

PLANNING COMMISSION

Candis Woods, Chair
Kerri Warren, Vice Chair
Amy Alves, Commissioner
Huston Carlyle, Commissioner
_____, Commissioner

CITY PLANNER
Karen Mantele

MINUTE CLERK



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

PLANNING COMMISSION MEETING AGENDA

Wednesday January 16, 2013
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. **Approval of Minutes:** None
7. **New Business/Public Hearing-/ continued item from 12/19/2012 meeting** Persons wishing to speak are asked to approach the microphone to address the Commission. Although not required, it is requested that you please state your name for the record.
 - a) **2001 Use Permit/Permit Review for Long Way Home Saloon**
222 W. Walnut Street/APN: 002-162-006/Central Commercial (CC) Zone
8. **Obtain Commission suggestions on changes to zoning districts and land use designations**
9. **Commission Commentary**
10. **Adjournment**

CERTIFICATION: Pursuant to Government Code § 54954.2 (a), the agenda for this meeting was properly posted on or before January 11, 2013.

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

Willows Planning Commission Agenda Report: January 16, 2013
Continued item from December 19, 2012 meeting

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

Background:

On December 19, 2012 at a regular meeting, the Commission reviewed and heard the background information from staff on the Use Permit status for a business (Long Way Home Saloon) located at 222 W. Walnut Street. In summary, the business was originally granted a Use Permit in 2001 and modified in 2002. At the 2002 meeting a condition was placed upon the Use Permit which stated "The CUP will be limited to five years from the date of occupancy with a Commission review after the first year and further reviews every two years". Reviews were held in front of the Commission in 2004 and 2006, however none thereafter,

At the December meeting, a member of the public (Brian Ramos) spoke to the Commission about the possibility of reducing the hours of operation for the business as he felt their existing hours of operation caused late night disruption to him and his neighbors. Additionally Mr. Ramos submitted a petition signed by him and seven other members of the public asking for a reduction in their business hours. Attached to the petition were the police logs for 2012.

After hearing comments from the public and further discussion of the issue, the Commission continued the item until the January 16, 2013 meeting and directed staff to obtain police logs for the years 2011 and 2012 for the four other established businesses within the city that serve alcohol, and obtain the same for the Long Way Home Saloon for 2011. The Commission also requested that letters be sent to adjacent property owners notifying them of the continued meeting and to extend the boundaries from the original noticing. Staff prepared a letter and sent it to property owners within 500 feet of the parcel. Staff has received one comment from a property owner (Dick Bond) who received a letter. His comment was to not reduce the hours of operation for the business as he felt a reduction in hours would cause the business to close and he did not want to see another business close in the City of Willows.

In response to Commissioner Carlyle's question at the December meeting about whether there was a certificate of occupancy issued that would establish an opening date later than February 1, 2001. In reviewing the building file staff did not locate a C.O., only a building permit issued in 2003 for an interior remodel, which correlates to the time that the business owners acquired the adjacent suite after receiving use permit approval in 2002 from the Commission for the modification to the their use permit to add that suite to their business.

Staff contacted the State ABC (Alcoholic Beverage Control) again asking whether there were any conditions associated with their license. Lists of general conditions were provided to staff and are attached for the Commission's review. As stated at the December meeting, the ABC stated there are no disciplinary actions against the Saloon.

As stated in the December 2012 staff report, since this Use Permit has not been reviewed for over six years by the Commission, it is now within their purview to review the Use Permit and consider it for reinstatement.

STAFF RECOMMENDATION:

Staff recommends that the Commission review the attached police logs and determine the status of extending the Use Permit with periodic reviews (to be determined by the Commission).

PLANNING COMMISSION OPTIONS:

- 1) Review the current status and recommend continuation of the Use Permit with periodic reviews
- 2) Deny the continuation of the Use Permit with appropriate findings for denial.

Attachments:

1. Letter from Long Way Home Saloon regarding hours of operation
2. Memo from Willows Police Department regarding police logs for five businesses that serve alcohol (for the years 2011 and 2012)
3. List of ABC license conditions
4. Draft Resolution and Exhibit with conditions of approval

Submitted by:

Karen Mantele
Principal Planner

**THE APPLICANT IS REMINDED THAT THERE IS A 10 (TEN) DAY APPEAL PERIOD
FOLLOWING THE PLANNING COMMISSION DECISION**

LETTER FROM BUSINESS OWNER OF SALOON

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

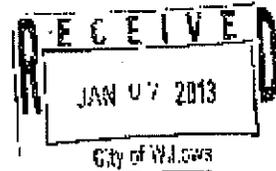
Karen Mantela
Principal Planner
City of Willows
201 N Lassen
Willows, CA 95988

January 02, 2013

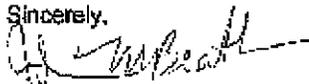
Karen,

As per your request to update your files. Our hours of operation are as follows:

Monday through Sunday, 12:00pm to 2am.



Sincerely,


Jillian M Beath
President
Long Way Home Saloon, Inc.

MEMORANDUM



Willows Police Department

201 N. Lassen, Willows, CA 95988
(530) 934-3456 FAX (530) 934-4964
William Spears, Chief of Police

DATE: 1/3/13
TO: Karen Mantele
FROM: Sgt. C. Walter
SUBJECT: COMPARISON OF ESTABLISHMENT CALLS FOR SERVICE AND REPORTS
FOR 2011-2012

In order to capture the most accurate information for each of the locations, information was pulled to include the specific addresses in question as well as the block where the business is located. I have attached the raw data as well as a summary of those incidents and cases for each location, but for events in the same block I have included only those incidents that were directly related in narrative form to the establishment in question. In all but one instance, Cases were connected to Incidents.

Long Way Home Saloon:

2011: 31 Events* (30 Incidents with 16 Cases**)

2012: 26 Events (26 Incidents with 9 Cases)

*(*In 2011, 2 of the incidents were alarm calls.)*

*(**In 2011, 1 case was not associated with an incident, thus accounting for the additional event)*

Last Stand Bar & Grill:

2011: 7 Events* (7 Incidents with 3 cases)

2012: 5 Events (5 Incidents with 2 Cases)

*(*In 2011, 3 of the events were alarm calls.)*

Casa Ramos Restaurant:

2011: 15 Events* (15 Incidents, 1 case)

2012: 1 Event (1 Incident, 0 cases)

*(*In 2011, 1 of the events was a parking problem and 9 were alarm calls.)*

Yeti's Bar & Grill:

2011: 0 Events (Business was not yet open)

2012: 0 Events (None at the address involved Yeti's)

99 Steak House:

2011: 0 Events (0 Incidents, 0 Cases)

2012: 1 Event (1 Incident, 0 Cases)

**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.

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 6/10/03 and ABC-253 dated 6/10/03.
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 6/10/03 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.

PC RESOLUTION NO. __-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
NOES
ABSTAIN
ABSENT

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: _____, 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 _____ years from the date of approval with Commission review every _____ year.