



MISCELLANEOUS DOCUMENTS REPORT

APRIL 11, 2023

1.0 APPLICATIONS FOR ALCOHOLIC BEVERAGE LICENSES

--H&S Energy Products, LLC
December 12, 2022

2.0 MINUTES

--Planning Commission
February 14, 2023

DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL

SALINAS DISTRICT OFFICE
1137 WESTRIDGE PARKWAY
SALINAS, CA 93907
(831) 755-1990



MAR 27 '23 AM 10:33

Received
Watsonville
City Clerk

March 22, 2023

WATSONVILLE CITY COUNCIL
275 MAIN ST., STE 400 4TH FL
WATSONVILLE, CA 95076

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

H&S ENERGY PRODUCTS, LLC
DBA: H&S ENERGY PRODUCTS LLC
STORE #3085
1851 MAIN ST, WATSONVILLE, CA 95076
File: 20-640084

Dear City Council:

This is to inform you that pursuant to an amendment to Section 23803 of the Business and Professions Code which became effective January 1, 1998, the Department is required to notify local governing bodies of any petition to remove or modify conditions on an alcoholic beverage license.

Please be advised that the above-referenced licensee, whose currently licensed premises is within your jurisdiction will have conditions removed from their alcoholic beverage license. These conditions are being removed for one or more of the following reasons; because they have been deemed non-enforceable by the Department, are no longer applicable, or is statute therein the California Business & Professions Code. I have enclosed the following items for your review:

1. A copy of Section 23803 of the Business and Professions Code.
2. A copy of the existing Petition for Conditional License, which contains the license conditions, and the grounds for their original imposition.

According to the provisions of Section 23803 Business and Professions Code, you have thirty (30) days to respond in writing. If you have any questions or need any additional assistance, please do not hesitate to contact Veronica Moore, Licensing Representative I at (530) 649-4734 and/or Veronica.Moore@abc.ca.gov

Sincerely,

Stephen Hogate
Staff Services Manager II

Enclosure(s)

DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL

1137 Westridge Parkway
Salinas, CA 93907
(831) 755-1990



Section 23803 Business & Professions Code

23803. The Department, upon its own motion or upon the petition of a licensee or a transferee who has filed an application for the transfer of the license, if it is satisfied that the grounds which caused the imposition of the conditions no longer exist, shall order their removal or modification, provided written notice is given to the local governing body of the area in which the remises are located. The local governing body has 30 days to file written objections to the removal or modification of any condition. The Department may not remove or modify any condition to which an objection has been filed without holding a hearing as provided in Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code. Any petition for the removal or modification of a condition pursuant to this section shall be accompanied by a fee of four hundred seventy-five dollars (\$475).

**BEFORE THE
DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL
OF THE STATE OF CALIFORNIA**

IN THE MATTER OF THE APPLICATION OF

H&S ENERGY PRODUCTS, LLC
H&S ENERGY PRODUCTS LLC #3085
1851 MAIN ST
WATSONVILLE, CA 95076

} FILE 20-640084

} REG.

} **PETITION FOR CONDITIONAL**
} **LICENSE**

For Issuance of an Off-Sale Beer And Wine - License

Under the Alcoholic Beverage Control Act

WHEREAS, petitioner(s) has/have filed an application for the issuance of the above-referred-to license(s) for the above-mentioned premises; and,

WHEREAS, the proposed premises operates as a self-service gas station primarily designed and used for the sale of gasoline and other commodities used by the motoring public; and,

WHEREAS, the selection and payment for gasoline and other commodities offered by petitioner(s) is/are normally made through a pass-out window or slide-out tray from outside the premises; and,

WHEREAS, the issuance of an unrestricted license would be contrary to public welfare and morals and Rule 27 of Chapter 1, Title 4, of the California Code of Regulations;

WHEREAS, the issuance of an unrestricted license would be contrary to public welfare and morals;

NOW, THEREFORE, the undersigned petitioner(s) do/does hereby petition for a conditional license as follows, to-wit:

- 1 There is maintained upon the drive-in premises a building or other suitable enclosed structure to be licensed as provided in Section 24040 of the Act, and all sales of alcoholic beverages shall be made from within the licensed enclosure.
- 2 No alcoholic beverages shall be sold to any person while such person is in a motor vehicle.
- 3 No alcoholic beverages shall be consumed on any portion of the licensed premises or any portion adjacent thereto which is under the control of the licensee.

S.H.

Initials

RECEIVED

DEC 12 2002

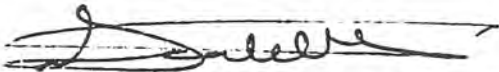
- 4 The sale and delivery of alcoholic beverages shall be made to persons who are within the licensed premises only and not through a pass-out window, or a slide-out tray to the exterior of the premises.

This petition for conditional license is made pursuant to the provisions of Sections 23800 through 23805 of the Business and Professions Code and will be carried forward in any transfer at the applicant-premises.

Petitioner(s) agree(s) to retain a copy of this petition on the premises at all times and will be prepared to produce it immediately upon the request of any peace officer.

The petitioner(s) understand(s) that any violation of the foregoing condition(s) shall be grounds for the suspension or revocation of the license(s).

DATED THIS 12th DAY OF December, 20 22.



Applicant/Petitioner

Applicant/Petitioner

MINUTES

REGULAR MEETING OF THE PLANNING COMMISSION OF THE CITY OF WATSONVILLE



February 14, 2023

6:08 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

Vice-Chair Lucy Rojas (6:16pm), Commissioners Ed Acosta (via telephone), Daniel Dodge, Peter Radin, Martha Vega and Jenni Veitch-Olson were present. Commissioner Brando Senci3n was absent

A. Motion to elect an Acting Chair among members present

MOTION: It was moved by Commissioner Dodge, seconded by Commissioner Vega, and carried by the following vote to elect Commissioner Veitch-Olson as Acting Chair for the meeting:

AYES: COMMISSIONERS: Acosta, Dodge, Radin, Vega, Veitch-Olson
NOES: COMMISSIONERS: None
ABSENT: COMMISSIONERS: Senci3n

Motion to excuse absent Planning Commissioners (if any)

MOTION: It was moved by Commissioner Dodge, seconded by Commissioner Veitch-Olson, and carried by the following vote to excuse Commissioner Senci3n absence:

AYES: COMMISSIONERS: Acosta, Dodge, Radin, Vega, Veitch-Olson
NOES: COMMISSIONERS: None
ABSENT: COMMISSIONERS: Senci3n

Staff members present were Assistant City Attorney Denise S. Bazzani, City Clerk Irwin Ortiz, Community Development Director Suzi Merriam, Principal Planner Justin Meek, Associate Planner Ivan Carmona, Assistant Planner Alvaro Madrigal, Administrative Analyst Maria Elena Ortiz, Executive Assistant Celia Castro, Permit Technician Valentina Avila, and City Interpreter Carlos Landaverry.

2. PLEDGE OF ALLEGIANCE

Acting-Chair Veitch-Olson led the Pledge of Allegiance.

3. PRESENTATIONS & ORAL COMMUNICATIONS

A. ORAL COMMUNICATIONS FROM THE PUBLIC

None

B. ORAL COMMUNICATIONS FROM THE COMMISSION

Commissioner Dodge invited the public to attend Martin Luther King march in Santa Cruz.

4. CONSENT AGENDA**A. MOTION APPROVING MINUTES OF DECEMBER 6, 2022 REGULAR MEETING****PUBLIC INPUT**

None

MOTION: It was moved by Commissioner Vega, second by Commissioner Dodge, and carried by the following vote to approve the Consent Agenda:

AYES: COMMISSIONERS: Acosta, Dodge, Radin, Vega, Veitch-Olson
NOES: COMMISSIONERS: None
ABSENT: COMMISSIONERS: Sención

5. PUBLIC HEARINGS**A. SPECIAL USE PERMIT (APP. NO. 615) TO ALLOW FOR THE ESTABLISHMENT OF AN OFF-SALE GENERAL (TYPE 21 ABC LICENSE) UNDER NEW OWNERSHIP FOR AN EXISTING 2,448± SQUARE FOOT LIQUOR STORE (U SAVE LIQUORS) LOCATED AT 1823 FREEDOM BOULEVARD (APN 016-461-01), FILED BY U-SAVE LIQUORS, APPLICANT, ON BEHALF OF PROPERTY OWNER DANIEL CARRILLO****1) Staff Report**

Staff report was given by Assistant Planner Alvaro Madrigal.

2) Planning Commission Clarifying & Technical Questions

Commissioner Radin inquired about the procedure and deadlines for a transfer of ownership of an alcohol license and approval of a Special Use Permit. Community Development Director Merriam clarified this is not a normal practice for Special Use Permits, in that the Department typically processes applications in an expedient manner. Community Development Director Merriam noted the time it took and multiple rounds of communication for the application to be deemed complete and move forward with the review process.

ADOPTED MINUTES 4.A.

In response to Commissioner Radin follow-up question about internal administrative deadlines, Community Development Director Merriam stated the City met all of the legal deadlines for this application.

Commissioner Acosta inquired via telephone about the visibility of U Save Liquor and where it is located. In answering, Community Development Director Merriam stated slide three of the presentation has the correct location circled.

Commissioner Vega suggested for the presentation, to minimize the circle at the entrance of U Save Liquors as a better indication of location.

Vice-Chair Rojas inquired about the requirement for ABC LEAD training for employees. Community Development Director Merriam clarified that the project is conditioned to require every owner, manager and employee to attend LEAD training within 90 days of approval of the requested Special Use Permit.

In response to Commissioner Radin question about monitoring compliance, Community Development Director Merriam noted that compliance documentation is submitted to project planners and forwarded to the Police Department for their records.

3) Applicant Presentation

Presentation was given by applicant Bastel.

4) Planning Commission Clarifying & Technical Questions

Commissioner Vega inquired about hours of operation. Community Development Director Merriam clarified that typical hours of operation in Watsonville is up to midnight to avoid late night problems.

In response to Commissioner Radin comment on the procedure for changing the businesses hours of operation, Community Development Director Merriam noted that this would require the applicant to make a request to extend their business hours, which would come back to Planning Commission for consideration and approval.

5) Public Hearing

Vice-Chair Rojas opened the Public Hearing.

Hearing no further comments, Vice-Chair Rojas closed the Public Hearing.

6) Appropriate Motion(s)

MAIN MOTION: It was moved by Commissioner Radin, seconded by Commissioner Acosta, to approve the following resolution:

RESOLUTION NO. 01-23 (PC)

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WATSONVILLE, CALIFORNIA, FINDING THAT 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 (CLASS 1, EXISTING FACILITIES) AND APPROVING A SPECIAL USE PERMIT (APPLICATION NO. 615) TO ALLOW THE ESTABLISHMENT OF AN OFF-SALE GENERAL (TYPE 21) ABC LICENSE UNDER NEW OWNERSHIP FOR AN EXISTING ±2,448 SQUARE FOOT LIQUOR STORE (FREEDOM U-SAVE LIQUORS) LOCATED AT 1823 FREEDOM BOULEVARD, FREEDOM, CALIFORNIA (APN 016-461-01)

7) Deliberation

None.

8) Chair calls for a vote on motion(s)

AYES: COMMISSIONERS: Acosta, Dodge, Radin, Rojas, Vega,
Veitch-Olson
NOES: COMMISSIONERS: None
ABSENT: COMMISSIONERS: Sención

B. SPECIAL USE PERMIT WITH ENVIRONMENTAL REVIEW (PP2022-4605) TO ALLOW FOR THE ESTABLISHMENT OF A 1,200± SQUARE FOOT DELI WITH 200± SQUARE FOOT DEDICATED SALES AREA IN A PORTION OF AN INDUSTRIAL BUILDING WITH A COMMERCIAL KITCHEN UNDER CONSTRUCTION LOCATED AT 10 HANGAR WAY (APN: 015-111-42), FILED BY LAURA HOLMQUIST-GOMEZ, APPLICANT AND PROPERTY OWNER

1) Staff Report

Applicant requested to continue to March 7, 2023.

2) Planning Commission Clarifying & Technical Questions

3) Applicant Presentation

4) Planning Commission Clarifying & Technical Questions

5) Public Hearing

Vice-Chair Rojas opened the Public Hearing.

Hearing no further comments, Vice-Chair Rojas closed the Public Hearing.

6) Appropriate Motion(s)

ADOPTED MINUTES 4.A.

MAIN MOTION: It was moved by Commissioner Dodge, seconded by Commissioner Acosta, and carried by the following votes to move this Item to Planning Commission Meeting on March 7, 2023:

RESOLUTION NO. -23 (PC)

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WATSONVILLE, CALIFORNIA, APPROVING A SPECIAL USE PERMIT WITH ENVIRONMENTAL REVIEW (PP2022-4605) TO ALLOW FOR THE ESTABLISHMENT OF A 1,200 SQUARE FOOT DELI WITH A 200 SQUARE FOOT DEDICATED SALES AREA IN A PORTION OF AN INDUSTRIAL BUILDING WITH A COMMERCIAL KITCHEN UNDER CONSTRUCTION LOCATED AT 10 HANGAR WAY (APN 015-111-42), WATSONVILLE, CALIFORNIA AND FINDING PROJECT CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

7) Deliberation

Commissioner Dodge questioned the hardship of continuing the item may cause the applicant. In answering, Community Development Director Merriam mentioned this will not cause a hardship. Commissioner Dodge further questioned if the public hearing will be continued on March 7th as well. In answering, Community Development Director Merriam stated that was correct.

Commissioner **Chair calls for a vote on motion(s)**

AYES: COMMISSIONERS: Acosta, Dodge, Radin, Rojas, Vega,
Veitch-Olson

NOES: COMMISSIONERS: None

ABSENT: COMMISSIONERS: Sención

6. REPORT OF THE SECRETARY

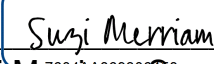
Community Development Director Merriam gave her report. Stating the internal kick-off meeting with Consultants for the Housing Element Update. Further stating, the Housing Element Update is due to the state for review by the end of 2023. The set up for the Technical Advisor Committee as well as the Community Advisor Committee and outreach has begun. Strategic planning sessions with City Council has initiated its strategic plan review retreat being held on Saturday the 25th, to go over accomplishments made by the City with their 2021/2023 strategic plan. Further mentioning another meeting will be held in winter/ spring, to discuss goals for 2023/2025 strategic plan for the City. Chair and Vice-Chair elections will be held during the March 7, 2023 Planning Commission meeting.

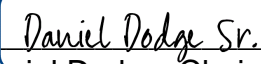
Vice-Chair Rojas inquired about the strategic planning process, does the City facilitate in house or does a consultant lead the process. In answering, Community Development Director Merriam stated a consultant leads the process and it is a notice Brown Act special held in a City Council meeting that the public can attend.

ADOPTED MINUTES 4.A.

7. ADJOURNMENT

Vice-Chair Rojas adjourned the meeting at 6:42 PM. The next Planning Commission meeting is scheduled for Tuesday, March 7, 2023, at 6:00 PM

DocuSigned by:

Suzi Merriam, Secretary
Planning Commission

DocuSigned by:

Daniel Dodge, Chair
Planning Commission