

**CITY OF CALISTOGA
PLANNING COMMISSION
RESOLUTION PC 2019-XX**

APPROVING USE PERMIT UP 2019-5 ALLOWING WINE TASTING AND RETAIL SALES WITHIN AN EXISTING COMMERCIAL SPACE LOCATED AT 1329 LINCOLN AVENUE

1
2 **WHEREAS**, on February 8, 2019, Claire Weinkauff submitted a request for a use
3 permit in order to allow wine tasting and retail sales within an existing commercial space
4 located at 1329 Lincoln Avenue; and

5 **WHEREAS**, the applicant intends to relocate an existing tasting room currently
6 located at 1458 Lincoln Avenue, which was approved by the Planning Commission by
7 Resolution 2016-10 on May 25, 2016; and

8 **WHEREAS**, the Planning Commission considered this request at its regular
9 meeting of February 27, 2019. Prior to taking action on the application, the Planning
10 Commission received written and oral reports by the staff, and received public
11 testimony; and

12 **WHEREAS**, this action has been reviewed for compliance with the California
13 Environmental Quality Act (CEQA) and is exempt from the requirements of the CEQA
14 pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines; and

15 **WHEREAS**, the Planning Commission pursuant to Chapter 17.40.030.D has
16 made the following use permit findings for the project:

- 17 1. Finding: The proposed use is in accord with the General Plan and any applicable
18 planned development.

19 Supporting Evidence: The proposed development is consistent with the goals
20 and policies of the Calistoga General Plan in that it represents an allowable use
21 in an existing commercial space in a strategic location in the downtown. A viable
22 wine tasting and retail use would complement the existing mix of uses on the
23 block. The wine tasting room relocates an existing small, premium locally owned
24 wine element.

- 25 2. Finding: Is in accord with all provisions of this title.

26 Supporting Evidence: The site is physically suitable for the type and intensity of
27 use in that it occupies an existing space and incorporates some retail element as
28 part of the wine tasting room. The type of use contemplated is allowed in this
29 district by the zoning code.

- 30 3. Finding: Will not substantially impair or interfere with the development, use or
31 enjoyment of other property in the vicinity.

32 Supporting Evidence: This is an existing downtown business moving to a new
33 location in an existing commercial space. It is a type of use that already exists in
34 several locations downtown. There will not be any excessive noise, lighting, or

35 anything else associated with the use that will interfere with surrounding
36 properties.

- 37 4. Finding: The proposed development is consistent with and will enhance
38 Calistoga's history of independent, unique, and single location businesses, thus
39 contributing to the uniqueness of the town, which is necessary to maintain a
40 viable visitor industry in Calistoga and to preserve its economy.

41 Supporting Evidence: The re-use of this existing commercial space in the
42 downtown would be consistent with Calistoga's sense of independent and unique
43 single-location businesses. This locally owned -business would be a complement
44 to the downtown in this location. The proposed relocation of this use, a tasting
45 room for premium wines grown within the region, that also incorporates a
46 meaningful amount of retail merchandise, would continue to enhance the
47 experience for visitors to the city and make a meaningful contribution to the City's
48 fiscal vitality.

49 **NOW, THEREFORE, BE IT RESOLVED** by the City of Calistoga Planning
50 Commission that based on the above findings, the Planning Commission approves the
51 proposed use, subject to the following conditions of approval:

- 52 1. The use hereby permitted shall substantially conform to the project descriptions and
53 supporting plan received February 8, 2019 by the Planning and Building
54 Department, except as noted in the permit conditions. This use permit allows wine
55 tasting and retail sales. This use permit does not allow live entertainment, as
56 defined per CMC Section 17.04.395.
- 57 2. Any expansion or change of use shall require an amendment subject to use
58 permit review as determined by the Planning and Building Department. Minor
59 modifications may be approved in writing by the Planning and Building Director.
- 60 3. All wines poured for tasting in the winery tasting room without charge shall be
61 labeled with a recognized American Viticulture Area (AVA) within Napa County or
62 are made from at least 75 percent fruit grown within the 94515 zip-code area. A
63 combination of wines meeting the criteria stated above may be allowed if
64 collectively the combination represents at least 75 percent of the wines being
65 poured.
- 66 4. No signage is specifically approved as a result of this approval. All signage shall
67 be subject to the approval of the Planning and Building Director.
- 68 5. Any minor modifications to the front of the building, including the placing of
69 planters or any other form of barrier to create an outdoor seating area, shall be
70 subject to the review and approval of the Planning & Building Director.
- 71 6. This permit shall be null and void if not used within a year, or if the use is
72 abandoned for a period of one hundred and eighty (180) days. Once the use is
73 initiated, this permit shall be valid until it expires or is revoked pursuant to the terms
74 of this permit and/or Chapter 17.40 of the Calistoga Municipal Code.

- 75 7. This use permit does not abridge or supersede the regulatory powers or permit
76 requirements of any federal, state or local agency, special district or department
77 which may retain regulatory or advisory function as specified by statute or
78 ordinance. The applicant shall obtain permits as may be required from each
79 agency.
- 80 8. A building permit shall be obtained for any construction occurring on the site not
81 otherwise exempt by the California Building Code or any state or local
82 amendment adopted thereto, and all fees associated with plan check and
83 building inspections, and associated development impact fees established by
84 City Ordinance or Resolution shall be paid.
- 85 9. Prior to operation, an inspection shall be conducted by the Fire Department to
86 ensure compliance with health and safety regulations including the installation of
87 fire extinguishers, smoke detectors and carbon monoxide detectors. Additionally,
88 the occupancy limit of the space shall be reviewed and approved by the Building
89 Official and/or Fire Chief and shall be posted in a conspicuous place for the life of
90 the use.

ADOPTED on February 27, 2019 by the following vote of the Calistoga Planning
Commission:

AYES:

NOES:

ABSENT:

ABSTAIN: ABERNATHY

Paul Coates, Chair

ATTEST: _____
Lynn Goldberg, Secretary

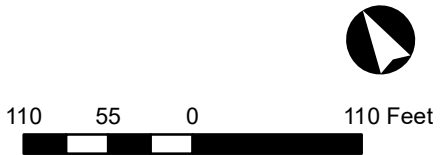
Attachment 2



**Proposed Relocation:
1329 Lincoln Avenue**

**Current Location:
1458 Lincoln Avenue**

LOCATION MAP
Picayune Cellars
Current and Proposed Relocation



Attachment 3

