



City of Calistoga
Planning Commission
Agenda Item Summary

DATE	April 24, 2019
ITEM	Calistoga Wine Stop - Relocation Use Permit UP 2019-7
PROPERTY ADDRESS	1441 Lincoln Avenue
ASSESSOR'S PARCEL NO.	011-205-005
GENERAL PLAN DESIGNATION	Downtown Commercial
ZONING DISTRICT	DC: Downtown Commercial
APPLICANT	Tom Pelter
STAFF CONTACT	Zach Tusinger, Senior Planner
POTENTIAL CONFLICTS	None
RECOMMENDATION	Adopt a resolution approving Use Permit UP 2019-7 with conditions.
SUGGESTED MOTION	"I move that the Planning Commission adopt a resolution approving a use permit allowing a wine shop and tasting business at 1441 Lincoln Avenue."

**CALISTOGA PLANNING COMMISSION
STAFF REPORT**

To: Calistoga Planning Commission
From: Zach Tusinger, Senior Planner
Meeting Date: April 24, 2019
Subject: Calistoga Wine Stop Use Permit UP 2019-7
1441 Lincoln Avenue

ITEM

Consideration of a use permit application to relocate a retail wine shop with wine tasting to an existing commercial space at 1441 Lincoln Avenue.

PROJECT SETTING

The property at 1441 Lincoln Avenue (APN 011-205-005) is currently improved with a single-story, two-storefront retail building. The 1,000-square foot subject commercial space most recently has been the home of retail store Rabbit Rabbit Fair Trade.

Surrounding uses include the North Star Gift Shop in the adjoining storefront, the Mount View Hotel & Spa to the north, and NextHome Real Estate to the south. Silverado Ace Hardware is located directly across Lincoln Avenue. This section of Lincoln Avenue also includes retail shops, restaurants, and Cal Mart. The subject property is located less than 200 feet from Calistoga Wine Stop’s existing location at the depot.

PROJECT DESCRIPTION

Calistoga Wine Stop is currently located in Suite 2 at 1458 Lincoln Avenue (the Calistoga Depot). While the business has been open for 33 years, an administrative use permit (AUP 2006-6) was approved by the Planning & Building Department in May 2006 allowing wine tasting in addition to the retail wine sales. The business also sells olive oil and other wine-related merchandise. Applicant Tom Pelter, owner of Calistoga Wine Stop, wishes to relocate to a larger, more visible space on Lincoln Avenue. Daily business hours would continue to be 10:00 a.m. to 6:00 p.m. In addition to the owners, the business has three employees.



1441 Lincoln Avenue

32 **ANALYSIS**

33 The project's consistency with the City's applicable plans, policies and codes is
34 evaluated below.

35 Calistoga General Plan

36 The subject site is designated by the General Plan's Land Use Map as Downtown
37 Commercial, which allows the establishment of businesses for visitors and residents.

38 The Downtown Character Area overlay, which also applies to this property, encourages
39 and supports a diversity of land uses. While there are 10 existing or approved tasting
40 rooms downtown, Calistoga Wine Stop is a unique business in that it is primarily a wine
41 retailer. Furthermore, there would not be a net increase in the number of downtown
42 tasting rooms because the application proposes to relocate an existing downtown
43 business.

44 Allowing retail wine sales and wine tasting at this location, including from smaller
45 producers in the area, would be consistent with General Plan Economic Development
46 Objective ED-1.2, which encourages the expansion of economic activity in Calistoga
47 that builds on the community's strengths and reinforces its small-town character.

48 The proposed relocation of this use across Lincoln Avenue would continue to fall within
49 the range of allowable land uses, and permit Calistoga Wine Stop to continue to provide
50 a unique retail and tasting experience for visitors and residents consistent with the
51 above-described General Plan provisions.

52 Zoning Code

53 The project site is zoned Downtown Commercial (DC). As with Calistoga Wine Stop's
54 current location, retail wine sales and wine tasting are allowed in the downtown upon
55 obtaining a use permit. For the wine tasting use, the City's grape sourcing regulations
56 (Section 17.21.030.A.3) require that 75 percent of the wines poured be labeled with a
57 recognized American Viticulture Area (AVA) within Napa County or be made from at
58 least 75 percent fruit grown within the 94515 zip-code area. A condition of approval has
59 been incorporated into the use permit resolution reiterating the grape sourcing criteria.

60 The proposed re-use of this existing commercial space in the downtown does not
61 require additional parking. As such, the Zoning Code's parking requirements have been
62 satisfied. Additionally, staff does not expect the business to generate any significant
63 levels of noise that would be unacceptable to surrounding uses.

64 There are no exterior modifications to the structure planned, so design review is not
65 required for this project. Calistoga Wine Stop will be required to apply for a sign permit
66 for any new signage. While the applicant has indicated that no interior construction is
67 planned, building permits may be required for tenant improvements.

68 **ENVIRONMENTAL REVIEW**

69 The use permit application is Categorically Exempt from the requirements of the
70 California Environmental Quality Act (CEQA) pursuant to Section 15301 of the CEQA
71 Guidelines (Existing Facilities).

72 **PUBLIC COMMENT**

73 As of April 16, 2019, no public comments had been received regarding this project.

74 **FINDINGS**

75 To reduce repetition, all the necessary findings to approve the use permit application
76 are contained in the draft resolution.

77 **RECOMMENDATION**

78 Based on the information and analysis contained in this report, staff recommends that
79 the Planning Commission, after conducting a public hearing on the matter, adopt the
80 attached resolution approving Use Permit UP 2019-7.

ATTACHMENTS

1. Draft resolution
2. Vicinity map
3. Letter from applicant and conceptual floor plan

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

**APPROVING USE PERMIT UP 2019-7 ALLOWING RETAIL WINE SALES AND WINE
TASTING WITHIN AN EXISTING COMMERCIAL SPACE LOCATED AT 1441
LINCOLN AVENUE**

1
2 **WHEREAS**, on March 27, 2019, Tom Pelter submitted a request for a use permit
3 in order to allow retail wine sales and wine tasting within an existing commercial space
4 located at 1441 Lincoln Avenue; and

5 **WHEREAS**, the applicant intends to relocate an existing retail wine shop with
6 wine tasting currently located at 1458 Lincoln Avenue.

7 **WHEREAS**, the Planning Commission considered this request at its regular
8 meeting of April 24, 2019. Prior to taking action on the application, the Planning
9 Commission received written and oral reports by the staff, and received public
10 testimony; and

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

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

- 16 1. Finding: The proposed uses are in accord with the General Plan and any
17 applicable planned development.

18 Supporting Evidence: The proposed development is consistent with the goals
19 and policies of the Calistoga General Plan in that it represents allowable uses in
20 an existing commercial space in a strategic location in the downtown. The
21 relocated retail wine shop and wine tasting would continue to complement the
22 existing mix of uses on the block.

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

24 Supporting Evidence: The site is physically suitable for the type and intensity of
25 uses in that it occupies an existing space and is primarily retail based. The type
26 of uses contemplated are allowed in this district by the zoning code.

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

29 Supporting Evidence: This is an existing downtown business relocating to a new
30 location in an existing commercial space. It consists of uses that already exist in
31 several locations downtown. There will not be excessive noise, lighting, or
32 anything else associated with the uses that will interfere with surrounding
33 properties.

- 34 4. Finding: The proposed development is consistent with and will enhance
35 Calistoga's history of independent, unique, and single location businesses, thus

36 contributing to the uniqueness of the town, which is necessary to maintain a
37 viable visitor industry in Calistoga and to preserve its economy.

38 Supporting Evidence: The re-use of this existing commercial space in the
39 downtown would be consistent with Calistoga's sense of independent and unique
40 single-location businesses. This locally-owned business, which has been in
41 operation for 33 years, would continue to be a complement to the downtown in
42 this new location. The proposed relocation of these uses, a retail wine shop with
43 a tasting room, would continue to enhance the experience for visitors to the city
44 and make a meaningful contribution to the City's fiscal vitality.

45 **NOW, THEREFORE, BE IT RESOLVED** by the City of Calistoga Planning
46 Commission that based on the above findings, the Planning Commission approves the
47 proposed uses, subject to the following conditions of approval:

- 48 1. The uses hereby permitted shall substantially conform to the project descriptions
49 and supporting documents received March 27, 2019 by the Planning and Building
50 Department, except as noted in the permit conditions. This use permit allows retail
51 wine sales and wine tasting. This use permit does not allow live entertainment, as
52 defined per CMC Section 17.04.395.
- 53 2. Any expansion or change of use shall require an amendment subject to use
54 permit review as determined by the Planning and Building Department. Minor
55 modifications may be approved in writing by the Planning and Building Director.
- 56 3. All wines poured for tasting in the winery tasting room without charge shall be
57 labeled with a recognized American Viticulture Area (AVA) within Napa County or
58 are made from at least 75 percent fruit grown within the 94515 zip-code area. A
59 combination of wines meeting the criteria stated above may be allowed if
60 collectively the combination represents at least 75 percent of the wines being
61 poured.
- 62 4. The storefront window along Lincoln shall remain generally open and
63 unobstructed so as pedestrians will be able to see into the business. Small
64 displays of merchandise are acceptable and encouraged.
- 65 5. No signage is specifically approved as a result of this approval. All signage shall
66 be subject to the approval of the Planning and Building Director.
- 67 6. Any minor modifications to the front of the building shall be subject to the review
68 and approval of the Planning & Building Director.
- 69 7. This permit shall be null and void if not used within a year, or if the uses are
70 abandoned for a period of one hundred and eighty (180) days. Once the uses are
71 initiated, this permit shall be valid until it expires or is revoked pursuant to the terms
72 of this permit and/or Chapter 17.40 of the Calistoga Municipal Code.
- 73 7. This use permit does not abridge or supersede the regulatory powers or permit
74 requirements of any federal, state or local agency, special district or department
75 which may retain regulatory or advisory function as specified by statute or

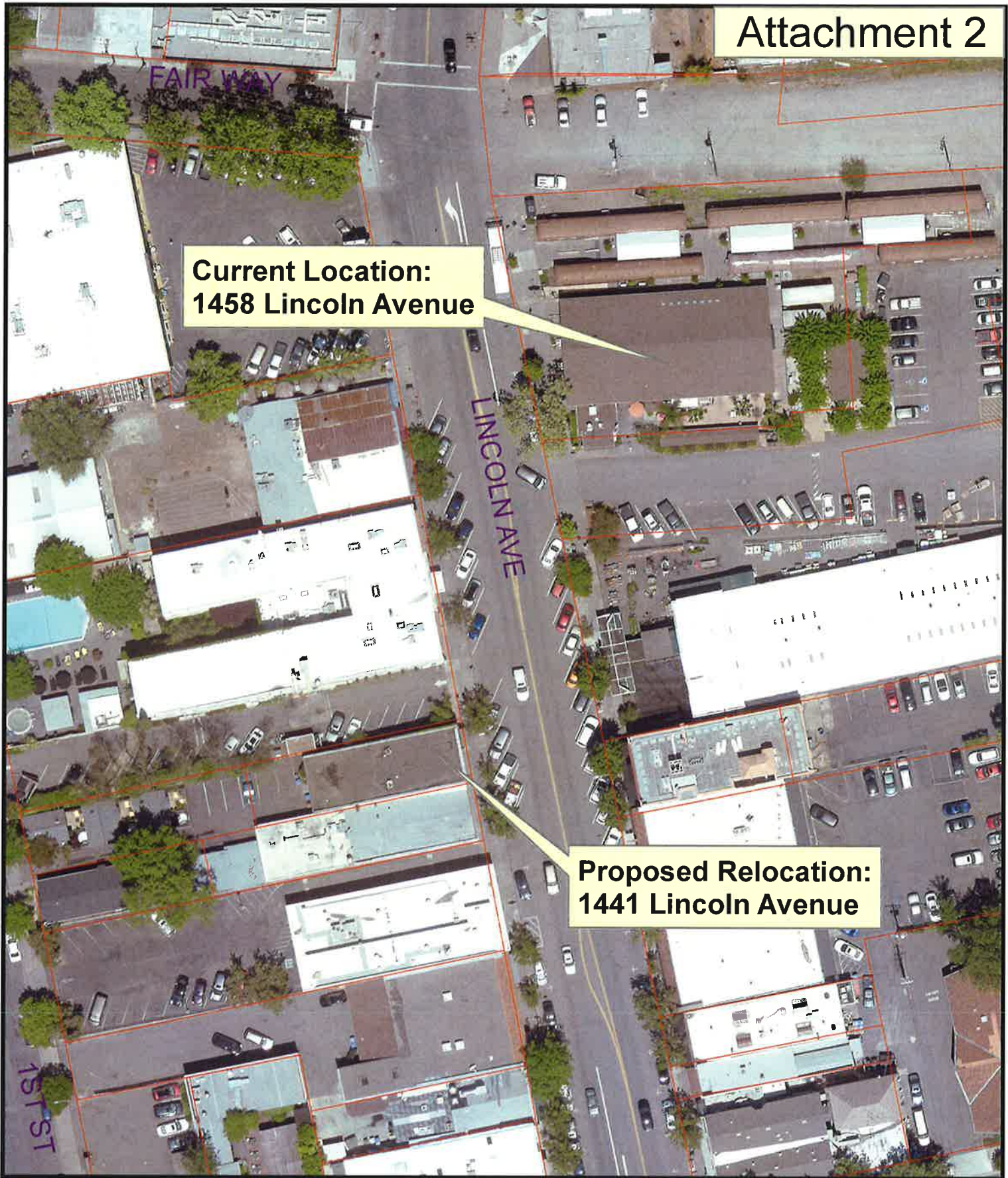
- 76 ordinance. The applicant shall obtain permits as may be required from each
77 agency.
- 78 8. A building permit shall be obtained for any construction occurring on the site not
79 otherwise exempt by the California Building Code or any state or local
80 amendment adopted thereto, and all fees associated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

ADOPTED on April 24, 2019 by the following vote of the Calistoga Planning Commission:

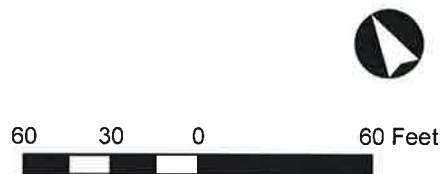
AYES:
NOES:
ABSENT:
ABSTAIN:

Paul Coates, Chair

ATTEST: _____
Lynn Goldberg, Secretary



LOCATION MAP
**Calistoga Wine Stop
UP 2019-7**



Attachment 3

March 27th, 2019

Dear City of Calistoga, Zach Tusinger and others to whom it may concern:

Our store, Calistoga Wine Stop, would like to relocate across the street from 1458 Lincoln Avenue to 1441 Lincoln Avenue.

We have been in the retail wine business here in Calistoga for the past 33 years. Our hours of daily operation will be 10:00 am to 6:00 pm which is what they are now. We will continue to sell wines from the smaller producers in Napa and Sonoma counties, olive oils and other wine related items as well as tastings.

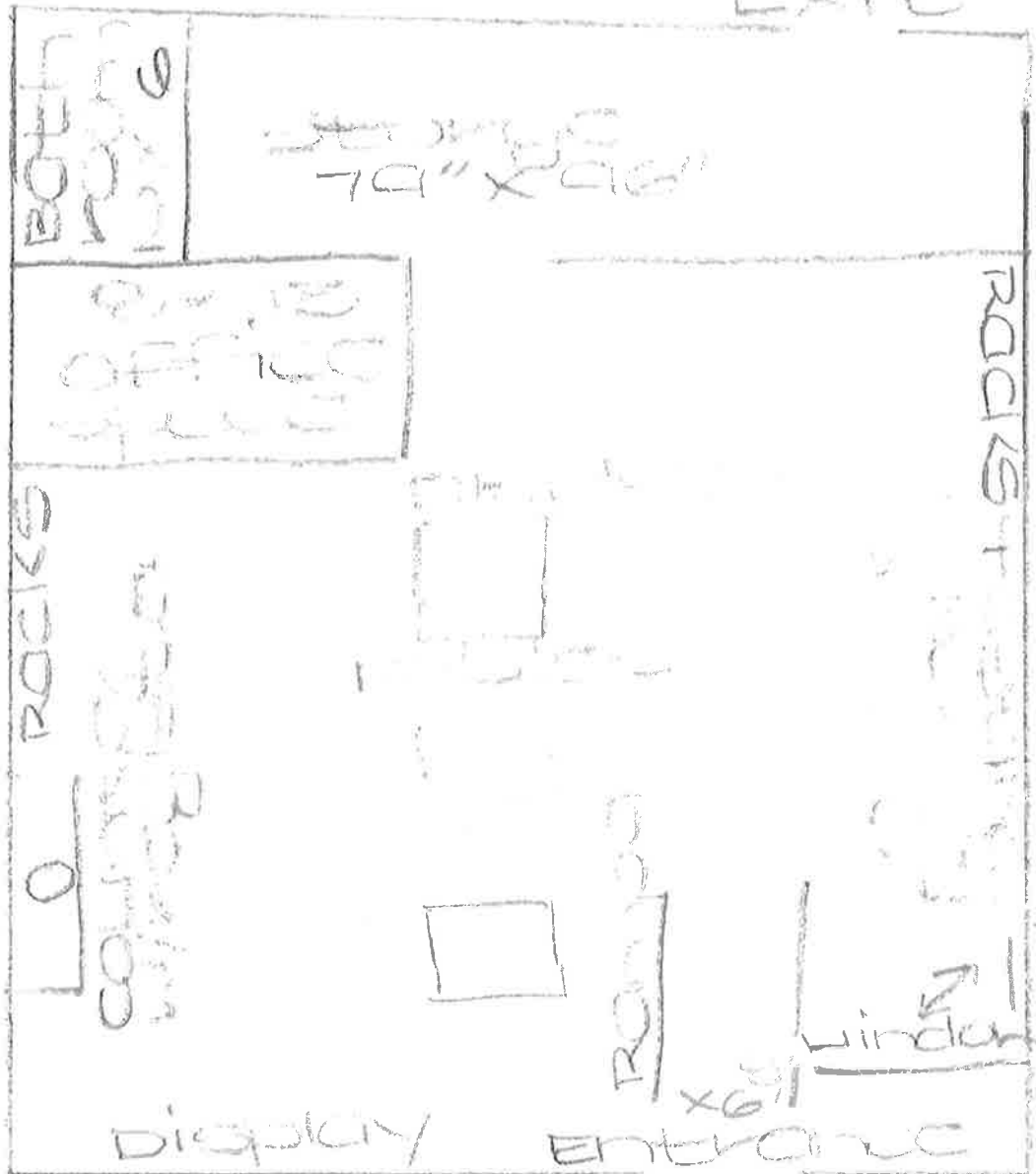
The new location at 1441 Lincoln is approximately 1000 square feet and is owned by Mr. Bruce Dill and his wife Donna. There will be no new construction taking place at the site and we currently have 3 employees which work separate days and hours individually. Thank you.

Sincerely yours,

Tom, Tammy and Tara Pelter
Calistoga Wine Stop

NOT TO SCALE

BACK
EXIT



47'
X

41' X
10'

ROCKS

ROCKS

Display

ENTRANCE

WINDOW

11' X 11'

14'3" NORTH

Lincoln AVE

CALISTOGA WINE STOP 912-555-6

CURRENTLY