



Winters City Council Meeting
City Council Chambers
318 First Street
Tuesday, August 5, 2008
7:30 p.m.
AGENDA

Members of the City Council

*Michael Martin, Mayor
Woody Fridae, Mayor Pro Tempore
Harold Anderson
Cecilia Aguiar-Curry
Tom Stone*

*John W. Donlevy, Jr., City Manager
John Wallace, City Attorney
Nanci Mills, City Clerk*

PLEASE NOTE – The numerical order of items on this agenda is for convenience of reference. Items may be taken out of order upon request of the Mayor or Councilmembers. Public comments time may be limited and speakers will be asked to state their name.

Roll Call

Pledge of Allegiance

Approval of Agenda

PUBLIC COMMENTS

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

CONSENT CALENDAR

All matters listed under the consent calendar are considered routine and non-controversial, require no discussion and are expected to have unanimous Council support and may be enacted by the City Council in one motion in the form listed below. There will be no separate discussion of these items. However, before the City Council votes on the motion to adopt, members of the City Council, staff, or the public may request that specific items be removed

from the Consent Calendar for separate discussion and action. Items(s) removed will be discussed later in the meeting as time permits.

- A. Minutes of a Regular Meeting of the Winters City Council Held on Tuesday, July 1, 2008
- B. Minutes of a Regular Meeting of the Winters City Council Held on Tuesday, July 15, 2008

PRESENTATIONS

DISCUSSION ITEMS

- 1. Direction on Whether or Not to Consider Allowing the City-Owned Property, Directly West of the City's East Street Lift Station Facility, to be Used as a Community Garden

CITY COUNCIL AND COMMUNITY DEVELOPMENT AGENCY

- 2. Fire and Police Fire Facility Site Plan Approval, Presentation From Project Architect Dennis Dong, Approval of Variances, Approval of both Design and Site Plan, and Authorize the Development of the Final Construction Documents and Bid Preparation for the Project.

COMMUNITY DEVELOPMENT AGENCY

DISCUSSION ITEMS

- 1. Funding for Sidewalk Improvements at 200, 202, 204, 206 and 208 Railroad Avenue and 3 Russell Street (APN 003-203-12)

CITY MANAGER REPORT

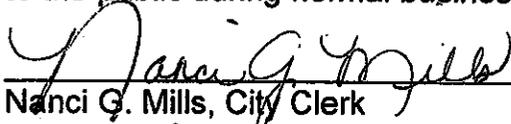
COUNCIL/STAFF COMMENTS

INFORMATION ONLY

EXECUTIVE SESSION

ADJOURNMENT

I declare under penalty of perjury that the foregoing agenda for the August 5, 2008, regular meeting of the Winters City Council was personally delivered to each Councilmember's mail boxes in City Hall and posted on the outside public bulletin board at City Hall, 318 First Street on July 30, 2008, and made available to the public during normal business hours.



Nanci G. Mills, City Clerk

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Staff recommendations are guidelines to the City Council. On any item, the Council may take action, which varies from that recommended by staff.

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Wednesday at 10:00 a.m.

Videotapes of City Council meetings are available for review at the Winters Branch of the Yolo County Library.



**Minutes of the Winters City Council Meeting
Held on Tuesday, July 1, 2008**

Mayor Martin called the meeting to order at 7:30 p.m.

Those present were Council Members Cecilia Aguiar-Curry, Harold Anderson, Woody Fridae, Tom Stone and Mayor Michael Martin. Also present were City Manager John Donlevy, City Attorney John Wallace, Management Analysts Carol Scianna and Dawn Van Dyke, Economic Development Director/Asst. Executive Director-CDA Cas Ellena, and City Clerk Nanci Mills.

Approval of Agenda: Council Member Aguiar-Curry made a motion to approve the agenda. Seconded by Council Member Fridae. Motion carried unanimously.

PUBLIC COMMENTS: None

CONSENT CALENDAR

- A. Minutes of a Regular Meeting of the Winters City Council Held on Monday, June 23, 2008
- B. Request for Street Closure by Anthony Wilson, a member of Main Street Neighbors, for Closure of Main Street, North of Ivy Loop for 4th of July Block Party
- C. Amplified Sound Permit Application Submitted by Troy and Lori Waldren for a 4th of July Block Party on Snapdragon Street

City Manager Donlevy gave an overview. Council Member Aguiar-Curry made a motion to approve the consent calendar. Seconded by Council Member Fridae. Motioned carried unanimously.

PRESENTATIONS: None

DISCUSSION ITEMS

1. **Designation of Voting Delegates and Alternates to the League of California Cities**

Council Member Fridae made a motion to designate Council Member Aguiar-Curry as the Voting Delegate and Council Member Stone as the Alternate Delegate to the League of California Cities. Seconded by Council Member Anderson. Motion carried unanimously.

2. Agreement for Legal Services as Assistant City Attorney between Steven P. Rudolph of Meyers Nave Ribback Silver & Wilson and the City of Winters

Council Member Aguiar-Curry made a motion to approve the agreement for legal services as Assistant City Attorney between Steven P. Rudolph of Meyers Nave Ribback Silver & Wilson and the City of Winters. Seconded by Council Member Fridae. Motion carried unanimously.

3. Report on the City of Winters EARTH project and adoption of Resolution 2008-27, The Yolo County Climate Change Compact

4.

Management Analyst Dawn Van Dyke gave an overview. Council Member Stone made a motion to adopt Resolution 2008-27, the Yolo County Climate Change Compact. Seconded by Council Member Aguiar-Curry. Motion carried with the following roll call vote:

AYES: Council Members Aguiar-Curry, Anderson, Fridae, Stone, and Mayor Martin.
NOES: None
ABSENT: None
ABSTAIN: None

COMMUNITY DEVELOPMENT AGENCY

Community Development Agency Director Fridae opened the meeting of the Community Development Agency at 7:55 p.m. CDA Director Fridae and Agency Member Anderson stepped down due to a possible conflict of interest.

CONSENT CALENDAR

A. Agreement to Prepare Geo Technical Engineering Report for CDA-Owned Property on Railroad Avenue Between Main and Abbey Streets, APN 003-224-01; Company to be Recommended at July 1, 2008 City Council Meeting

Economic Development Director/Asst. Executive Director-CDA Cas Ellena gave an overview and recommended awarding the contract to prepare a Geo Technical Engineering Report for the property specified to Wallace-Kuhl Associates, Inc.

Agency Member Aguiar-Curry made a motion to approve the award of the contract to Wallace-Kuhl Association, Inc. Seconded by Agency Member Stone.

Motion carried unanimously, with Agency Director Fridae and Agency Member Anderson absent.

Agency Director Fridae and Agency Member Anderson returned to the dais at this time.

CITY MANAGER REPORT: City Manager Donlevy stated Streamkeeper Rich Marovich has obtained 10 acres @ 5 feet deep of dirt, valued at \$1 million. He also reminded everyone of the 4th of July Pancake Breakfast and the display at the Dr. Sellars Football Field.

COUNCIL/STAFF COMMENTS: Council Member Stone indicated he would be absent at the July 15th City Council meeting. He reminded everyone of the upcoming Chamber Mixer at Briggs & Company on Monday, August 14th. The Chamber of Commerce board meeting, held on the 2nd Friday of each month, will take place on August 11th @ 7:00 a.m. at the Community Center. The next WRA meeting will address three issues: water tax, how the agency is to deal with the water, and the monitoring of wells.

Mayor Martin attended the ribbon-cutting ceremony at the Vacaville campus of the Solano Community College, which will offer more opportunities for the residents of Winters.

INFORMATION ONLY: None

The Mayor and Council Members went into Executive Session at 8:25 p.m.

EXECUTIVE SESSION

Conference with Labor Negotiator, City Manager John W. Donlevy, Jr., Pursuant to Government Code Section 54957.6 regarding Management, Mid-Management, Confidential, Sergeants, Winters Police Officers Association, and Miscellaneous Employee Groups

The Mayor and Council Members returned to the open meeting at 8:45 p.m. with no decisions made.

ADJOURNMENT

Mayor Martin adjourned the meeting at 8:45 p.m.

Michael Martin, MAYOR

ATTEST:

Nanci G. Mills, City Clerk



Minutes of the Winters City Council Meeting
Held on Tuesday, July 15, 2008

Mayor Martin called the meeting to order at 7:30 p.m.

Those present were Council Members Cecilia Aguiar-Curry, Harold Anderson, Woody Fridae, and Mayor Michael Martin. Also present were City Manager John Donlevy, Economic Development Director/Asst. Executive Director-CDA Cas Ellena, Director of Financial Management Shelly Gunby, Housing Programs Manager Dan Maguire, and City Clerk Nanci Mills. Absent was Council Member Tom Stone.

PUBLIC COMMENTS: Dave Kelly and Debra Lo Guercio were present and spoke in favor of keeping the swimming pool open year round for the Masters Swim Program and noon lap swim.

CONSENT CALENDAR

- A. **Street Closure Request – Winters District Chamber of Commerce is Requesting Approval of a Temporary Street Closure on August 22nd for the Earthquake Street Festival. Closure would be Main Street from Railroad Ave. to Midway between First and Second St.**
- B. **Resolution 2008-28, A Resolution of the City Council of the City of Winters Confirming Delinquent Utility Bills. This Resolution Allows for the Amounts that are not Collected Through the Normal Billing Process to be Placed on the Property Owner's Property as a Lien on the Property Tax Bill**
- C. **City Council adopt Resolution 2008-29, A Resolution of the City Council of the City of Winters Approving a Contract with AK & Company in the amount of \$3,000 to Prepare the SB90 Reimbursement of State Mandated Cost Claim for the City of Winters and authorize City Manager to execute said contract.**
- D. **Amend Per Diem and Mileage Policy for the City of Winters. Increase the Reimbursement for Travel by Personal Auto to the IRS Standard Mileage Rate for 2008 of \$.585 per Mile**

City Manager Donlevy gave an overview. Council Member Aguiar-Curry made a motion to approve the Consent Calendar. Seconded by Council Member Fridae. Motion carried unanimously.

PRESENTATIONS

- 1. Swearing in of Officer Niall Dolan.**
- 2. Presentation of Appreciation Award to Reserve Officer Jeff Green**

City Clerk Nanci Mills swore in Police Officer Niall Dolan and Police Chief Bruce Muramoto presented an Award of Appreciation for his years of service to departing Reserve Police Officer Jeff Green.

DISCUSSION ITEMS

- 1. Selection of Audit Committee to Comply with SAS 114 (Statement on Auditing Standards No. 114). Select Two Members of the City Council to Comprise an Audit Committee for Compliance**

Director of Financial Management Gunby gave an overview. Council Member Fridae made the motion to select Council Member Stone and Mayor Martin to represent the City Council in comprising an Audit Committee for Compliance. Seconded by Council Member Aguiar-Curry. Motion carried unanimously, with Council Member Stone absent.

- 2. City Council Adopt Resolution 2008-30, A Resolution of the City Council of the City of Winters Approving the Purchase of Building Permitting Software from enerGov Solutions for an Amount not to Exceed \$58,000 and Authorize City Manager to Execute Said Contract. Software will Provide Project Planning, Permit Management, Inspection Management, Property Management and Code Enforcement for the Community Development Department**

Director of Financial Management Gunby gave an overview. Council Member Fridae made a motion to adopt Resolution 2008-30, approving the purchase of Building Permitting Software from enerGov Solutions for an amount not to exceed \$58,000 and authorize City Manager Donlevy to execute said contract. Seconded by Council Member Anderson. Motion carried with the following roll call vote:

AYES: Council Members Aguiar-Curry, Anderson, Fridae and Mayor Martin
NOES: None
ABSENT: Council Member Stone
ABSTAIN: None

3. City Council Review and Adopt the Following Resolutions:

- a. Review and Adopt Resolution 2008-31, Memorandum of Understanding regards Labor Negotiations for the Miscellaneous Employees Association
- b. Review and Adopt Resolution 2008-32, Memorandum of Understanding for the Mid-Management Employees Association
- c. Review and Adopt Resolution 2008-33, Memorandum of Understanding, for the Management Employees Association
- d. Review and Adopt Resolution 2008-34, 2008-2009 Salary Ranges

Council Member Fridae made a motion to adopt Resolution 2008-31, Memorandum of Understanding regards Labor Negotiations for the Miscellaneous Employees Association, adopt Resolution 2008-32, Memorandum of Understanding for the Mid-Management Employees Association, adopt Resolution 2008-33, Memorandum of Understanding, for the Management Employees Association, and Adopt Resolution 2008-34, 2008-2009 Salary Ranges. Seconded by Council Member Aguiar-Curry. Motion carried with the following roll call vote:

AYES: Council Members Aguiar-Curry, Anderson, Fridae and Mayor Martin
NOES: None
ABSENT: Council Member Stone
ABSTAIN: None

COMMUNITY DEVELOPMENT AGENCY

Community Development Agency Director Fridae opened the meeting of the Community Development Agency at 9:17 p.m. Present were Agency Members Aguiar-Curry, Anderson, Martin and Director Fridae. Absent was Agency Member Stone.

1. Consultant Services Agreement with Chabin Concepts to Prepare State Community Development Block Grant (CDBG) Application and Feasibility Market Study for the Adaptive Reuse of Historic Structures in Downtown Winters

Economic Development Director/Asst. Executive Director-CDA Cas Ellena gave an overview. Agency Member Anderson made a motion to approve the Consultant Services Agreement with Chabin Concepts. Seconded by Agency

Member Aguiar-Curry. Motion carried unanimously, with Agency Member Stone absent.

2. Consultant Services Agreement with Kathleen Iudice & Associates for Branding Image Development for Economic Development Purposes

Economic Development Director/Asst. Executive Director-CDA Cas Ellena gave an overview and distributed a revised agreement to Agency Members and Director. Agency Member Aguiar-Curry made a motion to approve the Consultant Services Agreement with Kathleen Iudice & Associates. Seconded by Agency Member Martin. Motion carried unanimously, with Agency Member Stone absent.

3. Funding for Sidewalk Improvements at 200, 202, 204, 206 and 208 Railroad Avenue and 3 Russell Street (APN 003-203-12)

This item was tabled to a future Community Development Agency meeting.

CITY MANAGER REPORT: City Manager Donlevy indicated a job offer has been extended for a new Community Development Director. There will be a 'huge' Planning Commission meeting on July 22nd. Public television personality Huell Howser appeared in Winters on July 25th to tape a segment for his new series "California Communities." Howser also discussed upcoming redevelopment projects planned in Winters.

COUNCIL/STAFF COMMENTS: Council Member Aguiar-Curry spoke of the League of California Cities Leadership Academy. Council Member Fridae reminded everyone about the Shakespeare in the Park presentation of "The Tempest", which will run from July 13th through July 19th. Mayor Martin commended the Police Department for their great response to the recent call to the Railroad Trestle Bridge.

INFORMATION ONLY

1. Update on Teacher / Public Safety First Time Homebuyer Down Payment Assistance program

Housing Programs Manager Dan Maguire indicated he was winding towards a conclusion in the contract fund and had plans to record by the 1st of August in regards to the Mendoza's. Regarding Daniel Ward, a second application was being processed up to \$70K.

EXECUTIVE SESSION: None

ADJOURNMENT

Mayor Martin adjourned the meeting at 10:00 p.m.

Michael Martin, MAYOR

ATTEST:

Nanci G. Mills, City Clerk



**CITY COUNCIL
STAFF REPORT**

TO: Honorable Mayor and Councilmembers
DATE : August 5, 2008
THROUGH: John W. Donlevy, Jr., City Manager
FROM: Cas Ellena, Redevelopment & Economic Development Director *CE*
Dan Maguire, Housing Programs Manager *DM*
SUBJECT: Direction on Whether or Not to Consider Allowing the City-Owned Property, Directly West of the City's East Street Lift Station Facility, to be Used as a Community Garden

RECOMMENDATION: Staff recommends the Council receive the staff report and consider allowing the City-owned property, commonly referred to as the "redwood grove", located directly west of the City's East Street Lift Station Facility (see attached map), to be used as a community garden.

BACKGROUND: In the first quarter of 2008, the Winters Healthcare Foundation (WHF), in collaboration with the Davis Farmers Market Association (DFMA) and the City of Winters, successfully applied for a grant from the TIDES foundation under the Networking for Community Health Program. The approximately one hundred sixty eight thousand dollar (\$168,000) grant establishes start up funding for the calendar years 2008-2009 for the following three primary components:

- To establish a community garden that allows residents an opportunity to grow their own food, learn about agricultural processes, and advance economically through the sale of value added products;
- To expand the current Sonrisa Vida Sana Promotora group's outreach capabilities to include a wider audience and more comprehensive health education;
- To establish a successful farmers market that reflects the unique character of the Winters community, provides access to locally grown fresh food, and benefits farmers, customers, and partners economically.

Staff from the City, the WHF and the DFMA have been working together on the preliminary planning for the above mentioned three components. One of the first elements that needs to be determined is the location of the community garden. Among the potential community garden sites identified by the partners (WHC, DFMA, & the City) is a site already pre-plumbed at the El Rio Villa facility just east of Winters; and the

Community Garden
Page Two

preferred site which is the City-owned property directly west of the City's East Street lift station facility (the "Site"). Staff feels a community garden located within the City limits is needed to facilitate usage by Winters residents.

Therefore, staff is requesting the City Council provide direction regarding whether or not it would be amenable to the use of the Site for a community garden and if so, authorize staff to study various logistical issues such as a use agreement, liability, water usage and other issues related to use of the Site and return to the City Council with relevant information.

FISCAL IMPACT:
None by this action.

ATTACHMENTS:
-Map of Site



**CITY COUNCIL
STAFF REPORT**

TO: Honorable Mayor and Councilmembers
DATE: August 5, 2008
THROUGH: John W. Donlevy, Jr., City Manager
FROM: Scott Dozier, Fire Chief and Bruce K. Muramoto, Chief of Police;
SUBJECT: Fire and Police Facility Site Plan Approval

RECOMMENDATION:

That the City Council:

1. Receive a presentation from Project Architect Dennis Dong on the development of the Public Safety Facility; and
2. Approve requested variances for the Public Safety Facility; and
3. Approve both the Design and Site Plan for the Project; and
4. Authorize the development of the final construction documents and bid preparation for the project.

BACKGROUND:

The Fire and Police Departments are housed in facilities that are functionally deficient, undersized for efficient operations, and inadequate to serve the needs of the growing community.

The project encompasses the following:

The new Police-Fire Facility is two-stories, with a gross building area of +/-30,760 square feet. The Second Floor is primarily Living Quarters for the Fire Department Crews. The building area breakup is as follows:

- Police Department: 8,801 sf (First Floor)
- Fire Department: 12,083 sf (First Floor) /4,217 sf (Second Floor)
- Commons: 4,904 sf (Total)

In addition, a total of 3,453 square feet of Storage Mezzanine space is planned within the

building footprint, divided between the Police and Fire Departments. A covered Wash Rack area is provided adjacent to the Fire Department Apparatus Bays

The details of the project and planning considerations for the project are included in the attached report provided to the Planning Commission on July 22, 2008.

The Public Safety Facility, Project No. 05-03, was established to design and construct a facility to house both Departments. On July 22 2008 the Winters Planning Commission met and approved the proposed facility sight plan with the following three variances.

- The first variance is for a proposed 140-foot public safety communication tower.
- The second variance is to provide an eight to ten foot high fence along the west side of the fire and police compound. This request for the additional height is a safety and security issue.
- The third variance is for the two story section of the facility that will house the fire department living quarters to exceed the 40 foot maximum structure height by two feet making the top of the two story section of the building 42 feet from ground level to the peak of the roof line.

ALTERNATIVES:

None by this action

FISCAL IMPACT:

The estimated budget and financing for the Facility are as follows:

- | | |
|---|-------------|
| • Construction | \$7,000,000 |
| • Fixtures, Furnishing, equipment and Contingency | \$1,000,000 |
| • Architect, Project Management | \$ 400,000 |

ATTACHMENTS:

Public Safety Funding Resolution
Planning Commission Staff Report- July 22, 2008

RESOLUTION NO. 2008-12

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF WINTERS MAKING CERTAIN FINDINGS PURSUANT
TO CALIFORNIA HEALTH AND SAFETY CODE
SECTION 33445**

WHEREAS, the Winters Community Development Agency (the "Agency") is a redevelopment agency authorized pursuant to the Community Redevelopment Law of the State of California, being Part 1 of Division 24 (commencing with Section 33000) of the California Health and Safety Code, as amended (the "Law") to incur indebtedness for the purpose of financing certain redevelopment activities for the benefit of its redevelopment project areas; and

WHEREAS, pursuant to the Law, the City Council of the City of Winters (the "City") approved and adopted a redevelopment plan (the "Redevelopment Plan") for a redevelopment project area of the Agency known and designated as the "City of Winters Community Development Project Area" (the "Project Area"), and all requirements of law for, and precedent to, the adoption and approval of the Redevelopment Plan have been duly complied with; and

WHEREAS, the Redevelopment Plan contemplates that the Agency would issue from time to time bonds to finance a portion of the costs of the redevelopment of the Project Area; and

WHEREAS, the Agency has issued its City of Winters Community Development Project Area Tax Allocation Bonds, Series 2007 (the "Bonds"), to finance the costs of certain projects of benefit to the Project Area; and

WHEREAS, the Agency proposes to use a portion of the proceeds from the sale of the Bonds to finance, in whole or in part, the construction and installation of a public safety facility, consisting of a joint police and fire station, and related improvements (the "Safety Facility Project"), which will benefit the Project Area; and

WHEREAS, pursuant to Section 33679 of the Law, after notice duly published in accordance with the Law, the City Council held a public hearing on this date with respect to use of tax increment revenues for the proposed Safety Facility Project to be financed with a portion of the proceeds from the sale of the Bonds and received evidence concerning the public benefits therefrom; and

WHEREAS, there has been made available in the office of the City Clerk for two weeks prior to such public hearing for public inspection and copying, at a cost not to exceed the cost of duplication, a summary report (the "Summary Report") which includes all of the following: (i) an estimate of the amount of tax increment revenues allocated to the Agency which the Agency proposes to use to pay for all or part of the cost of the Safety Facility Project, including interest payments; (ii) the facts supporting the determinations required to be made by

the City pursuant to Section 33445 of the Law; and (iii) the redevelopment purpose for which such tax increment revenues will be used to pay for the Safety Facility Project;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WINTERS HEREBY FINDS, DETERMINES, RESOLVES AND ORDERS AS FOLLOWS:

Section 1. Recitals. The above recitals, and each of them, are true and correct.

Section 2. Further Findings Regarding the Safety Facility Project. The City Council hereby finds and determines, based on the Summary Report and other information presented to the City Council as follows: (i) the Safety Facility Project is of benefit to the Project Area; (ii) the payment of funds for the cost of such land acquisition and public capital improvements will assist in the elimination of one or more blighting conditions inside the Project Area; (iii) the payment of funds for the cost of the Safety Facility Project is consistent with the Agency's implementation plan adopted pursuant to Section 33490 of the Law; and (iv) no other reasonable means of financing such improvements is available to the City.

Section 3. Approval of Payment by Agency. The City Council hereby approves payment by the Agency for the cost of the Safety Facility Project from funds legally available to the Agency, including tax increment revenues from the Project Area.

Section 4. Effective Date. This Resolution shall take effect immediately upon adoption.

PASSED, APPROVED and ADOPTED this 6th day of May, 2008.

AYES: Council Members Aguiar-Curry, Anderson, Martin and Mayor Fridae

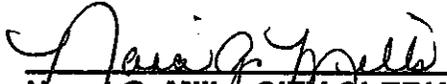
NOES: None

ABSENT: Council Member Stone

ABSTAIN: None



Woody Fridae, MAYOR

ATTEST:


Nancy G. Mills, CITY CLERK

RESOLUTION NO. 2008 -13

A RESOLUTION OF THE WINTERS COMMUNITY DEVELOPMENT AGENCY MAKING FINDINGS PURSUANT TO CALIFORNIA HEALTH AND SAFETY CODE SECTION 33445 AND AUTHORIZING CERTAIN OTHER RELATED MATTERS

WHEREAS, the Winters Community Development Agency (the "Agency") is a redevelopment agency authorized pursuant to the Community Redevelopment Law of the State of California, being Part 1 of Division 24 (commencing with Section 33000) of the California Health and Safety Code, as amended (the "Law") to incur indebtedness for the purpose of financing certain redevelopment activities for the benefit of its redevelopment project areas; and

WHEREAS, pursuant to the Law, the City Council of the City of Winters (the "City") approved and adopted a redevelopment plan (the "Redevelopment Plan") for a redevelopment project area of the Agency known and designated as the City of Winters Community Development Project Area (the "Project Area"), and all requirements of law for, and precedent to, the adoption and approval of the Redevelopment Plan have been duly complied with; and

WHEREAS, the Redevelopment Plan contemplates that the Agency would issue from time to time bonds to finance a portion of the costs of the redevelopment of the Project Area; and

WHEREAS, the Agency has issued its City of Winters Community Development Project Area, Tax Allocation Bonds, Series 2007 (the "Bonds") to finance the costs of certain capital projects of benefit to the Project Area; and

WHEREAS, the Agency proposes to use a portion of the proceeds from the sale of the Bonds to finance, in whole or in part, the construction and installation of a public safety facility, consisting of a joint police and fire station, and related improvements (the "Safety Facility Project"), which will benefit the Project Area; and

WHEREAS, Section 33445 of the Law authorizes the Agency, with the consent of the City Council, to, among other things, pay all or a part of the cost of installation and construction of certain public improvements, which are or will, upon completion, become publicly owned, upon the making of certain findings; and

WHEREAS, pursuant to Section 33679 of the Law, after notice duly published in accordance with the Law, the Agency held a public hearing on this date with respect to use of tax increment revenues for the proposed Safety Facility Project to be financed with a portion of the proceeds from the sale of the Bonds and received evidence concerning the public benefits therefrom; and

WHEREAS, there has been made available in the office of the City Clerk for two weeks prior to such public hearing for public inspection and copying, at a cost not to exceed the cost of duplication, a summary report (the "Summary Report") which includes all of the following: (i) an estimate of the amount of tax increment revenues allocated to the Agency which the Agency proposes to use to pay for all or part of the cost of the Safety Facility Project, including interest payments; (ii) the facts supporting the determinations required to be made by the Agency pursuant to Section 33445 of the Law; and (iii) the redevelopment purpose for which such tax increment revenues will be used to pay for the Safety Facility Project;

NOW, THEREFORE, THE WINTERS COMMUNITY DEVELOPMENT AGENCY HEREBY FINDS, DETERMINES, RESOLVES AND ORDERS AS FOLLOWS:

Section 1. Recitals. The above recitals, and each of them, are true and correct.

Section 2. Findings Relating to the Safety Facility Project. The Agency hereby finds and determines, based on the Summary Report and other information presented to the Agency as follows: (i) the Safety Facility Project is of benefit to the Project Area; (ii) the payment of funds for the cost of such land acquisition and public capital improvements will assist in the elimination of one or more blighting conditions inside the Project Area; (iii) the payment of funds for the cost of the Safety Facility Project is consistent with the Agency's implementation plan adopted pursuant to Section 33490 of the Law; and (iv) no other reasonable means of financing such improvements is available to the City.

Section 3. Approval of Payment by Agency. The payment for the cost of the Safety Facility Project from available funds of the Agency, including tax increment revenues derived from the Project Area, is hereby approved.

Section 4. Other Acts. The officers of the Agency are hereby authorized and directed to do such things and to execute and deliver such instruments that they may deem necessary or advisable in order to effectuate the purpose of this Resolution.

Section 5. Effective Date. This Resolution shall take effect immediately upon adoption.

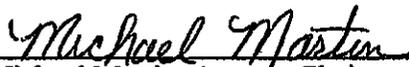
PASSED, APPROVED and ADOPTED this 6th day of May 2008

AYES: Agency Members Aguiar-Curry, Anderson, Fridae and Agency Chairman Martin

NOES: None

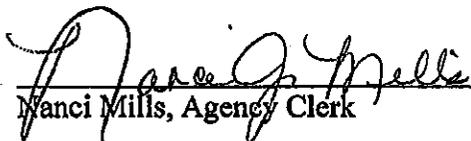
ABSENT: Agency Member Stone

ABSTAIN: None



Michael Martin, Agency Chairman

ATTEST:



Nanci Mills, Agency Clerk

SUMMARY REPORT REGARDING PAYMENT BY THE
WINTERS COMMUNITY DEVELOPMENT AGENCY FOR
ALL OR A PORTION OF THE COST OF THE
CONSTRUCTION AND INSTALLATION OF A PUBLIC
SAFETY FACILITY OF BENEFIT TO THE CITY OF
WINTERS COMMUNITY DEVELOPMENT PROJECT AREA

DATED: March 25, 2008

Estimate of Taxes

The Agency proposes to pay for all or a portion of the cost of the construction and installation of a public safety facility, consisting of a joint police and fire station, and related improvements (the "Safety Facility Project") and other public capital improvements of benefit to the Winters Community Development Project Area (the "Project Area") from the proceeds of the Agency's City of Winters Community Development Project Area Tax Allocation Bonds, Series 2007 (the "Bonds"), previously issued by the Agency.

The Bonds were issued in the aggregate principal amount of \$11.47 million and has an overall true interest cost of approximately 4.72 percent. The Agency pays debt service on the Bonds from taxes ("tax increment revenues") allocated to the Agency pursuant to Section 33670(b) of the Law with respect to the Project Area. The sum of the principal of and interest on the Bonds through their scheduled final maturity in 2038 is approximately \$23.16 million. From the net sale proceeds from the Bonds available for Agency projects, the Agency currently expects to use approximately \$6.8 million (which is approximately 60 percent of such net sale proceeds) to finance the Safety Facility Project.

To the extent that the proceeds of the Bonds are not sufficient to pay for all of the costs of the Safety Facility Project and the other intended improvements, the balance of such costs will be paid for using other funds available to the Agency or the City of Winters (the "City").

The amounts set forth in this report are based on the current estimates of costs and availability of other funds that the Agency believes are reasonable. Such amounts may vary depending on the actual costs and availability of funds.

Facts Supporting Determinations

The Project Area is an area in which there exists a combination of conditions of blight that causes a reduction of, or lack of, proper utilization of the area to such an extent that it constitutes a physical, social and economic burden on the community which cannot reasonably be expected to be reversed or alleviated by private enterprise or governmental action, or both, without redevelopment. The existence of inadequate public improvements and public facilities in the Project Area cannot be remedied by private or governmental action without redevelopment. The lack of adequate public improvements

and facilities, including police and fire protection facilities, hinders economic development opportunities and contributes to the existence of depreciated and stagnant property values and impaired investments in the Project Area.

The existing police and fire protection facilities are in need of costly and significant upgrades in order to meet the growing demands of the community, the most cost effective way to upgrade the existing facilities is to construct a new facility to house both operations. The construction of a new police and fire station is needed to provide adequate level of police and fire protection services. The police and fire station facility will address needs that are essential to the safety, health and welfare of the residents and businesses of the Project Area and the City.

The budget constraints of the City and the extraordinary voter approval requirements applicable to traditional methods of financing (such as general obligation bonds and community facilities district special tax bonds) as a practical matter prevent the City from financing the Safety Facility Project by any other means. No moneys of the City were, are or are reasonably expected to be available on a long-term basis under the budget of the City to pay for such installation and construction. Traditional methods of financing such as the issuance of general obligation bonds are unavailable as a practical matter because of the extraordinary majority voter approval requirements of two-thirds of the electorate. Assessment financing or special tax financing could overburden benefiting properties with assessments or special taxes and, in addition, special taxes require a two-thirds vote and assessments are subject to a majority protest. The cost of the Safety Facility Project is not within the City's budget.

The Safety Facility Project is consistent with the Agency's implementation plan.

Redevelopment Purpose: Elimination of Blight

The Safety Facility Project will serve a basic purpose of redevelopment. Redevelopment includes the provision of structures as may be appropriate or necessary in the interest of the general welfare. A fundamental purpose of redevelopment is to expand employment opportunities and to provide an environment for the social, economic and psychological growth and well-being of all citizens.

The Safety Facility Project will assist in the elimination of blight in the Project Area, which is caused by the lack of adequate public improvements and facilities, and will assist in the revitalization of the Project Area, improve the quality of life, help to reverse depreciated or stagnant property values and impaired investments, encourage private sector investment, assist in retaining existing businesses, and encourage business expansion, all for the health, safety and welfare of the residents and taxpayers of the Project Area and the City.

City of Winters
Police and Fire Facility Financing Plan
January 29, 2008

Facility Budget and Funding Sources
Including Estimated Interest Earnings on Tax Allocation Bonds
and Tax Increment

Facility Budget

Total Budget	8,400,000.00
RDA Grant	(4,000,000.00)
Impact Fees	(773,414.60)
Loan From RDA	(2,781,635.96)
Interest on 07 Tax Allocation bond Proceeds thru June '09	(654,401.95)
Interest on Tax Increment Fund thru June '09	(190,547.49)
Additional Funding Required	-

Projected Funds Available

This includes balances on hand as of 1/29/08 as well as projections of revenue for the current fiscal year, excluding interest. Interest projections are included in the table above. The Commercial property is Granite Bay Credit Union and Sutter Health Buildings.

	Impact Fees	Bonds	Tax Increment
Balance in Police	281,871.31		
Balance in Fire	212,776.45		
Balance in General Facilities	303,912.19		
Increment			2,304,413.24
04 Non Housing Bonds		1,718,257.56	
07 Non Housing Bonds		8,849,838.13	
Winters Commercial 9065 sf-Police	21,574.70		
Winters Commercial 9065 sf-Fire	10,515.40		
Winters Commercial 9065 sf-General	18,764.55		
07-08 tax increment estimate			1,606,316.00
Sale of Property to Downtown Project			260,000.00
Total Estimated available	849,414.60	10,568,095.69	4,170,729.24

Staff is in agreement that the use of Redevelopment Tax Allocation Bond Proceeds is the best possible means of financing the Fire and Police Station. Funds still remain for redevelopment activity for use for housing and economic Development activities as indicated on Page 2 of this handout.



PLANNING COMMISSION STAFF REPORT
July 15, 2008

MEETING DATE: July 22, 2008

AGENDA ITEM: City of Winters Public Safety Facility - Site Plan Review, Design Review, Conditional Use Permit and Variance
Project File #2008-03-SP/DR/CUP/VAR

PREPARED BY: Eileen Shaw, Contract Planner

APPLICANT: City of Winters

PROPERTY OWNERS: City of Winters/Hoffman Land Development Company

SITE DATA:

Parcel Size: ±2.78 acres

Location: The project site is located on the northwest corner of West Main Street and Grant Avenue within the city limits. Situs address: 537 West Grant Avenue, Winters, CA 95694.

Assessor's Parcel No.: APN 030-522-01 (.63 acre) and a portion of APN 030-430-13 (2.14 acres)

General Plan: Public/Quasi-Public P/QP (Council Resolution No. 2005-57 adopted 11/15/05)

Zoning: Public/Quasi-Public (P/QP) (City Ordinance No. 2005-10 adopted 12/19/05)

REQUESTED ACTION:

Approve the Site Plan and Design, and entitlements for a Variance and Conditional Use Permit for the City of Winters Public Safety Center.

BACKGROUND:

On November 15, 2005, the Winters City Council adopted Resolution No. 2005-57, thereby approving the Hudson-Ogando Subdivision Map No. 4684 on 15.97 acres (APNs 030-430-13 and-29) owned by Hoffman Land Development Company. With the approval of this tentative map, a 2.14-acre area of the parcel on the south end of the APN 030-430-13 was re-designated (General Plan Amendment) and subsequently re-zoned to a Public/Quasi-Public land use on December 19, 2005. This portion of the Ogando-Hudson parcel, combined with an adjacent, City-owned 0.63-acre parcel (APN 030-522-01), created the site for the City's proposed Public Safety Facility (the project's general location is shown in *Exhibit 1 - Vicinity Map*). At the time of this subdivision approval, specific plans for the public facility had not yet been prepared.

The Council actions for both the residential subdivision and public facility components included certifying a Mitigated Negative Declaration (MND) and adopting Conditions of Approval (COAs). The COAs, which included the MND's mitigation measures, are attached to this staff

report; for ease of identification, the COAs that apply specifically to the Public Safety Facility are underlined (see *Exhibit 2 – Conditions of Approval*).

EXISTING CONDITIONS:

The Public Safety Facility site's topography is generally flat with elevations ranging between 150 to 160 feet above mean sea level. The site was historically used as an almond orchard and there are still remnant trees from the farming activity. However, the site is dominated by annual grasses including wild oat, soft chess, rigput brome, star thistle, and tarweed. Stormwater runoff flows toward, and is captured in, the gutter and associated storm drains along West Main Street.

The city-owned parcel contains an existing sewer pump station, located on the southeast corner of the site near the intersection of Grant Avenue and West Main Street.

Surrounding land uses include a mobile home park to the west; vacant land to the north (the remainder of the Hudson-Ogando subdivision); and single-family homes to the east across West Main Street and to the south along Grant Avenue.

PROJECT DESCRIPTION:

The City of Winters has submitted an application requesting Planning Commission approval of the planning entitlements required for a new Public Safety Facility (PSF), to include a new fire station and police station. This facility is intended to replace the existing Winters Fire Station 26, located on Abbey Street, and the existing Police Department facility adjacent to City Hall.

Entitlements requested are: Site Plan and Design Review, a Conditional Use Permit (CUP), and a Variance. The City's Zoning Ordinance requires a CUP to locate a public facility in a P/QP zone; and the Variance is required by the Zoning Ordinance to allow structures that would exceed the City's maximum height requirements for structures (40 feet) and fencing (6 feet). Structures that would require a variance include: 1) a radio communications tower up to 140 feet; 2) center portion of the main building, which is designed at a height of 42 feet; and 3) a solid pre-cast concrete wall along the west property line that is proposed at a height no lower than eight feet and no higher than 10 feet. The following are descriptions of the project components:

Public Safety Facility The proposed PSF would consist of a 30,760 square foot two-story building to house a police and fire station, a 5,758 square foot vehicle maintenance and storage building. The existing City sewer pump station would also be incorporated into the site design (see *Exhibit 3 – Site Plan*).

The main police and fire station building would be a two-story building of a pre-engineered, steel-construction metal building system with a masonry veneer on the majority of the first floor of the building. The main building would also contain all fire and police executive and administrative functions. (see *Exhibits 4 & 5 – Building Elevations*)

The PSF would provide 4,904 square feet of commons and a 3,453 square-foot mezzanine. The building would also include a public lobby and restrooms; a 1,300 square-foot training room; kitchen and storage areas; and an exercise and break room for staff use only.

Fire Facilities The Fire Department would consist of 12,083 square feet on the first floor and 4,217 square feet on the second floor. Facilities specific to the fire department include a four-bay, double-deep, drive-through apparatus room; living quarters for 10 firefighters and one Captain's quarters; fire department administrative offices; and a covered wash rack area. (See *Exhibits 6 & 7 – First and Second Floor Layouts*.)

Police Facilities The Police Department would consist of 8,801 square feet on the first floor. Facilities specific to the police department include separate facilities for patrol, investigations,

records, and administrative functions. There would also be space for property and evidence storage; a vehicle Sallyport and booking area with holding cells; and staff locker rooms.

Storage and Maintenance Building A separate 5,758 police and fire storage and maintenance building would be situated in the southwestern corner of the lot. The remaining grounds of the site would contain a small training tower, paved areas for parking and maneuvering, a drafting pit for testing fire pumps and other related apparatuses, and contain parking areas for fire and police staff. The existing City of Winters sewer pump station would remain in the southeastern corner of the lot.

Communications Tower A lattice communications tower with various mounted pieces of equipment would be constructed for the purpose of public safety dispatch. While the exact height of the tower has yet to be determined, it is anticipated to be as high as 140 feet. Space on this tower may be leased in the future for various other private and public communications needs.

Parking The public parking lot is located in the northern portion of the project site, with the public entrance to the building along West Main Street between the parking area and the proposed plaza. An additional ingress/egress to the Public Safety Facility would be located also on West Main Street, reserved for police and fire vehicles only.

Proposed parking includes 24 public spaces, including two (2) public handicap-accessible spaces, and 53 staff spaces, including two (2) handicap staff accessible spaces, for a total of 77 off-street parking spaces.

Solid pre-cast concrete Sound and Safety Wall An 8- to 10-foot solid pre-cast concrete wall would be constructed along the western property line.

Fencing The site currently has a six-foot high, pre-cast concrete screen wall that extends along the south/southeast boundary of the site at the intersection of Grant Avenue and West Main Street. As indicated on *Exhibit 2 - Site Plan*, new fencing would be constructed to extend from this existing fencing south/southeast along the property line, using ornamental wrought iron or tubular steel, incorporating gates supported with masonry pillars.

The same fencing type will be installed with the security gates along the south side of the Fire facility and north side of Police facility within the planter area of the public parking lot.

Landscaping As shown on *Exhibit 8 - Landscaping Plan*, the proposed landscaping includes onsite planting of trees and shrubs behind the back of the curb and sidewalk along West Main Street, as well as within the public parking area. Redwood trees are proposed to be installed in the "bump-outs" within the staff parking area on the western portion of the site. A landscape irrigation system to include automatic sprinklers will provide for adequate watering of plants and trees.

Lighting The project provides for security lighting. Lighting fixtures will be downcast to reduce light spillage onto adjacent residences, and will minimize light pollution of the night sky.

Signage No monument signs or other free-standing signage is proposed. As shown on *Exhibit 4 - East Building Elevation*, signage will be limited to raised letters on the front of the Public Safety Facility building. Signage will be wall mounted, and will include individual 18-inch high cast letters identifying the "WINTERS FIRE STATION 26" and "WINTERS POLICE DEPARTMENT." Twelve-inch high cast letters identifying "WINTERS" and steel plate logos would also be included for each department. The historic Fire Bell and the historic Jail Door will be incorporated into the façade design, facing West Main Street.

Hours of Operation The PSF would operate on a 24-hour, 7 days-a-week basis. The principal

hours of operation would be between the hours of 8:00am and 5:00pm, Monday through Friday.

Screening Roof mounted mechanical units will be screened, by placing the units in roof wells on the two-story roof, and the Sallyport roof. Dumpsters and other outdoor trash receptacles will also be screened from public view.

Storm Drainage Project storm drainage will connect to the existing storm drain main in West Main Street. Storm drainage will be conveyed south along West Main Street to the main line in Grant Avenue.

Offsite Improvements No offsite improvements would be required with this project. Roadway improvements, traffic calming features, curb, gutter, sidewalk, and Class I bike paths will be constructed along the project frontage of West Main Avenue and Grant Avenue as part of the adjacent Hudson/Ogando residential subdivision.

ENVIRONMENTAL REVIEW:

A Mitigated Negative Declaration (MND) was prepared to analyze environmental impacts associated with the proposed Public Safety Facility and the Hudson/Ogando Subdivision in 2005. The draft MND was circulated for a 30-day public review beginning on August 17, 2005. After a hearing on the project, the Planning Commission recommended the City Council adopt the MND for the subdivision and Public Safety Facility. The City Council approved the MND for the subdivision and Public Safety Facility on November 15, 2005 with Resolution 2005-56.

A Mitigation Monitoring and Reporting Program (MMRP) was included with the MND approval, which identified mitigation measures specific to the Public Safety Facility. These mitigation measures are called out as underlined text in *Exhibit 2* of this staff report.

PUBLIC COMMENT:

On Wednesday, July 9, 2008, a Notice of Public Hearing was published in the Winters Express and mailed to all property owners within 300 feet of the project site. At the time of the filing of this report, staff had not received any written public comments on the proposed project. Any public comments received prior to the hearing will be provided to the Planning Commission at the hearing. Verbal comments on the proposal may be made during the public hearing.

ANALYSIS:

Consistency with Plans and Policies

The project site is located within the City of Winters and under the jurisdiction of the City's General Plan and Zoning Ordinance. The existing General Plan land use designation for the site is Public/Quasi-Public and the zoning designation is also Public/Quasi-Public (P/QP). The proposed project is consistent with General Plan P/QP land use designation which allows government-owned facilities including the proposed police and fire station. The proposed project is also consistent with Title 17 of the Winters Municipal Code section 17.44.140, which allows for safety and utility services with approval of a Conditional Use Permit.

Approval of the Hudson-Ogando subdivision included exclusion of this property from the West Central Master Plan. Therefore, no analysis of consistency with this master plan is required.

Note: As currently proposed, the site plan shows building to be constructed across the boundary lines of APN 030-522-01 and 030-430-13. A lot line adjustment or lot merger will be required prior to issuance of a building permit.

Site Plan and Design Review

Development Standards The project is subject to development standards established in Section 17.56

of the Municipal Code. The development standards for P/QP zoned properties include the following:

- Floor Area Ratio (FAR): .50 (50%)
- Maximum Structure Height: 40 feet
- Front yard setback: 20 feet
- Secondary frontage setback: 20 feet
- Side yard setback: 10 feet
- Rear yard setback: Zero feet

Note: setbacks are greater for structures over 30 feet high.

Staff has reviewed the Site Plan and determined that, with the exception of maximum height limits, the Public Safety Facility meets the Development Standards for the P/QP zone as outlined in Municipal Code Section 17.56.

The communications antenna height of up to 140 feet and main building height of 42 feet, as well as the 10-foot high solid pre-cast concrete wall, will require approval of variances to the ordinance's height requirements. This is discussed in the Variance section below.

Fencing Standards A height of eight (8) feet for the solid pre-cast concrete wall would be consistent with Section 17.64.010 of the Code which allows for fence heights up to eight feet since the wall would serve to reduce noise and visual impacts associated with the operations of the proposed police and fire station. However, the City Police and Fire Departments are requesting approval of up to 10 feet, which will require approval of a variance to the ordinance's height requirements for fencing.

Parking Standards City of Winters staff reviewed the onsite parking of the Public Safety Facility to ensure that the criteria in Section 17.72, off-street parking requirements (1 space per 500 square feet), for the Public Safety Facility were met. The site plan depicts approximately 77 parking spaces which are more than the minimum of 72 required.

Design Standards The Public Safety Facility project is also subject to the following design criteria, as outlined in Section 17.36.040 of the Zoning Ordinance. The design review of this project includes an analysis of the following project components:

- Review of visible building mass as it relates to property line setbacks, building height, roofline profiles, and lot coverage;
- Exterior construction materials for quality and compatibility with the visual character of the neighborhood;
- Exterior building colors;
- Architectural design themes; and
- The use of landscaping to effectively screen or soften the project.

Building Massing As shown on *Exhibit 3 - Site Plan*, the building footprint fronts West Main Street. The two-story element breaks up the horizontal massing of the one-story elements, by providing a varied vertical massing scheme, with dominant roofline profiles. The wall planes of the one-story elements are broken up by attached awnings, over walkways and carports, and the apparatus doors for the fire engines.

Exterior Colors and Materials The one-story elements have a masonry wainscot to just over 7 feet in height, with prefinished vertical, box-rib metal siding above. The masonry wainscoting is a brown speckled concrete masonry unit; the metal siding is prefinished red, for the fire department, and blue, for the police department.

The two-story element of the Public Safety Facility would also have a masonry wainscot with plaster above. The masonry wainscot will be clay units, with a reddish-brown field color and a contrasting orange-brown accent color. The plaster would be painted to match the red metal siding. An alternative to painting the plaster would be to use the prefinished metal siding in lieu of the painted plaster. The higher-pitch (6:12) metal roof for the second story will be a champagne color.

Landscaping As shown in *Exhibit 8 - Landscaping Plan*, the parking plan includes four (4) "bump-outs" within the secured compound area along western edge. Redwood trees will be planted in these bump-outs to provide shading and cooling effects. The public parking area will include tree plantings of maples and crape myrtles. Existing trees extend along the front of the building fronting Grant Avenue and West Main Street. The project will add fruitless plum and elm trees to the mix. Within the public parking areas, the Zoning Ordinance's 50 percent shading requirement will be met [Section 17.760.040 (c)]. No shading calculations were done for the compound (non-public) areas in the back of the facility.

City of Winters staff has reviewed the design of the Public Safety Facility and has determined that the criteria for the review by the Planning Commission were met.

Variance

Communications Tower A variance to height limits is required to allow construction of the communications tower. The development standards for P/QP zoned properties outlined in Section 17.56 sets the maximum structure height at 40 feet. A variance is being requested for a communications tower up to be constructed up 140 feet. The higher the tower, the more extensive and dependable the radio communications will be for carrying out police and fire operations within the City. Approval of the variance for the communication antenna would be in the interest of the public's health, safety and welfare by ensuring a reliable communications system for emergency services personnel.

Public Safety Facility Main Building The PSF main building consists of one-story wings on the north and south extensions of the structure that are approximately 24 feet high. The two-story central portion of the building has been designed to a height of 42 feet, which exceeds the Zoning Ordinance requirements of 40 feet maximum. The two additional feet of height is needed to accommodate the residential space for Fire Department personnel. These residential facilities enable a quicker response time for fire department personnel, thereby ensuring public safety.

Solid pre-cast concrete Wall A fence or wall may exceed the Zoning Ordinance's six-foot height limit if the additional height is required to mitigate noise or for other health and safety considerations, and if the project goes through Design Review. This project requests that a variance be granted to allow construction of a wall up to ten feet high.

The solid pre-cast concrete wall is proposed to be higher than standard fencing for the following reasons: 1) provide noise mitigation for neighboring residents related to activity in the rear of the PSF site; 2) contribute to shielding light and glare away from residents adjacent to the west end of the PSF; and 3) increase security associated with transfer of prisoners from the patrol vehicles to the Police Department's holding cells.

Approval of the variance for the solid pre-cast concrete wall would be in the interest of the public's health, safety and welfare by reducing noise, light and glare on neighboring residences, and maximizing security during the course of police and fire operations.

Conditional Use Permit

Zoning Ordinance Section 17.20 states that the Planning Commission may approve, conditionally approve, or disapprove an application for a use permit, subject to making the required findings.

These findings are described in the section below. Staff recommended conditions, along with previously-approved conditions (per the Ogando-Hudson subdivision approval) are shown as *Exhibit 2 – Conditions of Approval* of this report.

The purpose of a Conditional Use Permit (CUP) is to allow the proper integration of land uses into the community, which may be suitable only in specific locations within a zone district or only if the uses are oriented on the site in a particular manner (Section 17.20.010). Pursuant to Section 17.52.020 all uses within the P/QP zone district (with the exception of minor utility uses) and a communications tower both require a CUP. Based on an analysis of the project's conformance with the city's development standards and design guidelines, staff has concluded the proposed project conforms to the General Plan land use and zoning regulations, and is suitable for development on this site.

The PSF facility has been planned at this location since the approval of the Hudson/Ogando subdivision in November 2005. The project plans show that adequate utilities, access roads, drainage, sanitation and/or other necessary facilities or services will be provided. Given the project is to accommodate a police and fire station, it will not create a nuisance or enforcement issues within the neighborhood.

Unlike the adjacent land uses, the project is not a residential use. However, it is generally considered compatible with the surrounding land uses, and will not be detrimental to the public health, safety or general welfare of City of Winters' residents.

FINDINGS:

Site Plan and Design Review Findings

1. The project is located within the City of Winters city limits. The City Planning Commission has been delegated by the City Council the responsibility of meeting, holding public hearings, reviewing, and deciding upon all applications for a site plan review, a design review, and a conditional use permit, and as defined in the City of Winters Zoning Ordinance.
2. Notice of a hearing on the proposed conditional use permit was sent to all persons owning property within 300-feet of the project site, and publicly-noticed in the Winters Express in accordance with State law.
3. The Public Safety Facility would be consistent with the goals and policies in the City of Winters General Plan for this site as approved in the Ogando-Hudson subdivision project.
4. The project complies with the development standards, design guidelines, parking, lighting and signage requirements, and all other rules, and regulations of the City of Winters Zoning Ordinance as applicable in Sections 17.36.030, 17.36.040, and 17.36.050.

Variance Findings

5. Pursuant to Section 17.24.040, the granting of the variance would not constitute a granting of special privilege inconsistent with the limitation upon other properties in the vicinity with the same zone.
6. Strict application of the provisions of the Code would deprive the property of the ability to safely and effectively conduct emergency services for the residents of Winters.
7. The variance would be granted for a parcel of property which authorizes a use or activity which is expressly authorized by the zone regulation (both general plan and zoning) governing the parcel.

Conditional Use Permit Findings

8. Pursuant to Section 17.20.030 the requested use is in conformity with the general plan, is

listed as a conditional use in the P/QP zone, and is consistent with the intent and purposes of the P/QP zone.

9. Previously adopted Conditions of Approval, shown in *Exhibit 2*, would ensure that the character of the neighborhood would not be detrimentally affected.
10. The police and fire station would be beneficial to the public health, safety and general welfare of City of Winters' residents.
11. The design and engineering of the Public Safety Facility ensures that adequate utilities, access roads, drainage, sanitation and/or other necessary facilities or services would be provided.
12. The Public Safety Facility would not create a nuisance or enforcement problem.

STAFF RECOMMENDATIONS:

Based on the analysis and findings above, staff recommends the Planning Commission approve the Site Plan Review, Design Review, Variance, and Conditional Use Permit for the Public Safety Facility by making the following motion:

Move to approve the proposed Site Plan and Design, Variance, and Conditional Use Permit based upon the following condition:

1. A Lot Line Adjustment or Lot Merger, as determined by the City Engineer, of APNs 030-522-01 and the portion of 030-430-13 that has been designated and rezoned for P/QP land uses shall be approved in accordance with the City of Winters' Subdivision Ordinance. This condition is included in *Exhibit 2* of this report.

Note: The November 2005 approval of the Ogando-Hudson subdivision also conditioned the Public Safety Facility. Those Conditions of Approval (COAs), adopted with Council Resolution 2005-57, include mitigation measures that were adopted as part of the Mitigated Negative Declaration. They are also provided in Exhibit 2 for reference.

APPEALS:

Appeals to the Planning Commission's decisions may be made to the City of Winter City Council within ten days of the Commission's decision by filing an appeal form at City Hall and paying a fee.

EXHIBITS:

1. Vicinity Map
2. Conditions of Approval
3. Site Plan
4. North and East Elevations
5. South and West Elevations
6. First Floor Layout
7. Second Floor Layout
8. Landscaping Plan
9. Lighting Plan

EXHIBIT 1

VICINITY MAP

NOTE: LARGE FORMAT DOCUMENTS TO BE DISTRIBUTED SEPARATELY

EXHIBIT 2 CONDITIONS OF APPROVAL

The Conditions of Approval of this project approval for the Public Safety Facility shall be met as follows:

1. A Lot Line Adjustment or Lot Merger, as determined by the City Engineer, of APNs 030-522-01 and the portion of 030-430-13 designated and rezoned for P/QP land uses shall be approved in accordance with the City of Winters' Subdivision Ordinance prior to issuance of a building permit.

The November 2005 approval of the Ogando-Hudson subdivision also conditioned the Public Safety Facility. Those adopted Conditions of Approval (COAs), which include mitigation measures that were adopted as part of the Mitigated Negative Declaration, are provided below for reference. The conditions and mitigation measures applicable to the Public Safety Facility are underlined for ease of identification:

Hudson/Ogando Subdivision Conditions of Approval

General

- 1) 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 expense 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 subdivider 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.
- 2) All conditions identified herein shall be fully satisfied prior to acceptance of the first final map unless otherwise stated.
- 3) The project is as described in the October 25, 2005 Planning Commission staff report. The project shall be constructed as depicted on the maps and exhibits included in the October 25, 2005 Planning Commission staff report, except as modified by these conditions of approval. Substantive modifications require a public hearing and Council action.

General Plan Requirements

- 4) Pursuant to General Plan Policy II.A.18, a minimum of ten percent of the single-family lots (7 lots) shall be offered for sale to local builders or owner-builders. These lots shall not be the same lots as those identified to meet the City's affordable housing requirement.
- 5) Pursuant to General Plan Policy II.C.1 and VI.F.2, energy efficient design shall be used. Pursuant to Policy II.C.2 of the Housing Element, energy conservation and weatherization features shall be incorporated into the home design. At a minimum this shall include: a) Maximization of energy efficient techniques as identified in the July 27, 2004 Planning Commission staff report on "Proposed Energy Resolution". b) Attainment of EPA Energy Star Standards in all units. c) Low emission furnaces in all units. d) Avoidance of dark

colored roofing on all units. e) A minimum of 50 percent of the market-rate units shall have a photovoltaic solar energy system capable of producing a minimum of 2.4kW (peak-rated DC watts) photovoltaic. The remainder of the market-rate units shall be prewired for an equivalent system.

- 6) Pursuant to General Plan Policy 11.0.4 and IV.A.1 necessary public facilities and services shall be available prior to the first occupancy of the project.
- 7) Pursuant to General Plan Policy IV.A.4 (second sentence), the developer shall pay in-lieu fees for the increment of parkland not provided on site, or at the City's discretion may construct needed improvements according to City specification in lieu of paying the fees.
- 8) Pursuant to General Plan Policy VI.C.7, drought-tolerant and native plants, especially valley oaks, shall be used for landscaping roadsides, parks, schools, and private properties. Pursuant to General Plan Policy VI.C.8, drainage-detention areas shall incorporate areas of native vegetation and wildlife habitat.
- 9) Pursuant to General Plan Policy IV.B.14, there shall be a water meter on each new hook-up.
- 10) Pursuant to General Plan Policy IV.C.2, adequate sewer service shall be provided prior to the issuance of any individual building permit.
- 11) Pursuant to General Plan Policy IV.J.2, all new electrical and communication lines shall be installed underground.
- 12) Pursuant to General Plan Policy VI.A.6, grading shall be carried out during dry months, when possible. Areas not graded shall be disturbed as little as possible. Construction and grading areas, as well as soil stockpiles, should be covered or temporarily revegetated when left for long periods. Revegetation of slopes shall be carried out immediately upon completion of grading. Temporary drainage structures and sedimentation basins must be installed to prevent sediment from entering and thereby degrading the quality of downstream surface waters, particularly Putah Creek. The full cost of any necessary mitigation measures shall be borne by the project creating the potential impacts. Pursuant to General Plan Policy VI.B.3, should the City allow any grading to occur during the rainy season, conditions shall be implemented to ensure that silt is not conveyed to the storm drainage system.
- 13) Pursuant to General Plan Policy VI.E.6, construction-related dust shall be minimized. Dust control measures shall be specified and included as requirements of the contractor(s) during all phases of construction of this project and shall be included as a part of the required construction mitigation plan for the project.
- 14) Pursuant to General Plan Policy VII.A.1, VII.A.2, and VII.C.4 all site work and construction activities shall be in accordance with the requirements of the City, and other applicable local, regional, state, and federal regulations.
- 15) Pursuant to General Plan Policy VII.C.1, necessary water service, fire hydrants, and access roads shall be provided to the satisfaction of the Fire Chief and Fire Protection District standards.
- 16) Pursuant to General Plan Policy VII.C.2, a minimum fire-flow rate of 1,500 gallons per minute is required for all residential uses.
- 17) Pursuant to General Plan Policy VIII.D.2, street trees shall be planted along all streets, in accordance with the City's Street Tree Plan and Standards. There shall be a minimum of one street tree in the center front of each single-family lot, and on both frontages for corner lots. All trees shall be of a type on the approved street tree list and shall be a minimum of fifteen gallons in size with a mature tree canopy of at least a thirty-foot diameter within five years. The intent is that majestic street tree species that create large canopies at maturity

will be required in all medians and streetside landscape strips. The goal is create maximum shade canopy over streets and sidewalks.

- 18) Pursuant to General Plan Policy VIII.D.4, a permanent mechanism for the ongoing maintenance of street trees is required, to the satisfaction of the City Manager and City Finance Director.
- 19) Pursuant to General Plan Policy VIII.D.7, all lighting including street lighting, shall be designed, installed, and maintained to minimize excess light spillage, unnecessary brightness and glare, and degradation of night sky clarity.

Negative Declaration Mitigation Measures

- 20) Mitigation Measure #1 — Outdoor light fixtures shall be low-intensity, shielded and/or directed away from adjacent areas and the night sky. All light fixtures shall be installed and shielded in such a manner that no light rays are emitted from the fixture at angles above the horizontal plane. High intensity discharge lamps, such as mercury, metal halide and high-pressure sodium lamps shall be prohibited. Lighting plans shall be submitted for approval as part of facility improvement plans to the City with certification that adjacent areas will not be adversely affected and that offsite illumination will not exceed 2-foot candles.

Prior to issuance of a building permit, the applicant shall submit a photometric and proposed lighting plan for the project to the satisfaction of the Community Development Department to ensure no spillover light and glare onto adjoining properties.

- 21) Mitigation Measure #2 — a. Construction equipment exhaust emissions shall not exceed District Rule 2-11 Visible Emission limitations. b. Construction equipment shall minimize idling time to 10 minutes or less. c. The prime contractor shall submit to the District a comprehensive inventory (i.e. make, model, year, emission rating) of all the heavy-duty off-road equipment (50 horsepower or greater) that will be used an aggregate of 40 or more hours for the construction project. District personnel, with assistance from the California Air Resources Board, will conduct initial Visible Emission Evaluations of all heavy-duty equipment on the inventory list.

An enforcement plan shall be established to weekly evaluate project-related on-and-off-road heavy duty vehicle engine emission opacities, using standards as defined in California Code of Regulations, Title 13, Sections 2180 - 2194. An Environmental Coordinator, CARB-certified to perform Visible Emissions Evaluations (VEE), shall routinely evaluate project related off-road and heavy duty on-road equipment emissions for compliance with this requirement. Operators of vehicles and equipment found to exceed opacity limits will be notified and the equipment must be repaired within 72 hours.

Construction contracts shall stipulate that at least 20% of the heavy-duty off-road equipment included in the inventory be powered by CARE certified off-road engines, as follows:

175 hp - 750 hp 1996 and newer engines

100 hp - 174 hp 1997 and newer engines

50 hp- 99 hp 1998 and newer engines

In lieu of or in addition to this requirement, the applicant may use other measures to reduce particulate matter and nitrogen oxide emissions from project construction through the use of emulsified diesel fuel and or particulate matter traps. These alternative measures, if proposed, shall be developed in consultation with District staff.

- 22) Mitigation Measure #3 -- Homes constructed as a part of the project shall contain only low-emitting EPA certified wood-burning appliances or natural gas fireplaces.

- 23) Mitigation Measure #4 — The project proponent shall mitigate for potential project-related impacts to burrowing owl by conducting a pre-construction survey no more than 30 days prior to the initiation of construction activity. The pre-construction survey shall be conducted by a qualified biologist familiar with the identification of burrowing owls and the signs of burrowing owl activity. If active burrows are found on the project site, the California Department of Fish and Game (CDFG) shall be consulted regarding appropriate mitigation measures for project-related impacts to burrowing owl. Pursuant to the CDFG document entitled "Staff Report on Burrowing Owl Mitigation" (September 25, 1995), it is likely that replacement habitat will be required by CDFG. The guidelines include specific mitigation to protect nesting and wintering owls and to compensate for loss of breeding sites. In general, if the project would remove habitat of an occupied breeding site (e.g., if an active nest and surrounding habitat are removed), the project proponent will be required to compensate by preserving equivalent suitable habitat for each active nest site. In addition, the project proponent must install artificial burrows to offset the direct loss of the breeding site. Implementation of this mitigation measure shall be confirmed by the City of Winters prior to the initiation of construction activity.
- 24) 24.-'Mitigation Measure #5 — The project proponent shall mitigate for potential project-related impacts to Swainson's hawk foraging habitat by complying with one of the following:
- a) If the Yolo County Memorandum of Understanding (MOU) regarding project—related impacts to Swainson's hawk foraging habitat is in full force and effect at the time the applicant seeks to satisfy this mitigation, the applicant may pay the appropriate fees allowed by this agreement. The MOU requires the project proponent mitigate at a 1:1 ratio for every acre of suitable Swainson's hawk foraging habitat that is impacted by the project. A fee is collected by the City of Winters for impacts to 15.97 acres of potential Swainson's hawk foraging habitat. The fee shall be payable to the Wildlife Mitigation Trust Account. Funds paid into the trust account shall be used to purchase or acquire a conservation easement on suitable Swainson's hawk foraging habitat and for maintaining and managing said habitat in perpetuity. The cost per acre for acquisition and maintenance of foraging habitat is reviewed annually and the project proponent shall be charged at the rate per acre at the time. Payment shall be made to the trust account prior to the initiation of construction activity and shall be confirmed by the City of Winters prior to the issuance of a grading permit.
 - b) If the Yolo County NCCP/HCP has been adopted, the applicant shall mitigate for Swainson's hawk impacts by complying with the terms and requirements of the Plan. Compliance shall occur and be confirmed by the City of Winters prior to the issuance of a grading permit.
 - c) If the MOU is not in full force and effect, and if the NCCP/HCP has not yet been adopted, the project applicant shall purchase and set aside in perpetuity, 15.97 acres of Swainson's hawk foraging land in proximity to the City of Winters (as approved by the City) through the purchase of development rights, and execution of an irreversible conservation easement to be managed by a qualified party (e.g. Yolo Land Trust). Mitigation shall include an annuity or other mechanism to pay for permanent maintenance and management by the managing entity. Compliance shall occur and be confirmed by the City of Winters prior to the issuance of a grading permit.
- 25) Mitigation Measure #6 -- The project proponent shall mitigate for potential project-related impacts to nesting raptors (White-tailed Kite, Northern Harrier, and Loggerhead Shrike) by conducting a pre-construction survey of all trees suitable for use by nesting raptors on the subject property or within 500 feet of the project boundary as allowable. The preconstruction survey shall be performed no more than 30 days prior to the implementation of construction activities. The preconstruction survey shall be conducted by a qualified biologist familiar with the identification of raptors known to occur in the vicinity of the City of Winters. If active special-status raptor nests are found during the preconstruction

survey, a 0.25-mile (1,320-foot) buffer zone shall be established around the nest and no construction activity shall be conducted within this zone during the raptor nesting season (typically March-August) or until such time that the biologist determines that the nest is no longer active. The buffer zone shall be marked with flagging, construction lathe, or other means to mark the boundary of the buffer zone. All construction personnel shall be notified as to the existence of the buffer zone and to avoid entering the buffer zone during the nesting season. Implementation of this mitigation measure shall be confirmed by the City of Winters prior to the initiation of construction activity.

- 26) Mitigation Measure #7 -- If special-status vernal pool invertebrates are not found at the completion of a full protocol-level survey conducted by qualified biologists, and the USFWS agrees with the findings of the survey, then no further mitigation would be required. If special-status vernal pool invertebrates are found onsite, or if the USFWS disagrees then the mitigation specified below would still be required. The City of Winters shall confirm implementation of this mitigation measure prior to the issuance of a grading permit. The project proponent shall mitigate for potential project-related impacts to federally listed vernal pool invertebrates by complying with U.S. Fish and Wildlife Service (USFWS) guidelines regarding mitigation for project-related impacts to vernal pool invertebrate habitat. The USFWS typically requires a 250-foot setback from the edge of vernal pools to be avoided, however, this setback may be reduced if pools are degraded or no potential adverse effects to the habitat are anticipated with a decreased setback. If vernal pools onsite cannot be avoided, a mitigation plan shall be developed in conjunction with the USFWS to ensure no net negative effect to these species occurs. Likely mitigation measures include onsite or offsite preservation and creation of vernal pools at a ratio acceptable to the USFWS or purchase of credits at a qualified proximate vernal pool mitigation bank as specified by the USFWS and agreed to by the City. Typically, the USFWS in coordination with the Corps requires a 3:1 combination ratio (1:1 preservation and 2:1 creation) of vernal pools that potentially, or are known to support listed invertebrates.

Notwithstanding other federal jurisdiction, the Regional Water Quality Control Board may have jurisdiction over the wetlands, and shall be contacted regarding any separate regulatory authority or requirement they may have. Prior to the commencement of work on the project site, the applicant shall contact the RWCQB regarding their potential jurisdiction over wetlands that exist on the project site and comply with all applicable requirements, if any, established by that agency.

The California Department of Fish and Game (CDFG) retains jurisdiction over State biological resources including wetlands, and shall be contacted regarding any separate regulatory authority or requirement they may have for vernal pool species. Prior to the commencement of work on the project site, the applicant shall contact the CDFG regarding their potential jurisdiction over wetlands that exist on the project site and comply with all requirements, if any, established by CDFG arising from this consultation with the Department.

- 27) Mitigation Measure #8 -- (a) Pursuant to General Plan Policy VI.C.2, the applicant must replace loss of riparian and wetland habitat acreage and/or value on at least a 1:1 basis. Replacement entails creating habitat that is similar in extent and ecological value to that displaced by the project. The replacement habitat must consist of locally-occurring, native species and be located either at the City's Community Sports Park site north of Moody Slough Road, at the wetlands site in the northeast corner of the Winters Highlands property, or elsewhere as directed/approved by the City. Implementation of this condition shall be based on baseline data concerning existing native species. Study expenses shall be borne by development.
- 28) Mitigation Measure #9 -- If cultural resources (historic, archeological, paleontological, and/or human remains) are encountered during construction, workers shall not alter the

- materials or their context until an appropriately trained cultural resource consultant has evaluated the situation. Project personnel shall not collect cultural resources. Prehistoric resources include chert or obsidian flakes, projectile points, mortars, pestles, dark friable soil containing shell and bone dietary debris, heat affected rock, or human burials. Historic resources include stone or adobe foundations or walls, structures and remains with square nails, and refuse deposits often in old wells and privies.
- 29) Mitigation Measure #10 -- Grading of the site, design of foundations for proposed structures and construction of other related facilities on the property shall follow the criteria identified in the Geotechnical Investigation (Stevens Ferrone & Bailey, February 6, 2004) prepared for the project.
- 30) Mitigation Measure #11 -- Asbestos and lead-based sampling shall be conducted on the structures prior to demolition, and appropriate precautions shall be implemented consistent with any requirements of the Fire Department, the County Environmental Health Department, and the Yolo-Solano Air Quality Management District.
- 31) Mitigation Measure #12 -- All aspects of the project shall be subject to design review to ensure compatibility with the surrounding area and satisfaction of the Community Design Guidelines and other applicable principles of good neighborhood design. Prior to issuance of a building permit for each home, the builder shall submit for design review and approval.
- 32) Mitigation Measure #13 — Well pump noise shall not exceed 40 dBA at the nearest residential property line. This shall be demonstrated to the City via a noise analysis prepared by a qualified consultant prior to acceptance of the well facility.
- 33) Mitigation Measure #14 — Construction equipment (including well drilling equipment) shall be fitted with adequate engine mufflers and enclosures.
- 34) Mitigation Measure #15 -- The applicant shall enter into a Development Agreement with the City that includes provisions acceptable to the City Council for controlling the pace of growth on an annual basis. Provisions for the design, funding, and construction of necessary infrastructure to accommodate allowed growth shall also be addressed. Threshold requirements for the construction of affordable units shall be included to ensure that the development of affordable units reasonably keep pace with the development of market-rate units within the project.
- 35) Mitigation Measure #16 -- The applicant shall enter into a Development Agreement with the City that includes provisions acceptable to the City Council for mitigating the projected fiscal deficit. This may include an on-going Mello-Roos Community Facilities District (CFD) to fund eligible services, a Lighting and Landscaping District which could fund eligible park and landscaping expenses, establishment of an annuity the interest proceeds of which would cover the projected deficit, or other acceptable mechanisms.
- 36) Mitigation Measure #17 -- The applicant shall pay park mitigation fees to satisfy the obligation for 1.64-acre of developed parkland. Fees shall include both the value of the land and improvements that would otherwise be constructed if the parkland was provided on-site.
- 37) Mitigation Measure #18 — a) Install a traffic signal at the intersection of Grant Avenue/I-505 Northbound Ramps. The traffic signal would need to be installed after construction and occupancy of 40 single family dwelling unit "equivalents" citywide (i.e., multi-family housing units are 0.6 single family dwelling unit "equivalents");
- b) b) Install a traffic signal at the intersection of Grant Avenue/Walnut Lane. The traffic signal would need to be installed after construction and occupancy of 380 single family dwelling unit "equivalents" citywide (i.e., multi-family housing units are 0.6 single family dwelling unit "equivalents"). A preliminary review of traffic volumes indicates that conditions at this intersection would likely not meet the warrants, or criteria, applied by Caltrans for installation of traffic signals on a state highway. OR Prohibit left turn

- movements from southbound Walnut Lane onto eastbound Grant Avenue. Southbound vehicles on Walnut Lane would be forced to turn right and make a u-turn at the signalized intersection of Grant Avenue/Railroad Avenue;
- c) Install a traffic signal at the intersection of Grant Avenue/West Main Street. The traffic signal would need to be installed after construction and occupancy of 50 single family dwelling unit "equivalents" from this project and/or Winters Highlands, Callahan Estates, or Creekside (i.e., multi-family housing units are 0.6 single family dwelling unit "equivalents");
- d) The applicant shall pay a fair share of the cost for design and installation of a traffic signal at the intersection of Railroad Avenue/Main Street at buildout.
- 38) Mitigation Measure #19 -- The applicant shall be required to complete full roadway improvements, including traffic calming, to City Standards. Where phasing of improvements is allowed to support phased construction of residences, interim phased improvements shall be to the satisfaction of the City Engineer.
- 39) Mitigation Measure #20 -- The proposed systems for conveying project sewage, water, and drainage shall be finalized and approved by the City Engineer prior to final map. The project is required to fund and construct off-site improvements necessary to support the development. Such improvements could include, but not be limited to a water well, water lines, sewer lines and storm drainage lines. Should property acquisition or additional CEQA clearance be required for off-site improvements, this will be the responsibility of the developer.
- 40) Mitigation Measure #21 -- The applicant shall offer three alternative locations, satisfactory to the City, for locating a new well to serve the subdivision. Upon determination of an acceptable site, the City will release unused sites back to the applicant. At the City's discretion, the City may waive the requirement for an on-site location, should an acceptable off-site location be acquired and cleared procedurally (e.g. CEQA, etc.) for construction. If determined to be necessary, a separate CEQA analysis shall be conducted to clear the well site for construction. The applicant shall fund the upfront costs of design and construction of the well (including CEQA clearance), subject to later fair share reimbursement.

Community Development

- 41) Construction activities shall be limited to 7:00 am to 7:00 pm, Monday through Friday only (holidays excluded) in compliance with the City's Noise Ordinance and Standard Specifications.
- 42) Foundations shall be poured in place, onsite. No pre-cast foundations will be permitted. This shall be stipulated in all construction contracts.
- 43) All address numbering shall be clearly visible from the street fronting the property. All buildings shall be identified by either four (4) inch illuminated numbers or six(6) inch non-illuminated numbers on contrasting colors. For residences on alleyways, the address numbering shall appear on the front and rear of the structure. Naming of streets and address numbering shall be completed by a committee comprised of the Community Development Department, the Fire District, the Police Department, and the Postal Service.
- 44) The applicant shall pay all development impact fees, fees required by other entities, and permit fees.
- 45) The applicant shall be responsible for any additional costs associated with the processing of this project including but not limited to: plan check, inspections, materials testing, construction monitoring, and other staff review and/or oversight including staff time necessary to ensure completion/satisfaction of all conditions of approval and mitigation measures. The applicant shall, on a monthly basis, reimburse the City for all such costs. Project applicant shall pay all development impact fees adopted by the City Council and shall pay fees required by other entities.

- 46) The developer shall obtain the following approvals from the Central Valley Regional Water Quality Control Board, as appropriate: 1) coverage under the NPDES General Permit for Storm Water Discharges Associated with Construction Activities; 2) compliance with post construction storm water Best Management Practices pursuant to the NPDES General Permit for Small Municipal Separate Storm Sewers Systems; 3) 401 Water Quality Certification for wetlands impacts; 4) Dewatering Permit under Waste Discharge Requirements General Order for Dewatering and Other Low Threat Discharges to Surface Waters Permit.
- 47) Prior to acceptance of the final map, the applicant shall submit for review and approval by the City, design specifications for decorative and aesthetically pleasing masonry wall and landscaping (minimum 4.5 feet) along the north and east boundaries of the mobile home park property. This wall and landscaping shall be installed by the applicant and accepted by the City on a schedule to be determined by the City. Lots 150 through 183 shall not be occupied until the wall and landscaping improvements are installed and accepted.
- 48) Parcel A shall be recorded with the stipulation that it is and shall remain an open space ("pocket park") lot and can not be converted to other uses in the future.
- 49) MAP CORRECTIONS: Sheet 1 of 2 — a) The acreage for Parcel Y shall be corrected in the legend to 93,608 as shown on the map itself. b) "Parcel A (Open Space/Pocket Park)" 5,360 square feet" shall be added to the legend.

Design Review

- 50) Prior to recordation of the Final Map, a deed restriction shall be recorded against each property that precludes conversion of garage area to livable areas.
- 51) Repetition of facades within builder tracts (subdivisions) shall be avoided. Abrupt changes in facades between builders shall be avoided.
- 52) In order to achieve architectural diversity, the developer shall offer four floor plans and elevations (four per plan). A minimum of half of the required elevations shall include brick or stone veneer installed to a minimum height three feet from grade, with no more than a four-inch opening at the base. The veneer shall wrap around all sides of the structure visible from the front and sides so that it terminates at a point where the yard fencing begins. Each elevation for a particular floor plan shall be distinctive, with a unique "roof design, architectural detailing, and application of exterior materials. Single story and two-story plans shall be varied.
- 53) The same (or substantially similar) elevation may appear no more than twice on one side of a block, or three times on either side of facing blocks, and may not be opposite or kitty-corner from the same elevation on the opposite side of the block. In addition, no more than ten percent of the homes can share the same elevation within a development.
- 54) A minimum of 50 percent of all detached units shall have useable front porches (minimum 6-feet by 8feet). The remaining 50 percent shall have other prominent useable architectural features such as courtyards, balconies, and/or porticoes.
- 55) Units on opposing sides of a street shall be compatible in terms of design and color.
- 56) Lights along local streets shall not exceed 20-feet in height and shall be spaced to meet illumination/safety requirements. Lights along collector and arterial streets shall be as low as feasible in order to maintain pedestrian scale. Historic-style street lamps shall be used along all streets.
- 57) Entry walks to individual residences shall be separated from the driveway by a landscaped area.
- 58) Exterior colors on residential units shall not be restricted.

- 59) Single family structures shall be consistent with applicable development standards identified in Tables 3A and 4, and Section 8-1.5302, of the Zoning Ordinance unless otherwise modified through the PD Permit in subsequent Design Review approvals.
- 60) Fencing and parking shall be consistent with the applicable requirements of Section 8-1.6001 and 8-1.6003 of the Zoning Ordinance.
- 61) Landscaping and signage shall be consistent with the applicable requirements of Section 8-1.6004 and 8-1.6005 of the Zoning Ordinance.
- 62) Universal design features shall be incorporated as an option in residential units. These features shall include first floor passage doors and hallways, a handicap accessible path of travel from either the driveway or sidewalk to the entrance of the residential units, and other features determined by the Community Development Department.
- 63) The applicant shall ensure that lots along West Main Street receive special design and architectural treatment to showcase neo-traditional principles along this new segment of the City's original Main Street. Front doors for all lots that adjoin West Main Street (front-on or side-on) shall open onto West Main Street. Side-on homes shall include wrap around porches. There shall be no driveways onto West Main Street.
- 64) A site plan for Parcel A (open space) and landscaping plans for the entire project shall be submitted for design review and approval by the City prior to acceptance of the final map. These improvements shall be developed at the same time as adjoining lots, and shall be completed to the City's satisfaction prior to occupancy of adjoining lots.
- 65) Homes on lots along Taylor Street shall include wrap-around porches with front doors facing Taylor Street and driveways on the local street.
- 66) Details for side yard fencing along West Main Street and Taylor Street shall be provided for City review and approval as a part of subsequent Design Review for the project. Height, materials, setback, and landscaping shall be considered in light of the visibility of those areas from proposed bicycle trails along those streets.
- 67) Alley loaded garages shall have rear lighting that illuminates the alley. Style and wattage of fixtures shall be subject to City review and approval for both safety and aesthetic purposes as a part of subsequent Design Review for the project. Project CC&Rs shall specify the requirement for these fixtures to be maintained, and kept lit during evening hours, by the resident.
- 68) Alley loaded garages shall be single-story. This shall be so-indicated in the CC&Rs and in the agreements between the applicant and Mercy Housing.

Affordable Housing

- 69) The tentative map and affordable housing plan shall be modified to denote the obligation to deed restrict 11 lots as affordable. Of the 11 affordable units, 5 shall be restricted to very low income occupants and 6 shall be restricted to low/moderate income occupants. These lots shall not be the same lots as those identified to meet the City's local builder requirement.
- 70) Prior to recordation of the Final Map, an inclusionary housing agreement shall be prepared and executed for the identified income-restricted units/properties. Deed restrictions shall be recorded against each income-restricted property to ensure permanent affordability.
- 71) The construction of the affordable units shall keep pace or exceed the construction of the market rate units.
- 72) Fifty percent of the affordable for-sale (single family) units shall have 3 bedrooms and 2 baths and fifty percent shall have 4 bedrooms and 2 baths.
- 73) Pursuant to Policy II.A.13 of the Housing Element, the affordable units shall be visually indistinguishable from the market-rate units.

Street Improvements

- 72) All proposed roads within the subdivision shall comply with the City's Public Works Improvement Standards and Construction Specifications, dated September 2003, unless otherwise approved by the City Engineer.
- 73) If the traffic signal is not funded by the Callahan Estates development prior to approval of the first final map for Ogando-Hudson development, the project proponent shall fund the installation a traffic signal at the Grant Avenue and Interstate 505 northbound off ramp per Mitigation Measure #13. The signal is to be constructed at applicant's expense subject to a reimbursement from the City Development impact fees through a reimbursement agreement. If the traffic signal has been previously funded by others, the project proponent shall participate in a fair share cost of the signal.
- 74) West Main Street:
- a) Full widening improvements to include off-street landscaping and ped/bike path on west side shall be constructed from Grant Avenue to the northern terminus of this Tentative Map with the first final map on the project.
 - b) If the extension of West Main Street is not funded and constructed by the Callahan Estates development prior to approval of the first final map for Ogando-Hudson development, the project proponent shall fund and construct improvements. The improvements shall be constructed from the northern terminus of existing West Main Street to the proposed Niemann Street on the Winters Highlands property with the first final map on the project. Applicant shall acquire the necessary right of way for this purpose on the Winters Highlands property prior to approval of the first final map. Occupancies of home shall not be granted until this improvement is constructed and approved for use by the City Engineer.
 - c) Interim street improvements may be approved by the City Engineer. If approved by the City Engineer, the minimum interim roadway improvements shall consist of two 12-foot lanes with 6-foot shoulders on each side and a temporary 10 foot wide asphalt concrete Class 1 pedestrian/bike lane on east side or west side (to be determined during design) of roadway. The structural street cross section shall meet City design and construction standards. Approval of any request for deviation in the minimum roadway improvements shall be at the sole discretion of the City Engineer. Applicant shall acquire the necessary right of way on the Winters Highlands property prior to approval of the first final map. Interim improvements that are of a temporary nature shall be constructed at the sole expense of the Applicant. Any permanent improvements constructed that are subject to reimbursement shall be reimbursed subject to the terms of a reimbursement agreement.
 - d) If the Traffic Signal at West Main Street and Grant Avenue is not funded and constructed by the Callahan Estates development prior to approval of the first final map for Ogando-Hudson development, the project proponent shall fund and construct improvements after construction and occupancy of 50 family dwelling unit "equivalents" from this project and/or Highlands, Ogando, or Creekside (i.e., multi-family housing units are 0.6 single family dwelling unit "equivalents" The signal is to be constructed at applicant's expense subject to a reimbursement from the City Development impact fees through a reimbursement agreement.
- 75) Taylor Street:
- a) Applicant shall acquire the right of way on the Ogando property and construct full improvements of Taylor Street. The street cross improvements between Kennedy Street and "A" Street shall consist of a 36-foot back-of-curb to back-of-curb roadway section, a 5-foot sidewalk and 5.5-foot landscape strip on the west side, and a 13.5-foot landscape strip, 10-foot Ped/Bike path, and 2-foot landscape clear zone on the east side. "A" Street to the north Tentative Map boundary shall be constructed and shall

- have the same cross section dimensions with the Ped/bike landscape corridor on the west side and the sidewalk on the east side.
- b) Applicant shall acquire the right of way on the east side of Taylor Street and construct full street and sidewalk improvements adjacent to the Sherwood et al property, between Parcel A and the existing street and sidewalk improvements to the south.
- 76) Kennedy Drive: Applicant shall acquire the right of way on the Ogando property and construct full street and sidewalk improvements on the north side, between proposed Taylor Street and the existing street and sidewalk improvements to the west.
- 77) Niemann Street: Niemann Street from its existing westerly terminus to W. Main Street is off-site and shall be included with the development of the Ogando-Hudson project if not already constructed with the Callahan Development or other developments. Improvements shall consist of full improvements on the south side of Niemann with the addition of a 12-foot travel lane and 4-foot shoulder on the north side of Niemann. The extension of Niemann Street shall be constructed with the first Final Map of development. Improvements subject to reimbursement shall be reimbursed subject to the terms of a reimbursement Agreement.
- 78) Grant Avenue:
- a) Full widening improvements to include off-street landscaping and ped/bike path on north side shall be constructed from West Main Street to the western terminus of this Tentative Map with the first final map on the project.
- b) Remove existing non-standard sidewalk and construct 5-foot wide concrete pedestrian sidewalk improvements, as approved by the City Engineer, from the west boundary of the Tentative Map improvements to the existing sidewalk at Taylor Street to the east. Relocate fire hydrant as necessary.
- c) Restricted (no) public vehicle access shall be designated on the Final Map along the north side of Grant Avenue from the intersection of West Main Street to the west boundary of the Tentative Map. The final map shall identify relinquishment of access rights, except as noted.
- d) No parking shall be allowed on Grant Avenue.
- 79) Anderson Avenue: Anderson Avenue from its existing westerly terminus to W. Main Street is off-site and shall be included with the development of the first Final Map of the Ogando-Hudson project to serve the existing Middle School on Anderson Avenue, if not already constructed with the Callahan Estates Development or other developments. Applicant shall construct full roadway improvements. Applicant shall acquire the needed right-of-way prior to approval of the final map. Improvements subject to reimbursement shall be reimbursed subject to the terms of a reimbursement agreement.
- 80) Alley "C" Street: The Applicant shall construct a 30-foot face-of-curb to face-of-curb alley street cross section between West Main Street and Alley Street "B".
- 81) Alley "A" Street: Restricted (no) public or private vehicle access shall be designated on the Final Map along the south side of Alley "A" from the intersection of Alley "B" Street to the intersection of Taylor Street. The final map shall identify relinquishment of access rights, except as noted.
- 82) Intersection Enhancement Details: Island Planters and crosswalks shall be constructed of colored brick pavers, stamped concrete or other enhanced feature as approved by the City Engineer.
- 83) Local Streets: Local streets shall provide for ADA compliant sidewalk turnouts where sidewalk widths do not meet ADA. All sidewalks at driveway locations shall be 6-inch thick Portland Cement Concrete (PCC).

- 84) Tentative Map Street Cross-Sections, Sheet 1 and 2, dated March 8, 2005. Conditions and Changes shall be made as follows:
- a) Street Cross section details as modified by these conditions of approval, including all intersection geometric design, complying with the conditions of approval, shall be revised on tentative map, submitted to the City, and approved by the City Engineer prior to submitting a final map and improvement plans.
 - b) A signing and striping, and stop plan is required and shall be approved by the City Engineer. All signing and striping shall be in accordance with the City of Winters Public Improvements Standards and Construction Standards.
 - c) Street light types shall be those historic types as approved by the City. Applicant shall fund the analysis for designing standards and details for spacing historic lights. Improvement plans shall be designed to those standards once approved.

Storm Drainage and Site Grading

- 85) A comprehensive storm drainage plan shall be prepared by a registered civil engineer for project watershed(s), including the plan area. The plan shall identify specific storm drainage design features to control increased runoff from the project site. The drainage plan shall demonstrate the effectiveness of the proposed storm drainage system to prevent negative impacts to existing upstream and downstream facilities and to prevent additional flooding at off-site downstream locations. All necessary calculations and assumptions and design details shall be submitted to the City Engineer for review and approval. The design features proposed by the applicant shall be consistent with the most recent version of the City's Storm Drainage Master Plan criteria and City Public Works Improvement Standards. The plan shall incorporate secondary flood routing analysis and shall include final sizing and location of on-site and off-site storm conduit channels, structures. The Storm Drainage Plan shall be submitted for approval prior to submittal of the first final map and/or construction drawings for checking. The applicant shall pay the cost associated with all improvements required by the plan and an appropriate reimbursement agreement shall be drafted to reimburse the applicant for oversize improvements on a pro rata basis per the Project level Development Agreement.
- 86) A topographic survey of the entire site and a comprehensive grading and drainage plan prepared by a registered civil engineer, shall be required for the development. The plan shall include topographic information on adjacent parcels. 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. A statement shall appear on the site grading and drainage plan, which shall be signed by a registered civil engineer or land surveyor and shall read, "I hereby state that all improvements have been substantially constructed as presented on these plans". Reference the City of Winters Public Improvements Standards and Construction Standards for additional requirements.
- 87) The Tentative map Grading and Drainage plan showing grading and drainage information including topographic information, drainage routing, pipe slopes and sizing and locations and excluding topographic information, and overland drainage routing are preliminary only and do not constitute approval in any way. Final approval for the grading and Drainage Plan shall occur with the final improvements based on the requirements set forth in these conditions of approval.
- 88) To accommodate the storm water project run-off and pass-through run-off from project into the existing Rancho Arroyo Pond the applicant shall be required to participate in the funding of a pump station in the pond that would consist of an approximate sized 14.5 cfs of pumping capacity. The applicant would also be required to fund and construct all storm drainage piping to accommodate flows from their project area to the storm pipe in West Main street, to include participating in funding a new inlet structure to the Rancho Arroyo detention pond and the abandonment of the existing inlet structure on the Cottages at

Carter Ranch property and the existing detention pond pump and standpipe. The cost of work performed in and for the improvement of the Detention Basin shall be subject to fee credits and/or reimbursement, as determined by the City.

- 89) Construction materials for storm drainpipes within the water table shall be pre-cast rubber-gasket reinforced concrete pipe (RGRCP).
- 90) Applicant shall be required to coordinate with FEMA through the City's Floodplain Administrator to determine if a CLOMR or LOMR is needed for the project as a result of possible impacts to Dry Creek or Putah Creek Flood Plain. Applicant shall obtain all necessary permits and CLOMRs/LOMRs as required prior to First Final Map approval.
- 91) The differential in elevation between rear and side abutting lot lines shall not exceed twelve inches (12") without construction of concrete or masonry block retaining walls. Deviation from this condition may be allowed subject to approval by the City Engineer.
- 92) Drainage fees shall be paid prior to issuance of a building permit.
- 93) All perimeter parcels and lots shall be protected against surface runoff from adjacent properties in a manner acceptable to the City Engineer.
- 94) If disposal and sharing of the excavated soil from the construction of the Development occurs, prior to approval of the first Final Map, Applicant shall prepare a written agreement with the other participating property owners and submit to the City.
- 95) All projects shall include implementation of post-construction best management practices (BMP). Post construction BMP's shall be identified on improvement plans and approved by the City Engineer.
- 96) Construction of projects disturbing more than one acre of soil shall require a National Pollution Discharge Elimination System (NPDES) construction permit.
- 97) Applications/projects disturbing less than, one acre of soil shall implement BMP's to prevent and minimize erosion. The improvement plans for construction of less than 1 acre shall include a BMP to be approved by the City Engineer.
- 98) An erosion and sedimentation control plan shall be included as part of the improvement plan package. The plan shall be prepared by the applicant's civil engineer and approved by the City Engineer. The plan shall include but not be limited to interim protection measures such as benching, sedimentation basins, storm water retention basins, energy dissipation structures, and check dams. The erosion control plan shall also include all necessary permanent erosion control measures, and shall include scheduling of work to coordinate closely with grading operations. Replanting of graded areas and cut and fill slopes is required and shall be indicated accordingly on plans, for approval by City Engineer.
- 99) Where possible landscaped slopes along streets shall not exceed 5:1; exceptions shall require approval of the City Engineer. All other slopes shall comply with the City of Winters Public Works Improvements Standards. Level areas having a minimum width of two (2) feet shall be required at the toe and top of said slopes.
- 100) All inactive portions of the construction site, which have been graded will be seeded and watered until vegetation is grown.
- 101) Grading shall not occur when wind speeds exceeds 20 MPH over a one hour period.
- 102) Construction vehicle speed on unpaved roads shall not exceed 15 MPH.
- 103) Construction equipment and engines shall be properly maintained.
- 104) If air quality standards are exceeded in May through October, the construction schedule will be arranged to minimize the number of vehicles and equipment operating at the same time.
- 105) Construction practices will minimize vehicle idling.

106) Potentially windblown materials will be watered or covered.

107) Construction areas and streets will be wet swept.

Wastewater and Sewer Collection System

108) The applicant shall obtain a no-cost Wastewater Discharge Permit from the Public Works Department prior to the issuance of a Building Permit.

109) The property shall be connected to the City of Winters sewer system, with a separate sewer lateral required for each parcel, in accordance with City of Winters Public Improvement standards and Construction Standards. Applicant shall construct sewer service lateral to parcel "A".

110) A Tentative Map Sewer comprehensive Collection System Master Plan shall be submitted for approval by the City Engineer prior to submittal of the final map and/or construction drawings for checking. A registered civil engineer for project shall prepare the sewer collection system plan. The plan shall include final sizing and location of on-site conveyance facilities, structures, and engineering calculations. Said plan shall also include provisions for cost sharing among affected adjacent development for facilities sized to accommodate those developments.

111) The applicant shall pay the cost associated with all improvements, and an appropriate reimbursement agreement shall be drafted to reimburse the applicant for reimbursable improvements. Reference the City of Winters Public Improvements Standards and Construction Standards for additional requirements.

112) The Tentative Map Sewer Plan showing sewer routing, pipe slopes and sizing and locations, are preliminary only and do not constitute approval in any way. Final approval for the Sewer Plan shall occur with the final improvements based on the requirements set forth in these conditions of approval.

113) As an interim connection, Developer shall have the option to direct its sewer flows south into the existing Grant Ave. sewer system as an interim connection on the condition that Developer fund all necessary new improvements and upgrades to the existing sewer system as required by the City at its own expense, which will not be subject to reimbursement. Once infrastructure is constructed to the north, the development shall be required to make that connection and disconnect from the Grant Ave sewer system. In addition, Ogando-Hudson shall be required to pay the full citywide sewer impact fee that funds the WWTP expansion that would still serve their development and associated sewer conveyance pipelines and regional pump station that would have served their development should the development have elected to continue to direct its development flows north through the Winters Highlands Development to the new proposed regional pump station at West Main Street and the Rancho Arroyo Detention Pond. Should the development elect not to direct its flows south and not fund improvements, it shall be required direct their flows north through the Winters Highlands property, advance funds for those improvements, and construct the conveyance pipe line system and regional pump station in order to connect to the WWTP and comply with all conditions of approval. Any permanent improvements constructed that are subject to reimbursement shall be reimbursed subject to the terms of a reimbursement agreement.

114) Prior to approval for use of the City's existing force main pipe, Applicant shall assess the capacity and physical condition of the force main and obtain City Engineer approval for use on the project. If the force main cannot be used, the Applicant shall be required to construct a new force main to the WWTP or other acceptable alternative approved by the City Engineer.

115) Construction of sewer mains deeper than 16-feet at the bottom of the pipe shall be connected to laterals by a parallel mains and connections at Manholes.

Water Infrastructure

- 116) If required, per the Subdivision Map Act, project applicant shall obtain a Water Verification (WV) prior to approval of final map that addresses the following:
- 117) Actual water service to the subdivision will be predicated upon satisfaction of terms and conditions set by the water supplier
- 118) The WV is non-transferable, and can only be used for the specific tentative map for which it was issued.
- 119) The WV shall expire along with the tentative map subdivision map if a final map is not recorded within time allowed under law
- 120) Until such time as actual service connections are approved for the subdivision, the water agency may withhold water service due to a water shortage declared by the water agency.
- 121) Based on City water modeling, a new well is needed to serve the first phase of development. If the Water Well is not funded and constructed by the Callahan Estates development, Developer shall advance fund the construction of a water well and required water system conveyance pipelines with the project. Per Mitigation Measure #18, the applicant shall fund the up-front costs of design and construction of the well (including CEQA clearance), subject to later fair share reimbursement. Building permits shall be issued for individual units only after the City has established that water supply will be available to serve the units.
- 122) If the Water Well site plan is not funded and prepared by the Callahan Estates development The Applicant shall fund and prepare a well site plan with facility elevations with the first final map application subject to fee credits.
- 123) The Tentative Map Water Plan showing water routing, sizing and locations, are preliminary only and do not constitute approval in any way. Final approval for the Water Plan shall occur with the final improvements based on the requirements set forth in these conditions of approval. Applicant shall comply with making changes to water system distribution pipe sizes and alignments based on the results of the specific water modeling performed for the development. Applicant shall pay for all required water modeling for identifying water infrastructure needs to serve its development and shall construct offsite water improvements to connect to the City water distribution system.
- 124) At the time the Building Permit is issued, the applicant will be required to pay the appropriate City connection Fees. All domestic water services will be metered. Water meters shall be installed on all water services to the satisfaction of the City Engineer.
- 125) Applicant shall construct water service lateral to parcel "A" and install a meter for the service.
- 126) Per City of Winters Cross Connection Control Program, all types of commercial buildings and landscape irrigation services are required to maintain an approved backflow prevention assembly, at the applicant's expense. Service size and flow-rate for the backflow prevention assembly must be submitted. Location of the backflow prevention assembly shall be per the City of Winters Public Improvements Standards and Construction Standards. Prior to the installation of any backflow prevention assembly between the public water system and the owner's facility, the owner or contractor shall make application and receive approval from the City Engineer or his designated agent.
- 127) Per the City of Winters Cross Connection Control Program, fire protection systems are required to maintain approved backflow prevention, at the applicant's expense. Required location, service size and flow-rate for the fire protection system must be submitted. Actual location is subject to the review and approval of the Public Works Department, Fire Department, and Community Development Department.

- 128) The City of Winters Plan Review Fee applies and is due upon submittal of the maps and plans for review.
- 129) FINAL PLANS, PERIODIC TESTS FOR FIRE HYDRANTS: All final plans for fire hydrant systems and private water mains supplying a fire hydrant system shall be submitted to the City of Winters Fire Department for approval prior to construction of the system. All fire protection systems and appurtenances thereto shall be subject to such periodic tests as required by the City of Winters Fire Department.
- 130) WATER PRESSURE: All water lines and fire hydrant systems must be approved by the Fire Chief and operating prior to any construction taking place on the site. Prior to issuance of building permits, water flow must be measured and certified for adequacy by the Winters Fire District. The minimum residual pressure shall be 20 PSI.
- 131) REFLECTORS FOR FIRE HYDRANTS: Any fire hydrant installed will require, in addition to the blue reflector noted in Standard Drawings, an additional blue reflector and glue kit that is to be supplied to the City of Winters Fire Department for replacement purposes.
- 132) All construction, new or remodeling, shall conform to the most current Uniform Fire Codes, the Winters Fire Prevention Code, and section of the National Fire Codes that the Winters Fire Chief or his/her agent may find necessary to apply.
- 133) Prior to approval of the first final map, a comprehensive on-site water system master plan shall be prepared by a registered civil engineer for project, and shall be submitted to the Public Works Director for review and approval. The master plan shall include final sizing and location of on-site conveyance facilities, structures, and engineering calculations. Said plan shall also include provisions for cost sharing among affected adjacent development for facilities sized to accommodate the plan area. The applicant shall pay the cost associated with all improvements required by the -- study, and an appropriate reimbursement agreement shall be drafted to reimburse the applicant for oversize improvements on a pro rata basis per the Project level Development Agreement. Reference the City of Winters Public Improvements Standards and Construction Standards for additional requirements.
- 134) Forty-eight hours notice shall be given to the Winters Fire District prior to any site inspections.
- 135) A hydrant use permit shall be obtained from the Public Works Department, for water used in the course of construction.
- 136) When the fire protection facilities are in the City of Winters, the developer shall contact the Winters Fire District Chief or his/or agent prior to construction for a pre-construction meeting.
- 137) All required fire accesses that are to be locked shall be locked with a system that is approved by the Fire Chief or his/her agent.
- 138) Submit three sets of plans for each fire suppression sprinkler system to the Fire Department for review and approval prior to the issuance of each building permit.
- 139) All residences shall have fire suppression sprinkler systems meeting or exceeding NFPA 13-D. Water laterals shall be appropriately sized to accommodate sufficient water flows for fire suppression sprinkler systems.

General Public Works and Engineering Conditions

- 140) The conditions as set forth in this document are not all inclusive. Applicant shall thoroughly review all City, state, and federal planning documents associated with this tentative map and comply with all regulations, mitigations and conditions set forth.
- 141) The applicant agrees to adhere to the terms of the of the ordinance (Ordinance No. 96-02) adopted by the City Council to address impact fees to be paid for development of property

within the Rancho Arroyo Drainage District, to offset costs associated with drainage improvements.

- 142) Closure calculations shall be provided at the time of initial map check submittal. All calculated points within the map shall be based upon one common set of coordinates. All information shown on the map shall be directly verifiable by information shown on the closure calculation print out. The point(s) of beginning shall be clearly defined and all lot acreage shall be shown and verifiable from information shown on the closure calculation print out. Additionally, the square footage of each lot shall be shown on the subdivision map. Reference the City of Winters Public Improvements Standards and Construction Standards for additional requirements.
- 143) A subdivision map (Final or Parcel) shall be processed and shall be recorded prior to issuance of a Building Permit. The Developer shall provide, to the City Engineer, one recorded Mylar copy and four print copies of the final map from the County, prior to issuance of the first building permit.
- 144) U.S. Post Office mailbox locations shall be shown on the improvement plans subject to approval by the City Engineer and Postmaster.
- 145) A registered landscape architect shall design public landscape and privacy wall improvements and improvements shall be per City Standards, as applicable.
- 146) Applicant shall make every attempt to submit joint trench/utility/composite plans for review, prior to approval of the final map and improvement plans. Construction will not be allowed to proceed prior to submittal of the joint trench/utility/composite plans for City review.
- 147) All existing and proposed utilities (Electric, phone/data, and cable) shall be installed underground per the subdivision ordinance and shall meet the policies, ordinances, and programs of the City of Winters and the utility providers.
- 148) Street lighting location plan shall be submitted and approved by the Department of Engineering, prior to approval of improvement plans and final recordation of Map.
- 149) Roads must be constructed and paved prior to issuance of any building permit. Under specific circumstances, temporary roads may be allowed, but must be approved by the City of Winters City Engineer and Fire Department.
- 150) Occupancy of residential units shall not occur until on-site and off-site improvements have been accepted by the City Council and the City has approved as-built drawings, unless otherwise approved by the City Engineer and Community Development Director. Applicants, and/or owners shall be responsible to so inform prospective buyers, lessees, or renters of this condition.
- 151) If relocation of existing facilities is deemed necessary, the applicant shall perform the relocation, at the applicant's expense unless otherwise provided for through a reimbursement agreement. All public utility standards for public easements shall apply.
- 152) A Subdivision Improvement Agreement shall be entered into and recorded prior construction of improvements, issuance of any building permits, or recordation of a final map.
- 153) At the time of making the survey for the final map, the engineer or surveyor shall set sufficient durable monuments to conform to the standards described in Section 8771 of the Business and Professions Code. All monuments necessary to establish the exterior boundaries of the subdivision shall be set or referenced prior to recordation of the final map.

Easements and Right of Way

- 154) Appropriate easements shall be required for City maintained facilities located outside of City owned property or the public right-of-way.

- 155) The applicant shall facilitate, with City cooperation, the abandonment of all City easements and dedications currently held but no longer necessary as determined by the Public Works Department.
- 156) A five (5) foot public utility easement back of sidewalk, adjacent to all public streets within the development shall be dedicated to the City. Additional easements shall be dedicated as requested by the utility companies and approved by the City.
- 157) Per the project level Development Agreement, prior to approval of first set of improvement plans and final map, Applicant shall acquire all rights of way and easements necessary to construct off-site and on-site improvements associated with that set of improvement plans and final map.

Reimbursements for Applicant Install Improvements

- 158) Applicant shall pay appropriate reimbursements for benefiting improvements installed by others, in the amount and at the time specified by existing reimbursement agreements.

Landscaping and Lighting

- 159) Project proponents shall enter into the City wide Landscape and Lighting Maintenance District, in order to maintain and provide for the future needs of parks, open space, street lighting, landscaping, sound walls, and other related aspects of development. The project proponent is responsible for all costs associated with this condition. The project proponent shall fulfill this condition prior to the sale of any buildable lots or parcels within the project area.
- 160) Applicant of multi-family residential, commercial and industrial project shall provide refuse enclosure detail showing bin locations and recycling facilities to the approval of the Public Works Department.
- 161) Prepare, and submit for approval, a utility site plan prior to preparation of full improvement plans.
- 162) Prepare improvement plans for any work within the public right-of-way and submit them to the Public Works department for review and approval. The improvement plan sheets shall include the title block as outlined in the City of Winters Public Improvements Standards and Construction Standards. This submittal is separate from the building permit submittal. The Developer shall provide, to the City Engineer, one Mylar original and four sets of the improvement plans and electronic media (AutoCAD .DWG or DXF on Zip Disk or Compact Disk), for approval of plans by the City Engineer.
- 163) Conform to County Health regulations and requirements for the abandonment of a septic tanks and water wells.
- 164) Existing public and private facilities damaged during the course of construction shall be repaired by the subdivider, at his sole expense, to the satisfaction of the City Engineer.
- 165) The area of each lot, in square feet, shall be calculated and shown on the Final Map.
- 166) Encroachment permits if necessary from will be acquired from Yolo County, Cal-Trans, and PG&E.
- 167) All utility poles that are to be relocated in conjunction with this project shall be identified on the improvement plans, with existing and proposed locations indicated.
- 168) All public landscape areas shall include water laterals with meters and PG&E power service points for automatic controllers.
- 169) Prior to recording of the final map, if required, provide evidence of payment for the Habitat Mitigation Fee. This fee is paid to the Yolo County Planning Department.
- 170) If improvements are constructed, and/or installed by a party or parties other than the Applicant, which improvements benefit Applicant's property, prior to issuance of a building.

permit (approval of the final map) on Applicant's property, Applicant shall pay a proportionate share of the costs of said improvements, including interest, prior to the issuance of building permit(s) (approval of the final map) to Applicant.

- 171) The main electrical panel for each residence shall be located at the exterior of the residence and capable of total electrical disconnect by a single throw

EXHIBIT 3

SITE PLAN

NOTE: LARGE FORMAT DOCUMENTS TO BE DISTRIBUTED SEPARATELY

EXHIBIT 4

NORTH AND EAST ELEVATIONS

NOTE: LARGE FORMAT DOCUMENTS TO BE DISTRIBUTED SEPARATELY

EXHIBIT 5

SOUTH AND WEST ELEVATIONS

NOTE: LARGE FORMAT DOCUMENTS TO BE DISTRIBUTED SEPARATELY

EXHIBIT 6

FIRST FLOOR LAYOUT

NOTE: LARGE FORMAT DOCUMENTS TO BE DISTRIBUTED SEPARATELY

EXHIBIT 7

SECOND FLOOR LAYOUT

NOTE: LARGE FORMAT DOCUMENTS TO BE DISTRIBUTED SEPARATELY

EXHIBIT 8

LANDSCAPING PLAN

NOTE: LARGE FORMAT DOCUMENTS TO BE DISTRIBUTED SEPARATELY

EXHIBIT 9

LIGHTING PLAN

NOTE: LARGE FORMAT DOCUMENTS TO BE DISTRIBUTED SEPARATELY



TO: Interested Parties
DATE: July 9, 2008
FROM: Eileen Shaw, Contract Planner
SUBJECT: Notice of Public Hearing to Consider Application Number 2008-03-SP,
Winters Public Safety Facility

Description of the Project: The City has applied for a Site Plan Review, Design Review, Conditional Use Permit, and Variance to front setback and height limits (tower) to build a Public Safety Center (combined police/fire station and City corporation yard) on two parcels which total 2.78 acres. The project site is located in an area zoned for Public/Quasi-Public (PQP) uses. The project would construct one 36,138 square foot, two-story combined police and fire station, and one 5,758 square foot vehicle maintenance and storage building; the project would include a communications tower up to 140 feet in height.

Project Location: 537 West Grant Avenue, Winters CA. 030-430-29, 13

Environmental Determination: Mitigated Negative Declaration

On Tuesday, July 22, 2008, starting at 7:30 p.m. in the City Council Chambers, located on the first floor of City Hall at 318 First Street, Winters, California, the Planning Commission will receive the staff report, conduct the public hearing, and make a recommendation to the City Council for final action on this application.

In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in these hearings, please contact Eileen Shaw at (530) 795-4910, ext. 114. Please make your request as early as possible and at least one-full business day before the start of the hearing.

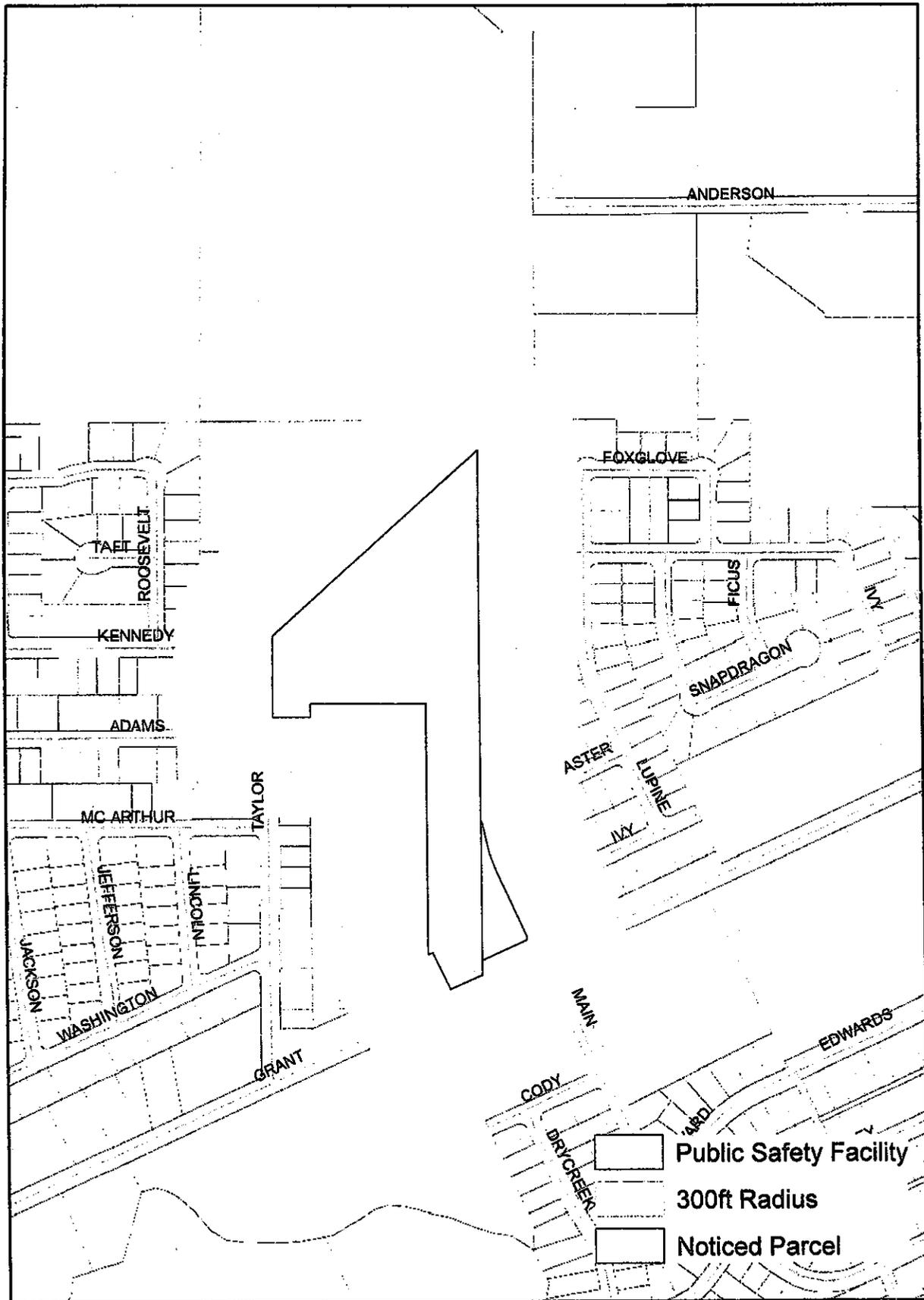
The City does not transcribe its hearings. If you wish to obtain a verbatim record of the proceedings, you must arrange for attendance by a court reporter or for some other means of recordation. Such arrangements will be at your sole expense.

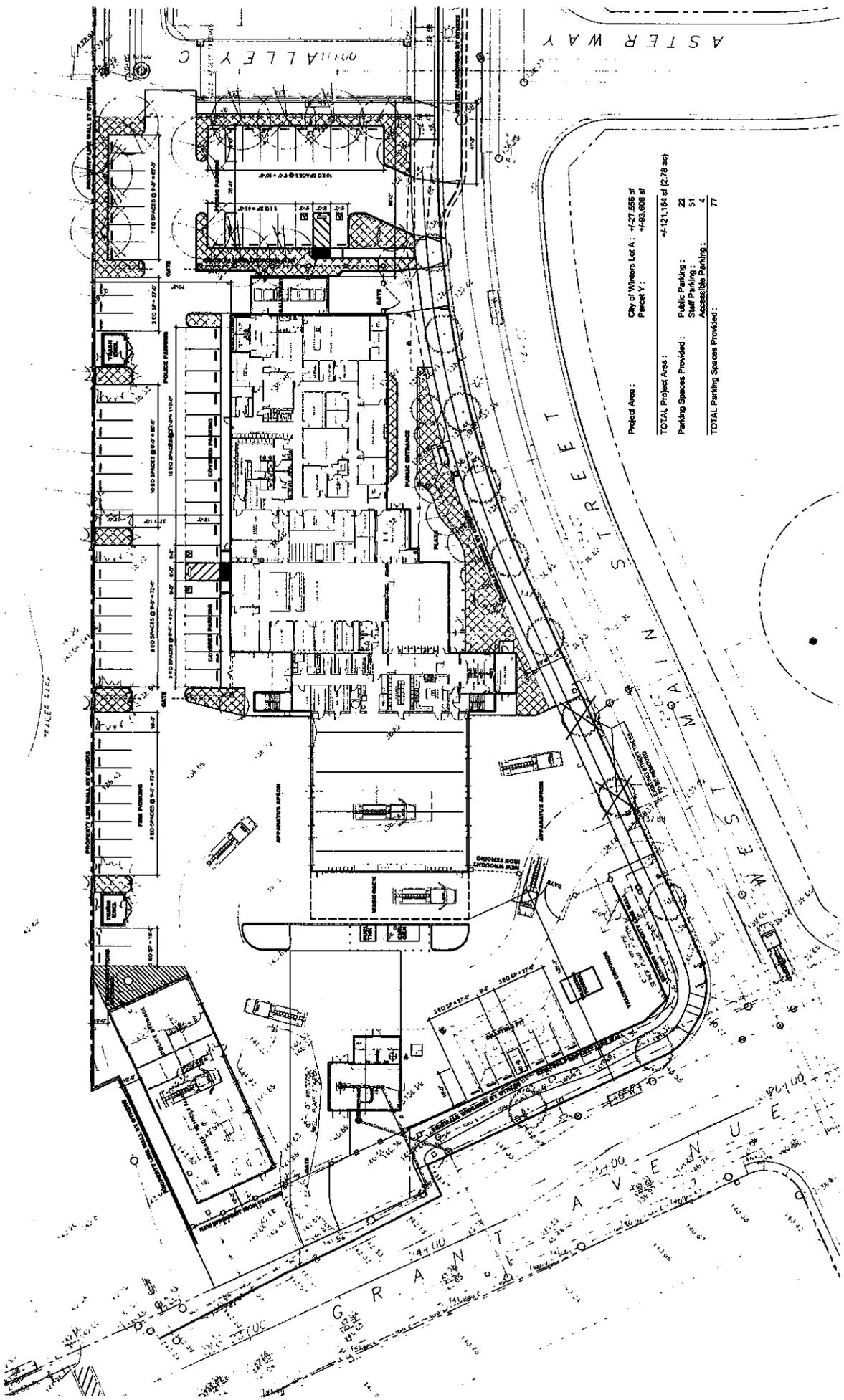
Availability of Documents: The project file is available for public review at the Community Development Department, Winters City Hall, 318 First Street, Winters, CA 95694. Copies of the Staff Report will be available on the City's website at http://cityofwinters.org/administrative/admin_boards.htm

For more information regarding this project, please contact Eileen Shaw at (530) 795-4910, extension 114.

PUBLISH JULY 9, 2008

Public Safety Facility - 300ft Notice





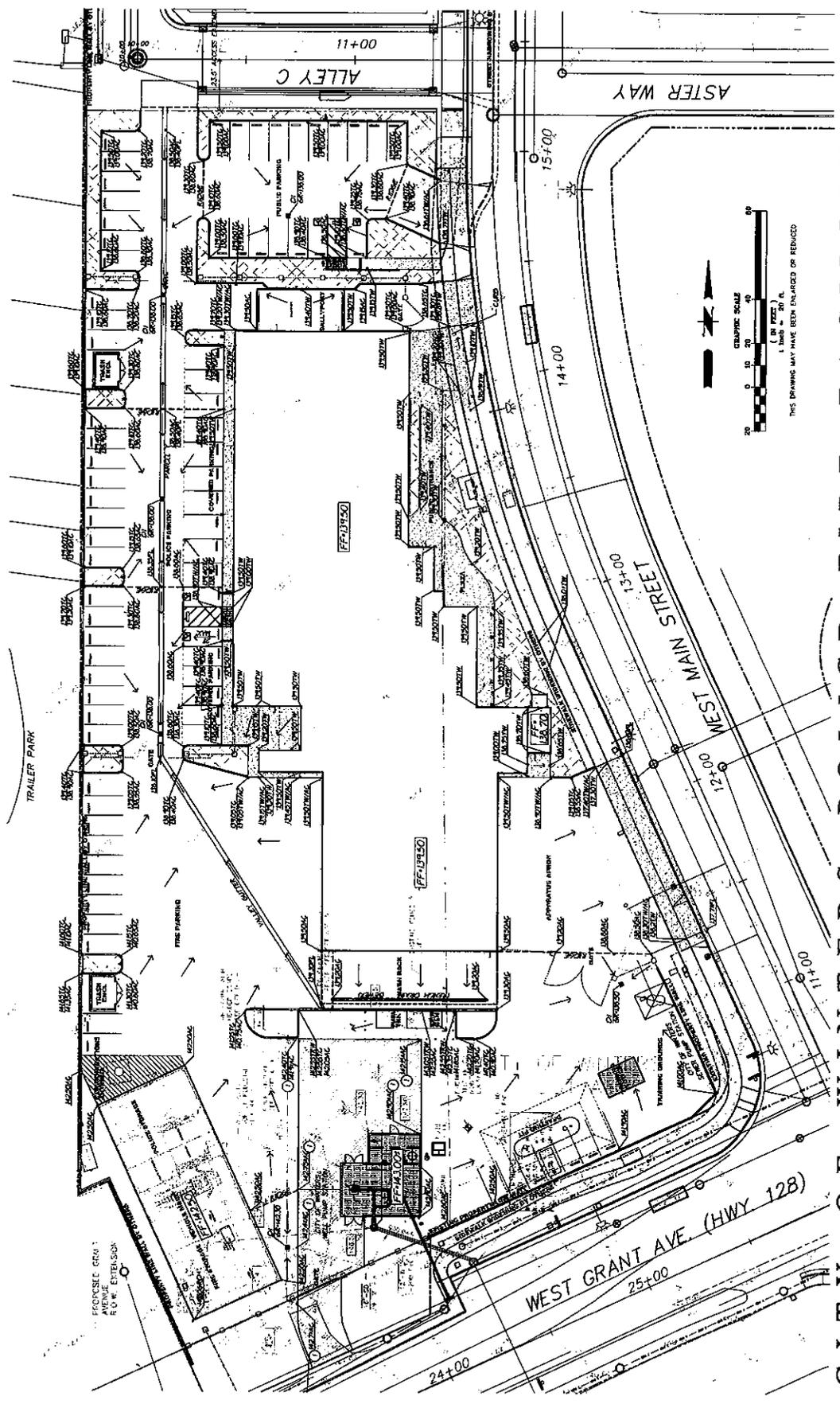
Project Area:
 City of Winters Lot A: 44,271,556 sq ft
 Parcel Y: 44,603,608 sq ft

TOTAL Project Area:
 44,221,164 sq ft (2.78 ac)

Parking Spaces Provided:	22
Public Parking:	51
Staff Parking:	4
Accessible Parking:	77
TOTAL Parking Spaces Provided:	154

CITY OF WINTERS POLICE-FIRE FACILITY

CALPO HOM & DONG ARCHITECTS



THIS DRAWING MAY HAVE BEEN ENLARGED OR REDUCED

CITY OF WINTERS POLICE-FIRE FACILITY

CALPO HOM & DONG ARCHITECTS

EXISTING STREETSCAPE

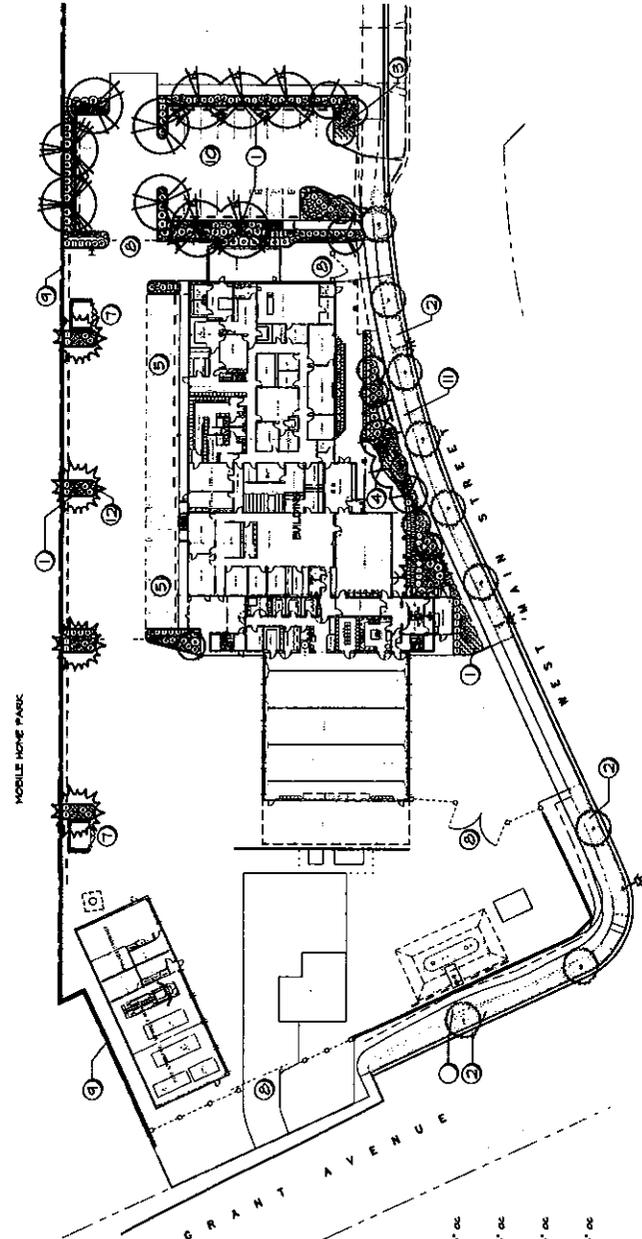


PLANT SCHEDULE

TREE	CODE	GEN	SIZE	COLT
ACE TRI	5	Acer buergerianum / Trident Maple / Trident Maple	5 gal	15 gal
LAB TUS	5	Lagerstroemia indica 'Tuscarora' / Tuscarora Craple Myrtle Standard	15 gal	15 gal
MAG SAN	2	Magnolia grandiflora 'Samuel Sommer' TM / Southern Magnolia	15 gal	15 gal
PIS CH	5	Platano chinensis / Chinese Pistache	15 gal	15 gal
PRU VES	4	Prunus caroliniana 'Kramer Viewview' / Purple Leaf Plum	15 gal	15 gal
SEQ SEM	5	Sequoia sempervirens / Coast Redwood	15 gal	15 gal
ULM DRA	5	Ulmus parviflorus 'Drazer' / Drazer Elm	15 gal	15 gal
GEN				
ARB ELF	25	Arbutus unedo 'Elfin King' / Duport Strawberry Tree	5 gal	5 gal
CAN CAC	30	Ceanothus leucanthemum / Camellia	5 gal	5 gal
DIE VEG	12	Diospyros virginiana / African Fig	5 gal	5 gal
GRE NOE	21	Grevillea 'Night Noelle' / Grevillea	5 gal	5 gal
LAV DTT	44	Lavandula strobilata 'Orto Quatt' / Spanish Lavender	1 gal	5 gal
MHI RUB	25	Mitella repens / Deer Grass	5 gal	5 gal
PEN RUB	7	Pennisetum rubrum	5 gal	5 gal
PIE MUI	10	Pieris japonica 'Mountain Pier' / Mountain Pier Plant	5 gal	5 gal
RHA SHR	56	Rhododendron 'Indica Clara' / Clara Indian Hellebore Shrub	5 gal	5 gal
RUS COL	17	Rosa 'Columbian' / Rosemary	5 gal	5 gal
SAR RUB	27	Sarcococca nectarifera / Fragrant Sarcococca	5 gal	5 gal
GEN				
ARC IVA	105	Arctostaphylos uva-ursi / Bearberry	1 gale 36" oc	1 gale 36" oc
HAK MAC	86	Hemerocallis maculata / Japanese Forest Grass	1 gale 24" oc	1 gale 24" oc
MAU RES	177	Muhlenbergia repens / Creeping Muhlenbergia	1 gale 24" oc	1 gale 24" oc
GEN				

SITE PROGRAMMING

- ① PROUBIT TOLERANT PLANTING
- ② EXISTING STREETSCAPE
- ③ ACCENT TREES AT PUBLIC ENTRANCE
- ④ ACCENT PLANTING AT ENTRY PLAZA
- ⑤ COVERED PARKING
- ⑥ OPEN SPACE
- ⑦ TRASH ENCLOSURE
- ⑧ GATE
- ⑨ PROPERTY LINE HALL BY OTHERS
- ⑩ PUBLIC PARKING
- ⑪ SIDEWALK WIDENING BY OTHERS
- ⑫ LIGHT STANDARD (TYP.)

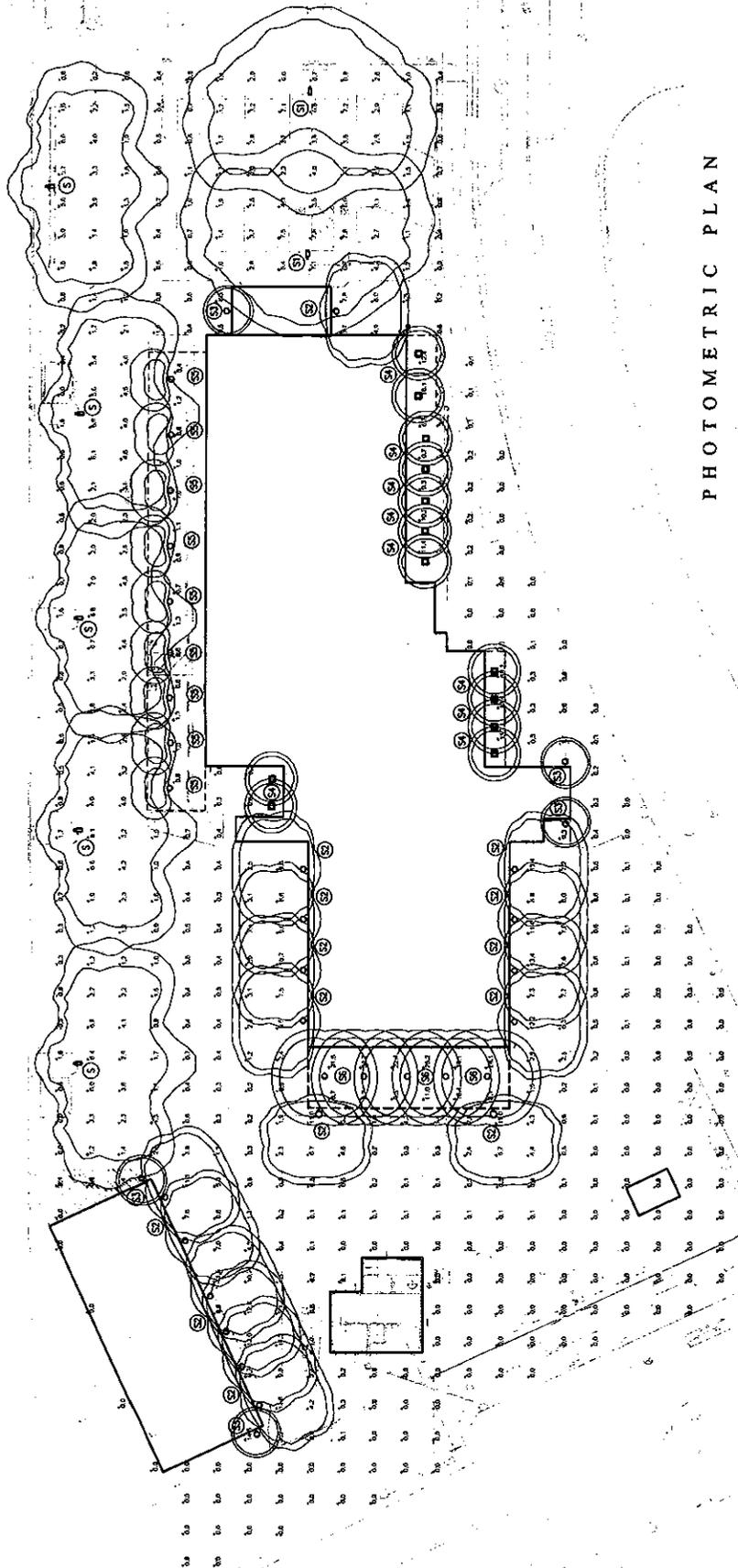


NOT FOR CONSTRUCTION

CITY OF WINTERS POLICE ~ FIRE FACILITY
YAMASAKI LANDSCAPE ARCHITECTURE

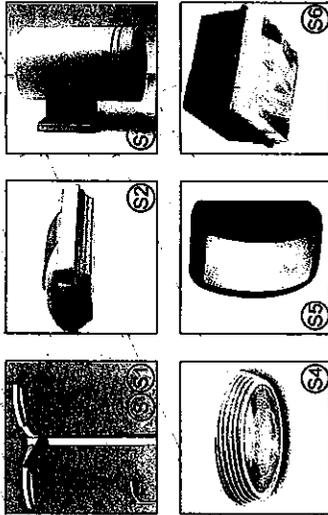


Scale bar: 0 10 20 30 feet



PHOTOMETRIC PLAN

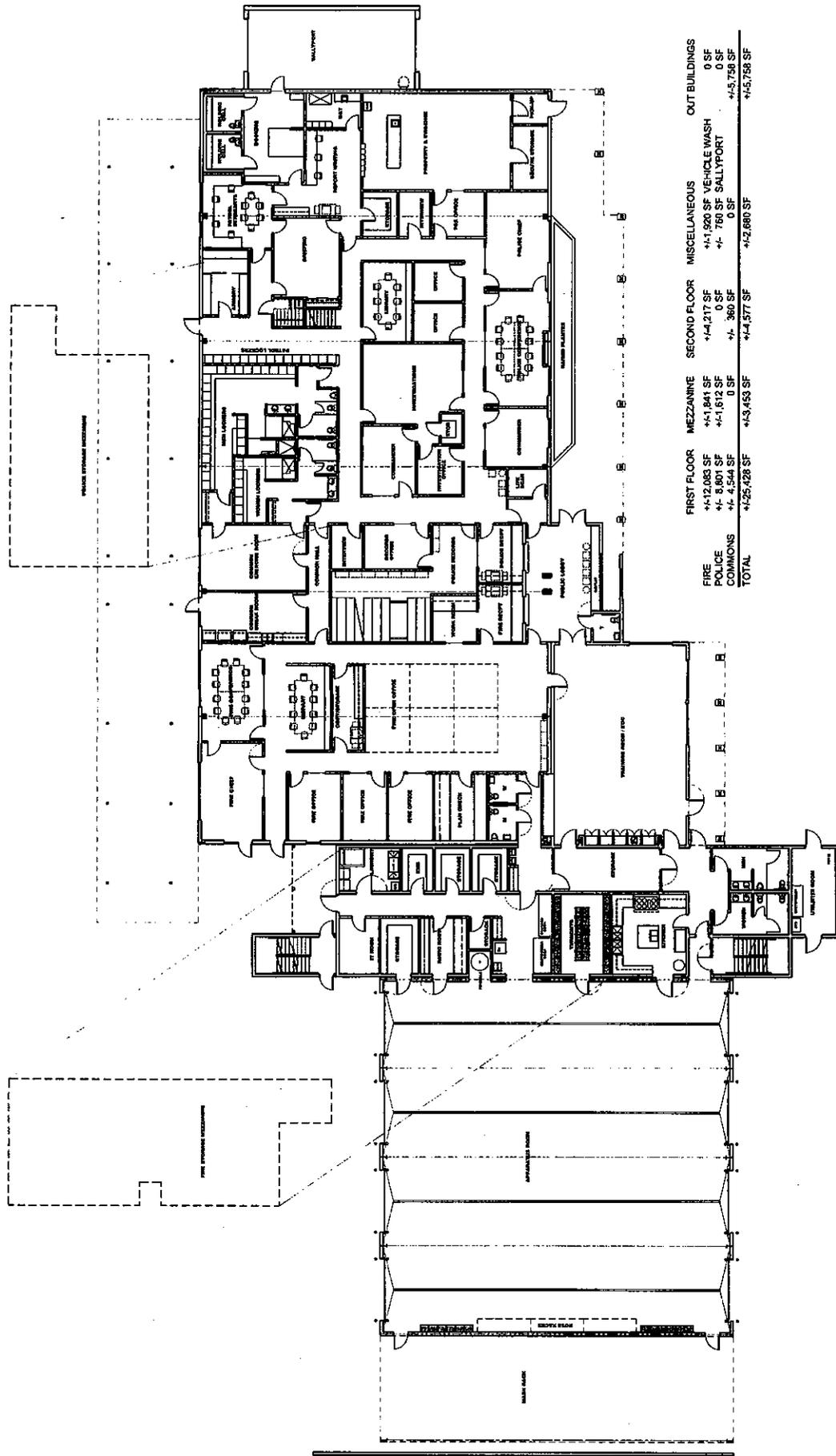
TYPE	DESCRIPTION	MANUFACTURER & CATALOG NUMBER	LAMPS	VA	MOUNTING
S	HAL. WALL MOUNT RECESSED CHERRY LIGHT	OSRAM 1200 300 277 800 45	(1)200W 40 in	300	WALL MOUNT 8 1/2" x 7 1/2"
S1	HAL. WALL MOUNT RECESSED CHERRY LIGHT	OSRAM 1200 300 277 800	(1)200W 40 in	300	WALL MOUNT 8 1/2" x 7 1/2"
S2	HAL. WALL MOUNT - LARGE	OSRAM 1200 300 277 800	(1)200W 40 in	300	WALL MOUNT 8 1/2" x 7 1/2"
S3	HAL. WALL MOUNT RECESSED CHERRY LIGHT	OSRAM 1200 300 277 800	(1)200W 40 in	300	WALL MOUNT 8 1/2" x 7 1/2"
S4	RECESSED CHERRY LIGHT	OSRAM 1200 300 277 800	(1)200W 40 in	300	RECESSED
S5	RECESSED CHERRY LIGHT	LUMINANCE 100 100 100 277 800	(1)200W 40 in	300	SURFACE MOUNT CHERRY LIGHT
S6	HAL. WALL MOUNT RECESSED CHERRY LIGHT	OSRAM 1200 300 277 800	(1)200W 40 in	300	SURFACE MOUNT CHERRY LIGHT



CITY OF WINTERS POLICE ~ FIRE FACILITY

CALPO HOM & DONG ARCHITECTS





	FIRST FLOOR	MEZZANINE	SECOND FLOOR	MISCELLANEOUS	OUT BUILDINGS
FIRE	+12,083 SF	+1,841 SF	+4,217 SF	+1,920 SF	0 SF
POLICE	+2,801 SF	+1,612 SF	0 SF	0 SF	0 SF
COMMONS	+2,454 SF	0 SF	+3,360 SF	+760 SF	+5,758 SF
TOTAL	+25,428 SF	+43,453 SF	+4,577 SF	+42,680 SF	+5,758 SF

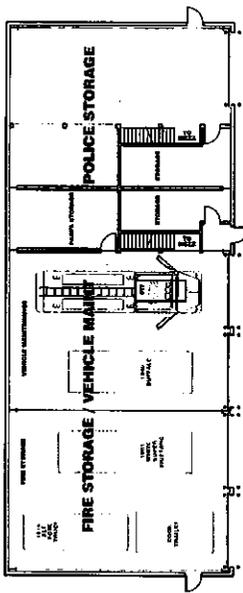
FIRST FLOOR PLAN

CITY OF WINTERS POLICE ~ FIRE FACILITY

CALPO HOM & DONG ARCHITECTS

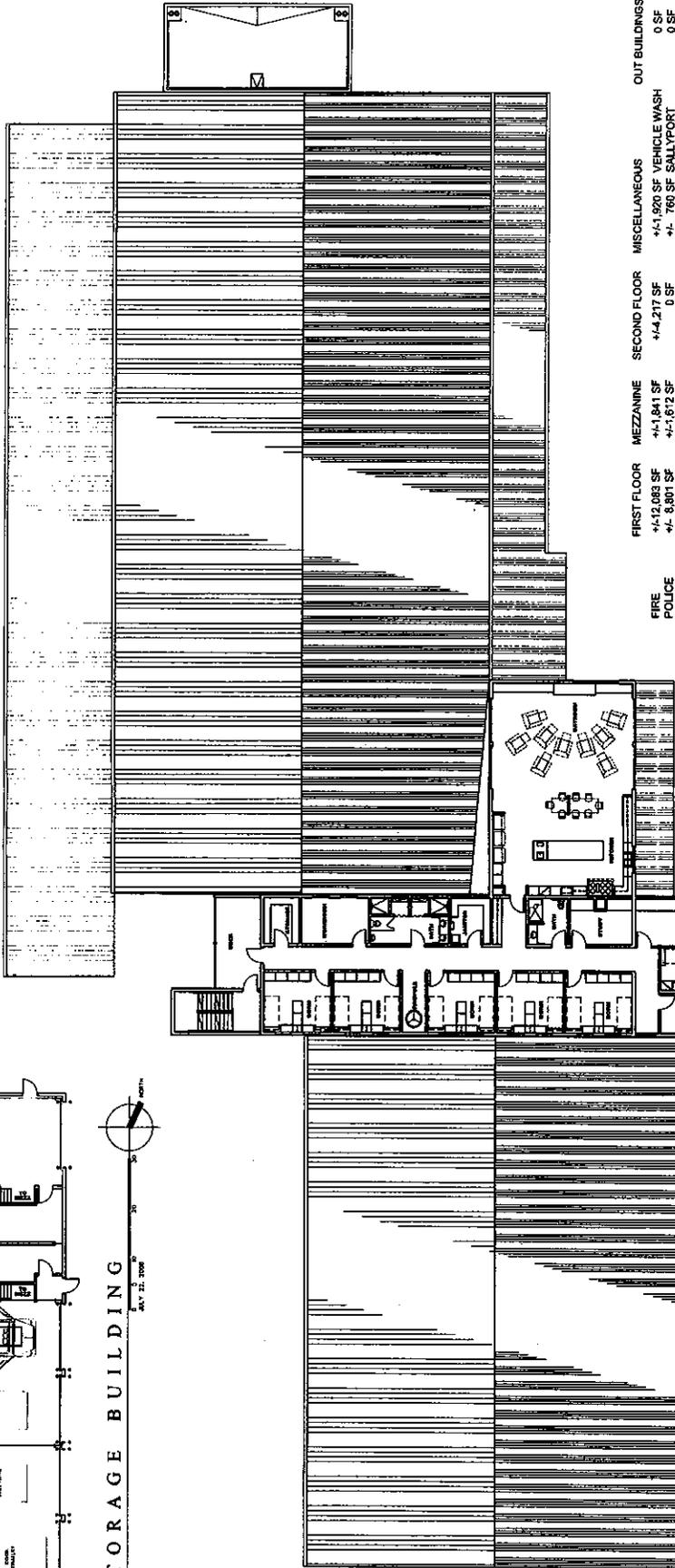


DATE: 12/20/09



STORAGE BUILDING

JULY 22, 2008



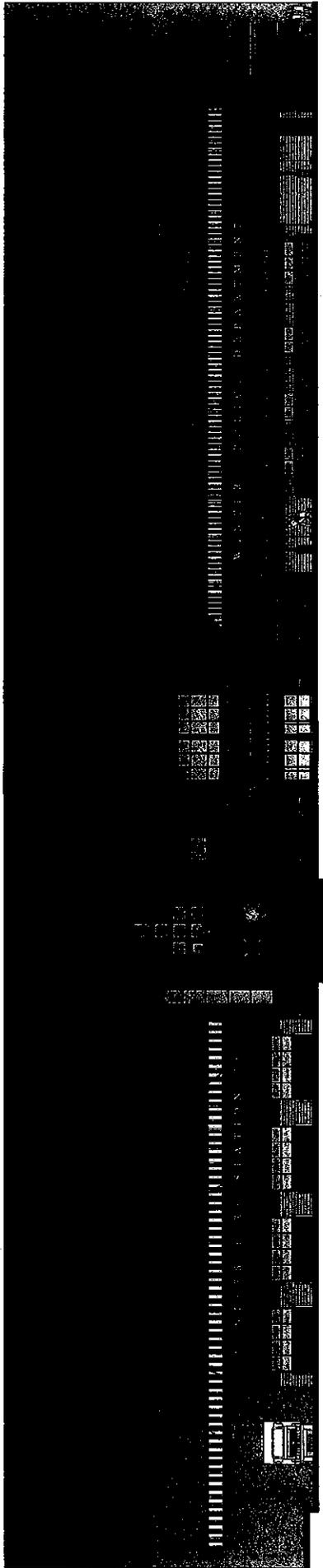
	FIRST FLOOR	MEZZANINE	SECOND FLOOR	MISCELLANEOUS	OUT BUILDINGS
FIRE	+12,083 SF	+1,841 SF	+4,217 SF	+1,920 SF	0 SF
POLICE	+2,854 SF	+1,672 SF	+1,360 SF	+1,760 SF	0 SF
COMMONS	+1,544 SF	0 SF	0 SF	0 SF	+45,758 SF
TOTAL	+26,428 SF	+3,453 SF	+4,577 SF	+2,680 SF	+45,758 SF

SECOND FLOOR PLAN

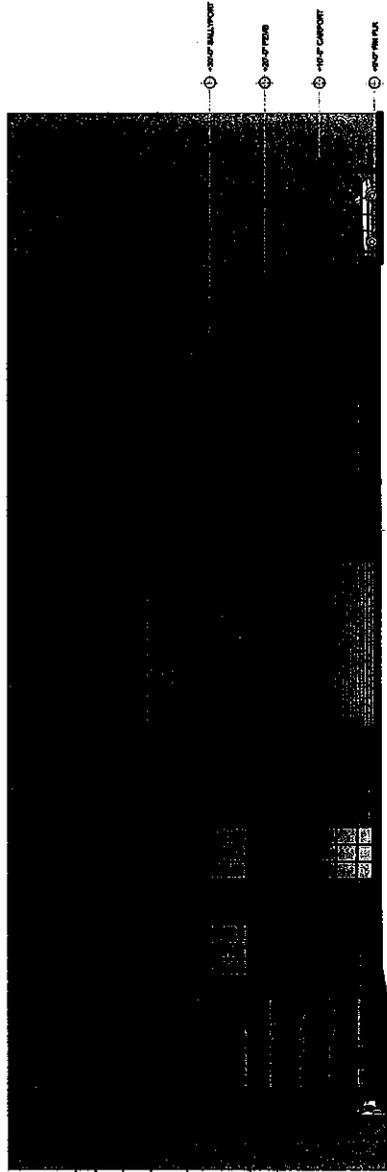
CITY OF WINTERS POLICE ~ FIRE FACILITY

CALPO HOM & DONG ARCHITECTS

JULY 22, 2008



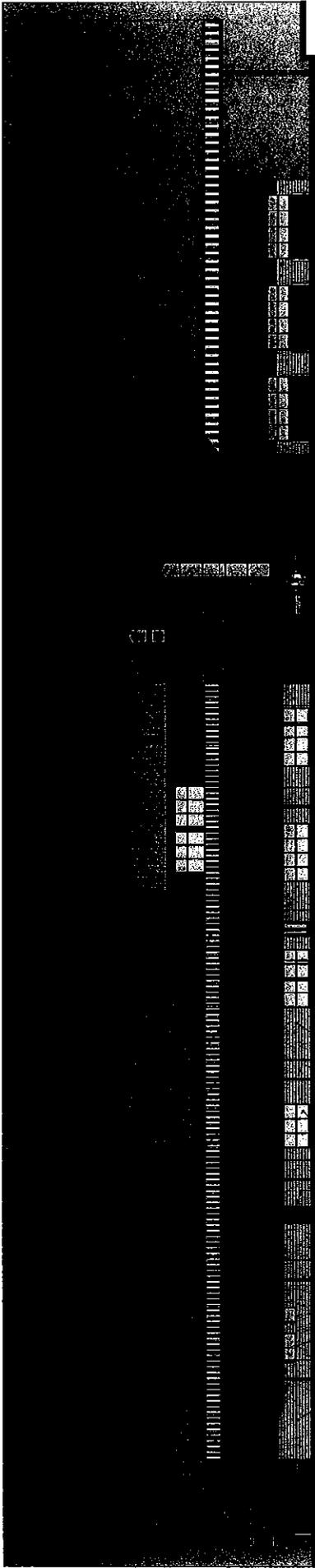
EAST ELEVATION



NORTH ELEVATION

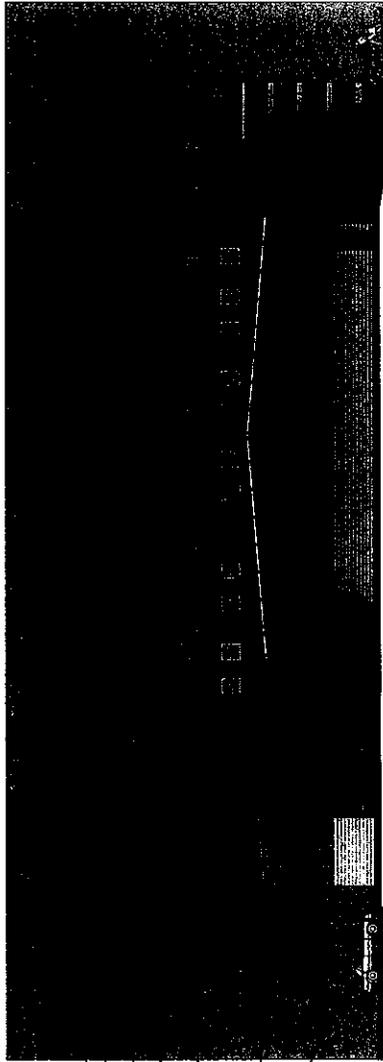
CITY OF WINTERS POLICE-FIRE FACILITY

CALPO HOM & DONG ARCHITECTS



WEST ELEVATION

METAL STANDING SEAM ROOF
 ALUMINUM CLADDING
 INSULATION
 MECHANICAL VENTILATION



SOUTH ELEVATION

METAL STANDING SEAM ROOF
 METAL CEILING SYSTEM
 CORRUGATED ALUMINUM
 VENTILATION
 CONCRETE FLOOR
 PAINT FRESH
 MECHANICAL VENTILATION
 CORRUGATED METAL
 CORRUGATED METAL

CITY OF WINTERS POLICE FIRE FACILITY

CALPO HOM & DONG ARCHITECTS

DATE: 10/2008



**COMMUNITY DEVELOPMENT AGENCY
STAFF REPORT**

TO: Honorable Chairman and Board of Directors
DATE : August 5, 2008
THROUGH: John W. Donlevy, Jr., City Manager
FROM: Cas Ellena, Redevelopment & Economic Development Director *CE*
SUBJECT: Funding for Sidewalk Improvements at 200, 202, 204, 206 and 208
Railroad Avenue and 3 Russell Street (APN 003-203-12)

RECOMMENDATION: Approve funding for Sidewalk Improvements at 200, 202, 206 and 208 Railroad Avenue and 3 Russell Street (APN 003-203-12)

BACKGROUND: On February 5, 2008 the CDA approved a Downtown Façade Improvement application for the Depot Building at 200, 202, 206 and 208 Railroad Avenue and 3 Russell Street (the "Site") from OTEL LLC (the "Applicant"). Since that time the project has moved diligently forward and is anticipated to be completed in August.

The Applicant desires to make improvements to the public sidewalks in front of the Site and has offered to perform the demolition and removal of sidewalk debris and old tree roots at their cost if the City agrees to pour the new sidewalk and install new trees. It is anticipated that the new cement would cost approximately \$5,000. This section of sidewalk has been identified as in need of replacement though the City does not have it currently scheduled for replacement. However, partnering with the Applicant to replace the sidewalk would save the City a considerable amount of money since the demolition and removal of debris are a significant amount of the cost for replacing sidewalks.

FISCAL IMPACT: Up to \$5,000 in CDA funds.