



**CITY COUNCIL
STAFF REPORT**

TO: Mayor and Council Members
DATE : December 18, 2007
THROUGH: John W. Donlevy, Jr., City Manager
FROM: Kate Kelly, Planning Manager
SUBJECT: Public Hearing and consideration of Street Closure and Encroachment Permit for the GBH Commercial Project. The project is located at the southeast corner of East Grant Avenue (SR 128) and East Street, west of the Subway Sandwich Shop, and north of the Winters II apartment complex. APNs 003-370-28 (1.274 acres), 003-370-29 (1.01 acres), and 003-370-30 (2.238 acres). Applicant: Larry J. John and/or D. Rick Cheney.

RECOMMENDATION:

Staff recommends that the Council:

- 1) Receive Staff Report;
- 2) Conduct Public Hearing;
- 3) Approve Encroachment Permit for diagonal parking spaces and landscaping on East Baker Street; and
- 4) Approve closure of East Street to Grant Avenue and direct staff to implement.

SUMMARY OF PROJECT: The project is a proposed subdivision of 4.522 acres to create 7 commercial lots with a total of 9 retail/office/commercial buildings, an internal roadway/parking area, diagonal parking and landscaping along East Baker Street, closure of East Street to Grant Avenue and creation of a driveway along the east side of East Street from the project to East Baker Street.

In order to proceed with the project the following City approvals are needed from the City Council:

- Encroachment Permit for diagonal parking spaces and landscaping along East Baker Street.
- Closure of East Street to East Grant Avenue and creation of driveway serving project along the east side of East Street to East Baker Street.

PROJECT LOCATION: The project site is generally located in the central area of the

City of Winters. The property totals 4.522 acres comprised of APNs 003-370-28 (1.274 acres), 003-370-29 (1.01 acres) and 003-370-30 (2.238 acres) located at the southeast corner of East Grant Avenue (SR 128) and East Street, adjacent to the Subway Sandwich Shop and the Winters II apartments.

BACKGROUND: The 1992 General Plan was the subject of a certified Environmental Impact Report that examined the environmental impacts associated with adoption of the General Plan, including the commercial designation of the site.

The property was subdivided into four parcels and the Grant Station Commercial building was established on the eastern most parcel in 1994. In 1997 a Site Plan for 19,000 square foot commercial building was approved by the Planning Commission on APN 003-370-28. The project was not implemented due to unresolved circulation issues.

The property was acquired by the Johns and Cheneys in 2005. The applicant convened a focus group with members of the community on November 14, 2006. A conceptual site plan and design proposal was presented to the Planning Commission at a workshop on January 23, 2007. The conceptual project was redesigned based upon the comments received at the January workshop and re-presented to the Planning Commission on February 27, 2007.

The application for this project was received on August 17, 2007. A Negative Declaration (see Attachment E, separately provided) was released on November 5, 2007 for a 30-day comment period that ended December 4, 2007.

Planning Commission Action

The Planning Commission conducted a public hearing on December 11, 2007 and took the following actions:

- 1) Adopted and certified the Negative Declaration and Mitigation Monitoring Plan;
- 2) Approved the Tentative Subdivision creating 7 commercial lots;
- 3) Approved Design Review of site plan, building architectural design, architectural materials, architectural finishes, color schemes, and conceptual landscape plan for the entire project;
- 4) Approved Conditional Use Permit for drive-through on Building 1 located on Parcel A;
- 5) Recommended Approval of Encroachment Permit for diagonal parking spaces and landscaping on East Baker Street to the City Council; and
- 6) Recommended Approval of closure of East Street at East Grant Avenue to the City Council.
- 7) Denied (5-2 vote) the request for a Conditional Use Permit for drive-through on Building 2 located on Parcel B

DETAILED PROJECT DESCRIPTION: This project proposes to create a 49,427 square foot office and retail center at the southeast corner of East Grant Avenue (SR128) and East Street. The property is approximately 4.5 acres and is currently undeveloped. The Property is rectangular with frontage on East Grant Avenue, East Baker Street, and East Street. The frontage along East Grant Avenue to the north is approximately 750 feet in length with a corresponding frontage along East Baker Street on the southern border of the property. The depth of the site is roughly 255 feet between the right of ways of East Grant Avenue and East Baker Streets.

Tentative Map

The tentative map subdivides 4.522 acres comprised of APNs 003-370-28 (1.274 acres), 003-370-29 (1.01 acres) and 003-370-30 (2.238 acres) into seven parcels ranging in size from 0.38 acres to 1.43 acres.

Land Use Changes

No change in general plan or zoning is proposed or required. The site is currently a vacant field and is used as ad hoc parking for adjacent uses and temporary sale of fireworks around the 4th of July.

Architecture

The Planning Commission approved the project's "Agricultural Industrial" design which is intended to mimic common structures and shapes associated with agriculture in this region. A variety of siding and trim materials such as corrugated metal and board and batten siding are required. Faux grain silos have been added in several places. These are intended to lend character and reinforce the agrarian style. In addition to the adoption of Agricultural Industrial as a style, an effort was made to break up the façade by pulling portions forward and pushing others back in an attempt to give the impression that each store is unique and not built as one piece. The buildings range from 23 to 39 feet in height. The use of a variety of colors and materials is intended to support this effect.

The project includes nine buildings approved by the Planning Commission as follows:

Building 1 is 4,470 square feet in a single story and is located in the northwest corner of the site. Due to the roofline, the building is 31.5 feet. This building includes a drive-through. It is intended to be a bank location for a local credit union.

Building 2 is a 2,731 square feet in one story with a building height of 24 feet. It is located just east of the main entry from East Grant Avenue and intended for retail food service. A drive-through food service location was proposed for this building however the required Conditional Use Permit was denied by the Planning Commission.

Buildings 3 and 4 are 3,632 and 3,806 square feet respectively and front East Grant Avenue in the central portion of the site. These buildings are a single story, however the treatment of the façade will give Building 3 a height of 23 feet and Building 4 an over all

height of 31 feet. They are intended to provide retail space for businesses requiring a traditional storefront configuration. The size and number of spaces will be dictated by the needs of future tenants, but the basic configuration will allow for three to four individual spaces between 800 and 1200 square feet each.

Building 5 is a single story building reaching 24.5 feet in height and encompassing 4,595 square feet of floor area. The building is intended for a medical clinic.

Buildings 6, 7 and 8 are interconnected with a second floor outdoor arcade. The ground floor is intended for retail or office space and the upper level for office space. Buildings 6 and 8 are 33.5 feet tall. Building 7 is the tallest building at 39 feet tall. The total square footage of Building 6 and 8 is 2,551 square feet each and Building 7 is 9,912 square feet.

Building 9, located in the southwest corner of the site, is intended as a professional office building. It is a 32.5 feet tall, two story building with a total of 10,749 square feet. Similar to Buildings 6-8, the lower floor is designed to be utilized as retail space if the market dictates need and opportunity.

Landscaping and Signage

The Planning Commission approved the conceptual landscaping plans for the East Grant Avenue, East Baker Street and East Street streetscape and the internal areas as part of their Design Review on December 11, 2007.

The East Grant Avenue streetscape includes 8-foot wide paved pedestrian walkway and a minimum of 20 feet of landscaping featuring lawn, fescue beds, shrubs and trees. East Street will have a six-foot wide sidewalk and be landscaped with trees and understory plantings of shrubs and ground cover. The East Baker Street frontage proposes a 6-foot wide meandering sidewalk, landscaping of trees and understory plantings of shrubs and ground cover. Diagonal on-street parking is proposed for the north side of East Baker and includes landscaped islands with trees and understory plantings of shrubs and ground cover.

The interior of the site features landscaped parking lots, bricked walkways and a central plaza area. The internal landscaping provides shade trees, accent trees, shrubs, grasses, ground covers, and vines. Architectural features include trellises with vine plantings. The landscape plan provides for 61% parking lot shade coverage.

The applicant has not submitted signage plans for the project. The applicant will be required to obtain separate review and approval for the project signage and final approval for the landscape plan per Design Review Condition of Approval #63.

Off-Site Infrastructure

The project would be required to fund and construct off-site improvements necessary to support the development. Such improvements would include, but not be limited to traffic control (traffic signal or roundabout), water lines, sewer lines and storm drainage

lines. To the extent that acquisition or subsequent CEQA clearance is necessary for such work that would be the responsibility of the developer.

LAND USE AND ZONING CONSISTENCY: The project site is designated Central Business District (CBD) in the General Plan. The project has been reviewed for consistency with the policies of the General Plan. The project site is designated CBD and the proposed project is a commercial development. The Planning Commission found the project, as conditioned, to be consistent with the General Plan.

CEQA CLEARANCE: An Initial Study/Negative Declaration was circulated on November 5, 2007, for a 30-day comment period extending through December 4, 2007. The Planning Commission adopted and certified the Negative Declaration and Mitigation Monitoring Program at their December 11, 2007 meeting.

ENTITLEMENTS:

In order to proceed with the project the following City approvals are needed from the City Council:

Encroachment to East Baker Street

The project proposes improvements to the north side of East Baker Street which include:

- 36 spaces of diagonal parking
- landscaping including 12 street trees and associated underplantings
- pedestrian walkway

These improvements would collectively encroach into the north right of way of East Baker by approximately 12 feet. The parking spaces, landscaping and pedestrian area is considered a project amenity and contributes to the required parking. Based on the proposed retail/commercial and office uses and the attending square footage, the project would require 207 parking spaces. The site plan provides for 194 on-site spaces and an additional 36 space located along East Baker Street for a total of 230 spaces.

Closure of East Street to East Grant Avenue

East Street is proposed to be closed off with positive landscape and pedestrian/bike improvements at East Grant Avenue and a driveway constructed along the east side of East Street from the project to East Baker Street.

The closure of East Avenue is consistent with the Grant Avenue Access Study and, based upon traffic projections from the various residential developments approved over the past few years, would ultimately be required to address conflicting turn movements at that location even in absence of this project. As currently planned, the ultimate closure of East Street would occur concurrently with the construction of

improvements to Grant Avenue.

As an interim condition, East Street is proposed to be temporarily closed off to north bound traffic at the intersection of East Baker Street until such time as 1) the Grant Avenue improvements are constructed with the closure of East Street at East Grant Avenue, or the traffic volumes on East Street from the development exceed the existing baseline traffic volumes on East Street, whichever occurs first. If the traffic volumes generated from the development exceed existing base line traffic volumes on East Street prior to the construction of improvements on Grant Avenue, the developer will be required to construct improvements at East Grant Avenue and East Street to close East Street.

It must be noted that East Street is proposed to be closed rather than abandoned. This retains flexibility for the City to ultimately address traffic circulation patterns in the downtown core as the Railroad Avenue corridor is redeveloped to commercial and mixed uses per the Downtown Master Plan.

FISCAL IMPACT: The General Plan requires fiscal neutrality from development. As a retail/office commercial development the project is expected to generate sale tax, provide jobs and create additional economic opportunity. Thus the project is expected to provide fiscal benefit to the City.

CITY COUNCIL ACTION: Subject to the attached conditions of approval, the staff recommends that the City Council take the following actions:

1. Approve Encroachment Permit for diagonal parking spaces and landscaping on East Baker Street.
2. Approve closure of East Street to East Grant Avenue and direct staff to implement.

ATTACHMENTS:

- A. Findings and Conditions of Approval
- B. Site Plan
- C. Typical Roadway Sections