

CITY OF WINTERS REGULAR PLANNING COMMISSION AGENDA

To Join Zoom Meeting on PC:  
<https://us02web.zoom.us/j/82214500960>  
**Meeting ID: 822 1450 0960**

-OR- Dial In by Phone  
1-669-900-6833 –  
**Meeting ID: 822 1450 0960**

Tuesday, June 23, 2020 @ 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: Gregory Contreras  
Commissioners: Dave Adams, Nancy  
Northrup, Chris Rose, Daniel Schrupp,  
Ramon Altamirano  
City Manager: John W. Donlevy, Jr.  
Management Analyst, Dago Fierros  
Contract Planner, Dave Dowswell

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 May 26, 2020 meeting of Planning Commission.

V DISCUSSION ITEMS:

A. Public Hearing and Consideration of an amendment to Conditional Use Permit 2020-01, an application by Turkovich Wines, located at 304 and 306 Railroad Avenue, to expand into the lower floor of the Opera House/Palms Playhouse (640 square feet), located at 13A Main Street, to create a new kitchen and to expand onto the existing patio (APN 003-204-009).

B. Public Hearing and Consideration of Design Review 2020-03, an application by Marie Heilman to remodel the façade of the former Tomat's Restaurant, located at 1123 Grant Avenue (APN 003-450-140).

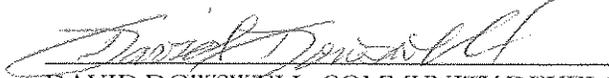
C. Appoint member from the Planning Commission to the Winters Putah Creek Committee.

D. Elect a Vice-Chair of the Planning Commission.

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 JUNE 18, 2020



DAVID DOWSWELL, COMMUNITY DEVELOPMENT DEPARTMENT CONTRACT PLANNER

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.

GENERAL NOTES: MEETING FACILITIES ARE ACCESSIBLE TO PERSONS WITH DISABILITIES. TO ARRANGE AID OR SERVICES TO MODIFY OR ACCOMMODATE PERSONS WITH A DISABILITY TO PARTICIPATE IN A PUBLIC MEETING, CONTACT THE CITY CLERK.

**MINUTES OF THE CITY OF WINTERS PLANNING COMMISSION MEETING HELD  
MAY 26, 2020**

***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. through Zoom teleconference.

**PRESENT:** Commissioners Adams, Altamirano, Contreras, Chairman Myer, Northrup and Rose

**ABSENT:** Commissioner Schrupp

**STAFF:** City Manager John Donlevy, Contract Planner Dave Dowswell, Records/Information Manager/City Clerk Tracy Jensen, Building Official Gene Ashdown, Management Analyst Dagoberto Fierros

Pledge of Allegiance via Zoom.

Tracy Jensen, Records/Information Manager and City Clerk performed the swearing in of new Planning Commissioners Nancy Northrup and Chris Rose

**CITIZEN INPUT:**

Kate Laddish, 400 Morgan Street #21, asked if staff could record the meeting via the Zoom platform.

**COMMISSIONER/STAFF COMMENTS:**

None.

**CONSENT ITEM:**

- A. Minutes of the February 25, 2020 regular Planning Commission meeting.

Commissioner Contreras moved to approve; Commissioner Adams seconded.

**AYES:** Commissioners Adams, Altamirano, Contreras, Northrup, Rose, Chairman Myer

**NOES:** None

**ABSTAIN:** None

**ABSENT:** Commissioner Schrupp

**DISCUSSION ITEM:**

- A. Public Hearing and Consideration of an amendment to Conditional Use Permit 2010-01 allowing Turkovich Wines, located at 304 and 306 Railroad Avenue, to expand into the lower floor of the Opera House/Palms Playhouse (640 square feet), located at 13A Main Street, to create a new kitchen and to expand onto the existing patio (APN 003-204-009)  
**Continue to June 23, 2020.**

**MINUTES OF THE CITY OF WINTERS PLANNING COMMISSION MEETING HELD  
MAY 26, 2020**

Adams moved to approve the continuation; Contreras seconded.

**CITIZEN INPUT:**

None.

**COMMISSIONER/STAFF COMMENTS:**

None.

**AYES:** Commissioners Adams, Altamirano, Contreras, Northrup, Rose Chairman Myer

**NOES:** None

**ABSTAIN:** None

**ABSENT:** Commissioner Schrupp

**DISCUSSION ITEM:**

- B. Public Hearing and Consideration of the proposed Walnut Lane 10 54-lot single-family subdivision located at the north end of Walnut Lane (APN 038-050-019). Entitlements include:
  - a. Mitigated Negative Declaration, and
  - b. Tentative Map, and
  - c. Planned Development (PD) Overlay Zoning

Contract Planner Dave Dowswell gave a presentation about the proposed project.

Manager John Donlevy discussed the methods of public comment through Zoom.

Chairman Myer stated that the letters received regarding the Walnut Lane 10 subdivision include questions and concerns about flooding, traffic, safety, climate, communication methods. All communication submitted will be public record.

City Attorney Ethan Walsh discussed the legalities about proposed subdivisions. Proven adverse health and safety impacts should be proven by accurate findings.

Beth Thompson of De Novo Planning Group gave a summary of the environmental documentation that includes Initial Study and Mitigated Negative Declaration that were executed for the proposed project. Comments from the public were received and reviewed before responses were given.

Tim Denham Engineer at Wood Rodgers discussed the configuration of the project that includes, lots, infrastructure plans, drainage, traffic impacts, easements and emergency vehicle access.

Alan Mitchell, City Engineer, discussed future access points to the proposed subdivision from adjacent property known as "Farmstead" to the East.

**MINUTES OF THE CITY OF WINTERS PLANNING COMMISSION MEETING HELD  
MAY 26, 2020**

**CITIZEN INPUT:**

Roy Jones, 106 Orchard Lane, asked if the new homes will include one-story and two-story plans and if the plan for the applicant is to sell off the lots.

Planner Dave Dowswell stated that the plans have not been proposed for the lots. Jim Corbett, project applicant answered that his plan is to sell the property to a developer after the project is approved.

Whitney Vickrey, 115 Orchard Lane, discussed the possibility of having a lower density neighborhood at the proposed subdivision. A mirror of the adjacent neighborhood is preferred.

City Attorney stated that if the project is approved with a lower density it will conflict with the Housing Accountability Act.

Dean Unger, 100 Orchard Lane, asked if there will be a detention facility for the project.

Commissioner questioned if a v-ditch will be utilized as a short-term solution for flooding.

Tim Denham Engineer at Wood Rodgers stated that a temporary v-ditch will drain to the adjacent property to the east. The v-ditch will resolve the flooding issue that would occur to the south in the past.

Jack Vickrey, 115 Orchard Lane, gave a brief presentation about the possible issues that can be created by the proposed project. The issues discussed included flooding/water permeability, prime soil classification, and neighborhood cohesion.

**COMMISSIONER/STAFF COMMENTS:**

Commissioner Contreras questioned the traffic issues posed by the proposed development.

City Engineer Alan Mitchell stated that the roundabout at East Grant Ave and Walnut Lane meets or exceeds the level of service required in order to add more traffic from the proposed development the Walnut Lane.

City Manager Donlevy discussed the mitigation measures that will resolve traffic and flooding issues. Design review will determine the layout of the homes.

Commissioner Contreras stated that the Planning Commission should be given more time to continue to analyze the proposed project.

Commissioner Northrup stated that the Planning Commissioner should move forward with the proposed project. City Council has the option to bring it back for review.

Chairman Myer moved to approve the proposal; Northrup seconded.

**AYES:** Commissioners Adams, Altamirano, Northrup, Rose, Chairman Myer

**NOES:** Commissioner Contreras

**MINUTES OF THE CITY OF WINTERS PLANNING COMMISSION MEETING HELD  
MAY 26, 2020**

**ABSTAIN:** None

**ABSENT:** Commissioner Schrupp

**DISCUSSION ITEM:**

- C. Appoint member from the Planning Commission to the Affordable Housing Steering Committee

Commissioner Rose will be appointed to the Affordable Housing Steering Committee.

Commissioner Adams moved, Northrup seconded.

**CITIZEN INPUT:**

None.

**COMMISSIONER/STAFF COMMENTS:**

None.

**AYES:** Commissioners Adams, Altamirano, Contreras, Northrup, Rose, Chairman Myer

**NOES:** None

**ABSTAIN:** None

**ABSENT:** Commissioner Schrupp

**COMMISSIONER/REPORTS:**

City Manager Donlevy stated that staff is looking for ways to host in person meetings during existing circumstances.

**ADJOURNMENT:** Chairman Myer adjourned the meeting at 8:27 p.m.

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

Dagoberto Fierros, Management Analyst

\_\_\_\_\_

Paul Myer, Chairman



**PLANNING COMMISSION  
STAFF REPORT**

**TO:** Chair and Planning Commissioners  
**DATE:** June 23, 2020  
**FROM:** David Dowswell, Contract Planner   
**SUBJECT:** Public Hearing and Consideration of an amendment to Conditional Use Permit 2020-01 amending Conditional Use Permit 2009-01, an application by Turkovich Wines, located at 304 and 306 Railroad Avenue, to expand (640 square feet) into the lower floor of the Opera House/Palms Playhouse, located at 13A Main Street, to create a new kitchen and to expand onto the existing patio (APN 003-204-009).

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

- 1) Receive the staff report;
- 2) Conduct the Public Hearing to solicit public comment; and
- 3) Approve amending Conditional Use Permit 2020-01 amending Conditional Use Permit 2009-01 to allow Turkovich Wines located at 304 and 306 Railroad Avenue, to expand (640 square feet) into the lower floor of the Opera House/Palms Playhouse, located at 13A Main Street, to create a new kitchen and expand onto the existing patio.

**GENERAL PLAN DESIGNATION, EXISTING ZONING AND LAND USE:** Turkovich Wines is presently operating at 304 and 306 Railroad Avenue. The project is located in the Form-Based Code Regulating Plan and the Zoning Classification is Downtown-A (D-A). The operation of a tasting room is a conditional use in the D-A zone. The General Plan Land Use Designation is also D-A. Turkovich Wines is also located in Winters' Historic Preservation District.

**BACKGROUND:** On March 26, 2009 the Planning Commission approved Conditional Use Permit 2009-01 allowing Turkovich Wines to open at 304 Railroad Avenue. On April 26, 2011 the Planning Commission approved amending the existing conditional use permit allowing Turkovich Wines to expand into 306 Railroad Avenue.

On May 14, 2014 the City approved a sidewalk café permit on Railroad Avenue for Turkovich Wines.

On May 26, 2020 the Planning Commission was scheduled to consider this item. Due to a noticing issue this item was continued to the June 23, 2020 meeting.

**PROJECT DESCRIPTION:** The applicant is requesting approval to amend the existing conditional use permit and expand the existing wine and food business onto the patio behind the restaurant and remodel approximately a 640 square foot space located on the lower floor of the Opera House/Palms Playhouse building at 13A Main Street. The applicant will be relocating the existing kitchen into the 640 square feet. The existing kitchen is being eliminated to allow access from the restaurant to the patio area. A sunshade is being added to the patio area (Attachment A).

**ANALYSIS:** Turkovich Wines current location and the location they wish to expand into are located within the Form Based Code. The amendment to the conditional use permit falls under the authority of the Planning Commission for review and approval. The alley located adjacent to the patio is part of the Alley Activation Visioning Plan adopted as an addendum to the Downtown Master Plan/Form Based Code. The proposed expansion is consistent with this Plan.

**Parking** The existing building and proposed expansion are located within the Form Base Code. According to Table 17.58-15 of the Code commercial uses are supposed to provide one (1) parking space per 400 square feet of building. The expansion is 640 square feet but is located within an existing building and therefore does not require any additional parking.

**Other Issues** The city has applied for a Rule 20 grant from PG&E to underground the utilities located on the alley. Approval of the grant, design drawings and construction likely will not occur until 2021. When the utilities are undergrounded each property will need to relocate the above ground connections to below ground. The property owner and the City will be working together to minimize the impact of the undergrounding the utilities. The Form Based Code and Visioning Plan identify the need to enclose the existing dumpsters located off the alley due to their unsightliness. The City has been discussing with all of the affected businesses/property owners located on the alley to develop a collective solution for disposing of the trash.

**PROJECT NOTIFICATION:** Public notice advertising for the public hearing on this planning application was prepared by the Community Development Department in accordance with notification procedures set forth in the City of Winters' Municipal Code and State Planning Law. A legal notice was published in the Daily Democrat of Woodland on 06/11/20 and notices were mailed to all property owners who own real property within three hundred (300) feet of the project boundaries at least ten (10) days prior to the hearing.

Copies of the staff report and all attachments for the proposed approval to expand into a 640 square foot space located on the lower floor of the Palms Building have been on file and available for public review at city hall since June 18, 2020.

**ENVIRONMENTAL ASSESSMENT:** The proposed project is exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15301 (Existing Facilities).

**RECOMMENDED FINDINGS FOR CONDITIONAL USE PERMIT 2020-01 FOR THE TURKOVICH WINES EXPANSION**

CEQA Findings:

- 1) The proposed project is consistent with the General Plan designation for the project site and all applicable General Plan policies as well as zoning regulations.
- 2) The proposed project is an expansion of an existing facility that will not result in an expansion increase of more than 50 percent of the floor area.

General Plan and Zoning Consistency Findings:

- 1) The project is consistent with the goals and policies of the General Plan.
- 2) The project is consistent with the provisions of the Zoning Ordinance and Form-Based Code.
- 3) The project is consistent with the intent and purposes of the zone in which it is located and will not detrimentally impact the character of the neighborhood.
- 4) The project will not be detrimental to the public health, safety, or general welfare.
- 5) Adequate utilities, access roads, drainage, sanitation, and/or other necessary facilities or services are provided.
- 6) The project will not create a nuisance or enforcement problem within the neighborhood.
- 7) The project will not result in a negative fiscal impact upon the City.

**RECOMMENDATION:** Staff recommends approval of the Conditional Use Permit 2020-01 amending Conditional Use Permit 2009-01 by making an affirmative motion as follows:

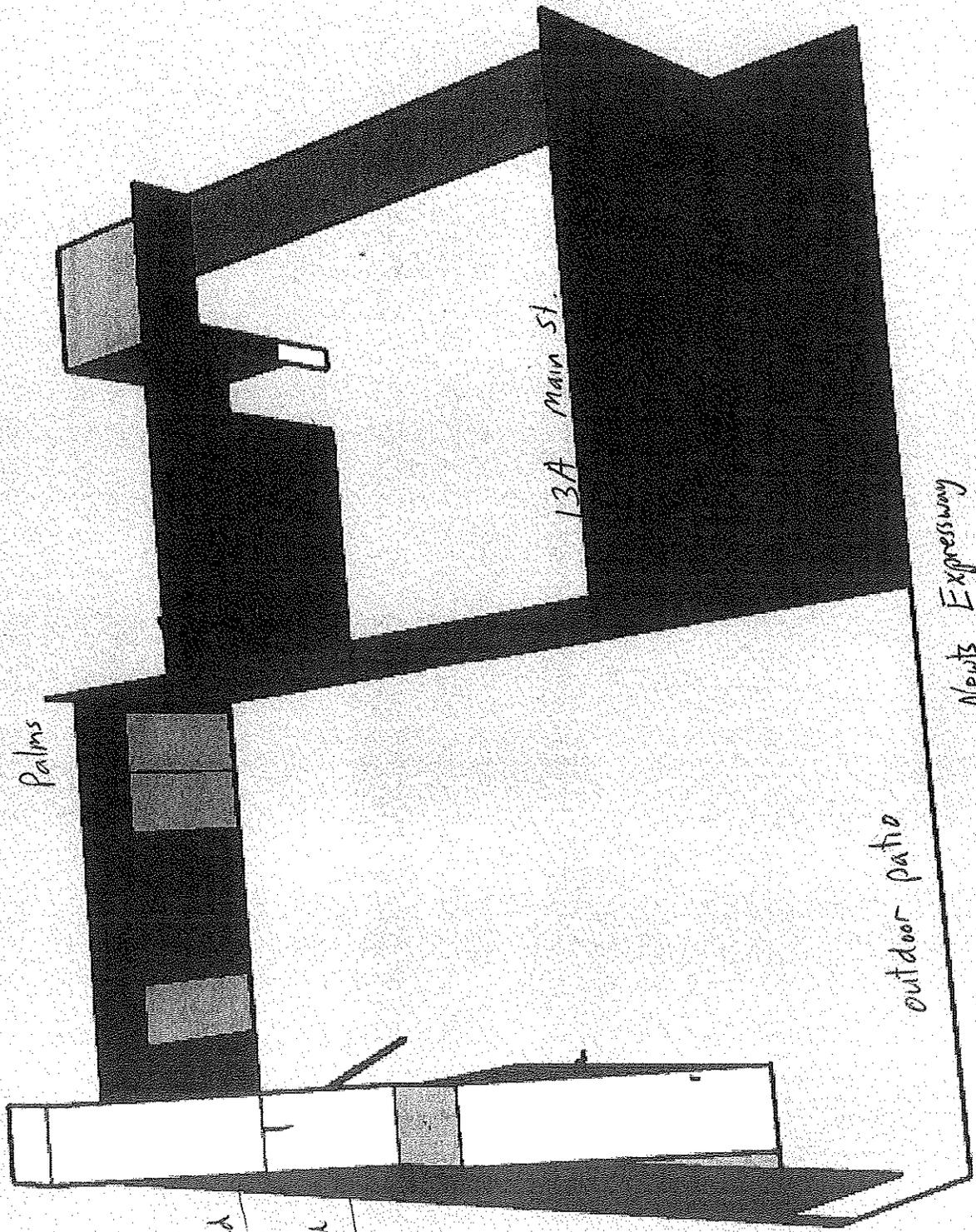
**I MOVE THAT THE CITY OF WINTERS HISTORIC PRESERVATION COMMISSION - PLANNING COMMISSION APPROVE THE APPLICATION FOR CONDITIONAL USE PERMIT 2020-01 AMENDING CONDITIONAL USE PERMIT 2009-01 FOR THE TURKOVICH WINES EXPANSION BASED ON THE IDENTIFIED FINDINGS OF FACT AND BY TAKING THE FOLLOWING ACTIONS:**

- Confirmation of exemption from the provisions of CEQA
- Confirmation of consistency findings with the General Plan and Zoning Ordinance
- Approve the amendment to the existing Conditional Use Permit 2020-01 application subject to the conditions of approval (Attachment B) attached hereto.

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

**ATTACHMENTS:**

- A. Site Plan and Photos of proposed expansion
- B. Conditions of Approval



304  
Railroad

306  
Railroad

Palms

13A main st.

outdoor patio

Newts Expressway

ATTACHMENT A





**CONDITIONAL USE PERMIT 2020-01  
AMENDING CONDITIONAL USE PERMIT 2009-01  
PLANNING COMMISSION  
JUNE 23, 2020**

**CONDITIONS OF APPROVAL FOR THE TURKOVICH WINES EXPANSION AT 13A  
MAIN STREET, WINTERS CA 95694**

1. In the event any claim, action or proceeding is commenced naming the City of Winters 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 from 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 employees, the Winters Planning Commission, any advisory agency to the City, local district and the City Council.
2. All conditions identified herein shall be fully satisfied prior to approval of final building inspection.
3. The project is described in the June 23, 2020 Planning Commission staff report. The project shall be constructed as depicted on the exhibits included in the June 23, 2020 Planning Commission Staff report, except as modified by these conditions of approval. Substantive modifications may require additional public hearing(s) and Planning Commission action.
4. 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 (July 2, 2021) of the Planning Commission's approval to amend Conditional Use Permit 2020-01.
5. The applicant shall obtain a building permit and pay the applicable building permit fees for any interior changes to the existing restaurant or the proposed expansion.
6. The applicant and City shall work together to minimize the impact of the undergrounding the utilities and the repaving of the alley on the proposed expansion



**PLANNING COMMISSION  
STAFF REPORT**

**TO:** Chair and Planning Commissioners  
**DATE:** June 23, 2020  
**FROM:** David Dowswell, Contract Planner   
**SUBJECT:** Public Hearing and Consideration of Site Plan/Design Review 2020-03, an application by Marie Heilman to remodel the façade of the former Tomat's Restaurant, located at 1123 Grant Avenue (APN 003-450-140).

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

- 1) Receive the staff report;
- 2) Conduct the Public Hearing to solicit public comment; and
- 3) Approve Site Plan/Design Review 2020-03 allowing Marie Heilman to remodel the façade of the former Tomat's Restaurant located at 1123 East Grant Avenue.

**GENERAL PLAN DESIGNATION, EXISTING ZONING AND LAND USE:** The property has a General Plan land use Designation of Neighborhood Commercial (NC) and is zoned Neighborhood Commercial (C-1). The existing land use is the former Tomat's Restaurant.

**BACKGROUND:** The former Tomat's Restaurant operated at this location for a number of years. The applicant, along with some other partners, recently purchased the property.

**PROJECT DESCRIPTION:** The applicant is requesting approval to remodel the façade of the existing restaurant by modifying the existing flat roof by adding a pitched roof. The pitched roof is being added to address the historical problem of the roof leaking. The applicant is also proposing to add corrugated metal wainscot to the front and east elevations. The west and rear elevations are not visible from a street. Corrugated metal siding is being added to the ends (front and rear) of the new gabled roof. The roof color will be a light gray, the body/stucco color will be "white metal" (light greenish gray, almost an off-white) and the window trim and wainscot will "welded iron" (dark greenish gray).

The applicant is not proposing to change the existing use from a sit-down restaurant. The applicant is simply promoting that the building can also be rented for events, like birthdays

and receptions, which people were able to do before when the restaurant was Tomat's. In addition to the changes to the façade the applicant will be removing the landscaping along the east side of the building and installing a sidewalk and new side entrance into the building.

**ANALYSIS:** According to Section 17.36.020E of the Municipal Code (Zoning Ordinance) design review is required for "significant exterior changes, which may include changes of building materials, addition/deletion of doors, windows and awnings, changes to rooflines and parapet walls." The changes being proposed to the façade (adding a peaked roof and changes to the facade) will update the building to a more modern look. The existing heating, ventilation and air conditioning (HVAC) is being moved to the new roof. Moving the HVAC to the roof will make it more visible. Staff recommends the HVAC unit and ducting either be screened or painted to match the adjacent roof color.

**Parking** The existing building has 29 parking spaces, which allows an occupancy of 87 people. Based on Table 17.58-15 in the Zoning Ordinance proposed remodel does not involve adding any new building square footage; no additional parking is required.

**PROJECT NOTIFICATION:** Public notice advertising for the public hearing on this planning application was prepared by the Community Development Department in accordance with notification procedures set forth in the City of Winters' Municipal Code and State Planning Law. A legal notice was published in the Winters Express on 06/11/20 and notices were mailed to all property owners who own real property within three hundred (300) feet of the project boundaries at least ten (10) days prior to the hearing.

Copies of the staff report and attachments for the proposed approval to remodel the exterior of the former Tomat's restaurant have been on file and available for public review at city hall since June 18, 2020.

**ENVIRONMENTAL ASSESSMENT:** The proposed project is exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15301 (Existing Facilities).

## **RECOMMENDED FINDINGS FOR DESIGN REVIEW 2020-03 EXTERIOR REMODEL OF THE FORMER TOMAT'S RESTAURANT REMODEL**

### CEQA Findings:

- 1) The proposed project is consistent with the General Plan designation for the project site and all applicable General Plan policies as well as zoning regulations.
- 2) The proposed project is an addition to an existing facility that will not result in an addition/expansion increase of the floor area.

### General Plan and Zoning Consistency Findings:

- 1) The project is consistent with the goals and policies of the General Plan.

- 2) The project is consistent with the provisions of the Zoning Ordinance and Form-Based Code.
- 3) The project is consistent with the intent and purposes of the zone in which it is located and will not detrimentally impact the character of the neighborhood.
- 4) The project will not be detrimental to the public health, safety, or general welfare.
- 5) Adequate utilities, access roads, drainage, sanitation, and/or other necessary facilities or services are provided.
- 6) The project will not create a nuisance or enforcement problem within the neighborhood.
- 7) The project will not result in a negative fiscal impact upon the City.

**RECOMMENDATION:** Staff recommends approval of the design review permit by making an affirmative motion as follows:

**I MOVE THAT THE CITY OF WINTERS PLANNING COMMISSION APPROVE THE APPLICATION FOR SITE PLAN/DESIGN REVIEW 2020-03 EXTERIOR REMODEL OF THE FORMER TOMAT'S RESTAURANT 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
- Approve the Design Review 2020-03 application subject to the conditions of approval (Attachment B) attached hereto.

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

**ATTACHMENTS:**

- A. Site Plan and Elevations
- B. Conditions of Approval



# HWY 128 HALL & KITCHEN

## 1123 W. GRANT AVENUE

### WINTERS, CA. 95694

#### INDEX

- 1 OF 5 COVER SHEET
- 2 OF 5 PLOT PLAN
- 3 OF 5 ROOF PLAN
- 4 OF 5 ELEVATION VIEWS
- 5 OF 5 —DETAILS— FLOOR PLAN

#### LEGEND

- LIGHT 
- RECEPTICAL SWITCH 
- 

**CODES**  
 ALL WORK TO BE ACCORDANCE WITH REQUIREMENTS  
 OF THE CALIFORNIA ELECTRICAL CODE (CEC) 2014  
 CALIFORNIA BUILDING CODE (CBC) 2014  
 CALIFORNIA MECHANICAL CODE (CMC) 2014  
 CALIFORNIA PLUMBING CODE (CPC) 2014  
 CALIFORNIA FIRE CODE (CFC) 2014  
 CALIFORNIA ELECTRIC CODE (CEC) 2014  
 ALL WORK SHALL BE ACCORDANCE WITH THE  
 MANAS CONTRACT AND SPECIFICATIONS ATTACHED TO THE ARCHITECT  
 CONTRACT. ALL REQUIREMENTS IN FORCE ON THE DATE OF THE  
 CONTRACT.

OWNER: HWY 128 HALL & KITCHEN  
 ARCHITECT: MANAS DRAFTING & DESIGN  
 AND RELATED LAND AND REGULATIONS

MANAS DRAFTING & DESIGN  
 881 NOTRE DAME DRIVE  
 WOODLAND CA 95695  
 (530)383-5957

MANAS DRAFTING & DESIGN  
 881 NOTRE DAME DRIVE  
 WOODLAND CA 95695  
 (530)383-5957

NO.	DATE	REVISION

HWY 128 HALL & KITCHEN  
 1123 W. GRANT AVENUE  
 WINTERS, CA. 95694

DATE: 11/11/2014  
 TIME: 10:11 AM  
 USER: JLM  
 PLOT: 1123 W. GRANT AVENUE  
 SHEET: 1-1

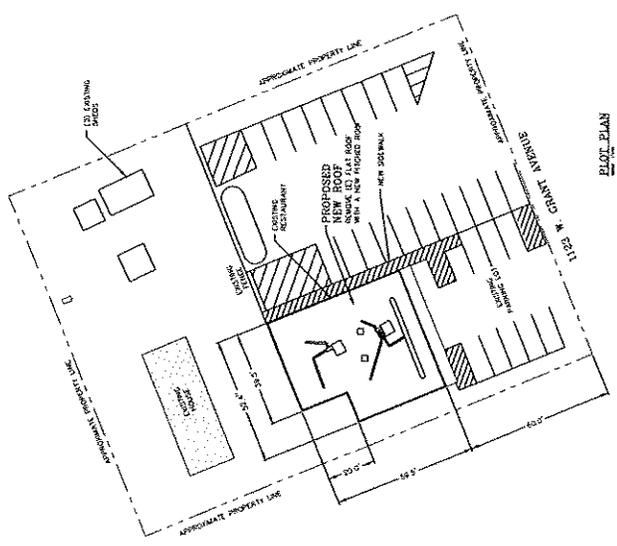
DATE: 01/11/17  
 DRAWN BY: JMM  
 CHECKED BY: JMM  
 PROJECT: HWY 128 HALL & KITCHEN  
 SHEET: C-1

HWY 128 HALL & KITCHEN  
 1123 W. GRANT AVENUE  
 WINTERS, CA. 95694

NO.	DATE	DESCRIPTION

MANAS DRAFTING & DESIGN  
 881 NOTRE DAME DRIVE  
 WOODLAND CA 95695  
 (530)383-5957

MANAS DRAFTING & DESIGN



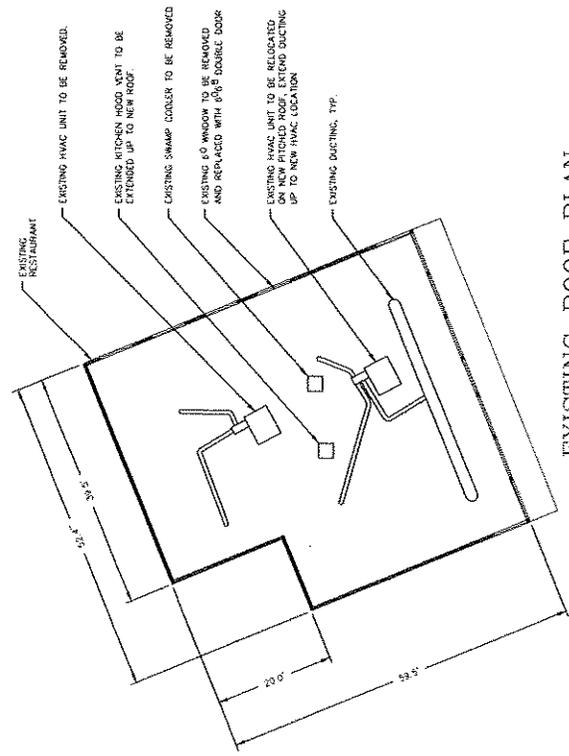
**MAMAS DRAFTING & DESIGN**  
 881 NORTH DAWN DRIVE  
 WOODLAND, CA 95694  
 (530)363-9577

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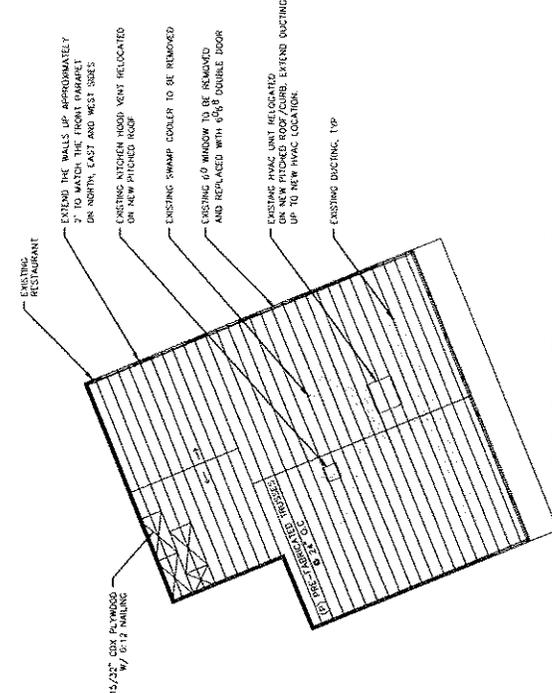
NO.	DATE	DESCRIPTION

SCALE: 1" = 20'  
 APRIL, 2003  
 1123 W. GRANT AVENUE  
 WINTERS, CA 95694  
**HWY 128 HALL & KITCHEN**

DATE: 04/01/03  
 PROJECT: HWY 128 HALL & KITCHEN  
 DRAWING NO.: A-1



**EXISTING ROOF PLAN**  
 SCALE: 1/16" = 1'-0"



**PROPOSED ROOF PLAN**  
 SCALE: 1/16" = 1'-0"

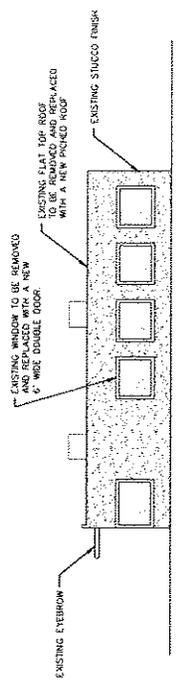
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 881 NOTRE DAME DRIVE  
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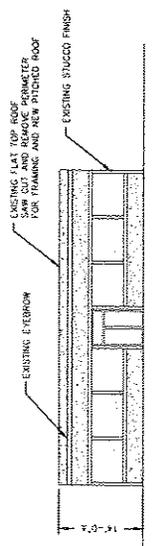
NO.	DATE	DESCRIPTION

**HWY 128 HALL & KITCHEN**  
 1123 W. GRANT AVENUE  
 WINTERS, CA 95694

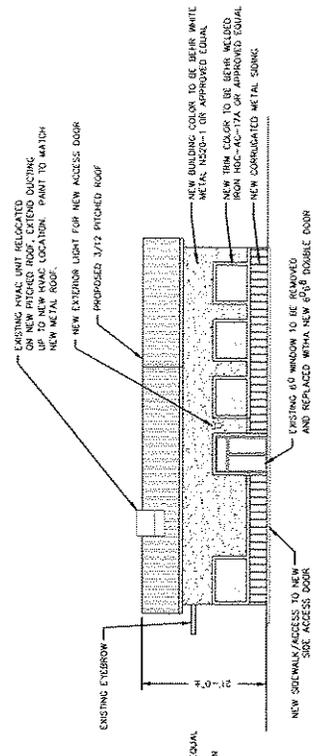
DATE: 11/22/2011  
 DRAWN BY: JMM  
 CHECKED BY: JMM  
 SCALE: 1/2" = 1'-0"



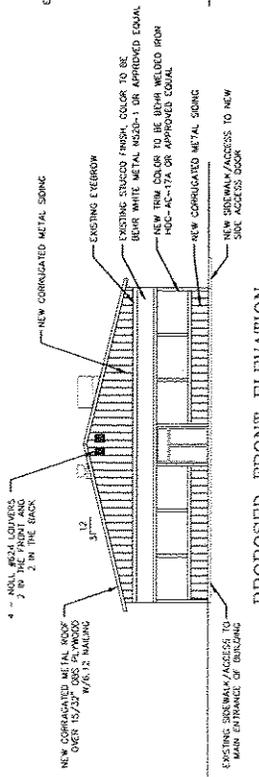
**EXISTING SIDE ELEVATION**  
 SCALE: 1 1/2" = 1'-0"



**EXISTING FRONT ELEVATION**  
 SCALE: 1 1/2" = 1'-0"



**PROPOSED SIDE ELEVATION**  
 SCALE: 1 1/2" = 1'-0"



**PROPOSED FRONT ELEVATION**  
 SCALE: 1 1/2" = 1'-0"

**ALUM. INSULATION**  
 ROOF AREA = 484 S.F. @ 1.1444 = 2747.50 S.F.  
 AREA REQUIRED = 150  
 6 EACH ROOF FRESH LOUVERS @ 100 S.F. IN. = 600 S.F. IN.  
 34 EACH HOLL. FOR MESH EYE VENTS @ 36 S.F. IN. = 1224 S.F. IN.  
 TOTAL ATIC VENT AREA = 2904 S.F. IN.



# ATTACHMENT A

**SITE PLAN/DESIGN REVIEW 2020-03  
PLANNING COMMISSION  
JUNE 23, 2020**

**CONDITIONS OF APPROVAL FOR THE EXTERIOR REMODEL OF THE FORMER  
TOMAT'S RESTAURANT AT 1123 GRANT AVENUE, WINTERS CA 95694**

1. In the event any claim, action or proceeding is commenced naming the City of Winters 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 from 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 employees, the Winters Planning Commission, any advisory agency to the City, local district and the City Council.
2. All conditions identified herein shall be fully satisfied prior to approval of final building inspection.
3. The project is described in the June 23, 2020 Planning Commission staff report. The project shall be constructed as depicted on the exhibits included in the June 23, 2020 Planning Commission Staff report, except as modified by these conditions of approval. Substantive modifications may require additional public hearing(s) and Planning Commission action.
4. HVAC unit and ducting being relocated to the new roof shall be screened from view or painted to match the adjacent roof color.
5. 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 (July 2, 2021) of the Planning Commission's approval to amend Site Plan/Design Review 2020-03.
6. The applicant shall obtain a building permit and pay the applicable building permit fees for any exterior changes to the existing restaurant or the proposed expansion.