City of Winters Planning Commission
Tuesday, May 27, 2025, 6:30 PM

AGENDA

Community Development Department
Contact Phone Number (530) 794-6714
Email: dave.dowswell@cityofwinters.org

Chairperson: Lisa Baker
Vice Chair: Judith Arce
Commissioners:
Ramon Altamirano
Gregory Contreras
Eric Dye
Jessica Smith
Matt Stone

Jeremy Craig, City Manager

PLEASE NOTE – The numerical order of items on this agenda is for convenience of reference. Items may be taken out of order upon request of the Planning Commission Chair, Commissioners, or City staff. Public comment is limited to 3 minutes, and speakers will be asked to state their name and address.

1. Meeting Information
   Winters Planning Commission meetings are conducted in person at City Hall Council Chambers 318 1ST Street, accessible via the Abbey St side entrance. As a courtesy, and technology permitting, members of the public may continue to participate virtually. However, the City cannot guarantee that the public's access to teleconferencing technology will be uninterrupted, and technical difficulties may occur from time to time. Unless required by the Brown Act, City Council meetings will continue despite technical difficulties for participants using the teleconferencing option.

   Zoom: https://us02web.zoom.us/j/89641957720?pwd=Yj9KWCTDgM7nG6j54CVf2gaXx3EjVy.1

   Meeting ID: 896 4195 7720 Passcode: 336968

   1. If you are joining the meeting via Zoom and wish to make a comment on an item, press the "raise a hand" button. If you are joining the meeting by phone, press *9 to indicate a desire to make a comment. The chair will call you by name or phone number when it is your turn to comment. Speakers will be limited to 3:00 minutes.

   2. If you choose not to observe the Planning Commission meeting but wish to make a comment on a specific agenda item, please submit your comment via email by 5:00 p.m. on the Monday prior to the City Council meeting. Please submit your

comment to the City Clerk at cityclerk@cityofwinters.org. All public comments submitted to the City Clerk will be summarized and read into record but will not be read verbatim due to time limitations.

2. Call to Order: City of Winters Planning Commission Meeting

3. ROLL CALL

4. PLEDGE OF ALLEGIANCE

5. PUBLIC COMMENTS
At this time, any member of the public may address the Planning Commission on matters, which are not listed on this agenda. Citizens should reserve their comments for matters listed on this agenda at the time the item is considered by the Planning Commission. An exception is made for members of the public for whom it would create a hardship to stay until their item is heard. Those individuals may address the item after the public has spoken on issues that are not listed on the agenda. Presentations may be limited to accommodate all speakers within the time available. Public comments may also be continued to later in the meeting should the time allotted for public comment expire.

6. APPROVAL OF AGENDA

7. CONSENT CALENDAR

7.1 Minutes of the Regular Planning Commission Meeting Held on March 25, 2025
Approve Minutes of the Regular Planning Commission Meeting Held on March 25, 2025
Minutes of the Regular Planning Commission Meeting Held on March 25, 2025.docx

8. PUBLIC HEARINGS

8.1 Public Hearing to Consider Resolution No. 2025-03 and Conditional Use Permit # 2025-003 to allow a Type 21 Liquor License at 999 East Grant Ave. (Chevron Gas Station), within the C-H Zoning District to sell distilled spirits, in addition to beer and wine, for consumption off premises, and finding this project exempt from CEQA
   1. Receive a staff report.
   2. Conduct a public hearing.
   3. Adopt Resolution No. 2025-03 approving a Conditional Use Permit to allow a (Type 21) Liquor License at 999 East Grant Avenue (Chevron Gas Station), within the C-H Zoning District and finding this Project exempt from CEQA.

Staff Report - E Grant Chevron CUP.docx
Attachment 1 - Resolution 2025-03 Chevron CUP.docx
Attachment 1, Exhibit A - Conditions of Approval.docx

9. MISCELLANEOUS

10. PRESENTATIONS

11. STAFF COMMENTS/INFORMATION ITEMS

12. COMMISSION COMMENTS/REPORTS
    Under Government Code Section 54952.2, may include: (1) a brief announcement; (2) a question for clarification; (3) a brief report on his or her own activities; (4) request staff to report back to the body at a subsequent meeting concerning any matter, or (5) take action to direct staff to place a matter of business (or issue) on a future agenda.

13. ADJOURNMENT
    I declare under penalty of perjury that the foregoing agenda for the regular meeting of the Planning Commission was posted on the City of Winters website at www.cityofwinters.org and Commission Members were notified via e-mail of its' availability. A copy of the foregoing agenda was also posted on the outside public bulletin board at City Hall, 318 First Street , and made available to the public during normal business hours on Thursday, May 22, 2025.

    _____
    Jeremy Craig, City Clerk

APPEALS: Any person dissatisfied with the decision of the Planning Commission may appeal this decision by filing a written Notice of Appeal with the City Clerk including payment of the applicable Appeal fee, no later than ten (10) calendar days after the day on which the decision is made.

Pursuant to Section 65009 (b) (2), of the State Government Code "If you challenge any of the above projects in court, you may be limited to raising only those issues you or someone else raised at the public hearing(s) described in this notice, or in written correspondence delivered to the City Planning Commission at, or prior to, this public hearing".

MINUTES: The City does not transcribe its proceedings. Anyone who desires a verbatim record of this meeting should arrange for attendance by a court reporter or for other acceptable means of recordation. Such arrangements will be at the sole expense of the individual requesting the recordation.

PUBLIC REVIEW OF AGENDA, AGENDA REPORTS, AND MATERIALS: Prior to the Planning Commission meetings, copies of the Agenda, Agenda Reports, and other material are available during normal working hours for public review at the Community Development Department. In addition, a limited supply of copies of the Agenda will be available for the public at the meeting. Copies of Agenda, Reports and other material will be provided upon request submitted to the Community Development Department. A copy fee of 25 cents per page will be charged.

Any member of the public may submit a written request for a copy of Planning Commission Agendas to be mailed to them. Requests must be accompanied by a check in the amount of

$25.00 for a single packet and $250.00 for a yearly subscription.

OPPORTUNITY TO SPEAK, AGENDA ITEMS: The Planning Commission will provide an opportunity for members of the public to address the Commission on items of business on the Agenda; however, comments are limited to three minutes.

REVIEW OF TAPE RECORDING OF MEETING: Planning Commission Meetings are recorded. Recordings are available for public review on the City of Winters website.

GENERAL NOTES: Meeting facilities are accessible to persons with disabilities. To arrange aid or services to modify or accommodate persons with a disability to participate in a public meeting, contact the City Clerk.

Minutes of the Regular Planning Commission Held March 25, 2025

Chairperson Lisa Baker called the meeting to order at 6:30 PM

Present: Commissioners Ramon Altamirano, Gregory Contreras, Eric Dye, Jessica Smith, Matt Stone, Vice Chair Judith Arce, Chairperson Lisa Baker

Absent: None

Staff: Assistant City Attorney Joanna Gin, Senior Planner Kelly Mumper, Deputy City Clerk Zorina Treat

PLEDGE OF ALLEGIANCE
Mayor Pro Tem Bill Biasi led the pledge of Allegiance.

PUBLIC COMMENTS
A letter was submitted by Theresa and Peter Foster.

APPROVAL OF AGENDA
Motion by Commissioner Contreras, seconded by Dye, to approve the agenda with a clarification that the second recommendation for Agenda Item 8.1 would be to solicit public comment on the proposed resolution (not ordinance). The motion carried unanimously by the following vote:

AYES: Commissioners Ramon Altamirano, Gregory Contreras, Eric Dye, Jessica Smith, Matt Stone, Vice Chair Judith Arce, Chairperson Lisa Baker
NOES: None
ABSENT: None
ABSTAIN: None

CONSENT CALENDAR
7.1. Minutes of the Regular Planning Commission Meeting Held on February 25, 2025.

Commissioner Contreras moved, seconded by Vice Chair Arce, to approve the Consent Calendar with an amendment to the start time of the minutes from the February 25 meeting to 6:30 p.m. The motion was carried unanimously by the following vote:

AYES: Commissioners Ramon Altamirano, Gregory Contreras, Eric Dye, Jessica Smith, Matt Stone, Vice Chair Judith Arce, Chairperson Lisa Baker
NOES: None
ABSENT: None

ABSTAIN: None

PUBLIC HEARINGS

8.1.

Public Hearing to consider Resolution 2025-02 approving a Design Review, and a Conditional Use Permit to allow a Stationary Food Vendor to operate two food trucks in two parking spaces and to allow a neighborhood market, at 400 Railroad Avenue within the D-A Zoning District, and finding this Project exempt from CEQA

Kelly Mumper, Contract Planner, provided a staff report regarding the Conditional Use Permit during the public hearing for a proposed project at 400 Railroad Avenue in the D-A Zoning District. The project will convert a former gas station into a farm-to-table retail space with two stationary food trucks, historic features, and fencing and landscaping. The applicant requested to delay approval of the sign permit at this time because he has not finalized the design and will return to the Planning Commission at a later date for approval of the sign permit.

The hearing opened at 6:51 PM.

Teresa Pisani, John Pickrell, Corinne Martinez and Thaddeus Barsotti provided public comment.

Public Hearing was closed at 7:01 PM.

Commissioner Contreras moved, Commissioner Arce seconded, a motion to adopt Resolution 2025-02 with changes to delete the approval of a sign permit in the Resolution, and to delete the first sentence and the phrase “during the aforementioned times” from the second sentence of Condition No. 4 in the Conditions of Approval. The motion was approved unanimously with the following vote:

AYES: Commissioners Ramon Altamirano, Gregory Contreras, Eric Dye, Jessica Smith, Matt Stone, Vice Chair Judith Arce, Chairperson Lisa Baker

NOES: None

ABSENT: None

ABSTAIN: None

MISCELLANEOUS

None

PRESENTATIONS

None

STAFF COMMENTS/INFORMATION ITEMS

None

COMMISSION COMMENTS/REPORTS

The Commissioners extended their best wishes to Commissioner Stone on his birthday.

ADJOURNMENT

Meeting Adjourned at 7:00 PM.

_____

Lisa Baker, Chairperson

ATTEST:

_____

Jeremy Craig, Planning Commission Secretary

FILE NO. C.U.P. #2025-003, Chevron Gas Station (Type 21 Alcohol License)

PLANNING COMMISSION
STAFF REPORT
May 27, 2025

APPLICANT	Toya Chapagain
OWNER	Aasim Corporation
REPRESENTATIVE(S)	Ashraf & Yasmin Ali
REQUEST	C.U.P. for Type 21 Off-Site Liquor Sales.
ASSESSOR'S PARCEL NO.	038-050-057
PARCEL SIZE	1.08 Acres
LOCATION	999 E Grant Avenue
EXISTING ZONING	C-H (Highway Service Commercial District)
SURROUNDING ZONING	North: C-H (Highway Service Commercial District) South: PQP (Public Quasi Public District) East: C-H (Highway Service Commercial District) West: C-H (Highway Service Commercial District)
SURROUNDING LAND USE	*"Highway Service Commercial District"* *"Public Quasi Public"*
GENERAL PLAN DESIGNATION	*"Highway Service Commercial District"*
ENVIRONMENTAL DETERMINATION	The proposed project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15321,15301 and 15061(b)(3).

COMMENTS RECEIVED BY CITY DEPARTMENTS:

1. **Building Department:** No Comments.

2. **Fire Department:** No Comments.

3. **Police Department:** No Comments.

4. **Public Works Department:** No Comments.

5. **Engineering:** No Comments.

ANALYSIS:

The applicant is requesting a Conditional Use Permit to allow a Type 21 Liquor License at 999 East Grant Avenue (Chevron Gas Station) in order to sell hard liquor in addition to beer and wine. The subject parcel is assigned Assessor's Parcel Number of 038-050-057 pursuant to the Official Records of Yolo County, California. The proposed project location has a Zoning Designation of C-H (Highway Service Commercial District) and a Land Use Designation of "*Highway Service Commercial"* pursuant to the *City of Winters General Plan, 1992*. The project site is located at the corner of E. Grant Avenue and Matsumoto Lane, directly across the street from the PG&E Training Facilities.

On June 28, 2016, the Planning Commission approved Conditional Use Permit for beer and wine sales at the Chevron Station for consumption off the premises, subject to the issuance of a Type 20 (Off-Sale Beer & Wine) Alcohol License by the Department of Alcoholic Beverage Control (ABC), which regulates alcoholic beverage licensing in the State. Condition No. 21 of the CUP stated: "The use permit allows only the expansion of the current beer and wine sales. Applicant will need to apply to amend the use permit should he wish to sell hard liquor." Applicant now desires to sell hard liquor and is seeking a CUP for a Type 21 (Off-Sale General) Liquor License from ABC. A Type 21 License authorizes the sale of beer, wine and distilled spirits for consumption off the premises where sold.

Business and Professions Code (BPC) Section 23958.4 states that the local governing body or its designated subordinate officer or body, must determine if "Public Convenience and Necessity" (PCN) would be served by the issuance of a license where there is an undue concentration of licenses, or a high crime rate. At its meeting on May 20, 2025, the City Council approved Resolution No. 2025-28, which designated the Planning Commission to make the determination on public convenience or necessity.

The City of Winters ,working in concert with ABC, have determined that the census tract for Type 21 Liquor Licenses are oversaturated for the City of Winters. When a census tract is oversaturated for an off-sale beer and wine license, the City of Winters Planning Commission is required to make appropriate findings related to public necessity and convenience. ABC may approve the application for a Type 21 Alcohol License if the Planning Commission determines that public convenience or necessity would be served by the issuance.

Staff recommends that the Planning Commission determine that public convenience or necessity would be served by the issuance of a Type 21 Alcohol License to the applicant. Chevron Station currently sells beer and wine for consumption off premises. The applicant will be required to adhere to the City of Winters Municipal Code Chapter 17.96 (Alcoholic Beverage Establishments in its entirety). These conditions are outlined

within Exhibit A of the proposed Resolution.

OPERATING HOURS:
There are no proposed changes by the applicant, owner, or authorized representative to the current operational hours of the business.

CITY OF WINTERS MUNICIPAL CODE REQUIREMENTS:

Winters Municipal Code section 17.96.010 specifies that "a use permit must be obtained from the city for all on- and off-sale liquor establishments, with the exception of veterans clubs, listed fraternal organizations, and restaurants, as defined in Chapter 17.08."

GENERAL PLAN FINDINGS:
The proposed project is consistent with the *City of Winters General Plan,1992*, as the proposal does not conflict with any identified goals, policies, or objectives outlined within the General Plan.

PARKING:
The project does not propose any changes to the existing parking lot striping or orientation.

FENCING:
The project does not propose any changes to the existing fence nor proposes new fencing.

SIGNAGE:
The project does not propose any changes to the existing signage. However, additional conditions have been included into the conditions of approval which pertain to interior and exterior signage required by state law.

LANDSCAPING:
Landscaping shall be maintained as required by the City of Winters Municipal Code.

COMMUNITY CORRESPONDENCE:
Property owners were notified within 300 feet of the proposed project, and **no comments were received in favor or against.**

ENVIRONMENTAL REVIEW:

The proposed conditional use permit is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15321 15301 and 15061(b)(3) of the (CEQA) Guidelines because it is an enforcement action taken by a regulatory agency, involves the operation of an existing private structure or facility, with negligible or no expansion of existing use, and issuance of the proposed conditional use permit has no potential for causing a significant effect on the environment..

STAFF RECOMMENDATION:

Approve Resolution No. 2025-03 with the stated conditions attached as Exhibit A.

ATTACHMENTS:

A. PC Resolution No. 2025-03
Exhibit A: Conditions of Approval

Planning Commission Resolution No. 2025-03

A Resolution of the Planning Commission of the City of Winters approving a Conditional Use Permit to allow a (Type 21) Liquor License at 999 East Grant Avenue (Chevron Gas Station), within the C-H Zoning District and finding this Project exempt from CEQA

Whereas, on May 5, 2025, the City received an application requesting a Conditional Use Permit to allow a (Type 21) Liquor License at 999 East Grant Avenue (Chevron Gas Station) within the C-H (Highway Service Commercial District) Zoning District to sell beer, wine and distilled spirits for consumption off premises; and

Whereas, Winters Municipal Code Section 17.96.010 requires that a Conditional Use Permit be secured or an existing Conditional Use Permit to be modified and approved by the Planning Commission prior to operating a business which sells beer, wine or liquor and is not a restaurant; and

Whereas, Winters Municipal Code Section 17.20.030 allows the Planning Commission to consider a conditional use permit if the required findings can be made; and

Whereas, a notice of the May 27, 2025, public hearing for the project was published in the *Winters Express* on May 14, 2025; and

Whereas, notice of the public hearing was mailed to property owners within 300 feet of the project location on May 12, 2025; and

Whereas, the City's Community Development Department presented its oral and written staff report on the proposed project at a regular meeting of the Planning Commission on May 27, 2025; and

Whereas, the Community Development Department recommends approval of the proposed Conditional Use Permit based on the findings and conditions of approval provided in Exhibit A attached hereto and incorporated herein; and

Whereas, on May 27, 2025, the Planning Commission held a public hearing on the project to receive oral and written testimony and written prior to reaching its decision; and

Whereas, the Planning Commission must determine if Public Convenience and Necessity (PCN) would be served by the issuance of a license where there is an undue concentration of licenses, or a high crime rate.

Now, Therefore Be It Resolved that the Planning Commission adopts the recommended findings set forth and approves the Conditional Use Permit to allow a (Type 21) Liquor License at 999 East Grant Avenue (Chevron Gas Station) within the C-H (Highway Service Commercial District), subject to the conditions of approval contained in Exhibit A; and

Be it Further Resolved that the Planning Commission makes the following findings:

1. That the project is consistent with the *City of Winters General Plan, 1992*, Title 17, and Title 19 of the Winters Municipal Code.

2. The project complies with the regulations of the Winters Municipal Code Chapter 17.96 which regulates establishments that serve and sell alcohol.

3. Winters Municipal Code section 17.96.010 requires a use permit to be obtained from the city for all on- and off-sale liquor establishments.

4. The requested use is consistent with the intent and purposes of the -H (Highway Service Commercial District) zone in which it is located to provide for commercial services and transient residential uses which are appropriate to highway locations and dependent upon highway travel and will not detrimentally impact the character of the neighborhood.

5. The requested use will not be detrimental to the public health, safety or general welfare of the community.

6. Adequate utilities, access roads, drainage, sanitation and/or other necessary facilities or services will be provided.

7. The requested use will not create a nuisance or enforcement problem within the neighborhood.

8. The requested use will not result in a negative fiscal impact upon the city.

9. While the census tract for Type 21 Liquor Licenses are oversaturated for the City of Winters, that public convenience or necessity would be served by the issuance of an Type 21 Alcohol License to sell beer, wine and distilled spirits for consumption off premises.

10. The sale of alcoholic beverages for on- and off-site consumption is conditioned upon approval by the California Department of Alcoholic Beverage Control.

11. Based on the evidence in the record and findings set forth, determines the Conditional Use Permit to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3), 15301, and 15321(1) of the CEQA Guidelines because it is an enforcement action taken by a regulatory agency, involves the operation of an existing private structure or facility, with negligible or no expansion of existing use, and issuance of the proposed conditional use permit has no potential for causing a significant effect on the environment.

12. This Conditional Use Permit supersedes Conditions of Approval No. 21 of the Conditional Use Permit approved by the Winters Planning Commission on June 28, 2016 for the same property.

It is hereby certified that the foregoing Planning Commission Resolution No. 2025-03 was duly adopted on a motion by Commissioner _____ and seconded by Commissioner _____, at a regularly scheduled meeting of the City of Winters Planning Commission held on the 27th day of May 2025, by the following vote:

Ayes:

Noes:

Absent:

Abstain:

_____

Lisa Baker, Chairperson

Attest:

_____

Jeremy Craig, Planning Commission Secretary

Exhibit A Conditions of Approval

Conditional Use Permit #2025-003, Aasim Corporation, Chevron Gas Station (Type 21 Alcohol License for off-sale Liquor), 999 E. Grant Avenue

CONDITIONS OF APPROVAL

1. The project is described in the May 27, 2025, Planning Commission staff report. The project shall conform to the attachments to the staff report. Changes to the alcohol license type shall require modification to the Conditional Use Permit and subsequent Public Hearings by the Planning Commission.

2. The Conditional Use Permit approval shall expire in one year (May 27, 2026) from its date of approval unless the applicant obtains a Type 21 Liquor License from the California Department of Alcoholic Beverage Control (ABC), or the applicant requests an extension from the Community Development Director. The applicant shall bear all expenses for any extension request submitted to the Community Development Director.

3. The applicant shall obtain the proper alcohol license(s) or licenses from ABC prior to selling liquor for which a license required.

4. The applicant shall adhere to the City of Winters Municipal Code Chapter 17.96 (*Alcoholic Beverage Establishments*) in its entirety and all applicable.

5. In the event any claim, action or proceeding is commenced naming the City or its agents, officers, and employees as defendant, respondent or cross defendant arising or alleged to arise from the City's approval of this project, the project Applicant shall defend, indemnify, and hold harmless the City or its agents, officers and employees, from liability, damages, penalties, costs or expenses in any such claim, action, or proceeding to attach, set aside, void, or annul an approval of the City of Winters, the Winters Planning Commission, any advisory agency to the City and local district, or the Winters City Council. Project applicant shall defend such action at applicant's sole cost and expense which includes court costs and attorneys' fees. The City shall promptly notify the applicant of any such claim, action, or proceeding and shall cooperate fully in the defense. Nothing in this condition shall be construed to prohibit the City of Winters from participating in the defense of any claim, action, or proceeding, if City bears its own attorneys' fees and cost, and defends the action in good faith. Applicant shall not be required to pay or perform any settlement unless the Applicant in good faith approves the settlement, and the settlement imposes direct or indirect cost on the City of Winters, or its agents, officers, and employees, the Winters Planning Commission, any advisory agency to the City, local district and the City Council.