

AGENDA CITY OF WATSONVILLE PLANNING COMMISSION MEETING



Opportunity Through Diversity; Unity Through Cooperation.

Working with our community to create positive impact through service with heart.

**Vice Chair, Anna Kammer, District 5
Daniel Dodge, District 1
Gina Cole, District 2
Jenni Veitch-Olson, District 3
Veronica Dorantes-Pulido, District 4
Lucy Rojas, District 6
Ed Acosta, District 7**

**Suzi Merriam, Secretary to Planning Commission
Alan J. Smith, City Attorney
Deborah Muniz, Recording Secretary**

Remote Teleconference Meeting

<https://zoom.us/j/96005415026> or Telephone: Dial (for higher quality, dial a number based on your current location): US: +1 (669) 219-2599 or +1 (669) 900-9128 or +1 (213) 338-8477 and entering Webinar ID: 960 0541 5026

This meeting is being held in accordance with the Brown Act as currently in effect under the State Emergency Services Act, the Governor's Emergency Declaration related to COVID-19, the Santa Cruz County Health Officer Extended and Modified Shelter in Place Orders, and the Governor's Executive Orders N-25-20 and N-29-20, that allows attendance by members of the Planning Commission, City staff, and the public to participate and the Commission to conduct the meeting by teleconference, videoconference, or both.

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HOW TO VIEW THE MEETING: There is no physical location from which members of the public may observe the meeting. Please view the meeting which is being televised at Channel 70 (Charter) and Channel 99 (AT&T) and video streamed at <https://www.cityofwatsonville.org/195/Planning-Commission>.

HOW TO PARTICIPATE BEFORE THE MEETING: Members of the public are encouraged to submit written comments by emailing cdd@cityofwatsonville.org. All comments will be part of the meeting record. Emails received three hours before the meeting may not be uploaded to the Agenda and may not be seen by the Commission or staff. They will be added to the agenda the day after the meeting.

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**AGENDA
CITY OF WATSONVILLE
PLANNING COMMISSION MEETING**

Opportunity Through Diversity; Unity Through Cooperation.

Tuesday, February 2, 2021, 6:00 p.m.

Pages

1. **OATH OF OFFICE ADMINISTERED BY CITY CLERK VÁZQUEZ FLORES TO NEWLY APPOINTED COMMISSION MEMBERS - DANIEL DODGE, GINA COLE & LUCY ROJAS**
2. **ROLL CALL**
3. **PLEDGE OF ALLEGIANCE**
4. **PRESENTATIONS & ORAL COMMUNICATIONS**

This time is set aside for members of the general public to address the Planning Commission on any item not on the Agenda, which is within the subject matter jurisdiction of the Planning Commission. No action or discussion shall be taken on any item presented except that any Commissioner may respond to statements made or questions asked, or may ask questions for clarification. All matters of an administrative nature will be referred to staff. All matters relating to Planning Commission will be noted in the minutes and may be scheduled for discussion at a future meeting or referred to staff for clarification and report. Any Commissioner may place matters brought up under Oral Communications on a future agenda. ALL SPEAKERS ARE ASKED ANNOUNCE THEIR NAME IN ORDER TO OBTAIN AN ACCURATE RECORD FOR THE MINUTES

 - 4.a. **ORAL COMMUNICATIONS FROM THE PUBLIC**
 - 4.b. **ORAL COMMUNICATIONS FROM THE COMMISSION**
5. **CONSENT AGENDA**

All items appearing on the Consent Agenda are recommended actions which are considered to be routine and will be acted upon as one consensus motion. Any items removed will be considered immediately after the consensus motion. The Chair will allow public input prior to the approval of the Consent Agenda.

Public Input on any Consent Agenda Item

 - 5.a. **MOTION APPROVING MINUTES OF OCTOBER 6, 2020, NOVEMBER 17, 2020 AND DECEMBER 1, 2020 MEETINGS**

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6. PUBLIC HEARINGS

6.a. PUBLIC HEARING TO CONSIDER A SPECIAL USE PERMIT (APP# 613) FOR THE ESTABLISHMENT OF AN OFF-SALE GENERAL (TYPE 21) ABC LICENSE UNDER NEW OWNERSHIPE AT AN EXISTING 1,800 SQUARE-FOOT LIQUOR STORE AT 954 EAST LAKE AVENUE (APN: 017-321-76)

- 1) Staff Report
- 2) Planning Commission Clarifying & Technical Questions
- 3) Applicant Presentation
- 4) Planning Commission Clarifying & Technical Questions
- 5) Public Hearing
- 6) Appropriate Motion(s)
- 7) Deliberation
- 8) Chair Calls for a Vote on Motion(s)

7. REPORT OF THE SECRETARY

8. ADJOURNMENT

Pursuant to Section 54954.2(a)(1) of the Government Code of the State of California, this agenda was posted at least 72 hours in advance of the scheduled meeting at a public place freely accessible to the public 24 hours a day and on the City of Watsonville website at <https://www.cityofwatsonville.org/195/Planning-Commission>

Materials related to an item on this Agenda submitted to the Commission after distribution of the agenda packet are available for public inspection in the Community Development Department (250 Main Street) during normal business hours.

Such documents are also available on the City of Watsonville website at: <https://www.cityofwatsonville.org/195/Planning-Commission> subject to staff's ability to post the document before the meeting.

MINUTES

REGULAR MEETING OF THE PLANNING COMMISSION
OF THE CITY OF WATSONVILLE



TELECONFERENCE/REMOTE

October 6, 2020

6:02 PM

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

1. ROLL CALL

Chair Matthew Jones, Vice-Chair Anna Kammer, and Commissioners Ed Acosta, Gina Cole, Veronica-Dorantes Pulido, Jenny T. Sarmiento, and Jenni Veitch-Olson were present.

Staff members present were City Attorney Alan Smith, Assistant Police Chief Thomas Sims, Community Development Director Suzi Merriam, Principal Planner Justin Meek, Associate Planner Ivan Carmona, Assistant Director of Public Works Maria Esther Rodriguez, Recording Secretary Deborah Muniz, Administrative Assistant II Elena Ortiz and City Interpreter Sofia Vazquez-Flores.

2. PLEDGE OF ALLEGIANCE

Chair Matthew Jones led the Pledge of Allegiance.

3. PRESENTATIONS & ORAL COMMUNICATIONS

Principal Planner Justin Meek shared that the month of October is National Community Planning Month and encouraged everyone to visit the City's website for more information.

Commissioner Veitch-Olson reminded everyone to vote on Election Day and provided information on where to drop off ballots and vote in-person.

A. PRESENTATION TO PLANNING COMMISSION ON FINDINGS

Presentation was given by Community Development Director Suzi Merriam.

In answering Commissioner Sarmiento, Director Merriam stated that they plan to share tonight's presentation with the general public to provide an understanding of the planning process.

4. PUBLIC HEARINGS

A. AN APPLICATION FOR A SPECIAL USE PERMIT WITH ENVIRONMENTAL REVIEW (PP2019-452) TO ALLOW CONVERSION OF A PORTION OF AN EXISTING TWO-STORY 75,398± SQUARE-FOOT VACANT COMMERCIAL BUILDING INTO A TWO-STORY 41,419 SQUARE-FOOT PUBLIC CHARTER SCHOOL FOR WATSONVILLE PREP SCHOOL LOCATED AT 407 MAIN STREET (APN 017-641-12), FILED BY KEVIN SVED WITH NAVIGATOR SCHOOLS, APPLICANT, ON BEHALF OF HANSEN FAMILY TRUST, PROPERTY OWNER

1) Staff Report

The staff report was given by Associate Planner Ivan Carmona.

2) Planning Commission Clarifying & Technical Questions

Associate Planner Ivan Carmona and Assistant Director of Public Works Maria Esther Rodriguez, answered questions from Vice-Chair Kammer regarding the traffic impact analysis, and the use of bicycles on City sidewalks.

Assistant Director Rodriguez and Assistant Police Chief Sims answered questions from Commissioner Acosta clarifying the age of children allowed to ride bicycles on City sidewalks.

Director Merriam answered questions from Commissioner Cole pertaining to the revised alcohol ordinance, restrictions in the downtown core area, and the type of housing available at the Resetar Residential Hotel.

Commissioner Cole asked if Santa Cruz METRO was given notification of the project.

Associate Planner Carmona stated that they were not.

3) Applicant Presentation

Kevin Sved, Navigator Schools Chief Executive Officer, and property owner, William Hansen, both gave an overview of the project.

4) Planning Commission Clarifying & Technical Questions

Mr. Sved, Mr. Hansen, and Assistant Director Rodriguez, all answered questions from Commissioner Kammer in regards to notification about the project to Santa Cruz METRO, the school indoor play area and plan to meet the California Department of Education (CDE) Physical Education requirement, the Traffic Management Plan, and the Watsonville Prep Transportation Impact Analysis conducted by Kittelson & Associates, Inc.

Mr. Sved, Assistant Director Rodriguez, and Assistant Police Chief Sims answered questions from Commissioner Veitch-Olson regarding the number of reported incidents on the Transportation Impact Analysis, school campus security plan, and measures they plan to implement to not exceed the school's maximum capacity of 565 students.

Commissioner Cole inquired about the timeline of the project.

Mr. Sved stated that they anticipate construction commencing in early December 2020, with a plan to open by August 2021.

Commissioner Cole asked if the students are currently attending school in person or doing distance learning.

Mr. Sved stated that they are currently doing distance learning, but just started hosting on-site for a few students at E.A. Hall Middle School.

In addressing Commissioner Cole's inquiry, Martin Hochroth, Artik Art & Architecture Principal, went over the school campus layout.

Mr. Sved, Assistant Director Rodriguez, and Mr. Hansen answered questions from Commissioner Cole regarding the early drop-off and pick-up time schedule, measures they plan to implement to limit the amount of traffic during pick-up times, the site's parking lot traffic pattern, and the percentage of students that get dropped off on campus by vehicle.

In answering Commissioner Acosta's inquiry about a future increase to the school's student capacity, Mr. Sved reiterated that they plan to cap the maximum at 565 students.

Mr. Hansen suggested to the Planning Commission that they include as part of the conditions of approval for the Special Use Permit, a maximum capacity of 600 students.

In answering Commissioner Acosta, Assistant Police Chief Sims clarified his earlier comments in regards to the policy on riding bicycles on sidewalks, as he misspoke by stating that children K through 8th grade could ride bicycles on City sidewalks.

Commissioner Veitch-Olson asked what Mr. Hansen's plans are for the building's first floor, and if those will be affected by having a school on the second floor.

Mr. Hansen went over those plans.

In answering Commissioner Dorantes-Pulido, Mr. Sved mentioned that he hopes to work with Radcliff Elementary School to help mitigate the traffic congestion that may arise in the area due to school drop-off and pick-up times.

In response to Commissioner Cole's suggestion to notify Santa Cruz METRO about the project, Director Merriam confirmed that Santa Cruz METRO was indeed given notification about the proposed project because they are within 300 feet from the project.

5) Public Hearing

Chair Jones opened the public hearing.

Sharon Waller, Navigator Schools founder, spoke in support of the project and her reasons for doing so.

Brando Sencion, Slice Project owner, expressed concern about the amount of traffic generated in downtown, especially on Fridays.

Crystal Toriumi, Watsonville resident, spoke in support of the project and asked the Planning Commission to do the same.

William Hansen, property owner, spoke in support of the project and listed the various ways the City and community would benefit from having the school downtown.

Hearing no further comment, Chair Jones closed the public hearing.

6) Appropriate Motion(s)

In answering Commissioner Sarmiento's question regarding the alcohol ordinance, Director Merriam reiterated that the City Council recently approved the revised ordinance, which eliminates separation requirements for downtown business, including the school, and allows more alcohol related uses in downtown.

Commissioner Acosta expressed concern about the safety of the school children in the downtown area.

FIRST MOTION (Failed): It was moved by Commissioner Acosta, seconded by Commissioner Dorantes-Pulido, to deny the following resolution:

RESOLUTION NO. 17-20 (PC):

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WATSONVILLE, CALIFORNIA, APPROVING A SPECIAL USE PERMIT WITH ENVIRONMENTAL REVIEW (PP2019-452) TO ALLOW CONVERSION OF A PORTION OF AN EXISTING TWO STORY 75,348± SQUARE FOOT COMMERCIAL BUILDING INTO A TWO-STORY 41,419± SQUARE FOOT PUBLIC CHARTER SCHOOL FOR WATSONVILLE PREP SCHOOL ON A 4.83± ACRE SITE LOCATED AT 407 MAIN STREET (APN 017-641-12)

7) Deliberation

Director Merriam requested that if the Planning Commission is leaning towards denying the project, they allow City staff time to continue the item and make findings for denial.

In answering Commissioner Kammer's questions, City Attorney Smith went over the voting procedure.

Commissioner Cole spoke in support of staff's recommendation, as she sees that all conditions of approval are met and the findings have enough supporting evidence to move forward with the project. She urged the rest of the Commission to analyze those findings before casting a vote.

Commissioners Acosta and Dorantes-Pulido both shared their reasons for making a motion to deny staff recommendation, but would be willing to reconsider if given more time to review the findings.

Commissioner Kammer expressed opposition to denying the project, and instead, listed some of the conditions she would like staff to go over and have the applicant reconsider.

8) Chair Calls for a Vote on Motion(s)

FIRST MOTION (Failed): The above motion failed by the following vote:

AYES:	COMMISSIONERS: Acosta, Dorantes-Pulido, Sarmiento
NOES:	COMMISSIONERS: Cole, Kammer, Veitch-Olson, Jones
ABSENT:	COMMISSIONERS: None

SECOND MOTION (Approved): It was moved by Commissioner Cole, seconded by Chair Jones, to approve staff recommendation by the following vote:

AYES:	COMMISSIONERS: Cole, Kammer, Veitch-Olson, Jones
NOES:	COMMISSIONERS: Acosta, Dorantes-Pulido, Sarmiento
ABSENT:	COMMISSIONERS: None

FIRST AMENDMENT TO SECOND MOTION (Failed): It was moved by Vice-Chair Kammer, seconded by Chair Jones, to approve staff recommendation and include a condition to the Special Use Permit to remove the seventh and eighth grade levels and reduce the school count by 120 students, and incorporate an outdoor component to the physical education curriculum of twice a month.

AYES:	COMMISSIONERS: Dorantes-Pulido, Kammer
NOES:	COMMISSIONERS: Acosta, Cole, Sarmiento, Veitch-Olson, Jones
ABSENT:	COMMISSIONERS: None

Commissioner Kammer explained the reasoning for her vote and encouraged the applicant to consider offering an outdoor physical component for the benefit of the students.

Commissioner Veitch-Olson strongly encouraged the applicant provide education about traffic safety for students, parents or others that will be on site, particularly during peak hours.

Commissioner Dorantes-Pulido agreed with Commissioner Kammer's addition of an outdoor component, and encouraged the applicant to offset the start and end school time to help minimize the traffic impact that may arise with the neighboring Radcliff Elementary school hours.

Chair Jones shared that he voted in support due to the project's scaled approach, which allows time to assess the traffic impacts and safety concerns.

Mr. Hansen stated that to further ensure the safety of the students, they will commit to having crosswalk guards present during school drop-off and pick-up times, and will work with Navigator Schools to incorporate an outdoor component for the school children.

5. REPORT OF THE SECRETARY

The report was given by Director Merriam.

7. ADJOURNMENT

Chair Jones adjourned the meeting 9:24 PM. The next remote/teleconference Planning Commission meeting is scheduled for Tuesday, November 17, 2020, at 6:00 PM.

Suzi Merriam, Secretary
Planning Commission

Matthew H. Jones, Chair
Planning Commission



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

TELECONFERENCE/REMOTE

November 17, 2020

6:07 PM

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

1. ROLL CALL

Chair Matthew Jones, Vice-Chair Anna Kammer, and Commissioners Ed Acosta, Gina Cole, Veronica-Dorantes Pulido, and Jenni Veitch-Olson were present. Commissioner Jenny T. Sarmiento was absent.

Staff members present were City Attorney Alan Smith, Community Development Director Suzi Merriam, Principal Planner Justin Meek, Associate Planner Ivan Carmona, Assistant Planner Sarah Wikle, Recording Secretary Deborah Muniz, Administrative Assistant II Maria Elena Ortiz and City Interpreter Carlos Landaverry.

2. PLEDGE OF ALLEGIANCE

Chair Matthew Jones led the Pledge of Allegiance.

3. PRESENTATIONS & ORAL COMMUNICATIONS

Commissioner Gina Cole invited the public to participate in the Santa Cruz County Active Transportation Plan survey.

A. PRESENTATION TO PLANNING COMMISSION ON CURRENT PLANNING VS ADVANCED PLANNING

The presentation was given by Community Development Director Suzi Merriam.

In answering Commissioner Veitch-Olson, Community Development Director Merriam provided some insight as to how and when the General Plan is updated.

Director Merriam answered questions from Vice-Chair Kammer regarding revisions to Chapter 12 (Public Safety) of the General Plan.

4. CONSENT AGENDA

A. MOTION APPROVING MINUTES OF SEPTEMBER 1, 2020 REGULAR MEETING

MOTION: It was moved by Vice-Chair Kammer, seconded by Chair Jones, and carried by the following vote to approve the Consent Agenda:

AYES: COMMISSIONERS: Acosta, Cole, Dorantes-Pulido, Kammer,
Veitch-Olson, Jones

NOES: COMMISSIONERS: None

ABSENT: COMMISSIONERS: Sarmiento

5. PUBLIC HEARINGS

A. AN APPLICATION FOR A SPECIAL USE PERMIT (APPLICATION NO. 70) TO ALLOW THE ESTABLISHMENT OF AN OFF-SALE GENERAL (TYPE 21) ABC LICENSE UNDER NEW OWNERSHIP FOR AN EXISTING LIQUOR STORE (WATSONVILLE FIESTA LIQUORS) LOCATED AT 602 EAST LAKE AVENUE (APN 018-302-06), FILED BY SAMER KRIDI, APPLICANT, ON BEHALF OF CLEMENTINE JONES, PROPERTY OWNER

1) Staff Report

The staff report was given by Assistant Planner Sarah Wikle.

2) Planning Commission Clarifying & Technical Questions

In answering Commissioner Cole, Assistant Planner Wikle clarified that the Special Use Permit will apply to both addresses at 602 and 604 East Lake Avenue, as both parcels are under one common ownership.

3) Applicant Presentation

Eddy Barakat, on behalf of the applicant, gave an overview of the business.

4) Planning Commission Clarifying & Technical Questions

In answering Commissioner Acosta, Mr. Barakat stated that the Barsi's Liquor sign will remain where it is currently.

5) Public Hearing

Chair Jones opened the public hearing.

Hearing no comment, Chair Jones closed the public hearing.

6) Appropriate Motion(s)

MAIN MOTION: It was moved by Vice-Chair Kammer, seconded by Commissioner Dorantes-Pulido, to approve the following resolution:

RESOLUTION NO. 18-20 (PC):

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WATSONVILLE, CALIFORNIA, APPROVING A SPECIAL USE PERMIT (APPLICATION NO. 70) TO ALLOW THE ESTABLISHMENT OF AN OFFSALE GENERAL (TYPE 21) ABC LICENSE UNDER NEW OWNERSHIP FOR AN EXISTING ± 2,000 SQUARE FOOT LIQUOR STORE (WATSONVILLE FIESTA LIQUOR) LOCATED AT 602 EAST LAKE AVENUE, WATSONVILLE, CALIFORNIA (APN 017-063-02)

7) Deliberation

In answering Commissioner Cole's questions regarding signage and parking lot improvements, Assistant Planner Wikle stated any changes would need to be reviewed and approved by City staff, as the Special Use Permit only applies for the change of ownership.

8) Chair Calls for a Vote on Motion(s)

MAIN MOTION: The above motion carried by the following vote:

AYES: COMMISSIONERS: Acosta, Cole, Dorantes-Pulido, Kammer, Veitch-Olson, Jones
NOES: COMMISSIONERS: None
ABSENT: COMMISSIONERS: Sarmiento

B. AN APPLICATION FOR A SPECIAL USE PERMIT (APPLICATION NO. 359) TO ALLOW THE ESTABLISHMENT OF SMALL BEER MANUFACTURER (TYPE 23) ABC LICENSE UNDER NEW OWNERSHIP FOR AN EXISTING MICROBREWERY WITH A 780 SQUARE FOOT TASTING ROOM (ELKHORN SLOUGH BREWING LLC DBA THE SLOUGH BREWING COLLECTIVE) LOCATED AT 65 HANGAR WAY, SUITE D (APN 015-111-24), FILED BY THE SLOUGH BREWING COLLECTIVE, APPLICANT, ON BEHALF OF SAM BISHOP, PROPERTY OWNER

1) Staff Report

The staff report was given by Assistant Planner Sarah Wikle.

2) Planning Commission Clarifying & Technical Questions

Assistant Planner Wikle answered questions from Commissioner Cole regarding the condition of approval for the increased brewery floor space.

3) Applicant Presentation

Ben Ward, Erix Celis, and Jorge Vazquez, applicants, gave a brief overview of their business experience.

4) Planning Commission Clarifying & Technical Questions

In answering Commissioner Veitch-Olson, Assistant Planner Wikle and Director Merriam spoke about brewpub/brewery license allowance within city limits.

5) Public Hearing

Chair Jones opened the public hearing.

Xitlali spoke in support of the license transfer.

Michael Enos, Elkhorn Slough Brewery owner, spoke favorably about the transfer and new owners.

Frances Salgado Chavez spoke in support of staff recommendation.

Lupita Sanchez expressed her support for the transfer and spoke highly about Elkhorn Slough Brewery.

Hearing no further comment, Chair Jones closed the public hearing.

6) Appropriate Motion(s)

MAIN MOTION: It was moved by Commissioner Veitch-Olson, seconded by Vice-Chair Kammer, to approve the following resolution:

RESOLUTION NO. 19-20 (PC):

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WATSONVILLE, CALIFORNIA, APPROVING A SPECIAL USE PERMIT (APPLICATION NO. 359) TO ALLOW THE ESTABLISHMENT OF A SMALL BEER MANUFACTURER (TYPE 23) ABC LICENSE UNDER NEW OWNERSHIP FOR AN EXISTING MICROBREWERY WITH A 780 SQUARE FOOT TASTING ROOM (ELKHORN SLOUGH BREWING LLC DBA THE SLOUGH BREWING COLLECTIVE) LOCATED AT 65 HANGAR WAY, SUITE D, WATSONVILLE, CALIFORNIA (APN 015-111- 24)

7) Deliberation

Commissioner Veitch-Olson thanked Ms. Rebecca Royston for submitting a letter in support of staff recommendation.

8) Chair Calls for a Vote on Motion(s)

MAIN MOTION: The above motion carried by the following vote:

AYES:	COMMISSIONERS:	Acosta, Cole, Dorantes-Pulido, Kammer, Veitch-Olson, Jones
NOES:	COMMISSIONERS:	None
ABSENT:	COMMISSIONERS:	Sarmiento

6. REPORT OF THE SECRETARY

The report was given by Director Merriam.

7. ADJOURNMENT

Chair Jones adjourned the meeting at 7:26 PM. The next remote/teleconference Planning Commission meeting is scheduled for Tuesday, December 1, 2020, at 6:00 PM.

Suzi Merriam, Secretary
Planning Commission

Matthew H. Jones, Chair
Planning Commission

MINUTES

REGULAR MEETING OF THE PLANNING COMMISSION
OF THE CITY OF WATSONVILLE



TELECONFERENCE/REMOTE

December 1, 2020

6:02 PM

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

1. ROLL CALL

Chair Matthew Jones, Vice-Chair Anna Kammer, and Commissioners Ed Acosta, Gina Cole, Veronica Dorantes-Pulido, Jenny T. Sarmiento and Jenni Veitch-Olson were present.

Staff members present were City Attorney Alan Smith, Community Development Director Suzi Merriam, Principal Planner Justin Meek, Associate Planner Ivan Carmona, Sr. Utilities Engineer Jackie McCloud, Administrative Assistant II Maria Elena Ortiz and City Interpreter Carlos Landaverry.

2. PLEDGE OF ALLEGIANCE

Chair Matthew Jones led the Pledge of Allegiance.

3. PRESENTATIONS & ORAL COMMUNICATIONS

Commissioner Veitch-Olson thanked both Chair Jones and Commissioner Sarmiento for their years of service on the Planning Commission.

Vice-Chair Kammer commended Chair Jones and Commissioner Sarmiento for their leadership and work on the Planning Commission. Additionally, she encouraged the public and Commissioners to take the Climate Action and Adaptation survey on the City's website.

Commissioner Sarmiento thanked the Planning Commission and City staff for their collaboration and support over the years.

Commissioner Cole commended Chair Jones and Commissioner Sarmiento for their work on the Planning Commission, and encouraged everyone to support a local charity as part of Giving Tuesday.

Commissioner Acosta thanked both Chair Jones and Commissioner Sarmiento for serving the community.

Commissioner Dorantes-Pulido also commended Chair Jones and Commissioner Sarmiento for their work and wished them luck on their future endeavors.

Chair Jones spoke about his experience while serving on the Planning Commission. He thanked the Commissioners he worked with, both past and present, and City staff for their work and support throughout the years.

A. PRESENTATION TO PLANNING COMMISSION ON INFORMATION AVAILABLE TO THE PLANNING COMMISSION

Presentation was given by Community Development Director Suzi Merriam.

Chair Jones thanked Director Merriam for her presentation and encouraged the rest of the Planning Commission to read the City Charter.

In answering Vice-Chair Kammer, Director Merriam stated that the General Plan usually gets updated every 20 to 30 years.

4. PUBLIC HEARINGS

A. AN APPLICATION FOR A SPECIAL USE PERMIT WITH DESIGN REVIEW, LOT CONSOLIDATION AND ENVIRONMENTAL REVIEW (APPLICATION NO. 7) TO ALLOW THE CONSTRUCTION OF A NEW 9,884± SQUARE FOOT AUTOMOTIVE RESTORATION SHOP LOCATED AT 140 GROVE STREET (APN 017-252-25 & -26), FILED BY RON GORDON, APPLICANT, ON BEHALF OF HANK WEMPE, PROPERTY OWNER

1) Staff Report

The staff report was given by Associate Planner Ivan Carmona.

2) Planning Commission Clarifying & Technical Questions

Associate Planner Carmona answering questions from Commissioner Cole regarding the lot consolidation, project timeline, conditions of approval, parcel setbacks and parking.

3) Applicant Presentation

Hank Wempe, applicant, introduced himself to the Planning Commission.

In answering Commissioners Veitch-Olson and Cole, Mr. Wempe gave an overview of his business and plans for the expansion.

4) Planning Commission Clarifying & Technical Questions

None

5) Public Hearing

Chair Jones opened the public hearing.

Hearing no comment, Chair Jones closed the public hearing.

6) Appropriate Motion(s)

MAIN MOTION: It was moved by Vice-Chair Kammer, seconded by Commissioner Acosta, to approve the following resolution:

RESOLUTION NO. 20-20 (PC):

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WATSONVILLE, CALIFORNIA, APPROVING A SPECIAL USE PERMIT WITH DESIGN REVIEW, LOT CONSOLIDATION, AND ENVIRONMENTAL REVIEW (APPLICATION NO. 7) TO ALLOW CONSTRUCTION OF A NEW 9,884± SQUARE-FOOT AUTOMOTIVE RESTORATION SHOP ON A 0.29± ACRE SITE LOCATED AT 140 GROVE STREET (APN 017-252-25 & -26)

7) Deliberation

In answering Commissioner Cole, Associate Planner Carmona stated that 12,000 square-feet of impervious surface will be created on the parcel and three drainage management areas onsite will drain storm water into the City's sewer system.

8) Chair Calls for a Vote on Motion(s)

MAIN MOTION: The above motion carried by the following vote:

AYES:	COMMISSIONERS:	Acosta, Cole, Dorantes-Pulido, Kammer, Sarmiento, Veitch-Olson, Jones
NOES:	COMMISSIONERS:	None
ABSENT:	COMMISSIONERS:	None

B. RECOMMENDATION TO CITY COUNCIL ON AN AMENDMENT TO CHAPTER 12.A ENVIRONMENTAL AND PUBLIC SAFETY OF THE WATSONVILLE 2005 GENERAL PLAN TO INCORPORATE THE LOCAL HAZARD MITIGATION PLAN BY REFERENCE INTO THE PUBLIC SAFETY ELEMENT OF THE GENERAL PLAN

1) Staff Report

The staff report was given by Sr. Utilities Engineer Jackie McCloud and Principal Planner Justin Meek.

2) Planning Commission Clarifying & Technical Questions

In answering Commissioner Sarmiento, Sr. Utilities Engineer McCloud went over the communication tools they have implemented to keep the public informed in the event of a natural disaster.

Commissioner Cole thanked Sr. Utilities Engineer McCloud for all of her work on this project.

Sr. Utilities Engineer McCloud thanked Director Merriam and Principal Planner Meek for their collaboration on this project. She also made mention that this was a grant funded project that was fully funded by the State of California.

3) Public Hearing

Chair Jones opened the public hearing.

Hearing no comment, Chair Jones closed the public hearing.

4) Appropriate Motion(s)

MAIN MOTION: It was moved by Commissioner Cole, seconded by Commissioner Sarmiento, to approve the following resolution:

RESOLUTION NO. 21-20 (PC):

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WATSONVILLE, CALIFORNIA, APPROVING AN AMENDMENT OF THE SAFETY ELEMENT OF THE 2005 WATSONVILLE GENERAL PLAN TO INCORPORATE THE 2020 SINGLE JURISDICTION LOCAL HAZARD MITIGATION PLAN

5) Deliberation

In answering Commissioner Kammer's inquiry regarding the addition of communication strategies into the Local Hazard Mitigation Plan, Sr. Utilities Engineer McCloud stated that it may already be included in the Plan, but since the Plan is reviewed on an annual basis, they are able to update and add additional mitigation strategies as needed.

6) Chair Calls for a Vote on Motion(s)

MAIN MOTION: The above motion carried by the following vote:

AYES:	COMMISSIONERS:	Acosta, Cole, Dorantes-Pulido, Kammer, Sarmiento, Veitch-Olson, Jones
NOES:	COMMISSIONERS:	None
ABSENT:	COMMISSIONERS:	None

Prior to the report of the Secretary, Chair Jones thanked Mayor Pro Tempore Trina Coffman-Gomez for appointing him to the Planning Commission.

5. REPORT OF THE SECRETARY

Director Merriam thanked Chair Jones and Commissioner Sarmiento for their years of service on the Planning Commission and proceeded to give her report.

6. ADJOURNMENT

Chair Jones adjourned the meeting at 8:05 PM. The next remote/teleconference Planning Commission meeting is scheduled for Monday, January 11, 2021, at 6:00 PM.

Suzi Merriam, Secretary
Planning Commission

Matthew H. Jones, Chair
Planning Commission



Agenda Report

MEETING DATE: Tuesday, February 2, 2021

TO: Planning Commission

FROM: Community Development

SUBJECT: Public Hearing to consider approval of a Special Use Permit (Application No. 613) for the establishment of an Off-Sale General (Type 21) ABC License under new ownership for an existing 1,800 square-foot liquor store within the East Lake Village Shopping C

STATEMENT OF ISSUES

The project involves the establishment of a Type 21¹ ABC License under new ownership for an existing 1,800 square-foot liquor store (East Lake Food & Liquors, Inc.) within the East Lake Village Shopping Center. Project entitlement consists of a Special Use Permit.

RECOMMENDED ACTION

Staff recommends that the Planning Commission adopt a Resolution approving a Special Use Permit Application to establish a Type 21 ABC License under new ownership at an existing 1,800 square-foot liquor store for East Lake Food & Liquors, Inc., located at 954 East Lake Avenue (APN 017-321-76)

BASIC PROJECT DATA

Application No.: Application No. 613

Location: 954 East Lake Avenue

APN: 017-321-76

Lot Size: ±5.02 acres

General Plan: General Commercial (GC)

Zoning: Thoroughfare Commercial (CT)

Surrounding General Plan/Zoning: General Commercial (GC) in the Thoroughfare Commercial (CT) Corning District to the North, Residential Medium Density (RMD) in the Multiple Residential District – Medium Density (RM-2) Zoning District to the East, General Commercial

¹ A Type 21 California Department of Alcohol Beverage Control (Package Store) license authorizes the sale of beer, wine and distilled spirits for consumption off the premises where sold. Minors are allowed on the premises.

(GC) in the Neighborhood Commercial (CN) Zoning District to the West, General Commercial (GC) in the Neighborhood Shopping Center (CNS) Zoning District to the South.

Existing Use: 1,800 square-foot liquor store within the East Lake Village Shopping Center
Proposed Use: 1,800 square-foot liquor store under new ownership within the East Lake Village Shopping Center
Surrounding Uses: Various commercial uses within the East Lake Village Shopping Center and along East Lake Avenue

Flood Zone: Flood Zone X

CEQA Review: The project qualifies for a Class 1 Categorical Exemption from the provisions of the California Environmental Quality Act (CEQA), pursuant to Section 15301 of the CEQA Guidelines

Applicant: East Lake Food & Liquors Inc., 954 East Lake Avenue, Watsonville, CA 95076
Property Owner: Seco Property Company LLC, 926 East Lake Avenue, Watsonville, CA 95076

BACKKGROUND

According to Santa Cruz County GIS records, the East Lake Village Shopping Center has been in operation since 1965.

On March 12, 1991, the Department of Alcohol and Beverage Control (ABC) issued Joyce Currie a Type 21 ABC License for Off-Sale General sales which authorizes the sales of beer, wine, and distilled spirits establish a liquor store at 954 East Lake Avenue.

On November 16, 1993, ABC issued a Type 21 ABC License to Joy Cart for a liquor store located at 954 East Lake Avenue.

On July, 15, 1994, ABC issued a Type 21 ABC License to Lakhwinder Singh Shahi and Balbir Singh for 954 East Lake Avenue.

On February 14, 2002, ABC transferred a Type 21 ABC License to Kashmir Kaur Sahi and Balbir Singh (dba East Lake Food and Liquor).

On June 09, 2002, ABC transferred a Type 21 ABC License to the Bhajanjit Corporation which did business under the fictitious business name of East Lake Food and Liquor.

On September 10, 2002, the Council adopted the Alcohol Related Use Ordinance (Ordinance 1135-02-CM), codified as Chapter 14-25 of the Watsonville Municipal Code (WMC). The Ordinance details requires documentation for an alcohol related uses application, permits required for various ABC licenses, and conditions of approval for alcohol related uses. The process to permit existing alcohol related establishments was set forth as follows:

All alcohol related establishments operating as of October 10, 2002 [the effective date of, after the adoption of Ordinance No. 1135-02 (CM) creating Chapter 14-25 of the Watsonville Municipal Code], but without a valid Use Permit approved specifically for the purpose of alcohol sales, shall file an application to obtain a conditional use permit no later than January 1, 2003².

The City developed a No-Fee Special Use Permit, form approved without a public hearing for businesses not declared a “public nuisance” or on probationary status with ABC³.. To comply with this update, Balbir Singh, on behalf of East Lake Food and Liquor, obtained a No-Fee Special Use Permit (PP2002-330) on March 11, 2003. The following standard conditions of approval applied to PP2002-330:

1. The Alcohol and Beverage Control (ABC) Conditions of Approval are incorporated by reference as Conditions of Approval of this Use Permit
2. No exterior pay phone(s) may be placed on the premises.
3. No interior pay phone(s) shall not allow incoming calls.
4. Security cameras shall be maintained in good working order, as directed by the Chief of Police.
5. No more than twenty percent (20%) of the total gross floor area shall be devoted to the sale of beer, wine, and/or liquor.
6. Malt beverage and fortified wine shall not be sold in containers with a volume exceeding sixteen (16) ounces.
7. The sale of individual containers of malt beverage or fortified wine is prohibited.
8. Alcoholic beverages may be displayed and sold from an ice tub or similar display mode only between the hours of 11:30am and 2:00pm.
9. Except as may be specifically allowed by this Code, no portion of the ground floor windows shall be obscured by paint, walls, window tinting, or other masking device. The subsection is intended to facilitate views of the interior from the exterior for public safety, and does not prohibit neon signs, minimal window borders, or other signs or decorations that are consistent with City sign regulations and do not obscure views.

On July 11, 2019, the City Council adopted Ordinance Nos. 1384-19 (CM) and 1385-19 (CM), modifying Alcohol Related Uses Ordinance.

On September 24, 2020, business owner Nadim Maida, on behalf of the property owner Seco Property Company LLC, submitted a Special Use Permit application (App No. 613) to establish an existing Type 21 ABC License under new ownership at 954 East Lake Avenue. No interior or exterior modifications are proposed.

PROCESS

² subdivision (b) of WMC §14-25.050

³ subdivision (b) of WMC §14-25.050

Special Use Permit

An Off-Sale General (Type 21) ABC License is conditionally permitted in the CT Zoning District with issuance of a Special Use Permit⁴. A conditional use permit is required when there is a transfer of an established regulatory license to new ownership⁵. Establishing an existing Type 21 ABC License under new ownership therefore requires issuance of a Special Use Permit.

The Planning Commission is authorized to approve Special Use Permits in accordance with the procedures set forth in WMC Sections [14-12.509](#) through [14-12.512](#) if it can make the findings required by [14-12.513](#).

The purpose of the Special Use Permit is to ensure the proper integration of uses which, because of their special nature, may be suitable only in certain locations or zoning districts or only provided that such uses are arranged or designed in a particular manner⁶. This special review shall be for the purpose of determining that the proposed use is, and will continue to be, compatible with surrounding, existing, or planned uses; and for the further purpose of establishing such special conditions as may be necessary to ensure the harmonious integration and compatibility of uses in the neighborhood and with the surrounding area⁷.

Alcohol Related Uses Application

In accordance with, an application to allow an alcohol sales establishment must provide the following materials⁸:

- Locational information;
- Business plan;
- Safety and security plan;
- Neighborhood compatibility plan; and
- Community benefits.

Application Review and Scoring

Once the applicant submits a complete application, City staff (consisting of the Police Chief, Fire Chief, Community Development Director, Finance Director, City Manager or their designees) review the application, and interview applicant(s) within 60 days⁹. Successful applications shall receive a score of at least 80 percent of all available points on the rubric. If an application fails, a new application for an alcohol sales permit may be submitted after 90 days of notice of rejected application. The Planning Commission shall consider each application for a Special Use Permit and shall approve or conditionally approve the permit upon making each of the following seven findings required by [WMC Section 14-12.513](#).

⁴ Subdivision (b) of WMC [14-16.1203](#)

⁵ Subdivisions (c) and (d) of WMC § 14-16.1203

⁶ [WMC § 14-12.500](#)

⁷ [WMC § 14-12.501](#)

⁸ [WMC § 14-25.011](#)

⁹ [WMC § 14-25.012](#)

Standard and Special Operational Standards and Conditions of Approval

The Planning Commission may condition the alcohol related use with the 11 minimum operational standards of WMC Section 14-25.020 and the two operational standards Off-sale alcohol sales establishments (Types 20, 21) of WMC Section 14.25.023.

Environmental Review

The California Environmental Quality Act (CEQA) requires local and state governments to consider the potential environmental effects of a project before making a decision on it. CEQA's purpose is to disclose any potential impacts of a project and suggest methods to minimize identified impacts. Certain classes of projects, however, have been identified that do not have a significant effect on the environment, and are considered categorically exempt from the requirement for the preparation of environmental documents. [State CEQA Guidelines § 15300](#).

STANDARD OF REVIEW & APPEAL PROCESS

The decision whether to approve this Special Use Permit is adjudicative, sometimes referred to as quasi-judicial. The Commission is called upon to determine whether this project complies with local ordinances.

Whether a particular decision is adjudicative or legislative affects the requirements for findings to support the decision. Legislative decisions involve the adoption of broad policies applicable to many situations (for example, general plan amendments and zoning ordinance changes). Legislative decisions need not be accompanied by findings, unless a State law or City ordinance requires them.

Adjudicative (or “quasi-judicial”) decisions, on the other hand, are not policy decisions. Adjudicative/quasi-judicial decisions apply already adopted policies or standards to individual cases, such as a variance or conditional use permit application. Adjudicative/quasi-judicial decisions are based on evidence and must always be supported by findings.¹⁰

The decision before the Planning Commission—a Special Use Permit—is an adjudicative/quasi-judicial decision and requires findings, either for denial, or as recommended, for approval that is supported by substantial evidence. *Toigo v Town of Ross* (1998) 70 Cal App 4th 309; see also *Petrovich v. City of Sacramento* (2020) 48 Cal App 5th 963

If the Planning Commission's decision is appealed, the City Council will consider whether the action taken by the Planning Commission was erroneously taken and may sustain, modify or overrule the action. In order for an official action to be overturned by an appeal, the City Council must find that the action taken by the Planning Commission was taken erroneously and was inconsistent with the intent of the Zoning District regulations that regulate the proposed action. [WMC § 14-10.1106](#)

¹⁰ Quasi-judicial decisions require the decision-making body to take evidence and use its judgment to make factual as well as legal determinations about whether a particular property or project meets the standards established by the land use ordinance.

A lawsuit is required to challenge a Council's decision. A reviewing court will consider whether an adjudicative/quasi-judicial decision by the Council was supported by adequate findings. Courts scrutinize adjudicative/quasi-judicial decisions closely. An action may be overturned if the City (1) exceeded its authority, (2) failed to provide a fair hearing¹¹, or (3) made a decision not supported by substantial evidence (also called "a prejudicial abuse of discretion").

Another important difference between legislative and adjudicative/quasi-judicial decisions is the substantial evidence standard: in weighing evidence of what happened at the Council meeting, courts go beyond whether a decision was "reasonable" (the legislative standard). Court's reviewing adjudicative/quasi-judicial decisions look to make sure the decision is supported by substantial evidence. Denied applicants argue there is no substantial evidence to support the decision. Cities usually assert there is substantial evidence to support the decision and rely on (1) the written words in the staff findings, (2) the statements by those presenting at the hearing, and (3) the words of the Planning Commission or Council.

DISCUSSION

Existing Site

The ±5.02 acre subject site is in an existing commercial area and developed within an existing shopping center. The tenant space for East Lake Food & Liquor is located between a sushi restaurant and barber shop. Additional businesses within the existing shopping center include a wide variety of retail related uses such as restaurants, a brewpub, and a grocery store that is currently under construction. Access is granted from multiple driveway approaches on East Lake Avenue. To the north, west, and south of the site are other commercial uses. To the east of the site are single and multi-family residential uses accessed from Lake Village Drive. See Figure 1 for an aerial view of the project site.

¹¹ *Petrovich, supra*

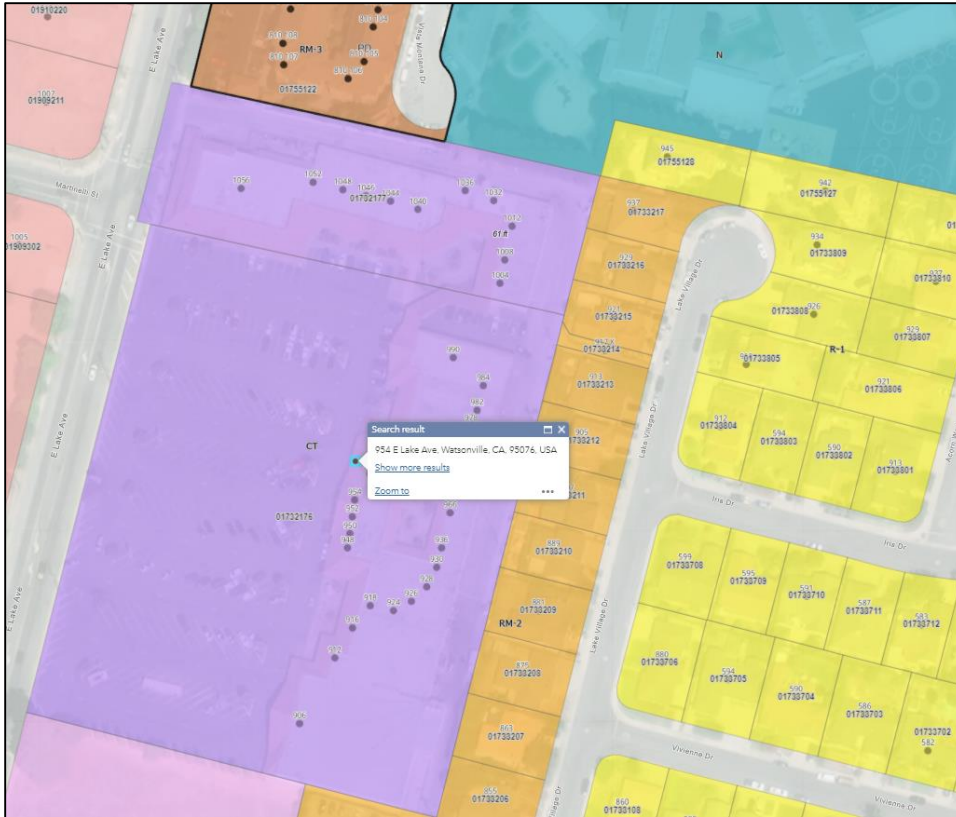


FIGURE 1 Project Location and Zoning
 Source: City of Watsonville GIS Viewer, Accessed January 12, 2021

Floor Plan

To the right of the front door is the cashier area and on the left side of the 1,800 square-foot liquor store is a walk in beer cooler area. Behind the beer cooler area is a storage room where supplies and overstock are kept. The main floor area has five aisles of various snacks and goods. On the back wall of the tenant space is another seven door cooler area. Liquor and tobacco products are kept behind the cashier area. See Figure 2 for the floor plan.



FIGURE 2 Floor Plan

Source: Alcohol Related Uses Application, received September 24, 2020

East Lake Food & Liquor patrons have access to restrooms nearby in the East Lake Village Shopping Center. The restrooms are maintained by the property owners and made available to the businesses located within the Shopping Center.

According to the applicant's Alcohol Related Uses Application, approximately 16 security cameras are located throughout the tenant space, including five cameras pointed on the cashier/liquor rack area and three cameras pointed on the beer cooler area. There are approximately six rows of overhead lights to illuminate the main floor area. See Attachment 3 for additional information.

Hours of Operation

The proposed hours of operation for East Lake Food & Liquor are Sunday through Thursday 7:00 AM to 11:00 PM and Friday through Saturday 7:00AM to 12:00 AM. The hours have been reviewed by the Watsonville Police Department and were found to be acceptable.

Police Review

The Watsonville Police Department tracks all alcohol licenses in the City and the reported crime associated with these sites. The Police Department also confirms whether alcohol license holders comply with ABC regulations.

Police Department Review indicates that the location is not located within a high crime or over concentrated area of ABC Licenses.

Type 21 ABC License

ABC issues various licenses for the sale of alcohol for different types of establishments. A Type 21 Off-Sale General License authorizes the sale of beer, wine and distilled spirits for consumption off the premises where sold. Minors are allowed on the premises.

The proposed use has been conditioned with:

- the City's standard conditions for alcohol establishments
- the City's standard 2 conditions for off sale beer, wine and distilled spirit sales

These conditions ensure that an alcohol establishment with off sale beer, wine, and distilled spirit sales will be in conformity with applicable regulations and not have any negative impacts to the surrounding neighborhood.

LEAD Training

A condition of approval requires all service staff, managers and owners attend Licensee Education on Alcohol and Drugs (LEAD) training within ninety (90) days of approval of this Use Permit and/or employment at the restaurant to ensure they understand responsible beverage service practices and procedures regarding the sale and service of alcohol. The applicant is required to submit verification of LEAD training attendance to the Community Development Department.

Compliance with Alcohol Ordinance

WMC Chapter 14-25 regulates the location and operation of alcohol establishments within the City. This chapter is intended to reduce alcohol-related environmental and social problems by regulating the use, operation, and location of new alcohol establishments selling alcoholic beverages in relation to existing alcohol licensees and their proximity to sensitive uses and facilities customarily to be used by children and families.

In accordance with [WMC Section 14-25.011](#), the applicant provided the following information regarding their Business Plan for East Lake Food & Liquor:

Normal cleaning procedures performed every night before closing of the store, motion detection alarm set before closing every night as well. 16 surveillance cameras set up is set up at all times watching all parts of the store. No budget will be allocated yet for construction or maintenance yet, all employees are being paid on time and are being accounted for with our bookkeeper, utility bills are also being accounted for at the end of every month, the payments are being sent and received on time. [sic] The store is a combined share space for all members of the community no matter the age, gender, ethnicity, etc.

Also in accordance with [WMC Section 14-25.011](#), the applicant provided the following information in its Neighborhood Compatibility Plan:

Noise control measures are accounted for within the store as there is rarely if ever loud music being played inside or outside the store by the public so there is already control of that aspect of the situation. [sic] Trained staff in looking at fake vs real identification cards and driver licenses and expiration dates on licenses to exactly confirm that the individual attempting to purchase tobacco or alcohol is indeed over the age of 21 years old. A local security agency along with the Watsonville Police patrol the area for people attempting to cause trouble for about two hours every night in our parking lot, we have the phone numbers for both said agencies and the sheriff department. The maintenance crew that work for the landlord insure that the parking is looking clean at all times, and that litter is always taken care of all around the parking lot, we do our part as well lets say a glass bottle broke in the lot, we would go clean it so as to not pop a tire of a customer that runs over said glass as a preventative measure.

Additionally, the applicant provided the following information for their Safety and Security Plan:

The security we have been offered is a security guard service paid for by the landlord to come patrol the parking lot at night times mainly but I have seen them at times during the day. The fact that the back and front door can open are a good idea as in a security breach we can escape through two different sections of the store. Also we have a very comprehensive security camera system in place at night time all controlled electronically, The camera system can hold a month's worth of playback video and audio just in case something did happen in the store a while ago which may or may not have been caught on camera.

In accordance with [WMC Sections 14-25.021](#) and [14-25.0223](#), all operational standards applicable to an off sale general ABC License are incorporated as Conditions of Approval. For more information on the Alcohol Related Uses Application, see Attachment 2.

Interview Scoring

The application was initially reviewed in September 2020 for completeness, with additional information requested from the applicant in October 2020. After the application was deemed complete, the applicant was interviewed by a selection committee consisting of the Police Chief, Fire Chief, Community Development Director, Finance Director, and City Manager or their designees. The applicant was then interviewed and scored based on four main categories: location (150 points), business plan (275 points), neighborhood compatibility plan (375 points), and a safety and security plan (225 points). There are bonus points that applicants may receive for community benefits (50 points), labor and employment (25 points), and local enterprise/qualifications of principals (75 points). The maximum possible score for an alcohol related use application for a microbrewery with a tasting room is 1,025 points, excluding the bonus points. An applicant must receive a minimum score of points (80%) to be approved.

On December 2, 2020, Andrew Maida, appeared for the applicant East Lake Food & Liquor, Inc. a corporation, on behalf of property owner Seco Property Company LLC, and was interviewed by City Staff and received a score of 810. With bonus points included the application received a score of 890 out of 1,025 points. A summary related to the interview scoring follows each interview category can be found in Attachment 4.

Special Use Permit and Alcohol Related Uses Findings

The Planning Commission shall make the findings required in WMC Sections 14-25.013 and 14-12.513 to approve or conditionally approve the Special Use Permit allowing the operation of an existing off sale general license under new ownership. The applicant has demonstrated through their Alcohol Related Uses Application and Alcohol Related Uses Interview conformance with the City of Watsonville's Alcohol Related Uses Ordinance. As such, the Planning Commission may make required findings to approve the requested Special Use Permit.

Environmental Review

The proposed project is eligible for a Class 1 Categorical Exemption per Section 15301 of the State CEQA Guidelines as it involves establishing an alcohol license (ABC Type 21) under new ownership and involves no expansion of the existing use. The project will not involve any interior or exterior modifications.

STRATEGIC PLAN

The project follows Goal 04 (Economic Development) of the City's Strategic Plan in that it involves the establishment of a Type 21 ABC License under new ownership for an existing liquor store, East Lake Food & Liquor. The establishment of an existing business under new ownership provides new job and workforce development opportunities.

FINANCIAL IMPACT

The establishment of a Type 21 ABC License under new ownership will provide continued sales tax revenue. The City received a onetime fee from the applicant to process the permit application.

ALTERNATIVE ACTION

The Planning Commission may deny the request to establish a Type 21 ABC License under new ownership for an existing 1,800 square-foot liquor store (East Lake Food & Liquor) but must make findings for denial.

ATTACHMENTS

1. Site and Vicinity Map
2. Alcohol Related Uses Application and Floor Plan (Received 9/24/2020)
3. Security Camera and Lighting Locations (Received 10/23/2020)
4. Alcohol Related Uses Rubric (Interview conducted 12/2/2020)
5. Letters of Recommendation (Received 9/24/2020)

PLANNING COMMISSION ACTION RECOMMENDED

Staff recommends that the Planning Commission adopt a Resolution approving a Special Use Permit Application to establish a Type 21 ABC License under new ownership at an existing 1,800 square-foot liquor store for East Lake Food & Liquors, Inc., located at 954 East Lake Avenue (APN 017-321-76)

RESOLUTION NO. _____ (PC)

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WATSONVILLE, CALIFORNIA, APPROVING A SPECIAL USE PERMIT (APPLICATION NO. 613) TO ALLOW THE ESTABLISHMENT OF AN OFF-SALE GENERAL (TYPE 21) ABC LICENSE UNDER NEW OWNERSHIP FOR AN EXISTING ±1,800 SQUARE FOOT LIQUOR STORE WITHIN THE EAST LAKE VILLAGE SHOPPING CENTER (EAST LAKE FOOD & LIQUOR) LOCATED AT 954 EAST LAKE AVENUE, WATSONVILLE, CALIFORNIA (APN 017-321-76)

**Project: East Lake Food & Liquor, Inc.
APN: 017-321-76**

WHEREAS, on September 24, 2020, an application for a Special Use Permit (Application No. 613) to allow the establishment of a Type 21 ABC License under new ownership for an existing liquor store at 954 East Lake Avenue, Watsonville, California, was filed by Nadim Maida, applicant with East Lake Food & Liquor, on behalf of Seco Property Company LLC, property owner; and

WHEREAS, the project site is designated General Commercial (GC) on the General Plan Land Use Diagram and is within the Thoroughfare Commercial (CT) Zoning District; and

WHEREAS, the project qualifies for a Class 1 Categorical Exemption from the provisions of the California Environmental Quality Act (CEQA), pursuant to Section 15301 of the CEQA Guidelines; and

WHEREAS, according to Santa Cruz County Assessor's Office records, the shopping center where 954 East Lake Avenue is located has been in operation since 1965; and

WHEREAS, on March 12, 1991, the Department of Alcohol and Beverage Control (ABC) issued Joyce Currie a Type 21 ABC License for Off-Sale General sales which

authorizes the sales of beer, wine, and distilled spirits to establish a liquor store at 954 East Lake Avenue; and

WHEREAS, on November 16, 1993, ABC issued a Type 21 ABC License to Joy Cart for a liquor store located at 954 East Lake Avenue; and

WHEREAS, on July, 15, 1994, ABC Issued a Type 21 ABC License to Lakhwinder Singh Shahi and Balbir Singh for a liquor store located at 954 East Lake Avenue; and

WHEREAS, on February 14, 2002, ABC transferred a Type 21 ABC License to Kashmir Kaur Sahi and Balbir Singh, doing business as East Lake Food and Liquor; and

WHEREAS, on June 09, 2002, ABC transferred a Type 21 ABC License to the Bhajanjit Corporation, doing business as East Lake Food and Liquor; and

WHEREAS, on September 10, 2002, the City of Watsonville enacted WMC Chapter 14-25 on Alcohol Related Uses (Ordinance 1135-02-CM). The Ordinance details required documentation for an alcohol related uses application, permits required for various ABC licenses, and conditions of approval for alcohol related uses; and

WHEREAS, WMC Section 14-25.050(b) provides the process to permit existing alcohol related establishments in accordance with Chapter 14-25, as follows: all alcohol related establishments operating as of October 10, 2002 [the effective date of, after the adoption of Ordinance No. 1135-02 (CM) creating Chapter 14-25 of the Watsonville Municipal Code, but without a valid Use Permit approved specifically for the purpose of alcohol sales, shall file an application to obtain a conditional use permit no later than January 1, 2003; and

WHEREAS, the City developed a No-Fee Special Use Permit, a one-page form that was approved without a public hearing for businesses not declared a “public nuisance” or on probationary status with ABC. WMC §14-25.050(b). To comply with this

update, Balbir Singh, on behalf of East Lake Food and Liquor, obtained a No-Fee Special Use Permit (PP2002-330) on March 11, 2003; and

WHEREAS, on July 11, 2019, the City of Watsonville modified WMC Chapter 14-25 on Alcohol Related Uses with Ordinance No. 1384-19 and No. 1385 (CM): and

WHEREAS, the existing liquor store with a Type 21 ABC License is exempt from separation requirements provided that the only change in more or character is a change in ownership. WMC §14-25.050(a); and

WHEREAS, notice of time and place of the hearing to consider approval of Special Use Permit (Application No. 613) was given at the time and in the manner prescribed by the Zoning Ordinance of the City of Watsonville. The matter called for hearing evidence both oral and documentary introduced and received, and the matter submitted for decision; and

WHEREAS, the Planning Commission has considered all written and verbal evidence regarding this application at the public hearing and has made Findings, attached hereto and marked as Exhibit "A," in support of the Special Use Permit (Application No. 613) to allow the establishment of an off-sale general license under new ownership at an existing liquor store at 954 East Lake Avenue (APN 017-321-76)

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Watsonville, California, as follows:

Good cause appearing, therefore, the Planning Commission of the City of Watsonville does hereby grant approval of Special Use Permit (Application No. 613), attached hereto and marked as Exhibit "C," subject to the Conditions attached hereto and marked as Exhibit "B," to allow the establishment of an off sale general license under new ownership at an existing liquor store at 954 East Lake Avenue (APN 017-321-76).

I HEREBY CERTIFY that the foregoing Resolution was introduced at a regular meeting of the Planning Commission of the City of Watsonville, California, held on the 2nd day of February, 2021, by Commissioner_____, who moved its adoption, which motion being duly seconded by Commissioner_____, was upon roll call, carried and the resolution adopted by the following vote:

Ayes: Commissioners:

Noes: Commissioners:

Absent: Commissioners:

Suzi Merriam, Secretary
Planning Commission

Anna Kammer, Acting Chairperson
Planning Commission

Application No: 613

APN: 017-321-76

Applicant: East Lake Food & Liquor, Inc.

Hearing Date: February 2, 2021

SPECIAL USE PERMIT FINDINGS (WMC § 14-12.513)

The purpose of the Special Use Permit is to allow the establishment of a liquor store with beer, wine, and distilled spirit sales under new ownership, pursuant to Chapter 14-16 of the Watsonville Municipal Code (WMC).

- 1. The proposed use at the specified location is consistent with the policies embodied in the adopted General Plan and the general purpose and intent of the applicable district regulations.**

Supportive Evidence

Land designated General Commercial in the City's General Plan is intended to serve a variety of retail and service needs of the community. A liquor store is allowed conditionally in certain commercial zoning districts with the approval of a Special Use Permit. The existing liquor store is located in an existing shopping center located in the CT Zoning District. The requested Special Use Permit for the establishment of a liquor store with a Type 21 ABC License (for the off sale beer, wine and distilled spirit sales) under new ownership has been conditioned to conform to all applicable requirements of WMC Chapter 14-25 (Alcohol Related Uses) of Title 14 (Zoning).

- 2. The proposed use is compatible with and preserves the character and integrity of adjacent development and neighborhoods and includes improvements or modifications either on-site or within the public rights-of-way to mitigate development related adverse impacts such as traffic, noise, odors, visual nuisances, or other similar adverse effects to adjacent development and neighborhoods.**

Supportive Evidence

Pursuant to WMC Section 14-16.1203(b) and WMC Chapter 14-25, establishing an existing Type 21 ABC License under new ownership is allowed with approval of a Special Use Permit. Standard conditions have been placed on the liquor store with off sale beer, wine, and distilled spirit sales to ensure adverse impacts do not occur related to alcohol sales, in accordance with WMC Sections 14-25.021 and 14-25.023. These conditions ensure the liquor store will be compatible with the neighborhood.

- 3. The proposed use will not generate pedestrian or vehicular traffic which will be hazardous or conflict with the existing and anticipated traffic in the neighborhood.**

Supportive Evidence

The proposed project does not represent a change or intensification of use for the existing liquor store. The Special Use Permit to establish off sale beer, wine and distilled spirit sales in an existing liquor store will not generate additional pedestrian or vehicular traffic that will be hazardous or conflicting with the existing and anticipated traffic in the shopping center and surrounding neighborhood.

- 4. The proposed use incorporates roadway improvements, traffic control devices or mechanisms, or access restrictions to control traffic flow or divert traffic as needed to reduce or eliminate development impacts on surrounding neighborhood streets.**

Supportive Evidence

No alterations to building layout or location are proposed as part of this Use Permit, and no additional traffic impacts are anticipated to occur as a result of establishing off sale beer, wine, and distilled spirit sales under new ownership at an existing liquor store. As such, no additional onsite or roadway improvements or modifications are required as part of this Use Permit.

- 5. The proposed use incorporates features to minimize adverse effects, including visual impacts and noise, of the proposed special use on adjacent properties.**

Supportive Evidence

As stated previously, standard conditions have been placed on the liquor store with off sale beer, wine and distilled spirit sales to ensure adverse impacts do not occur related to alcohol sales, in accordance with WMC Sections 14-25.021 and 14-25.023. These conditions ensure the liquor store will continue to be compatible with the shopping center and surrounding neighborhood.

Establishing an existing liquor store with a Type 21 ABC License under new ownership will not result in additional noise impacts.

- 6. The proposed special use complies with all additional standards imposed on it by the particular provisions of this chapter and all other requirements of this title applicable to the proposed special use and uses within the applicable base zoning district.**

Supportive Evidence

As stated previously, the proposed use is required to comply with standard operational conditions for a liquor store with off sale beer, wine and distilled spirit sales, which prohibits the individual sale of malt beverage or fortified wine nor allows malt beverages and fortified wine to be sold in containers with a volume exceeding 16 ounces. The liquor store has been conditioned to require that all managers and employees attend LEAD training within 90 days of approval of this Use Permit and/or employment at the liquor store.

- 7. The proposed special use will not be materially detrimental to the public health, safety, convenience and welfare, and will not result in material damage or prejudice to other property in the vicinity.**

Supportive Evidence

The change in ownership for an existing Type 21 ABC License does not involve a change in or expansion of use for the existing liquor store. The existing liquor store with off sale beer, wine, and distilled spirit sales would continue to complement the existing shopping center and adjacent commercial uses. As conditioned, the liquor store will continue to be required to comply with all requirements of an establishment with off sale beer, wine, and distilled spirit sales as outlined in WMC Chapter 14-25.

The applicant will be required to implement a neighborhood compatibility plan to mitigate adverse impacts associated with an alcohol related use and comply with operational standards for an alcohol establishment with off-sale general sales. As conditioned, the existing liquor store will not be detrimental to the public health, safety, convenience and welfare, and will not result in material damage or prejudice to other property in the vicinity.

ALCOHOL-RELATED USE FINDINGS (WMC § 14-25.013)

- 1. The proposed use received the minimum score necessary to issue a conditional use permit.**

Supportive Evidence

The application received a passing score of 890, exceeding the minimum score of 820 points.

- 2. The proposed use will not cause adverse noise, litter, crowd control, or parking impacts.**

Supportive Evidence

The subject site is developed with an existing shopping center with a liquor store. A parking lot that fronts East Lake Avenue provides adequate parking for all uses within the center. The applicant has indicated that signage will be posted both inside and outside the existing business, altering patrons to keep noise to a minimum while on the premises. The location of existing lighting and security cameras provides adequate security for the liquor store. As conditioned, the proposed use will not cause adverse noise, litter, crowd control, or parking impacts for the surrounding development.

- 3. The proposed use will not create objectionable conditions that constitute a nuisance, as defined in California Business and Professions Code Section 24200(f)(2).**

Supportive Evidence

The proposed use, as conditioned with minimum operation standards for alcohol related uses pursuant to WMC Sections 14-25.021, 14-25.023, and 14-25.030, will not create objectionable conditions that constitute a nuisance, as defined in California Business and Professions Code Section 24200(f)(2).

- 4. The proposed use will maintain all levels of service, including but not limited to the provision of security, maintenance of premises, LEAD training, and professional management as identified in the original application.**

Supportive Evidence

The proposed use, as conditioned with minimum operation standards for alcohol related uses, will maintain all levels of services, including but not limited to provisions of security cameras, maintenance of premises, LEAD training, and professional management as identified in the original application.

Application No: 613

APN: 017-321-76

Applicant: East Lake Food & Liquor, Inc.

Hearing Date: February 2, 2021

**SPECIAL USE PERMIT
CONDITIONS OF APPROVAL**

General Conditions:

1. **Approval.** This approval applies to the application submitted on September 24, 2020 and revised October 23, 2020 by East Lake Food & Liquor, and identified as "Special Use Permit" for the establishment of an existing liquor store under new ownership, received by the Community Development Department on September 24, 2020 and revised on October 23, 2020 (CDD-P)
2. **Conditional Approval Timeframe.** This Special Use Permit (Application No. 613) shall be null and void if not acted upon within **24 months** from the effective date of the approval thereof. Time extensions may be considered upon receipt of written request submitted no less than forty-five (45) days prior to expiration and in accordance with the provisions of Section 14-10.1201 of the Watsonville Municipal Code (WMC). (CDD-P)
3. **Modifications.** Modifications to the project or conditions imposed may be considered in accordance with WMC Section 14-10.1305. (CDD-P)
4. **Compliance.** The proposed use shall be in compliance with Use Permit Conditions of Approval, all local codes and ordinances, appropriate development standards, and current City policies. Any deviation will be grounds for review by the City and may possibly result in revocation of the Use Permit, pursuant to Part 13 of WMC Chapter 14-10. (CDD-P)
5. **Grounds for Review.** The project shall be in compliance with the conditions of approval, all local codes and ordinances, appropriate development standards, and current City policies. Any deviation will be grounds for review by the City and may possibly result in revocation of the Special Use Permit, pursuant to Part 13 of WMC Chapter 14-10, or other code enforcement actions, pursuant to WMC Chapter 14-14. (CDD-P)
6. **Appeal Period/Effective Date.** This Special Use Permit shall not be effective until **14 days** after approval by the decision-making body or following final action on any appeal. (CDD-P)

Ongoing Conditions:

7. **ABC Conditions.** Any and all conditions of the Department of Alcohol and Beverage Control (ABC) are incorporated by reference as conditions of approval for this Use Permit. (CDD-P)
8. **1 oz. Single Serve Liquor Bottles.** 1 oz. single serve liquor containers (airplane bottles) shall not be sold on the premises as outlined in the letter of recommendation from Oaktree Property Company, dated September 8, 2020.
9. **Neighborhood Compatibility Plan.** The applicant shall implement their Neighborhood Compatibility Plan to ensure the liquor store with beer, wine, and distilled spirit sales will not create objectionable conditions that constitute a nuisance and will be compatible with existing and potential uses within the general area. Specific measures include:
 - Noise control measures are accounted for within the store as there is rarely if ever loud music being played inside or outside the store by the public so there is already control of that aspect of the situation. [sic] Trained staff in looking at fake vs real identification cards and driver licenses and expiration dates on licenses to exactly confirm that the individual attempting to purchase tobacco or alcohol is indeed over the age of 21 years old. A local security agency along with the Watsonville Police patrol the area for people attempting to cause trouble for about two hours every night in our parking lot, we have the phone numbers for both said agencies and the sheriff department. The maintenance crew that work for the landlord insure that the parking is looking clean at all times, and that litter is always taken care of all around the parking lot, we do our part as well lets say a glass bottle broke in the lot, we would go clean it so as to not pop a tire of a customer that runs over said glass as a preventative measure.
10. **Drive-through Service.** Drive-through service of alcohol is prohibited. (CDD-P, WPD)
11. **Exterior Pay Phones.** No exterior pay phones may be placed on the premises. (CDD-P, WPD)
12. **Interior Pay Phones.** Interior pay phones shall not allow incoming calls. (CDD-P, WPD)
13. **Hours of Operation.** Permitted hours of operation for East Lake Food & Liquor are 7:00AM to 11:00PM Sunday through Thursday, and 7:00AM to 12:00AM Friday and Saturday (CDD-P, WPD)
14. **Premise Monitoring.** Business owner shall regularly police the areas under their control, including but not limited to: parking lots, restrooms, alleys, and sidewalks, to prevent the loitering of persons about the premises. (CDD-P, WPD)
15. **Window Obstructions.** Except as may be specifically allowed by the Municipal Code, no portion of the ground floor windows shall be obscured by paint, walls,

- window tinting, or other masking device. This requirement is intended to facilitate views of the interior from the exterior for public safety and does not prohibit neon signs, minimal window borders, or other signs or decorations that are consistent with the City's sign regulations and do not obscure views. (CDD-P)
16. **Minors.** The premises shall remain accessible to minors during all hours of operation. (CDD-P)
 17. **Malt Beverage Container Sizes.** Malt beverage and fortified wine shall not be sold in containers with a volume exceeding sixteen (16) ounces. (CDD-P)
 18. **Malt Beverage Sales.** The sale of individual containers of malt beverage or fortified wine is prohibited. Malt beverage shall mean any malt beverage product, labeled or, marketed as a malt beverage with an alcohol content greater than five (5%) percent by volume is subject to this Code, except those beverages labeled and accepted in the market place as pilsners, lager beer, ales (all styles), porters, stouts and/or micro brewed products. WMC §14-18.532. Fortified wine shall mean any wine to which wine spirits have been added and with an alcohol content in excess of thirteen point five (13.5%) percent and less than twenty-four (24%) percent, except dessert wines commonly referred to and accepted in the marketplace such as vermouth, port, or sherry. WMC §14-18.364.
 19. **Trash Receptacles.** Permanent litter and trash receptacles shall be located at convenient locations inside and outside establishments, and operators of such establishments shall remove litter and debris on a daily basis. (CDD-P)
 20. **Required Signs.** The following signs may be required to be prominently posted in a readily visible manner in English, Spanish, and the predominant language of the patrons:
 - "California State Law prohibits the sale of alcoholic beverages to persons under twenty-one (21) years of age."
 - A copy of these performance conditions, any applicable ABC or City operating conditions, and any training requirements shall be posted in at least one (1) prominent place within the interior of the establishment where it will be readily visible and legible to the employees and patrons of the establishment.
 21. **Employee Age.** Employees shall be at least twenty-one (21) years of age to sell and serve alcohol. (CDD-P, WPD)
 22. **Lingering Patrons.** The business shall be required to clear the storefront and the adjacent parking lots in the immediate vicinity of the establishment of any lingering patrons immediately after closing. (CDD-P, WPD)
 23. **Conditions of Approval Display.** A copy of the Use Permit Conditions of Approval shall be kept conspicuously on the premises of the business and made available to any member of the public or enforcement officer wishing to review them. (CDD-P)

24. **LEAD Training.** All owners, managers and service staff shall follow responsible beverage service (RBS) practices and procedures. Owner(s), manager(s) and service staff shall attend ABC's Licensee Education on Alcohol and Drugs (LEAD) training within ninety (90) days from the date of approval of this Use Permit and/or employment at the liquor store, and each five (5) years thereafter. Upon completion of the training, the applicant shall submit a card verifying full attendance of the three and one-half (3.5) hour training to the Community Development Department. Failure to attend training and/or retain records on file shall be reported to the Planning Commission and may be grounds for imposing additional or different use restrictions or revocation of the alcohol sales establishment use permit. (CDD-P, WPD)
25. **Security Cameras Installation.** Security camera monitoring system shall be maintained in good working order and shall not be recorded over within thirty (30) days after initial recording. The system shall support slow motion and high-speed playback with zoom capability. (WPD)
26. **Permit Term.** The Use Permit shall be valid for **20 years** after the effective date of this Use Permit unless there is a change of ownership or other substantial change in mode or character of operation, at which time a new Use Permit shall be required. Unless renewed, this Use Permit shall expire on **November 16, 2040**. (CDD-P)
27. **Accessibility.** The project shall conform with accessibility requirements to buildings and facilities by individuals with disabilities under the American Disabilities Act. (CDD-B)

Future Sign Permit:

28. **Sign Permit.** Any new or proposed changes in the exterior signage for the premises shall require Sign and Building Permits through the Community Development Department. (CDD-P-B)

Indemnity Provision:

29. **Indemnity Provision.** The applicant shall sign a defense and indemnity contract agreeing to defend, indemnify, and hold harmless the City of Watsonville, its elected and appointed officials, officers, employees, and agents arising out Special Use Permit (App No. 613), including but not limited to any approval or condition of approval of the City of Watsonville Planning Commission or City Council. The City shall promptly notify the applicant of any claim, action, or proceeding concerning this permit and the applicant and City shall cooperate fully in the defense of the matter. The City reserves the right to select counsel in the defense of the matter. (CA)

Key to Department Responsibility

- CDD-B – Community Development Department (Building)
- CDD-P – Community Development Department (Planning)
- CDD-E – Community Development Department (Engineering)
- PW – Public Works Department
- WFD – Watsonville Fire Department
- CA – City Attorney

**CITY OF WATSONVILLE
PLANNING COMMISSION**

EXHIBIT "C"

Application No: 613
APNs: 017-321-76
Applicant: East Lake Food & Liquor, Inc.
Hearing Date: February 2, 2021

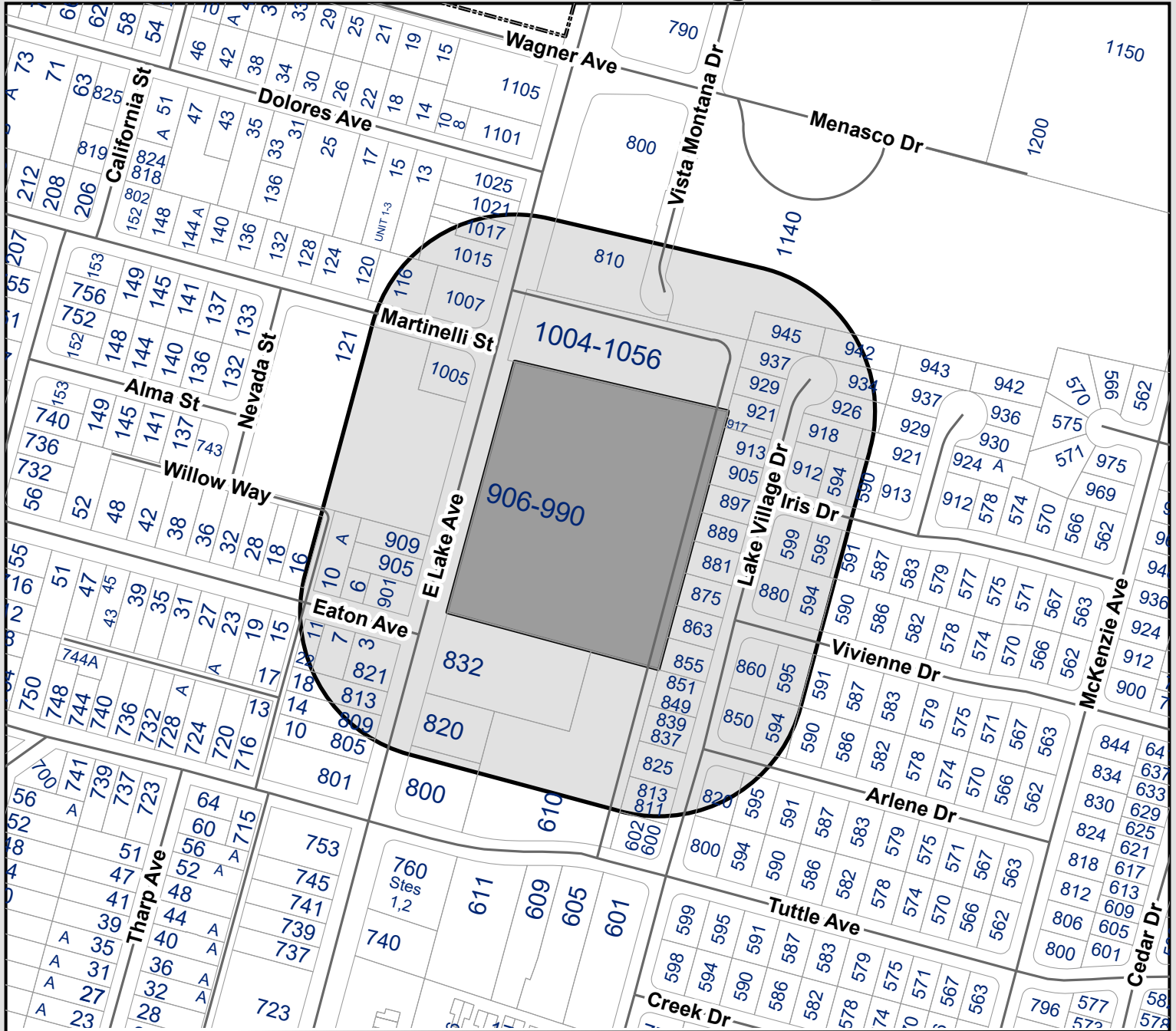
Applicant: East Lake Food & Liquor, Inc.
Address: 954 East Lake Avenue, Watsonville, CA 95076
Project: Special Use Permit
Location: 954 East Lake Avenue, Watsonville, CA 95076
Purpose: Allow the establishment of a liquor store (Type 21) ABC License under new ownership
Property Owner: Seco Property Company LLC
Address: 926 East Lake Avenue, Watsonville, CA 95076






A Special Use Permit (Application No. 613) to allow the establishment of an off sale beer, wine, and distilled spirits license under new ownership at a ±1,800 square foot liquor store located at 954 East Lake Avenue, Watsonville (APN 017-321-76), was reviewed by the Planning Commission at a public hearing on February 2, 2021, and was conditionally approved by adoption of Planning Commission Resolution No.____ (PC) together with findings and conditions of approval attached hereto and made a part of this permit.

CITY OF WATSONVILLE
Planning Commission

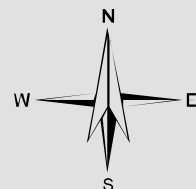
Suzi Merriam
Community Development Director

Site and Vicinity Map



-  Street
-  Project Site
-  Watsonville City Limit
-  Parcel
-  300' Buffer Zone

PROJECT: 613
 APPLICANT: Nadim Maida
 APN#s: 017-321-76
 LOCATION OF PROJECT: 954 East Lake Avenue



Prepared by Watsonville GIS Center 10/20/2020 ([20-024]).

This Document is a graphic representation only of best available sources.
 Page 44 of 57
 The City of Watsonville assumes no responsibility for any errors.

East Lake Food and Liquor
954 E. Lake Ave.
Watsonville, CA 95076

SEP 11 2020


Alcohol Related Use Form/Application

Item A: This application has been submitted on September 4th, 2020. Attached is a check covering all the required fees etc.

Item B: Copy of our existing ABC license.

STATE OF CALIFORNIA
DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL
ALCOHOLIC BEVERAGE LICENSE
OFF-SALE GENERAL

VALID FROM Jan 08, 2020	EAST LAKE FOOD & LIQUORS, INC 100 ANACAPA AVE OXNARD, CA 93035	EXPIRES May 31, 2021
TYPE NUMBER DUP		
21 614390		
AREA CODE 4403 20	BUSINESS ADDRESS (IF DIFFERENT) DBA: E LAKE FOOD & LIQUOR 804 E LAKE AVE WATSONVILLE, CA 95076	PER From: 21 387555
OWNERS: EAST LAKE FOOD & LIQUORS, INC		CONDITIONS



IMPORTANT INFORMATION

EFFECTIVE PERIOD: This license is effective only for the operating period shown above. A new license will be card 4 to 6 weeks after the expiration date on your license if payment is timely. Your license status will remain in good standing for 60 days after the expiration date if the renewal payment was received timely. To check the status of your license, visit <http://www.abc.ca.gov/distpart1/OSMenu.html>.

RENEWAL NOTICES: Renewal notices are sent to premises address unless a specific mailing address is requested. If a notice is not received 30 days before expiration date shown above, contact the nearest ABC office. To assure receipt of notices, advise your local ABC office of any change in address.

RENEWAL DATES: It is the licensee's responsibility to pay the required renewal fee by the expiration date shown above. A Penalty is charged for late renewal and the license can be automatically revoked for failure to pay.

RENEWAL PAYMENTS: Renewal payments can be made in person by visiting your local office or sent by mail to ABC Headquarters, 3927 Lennane Drive, Suite 100, Sacramento, CA 95834. If you do not have your renewal notice, your license number and the reason for payment (ex. "renewal") must be clearly indicated on the check. You can contact your local ABC office for your renewal fee amount.

SEASONAL LICENSES: It is the licensee's responsibility to pay the required renewal fee prior to the next operating period.

POSTING: Cover and license with glass or other transparent material and post it on premises in a conspicuous place.


CONDITIONS: A copy of all applicable conditions must be kept on premises.

LICENSEE NAME: Only 10 names will be printed on each license. If there are more names associated with the license, they will be indicated by "AND XCO-DIERS". All names are on file and available upon request from your local ABC office.

DBA: If you change your business name please notify your local ABC office.

If you have any questions regarding this license, contact your local ABC office. You can find the contact information for each district office at <http://www.abc.ca.gov/distpart1.html>.

NOTE: CONTACT YOUR LOCAL ABC OFFICE IF YOUR LICENSED PREMISES WILL BE TEMPORARILY CLOSED FOR MORE THAN 15 DAYS OR WILL BE PERMANENTLY CLOSED.

<http://www.abc.ca.gov>


Page 1 License Serial# 2108079

Item C: The address of the business is 954 E. Lake Ave. Watsonville, CA 95076. This application and the requirements of this item in my opinion are meant for a newly built store. This is not a proposed location. This store has been around for 30+ years we are merely taking over ownership of the store. The store is located in the East Lake Village shopping center in the very middle of the shopping center neighboring a sushi shop and a barber shop there is also an ACE hardware store and various other miscellaneous stores in the same shopping center. There is a local Staff of Life grocery store being built. In the same shopping center and is said to open later this year. We are not the landowners. We have landlords(Owners of the parking lot and shopping center land as well) whom we pay a set rent every month too, unrelated. 1 or 2 schools located fairly close to the store but a good distance away, a religious institution a block down the road, possibly even closer. Residential area located directly behind us. Also 60+ year old people homes located behind the store to accommodate for a walking distance to a close shopping center, good for business. Basically everything is the same inside and outside of the store as when we took over as owners on June 19th, 2020.

Item D: Day to day operations are as follows, Opening 7AM to Closing 12 AM, 17 hour days with rotating shifts of employees throughout the day, a lot of beer/liquor, lottery tickets and scratchers, and tobacco products being sold throughout the day. Normal cleaning procedures performed every night before the closing of the store, motion detection alarm set before closing every night as well. 16 Surveillance Camera set up is set up at all times watching all parts of the store. No budget will be allocated yet for construction or maintenance yet, all employees are being paid on time and are being accounted for with our bookkeeper, utility bills are also being accounted for at the end of every month, the payments are being sent and received on time. Our business is always considered a shared space for adults and children with non-explicit music being played at different times throughout the day and no explicit images posted within or out of the store. The store is a combined share space for all members of the community no matter the age, gender, ethnicity, etc.

Item E: Noise control measures are accounted for within the store as there is rarely if ever loud music being played inside or outside the store by the public so there is already control of that aspect of the situation. The amount of signage and advertisement is also more than sufficient as our store is already being managed on google by my Son, Andrew Maida, the manager at the East Lake Liquor Store, also many signs are posted by the street and there is a big sign in front of the store stating our store's name In big lettering. The store is also very well lit with led light strips lining up there whole store ceiling and distributing light as well as beer signs that light up with the brand names on them located directly on top of the beer coolers. Trained staff in looking at fake vs real identification cards and driver licenses and expiration dates on licenses to exactly confirm that the individual attempting to purchase tobacco or alcohol is indeed over the age of 21 years old. A local security agency along with the Watsonville police patrol the area for people attempting to cause trouble for about 2 hours every night in our parking lot, we have the phone numbers for both said agencies and the sheriff department. The maintenance crew that work for the landlord insure that the parking is looking clean at all times and that litter is always taken care of all around the parking lot, we do our part as well if lets say a glass bottle broke in the lot,

we would go clean it so as to not pop a tire of a customer that runs over said glass as a preventative measure. Sound walls or sound attenuation material will be installed in the near future so as to limit noise seepage into the neighboring business and so that said businesses will not hear us as well.

Item F: The security we have been offered is a security guard service paid for by the landlord to come patrol the parking lot at night times mainly but I have seen them at times during the day. The fact that the back and front door can open are a good idea as in a security breach we can escape through two different sections of the store. Also we have a very comprehensive security camera system along with a motion detector alarm system in place at night time all controlled electronically. The camera system can hold a month's worth of playback video and audio just in case something did happen in the store a while ago which may or may not have been caught on camera. Maximum Occupancy of the Facility during this time is 5-10 people due to the coronavirus restrictions although regular maximum occupancy is around 30 people, fairly small. Floor plans are drawn out on a separate sheet or form, not included on this form. Crowd control during busy hours is necessary as quick service is our top priority put in place to move customers in and out of the building as quickly as possible as a crowd of customers limits vision and increased the chance of robberies to occur and also encourages the creation of lines and wait times which are never good. Quick service is a top priority in this establishment. Training of owners, management and staff was already conducted before taking control of the business and the training instilled in said members of the store staff is the perfect kind needed to address all situations customers or situations may throw at them.

Thank you for your support in keeping East Lake Food and Liquor Going for a long time to come and helping us serve the community as the previous owners before us had done for 30 years and how we have been doing for the past 3 months already.

-Nadim Maida(Owner)/East Lake Food and Liquor

COMMENTS/CONDITIONS

Just a change of ownership, no changes.

SITE/FLOOR PLAN



Did you include:

- Setbacks
- Windows

- Square Footage
- Parking

- Office Spaces/Walls
- Any other changes?

- Door

overhead

----- = Lights
Direction View

- 6 Motion Sensors also located in various parts of store for alarms

- Cameras and their locations (16)

△ = Camera View
x = Camera



ALCOHOL RELATED USES RUBRIC – OFF SALE

ADDRESS: 954 East Lake Avenue – East Lake Food and Liquor

MAXIMUM POSSIBLE SCORE: 1,025

MINIMUM SCORE TO APPROVE: 820

BONUS POINTS: 150

SCORE: 810/1,025

BONUS: 80/150

TOTAL POINTS: 890/1,175

LOCATION

Score	Max Score	Questions	Answers
25	25	Detailed description of proposed location.	Provided detailed description of proposed location
25	25	List of surrounding uses within 100 feet.	List of surrounding uses includes commercial uses and multifamily residential
50	50	No existing sensitive uses within 300 feet.	No existing sensitive uses within 300 feet
25	25	Is the business located in a census tract with high crime per ABC regulations? (points earned if no)	Not located in an area of high crime
25	25	Is the business located in a census tract that is over concentrated per ABC regulations? (points earned if answer is no)	Not located in an area of overconcentration
150	150	TOTAL	

BUSINESS PLAN

Score	Max Score	Questions	Answers
45	75	A detailed description of daily operations (staffing plan, menu, staff training and procedures).	Discussion of opening and closing procedures, three people running the business
50	50	Proposed operating hours (Does it comply with standard hours of operation per Ordinance?)	Operating hours are daily from 7AM - 11PM, Fri/Sat 7AM-12AM and complies with Alcohol Ordinance
50	75	A budget for construction, operation, maintenance, compensation of employees, equipment costs, utility costs, and other operation costs.	Transfer of ownership, business does not have any planned improvements
0	25	Proof of capitalization, in the form of documentation of cash or other liquid assets on hand, letters of credit or other equivalent assets.	No proof of capitalization provided
50	50	Three professional letters of reference (1- Character and 2- Business experience)	Three letters of reference provided
195	275	TOTAL	

NEIGHBORHOOD COMPATIBILITY PLAN

Score	Max Score	Description	Answers
180	200	<p>Management plan for interior and exterior areas, both public and private to prevent nuisances:</p> <ul style="list-style-type: none"> ● Noise control measures for uses with outdoor areas ● Sufficient signage ● Sufficient lighting for safety ● Clear measures to avoid sales to minors ● Measures for reporting crime ● Litter control measures 	<p>Provided exhibits of signage located on the property to avoid the sale of alcohol to minors. Provided a lighting and security camera plan. Indicate that they will be cleaning property every day and monitoring of outdoor areas every day. Lighting inside and outside of the building. Litter is cleaned up on a daily basis.</p>
50	50	<p>Procedures to monitor areas adjacent to business to include litter clean up on a regular basis</p>	<p>Note routine maintenance/cleaning of indoor/outdoor areas daily - property management firm assists in cleaning up adjacent areas</p>
0	50	<p>Signage posted near exit doors alerting patrons to any residential neighbors</p>	<p>No signage provided</p>
40	50	<p>Procedures to prevent nuisances, loitering in parking lot, and any other requirements to prevent conflicts with adjacent residences/businesses.</p>	<p>Will post signage to mitigate loitering and soliciting on site. Security hired by the property owners also surveils parking areas.</p>
0	25	<p>Bike racks provided</p>	<p>No bike racks provided on the plan set</p>
270	375	<p>TOTAL</p>	

SAFETY AND SECURITY PLAN

Score	Max Score	Description	Answers
80	100	<p>Does the business have a well thought out security plan?</p> <ul style="list-style-type: none"> • Security camera plan detailing location and retention schedule of footage • Lighting schedule detailing appropriate lighting inside and outside of business. Lighting does not create spillover onto adjacent properties. • Window coverage – up to 25 percent of windows can be covered. Plans indicate that windows will allow adequate visibility. 	<p>Security camera and exterior lighting locations provided on floor plan. Security cameras record 24 hours a day. Retention of footage for up to a month. Provides exterior lighting for front entrance and parking areas. Security patrols the parking lot of the East Lake Village Shopping Center.</p>
15	25	Plans indicate maximum occupancy of the facility	Notes in Alcohol Related Uses Application that maximum occupancy is 30 people, 10 people allowed or less inside due to COVID-19 distancing protocols
50	50	Site and floor plans showing existing floor plan and a proposed floor plan, if changes are to be made.	Floor plan and site plan provided
50	50	Planned LEAD training of owners, managers, and staff.	Proof of LEAD training provided
195	225	TOTAL	

COMMUNITY BENEFITS (Bonus Points)

Score	Max Score	Questions	Answers
5	25	A description of how the facility will benefit the community.	donations to schools on occasion
0	25	Community events and/or entertainment open to all ages.	
5	50	TOTAL	

LABOR AND EMPLOYMENT (Bonus Points)

Score	Max Score	Questions	Answers
0	25	Local hiring policy	no local hiring policy
	25	TOTAL	

LOCAL ENTERPRISE/QUALIFICATIONS OF PRINCIPALS (Bonus Points)

Score	Max Score	Questions	Answers
25	25	Business owners or main partners live within City of Watsonville.	Live in Watsonville
25	25	Business owners or main partners live within Santa Cruz County.	Live in Santa Cruz County
25	25	Business owners or main partners have previously owned a similar alcohol-serving business in good standing.	Business owners have prior experience with alcohol serving businesses
75	75	TOTAL	

OAKTREE PROPERTY COMPANY

September 8, 2020

Sarah Wikle
City of Watsonville
Community Development Department
250 Main Street
Watsonville, CA 95076

Re: Nadim Maida
East Lake Food and Liquor

Sarah,

Nadim purchased the liquor store, East Lake Food and Liquor from one of our long-time tenants. Since purchasing the business, we have noticed an improvement in the store's clientele, cleanliness and overall professionalism. Prior to completing the purchase of the business, we interviewed several prospect buyers. Nadim and his team were by far the standout candidates. We are pleased to have them as a new operator at East Lake Village. Their vision is in line with the general upgrading we are in the midst of completing at ELV. As an example, under Nadim's management they have voluntarily removed the 1 oz single serving 'airplane bottles' from their shelves.

In addition to be a great tenant, Nadim Maida always pays his rent on the first of the month. After reviewing their application to assume the prior tenant's lease, I can firmly state that he is financially well-qualified to operate East Lake Food and Liquor.

Call or email me personally with any questions.

Respectfully,



Clark Codiga
Managing Partner
Oaktree Property Company

936 East Lake Avenue
Watsonville, CA 95076

(831) 722-9922

Page 55 of 57



ROYAL BUSINESS BANK

9/10/2020

TO WHOM IT MAY CONCERN

This letter is issued to provide a character reference for Nadim Maida, whom I have known as his banker for well over fifteen years. As a business operator and a family person, Nadim has always displayed a great character in my eyes as a great and an honest person. He owns and operates over 10 liquor store markets businesses, as the main person of operating and has shown great success over these businesses.

As his banker and lender on many loans, Nadim has displayed excellent banking relationship that was mutually beneficial to both parties.

This letter is issued to assure that Nadim Maida is an honest, law-biding responsible citizen, a businessman and a good family man whom is highly respected by undersigned.

Sincerely,

Thushara (TG) Liyanage

Vice President/ Regional Manager

Email: tliyanage@rbbusa.com

09/08/2020

City of Watsonville, Ca

Subject: Recommendation for Mr Maida Nadin

It is my pleasure to recommend Mr Maida Nadin the owner of East lake liquor and Grocery Store, located at 954 E Lake Ave, Watsonville, Ca. I know him as a very succesful businessman. He's always demonstrated responsibility and enterpreneurship. He is a very well respected person in his community.

Mr Maida Nadin as the owner of a Liquor store be an assest to the City of Watsonville because He knows how to get his business to the next level and provide more employment opportunities to locals. Issueing a cigarettes permit to him, would be a very beneficial decision for the City of Watsonville. for further questions please feel free to call me at 408-504-9365.

Sincerely,

Sarbjit Sandhu Realtor

DocuSigned by:
sarbjit sandhu
3F01DC6297CA443...

9/8/2020