

PLANNING COMMISSION

Kerri Warren, Chair
Candis Woods Vice Chair
Shirley Benningfield, Commissioner
Huston Carlyle, Commissioner
Peggy White, Commissioner

CITY PLANNER
Karen Mantele

MINUTE CLERK



201 North Lassen Street
Willows, CA 95988
530) 934-7041

PLANNING COMMISSION MEETING AGENDA

Wednesday January 15, 2014

7:00 p.m.

1. **Call to Order - 7:00 p.m.**
2. **Pledge of Allegiance**
3. **Roll Call**
4. **Agenda Review:** (Requested Changes by Commissioners or Staff?)
5. **Public Comment:** Persons wishing to speak on a matter *not on the agenda* may be heard at this time; however, no action will be taken unless placed on a future agenda. (***Public Comments are generally restricted to three minutes.***)
6. **New Business**
Election of Planning Commission Chair and Vice Chair
7. **Review of Conditional Use Permit for Long Way Home Saloon/Commission one year review**
Assessors Parcel Number: 002-162-006 222 W. Walnut Street/Central Commercial Zoning District/General Commercial Land Use Designation
8. **Commission Commentary**
9. **Adjournment**

CERTIFICATION: Pursuant to Government Code § 54954.2 (a), the agenda for this meeting was properly posted on or before January 10, 2014.

A complete agenda packet, including staff reports and back-up information, is available for public inspection during normal work hours at City Hall or the Willows Public Library at 201 North Lassen Street in Willows or on the City's website at www.cityofwillows.org. In compliance with the Americans with Disabilities Act, the City of Willows will make available to members of the public any special assistance necessary to participate in this meeting. The public should contact the City Clerk's office 934-7041 to make such a request. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

The City of Willows is an Equal Opportunity Provider

**PLANNING COMMISSION
AGENDA REPORT**

MEETING DATE: January 15, 2014
TO: City of Willows Planning Commission
FROM: Karen Mantele, Principal Planner *KMM*
SUBJECT: Election of Chair & Vice Chair

Per Section 2.35.020 of the Willows Municipal Code and Policy Number 6-1, and in order to facilitate a consistent and orderly selection of officer, appointments of the offices of Chair and Vice-chair shall be made during the first meeting of the Planning Commission after January 1st of each year. The Chair and Vice-Chair positions will be by majority vote of the Planning Commission.

Staff Recommendation:

Elect Officer(s)

Willows Planning Commission Agenda Report:

January 15, 2014

Project: Use Permit Review
Business: Long Way Home Saloon
Business Owner: Jillian M. Beath
Project Location: 222. W. Walnut Street, Willows, CA
Parcel No: 002-162-006
General Plan: General Commercial
Zone: Central Commercial (CC)

Background:

At the December 19, 2012 and January 16, 2013 regular meetings, Staff brought before the Planning Commission a review of a Use Permit for the Long Way Home Saloon that had conditions of approval granted with it initially that required two year review by the Commission. The business was originally granted a Use Permit in 2001 and modified in 2002 with subsequent reviews thereafter. However, it was discovered that no review in front of the Commission had taken place since 2006.

At the December 2012 meeting the Commission heard staffs' report and public comment and then continued the item until the January 16, 2013 meeting in order to garner additional information for the Commission. The Commissions' concern at the January meeting was regarding whether the business operation was causing night disruption to the nearby neighbors and whether the business was complying with the ABC conditions placed upon their license. At the January 16th meeting the Commission reviewed the additional information and subsequently granted the extension of a Use Permit to operate the business with the condition (#2) that the "*Term of the CUP will be limited to five years from the date of approval with a review in one year from the date of approval and thereafter Commission review every two years*". This meeting is being held to conform to the condition to review the Use Permit one year from date of approval. .

Current Status:

Staff was contacted in September of 2013 by way of a letter from the State Alcohol and Beverage Control (ABC) regarding a request by Ms Beath to modify a condition placed on her liquor license for the business. A written response from staff was sent to ABC stating no objections to the request to modify. The outcome of this request was that ABC removed one condition from the liquor license which had to do with the exterior advertising sign which was a topic of discussion at the January 2013 meeting.(*See attached revised conditions*). Staff contacted ABC to ask whether there were any issues or disciplinary actions against the Saloon and there were none I was told.

At the January 2013 meeting the Commission was provided police reports for 2010 and 2011 for the Long Way Home Saloon and four other business that serve alcohol in the City. Staff contacted the Willows Police department to obtain police reports for 2013 for the Saloon and three other businesses that serve alcohol (*one business has since closed and the new one has no log info*). The police reports are included for the Commission's review.

STAFF RECOMMENDATION:

Staff recommends that the Commission review the attachments and determine the status of extending the Use Permit

PLANNING COMMISSION OPTIONS:

- 1) Review the current status and recommend continuation of the Use Permit with review in two years per 2013 conditions of approval
- 2) Deny the continuation of the Use Permit with appropriate findings for denial.

Attachments:

1. September 2013 letter from ABC
2. Letter from Jillian Beath with new ABC conditions

Submitted by:



Karen Mantele
Principal Planner

ABC Letter/Attachments/Old Conditions

STATE OF CALIFORNIA — BUSINESS, CONSUMER SERVICES, AND HOUSING AGENCY

Edmund G. Brown Jr., Governor

DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL
 REDDING DISTRICT OFFICE
 1500 CHURN CREEK RD., SUITE 315
 REDDING, CA 96002
 (530) 224 4830



September 12, 2013

Willows Planning Dept.
 445 S Boite
 Willows, CA 95988

**CERTIFIED MAIL
 RETURN RECEIPT REQUESTED**

LONG WAY HOME SALOON
 DBA: LONG WAY HOME SALOON
 222 W WALNUT ST, WILLOWS, CA 95988
 File: 48-406835

Dear Planning Dept

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, has petitioned the Department to remove or modify certain conditions on their alcoholic beverage license. I have enclosed the following items for your information and consideration:

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.
3. A copy of the licensee's letter describing the conditions the licensee is seeking to remove or modify.

According to the provisions of Section 23803 Business and Professions Code, you have thirty (30) days to file a written objection to the modification/removal of these conditions. If you have any questions or need any additional assistance in this matter, please do not hesitate to contact this office at (530) 224 4830.

Sincerely,

Katherine Skuris
 Licensing Representative

enclosure

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

IN THE MATTER OF THE APPLICATION OF

Long Way Home Saloon
Long Way Home Saloon
222 W Walnut St
Willows, CA 95988

FILE 48-409835

REG.

RECEIVED

NOV 20 2003

Dept. of Alcoholic Beverage Control
REDDING DISTRICT

PETITION FOR CONDITIONAL
LICENSE

For Issuance of an On Sale General Public Premises 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 and/or parking lot, operated in conjunction therewith, are located within 100 feet of residence(s); and,

WHEREAS, issuance of the applied-for license without the below-described conditions would interfere with the quiet enjoyment of the property by nearby residents and constitute grounds for the denial of the application under the provisions of Rule 61.4, of Chapter 1, Title 4, of the California Code of Regulations; and,

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

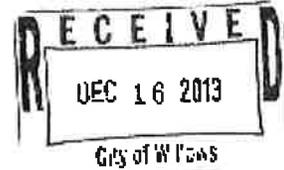
NOW, THEREFORE, the undersigned petitioner(s) do/does hereby petition for a conditional license as follows, to-wit:

1. Any graffiti painted or marked upon the premises or on any adjacent area under the control of the licensee(s) shall be removed or painted over within 72 hours of being applied.
2. The Front and Back door(s) shall be kept closed at all times during the operation of the premises except in cases of emergency and to permit deliveries. Said door(s) not to consist solely of a screen or ventilated security door.
3. Entertainment provided shall not be audible beyond the area under the control of the licensee(s) as defined on the ABC-257 dated 6/19/03 and ABC 253 dated 6/19/03.
4. The sale of alcoholic beverages for consumption off the premises is strictly prohibited.
5. The petitioner(s) shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control, as depicted on the ABC-257 dated 6/19/03 and ABC-253 dated 6/19/03.
6. No alcoholic beverages shall be consumed on any property adjacent to the licensed premises under the control of the licensee(s) as depicted on the ABC-257 dated 6/19/03 and ABC-253 dated 6/19/03.
7. There shall be no exterior advertising or sign of any kind or type, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. Interior displays of alcoholic beverages or signs which are clearly visible to the exterior shall constitute a violation of this condition.

ABC 172 (5/8-)

Letter from Jillian Beath with new ABC conditions

Long Way Home Saloon, Inc
222 W Walnut St
Willows, CA 95988
530-934-7813



Karen Mantele
Principal Planner
City of Willows
201 N Lassen
Willows, CA 95988

December 18, 2013

Karen,

Enclosed you will find our new list of conditions issued from the Dept of Alcoholic Beverage Control.

Sincerely,

A handwritten signature in black ink that reads "Jillian M Beath".

Jillian M Beath
President
Long Way Home Saloon, Inc.

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

IN THE MATTER OF THE PETITION OF:

LONG WAY HOME SALOON
LONG WAY HOME SALOON
222 W WALNUT ST
WILLOWS, CA 95988

REDDING DISTRICT OFFICE

File: 48-406835

FOR THE MODIFICATION OF CONDITIONS ON
THE ON-SALE GENERAL PUBLIC PREMISES -
LICENSE

Respondent(s)/Licensee(s)
under the Alcoholic Beverage Control Act.

ORDER

Pursuant to Section 23803 of the Business and Professions Code, and good cause appearing therefore, it is hereby ordered that the condition(s) presently endorsed upon the license be modified in conformance with the petition submitted by the licensee(s), dated November 21, 2013, which is attached.

Pursuant to Section 23802 of the Business and Professions Code, the licensee(s) shall attach the modified petition to the license certificate.

CERTIFICATION

It is hereby certified that on December 13, 2013 the Department of Alcoholic Beverage Control adopted the foregoing as its order in the proceedings therein described.

Sacramento, California
Date: December 13, 2013



Matthew D. Botting
General Counsel

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

IN THE MATTER OF THE APPLICATION OF

LONG WAY HOME SALOON
LONG WAY HOME SALOON
222 W WALNUT ST, WILLOWS, CA 95988

) FILE 48-406835

) REG.

) PETITION FOR CONDITIONAL
) LICENSE

For Issuance of an On-Sale General Public Premises -
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 and/or parking lot, operated in conjunction therewith, are located within 100 feet of residences(s); and,

WHEREAS, issuance of the applied-for license without the below-described conditions would interfere with the quiet enjoyment of the property by nearby residents and constitute grounds for the denial of the application under the provisions of Rule 61.4, of Chapter 1, Title 4, of the California Code of Regulations; and,

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 Any graffiti painted or marked upon the premises or on any adjacent area under the control of the licensee(s) shall be removed or painted over within 72 hours of being applied.
- 2 Entertainment provided shall not be audible beyond the area under the control of the licensee(s) as defined on the ABC-257 dated 6-10-03 and ABC-253 dated 6-19-03.
- 3 Loitering is prohibited on or around these premises or this area under the control of the licensee(s) as depicted on the ABC-257 dated 6-10-03 and ABC-253 dated 6-19-03.

REC-11-11-11

DEC 02 2013

Initials

ABC-172 (SM)

Alcoholic Beverage Control
REDDING DISTRICT

- 4 ~~No alcoholic beverages shall be consumed on any property adjacent to the licensed premises under the control of the licensee(s) as depicted on the ABC-257 dated 6-10-03 and ABC-253 dated 6-19-03.~~
- 5 The front and back door(s) shall be kept closed at all times during the operation of the premises except in cases of emergency and to permit deliveries. Said door(s) not to consist solely of a screen or ventilated security door.
- 6 The petitioner(s) shall be responsible for maintaining free of litter the area adjacent to the premises over which they have control, as depicted on the ABC-257 dated 6-10-03 and ABC-253 dated 6-19-03.
- 7 The sale of alcoholic beverages for consumption off the premises is strictly prohibited.

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 21st DAY OF November, 2013

[Signature]
Applicant/Petitioner

[Signature]
Applicant/Petitioner

PC RESOLUTION NO. 01-2013**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILLOWS APPROVING THE REINSTATEMENT OF A USE PERMIT FOR THE LONG WAY HOME SALOON FOR PROPERTY LOCATED AT 222 W. WALNUT STREET, ASSESSORS PARCEL 002-162-006**

WHEREAS, business owner Jill (Johnston) Beath, had filed for a Conditional Use Permit application in January of 2001 to allow establishment of a cocktail lounge at 222 W. Walnut Street located within the Central Commercial zoning district, and;

WHEREAS, the Planning Commission on January 17, 2001 at a public hearing granted Ms (Johnston) Beath a Use Permit to operate a cocktail lounge at 222 W. Walnut with conditions, and;

WHEREAS, business owner Jill (Johnston) Beath, in October 2002, applied for a modification to the Use Permit to expand the existing cocktail lounge into the adjacent business to the east at 216 W. Walnut Street; and

WHEREAS, the Planning Commission on October 2, 2002 at a public hearing, granted Ms (Johnston) Beath a modification to the existing Use Permit with conditions for reviews every two years, and;

WHEREAS, the Planning Commission on May 5, 2004 and March 1, 2006 did review the Use Permit with no changes, and

WHEREAS, the Planning Commission on December 19, 2012 held a public hearing to review the Use Permit for reinstatement and considered all public oral and written comments, letters and documents, staff reports, and all other documents and evidence which are a part of the Record; and,

WHEREAS, the Planning Commission continued the item at the December 19, 2012 meeting until January 16, 2013 for further consideration, and;

WHEREAS, the Planning Commission on January 16, 2013 held a public hearing to review additional public comments, documents, staff reports, and all other documents and evidence which are part of the Record, and;

WHEREAS, the Planning Commission finds that the proposal is considered exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301, Class 1, Existing Facilities, and

WHEREAS, the Planning Commission does find that the proposed use is consistent with the purposes of the district in which the site is located, as cocktail lounges are allowed within the Central Commercial zoning district with an approved Use Permit from the Planning Commission, and,

WHEREAS, the Planning Commission does find that the proposed location of the use and the conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity, as the

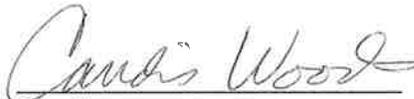
conditions of approval to allow a cocktail lounge have been included in the approval of this project to ensure the safety and welfare of the public are met; and

WHEREAS, the Planning Commission does find that the proposed use is in conformance with the General Plan, as service related businesses are permitted within this designation.

NOW THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Willows does hereby find that the reinstated Use Permit to allow a cocktail lounge is consistent with the City of Willows General Plan, the City of Willows Municipal Code, and hereby approves Use Permit, subject to the attached conditions of approval set forth in the attached EXHIBIT; and,

IT IS HEREBY CERTIFIED that the foregoing Resolution was duly adopted at a regular meeting of the Planning Commission of the City of Willows on Wednesday, the 16th day of January, 2013 by the following vote, to wit:

AYES	Warren, Alves, Caryle, Woods
NOES	0
ABSTAIN	0
ABSENT	0

APPROVED: 
Candis Woods, Chairperson

ATTEST: 
Recording Secretary

EXHIBIT**CONDITIONS OF APPROVAL FOR JILLIAN BEATH
TO OPERATE A COCKTAIL LOUNGE
AT 222 W. WALNUT STREET, APN: 002-162-006****Date of approval: January 16, 2013**

1. The applicant/business owner shall comply with all requirements of their ABC license.

2. Term of the CUP: The CUP will be limited to five years from the date of approval with a review in one year from date of approval and thereafter Commission review every two years.