

CITY OF CALISTOGA

STAFF REPORT

TO: CHAIRMAN MANFREDI AND MEMBERS OF THE PLANNING COMMISSION

FROM: ERIK V. LUNDQUIST, SENIOR PLANNER

DATE: SEPTEMBER 14, 2011

**SUBJECT: BEER AND WINE SERVICES – 1471 FIRST STREET
CONDITIONAL USE PERMIT (U 2011-09)**

REQUEST

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3 Consideration of a Conditional Use Permit application to establish retail wine sales,
4 including wine tasting in an existing 1,989 square foot mixed use space located at 1471
5 First Street (APN 011-204-012) within the “CC-DD”, Community Commercial-Design
6 District Overlay Zoning District. The property is developed with a residential structure
7 that is currently used for residential purposes and administrative offices for Beer and
8 Wine Services, Inc. This proposed action is exempt from the California Environmental
9 Quality Act (CEQA) under Section 15332 of the CEQA Guidelines.

BACKGROUND/DISCUSSION

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13 On August 10, 2011 this item was continued by the Planning Commission to provide
14 more time for the City Council to consider whether the City should establish grape
15 sourcing regulations for local wineries and winery tasting rooms. At their regular
16 meeting on September 6, 2011, the City Council further discussed sourcing regulations
17 and received testimony from both supporters and opponents of such regulations. The
18 Council concluded their deliberations by requesting that staff develop draft regulations
19 for wineries and winery tasting rooms that are appropriate for Calistoga. The Council
20 also discussed if an Urgency Ordinance was necessary but ultimately did not move
21 forward in that direction. It is staff’s recommendation that the Planning Commission
22 continue to process applications under current regulations while the draft regulations
23 are being prepared.

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25 Given this, staff continues to recommend approval of the project without a condition
26 requiring that only wines made of 75% Napa County fruit be poured in the tasting room.
27 Should the Planning Commission believe that a sourcing requirement is still appropriate
28 it would be within the Commission’s discretion to impose such a condition.

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30 A complete project description can be found in the June 22, 2011 Staff Report,
31 Attachment 3.

33 **CONDITIONAL USE PERMIT FINDINGS**

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35 To reduce repetition, all of the necessary findings are contained in the draft Resolution
36 PC 2011-14, see attachment No. 2.

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38 **ENVIRONMENTAL REVIEW**

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40 Under the provisions of Section 15332, In-Fill Development, of the State Guidelines for
41 Implementation of the California Environmental Quality Act (CEQA) as stated below,
42 this project is found to be exempt from the environmental review requirements of
43 Chapter 19.10 of the Calistoga Municipal Code, implementing the California
44 Environmental Quality Act of 1970, as amended in that; 1) the proposal is consistent
45 with the General Plan and Zoning District, 2) the subject site is less than five acres and
46 is surrounding by urban uses, 3) approval of the project would not result in any
47 significant effects relating to traffic, noise, air quality or water quality, and 4) the site can
48 be adequately served by all required utilities and public services.

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50 **RECOMMENDATIONS**

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52 A. Staff recommends the filing of a Notice of Exemption for the Project pursuant to
53 Section 15332 of the CEQA Guidelines.
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55 B. Pursuant to Section 17.06.020(B)(2) of the Zoning Ordinance, staff recommends
56 that the requirement for Design Review approval be waived because there are
57 no substantial design issues to be reviewed.
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59 C. Staff recommends approval of a Conditional Use Permit (U 2011-09) to allow
60 retail wine sales, including wine tasting in an existing mixed use space located at
61 1471 First Street (APN 011-204-012) within the "CC-DD", Community
62 Commercial-Design District.
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64 **ATTACHMENTS**

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66 1. Vicinity Map
67 2. Revised PC Resolution 2011-14
68 3. Planning Commission Staff Report dated June 22, 2011 (without attachments)
69 4. Site Plan and Floor Plan
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