

CITY OF WINTERS PLANNING COMMISSION AGENDA

Tuesday, June 23, 2009 @ 7:30 PM

City of Winters Council Chambers
318 First Street
Winters, CA 95694-1923
Community Development Department
Contact Phone Number (530) 795-4910 #112
Email: jen.michaelis@cityofwinters.org

Chairman: Albert Vallecillo
Vice Chairman: Pierre Neu
Commissioners: Joe Tramontana, Wade Cowan,
Bruce Guelden, Corinne Martinez, Glenn DeVries
Administrative Assistant: Jen Michaelis
Community Development Director: Nelia Dyer

I CALL TO ORDER 7:30 PM

II ROLL CALL & PLEDGE OF ALLEGIANCE

III COMMUNICATIONS:

1. Staff Reports
Current Projects List
2. Commission Reports

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

V CONSENT ITEM

Approve minutes of the May 26, 2009 regular meeting of the Planning Commission.

VI DISCUSSION ITEMS:

- A. Public Hearing and consideration of a Design Review application (2009-01-DR) submitted by Mary Bajakian for the façade improvement of the building located at 1& 7 Main Street and 302-308 Railroad Avenue (APN 003-204-081)
- B. Informational Item – Peekaboo Hills Winery at 22 Main Street

VII COMMISSION/STAFF COMMENTS

VIII ADJOURNMENT

POSTING OF AGENDA: PURSUANT TO GOVERNMENT CODE § 54954.2, THE COMMUNITY DEVELOPMENT ADMINISTRATIVE ASSISTANT OF THE COMMUNITY DEVELOPMENT DEPARTMENT POSTED THE AGENDA FOR THIS MEETING ON JUNE 18, 2009.



JEN MICHAELIS - ADMINISTRATIVE ASSISTANT

APPEALS: ANY PERSON DISSATISFIED WITH THE DECISION OF THE PLANNING COMMISSION MAY APPEAL THIS DECISION BY FILING A WRITTEN NOTICE OF APPEAL WITH THE CITY CLERK, NO LATER THAN TEN (10) CALENDAR DAYS AFTER THE DAY ON WHICH THE DECISION IS MADE.

PURSUANT TO SECTION 65009 (B) (2), OF THE STATE GOVERNMENT CODE "IF YOU CHALLENGE ANY OF THE ABOVE PROJECTS IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE PUBLIC HEARING(S) DESCRIBED IN THIS NOTICE, OR IN WRITTEN CORRESPONDENCE DELIVERED TO THE CITY PLANNING COMMISSION AT, OR PRIOR TO, THIS PUBLIC HEARING".

PUBLIC REVIEW OF AGENDA, AGENDA REPORTS, AND MATERIALS: PRIOR TO THE PLANNING COMMISSION MEETINGS, COPIES OF THE AGENDA, AGENDA REPORTS, AND OTHER MATERIAL ARE AVAILABLE DURING NORMAL WORKING HOURS FOR PUBLIC REVIEW AT THE COMMUNITY DEVELOPMENT DEPARTMENT. IN ADDITION, A LIMITED SUPPLY OF COPIES OF THE AGENDA WILL BE AVAILABLE FOR THE PUBLIC AT THE MEETING.

OPPORTUNITY TO SPEAK, AGENDA ITEMS: THE PLANNING COMMISSION WILL PROVIDE AN OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO ADDRESS THE COMMISSION ON ITEMS OF BUSINESS ON THE AGENDA, HOWEVER, TIME LIMITS MAY BE IMPOSED BY THE CHAIR AS PROVIDED FOR UNDER THE ADOPTED RULES OF CONDUCT OF PLANNING COMMISSION MEETINGS.

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

COPIES OF AGENDA, AGENDA REPORTS AND OTHER MATERIALS: PRIOR TO EACH MEETING, COPIES OF THE AGENDA ARE AVAILABLE, AT NO CHARGE, AT CITY HALL DURING NORMAL WORKING HOURS. IN ADDITION, A LIMITED SUPPLY WILL BE AVAILABLE ON A FIRST COME, FIRST SERVED BASIS, AT THE PLANNING COMMISSION MEETINGS. COPIES OF AGENDA, REPORTS AND OTHER MATERIAL WILL BE PROVIDED UPON REQUEST SUBMITTED TO THE COMMUNITY DEVELOPMENT DEPARTMENT. A COPY FEE OF 25 CENTS PER PAGE WILL BE CHARGED.

ANY MEMBER OF THE PUBLIC MAY SUBMIT A WRITTEN REQUEST FOR A COPY OF PLANNING COMMISSION AGENDAS TO BE MAILED TO THEM. REQUESTS MUST BE ACCOMPANIED BY A CHECK IN THE AMOUNT OF \$25.00 FOR A SINGLE PACKET AND \$250.00 FOR A YEARLY SUBSCRIPTION.

THE COUNCIL CHAMBER IS WHEELCHAIR ACCESSIBLE

**MINUTES OF THE WINTERS PLANNING COMMISSION MEETING HELD ON
TUESDAY, MAY 26, 2009**

Chairman Vallecillo called the meeting to order at 7:30 p.m.

PRESENT: Commissioners, Cowan, DeVries, Guelden, Neu, Tramontana and
Chairman Vallecillo

ABSENT: Martinez

STAFF: Community Development Director Nellie Dyer, City Attorney John
Wallace, Contract Planner Kate Kelly, Administrative Assistant Jen
Michaelis

Kate Kelly led the Pledge of Allegiance.

COMMUNICATIONS:

Staff Reports: Community Development Director Dyer noted the Current
Projects List, noted the upcoming TANC comment period deadline and gave an
update, reported on the water/sewer infrastructure to 505 projects, and noted that
the Treehouse Children's Center has submitted building plans for improvements
to their building.

Commission Reports: None

CONSENT ITEM

Approve minutes of the April 28, 2009 regular meeting of the Planning
Commission.

**Motion by Commissioner Guelden, Second by Commissioner Neu to
approve the minutes for the April 28, 2009 meeting of the Planning
Commission. Motion carried with the following roll call vote:**

AYES: Commissioners, Cowan, DeVries, Guelden, Neu, Tramontana, and
Chairman Vallecillo

NOES: None

ABSTAIN: None

ABSENT: Martinez

DISCUSSION ITEM

A. Public Hearing to consider a Conditional Use Permit for the Winters
Community Church at 113 Main Street (2009-03-CUP)

At this time Commissioner DeVries stepped down due to proximity issues.
Commissioners Vallecillo and Neu were asked to draw walnuts to determine who
would review and decide on the item since both Commissioners live within 500
feet of the project. Commissioner Neu stepped down from the dais, and
Commissioner Vallecillo remained to review and decide on the item. Community
Development Director Dyer provided an overview of the staff report. Chairman
Vallecillo opened the public hearing at 7:50PM.

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TUESDAY, MAY 26, 2009**

John Clifford, 18 E. Baker, spoke in support of the project. Marie Heilmann, 116 Abbey Street, spoke in support. Julie Ries, 607 Fourth, spoke in support. Ted Selby, 708 Ivy Court, spoke in support.

Chairman Vallecillo closed the Public Hearing at 7:52PM.

Motion by Commissioner Cowan, Second by Commissioner Tramonana to approve a Conditional Use Permit for Winters Community Church (2009-03-CUP). Motion carried with the following roll call vote:

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

At this time, Commissioner Neu and DeVries returned to their seats at the dais.

B. Workshop on Allowed Uses for Downtown Winters for the Proposed Form Based Code for Downtown.

Contract Planner Kelly provided an overview of the staff report. Commissioner Vallecillo asked whether the current childcare center on Main Street is still allowed since the land use/zoning table in the Draft Form Based Code indicates that it is not allowed on Main Street. Ms. Kelly responded that the childcare center would be a legal non-conforming use. It can continue, but it cannot cease or expand.

Commissioner DeVries asked specifically about single family residential dwellings in this zone. Ms. Kelly responded by noting the DA and DB sections where residential uses are allowed. Commissioner DeVries stated that he does not like that component, that he sees it as a hardship on those homeowners with a residential home in the downtown area. Ms. Kelly explained that those uses could continue to exist, just not intensify by adding square footage or ceasing operation.

After continued discussion, Commissioner Guelden added that he thinks this plan is too discriminating in dictating the use of specific locations. Commissioner DeVries added that he believes the zoning within the form based code is too restrictive.

Commissioner Cowan requested a "C" for conditional on sit-down restaurants on secondary streets. Commissioner Vallecillo suggested opening up the plan more, allowing more "C" uses. Commissioner Guelden asked if a Conditional

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Use Permit goes to the Planning Commission. Ms. Dyer responded that a CUP goes to the Commission, the fee is \$1,500.00.

Edmund Lis, 9 Russell Street, asked what would happen if a residence was vacant for 12 months. Ms. Dyer responded that it would have ceased the use and an R use would not be allowed. The City has been flexible with this, not cut and dry.

Mr. Lis added that he would like to see a hotel use on a 2nd floor, with the lobby being allowed on the 1st floor.

Nancy Myer, a local real estate agent, spoke on problems with getting buyers financed with the proposed zoning changes. Sandy Vickery, a local real estate agent, wants to keep the plan more open, not as restrictive.

Commissioner Vallecillo stated that this plan is for the future, maybe 50 or 60 years down the line. Commissioner DeVries expressed that he wants the code to work for the residences.

Ms. Kelly outlined the past year of meetings and hearings regarding the Form Based Code. Commissioner Cowan said that he has attended many meetings over the past year regarding this code, he is not a big fan of "more codes", but what he got from attending the meetings is that this code is a good thing as a whole, good planning for down the road. Commissioner Vallecillo echoed Cowan's comments. He sees this as a positive plan for the future. Commissioner Neu added that he sees more positives than negatives in this plan. Ms. Kelly closed by saying this item would be coming back to the commission in the near future.

COMMISSION/STAFF COMMENTS:

Chairman Vallecillo asked about the status of the street lights and the Heilmann bench issues from a couple of months back. Ms. Dyer stated she would provide more information at the next meeting.

The meeting was adjourned at 9:20 p.m.

ATTEST:

Jenna Michaelis, CDD Admin

Albert Vallecillo, Chairman

CITY OF WINTERS COMMUNITY DEVELOPMENT DEPARTMENT
Current Projects List as of June 17, 2009
(530) 795-4910, extension 112, www.cityofwinters.org

* *New information in italics*

PROJECT	DESCRIPTION & PROCESS	LAST ACTION	NEXT ACTION
(1) Winters Highlands, Granite Bay Holdings, LLC, Larry John (916) 960-1656	Application filed to develop 413 single-family and 30 multi-family residential units in northwestern part of city.	City Council approved the Second Amendment to the Development Agreement on January 6, 2009.	Applicant submittal of Final Map and Improvement Plans.
(2) Winters Village, Bob Thompson (West project) (707) 372-9355	Proposal to develop 10 attached single-family residences on the southwest corner of East Main and East Baker Streets.	Applicant in October 2007 decided to defer construction of the project.	Project not active.
(3) Callahan Estates, Winters Investors LLC, John Peterson (925) 682-4830	Proposal to develop 120 single-family residential lots in northwest part of city.	City Council approved the First Amendment to the Development Agreement on January 20, 2009	Applicant submittal of Final Map and Improvement Plans.
(4) Creekside Estates, Lynda Fletcher (530) 902-4288	Proposal to develop 40 single-family residential lots at southwest part of city.	City Council approved Tentative Subdivision Map on April 19, 2005.	Amend Development Agreement, applicant submittal of Final Map and Improvement Plans
(5) Hudson-Ogando, Winters Investors LLC, John Peterson (925) 682-4830	Proposal to develop 72 single-family residential lots in northwest part of city.	City Council approved the First Amendment to the Development Agreement on January 20, 2009	Applicant submittal of Final Map and Improvement Plans.
(6) Cottages at Carter Ranch Phase 2, Sacramento Pacific Development, Mark Wiese (916) 853-9800	Proposal to develop 6 single-family residential affordable lots (moderate-income households) north of Rancho Arroyo Detention Facility.	Planning Commission approved Tentative Subdivision Map on November 23, 2004.	Applicant submittal of Final Map and Improvement Plans.
(7) Casitas at Winters, Napa Canyon LLC, Mark Power (707) 253-1339	Proposal for 5-unit tentative subdivision map at a site on West Grant Avenue east of Tomat's restaurant. Tentative Subdivision Map, Planned Development Overlay, and PD Permit.	City Council at its January 15, 2008 meeting took final action by approving the Rezone Ordinance.	Applicant submittal of Final Map and Improvement Plans.

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

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(14) St. Anthony's Catholic Church Parish & Rectory, Roman Catholic Church of Sacramento/McCandless & Associates (530) 662-9146	Proposal to construct a new Catholic Church and associated site work at the corner of Main & Grant Streets.	On April 21, 2009, the City Council approved the ordinance to rezone the property, adding a PD overlay.	Applicant submittal of improvement and building plans.
(15) 115 E. Grant Avenue Fueling Canopy, David Lorenzo (530) 795-3214	Proposal to construct a fueling canopy and install 4 new fueling dispensers at 115 E. Grant Avenue.	Planning Commission approved the Design Review (Site Plan) on February 24, 2009.	Under Construction
(16) Turkovich Family Wines, 304 Railroad Avenue, (530) 795-2767	Application for a Conditional Use Permit to operate a wine tasting room at 304 Railroad Avenue	Application was filed on January 29, 2009. Planning Commission approved the Conditional Use Permit for the project on March 24, 2009.	Under Construction
(17) The Tree House Children's Center, 418 Haven Street, (530) 304-8248	Application for a Conditional Use Permit to operate a children's center at 418 Haven Street	Application was filed on March 19, 2009. Planning Commission approved the Conditional Use Permit for the project on April 28, 2009.	Under Construction
(18) Winters Community Church, 113 Main Street, (530) 795-5530	Application for a Conditional Use Permit to operate a religious institution at 113 Main Street	Application was filed on April 6, 2009. <i>Planning Commission approved the Conditional Use Permit on May 26, 2009.</i>	
Abbey Street Partial Abandonment	Partial abandonment of East Abbey St to allow for Monticello development	PC accepted GP consistency report and recommended to Council 4/22/08. CDA at its September 2, 2008 meeting approved the DDA for the project.	Applicant submittal of improvement and building plans for the Monticello Project
Monticello Mixed-Use Project	Application for Site Plan Review and Design Review, and CUP for the construction of a mixed-use project (commercial/retail, office and residential) on 0.42 acre on the east side of Railroad Ave. between Abbey St. and Main St. in downtown Winters CBD.	CDA at its September 2, 2008 meeting approved the DDA for the project	Applicant submittal of improvement and building plans.

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Public Safety Facility	Application for Site Plan Review and Design Review, CUP and Variance for the construction of the City's public safety facility on 2.78 acres of the Ogando-Hudson Subdivision (Grant Ave @West Main Street)	Planning Commission hearing on 7/22/08 – PC approved project subject to COAs presented in staff report.	City to prepare Lot Line Merger and Swainson's hawk mitigation. Applicant submittal of improvement and building plans.
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Affordable Housing Units

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



PLANNING COMMISSION STAFF REPORT
June 23, 2009

TO: Chairman and Planning Commissioners

BY: Nelia Dyer – Community Development Director

SUBJECT: Public Hearing and consideration of a Design Review application (2009-01-DR) submitted by Mary Bajakian for the façade improvement of the building located at 1 & 7 Main Street and 302-308 Railroad Avenue (APN 003-204-081)

RECOMMENDATION: Staff recommends that the Planning Commission take the following actions: 1) Receive the staff report; 2) Conduct the Public Hearing to solicit public comment; and 3) Approve the Design Review application (2009-01-DR) submitted by Mary Bajakian for the façade improvement of the building located at 1 & 7 Main Street and 302-308 Railroad Avenue (APN 003-204-081).

BACKGROUND: The project applicant, Mary Bajakian, has submitted a Design Review application for the façade improvement of the building located at 1 & 7 Main Street and 302-308 Railroad Avenue (APN 003-204-081). Separately, the applicant has submitted a grant funds request through the Winters Community Development Agency's Façade Improvement Program. The building's tenants include the Putah Creek Café, Peekaboo Hills Wine Tasting Room, and ARC Guitar. The space at 306 Railroad Avenue will eventually be developed as a potential retail space for a flower shop. The project would include two new awnings, additional outside lighting, painting and trim work, restoration of existing brick, and new signage.

According to the Winters Municipal Code (WMC) Section 17.36.020 (Requirements for Design Review), design review shall be required before the Planning Commission for modifications to existing buildings involving collectively significant changes of building materials, addition/deletion of doors, windows, and awnings, changes to rooflines or parapet walls, etc., as determined by the Community Development Director. In making a determination as to the significance of a proposed exterior building change, the Director shall be guided by the potential for the proposed project to result in substantial visual alteration of the building in question as viewed from the street including the secondary frontage and its relative overall importance to the visual quality of the surrounding area. Since the improvements to the building will result in a substantial

visual alteration on a major arterial street, design review is required for the project.

DISCUSSION: A breakdown of the colors proposed for the building storefronts are provided in Attachment 3. The applicant has indicated that these colors are Benjamin Moore Historical Paint Colors. After reviewing the palettes for each storefront, staff has determined that the colors palettes of the storefront complement one another and the surrounding properties on Main Street and Railroad Avenue.

The application and associated materials do not include plans for signage. Therefore, staff has determined that all sign plans must receive separate review for consistency with the Zoning Code and be approved by the Planning staff prior to installation of any new signs (See Recommended Condition of Approval 2).

METHODOLOGY: Two actions are required to process the proposed project:

- 1) Confirmation of CEQA exemption finding - Section 15301 for the minor alteration to an existing facility.
- 2) Approval of Site Plan (Design Review) and the attached conditions

APPLICABLE REGULATIONS: This project is subject to several regulations:

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

PROJECT NOTIFICATION: Public notice advertising for the public hearing on this project was prepared by the Community Development Department's Administrative Assistant in accordance with notification procedures set forth in the City of Winters' Municipal Code and State Planning Law. Two methods of public notice were used: a legal notice was published in the Winters Express on Thursday, June 11, 2009 and notices were mailed to all property owners who own real property within three hundred feet of the project boundaries at least ten days prior to tonight's hearing. Copies of the staff report and all attachments for the proposed project have been on file, available for public review at City Hall since Thursday, June 18, 2009.

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

RECOMMENDED FINDINGS FOR THE 1 & 7 MAIN STREET AND 302-308 RAILROAD AVENUE PROJECT (DESIGN REVIEW)

General Findings:

1. Notice of Hearing has been given at the time and in the manner required by

state law and city code.

CEQA Findings:

1. The project qualifies for an exemption from environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15301.
2. The Planning Commission has considered comments received on the project during the public review process.
3. The exemption finding reflects the independent judgment and analysis of the City of Winters.
4. The Planning Commission hereby confirms that the project is exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15301.

General Plan and Zoning Consistency Findings:

1. The project is consistent with the goals and policies of the General Plan. The General Plan designates the project site as Central Business District and this designation provides for restaurants, retail, service, professional and administrative offices, hotels, multi-family residential units, public and quasi-public uses, and similar and compatible uses. The project will support these uses by improving the appearance of the building located at 1 & 7 Main Street and 302-308 Railroad Avenue.
2. The project is consistent with the provisions of the Zoning Ordinance. The project site is zoned Central Business District (C-2) and allows a variety of commercial uses. The project would support the commercial use of the building.

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

I MOVE THAT THE WINTERS PLANNING COMMISSION APPROVE THE 1 & 7 MAIN STREET AND 302-308 RAILROAD AVENUE PROJECT (DESIGN REVIEW) BASED ON THE IDENTIFIED FINDINGS OF FACT AND BY TAKING THE FOLLOWING ACTIONS:

- Confirmation of exemption from the provisions of CEQA
- Confirmation of consistency findings with the General Plan and Zoning Ordinance
- Approval of the Design Review of the project as depicted on the plans submitted and subject to the conditions of approval attached hereto.

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

CONDITIONS OF APPROVAL FOR THE 1 & 7 MAIN STREET AND 302-308 RAILROAD AVENUE PROJECT (DESIGN REVIEW) LOCATED ON ASSESSOR PARCEL NUMBER 003-204-081, WINTERS, CA 95694.

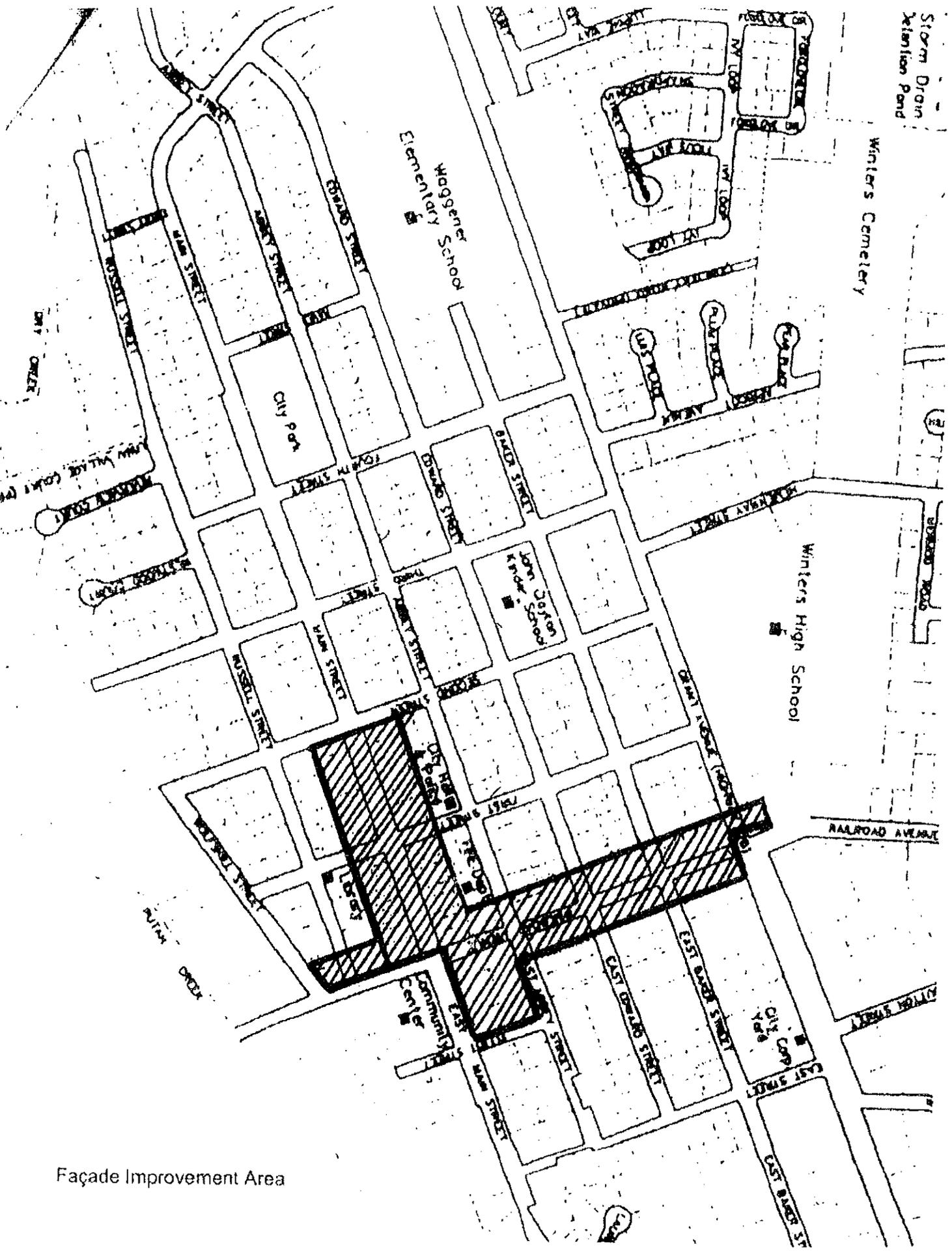
1. In the event any claim, action or proceeding is commenced naming the City or its agents, officers, and employees as defendant, respondent or cross defendant arising or alleged to arise from the City's approval of this project, the project Applicant shall defend, indemnify, and hold harmless the City 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 applicant in good faith approves the settlement, and the settlement imposes not direct or indirect cost on the City of Winters, or its agents, officers, and employees, the Winters Planning commission, any advisory agency to the City, local district and the City Council.
2. This Design Review Permit approval does not include any signs. No person may erect, enlarge, or maintain a sign or modify the design or location of any existing sign without the issuance of a sign permit, unless the sign is exempt under Section 17.80.030 of the Winters Municipal Code. All sign plans must receive separate review for consistency with the Zoning Code and be approved by the Planning staff prior to installation of any new signs.
3. Signage for awning shall not be illuminated or backlit.
4. Minor modifications to the design of the project, including site layout, colors and materials, may be approved by Community Development staff, provided such changes are consistent with the overall design as approved herein. Major modifications will require Planning Commission approval.
5. The Design Review approval is valid for one year. The Design Review Permit will expire on 6-23-2010 unless the permit is effectuated or a time extension has been

granted by the Winters Planning Commission. The applicant shall bear all expenses for any extension request submitted to the Planning Commission.

6. The address numbers for the individual storefronts shall be clearly visible from the street fronting the property. The address numbering shall be either four (4) inch illuminated numbers or six (6) inch non-illuminated numbers on contrasting background.

ATTACHMENTS:

1. Project Site Map
2. Photos of Existing Conditions/Color Palette
3. Public Hearing Notice (published and mailed copies)



Storm Drain
Retention Pond

Winters Cemetery

Winters High School

RAILROAD AVENUE

Winters Elementary School

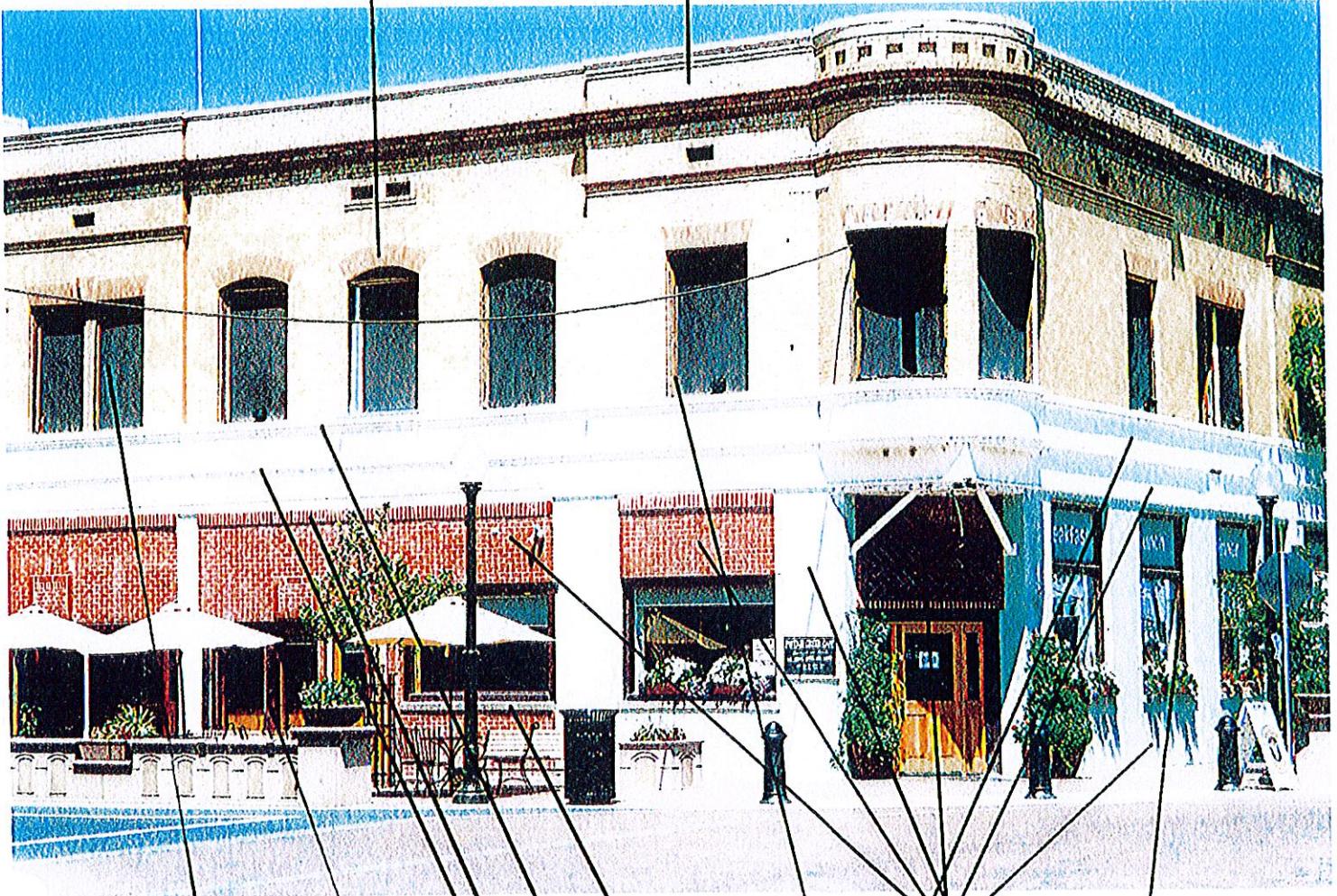
Community Center

Façade Improvement Area

Putta Creek Cafe

Dark Brick Color

Light Brick Color



Light Brick Color

Dark Brick Color

Paint Grids on Ply Wood

Accents

Window Trim Top

Window Trim Bottom



AF-405

thicket material



AF-520

schooner palette



AF-370

citrine palette



AF-645

chambord palette

Store front - A



AF-155 **Trims**
weimeraner
wunder anst



AF-20 **panels**
mascarpone
mascarpone



AF-180 **Doors**
wenge
wenge



AF-300 **ACCENTS**
dinner party
cena amstosa

store front B



Dark Brick Color

Light Brick Color



AF-80 panels



AF-505 Accents
blue echo
eco azalea



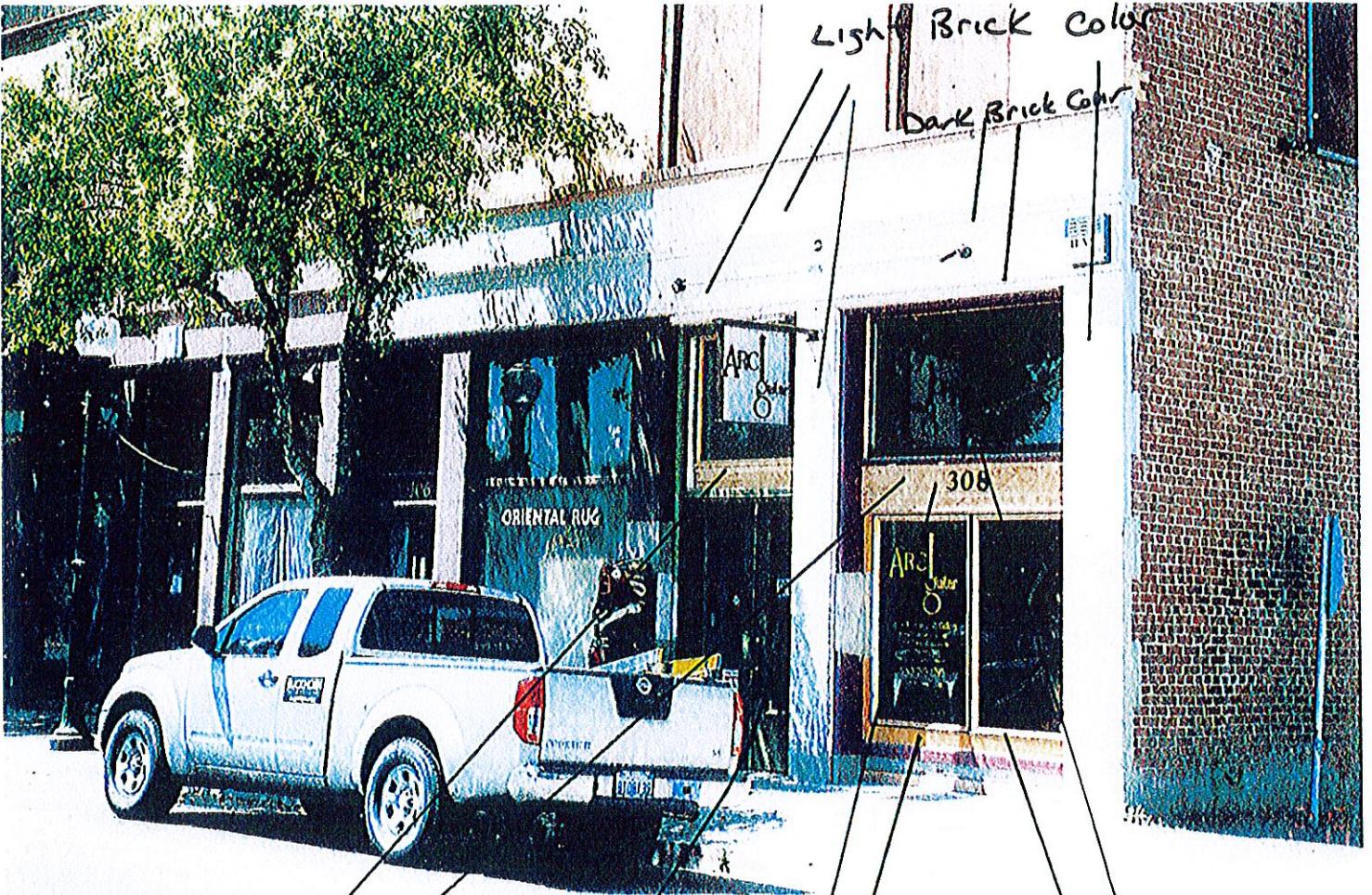
AF-560 Front Doors

flint
pediment

TRIM

AF-170 french press
pumpkin
brussels

store front c



Light Brick Color

Dark Brick Color

Window Trims



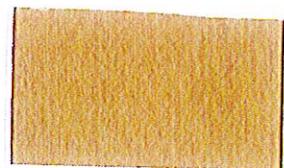
AF-375 Panels



AF-775 Front Doors rustique



AF-655 Window Frames silhouette



AF-355 etruscan

rattan

rustique

silhouette

etruscan

PUTAH CREEK CAFE CORNER #1 MAIN ST.

Upstairs wood windows

Townsend harbor brown

Painted panes on upstairs windows



thicket



BREAKFAST, LUNCH, DINNER
Signage

Townsend with
WHITE LETTERING



WINDOW WOOD TRIM

SCHOONER



KICKOUT TRIM BRICKS

MAYFLOWER RED



UMBRELLAS

Townsend



BOTTOM OF BUILDING
THAT IS CURRENTLY
GREEN. WILL CHANGE
TO MATCH THE UPSTAIRS
YELLOW BRICK



THERE WILL BE A
MULTITUDE OF BASKETS,
POTS, AND CLIMBING
MULTI-COLOR FLOWERS
TO MAKE THE CORNER POP

AWNING

CAPRI BLUE



STAIRWELL

BEAUTIFUL STOREFRONT TO UPSTAIRS OF BUILDING

BRICK COLUMNS

CITRINE



ORNATE DOOR
WINDOW

TOWNSEND



WINDOW PANE

THICKET



KEEP COLORS OF
ORNATE TRIM AS IS
ACCENT COLOR

GEORGIAN BRICK



TURKOVICH WINERY

BRICK COLUMNS (3)

GARRISON RED



WOOD TRIM TAN

TAN

WEIMERANER

DOOR AND PANELS



ON BOTTOM

WENIGE



TRIM

IVORY TUSK

RICH CREAM

VACANT SPACE / CURRENTLY LOOKING
FOR FLOWER SHOP

BRICK COLUMNS WILL
MATCH BRICKS FROM
TOP OF BUILDING



PANELS

JUTE



ACCENTS

blue ECHO



FRONT DOORS

FLINT



TRIM

FRENCH PRESS



ARC GUITAR

BRICK COLUMNS



DOORS

GARRISON RED
OR
RUSTIQUE



PANELS

RATTAN



WINDOW BEAMS

SILHOUETTE



WINDOW TRIM

ETRUSCAN



MAYOR:
Michael Martin
MAYOR PRO TEM:
Woody Fridae
COUNCIL:
Tom Stone
Harold Anderson
Cecilia Aguiar-Curry



MAYOR EMERITUS:
J. Robert Chapman
TREASURER:
Michael Sebastian
CITY CLERK:
Nanci G. Mills
CITY MANAGER:
John W. Donlevy, Jr.

PROOF OF SERVICE BY MAIL

I am Jen Michaelis, Administrative Assistant for the Community Development Department of the City of Winters. I am over the age of 18 years. My business address is 318 First Street, Winters, CA 95694.

On June 9, 2009 I served the foregoing Notice of Action by depositing a true copy thereof in The United States Mail in Winters, CA, enclosed in a sealed envelope with postage thereon fully prepaid, addressed as follows: See attached mailing labels.

I certify under penalty of perjury under the laws of California that the foregoing is true and correct, and that this document is executed on June 9, 2009 at Winters, California.

A handwritten signature in black ink, appearing to read "Jen Michaelis".

Jen Michaelis, Community Development Administrative Assistant

NOTICE OF PUBLIC HEARING

The Winters Planning Commission will conduct a public hearing on the project application as described below, beginning at 7:30 P.M. on Tuesday, June 23, 2009, or as soon as possible thereafter, in the Council Chambers, City Hall, 318 First Street, Winters, California, 95694.

PROJECT LOCATION: 1 & 7 Main Street and 302, 304 & 306 Railroad Avenue

APPLICATION TYPE: The Planning Commission is conducting a public hearing to solicit comments regarding the Design Review application submitted for façade improvements at the building located at 1 & 7 Main Street and 302, 304, & 306 Railroad Avenue (APN 003-204-081)

PROJECT DESCRIPTION: The project applicant, Mary Bajakian, proposes to revise the east and south facades of the building located at 1 & 7 Main Street and 302, 304 & 306 Railroad Avenue (Assessor Parcel Number 003-204-081). The project will include two new awnings, additional outside lighting, painting and trim work, restoration of existing brick, and new signage. The space at 1 & 7 Main Street will continue to house the Putah Creek Café, with the space at 306 Railroad Avenue being developed as a potential retail space for a flower shop. The space at 304 Railroad Avenue is being developed as the location of the Peekaboo Hills Wine Tasting Room.

Interested persons may inspect and, upon the payment of the costs of reproduction, obtain copies of the staff report, and any other information pertaining thereto at the Community Development Department at the City of Winters, City Hall, 318 First Street, Winters, California, or at the office of the City Clerk, City Hall, 318 First Street, Winters, California, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, exclusive of holidays. Copies of the Staff Report will be available on the City's website at www.cityofwinters.org.

Interested persons may submit written comments addressed to Nellie Dyer, City of Winters, 318 First Street, Winters, California, 95694 prior to the hour of 5:00 p.m. on June 23, 2009.

In compliance with the American 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 Nellie Dyer 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.

If you wish to challenge the action taken on this matter in court, the challenge may be limited to raising only those issues raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission prior to the public hearing.

For more information regarding this project, please contact Nellie Dyer at (530) 795-4910 ext. 114.

At the time and place noted above, all persons interested in the above matters may appear and be heard.

DATED: June 9, 2009

CITY OF WINTERS PLANNING COMMISSION


Secretary

Publish: June 11, 2009

003 203 17
BARBOUR MICHAEL G WHITWORTH
VALERIE TR
P O BOX 757
WINTERS, CA 95694

003 204 04
WINTERS FIRE DISTRICT
318 FIRST ST
WINTERS, CA 95694

003 155 05
BARBOSA JUAN
8944 GADDINI RD
WINTERS, CA 95694

003 203 13
LEWIS KEVIN A
7 RUSSELL ST
WINTERS, CA 95694

003 222 24
WINTERS CITY OF
318 FIRST ST
WINTERS, CA 95694

003 204 16
KIMES RICHARD L JANET L KIMES
REV LIV TRUST
803 APRICOT AVE
WINTERS, CA 95694

003 204 05
CODY WILLIAM E MAURA C
109 EGLOFF CIR
FOLSOM, CA 95630

003 204 14
KIMES RICHARD L JANET L KIMES
REV LIV TRUST
803 APRICOT AVE
WINTERS, CA 95694

003 224 01
WINTERS CITY OF
318 FIRST ST
WINTERS, CA 95694

003 204 11
CRADWICK BUILDING PARTNERSHIP
520 COTTONWOOD ST 3
WOODLAND, CA 95695

003 203 09
MARTINEZ CORINNE Y
115 BAKER ST
WINTERS, CA 95694

003 204 08
BAJAKIAN LEON MARY L M
BAJAKIAN TRUST
1460 WESTMINSTER DR
FAIRFIELD, CA 94533

003 155 07
GONELLA AUGUST JULIA TR
11 ABBEY ST
WINTERS, CA 95694

003 204 18
WINTERS CITY OF
318 FIRST STREET
WINTERS, CA 95694

003 224 02
PICKEREL JOHN R MELANIE B
10 MAIN ST
WINTERS, CA 95694

003 204 17
PICKEREL JOHN BAJAKIAN
PICKEREL MELANIE
488 MAIN ST
WINTERS, CA 95694

003 204 06
CODY'S BUILDING PARTNERS
314 RAILROAD AVE
WINTERS, CA 95694

003 155 08
ANDERSON SYBIL J ESTATE OF
P O BOX 752
WINTERS, CA 95694

003 224 04
SIRACUSA JOHN ELIZABETH
7 E MAIN ST STE D
WINTERS, CA 95694

003 204 12
WINTERS COMMUNITY DEV AGENCY
318 FIRST ST
WINTERS, CA 95694

003 160 25
MARIANI NUT COMPANY
P O BOX 808
WINTERS, CA 95694

003 204 02
PORTELLO WILLIAM L MARY
PORTELLO FAM TRUST
2721 ANZA AVE
DAVIS, CA 95616

003 203 02
BECK DONALD V ETAL
4635 BECK LN
VACAVILLE, CA 95688

003 204 09
WINTERS OPERA HOUSE
8 E ABBEY ST
WINTERS, CA 95694

003 155 06
PISANI JOAN B D PISANI 2000 REC
LIV TRUST
P O BOX 691
WINTERS, CA 95694

003 224 03
SIRACUSA JOHN
7 E MAIN ST STE D
WINTERS, CA 95694

003 204 13
KIMES RICHARD L JANET L KIMES
REV LIV TRUST
803 APRICOT AVE
WINTERS, CA 95694

003 204 07
WALLACE JAMES N IDA B
312 RAILROAD AVE
WINTERS, CA 95694

003 204 10
MARTINEZ DANIEL TR ETAL
15 MAIN ST
WINTERS, CA 95694

003 204 15
KIMES RICHARD L JANET L KIMES
REV LIV TRUST
803 APRICOT AVE
WINTERS, CA 95694

003 203 10
PADILLA CECIL ETAL
7 E MAIN ST
WINTERS, CA 95694

003 203 08
IRELAND TIMOTHY W YVONNE D
P O BOX 518
WINTERS, CA 95694

003 203 07
ESTRADA MIGUEL A CARMEN C
30 MAIN ST
WINTERS, CA 95694

003 203 06
JOHNSON DALE B ELAINE E TR
164 ROBLES WAY 120
VALLEJO, CA 0

003 203 14
LIS EDMUND DIANE M GRAVES
9 RUSSELL ST
WINTERS, CA 95694

003 203 15
WALKER CLAYTON OLAND
324 CALLA AVE
IMPERIAL BEACH, CA 91932

003 160 64
MARIANI NUT COMPANY
P O BOX 808
WINTERS, CA 95694

003 204 03
WINTERS FIRE DISTRICT
318 FIRST ST
WINTERS, CA 95694

003 203 05
QUINTERO SALVADOR ETAL
36 MAIN ST
WINTERS, CA 95694

003 203 12
OGANDO JOSEPH E KAREN M TR
102 WOLFSKILL
WINTERS, CA 95694

003 203 04
BECK DONALD V ETAL
4635 BECK LN
VACAVILLE, CA 95688

003 203 11
HOUKAN DISSBEE PARTNERSHIP
210 RAILROAD AVE
WINTERS, CA 95694



PLANNING COMMISSION STAFF REPORT
June 23, 2009

TO: Chairman and Planning Commissioners
BY: Nelia Dyer – Community Development Director
SUBJECT: Informational Item – Peekaboo Hills Winery at 22 Main Street

Staff recommends that the Planning Commission provide feedback to staff on the proposed Peekaboo Hills Winery at 22 Main Street. The Turkovich Family Wines LLC (DBA: Peekaboo Hills Winery) intends to use the location of 22 Main Street (specifically, the back half of the building) to produce, bottle, and store table wines and dessert wines as well as other agricultural products. The current land use/zoning matrix is silent on agricultural processing; however, according to Winters Municipal Code Section 17.20.030 (Use Permits), a determination can be made by the community development director or planning commission that the proposed use would require a use permit where an interpretation is necessary. Moreover, according to the draft Form Based Code, specialized agriculture and processing is a conditional use for the entire Downtown Form-Based Code Area. Therefore, this application will come before the Planning Commission for consideration of a Conditional Use Permit in July.

A description of the proposed use and the floor plans are attached. When reviewing the project description and the floor plans, please consider the use permit findings listed in WMC 17.20.030:

C. Findings.

In granting a use permit, the planning commission or zoning administrator, with due regard to the nature and condition of all adjacent structures and uses, the zone within which the structures and uses are located, and the general plan, shall find all of the following general conditions to be fulfilled:

1. The requested use will be in conformity with the general plan;
2. The requested use is listed as a conditional use in the zone regulations or elsewhere in this section, or, where an interpretation was necessary, a determination was made by the community development director or planning commission that the proposed use would require a use permit;
3. The requested use is consistent with the intent and purposes of the zone in which it is located, and will not detrimentally impact the character of the neighborhood;
4. The requested use will not be detrimental to the public health, safety or general welfare;

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

6 The requested use will not create a nuisance or enforcement problem within the neighborhood; and

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

Where one or more of these findings cannot be made, the use permit application shall be denied.

Peekaboo Hills Winery

Downtown Production Facility:

Turkovich Family Wines LLC (DBA: Peekaboo Hills Winery) intends to use the location of 22A Main Street to produce, bottle, and store table wines and dessert wines as well as other agricultural products such as cheese. The facility will also be utilized in conjunction with the Peekaboo Hills Winery tastingroom located at 304 Railroad Ave. to host events and private functions.

Basement

Hours of operation:

The primary hours of production will be between August-October during these months the winery will operate from early morning through early evening, seven days per week. Outside of these months the production hours will be limited to two-three days per week with less than 6 hours of operation per day.

Usage

The winery will occupy the south half of 22 Main Street and the basement located below units 22A and 22B. The 2890 square foot facility includes 1212 square feet on the ground floor and 1678 square feet of basement. The property will be accessed solely from the alley located south of main street. The majority of active production will take place on the main floor. This includes but is not limited to: crushing, fermenting, bottling, storage of dry goods and finished products. The main floor also includes asquare foot space which will be used as a laboratory for wine analysis and quality control and as an office space. The basement area of the building will be primarily (but not limited to) barrel/wine storage.

In 2009 Peekaboo Hills estimates to crush 36 tons of grapes, resulting in approximately 20,000 liters of wine. The winery is estimated to grow production at a rate 4500 liters per year reaching maximum production in 2018 with an annual maximum production of 54,000 liters.

Local impact

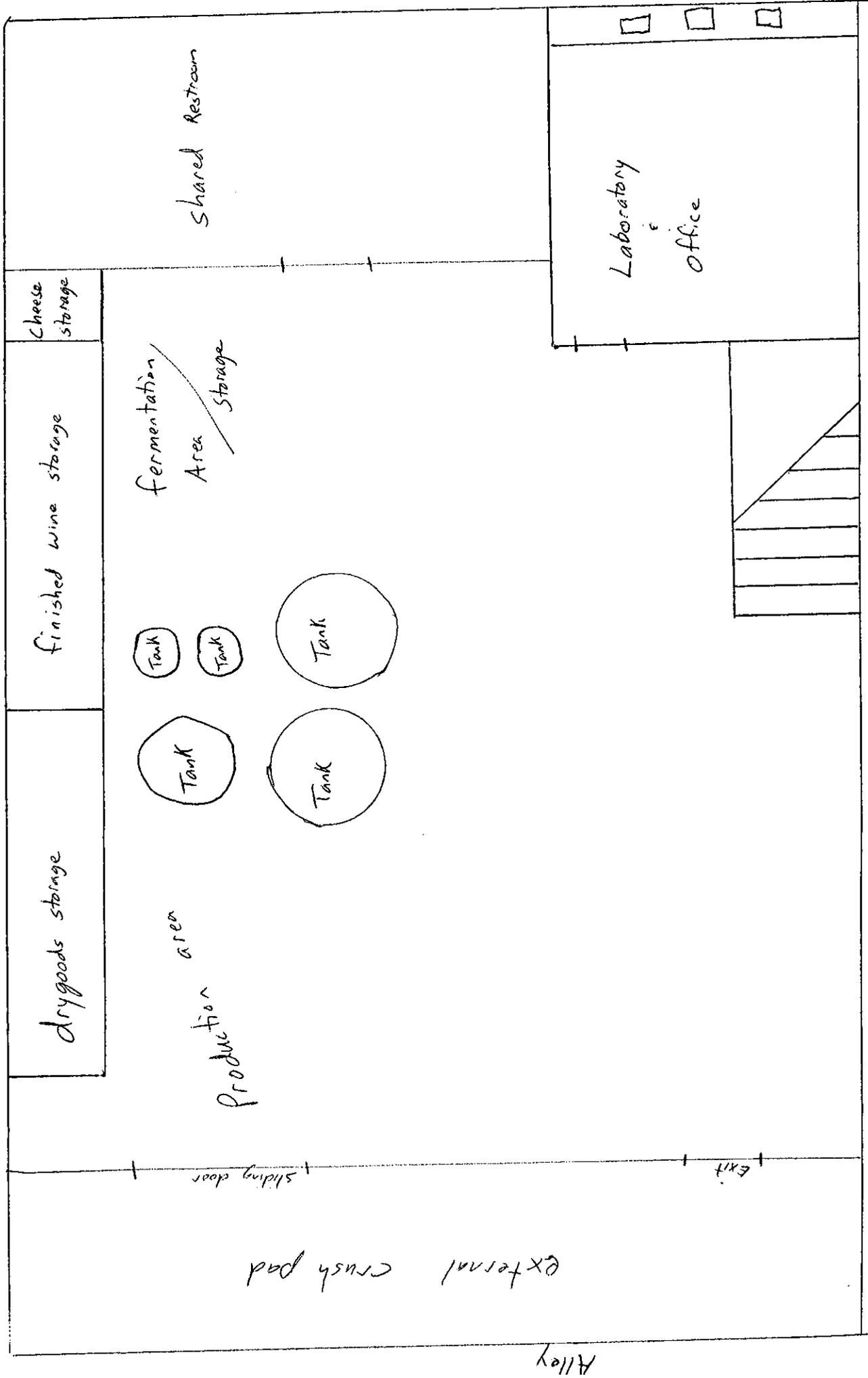
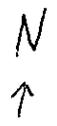
The Winery will require the city infrastructure to operate. The city water system will be utilized for production and drain water will be put into the city system. Extensive measures within the winery will be taken to reduce the amount of water need during production, and thus reducing the volume of waste water. Peekaboo Hills Winery will also as a common operating procedure take measures to monitor waste water on an ongoing basis. In addition measures will be taken to reduce solids in the waste water and these solids will be disposed of appropriately, by recycling (off site) when possible. Due to the constraints of access through the alleyway there will not be significant increase commercial vehicles traffic to the area.

Sales/Events:

In conjunction with the Peekaboo Hills Winery Tastingroom the winery will be used periodically to host event and private functions. These activities will be limited to the ground level of the winery. Although the main sales point for Peekaboo hills will be located in the tastingroom located at 304 Railroad Ave. the winery will provide significant revenue in sales during these planned events.

Floor plan: (see attachments)

Floor 1 (not to scale) 1212 sqft



Basement floor (not to scale) 1678 sqft

→ N

