

CITY OF WINTERS SPECIAL PLANNING COMMISSION AGENDA

Tuesday, December 11, 2018 at 6:30 PM  
City of Winters Council Chambers  
318 First Street  
Winters, CA 95694-1923  
Community Development Department  
Contact Phone Number (530) 794-6714  
Email: [dave.dowswell@cityofwinters.org](mailto:dave.dowswell@cityofwinters.org)

Chairperson, Paul Myer  
Vice Chair: Lisa Baker  
Commissioners: Dave Adams, Patrick  
Riley, Gregory Contreras, Daniel  
Schrupp, Ramon Altamirano  
City Manager: John W. Donlevy, Jr.  
Contract Planner, Dave Dowswell  
Management Analyst, Dago Fierros

I CALL TO ORDER

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

A. Minutes of the November 13, 2018 special meeting of the Planning Commission.

V STAFF/COMMISSION REPORTS

VI DISCUSSION ITEMS:

- A. Public Hearing and Consideration of Design Review approval of proposed 972 square foot two-story addition to an existing one-story 1,374 square foot home located at 215 Grant Avenue.
- B. Public Hearing and Consideration of Design Review approval of the park design for Three Oaks linear park located on Main Street within the Stone's Throw Subdivision.

VII COMMISSION/STAFF COMMENTS

VIII ADJOURNMENT

POSTING OF AGENDA: PURSUANT TO GOVERNMENT CODE § 54954.2, THE COMMUNITY DEVELOPMENT MANAGEMENT ANALYST POSTED THE AGENDA FOR THIS MEETING ON DECEMBER 6, 2018



DAVID DOWSWELL, CONTRACT PLANNER, COMMUNITY DEVELOPMENT DEPARTMENT

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 CITY OF WINTERS PLANNING COMMISSION SPECIAL MEETING  
HELD NOVEMBER 13, 2018**

***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 Myer called the meeting to order at 6:30 p.m.

**PRESENT:** Commissioners, Adams, Altamirano, Contreras, Riley, Vice Chair Baker, Chairman Myer

**ABSENT:** Commissioner Schrupp

**STAFF:** City Manager John Donlevy, Contract Planner Dave Dowswell, Contract Engineer Alan Mitchell, Management Analyst Dagoberto Fierros

Management Analyst Dagoberto Fierros led the pledge of allegiance.

**CITIZEN INPUT:** None.

**CONSENT ITEM:**

- A. Minutes of the October 23, 2018 regular Planning Commission meeting.

Riley moved to approve minutes, Contreras seconded.

**AYES:** Commissioners Adams, Altamirano, Contreras, Riley, Vice Chair Baker, Chairman Myer

**NOES:** None

**ABSTAIN:** Vice Chair Baker

**ABSENT:** Commissioners Schrupp

**STAFF/COMMISSION REPORTS:**

Various Commissioners attended the Salmon Festival, Harvest Festival, and Dia de Los Muertos celebration.

**DISCUSSION ITEM:**

- A. Public Hearing and Consideration of Design Review approval of proposed exterior signage for Steady Eddy's Roasting Company located at 106 Main Street, Suite C.

Planner Dave Dowswell presented the proposed project.

**PUBLIC COMMENTS:** None.

**COMMISSIONER/STAFF COMMENTS:**

Vice Chair Baker moved, Commissioner Riley seconded.

**AYES:** Commissioners Adams, Altamirano, Contreras, Riley, Vice Chair Baker, Vice Chair Baker, Chairman Myer

**NOES:** None

**MINUTES OF THE CITY OF WINTERS PLANNING COMMISSION SPECIAL MEETING  
HELD NOVEMBER 13, 2018**

**ABSTAIN:** None

**ABSENT:** Commissioner Schrupp

**DISCUSSION ITEM:**

- B. Public Hearing and Consideration of the re-approval of the Tentative Map, Planned Development Overlay Modification, and Site Plan/Design Review of the Cottages at Carter Ranch Phase II located on Cottage Circle south of Anderson Avenue.

Planner Dave Dowswell gave a description of the proposed project.

**PUBLIC COMMENTS:** None.

**COMMISSIONER/STAFF COMMENTS:**

James Sutter, project applicant, clarified that the homes for Phase II will be the same style as Phase I. The homes will be roughly 1,400 to 1,500 square feet. The sale price would be 120% of median income.

Vice Chair Baker suggested that staff add a condition in regards to soil fill and proper soil compaction. Condition #57 should also include dust control.

Planner Dowswell stated that condition #32 will also be revised to be consistent with project.

Vice Chair Baker moved to approve staff recommendation with corrections. Commissioner Riley seconded.

**AYES:** Commissioners Adams, Altamirano, Contreras, Riley, Vice Chair Baker, Chairman Myer

**NOES:** None

**ABSTAIN:** None

**ABSENT:** Commissioner Schrupp

Motion carried unanimously.

**DISCUSSION ITEM:**

- C. Public Hearing and Consideration of adopting a resolution amending the Health and Safety Element of the General Plan to include a Yolo County Multi-Jurisdictional Hazard Mitigation Plan.

Manager Donlevy gave an overview of the plan.

Vice Chair Baker expressed gratitude for Yolo County OES for creating the plan.

Commissioner Riley moved to approved staff recommendation. Commissioner Altamirano seconded.

**AYES:** Commissioners Adams, Altamirano, Contreras, Riley, Vice Chair Baker, Chairman Myer

**NOES:** None

**MINUTES OF THE CITY OF WINTERS PLANNING COMMISSION SPECIAL MEETING  
HELD NOVEMBER 13, 2018**

**ABSTAIN:** Commissioner Contreras

**ABSENT:** Commissioner Schrupp

Motion carried.

**STAFF/COMMISSION REPORTS:**

Manager Donlevy invited the Commission to the Strategic Planning Workshop on November 14, 2018.

Vice Chair Baker invited the Commission and staff to attend a benefit event that will be held at Berryessa Brewing Company on November 25<sup>th</sup> to raise funds for Camp Fire victims

Staff and Commission expressed their sympathies for those affected by the Camp Fire in Paradise, CA.

**ADJOURNMENT:** Chairman Myer adjourned the meeting at 7:28pm.

**ATTEST:** \_\_\_\_\_

Dagoberto Fierros, Management Analyst

\_\_\_\_\_

Paul Myer, Chairman





**PLANNING COMMISSION  
STAFF REPORT**

**TO:** Chair and Planning Commissioners  
**DATE:** December 11, 2018  
**FROM:** David Dowswell, Contract Planner   
**SUBJECT:** Public Hearing and consideration of Design/Site Plan Review (DR 2018-10) for a 972 square foot two-story addition to an existing 1,374 square foot home at 215 Grant Avenue.

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**RECOMMENDATION:** Staff recommends the Planning Commission take the following actions:

- 1) Receive the staff report; and
- 2) Conduct the Public Hearing to solicit public comment; and
- 3) Find the project Categorical Exempt from CEQA, New Construction or Conversion of Small Structures, Section 15303(a) single family home.
- 4) Approve Design/Site Plan Review for a 972 square foot addition to an existing 1,374 square foot home.

**GENERAL PLAN LAND USE DESIGNATION:** The General Plan land use designation for the site is Low Density Residential (LR).

**SURROUNDING LAND USES, ZONING, and AND SETTING:** The surrounding land uses and zoning are as follows:

North: Single Family – Single Family Residential (R-2)  
South: Single Family – Single Family Residential (R-1 and R-2)  
East: Single Family – Single Family Residential (R-2)  
West: Single Family – Single Family Residential (R-2)

The site is developed with a 1,374 single family home.

**BACKGROUND:** The City has no record of when the house was built. On file are a number of minor permits for re-roofing, plumbing and electrical work.

**PROJECT DESCRIPTION:** The applicant, Will Meikle, is requesting approval to add a 972 square foot two-story addition to an existing 1,374 square foot single-story two bedroom home. The addition will be built off the back of the existing home. The addition will include a family room, utility room and breakfast nook on the first floor and a master suite on the second floor. The existing home has a partial basement

The exterior of the addition has been designed to be compatible with the existing house. The exterior of the second floor will be finished primarily with a wood shingle siding that will complement the horizontal siding used on the first floor of the existing house and addition. The addition's windows and trim will match the existing.

**ANALYSIS:**

Site Plan: With the addition the maximum lot coverage is below the maximum allowable of 50 percent. Addition has been designed to meet the side yard setback of 10 feet by designing the second floor to step in from the property line. The rear yard setback of 28 feet 6 inches exceeds the minimum allowable.

Design: The design of the current home is simple. The proposed addition has been designed to mimic or copy the current design including the pitch of the roof and roofing materials. During staff's visit to the site we noted that the roof pitch shown on the plans is not the same as the actual house. Staff believes the roof pitch is 6 and 12 and not 5 and 12 as stated on the plans. Staff has added a condition recommending the roof pitch of the addition match the existing house roof pitch.

Parking: According to Section 17.72.040 of the Zoning Ordinance, "At the time of initial occupancy of a site, construction of a structure, or major alteration or enlargement of a site or structure, there shall be provided off-street parking facilities in accordance with the schedule of off-street parking in this chapter". The proposed addition would be considered a "major addition." According to Table 6, "Off-street Parking Requirements", a single-family home is required to have two off-street parking spaces, one of which has to be covered. The existing one car garage and driveway meet the required parking.

**PROJECT NOTIFICATION:** Two methods of public notice were used: (1) a legal notice was published in the Winters Express on Thursday, November 29, 2018 and (2) notices were mailed to all property owners within three hundred feet of the project boundaries ten days prior to the hearing. Copies of the staff report and all attachments for the proposed project were on file, available for public review on the City's web site and at City Hall beginning December 6, 2018.

**ENVIRONMENTAL ASSESSMENT:** The addition and remodel are Categorically Exempt, Section 15303(a) (New Construction or Conversion Small Structures) of the California Environmental Quality Act (CEQA).

**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 Low Density Residential and this designation provides for single-family detached and attached homes. The project will enhanced the livability of the existing single-family residence.
2. The project is consistent with the provisions of the Zoning Ordinance. The principal uses of the R-1 Zone are single-family homes and duplexes. The proposed addition is to a single family home.

**RECOMMENDATION:** Should the Planning Commission decide to approve the project, staff recommends that the Commission make an affirmative motion as follows:

**I MOVE THAT THE WINTERS PLANNING COMMISSION APPROVE DESIGN REVIEW 2018-10 FOR A 972 SQUARE FOOT ADDITION TO THE HOME AT 215 GRANT AVENUE BASED ON THE IDENTIFIED FINDINGS OF FACT AND BY TAKING THE FOLLOWING ACTIONS:**

- Confirmation of exemption from the provisions of CEQA.
- Confirmation of consistency findings with the General Plan and Zoning Ordinance.
- Approval of the Design/Site Plan 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, staff would need to prepare findings for the Commission adopt at the next meeting. The findings would need to illustrate the reasoning behind the decision to deny the project.

**ATTACHMENTS:**

- A. Site plan and elevations
- B. Conditions of approval







**GENERAL STAIR & RAIL NOTES**

- TYPE 1 HANDRAILS TO BE INSTALLED ON BOTH SIDES OF STAIRS. HANDRAILS TO BE 34" HIGH TO TOP OF HEAD RAIL. HANDRAILS TO BE 1 1/2" DIA. ROUNDED SQUARE. HANDRAILS TO BE 1/4" DIA. ROUNDED SQUARE. HANDRAILS TO BE 1/4" DIA. ROUNDED SQUARE.
- TYPE 2 HANDRAILS TO BE INSTALLED ON ONE SIDE OF STAIRS. HANDRAILS TO BE 34" HIGH TO TOP OF HEAD RAIL. HANDRAILS TO BE 1 1/2" DIA. ROUNDED SQUARE. HANDRAILS TO BE 1/4" DIA. ROUNDED SQUARE.
- TYPE 3 HANDRAILS TO BE INSTALLED ON ONE SIDE OF STAIRS. HANDRAILS TO BE 34" HIGH TO TOP OF HEAD RAIL. HANDRAILS TO BE 1 1/2" DIA. ROUNDED SQUARE. HANDRAILS TO BE 1/4" DIA. ROUNDED SQUARE.
- TYPE 4 HANDRAILS TO BE INSTALLED ON ONE SIDE OF STAIRS. HANDRAILS TO BE 34" HIGH TO TOP OF HEAD RAIL. HANDRAILS TO BE 1 1/2" DIA. ROUNDED SQUARE. HANDRAILS TO BE 1/4" DIA. ROUNDED SQUARE.
- TYPE 5 HANDRAILS TO BE INSTALLED ON ONE SIDE OF STAIRS. HANDRAILS TO BE 34" HIGH TO TOP OF HEAD RAIL. HANDRAILS TO BE 1 1/2" DIA. ROUNDED SQUARE. HANDRAILS TO BE 1/4" DIA. ROUNDED SQUARE.
- TYPE 6 HANDRAILS TO BE INSTALLED ON ONE SIDE OF STAIRS. HANDRAILS TO BE 34" HIGH TO TOP OF HEAD RAIL. HANDRAILS TO BE 1 1/2" DIA. ROUNDED SQUARE. HANDRAILS TO BE 1/4" DIA. ROUNDED SQUARE.
- TYPE 7 HANDRAILS TO BE INSTALLED ON ONE SIDE OF STAIRS. HANDRAILS TO BE 34" HIGH TO TOP OF HEAD RAIL. HANDRAILS TO BE 1 1/2" DIA. ROUNDED SQUARE. HANDRAILS TO BE 1/4" DIA. ROUNDED SQUARE.
- TYPE 8 HANDRAILS TO BE INSTALLED ON ONE SIDE OF STAIRS. HANDRAILS TO BE 34" HIGH TO TOP OF HEAD RAIL. HANDRAILS TO BE 1 1/2" DIA. ROUNDED SQUARE. HANDRAILS TO BE 1/4" DIA. ROUNDED SQUARE.
- TYPE 9 HANDRAILS TO BE INSTALLED ON ONE SIDE OF STAIRS. HANDRAILS TO BE 34" HIGH TO TOP OF HEAD RAIL. HANDRAILS TO BE 1 1/2" DIA. ROUNDED SQUARE. HANDRAILS TO BE 1/4" DIA. ROUNDED SQUARE.
- TYPE 10 HANDRAILS TO BE INSTALLED ON ONE SIDE OF STAIRS. HANDRAILS TO BE 34" HIGH TO TOP OF HEAD RAIL. HANDRAILS TO BE 1 1/2" DIA. ROUNDED SQUARE. HANDRAILS TO BE 1/4" DIA. ROUNDED SQUARE.

**GRIP PROFILE**

**STAIR NOTES**

- STAIRS TO BE 34" HIGH TO TOP OF HEAD RAIL.
- STAIRS TO BE 1 1/2" DIA. ROUNDED SQUARE.
- STAIRS TO BE 1/4" DIA. ROUNDED SQUARE.

**SHOWER NOTES**

- SHOWER TO BE 5'0" X 7'0".

**PLUMBING NOTES**

- PLUMBING TO BE 1/2" DIA. ROUNDED SQUARE.

**WINDOW NOTES**

- WINDOWS TO BE 1/2" DIA. ROUNDED SQUARE.

**EGRESS REQUIREMENT NOTE**

- EGRESS TO BE 1/2" DIA. ROUNDED SQUARE.

**GENERAL NOTES**

- GENERAL TO BE 1/2" DIA. ROUNDED SQUARE.

**PIPING NOTE**

- PIPING TO BE 1/2" DIA. ROUNDED SQUARE.

**NOTE:**

SEE SHEETS S-O FOR ALL STRUCTURAL NOTES FOR ALL STRUCTURAL PLANS AND SDI-SD-4 FOR DETAILS

**CRAWL SPACE VENTILATION**

3" X 6" VENTS @ 4" ON CENTER

**NEW ADDITION**

2" X 4" VENTS @ 4" ON CENTER

21571-248 ✓



**215 Grant Avenue  
Design/Site Plan Review**

**CONDITIONS OF APPROVAL  
December 11, 2018**

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 (December 21, 2019) of Planning Commission approval or request and receives an extension from the Community Development Director.
3. 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.
4. All work within the public right-of-way or easement shall comply with the specifications of the City of Winters' Engineering Design and Construction Standards. An encroachment permit shall be required for all work performed in the public right-of-way.
5. The applicant shall obtain all required City permits shall pay all applicable fees (building, impact, encroachment, etc.).

**ATTACHMENT B**

6. The applicant shall provide the City with a proof of payment for Winters Joint Unified School District facility fees at building permit issuance.
7. Water used in the course of construction shall be metered and shall be at the cost adopted annually by the City Council.
8. Prior to submitting plans for a building permit the applicant shall revise the plans to note the roof pitch of the existing house will not be changed and the roof pitch of the addition will match the existing roof pitch.



**PLANNING COMMISSION  
STAFF REPORT**

**TO:** Chair and Planning Commissioners  
**DATE:** December 11, 2018  
**FROM:** Dave Dowswell, Contract Planner   
**SUBJECT:** Consideration of Design/Site Plan Review 2018-11 for Three Oaks Linear Park.

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**RECOMMENDATION:** Staff recommends the Planning Commission take the following actions:

- 1) Receive the staff report; and
- 2) Approve Design/Site Plan Review for the Winters Highlands Subdivision Three Oaks Linear Park

**BACKGROUND:** In April 2006 the City Council entered into a Development Agreement (DA) involving the Winters Highlands Subdivision. A First Amendment to the DA was approved in November 2006 and a Second Amendment in January 2009.

On January 5, 2015 the Planning Commission recommended the City Council approve an Amended and Restated Development Agreement between the City of Winters and GBH-Winters Highlands, LLC. On January 20, 2015 the City Council approved the Amended and Restated Development Agreement. Included with the approval the Council also amended a number of the Conditions of Approval relating to design. In April 2015, GBH-Winters Highlands, LLC (applicant), purchased the property.

Condition #32/Mitigation Measure 10 of the Development Agreement states, "The project park site shall be designed and constructed to meet the specifications of the City of Winters. Park phasing and a final date by which the park shall be completed, operational, and accepted by the City shall be established in the project Development Agreement".

Condition #49 states, "All lots adjoining the park site shall have a deed disclosure regarding typical operational and maintenance aspects of the park. The wording and verification of the disclosure shall be approved by the City Attorney".

Section 4.2 of the Development Agreement states the developer, through the public process, will create a conceptual design for the linear park. The park is to be built in phases concurrent with each phase of the subdivision.

The developer starting meeting with City staff earlier this year to discuss designing the linear park. After numerous meetings a conceptual design has been created.

**PROJECT DESCRIPTION:** The project is a three parcel, 11 acre "neighborhood" park consisting of open play areas, picnic shelters and tables, multiple playgrounds to accommodate appropriate age levels, a basketball/futsal court and two (2) dog play areas to accommodate both large and small dogs. A community garden will be located in the most southerly third of the park. There will not be restrooms, parking or active sports fields at this park due to its neighborhood serving function.

The name "Three Oaks Park" is to pay homage to the native oak trees (Live, Valley and Blue Oak) which exist in our foothills. The park landscaping will include entry monumentation and signs with thematic elements related to native oaks planted along with appropriate landscaping. The central parcel will contain the most significant elements of the park including the main picnic shelter and playgrounds.

At the option of the developer, they can build the park in three phases or in its entirety. Once approved by the Planning Commission, the developer will be required to build that park.

The improvement value of the park needs to be at least \$3.3 million and has been designed as such.

**ANALYSIS:** The Planning Commission should review the plans and ask questions of staff or the applicant. Any changes recommended by consensus of the Planning Commission will be incorporated into the design by the applicant's architect before submitting the plans for review by the Building Division, Public Works and City Engineer. The approval of the design rests with the Planning Commission.

**ENVIRONMENTAL ASSESSMENT:** An Environmental Impact Report (EIR) was prepared for this project and certified by the City Council on April 4, 2006 (Resolution 2006-08). The EIR considered construction of a linear park.

## **RECOMMENDED FINDINGS FOR THREE OAKS LINEAR PARK – SITE PLAN/DESIGN REVIEW**

### CEQA Findings:

- 1) The proposed project (design review of linear park) is exempt from review under the California Environmental Quality Act (CEQA) Guidelines, Section 15061.

### Design Review Findings:

- 1) The proposed project's overall design meets the intent of the Winters Highlands Architectural Guidelines and the Winters Design Guidelines.
- 2) The proposed project is compatible with the general setting of the subject property and visual character of the general neighborhood.
- 3) The proposed project's use of landscaping provides an effective softening of the development.

**RECOMMENDATION:** Staff recommends approval of the Site Plan/Design Review by making an affirmative motion as follows:

**I MOVE THAT THE CITY OF WINTERS PLANNING COMMISSION APPROVE DESIGN REVIEW/SITE PLAN FOR THE THREE OAKS LINEAR PARK BASED ON THE IDENTIFIED FINDINGS OF FACT AND BY TAKING THE FOLLOWING ACTIONS:**

- Confirmation of exemption from the provisions of CEQA.
- Approve Design Review/Site Plan subject to the conditions of approval attached hereto.

### **ATTACHMENTS:**

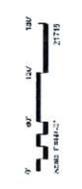
- A. Three Oaks Linear Park Design
- B. Conditions of Approval





**Plan Legend**

- Open Turf Fields
  - Depress field level from street grades
  - Areas can accommodate approx. 140'x200' soccer fields
- Fenced Community Garden
  - Approx. 40' raised garden plots.
  - Storage shed
  - Picnic table with trash receptacle.
  - Gated entry
  - Existing Well Site
- Concrete Bike Path with Painted Striping
  - Demonstration Garden
  - California Native Plantings
  - Cobble bioswale for drainage with landscape boulders
  - Interpretive signs.
- Covered Group Picnic Structure
  - Picnic table seating with large group barbecue and trash receptacles
  - Drinking fountain with jug filter.
- Play Area
  - Separate 2-5 year-old and 5-12 year-old areas with age appropriate play equipment.
  - Non-traditional play equipment, nature-based, embankment slides, climbing boulders and logs.
  - Fiber play surfacing for accessibility.
  - Concrete Walkway with Pathway Lighting
  - Decomposed Granite Pathway
- Open Turf Area
  - Shrub/Groundcover Planting Areas
  - Full Court Basketball Court with Futsal Court Overlay
    - Asphalt paving with cobble court surfacing and striping.
    - 4' tall fence enclosure with gated entry.
    - Park Sign (2 locations)
    - Picnic Table on Decomposed Granite Pad
- Neighborhood Bike Path along Taylor and Niemann Street
  - Large and Small Dog Park Areas
    - Large Dog Park - approx. 0.42 acres
    - Small Dog Park - approx. 0.38 acres
  - 5' tall fencing with double gated entries
  - Landscape boulders and misc. dog play furnishings.
  - Bermmed turf areas and natural cobbled swales for drainage.
- Water Play Area
  - Approx. 2,000 square feet.
  - Above grade and flush mounted spray features.
  - Recirculating water system with water management controls.



**Three Oaks Park**  
Landscape Master Plan  
Winters, California



The HJA Group Landscape Architects & Planners, Inc.  
301 University Avenue, Suite 1107, Sacramento, California 95825  
916.447.7800 / www.hjagroup.com



**Three Oaks Linear Park  
Design/Site Plan Review**

**CONDITIONS OF APPROVAL  
December 11, 2018**

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 (December 21, 2019) of Planning Commission approval or request and receives an extension from the Community Development Director.
3. 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.
4. All work within the public right-of-way or easement shall comply with the specifications of the City of Winters' Engineering Design and Construction Standards. An encroachment permit shall be required for all work performed in the public right-of-way.
5. The applicant shall obtain all required City permits shall pay all applicable fees (building, impact, encroachment, etc.).

**ATTACHMENT B**

6. The applicant shall comply with all previously approved applicable conditions related to the development of Three Oaks Linear Park.
7. Water used in the course of construction shall be metered and shall be at the cost adopted annually by the City Council.
8. Prior to submitting plans for a building permit the applicant shall revise the plans to incorporate any changes recommended by the Planning Commission at the December 11, 2018 meeting.