

ESPARTO CITIZENS ADVISORY COMMITTEE  
**DRAFT MEETING MINUTES**

09/19/17

Revised 10/21/17

Attending: Colleen Fescenmeyer, Pat Harrison, John Hulsman Jr, Randy Jacobs, Giacomo Moris, George Pennebaker, Sandie Reed, Lisa Wyatt

Absent: Cynthia Havstad

### MEETING ADMINISTRATION

- 1) Call to order at 07:02 pm by Chair G. Pennebaker.
- 2) Agenda:
  - a) **Motion** by J. Hulsman to approve agenda with 8b (Ravine Sports Bar) moved up to after Public Comments, second by P. Harrison. Vote: all in favor, none opposed.
- 3) Minutes for August 15, 2017:
  - a) Minor edits were provided by G. Pennebaker,.
  - b) **Motion** by J. Hulsman to approve minutes for August as revised, second by S. Reed. Vote: all in favor, none opposed.
- 4) Correspondence & Announcements (none).

### PUBLIC FORUM

- 5) Public Comments
    - a) Anna Vasquez introduced herself as new staff support for Supervisor Chamberlain. She attended Esparto schools.
- (Item 8b) Ravine Sports Bar:
- i) James Kinter presented.
  - ii) Old building torn down due to fire hazard.
  - iii) Concept: Initially a tavern, now more a bar and grill. 2 stories, two offices and live-in suite upstairs
  - iv) With New Seasons help, making it more fitting, and built up to the street.
  - v) Would like to do a beer garden out in front, but waiting for Caltrans to do Streetscape.
  - vi) Solar panels. Architecture style will be brick facing at first level with board and batten above and a steel roof.
  - vii) Horseshoe style bar.
  - viii) American food, some healthy stuff. No burgers or pizzas (so as not to compete with Hog Canyon or Road Trip's best sellers.
  - ix) Hiring 10 people, locals. Robert Bettencourt will be the executive chef. 22 full time jobs potentially when fully built out.

- x) Family oriented, when kitchen is open. Plan is to be closed Monday, Tuesday. Open from 11 to 11 Wednesday, Thursday, Friday; 11 to 2 Saturday; Sunday TBD.
- xi) Hoping to open between February and April.
- xii) Hall of fame for Esparto sports people.
- xiii) G. Moris – by right or discretionary? Seems to comply with DMX. Eric Parfrey explained that they are working that out still.

#### 6) County Update

- a) G. Moris asked about the results of the recent Board of Supervisors meeting regarding ag zoning and event centers. Eric Parfrey explained that the topic was extended to the 11/7 meeting. G. Moris also asked how to submit complaints for rogue/unpermitted event centers. There is an on line complaint form on the County website.

#### 7) Action Items

- a) ZF #2017-0015 Esparto Gas Station
  - i) Eric introduced the project and Dan Boatwright of Castle Homes.
  - ii) Comment time open until 10/11 – goes to Planning Commission on 10/12.
  - iii) Eric described project and original development agreement for Orciuoli project. Project to include 5 gas pumps, 5000sf building, mini mart, fast food restaurant and drive thru window, car wash, etc.
  - iv) Use permit required for gas station under new zoning requirements. Permit required for ABC license and drive through window.

#### C. Fescenmeyer arrived at 7:23

- v) Dan explained no franchisee has been signed up yet. G. Pennebaker asked if Dan could share who are the candidates for the franchisee? – No.
- vi) Lynn Rolston asked about franchisee process. Dan answered and explained that construction cost is about \$2M. Working on which brand, county approvals, etc. Lynn – if they chose ARCO for example, is there a particular restaurant/mini mart that goes with it? Yes, but there is some flexibility.
- vii) Babs Beckwith noted that the project documents are now posted on Nextdoor.com
- viii) Public X – Could gas station be approved without quick serve restaurant? Dan – probably not. Could board approve gas station without drive through?
- ix) Nancy Pennebaker inquired about the negative declaration and noted that we used to have a gas station on a property with a lot of hazardous waste. Dan – toxics test done on the property to make sure it was clean to begin with. Now there are double walled tanks underground to catch leaks. Nancy – who discovers there is a leak? Dan – all done electronically and checked by the State. Nancy – what if someone in the future wants to do something that is different than a gas station. Dan - it's expensive to remove the tanks. Once a gas station is there, it is a gas station (for the foreseeable future). Nancy – maybe the gas station should go back over to the north side lot where one used to be.
- x) Charlie Schaupp – Hoping for Arco, the project should be helpful for the town. It is going to bring water and sewer for the park project too. Water needs a

- circular loop. Wants to keep sycamores along the road for consistency. Car wash may be unsightly at town's entrance.
- xi) G. Pennebaker – this was tied into housing project – is it still tied? Yes. Eric noted that they are opening up development agreements to be reexamined/updated. In that case it will come before the ECAC.
  - xii) G. Moris – agrees with Charlie that street trees are needed and called for by the Esparto Area Plan.
  - xiii) Babs Beckwith – pedestrian/traffic flow problems a concern.
  - xiv) Charlie Schaupp – proximity to school a concern. When El Toro wanted to sell beer and wine they had to approach school. Thinks they would still apply for a waiver. Need to ask Caltrans to rework bridge with walkways – can't have kids walking on road. Dan – understands plan for park/pool is to have a bridge over Lamb Valley Slough Yes, but other side of road needs something.
  - xv) C. Fescenmeyer – Have there been new traffic counts taken by Caltrans? Eric, probably it is the County consultant hired to redo the traffic study for the East side of Esparto.
  - xvi) Public Y – (just arrived at meeting) – Complained that he did not get notice. Committee members explained the agenda is posted at library, and ECAC meetings are the third Tuesday of every month.
  - xvii) Sue Heitman – few comments: 1) James Kinter had to leave but his concern was similar to Babs concern – kids going across the street to get lunch. 2) Need a full sidewalk. 3) This is a good time to have a discussion with Caltrans with Safety Improvement Project starting in 2018. County should follow up.
  - xviii) G. Moris – repeated his comment at last month's meeting that the gas station's air emissions noted in the neg dec appear to be below the threshold of requiring setbacks from sensitive land uses like the school and park/pool project. Main concern would be cars idling in the drive through and trucks delivering diesel – would like to hear feedback from the community on this if there is any concern.
  - xix) G. Pennebaker – would like to invite Caltrans to tell us what they are up to. Patricia Valenzuela – we could work with Cecilia Aguilar-Curry (at State). Supervisor Chamberlain's office to follow up.
  - xx) Charlie Schaupp – flashing light crosswalk seems to work.
  - xxi) G. Moris – Regarding the DMX zoning and the "built to street" requirement, does it apply in this case? Doesn't seem to be in the area defined as "downtown" by the area plan. Eric confirmed no.
  - xxii) Nancy Pennebaker noted she is on the school board and is not in favor of alcohol being sold. Also, kids will go to fast food at lunch with the open campus.
  - xxiii) P. Harrison – doesn't ABC have an absolute distance? Eric – ABC web page has FAQ's specific about distance and suggests we read it – cites 600 ft distance, but don't have to abide.
  - xxiv) Public Y - Need to have owner to ask questions to. Real estate developer is here to present. G. Pennebaker explained that there is no franchisee yet.
  - xxv) Public Z - Is this the first meeting on the gas station? No, the second.

- xxvi) Charlie Schaupp – also had same concerns about alcohol with El Toro – but has not been an issue after all.
  - xxvii) L. Wyatt – Not a fan of fast food, especially this close to school.
  - xxviii) C. Fescenmeyer – Fast food isn't great; however, it didn't seem to hurt Winters.
  - xxix) Robert Fescenmeyer – if we want to grow our town, we need to bring in services.
  - xxx) Dan – There are cameras in stores with people in remote locations watching for activity or theft.
  - xxxi) Nancy Pennebaker – not worrying about students buying alcohol; but concern about so many places selling alcohol in a small area, getting saturated. Charlie Schaupp – total alcohol or just beer and wine? – Dan the latter.
  - xxxii) Public Y – objects to gas station because he has no information. G. Pennebaker – what is it that you want? P. Harrison provided documents to him and G. Pennebaker explained that the comment period is open until October 11, and it will be heard at the Planning Commission on 10/12.
  - xxxiii) **Motion** by G. Moris to recommend approval of gas station, but deny approval of drive through and alcohol license due to proximity to school and impact to local business. Motion failed due to no second.
  - xxxiv) **Motion** by C. Fescenmeyer to approve project as is, second by S. Reed.  
Discussion:
    - (1) S. Reed believes there should be a drive through with fast food, otherwise business would be curtailed.
    - (2) J. Hulsman – Gas station requested years ago, and have been talking about it for years, so he is not inclined to pull out at this time.
    - (3) L. Wyatt – in San Luis Obispo, not a single fast food has a drive thru. Would prefer motion to approve gas station without drive through.
    - (4) Vote (on C. Fescenmeyer's motion to approve project as is):
      - (a) In favor: S. Reed, J. Hulsman, P. Harrison, R. Jacobs, C. Fescenmeyer
      - (b) Opposed: G. Moris, L. Wyatt
      - (c) Abstention: G. Pennebaker (Chair)
    - (5) Motion passes.
- b) Grafton speed bumps/undulations/tables. G. Pennebaker asked what is being requested of ECAC on this subject.
- i) Babs Beckwith – Tell county it is OK.
  - ii) Patricia Valenzuala – County looking at funding (maybe \$40K) to place on speed controls on Grafton street.
  - iii) Babs Beckwith added that a petition was distributed along Grafton from Omega on down – no objections.
  - iv) **Motion** by G. Moris to endorse County's allocation of funds for speed controls, second by S. Reed.
    - (1) Discussion: J. Hulsman and Charlie Schaupp both expressed that they are not in favor of speed pumps, but if community wants it (they can have it).
    - (2) Vote: All in favor, none opposed.

## 8) Discussion Items

### a) Cannabis ordinance

#### i) Leslie Lindbo provided update:

(1) Ordinance in place since March 2016

(2) Board of Supervisors directed staff to:

(a) Originally 100 licenses available, but only 65 applied so far. Put a sunset on those with water board permit that have not come forward.

(b) Allowance for more than one grow site on the same parcel. Ability to collocate or relocate if original location didn't make sense.

(c) Fences becoming discretionary since so many complaints about unsightly fences.

(d) Addressing enforcement – many complaints. Illegal grow sites.

(e) Return to BOS 10/10 with draft changes to fix ordinance. Also hearing from public that they want a more public process with issuance of licenses. Transition to land-use based and requirement for use permits – could come to ECAC in future.

(3) Need for other businesses for clones, trimming, drying.

(4) P. Harrison – consideration for increasing distance from grow to next dwelling? Yes – going from 75 feet to 1000 ft on neighboring parcel.

(5) Patricia – if you have concerns or complaints, contact Ag commissioner's office – they will follow up with Task Force.

(6) Supervisor Chamberlain explained – 1 acre (allowed by State) is for canopy – so sometimes they are much larger with plants spaced apart and crossroads for example.

(a) Nancy – If they are inspecting for fire exits, many should not have passed. Leslie noted that Barry Burns (retired fire chief) is on task force. Addressing has also been a problem – need actual address of grow.

(b) G. Moris – what is timeline for land use based ordinance? Leslie: July 2018.

(c) P. Harrison – minimum parcel size? They are reviewing other county examples and listening to what people are saying.

## 9) Future Agenda Items

a) CalTrans

b) Park/Pool Update

c) Speed "Undulations" follow up

d) Request from member of public to add Animal Control – loose dogs in town. This is not an ECAC issue for the formal agenda. L. Wyatt – probably could get someone at the Sheriff's to come to the ECAC meeting.

e) Code enforcement? G. Moris asked if the Cannabis license fees have refunded the code enforcement – Leslie explained that they cannot use those fees to enforce other code issues, but if there is a tax, it could. County will respond to code issues, but often they do not have the ability to force the owner to change/clean up.

10)Adjournment

- a) The meeting was adjourned at 08:56 pm by chair G. Pennebaker. Motion by P. Harrison, second by S. Reed.

11) Community Forum (no further discussion noted)

GLM

9/30/17

10/21/17