

CITY OF WINTERS PLANNING COMMISSION AGENDA

Tuesday, July 24, 2007 @ 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 Projects list dated July 17, 2007
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 ITEMS:

Approve minutes of the June 26, 2007 regularly scheduled meeting of the Planning Commission.

VI DISCUSSION ITEMS:

1. Public Hearing and consideration of Parcel Map application (2007-01-PM) submitted by John and Lois Herrington to subdivide the existing parcel located at 28 East Edwards Street (APN 003-160-61) into two parcels approximately 7,680 and 6,090 square feet in size.
2. Update from Granite Bay Holdings, LLC on Winters Highlands Subdivision project.
3. Update on Public Safety Facility Project.

VII COMMISSION/STAFF COMMENTS

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 WEDNESDAY, JULY 18, 2007.



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 July 17, 2007
(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) nearing completion.	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, Tim Ruff (530) 758-7008	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) 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 Development Agreement.	Planning Commission workshop held on July 10, 2007 to discuss development options for project site.	Recirculation of Negative Declaration and scheduling of Planning Commission Public Hearing for consideration of project.

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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, Ben Rosen (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 issued and construction began in October 2006.</p>	<p>Completion of construction.</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>City Council on January 16, 2007 discussed policy issues and directed staff to continue to process project based on staff's recommendations on policy issues.</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>City Council at its June 19, 2007 meeting continued the public hearing and consideration of the development agreement to the July 3, 2007 meeting.</p>	<p>Scheduling of City Council Public Hearing for consideration of project development agreement.</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>City Council at its June 19, 2007 meeting took final action on the project by approving the project development agreement.</p>	<p>City Council approval of Final Map.</p>

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(13) Pearse Subdivision, Thomas Pearse (530) 795-5901	Proposal for 4-unit parcel map at the south end of Third Street.	Staff preparing Negative Declaration.	Completion of Negative Declaration, circulation of Negative Declaration, and scheduling of Planning Commission Public Hearing for consideration of project.
(14) Winters Commercial, Granite Bay Holdings, LLC, Tyler Wade (916) 580-1855	Proposal to develop 4.52 acres on south side of Grant Avenue directly west of Round Table Pizza complex for 49,500 square feet of commercial and office uses. Site Plan.	Conceptual site plan review held at the Planning Commission on February 27, 2007.	City staff determination of application completeness.

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:** Not known at this time.
- 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.
- Project #13:** Not known at this time.

**MINUTES OF A REGULAR WINTERS PLANNING COMMISSION MEETING HELD
TUESDAY, JUNE 26, 2007**

Chairman Jordan called the meeting to order at 7:42 p.m.

PRESENT: Tramontana, Graf, Chairman Jordan, Vallecillo, Neu, Guelden, Cowan

ABSENT: None

STAFF: Community Development Director Dan Sokolow

Commissioner Tramontana led in the Pledge of Allegiance.

COMMUNICATIONS

Community Development Director Sokolow noted that the City Council took final action on the Anderson Place Subdivision project at its June 19 meeting by adopting the development agreement ordinance. Processing of the development agreement and final action on the Mary Rose Gardens Subdivision project has been delayed as the applicant has requested a reimbursement agreement from the City for the Grant Avenue improvements. The applicant has significant infrastructure responsibilities on Grant and Grant improvements are funded 100-percent by street impact fees. A reimbursement agreement template has been drafted by the City's outside legal counsel, McDonough Holland & Allen. Staff is awaiting information from the applicant's engineer that will be used in the agreement. Sokolow said the reimbursement agreement template will be used for other significant infrastructure projects such as the new water well and sewer pump station.

CITIZEN INPUT

None.

CONSENT ITEM

Approve minutes of May 22, 2007 regularly scheduled meeting of the Planning Commission.

Commissioner Graf moved to approve the minutes of the May 22, 2007 regularly scheduled meeting of the Planning Commission. Seconded by Commissioner Vallecillo.

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

NOES: None

ABSTAIN: None

ABSENT: None

Motion passed 7-0.

DISCUSSION ITEMS:

1. Appointment of Planning Commission to serve on Public Safety Facility Advisory Committee.

Community Development Director Sokolow said that an advisory committee is being formed for the Public Safety Facility project and the police and fire chiefs have requested a representative from the Planning Commission to service on the committee. In response to a question from Commissioner Tramontana on the purpose of the committee, Sokolow

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said the advisory committee would assist in the site plan (design review) process for the facility and would include representatives from both the Planning Commission and City Council. The public safety facility which will house the police and fire departments will be constructed at the northwest corner of the West Grant Avenue and West Main Street intersection. The City hopes to start construction in 2008. The Planning Commission appointed Commissioner Graf to the advisory committee, Commissioner Tramontana as the first alternate, and Commissioner Jordan as the second alternate.

2. Update from Granite Bay Holdings, LLC on Winters Highlands Subdivision project (no backup).

Tyler Wade of Granite Bay Holdings, LLC, the developer of the Winters Highlands project, provided a progress report on the project.

- a) The grading plans are in the second review with the City Engineer and Granite Bay expects a permit in 30 to 45 days.
- b) Design review for the eight home models in Phase I of the Highlands project will occur tonight.
- c) The landscape plans (for the public spaces) have been prepared and will be going to design review before the Planning Commission next month.
- d) For the Winters Commercial project, Granite Bay's architect is finalizing the plans and the design packet should be submitted to the City in July. The traffic study is the only outstanding technical study for the project.

3. Request from staff to schedule a special Planning Commission meeting on Tuesday, July 10, 2007 to hold a workshop on the Casitas project (APNs 003-450-15, 16, and 17).

Community Development Director Sokolow said the applicant for the Casitas project, Mark Power, has requested that the Planning Commission hold a workshop on his project to discuss development options for the project site. The Planning Commission recommended denial of the project, a 16-unit for-sale residential project, at its August 2006 meeting. The City Council sent the project back to the Planning Commission at the applicant's request to provide him with an opportunity to redesign the project. Commissioner Guelden requested that the City Attorney attend the workshop. Commissioner Vallecillo requested that staff notice the workshop. Sokolow responded that there wouldn't be sufficient time to do a ten-day notice; however, staff could still place a notice in the paper, do a mailing to property owners within 300-feet of the project site, and post a workshop notice at City Hall. Commissioner Graf requested that Power furnish any materials for the workshop in advance of the workshop. Sokolow was unsure whether Power would be preparing any materials for the meeting.

4. The Public Hearing and consideration of Site Plan application (2007-03-SP) submitted by Piper Gianola for the construction of a new two-story, single-family residence 1,513 square feet in size and attached secondary dwelling unit 495 square feet in size at 436 Russell Street (APN 003-183-35). Project also includes Demolition Permit for demolition of existing residence approximately 600 square feet in size and storage building.

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Commissioners Guelden and Cowan stepped down from the dais because of potential conflicts of interest.

Community Development Director Sokolow provided a summary description of the project. He said the project would require the demolition of an existing single-family residence approximately 600 square feet in size and some accessory structures. The project will result in the construction of a new single-family residence and an attached second dwelling unit (SDU). The SDU will be located at the rear of the property. Off-street parking will be addressed through a three-car garage, which includes two spaces in tandem within the garage. Because the project site property extends into Dry Creek, a 50-foot setback from the high point of the creek bank is required. None of the proposed construction will occur within the 50-foot setback area. The recommended conditions of approval include a condition to require the installation of swales within the 50-foot creek bank setback area in order to minimize runoff to Dry Creek and to potentially filter runoff before it reaches the creek.

Commissioner Vallecillo expressed concerns that the project would exceed the maximum street frontage that can be used for a garage pursuant to the Winters Design Guidelines. Because staff was unable to provide a copy of the Design Guidelines, Vallecillo said he couldn't support the project until he knew what the guidelines required in this area. He remarked that he had voted for the guidelines when they were approved a number of years ago and he couldn't go against something that he had supported.

Commissioner Graf asked staff to discuss the garage frontage issue. Sokolow said he couldn't recall a requirement that limited the street frontage of a garage. He had thought that the maximum street frontage of driveway area could not exceed 40-percent; however, he was unable to find this requirement. Nonetheless, the Winters Engineering Design Standards limit a two car driveway for a single-family residence to a width of no more than 26-feet and this project is consistent with the requirement. Sokolow provided the Planning Commission with a page from the Engineering Design Standards that addresses residential driveways. He expressed his regret in not being able to produce a copy of the guidelines, but he explained that the guidelines were not adopted by an ordinance of the City Council and therefore serve as design preferences rather than requirements.

Graf said the guidelines should allow the Planning Commission to look at each project individually and make a decision based on an overall view of the project.

Chairman Jordan and Commissioner Neu said they couldn't discuss the garage issue without the information from the Design Guidelines.

Chairman Jordan opened the public hearing at 8:20 p.m. Manuel Souza of 438 Russell Street said he supports the project, but he expressed concerns about the dust that would be generated from the project and how the construction activities would not undermine the new fence he recently installed between the project site and his property. Souza said he had also made a substantial investment in a pool and want to avoid dust getting into the pool. He noted that he had never lived next to a construction site.

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Jordan said that Souza should talk to the general contractor, Wade Cowan, who plans to construct the project and work out his issues.

Chairman Jordan closed the public hearing at 8:23 p.m.

Graf said the Design Guidelines are not hard and fast standards. Vallecillo said he didn't oppose the project, but he wanted to verify whether the Design Guidelines addressed the maximum street frontage of a garage.

Commissioner Tramontana moved to approve the 436 Russell Street project (Site Plan) subject to the conditions of approval contained in the staff report. Seconded by Commissioner Graf.

AYES: Tramontana, Graf, Chairman Jordan, Neu
NOES: None
ABSTAIN: Vallecillo
ABSENT: Guelden, Cowan

Motion passed 4-0-1-2.

Commissioners Guelden and Cowan returned to the dais.

5. Public Hearing and consideration of Lot Merger application (2007-01-LM) submitted by the Pioneer Presbyterian Church for the merger of the two lots located at 205 Russell Street (APN 003-194-09) and 203 Russell Street (APN 003-194-08).

Community Development Director Sokolow said that four members of the Planning Commission own residences within 500-feet of the project site: Vallecillo, Tramontana, Neu, and Cowan. Under normal circumstances all four members would need to recuse themselves from participating and step down from the dais during consideration of the matter. However, this would leave the Planning Commission one member short of a quorum and would prevent the Planning Commission from hearing the matter. Staff reviewed the situation with the City Attorney John Wallace. He advised that of the four Commissioners who own property within 500-feet of the project site, the Commissioner who lives the furthest from the project site should be allowed to participate in the decision. Commissioners Vallecillo, Tramontana, and Neu stepped down from dais because of potential conflicts of interest.

Sokolow provided a summary of the project. He said the lot merger was being done since the project applicant, the Pioneer Presbyterian Church, plans to submit a future application for the construction of a classroom building approximately 1200 square feet in size. Sokolow noted that one of the Commissioners had contacted him about the church's easterly property extending to the midpoint of the alleyway north of the church's sanctuary and Wesley Hall and whether an easement would be needed to ensure that the alleyway would continue to be open for public use. Sokolow said an easement requirement could be addressed when the classroom project comes before the Planning Commission for site plan consideration since the Subdivision Map Act

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limits the conditions the City can require for a lot merger application. However, it may be difficult to close off the alleyway for public access under a prescriptive easement scenario since the alleyway has been used for a number of years.

Chairman Jordan opened the public hearing at 8:48 p.m. Sokolow said he had received a phone call this week from a resident at 211 Russell Street in opposition to the project. The resident expressed concerns about the existing impact the church facilities have on the adjacent residential neighborhood and the future impact the classroom will have on the neighborhood including increased traffic.

Chairman Jordan closed the public hearing at 8:50 p.m.

Commissioner Guelden asked whether the future classroom would be used for the Winters Community Christian School (WCCS) the currently operates out of the Pioneer Presbyterian Church's Wesley Hall and whether the WCCS would expand. Pastor Bob Badgley of the Pioneer Presbyterian Church said WCCS is part of the church's ministry, but WCCS has a separate board. The church and WCCS haven't had discussions about WCCS using the future classroom building. He noted that the conditional use permit for WCCS permits it to have up to 35 students, but WCCS' enrollment is not close to 35 students. Given that the future classroom building will be approximately 1200 square feet in size, Badgley questioned whether it could accommodate WCCS should enrollment reach 35 students.

Commissioner Graf moved to approve the 205 and 203 Russell Street project (Lot Merger) subject to the condition of approval contained in the staff report. Seconded by Commissioner Guelden.

AYES: Graf, Chairman Jordan, Guelden, Cowan
NOES: None
ABSTAIN: None
ABSENT: Tramontana, Vallecillo, Neu

Motion passed 4-0-0-3.

Commissioners Tramontana, Vallecillo, and Neu returned to the dais.

6. Public Hearing and consideration of Site Plan and Planned Development Overlay Modification application (2007-04-SP/PD Mod) submitted by GBH-Winters Highlands, LLC for four street-loaded (2,046 square feet, 2,191 square feet, 2,524 square feet, and 2,887 square feet two-story) and three alley-loaded (1,931 square feet single-story, 2,134 square feet two-story, and 2,897 square feet two-story) home models in Phase I of the Winters Highlands project (APN 030-220-33).

Community Development Director Sokolow discussed the Planned Development Overlay Modification requested by GBH-Winters Highlands, LLC for the project. He said the applicant is seeking flexibility on lot coverage maximums and setbacks minimums for most of the home models.

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In response to a question from Commissioner Guelden, Sokolow said the reference to the R-1 Zone on page three of the staff report should have been the R-2 Zone.

Ed Novak of William Helzmalhaich Architects and the lead architect for the design of the eight home models being presented to the Planning Commission said 40 of the lots in Highlands Phase I are alley-loaded while the remaining 28 lots are street-loaded. One of the home models, 2046, is a two-story home in a one-story elevation.

Chairman Jordan asked whether smaller, single-story homes would be constructed in other phases of the Highlands project since some of the home models presented are close to 3,000 square feet in size. Sokolow mentioned that many of the Phase II lots are in the 4,000 square foot range or even smaller.

Commissioner Neu said he was uncomfortable with the three-foot setback for the entertainment niches proposed for some of the home models.

Guelden expressed concern about the minimal size of the backyards and referred to home models as "too much house on small lots". Sokolow noted that the Highlands applicant went through approximately 12 iterations of the layout before finally settling on one that addressed a number of the issues raised by community members by including alley-load homes, a large linear park as a focal point of the development, wide landscaped areas on Main Street, and pedestrian/bikeway features. There were discussions at the Planning Commission level that the Highlands applicant would return later for modifications to the Planned Development Overlay once the home designs had been prepared. Commissioner Vallecillo said there was a design concept for the overall Highlands site plan.

Guelden commented that the porches/living spaces were situated too close to the street and would affect the privacy aspect of the residences.

Jordan asked whether everyone wants the large homes with less yard area. Novak responded that there is consumer demand for large homes; however, the remaining homes in the Highlands project will range from 1,200 to 3,000 square feet in size.

In response to a question from Jordan, Tyler Wade of Granite Bay Holdings, LLC said that Granite Bay will ask the Planning Commission for other planned development overlay modifications in future phase of Highlands.

Novak corrected his earlier statement on the size of the homes in future phases of Highlands and said some of the homes will be in the 3,000 square foot range.

In response to a question from Guelden, Sokolow said there is a ten-percent local builder requirement in the conditions of approval for Highlands.

Commissioner Cowan commented that the large homes on small lots are a result of economics. The developer has to put out a lot of funds to pay for City requirements. Cowan expressed his support for the different architecture/styles of the homes and recommended that Granite Bay use fiber cement siding since it lasts longer than wood

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and masonite. For the stucco homes, he suggested using an acrylic stucco.

Neu requested that the future phases not include planned development overlay modifications as the home should fit the lots. He indicated that he would be diligent in opposing planned development overlay modifications for future phases.

Jordan said with all the benefits of the development agreements (DA) some people assumed that they were getting something for nothing, but the cost of the DA items has to be recouped somewhere.

Tramontana made favorable remarks about the home models and said that Granite Bay could recoup its money with smaller homes if first class upgrades are provided for the homes.

Cowan expressed concern that Model 2314 wouldn't be able to accommodate a swimming pool because of the lot coverage maximum.

Jordan recalled that Granite Bay's Rick Cheney had been looking into the idea of using a concrete that would absorb water in order to address lot coverage issues. Wade was unsure whether Granite Bay would be able to use pervious concrete for the project.

Commissioner Graf moved to approve the Phase I of Winters Highlands Subdivision Project APN 030-220-33 (Site Plan/Planned Development Overlay Modification) subject to the conditions of approval and Planned Development Overlay Modification contained in the staff report. Seconded by Commissioner Cowan.

AYES: Tramontana, Graf, Jordan, Vallecillo, Neu, Cowan
NOES: Guelden
ABSTAIN: None
ABSENT: None

Motion passed 6-1.

COMMISSION/STAFF COMMENTS

None.

The meeting was adjourned at 10:26 p.m.

Don Jordan, Chairman

ATTEST:

Dan Sokolow, Community Development Director



PLANNING COMMISSION STAFF REPORT
July 24, 2007

TO: Chairman and Planning Commissioners

FROM: Dan Sokolow – Community Development Director *DS*

SUBJECT: **Public Hearing and consideration of Parcel Map application (2007-01-PM) to subdivide the existing parcel located at 28 East Edwards Street (APN 003-160-61) into two parcels 7,680 and 6,090 square feet in size. Applicants: John and Lois Herrington.**

RECOMMENDATION: Staff recommends that the Planning Commission take the following actions: 1) Receive the staff report, 2) Conduct the public hearing, 3) Confirm a categorical exemption from the provisions of the California Environmental Quality Act, and 4) Approve the Parcel Map application to subdivide the existing parcel located at 28 East Edwards Street (Assessor Parcel Number 003-160-61) into two parcels approximately 7,680 and 6,090 square feet in size.

BACKGROUND: The project applicants, John and Lois Herrington, propose to subdivide the existing 13,770 square foot parcel (approximate size) located at 28 East Edwards Street (APN 003-160-61) into two parcels approximately 7,680 and 6,090 square feet in size. The current uses of the property include a single-family residence, with a two-car garage that is connected to the residence with a breezeway and a barn. The structures are not listed on the City's 1983 Cultural Resources Inventory. The applicants anticipate developing the newly created westerly 7,690 square foot parcel for residential uses with either two or three units. The existing barn, which would be located on the 7,690 square foot parcel, would be demolished at a future date order to accommodate development of the property. In addition, the existing two-car garage would be either demolished or modified since it would cross the common property line of the two newly created parcels.

The property (APN 003-160-61) is approximately 13,770 square feet in size, has a General Plan land use designation of Central Business District (CBD), and is zoned Central Business District (C-2 Zone). The minimum lot size and width or depth for the C-2 Zone are 5,000 square feet and 50 feet, respectively. The project would comply with these standards. The project site lies in FEMA Flood Zone X (unshaded) based on the FEMA Flood Insurance Rate Map (map revised November 20, 1998, Community-Panel Number 060425 0001 C). Zone X (unshaded) is described as areas determined to be outside the 500-year floodplain. This project will require Parcel Map approval

from the Planning Commission.

METHODOLOGY:

Two actions are required to process the proposed project:

1. Confirmation of CEQA exemption finding – Class 14, Minor Land Divisions.
2. Approval of Parcel Map 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 Secretary 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: (1) a legal notice was published in the Winters Express on Thursday, June 28, 2007, and (2) 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 Wednesday, July 18, 2007.

ENVIRONMENTAL ASSESSMENT: The Parcel Map application has been reviewed in accordance with the California Environmental Quality Act (CEQA) and is considered categorically exempt under Section 15314.

RECOMMENDED FINDINGS FOR 28 EAST EDWARDS STREET PROJECT (PARCEL MAP)

CEQA Findings:

1. The Parcel Map qualifies for an exemption from the provisions of CEQA, Class 14 – Minor Land Divisions.
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 14 Minor Land Divisions exemption for the 28 East Edwards 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 Central Business District and this designation provides for restaurants, retail, service, professional and administrative offices, multi-family residential units, public and quasi-public uses, and similar and compatible uses. The project applicants anticipate developing the newly created 7,680 square foot parcel for multi-family residential units.
2. The project is consistent with the provisions of the Zoning Ordinance. Multi-family residential is allowed in the C-2 Zone with a conditional use permit and the applicants anticipate developing the newly created 7,680 square foot parcel for multi-family residential units.

RECOMMENDATION

Staff recommends that the Commission make an affirmative motion as follows:

I MOVE THAT THE WINTERS PLANNING COMMISSION APPROVE THE 28 EAST EDWARDS STREET PROJECT (PARCEL MAP) 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 Parcel Map 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 28 EAST EDWARDS STREET (PARCEL MAP) LOCATED ON ASSESSOR PARCEL NUMBER 003-160-61, 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, 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. The applicants shall provide the City with an initial deposit of \$2500.00 to cover City engineering, Yolo County Surveyor, and internal City administrative costs incurred by the City for the parcel map check. The parcel map check shall not begin until the deposit is received. The applicant shall deposit additional funds should the parcel map check expenses incurred by the City exceed the initial deposit. The City shall refund the applicant any deposit funds in excess of the City's parcel map check expenses.
3. The applicant shall submit a current title report to the City prior to recordation of the parcel map. The title report shall include the entire legal boundary of property being divided.
4. The applicants shall provide the City with one mylar and four paper copies of the recorded map.
5. The applicant shall pay all applicable taxes, fees, and charges at the rate and amount in effect at the time of such taxes, fees, and charges become due and payable.
6. The applicants shall either demolish or modify the existing two-car garage to ensure that it meets the setback standards of the Winters Municipal Code (Title 17, Zoning) and does not cross a property line prior to recordation of the parcel map. Prior to the issuance of a building permit for development of the westerly parcel or occupancy of the existing single-family residence, whichever occurs first, the applicants shall either re-establish a two-car garage for the residence or meet the off-street parking requirements for the residence through other means pursuant to the Winters Municipal Code (Title 17, Zoning - Parking).
7. The applicants shall upgrade the existing ramp at the southwest corner of the East Edwards Street and East Street intersection to comply with the Americans with Disabilities Act and State of California accessibility requirements. The ramp shall be upgraded prior to the issuance of a building permit for development of the westerly parcel.
8. The applicants shall install address numbering clearly visible from East Edwards Street for the existing single-family residence. The address numbering shall be either four (4) inch illuminated numbers or six (6) inch non-illuminated numbers on contrasting background. The address numbering shall be installed prior to

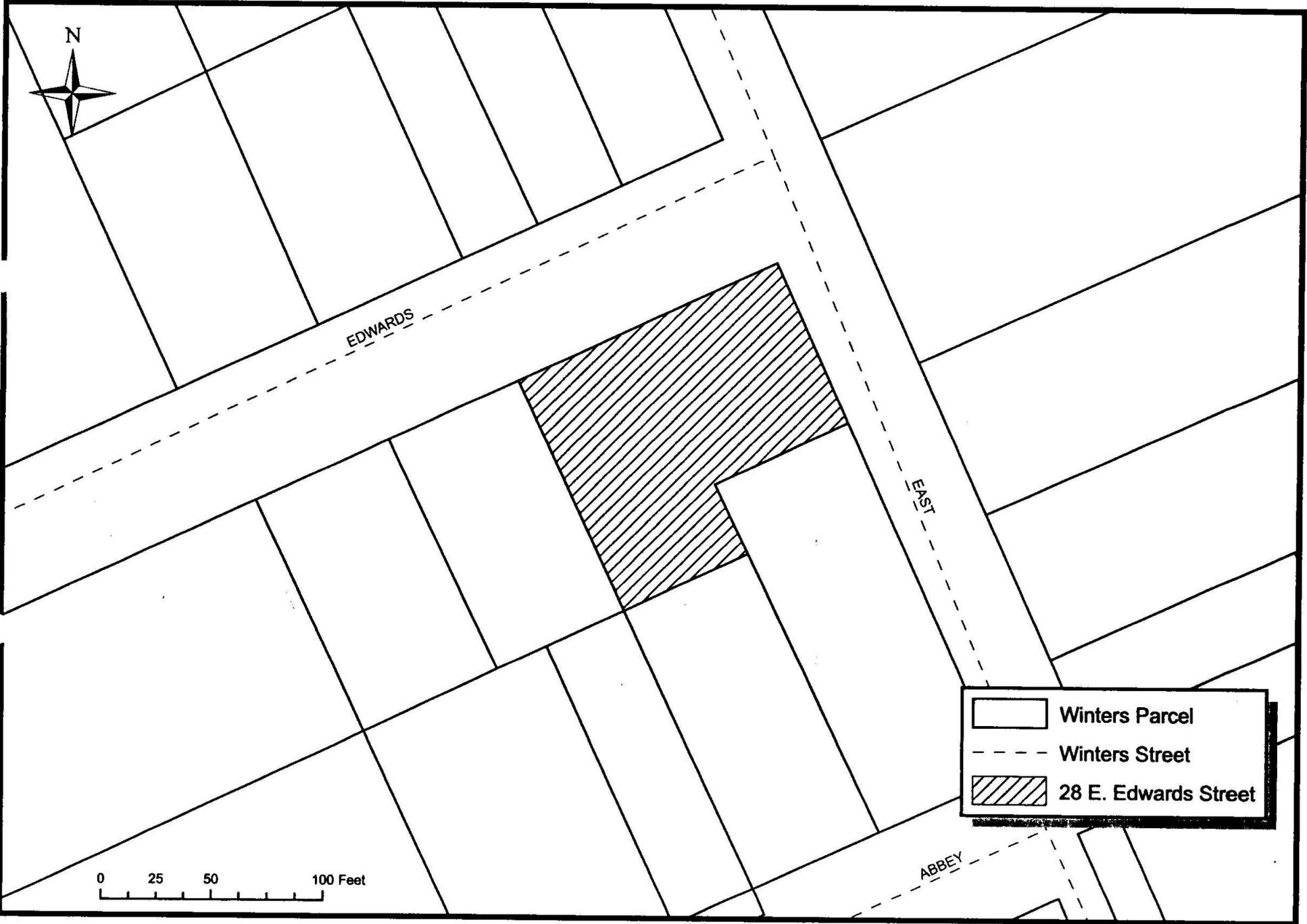
the recordation of the parcel map.

9. The applicant shall obtain an encroachment permit for all work within the public right-of-way (water lateral, sewer lateral, sidewalk, etc.).
10. The applicants shall install a sewer lateral and cleanout for each of the two newly created parcels if not already installed that comply with the specifications of the City of Winters' Engineering Design and Construction Standards and in locations acceptable to the Public Works Director prior to the issuance of a building permit for development of the westerly parcel. A sewer lateral/cleanout serving a parcel shall not cross a property line and shall be located on the parcel being served.
11. The applicants shall install a water lateral and meter if not already installed for each of the two newly created parcels that comply with the specifications of the City of Winters' Engineering Design and Construction Standards and in locations acceptable to the Public Works Director prior to the issuance of a building permit for development of the westerly parcel. A water lateral/meter serving a parcel shall not cross a property line and shall be located on the parcel being served.
12. The applicant shall obtain all required City permits (building, encroachment, etc.) and pay all applicable fees (building, impact, encroachment, etc.).

ATTACHMENTS:

1. Assessor's Parcel Map for Project Site
2. Proposed Parcel Map
3. Project Description Prepared by Applicant
4. Public Hearing Notice (published and mailed copies)

28 E. Edwards Project Site



RECEIVED

JUN 06 2007

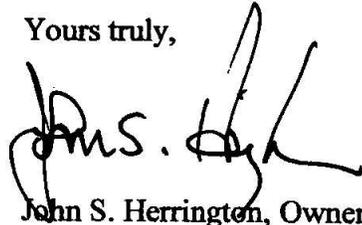
CITY OF WINTERS

June 1, 2007

To the Planning Department of the City of Winters

I am respectfully requesting a lot split for 28 E. Edwards Street in the City of Winters. The current lot is large and can be split under current code conditions within the City. There is one house on a corner of the lot and it will remain after the split. The plans for the new parcel will be to construct a duplex or possibly three units on that parcel. This will add to the amount of housing available within walking distance of the downtown. Such housing is in demand in many cities for older citizens who cannot drive. In addition it will add to the tax base of the city and result in more revenue. Thank you in advance for the consideration given to this application.

Yours truly,

A handwritten signature in black ink, appearing to read "John S. Herrington". The signature is stylized and written over the printed name below it.

John S. Herrington, Owner

Winters Express

P. B 7 6/28/07

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, July 24, 2007, or as soon as possible thereafter, in the Council Chambers, City Offices, 318 First Street, Winters, California 95694.

PROJECT LOCATION: 28 EAST EDWARDS STREET, ASSESSOR PARCEL NUMBERS 003-160-61.

APPLICATION TYPE: The Planning Commission is conducting a public hearing to solicit comments regarding the proposed Parcel Map application.

PROJECT DESCRIPTION: The project applicants, John and Lois Herrington, propose to subdivide the existing 13,770 square foot parcel (approximate size) located at 28 East Edwards Street into two parcels approximately 7,680 and 6,090 square feet in size. The property (APN 003-160-61) is approximately 13,770 square feet in size, has a General Plan land use designation of Central Business District, and is zoned Central Business District (C-2 Zone). This project will require Parcel Map approval from the Planning Commission. The current uses of the property include a single-family residence, detached garage, and a barn. The applicants anticipate developing the newly created 7,690 square foot parcel for residential uses with either two or three units. The existing barn, which would be located on the 7,690 square foot parcel, would need to be demolished in order to accommodate development of the property. In addition, the existing detached garage would need to be either demolished or modified since it would cross the common property line of the two newly created parcels.

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".

Dan Sokolow - Community Development Director
Published June 28, 2007



07/11/07

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Dan Sokolow – Community Development Director



PLANNING COMMISSION STAFF REPORT
July 24, 2007

TO: Chairman and Planning Commissioners

FROM: Dan Sokolow – Community Development Director *DS*

SUBJECT: **Update from Granite Bay Holdings, LLC on Winters Highlands Subdivision project.**

RECOMMENDATION: Staff recommends that the Planning Commission take the following actions: 1) Receive the staff report and 2) Receive an update from project applicant Granite Bay Holdings, LLC on the Winters Highlands Subdivision project.

Winters Highlands/ Project Status PC Stf Rpt 24Jul07



PLANNING COMMISSION STAFF REPORT
July 24, 2007

TO: Chairman and Planning Commissioners

FROM: Dan Sokolow – Community Development Director *DS*

SUBJECT: **Update on Public Safety Facility Project.**

RECOMMENDATION: Staff recommends that the Planning Commission take the following actions: 1) Receive the staff report and 2) Receive an update on the Public Safety Facility Project from Planning Commissioner Jack Graf, the Planning Commission's appointee to the Public Safety Facility Advisory Committee.

BACKGROUND: The Public Safety Facility will house the operations of the Winters Fire and Police Departments and will be located at the northwest corner of the West Grant Avenue and East Main Street intersection. The City anticipates starting construction of the facility in 2008.

