

CITY OF WINTERS PLANNING COMMISSION AGENDA

Tuesday, October 24, 2006 @ 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: dan.sokolow@cityofwinters.org

Chairman: Don Jordan
Vice Chairman: Albert Vallecillo
Commissioners: Jack Graf, Joe Tramontana, Pierre Neu, Bruce Guelden, and Wade Cowan
Administrative Assistant: Jen Michaelis
Community Development Director: Dan Sokolow

I CALL TO ORDER 7:30 PM

II ROLL CALL & PLEDGE OF ALLEGIANCE

III COMMUNICATIONS:

1. Staff Reports
Current Planning Projects list dated October 17, 2006.
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 September 26, 2006 and August 22, 2006 regularly scheduled meetings of the Planning Commission.

VI ACTION ITEMS:

1. Public Hearing and consideration of Site Plan (2006-05-SP) submitted by Don and Diane Jordan for the construction of a 1,440 square foot detached garage at 718 Hemenway Street (APN 003-281-07).
2. Public Hearing and consideration of Historic Preservation Permit submittals for the façade improvement projects at 12 Main Street (APN 003-203-10), 14 Main Street (APN 003-203-10), and 31 Main Street (APN 003-204-14).

VII INFORMATIONAL ITEM

None.

VIII ADJOURNMENT

POSTING OF AGENDA: PURSUANT TO GOVERNMENT CODE § 54954.2, THE COMMUNITY DEVELOPMENT DIRECTOR OF THE COMMUNITY DEVELOPMENT DEPARTMENT POSTED THE AGENDA FOR THIS MEETING ON TUESDAY, OCTOBER 17, 2006.



DAN SOKOLOW – COMMUNITY DEVELOPMENT DIRECTOR

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 CHAMBERS IS WHEELCHAIR ACCESSIBLE

CITY OF WINTERS COMMUNITY DEVELOPMENT DEPARTMENT
Current Projects List as of October 17, 2006
(530) 795-4910, extension 112, www.cityofwinters.org

PROJECT	DESCRIPTION & PROCESS	LAST ACTION	NEXT ACTION
(1) Winters Highlands, Granite Bay Holdings, LLC, Larry John (916) 960-1656	Proposal to develop 413 single-family and 30 multi-family residential units in northwestern part of city. Application is being processed TSM, focused EIR (specific biological aspects), GPA, Zoning Amendment, PD Overlay, PD Permit, Inclusionary Housing agreement.	City Council approved Tentative Subdivision Map on April 4, 2006.	City Council approval of Final Map.
(2) Winters Village, Bob Thompson (West project) (707) 372-9355 and John Siracusa (East project) (530) 795-0213	Proposal to develop 15 attached single-family residences on the southwest and southeast corners of East Main and East Baker Streets.	Building permit submitted for West project (10 units) in April 2006. East project (5 units) under construction.	Issuance of building permit for West project.
(3) Callahan Estates, Winters Investors LLC, John Peterson (925) 682-4830	Proposal to develop 120 single-family residential lots in northwest part of city.	Planning Commission approved Site Plan (landscaping) on December 21, 2005.	City Council approval of Final Map.
(4) Creekside Estates, Don Miller (530) 753-2596	Proposal to develop 40 single-family residential lots at southwest part of city.	City Council approved Tentative Subdivision Map on April 19, 2005.	City Council approval of Final Map.
(5) Hudson-Ogando, Winters Investors LLC, John Peterson (925) 682-4830	Proposal to develop 72 single-family residential lots in northwest part of city.	Planning Commission approved Site Plan (landscaping) on December 21, 2005.	City Council approval of Final Map.
(6) Cottages at Carter Ranch Phase 2, Sacramento Pacific Development, Mark Wiese (916) 853-9800	Proposal to develop 6 single-family residential affordable lots (moderate-income households) north of Rancho Arroyo Detention Facility.	Planning Commission approved Tentative Subdivision Map on November 23, 2004.	City Council approval of Final Map.
(7) The Casitas at Winters, Napa Canyon LLC, Mark Power (707) 253-1339	Proposal to develop 16 attached single-family residences at a site on West Grant Avenue east of Tomat's restaurant. Tentative Subdivision Map, Conditional Use Permit, Planned Development Overlay, Site Plan, and Development Agreement.	Planning Commission recommended denial of project on August 22, 2006.	City Council continued public hearing scheduled for November 7, 2006.

CITY OF WINTERS COMMUNITY DEVELOPMENT DEPARTMENT
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<p>(8) Dunmore Commercial, Dunmore Communities, Rad Bartlam (916) 676-1115</p>	<p>Proposal to construct hotel, two retail outlets, three fast food restaurants, and gas station on the south side of East Grant Avenue adjacent to the Interstate 505 southbound on-ramp. General Plan Amendment, Rezone, Conditional Use Permit, Amendment/Update to Gateway Master Plan, and Site Plan.</p>	<p>Application submitted on April 12, 2005.</p>	<p>City staff determination of application completeness.</p>
<p>(9) Winters II, Community Housing Opportunities Corporation, Paul Ainger (530) 757-4444</p>	<p>Proposal to develop 34-unit apartment complex for low- and very low-income households at 110 East Baker Street.</p>	<p>Building permit application submitted in May 2006.</p>	<p>City issuance of building permit.</p>
<p>(10) Village on the Park, Village Partners, LLC, Mark Walther (310) 798-5656</p>	<p>Proposal to develop 75 attached single-family residences on Railroad Avenue south of NC Foliage (1029 Railroad). Tentative Subdivision Map, Conditional Use Permit, Planned Development Overlay, and Development Agreement.</p>	<p>July 19, 2006 Development Review Committee meeting.</p>	<p>City staff determination of application completeness.</p>
<p>(11) 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, Inclusionary Housing Agreement, and Development Agreement.</p>	<p>March 28, 2006 Planning Commission workshop.</p>	<p>Planning Commission public hearing scheduled for October 30, 2006.</p>
<p>(12) Anderson Place, Eva Brzeski (415) 887-9300</p>	<p>Proposal to develop up to 30 mostly attached single-family residences and 9 commercial spaces at 723 Railroad Avenue. Tentative Subdivision Map, Planned Development Overlay, PD Permit, Rezone, Conditional Use Permit, Inclusionary Housing Agreement, and Development Agreement.</p>	<p>May 25, 2006 Affordable Housing Steering Committee meeting.</p>	<p>Planning Commission public hearing scheduled for October 30, 2006.</p>

CITY OF WINTERS COMMUNITY DEVELOPMENT DEPARTMENT
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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: 3 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: 1 unit for very low-income and 1 unit for low-income households.
Project #9: 34 units for very low-income and low-income households.
Project #10: 4 units for very low-income and 7 units for low-income and moderate-income households.
Project #11: 2 units for very low-income, 1 unit for low-income, and 1 unit for moderate-income households.
Project #12: 2 units for very low-income, 1 unit for low-income, and 1 unit for moderate-income households.

**MINUTES OF A REGULAR WINTERS PLANNING COMMISSION MEETING HELD
TUESDAY, SEPTEMBER 26, 2006**

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

PRESENT: Cowan, Graf, Guelden, Tramontana, Vallecillo, Jordan
ABSENT: Neu
STAFF: Community Development Director, Dan Sokolow

Commissioner Graf led in the Pledge of Allegiance.

COMMUNICATIONS:

Staff Report

Current Planning Projects list dated September 19, 2006.

Community Development Director Sokolow noted that there were only minor changes made to the Current Projects list. Sokolow reported that the property owner radius for determining whether a potential a conflict exists for a project is now 500-feet. Previously, a 300-foot radius was the standard. He noted that public hearings for the Mary Rose Gardens and Anderson Place Subdivision projects and a discussion of the Rotary Park project will be held at the October 30, 2006 Planning Commission meeting.

Commission Reports

None.

Citizen Input

None.

CONSENT ITEM

Approve minutes of August 22, 2006 regularly scheduled meeting of the Planning Commission.

The minutes will be provided at a subsequent meeting.

ACTION ITEMS:

1. Public Hearing and consideration of Site Plan application (2006-05-SP) submitted by Robert Ferguson for the installation of a new single-story, single-family 1727 square foot Craftsman-style manufactured residence with three bedrooms and two bathrooms at 434 Main Street (APN 003-182-64).

Commissioner Guelden recused himself due to a possible conflict of interest since he lives next door to the project site. Community Development Director Sokolow gave an overview of the staff report. Bob Ferguson, project applicant, described the product as well insulated and has visited the factory where the home will be manufactured and was very pleased with the quality of the product.

Commissioner Tramontana asked if Ferguson had considered solar hookups for the project. Mr. Ferguson noted that he did not. Discussion followed regarding the use of a stone façade on the pillars in the front of the house.

Chairman Jordan opened the public hearing at 7:50 p.m. Kathy Cowan, 206 Third Street, asked

**MINUTES OF A REGULAR WINTERS PLANNING COMMISSION MEETING HELD
TUESDAY, SEPTEMBER 26, 2006**

to confirm that no final inspection would be done until front yard landscaping was complete. The Commission noted that the front yard landscaping of the property will be damaged when the manufactured home is installed. Sokolow suggested adding a requirement to Condition of Approval #9 that a final inspection will not be scheduled until the front yard landscaping has been installed.

Commissioner Graf moved to approve Site Plan application (2006-05-SP) submitted by Robert Ferguson for the installation of a new single-story, single-family 1727 square foot Craftsman-style manufactured residence with three bedrooms and two bathrooms at 434 Main Street (APN 003-182-64) with the change to Condition of Approval #9 that a final inspection shall not be scheduled until the front yard landscaping has been installed.

Seconded by Commissioner Vallecillo.

AYES: Cowan, Graf, Tramontana, Vallecillo, Jordan

NOES: None

ABSTAIN: Guelden

ABSENT: Neu

Motion carried with Neu absent and Guelden abstaining.

Guelden rejoined the meeting at the dais.

2. Public Hearing and consideration of Variance application (2006-001-VAR) submitted by Eva Boyko for a variance of 15.5-feet on the rear yard setback for the non-permitted 280 square foot addition constructed to the single-family, two-story residence located at 308 Peach Place (APN 003-271-28).

Community Development Director Sokolow provided an overview of the staff report and outlined building code requirements if the variance should be approved. Commissioner Vallecillo asked if there was a plot plan exhibit. Sokolow replied that one was not prepared.

Commissioners asked if a garage conversion and shed at the property were permitted. Administrative Assistant Jen Michaelis provided the address file for 308 Peach Place and found that a garage conversion had been permitted. Project applicant Eva Boyko said that the shed did not need a building permit because the building inspector at the time said it wasn't needed when the inspector was inspecting home remodel work.

Boyko addressed the Commission and said there were other homes adjacent to hers that have rear yard additions that don't meet the rear yard setback requirements. Commissioner Tramontana asked if the covered portion of the patio was in place when Boyko purchased the her home. Boyko replied that it was.

Commissioner Guelden asked when the patio was enclosed for living space. Boyko said the walls were put up in early July 2006. Guelden asked if a building contractor was involved in the project. Boyko stated yes, but the contractor probably thought that Boyko had obtained a building permit for the project.

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TUESDAY, SEPTEMBER 26, 2006**

Commissioner Jordan stated that as a contractor he knows that contractors are obligated to tell clients that they need building permits. Jordan also noted that Boyko had consulted him, as a local contractor, about her project in 2005 and he had informed her that she would need to prepare plans and submit them to the City for building permit review. Boyko added that she did not remember speaking to Jordan about her project.

Jordan opened the public hearing at 8:30 p.m. Magness Heinzsch, 312 Rosa Avenue, spoke in support of the project. Heinzsch said he had known the Boyko family for a number of years. He noted that she has five adopted children and needs the addition space for her family. Heinzsch viewed the construction for the addition and found it to be quality work. He said that the property behind Boyko's has a finished grade two feet higher than Boyko's property. As a result, Boyko's addition is less noticeable. Heinzsch prepared the drawings for Boyko's project (after the City issued a stop work notice) based on what he saw during the construction (in terms of rebar placement, concrete work, etc.).

Boyko said that the reason she construction the addition without a building permit is she makes only \$13,000 per year.

Patricia Blackwell, 310 Peach Place, said she lives next to Boyko and has no objection to the project. If the variance is approved, Blackwell doesn't see the approval as a signal to construct additions in our rear yards that don't meet rear yard setbacks.

Jordan stated that it was the Commission's job to follow the rules that have been established for the City.

Woody Fridae, 12 Russell Street, asked whether what is being considered by the Commission is actually a variance request.

Commissioners clarified.

The Commission discussed whether the roof of the addition could remain in place if the walls of the addition were removed and the remaining structure used as a patio cover. The Commission was in concurrence that the roof of the structure (either modified or re-constructed, depending on the Building Official's advice) could be used as it was before the non-permitted construction began.

Commissioner Graf moved to deny Variance application (2006-001-VAR) submitted by Eva Boyko for a variance of 15.5-feet on the rear yard setback for the non-permitted 280 square foot addition constructed to the single-family, two-story residence located at 308 Peach Place (APN 003-271-28).

Seconded by Guelden.

AYES: Cowan, Graf, Guelden, Tramontana, Vallecillo, Jordan

NOES: None

ABSTAIN: None

ABSENT: Neu

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Motion carried unanimously with Neu absent. Jordan noted that there was a 10-calendar-day appeal period.

INFORMATIONAL ITEM

Commissioner Tramontana discussed how the left-turn sensor at the Railroad Avenue/Grant Avenue traffic signal isn't triggered by bicyclists. Commissioner Vallecillo discussed the need to install cutoffs for the antique street lights installed in the downtown business district. He also stated the need to have plot plan exhibits prepared for projects.

The meeting was adjourned at 9:15 P.M.

DON JORDAN, CHAIRPERSON

ATTEST:

DAN SOKOLOW, COMMUNITY DEVELOPMENT DIRECTOR



PLANNING COMMISSION STAFF MEMORANDUM
October 24, 2006

TO: Chairman and Planning Commissioners

FROM: Dan Sokolow – Community Development Director *DS*

SUBJECT: **Planning Commission minutes for August 22, 2006 meeting.**

The Planning Commission minutes for the above meeting have not been completed and will be presented to the Planning Commission at its October 30, 2006 meeting.

Planning Commission/August 22, 2006 Minutes Not Ready 24Oct06



PLANNING COMMISSION STAFF REPORT
October 24, 2006

TO: Chairman and Planning Commissioners 

BY: Dan Sokolow – Community Development Director

SUBJECT: Action Items – Public Hearing and consideration of Site Plan (2006-05-SP) request submitted by Don and Diane Jordan for the construction of a 1,440 square foot detached garage at 718 Hemenway Street (APN 003-281-07).

RECOMMENDATION: Staff recommends that the Planning Commission take the following actions: 1) Receive the staff report, 2) Conduct the public hearing, and 3) Approve the Site Plan (2006-05-SP) request submitted by Don and Diane Jordan for the construction of a 1,440 square foot detached garage at 718 Hemenway Street (Assessor Parcel Number 003-281-07).

BACKGROUND: The project applicants, Don and Diane Jordan, propose to construct a 1,440 square foot detached garage behind the southwest corner of their existing single-family residence located at 718 Hemenway Street. The garage will be largely screened from the Hemenway frontage of the property. The garage will have an east-west orientation and a height of just under 15 feet. Stucco will be used for the walls of the garage and it will have a flat roof with a tile eyebrow. The property (APN 003-281-07) is approximately 25,971 square feet in size has a General Plan land use designation of Medium Density Residential (MR) and is zoned Single Family 6,000 Square Foot Average Minimum (R-2). This project will require Site Plan approval from the Planning Commission.

METHODOLOGY:

Two actions are required to process the proposed project:

1. Confirmation of CEQA exemption finding – Class 3(a), New Construction or Conversion of Small Structures.
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 October 12, 2006, 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 Tuesday, October 17, 2006. Please find attached copies of the published and mailed public hearing notices.

ENVIRONMENTAL ASSESSMENT: The Site Plan application has been reviewed in accordance with the California Environmental Quality Act (CEQA) is considered categorically exempt under Section 15303.

RECOMMENDED FINDINGS FOR 718 HEMENWAY STREET (SITE PLAN)

CEQA Findings:

1. The project qualifies for an exemption from the provisions of CEQA, Class 3(a) – New Construction or Conversion of Small Structures.
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 a Class 3(a) New Construction or Conversion of Small Structures exemption for the 718 Hemenway Street Project.

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 Medium Density Residential and this designation provides for single-family detached and attached homes. The project will result in the construction of a detached garage.
2. The project is consistent with the provisions of the Zoning Ordinance. The principal uses of the R-2 Zone are single-family residences and duplexes. The project will result in the construction of a detached garage.

RECOMMENDATION

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

I MOVE THAT THE WINTERS PLANNING COMMISSION APPROVE THE 718 HEMENWAY STREET PROJECT (SITE PLAN) 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 Site Plan (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 718 HEMENWAY (SITE PLAN) LOCATED ON ASSESSOR PARCEL NUMBER 003-281-07, 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 expenses in any such claim, action or proceeding to attach set aside, void, or annul an approval of the City of Winters, the Winters Planning Commission, or 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 employee, the Winters Planning Commission, any advisory agency to the City, local district and the City Council.
2. Approval of the applicant's project shall be null and void if the applicant fails to submit a building permit for the project within one year of Planning Commission approval.
3. The applicant shall obtain an encroachment permit for all work within the public right-of-way.

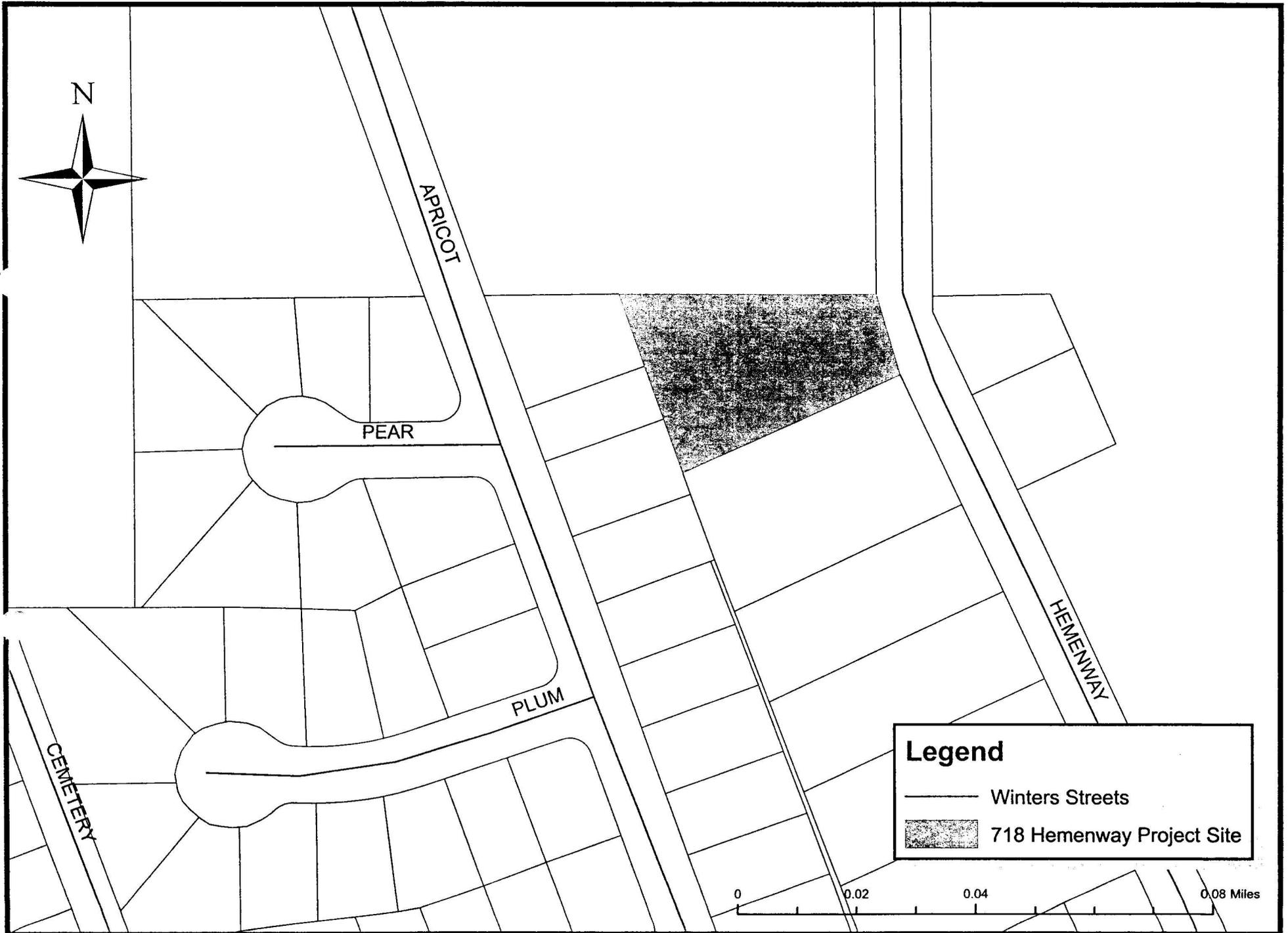
4. The applicant shall obtain all required City permits (building, encroachment, etc.) and pay all applicable fees (building, encroachment, etc.).
5. The applicant shall report to the City building materials diverted from landfilling during the course of their project, pursuant to the provisions of City of Winters Ordinance No. 2002-03.

ATTACHMENTS:

1. Location Map for Project Site
2. Site and Elevation Plans
3. Public Hearing Notice (published and mailed copies)

Planning Commission/718 Hemenway SP PC Stf Rpt 24Oct06

718 Hemenway Garage Project

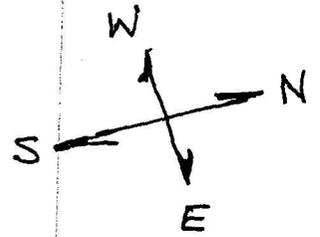


Legend

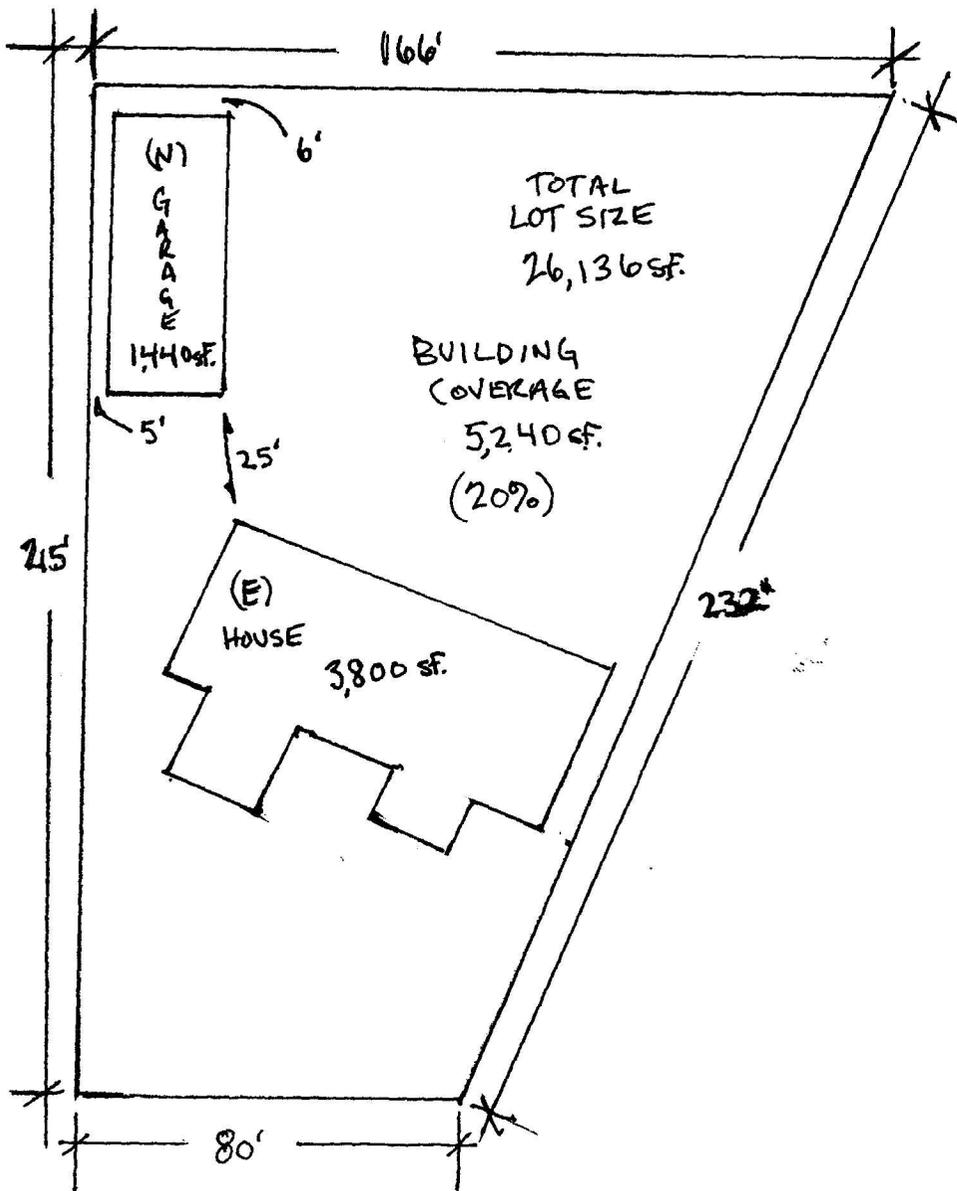
- Winters Streets
- ▨ 718 Hemenway Project Site

0 0.02 0.04 0.08 Miles

DON & DIANE JORDAN
718 HEMENWAY ST.
WINTERS, CA.
95694



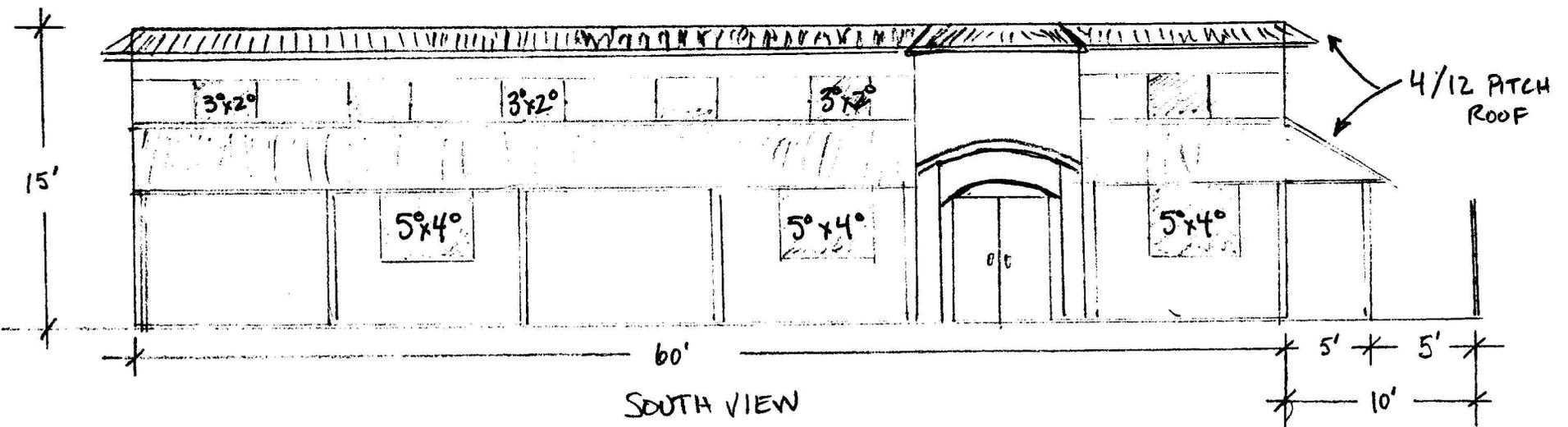
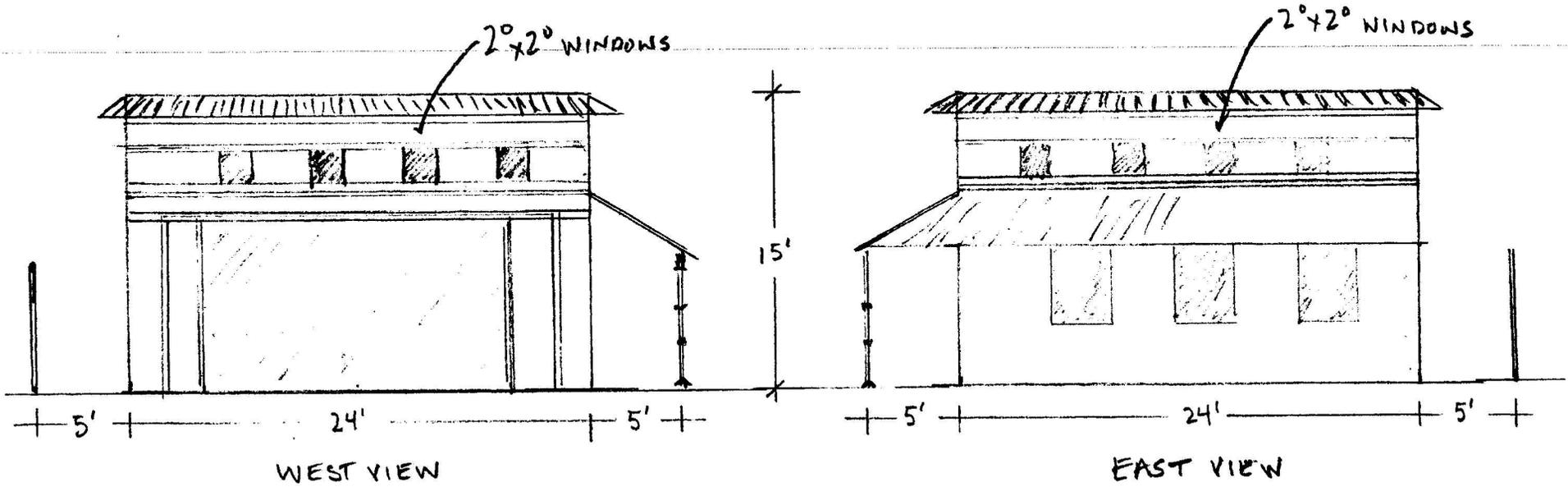
GARAGE STRUCTURE



HEMENWAY ST.

SCALE =
1/8" = 5'

DON & DIANE JORDAN
718 HEMENWAY ST



SCALE 1/4" = 1'

Winters
Express
P. B 7
10/12/06

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, October 24, 2006, or as soon as possible thereafter, in the Council Chambers, City Offices, 318 First Street, Winters, California 95694.

PROJECT LOCATION: 718 HEMENWAY STREET,
ASSESSOR PARCEL NUMBER 003-281-07.

APPLICATION TYPE: The Planning Commission is conducting a public hearing to solicit comments regarding the Site Plan application submitted for the construction of a 1,440 square foot detached garage at 718 Hemenway Street.

PROJECT DESCRIPTION: The project applicants, Don and Diane Jordan, plan to construct a 1,440 square foot detached garage behind the southwest corner of their existing single-family residence located at 718 Hemenway Street. The garage will be largely screened from the Hemenway frontage of the property at 718 Hemenway. The garage will have an east-west orientation and a height of just less than 15-feet. The property (APN 003-281-07) is approximately 25,971 square feet in size, has a General Plan land use designation of Medium Density Residential (MR), and is zoned Single Family, 6,000 Square Foot Average Minimum (R-2). This project will require Site Plan approval from the Planning Commission.

The purpose of the public hearing will be to give citizens an opportunity to make their comments known. If you are unable to attend the public hearing, you may direct written comments to the City of Winters, Community Development Department, 318 First Street, Winters, CA 95694 or you may telephone (530) 795-4910, extension 112. In addition, a public information file is available for review at the above address between the hours of 8:00 a.m. and 5:00 p.m. on weekdays.

ALL INTERESTED PERSONS ARE INVITED TO APPEAR AT THE MEETING DATE(S) IDENTIFIED ABOVE AT 7:30 P.M. IN COUNCIL CHAMBERS TO COMMENT. COPIES OF ALL THE ABOVE PROJECT DESCRIPTIONS, PLANS AND THE COMPLETE FILE, CAN BE VIEWED AT THE OFFICE OF THE COMMUNITY DEVELOPMENT DEPARTMENT, 318 FIRST STREET, CITY HALL, AT LEAST FIVE DAYS PRIOR TO THE HEARING, OR CALL THE STAFF CONTACT PERSON AT (530) 795-4910, EXTENSION 112. ALL INTERESTED PERSONS ARE INVITED TO ATTEND THE HEARING AND EXPRESS THEIR COMMENTS. WRITTEN COMMENTS WILL BE ACCEPTED PRIOR TO, AT, AND DURING THE HEARING. ALL COMMENTS RECEIVED WILL BE GIVEN TO THE PLANNING COMMISSION FOR THEIR CONSIDERATION.

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".

Published October 12, 2006



10/12/06

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PROJECT LOCATION: 718 HEMENWAY STREET, ASSESSOR PARCEL NUMBER 003-281-07.

APPLICATION TYPE: The Planning Commission is conducting a public hearing to solicit comments regarding the Site Plan application submitted for the construction of a 1,440 square foot detached garage at 718 Hemenway Street.

PROJECT DESCRIPTION: The project applicants, Don and Diane Jordan, plan to construct a 1,440 square foot detached garage behind the southwest corner of their existing single-family residence located at 718 Hemenway Street. The garage will be largely screened from the Hemenway frontage of the property at 718 Hemenway. The garage will have an east-west orientation and a height of just less than 15-feet. The property (APN 003-281-07) is approximately 25,971 square feet in size, has a General Plan land use designation of Medium Density Residential (MR), and is zoned Single Family, 6,000 Square Foot Average Minimum (R-2). This project will require Site Plan approval from the Planning Commission.

The purpose of the public hearing will be to give citizens an opportunity to make their comments known. If you are unable to attend the public hearing, you may direct written comments to the City of Winters, Community Development Department, 318 First Street, Winters, CA 95694 or you may telephone (530) 795-4910, extension 112. In addition, a public information file is available for review at the above address between the hours of 8:00 a.m. and 5:00 p.m. on weekdays.

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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".

Dan Sokolow – Community Development Director



PLANNING COMMISSION STAFF REPORT
October 24, 2006

TO: Chairman and Planning Commissioners

BY: Dan Sokolow – Community Development Director 

SUBJECTS: Action Items – Public Hearing and consideration of Historical Preservation Permit submittals for façade improvement projects at 12 Main Street (APN 003-203-10), 14 Main Street (003-203-10), and 31 Main Street (003-204-13).

RECOMMENDATION: Staff recommends that the Planning Commission acting in its capacity as the Historical Preservation Commission take the following actions: (1) receive the staff report, (2) conduct the public hearing, and (3) approve Historical Preservation Permits for the façade improvement projects at 12 Main Street (Assessor Parcel Number 003-203-10), 14 Main Street (Assessor Parcel Number 003-203-10), and 31 Main Street (Assessor Parcel Number 003-204-13).

BACKGROUND: The applicants for the projects – John Siracusa and Paul Fair for 12 Main Street, Siracusa and Fair for 14 Main Street, and Richard and Janet Kimes for 31 Main Street – construct façade improvements on the Main Street frontages at the three project sites.

1. 12 Main Street – This location houses the Buckhorn banquet room. The proposed façade improvements include the replacement of window glazing, removal of the existing brick planter, installation of lighting, painting of the trim, installation of new wainscot, and replacing the cornice on the existing parapet wall.
2. 14 Main Street – This location is the future home of the Aura Day Spa and Salon. The proposed façade improvements include the installation of new doors, replacement of the window glazing, removal of the existing brick planter, painting of the trim, installation of new wainscot, and installation of signage and lighting.
3. 31 Main Street – This location houses the Winters Center for the Arts. The proposed façade improvements include the installation of a new fabric awning, cleaning/priming/painting the small windows above the display windows, and pressure-washing/sealing the brick (on the east side of the building).

The first property proposed for façade improvement projects, APN 003-203-10 (12 and 14 Main Street projects), is approximately 6,000 square feet in size while the second property proposed for a façade improvement project, APN 003-204-13 (31 Main Street), is approximately 1,884 square feet in size. Both parcels have General Plan land use designations of Central Business District (CBD) and are zoned Central Business District (C-2).

METHODOLOGY:

Two actions are required to process the proposed project:

1. Confirmation of CEQA exemption finding – Class 1(a), Existing Facilities.
2. Approval of Historical Preservation Permits and the attached conditions.

APPLICABLE REGULATIONS:

These projects are 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 these projects 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 were published in the Winters Express on Thursday, October 12, 2006, and notices were mailed to all property owners who own real property within three hundred feet of the projects’ boundaries at least ten days prior to tonight’s hearing. Copies of the staff report and all attachments for the proposed projects have been on file, available for public review at City Hall since Wednesday, October 18, 2006. Please find attached copies of the published and mailed public hearing notices.

ENVIRONMENTAL ASSESSMENT: The Historic Preservation Permit applications have been reviewed in accordance with the California Environmental Quality Act (CEQA) and are considered categorically exempt under Section 15301.

RECCOMENDED FINDINGS FOR 12, 14, AND 31 MAIN STREET (HISTORICAL PRESERVATION PERMITS)

CEQA Findings:

1. The projects qualify for exemptions from the provisions of CEQA, Class 1(a) – Existing Facilities.
2. The Planning Commission has considered comments received on the projects during the public review process.
3. The exemption findings for the project reflect the independent judgment and analysis of the City of Winters.

4. The Planning Commission hereby confirms a Class 1(a) Existing Facilities exemption for the 12, 14, and 31 Main Street Projects.

General Plan and Zoning Consistency Findings:

1. The projects are consistent with the goals and policies of the General Plan. The General Plan designates the project sites as Central Business District and this designation provides for various commercial uses including retail, restaurant, and service uses. The 12 Main Street project will support an existing restaurant use (Buckhorn Banquet Hall), the 14 Main Street project will support a future service use (Aura Day Spa and Salon), and the 31 Main Street project will support an existing use with retail operations (Winters Center for the Arts).
2. The project is consistent with the provisions of the Zoning Ordinance. The C-2 Zone permits various commercial uses including restaurants, personal retail sales, and general retail sales. The 12 Main Street project will support an existing restaurant use (Buckhorn Banquet Hall), the 14 Main Street project will support a future personal retail sales use (Aura Day Spa and Salon), and the 31 Main Street project will support an existing use with retail operations (Winters Center for the Arts).

RECOMMENDATION

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

I MOVE THAT THE WINTERS PLANNING COMMISSION ACTING IN ITS ROLE AS THE HISTORICAL PRESERVATION COMMISSION APPROVE THE 12, 14, AND 31 MAIN STREET PROJECTS (HISTORICAL PRESERVATION PERMITS) 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 Historical Preservation Permits as depicted on the plans submitted and described in the staff report and subject to the conditions of approval attached hereto.

ALTERNATIVES:

The Commission can elect to modify any aspect of the approvals or to deny one or more of the applications. If the Commission chooses to deny one or more of the applications, the Commission would need to submit findings for the official record that would illustrate the reasoning behind the decision to deny one or more of the projects.

CONDITIONS OF APPROVAL FOR THE 12, 14, and 31 MAIN STREET PROJECTS (HISTORICAL PRESERVATION PERMITS) LOCATED ON ASSESSOR PARCEL NUMBERS 003-203-10 (12 AND 14 MAIN STREET PROJECTS) AND 003-204-13 (31 MAIN STREET PROJECT), 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 expenses in any such claim, action or proceeding to attach set aside, void, or annul an approval of the City of Winters, the Winters Planning Commission, or 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 employee, the Winters Planning Commission, any advisory agency to the City, local district and the City Council.
2. The applicants shall obtain all required City permits (building, etc.) and pay all applicable fees (building, etc.).
3. The applicants shall report to the City building materials diverted from landfilling during the course of their project, pursuant to the provisions of City of Winters Ordinance No. 2002-03.

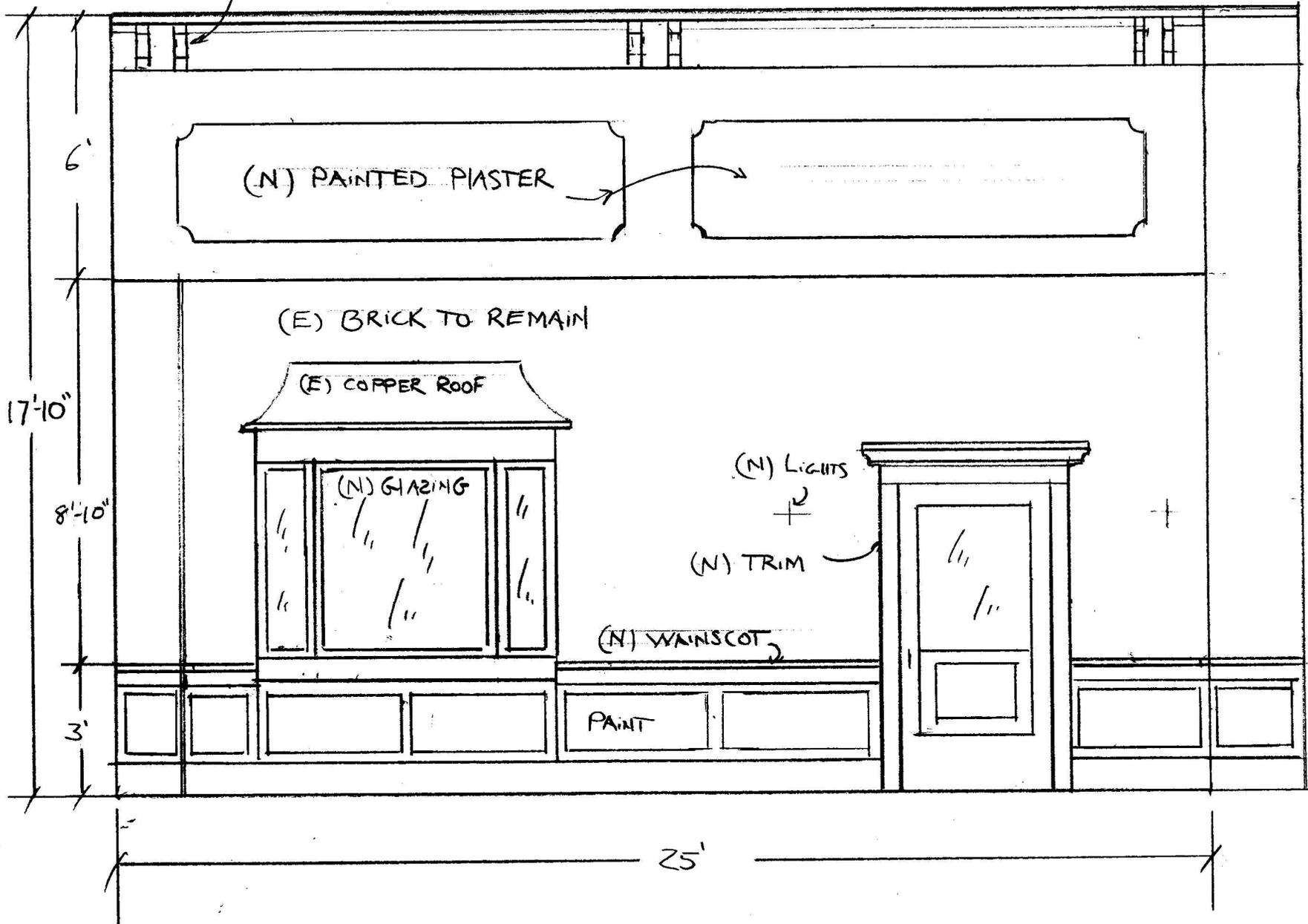
ATTACHMENTS:

1. Location Map for Project Sites
2. Façade Improvement Plans for Project Sites
3. Public Hearing Notice (published and mailed copies)

Facade Improvement Project Parcels: 12, 14 and 31 Main Street



NEW CORNICE + CORBELS PAINTED



12 MAIN STREET

3/8" = 1'-0"

WOOD BAND TO BE PAINTED

(E) BRICK TO REMAIN

(E) COPPER ROOF

(N) GLAZING

PAINT

N WAINSCOT

PAINT

AURA
DAY SPA + SALON

16"

8'-6"

36"

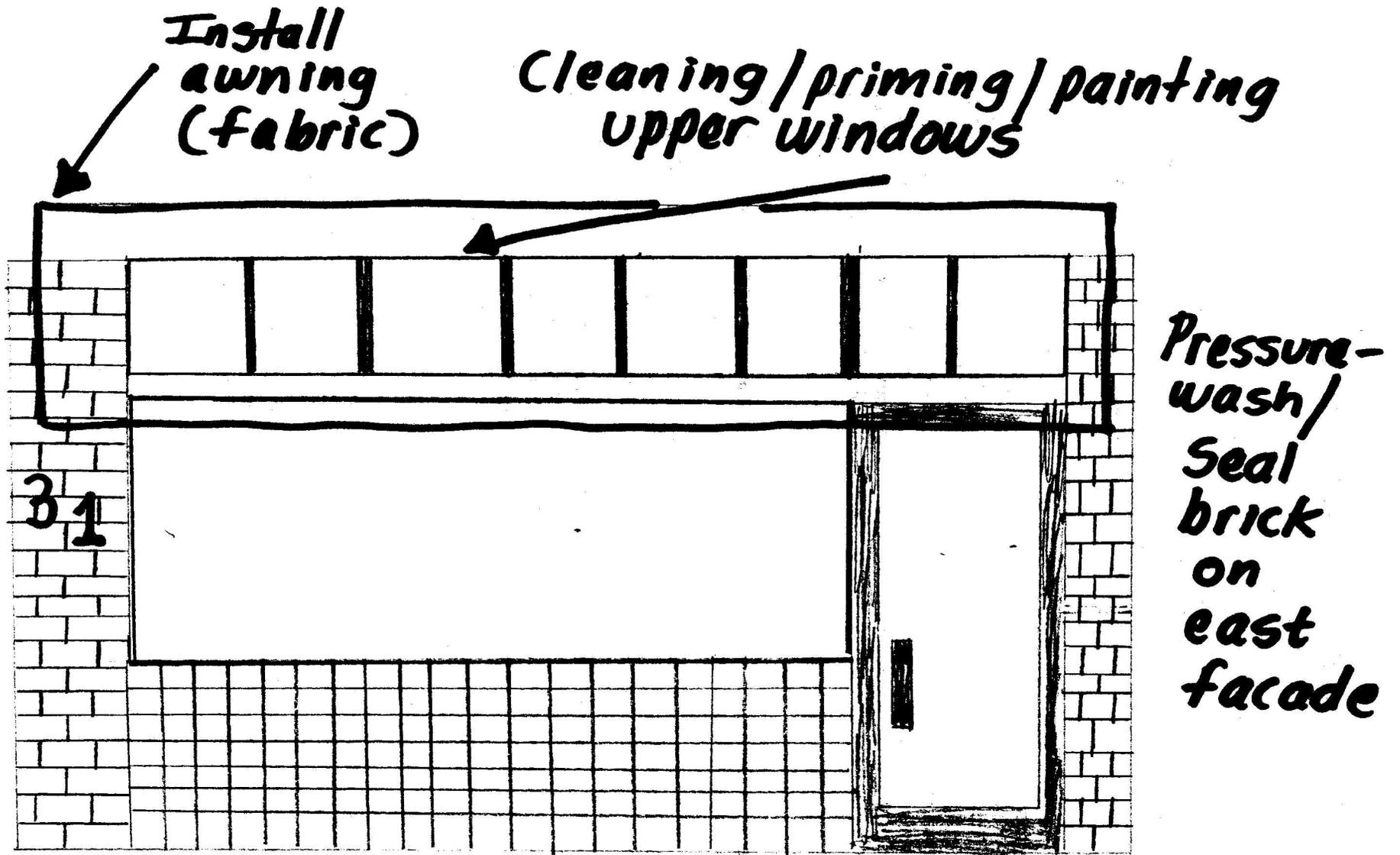
26'-4"

(N) PAIR 3/0 - 7/0 WOOD DOORS

14 MAIN STREET

3/8" = 1'-0"

14 MAIN STREET



**31 MAIN STREET
WINTERS CENTER FOR THE ARTS**

Winters Express P. B7 10/12/06

Notice of Public Hearing

The Winters Planning Commission acting as the Historic Preservation Commission will conduct public hearings on the project applications as described below, beginning at 7:30 P.M. on Tuesday, October 24, 2006, or as soon as possible thereafter, in the Council Chambers, City Offices, 318 First Street, Winters, California 95694.

PROJECT LOCATIONS: 12 MAIN STREET, ASSESSOR PARCEL NUMBER 003-203-10; 14 MAIN STREET, ASSESSOR PARCEL NUMBER 003-203-10; AND 31 MAIN STREET, ASSESSOR PARCEL NUMBER 003-204-13.

APPLICATION TYPE: The Historic Preservation Commission will be conducting public hearings to solicit comments regarding the Historic Preservation Permit applications submitted for façade improvements at 12, 14, and 31 Main Street.

PROJECT DESCRIPTION: The project applicants – John Siracusa and Paul Fair for 12 (location of Buckhorn Banquet Hall) and 14 (future location of Aura Day Spa and Salon) Main Street and Mike and Janet Kimes for 31 Main Street (location of Winters Participation Galley), plan to modify the facades of the existing buildings. For 12 Main, the proposed façade work includes the replacement of windows, painting, and the installation of new wainscot, lighting, and trim. For 14 Main, the proposed façade work includes the replacement of doors, painting, and the installation of trim and lighting. For 31 Main, the proposed façade work includes the installation of fabric awnings and painting. The properties at 12, 14, and 31 Main Street have a General Plan land use designation of Central Business District (CBD) and are zoned Central Business District (C-2). Both 12 and 14 Main are located on the same parcel (APN 003-201-10), which is approximately 6,000 square feet in size. The property at 31 Main (APN 003-204-13) is approximately 1,884 square feet in size. These projects will require historic preservation certificate of approvals from the Historic Preservation Commission.

The purpose of the public hearings will be to give citizens an opportunity to make their comments known. If you are unable to attend the public hearings, you may direct written comments to the City of Winters, Community Development Department, 318 First Street, Winters, CA 95694 or you may telephone (530) 795-4910, extension 112. In addition, a public information file is available for review at the above address between the hours of 8:00 a.m. and 5:00 p.m. on weekdays.

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Published October 12, 2006



10/12/06

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