

1 filed. ABC lets the applicant and the jurisdiction know that there is an
2 overconcentration and will require a determination of Public Convenience or
3 Necessity (PCN). If that determination is made, a request is taken forward to
4 Council for action. The most recent example of this was Grocery Outlet, who
5 received a determination of PCN in February 2010.
6

7 Commissioner Kurrent expressed concern about the alcohol sales being close to
8 Pinole Valley High School. He asked if Trader Joe's had special conditions due to
9 the proximity to the high school.
10

11 Ms. Hersch explained that there were no special conditions associated with
12 Trader Joe's use permit. However, the Community Preservation Team had
13 worked with Trader Joe's on best security practices. The Community
14 Preservation team could work with Walgreen's to impose similar security
15 practices.
16

17 Commissioner Kurrent highlighted a discrepancy in the applicant's statement
18 letter and the floor plan. The letter identified a 4.5 sq. ft. beer cooler while the
19 plans showed a much larger cooler allowing for 47 sq. ft. in shelf area.
20

21 Ms. Hersch deferred that question to the applicant for clarification.
22

23 Commissioner Sekins asked about license compliance and if the City receives
24 any notification if there are compliance issues.
25

26 Ms. Hersch explained that ABC will contact the City if there are license violations.
27 In recent years, this has only happened once.
28

29 PUBLIC HEARING opened. Carolyn Nelson-Rowan, representative for
30 Walgreens Corporation, explained that the alcohol sales request is part of a
31 nationwide campaign for Walgreen's. She emphasized that there are additional
32 security procedures in place for staff to follow including identification requests,
33 and register prompts. Security cameras are also installed in the store.
34

35 Ms. Rowan-Nelson also noted that the letter provided to the Commission is a
36 standard letter. She noted that the information related to the beer cooler is
37 erroneous. The site plan provided is accurate and represents shelving and floor
38 area information.
39

40 Commissioner Sekins asked about a previous statement made by Ms. Rowan-
41 Nelson. She indicated that there was an available Type 20 license. He noted that
42 the staff report shows this is the sixth of six permitted alcohol sales licenses in
43 the Census Tract.
44

45 Ms. Nelson-Rowan noted that she may have misspoke but noted that there was

1 at least one available license to allow alcohol sales.

2
3 PUBLIC HEARING CLOSED.

4
5 Commissioner Kurrent expressed concern about shoplifting of alcohol. He
6 appreciated the fact that Walgreens does not sell single-serve bottles, but he was
7 concerned that without proper surveillance or additional customers nearby, there
8 is an increased chance that shoplifting could occur.

9
10 Planning Manager WINSTON RHODES, explained that the Pinole Police
11 Department reviews the development application and determines if additional
12 conditions should be imposed. He also noted that the Police Department does
13 outreach with the businesses to insure that proper security practices are in place.
14 He mentioned that if the Commission desired, a special condition related to
15 security could be included.

16
17 Commissioner Kurrent supported the idea of an additional condition.

18
19 Commissioner Toms noted that Condition 8 lends itself to modification and could
20 be change to include language after the word “aspect” to include “location and
21 security measures” as additional information to review.

22
23 Commissioner Brooks noted that he had a similar concern as Commission
24 Kurrent, though previously, there was a Lucky Grocery Store which sold more
25 alcohol and single-servings, and there wasn’t much of an issue.

26
27 ***Commissioner Toms moved approval of the project request with the***
28 ***inclusion of “location and security measures” to be included after “other***
29 ***aspects” for Condition 8. Police Department should also be added to***
30 ***enforcement column.***

31
32 MOTION: Toms SECONDED: McGoldrick Approved: 6-0

33
34 **F. OLD BUSINESS:**

35
36 None.

37
38 **G. NEW BUSINESS**

39
40 None.

41
42 **H. CITY PLANNER’S/COMMISSIONER’S REPORT:**

- 43
44 1. May 20, 2010 AB1234 Ethics Training Reminder
45

1 Mr. Rhodes reminded Commissioners to RSVP for the Ethics Training
2 Seminar.

3
4 Mr. Rhodes also noted that the Housing Element will be brought back for a
5 study session at the next meeting.

6
7 Commissioner Sekins asked if staff could name the new tenant at the former
8 Mervyn's space.

9
10 Mr. Rhodes noted that a press release was sent and that it would be
11 announced publicly later in the week.

12
13 **I. ADJOURNMENT: 7:20 P.M.**

14
15 Transcribed by: Associate Planner Anne Hersch