



A Tradition of Stewardship  
A Commitment to Service

Agenda Date: 12/4/2019

Agenda Placement: 7C

## Napa County Planning Commission Board Agenda Letter

---

**TO:** Napa County Planning Commission  
**FROM:** Brian Bordona for David Morrison - Director  
Planning, Building and Environmental Services  
**REPORT BY:** Dana Ayers, Consultant - 925-688-2490  
**SUBJECT:** Mathew Bruno Wines Tasting Room

---

### **RECOMMENDATION**

#### **MATHEW AND ANTHONY BRUNO / MATHEW BRUNO WINES TASTING ROOM – USE PERMIT APPLICATION NO. P17-00387-UP AND REQUEST FOR EXCEPTION TO NAPA COUNTY ROAD AND STREET STANDARDS**

**CEQA Status:** Consideration and possible adoption of a Negative Declaration (ND). According to the proposed ND, the project would not have a significant impact on the environment. This project site is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5.

**Request:** Approval of a Use Permit to allow a wine bar with wine storage, tasting, retail sales and marketing events on a re-purposed single-family residential property that is currently being utilized for administrative offices. In addition to renovation of the historic residential structure, on-site construction for the project would include planting of new landscaping; installation of seven paved, on-site parking stalls; installation of a new, on-site wastewater treatment system; and construction of a wraparound porch, also to be used for wine tasting. Off-site modifications would include widening of the asphalt paved surface of the northern portion of Grape Lane immediately adjacent to the project site, and installation of a mid-block pedestrian crossing on Rutherford Road. The proposal also includes a request for a public road exception to the requirement under Napa County Road and Street Standards to install a left turn lane in the right-of-way of Rutherford Road at its intersection with Grape Lane. The proposed project site is a 0.38-acre parcel located at 1151 Rutherford Road, Napa (Assessor's Parcel No. 030-160-007), in the CL (Commercial Limited) zoning district.

**Staff Recommendation:** Adopt the ND and approve the requested Use Permit, as conditioned.

**Staff Contact:** Dana Ayers, Contract Planner, phone number (925) 688-2490 or email address [dayers@trcccompanies.com](mailto:dayers@trcccompanies.com); Charlene Gallina, Supervising Planner, phone 707-299-1355 or email [Charlene.Gallina@countyofnapa.org](mailto:Charlene.Gallina@countyofnapa.org)

**Applicant's Representative:** Jeffrey Redding, Land Use Planning Services, phone number (707) 255-7375 or

email address jreddingaicp@comcast.net

## **EXECUTIVE SUMMARY**

### **Proposed Actions:**

That the Planning Commission:

1. Adopt the Negative Declaration (ND) prepared for the proposed project, as set forth in Findings 1 through 7 of Attachment A; and
2. Approve Use Permit Application No. P17-00387-UP, based on Findings 8 through 12 of Attachment A, and subject to the recommended Conditions of Approval (Attachment B).

### **Discussion:**

The applicant requests a Use Permit to allow establishment of a wine bar with wine storage and tasting and retail wine sales on a residential property currently being used for offices and located at 1151 Rutherford Road. Proposed improvements associated with the use permit request also include installation of on-site parking, new trees and landscaping, wastewater treatment system improvements and a wraparound porch attached to the existing single-family residential structure. The proposal also includes a request to the Public Works Director for a public road exception to the requirement under Napa County Road and Street Standards (RSS) to install a left turn lane in the right-of-way of Rutherford Road at its intersection with Grape Lane. The Public Works Director has tentatively approved the RSS exception request. Staff believes the necessary findings can be made and supports approval of the Use Permit, as the requested use is consistent with the zoning of the property and with various General Plan policies in support of reutilization of historic structures and promotion of the wine culture of Napa Valley.

## **FISCAL & STRATEGIC PLAN IMPACT**

Is there a Fiscal Impact? No

County Strategic Plan pillar addressed:

## **ENVIRONMENTAL IMPACT**

Consideration and possible adoption of a Negative Declaration. According to the proposed Negative Declaration, the proposed project would have no potentially significant impacts on the environment. This project site is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5.

## **BACKGROUND AND DISCUSSION**

**Property Owner:** Mathew and Anthony Bruno

**Applicant:** M& B Bruno Family, LP, P.O. Box 1530, Turlock, California 95381

**Property Owner's/Applicant's Representative:** Jeffrey Redding, Land Use Planning Services, phone number (707) 255-7375 or email address jreddingaicp@comcast.net

**Zoning:** CL (Commercial Limited) District

**General Plan Designation:** Agricultural Resource

**Application Filed:** November 13, 2017; Revisions submitted July 13, 2018, and October 16, 2019

**Application Complete:** October 25, 2019

**Parcel Size:** 0.38 acres

***Existing and Proposed Use Characteristics:***

**Existing Building Size:** Approximately 2,200 gross square feet on main floor level, basement and attic, plus approximately 400 square foot front porch

**Proposed Building Size:** No change to interior floor area, though only the approximately 1,540 square foot main level would be used for the wine bar (ceiling heights in attic and basement do not meet code and would be used only for storage); plus approximately 1,200 square feet in front and new side and rear porches

**Existing Building Height:** Approximately 28 feet to highest part of roof; maximum 35 feet allowed

**Proposed Building Height:** No change

**Setbacks Required:** Not applicable; no minimum setbacks in CL District

**Proposed Changes to Setbacks:** None proposed

**Existing Parking (Elizabeth Spencer Offices):** Existing parking area on gravel pad behind building but area not striped for designated parking stalls

**Proposed Parking (Mathew Bruno Wine Bar):** Seven on-site stalls (one handicapped accessible and six standard)

**Existing Number of Employees (Elizabeth Spencer Offices):** Seven full-time and four part-time employees

**Proposed Number of Employees (Mathew Bruno Wine Bar):** Two full-time employees

**Existing Number of Visitors (Elizabeth Spencer Offices):** Not applicable

**Proposed Number of Visitors (Mathew Bruno Wine Bar):** Up to 56 per day

**Existing Marketing Program (Elizabeth Spencer Offices):** Not applicable

**Proposed Marketing Program (Mathew Bruno Wine Bar):** Two events per month for up to 30 guests per event, plus two events per year for up to 250 guests per event

**Existing Hours of Operation (Elizabeth Spencer Offices):** Daily, 8:00 a.m. to 5:00 p.m.

**Proposed Hours of Operation (Mathew Bruno Wine Bar):** Daily, 9:00 a.m. to 7:00 p.m.; daily wine tasting between 10:00 a.m. and 6:00 p.m.

**Adjacent General Plan Designations, Zoning Districts and Land Uses:**

North: Rutherford Road/State Route (SR) 128 adjoins the northern property line of the parcel. Across the highway are surface parking lots for the Rutherford Grill restaurant and 26-room Ranch Caymus Inn, as well as, an access driveway to the surface parking lot for Beaulieu Vineyards winery and tasting room. The restaurant, inn and winery

are also located across the highway, further to the northwest, northeast and north of the subject parcel. The restaurant and inn are, like the subject site, zoned CL District; the winery parcel is zoned AP (Agricultural Preserve) District. All of the parcels across the highway have a General Plan land use designation of Agricultural Resource.

West: Grape Lane, a private, 50-foot wide by 350-foot long parcel providing access to single-family residential properties located to the south of the subject site, adjoins the western property line of the parcel. Across Grape Lane from the site is the Elizabeth Spencer winery and tasting room, and further to the west of the winery is the right-of-way of St. Helena Highway/SR 29. Each of the properties between the proposed project site and SR 29 is zoned CL District and has a General Plan land use designation of Agricultural Resource.

South: A 14-acre parcel fully developed with vineyards adjoins the southern property line of the proposed project site. The parcel is zoned AP District and has a General Plan land use designation of Agricultural Resource. Southwest of the subject parcel is a row of seven single-family residential properties that are accessed via Grape Lane. These residential properties range in size from 0.16 to 0.63 acres, are zoned RS:B-1 (Residential Single, Building Site Combination, One Acre Minimum Lot Size) District and have a General Plan land use designation of Agricultural Resource.

East: La Luna Market and Taqueria property adjoins the eastern property line of the subject parcel. Further to the east of the market are vineyards and several single-family residential parcels, ranging in size from 0.17 to 0.61 acres, on both sides of SR 128. The market parcel is zoned CL District, and the residential parcels are zoned RS:B-1 District. All of the parcels to the east of the subject site have a General Plan land use designation of Agricultural Resource.

#### **Parcel History:**

Consistent with General Plan Community Character Policy CC-26.5, the applicant commissioned a historic resource assessment for the building. The final report (“1151 Rutherford Road Historic Resource Assessment”) prepared by the architectural historian firm of Page & Turnbull was submitted to the County in July 2018. Page & Turnbull’s records research of the property indicated that the 0.38-acre parcel was once part of a larger tract of land owned by Eli Van Vleet, a grapegrower in the Napa Valley in the late 19th century. Evidence suggests that the residential structure currently on-site was built for miller and grocery David R. Richie in 1892, after a fire destroyed the original home built in the late 1880s. Samuel Mignacco, a farmer and saloon proprietor, purchased the property from members of the Richie family in 1913. In 1954, the Mignacco family sold the property to Doris and Cyril Jensen, both employees of local healthcare facilities, who retained ownership of the site until 1992. The Jensens sold the property to Reginald Oliver in 1992, and it was at this time that the use of the structure changed from residential to commercial occupancy. The Olivers sold the property to the project proponents in September 2017.

There have been no discretionary permits associated with this property, although the Board of Supervisors, on appeal on June 23, 1992, authorized issuance of a Certificate of Legal Nonconformity for continued use of the existing structure for residential purposes (Planning file no. 91395-CLN), after the property was rezoned to CL District in 1990. (The CL District, as then and currently written, excludes single-family residences as permitted primary land uses.) As noted above, Reginald Oliver purchased the property in 1992 and leased the building for office tenancy. The building currently still is occupied by office tenants.

#### **Code Compliance:**

The CL District regulations allow certain commercial uses with a use permit, but administrative or general offices are not identified as a permissible primary use in that zone. Thus, the existing tenancy is noncompliant with current zoning regulations, though the County has not previously initiated code compliance efforts on the property nor received any complaints about the current office tenancy. Nonetheless, staff notes that food and beverage service establishments, with no more than 100 seats, are allowed as conditional uses in the CL District, and as such, the

current request would resolve the existing matter of noncompliance with zoning regulations.

**Discussion Points:**

Setting- The project site at 1151 Rutherford Road/SR 128 is a 0.38-acre parcel located on the south side of Rutherford Road, less than one quarter mile east of SR 29. The General Plan land use designation is Agricultural Resource, and the property is zoned CL District. The property has been developed for over a century with a single-family residence and ornamental landscaping. Though there may have been other accessory structures on the property in the past, such structures are no longer present on-site. The property fronts onto Rutherford Road; tenants currently occupying the property have also informally utilized Grape Lane, a private parcel with a paved roadway providing access to residences to the south, for vehicular access to an unstriped, gravel area behind the house. As described above, the property is located in the community of Rutherford, where surrounding land uses consist of vineyards, single-family houses, and commercial establishments that include an existing wine bar, restaurant, resort hotel and food market.

Building and Site Improvements- Proposed physical changes to the property include renovation of the existing single-family residential building. The approximately 1,540 square foot ground floor of the building would be remodeled to create two private wine bar/tasting rooms, along with an administrative office, food pairing plating and ware washing area, wine library and restrooms. The existing basement and upper floor of the building would be used for wine storage and would not be accessible to patrons due to substandard ceiling heights in those areas. Exterior changes to the building are proposed to comply with the Secretary of the Interior's Standards for the Treatment of Historic Properties (Standards), and would include: 1) removal of decorative additions known or believed to be non-historic (window shutters, molded railings, decorative corner brackets); and 2) retention of the building's original character-defining exterior architectural features so as to maintain the exterior appearance of the building as a residence, despite its commercial use. The applicant proposes to add a new, wrap-around porch to the southern (rear) and eastern (interior side) elevations of the building; consistent with the Standards, this addition would be architecturally differentiated from the original front porch (through changes in railing, picket and support post details) so as not to appear falsely as original to the structure. The porch addition has also been designed so as not to negatively impact the integrity of the original historic structure if that addition were to be removed at a future date. Other changes, including a wheelchair lift at the proposed rear porch, are also proposed to meet accessibility requirements.

Proposed modifications to the site include construction of a three-foot tall stone wall at the front (northern) property line; the wall would include a four-foot tall pedestrian entry gate and approximately eight square foot business identification sign. The proposed project also includes removal of 19 existing ornamental and fruit trees, including two trees located off the property on Grape Lane to accommodate widening of the asphalt road surface. New landscaping and outdoor amenities would be installed on-site and would include 20 new trees, a decorative water feature, bocce court, low-lying shrubs, lighting and decomposed granite paths.

Off-site, the applicant proposes to widen the paved surface of the northern, approximately 150 feet of Grape Lane adjacent to the project site, from its existing 10-12 feet to 20 feet with two feet of shoulders consistent with Napa County RSS for common drives. The applicant has also proposed some pedestrian improvements on SR 128 in conjunction with the request for RSS exception. (See RSS Exception Request, below.) In addition to the improvements identified in the RSS exception request, staff recommends that the applicant construct curb, gutter and sidewalk in the right-of-way at the property frontage, to complete the gap and further enhance pedestrian mobility and accessibility. This recommended condition has been included in the recommended conditions of approval in Attachment B to this staff report.

Signage- The applicant has proposed an eight square foot business identification sign to be placed at the Rutherford Road property frontage of the site. The sign would extend two feet above the top of a proposed new four-foot tall stone wall at the front property line, for an overall height of six feet above grade. Napa County Code does

not prescribe sign standards for single-tenant, non-winery uses; however, it is noted that the proposed project signage is consistent with the standards for winery signage, which allows freestanding signs to be as tall as six feet above grade and to have an area of up to 30 square feet (Napa County Code Section 18.116.060.C). Signage may be approved by the Planning Commission in conjunction with use permit approval, and thereafter, any modifications to approved signage may be approved by the Planning Director provided that the signage is consistent with that specified in the use permit (Napa County Code Section 18.116.030.D)

Visitation/Marketing Program- Napa County Code Section 18.28.030 allows bars with no more than 100 seats in the CL District upon grant of a use permit. Due to the small size of the parcel and wastewater treatment system design demands, the proposed bar would operate with no more than 56 visitors per day. The proposed business operation would include up to two events per month for up to 30 guests; these events would be scheduled between 6:00 p.m. and 10:00 p.m., outside of the wine bar's regular operating hours of service (10:00 a.m. to 6:00 p.m.). Due to wastewater treatment system constraints, the operator would reduce the number of wine tasting room guests to no more than 26 people on days that these 30-person evening events are scheduled. Food service for daily wine bar visitors would be limited to pre-packaged foods such as cheese, salumi and nuts; marketing events may have expanded food options, with all meals cooked off-site by licensed caterers.

In addition to twice monthly small events, the applicant has proposed to conduct two large events per year, with each event hosting up to 250 guests. These larger events are proposed to occur for a two- to four-hour duration on weekend days (Saturday or Sunday), within the bar's regular business hours (10:00 to 6:00 p.m.) and outside of peak traffic hours. Portable restrooms would be brought to the property for these events and temporarily placed on the property on the west side of the building, north of the on-site parking stalls. As with the 30-person events, any cooked food served at these larger events would be cooked off-site by licensed caterers. Staff recommends that the size of these larger events be reduced to 200 people maximum, the estimated number of people that could comfortably fit (based on ratios of 10-15 square feet per person) in the tasting room, on the eastern porch area, and in the patio areas to the east of the building, but excluding areas south of the building that are designated for primary and septic leachfield reserve areas and that are therefore not accessible to foot traffic. Staff also recommends a condition that requires the applicant to prepare and submit to the PBES Department a transportation demand management plan at least 30 days ahead of each scheduled large event.

Traffic and Parking- Based on the combination of square footage in the administrative office, wine storage, and tasting and ware washing areas of the bar, the proposed project would need at least seven off-street automobile parking stalls and racks for at least two bicycles to meet the codified parking requirements of Napa County Code Sections 18.110.030 and 18.110.040. Proposed site modifications include installation of seven parking stalls and a bicycle rack, consistent with the code requirements.

The project site fronts onto Rutherford Road, which has one eastbound travel lane, one westbound travel lane, and parking lanes on both sides of the street. Several commercial properties that also front onto the roadway have curb, gutter and sidewalk at their frontages; the proposed project site has a gravel pathway at its frontage but no sidewalk. While the project site fronts onto Rutherford Road and has pedestrian access to the roadway, there is no vehicular access from that street. Instead, access to the on-site parking stalls would be via Grape Lane. In 2018, the property owner formalized through court action the currently informal vehicular access to the unstriped gravel pad behind the residential building, where office employees currently park vehicles.

Traffic analysis prepared by Omni-Means Engineering Solutions, the applicant's consultant, projected near-term and long-term impacts to the roadway network in the vicinity of the proposed wine bar. Deducting the existing, estimated 29 trips currently generated to and from the site by existing office employees, the proposed project would generate 20 net new daily trips, with nine trips occurring during the weekday evening peak hour and 16 trips occurring during the Saturday midday peak hour. The traffic analysis evaluated current and future traffic conditions at the Rutherford Road/Grape Lane intersection, the Rutherford Road/Conn Creek intersection east of the project site, the Rutherford Road/SR 29 intersection west of the project site, and the Rutherford Road segment in the

vicinity of the site.

Under the County's guidelines for evaluating traffic impacts, the proposed project would not cause impacts to the Rutherford Road/Grape Lane intersection, the Rutherford Road/Conn Creek intersection east of the project site, and the Rutherford Road segment because level of service (LOS) with and without the project, in the near-term and long-term, would be at LOS B where the County's preferred level of service is LOS D. Rutherford Road/SR 29 currently operates at LOS F and would continue to operate at LOS F with and without the project, in the near-term and long-term. However, the proposed project trips would constitute less than one percent of the growth in intersection volumes in the near-term, and less than five percent of growth in intersections volumes in the long-term, and therefore would not have significant traffic impacts requiring mitigation under the County's significance criteria.

Although no mitigation is required of the project, it is noted that the applicant intends to implement transportation demand reduction programs at the business and has agreed to a condition of approval to contribute funding toward the Countywide transportation impact fee, which the County is currently in the process of establishing. Operational improvements along SR 29 are among the preliminary list of projects that the fee would fund. As noted in the traffic study, potential improvements could include speed feedback signage and striping for exclusive right and left turn lanes at the Rutherford Road/SR 29 intersections. The proposed project site is within a quarter mile of Vine Transit Route 10 bus stops currently located on the southbound and northbound lanes of SR 29, just south and north of Rutherford Road at SR 29.

RSS Exception Request- On Rutherford Road/State Route 128, where the standard is currently met for providing a left turn lane for vehicular access onto Grape Lane, the applicant has requested and the County Public Works Director has tentatively granted a public road exception to requirement under the RSS to install the left turn lane in the right-of-way. The basis of the request is the right-of-way constraint caused by existing parking lanes and commercial developments on both sides of the roadway, as well as, two mature trees in a curbside planting strip on the north side of Rutherford Road. As part of the request, in lieu of the vehicular left turn lane, the applicant has proposed to install a mid-block crossing with flashing beacons for pedestrian access across Rutherford Road. The Public Works Director's tentative decision, a copy of which is attached to this staff report with the RSS exception request letter, becomes final upon Planning Commission approval of the project.

With the exception, no existing lane widths would be reduced so as to constrain travel on Rutherford Road or Grape Lane. Emergency responders would continue to have the option to stage on Rutherford Road to respond to an emergency at the proposed project site. Proposed project improvements to widen the paved surface of Grape Lane to 20 feet to meet the minimum standards for a "common drive" as defined in the RSS would also allow emergency response vehicles sufficient width to use Grape Lane to respond to emergencies at the project site or at other residences also access via the private driveway.

Water Availability- Potable water to the property is provided from the City of St. Helena. The City has confirmed in an August 31, 2017, letter that it would continue to provide water service to the proposed wine bar. As noted in the City's letter, water demands of the proposed use would be less than the water demands of the existing office use and the previous residential use, and water use is anticipated to be further reduced with the planned installation of water-efficient plumbing fixtures (required by Building Code) associated with the renovation of the building. Continued water service to the property with a wine bar operation would not require modifications to existing infrastructure, such as an increase in the size of the water line to the site. With potable water provided by the City of St. Helena, the existing irrigation well on-site would be demolished.

Wastewater Treatment- The application materials, plans and wastewater feasibility study indicate that the proposed project includes: 1) demolition of the existing, standard gravity system; and 2) installation of a new wastewater treatment system that includes a pre-treatment system component, along with a new, 400 square foot on-site leachfield in the garden area to the east of the building on-site. Consistent with County standards, a

reserve area of 800 square feet is proposed near the southern property line of the site. The proposed new system would treat sanitary wastewater generated from generated by employees and daily guests of the wine bar. During the two larger marketing events each year, portable restrooms would be brought to the property and placed on the west side of the building and north of the on-site parking stalls.

The proposed new wastewater treatment system would include a 2,500-gallon septic tank, with a primary chamber in which primary treatment (separation of solids from liquid) would occur. Liquid effluent from the septic tank would then be treated to a secondary level in an Orenco® AdvanTex® AX-20 pod or similar system, after which the secondarily treated effluent would be pumped back into a second chamber in the larger septic tank, and subsequently pumped into the on-site, subsurface drip field system with drip tubing for disposal of flows under landscaped area.

For percolation of pre-treated wastewater, County regulations allow two feet of vertical clearance between leachlines and the limiting layer (such as heavy clay, rock, groundwater, or soil with more than 50 percent rock in its composition) in a septic system. A site evaluation report submitted with the Wastewater Feasibility Study of the proposed project indicated acceptable soil composition to a depth of three feet below ground surface; with drip lines typically placed six to eight inches below grade, the soil composition in the location of the proposed leachfield would provide adequate depth for treatment of wastewater generated by the proposed project. County Environmental Health regulations further require monitoring wells, reporting, and periodic inspections as additional precautions for engineered septic systems with pre-treatment facilities. These monitoring and reporting requirements are intended to detect issues of effluent quality in the soil, prevent contamination of groundwater, and effect repair of potential system damage or problems to ensure its ongoing functionality.

Greenhouse Gas Reduction Strategies- The proposed project consists of re-purposing off and improvements to an existing structure, which would generate fewer construction-related greenhouse gas emissions than new construction requiring more extensive grading on a larger property in a less developed location. The applicant also identified in the use permit application several ongoing measures that are consistent with local and regional efforts to manage greenhouse gas emissions from development projects. These measures include: 1) planting of 20 new trees to replace the 19 existing trees proposed to be removed on and off of the property, to help moderate hot and cold ambient temperatures on the property and sequester carbon; 2) installation of a EnergySTAR roof and light emitting diode (LED) light fixtures to reduce energy demands associated with emissions caused by heating, cooling and illuminating the building; and 3) installation of an electric vehicle charging station to reduce air emissions from customer and/or employee vehicles (Napa County Greenhouse Gas Checklist, Bmp Checklist Measures BMP-20, BMP-10 and BMP-21). Additionally the location of the proposed wine bar in a relatively more dense neighborhood in the unincorporated County area provides an opportunity for patrons and guests of the nearby food/beverage service and lodging business to walk to the property rather an drive an automobile, also reducing trips from automobiles. As noted above, the property is accessible by transit.

Public Comments- County staff has received comments from owners of residential and vineyard property proximate to the project site. Comments expressed concerns about increases in traffic and parking demands, as well as, the safety of the design of on-site parking facilities proposed to serve the business. One comment received expressed support for the project. Letters and correspondence from interested parties are attached to this staff report.

Decision-making Options:

Option 1: Approve Applicant's Proposal with Maximum 200-Person Events (Staff recommended option).

This action would result in cessation of operation of the existing administrative office use and establishment of a wine bar with fewer than 100 seats, a conditionally permitted use in the CL District, on the subject property. Consistent with Community Character Element policies of the General Plan and current building code, the proposed project would include restoration of a historic 19th century residence with accessibility and sustainability



improvements, including a wheelchair lift and new plumbing and lighting fixtures. The proposed project would also include an upgraded wastewater treatment system, and on-site vehicular and bicycle parking in accordance with minimum requirements of the zoning code. Daily vehicle trips to the property would increase by 20 trips per day as compared to the existing administrative office use, though the location of the site would afford the opportunity for sharing of a customer base between the proposed and nearby businesses, and the applicant would install pedestrian improvements on Rutherford Road to facilitate such movement. Employees interested in using transit would have a stop within reasonable walking distance of the site. As noted above, the 50-person reduction in the large event sizes better correlates to the areas of the property available for assemblages of people and would result in correspondingly fewer vehicle trips and reduction of event crowd noise.

Action Required – Follow the proposed action listed in the Summary section of this staff report, amending select, Project-Specific Conditions as listed in Exhibit B, as may be appropriate, at the time the motion of approval is made.

Option 2: Proposed Project with No Large Events Alternative.

This alternative would facilitate improvement and renovation of the existing historic residence and establishment of a commercial use on the property consistent with the conditionally permitted uses of the CL District. Smaller, 30-person events would still be permitted on a twice monthly basis, but the large events (250-person, two times per year) would not be included in the scope of the use permit or would be reduced in size to a lesser number of guests. This alternative would eliminate the notable increase in parking demand that could occur without proper planning and coordination to facilitate group transportation to the property. This alternative would also avoid potential increases in noise that large groups of guests could create. While this alternative would eliminate the potential issues related to large events, staff notes that these events would occur only twice per year, for up to four hours at a time, and the infrequency of these large events would not have the effect of creating a persistent or regular change in the property's surroundings. Based on the administrative record as of the issuance of this staff report, there does not appear to be any evidence that suggests such limits on the proposed business operations are warranted.

Action Required – Follow proposed action listed in Executive Summary and amend scope and project specific conditions of approval to eliminate the proposed large marketing events. If major revisions of the conditions of approval are required, item will need to be continued to a future date.

Option 3: Deny the Requested Use Permit.

As a result of this action, no wine bar would be established at the proposed project site. This action could result in vacancy of the existing building, as neither the existing nor proposed uses would have zoning clearance to occupy the site. More specifically, because the existing office use is not allowed under the CL District zoning, the County would likely follow-up the action with code enforcement efforts, which could result in abandonment of the office use from the building. A new use permit application for an alternative commercial use also consistent with the CL District could be submitted for Planning Commission consideration; the property could remain vacant until such time as the property owner was successful in obtaining County approval for an alternative use.

Action Required – In the event that the Commission determines that it cannot meet the required findings for grant of the requested Use Permit, Commissioners must articulate the basis of the conflict with the findings. The Commission would then make a tentative motion to deny the proposal and remand the matter to staff to draft the required findings of denial, based on the Commissioners' statements. Staff would return to the Commission with the findings of denial on a specified date.

Option 4: Continuance Option.

The Commission may continue an item to a future hearing date, at its discretion.

**SUPPORTING DOCUMENTS**

- A . Recommended Findings
- B . Recommended Conditions of Approval
- C . Initial Study/Negative Declaration
- D . Public Comments
- E . Use Permit Application
- F . Road and Street Standards Exception Request and Tentative Approval
- G . Wastewater Feasibility Study
- H . Traffic Study
- I . Historic Building Assessment
- J . Graphics

Napa County Planning Commission: Approve

Reviewed By: Brian Bordona