

CITY OF WINTERS PLANNING COMMISSION AGENDA

Tuesday, June 28, 2011 @ 6:30 PM  
City of Winters Council Chambers  
318 First Street  
Winters, CA 95694-1923  
Community Development Department  
Contact Phone Number (530) 795-4910 #114  
Email: [tracy.jensen@cityofwinters.org](mailto:tracy.jensen@cityofwinters.org)

Chairman: Pierre Neu  
Vice Chairman: Glenn DeVries  
Commissioners: Wade Cowan, Bruce Guelden,  
Corinne Martinez, Phillip Meisch, Joe Tramontana  
Administrative Assistant: Tracy Jensen  
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 Meeting Minutes from the April 26, 2011 regular meeting of the Planning Commission.

**V. STAFF/COMMISSION REPORTS**

**VI DISCUSSION ITEMS:**

- A. *Public Hearing and Consideration of a Planning Application Submitted by John Simmons for a Conditional Use Permit, Parking Variance, Floor Area Ratio Variance, Setback Variance, and Design/Site Plan Review to Construct One (1) Storage Building and Two (2) Carports for Recreational Vehicles at Winters Self Storage, 807 Railroad Avenue (APN 003-330-016, 017, 018)*

A public hearing to consider a request from John Simmons of Winters Self Storage for approval to construct a one (1) storage building and two (2) carports for recreational vehicles at 807 Railroad Avenue. The zoning classification for the site is O-F (Office) and the General Plan land use designation is O-F (Office). The project is categorically exempt from the California Environmental Quality Act (CEQA) under Section 15332 (In Fill Development) of the CEQA Guidelines. The Planning Commission will take final action on the project unless appealed to City Council.

**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 JUNE 23, 2011.



TRACY JENSEN - 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".

**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, TIME LIMITS MAY BE IMPOSED 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.

**THE COUNCIL CHAMBER IS WHEELCHAIR ACCESSIBLE**

**CITY OF WINTERS COMMUNITY DEVELOPMENT DEPARTMENT**  
**Current Projects List as of June 17, 2011**  
**(530) 795-4910, extension 114, [www.cityofwinters.org](http://www.cityofwinters.org)**

\* *New information in italics*

<b>PROJECT</b>	<b>DESCRIPTION &amp; PROCESS</b>	<b>LAST ACTION</b>	<b>NEXT ACTION</b>
(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.	Project not active.
(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.
(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.

**CITY OF WINTERS COMMUNITY DEVELOPMENT DEPARTMENT**  
**Current Projects List as of June 17, 2011**  
**(530) 795-4910, extension 114, [www.cityofwinters.org](http://www.cityofwinters.org)**

Project Number, Applicant Name, and Contact Information	Project Description	Planning Commission Action	Applicant Status and Next Steps
(10) Pearse Parcel Map, Thomas Pearse (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 (CDA) approved an extension of an Exclusive Negotiating Rights Agreement By and Between the CDA and Yackzan Group, Inc, for the Development of the Grant Avenue Commercial Property.
(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, C/CAH/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 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.	<b>Complete</b>
(14) St. Anthony's Catholic Church Parish & Rectory, Roman Catholic Church of Sacramento/ McCandless & Associates (530) 662-9146	Proposal to construct a new Catholic Church and associated site work at the corner of Main & Grant Streets.	-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.	Issuance of Building Permit(s)
(15) 115 E. Grant Avenue Fueling Canopy, David Lorenzo (530) 795-3214	Proposal to construct a fueling canopy and install 4 new fueling dispensers at 115 E. Grant Avenue.	Planning Commission approved the Design Review (Site Plan) on February 24, 2009.	Complete
(16) Turkovich Family Wines, 304 Railroad Avenue, (530) 795-2767	Application for a Conditional Use Permit to operate a wine tasting room at 304 Railroad Avenue	Application was filed on January 29, 2009. Planning Commission approved the Conditional Use	Complete

**CITY OF WINTERS COMMUNITY DEVELOPMENT DEPARTMENT**  
**Current Projects List as of June 17, 2011**  
**(530) 795-4910, extension 114, [www.cityofwinters.org](http://www.cityofwinters.org)**

		Permit for the project on March 24, 2009.	
(17) The Tree House Children's Center, 418 Haven Street, (530) 304-8248	Application for a Conditional Use Permit to operate a children's center at 418 Haven Street	Application was filed on March 19, 2009. Planning Commission approved the Conditional Use Permit for the project on April 28, 2009.	Complete
(18) Winters Community Church, 113 Main Street, (530) 795-5530	Application for a Conditional Use Permit to operate a religious institution at 113 Main Street	Application was filed on April 6, 2009. Planning Commission approved the Conditional Use Permit on May 26, 2009.	Complete
(19) Turkovich Family Winery, 22-A Main Street, (530) 795-2767	Application for a Conditional Use Permit to operate a winery at 22-A Main Street	Application was filed on June 6, 2009. Planning Commission approved the Conditional Use Permit on July 14, 2009.	Complete
(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	<b>Under Construction</b>
(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	<b>Complete</b>
(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.	Applicant submittal of improvement and building plans

**CITY OF WINTERS COMMUNITY DEVELOPMENT DEPARTMENT**

**Current Projects List as of June 17, 2011**

**(530) 795-4910, extension 114, [www.cityofwinters.org](http://www.cityofwinters.org)**

		<ul style="list-style-type: none"> <li>- Public Hearing and Informational Item scheduled for January 26, 2010.</li> <li>-A public hearing was scheduled for a special Planning Commission meeting on August 10, 2010. The Planning Commission approved the application. On August 20, 2010, the City received a notice of appeal of the Planning Commission's Action.</li> <li>-Appeal Hearing was scheduled for a special City Council meeting on Wednesday, September 29, 2010.</li> <li>- City Council denied the appeal and upheld the Planning Commission's decision at the special City Council meeting held on September 29, 2010.</li> </ul>	
<p>(26) Tentative Parcel Map for Jordan Family (530)662-1755</p>	<p>Application for Tentative Parcel Map for property located southwest of I-505/SR 128 to realign the proposed Gateway Drive street alignment and reconfigure the lots to match the new alignment.</p>	<ul style="list-style-type: none"> <li>-Application was filed on December 16, 2009. The application was deemed "incomplete" by staff on January 12, 2010.</li> <li>-The application was deemed complete on March 10, 2010. A public hearing was scheduled for the May 25, 2010 Planning Commission Meeting. The Planning Commission recommended approval of the Tentative Parcel Map to the City Council.</li> <li>- The City Council held a public hearing and approved the tentative parcel map on June 5, 2010.</li> </ul>	
<p>(27) Kristensen Drywall and Pearce Heating &amp; Air Conditioning, 27990 CR 90, (530) 795-8800</p>	<p>Application for a Conditional Use Permit (CUP) to operate light general manufacturing uses in a Light Industrial (M-1) zone at 27990 CR 90.</p>	<ul style="list-style-type: none"> <li>Application was filed on February 18, 2010. A public hearing for the application was scheduled for the March 23, 2010 Planning Commission Meeting. The</li> </ul>	<p>Active Business</p>

**CITY OF WINTERS COMMUNITY DEVELOPMENT DEPARTMENT**  
**Current Projects List as of June 17, 2011**  
**(530) 795-4910, extension 114, [www.cityofwinters.org](http://www.cityofwinters.org)**

		<p>Commission approved the CUP at the March 23, 2010 meeting.</p>	
<p>(28) Briggs &amp; Co., 820 Railroad Avenue, (530) 795-9505</p>	<p>Application for a Conditional Use Permit (CUP) for extension of a non-conforming use at 820 Railroad Avenue.</p>	<p>Application was filed on March 1, 2010. A public hearing for the application was scheduled for the March 23, 2010 Planning Commission meeting. The public hearing was continued off calendar. Another public hearing was scheduled for the August 24, 2010 Planning Commission meeting. The public hearing was continued off calendar by staff.</p>	
<p>(29) Preserve, Inc., 200 and 202 Railroad Avenue, (530) 795-3816</p>	<p>Application for a Conditional Use Permit (CUP) 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</p>	<p>Application was filed on March 4, 2010. A public hearing for the application was scheduled for the March 23, 2010 Planning Commission (PC) Meeting. The public hearing was continued to a special PC meeting on April 5, 2010. PC approved the CUP at the meeting on April 5, 2010.</p>	<p>Complete/Active Business</p>
<p>(30) Main Street Plaza, 111 Main Street, (530) 795-3214</p>	<p>Application for a Sign Permit and Variance to modify a nonconforming sign location at 111 Main Street</p>	<p>Application was filed on March 4, 2010. A public hearing for the application was scheduled for the March 23, 2010 Planning Commission (PC) Meeting. PC approved the variance at the meeting on March 23, 2010.</p>	<p>Complete</p>
<p>(31) New Single Family Home, 415 First Street, (916) 600-5401</p>	<p>Application for a Site Plan (Design Review) application for the construction of a new single-family, single-story house at 415 First Street</p>	<p>Application was filed on April 2, 2010. A public hearing for the application was scheduled for the April 27, 2010 Planning Commission (PC) Meeting. PC approved the Design Review application at the meeting on April 27, 2010.</p>	<p>Complete</p>
<p>(32) Addition to Existing Single-Family Residence, 455 Russell Street, (530)</p>	<p>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</p>	<p>Application was filed on April 9, 2010. A public hearing for the application was scheduled for the</p>	<p>Complete</p>

**CITY OF WINTERS COMMUNITY DEVELOPMENT DEPARTMENT**  
**Current Projects List as of June 17, 2011**  
**(530) 795-4910, extension 114, [www.cityofwinters.org](http://www.cityofwinters.org)**

867-6444		April 27, 2010 Planning Commission (PC) Meeting. PC approved the Design Review application at the meeting on April 27, 2010.	
(33) Parcel Map for 101 East Grant Avenue, (530) 668-5883	Application for the dedication of right-of-way for the Walnut Lane Re-Alignment Project and splitting one lot into two new lots at 101 East Grant Avenue (APN 003-350-06)	Application was filed on June 1, 2010. A public hearing for the application was scheduled for the June 22, 2010 Planning Commission Meeting. It has been continued to a special meeting in July due to the need for additional time to process the preliminary map with Yolo County. A public hearing was scheduled for the August 24, 2010 Planning Commission. Parcel map was approved at the Planning Commission meeting on August 24, 2010.	<b>Complete</b>
(34) 22 Main Street, (530) 795-2060	Application for a Conditional Use Permit (CUP) to operate a wine tasting room at a proposed boutique/gift shop to be located at 22 Main Street	Application was filed on June 10, 2010. Staff could not process the project until ordinance relevant to the project was amended. A public hearing for the project was held on October 26, 2010. The Planning Commission approved the issuance of the CUP.	Active Business
(35) 113 Main Street, CUP for Anytime Fitness (650) 483-2201	Application for a Conditional Use Permit (CUP) to operate a 24-hour gym at 113 and 115 Main Street	Application was filed on September 14, 2010. A public hearing for the project was held on October 12, 2010. The Planning Commission approved the issuance of the CUP.	Construction completed/Active Business
(36) Winters Self Storage, 807 Railroad Avenue, Site Plan/Design Review and CUP	Application to expand the existing use at 807 Railroad	Application was filed in November 2011. An information item is scheduled for the April 26, 2011 Planning Commission. The public hearing for the project is tentatively scheduled for the May 24 <sup>th</sup> Planning Commission meeting. <b>The public hearing was continued to the</b>	

**CITY OF WINTERS COMMUNITY DEVELOPMENT DEPARTMENT**  
**Current Projects List as of June 17, 2011**  
**(530) 795-4910, extension 114, [www.cityofwinters.org](http://www.cityofwinters.org)**

		<p><b>regular meeting of the Planning Commission on June 28, 2011.</b>          Application was filed in April 2011. A public hearing is scheduled for the April 26, 2011 Planning Commission Meeting. <b>The Planning Commission approved the CUP modification on April 26, 2011.</b></p>	<p><b>Applicant submittal of improvement and building plans</b></p>
<p>(37) Turkovich Family Wines, 304 Railroad Avenue – CUP Mod</p>	<p>Application for a modification of an existing conditional use permit to expand the business into 306 Railroad Avenue, the basement beneath 304 Railroad Avenue, and the sidewalk area in front of 304 and 306 Railroad Avenue.</p>	<p>Application was filed in April 2011. A public hearing is scheduled for the April 26, 2011 Planning Commission Meeting. <b>The Planning Commission approved the project on April 26, 2011.</b></p>	<p><b>Applicant submittal of improvement and building plans</b></p>
<p>(38) John Neil, Access Manufacturing, 1801 Railroad Avenue, Design Review</p>	<p>Application to construct an approx. 1,500 square foot modular office building for temporary use at 1801 Railroad Avenue</p>	<p>-Presentation to Planning Commission on November 24, 2009.          -Presentation to City Council on December 1, 2009.          -Adopted by City Council in January 2010.</p>	
<p>Code Enforcement Ordinance</p>	<p>Preparation of Ordinance to adopt Title 19 (Code Enforcement) to the Winters Municipal Code.</p>	<p>CC approved the extension on September 1, 2009. Staff prepared and presented the Work Plan resulting from the extension to the PC on October 27, 2009</p>	
<p>General Plan Horizon Year Extension</p>	<p>Extend the General Plan Horizon Year Extension from 2010 to 2018.</p>	<p>-Reviewed favorably by Affordable Housing Steering Committee on November 3, 2009.          -PC recommended approval to City Council on November 24, 2009.          -City Council adopted the Affordable Housing Ordinance on January 5, 2010</p>	<p>Development of a work/implementation plan for the Housing Element</p>
<p>Affordable Housing Ordinance</p>	<p>Preparation of an Ordinance to add Chapter 17.200 to the Winters Municipal Code (Zoning) pertaining to Affordable Housing Requirements</p>	<p>City Council adopted the Housing Element Update on September 1, 2009.</p>	<p>Applicant submittal of improvement and building</p>
<p>Housing Element</p>	<p>Preparation and Adoption of Housing Element Update for the 2008-2013 Planning Period</p>	<p>PC accepted GP consistency report and recommended to Council</p>	
<p>Abbey Street Partial Abandonment</p>	<p>Partial abandonment of East Abbey St to allow for Monticello development</p>		

**CITY OF WINTERS COMMUNITY DEVELOPMENT DEPARTMENT**

**Current Projects List as of June 17, 2011**

**(530) 795-4910, extension 114, [www.cityofwinters.org](http://www.cityofwinters.org)**

		4/22/08. CDA at its September 2, 2008 meeting approved the DDA for the project.	plans for the Monticello Project
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	Not active/DDA expired
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)	PC hearing on 7/22/08 – PC approved project subject to COAs presented in staff report.	Under Construction

# MINUTES OF THE WINTERS PLANNING COMMISSION MEETING HELD APRIL 26, 2011

***DISCLAIMER:** These minutes represent the interpretation of statements made and questions raised by participants in the meeting. They are not presented as verbatim transcriptions of the statements and questions, but as summaries of the point of the statement or question as understood by the note taker.*

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

**PRESENT:** Commissioners Cowan, DeVries, Guelden, Tramontana, and Chairman Neu.

**ABSENT:** Commissioners Martinez and Meisch

**STAFF:** Community Development Director Nelia Dyer, Interim Contract City Attorney Katherine Faubion, and Administrative Assistant Jenna Moser

Commissioner Tramontana led the Pledge of Allegiance.

**CITIZEN INPUT:** None

**COMMUNICATIONS:** None

**STAFF REPORTS:** None

**COMMISSION REPORTS:** None

**CONSENT ITEM:** Approve minutes of the March 22, 2011 Meeting of the Planning Commission.

Motion by Commissioner Guelden, Second by Commissioner Tramontana to approve minutes of the March 22, 2011 Meeting of the Planning Commission.

**AYES:** Commissioners Cowan, DeVries, Guelden, Tramontana, and Chairman Neu.

**NOES:** None

**ABSTAIN:** None

**ABSENT:** Commissioners Martinez and Meisch

**DISCUSSION ITEM:**

- A. Public Hearing and Consideration of an application for approval of a Conditional Use Permit Modification for Turkovich Family Wines Expansion (304 Railroad Avenue) into 306 Railroad Avenue, the basement of 304 Railroad Avenue, and the sidewalk in front of 304 Railroad Avenue.**

Community Development Director Dyer provided an overview of the staff report, exhibits, and provided a PowerPoint presentation.

# MINUTES OF THE WINTERS PLANNING COMMISSION MEETING HELD APRIL 26, 2011

Commissioner DeVries voiced concern that the City would be setting a precedent regarding the outdoor seating in the on-street parking area. Ms. Dyer responded that the use of on-street parking spaces, covered with planking and seating, would be part of a pilot program, with the effectiveness of the project gauged at the end of a trial period.

Commissioner Tramontana asked why the applicant wants to do this project. Ms. Dyer responded that sidewalk cafés are good for business, increase visibility, and are attractive to customers.

Chairman Neu asked if any of those publicly noticed property owners had any comments on the proposed modification. Ms. Dyer responded that she received no comments, and that the approval of this Conditional Use Permit Modification is permanent, not temporary.

Commissioner Cowan asked for clarification of the modification being permanent. Ms. Dyer responded that the modification would be permanent, not the sidewalk café seating; the seating would be part of a pilot project to gauge effectiveness of this method of providing outdoor seating. Commissioner Cowan asked what would happen if there were complaints or if the pilot project was not successful. Ms. Dyer responded that complaints would be dealt with by staff, and that a condition could be added to the modification to address if the pilot program was unsuccessful. Commissioner Cowan stated he would like an end date stated for the pilot project.

Chairman Neu asked why we could not deal with the interior and exterior issues separately. Tony Turkovich, representing the applicant, stated that the Alcoholic Beverage Control Agency is the main factor in these approvals, in order to get bonded for the sidewalk wine café. Mr. Turkovich is fine with an additional condition that will not affect ABC approvals.

Commissioner DeVries asked about what kind of timeline Mr. Turkovich was working with. Mr. Turkovich stated that he is flexible, but does not want to go through this process multiple times. At this time Ms. Dyer and City Attorney Kit Faubion worked on Condition #20, addressing the sidewalk area.

Chairman Neu opened the Public Hearing at 7:05PM.

Bill Biasi stated concerns about the sidewalk café area. Mr. Biasi stated that sidewalk cafes tend to creep into the sidewalk pathway, making passage through those areas difficult or impossible – bikes, chairs, tables, etc. creep into the sidewalk pathway. Mr. Biasi also stated that he has concerns about losing public property/parking spaces to sidewalk cafes.

Hearing no other comments, Chairman Neu closed the Public Hearing at 7:08PM.

Commissioner Tramontana mentioned that a sidewalk café requires a permit, and fees are collected on a per-square-foot basis. Commissioner Cowan stated that sidewalk cafes are attractive, but also agrees with concerns about them creeping into the sidewalk pathway.

Ms. Dyer proposed the following Condition #20: *The sidewalk café and seating is included in the Conditional Use Permit Modification approval, but the use is conditioned on the success of the City's pilot program for the sidewalk extension. Six months after the installation of the sidewalk*

# MINUTES OF THE WINTERS PLANNING COMMISSION MEETING HELD APRIL 26, 2011

*extension in front of the subject business, if the City determines not to allow sidewalk extensions following the pilot program, the sidewalk care and seating shall no longer be allowed under this permit and permit modification.*

Commissioner Cowan asked staff about the responsibilities of enforcing a clear pathway in sidewalk cafes. Ms. Dyer stated that she would support some kind of visible line on the sidewalk delineating the pathway that must be kept clear.

Motion by Commissioner DeVries, Second by Commissioner Guelden to approve application for a Conditional Use Permit Modification for Turkovich Family Wines Expansion (304 Railroad Avenue) into 306 Railroad Avenue, the basement of 304 Railroad Avenue, and the sidewalk in front of 304 Railroad Avenue as amended with Condition #20.

**AYES:** Commissioners Cowan, DeVries, Guelden, Tramontana, and Chairman Neu.

**NOES:** None

**ABSTAIN:** None

**ABSENT:** Commissioners Martinez and Meisch

## **B. Public Hearing and Consideration of an application for Design Review approval for a Pre-Manufactured Office Structure at Access Manufacturing located at 1801 Railroad Avenue.**

Community Development Director Dyer provided an overview of the staff report, exhibit, and provided a brief PowerPoint presentation outlining the site.

Commissioner Guelden asked why skirt the entire building if the use is to be probably less than one year. John Neil, applicant, stated that he wants to skirt the whole building because it is his business headquarters and wanted a nice look.

Commissioner Tramontana asked what products were manufactured at the site. Mr. Neil replied that Access Manufacturing makes truck bed tops.

Chairman Neu opened the Public Hearing at 7:35PM. Hearing no comments, the Public Hearing was closed at 7:35PM.

Motion by Commissioner DeVries, Second by Commissioner Tramontana to approve Design Review for a Pre-Manufactured Office Structure at Access Manufacturing located at 1801 Railroad Avenue.

**AYES:** Commissioners Cowan, DeVries, Guelden, Tramontana, and Chairman Neu.

**NOES:** None

**ABSTAIN:** None

**ABSENT:** Commissioners Martinez and Meisch

# MINUTES OF THE WINTERS PLANNING COMMISSION MEETING HELD APRIL 26, 2011

## C. Information Item – 807 Railroad Avenue

Community Development Director Dyer provided an overview of the Staff Report, and exhibits.

Commissioner Cowan questioned how the back of the property (facing Almondwood Apartments) would be treated. Ms. Dyer stated that the applicant will be required to provide off-site improvements on Dutton Street.

## D. Information Item – Conflict of Interest

Interim Contract City Attorney Kit Faubion provided a PowerPoint regarding Conflict of Interest.

Commissioner Cowan commented on the high fines.

Chairman Neu commented on how many of the commissioners live in proximity of one another and of the downtown.

### COMMISSIONER/STAFF COMMENTS:

Commissioner Cowan noted an upcoming Economic Development Advisory Meeting.

Community Development Director Dyer stated she is meeting with Carol Ellis regarding medical marijuana dispensaries.

Commissioner Cowan added that Youth Day is this weekend.

Commissioner Guelden added that the Annual Garage Sale of the Rich and Famous will be on May 7<sup>th</sup>.

Debra DeAngelo, speaking on behalf of the Chamber of Commerce, stated that the next informational meeting the Chamber is hosting will be May 3<sup>rd</sup> regarding the use of social networking. There is a \$10.00 fee, and everyone is encouraged to attend.

The meeting was adjourned at 8:15PM.

### ATTEST:

---

Jenna Moser, CDD Admin

---

Pierre Neu, Chairman



**PLANNING COMMISSION  
STAFF REPORT**

**TO:** Chairman and Planning Commissioners  
**DATE:** June 28, 2011  
**FROM:** Nelia C. Dyer, Community Development Director  
**SUBJECT:** Public Hearing and Consideration of a Planning Application Submitted by John Simmons for a Conditional Use Permit, Parking Variance, Floor Area Ratio, Setback Variance, and Design/Site Plan Review to Construct One (1) Storage Building and Two (2) Carports for Recreational Vehicles at Winters Self Storage, 807 Railroad Avenue (APN 003-330-016, 017, 018)

**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 planning application submitted by John Simmons for a Conditional Use Permit, Parking Variance, Setback Variance, and Design/Site Plan Review to construct one (1) storage building and two (2) carports for recreational vehicles directly north and east of the existing self-storage facility (Winters Self Storage) at 807 Railroad Avenue.

**GENERAL PLAN DESIGNATION, EXISTING ZONING, AND LAND USE:** Winters Self Storage is presently located and operating on the site. The General Plan land use designation is Office (O-F). The Zoning Classification is Office (O-F). The General Plan designation, zoning, and current land use of the surrounding properties are as follows:

	<u>GENERAL PLAN LU DESIGNATION</u>	<u>ZONING</u>	<u>CURRENT LAND USE</u>
NORTH	HIGH DENSITY RESIDENTIAL(HR)	HIGH DENSITY RESIDENTIAL(R-4)	MULTI-FAMILY HOUSING
EAST	HIGH DENSITY RESIDENTIAL (HR)	HIGH DENSITY RESIDENTIAL (R-4)	MULTI-FAMILY HOUSING
SOUTH	CENTRAL BUSINESS DISTRICT (CBD)	RAILROAD AVENUE D-B	SINGLE FAMILY HOME
WEST	MEDIUM DENSITY RESIDENTIAL (MR)	MEDIUM DENSITY RESIDENTIAL (R-2)	SINGLE FAMILY HOMES

**BACKGROUND:** The project applicant, John Simmons, received approval of a conditional use permit to construct a self storage facility on Parcel 1 of the 3.6 acre property in 1988. In 1989, Mr. Simmons applied for a tentative parcel map to create three lots on the 3.6 acre property and site plan

approval to construct the self-storage facility on Parcel 1. On January 24, 1989, the Planning Commission approved the application, which included the requirement of entering into a development agreement with the City of Winters. The decision of the Planning Commission was subsequently appealed by City Council Member Robert Harris on behalf of a neighborhood coalition opposing the lot split. On March 7, 1989, the City Council considered the appeal, held the public hearing, and ultimately, denied the appeal and upheld the Planning Commission's decision. The Development Agreement for Improvements and Agreement to Form Districts for the parcel map and construction of the self-storage facility was recorded on May 10, 1989.

In 2005, Mr. Simmons submitted an application for site plan review and lot line adjustment for the construction of a contractor's office facility consisting of two 6,848 square foot buildings on a site approximately 41,810 square feet in size directly north of the existing self-storage facility. On June 28, 2005, the Planning Commission approved the site plan and lot line adjustment for the project. The project was never constructed, and the lot line adjustment was never executed.

**PROJECT DESCRIPTION:** The applicant is requesting approval of a conditional use permit, parking variance, floor area ratio variance, side and rear yard setback variance, and design/site plan review to construct one (1) storage building and two (2) carports for recreational vehicles directly north and east of the existing self-storage facility at 807 Railroad Avenue. The proposed storage building is approximately 14,350 square feet and 16 feet in height. According to the site plan, there are spaces for 22 recreational vehicles. It is proposed to be enclosed on all four sides and constructed on the northern property line in Parcel 2.

The proposed carports are 10,000 square feet and 13,120 square feet, respectively. They are proposed to be approximately 14.5 feet in height, constructed on the eastern property line, and will be located on Parcel 3. Collectively, the carports will provide 31 spaces for recreational vehicles. There are 5 spaces depicted on the site that will not be covered. Prior to construction of the buildings, the applicant will be required to merge Parcels 1, 2, and 3.

To access the structures, the applicant is proposing to construct a 36 foot, 4 inch-wide, one-way drive aisle through the property. According to the site plan, renters of the storage facility can access the proposed structure from a 30-foot driveway off of Railroad, north of the existing driveway into and out of the site.

- “ The proposed buildings will be constructed using steel and masonry block and will be painted to match the existing buildings of the storage facility. The roofs of the proposed structures will be slightly sloped. No new signs are proposed for this development.

**ANALYSIS:** As mentioned previously, the applicant is requesting approval of a conditional use permit, parking variance, floor area ratio variance, setback variance, and design/site plan review to construct one (1) storage building and two (2) carports for recreational vehicles directly north and east of the existing self-storage facility at 807 Railroad Avenue. The analysis of each entitlement is provided below.

**Conditional Use Permit:** Staff required the applicant to apply for a Conditional Use Permit. During

the preliminary analysis of the planning application, staff determined that an interpretation of the expanded use by the Planning Commission was necessary, according to Winters Municipal Code, Section 17.104.010 (B) (see analysis below). According to Chapter 17.20 (Use Permits) of the Winters Municipal Code, when reviewing applications for use permits, the Planning Commission shall find all of the following conditions to be fulfilled. Staff's analysis of each condition is provided under each condition:

1. *The requested use will be in conformity with the General Plan.*

The subject property has a General Plan land use designation of Office (OF). According to the General Plan, "office" is defined as a designation that "provides for professional and administrative offices, medical and dental clinics, laboratories, financial institutions, multi-family residential units, public and quasi-public uses, and similar and compatible uses." While "storage facility" is not specifically mentioned in the definition, staff considers this use to be compatible with the uses allowed under the designation. For example, tenants of multi-family housing often times use storage facilities to store belongings that they cannot fit into the residential unit. In addition, surrounding businesses may use the storage facility to store supplies, files, or equipment if they do not have room for the items at their site. Based on the aforementioned factors, staff has determined that the current and requested use is and will be in conformity with the General Plan.

2. *The requested use is listed as a conditional use in the zone regulations or elsewhere in this section, or, where an interpretation was necessary, a determination was made by the community development director or planning commission that the proposed use would require a use permit.*

The subject property is zoned Office (O-F). According to Section 17.52.020 (Land Use/Zone Matrix) of the Winters Municipal Code, "personal storage" is not an allowed use in the Office zone.

As mentioned previously, the existing storage facility was constructed upon approval of a conditional use permit in 1989. At that time, the property was zoned Light Industrial (M-1), and personal storage was allowed with conditional use permit approval. The zoning map and code was amended in 1997. Therefore, the personal storage facility is a legal, nonconforming conditional use.

According to Section 17.104.010 (B) (Continuing Conditional Uses) of the Winters Municipal Code, "any use lawfully existing at the time of adopting of these zoning regulations, or a subsequent amendment to this title, which use is listed as a conditional use in the zone in which it is located, shall remain a nonconforming use, and in no case shall the use be enlarged, expanded, or intensified in any manner until a use permit has been obtained pursuant to the provisions of this title." Since the existing storage facility is legal, nonconforming and conditional approval of a use permit is required before the applicant is allowed to expand the use. Based on the analysis under this finding, a conditional use permit is required for the expansion of this use.

3. *The requested use is consistent with the intent and purposes of the zone in which it is located, and will not detrimentally impact the character of the neighborhood.*

The proposed expanded use is located in the Office (O-F) zone. According to the Winters Municipal Code Section 17.44.100 (Office (O-F) Zone), "the purpose of the office (O-F) zone is to provide for a wide range of professional, administrative, and medical offices and clinics in areas which may represent a transition from one land use character to another, supported by adequate infrastructure. Multi-family residential uses may also be appropriate in the O-F Zone." Some of the permitted uses listed in the Land Use/Zone Matrix in Section 17.52.020 include business service, financial institutions, business and medical office.

The self storage facility is a quiet operation, comparable to that of a professional office. The existing business includes an office for the property manager to conduct the daily business. In addition, the property manager lives on the site in order to manage the property on a 24-hour basis. The site is visited approximately 20 times per week, based upon the records kept by the property manager. The only sounds generated at the site come from vehicles visiting the storage facility as well as the loading, unloading, and storage of one's belongings.

The subject property is bordered by residential uses to the north, south, east, and west. However, a property that stores large trucks borders the property on the southeast side. In addition, the Mariani Nut processing operation is less than .10 of a mile from the subject property. Due to the quiet nature of the existing business, staff believes that this business represents a transition from the industrial uses to residential uses. Moreover, because this business has been at this site for more than 20 years, staff believes that the proposed expansion will not detrimentally impact the character of the neighborhood.

In staff's analysis of the zoning map, staff observed that this property is the only one in the City limits that is zoned Office. Other zones including Neighborhood Commercial (C-1), Central Business District (C-2), Business Industrial Park (B/P) and the zoning districts within the Form Based Code Regulating Plan area allow office uses. Therefore, the proposed expansion of the self storage facility would not decrease the amount of land available for office use.

4. *The requested use will not be detrimental to the public health, safety, or general welfare;*  
Presently, the applicant provides storage on site on Parcels 2 and 3; however, there are no structures to shield the vehicles and other stored vehicles from public view. The proposed expansion will provide these structures to improve the appearance of the site from surrounding properties. In addition, the proposed expansion of the existing use would enhance the convenience of having storage facilities close by to serve surrounding residents.

With expanded facilities for recreational vehicles, there is a perceived increase traffic and associated noise; however, as mentioned previously, the existing business already stores approximately 45 recreational vehicles on Parcels 2 and 3. The proposed expansion provides structures for these vehicles. Therefore, the increase in traffic and noise will be minimal.

Based on the proposed enhancement of the appearance and convenience of this existing business, staff has determined that the proposed expansion will not be detrimental to the public health, safety, or general welfare.

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

According to the site plan, the proposed expansion will be connected to the following utilities:

- Water
- Sewer
- Storm Drainage
- Power and Natural Gas

A drive aisle will also be constructed to access the proposed buildings for the recreational vehicles. Both the Fire Department and Engineering staff have reviewed the proposed plans and have determined that the drive aisle and driveway is adequate for ingress/egress of recreational, public service, and emergency vehicles.

Presently, there are four (4) off-street parking spaces, including one ADA accessible parking space. Table 6 (Off-Street Parking Requirements) in Section 17.72.020 (Number of spaces required) in the Winters Municipal Code requires one (1) off-street parking space per 2,000 square feet of storage space. Since the applicant desires to build-out the entire site and not provide additional parking spaces per the Municipal Code, the applicant is seeking approval of a parking variance. The parking variance will be discussed in the next section of this report.

6. *The requested use will not create a nuisance or enforcement problem within the neighborhood.*  
The Community Development Department has never received complaints about this business during the tenure of its current Director. A few Winters residents who are familiar with the business and/or site have mentioned that U-Haul trucks and/or equipment are parked on Railroad Avenue on occasion. Staff has added a condition requiring that the U-Haul trucks be stored on-site and not on Railroad Avenue or Dutton Street.
7. *The requested use will not result in a negative fiscal impact upon the City.*  
The requested use will not result in a negative fiscal impact upon the City.

**Parking Variance:** The applicant is not proposing to provide additional off-street parking as part of the proposed expansion. Presently, there are four (4) off-street parking spaces, including one ADA accessible parking space. Table 6 (Off-Street Parking Requirements) in Section 17.72.020 (Number of spaces required) in the Winters Municipal Code requires one (1) off-street parking space per 2,000 square feet of storage space. Based on requirement for personal storage facilities, the applicant would be required to provide 19 additional spaces. Since the applicant is not proposing to provide the required number of off-street parking spaces as part of the expansion, he is requesting a parking variance based on the unique nature of the land use.

In evaluating the request for a Parking Variance, consideration was given to the unique nature of the land use, the number of employees, and the current parking situation. Winters Self Storage involves the leasing or renting of storage units to tenants on a monthly basis. As mentioned previously, the business has one property manager for the site. With the proposed expansion, the business will have no more than one (1) employee on-site at any one time. When tenants visit the site, they drive directly to their unit, drop off or pick up items from their unit, and leave the property. Visitors to the business

only use the parking spaces if they are completing paperwork for a new lease or termination of a lease at the office. Based on numerous visits to the project site by City staff, the existing parking lot appears to be underutilized with less than 50 percent (2) of the available parking spaces being filled at any one time. Based on the aforementioned factors, staff has determined that a Parking Variance is warranted for this project.

Please note that the applicant is providing 55 off-street parking spaces for recreational vehicles.

**Floor Area Ratio (FAR) Variance:** According to Winters Municipal Code, Chapter 17.56 (Lot Development Standards), the maximum floor area ratio (FAR) in the Office (O-F) Zone is .40. Based on staff's calculation of the project's FAR, the footprint of the new structures appears to exceed the standard (.48 or 48%), even if the parcels are merged. As a result, the applicant is requesting a variance from the standard FAR for that particular zone.

The surrounding properties are not within the same zone as the subject property. Also, as mentioned previously, this property is the only one in the City limits that is zoned Office. With no other properties in the City zoned Office, it can be determined that allowing a .08 increase in the FAR would not grant a special privilege inconsistent with the limitation upon other properties in the vicinity and in the zone in which the subject property is situated.

**Setback Variance:** According to Winters Municipal Code, Chapter 17.56 (Lot Development Standards), the standard side yard and rear yard setback for a property zoned Office is 10 feet. Based upon staff's calculation of the project's side yard and rear yard setbacks, the setbacks of the new structures appear to exceed the standard (0 feet). Accordingly, the applicant is requesting a variance from the standard side yard and rear yard setback for that particular zone.

The surrounding properties are not within the same zone as the subject property. Also, as mentioned previously, this property is the only one in the City limits that is zoned Office. With no other properties in the City zoned Office, it can be determined that allowing a 0-foot setback for both side and rear yards would not grant a special privilege inconsistent with the limitation upon other properties in the vicinity and in the zone in which the subject property is situated.

**Design/Site Plan Review:** According to Winters Municipal Code, Chapter 17.36 (Design Review), design review is required before the Planning Commission for the construction of nonresidential buildings or structures of five hundred (500) square feet or more. As mentioned previously, the applicant is proposing to construct a storage building approximately 14,350 square feet in size. In addition, the applicant is proposing to construct two carports that are 10,000 square feet and 13,120 square feet, respectively. Therefore, design/site plan review approval is required prior to the construction of the proposed structures.

The enclosed storage building is proposed to be located north of the northernmost, existing building. It is proposed to be approximately 16 feet tall and store recreational vehicles such as motor homes, trailers, and boats. The remaining two structures are proposed to be located on the east side of the subject property, stand approximately 14.5 feet tall, and store recreational vehicles. The building materials, colors, and general formation of the three structures are proposed to match the existing

buildings, which are comprised of masonry block walls, metal vertical siding, slightly sloped roofs, and earth-toned colors such as tan and brown.

The building elevations depict a large blank wall on the north end of the property. As part of the construction of the Orchard Village, a bicycle/pedestrian trail was installed on the south end of the completed project, which includes landscaping south of the trail. The landscaping includes flowering pear and golden rain trees. Based upon a number of site visits to the subject property and Orchard Village, staff has determined that the existing landscaping south of the bike/pedestrian trail will soften the appearance of the proposed development and help break up the blank wall of the proposed building.

Similar to the wall of the building on the north end of the property, the existing masonry wall combined with the vertical siding of the proposed building on the east side of the property creates a large blank wall facing Dutton Street. As part of this project and to comply with the terms of the Development Agreement recorded on the property title in 1989, the applicant has been conditioned to construct frontage improvements on Dutton Street, to include curb, gutter, sidewalk, street widening, storm drainage, utilities and landscaping along the complete frontage of the project boundaries. Staff has determined that the implementation of this condition will soften the appearance of the proposed development and help break up the blank wall of the existing wall and proposed building.

**METHODOLOGY:** Six actions are required to process the requested project:

- 1) Confirmation of CEQA exemption finding – Section 15332 (In-Fill Development Projects);
- 2) Approval of a Conditional Use Permit for the expansion of the legal non-conforming use;
- 3) Approval of a Variance from the parking requirement for personal storage, as per Winters Municipal Code Section 17.72.020 (Number of spaces required);
- 4) Approval of a Variance from the maximum floor area ratio for the Office zone, as per Winters Municipal Code Section, Section 17.56.010, Table 3A (Lot Development Standards);
- 5) Approval of a Variance from the maximum rear and side yard setbacks for the Office Zone, as per Winters Municipal Code, Section 17.56.010, Table 4 (Building/Structure Setback Matrix);
- 6) Approval of the Design/Site Plan and the conditions of approval attached hereto.

**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, June 16, 2011 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, June 23, 2011.

**ENVIRONMENTAL ASSESSMENT:** The proposed use is exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15332 (In-Fill Development Projects).

**RECOMMENDED FINDINGS FOR 807 RAILROAD AVENUE (WINTERS SELF STORAGE EXPANSION)**

CEQA Findings:

- 1) The proposed project is categorically exempt from review under the California Environmental Quality Act (CEQA) Guidelines, Section 15332, In-Fill Development Projects.

General Plan and Zoning Consistency Findings:

- 1) The project is consistent with the goals and policies of the General Plan.
- 2) The project is consistent with the provisions of the Zoning Ordinance.
- 3) The project is consistent with the intent and purposes of the zone in which it is located, and will not detrimentally impact the character of the neighborhood.
- 4) The project will not be detrimental to the public health, safety, or general welfare.
- 5) Adequate utilities, access roads, drainage, sanitation, and/or other necessary facilities or services are provided.
- 6) The project will not create a nuisance or enforcement problem within the neighborhood.
- 7) The project will not result in a negative fiscal impact upon the City.

Variance Findings:

- 1) The strict application of the zoning ordinance deprives such property of privileges enjoyed by other properties in the vicinity in the same zone.
- 2) The variance shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity in the same zone.
- 3) The variance does not authorize a use or activity that is not otherwise permitted by the zone.

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

**I MOVE THAT THE CITY OF WINTERS PLANNING COMMISSION APPROVE THE CONDITIONAL USE PERMIT, PARKING VARIANCE, FLOOR AREA RATIO VARIANCE, SETBACK VARIANCE, AND DESIGN REVIEW/SITE PLAN FOR THE CONSTRUCTION OF ONE (1) STORAGE BUILDING AND TWO (2) CARPORTS FOR RECREATIONAL**

**VEHICLES AT 807 RAILROAD AVENUE BASED ON THE IDENTIFIED FINDINGS 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 Conditional Use Permit, Parking Variance, Floor Area Ratio Variance, Setback Variance, and Design Review/Site Plan 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 807 RAILROAD AVENUE (WINTERS SELF STORAGE EXPANSION) (APN 003-330-016, 017, 018)**

1. This approval is based upon and limited to compliance with the project description, Attachments B and C, 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 includes 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. The applicant shall submit complete infrastructure improvement plans prepared by a registered civil engineer to the City for review and approval by the City Engineer and Public Works Director. No building permits will be issued prior to the City's review and approval of the improvement plans. The plans shall be in compliance with the City of Winters'

Engineering Design and Construction Standards.

4. The applicant shall submit a soils and geotechnical report upon submittal of the initial improvement plans package. The improvement plans shall be approved and signed by the soils engineer prior to approval by the City.
5. Grading shall be done in accordance with a grading plan prepared by the applicant's civil engineer and approved by the City Engineer. The amount of earth removed shall not exceed that specified in the approved grading plan. All grading work shall be performed in one continuous operation. The grading plans shall be included in the improvement plans. In addition to grading information, the grading plan shall indicate all existing trees, and trees to be removed as a result of the proposed development, if any.
6. Appropriate easements shall be required for City-maintained facilities located outside of City-owned property or the public right-of-way.
7. The applicant shall submit a landscaping plan for review and approval by the Public Works Department and Community Development Department.
8. The applicant shall install gates on both entrances to the project. If locked gates are to be used for the facility, knock boxes approved by the Fire Chief shall be used.
9. Applicant, at its own expense shall construct frontage improvements on Dutton Street, to include curb, gutter, sidewalk, street widening, storm drainage, utilities and landscaping along the complete frontage of the project boundaries and tie into existing roadway way improvements where they exist adjacent to the project boundaries.
10. Applicant, at its own expense shall construct frontage improvements on Railroad Avenue, to include sidewalk, street widening, storm drainage improvements, utilities and landscaping along the complete frontage of the project boundaries and tie into existing roadway way improvements where they exist adjacent to the project boundaries.
11. Complete frontage improvements for Railroad Avenue and Dutton Street have not been submitted or reviewed at this time. These improvements shall be submitted to the City for review and approval by the City Engineer and Public Works Director and shall be in compliance with the City of Winters' Engineering Design and Construction Standards. As part of these improvements, the applicant may be required to incorporate a bio-swale into the planting strip on the Railroad frontage.
12. The applicant does not propose any new water or sewer connections. If new water and sewer connections are ultimately installed, the applicant shall install water meters on all domestic and fire service lines and sewer cleanouts on all sewer service lines. The number and location of the water meters and sewer cleanouts shall be approved by the Public Works Director. All cleanouts for connection to the City lateral(s) shall be two-way cleanouts. The water meters and sewer cleanouts shall comply with the specifications of the City of Winter's Engineering

Design and Construction Standards. The applicant shall also install backflow devices on all domestic and fire service lines in compliance with the specifications of the City of Winters' Engineering Design and Construction Standards. The applicant shall obtain approval from the Public Works Director on the type, number, and location of the devices.

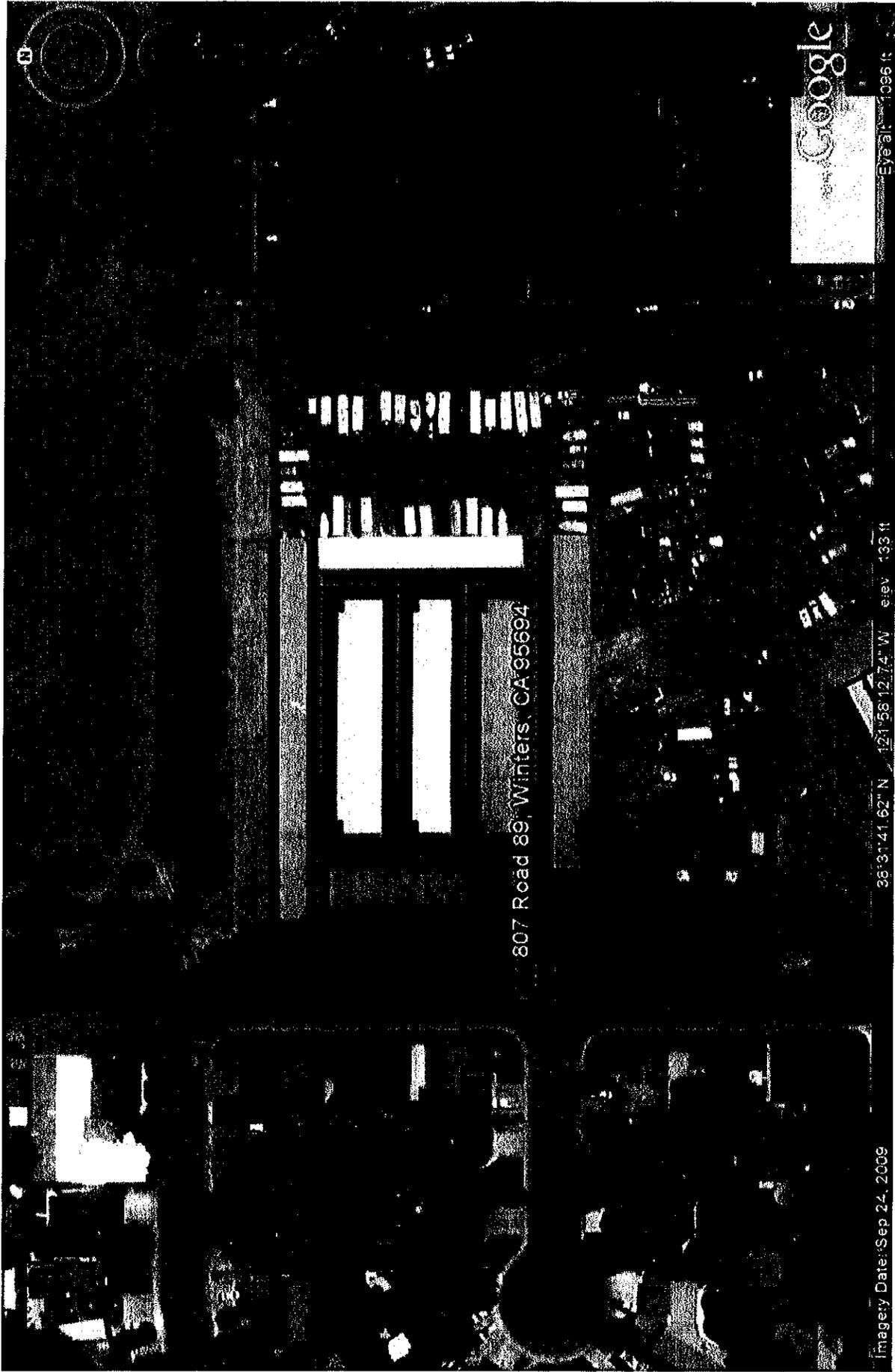
13. The applicant shall install fire suppression systems for all buildings that meet or exceed the requirements of NFPA 13-D. The applicant shall submit four sets of plans for each fire suppression system to the Winters Fire Protection District for review and approval prior to the issuance of each building permit. Water laterals shall be appropriately sized to accommodate sufficient water flows for fire suppression systems.
14. The applicant shall also install one or more fire hydrants within the project site and/or on the frontages of the project site. The number and location of the fire hydrants shall be approved by the Fire Chief and in compliance with the specifications of the City of Winters' Engineering Design and Construction Standards. Any fire hydrant installed will require, in addition to the blue reflector noted in the City's Engineering Design and Construction Standards, an additional blue reflector and glue kit that is to be supplied to the Winters Fire Protection District for replacement purposes.
15. The complete storm water system for the project has not been reviewed or approved by the City at this time. The applicant shall submit a complete storm water system to the City for review and approval by the City Engineer and Public Works Director. The applicant may be required to install an oil/water separator prior to any ponds/swales/vaults and may be required to meter flows into the City's storm drain collection system.
16. The internal roadway must be installed and paved prior to any building construction taking place within the project site. Temporary roads may be allowed but must be approved by the Fire Chief and the City Engineer.
17. A hydrant use permit shall be obtained from the Public Works Department for water used in the course of construction.
18. The applicants shall pay an annual assessment under the City-Wide Maintenance Assessment District in order to maintain and provide for the future needs of parks, open spaces, street lighting, landscaping and other related aspects and impacts from new development.
19. The applicants shall obtain all required City permits (building, encroachment for work within the public right-of-way, etc.) and pay all applicable fees (building, impact, encroachment, etc.).
20. The applicants shall provide the City with proof of payment receipts for Winters Joint Unified School District mitigation and Yolo County facilities and services authorization fees at building permit issuance.
21. The applicants shall report to the City building materials diverted from land filling during the course of their project, pursuant to the provisions of City of Winters Ordinance No. 2002-03.

22. Final inspection for the buildings shall not be scheduled nor occupancy authorized until the public improvements (sewer laterals, sewer cleanouts, water laterals, water meters, driveway aprons on the Railroad Avenue and Dutton Street frontages, fire hydrants installation, etc.) have been installed, inspected, and accepted by the City. Other infrastructure necessary for the project such as paving, striping of parking spaces outside of the buildings, construction of an on-site flood control facility, landscaping, etc. shall be completed prior to final inspection of the buildings.
23. The payment of City of Winters' monthly utility billing charges shall commence after the buildings have passed final inspection. The applicant shall pay the City of Winters monthly utility charges at the metered rate for water and sewer.
24. The internal roadway shall have a minimum width of 20-feet and be free of any obstructions. The roadway shall be free of any obstructions for a vertical distance of at least 14-feet.
25. The Site Plan approval shall expire in one year from its date of approval unless the applicant begins construction of the infrastructure improvements necessary for the project or requests and receives an extension from the Community Development Director. The applicant shall bear all expenses for any extension request submitted to the Community Development Director.
26. The Conditional Use Permit approval shall expire one year from its date of approval unless the applicant begins construction of the infrastructure improvements necessary for the project or requests and receives an extension from the Community Development Director. The applicant shall bear all expenses for any extension request submitted to the Community Development Director.
27. The approval of the parking, floor area ratio, and setback variances shall expire one year from its date of approval unless the applicant begins construction of the infrastructure improvements necessary for the project or requests and receives an extension from the Community Development Director. The applicant shall bear all expenses for any extension request submitted to the Community Development Director.
28. Moving trucks shall not be parked on Railroad Avenue or Dutton Street.

**ATTACHMENTS:**

- A. Site Photo
- B. Preliminary Site Plan
- C. Preliminary Building Elevations
- D. Photos of 807 Railroad Avenue

## Attachment A



**Site Photo**  
**807 Railroad Avenue**

## Attachment B



## **Attachment C**



KLING STUBBINS  
Architects  
1000 California Street, Suite 1000  
San Francisco, CA 94109  
Tel: 415.774.2900  
Fax: 415.774.2901  
www.klingstubbins.com

PROJECT INFO:

ARCHITECT INFO:

GENERAL CONTRACTOR INFO:

OWNER INFO:

PROJECT INFO:  
WINTERS SELF STORAGE  
187 PARK ROAD, N.W.  
WINTERS, CA 95894

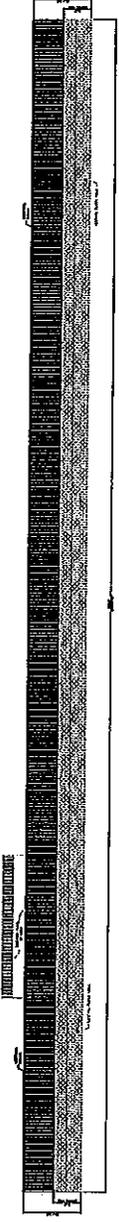
BUILDING  
ELEVATION  
SHEET NUMBER  
**KS-2**



**NORTH ELEVATION**  
SCALE = 1/16" = 1'



**SOUTH ELEVATION**  
SCALE = 1/16" = 1'



**EAST ELEVATION**  
SCALE = 1/16" = 1'



**WEST ELEVATION**  
SCALE = 1/16" = 1'

## Attachment D

# Photos of Winters Self Storage, 807 Railroad Avenue

