

**CITY OF CALISTOGA  
PLANNING COMMISSION  
RESOLUTION PC 2008-25**

**A RESOLUTION APPROVING CONDITIONAL USE PERMIT (U 2008-04) AND DESIGN REVIEW (DR 2008-07) ALLOWING WINE SALES, INCLUDING WINE TASTING ON THE PROPERTY LOCATED AT 1224 LINCOLN AVENUE (APN 011-253-002) WITHIN THE “DC-DD”, DOWNTOWN COMMERCIAL - DESIGN DISTRICT**

1           **WHEREAS**, Frank and Eugenia Romeo, are the applicant's of the subject property for  
2 which this application is proposed; and  
3

4           **WHEREAS**, on May 20, 2008 the applicant submitted two Variance requests: 1) to allow  
5 a 7'-0" front yard setback, where 20'-0" is required and 2) to allow parking within the 20'-0" front  
6 yard setback along Hazel Street. The applicant also requested consideration of a Conditional  
7 Use Permit and Design Review application to operate a wine tasting and sales business within  
8 an existing 600 square foot structure on the property located at 1224 Lincoln Avenue (APN 011-  
9 253-002) within the “DC-DD”, Downtown Commercial - Design District. The applicant also  
10 requested the ability to conduct interim wine tasting and sales within the existing residence  
11 located on the property while the existing 600 square foot structure is being renovated; and  
12

13           **WHEREAS**, the Planning Commission considered the requests at its regular meeting of  
14 June 11, 2008. Prior to taking action on the application, the Planning Commission received  
15 written and oral reports by the staff, and received public testimony; and  
16

17           **WHEREAS**, this action has been reviewed for compliance with the California  
18 Environmental Quality Act (CEQA) and is exempt from the requirements of the CEQA pursuant  
19 to Section 15332 of the CEQA guidelines; and  
20

21           **WHEREAS**, the Planning Commission pursuant to Chapter 17.40.070 has made the  
22 following Conditional Use Permit findings for the project:  
23

- 24 1. The proposed development, together with any provisions for its design and  
25 improvement, is consistent with the General Plan, any applicable specific plan and other  
26 applicable provisions of the Zoning Code including the finding that the use as proposed  
27 is consistent with the historic, rural, small-town atmosphere of Calistoga.  
28

29           Response: Romeo Vineyards tasting room is consistent with the General Plan vision for  
30 a vibrant eclectic commercial core. The proposed use is also a reflection of the  
31 surrounding agricultural use and winemaking region, which enhances the rural character  
32 of this small town.  
33

- 34 2. The site is physically suitable for the type and density of development.  
35

36           Response: No changes will be occurring to the existing building, other than minor  
37 enhancements to the structure and that which is required to conform to accessibility and  
38 energy efficiency standards. No significant changes will be occurring to the exterior patio  
39 space. These existing developments are suitable for the site.  
40

- 41 3. The proposed development has been reviewed in compliance with the California  
42 Environmental Quality Act (CEQA) and the project will not result in detrimental or  
43 adverse impacts upon the public resources, wildlife or public health, safety and welfare.  
44

45           Response: This project is exempt from CEQA under Section 15332.

46  
47 4. Approval of the use permit application will not cause adverse impacts to maintaining an  
48 adequate supply of public water and an adequate capacity at the wastewater treatment  
49 facility.

50  
51 Response: The City's water system and wastewater treatment facility is adequate to  
52 serve this infill project.

53  
54 5. Approval of the use permit application shall not cause the extension of service mains  
55 greater than 500 feet.

56  
57 Response: Approval of this use permit application shall not cause the extension of  
58 service mains greater than 500 feet.

59  
60 6. An allocation for water and/or wastewater service pursuant to Chapter 13.16 CMC  
61 (Resource Management System) shall be made prior to project approval. Said allocation  
62 shall be valid for one year and shall not be subject to renewal.

63  
64 Response: Patronage for Romeo Vineyards is expected to be similar to typical retail  
65 patronage. Romeo Vineyards will have a water efficient dishwasher using five gallons  
66 per cycle, which will run four times a week. The toilet will also be a low flow fixture.  
67 Additional water and wastewater allocation will be acquired through the 2009 growth  
68 management allocation process. Until such time that the allocations are acquired  
69 residential usage will be restricted. With restrictions, the site has enough historic water  
70 and wastewater usage and/or entitlements to accommodate the proposed usage.

71  
72 7. The proposed development presents a scale and design which are in harmony with the  
73 historical and small-town character of Calistoga.

74  
75 Response: No changes, other than aesthetic enhancements and those improvements  
76 required to comply with accessibility and energy efficiency standards, are proposed to  
77 the building exterior of the structures.

78  
79 8. The proposed development is consistent with and will enhance Calistoga's history of  
80 independent, unique, and single location businesses, thus contributing to the uniqueness  
81 of the town, which is necessary to maintain a viable visitor industry in Calistoga and to  
82 preserve its economy.

83  
84 Response: Romeo Vineyards is a local business and is consistent with Calistoga's  
85 General Plan vision.

86  
87 9. The proposed development complements and enhances the architectural integrity and  
88 eclectic combination of architectural styles of Calistoga.

89  
90 Response: No change will be made to the architectural style.

91 **WHEREAS**, the Planning Commission pursuant to Chapter 17.06.040 has made the  
92 following Design Review findings for the project:

93

94 1. The design shall be compatible with the existing development pattern with regard to  
95 massing, scale, setbacks, color, textures, materials, etc.  
96

97 Response: The design of the existing structure is typical of those structures located  
98 along Lincoln Avenue and Hazel Street. No substantial alterations are proposed other  
99 than those interior modifications required for compliance with accessibility and energy  
100 efficiency standards.  
101

102 2. The design shall result in an appropriate site layout, orientation, and location of  
103 structures, relationship to one another, open spaces and topography.  
104

105 Response: The existing conditions and surrounding developments have been  
106 established in an historic fashion. The location of the existing structure is appropriate for  
107 the site yet sensitive to the surrounding properties.  
108

109 3. The design shall provide a harmonious relationship of character and scale with existing  
110 and proposed adjoining development, achieving complementary style, while avoiding  
111 both excessive variety and monotonous repetition.  
112

113 Response: See previous comment #1.  
114

115 4. The building design, materials, colors and textures shall be compatible and appropriate  
116 to Calistoga, and the architectural design or structures and their materials and colors  
117 shall be appropriate to the function of the project.  
118

119 Response: No exterior changes are proposed. The existing structure is consistent with  
120 these design guidelines, which require exterior colors and materials that blend with the  
121 rural character and that are indicators of the function of the structure.  
122

123 5. The design shall provide for harmony of materials, colors, and composition of those  
124 sides of a structure, which are visible simultaneously.  
125

126 Response: The existing design respects the existing features of the general structures  
127 use. The perimeter, building materials, windows, siding, and roof features are  
128 unchanged.  
129

130 6. The design shall provide consistency of composition and treatment.  
131

132 Response: The building profile is simple, which is compatible with the rural character of  
133 the area.  
134

135 7. The design shall consider the location and type of planting with regard to valley  
136 conditions, including the preservation of specimen and landmark trees upon a site with  
137 proper irrigation to insure water conservation and maintenance of all plant materials.  
138

139 Response: The area of landscaping shown on the site plan will not impact surrounding  
140 properties in the valley floor and will be properly irrigated to maintain the over condition  
141 of the property.  
142

143 8. The exterior lighting, design, signs and graphics shall be compatible with the overall  
144 design approach and appropriate for the setting.  
145

146 Response: The proposal does not intend to substantially alter the existing exterior  
147 lighting and the proposed signage will be minimal, per the conditions of approval, and is  
148 appropriate for a commercial area.  
149

150 9. The design shall provide for improvement of existing site conditions, including but not  
151 limited to signage, landscaping, lighting, etc., to achieve closer compliance with current  
152 standards.  
153

154 Response: See Previous Comment #8.  
155

156 10. The design promotes a high design standard and utilizes quality materials compatible  
157 with the surrounding development consistent with and appropriate for the nature of the  
158 proposed use.  
159

160 Response: The character-defining elements of the original structure are preserved. The  
161 proposed interior alterations will not diminish its presence on Hazel Street or the  
162 historical qualities of the main house.  
163

164 11. The design presents a responsible use of natural and reclaimed resources.  
165

166 Response: The property owner has presented a proposal that will reuse the existing  
167 building materials during any future renovation of the structure to the maximum extend  
168 practicable.  
169

170 **NOW, THEREFORE, BE IT RESOLVED** by the City of Calistoga Planning Commission  
171 that based on the above findings, the Planning Commission approves the proposed project,  
172 subject to following Conditions of Approval:  
173

174 1 The use hereby permitted shall substantially conform to the project description submitted by  
175 the applicant and the site plan dated May 20, 2008 except as noted in the permit  
176 conditions. This use permit allows the operation of wine sales, including wine tasting on  
177 the property. This use permit also allows interim wine tasting and sales to occur within the  
178 main residence during the initial construction period. Once the occupancy is granted for the  
179 600 square foot wine sales and tasting establishment, wine tasting in the main residence  
180 shall cease.  
181

182 2 The residential use shall be restricted to weekends until such time that a 2009 Growth  
183 Management Allocation can be awarded by the City Council. Once a growth  
184 management allocation is received and the associated water and wastewater allocations  
185 vested, through the payment of the appropriate fees, full time occupancy of the  
186 residence may be reinstated.  
187

188 3 The normal business operations within the structure shall not be limited to specific days of  
189 the week or hours, unless substantiated complaints are received. If substantive complaints  
190 are received the Planning and Building Director and/or Police Department may reduce the  
191 hours of operation as necessary.  
192

- 193 4 This permit shall be null and void if not used within a one year period, or if the use is  
194 abandoned for a period of one hundred and eighty (180) days. This permit shall be valid  
195 until it expires or is revoked pursuant to the terms of this permit and/or Chapter 17.40 of the  
196 Calistoga Municipal Code. Minor modifications which do not increase environmental  
197 impacts may be approved in writing by the Planning and Building Director.  
198
- 199 5 The Planning Commission may revoke the use permit pursuant to Section 17.40 of the  
200 Calistoga Municipal Code in the future if the Commission finds that the use to which the  
201 permit is put is detrimental to the health, safety, comfort or welfare of the public, or  
202 causes a nuisance.  
203
- 204 6 The owner(s) shall permit the City of Calistoga or representative(s) or designee(s) to  
205 make periodic inspections at any reasonable time deemed necessary in order to assure  
206 that the activity being performed under authority of this permit is in accordance with the  
207 terms and conditions prescribed herein.  
208
- 209 7 This use permit does not abridge or supercede the regulatory powers or permit  
210 requirements of any federal, state or local agency, special district or department which  
211 may retain regulatory or advisory function as specified by statute or ordinance. The  
212 applicant shall obtain permits as may be required from each agency.  
213
- 214 8 This permit does not authorize wine production or the sell and/or tasting of wines produced  
215 by any other wine distributor or proprietor other than Romeo Vineyards and Cellars, LLC,  
216 unless a public convenience and necessity determination is made by the City Council.  
217
- 218 9 Prior to operations and/or alterations, a building permit shall be obtained. Plans designed  
219 by a licensed architect or engineer which indicate accessibility and energy compliance shall  
220 be provided to the Building Department.  
221
- 222 10 Prior to operation, the applicant shall obtain a Business License pursuant to the City of  
223 Calistoga Municipal Code Chapter 5.04. The applicant shall, at all times, remain in  
224 compliance with the requirements of Chapter 5.04.  
225
- 226 11 The applicant shall comply with the California Uniform Retail Food Facilities Law and Napa  
227 County Environmental Health Management Division requirements for food and water  
228 service to the public. This permit does not authorize any restaurant activities and/or the  
229 distribution of food with the exception to pre-package food, unless otherwise approved by  
230 the Planning Commission through the use permit process.  
231
- 232 12 Applicant shall obtain a license from the State Department of Alcoholic Beverage Control  
233 prior to operation.  
234
- 235 13 12. All advertisements, including signage shall be directed toward Lincoln Avenue.  
236 No signage in excess of 4 square feet shall face Hazel Street, unless authorized by the  
237 Planning and Building Director or Planning Commission. All website advertisements,  
238 business cards, flyers etc. shall direct and promote public access via Lincoln Avenue.  
239
- 240 14 Prior to occupancy, the existing door and porch fronting onto Hazel Street shall be  
241 removed.  
242

- 243 15 Deliveries shall occur on Cedar Street, between Lincoln Avenue and Hazel Street, in the  
244 designated loading zone or on Lincoln Avenue, unless otherwise authorized by the  
245 Planning and Building Department or Police Department. Deliveries shall be  
246 transported via the Lincoln Avenue frontage. Hazel Street shall not be used for regularly  
247 scheduled deliveries.  
248
- 249 16 Open and outdoor storage of merchandise or materials shall be prohibited.  
250
- 251 17 Prior to occupancy, the water systems for the wine sales and tasting establishment and  
252 main residence shall be separately metered subject to the review and approval of the  
253 Public Works Department.  
254
- 255 18 Prior to occupancy, the wine sales and tasting establishment shall connect to the City's  
256 sanitary sewer line located in Hazel Street subject to the review and approval of the  
257 Public Works Department.  
258

259 **PASSED, APPROVED AND ADOPTED** on June 11, 2008, by the following vote of the  
260 Calistoga Planning Commission:  
261

262  
263 AYES:  
264 NOES:  
265 ABSENT:  
266 ABSTAIN:  
267

268 \_\_\_\_\_  
269 Jeff Manfredi, Chairman  
270

271 ATTEST: \_\_\_\_\_  
272 Kathleen Guill  
273 Secretary to the Planning Commission