

CITY OF WINTERS PLANNING COMMISSION AGENDA

Monday, April 23, 2012 @ 6:30 PM
City of Winters Council Chambers
318 First Street
Winters, CA 95694-1923
Community Development Department
Contact Phone Number (530) 795-4910 #113
Email: jenna.moser@cityofwinters.org

Chairman: Wade Cowan
Vice Chairman: Pierre Neu
Commissioners: Bill Biasi, Bruce Guelden, Phillip Meisch, Luis Reyes, Joe Tramontana
Administrative Assistant: Jenna Moser
Community Development Director: Vacant

I CALL TO ORDER 6:30 PM

II ROLL CALL & PLEDGE OF ALLEGIANCE

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

IV CONSENT ITEM
Approval of Minutes from the December 14, 2011 regular meeting of the Planning Commission

V. STAFF/COMMISSION REPORTS

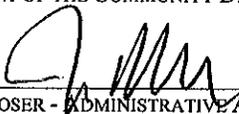
VI DISCUSSION ITEMS:

- A. *Public Hearing and Consideration of previously approved conditional use permit #87-10WPC and a request for a Variance for the construction of a 55 foot steeple attached to the LDS Church located at 435 Anderson Avenue*
- B. *I-505 Planning Area Update*
- C. *St. Anthony Church Project Preview*
- D. *Scheduling of May Planning Commission Meeting*

VII COMMISSION/STAFF COMMENTS

VIII ADJOURNMENT

POSTING OF AGENDA: PURSUANT TO GOVERNMENT CODE § 54954.2, THE COMMUNITY DEVELOPMENT ADMINISTRATIVE ASSISTANT OF THE COMMUNITY DEVELOPMENT DEPARTMENT POSTED THE AGENDA FOR THIS MEETING ON APRIL 10, 2012.



JENNA MOSER - ADMINISTRATIVE ASSISTANT

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

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

MINUTES: THE CITY DOES NOT TRANSCRIBE ITS PROCEEDINGS. ANYONE WHO DESIRES A VERBATIM RECORD OF THIS MEETING SHOULD ARRANGE FOR ATTENDANCE BY A COURT REPORTER OR FOR OTHER ACCEPTABLE MEANS OF RECORDATION. SUCH ARRANGEMENTS WILL BE AT THE SOLE EXPENSE OF THE INDIVIDUAL REQUESTING THE RECORDATION.

PUBLIC REVIEW OF AGENDA, AGENDA REPORTS, AND MATERIALS: PRIOR TO THE PLANNING COMMISSION MEETINGS, COPIES OF THE AGENDA, AGENDA REPORTS, AND OTHER MATERIAL ARE AVAILABLE DURING NORMAL WORKING HOURS FOR PUBLIC REVIEW AT THE COMMUNITY DEVELOPMENT DEPARTMENT. IN ADDITION, A LIMITED SUPPLY OF COPIES OF THE AGENDA WILL BE AVAILABLE FOR THE PUBLIC AT THE MEETING. COPIES OF AGENDA, REPORTS AND OTHER MATERIAL WILL BE PROVIDED UPON REQUEST SUBMITTED TO THE COMMUNITY DEVELOPMENT DEPARTMENT. A COPY FEE OF 25 CENTS PER PAGE WILL BE CHARGED.

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

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

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

THE COUNCIL CHAMBER IS WHEELCHAIR ACCESSIBLE

MINUTES OF THE WINTERS PLANNING COMMISSION MEETING HELD DECEMBER 14, 2011

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

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

PRESENT: Commissioners Biasi, Guelden, Meisch, Neu, Tramontana, and Chairman Cowan.

ABSENT: Commissioners Reyes

STAFF: City Manager John Donlevy, and Administrative Assistant Jenna Moser

John Wallace led the Pledge of Allegiance.

CITIZEN INPUT: None

COMMUNICATIONS: None

STAFF REPORTS: None

COMMISSION REPORTS: None

CONSENT ITEM:

1. Approval of Meeting Minutes of the 10/25/11 Regular Commission Meeting, and the 11/08/11 Commission Special Meeting.

Commissioner Biasi requested correction in the minutes to reflect that Chairman Cowan adjourned both meetings. The minutes were corrected to reflect this comment.

Commissioner Guelden moved to approve the Meeting Minutes of the 10/25/11 Regular Commission Meeting, and the 11/08/11 Commission Special Meeting. Seconded by Commissioner Biasi.

AYES: Commissioners Biasi, Guelden, Meisch, Neu, Tramontana and Chairman Cowan.

NOES: None

ABSTAIN: None

ABSENT: Commissioners Reyes

DISCUSSION ITEM:

- A. **Public Hearing and consideration to recommend to the City Council approval of an amendment to the previously approved Development Agreement for development of the property commonly known as the Creekside Property between the City of Winters and Donald Miller is being proposed, pursuant to Government Code sections 65864 through 65869.5 in order to make certain changes to the improvements required of the developer, to change the**

MINUTES OF THE WINTERS PLANNING COMMISSION MEETING HELD DECEMBER 14, 2011

name of the developer to the ~~Roman Catholic Diocese of Sacramento~~ Catholic Bishop of Sacramento and to extend the term of the Development Agreement for an additional eight years. The original Development Agreement will expire on December 22, 2011.

City Manager Donlevy corrected the Discussion Item text to reflect the Catholic Bishop of Sacramento, and provided an overview of the Staff Report and exhibits.

Donlevy explained the School Fee portion of the amendment, noting that the Development Agreement calls for Level 3 fees. The Staff Report explains that the School District needs enrollment more than the impact fees, and so Staff is recommending Level 1 impact fees in the amendment with hopes to spur development.

Commissioner Neu asked about how affordable housing was dealt with in this project. Donlevy explained that all of the affordable housing requirements were met with a monetary contribution to Winters Apartments II.

Commissioner Neu stated then that this project would have 41 units at market rate. Commissioner Tramontana asked about phasing requirements with this project. Donlevy responded that there is no phasing requirement. Chairman Cowan stated that this project is well suited to custom homes.

Donlevy added that the Catholic Diocese of Sacramento are not developers, but would like this extension to preserve the entitlements for a future project. Chairman Cowan asked if the Diocese would sell it. Donlevy responded yes.

Commissioner Tramontana asked if Level 3 fees were excessive. Why relax them if we don't have to? Donlevy responded that there is a 25% increase in the fees with Level 3; this may hinder development of the project.

Commissioner Guelden asked about how much impact fees are for a unit in a project like this. Donlevy responded that impact fees are approximately \$23,000 to \$25,000, plus school fees. Cowan added that building permit fees are an additional \$20,000 approximately.

Commissioner Biasi wants to reduce the fees for the projects, but with an eye for what we are giving up. Commissioner Biasi is also concerned with not getting credit for the affordable housing when these units are built. Donlevy responded that the City has 15% inclusionary Housing requirement. The City has blown the top off of the amount of affordable housing available.

Chairman Cowan opened the Public Hearing at 6:58PM, hearing no comments he closed the Public Hearing at 6:59PM.

MINUTES OF THE WINTERS PLANNING COMMISSION MEETING HELD DECEMBER 14, 2011

Commissioner Neu moved to recommend approval to the City Council approval of an amendment to the previously approved Development Agreement for development of the property commonly known as the Creekside Property between the City of Winters and Donald Miller is being proposed, pursuant to Government Code sections 65864 through 65869.5 in order to make certain changes to the improvements required of the developer, to change the name of the developer to the ~~Roman Catholic Diocese of Sacramento~~ Catholic Bishop of Sacramento and to extend the term of the Development Agreement for an additional eight years. The original Development Agreement will expire on December 22, 2011.

AYES: Commissioners Biasi, Guelden, Meisch, Neu, Tramontana and Chairman Cowan.

NOES: None

ABSTAIN: None

ABSENT: Commissioners Reyes

COMMISSIONER/STAFF COMMENTS:

City Manager Donlevy provided an update to the Alley Activation project process, adding that another meeting would be scheduled in January 2012.

Commissioner Tramontana asked about the recent release of inmates into our community. Donlevy responded that the Winters Police Department is monitoring these individuals, there were 4 people released here as a result of State and County funding cuts.

The meeting was adjourned by Chairman Cowan at 7:04PM.

ATTEST:

Jenna Moser, Administrative Assistant

Wade Cowan, Chairman



**PLANNING COMMISSION
STAFF REPORT**

TO: Chairman and Planning Commissioners

DATE: April 23, 2012

FROM: John W. Donlevy, Jr., City Manager 

SUBJECT: Public Hearing and Consideration of a Previously Approved Conditional Use Permit and an Application for Variance For The LDS Church Located At 435 Anderson Avenue Submitted by the Church of Jesus Christ of Latter Day Saints and Nichols, Melburg & Rossetto Architects

RECOMMENDATIONS: Staff recommends that the Planning Commission take the following actions; 1) Receive the staff report; 2) Conduct the Public Hearing to solicit public comment; 3) Review the already approved Conditional Use Permit #87-10WPC and 4) Approve the planning application submitted by the Church of Jesus Christ of Latter Day Saints and Nichols, Melburg & Rossetto Architects for a variance to construct a 55 foot steeple attached to the church building at 435 Anderson Avenue (APN: 030-220-034 and 035).

GENERAL PLAN DESIGNATION, EXISTING ZONING, AND LAND USE: The General Plan designation for the project site is LR – Low Density Residential and the existing Zoning is R-1, Single Family Residential, 7,000 sq. ft. average minimum. Currently the existing Church of Jesus Christ of Latter Day Saints is located on the project site as approved by Resolution No. 87-10WPC.

BACKGROUND: On July 28, 1987 the Winters Planning Commission passed and adopted Resolution No. 87-10WPC – A Resolution of the City of Winters Planning Commission Approving a Conditional Use Permit for the Construction of the Latter Day Saints Church in Two Phases. The first phase was to construct a 9190 sq. ft. church building for the primary purpose of Sunday worship services. Services consist of a 3 hour block of meetings. Occasional midweek use of the facility by scout troops and auxiliary groups also were planned to take place in the building along with monthly social events on Friday or Saturday evenings. The first phase was successfully

completed on August 14, 1989. The LDS Church is now planning to move forward with the construction of Phase II of the church building and parking lot addition. The conditions set forth in Resolution No. 87-10WPC for the building addition and the parking lot still apply.

The architect for Phase II of the project is the firm of Nichols, Melburg & Rossetto, the same firm used for Phase I. Phase II of the project remains the same as originally approved by the Winters Planning Commission with the exception of the addition of a 55 foot steeple. Resolution No. 87-10WPC, Site Plan for Phases I and II and Building Elevations for Phases I and II are attached as Attachments A, B and C respectively.

PROJECT DESCRIPTION: The applicant proposes construct Phase II of the LDS church building as previously approved by Winters Planning Commission Resolution 87-10WPC and to vary by 25 feet from the 30 foot R-1 height development standard in order to construct a steeple for a maximum height 55 feet on top of the planned addition.

ANALYSIS:

Conditional Use Permit: No time constraint was placed on the construction of Phase II as approved under Resolution No. 87-10WPC however Condition N states that the conditional use permit is revocable for cause. Staff is bringing the construction of Phase II before you tonight to make you aware and to give the public notice that the LDS Church is moving forward with a previously planned and approved expansion and to allow comments to be heard to determine if there is cause as to why the expansion should not be allowed.

Height Variance: The LDS Church is requesting a variance to locate a 55 foot steeple on the Phase II church building addition. With the construction of the attached steeple it is planned that the existing stand alone monument will be removed. A preliminary drawing of the building elevations showing the proposed steeple is included for your review as Attachment D.

Specific Findings are required to approve a variance as per Section 65906 of the California Government Code. The Planning Commission shall grant a variance only when all of the following circumstances are found to apply:

- 1. The variance is subject to such conditions as will assure that it does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which the property is situated (i.e. it does not confer benefits that are not enjoyed by neighboring properties under identical zoning).**

Applicant's Position*: The existing site use is a church, and as such is unique among the neighborhood. It is not in competition with other buildings/uses nearby, and having a steeple is not a feature typical on other structure types. A status of "special privilege" would imply that neighbors would want to build steeples/towers as well, but are prohibited. The exception sought is very typical.

Staff Comment: The requested variance would not result in an intensification of the church land use beyond that anticipated by the Zoning Code prior to permit approval.

2. Because of physical circumstances such as size, shape, topography and location or surroundings, the strict application of the zoning ordinance deprives such property of privileges enjoyed by property in the vicinity under identical zoning classification.

Applicant's Position*: The steeple for the proposed church facility is very traditional in appearance, rises to 55 feet above floor level, and suits the architectural design of the building. The strict application of the height limit would indeed deprive the LDS church of a reasonable privilege typically accorded to other religious institutions in the area and throughout the region.

Staff Comment: The project site is approximately 10.5 acres with approximately 2 acres developed. Winters Middle School is to the East of the site. There is no development to the West or immediate North of the site. Small, single family homes are located across the street to the South of the site. Given the site characteristics the proposed steeple would help to identify the structure as a church in the neighborhood. Churches have historically been associated with residential areas.

Additionally, the proposed steeple is consistent with the height including roof mounted wooden cross considered by the Planning Commission at its March 24, 2009 meeting and recommended to the City Council for approval, and subsequently approved, on April 21, 2009 through Resolution No. 2009-03. It should be noted that the zoning for the Catholic church site was R-2 (Single Family Residential, 6,000 sq. ft. average minimum), and later modified to R-2-PD (Single Family Residential Planned Development), which is different than the R-1 (Single Family Residential, 7,000 sq. ft. average minimum) zoning of the project site.

3. The variance does not allow a use that is not allowed in the zone.

Applicant's Position*: The granting of this variance will not authorize any use or activity which was not already granted under the existing use permit 87-10WPC.

Staff Comment: Approval of the variance would allow the continued use of the existing church which is allowed under Resolution 87-10WPC. Only the aesthetics of the church would change.

*Applicant's position based on correspondence dated March 14, 2012 attached hereto as Attachment E.

Church steeples have long been viewed as an established method to identify a building as a house of worship. This steeple is consistent in height to the 52 foot height for the planned Catholic church building inclusive of a roof mounted cross approved by the Winters City Council on April 21, 2009 through Resolution No. 2009-14.

METHODOLOGY: One action is required to proceed with the requested project:

1. Approval of a variance from the maximum building height for the R-1 zone, as per Winters Municipal Code Section 17.56, Table 3-A.

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

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

PROJECT NOTIFICATION: Public notice advertising the public hearing on this planning application was prepared by the Community Development Department staff in accordance with notification procedures set forth in the City of Winters' Municipal Code and State Planning Law. Two methods of public notice were used: a legal notice was published in the Winters Express on Thursday, April 12, 2012 and notices were mailed to all property owners who own real property within three hundred feet of the project boundaries at least ten days prior to tonight's hearing. Copies of the staff report and all attachments for the proposed project have been on file, available for public review at City Hall since Thursday, April 19, 2012.

ENVIRONMENTAL ASSESSMENT: The addition to the church was reviewed under the provisions of CEQA at the time the original project was submitted. City staff prepared a Negative Declaration of Environmental Impact for the project which was certified as the appropriate environmental document under the California Environmental Quality Act by the Winters Planning Commission through Resolution No. 87-10WPC on July 28, 1987. The document is available for inspection at Winters City Hall, 318 First Street, Winters, California 95694. City staff has determined that the application for a variance in the height limit does not require a separate CEQA review. The addition of the proposed steeple will not change the existing church land use, it will not add to the square footage footprint of the approved construction of Phase II, it will not increase the occupancy of the existing church or the approved Phase II and it will not increase vehicle traffic trips to and from the church.

RECOMMENDED FINDINGS FOR 435 ANDERSON AVENUE (LDS CHURCH STEEPLE VARIANCE)

Variance Findings:

1. The granting of a variance would not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in

which the property is situated.

2. The strict application of the zoning ordinance deprives the property of the commonly accepted symbol of a church building.
3. The variance does not authorize a use or activity that is not otherwise permitted by the previously approved conditional use permit.

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

I MOVE THAT THE CITY OF WINTERS PLANNING COMMISSION APPROVE THE HEIGHT VARIANCE FOR THE CONSTRUCTION OF A 55 FOOT STEEPLE ON THE LDS CHURCH ADDITION AT 435 ANDERSON AVENUE BASED ON THE IDENTIFIED FINDINGS OF FACT AND BY TAKING THE FOLLOWING ACTION:

- Approval of the height variance as submitted subject to the following conditions:
 - - The variance of 25 feet over the R-1 zone 30 foot height development standard is allowed for the construction of a new church steeple, to be built at a maximum height of 55 feet, and shall be constructed in a manner consistent and designed on the preliminary drawings as submitted on March 19, 2012.
 - The applicant shall apply for a City building permit and comply with all City, State and Federal regulations.

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

ATTACHMENTS:

- A. Previously approved conditional use permit #87-10WPC for the construction of Phases I and II of the church.
- B. Site Plan for the construction of Phase I and Phase II of the church
- C. Building Elevations for Phase 1 and the Phase II addition
- D. Preliminary Building Elevations for the 55 foot steeple
- E. Correspondence from NM&R in support of variance application

RESOLUTION NO. 87-10WPC

A RESOLUTION OF THE CITY OF WINTERS PLANNING COMMISSION APPROVING A CONDITIONAL USE PERMIT FOR THE CONSTRUCTION OF THE LATTER DAY SAINTS CHURCH IN TWO PHASES

The public hearing was opened to consider applicant's request for a conditional use permit to construct a church in 2 phases on a 2 acre portion of applicant's 10.5 acre property located at the western terminus of Anderson Street next to the Winters Junior High School.

The application is to construct the church facility in two stages. The first phase is to construct a 9190 sq. ft. building providing 320 assembly seats, 82 parking spaces, and a 17,450 sq. ft. landscaped area on a 1. 1/4 acre portion of the 10.5 acre ownership. Access to the site will be provided by the construction of an extension of Anderson Street. The second phase would add 6160 sq. ft. to the structure, thus providing 200 more seats, 49 additional parking spaces, and 12,490 sq. ft. of landscaped area, on a site that will be expanded to 2+ acres.

The church building is to be used for Sunday worship services. Average attendance is 100 to 125 persons. Services consist of a 3 hour block of meetings. Occasional midweek use of the facility by scout troops and women's auxiliary groups will also take place. Monthly social events will also be held in the building on Friday or Saturday evenings.

Based upon the public's comments received at the public hearing, city staff's report and recommendations, and the discussions and deliberations of the Winters Planning Commission it is hereby resolved as follows:

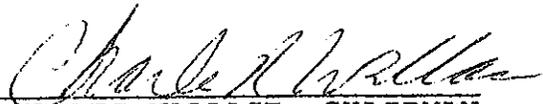
1. That the Planning commission certify the draft Negative Declaration of Environmental Impact prepared for the project as the appropriate environmental document under the California Environmental Quality Act; as conditioned this project will not have a significant effect on the environment.
2. That a finding is hereby made that this project is consistent with the Winters General Plan's goals and objectives of advancing social, cultural and institutional objectives within the City of Winters.
3. That the LDS Church be granted a Conditional Use Permit with conditions (see exhibit "A" attached hereto and incorporated herein for project conditions). The approval of the Church's Conditional Use Permit is hereby found to enhance the City and the neighboring properties i.e. it will not pose a nuisance nor a detriment to the community.

This resolution was passed and adopted the 28th day of July, 1987
by the following roll call vote:

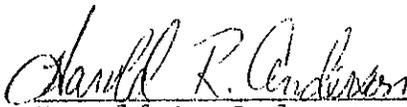
AYES: Cantor Riley, Vallecillo, Chairman Wallace

NOES: None

ABSENT: Branscum, Cody, Todd


CHARLES WALLACE, CHAIRMAN.
Winters Planning Commission

ATTEST:

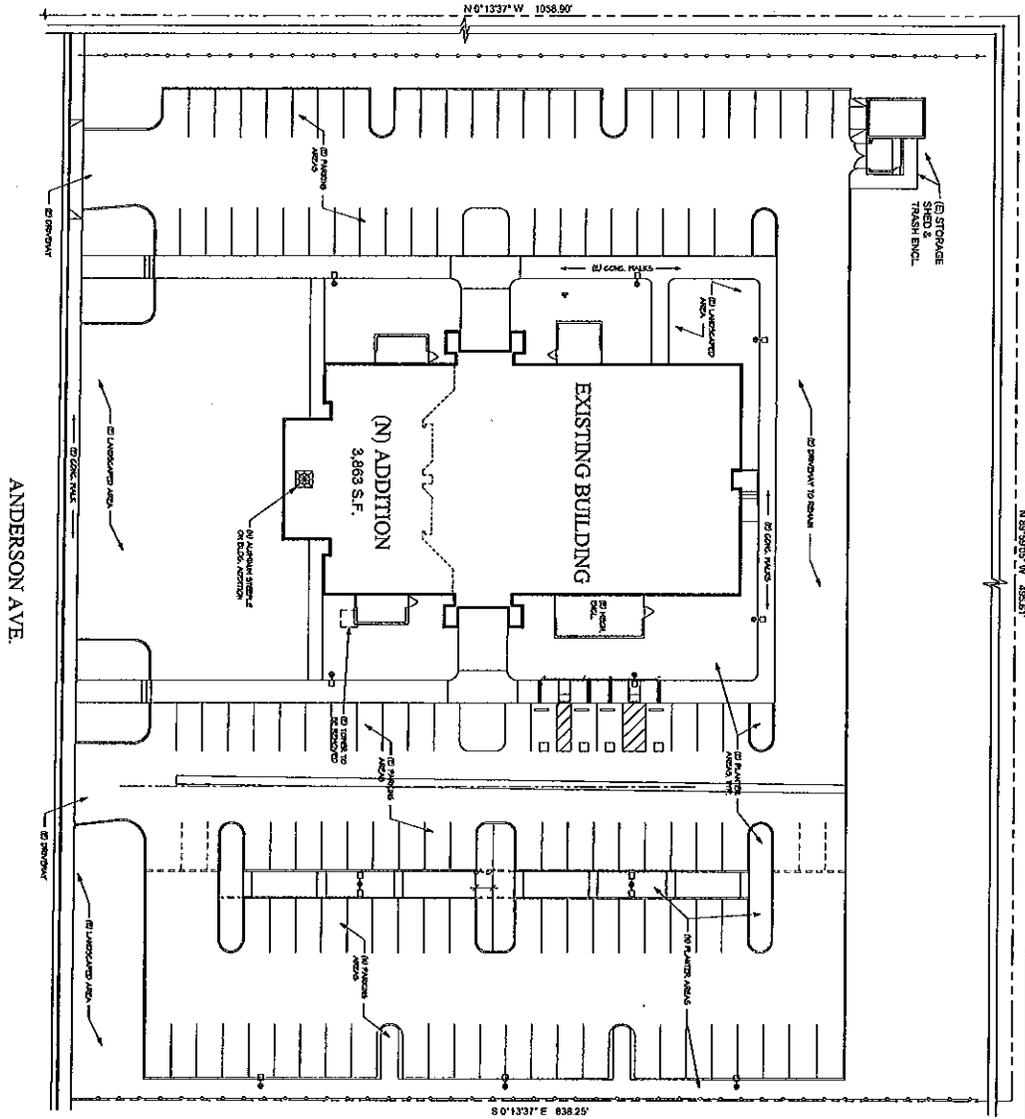

Harold R. Anderson, Acting Secretary

L.D.S. CHURCH PROJECT
"EXHIBIT A"

CONDITIONS OF APPROVAL

- a. Prior to issuance of a building permit, Improvement Plans for Anderson Avenue shall be submitted and approved by the City Engineer. Improvements shall consist of curb, gutter, sidewalk, street paving, water, sewer, and storm drain.
- b. A grading and drainage plan shall be provided by the applicant, and approved by the City Engineer prior to issuance of building permit.
- c. The storm water retention basin design and sizing calculations shall be submitted and approved by the City Engineer.
- d. Street and Utility Rights of Way shall be improved and dedicated to the City for Anderson Avenue extension, and an offer of dedication be made of a half-section of the North-South arterial along the western edge of this property (extension of Main Street).
- e. Applicant shall provide acceptable security for future construction of that portion of North-South arterial street that lies within this property (Half street section width (47') along entire westerly boundary of the real property.
- f. Reimbursement to the Rancho Arroyo #2 Drainage Zone of Benefit be made prior to issuance of building permit. This figure to be recalculated based upon actual construction cost or contract bid prices, not the engineer's estimate of prior years.
 - (i) Reimbursement to City Water Well #5 zone of benefit be made prior to issuance of building permit.
- g. Landscaping Plans are to be submitted by applicant, and approved by Public Works Superintendent prior to issuance of building permit. Landscaping is to be installed and maintained in good condition.
- h. That the Fire Department shall be supplied with a set of plans that show type, construction and placement of all doors throughout.
- i. That the structure shall have an approved sprinkler system throughout as per NFPA-13.
- j. That all exiting throughout shall be in accordance with Chapter 33, 1982 UBC.
- k. That emergency lighting shall be provided throughout the structure per Chapter 33, 1982 UBC.

- L-1. Prior to placement of any combustible building materials on the site, applicant shall either design and install a temporary water storage tank with variable speed pump and diesel engine auxiliary power acceptable to the Winters Fire Department and the City Engineer to provide fire flows acceptable to the Winters Fire Department and sufficient to preserve the City's ISO insurance ratings.
- L-2. If city water well #5 is at or near completion when applicant desires to commence work on this project applicant shall at its sole cost and expense, in lieu of installing the above temporary on site fire suppression water system, install a temporary water line on and off site of sufficient length and capacity to complete a loop in the city water well #5 distribution system of a design satisfactory to the City Engineer and the Winters Fire Department. No combustibles shall be placed on site until the Winters Fire Department certifies that a fire flow of no less than 1500 gallons per minute (g.p.m.) is available from the nearest satisfactory hydrant that the fire suppression measures conform to the City's ISO ratings.
- L-3. When a permanent loop system is completed for water well #5 sufficient to provide a 1500 g.p.m. fire flow at the nearest satisfactory hydrant then applicant shall at its sole cost and expense, remove any temporary fire flow suppression system pursuant to L-1 or L-2 herein above upon receipt of written request from the City to do so and connect into the permanent water loop system in accordance with Winters Fire District and City standards and subject to their approval.
- M. That fire hydrants with fire department connections and post indicator valve shall be placed as per the Winters Fire Department.
- N. This Use Permit is revocable for cause.
- O. Street lights shall be installed to City Standards and maintenance provided by a Street Lighting and Park Maintenance District to be formed under the "Landscaping and Lighting Act of 1972" which appears in the California Streets and Highways Code Section 2250 and following:
- P. Park maintenance shall be included in the Assessment District if applicable. All costs and expenses of District formation to be paid by the Developer.
- Q. Developer shall underground all utilities within the project and within fifty (50) feet of the project boundaries.



NOTE: ADDITION TO BE APPROVED UNDER SEPARATE PERMIT.

SITE PLAN

ANDERSON AVE.

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NICHOLS MELBURG ROSSETTO ARCHITECTS
 3300 PRINCESS DRIVE, SUITE 308
 FAIR OAKS, CALIFORNIA
 PHONE: (916) 967-1340
 FAX: (916) 967-1110



NICHOLS
 MELBURG
 ROSSETTO

CONSULTANT

LICENSE STAMP

PROJECT NAME
 A PROPOSED
 STEEPLE
 FOR
 WINTERS WARD

425 Anderson Ave.
 WINTER, CA 95694
 LOS PERMIT # 227-7883

SHEET TITLE
 VARIANCE
 APPLICATION
 SITE PLAN

DEVELOPING STATUS
 VARIANCE
 APPLICATION

SPIN DESCRIPTION BY DATE

DESIGN BY NCR

CHECKED BY PMA, 10, 2002

SCALE 1" = 20'-0"

JOB NO. 11-25344

SHEET NO.

SD1.1



March 14, 2012

City of Winters
Planning Department
318 First Street
Winters, CA 95694

RE: Variance Application for proposed steeple height limit on Winters Ward Meetinghouse (Church) located 435 Anderson Ave., Winters, CA

Dear Planning Staff:

We are submitting this letter describing the intent of this zoning variance request, and how it accommodates the needs of the Owner with the overall concerns of the City of Winters.

Intent

The building height restriction of 30' is reasonable for most residential structures, however, for uses permitted with a CUP, such as churches, this restriction prevents construction of any kind of traditional steeple. These structures are very important in establishing the identity of a church in a neighborhood, and are part of a tradition of long-standing heritage in communities throughout the world. In many communities of the area, towers and steeples meeting typical expectations are permitted without a special variance (through 'exception'), due to their landmarking and traditional iconic qualities, and relatively few numbers. The Church's request is only to be enabled to construct this common, typical symbol of a religious facility, as exists on other churches in the area.

Characteristics and Local Impact

The steeple proposed for the Church facility is very traditional in appearance, rises to 55 feet above floor level, and suits the architectural design of the building. It should be noted that this church building style usually has a steeple reaching 65 feet (reference photo attached); however, in light of the City height limit ordinances, we have shrunk it down to a bare minimal height that can still appear proportional to the building mass, and attractive. A color elevation of the proposed steeple is attached for reference. A church building such as this without a traditional steeple would certainly lose a strong sense of its identity, and be more difficult for those seeking it to locate it. The structure itself is meant to blend in well with the residential environment, so the steeple becomes an important means of signaling the different use, in a very traditional, anticipated way. These remarks mainly refer to the views from the residential side (South), as the non-residential uses on the other three sides are not likely to be sensitive to the inclusion of a traditional steeple. The neighboring buildings, and their trees, will block the view of the church and most of the steeple except for some frontage views. Finally, the viewing angle from which nearby residents may see the steeple will still be relatively low, and take up a very small portion of the overall panorama. Within a few years, the street trees will obscure the view even more. We expect most residents will find the steeple an insignificant or even attractive compliment to the building, as has been evidenced in other similarly located church buildings. We are also indicating on the illustration the existing ground-mount spire that currently exists, but is proposed to be removed, as it does little to identify the building from any distance. It also is felt to detract from the appearance of the building, as it was an unfortunate compromise with the height limits, at the time.

Criteria

The existing site use is a church, and as such is unique among the neighborhood. It is not in competition with other buildings/uses nearby, and having a steeple is not a feature typical on other structure types. A status of 'special privilege' would imply that neighbors would want to build steeples/towers as well, but are prohibited. It does not seem reasonably likely that residences, the middle school, cemetery, or other neighbors in the area, are seeking, but are prohibited, to construct tall structures, as these are not typical for their type/uses. The exception we seek is very typical.

In addition, the Owner feels that being prohibited, by the strict application of the height limit, to construct a very minimal, but traditional steeple on the church for the reasons stated above, would indeed deprive it of a very reasonable privilege typically accorded to other religious institutions in the area, and throughout the region.

Finally, the granting of this variance will not authorize any use or activity which was not already granted under the existing use permit 87-10WPC. On the contrary, establishing the visual presence of religious uses has a very positive effect on a community, in stating the presence of those who uphold values always in high regard in communities. A respect for property values is also a common by-product of such symbols in a community.

We feel the design qualities and the church's needs warrant the inclusion of this steeple, and we respectfully request a planning approval for this variance.

Please let me know if you have any questions or concerns.

Sincerely,



Maury J. Maher
Senior Associate Architect, LEED AP
Representative for Owner