

CITY OF WINTERS PLANNING COMMISSION AGENDA

Tuesday, April 27, 2010 @ 6:30 PM
City of Winters Council Chambers
318 First Street
Winters, CA 95694-1923
Community Development Department
Contact Phone Number (530) 795-4910 #113
Email: jenna.moser@cityofwinters.org

Chairman: Pierre Neu
Vice Chairman: Glenn DeVries
Commissioners: Wade Cowan, Bruce Guelden, Corinne
Martinez, Phillip Meisch, Joe Tramontana
Administrative Assistant: Jenna Moser
Community Development Director: Nelia Dyer

I CALL TO ORDER 6:30 PM

II ROLL CALL & PLEDGE OF ALLEGIANCE

III CITIZEN INPUT: Individuals or groups may address the Planning Commission on items which are not on the Agenda and which are within the jurisdiction of the Planning Commission. NOTICE TO SPEAKERS: Speaker cards are located on the first table by the main entrance; please complete a speaker's card and give it to the Planning Secretary at the beginning of the meeting. The Commission may impose time limits.

IV CONSENT ITEM
Approval of Minutes from the April 5, 2010 special meeting of the Planning Commission.

V. STAFF/COMMISSION REPORTS

VI DISCUSSION ITEMS:

- A. *Public Hearing and Consideration of a Site Plan (Design Review) Application Submitted by Jack McDowell for the Construction of a Parking Lot at 15 & 19 East Grant Avenue (APN 003-321-004 & 003-321-003)-
CONTINUED TO THE MAY 25TH PLANNING COMMISSION MEETING*
- B. *Public Hearing and Consideration of a Site Plan (Design Review) Application Submitted by Harmony Builders for the Construction of a 1,689 single-story, single-family home at 415 First Street (APN 003-155-111)
This project is exempt from CEQA review under the provisions of Section 15302 "Replacement or Reconstruction."*
- C. *Public Hearing and Consideration of a Site Plan (Design Review) Application Submitted by Bryan Horn for the construction of a 1,500 square foot, attached, two-story garage at 455 Russell Street (APN 003-183-150)
This project is exempt from CEQA review under the provisions of Section 15301 "Existing Facilities."*
- D. *Informational Item – Medical Cannabis Ordinance – NO BACKUP
Staff will present a draft Medical Cannabis Ordinance to the Planning Commission for review and feedback.*
- E. *Informational Item – Art Park – NO STAFF REPORT
Staff will present a conceptual plan of the proposed art park located at the site that connects Main Street to the alley known as "Newt's Expressway."*

VII COMMISSION/STAFF COMMENTS

VIII ADJOURNMENT

POSTING OF AGENDA: PURSUANT TO GOVERNMENT CODE § 54954.2, THE COMMUNITY DEVELOPMENT ADMINISTRATIVE ASSISTANT OF THE COMMUNITY DEVELOPMENT DEPARTMENT POSTED THE AGENDA FOR THIS MEETING ON APRIL 22, 2010.



JENNA MOSER - ADMINISTRATIVE ASSISTANT

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, 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".

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.

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, TIME LIMITS MAY BE IMPOSED BY THE CHAIR AS PROVIDED FOR UNDER THE ADOPTED RULES OF CONDUCT OF PLANNING COMMISSION MEETINGS.

REVIEW OF TAPE RECORDING OF MEETING: PLANNING COMMISSION MEETINGS ARE AUDIO TAPE RECORDED. TAPE RECORDINGS ARE AVAILABLE FOR PUBLIC REVIEW AT THE COMMUNITY DEVELOPMENT DEPARTMENT FOR 30 DAYS AFTER THE MEETING.

COPIES OF AGENDA, AGENDA REPORTS AND OTHER MATERIALS: PRIOR TO EACH MEETING, COPIES OF THE AGENDA ARE AVAILABLE, AT NO CHARGE, AT CITY HALL DURING NORMAL WORKING HOURS. IN ADDITION, A LIMITED SUPPLY WILL BE AVAILABLE ON A FIRST COME, FIRST SERVED BASIS, AT THE PLANNING COMMISSION MEETINGS. 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.

THE COUNCIL CHAMBER IS WHEELCHAIR ACCESSIBLE

CITY OF WINTERS COMMUNITY DEVELOPMENT DEPARTMENT
Current Projects List as of April 20, 2010
(530) 795-4910, extension 114, www.cityofwinters.org

** New information in italics*

PROJECT	DESCRIPTION & PROCESS	LAST ACTION	NEXT ACTION
(1) Winters Highlands, Meyer Crest, Bert Meyer (530) 242-2010	Application filed to develop 413 single-family and 30 multi-family residential units in northwestern part of city.	City Council approved the Second Amendment to the Development Agreement on January 6, 2009.	Applicant submittal of Final Map and Improvement Plans.
(2) Winters Village, Bob Thompson (West project) (707) 372-9355	Proposal to develop 10 attached single-family residences on the southwest corner of East Main and East Baker Streets.	Applicant in October 2007 decided to defer construction of the project.	Project not active.
(3) Callahan Estates, Winters Investors LLC, John Peterson (925) 682-4830	Proposal to develop 120 single-family residential lots in northwest part of city.	City Council approved the First Amendment to the Development Agreement on January 20, 2009	Applicant submittal of Final Map and Improvement Plans.
(4) Creekside Estates, Jim Wirth (916) 617-4248	Proposal to develop 40 single-family residential lots at southwest part of city.	City Council approved Tentative Subdivision Map on April 19, 2005.	Amend Development Agreement, applicant submittal of Final Map and Improvement Plans
(5) Hudson-Ogando, Winters Investors LLC, John Peterson (925) 682-4830	Proposal to develop 72 single-family residential lots in northwest part of city.	City Council approved the First Amendment to the Development Agreement on January 20, 2009	Applicant submittal of Final Map and Improvement Plans.
(6) Cottages at Carter Ranch Phase 2, Sacramento Pacific Development, Mark Wiese (916) 853-9800	Proposal to develop 6 single-family residential affordable lots (moderate-income households) north of Rancho Arroyo Detention Facility.	-Planning Commission approved Tentative Subdivision Map on November 23, 2004. -City Council approved the applicant's request for infrastructure funding on November 3, 2009.	Applicant submittal of Final Map and Improvement Plans.
(7) Casitas at Winters, Napa Canyon LLC, Mark Power (707) 253-1339	Proposal for 5-unit tentative subdivision map at a site on West Grant Avenue east of Tomat's restaurant. Tentative Subdivision Map, Planned Development Overlay, and PD Permit.	City Council at its January 15, 2008 meeting took final action by approving the Rezone Ordinance.	Applicant submittal of Final Map and Improvement Plans.

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(8) Mary Rose Gardens, DAS Homes, Inc., Dave Snow (530) 666-0506	Proposal to develop 26 single-family homes and one duplex unit on the north side of West Grant Avenue west of Cemetery Lane. Tentative Subdivision Map, Planned Development Overlay, PD Permit, Rezone, Inclusionary Housing Agreement, and Development Agreement.	Applicant declined option to purchase project property.	Project not active.
(9) Anderson Place, Eva Brzeski (415) 887-9300	Proposal to develop up to 28 mostly attached single-family residences and 9 commercial spaces at 723 Railroad Avenue. Interim use of C2 portion of the site for boat and RV storage, sales and repair.	First Amendment to Development Agreement adopted by City Council on June 3, 2008 CUP for boat & RV storage, sale & repair approved by Planning Commission on May 27, 2008.	Applicant to demo building and establish interim boat & RV storage, sales and repair. Applicant submittal of Final Map and Improvement Plans.
(10) Pearce Parcel Map, Thomas Pearce (530) 795-5901	Proposal for 4-unit parcel map at the south end of Third Street.	Planning Commission on October 9, 2007 approved project.	Applicant submittal of Final Map and Improvement Plans.
(11) Winters Commercial, Granite Bay Holdings, LLC, Tyler Wade (916) 580-1855	Proposal to develop 4.52 acres on south side of Grant Avenue directly west of Round Table Pizza complex for 49,500 square feet of commercial and office uses. Site Plan. Application submitted on August 17, 2007 and deemed complete on October 22, 2007.	-Per COW Municipal Code, Chapters 17.20 (Use Permits) and 17.36 (Design Review), Community Development Director approved an extension for both permits on December 5, 2008. -Community Development Agency purchased the subject site in Summer 2009. CDA issued RFP for development of site in October 2009.	-Community Development Agency to form Ad Hoc Committee to Review Proposals on January 19, 2010
(12) Winters Estates Annexation, Winters Estates LLC, Helmut Sommer 707-678-9000	Proposal to annex 80 acres (APNs 030-210-05 & 08) adjacent to County Road 88 and within the City's General Plan Area.	City issuance of incomplete application letter on February 1, 2008.	Project Inactive/Closed out
(13) Orchard Village, CVCAH/Pacific West Communities, Shellan Miller (208) 461-0022 Ext. 3033	Proposal to construct 74 multifamily (workforce housing) units on 10.6 acres between Railroad Ave, and Dutton Street extension, north of East Grant Ave. To include 1-, 2-, 3-, and 4-bedroom units + a community center.	Planning Commission approved Site Plan (Design Review) and adopted MND and MMP on January 27, 2009. Appeal of PC's decision	Under Construction

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<p>(14) St. Anthony's Catholic Church Parish & Rectory, Roman Catholic Church of Sacramento/McCandless & Associates (530) 662-9146</p>	<p>Proposal to construct a new Catholic Church and associated site work at the corner of Main & Grant Streets.</p>	<p>was filed on February 4, 2009 by Catherine Jimenez. City Council denied the appeal at the March 3, 2009 City Council Meeting. Applicant submitted improvement and building plans in October 2009. -On April 21, 2009, the City Council approved the ordinance to rezone the property, adding a PD overlay. -Applicant submitted improvement and building plans in December 2009.</p>	
<p>(15) 115 E. Grant Avenue Fueling Canopy, David Lorenzo (530) 795-3214</p>	<p>Proposal to construct a fueling canopy and install 4 new fueling dispensers at 115 E. Grant Avenue.</p>	<p>Planning Commission approved the Design Review (Site Plan) on February 24, 2009.</p>	<p>Complete</p>
<p>(16) Turkovich Family Wines, 304 Railroad Avenue, (530) 795-2767</p>	<p>Application for a Conditional Use Permit to operate a wine tasting room at 304 Railroad Avenue</p>	<p>Application was filed on January 29, 2009. Planning Commission approved the Conditional Use Permit for the project on March 24, 2009.</p>	<p>Complete</p>
<p>(17) The Tree House Children's Center, 418 Haven Street, (530) 304-8248</p>	<p>Application for a Conditional Use Permit to operate a children's center at 418 Haven Street</p>	<p>Application was filed on March 19, 2009. Planning Commission approved the Conditional Use Permit for the project on April 28, 2009.</p>	<p>Complete</p>
<p>(18) Winters Community Church, 113 Main Street, (530) 795-5530</p>	<p>Application for a Conditional Use Permit to operate a religious institution at 113 Main Street</p>	<p>Application was filed on April 6, 2009. Planning Commission approved the Conditional Use Permit on May 26, 2009.</p>	<p>Complete</p>
<p>(19) Turkovich Family Winery, 22-A Main Street,</p>	<p>Application for a Conditional Use Permit to operate a winery at 22-A Main Street</p>	<p>Application was filed on June 6, 2009. Planning</p>	<p>Complete</p>

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(530) 795-2767		Commission approved the Conditional Use Permit on July 14, 2009.	
(20) Winters Healthcare Foundation Administrative Offices, 310 Main Street, (530) 795-5200	Application for a Conditional Use Permit to conduct an office use in a residential zone	Application was filed on July 8, 2009. Planning Commission approved the Conditional Use Permit on August 25, 2009	Complete
(21) AT&T Cell Tower Co-location at Rd 88 & Rd 32A, (916)601-1123	Application for a Conditional Use Permit to co-locate additional antennas on an existing tower at Rd 88 & 32A. The existing cell tower is located on City property	Application was filed on July 17, 2009. Planning Commission approved the Conditional Use Permit on August 25, 2009.	Complete
(22) City Parking Lot at Abbey and First Streets, (530) 795-4910	Design Review Application for the temporary renovation of the City's parking lot at First and Abbey Streets	Planning Commission approved the Site Plan on October 27, 2009	Submittal of improvement plans.
(23) 111-115 Main Street Façade Improvement Project (530) 795-3506	Design Review application for the façade improvement of 111-115 Main Street.	Application was filed on October 10, 2009. Planning Commission approved the Design review Application on October 27, 2009.	Applicant submittal of improvement and building plans.
(24) Main Street Cellars Wine Café, 9 East Main Street, Suite J (209) 304-7953	Application for a Conditional Use Permit to operate a wine bar at 9 East Main Street, Suite J	-Application was filed on October 30, 2009. Public hearing scheduled for November 24, 2009 -Planning Commission approved Conditional Use Permit on November 24, 2009	Applicant submittal of tenant improvement plans.
(25) Burger King/Union 76 at East Grant Avenue and County Road 90 (530) 755-4700	Application for a Design Review/Site Plan and Sign Permit to construct a co-brand fuel station, convenience store and fast food restaurant at East Grant Avenue and CR 90. A sign permit is required for the proposed freeway sign.	-Application was filed on December 7, 2009. The application was deemed "incomplete" by staff on January 4, 2010. - Public Hearing and Informational Item scheduled for January 26, 2010.	Submittal of "complete" application by applicant
(26) Tentative Subdivision	Application for Tentative Subdivision Map for property	-Application was filed on	Submittal of "complete"

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Map for Jordan Family (530)662-1755	located southwest of I-505/SR 128 to realign the proposed Gateway Drive street alignment and reconfigure the lots to match the new alignment. The applicant is also proposing to subdivide one of the lots into three new lots.	December 16, 2009. The application was deemed "incomplete" by staff on January 12, 2010.	application by applicant
(27) Kristensen Drywall and Pearce Heating & Air Conditioning, 27990 CR 90, (530) 795-8800	Application for a Conditional Use Permit to operate light general manufacturing uses in a Light Industrial (M-1) zone at 27990 CR 90.	Application was filed on February 18, 2010. A public hearing for the application was scheduled for the March 23, 2010 Planning Commission Meeting. PC approved the CUP.	
(28) Preserve, Inc., 200 and 202 Railroad Avenue, (530) 795-3816	Application for a Conditional Use Permit to amend an existing conditional use permit for on-site sale and consumption of alcoholic beverages at 200 and 202 Railroad Avenue to include the space at 3 Russell Street	Application was filed on March 4, 2010. A public hearing for the application was scheduled for the March 23, 2010 Planning Commission Meeting. The public hearing was continued to a special PC meeting on April 5, 2010. PC approved the CUP.	Issuance of Building Permit for Interior Remodel
(29) Main Street Plaza, 111 Main Street, (530) 795-3214	Application for a Sign Permit and Variance to modify a nonconforming sign location at 111 Main Street	Application was filed on March 4, 2010. A public hearing for the application was scheduled for the March 23, 2010 Planning Commission Meeting. PC approved the variance.	Issuance of Building Permit for Sign
(30) New Single Family Home, 415 First Street, (916) 600-5401	Application for a Site Plan (Design Review) application for the construction of a new single-family, single-story house at 415 First Street	Application was filed on April 2, 2010. A public hearing for the application was scheduled for the April 27, 2010 Planning Commission Meeting.	Decision by the Planning Commission
(31) Addition to Existing Single-Family Residence, 455 Russell Street, (530)	Application for a Site Plan (Design Review) application for the construction of a 1,500 square-foot addition to an existing single family residence at 455 Russell Street	Application was filed on April 9, 2010. A public hearing for the application was schedule	Decision by the Planning Commission

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867-6444		for the April 27, 2010 Planning Commission Meeting.	
Code Enforcement Ordinance	Preparation of Ordinance to adopt Title 19 (Code Enforcement) to the Winters Municipal Code.	-Presentation to Planning Commission on November 24, 2009. -Presentation to City Council on December 1, 2009. -Adopted by City Council in January 2010.	
General Plan Horizon Year Extension	Extend the General Plan Horizon Year Extension from 2010 to 2018.	City Council approved the extension on September 1, 2009. Staff prepared and presented the Work Plan resulting from the extension to the Planning Commission on October 27, 2009	
Affordable Housing Ordinance	Preparation of an Ordinance to add Chapter 17.200 to the Winters Municipal Code (Zoning) pertaining to Affordable Housing Requirements	-Reviewed favorably by Affordable Housing Steering Committee on November 3, 2009. -Planning Commission recommended approval to City Council on November 24, 2009 -City Council adopted the Affordable Housing Ordinance on January 5, 2010	
Housing Element	Preparation and Adoption of Housing Element Update for the 2008-2013 Planning Period	City Council adopted the Housing Element Update on September 1, 2009.	Development of a work/implementation plan for the Housing Element
Abbey Street Partial Abandonment	Partial abandonment of East Abbey St to allow for Monticello development	PC accepted GP consistency report and recommended to Council 4/22/08. CDA at its September 2, 2008 meeting approved the DDA for the project.	Applicant submittal of improvement and building plans for the Monticello Project

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Monticello Mixed-Use Project	Application for Site Plan Review and Design Review, and CUP for the construction of a mixed-use project (commercial/retail, office and residential) on 0.42 acre on the east side of Railroad Ave. between Abbey St. and Main St, in downtown Winters CBD.	CDA at its September 2, 2008 meeting approved the DDA for the project	Applicant submittal of improvement and building plans.
Public Safety Facility	Application for Site Plan Review and Design Review, CUP and Variance for the construction of the City's public safety facility on 2.78 acres of the Ogando-Hudson Subdivision (Grant Ave @West Main Street)	Planning Commission hearing on 7/22/08 – PC approved project subject to COAs presented in staff report.	Under Construction

Affordable Housing Units

- Project #1: 26 units for very low-income, 25 units for low-income, and 15 units for moderate-income households
- Project #2: 2 units for low-income households
- Project #3: 7 units for very low-income, 7 units for low-income, and 4 units for moderate-income households
- Project #4: 1 unit for very low-income, 2 units for low-income, and 1 unit for moderate-income households
- Project #5: 11 units for very low-income households
- Project #6: 6 units for moderate-income households
- Project #7: Not known whether residential units will be constructed
- Project #8: 2 units for very low-income, 1 unit for low-income, and 1 unit for moderate-income households
- Project #9: 2 units for very low-income, 1 unit for low-income, and 1 unit for moderate-income households
- Project #10: Not applicable
- Project #11: Not applicable
- Project #12: Not known at this time
- Project #13: 74 units for very low-income and low income households
- Project #14: Not applicable
- Project #15: Not applicable
- Project #16: Not applicable
- Project #17: Not applicable
- Project #18: Not applicable

**MINUTES OF THE WINTERS PLANNING COMMISSION SPECIAL MEETING
HELD ON TUESDAY, APRIL 5, 2010**

Chairman Neu called the meeting to order at 6:30 p.m.

PRESENT: Commissioners Guelden, Martinez, Meisch, Tramontana, and
Chairman Neu

ABSENT: Cowan, DeVries

STAFF: Community Development Director Nellie Dyer, Contract City
Attorney Laura Hollander, Administrative Assistant Jenna Moser

Jenna Moser led the Pledge of Allegiance.

CITIZEN INPUT: None

COMMUNICATIONS:

Staff Reports: None

Commission Reports: None

CONSENT ITEM

Approve minutes of the March 23, 2010 regular meeting of the Planning Commission.

Motion by Commissioner Guelden, Second by Commissioner Tramontana to approve the minutes for the March 23, 2010 meeting of the Planning Commission. Motion carried with the following roll call vote:

AYES: Commissioners, Guelden, Martinez, Meisch, Tramontana, and
Chairman Neu

NOES: None

ABSTAIN: None

ABSENT: Cowan, DeVries

DISCUSSION ITEM

- A. PUBLIC HEARING AND CONSIDERATION OF A CONDITIONAL USE PERMIT APPLICATION SUBMITTED BY COLE OGANDO TO AMEND AND EXISTING CONDITIONAL USE PERMIT FOR ON-SITE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES AT 200 AND 202 RAILROAD AVENUE TO INCLUDE THE SPACES LOCATED AT 3 AND 5 RUSSELL STREET (APN 003-203-012) (CONTINUED FROM THE MARCH 23, 2010 PLANNING COMMISSION MEETING)**

At this time, Commissioner Martinez recused herself due to proximity issues.

Community Development Director Dyer provided an overview of the staff report, noting that condition #9 be amended to read "Hours of operation may be

**MINUTES OF THE WINTERS PLANNING COMMISSION SPECIAL MEETING
HELD ON TUESDAY, APRIL 5, 2010**

modified for holiday parties or special events with consent of the Community Development Director.”

Commissioner Tramontana asked about signage for parking in the vicinity. Ms Dyer responded that several signs had been ordered for the residential area near the project, on both sides of Russell Street. Commissioner Guelden asked if the applicant planned on having a full liquor license, or just beer and wine. The applicant, Cole Ogando, responded that they aim to get a full liquor license, but if they are unable to obtain that, they would have beer and wine only. Commissioner Guelden asked if the applicant planned on doing any beer brewing at the establishment. Mr. Ogando responded that they did not have any plans for that at this time.

Chairman Neu opened the Public Hearing at 6:40PM.

Edmund Lis, 9 Russell Street stated his concerns about parking, lighting, traffic, and noise – suggesting also that a stop sign be installed at Russell Street and Railroad Avenue near the project. Commissioner Guelden asked if his concerns had been addressed. Mr. Lis responded that generally yes, they are being addressed.

Kevin Lewis, 7 Russell Street, generally supports the project, but is concerned about traffic, noise, and lighting. Mr. Lewis stated that there needs to be more lighting for pedestrians on Russell Street specifically.

Chris Turkovich spoke in support of the project.

Chairman Neu closed the public hearing at 6:54PM.

Commissioner Meisch stated that he would like an update from staff regarding the project and lighting at the next meeting. Ms. Dyer concurred.

Motion by Commissioner Guelden, Second by Commissioner Tramontana to approve the Conditional Use Permit Application submitted by Cole Ogando to Amend an existing Conditional Use Permit for on-site sale and consumption of alcoholic beverages at 200 and 202 Railroad Avenue to include spaces located at 3 and 5 Russell Street. Motion carried with the following roll call vote:

AYES: Commissioners Guelden, Meisch, Tramontana, and Chairman Neu
NOES: None
ABSTAIN: Martinez
ABSENT: Cowan, DeVries

COMMISSION/STAFF COMMENTS:

**MINUTES OF THE WINTERS PLANNING COMMISSION SPECIAL MEETING
HELD ON TUESDAY, APRIL 5, 2010**

Commissioner Tramontana reminded those in attendance that he is continuing to fundraise for the pool and community center fund.

The meeting was adjourned at 7:10 p.m.

ATTEST:

Jenna Moser, CDD Admin

Pierre Neu, Chairman



PLANNING COMMISSION
STAFF REPORT

TO: Chairman and Planning Commissioners
DATE: April 27, 2010
FROM: Nelia C. Dyer, Community Development Director *LCD*
SUBJECT: Public Hearing and Consideration of a Site Plan (Design Review) Application Submitted by Harmony Builders for the Construction of a 1,689 single-story, single-family home at 415 First Street (APN 003-155-111)

RECOMMENDATION: Staff recommends that the Planning Commission take the following actions; 1) Receive the staff report; 2) Conduct the Public Hearing to solicit public comment; and 3) Approve the Site Plan (Design Review) application submitted by Harmony Builders for the construction of a new 1,689 single-story, single-family home at 415 First Street.

STATEMENT OF ISSUES: The project applicant is seeking approval of Site Plan (Design Review) application to allow the construction of a new 1,689 single-story, single-family home at 415 First Street. According to Winters Municipal Code (WMC), Section 17.36.020 (C), new construction of any single-family residential units is subject to design review.

PROJECT DESCRIPTION: The project applicant, Harmony Builders, plans to demolish the existing residence and construct a new 1,689 single-story, single-family home at 415 First Street. According to the plans, the new structure will fit within the footprint of the original structure. The floorplan depicts three bedrooms, two bathrooms, dining room, kitchen, and family room. The house will be constructed with Hardiplank lap siding, Hardipanel vertical siding with batten boards, and a composition roof. The color of the house is proposed to be "Monterey Taupe" with "Arctic White" for the trim and "Traditional Red" for the door. Color and materials board shows white trimmed windows.

A pergola will be constructed at the end of a newly constructed driveway to shade one of two cars spaces. A five-foot vinyl fence is proposed to be located along Abbey Street between the property to the east and the proposed house. A six-foot chain link fence is proposed to be located behind the pergola between the house and the property to the south. No new landscaping is proposed as part of this project.

ANALYSIS: The current structure is located in the C-2 (Central Business District) Zone. According to Winters Municipal Code (WMC) Section 17.52.020, single family dwellings are allowed in the C-2 zone with a conditional use permit only if an existing historical structure is planned for relocation to a C-2 zone that adjoins a residential district. In this case, the existing structure is a legal nonconforming use. According to WMC Section 17.104.020(D), nonconforming structures which are demolished or require major structural repairs in order to maintain the viability of the structure, may be determined by the community development director, may be reestablished.

The following table shows the required lot development standards and setbacks for the C-2 zone along with the proposed setbacks and height of the addition:

	Required	Current/Proposed
Lot Size	5,000 square feet minimum	7,500 square feet
Lot Width	50 feet minimum	60 feet
Front Yard	0 feet	20 feet
Side Yard	0 feet	5 feet and 10 feet
Rear Yard	0 feet	40 feet
Height	45 feet maximum	18 feet and 5 inches

As mentioned previously, the house will be constructed with Hardiplank lap siding, Hardipanel vertical siding with batten boards, and a composition roof. The color of the house is proposed to be “Monterey Taupe” with “Arctic White” for the trim and “Traditional Red” for the door. Color and materials board shows white trimmed windows. Staff has determined that the use of the proposed materials and colors will allow the applicant to achieve long term compatibility with the general setting of the property and the visual character of the neighborhood.

According to WMC 17.72.020 (Number of Spaces Required), two (2) off-street parking spaces are required per single-family home. The site plan shows a new driveway that will adequately store two cars off of the street.

The plans indicate that the house will be equipped with a heating and air conditioning unit; however, the proposed unit is not shown on the plans. WMC Section 17.68.030 (O) (2) requires that any new roof-top equipment, including air conditioning units and fans, shall be screened from off-site views to the extent feasible by placement relative to off-site lines-of-sight to the roof, and/or use of a parapet wall, screening device or landscaping. For outside storage of equipment (not on the roof), WMC Section 17.68.030 (O) (3), equipment shall be screened from any public views, and shall include a fence or wall (consistent with height limits prescribed in Chapter 17.64). Recommended Condition of Approval #5 addresses these requirements.

METHODOLOGY: Two actions are required to process the requested uses:

- 1) Confirmation of CEQA exemption finding – Section 15303 (Replacement or Reconstruction)
- 2) Approval of a Site Plan (Design Review) and the attached conditions

APPLICABLE REGULATIONS: The planning application is subject to several regulations:

- The California Environmental Quality Act (CEQA)

- State Planning and Zoning Law
- City of Winters General Plan
- City of Winters Zoning Ordinance

PROJECT NOTIFICATION: Public notice advertising for the public hearing on this planning application was prepared by the Community Development Department's Administrative Assistant in accordance with notification procedures set forth in the City of Winters' Municipal Code and State Planning Law. Two methods of public notice were used: a legal notice was published in the Winters Express on Thursday, April 15, 2010 and notices were mailed to all property owners who own real property within three hundred feet of the project boundaries at least ten days prior to tonight's hearing. Copies of the staff report and all attachments for the proposed project have been on file, available for public review at City Hall since Thursday, April 22, 2010.

ENVIRONMENTAL ASSESSMENT: The proposed use is exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15302 (Replacement or Reconstruction).

RECOMMENDED FINDINGS FOR 415 FIRST STREET (SITE PLAN/DESIGN REVIEW)

CEQA Findings:

1. The proposed project is exempt from CEQA review under §15302 (Replacement or Reconstruction).
2. The Planning Commission has considered the comments received on the project during the public review process.
3. The exemption finding reflects the independent judgment and analysis of the City of Winters.
4. The Planning Commission hereby confirms a Class 2 Replacement or Reconstruction exemption for the demolition of an existing residential structure and reconstruction of a new single family home at 415 First Street.

General Plan and Zoning Consistency Findings:

1. The project is consistent with the goals and policies of the General Plan. The General Plan designates the project site as Central Business District. Residential uses shall be subject to discretionary review and approval.
2. The project is consistent with the provisions of the Zoning Ordinance. Nonconforming structures which are demolished or require major structural repairs in order to maintain the viability of the structure, may be determined by the community development director, may be reestablished.

RECOMMENDATION: Staff recommends approval of the project by making an affirmative motion as follows:

I MOVE THAT THE CITY OF WINTERS PLANNING COMMISSION APPROVE THE SITE PLAN (DESIGN REVIEW) APPLICATION FOR THE CONSTRUCTION OF A NEW 1,689

SINGLE-STORY, SINGLE-FAMILY HOME AT 415 FIRST STREET BASED ON THE IDENTIFIED FINDING OF FACT AND BY TAKING THE FOLLOWING ACTIONS:

- Confirmation of exemption from the provisions of CEQA
- Confirmation of consistency findings with the General Plan and Zoning Ordinance
- Approval of the Site Plan (Design Review) application and subject to the conditions of approval attached hereto.

ALTERNATIVES: The Planning Commission can elect to modify any aspect of the approval or to deny the application. If the Planning Commission chooses to deny the application, the Commission would need to submit findings for the official record that would illustrate the reasoning behind the decision to deny the project.

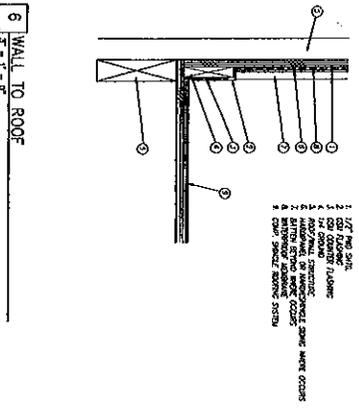
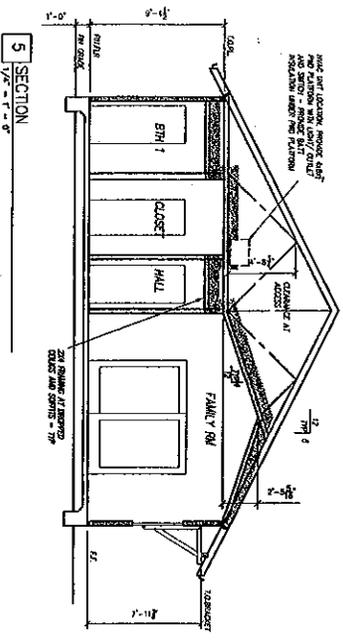
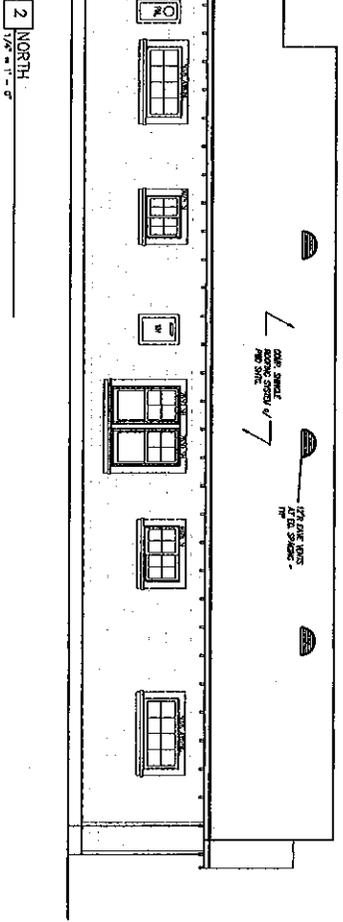
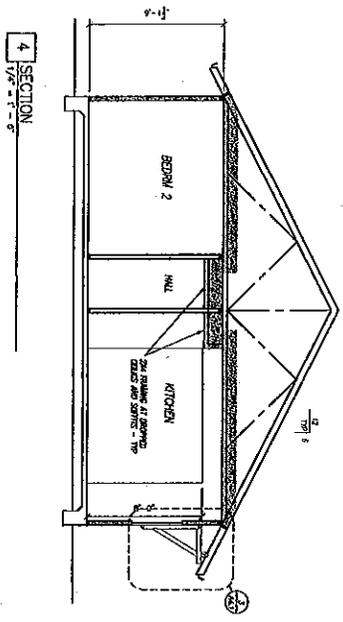
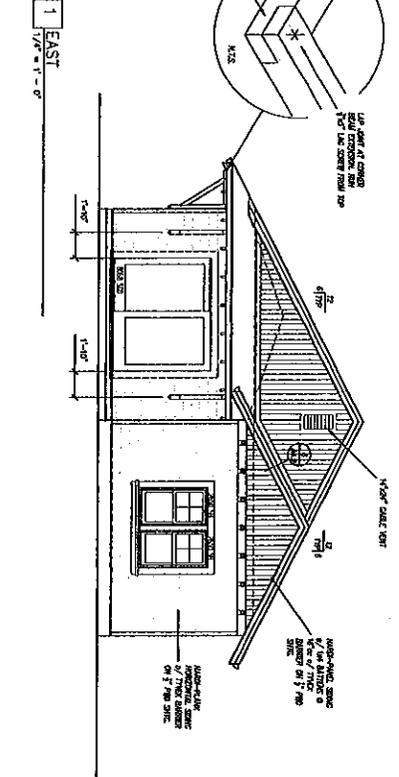
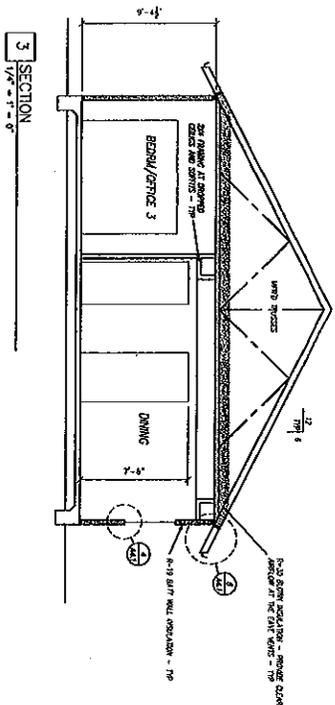
CONDITIONS OF APPROVAL FOR THE SITE PLAN (DESIGN REVIEW) APPLICATION FOR THE CONSTRUCTION OF A NEW 1,689 SINGLE-STORY, SINGLE-FAMILY HOME AT 415 FIRST STREET LOCATED ON ASSESSOR PARCEL NUMBER 003-155-110, WINTERS, CA 95694.

1. This approved Site Plan (Design Review) application is based upon and limited to compliance with the project description, Attachments 1-3, and conditions of approval set forth below. Any deviations from the project descriptions, attachments or conditions must be reviewed and approved by the Planning Commission for conformity with this approval. Deviations may require modification to the permit and/or environmental review. Deviations without the above-described approval will constitute a violation of permit approval.
2. 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 include court costs and attorney 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 attorney 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 not 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.
3. Failure to comply with the conditions shall result in the immediate revocation of the conditional use permit under Winters Municipal Code Section 17.36.060.
4. The applicant shall obtain all required City permits (building, encroachment, etc.) and pay all applicable fees (building, encroachment, etc.)

5. All ground mounted or roof-mounted equipment shall be screened from public view as per Winters Municipal Code Section 17.68.030 (O) (1) and (2).

ATTACHMENTS:

1. Site Plan
2. Floor Plan
3. Elevations



CHARL DODDSON
ARCHITECT

916.535.9656
Architectural & Construction
4111 25th St.

ARCHITECTURAL SEAL AND CERTIFICATE
OF REGISTERED ARCHITECT
NO. 10000
STATE OF CALIFORNIA

Chapman Residence
415 First St.
Winters, CA 95694

Date: MARCH 31, 2010
Sheet No.
A4.2
ELEVATIONS



PLANNING COMMISSION
STAFF REPORT

TO: Chairman and Planning Commissioners
DATE: April 27, 2010
FROM: Nelia C. Dyer, Community Development Director *ND*
SUBJECT: Public Hearing and Consideration of a Site Plan (Design Review) Application Submitted by Bryan Horn for the construction of a 1,500 square foot, two-story addition at 455 Russell Street (APN 003-183-150)

RECOMMENDATION: Staff recommends that the Planning Commission take the following actions; 1) Receive the staff report; 2) Conduct the Public Hearing to solicit public comment; and 3) Approve the Site Plan (Design Review) application submitted by Bryan Horn to construct a 1,500 square foot, two-story addition at 455 Russell Street.

STATEMENT OF ISSUES: The project applicant is seeking approval of Site Plan (Design Review) application to allow the construction of a 1,500 square-foot, two-story addition at 455 Russell Street. According to Winters Municipal Code (WMC), Section 17.36.020 (E), modifications to existing buildings involving collectively significant exterior changes, as determined by the Community Development Director, shall be reviewed by the Planning Commission.

PROJECT DESCRIPTION: The project applicant, Bryan Horn, plans to construct a 1,500 square foot addition in the side yard of the single-family residence located at 455 Russell Street. The plans depict a two-story structure. The lower level will include a garage for a recreational vehicle, storage and a porch while a study, electronics room, exercise room, and bathroom are proposed for the upper level.

The height of the garage is just under 30 feet and has dimensions of 23 feet-by-34-feet. The addition will be constructed with a stucco finish and will include a composition roof. The exterior elements of the addition (stucco, roofing, windows, trim, etc.) as well as the colors will match those used for the existing single-family residence. The garage is loaded on the Russell Street side of the property; an existing two-car garage is side-loaded. The existing residence is approximately 2,500 square feet.

ANALYSIS: The property is located in the Single Family, 7000 square foot average minimum (R-1) zone and has a General Plan land use designation of Low Density Residential. Residential uses are allowed in the General Plan land use designation and corresponding zoning district.

The following table shows the required lot development standards and setbacks for the R-1 zone along with the proposed setbacks and height of the addition:

	Required	Current/Proposed
Front Yard	20 feet	5 feet*
Side Yard	5 feet and 10 feet	10 feet**
Rear Yard	25 feet	50 feet
Height	30 feet maximum	29 feet and 6 inches
Creek Bank Setback	50 feet of the top of bank	50 feet from the top of bank

*WMC 17.56.020 (B) – Setback Exemption for side-loaded garage

**Ten foot setback shall be situated on the 2-story side.

As mentioned previously, the project applicant is proposing to use the same materials and colors as the existing residence. Staff has determined that the use of the same materials and colors will allow the applicant to achieve long term compatibility with the general setting of the property and the visual character of the neighborhood.

No new landscaping is proposed as part of this project.

METHODOLOGY: Two actions are required to process the requested uses:

- 1) Confirmation of CEQA exemption finding – Section 15301 (Existing Facilities)
- 2) Approval of a Site Plan (Design Review) and the attached conditions

APPLICABLE REGULATIONS: The planning application is subject to several regulations:

- The California Environmental Quality Act (CEQA)
- State Planning and Zoning Law
- City of Winters General Plan
- City of Winters Zoning Ordinance

PROJECT NOTIFICATION: Public notice advertising for the public hearing on this planning application was prepared by the Community Development Department’s Administrative Assistant in accordance with notification procedures set forth in the City of Winters’ Municipal Code and State Planning Law. Two methods of public notice were used: a legal notice was published in the Winters Express on Thursday, April 15, 2010 and notices were mailed to all property owners who own real property within three hundred feet of the project boundaries at least ten days prior to tonight’s hearing. Copies of the staff report and all attachments for the proposed project have been on file, available for public review at City Hall since Thursday, April 22, 2010.

ENVIRONMENTAL ASSESSMENT: The proposed use is exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15301 (Existing Facilities).

RECOMMENDED FINDINGS FOR 455 RUSSELL STREET (SITE PLAN/DESIGN REVIEW)

CEQA Findings:

1. The proposed project is exempt from CEQA review under §15301 (Existing Facilities)

2. The Planning Commission has considered the comments received on the project during the public review process.
3. The exemption finding reflects the independent judgment and analysis of the City of Winters.
4. The Planning Commission hereby confirms a Class 1 Existing Facilities exemption for the addition of an existing residential structure at 455 Russell Street.

General Plan and Zoning Consistency Findings:

1. The project is consistent with the goals and policies of the General Plan. The General Plan designates the project site as Low Density Residential. This designation provides for single-family detached homes, secondary residential units, public and quasi-public uses, and similar and compatible uses.
2. The project is consistent with the provisions of the Zoning Ordinance. The purpose of zone is to stabilize and protect the residential character of the zone and to promote and encourage a suitable environment for family life.

RECOMMENDATION: Staff recommends approval of the project by making an affirmative motion as follows:

I MOVE THAT THE CITY OF WINTERS PLANNING COMMISSION APPROVE THE SITE PLAN (DESIGN REVIEW) APPLICATION FOR THE CONSTRUCTION OF A 1,500 SQUARE FOOT ADDITION TO AN EXISTING RESIDENTIAL STRUCTURE AT 455 RUSSELL STREET BASED ON THE IDENTIFIED FINDING OF FACT AND BY TAKING THE FOLLOWING ACTIONS:

- Confirmation of exemption from the provisions of CEQA
- Confirmation of consistency findings with the General Plan and Zoning Ordinance
- Approval of the Site Plan (Design Review) application and subject to the conditions of approval attached hereto.

ALTERNATIVES: The Planning Commission can elect to modify any aspect of the approval or to deny the application. If the Planning Commission chooses to deny the application, the Commission would need to submit findings for the official record that would illustrate the reasoning behind the decision to deny the project.

CONDITIONS OF APPROVAL FOR THE SITE PLAN (DESIGN REVIEW) APPLICATION FOR THE CONSTRUCTION OF A 1,500 SQUARE FOOT ADDITION TO AN EXISTING RESIDENTIAL STRUCTURE AT 455 RUSSELL STREET LOCATED ON ASSESSOR PARCEL NUMBER 003-183-150, WINTERS, CA 95694.

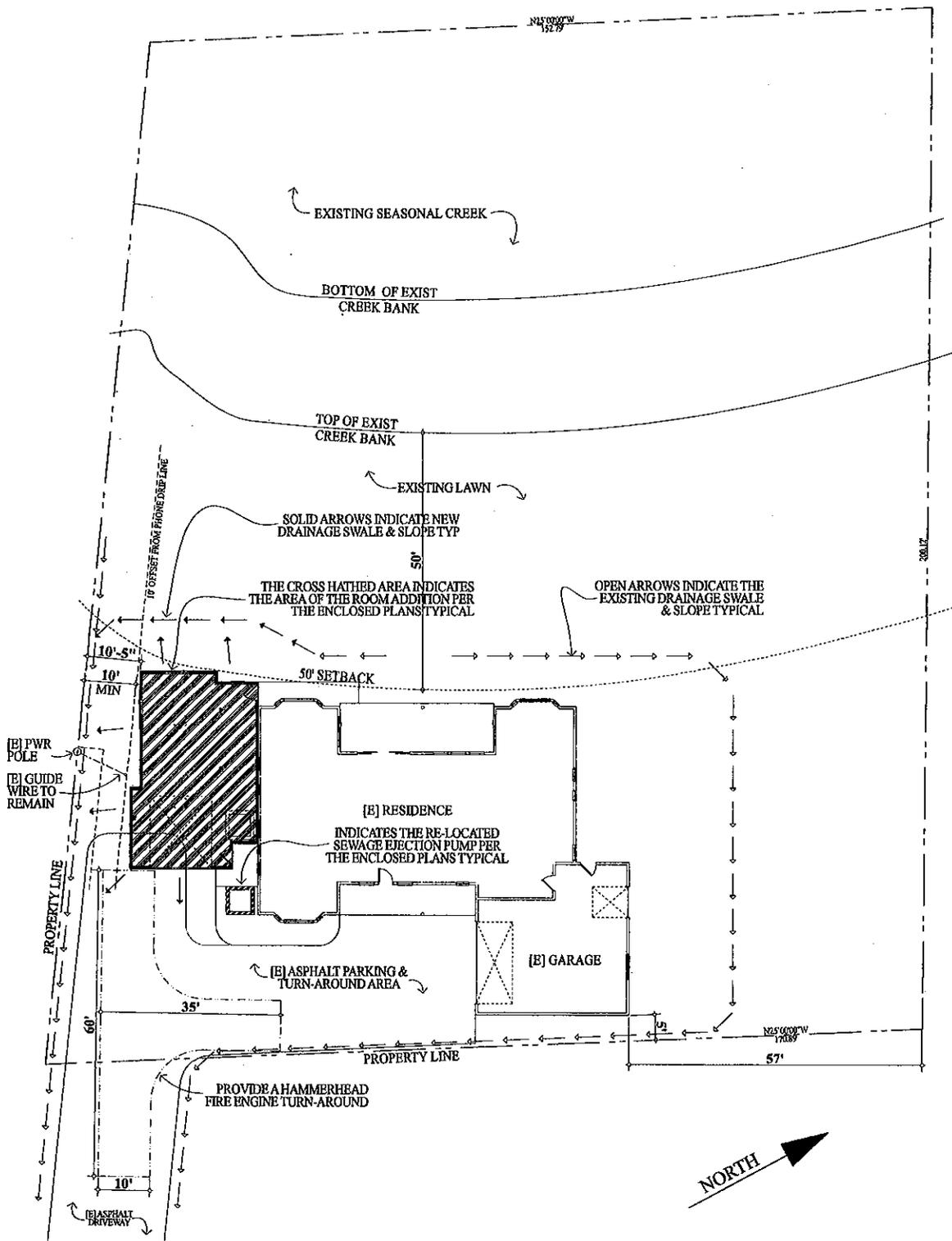
1. This approved Site Plan (Design Review) application is based upon and limited to compliance with the project description, Attachments 1-5, and conditions of approval set forth below. Any deviations from the project descriptions, attachments or conditions must be reviewed and approved by the Planning Commission for conformity with this approval. Deviations may

require modification to the permit and/or environmental review. Deviations without the above-described approval will constitute a violation of permit approval.

2. 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 include court costs and attorney 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 attorney 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 not 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.
3. Failure to comply with the conditions shall result in the immediate revocation of the conditional use permit under Winters Municipal Code Section 17.36.060.
4. The applicant shall obtain all required City permits (building, encroachment, etc.) and pay all applicable fees (building, encroachment, etc.)

ATTACHMENTS:

1. Site Plan
2. Upper Level Floor Plan
3. Lower Level Floor Plan
4. Elevations
5. Photo of Existing Residence



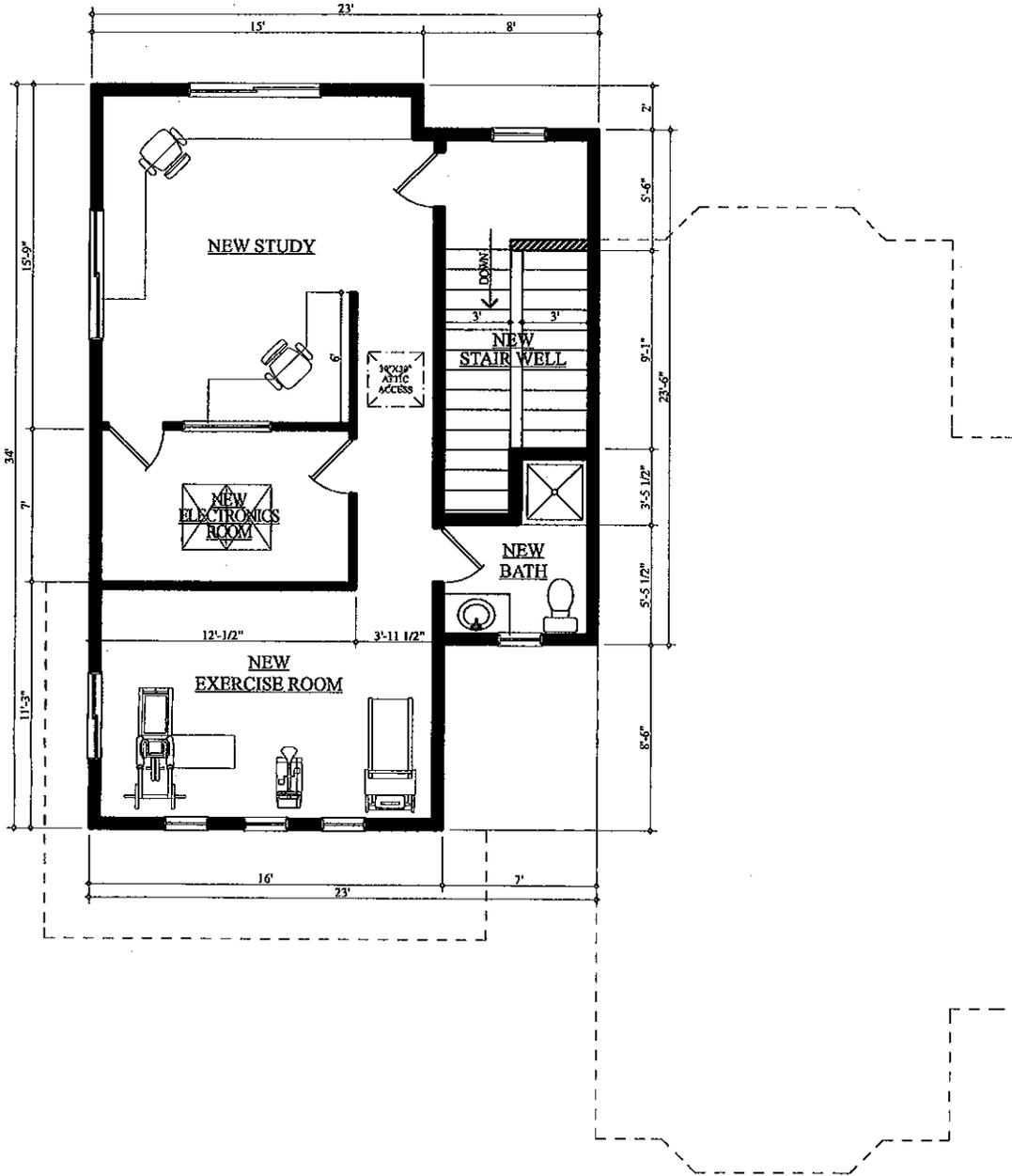
JAMES GEORGE DESIGNS INC.

JAMES GEORGE DESIGNS INC. IS A DIVISION OF A&J CONSULTING SERVICES INC.
 30 LEMON HILL TRAIL, NAPA, CA 94950
 OFF: 707 425-4166 CELL: 707 860-6704
 FAX: 707 860-6704

E-MAIL: James.george@constructionanddesign.com
 WEB SITE: JAMESGEORGEDESIGNS.COM

SITE PLAN

DATE 4-6-10 SCALE 1"=20'



UPPER LEVEL FLOOR PLAN

SCALE 3/16"=1'-0"

DATE: 4-5-10

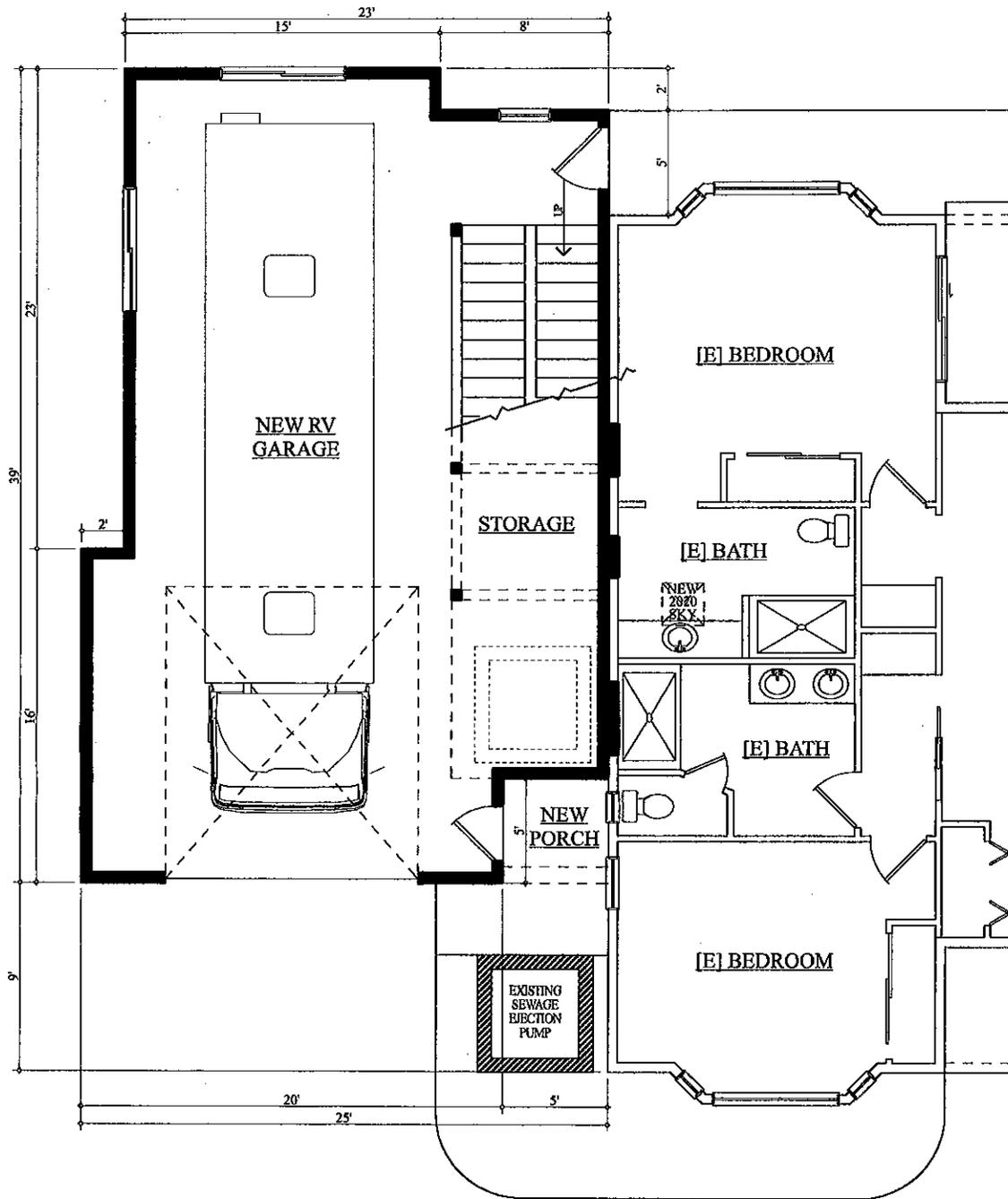


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 WEB SITE: JAMESGEORGEDESIGNS.COM



LOWER LEVEL FLOOR PLAN

SCALE: 3/16"=1'-0"

DATE: 4-7-10



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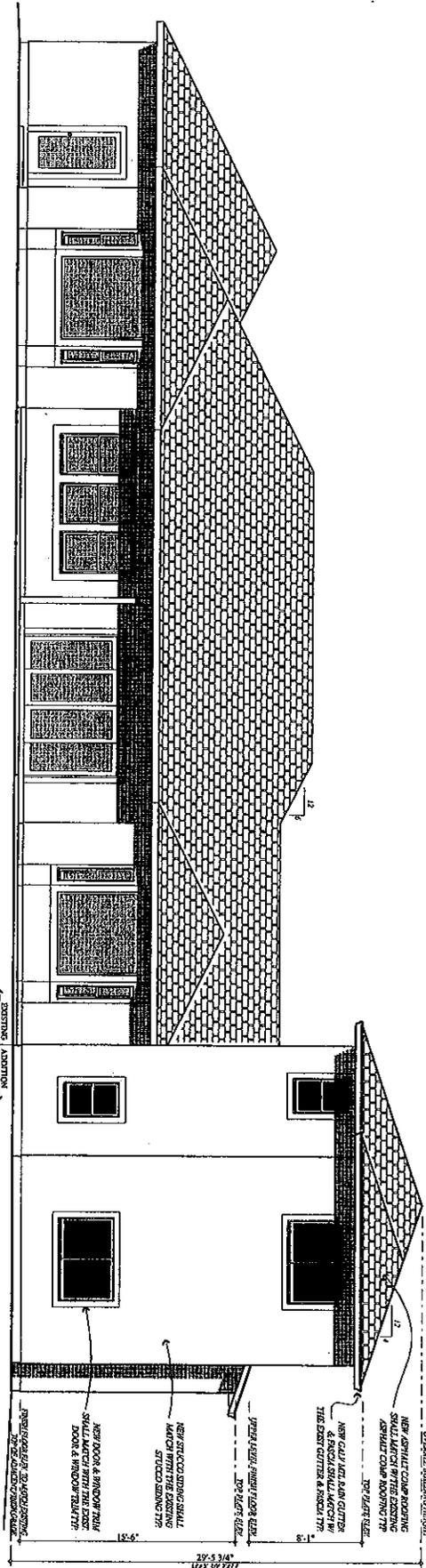
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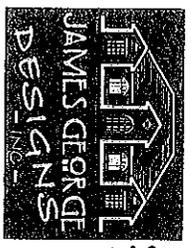
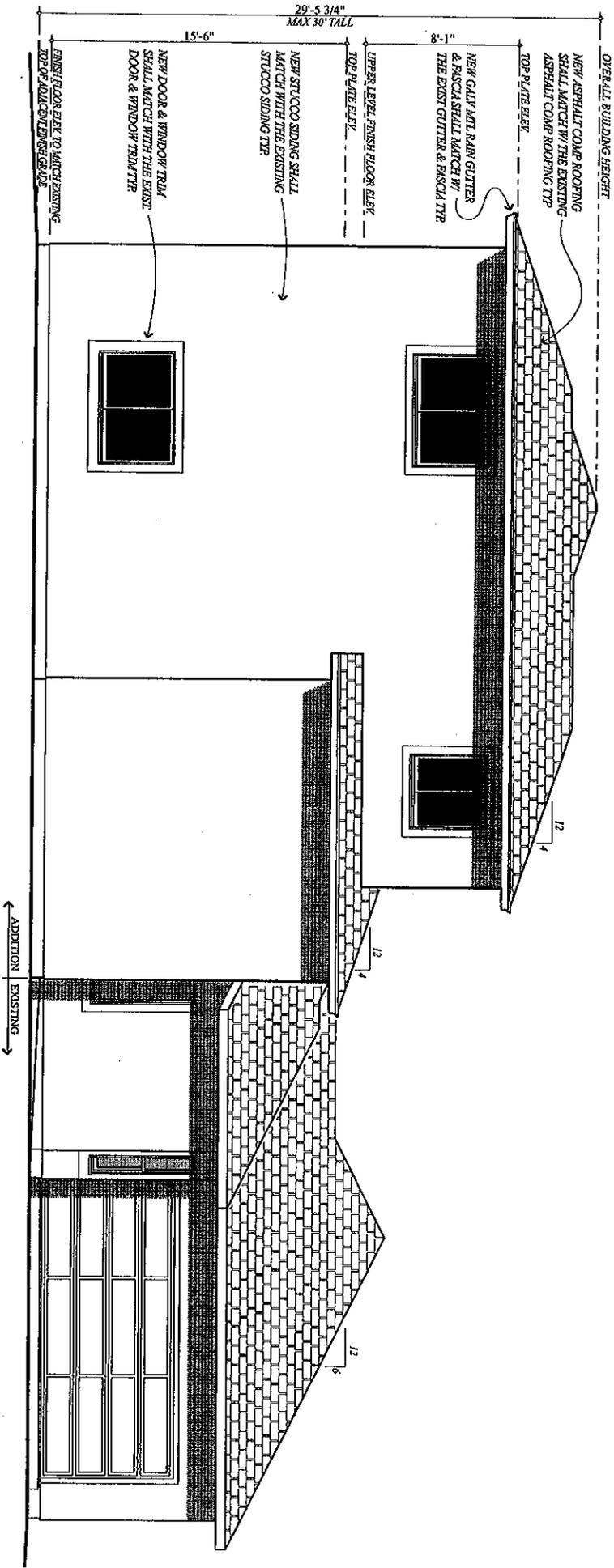
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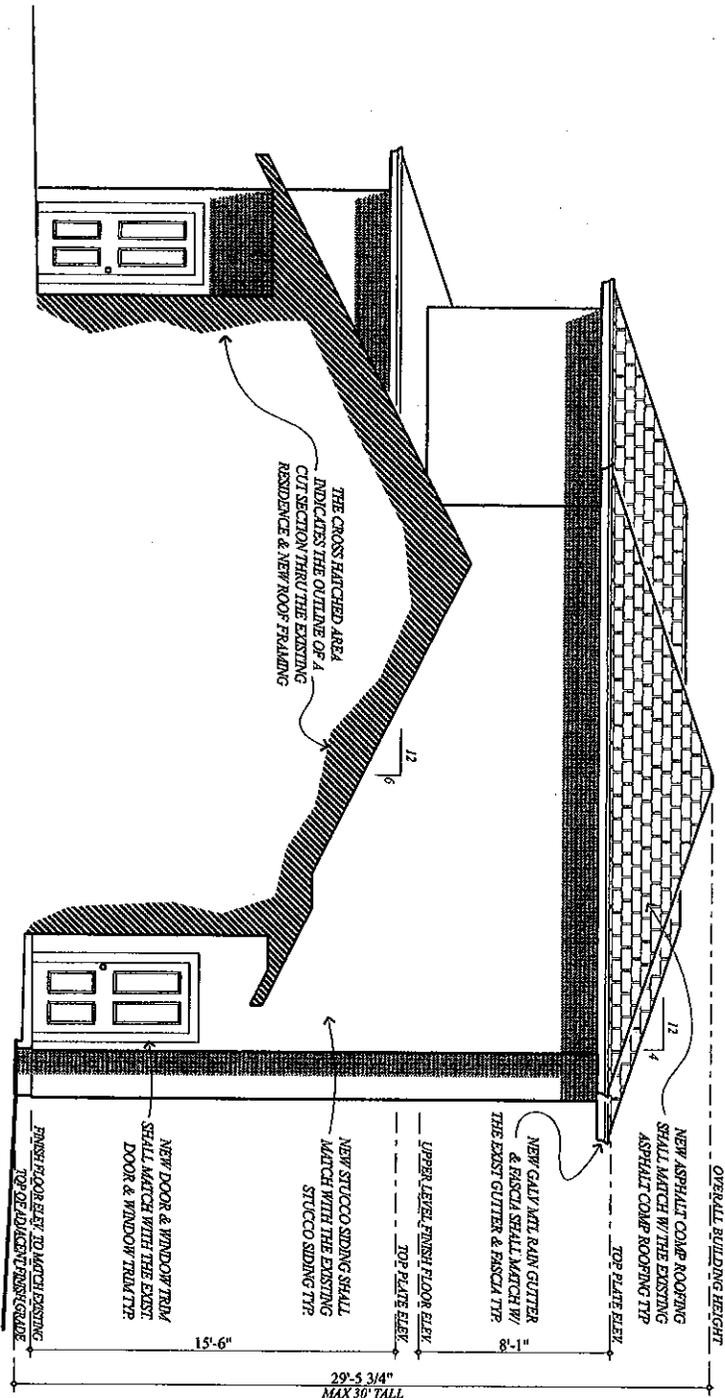


REAR EXTERIOR ELEVATION
 HOW: ADDITION, 455 RUSSELL STREET, WATERS, CA
 DATE: 4-7-10 SCALE: 1/8"=1'-0"



JAMES GEORGE DESIGNS INC.
 JAMES GEORGE DESIGN INC. 54 DUNDON ST. #401 CONSULTING ENGINEERS INC.
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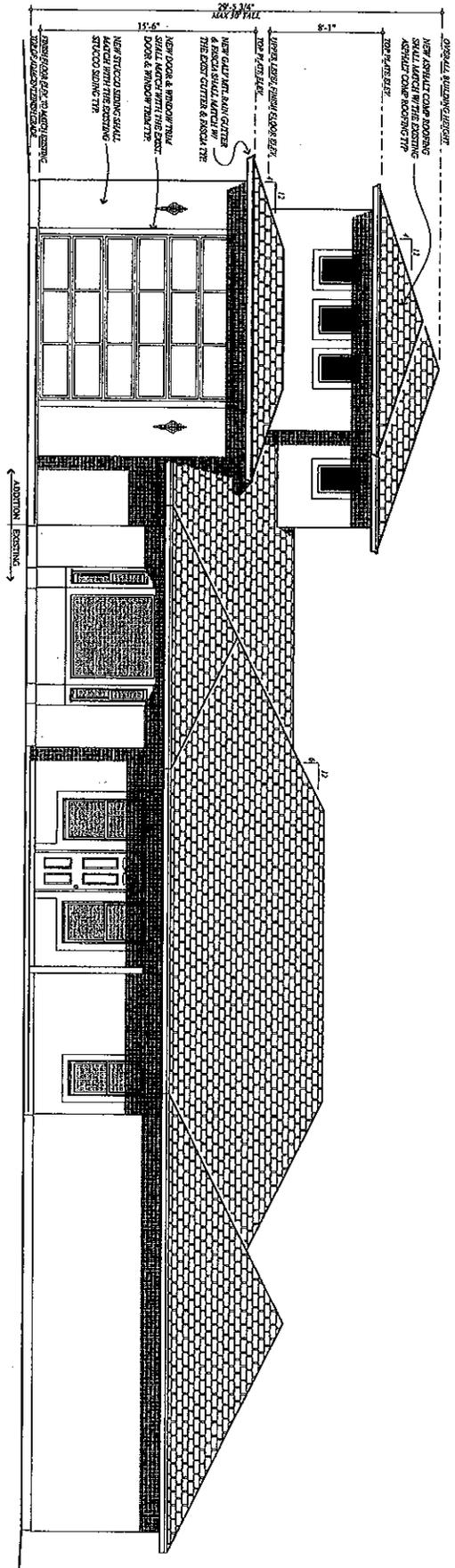
LEFT SIDE EXTERIOR ELEVATION
 HORN ADDITION, 455 RUSSELL STREET, WINTERS, CA
 DATE: 4-7-10 SCALE: 3/16"=1'-0"



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RIGHT SIDE EXTERIOR ELEVATION

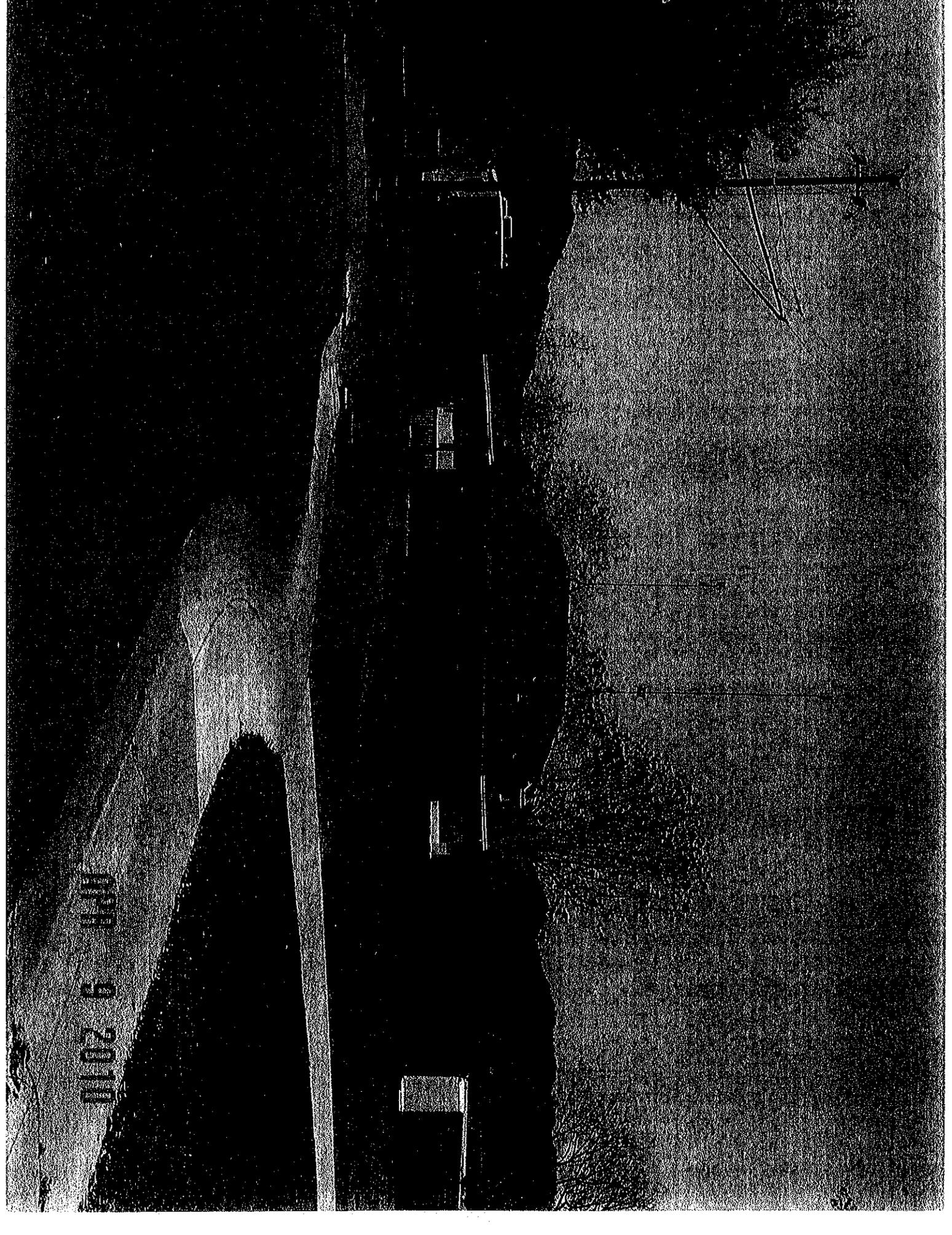
HORN ADDITION, 455 RUSSELL STREET, WINTERS, CA
 DATE: 4-7-10 SCALE: 3/16"=1'-0"



JAMES GEORGE DESIGNS, INC.
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FRONT EXTERIOR ELEVATION

HORR ADDITION, 455 RUSSELL STREET, WINTERS, CA
 DATE: 4-7-10 SCALE: 1/8"=1'-0"



APR 9 2010

Winters Art Park Visioning Workshop
March 27, 2010

Notes from group discussion and breakout sessions:

Group discussion during site tour:

- We need to have a master plan, and prioritize improvements that work toward that master plan:
 - First, a path through site
 - Second, stage and performance area
- Lighting is key component
- Fountain should be special to Winters—custom design
- The covered structure should be a community gathering space appropriate for different activities/times of day and season
- Important to meet the needs of all community members
- Art in the park is a key component—display options for many different types of art, including murals, sculptures on pedestals, art as benches, paving, etc.

Group One Presentation:

- Emphasize a Winters-led and Winters appropriate design
- Phasing of installation will be important for getting started right away, but being realistic about available budget
- Site program elements to consider:
 - Murals on walls—movable; showing history of Winters; local ecology/plants and animals, etc.
 - Movies in park
 - Demonstration gardens
 - Sustainability issues
 - Appropriate planting design for park site and Winters
 - Vendors in park to draw people in
 - Structure—temporary or permanent?
 - Fountain—what is best location—visible from Main St sidewalk? Falling water makes noise; have water fall on pavement with no edge
 - Meandering path—sandstone or granite
 - Create 'water connection' image through park area with stones or river theme
 - Stage with seating and covered area
 - Grass seating/picnic area
 - Pedestal benches for seating and art
- Emphasize sustainability in design

Group Two Presentation:

- Basic ideas and site design are very similar to Group One
- Path through park is a bermed and textured curving path with seating 'pods' at edges that have art platforms
- Double tiered seating in semicircle at fountain by Main Street
- Make sure to consider sun protection with trees and shade structure
- Murals on walls should also allow exposure of brick walls

