City of Watsonville is responsible for doing the proper training has been completed and normally the training is in junction with the Watsonville Police Department.

Commissioner Montesino asked if the applicant agreed with the Police Department's recommendations in regards to the security measures.

Mr. Meek clarified that this is a modification of a current condition with respect to the amount of time (the security camera system records) and stated that the business owner has not raised any objections to the recommendations.

2) Applicant Presentation

76 Gas Station Manager, Frank Vazquez, shared his presentation. He indicated that calls for service were not always related to issues associated to the store. He also indicated that he allows the Police to review the security camera system upon request, and that the system records 30 days' worth of footage, not just 5 days.

Commissioner Danna asked why the owner separated himself from the 76 Gas Station branding.

Mr. Vazquez stated that he did not want to renew the 10 year agreement with the 76 Gas Station.

Commissioner Jenkins asked Mr. Vazquez how much experience he had with alcohol management.

Mr. Vazquez responded he has about six years of experience managing the gas station.

Commissioner Sarmiento asked Mr. Vazquez if he had been LEAD trained and when.

Mr. Vazquez stated that he had been trained two years ago.

Commissioner Sarmiento asked if Mr. Vazquez would have to renew his LEAD training.

Mr. Vazquez stated that he has no problem attending a new LEAD training.



ADOPTED MINUTES

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Ms. Merriam stated that Mr. Vazquez can submit his prior LEAD training documentation as current. The Conditions of Approval state that employees must attend LEAD training within 6 months of approval of the Use Permit.

Mr. Meek added that the LEAD training must be repeated every five years thereafter per the Conditions of Approval.

3) Public Hearing

Vice-Chair Sarmiento opened the Public Hearing.

Roxanna Ibarra shared her concerns regarding the delivery trucks in the business neighborhood. Vendor trucks and semis are double parked daily and are blocking the streets on Manor and East Lake Avenues. She expressed her concerns about the business hours of operation, speeding and crime in the area. Ms. Ibarra expressed concerns about the length of time that the Special Use Permit will be valid for the business (20 years). She also noted that a new child care facility is near the business.

Commissioner Danna asked for clarification regarding the business hours during the summer.

Mr. Vazquez clarified that the store will be open an hour earlier and close an hour later during the summer for farm workers.

Commissioner Danna asked Ms. Merriam about whether or not a new childcare business that opens in the future within 300 feet of the site would affect the business.

Ms. Merriam clarified and stated that it would not affect the business since it is an existing gas station with alcohol sales. The distance requirements would only apply if the business ceased operations for more than six months.

Commissioner Danna asked the store manager if there is anything that he can do about the parking issue with the vendor trucks. He recommended Mr. Vazquez to work with the neighbors.

Mr. Vazquez stated that he has no problem with accommodating to the parking issue and he will try to do his best to allow the vendors to park in his business parking lot. He indicated that he will speak with the delivery vendors. He also indicated that there have been no robberies at the store during the past few years, and that the exterior is well lit and has security cameras.

Vice-Chair Sarmiento requested input from the Police Department.

Sergeant David Rodriguez stated that in November the Police Department sent in a minor decoy to the business to try to buy alcohol underage, and the business refused to sell to the minor. There have been unrelated calls to the business as well as no robberies in the past two years.

Commissioner Jenkins asked if there have been any alcohol-related issues regarding Barsi's Liquors being located across the street.



Sergeant Rodriguez stated no.

Commissioner Jones asked about follow up regarding LEAD training.

Sergeant Rodriguez stated that he coordinates the LEAD training with ABC. He can submit a list of who attended the training to Justin Meek, Principal Planner. It is the business owner’s responsibility to send their employees to LEAD training.

Hearing no more public comments, Vice-Chair Sarmiento closed the Public Hearing.

4) Commission Discussion

None

5) Motion:

It was moved by Commissioner Danna, seconded by Commissioner Jenkins and carried by the following vote to adopt a resolution approving Application PP2016-178 for a Special Use Permit to allow the establishment of a service station with convenience store over 1,000 square feet with beer and wine sales (Type 20 License) under new ownership for East Lake Union 76 Station/Convenience Store at 676 East Lake Avenue (APN: 017-072-01) and approve the modification to Condition No. 12 regarding the operating hours:

Condition No. 12:

Hours of operation for the business shall be:

Winter (November—February)

- Monday through Thursday 6:00 a.m. to 9:00 p.m.
- Friday and Saturday 6:00 a.m. to 10:00 a.m.
- Sunday 7:00 a.m. to 9:00 p.m. (CDD-P)

Summer (March—October)

- Monday through Thursday 5:00 a.m. to 10:00 p.m.
- Friday and Saturday 5:00 a.m. to 11:00 a.m.
- Sunday 6:00 a.m. to 10:00 p.m. (CDD-P)

AYES: COMMISSIONERS: Danna, Jenkins, Jones, Montesino, Sarmiento

NOES: COMMISSIONERS: None

ABSENT: COMMISSIONERS: Rivera

ABSTAIN: COMMISSIONERS: Kammer

6. REPORT OF SECRETARY

Ms. Merriam welcomed the new Planning Commissioners.

Ms. Merriam stated that there are no items for the next Planning Commission Meeting and recommended that the February 7th meeting be cancelled.



ADOPTED MINUTES

PLANNING COMMISSION 4.A.

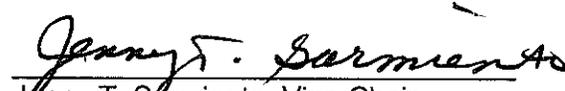
Ms. Merriam introduced the new Building Official/Assistant Community Development Director, Eric Simonson.

7. ADJOURNMENT

Vice-Chair Sarmiento adjourned the meeting at 6:47 p.m. The next Planning Commission meeting is scheduled for Tuesday, March 7, 2017, at 4:30 p.m. in the City Council Chambers.



Suzi Merriam, Acting Secretary
Planning Commission



Jenny T. Sarmiento, Vice-Chair
Planning Commission

