

**MINUTES**  
**TRACY CITY PLANNING COMMISSION**  
**Wednesday, April 26, 2017**  
**CITY OF TRACY COUNCIL CHAMBERS**  
**333 CIVIC CENTER PLAZA**

**CALL TO ORDER**

Vice Chair Sangha called the meeting to order at 7:00 p.m.

**PLEDGE OF ALLEGIANCE**

Vice Chair Sangha led the pledge of allegiance.

**ROLL CALL**

Roll Call found Vice Chair Sangha and Commissioners Hudson, Krogh, and Tanner present; Chair Orcutt absent. Also present were: Larry Esquivel, Police Chief; Leticia Ramirez, Deputy City Attorney; Bill Dean, Assistant Development Services Director; Kevin Jorgensen, Building Official; Ana Contreras, Community Preservation Manager; Scott Claar, Senior Planner; Kimberly Matlock, Associate Planner; and Peggy Abundiz, Recording Secretary.

**MINUTES**

It was moved by Commissioner Tanner, and seconded by Commissioner Hudson, that the Meeting Minutes of April 12, 2017, be approved. A voice vote found all in favor; passed and so ordered.

**DIRECTOR'S REPORT REGARDING THIS AGENDA**

Bill Dean suggested the election of a Chair for Item 1-B. It was moved by Commissioner Hudson, and seconded by Commissioner Krogh, that Commissioner Tanner serve as Chair for Item 1-B. A voice vote found all in favor; passed and so ordered.

**ITEMS FROM THE AUDIENCE**

None.

**1. NEW BUSINESS**

- A. PUBLIC HEARING TO CONSIDER A PLANNED UNIT DEVELOPMENT PRELIMINARY AND FINAL DEVELOPMENT PLAN FOR AN APPROXIMATELY 7,615 SQUARE FOOT WALMART ACADEMY TRAINING CENTER ADDITION TO THE EXISTING WALMART RETAIL STORE LOCATED AT 3010 W. GRANT LINE ROAD (ASSESSOR'S PARCEL NUMBER 238-600-08). THE APPLICANT IS BRR ARCHITECTURE, INC. AND THE PROPERTY OWNER IS WAL-MART STORES, INC. – APPLICATION NUMBER D16-0023

Kimberly Matlock presented the staff report. Mary Beth Gregory of BRR addressed questions from the Commission.

Vice Chair Sangha opened the public hearing. As no one came forward, the public hearing was closed.

**ACTION** It was moved by Commissioner Tanner, and seconded by Commissioner Hudson, that the Planning Commission recommend the City Council approve the PDP and the FDP for the training center addition (Application No. D16-0023), subject to the conditions, and based on the findings, contained in the Planning Commission Resolution dated April 26, 2017. A voice vote found all in favor; passed and so ordered.

**B. PUBLIC HEARING TO CONSIDER REVOCATION OF A CONDITIONAL USE PERMIT (CUP 15-0008) FOR THE VENU NIGHTCLUB TO OPERATE AN EATING AND/OR DRINKING ESTABLISHMENT THAT SERVES ALCOHOL AND PROVIDES ENTERTAINMENT AFTER 11:00 P.M. AT 1005 E. PESCADERO AVENUE, UNIT #109**

Vice Chair Sangha recused herself from the hearing, stating that she has a conflict of interest because she is a neighbor to the applicant. Leticia Ramirez stated that she would also be recusing herself, given her current role in advising staff on the legal issues pertaining to this matter, and announced that Judith Robbins, who serves as special counsel to the City, would be acting as the legal advisor to the Planning Commission on this item.

Scott Claar presented the staff report. Corporal Dan Pasquale discussed background and Police Department concerns, then addressed questions from the Commission.

Commissioner Tanner opened the public hearing. C.J. Bassi spoke, and distributed materials to the Commission and staff. Richard Alvarez spoke. Angela Ward spoke. The public hearing was closed.

Kevin Jorgensen addressed a question from the Commission regarding required corrections and status.

**ACTION** It was moved by Commissioner Krogh, and seconded by Commissioner Hudson, that the Planning Commission revoke the Conditional Use Permit for The Venu to operate an eating and/or drinking establishment that serves alcohol and provides entertainment after 11:00 p.m. at 1005 East Pescadero Avenue, Unit 109, based upon: lack of compliance with City regulations and State Building Code and Fire Code requirements; lack of compliance with State of California Department of Alcoholic Beverage Control (ABC) licensing requirements; multiple incidents requiring law enforcement involvement, including an unreported shooting; and other issues of concern. A voice vote found all in favor; passed and so ordered.

**2. ITEMS FROM THE AUDIENCE**

None.

**3. DIRECTOR'S REPORT**

None.

**4. ITEMS FROM THE COMMISSION**


Commissioner Tanner announced an upcoming Police Department event for the disposal of prescription drugs and needles, adding that the drug disposal containers are available at the Police Department during business hours.

**5. ADJOURNMENT**

It was moved by Commissioner Hudson, and seconded by Commissioner Krogh, to adjourn.

Time: 8:01 p.m.

  
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STAFF LIAISON

  
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CHAIR