AMENDED 7/13/22
City of St. Helena
Planning Commission
Regular Meeting
Tuesday, July 19, 2022 @ 6:00 PM

This meeting will be conducted pursuant to the provisions of Government Code Section 54953 (as amended by AB 361) which authorizes teleconferenced meetings under the Brown Act during certain proclaimed States of Emergency. The Governor of California proclaimed a State of Emergency related to COVID-19 on March 4, 2020. This teleconferenced meeting is necessary so that the city can conduct essential business and is permitted under Government Code 54953 in order to protect public health and safety of attendees.

Consistent with Government Code Section 54953, this Planning Commission Meeting will be held via teleconference only, and will not be physically open to the public. Commission members and staff will teleconference into the meeting by audio and/or video. The meeting will be conducted via Zoom Webinar.

The Planning Commission meeting will be live-streamed on Comcast Channel 28 and on the City's website, barring technical difficulties. Those members of the public wishing to participate must do so remotely via Zoom electronic meetings in the following ways; by either logging onto the Zoom link located on the meeting agenda (please download the app to your computer or mobile device) and enter the meeting ID or by calling a listed number and enter the meeting ID. Public comment for Planning Commission meetings will be accepted via email to publiccomment@cityofsthelena.org. All public comments must be emailed by 3:00 PM prior to the meeting. Emailed public comments will not be read out loud but will be publicly available and attached to the on-line Planning Commission agenda.

****NEW - Simultaneous Spanish interpretation services during meetings can be scheduled upon request. To ensure interpreters are available, requests must be made at least 72 hours in advance by calling the Office of the City Clerk at (707) 968-2640 or emailing cityclerk@cityofsthelena.org.**

The schedule of upcoming meetings and published meeting agendas can be found on the City of St. Helena website at https://sthelena.civicweb.net/portal/.

Please click the link below to join the meeting:
https://us02web.zoom.us/j/81264639202

Or One tap mobile :
US: +16694449171,,81264639202# or +16699006833,,81264639202#
Or Telephone:
Dial(for higher quality, dial a number based on your current location):
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Meeting ID: 812 6463 9202
International numbers available: https://us02web.zoom.us/u/keuVkATlTk

PLEASE NOTE: Any person who wishes to speak regarding an item on the agenda or make a comment under the "Oral Communication" portion of the agenda may do so, but please observe the time limit of four minutes.

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ID de la Reunión: 812 6463 9202

Números Internacionales Disponibles: https://us02web.zoom.us/u/keuVkATlTk

TENGA EN CUENTA: Cualquier persona que desee hablar sobre un tema en la agenda o hacer un comentario en la sección de "comentario público" de la agenda puede hacerlo, pero por favor observe el límite de tiempo de cuatro minutos.

Page

1. PLEDGE OF ALLEGIANCE

2. CALL TO ORDER AND ROLL CALL
Chair: John Ponte
Vice Chair: TBD
Commissioners: Autumn Anderson, Rosaura Segura, Marika Rothfeld and Christopher Warner.

City staff present at the meeting will be noted in the minutes.

3. PRESENTATIONS AND PUBLIC RECOGNITIONS

3.1. *NEW ITEM 7/13/22*

Oath of Office of new Planning Commissioner Christopher Warner by City Clerk Cindy Tzafopoulos.

4. PUBLIC FORUM:
This is an opportunity for the public to address the Commission on items of interest to the public that are NOT listed on the agenda. Because of restrictions imposed by the Brown Act, the Commission may not engage in discussion nor take action on matters not described on the agenda. **Please observe the time limit of four minutes.**

5. CONSENT ITEMS
Members of the Commission or the public may ask that any items be considered individually for purposes of considering alternative action, for extended discussion, or for public comment. Unless that is done, one motion may be used to adopt all recommended actions. (Roll Call Vote)

5.1. Approval of Minutes: June 30, 2022 — 9 - 11
Special Planning Commission Minutes 06.30.22

6. PUBLIC HEARINGS

6.1. Request by Patrick Rue of Erosion Wine Co. for adoption of a resolution approving a use permit amendment in order to operate an eating and drinking establishment with the accessory brewing of 200 gallons per year and expanded hours of operation in what is currently two tenant spaces fronting Main Street in the existing building located at 1234 Main Street in the Central Business zoning district. — 13 - 57

CEQA Determination: Exempt pursuant to CEQA Guidelines Section 15301.
Prepared By: Aaron Hecock, Senior Planner

Recommendation:
For the reasons described above, staff recommends that the Planning Commission:

1. Determine that the project is exempt from the requirements of CEQA pursuant to CEQA Guidelines Section 15301; and
2. Accept the required findings and approve the attached resolution granting use permit amendment approval for an 85 seat eating and drinking establishment with accessory brewing of 200 gallons per year and expanded hours of operation in the front two tenant spaces of the building located at 1234 Main Street.

Staff Report- 1234 Main St.
Public Comment Heit

6.2. Request by Megan Collins on behalf of E. & J. Gallo Winery for adoption of a resolution approving a design review and planning commission sign permit in order to install exterior improvements at Orin Swift Cellars, located at 1321/1325 Main Street in the Central Business zoning district. 59 - 161

CEQA Determination: Class 1 Categorical Exemption (Existing Facilities)
Prepared By: Chantal Power
Recommendation:
For the reasons described above, staff recommends that the Planning Commission:

1. Determine that the project is exempt from the requirements of CEQA pursuant to CEQA Guidelines Section 15301; and

2. Accept the required findings and approve the attached resolution granting Design Review approval and a Planning Commission Sign Permit for the proposed exterior improvements to the building located at 1321/1325 Main Street.

Staff Report - 1321/ 1325 Main St.
Orin Swift Cellars PPT

7. SCHEDULED MATTERS

7.1. Nomination and election of a new Planning Commission Chair and Vice Chair and designation of the Commission Secretary. 163 - 176
Prepared By: Xinia Gamero, Permit Technician III
Recommendation:
It is recommended that the Commission nominate and vote to elect a new Chairperson and Vice Chairperson, and designate the Commission Secretary, as identified in Rule 1 of the Planning Commission By-Laws.

Staff Report- Nominations and elections
PC BY-LAWS 2018-Final(Votes)

8. DEPARTMENT REPORTS
This is an opportunity for staff to report on or update the Commission on any relevant matters.

9. AGENDA FORCAST

Below is a link to a list of pending and upcoming projects which may be of interest to the community.

This is also an opportunity for the Commission as a whole to request items be placed on future agendas for discussion. These items should be consistent with, and work to implement adopted Council Goals.

A list of all current planning projects is available on our city website in the link below:
http://www.cityofsthelena.org/projects?term_node_tid_depth=21

Please contact the assigned project Planner for additional questions.

10. ADJOURNMENT

The next Regular Planning Commission meeting is scheduled for August 2, 2022 at 6:00 pm.

I do hereby certify that a copy of the foregoing agenda was posted on the City website on July 11, 2022 and republished July 13, 2022.



Maya DeRosa, Planning & Building Director

Appeal. A person who is dissatisfied with a decision of the Planning Commission may appeal that decision to the City Council pursuant to Municipal Code Section 17.08.180, Appeal procedure. Actions of the Planning Commission will be listed on the City Council agenda the following Tuesday to give the City Council opportunity to review the Planning Commission's decision. Absent of an appeal by the City Council or by a citizen, the appeal period will terminate two weeks after the Planning Commission hearing.

Special Assistance for the Disabled. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please call the City Clerk's Office (707) 967-2792. Notification 48 hours prior to the meeting will enable City to make reasonable arrangements to ensure accessibility to this meeting (28 CFR35.102-35.104 ADA Title II). However, City staff will attempt to assist at any time with accessibility. The City Clerk has equipment to assist those with a hearing impairment.

PUBLIC TESTIMONY PROCEDURES

Pursuant to the Government Code Section 54954.3, the public may address the Commission on each agenda item during the Commission's consideration of that item. Each speaker has the option to state his or her name for the record before testifying. Depending on the number of speakers or the interest of the item, the Planning Commission Chairman may also restrict, at his/her discretion, the speaker's time to three minutes. The Chairman may also restrict public comments if they become irrelevant to the agenda item or repetitious of prior

comments. All persons interested may appear and be heard or submit written statements prior to the Planning Commission meeting. Please note that if you challenge the City's decision on any of these matters in court, you may be limited to raising only those issues you or someone else raised at the meeting or in written correspondence delivered to the City at, or prior to, the meeting.

CHALLENGING DECISIONS OF CITY ENTITIES

The time limit within which to commence any lawsuit or legal challenge to any quasi-adjudicative decision made by the City of St. Helena is governed by Section 1094.6 of the Code of Civil Procedure, unless a shorter limitation period is specified by any other provision, including without limitation Government Code section 65009 applicable to many land use and zoning decisions, Government Code section 66499.37 applicable to the Subdivision Map Act, and Public Resources Code section 21167 applicable to the California Environmental Quality Act (CEQA). Under Section 1094.6, any lawsuit or legal challenge to any quasi-adjudicative decision made by the City must be filed no later than the 90th day following the date on which such decision becomes final. Any lawsuit or legal challenge, which is not filed within that 90-day period, will be barred. Government Code section 65009 and 66499.37, and Public Resources Code section 21167, impose shorter limitations periods and requirements, including timely service in addition to filing.

If a person wishes to challenge the above actions in court, they may be limited to raising only those issues they or someone else raised at the meeting described in this notice, or in written correspondence delivered to the City of St. Helena, at or prior to the meeting. In addition, judicial challenge may be limited or barred where the interested party has not sought and exhausted all available administrative remedies.

SUPPLEMENTAL MATERIAL RECEIVED AFTER THE POSTING OF THE AGENDA

Any supplemental writings or documents distributed to a majority of the Planning Commission regarding any item on this Agenda, after the posting of the Agenda, will be available for public review in the Planning Department's Office located at 1480 Main Street, St. Helena, California, during normal business hours. In addition, such writings or documents will be made available on the City's web site at http://cityofsthelena.org and will be available for public review at the respective meeting.

THE CITY OF ST. HELENA ENCOURAGES ONLINE PUBLIC PARTICIPATION IN VIRTUAL PLANNING COMMISSION MEETINGS

St. Helena, CA– The City of St. Helena is committed to public participation in City government in a manner that is consistent with guidance provided by the Napa County Public Health Official and Governor Newsom's Executive Order N-25-20. These guidelines relate to social distancing, and are intended to protect everyone by limiting the spread of COVID-19 in our community. In adherence to these guidelines, the St. Helena Planning Commission will host a Virtual Planning Commission Meeting on Zoom; a free teleconferencing tool that enables users to watch and/or call into the meeting from their computers or phones. This meeting will be open to public and allows for live public comment. The meeting will also be recorded, livestreamed, and posted on the City's website after the adjournment of the meeting if technical difficulties occur: https://sthelena.civicweb.net/Portal/

The ZOOM web link, meeting ID, and phone number will be listed at the top of the Planning Commission Meeting Agenda. You will be required to enter the meeting ID, but there will be no password or participant ID.

How to Watch or Listen to Planning Commission Meetings:

1. Watch on Comcast Channel 28
2. Watch the livestreaming video on the City's website
3. Watch and Listen on Zoom.us by clicking on the link in the Planning Commission Agenda
4. Listen only by calling the Zoom number listed on the Planning Commission Agenda

Watch Planning Commission Meetings by Joining the Zoom Meeting:

1. **By Computer, Tablet, or Smart Phone:**
    a. Before joining the virtual Planning Commission Meeting, it is highly encouraged that you download the Zoom App. To sign up for your own free account, visit zoom.us/signup and enter your email address. You will receive an email from Zoom (no-reply@zoom.us). In this email, click Activate Account.
    b. If you are logged into your account, Enter the **Meeting ID** listed on the Planning Commission Agenda. If you have not created an account go to: https://zoom.us/join and enter the **Meeting ID**
    c. Select if you would like to connect audio and/or video and tap **Join Meeting**.
    d. For specific instructions for your device, go to: https://support.zoom.us/hc/en-us/articles/201362193-Joining-a-Meeting

1. **Listen Only by Telephone:**
    a. **Dial** the number listed on the Planning Commission Agenda.
    b. At the prompt, enter the **Meeting ID** provided on the top of the Planning Commission Meeting Agenda and **Press #. A participate ID is not required.**
    c. To disconnect from the meeting, hang up the phone.

Ways to Provide Public Comment:

While attending the virtual Planning Commission Meeting, the public will have the opportunity to provide live public comment during Public Forum and after each agenda item. When it is the appropriate time for public comment the Chair will verbally open public comment. At this time each individual is permitted 4 minutes to speak.

1. **Send a Public Comment in by 4:00 PM Prior to the Meeting to:** publiccomment@cityofsthelena.org

The easiest way to provide public comment is to email your public comment. Public comments may be emailed to publiccomment@cityofsthelena.org. Please include in the subject line "COMMENT TO PLANNING COMMISSION and the AGENDA ITEM". Any public comment is required to be submitted no later than 2 hours before the scheduled meeting and will be included as an attachment to the agenda. All public comments will be made publicly available

and attached to the agenda item and will not be read out loud. All public comments that are received after 4:00 PM will be attached to the agenda the following day.

2. **Provide Comment through Zoom meeting from a computer, tablet, or smart phone**

This option allows the public to virtually attend the meeting as a muted 'attendee' with no video or screen sharing capabilities. You will be able to see and hear those participating in the meeting, but they will not be able to hear you until the host unmutes you.

If you wish to provide public comment during a specific agenda item or during public forum, you can use the **"raise hand"** feature located in the control panel at the bottom of your screen. The icon is a small blue hand. In Windows you can also use the Alt+Y keyboard shortcut to raise or lower your hand. In Mac you can also use the Option+Y keyboard shortcut to raise or lower your hand.

The host will be notified that you've raised your hand and you will be placed in a queue with all incoming requests.
When it is your turn to speak, you will be notified that the host has unmuted you.
To be removed from the queue, just click the '**raise hand'** button again.

3. **Call in to the ZOOM meeting from a cell phone or landline phone only**

This option allows the member of the public with the opportunity to verbally participate in public comment.

If you wish to speak during public comment time dial ***9** on your telephone.

The host will be notified that you would like to speak and you will be placed in a queue with all incoming requests.

When it is your turn to speak, you will be notified that the host has unmuted you.
You may press ***9** again if you wish to be removed from the queue.

You will be notified at the end of your statement that you have been muted.

MINUTES
City of St. Helena
Special Planning Commission Meeting
Thursday, June 30, 2022 @ 6:00 PM
Virtual Meeting

A complete video recording of this meeting, except for closed session, can be found at https://sthelena.civicweb.net/Portal/ or by calling the City Clerk at (707) 968-2742. The City Council video is the official record of the Council meeting.

Present:	Chair John Ponte, Vice Chair Daniel Hale and Commissioner Autumn Anderson.
Absent:	Commissioner Marika Rothfeld and Commissioner Rosaura Segura
Staff Present:	Planning and Building Director Maya DeRosa, Senior Planner Aaron Hecock, City Attorney Ethan Walsh, Police Chief Chris Hartley, and Planning Commission Secretary Xinia Gamero

1. PLEDGE OF ALLEGIANCE

2. CALL TO ORDER AND ROLL CALL

3. PUBLIC FORUM:

4. CONSENT ITEMS

4.1 Approval of Minutes: May 3, 2022

Commissioner Autumn Anderson moved to approve the minutes on the Consent Calendar. The motion was seconded by Vice-Chair Daniel Hale and on roll call carried by the following vote:

AYES: Autumn Anderson, John Ponte, and Daniel Hale
NOES: None
ABSENT: Marika Rothfeld and Rosaura Segura
ABSTAIN: None
RECUSE: None

5. PUBLIC HEARINGS

5.1 Appeal filed by Susan Kenward and Diane Armstrong to overturn an Administrative Approval of a Short-term Rental Permit Renewal at 1702 Tainter Street in the Medium Density Residential zoning district.

Prepared By: Aaron Hecock, Senior Planner

Chair Ponte opened public hearing.

Ex parte communication was disclosed by Chair Ponte regarding emails received from Ms. Kenward (appellant). All items of concern were addressed.

Senior Planner Aaron Hecock reported on the item.

Appellant Susan Kenward addressed the Planning Commission.

Respondents Trevor and Martha Fessenden addressed the Planning Commission.

Appellant Susan Kenward responded to rebuttal.

Respondents Trevor and Martha Fessenden responded to appellant.

City Attorney Ethan Walsh and Police Chief Chris Hartley addressed the Planning Commission.

Chair Ponte opened the public testimony.

Michelle Mitchel, Pam and Jack Preston, Fred Hipp, Kathleen Kirk and Alan Kenward addressed the Planning Commission.

Chair Ponte closed the public hearing.

Vice-Chair Daniel Hale moved to approve staff recommendation. The motion was seconded by Commissioner Autumn Anderson and on roll call carried by the following vote:

AYES: Autumn Anderson, John Ponte, and Daniel Hale
NOES: None
ABSENT: Marika Rothfeld and Rosaura Segura
ABSTAIN: None
RECUSE: None

6. NEW BUSINESS

None.

7. SCHEDULED MATTERS

None.

8. DEPARTMENT REPORTS

Planning and Building Director Maya DeRosa reported on the following:

- The City has released the draft Housing Element for public review. Joint City Council and Planning Commission meeting to receive public comment for Housing Element to be held July 21, 2022 at 3:00 p.m.
- In-person public meetings to start in August. Date TBD.
- Welcoming of Commissioner Christopher Warner on his appointment to the Planning Commission.
- Thanking Vice-Chair Hale for his service on the Planning Commission.

9. AGENDA FORCAST

10. ADJOURNMENT

Chair Ponte adjourned the meeting at **7:29 P.M.**

The June 30, 2022 minutes were approved at the _____ Planning Commission meeting.

APPROVED:

_____
John Ponte, Chair

ATTEST:

_____
Maya DeRosa, AICP
Planning and Building Director

PLANNING COMMISSION REPORT

Planning Commission Meeting of July 19, 2022

FILE NUMBER: PL22-009

SUBJECT: Request by Patrick Rue of Erosion Wine Co. for adoption of a resolution approving a use permit amendment in order to operate an eating and drinking establishment with the accessory brewing of 200 gallons per year and expanded hours of operation in what is currently two tenant spaces fronting Main Street in the existing building located at 1234 Main Street in the Central Business zoning district.

PREPARED BY: Aaron Hecock, Senior Planner

REVIEWED BY: Maya DeRosa, Planning & Building Director

APPROVED BY: Maya DeRosa, Planning & Building Director

APPLICATION FILED:03/15/22 **ACCEPTED AS COMPLETE:**06/07/22

LOCATION OF PROPERTY: 1234 Main Street

APN: 009-083-019

GENERAL PLAN/ZONING: Central Business District (CBD)

APPLICANT: Rubenstein's, LLC **PHONE:** (714) 400-6092

BACKGROUND

The existing building at the southeast corner of Main Street and Hunt Avenue has tenant space fronting Main Street that has historically been bifurcated into two (2) tenant spaces, a Suite A and Suite B of 1234 Main Street. In June 2004, the Planning Commission approved a use permit, design review, and a sign permit (#2004-25) in order for Cricket, a women's clothing store, to move into (presumably) Suite B after being in another location on Main Street for 15 years. In June 2014, the City Council approved an appeal by the owners of 1234 Main Street thereby approving a use permit (#2014-40) for a 21-seat wine tasting room in Suite A. Erosion Wine Co. took over the wine tasting space in July 2019 and acquired the lease to the former Cricket space in March 2021.

In March 2021, the applicant was granted administrative approval (#PL21-007) of a temporary use permit (TUP) per St. Helena Municipal Code (SHMC) Section 17.136.050(D) allowing the expansion of wine/beer tasting activities into Suite B. Pursuant to SHMC Section 17.136.050, the approved TUP was valid for one year from the date of issuance. Continuing the use beyond the one year required that the applicant file an application for a use permit amendment, rather than a TUP, in compliance with Chapter 17.168.

PROJECT DESCRIPTION

As required, the applicant has submitted a use permit amendment application in order to establish eating and drinking uses in the into two tenant spaces at 1234 Main Street. This use permit amendment will rescind and nullify all prior use permits issued at 1234 Main Street. As described above, the portion of the building fronting Main Street was historically divided into two tenant spaces, an approximately 1,150 sf space (Suite A) and an approximately 967 sf space (Suite B). There is also an approximately 500 sf courtyard patio in the middle of the building. The applicant has put an opening in the wall previously separating Suites A & B so that the entirety of the space can function as one business.

In November 2021, the applicant began producing ice cream on-site and feature it in the front of Suite A, along with wine, coffee and tea. The same offerings are available in both suites, but Suite B features beer and food offerings. They serve the beers brewed at their brewery located in St. Helena, as well as a selection of beers from guest brewers. The outdoor courtyard patio in the center of the building would be utilized as part of the expanded uses.

The applicant is operating under an original Type 02 (winegrowers) license with the California Department of Alcohol Beverage Control (ABC) and have a health permit with the Napa County Environmental Health Department. Having food service allows them to serve beer & wine from other wineries with the Type 02 license. In order to maintain the Type 02 license at this location, they produce approximately 200 gallons of mead (honey wine) annually on-site utilizing Napa Valley honey from Marshall's Honey. The mead is then transported to their winery and is packaged to be served at the Tap House.

Current hours of operation are Monday thru Thursday 2:00p.m. to 8:00p.m., Friday & Saturday from 12:00p.m. to 10:00p.m. and Sunday form 12:00p.m. to 8:00p.m. The applicant is proposing to expand the hours of operation to earlier in the day to offer brunch on the weekends, as well as offer tastings during the week starting at 10:00a.m. To provide maximum flexibility, the applicant is proposing hours of operation of 8:00a.m. to 10:00p.m. daily; the hours of operation apply to the entirety of the operation.

No exterior modifications to the building are proposed and a sign permit application must be submitted for any new or modified signage. Permitted seating will not exceed capacity as allowed by Fire Code (total suite and outdoor area capacity is approximately 140 people according to the Fire Department). Approximate square footage and guest seat counts are shown in the table below:

	Approx. Sq. Ft.	Guest Seats
1234 Main Street (Suite A)	1,150	36
1234 Main Street (Suite B)	967	37
Outdoor Patio	500	12
Total:	**2,117 (indoor only)**	**85**

ANALYSIS

CEQA

Staff has conducted the requisite analysis and concluded that the project is categorically exempt from the requirements of CEQA pursuant to CEQA Guidelines Section 15301 which exempts the operation, permitting and leasing of private structures. The proposed project is not subject to any of the exceptions to the use of a categorical exemption as outlined in CEQA Section 15300.2. The project site is not visible from a scenic highway, is not included on a hazardous waste site, and will not impact historic resources or otherwise generate or contribute to any potentially significant impacts.

GENERAL PLAN

The subject property has a General Plan Land Use designation of Central Business (CB). The CB land use designation provides for retail and commercial uses that serve local residents and the surrounding area. Typical CB uses include offices, restaurants, specialty retail and lodging, with particular emphasis on pedestrian-oriented retail and service uses on the ground floor level and offices located on upper floors. Residential uses can be considered for upper floor areas but are subject to discretionary use permit review and approval. The maximum allowable FAR in CB-designated areas is 2.0. The CB district extends from Sulphur Creek along Main Street to midway between Adams Street and Pine Street, west to Oak Avenue and along the north side of Adams Street east of Main Street. The 2040 St. Helena General Plan Update includes the following policies that are relevant to the proposed project:

- LU3.1 - Strengthen the downtown as the City's social and cultural core, and as the primary center of retail services. Facilitate a healthy mix of retail and commercial uses, residential development, entertainment, and lodging.
- LU3.2 - Enhance the pedestrian-oriented character of commercial areas and provide for convenient pedestrian and bicycle connections to encourage walking and reduce vehicle trips within the commercial area.
- LU3.3 - Support the redevelopment of auto-oriented commercial areas into pedestrian-friendly commercial uses.
- LU3.4 - Protect historic resources in the commercial areas and encourage appropriate rehabilitation and adaptive reuse.
- LU3.5 - Ensure that new retail and commercial development is compatible with and complementary to St. Helena's small-town image. In addition, within the City's Central Business District, new retail and commercial development should be of a scale and type that complements the historic character.

- LU5.6 - Permit wineries and other agricultural-related industries to locate in the city if their location does not adversely impact surroundings, uses, or city services (water, traffic, etc.) or the quality and character of the community.
- ES1.1 - Maintain central St. Helena as the social, cultural, and economic heart of the City by supporting infill and redevelopment of vacant and underutilized parcels in the central St. Helena area.
- ES1.2 - Identify and expand economic sectors in which the City has competi-tive advantages, and capitalize on these strengths in order to diversify local economic activities and strengthen St. Helena's role as an agriculturally-based service center for the surrounding area.
- ES1.6 - Support local arts, cultural activities, and entertainment that can contribute to the local economy.
- ES2.1 - Support the development of responsible, visitor-serving components to the City's economy as a valuable source of jobs, tax revenues, and cultural amenities. Promote policies that facilitate and encourage this type of sustainable economic development.
- ES2.2 - Encourage visitor-serving uses oriented toward an upscale market, consistent with the Valley's reputation as a producer of world-class wines. Discourage the introduction of uses that are dependent upon a mass tourist market.
- ES2.3 - Ensure a diverse mix of uses that avoids an over-representation of any particular use. Remove the cap on the number of hotel and motel rooms and restaurant seats but continue to limit vacation rentals.

Staff Response: In accordance with the General Plan and in particular those policies listed above, the proposed project would support both a local and visitor serving component to the City's economy by providing jobs, tax revenue, and additional amenities. The project is a somewhat unique concept that helps ensure a mix of uses downtown. For these reasons, the proposed project exhibits overall consistency with the General Plan Update 2040.

ZONING

Like the General Plan land use designation, the site has a zoning designation of Central Business (CB). This designation provides for retail, personal service uses, offices, restaurants, hotels/motels, service stations, public and quasi-public uses, and similar and compatible uses that serve local residents and the surrounding area. St. Helena Municipal Code (SHMC) Section 17.48.030 requires use permit approval to create eating and drinking establishments in the Central Business District. As the applicant wishes to expand alcohol tasting operations into the entirely of the building and to have a kitchen for food service, a use permit amendment is required. No changes are being proposed to the existing building; the following table summarizes applicable development standards and the conformity of the existing building with each:

STANDARD	MIN/MAX	EXISTING	PROPOSED
Lot Size	5,000 sf min	4,179 sf	No Change
Front Setback (Main St.)	0 feet	0 feet	No Change
Rear Setback (1113 Hunt Ave.)	0 feet	0 feet	No Change
Side Setback (Hunt Ave.)	0 feet	0 feet	No Change
Sideyard Setback (1228 Main St.)	0 feet	0 feet	No Change
Height	35 feet max	15 feet	No Change
Floor Area Ratio (FAR)	2.0 max	0.51	No Change

Staff Response: While the parcel is considered legal non-conforming in terms of size, the existing building meets all development standards as required by Section 17.48.070 of the Municipal Code including setbacks, height and floor area ratio. As noted above, no changes are proposed to the existing building.

Landscaping Requirements

SHMC Section 17.48.090(D) prescribes various landscaping requirements for shade trees, planters, and landscaped areas. Frontage yards, off-street parking areas, and all other open areas (other than screened storage areas) must be permanently maintained by the property owner to cover a minimum of five percent of the total site. A minimum of two shade trees are required for parking areas with 15 spaces or less. This code section also states that landscaping and shade trees shall be contained in planters and tree wells bordered by a six-inch-high concrete curb or equivalent barrier approved by the city. This code section goes on to say that unless otherwise specified in the code or under the conditions of an approved permit, planters and tree wells shall have a width of not less than five feet and shall be protected from automobile overhang where necessary through the provision of barriers, tire stops or additional width.

Staff Response: Staff recognizes that the existing building was constructed before current landscaping requirements were in place and that the building is legal non-conforming. As the building has zero lot lines on two sides and fronts Main Street's and Hunt Avenue's sidewalks, it is incapable of meeting current landscaping requirements and is permitted to remain non-conforming. It should be noted that there is existing landscaping in the courtyard/patio area.

Wastewater Generation

SHMC Section 17.48.090(E) restricts each and every use in the CB district such that any lot of record does not generate wastewater in excess of 600 gallons per day (gpd), without a use permit which regulates wastewater generation.

Staff Response: The uses at 1234 Main Street are limited to 600 gpd per the code section referenced above. According to the Finance & Utilities Department, the existing building has a historical water use average of approximately 238 gpd, far below the 600 gpd maximum. A condition of approval has been added requiring that the 600 gpd wastewater generation maximum be maintained.

WATER

Chapter 13.12 of the Municipal Code requires mandatory water efficiency measures and water demand offset requirements for new construction. Among these provisions is the requirement that any "new development" (i.e. construction that would introduce any freestanding building that contains water-using fixtures, any floor area additions to existing nonresidential structures, or any residential additions or remodeling that increases the number of independent living units) offset new water demand by an amount equal to the new demand placed on the city water system (i.e., it must be water neutral). The offset must be clearly demonstrated to the satisfaction of the Public Works Department.

Staff Response: No changes are being proposed to the existing building and no new square footage is being added; the proposed use changes do not constitute new development as defined above, therefore, the project is not subject to St. Helena Water neutrality requirements. The proposed 200 gallons per year of accessory brewing represents approximately 1/2 gallons per day which is not considered a significant. The Public Works Department has reviewed the project and provided conditions of approval.

PARKING

The existing building is within the City's parking impact overlay district which is governed by SHMC Chapter 17.104. The purpose of the parking impact overlay district is to establish parking standards for portions of the City generally located within the central business district. This area of the City is impacted by a lack of off-street parking because the buildings are of historic and unique character and were constructed in the early history of the City when automobiles were not as common. Per SHMC Section 17.104.020(A), the basic parking requirement for buildings existing as of February 1, 1980, shall be at least one space for each one thousand two hundred (1,200) square feet of ground floor area and one space for each two thousand four hundred (2,400) square feet floor area of basement or upper floors. Per SHMC Section 17.104.020(C), the parking requirement for a change in category of uses in the parking impact area shall equal the difference between what would be required for the new use, minus what Chapter 17.124 would require for the previous use.

Staff Response: Per SHMC Section 17.104.020(A), the existing 2,117sf building requires 2 off-street parking spaces (1.76 spaces for 2,117sf of ground floor area). Previous uses on-site include 967sf ground floor area in Suite B (1 space for each 300sf = 3 spaces) and an 21-seat tasting room in Suite A (1 space per 4 seats = 5 spaces) for a total of 8 spaces per SHMC Section 17.124. As required by SHMC Section 17.104.020(C), the previous use requirement per SHMC 17.124 is subtracted from the new use requirement and would result in no required off-street parking (2 minus 8 = 0 spaces required).

Off-Street Parking Requirements		
SCENARIO	REQUIREMENT	TOTAL
New Use – 2,117sf ground floor area	1 space / 1,200sf ground floor area	2 spaces
Previous uses required under §17.124	1 space / 300sf floor area (967sf) 1 space / 4 seats (21 seats)	3 spaces 5 spaces
Total parking required under §17.104.020 (C)	New use (2 spaces) – Previous use under §17.124 (8 spaces)	**0 spaces required**

It should also be noted that City Council Resolution No. 2014-40, prepared by the then City Attorney and attached to this report for review, states the following: "the applicant is not proposing an increase in floor area…nor does the project meet the criteria above which would require additional off-street parking. In addition, as noted under Finding 5, above, the walking nature of the CB district will likely reduce any project-related traffic generation (and the corresponding demand for off-street parking), since many customers are expected to be generated by foot traffic rather than vehicular traffic specifically destined for this particular use."

HISTORIC RESOURCES

The subject building is within the City's nationally recognized historic downtown commercial district however it is considered a non-contributing building.

Staff Response: No exterior modifications are being proposed to the existing building and the uses proposed will not negatively impact the structure's status within the historic downtown commercial district nor will they detract from or be incompatible with the historic nature of the surrounding area.

USE PERMIT

As noted above, SHMC Section 17.48.030 requires use permit approval to create eating and drinking establishments in the Central Business District. As the applicant wishes to expand operations into the entirely of the building and to have a kitchen for food service, a use permit is required. The purpose of a use permit is to allow the proper integration of essential or desirable uses which may be suitable only in certain locations or zoning districts in the City, or to ensure that such uses are designed or arranged on the site in a particular manner. In its review of applications for use permits, the Planning Commission shall evaluate each proposed use in order to consider its impact on the City. Pursuant to Municipal Code Section 17.168.050, no use permit shall be granted unless the following findings can be made:

1. That the proposed use would not generate odors, fumes, dust, light, glare, radiation or refuse that would be injurious to surrounding uses or to the community.

2. That the proposed use would not generate levels of noise that adversely affect the health, safety, or welfare of neighboring properties or uses.
3. That the proposed use would not generate traffic noise in excess of the "normally acceptable" range identified in the General Plan.
4. That the proposed use would not make excessive demands on the provision of public services including water supply, sewer capacity, energy supply, communication facilities, police protection, and fire protection.
5. That the proposed use would provide adequate ingress and egress to and from the proposed location.
6. That allowing the proposed use would not conflict with the City's goal of maintaining the economic viability of a local serving economy.
7. That the proposed use would be compatible with surrounding land uses and would not conflict with the purpose established for the district within which it would be located.
8. That the proposed use would not be in conflict with the City's General Plan.
9. That the proposed use would not be injurious to public health, safety, or welfare.
10. That granting the use permit would not set a precedent for the approval of similar uses whose incremental effect would be detrimental to the City or would be in conflict with the General Plan.
11. That, as demonstrated on a detailed plan submitted by the applicant, adequate off-street parking to accommodate the long term parking needs of employees and business owners and customers is available.
12. That the capacity of surrounding streets is adequate to serve the automobile and delivery truck traffic generated by the proposed use.

Staff Response: The eating and drinking establishment at 1234 Main Street has been in operation for over a year through the Temporary Use Permit process without issue. Staff finds that the project meets and/or complies with the required findings to approve a use permit amendment for the proposed project. The findings included in the attached resolution identify this compliance.

ISSUES

Staff has not identified any outstanding issues related to this application that require additional discussion.

CORRESPONDENCE

At the time of packet distribution staff had not received any correspondence related to this application.

STAFF RECOMMENDATION

For the reasons described above, staff recommends that the Planning Commission:

1. Determine that the project is exempt from the requirements of CEQA pursuant to CEQA Guidelines Section 15301; and
2. Accept the required findings and approve the attached resolution granting use permit amendment approval for an 85 seat eating and drinking establishment with

accessory brewing of 200 gallons per year and expanded hours of operation in the front two tenant spaces of the building located at 1234 Main Street.

ATTACHMENTS

Resolution
APN & Aerial Image
Applicant Statement_Rev3
Prior to TUP Floor Plan
TUP Approved Floor Plan
Proposed Floor Plan
Photos
PC Resolution #2004-25
CC Resolution #2014-40
TUP Approval

CITY OF ST. HELENA PLANNING COMMISSION
RESOLUTION NO.
GRANTING USE PERMIT AMENDMENT APPROVAL TO
1234 Main Street (File No. PL22-009)

PROPERTY OWNER: High Lob, LLC **APN:** 009-083-019

Recitals

1. The applicant has requested adoption of a resolution approving a use permit amendment in order to permanently establish eating and drinking uses with 85 seats (73 indoor and 12 outdoor), accessory brewing of up to 200 gallons per year and expanded hours of operation in the tenant spaces fronting Main Street in the existing building at 1234 Main Street in the Central Business zoning district; and
2. A public notice was published in the Napa Valley Register and mailed to residents and occupants within 300 feet of the project site in compliance with state and local law; and
3. The Planning Commission of the City of St. Helena, State of California, considered the project, staff report, and all testimony, written and spoken, at a duly noticed public hearing on July 19, 2022; and
4. Now, therefore let it be found that the Planning Commission approves the use permit amendment thereby authorizing the modifications contained in said application based on the findings below and subject to the conditions of approval enumerated herein.

Resolution

A. In making the findings in this Resolution, the Planning Commission relied upon and hereby incorporates by reference all of the documents referenced in this Resolution and the associated staff reports, City files for this matter, correspondence, presentations and other materials.

B. The Planning Commission hereby finds that the project is exempt from the requirements of CEQA pursuant to CEQA Guidelines Section 15301 which exempts the operation, permitting and leasing of private structures.

C. In accordance with SHMC Section 17.168.050, the Planning Commission makes the following use permit findings to support the motion to approve the use permit amendment:

   1. *That the proposed uses would not generate odors, fumes, dust, light, glare, radiation or refuse that would be injurious to surrounding uses or to the community in that proposed project consists of the establishment of eating and drinking uses in an existing commercial building. The project will not generate radiation, light and glare, or refuse beyond that associated with a similar commercial use.*
   2. *That the proposed uses would not generate levels of noise that adversely affect the health, safety, or welfare of neighboring properties in that the proposed project consists of the establishment of eating and drinking uses in an existing commercial*

building subject to City noise regulations and is not expected to produce noise audible beyond the property line. The proposed use will generate noise levels consistent with other similar uses in the Central Business District and will not adversely affect the health, safety, or welfare of neighboring properties or uses.

3. *That the proposed use would not generate traffic noise in excess of the "normally acceptable" range identified in the General Plan as the proposed project consists of the establishment of eating and drinking uses in an existing commercial building with existing vehicular access via Main Street. The traffic associated with the project will not generate excessive traffic-related noise.*
4. *That the proposed use would not make excessive demands on the provision of public services including water supply, sewer capacity, energy supply, communication facilities, police protection, and fire protection in that proposed project consists of the establishment of eating and drinking uses including accessory brewing of no more than 200 gallons per year in an existing commercial building in the City's developed Central Business District. The accessory brewing of 200 gallons per year represents approximately ½ gallon per day which is not considered significant.*
5. *That the proposed uses would provide adequate ingress and egress to and from the proposed location in that ingress and egress to the project site would remain via Main Street.*
6. *That allowing the proposed uses would not conflict with the City's goal of maintaining the economic viability of a local serving economy in that the proposed project would support both a local and visitor serving component to the City's economy by providing jobs, tax revenue, and additional amenities.*
7. *That the proposed uses would be compatible with surrounding land uses and would not conflict with the purpose established for the district within which it would be located as the proposed project consists of the establishment of eating and drinking uses including accessory brewing of no more than 200 gallons per year in an existing commercial building within the City's developed Central Business District.*
8. *That the proposed uses would not be in conflict with the City's General Plan in that the Central Business District designation provides for retail, personal service uses, offices, restaurants, hotels/motels, service stations, public and quasi-public uses, and similar and compatible uses. Furthermore, the proposed project consists of the establishment of eating and drinking uses in an existing commercial building within the City's developed Central Business District and is consistent with applicable General Plan policies.*
9. *That the proposed uses would not be injurious to public health, safety, or welfare in that the proposed project consists of the establishment of eating and drinking uses including accessory brewing of no more than 200 gallons per year in an existing commercial building within the City's developed Central Business District*
10. *That granting the use permit amendment would not set a precedent for the approval of similar uses whose incremental effect would be detrimental to the City*

or would be in conflict with the General Plan in that this use permit amendment only applies to this property and to these specific uses.

11. *That, as demonstrated on a detailed plan submitted by the applicant, adequate off-street parking to accommodate the long-term parking needs of employees and business owners and customers is available in that the existing building was constructed before current parking requirements were codified and does not have off-street parking. The subject property is located in the City's Parking Impact Overlay District which establishes parking standards for portions of the City generally located within the central business district. That area so designated on the zoning map of the City is found and declared to be an area impacted by the inadequacy in the amount of off-street parking because the buildings and structures therein were constructed in the early history of the city when automobiles were not a predominant feature in the community and are of historic and unique character and should be preserved.*
12. *That the capacity of surrounding streets is adequate to serve the automobile and delivery truck traffic generated by the proposed uses in that the project site can adequately be served by existing streets (Main Street and Hunt Avenue).*

Planning Department Conditions of Approval

D. The Planning Commission approves a use permit amendment for the above-described project with a proposed floorplan as attached to the resolution with the following conditions of approval. The conditions noted below are particularly pertinent to this permit and shall not be construed to permit violation of other laws and policies not so listed.

1. The project shall be in conformance with all city ordinances, rules, regulations and policies in effect at the time of issuance.
2. The use permit shall be vested within one (1) year from the date of final action or the approval shall expire, provided however that the approval may be extended for up to two (2) one-year periods pursuant to the St. Helena Municipal Code, Section 17.08.130, Extension of Permits and Approvals.
3. Any request for an extension of this approval shall be justified in writing and received by the Planning Department at least thirty (30) days prior to expiration.
4. The approvals shall not become effective until fourteen (14) calendar days after approval, providing that the action is not appealed by the City Council or any other interested party within that 14-day period.
5. All required fees, including planning fees, development impact fees, residential in-lieu housing fees, building fees, toilet retrofit fees, and St. Helena Unified School District fees shall be paid prior to issuance of a building permit should one be required. Fees shall be those in effect at the time of the issuance of the building permit.
6. Compliance with all permit conditions shall occur in accordance with specific regulations but in all cases no later than prior to occupancy or initiation of use unless

another time is set by law or by this approval. Occupancy or final inspection of a project may be withheld if all conditions, including payment of fees for services rendered by the City, are not met.

7. In any action or proceeding to attack, challenge, invalidate, set aside, void or annul the City's approval of applicant's Project, in whole or in part, applicant shall defend, at its own expense and without any cost to the City, and with counsel acceptable to the City, and shall fully and completely indemnify and hold the City, its agents, officers, and employees harmless from and against any and all claims, causes of action, damages, costs, attorney's fees and liability of any kind, so long as the City reasonably promptly notifies the applicant of any such claim, action, or proceedings and the City cooperates fully in the defense of the action or proceedings.
8. Provided they are in general compliance with this approval, minor modifications may be approved by the Planning Director.
9. Pursuant to St. Helena Municipal Code Section 17.08.110, this permit shall run with the land and shall be binding upon all parties having any right, title or interest in the real property or any part thereof, their heirs, successors and assigns, and shall inure to their benefit and benefit of the City of St. Helena.
10. The primary purpose of this review is for compliance with the General Plan and Zoning Ordinance. The property owners or their designee shall be responsible for meeting with the Building Official, Fire Inspector and or Public Works Department to review compliance with Building Codes, Fire Codes and specific Public Works Standards including fire protection systems and any applicable accessibility standards of Title 24.
11. Operations shall be in compliance with plans submitted and reviewed by the Planning Commission on July 19, 2022, except as modified herein.
12. This permit rescinds and replaces all prior use permit approvals for tenant spaces at 1234 Main Street.
13. Hours of operation are limited to the hours of 8:00 a.m. to 10:00 p.m. daily.
14. A maximum of 85 seats are permitted (73 inside and 12 on the courtyard patio).
15. Music shall be allowed when accessory to the approved use and shall not be audible beyond the property boundary. No amplified or acoustic music is permitted outdoors.
16. The total capacity authorized by the use permit and fire code occupancy shall be posted on the premises.
17. The maximum fermentation (beer/mead) production permitted onsite is 200 gallons per year or the minimum required by the ABC for a Type 02 license.
18. The City recognizes that the existing building was constructed before current landscaping requirements were in place and that the building is legal non-conforming.
19. All trash and recycling areas shall be screened from view.
20. The uses in the existing building are limited to 600 gallons per day of wastewater.
21. A Sign Permit must be applied for and obtained for any new and/or replacement signage.

22. Exterior lighting shall be directed or shielded to prevent glare onto public roadways or adjacent properties.
23. To reduce disturbance of residents in the project vicinity, construction activities which generate noise that can be heard at the property line of any parcel of real property within the City limits shall be limited to 8:00 a.m. to 5:00 p.m. Monday through Saturday. Delivery of materials/equipment and cleaning and servicing of machines/equipment shall be limited to 7:00 a.m. to 6:00 p.m. Exceptions to these time restrictions may be granted by the Public Works Director for one of the following reasons: (1) inclement weather affecting work, (2) emergency work, or (3) other work, if work and equipment will not create noise that may be unreasonably offensive to neighbors as to constitute a nuisance. The Public Works Director must be notified and give approval in advance of such work. No construction activities shall occur on Sundays or federal or local holidays that generate noise that can be heard at the property line of any parcel of real property within the City limits.

Public Works Department Conditions of Approval

24. The applicant shall repair all public improvements that are damaged by construction activities in conformance with the City Design & Construction Standards for public improvements prior to issuance of Certificate of Occupancy.
25. An encroachment permit shall be required for any work performed in the public right of way.

Building Department Conditions of Approval

26. A building permit is required for all onsite demolition, construction and/or change of occupancy including proper exiting at the outdoor gate to include panic hardware and swing in direction of egress per Chapter 10 CBC.
27. The applicant will be required to comply with the codes adopted at the time the applicant applies for a building permit. At this time the City of St. Helena utilizes the 2019 Title 24 codes.
28. When submitting plans for a building permit, the plans shall include all documentation listed on the building permit application checklist.
29. The applicant shall provide a construction waste management plan with the building permit application.
30. The plans for construction shall include a checklist for compliance with the California Green Buildings Standards Code, mandatory measures. Provide a reference on the checklist indicating where the mandatory measures can be found on the plans.
31. When submitting plans, the title page shall include all information referenced on the building permit application checklist Title Page requirements.
32. Building Permit application materials and plans shall include any documentation pertaining to special loads applicable to the design and the specified section of the

code that addresses the condition; special inspections for any systems or components requiring special inspection; requirements for seismic resistance; and a complete list of deferred submittals at time of application. Any deferral of the required submittal items shall have prior approval of the Building Official however deferral of fire sprinkler design is not allowed.

Fire Department Conditions of Approval

33. Fire Sprinklers shall be required if scope of work requires demolition of 50% or more of the existing floor area in accordance with St. Helena Municipal Code 903.2.3 - Alterations or Repairs. For alterations or repairs to existing buildings involving demolition of more than 50% of the existing floor area or removal of 50% or more of the existing ceiling covering (i.e. sheetrock, lath and plaster, suspended ceiling etc.), or removal of 50% or more of the existing roof structure or roof sub-structure (excluding roof covering material) the building shall meet the sprinkler requirements for a newly constructed building.
34. Any plans submitted for building permit shall exhibit compliance with the current St. Helena Fire Code, as adopted and codified in St. Helena Municipal Code Chapter 15.36.
35. Occupancy Load shall conform to calculations found on Table 1004.5 of the 2019 California Fire Code.

I HEREBY CERTIFY that the foregoing use permit amendment application was duly and regularly approved by the Planning Commission of the City of St. Helena at a regular meeting of said Planning Commission held on July 19, 2022 by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

APPROVED:

John Ponte
Chair, Planning Commission

ATTEST:

Maya DeRosa, AICP
Planning and Building Director

REVISIONS	BY

EROSION
1234 MAIN ST.
SAINT HELENA, CA
94574

WINERY

TASTING ROOM
WITH SMALL
KITCHEN

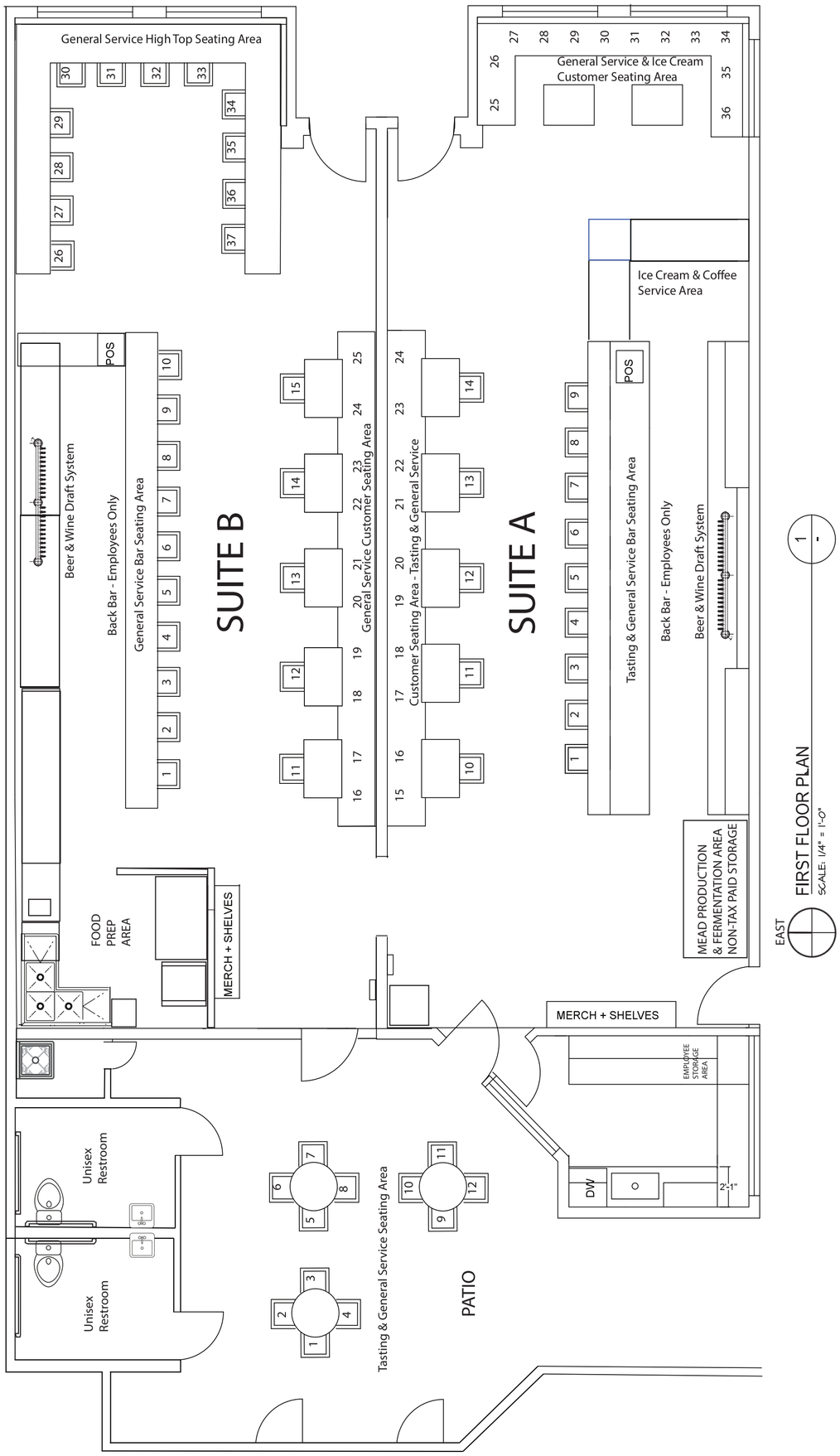
DRAWN
Patrick Rhia, Owner

ISSUED
REVIEW

DATE
March 8, 2022

SCALE
AS NOTED

SHEET





County of Napa

County of Napa | ITS Dept

Printed On: 6/6/2022

0 0.0035 0.007 0.014 mi

Disclaimer: This map was preparedfor informational purposes only. No liability is assumed for the accuracy of the data delineated hereon.

EROSION
WINE CO.

City of St. Helena
Planning Department
1572 Railroad Ave.
St. Helena, CA 94574

April 24, 2022

Dear St. Helena Planning Officials,

I am the owner of Erosion Tap House, located 1234 Main Street, St. Helena, CA 94574, located on the corner of Main St. and Hunt Ave. in the Central Business (CB) zoned area of the City. To better understand our request for this Conditional Use Permit, I will give you a brief history of our use of this location.

In July 2019 we leased 1234 Main St. #A, an approximately 1150 SF space, and opened up our winery tasting room in February 2020. We operated pursuant to a Conditional Use Permit issued on June 10, 2014 in Resolution 2014-40 that was obtained by the previous tenant.

In March 2021, we leased 1234 Main St. #B, approximately 967 SF, which is immediately adjacent to Suite A. The purpose of Suite B is our "Beer Hall & Kitchen", which opened in August 2021. We serve the beers we brew at our brewery located in St. Helena, as well as a selection of beers from guest brewers. There is now an opening between suites A and B, connecting the two suites as one space. We also utilize the courtyard patio, approximately 500 SF. We obtained a temporary Conditional Use Permit for this expanded use, which was issued on March 19, 2021.

In November 2021, we began producing ice cream on-site and feature it in the front of Suite A, as well as a limited coffee & tea program. Our ice cream is made using Straus Creamery Ice Cream Base, which allows us to make ice cream without the requirement of pasteurization as the base is already pasteurized. The same offerings are available in both suites, but Suite A features our wine and ice cream offerings, while Suite B features our beers and food offerings.

We operate under an original Type 02 (winegrowers) license with the California Department of Alcohol Beverage Control, and have a health permit with the Napa County Environmental Health Department. Having food service allows us to serve beer & wine from other wineries with our Type 02 license. In order to maintain our Type 02 license in this location, we produce approximately 200 gallons of mead (honey wine) annually on-site utilizing Napa Valley honey from Marshall's Honey. The mead is then transported to our winery and is packaged to be served at the Tap House.

995 VINTAGE AVE. #108, ST HELENA, CA 94574 / INFO@EROSION.WINE / 707-820-4445

Our current hours of operation are Monday thru Thursday 2pm - 8pm, Friday & Saturday 12pm-10pm, and Sunday 12pm-8pm. We would like to expand the hours earlier in the day to offer brunch on the weekends, as well as offer tastings during the week starting at 10am. To provide maximum flexibility, we would like our permitted operating hours to be 8am - 10pm daily.

There are no dedicated parking spaces for this location.

After 8 months of operating in this new format as Erosion Tap House, we are pleased with the reception from local residents and visitors alike, and wish to continue operating in this format. We respectfully request a conditional use permit to allow for the following:

— Operate as a winery & brewery tap house with kitchen and creamery in an approx. 2117 SF indoor space and an approx. 500 SF outdoor courtyard patio.
— Indoor seating of 73, and outdoor seating of 12.
— Permitted operating hours of 8am - 10pm daily.

Thank you very much for your consideration!

Sincerely,



Patrick Rue
Owner & Managing Member, Erosion Wine Co.

995 VINTAGE AVE. #108, ST HELENA, CA 94574 / INFO@EROSION.WINE / 707-820-4445

REVISIONS	BY

EROSION
1234 MAIN ST.
SAINT HELENA, CA
94574

DRAWN: Patrick Rhea, Owner
ISSUED: REVIEW
DATE: February 25, 2021
SCALE: AS NOTED
SHEET

MAIN ST.

HUNT AVE.

SUITE A

SUITE B - VACANT FORMER CRICKET SPACE

Customer Seating Area - Tasting & General Service

MERCH + SHELVES

Customer Seating Area - Tasting & General Service

Tasting & General Service Bar Seating Area

Back Bar - Employees Only

Wine Draft System

POS

Unisex Restroom

Unisex Restroom

PATIO

EMPLOYEE BREAK ROOM & GLASSWARE WASHING

EMPLOYEE STORAGE AREA

DW

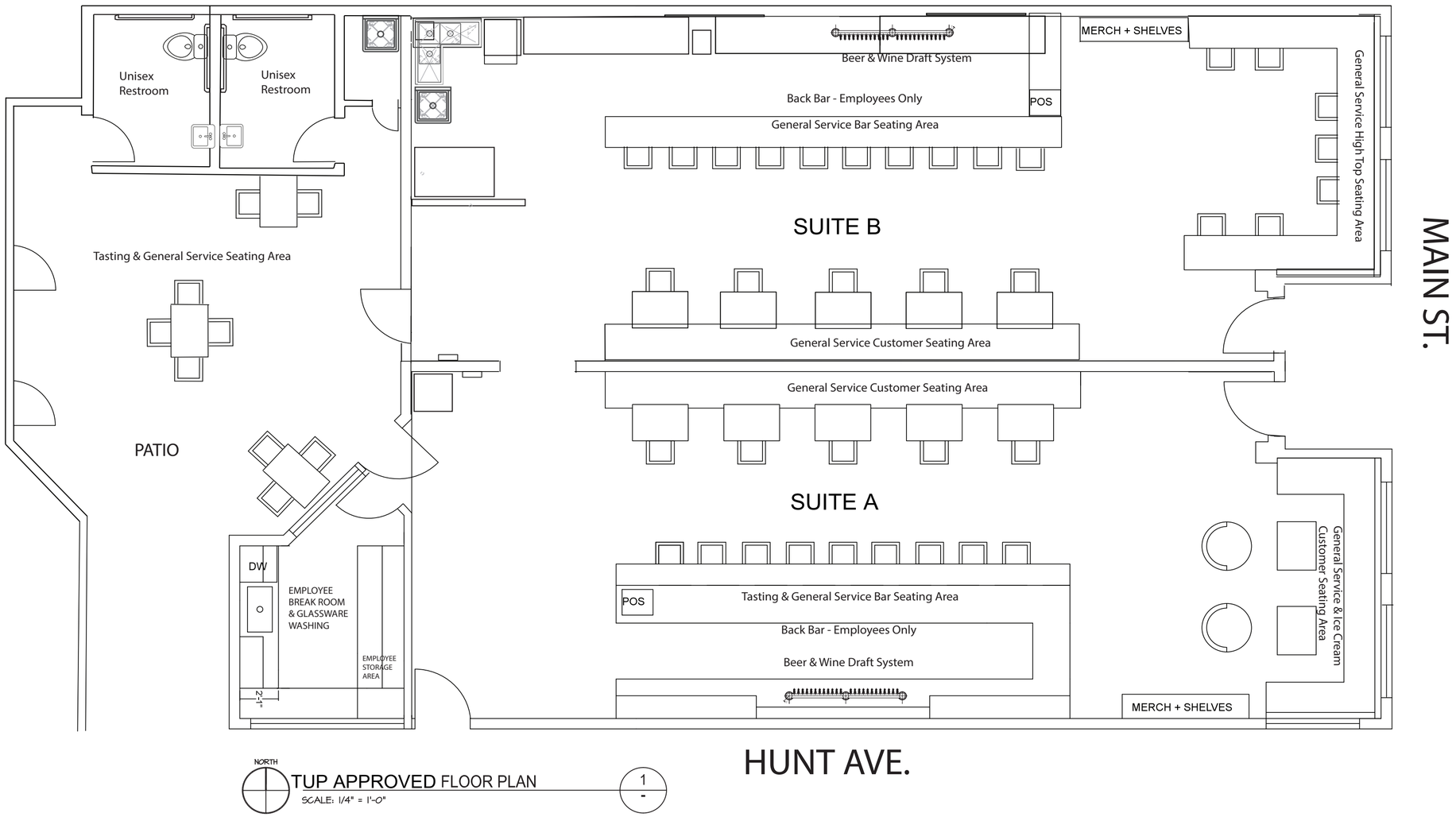
2'-1"

NORTH

FIRST FLOOR PLAN

SCALE: 1/4" = 1'-0"

1 - 1



NORTH

TUP APPROVED FLOOR PLAN

SCALE: 1/4" = 1'-0"

1 / -

REVISIONS	BY

EROSION
1234 MAIN ST.
SAINT HELENA, CA
94574

WINERY &
BREWERY
TASTING ROOM
WITH SMALL
KITCHEN

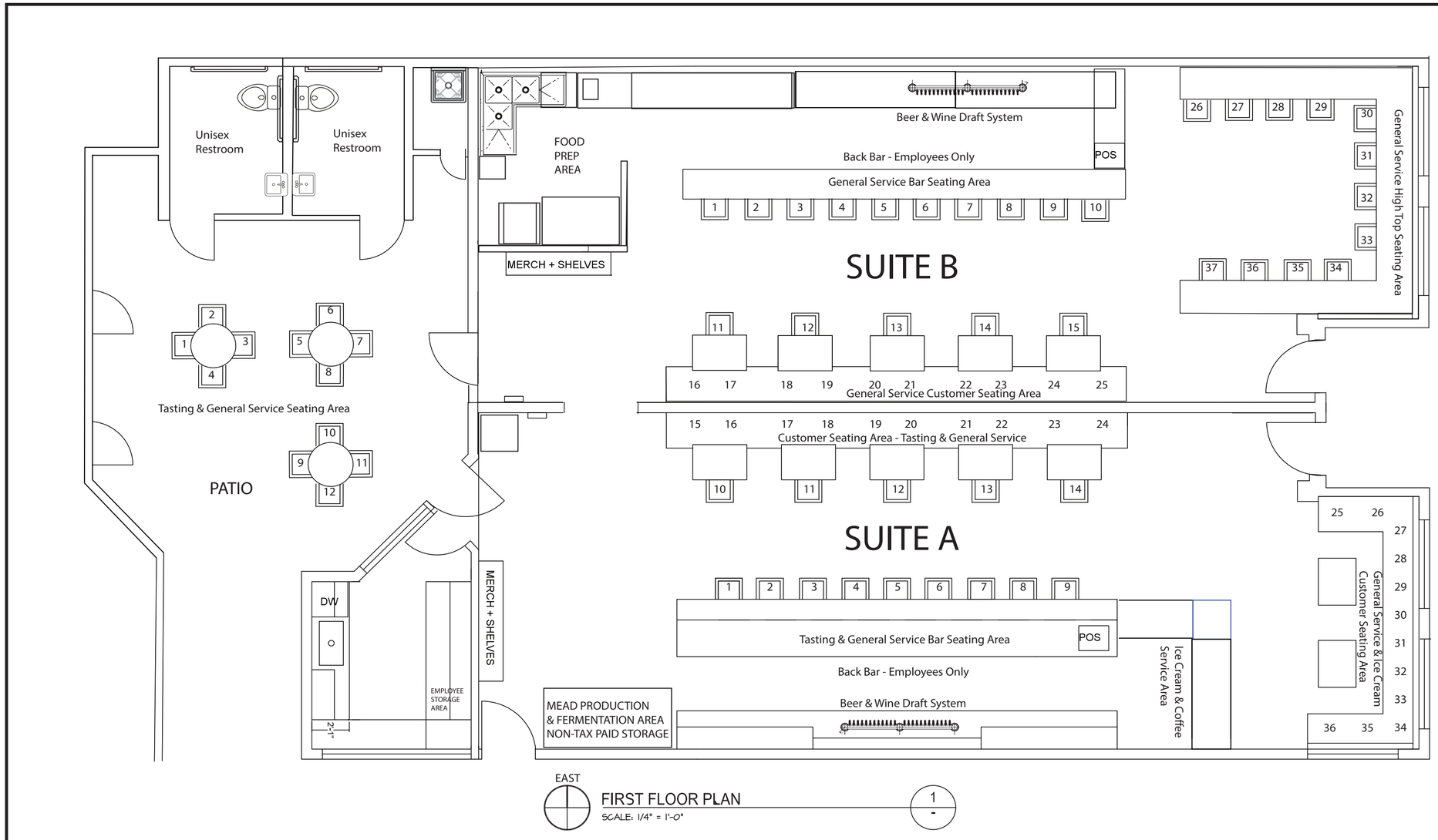
DRAWN
Patrick Rue, Owner

ISSUED
REVIEW

DATE
February 25, 2021

SCALE
AS NOTED

SHEET



REVISIONS	BY

EROSION
1234 MAIN ST.
SAINT HELENA, CA
94574

WINERY

TASTING ROOM WITH SMALL KITCHEN

DRAWN
Patrick Rue, Owner

ISSUED
REVIEW

DATE
March 8, 2022

SCALE
AS NOTED

SHEET





RECEIVED
By xgamero at 10:32 am, Mar 15, 2022








EROSION
BEERS
MADE
IN









USE PERMIT, DESIGN REVIEW AND A SIGN PERMIT NO. 2004-25

USE PERMIT, DESIGN REVIEW AND SIGN PERMIT OF THE CITY OF ST. HELENA STATE OF CALIFORNIA, GRANTED TO CRICKETS LOCATED AT 1234 MAIN STREET

PROPERTY OWNER: Rudolph Papale APN: 009-083-019

Recitals

1. Larry and Francine Heit are requesting a Conditional Use Permit for the operation of a women's clothing store located in the Central Business district at 1234 Main Street. The proposal includes Design Review for minor modifications to the exterior limited to replacing the existing sectional window with a clear pane of glass more suitable to retail and installing two signs comprising approximately 16 sq. ft.

2. The Planning Commission of the City of St. Helena, State of California, held a noticed public hearing on June 1, 2004.

Resolution

A. The Planning Commission of the City of St. Helena, State of California, approved the Use Permit and Design Review on the following basis:

B. The Planning Commission hereby finds that this project is exempt from the California Environmental Quality Act pursuant to Section 15311, Class 11 and Section 15301, Class 1 of the CEQA Guidelines which exempts proposal permitting and signs.

C. The Planning Commission makes the following Use Permit findings, Section 17.168.050, to support the motion to approve the Use Permit:

1. That the proposed use would not generate odors, fumes, dust, light, glare, radiation or refuse that would be injurious to surrounding uses or to the community.
2. That the proposed use would not generate levels of noise that adversely affect the health, safety, or welfare of neighboring properties or uses.
3. That the proposed use would not generate traffic noise in excess of the "normally acceptable" range identified in the General Plan.
4. That the proposed use would not make excessive demands on the provision of public services including water supply, sewer capacity, energy supply, communication facilities, police protection, and fire protection.
5. That the proposed use would provide adequate ingress and egress to and from the proposed location.
6. That allowing the proposed use would not conflict with the City's goal of maintaining the economic viability of a local serving economy.

7. That the proposed use would be compatible with surrounding land uses and would not conflict with the purpose established for the district within which it would be located.
8. That the proposed use would not be in conflict with the City's General Plan.
9. That the proposed use would not be injurious to public health, safety, or welfare.
10. That granting the use permit would not set a precedent for the approval of similar uses whose incremental effect would be detrimental to the City or would be in conflict with the General Plan.
11. That, as demonstrated on a detailed plan submitted by the applicant, adequate off-street parking to accommodate the long term parking needs of employees and business owners and customers is available.
12. That the capacity of surrounding streets is adequate to serve the automobile and delivery truck traffic generated by the proposed use.

D. The Planning Commission makes the following special findings pursuant to Sec. 17.48.100 for approval of a use permit in the Central Business District:

1. The business is a pedestrian oriented business, consistent with the Service Commercial District.
2. It is likely that significant revenues from this business will be derived from residents within the St. Helena service area.
3. It is likely that the business will provide services or products which satisfy the day-to-day needs of local residents within the St. Helena service area.
4. It is likely that the majority of customers will be from the St. Helena service area and patronize the business on a regular basis.
5. This is a smaller scale business commensurate with the character of the Service Commercial District and the needs of the St. Helena service area.
6. Necessities are emphasized over novelty items in the business merchandise. The proposed use is not listed in Section 27.75, Prohibited Uses.
7. The business is consistent with the unique character of St. Helena.
8. The business would locate in St. Helena if a visitor-based population did not exist.
9. It is likely that the business will provide services or products which will complement existing businesses in the Service Commercial District.
10. There is a need for the type of business proposed given the number of same or similar businesses existing in St. Helena.
11. The location of this business is appropriate given the type of use and the proximity of the same or similar businesses.

E. The Use Permit, Design Review and Sign Permit for the above described use is granted subject to compliance with the following conditions. Permit shall be in conformance with all City ordinances, rules, regulations and policies in effect at the time of issuance of a building permit. The conditions noted below are particularly pertinent to this permit and shall not be construed to permit violation of other laws and policies not so listed.

1. The Use Permit and Design Review shall be vested within one (1) year from the date of approval. A building permit for the use allowed under this Use Permit shall have been obtained within one (1) year from the effective date of the Use Permit or the Use Permit shall expire; provided however that the Use Permit may be extended for up to two (2) one-year periods

pursuant to the St. Helena Municipal Code, Section 17.08.130, Extension of Permits and Approvals.

2. This permit are valid for this use only. New permits must be applied for upon any change in use. These permits will expire if the use is discontinued pursuant to then existing ordinances and regulations.

3. The Use Permit shall not become effective until fourteen (14) calendar days after approval, providing that the action is not appealed by the City Council or any other interested party within that 14 day period.

4. Any request for an extension of the Use Permit must be justified in writing and received by the Planning Department at least thirty (30) days prior to expiration.

5. Compliance with all permit conditions shall occur in accordance with specific regulations but in all cases no later than prior to occupancy or initiation of use unless another time is set by law or by this approval. Occupancy or final inspection of a project may be withheld if all conditions, including payment of fees for services rendered by the City, are not met.

6. The applicant will defend and indemnify and hold the City, its agents, officers, and employees harmless of any claim, action or proceedings to attack, set aside, void or annul an approval so long as the City promptly notifies the applicant of any such claim, action, or proceedings and the City cooperates fully in the defense of the action or proceedings.

7. Provided they are in general compliance with the Use Permit, minor modification may be approved by the Planning Director.

8. This Use Permit shall run with the land and shall be binding upon all parties having any right, title or interest in the real property or any part thereof, their heirs, successors and assigns, and shall inure to their benefit and benefit of the City of St. Helena.

9. The primary purpose of this review is for compliance with the General Plan and Zoning Ordinance. The owner/applicant is responsible for meeting with the Building Official / Fire Inspector to review compliance with Building and Fire Codes, including fire protection systems and the accessibility standards of Title 24.

10. Construction shall be in compliance with plans marked Exhibit A, dated 06/01/04.

11. Exterior lighting shall be directed or shielded to prevent glare onto the public roadway or adjacent properties.

I HEREBY CERTIFY that the foregoing Use Permit was duly and regularly approved by the Planning Commission of the City of St. Helena at a regular meeting of said Planning Commission held on June 1, 2004by the following roll call vote:

AYES: **Commissioners Philippakis, Oldford, Novak, Katz, Chairman York**

NOES: **None**

ABSENT: **None**

Carol Poole, Planning Director

Larry Heit, Applicant

2004-25 SP,DR,UP

RESOLUTION NO. 2014-40

CITY OF ST. HELENA

GRANTING THE APPEAL OF LAWRENCE PAPALE AND AMY THORN TO OVERTURN THE PLANNING COMMISSION DENIAL OF AN APPLICATION FOR A USE PERMIT AND GRANTING A USE PERMIT TO ALLOW A WINE TASTING ROOM IN A 1,061 SQUARE FOOT TENANT SPACE LOCATED AT 1234 MAIN STREET IN THE CB: CENTRAL BUSINESS DISTRICT (USE PERMIT PL14-001)

APN: 009-083-019
APPLICANT: Amy Thorn
PROPERTY OWNER: Lawrence Papale

RECITALS

1. The property at 1234 Main Street is an existing 1,061 square foot commercial space located in the Central Business (CB) zoning district (the "Site"). The Applicant submitted a request to the Planning Commission for a Use Permit to establish a 21-seat wine tasting facility at the Site. The proposed facility will include a single tasting room, and office/storage room, and shared restrooms.

2. The Planning Commission considered the Applicant's request for a Use Permit at a duly noticed public hearing on April 15, 2014. At the conclusion of the Planning Commission Public Hearing, having considered the record of the proceedings before the Planning Commission, the written evidence submitted for the Planning Commission Public Hearing, and the testimony and other evidence submitted at said hearing, and having deliberated the matter, the Planning Commission voted 3-2 to deny the Applicant's request for a Use Permit. The Planning Commission's decision focused on three issues. First, the Commission found that the proposed wine tasting facility conflicted with Section 17.48.010 of the St. Helena Municipal Code ("Municipal Code"), which states that the purpose of the CB district is to "[a]llow only businesses which are primarily local-serving within all commercial areas." The Commission felt the wine tasting facility was primarily a tourist-serving business and, therefore, not consistent with this requirement. Second, the Commission found that the proposed project could create a situation in which there is an overrepresentation of tasting rooms in the City's commercial districts. Finally, the Planning Commission opined that it would be difficult to monitor the grape-sourcing requirements set forth in Section 17.48.030 of the Municipal Code because the applicant does not use its own grapes to produce wines.

3. The Applicant and the Property Owner filed a timely appeal of the decision of the Planning Commission to the City Council.

4. The City Council considered the Applicants' Appeals *de novo* at a duly noticed public hearing on May 27, 2014. The City Council, after reviewing materials provided from the Planning Commission Public Hearing, as well as considering the record of the proceedings before the City Council, the written evidence submitted for the Council Public Hearing, and the testimony and other evidence submitted at the Council Public Hearing, deliberated on the matter and voted 4-1 to overturn the decision of the Planning Commission and directed staff to prepare the attached resolution granting the Appeal and granting the Use Permit.

RESOLUTION

The City Council of the City of St. Helena, State of California, hereby (i) grants the Appeal of Lawrence Papale and Amy Thorn to overturn the decision of Planning Commission and (ii) grants the Use Permit to allow a 21-seat wine tasting facility at 1234 Main Street, on the following basis:

A. Incorporation of Recitals. The foregoing Recitals are true and correct and are incorporated herein and form a part of this Resolution.

B. Compliance with CEQA. The City Council hereby finds that the Project is exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15301, Class 1 of the CEQA guidelines, which exempts operation, leasing, and minor alterations to existing facilities.

C. Use Permit Findings. In accordance with Zoning Code Section 17.168.050, the City Council makes the following findings to support the granting of the Applicant's request for a Use Permit to allow the proposed improvements on the subject parcels:

1. *That the proposed use would not generate odors, fumes, light, glare, radiation, or refuse that would be injurious to surrounding uses or the community.*

   The project site is a relatively modest (1,061 square feet) tenant space in the City's CB district. Wine tasting room uses are conditionally permitted in this district. The proposed use will establish a 21-seat wine tasting room that requires no expansion of or modifications to the existing tenant space. The proposed use is compatible with adjacent uses and is similar to other tasting facilities in the CB district and nearby vicinity. The relatively small facility will not generate significant quantities of odor, fumes, light, glare or radiation over and above what could be anticipated for normal dwellings. While the applicant proposes to include the retail sales of prepackaged food items and wine related gifts, no food will be prepared on site. Further, the site has not potential to generate radiation, light and glare, or refuse beyond that associated with a typical of similar commercial use.

2. *That the proposed use would not generate levels of noise that adversely affect the health, safety or welfare of neighboring properties or uses.*

   As noted above, the proposed use on the site is relatively modest and compatible with adjacent land uses. This type of use (a wine tasting room) is expressly contemplated in the CB district with a use permit. The hours of operation will be from 11:00 am to 7:00 p.m. daily, and no expansion of the existing tenant space is contemplated to accommodate the proposed tasting room. The Council finds that the proposed use will generate noise levels consistent with other similar uses in the commercial zone and will not adversely affect the health, safety, or welfare of neighboring properties or uses.

3. *That the proposed use would not generate traffic noise in excess of the normally acceptable range identified in the general plan.*

   The anticipated traffic generation for to the proposed project will be generally consistent with normal trip generation associated with a tasting room of this size. The traffic associated with the project is consistent with traffic generated by surrounding uses and will not generate excessive traffic-related noise. In addition, the walking nature of the CB district will likely reduce any project-related traffic generation, since many customers are expected to be generated by foot traffic rather than vehicular traffic specifically destined for this particular use.

4. *That the proposed use would not make excessive demands on the provision of public services including water supply, sewer capacity, energy supply, communication facilities, police protection and fire protection.*

   The applicant provided a water use analysis report which was attached to the Planning Commission staff report. This analysis demonstrates that the project as proposed will not create any additional water demand or excessive wastewater generation, thereby placing minimal burdens on municipal systems. The St. Helena Public Works Department reviewed the proposed project and found that it would not result in excessive demands on any of the City's municipal service departments. Nor will the proposed project place excessive demands on the City's public safety departments. The project site is a modest commercial space located in the City's CB district. Service calls to the City's Police Department are expected to be minimal and consistent with a commercial use of this size. The St. Helena Fire Department has also found that the project complies with standard fire suppression requirements. Normal usage of communication and energy resources are also anticipated.

5. *That the proposed use would provide adequate ingress and egress to and from the proposed location.*

   As noted above, the proposed use is located in an existing facility in the heart of the City's CB district. Adequate ingress and egress to this area is provided from Main Street for both potential patrons and emergency vehicles. The Police and Fire Departments both found that the existing access provides adequate ingress and egress to the project site under both normal and emergency conditions.

6. *That allowing the proposed use would not conflict with the city's goal of maintaining the economic viability of a local-serving economy.*

   The Central Business (CB) district designation provides for retail, personal service uses, offices, restaurants, hotels/motels, service stations, public and quasi-public uses, and similar and compatible uses that serve local residents and the surrounding area. The intent is for the CB district to remain primarily local resident-serving in character. Uses which are primarily tourist-serving are not permitted. The zoning designation is CB: Central Business, which provides for retail, personal service uses, offices, restaurants, hotels/motels and similar and compatible uses

   At its April 15, 2014 meeting, the Planning Commission found that the proposed project would conflict with this the purpose of the central business district based on their construction of Section 17.48.010 of the Municipal Code. The City Council disagrees.

   Section 17.48.010 provides:

   > The central business district (CB) designation provides for retail, personal service uses, offices, restaurants, hotels/motels, service stations, public and quasi-public uses, and similar and compatible uses that serve local residents and the surrounding area. The intent is for the CB district to remain primarily local resident-serving in character. New uses which serve both local residents and tourists will be allowed. Uses which are primarily tourist-serving are not permitted.

   While the City Council agrees the CB district is meant primarily to serve the needs of residents, the Council expressly finds that wine tasting rooms are not primarily tourist-serving uses. The wine industry is a critical part of the economy and quality of life in St.

Helena. Both local residents and tourists patronize the wineries and tasting facilities throughout the Napa Valley and derive substantial benefits from the continued existence of these uses. Thus, the Council finds that these uses serve and benefit both local residents and tourists and, therefore, are compatible with the articulated purpose of the CB district. This interpretation of the requirements of the CB district is further bolstered by the fact that Municipal Code Section 17.48.030 expressly makes "winery tasting rooms" a conditionally permitted use in the CB district.

The Council further finds that the grape-sourcing requirements for wine tasting rooms set forth in said Section 17.48.030 can be adequately monitored despite the fact that all of the Applicant's wines are produced from contracted grapes. The Applicant expressly stated that wine sold at this location would showcase the Thorn Hill Napa Valley brand which consists of wines produced and bottled at a winery facility at 5225 Solano Avenue in the unincorporated Napa County. These wines are made from 85-percent Napa Valley grapes, well above the 75-percent requirement set forth in Section 17.48.030.

The City Council is concerned with the possible over-concentration of tasting facilities in the City as identified by the Planning Commission. As noted in the staff report to the Planning Commission, there are currently 19 tasting rooms in the City. One of these facilities, located at 1118 Hunt Drive, is actually owned by the Property Owner. The Hunt Drive facility is no longer in use as a tasting facility, although the use permit for this location remains viable. In order to maintain tasting room neutrality in the City's commercial districts, the Property Owner offered to relinquish this use permit to offset the addition of a tasting room at 1234 Main Street. Based on this representation by the Property Owner, the City Council finds that approval of the proposed use will not result in any overconcentration of tasting facilities in the City, and further finds that the proposed use is compatible with surrounding land uses and will not conflict with the purpose established for the district within which it would be located.

7. *That the proposed use would be compatible with surrounding land uses and would not conflict with the purpose established for the district within which it would be located.*

   For the reasons discussed more fully under findings 1 through 6, above, the City Council finds that the proposed use will be compatible with surrounding land uses and will not conflict with the purpose established for the CB District or the City's General Plan.

8. *That the proposed use would not be in conflict with the city's general plan.*

   As discussed more fully under finding 6, above, the Central Business district (CB) designation provides for retail, personal service uses, offices, restaurants, hotels/motels, service stations, public and quasi-public uses, and similar and compatible uses that serve local residents and the surrounding area. The intent is for the CB district to remain primarily local resident-serving in character. Uses which are primarily tourist-serving are not permitted. The zoning designation is CB: Central Business, which provides for retail, personal service uses, offices, restaurants, hotels/motels and similar and compatible uses. The proposed use is conditionally permitted in the CB district and is consistent with the local-resident serving purposes of the zone and the City's general plan.

9. *That the proposed use would not be injurious to public health, safety or welfare.*

   The overall project is consistent with the use envisioned for the property under the General Plan. It is compatible with surrounding land uses and is designed in a manner to minimize any potential impact on adjacent uses or the community. With adherence to the

recommended conditions of approval, the proposed project will not be injurious to public health, safety or welfare.

10. *That granting the use permit would not set a precedent for the approval of similar uses whose incremental effect would be detrimental to the city or would be in conflict with the general plan.*

    Approval of the requested use permit will not set a precedent for approval of similar uses in the general area. Each conditionally permitted use is unique and the individual impacts and compatibility of such uses are assessed accordingly. This approval does not set a precedent for approval of similar uses and, in fact, the potential overconcentration of tasting rooms in the City's commercial districts will serve to control future additions of such uses.

11. *That as demonstrated on a detailed plan submitted by the applicant, adequate off-street parking to accommodate the long-term parking needs of employees and business owners and customers is available.*

    The subject parcel is located in the Parking Impact Overlay District. The purpose of this district, as outlined in Municipal Code Section 17.104.010, is as follows:

    > It is the purpose of the parking impact overlay district to establish parking standards for portions of the city generally located within the central business district. That area so designated on the zoning map of the city is found and declared to be an area impacted by the inadequacy in the amount of off-street parking because the buildings and structures therein were constructed in the early history of the city when automobiles were not a predominant feature in the community and are of historic and unique character and should be preserved.

    Section 17.104.020 (D) further provides:

    > An existing building may be substantially remodeled for purposes of historical preservation or restoration without the provision of additional off-street parking, provided:
    >
    > 1. There is no increase in floor area;
    > 2. Any existing off-street parking is maintained;
    > 3. There is no increase in occupancy defined as follows:
    >
    > For purposes of this section, change or increase in occupancy shall also include the following:
    >
    > a. Change from a nonconforming use to a permitted use;
    > b. Change in "group occupancy" as defined in the 1976 Uniform Building Code;
    > c. Change between uses requiring parking specified in Chapter 17.124;
    > d. Increase in the number of leaseholders, tenant spaces, or commercial spaces owned, franchised, rented or leased above that existing on April 14, 1981.

    The existing tenant space offers no off-street parking. However, the applicant is not proposing an increase in floor area and the project, nor does the project meet the criteria above which would require additional off-street parking. In addition, as noted under Finding 5, above, the walking nature of the CB district will likely reduce any project-related traffic generation (and the corresponding demand for off-street parking), since

many customers are expected to be generated by foot traffic rather than vehicular traffic specifically destined for this particular use.

12. *That the capacity of surrounding streets is adequate to serve the automobile and delivery truck traffic generated by the proposed use.*

    The proposed project will generate daily and peak hour traffic generally consistent with a standard commercial use of this size. The capacity of surrounding streets is adequate to serve the automobile and delivery truck traffic the proposed use is expected to generate.

D. Conditions of Approval. The Use Permit for the above described use is granted subject to compliance with the following conditions. The Use Permit shall be in conformance with all City ordinances, rules, regulations and policies in effect at the time of issuance of a building permit. The conditions noted below are particularly pertinent to this permit and shall not be construed to permit violation of other laws and policies not so listed.

1. The Use Permit shall be vested within one (1) year from the date of approval. A building permit for the tenant improvements allowed under this permit shall have been obtained within one (1) year from the effective date of the permit or the permit shall expire; provided however that the permit may be extended for up to two (2) one-year periods pursuant to the St. Helena Municipal Code, Section 17.08.130, Extension of Permits and Approvals.
2. This permit is valid for this use only. New permits must be applied for upon any change in use. This permit will expire if the use is discontinued pursuant to the existing ordinances and regulations.
3. The permit shall not become effective until fourteen (14) calendar days after approval, providing that the action is not appealed by the City Council or any other interested party within that 14 day period.
4. Any request for an extension of the permit must be justified in writing and received by the Planning Department at least thirty (30) days prior to expiration.
5. All required fees, including planning fees, development fees, housing fees, building fees toilet retrofit fees, and St. Helena Unified School District fees shall be paid prior to issuance of building permit. Fees shall be those in effect at the time of the issuance of the building permit.
6. Compliance with all permit conditions shall occur in accordance with specific regulations but in all cases no later than prior to occupancy or initiation of use unless another time is set by law or by this approval. Occupancy or final inspection of a project may be withheld if all conditions, including payment of fees for services rendered by the City, are not met.
7. The applicant will defend and indemnify and hold the City, its agents, officers, and employees harmless of any claim, action or proceedings to attack, set aside, void or annul an approval so long as the City promptly notifies the applicant of any such claim, action, or proceedings and the City cooperates fully in the defense of the action or proceedings.
8. Provided they are in general compliance with the permit, minor modifications may be approved by the Planning Director.
9. In order to avoid an overconcentration of tasting room facilities in the City, the property owner has agreed to relinquish the use permit for a tasting room at 1118 Hunt Avenue. On this basis the City Council was able to find that the proposed use at 1234 Main Street will not have an adverse impact on the public health, safety, or welfare and will be consistent with the City's

goal of maintaining the economic viability of a local-serving economy. The applicant/property shall execute such documents as the City Attorney deems necessary to effect the relinquishment of the 1118 Hunt Avenue use permit.

10. This permit shall run with the land and shall be binding upon all parties having any right, title or interest in the real property or any part thereof, their heirs, successors and assigns, and shall inure to their benefit and benefit of the City of St. Helena.

11. The primary purpose of this review is for compliance with the General Plan and Zoning Ordinance. The owner/applicant is responsible for meeting with the Building Official/Fire Inspector to review compliance with Building and Fire Codes, including fire protection systems and the accessibility standards of Title 24.

12. This permit authorizes a 21-seat, indoor only, tasting room in an existing commercial space located at 1234 Main Street. Tastings will be limited to the hours of 11:00 a.m. to 7:00 p.m. This business shall remain distinct from those businesses authorized for operation as a food, beverage or drinking establishment as regulated through the Food & Beverage Establishments Inventory. Specifically - this permit does not authorize the preparation of food on-site.

13. The project is subject to Ordinance No. 2009-6, Chapter 17.48 Central Business Zoning District pertaining to Wine Shops, Off-Site Winery Tasting Rooms and Winery Offices. A Winery tasting room in the Central Business district is defined as:

    "Winery tasting rooms are establishments that sell wines on behalf of one or more wineries and enable consumers to taste wine (with and without charge) as a regular part of the sales process. The wines for tasting and for sale must be made from a minimum of 75% Napa Valley grapes and must be labeled Napa Valley or be a sub-appellation of the Napa Valley. The permit requires a Type 02 ABC license. Food may be provided if it is at no cost to the consumer, is made off-premises and the facilities are approved by Napa County Environmental Management."

14. Prior to initial occupancy, the winery shall apply for a St. Helena Business License and include a written statement demonstrating compliance with Municipal Code Section 17.48.030 pertaining to Winery Tasting Rooms. The business license shall be reviewed by and approved by the Planning Director prior to issuance.

15. For sales taxes purposes, the tasting room shall be the Place of Sale for all retail transactions occurring within the tasting room. In addition, unless otherwise prohibited by regulations of the State Board of Equalization, the tasting room shall be considered the sales tax venue for all retail sales initiated within the tasting room but which result in any subsequent delivery of goods to the customer.

16. The applicant shall comply with all conditions of the Napa County Department of Environmental Management pertaining to glass washing for wine-tasting.

17. Fire equipment shall be inspected annually by the Fire Department.

18. To reduce disturbance of residents in the project vicinity, construction activities which generate noise that can be heard at the property line of any parcel of real property within the City limits shall be limited to 8:00 a.m. to 5:00 p.m. Monday through Saturday. Delivery of materials/equipment and cleaning and servicing of machines/equipment shall be limited to 7:00 a.m. to 6:00 p.m. Exceptions to these time restrictions may be granted by the Public Works Director for one of the following reasons: (1) inclement weather affecting work, (2)

emergency work, or (3) other work, if work and equipment will not create noise that may be unreasonably offensive to neighbors as to constitute a nuisance. The City Engineer must be notified and give approval in advance of such work. No construction activities shall occur on Sundays or federal or local holidays that generate noise that can be heard at the property line of any parcel of real property within the City limits.

Public Works:

1. Approval of this project shall be subject to the requirements of, and all improvements shall be designed and constructed in accordance with the most current version at the time of improvement plan submittal, Caltrans Standards and Specifications, the City of St. Helena Municipal Code, the St. Helena Water and Sewer Standards, the St. Helena Street, Storm Drain and Sidewalk Standards, and all current federal, state and county codes governing such improvements.

2. The applicant shall be required to obtain an encroachment permit for improvements on public right-of-ways prior to receiving a grading or building permit authorizing site work or construction activities on the site.

3. Improvement plans shall incorporate all grading, drainage, and utilities shown on the approved Use Permit package, those improvements agreed to in public hearings, the requirements of these conditions of approval, and those improvements required by any codes in effect at the time of plan submittal.

4. The applicant shall be required to submit to the requirements for annual inspections of food/beverage service establishments and businesses that handle hazardous wastes for illicit stormwater discharges as required by the State National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges. The annual stormwater illicit discharge inspections are performed and invoiced to the applicant by Napa County Department of Environmental Management.

5. Any new and modified existing water laterals, meters and backflow prevention devices shall be required and constructed in accordance with the requirements of the City of St. Helena's Water Standards.

6. Where fire sprinklers are required, applicant shall install an appropriately-sized water service with appropriate backflow and meter devices prior to Certificate of Occupancy. Fire system calculations shall be submitted with building plans prior to permitting to verify fire service lateral and meter sizing.

7. The applicant shall incorporate water conservation practices into the proposed project per the Theoretical Water Use Report prepared, including installing a new water efficient 1.28 gal toilet, 1.5 gpm faucets, and a high temperature glass dishwasher. The applicant shall retrofit the shared restrooms. All non-conforming appliances and plumbing fixtures shall be removed from the premises. The water analysis shall be replicated in full on the architectural plans.

8. All wastewater lines of the proposed development must be connected to the St. Helena sewer system and designed in accordance with the City sewer system standards. Any new fixture units added to the existing building may require assessing the existing sewer lateral, possible upgrade of the sewer lateral to the building, including a sewer cleanout at the property line.

9. Trash areas, dumpsters and recycling containers shall be enclosed and roofed per State and County standards to prevent water run-on to the trash area and water runoff from the area, to contain litter and trash so that it is not dispersed by the wind or run-off during waste removal. In the event that wine or food waste is disposed in these areas, the enclosed trash area shall drain to the sanitary sewer system. An area drain connected to the sanitary sewer shall be installed in the enclosure area and a structural control such as an oil/water separator or sand filter shall be included. No other area shall drain into the trash enclosure. A sign shall be posted prohibiting the dumping of hazardous materials into the sanitary sewer.

10. The applicant shall comply with the provisions of St. Helena Municipal Code 17.48.090.C.6.d., including but not limited to maintaining a minimum four foot (4') clear path of travel along the sidewalk to provide for disabled access and maintaining a one and one-half foot (1-1/2') clear recovery zone from the face of curb. No obstructions of any kind shall be allowed in those zones. Tables shall not be left on the sidewalk when the business is closed. Table placement shall be limited to the placement on the "recommended outdoor seating configuration" conceptual plan attached herewith.

11. An encroachment permit shall be obtained from the City of St. Helena for outdoor dining use. The application must include documentation of required liability insurance. The City of St. Helena maintains the preeminent right to use the sidewalk and suspend the right to encroach whenever the city needs use of the sidewalk for other public use or for repair.

12. New sidewalk may be required in the public right-of-way to maintain and connect the current path of travel as determined by the Public Works Director.

13. Any missing or broken curb, gutter and/or sidewalk along the project frontage shall be installed and/or replaced per City specifications prior to Certificate of Occupancy, extent to be determined by the Public Works Department.

14. The applicant shall repair all public improvements that are damaged by the construction process in accordance with the City Water/Sewer/Street/Storm Drain/Sidewalk Standards prior to Certificate of Occupancy.

15. Existing streets being cut by new utility services will require edge grinding and an A.C. overlay per City standards, extent to be determined by the Public Works Department.

16. Non-existent, deteriorating or non-standard driveway approaches shall be replaced at the direction of the Public Works Department prior to Certificate of Occupancy.

17. Any existing driveway approach not directly connected to a driveway shall be replaced with sidewalk/curb/gutter, as applicable and as directed by the Public Works Department, prior to Certificate of Occupancy.

18. An encroachment permit shall be required for any work performed in the public right of way.

Approved at a Regular Meeting of the St. Helena City Council on June 10, 2014, by the following vote:

Ayes:	White, Mayor Nevero, Crull
Noes:	Pitts
Absent:	None
Abstain:	Sculatti

APPROVED:

Ann Nevero
Mayor

ATTEST:

Cindy Black
Interim City Clerk

CITY OF ST. HELENA
Incorporated March 24, 1878
Re-incorporated May 14, 1889
STATE OF CALIFORNIA

TEMPORARY USE PERMIT APPROVAL

DATE: March 19, 2021

TO: Rubenstein's, LLC & High Lob, LLC

FROM: Aaron Hecock, Senior Planner

RE: Administrative approval (#PL21-007) of a temporary use permit per St. Helena Municipal Code Section 17.136.050(D) allowing the expansion of wine/beer tasting activities in the building located at 1234 Main Street (APN 009-083-019).

BACKGROUND

In June 2014, the City Council approved an appeal by the owners of 1234 Main Street thereby approving a use permit (#2014-40) for a 21-seat wine tasting room in ½ the building. The other half of the building fronting Main Street was occupied by Cricket, a woman's clothing store, until their recent closure after 26 years in business. Erosion Wine Co. took over the wine tasting space in 2020 and has now acquired the lease to the former Cricket space.

PROJECT DESCRIPTION

The applicant now wishes to expand their current operation into the space formerly occupied by Cricket, going from 1061 square feet (sf) to approximately 2000 sf. The spaces will be connected with an opening towards the rear of the building. Proposed seating would expand from 21 seats to 49 with an additional 9 seats in a private courtyard toward the back of the building. The applicant would also like to add a small kitchen in the building in order to offer a small dip-based menu to accompany the selection wines & beers. Finally, the applicant wishes to modify the hours of operation from 11am – 7pm to 11am – 10pm. The applicant is required to apply for a permanent use permit amendment should they wish to operate beyond the 1-year granted with this approval.

Pursuant to St. Helena Municipal Code (SHMC) Section 17.136.050 (Temporary uses), the Planning Department hereby finds that the requested activity complies with applicable standards, and therefore the establishment, maintenance, or operation of the temporary activity would not be detrimental to the public health, safety, or welfare of persons residing or working in the neighborhood of the proposed activity.

CONDITIONS OF APPROVAL

1. This permit authorizes the activities described above (expansion of wine/beer tastings in an existing commercial building) and is good for one year from the date of this approval.
2. All required licenses and permits must be obtained (as applicable) prior to opening for business including but not limited to the following:
   a) Proper ABC licensing;
   b) Permits from Napa County Environmental Health; and
   c) Building permits for any electrical or structural changes.

3. Temporary use activities must comply with all state and local orders related to the Covid-19 pandemic including but not limited to requiring that masks be worn and that social distancing be enforced.
4. All business related activities must occur on private property unless otherwise approved.
5. Music shall be allowed when accessory to the approved use and shall not be audible beyond the property boundary. No amplified or acoustic music is permitted outdoors.
6. Hours of operation are permitted from 11 a.m. to 10 p.m. daily.
7. Seating and occupancy must comply with current fire codes and is subject to review and approval by the Fire Marshal.
8. Wines for tasting and for sale must be made from a minimum of 75% Napa Valley grapes and must be labeled Napa Valley or be a sub-appellation of the Napa Valley.
9. An Administrative Sign Permit must be applied for and obtained for any replacement signage.
10. The site shall be cleaned of debris, litter, signage, or any other evidence of the temporary activity upon completion or removal of the activity and shall thereafter be used in compliance with the provisions of any applicable use permits and the City's zoning code.
11. This approval is valid until March 18, 2022.
12. If the applicant wishes to make these uses permanent, a Use Permit Amendment application shall be filed with the Planning Department 30 days prior to the expiration of this approval.
13. Approval of this project shall be subject to the requirements of, and all improvements shall be designed and constructed in accordance with, the most current version at the time of improvement plan submittal, Caltrans Standards and Specifications, the City of St. Helena Municipal Code, the St. Helena Water and Sewer Standards, the St. Helena Street, Storm Drain and Sidewalk Standards, and all current federal, state and county codes governing such improvements.
14. Any and all non-conforming appliances and plumbing fixtures shall be removed from the premises.
15. The applicant shall install an approved backflow device behind the water meter prior to Certificate of Occupancy. Any new and modified existing water laterals, meters and backflow prevention devices shall be required and constructed in accordance with the current requirements of the City of St. Helena's Water Standards and the California Department of Health Standards. Existing meter boxes located within a driveway shall be retrofitted with a traffic-rated box. New laterals shall be located perpendicular to the water main and outside any driveway/drive aisle.
16. If fire sprinklers are required, appropriately-sized water service with appropriate backflow and meter devices shall be installed prior to Certificate of Occupancy. Fire system calculations shall be submitted with the building permit submittal to verify fire service lateral and meter sizing. Deferred submittals are not accepted.
17. No construction may commence until adequate access to fire water supply is available to building sites as approved by the Fire Chief.
18. Wastewater discharged is subject to all of the requirements and limitations set forth in Chapter 13.20, Sewer Service System, of the St. Helena Municipal Code.

19. All wastewater lines of the proposed use must be connected to the St. Helena sewer system and designed in accordance with the City sewer system standards.
20. If the current sanitary sewer clean-out does not meet City requirements, one will be required and may include replacement of the existing sewer lateral to the City main.
21. The applicant shall repair all public improvements that are damaged by the construction process in accordance with the City Water/Sewer/Street/Storm Drain/Sidewalk Standards prior to Certificate of Occupancy.
22. Existing streets being cut by new utility services will require edge grinding and an A.C. overlay per City standards, extent to be determined by the Public Works Department.
23. An encroachment permit shall be required for any work performed in the public right of way. Improvements on private shared roadways will require approval by all parties of ownership of the access easements.

APPEALS

This approval is subject to a 14-day appeal period per SHMC Section 17.08 (Administrative Procedures). Anyone interested in appealing this Determination shall file an appeal with the Planning Director within 14-days of the date of this letter. The letter of appeal must state: (1) the specific action objected to; (2) the action appellant requests the city council to take; (3) the reason for the appeal; and (4) the name, address, and telephone number of the appellant or contact person if there are multiple appellants and be accompanied by the appropriate fee.

Thank you,



Aaron Hecock, AICP
Senior Planner
City of St Helena

Xinia Gamero

From: Fran Heit <fran@reedsnapavalley.com>
Sent: Friday, July 15, 2022 10:01 AM
To: Public Comment
Subject: [External] Planning commission meeting 7/19/22

In regard to PL22-009 I wish to express my support for the approval of Patrick Rue of Erosion to expand food and beverage usage at 1234 Main Street.
His business is an asset to main street and he and his family are community minded people.
We should support these kind of businesses.
Fran Heit
Reeds

PLANNING COMMISSION REPORT

Planning Commission Meeting of July 19, 2022

FILE NUMBER: PL22-017

SUBJECT: Request by Megan Collins on behalf of E. & J. Gallo Winery for adoption of a resolution approving a design review and planning commission sign permit in order to install exterior improvements at Orin Swift Cellars, located at 1321/1325 Main Street in the Central Business zoning district.

PREPARED BY: Chantal Power

REVIEWED BY: Maya DeRosa, Planning & Building Director

APPROVED BY: Maya DeRosa, Planning & Building Director

APPLICATION FILED:06/01/22 **ACCEPTED AS COMPLETE:**06/23/22

LOCATION OF PROPERTY: 1321 and 1325 Main Street

APN: 009-240-010

GENERAL PLAN/ZONING: Central Business District (CBD)

APPLICANT: E. & J. Gallo Winery **PHONE:** (707) 921-9852

BACKGROUND

In April 2001, the Planning Commission approved Use Permit #2001-18 (attached for review) allowing the St. Helena Wine Center (SHWC) to expand their retail operation from 1321 Main Street into 1325 Main Street resulting in them occupying the entirety of the building for retail, office, and storage space. A doorway was created in the common wall between the two spaces in order to internally connect them. It should be noted that this approval included an accessory wine tasting area that was to remain incidental and accessory to the primary retail wine shop.

In November 2011, the Planning Commission approved Use Permit Amendment #2011-55 (attached for review) allowing the building to again be bifurcated into two tenant

spaces, one of which (1321 Main Street) would continue to be used by the SHWC as a retail wine shop with accessory tasting and the other (1325 Main Street) would be converted into an 8 seat tasting room for Orin Swift Cellars (OSC).

In January 2022, the Planning Commission approved a Use Permit Amendment # PL21-028 (attached for review) in order to expand the existing OSC tasting room into the vacant space formerly occupied by SHWC. The expanded OSC tasting room includes retail sales of wine as well as branded artwork and merchandise. Over 90% of the business activities are related to wine tasting, wine sales, and associated storage and staff areas, with 5% - 10% of the business dedicated to the retail sales of branded artwork and merchandise.

PROJECT DESCRIPTION

To enable the approved tasting room expansion, the applicant proposes tenant improvements to the front elevation of 1321 Main Street, exterior elevations to both 1321 and 1325 Main Street, including renovations to the outdoor patio. The existing approximately 3,254 square foot (sf) building is located on a 5,556 sf parcel in the heart of the City's Central Business District, formerly divided into two tenant spaces, an approximately 2,603 sf two-story space formerly occupied by the SHWC (1321 Main Street) and an approximately 651 sf space occupied by OSC (1325 Main Street). There are no expansions to square footage proposed to either 1321 or 1325 Main Street. The existing storage shed behind the building would be converted to a cabana with no change in square footage or height. The four existing parking spaces will remain.

The exterior improvements include removal of the existing wood cladding, arched doorways and stone veneer on the front façade of 1321 Main Street. The façade will then be sandblasted to expose the original concrete and sealed. A neon sign featuring the Orin Swift logo would mark the entrance to the tasting room, attached to the exposed and sealed concrete, and requires a planning commission sign permit. An art installation is proposed to span the exterior and interior of the storefront of 1325 Main Street detailed on sheets A5.0, A5.4, and A8.2, and the existing signage would be removed. The rear of the building would also be sandblasted to remove old paint and expose the original concrete.

The existing shed would be painted and two walls removed to create an open-air cabana to provide shade to tasting room guests. Other improvements include new Corten steel sliding panel, swing door, and sliding gate, black awnings and paint to be installed along the south elevation facing Money Avenue. Minor interior demolition is proposed consisting of the removal of walls to storage rooms and the removal of an existing bar. The total demolition areas as detailed on sheet A1.2 (exterior: two walls of shed, and interior: storage room walls and bar) are less than 50% of the structure therefore no demolition permit is required for review by the Planning Commission.

ANALYSIS

CEQA

Staff has conducted the requisite analysis and concluded that the project is categorically exempt from the requirements of CEQA pursuant to CEQA Guidelines Section 15301

which exempts the operation, repair, minor alteration of private structures, and Section 15311, Class 11 (a), which exempts installation of on-premise signs. The proposed project is not subject to any of the exceptions to the use of a categorical exemption as outlined in CEQA Section 15300.2. The project will not impact historic resources or otherwise generate or contribute to any potentially significant impacts.

GENERAL PLAN

The subject property has a General Plan Land Use designation of Central Business (CB). The CB land use designation provides for retail and commercial uses that serve local residents and the surrounding area. Typical CB uses include offices, restaurants, specialty retail and lodging, with particular emphasis on pedestrian-oriented retail and service uses on the ground floor level and offices located on upper floors. Residential uses can be considered for upper floor areas but are subject to discretionary use permit review and approval. The maximum allowable FAR in CB-designated areas is 2.0. The CB district extends from Sulphur Creek along Main Street to midway between Adams Street and Pine Street, west to Oak Avenue and along the north side of Adams Street east of Main Street. The 2040 St. Helena General Plan Update includes the following policies that are relevant to the proposed project:

- LU3.1 Strengthen the downtown as the City's social and cultural core, and as the primary center of retail services. Facilitate a healthy mix of retail and commercial uses, residential development, entertainment, and lodging.

- LU3.2 Enhance the pedestrian-oriented character of commercial areas and provide for convenient pedestrian and bicycle connections to encourage walking and reduce vehicle trips within the commercial area.

- LU3.7 Provide sufficient auto and bicycle parking in order to serve local businesses in the commercial districts. Ensure that all parking areas are well designed and that auto parking spaces are hidden from pedestrian view, whenever possible.

- ES1.2 Identify and expand economic sectors in which the City has competi-tive advantages and capitalize on these strengths in order to diversify local economic activities and strengthen St. Helena's role as an agriculturally-based service center for the surrounding area.

- ES2.1 Support the development of responsible, visitor-serving components to the City's economy as a valuable source of jobs, tax revenues, and cultural ame-nities. Promote policies that facilitate and encourage this type of sustainable economic development.

- ES2.2 Encourage visitor-serving uses oriented toward an upscale market, consistent with the Valley's reputation as a producer of world-class wines. Discourage the introduction of uses that are dependent upon a mass tourist market.

- ES2.3 Ensure a diverse mix of uses that avoids an over-representation of any particular use. Remove the cap on the number of hotel and motel rooms and restaurant seats but continue to limit vacation rentals.

- CD1.1 Ensure high-quality design and construction through a robust design review process.

- CD2.3 Encourage distinction within and between buildings by varying roof lines and articulating building facades.

- AC1.1 Ensure widespread opportunities for arts exposure by integrating them physically and socially into community life in order to establish the arts as an integral part of St. Helena's identity.

Staff Response: In accordance with the General Plan and in particular those policies listed above, the proposed project would support both a local and visitor serving component to the City's economy that is oriented toward the upscale market and strengthens the City's role as an agriculturally based service center for the surrounding area, while avoiding over-representation. Orin Swift Cellars serves and sells primarily locally produced wines, in an upscale establishment consistent with the Valley's reputation as a producer of world-class wines and is inviting to both locals and visitors. The utilization of an existing building in the City's nationally recognized historic downtown, within the parking impact overlay serves to enhance the pedestrian-oriented character of the downtown, while providing sufficient parking to satisfy the requirement of the parking impact overlay. This upscale establishment strengthens the downtown as the social and cultural core of the City, as does the high-quality design and use of art in the proposed improvements. For these reasons, the proposed project exhibits overall consistency with the General Plan Update 2040.

ZONING

Like the General Plan land use designation, the site has a zoning designation of Central Business (CB). This designation provides for retail, personal service uses, offices, restaurants, hotels/motels, service stations, public and quasi-public uses, and similar and compatible uses that serve local residents and the surrounding area. St. Helena Municipal Code (SHMC) Section 17.48.040 requires design review approval for all signs, new structures or buildings, or exterior revisions (including, but not limited to, change in exterior color) of any existing structures or buildings for both permitted and conditional uses. The following table summarizes applicable development standards and the conformity of the existing building with each:

STANDARD	MIN/MAX	EXISTING	PROPOSED
Lot Size	5,000 sf min	5,556 sf	No Change
Front Setback (Main St.)	0 feet	11 feet	No Change
Rear Setback (Money Way)	0 feet	36 feet	No Change

STANDARD	MIN/MAX	EXISTING	PROPOSED
Side yard Setback (South)	0 feet	0 feet	No Change
Side yard Setback (North)	0 feet	0 feet	No Change
Height	35 feet max	26'6"	No Change
Floor Area Ratio (FAR)	2.0 max	0.59	No Change

Staff Response: The project as proposed meets all development standards as required by Section 17.48.070 of the Municipal Code including lot size, setbacks, height and floor area ratio.

Landscaping Requirements

SHMC Section 17.48.090(D) prescribes various landscaping requirements for shade trees, planters, and landscaped areas. Frontage yards, off-street parking areas, and all other open areas (other than screened storage areas) must be permanently maintained by the property owner. A minimum of two shade trees are required for parking areas with 15 spaces or less. This code section also states that landscaping and shade trees shall be contained in planters and tree wells bordered by a six-inch-high concrete curb or equivalent barrier approved by the city. This code section notes that unless otherwise specified in the code or under the conditions of an approved permit, planters and tree wells shall have a width of not less than five feet and shall be protected from automobile overhang where necessary through the provision of barriers, tire stops or additional width.

Staff Response: Staff recognizes that the existing building was constructed before current landscaping requirements were in place and that the building is legal non-conforming. As the building has zero lot lines on two sides; fronts Main Street's sidewalk; and has parking spaces behind the building off of Money Way, it is incapable of meeting current landscaping requirements and is permitted to remain non-conforming. The proposed plan on page A2.1 indicates a landscape planter on two sides of the proposed cabana with a total area of 47.5 square feet is less than 500 square feet and therefore not subject to WELO compliance.

Wastewater Generation

SHMC Section 17.48.090(E) restricts each and every use in the CB district such that any lot of record does not generate wastewater in excess of 600 gallons per day (gpd), without a use permit which regulates wastewater generation.

Staff Response: The uses at 1321/1325 Main Street are limited to 600gpd per the code section referenced above. According to the Finance & Utilities Department, the existing building has a historical water use average of approximately 99.74 gpd, far below the 600 gpd maximum. The applicant provided a theoretical water use analysis (attached to this report) was prepared for Use Permit Amendment file #PL21-028, which estimates water usage will be approximately 156 gpd, also far below the 600 gpd maximum. A condition of approval was included in #PL 21-028 requiring that the 600 gpd wastewater generation maximum be maintained.

WATER

Chapter 13.12 of the Municipal Code requires mandatory water efficiency measures and water demand offset requirements for new construction. Among these provisions is the requirement that any "new development" (i.e. construction that would introduce any freestanding building that contains water-using fixtures, any floor area additions to existing nonresidential structures, or any residential additions or remodeling that increases the number of independent living units) offset new water demand by an amount equal to the new demand placed on the city water system (i.e., it must be water neutral). The offset must be clearly demonstrated to the satisfaction of the Public Works Department.

Staff Response: No use changes are being proposed to the existing building with this application and no new square footage is being added; the proposal does not constitute new development as defined above, therefore; the project is not subject to St. Helena Water neutrality requirements. While not required, the applicant has provided the theoretical water use analysis (attached to this report) prepared for Use Permit Amendment file #PL21-028, which shows that water neutrality will be achieved.

PARKING

The parking requirements for this use were analyzed under the previously approved use permit amendment PL 21-028, which authorized the 66 seat tasting room. There is no change or intensification of the use that would change the parking analysis conclusions. Please refer to the attachment to the staff report for Use Permit Amendment PL 21-028. A condition of approval was included to require that the off-street parking area be appropriately striped and that concrete tire stops be added to the spaces.

HISTORIC RESOURCES

The subject buildings are within a National Register designated district known as the St. Helena Historic Commercial district. The structure at 1321 Main Street was constructed in ca. 1920 as a commercial storefront building. The structure at 1325 Main Street was constructed in ca 1925 also as a commercial storefront building. A historic survey of both buildings completed in 2019 (attached to this report) determined both are considered a non-contributing buildings due to the primary façade undergoing a significant modification in the 1980s.

Staff Response: The proposed exterior modifications will not negatively impact the structure's status within the district nor will they detract from or be incompatible with the historic nature of the surrounding area.

PLANNING COMMISSION SIGN PERMIT

In accordance with Section 17.148.060 – Neon Signs, of the SHMC:

1. All neon signs are regulated by planning commission sign permit.
2. Each business is limited to one neon sign.

3. No more than twenty-five percent (25%) of the sign area allowed for the primary frontage of a business shall be neon.
4. Neon may be used for business identification only and shall not be used for incidental signs pertaining to and advertising goods, products, services, brand names or facilities which are available on the premises. Neon "Open" signs are prohibited.

Pursuant to Section 17.148.040.B – Planning Commission Sign Permit, of the SHMC, the purpose of the planning commission sign permit is to allow the consideration of illuminated signs (including neon), signs that are larger, of unique design or location, or signs that in addition to those permitted with an administrative sign permit. The planning commission shall consider the compatibility of the sign to the site , the appropriateness of the materials and colors in relation to the project, the compatibility of the sign to the small-town character of St. Helena, and the impact the sign may have on surrounding properties. The commission shall not approve signs which obscure or detract from the architecture of a historic building or structure.

Staff Response: One sign is proposed for as the primary signage for Orin Swift Cellars. The existing sign consists of gold painted letters above the entrance to 1325 Main Street. The existing sign will be removed, and the proposed sign will be pin mounted to the concrete wall over the entrance of 1321 Main Street. The CB district allows a total of 40 cumulative square feet of signage or a ratio of one square foot of signage per one lineal foot of business frontage (whichever is less) permitted administratively. Planning Commission has the authority to approve larger signs, and no more than 25% of the sign area allowed for primary frontage to be neon. The proposed signage occupies a total of 26.87 square feet of the sign area, which is equal to the 1:1 ratio as the business frontage is 26'10". The neon element of the sign occupies approximately 1.95 square feet, less than 25% of the allowable 40 square feet. The sign consists of three black, pin-mounted, powder coated, LED backlit aluminum letters "O.S.C." ranging in size from approximately 1'4" to 2'3" in square feet, with two pin-mounted, red neon rings covering approximately 1.95 square feet of the total sign area. The proposed signage is simple, tasteful, and modern, is compatible with the modern design proposed for the exterior improvements, and will not have a negative aesthetic impact on the surrounding downtown National Register historic district.

DESIGN REVIEW

As noted above, SHMC Section 17.48.040 requires design review approval for all signs, new structures or buildings, or exterior revisions (including, but not limited to, change in exterior color) of any existing structures or buildings for both permitted and conditional uses in the Central Business District. As the applicant wishes to make exterior modification to both tenant spaces in the existing building, design review is required. The Planning Commission must find that the project takes reasonable account of the design criteria prescribed in SHMC Section 17.164.030 (listed below) in review of this application:

1. Consistency and compatibility with applicable elements of the general plan;
2. Compatibility of design with the immediate environment of the site;

3. Relationship of the design to the site;
4. Determination that the design is compatible in areas considered by the board as having a unified design or historical character;
5. Whether the design promotes harmonious transition in scale and character in areas between different designated land uses;
6. Compatibility with future construction both on and off the site;
7. Whether the architectural design of structures and their materials and colors are appropriate to the function of the project;
8. Whether the planning and siting of the various functions and buildings on the site create an internal sense of order and provide a desirable environment for occupants, visitors and the general community;
9. Whether the amount and arrangement of open space and landscaping are appropriate to the design and the function of the structures;
10. Whether access to the property and circulation systems are safe and convenient for pedestrians, cyclists and vehicles;
11. Whether natural features and vegetation are appropriately preserved and integrated with the project;
12. Whether the materials, textures, colors, and details of the construction are an appropriate expression of its design concept and function and whether they are compatible with the adjacent and neighboring structures and functions;
13. Whether the landscape design concept for the site, as shown by the relationship of plant masses, open space, scale, plant forms and foliage textures and colors, create a desirable and functional environment and whether the landscape concept depicts an appropriate unity with the various buildings on the site;
14. Whether sustainability and climate protection are promoted through the use of green building practices such as appropriate site/architectural design, use of green building materials, energy efficient systems and water efficient landscape materials.

Staff Response: Staff finds that the project meets and/or complies with the required findings to approve design review for the proposed project. No construction of new structures or additions to existing structures are proposed. Rather, the applicant proposes an update of the non-historic front building facades to include the removal of wood cladding, doorway arches and stone veneer that are outdated; sandblasting and sealing original concrete; application of new paint; installation of Corten steel gates and fencing, new neon signage consistent with the requirements of Section 17.148.060 - Neon Signs, of the SHMC, and an art installation on the Main Street façade of the business, Orin Swift Cellars. The proposal will modernize the existing building exterior while remaining complementary of neighboring structures and will not negatively impact the National Register Historic District of the downtown area.

ATTACHMENTS

1. Resolution
2. Architecture Plans
3. Sign Plans
4. Written Statement
5. Historic Resource Evaluation

6. Water Use Analysis
7. Use Permit 2001-18
8. Use Permit Amendment 2011-55
9. Use Permit Amendment PL21-028

ISSUES

Staff has not identified any outstanding issues related to this application that require additional discussion.

CORRESPONDENCE

At the time of packet distribution staff had not received any correspondence related to this application.

STAFF RECOMMENDATION

For the reasons described above, staff recommends that the Planning Commission:

1. Determine that the project is exempt from the requirements of CEQA pursuant to CEQA Guidelines Section 15301; and

2. Accept the required findings and approve the attached resolution granting Design Review approval and a Planning Commission Sign Permit for the proposed exterior improvements to the building located at 1321/1325 Main Street.

ATTACHMENTS

RESOLUTION
ARCHITECTURE PLANS
SIGN PLANS
WRITTEN STATEMENT
HISTORIC RESOURCE EVALUATION
WATER USE ANALYSIS
USE PERMIT 2001-18
USE PERMIT AMENDMENT 2011-55
USE PERMIT AMENDMENT PL21-028

CITY OF ST. HELENA PLANNING COMMISSION
RESOLUTION NO.
GRANTING DESIGN REVIEW AND
PLANNING COMMISSION SIGN PERMIT APPROVAL TO
1321 / 1325 Main Street (File No. PL22-017)

PROPERTY OWNER: Refugee Wine Company, LLC **APN:** 009-240-010

Recitals

1. The applicant has requested adoption of a resolution for design review of exterior modifications to an existing building located at 1321 / 1325 Main Street in the Central Business zoning district. This includes the removal of wood cladding, doorway arches and stone veneer that are outdated; sandblasting and sealing original concrete; application of new paint; installation of Corten steel gates and fencing, and an art installation on the Main Street facade of the business, Orin Swift Cellars; and
2. The applicant has requested planning commission sign permit approval for a neon sign consistent with the requirements of Section 17.148.060 – Neon Signs, of the SHMC, for a 1.95 square foot neon element of the proposed signage; and
3. A public notice was published in the Napa Valley Register and mailed to residents and occupants within 300 feet of the project site in compliance with state and local law; and
4. The Planning Commission of the City of St. Helena, State of California, considered the project, staff report, and all testimony, written and spoken, at a duly noticed public hearing on July 19, 2022; and
5. Now, therefore let it be found that the Planning Commission approves the design review and planning commission sign permit thereby authorizing the modifications contained in said application based on the findings below and subject to the conditions of approval enumerated herein.

Resolution

A. In making the findings in this Resolution, the Planning Commission relied upon and hereby incorporates by reference all of the documents referenced in this Resolution and the associated staff reports, City files for this matter, correspondence, presentations and other materials.

B. The Planning Commission hereby finds that the project is exempt from the requirements of CEQA pursuant to CEQA Guidelines Section 15301 which exempts the operation, permitting and leasing of private structures, and Section 15311, Class 11 (a), which exempts installation of on-premise signs.

C. In accordance with SHMC Section 17.164.030, the Planning Commission makes the following design criteria findings to support the motion to approve the design review:

Staff finds that the project meets and/or complies with the required findings to approve design review for the proposed project. No construction of new structures or additions to existing structures are proposed. Rather, the applicant proposes an update of the non-historic front building facades to include the removal of wood cladding, doorway arches and stone veneer that are outdated; sandblasting and sealing original concrete; application of new paint; installation of Corten steel gates and fencing, new neon signage consistent with the requirements of Section 17.148.060 - Neon Signs, of the SHMC, and an art installation on the Main Street façade of the business, Orin Swift Cellars. The proposal will modernize the existing building exterior while remaining complementary of neighboring structures and will not negatively impact the National Register Historic District of the downtown area.

D. The Planning Commission further finds that the proposed sign is in compliance with the requirements of SHMC Section 17.148.060 relating to the placement of neon signs within the Central Business Zoning District.

Design Review - Conditions of Approval

Planning Department

E. The Planning Commission approves a design review permit for the above-described project with the following conditions of approval. The conditions noted below are particularly pertinent to this permit and shall not be construed to permit violation of other laws and policies not so listed.

1. The project shall be in conformance with all city ordinances, rules, regulations and policies in effect at the time of issuance of a building permit.
2. The design review permit shall be vested within one (1) year from the date of final action or the approval shall expire, provided however that the approval may be extended for up to two (2) one-year periods pursuant to the St. Helena Municipal Code, Section 17.08.130, Extension of Permits and Approvals.
3. Any request for an extension of this approval shall be justified in writing and received by the Planning Department at least thirty (30) days prior to expiration.
4. The approvals shall not become effective until fourteen (14) calendar days after approval, providing that the action is not appealed by the City Council or any other interested party within that 14-day period.
5. All required fees, including planning fees, development impact fees, residential in-lieu housing fees, building fees, toilet retrofit fees, and St. Helena Unified School District fees shall be paid prior to issuance of a building permit. Fees shall be those in effect at the time of the issuance of the building permit.
6. Compliance with all permit conditions shall occur in accordance with specific regulations but in all cases no later than prior to occupancy or initiation of use unless another time is set by law or by this approval. Occupancy or final inspection of a project

may be withheld if all conditions, including payment of fees for services rendered by the City, are not met.

7. In any action or proceeding to attack, challenge, invalidate, set aside, void or annul the City's approval of applicant's Project, in whole or in part, applicant shall defend, at its own expense and without any cost to the City, and with counsel acceptable to the City, and shall fully and completely indemnify and hold the City, its agents, officers, and employees harmless from and against any and all claims, causes of action, damages, costs, attorney's fees and liability of any kind, so long as the City reasonably promptly notifies the applicant of any such claim, action, or proceedings and the City cooperates fully in the defense of the action or proceedings.
8. Provided they are in general compliance with this approval, minor modifications may be approved by the Planning Director.
9. Pursuant to St. Helena Municipal Code Section 17.08.110, this permit shall run with the land and shall be binding upon all parties having any right, title or interest in the real property or any part thereof, their heirs, successors and assigns, and shall inure to their benefit and benefit of the City of St. Helena.
10. The primary purpose of this review is for compliance with the General Plan and Zoning Ordinance. The property owners or their designee shall be responsible for meeting with the Building Official, Fire Inspector and or Public Works Department to review compliance with Building Codes, Fire Codes and specific Public Works Standards including fire protection systems and any applicable accessibility standards of Title 24.
11. This resolution and conditions of approval replaces and supersedes all prior conditions of approval from the resolutions for PL #2001-18, and PL #2011-55.
12. All conditions of approval pursuant to use permit amendment PL 21-028 remain valid and enforceable.
13. Frontage areas, off-street parking areas, and all other open areas shall be permanently maintained by the property owner.
14. The City recognizes that the existing building was constructed before current landscaping requirements were in place and that the building is legal non-conforming.
15. All trash and recycling areas shall be screened from view.
16. The uses at 1321/1325 Main Street are limited to 600 gallons per day of wastewater.
17. Prior to the issuance of a Certificate of Occupancy, the off-street parking area must be appropriately striped and concrete tire stops must be added to each parking space.
18. Exterior lighting shall be directed or shielded to prevent glare onto public roadways or adjacent properties.
19. To reduce disturbance of residents in the project vicinity, construction activities which generate noise that can be heard at the property line of any parcel of real property within the City limits shall be limited to 8:00 a.m. to 5:00 p.m. Monday through Saturday. Delivery of materials/equipment and cleaning and servicing of machines/equipment shall be limited to 7:00 a.m. to 6:00 p.m. Exceptions to these time restrictions may be granted by the Public Works Director for one of the following

reasons: (1) inclement weather affecting work, (2) emergency work, or (3) other work, if work and equipment will not create noise that may be unreasonably offensive to neighbors as to constitute a nuisance. The Public Works Director must be notified and give approval in advance of such work. No construction activities shall occur on Sundays or federal or local holidays that generate noise that can be heard at the property line of any parcel of real property within the City limits.

Public Works Department Conditions of Approval

20. The applicant shall be responsible for all City plan check and inspection costs as described in the St. Helena Comprehensive Fee and Rate Schedule.
21. All public improvements and utility connections shall be designed in accordance with the City of St. Helena's Construction Standards (SHMC 16.32.230).
22. Where applicable, the applicant shall be required to obtain an encroachment permit for improvements on public rights-of-way prior to receiving a grading or building permit authorizing site work or construction activities on the site.
23. The applicant shall repair all public improvements that are damaged by the construction process in accordance with Caltrans Standards and Specifications and the City Water/Sewer/Street/Storm Drain/Sidewalk Standards.

Building Department Conditions of Approval

24. A building permit is required for all onsite demolition, construction and/or change of occupancy including proper exiting at the outdoor gate to include panic hardware and swing in direction of egress per Chapter 10 CBC.
25. The applicant will be required to comply with the codes adopted at the time the applicant applies for a building permit. At this time, the City of St. Helena utilizes the 2019 Title 24 codes.
26. When submitting plans for a building permit, the plans shall include all documentation listed on the building permit application checklist.
27. The applicant shall provide a construction waste management plan with the building permit application.
28. The plans for construction shall include a checklist for compliance with the California Green Buildings Standards Code, mandatory measures. Provide a reference on the checklist indicating where the mandatory measures can be found on the plans.
29. When submitting plans, the title page shall include all information referenced on the building permit application checklist Title Page requirements.
30. Building Permit application materials and plans shall include any documentation pertaining to special loads applicable to the design and the specified section of the code that addresses the condition; special inspections for any systems or components requiring special inspection; requirements for seismic resistance; and a complete list of deferred submittals at time of application. Any deferral of the

required submittal items shall have prior approval of the Building Official however deferral of fire sprinkler design is not allowed.

Fire Department Conditions of Approval

31. Plans submitted for building permit shall exhibit compliance with the current St. Helena Fire Code, as adopted and codified in St. Helena Municipal Code Chapter 15.36.
32. Change of Occupancy from Class M to A-2: Fire Sprinklers are required in accordance with St. Helena Municipal Code Section 15.36.060.B.

Planning Commission Sign Permit - Conditions of Approval

F. The Sign Permit for the above described is granted subject to compliance with the following conditions. The conditions noted below are particularly pertinent to this permit and shall not be construed to permit violation of other laws and policies not so listed:

1. The permit shall be in conformance with all City ordinances, rules, regulations and policies in effect at the time of issuance of a building permit should one be required.
2. This permit shall be vested within one (1) year from the date of approval. However, the permit may be extended for up to two (2) one-year periods pursuant to the St. Helena Municipal Code, Section 17.08.130, Extension of Permits and Approvals. Any request for an extension of the Sign Permit must be justified in writing and received by the Planning Department at least thirty (30) days prior to expiration.
3. This permit will expire if the use is discontinued pursuant to existing ordinances and regulations.
4. In any action or proceeding to attack, challenge, invalidate, set aside, void or annul the City's approval of applicant's Project, in whole or in part, applicant shall defend, at its own expense and without any cost to the City, and with counsel acceptable to the City, and shall fully and completely indemnify and hold the City, its agents, officers, and employees harmless from and against any and all claims, causes of action, damages, costs, attorney's fees and liability of any kind, so long as the City reasonably promptly notifies the applicant of any such claim, action, or proceedings and the City cooperates fully in the defense of the action or proceedings.
5. This sign permit shall run with the land and shall be binding upon all parties having any right, title or interest in the real property or any part thereof, their heirs, successors and assigns, and shall inure to their benefit and benefit of the City of St. Helena.
6. The signs authorized by this sign permit shall conform to the details and dimensions shown on the Exhibits which were reviewed and approved by the Planning Commission at their July 19, 2022, meeting. Total approved signage totals approximately 26.87 square feet and the approved neon signage (included in the overall 26.87 square feet) totals 1.9 square feet.

7. An Encroachment Permit shall be obtained by the applicant prior to installation of the signs if work involves locating of any person or structure on public property, such as a sidewalk, driveway, or street, if necessary.
8. Provided they are in general compliance with the Sign Ordinance, minor modifications may be approved by the Planning Director.

I HEREBY CERTIFY that the foregoing design review and planning commission sign permit application was duly and regularly approved by the Planning Commission of the City of St. Helena at a regular meeting of said Planning Commission held on July 19, 2022, by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

APPROVED:

John Ponte
Chair, Planning Commission

ATTEST:

Maya DeRosa, AICP
Planning and Building Director

GENERAL NOTES

1. THE WORK INCLUDED UNDER THIS CONTRACT CONSISTS OF ALL LABOR, MATERIALS, TRANSPORTATION, TOOLS AND EQUIPMENT NECESSARY FOR THE CONSTRUCTION OF THE PROJECT LEAVING ALL WORK READY FOR USE.
2. ALL CONSTRUCTION SHALL CONFORM TO THE 2019 CALIFORNIA BUILDING, MECHANICAL, PLUMBING, ELECTRICAL AND THE 2019 CALIFORNIA ENERGY CODE IN THE EVENT OF CONFLICT, THE MOST STRINGENT REQUIREMENTS SHALL APPLY.
3. ALL WORK SHALL BE DONE IN ACCORDANCE WITH AIA GENERAL CONDITIONS DOC. A-201, 2017 EDITION.
4. OMISSIONS FROM THE DRAWINGS AND SPECIFICATION OR THE MISDESCRIPTION OF THE WORK WHICH IS MANIFESTLY NECESSARY TO CARRY OUT THE INTENT OF THE DRAWINGS AND SPECIFICATIONS, OR WHICH IS CUSTOMARILY PERFORMED, SHALL NOT RELIEVE THE CONTRACTOR FROM PERFORMING SUCH OMMITTED OR MISDESCRIBED DETAILS OF THE WORK AS IF FULLY AND COMPLETELY SET FORTH AND DESCRIBED IN THE DRAWINGS AND SPECIFICATIONS.
5. ALL WORK DESCRIBED IN THE DRAWINGS SHALL BE VERIFIED BY THE CONTRACTOR FOR DIMENSION, GRADE, EXTENT AND COMPATIBILITY TO THE EXISTING SITE. ANY ERRORS, OMMISSIONS, CONFLICTS, DISCREPANCIES AND UNEXPECTED CONDITIONS THAT AFFECT OR CHANGE THE WORK DESCRIBED IN THE CONTRACT DOCUMENTS SHALL BE BROUGHT TO THE ARCHITECT'S ATTENTION IMMEDIATELY. DO NOT PROCEED WITH THE WORK IN THE AREA OF DISCREPANCY UNTIL ALL SUCH DISCREPANCIES ARE RESOLVED. IF THE CONTRACTOR CHOOSES TO DO SO, THEY SHALL BE PROCEEDING AT HIS OWN RISK. ANY REVISION TO THE APPROVED SET OF PLANS MUST BE SUBMITTED TO AND APPROVED BY THE ST HELENA BUILDING DEPARTMENT PRIOR TO THE REVISION BEING COMPLETED.
6. THE GENERAL CONTRACTOR SHALL MAINTAIN A CURRENT AND COMPLETE SET OF THE CONSTRUCTION DOCUMENTS ON THE JOB SITE DURING ALL PHASES OF CONSTRUCTION FOR USE OF ALL THE TRADES, AND SHALL PROVIDE ALL THE SUBCONTRACTORS WITH CURRENT CONSTRUCTION DOCUMENTS AS REQUIRED.
7. THE GENERAL CONTRACTOR SHALL VERIFY AND ASSUME RESPONSIBILITY FOR ALL DIMENSIONS AND SITE CONDITIONS. THE GENERAL CONTRACTOR SHALL INSPECT THE EXISTING PREMISES AND TAKE NOTE OF EXISTING CONDITIONS PRIOR TO SUBMITTING PRICES. NO CLAIM SHALL BE ALLOWED FOR DIFFICULTIES ENCOUNTERED WHICH COULD HAVE REASONABLY BEEN INFERRED FROM SUCH AN EXAMINATION.
8. WRITTEN DIMENSIONS TAKE PRECEDENCE. DO NOT SCALE DRAWINGS.
9. ALL DIMENSIONS TO AND FROM NEW CONSTRUCTION WHEN SHOWN IN PLAN ARE TO FACE OF GYP. BOARD, FACE OF MASONRY, FACE OF CEMENT PLASTER UNLESS OTHERWISE NOTED.
10. ALL DIMENSIONS ON REFLECTED CEILING PLANS, ELEVATIONS, AND ELECTRICAL PLANS ARE FROM FACE OF FINISH TO CENTER LINE OF FIXTURE OR GROUP OF FIXTURES UNLESS OTHERWISE NOTED.
11. ALL VERTICAL DIMENSIONS ARE TO FACE OF FINISH AND FINISH FLOOR UNLESS OTHERWISE NOTED.
12. ALL DIMENSIONS NOTED "VIF" OR "VERIFY" ARE TO BE VERIFIED BY THE CONTRACTOR IN THE FIELD PRIOR TO CONSTRUCTION. IMMEDIATELY REPORT ANY VARIANCE TO THE ARCHITECT FOR RESOLUTION.
13. ALL WALLS ARE WOOD STUDS @ 16" O.C. UNLESS OTHERWISE NOTED.
14. CONTRACTOR SHALL PROVIDE ALL SEISMIC BRACING AND HOLD-DOWN CLIPS AS REQUIRED BY CODE FOR ALL SUSPENDED CEILING AND SOFFIT FRAMING CONDITIONS.
15. COORDINATE ALL WORK WITH EXISTING CONDITIONS, INCLUDING BUT NOT LIMITED TO: IRRIGATION PIPES, ELECTRICAL CONDUIT, WATER LINES, GAS LINES, DRAINAGE LINES, ETC.
16. PROVIDE ADEQUATE TEMPORARY SUPPORT AS NECESSARY TO ASSURE THE STRUCTURAL VALUE OR INTEGRITY OF THE BUILDING.
17. PROTECT ALL EXISTING BUILDING AND SITE CONDITIONS TO REMAIN INCLUDING WALLS, CABINETS, FINISHES, TREES AND SHRUBS, PAVING, ETC.
18. DETAILS SHOWN ARE TYPICAL. SIMILAR DETAILS APPLY IN SIMILAR CONDITIONS.
19. VERIFY ALL ARCHITECTURAL DETAILS WITH STRUCTURAL, CIVIL, KITCHEN EQUIPMENT, AND SHOP OR DESIGN/BUILD DRAWINGS BEFORE ORDERING OR INSTALLATION OF ANY WORK.
20. WHERE LOCATIONS OF WINDOWS AND DOORS ARE NOT DIMENSIONED, THEY SHALL BE CENTERED IN THE WALL OR PLACED TWO STUD WIDTHS FROM ADJACENT WALL AS INDICATED ON THE DRAWINGS.
21. ALL REQUIRED EXITS SHALL BE OPERABLE FROM THE INSIDE WITHOUT THE USE OF A KEY OR SPECIAL KNOWLEDGE.
22. ALL CHANGES IN FLOOR MATERIALS OCCUR AT CENTERLINE OF DOOR OR FRAMED OPENING UNLESS OTHERWISE INDICATED ON THE DRAWINGS.
23. INSTALL ALL FIXTURES, EQUIPMENT AND MATERIALS PER MANUFACTURERS RECOMMENDATIONS.
24. VERIFY CLEARANCES FOR FLUES, VENTS, CHASES, SOFFITS, FIXTURES, ETC. BEFORE ANY CONSTRUCTION, ORDERING, OR INSTILLATION OF ANY ITEMS OF WORK.
25. SEALANT, CAULKING AND FLASHING, ETC. LOCATIONS SHOWN ON DRAWINGS ARE NOT INTENDED TO BE INCLUSIVE. FOLLOW MANUFACTURER'S INSTALLATION RECOMMENDATIONS AND STANDARD INDUSTRY AND BUILDING PRACTICES.
26. ALL ROOF DECK PENETRATIONS AND EXTERIOR WALL OPENINGS SHALL BE GUARANTEED BY THE CONTRACTOR TO BE WATER TIGHT FOR A MINIMUM PERIOD OF FIVE YEARS AFTER SUBSTANTIAL COMPLETION OF ALL WORK UNDER THIS CONTRACT.
27. THE GENERAL CONTRACTOR SHALL REMOVE ALL RUBBISH AND WASTE MATERIALS OF ALL SUBCONTRACTORS AND TRADES ON A REGULAR BASIS, AND SHALL EXERCISE A STRICT CONTROL OVER JOB CLEANING TO PREVENT ANY DIRECT DEBRIS OR DUST FROM AFFECTING, IN ANY WAY, FINISHED AREAS IN OR OUTSIDE JOB SITE.
28. CONTRACTOR SHALL LEAVE PREMISES AND ALL AFFECTED AREAS CLEAN AND ORDERLY, READY FOR OCCUPANCY. THIS INCLUDES CLEANING OF ALL GLASS (INSIDE AND OUTSIDE) AND FRAMES, BOTH NEW AND EXISTING.
29. INSTALL SMOKE DETECTORS IN ACCORDANCE WITH THE SPECIFICATIONS AND IN CONFORMANCE WITH LOCAL FIRE MARSHAL REQUIREMENTS.
30. ALL EXTERIOR DOORS AND WINDOWS ARE TO BE WEATHERSTRIPPED PER TITLE 24 REQUIREMENTS, UNLESS OTHERWISE NOTED IN DOOR DETAILS.
31. GLASS SUBJECT TO HUMAN IMPACT SHALL BE OF SAFETY GLAZING MATERIAL TO MEET STATE AND FEDERAL REQUIREMENTS.
32. ANY SURVEY MONUMENTS WITHIN THE AREA OF CONSTRUCTION SHALL BE PRESERVED OR RESET BY A REGISTERED CIVIL ENGINEER OR A LICENSED LAND SURVEYOR.
33. ALL WOOD IN CONTACT WITH CONCRETE SHALL BE PRESSURE TREATED.
34. ACCESS FOR THE PHYSICALLY DISABLED IS REQUIRED BY THE TITLE 24 CALIFORNIA ADMINISTRATIVE CODE AND THE AMERICANS WITH DISABILITIES ACT. ALL REQUIRED FEATURES SHALL BE INCLUDED IN THE CONSTRUCTION WHETHER SPECIFICALLY DETAILED OR NOT.
35. INSTALL FIRE EXTINGUISHERS AND SELF-ILLUMINATING EXIT SIGNS PER CODE TO THE SATISFACTION OF THE CITY OF ST HELENA. REVIEW LOCATIONS WITH ARCHITECT PRIOR TO INSTALLATION.
36. ALL DOOR HARDWARE TO MEET ADA AND TITLE 24 REQUIREMENTS FOR ACCESSIBILITY.
37. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR CONSTRUCTION IN CONFORMANCE WITH THE APPROVED PLANS, SPECIFICATIONS, AND ALL CODE REQUIREMENTS UNDER WHICH THE PLANS AND SPECIFICATIONS WERE APPROVED.

1321-1325 MAIN STREET **OSC** ST HELENA, CA, 94574

PROJECT STATISTICS

BUILDING DEPARTMENT STATISTICS

PROJECT	ORIN SWIFT CELLARS
LOCATION:	1321-1325 MAIN ST. ST HELENA, CA 94574
APN:	009-240-010
OCCUPANCY GROUP	A-2
CONSTRUCTION TYPE:	V-B
ZONING:	CB - CENTRAL BUSINESS,

EXISTING GROUND FLOOR INDOOR AREA:	2,609SF
EXISTING SECOND FLOOR AREA:	752SF
PROPOSED GROUND FLOOR INDOOR AREA	2,609SF
PROPOSED SECOND FLOOR AREA:	752SF
PROPOSED OUTDOOR AREA:	1,144SF

APPLICABLE CODES:

2019 CALIFORNIA BUILDING CODE
2019 CALIFORNIA GREEN BUILDING STANDARDS CODE
2019 CALIFORNIA FIRE CODE
2019 CALIFORNIA ELECTRICAL CODE
2019 CALIFORNIA ENERGY CODE
2019 CALIFORNIA MECHANICAL CODE
2019 CALIFORNIA PLUMBING CODE

ADDITIONAL PERMITS

SIGNAGE: SUBMITTED UNDER SEPARATE PERMIT

SCOPE OF WORK

PROPOSED WORK INCLUDES A REVISION TO THE EXTERIOR ELEVATION OF 1321 MAIN ST TO REMOVE (E) WOOD SIDING AND STONE VENEER TO EXPOSE THE ORIGINAL BUILDING CONCRETE FACADE AS WELL AS THE DEVELOPMENT OF AN EXTERIOR TASTING AREA WITH IN THE REAR YARD OF THE BUILDING.
AN (E) STORAGE SHED IS PROPOSED TO BE MODIFIED TO A COVERED OPEN AIR TASTING CABANA. WORK ALSO INCLUDES MODIFICATION TO THE EXISTING STOREFRONT AT 1325 MAIN ST TO REPLACE THE EXISTING GLAZING WITH AN ART INSTALLATION COMPRISED OF VINTAGE SCISSORS PIERCING ACRYLIC PANELS.

NORTH ELEVATION - RENDERING



DRAWING INDEX

- A0.0 COVER SHEET
- A0.1 EXISTING SITE PHOTOS

ARCHITECTURAL

- A1.1 OVERALL SITE PLAN
- A1.1 EXISTING SITE/ROOF PLAN
- A1.2 DEMO GROUND FLOOR PLAN
- A1.3 DEMO SECOND FLOOR PLAN
- A1.4 EXISTING NORTH EXTERIOR ELEVATION
- A1.5 EXISTING SOUTH EXTERIOR ELEVATION
- A1.6 EXISTING SOUTH STREET ELEVATION
- A1.7 EXISTING EXTERIOR EAST ELEVATION
- A2.0 PROPOSED ROOF/SITE PLAN
- A2.1 PROPOSED GROUND FLOOR PLAN
- A2.2 PROPOSED SECOND FLOOR PLAN
- A5.0 PROPOSED NORTH EXTERIOR ELEVATION
- A5.1 PROPOSED SOUTH EXTERIOR ELEVATION
- A5.2 PROPOSED SOUTH STREET ELEVATION
- A5.3 PROPOSED EXTERIOR EAST ELEVATION
- A5.4 PROPOSED NORTH EXTERIOR ELEVATION RENDER
- A5.5 PROPOSED SOUTH EXTERIOR ELEVATION STREET VIEW RENDER
- A5.6 PROPOSED SOUTH EXTERIOR ELEVATION RENDER
- A8.1 WALL / FENCE DETAILS
- A8.2 PROPOSED STOREFRONT DETAILS
- A8.3 PROPOSED SIGNAGE DETAILS

VICINITY MAP



PROJECT DIRECTORY

	Address	Contact	Telephone
CLIENT:	Megan Collins, E&J Gallo Winery 845 Healdsburg Ave, Healdsburg, CA 95448	Megan Collins	Tel: (707) 921-9852 megan.collins@ejgallo.com
ARCHITECT:	Arcanum Architecture, Inc. 329 Bryant Street, Suite 3c San Francisco, CA 94107	Nicolas Messaritis Chris Canney	Tel: (415) 357-4417 nicolas@arcanumarchitecture.com Tel: (415) 357-4415 chris@arcanumarchitecture.com Fax: (415) 357-4404

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ORIN SWIFT CELLARS

1321 MAIN STREET
ST HELENA, CA 94574

Date	05.02.2022
Drawn By	NM
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Project No.	22001

Date	Issue

COVER SHEET

A0.0

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VIEW OF SITE

NORTH ELEVATION

SOUTH ELEVATION

VIEW FROM SITE

NORTH VIEW

EAST VIEW

SOUTH VIEW

WEST VIEW

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Date | Issue

EXISTING SITE PHOTOS

A0.1

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1 A1.0 OVERALL SITE PLAN

2 4 8 16

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1321 MAIN STREET
ST HELENA, CA 94574

Date	05.02.2022
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Project No.	2.2001

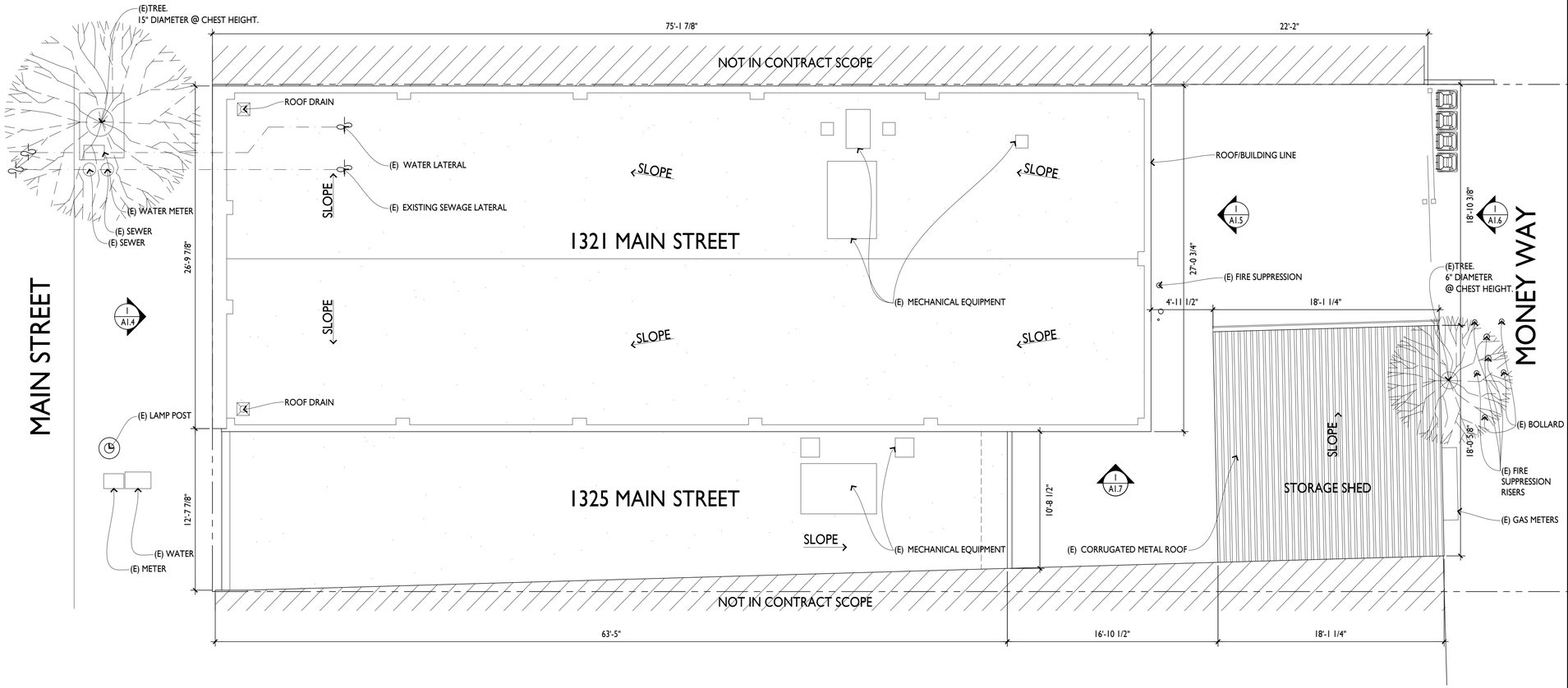
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OVERALL SITE PLAN

3/32" = 1'-0"

N

A1.0



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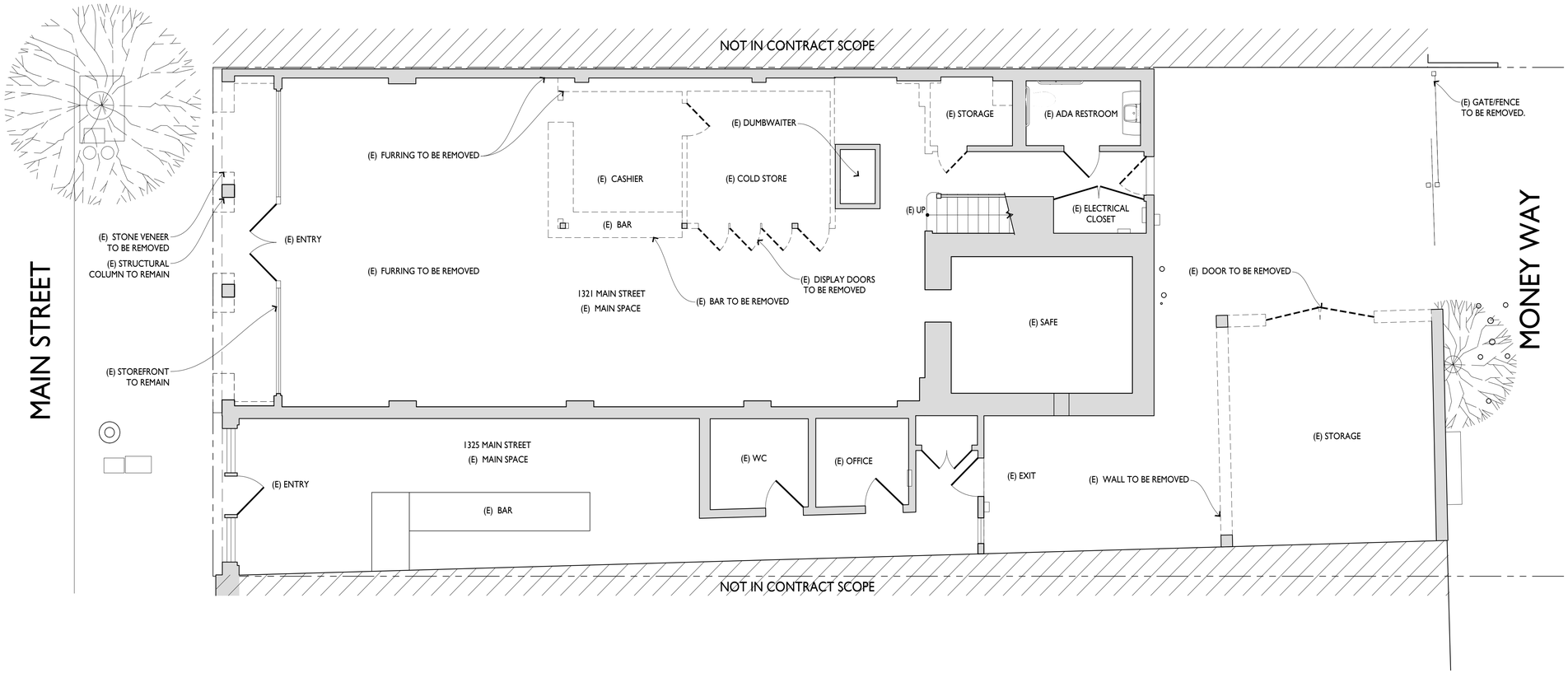
EXISTING SITE/ROOF PLAN

1/4" = 1'-0"

A1.1

DEMO PLAN LEGEND

- (E) CONSTRUCTION TO BE REMOVED
- (E) CONSTRUCTION TO REMAIN
- N.I.C. (E) AREA NOT IN CONTRACT



1 / A1.2 DEMO GROUND FLOOR PLAN

0 2' 4' 8' 16'

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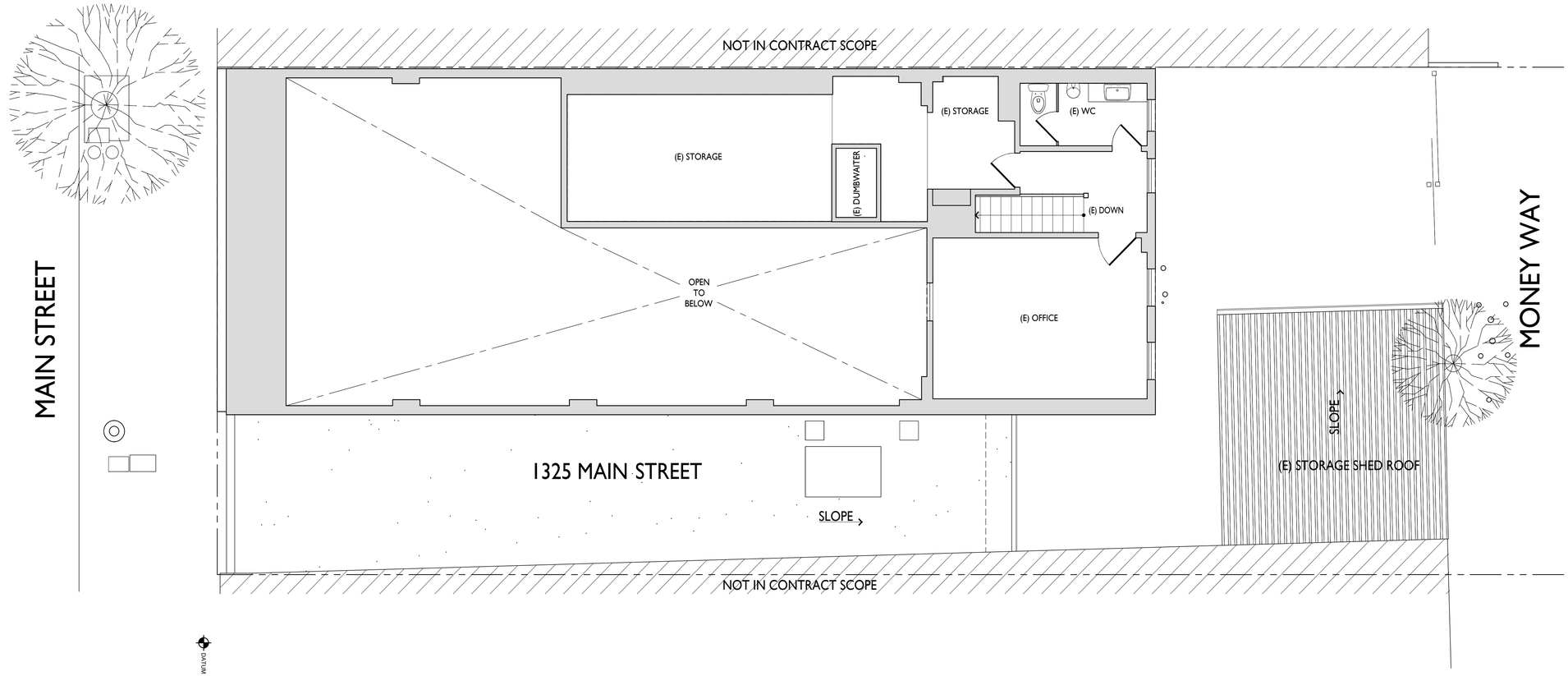
DEMO GROUND FLOOR PLAN

1/4" = 1'-0"

A1.2

DEMO PLAN LEGEND

- (E) CONSTRUCTION TO BE REMOVED
- (E) CONSTRUCTION TO REMAIN
- N.I.C. — (E) AREA NOT IN CONTRACT



1 / A1.3 DEMO SECOND FLOOR PLAN

0 2' 4' 8' 16'

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DEMO SECOND FLOOR PLAN

1/4" = 1'-0" N

A1.3



1 / A1.4 EXISTING NORTH EXTERIOR ELEVATION

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EXISTING NORTH EXTERIOR ELEVATION

3/8" = 1'-0"

A1.4



1 / A1.5 EXISTING S. EXTERIOR ELEVATION

2 4 8 16

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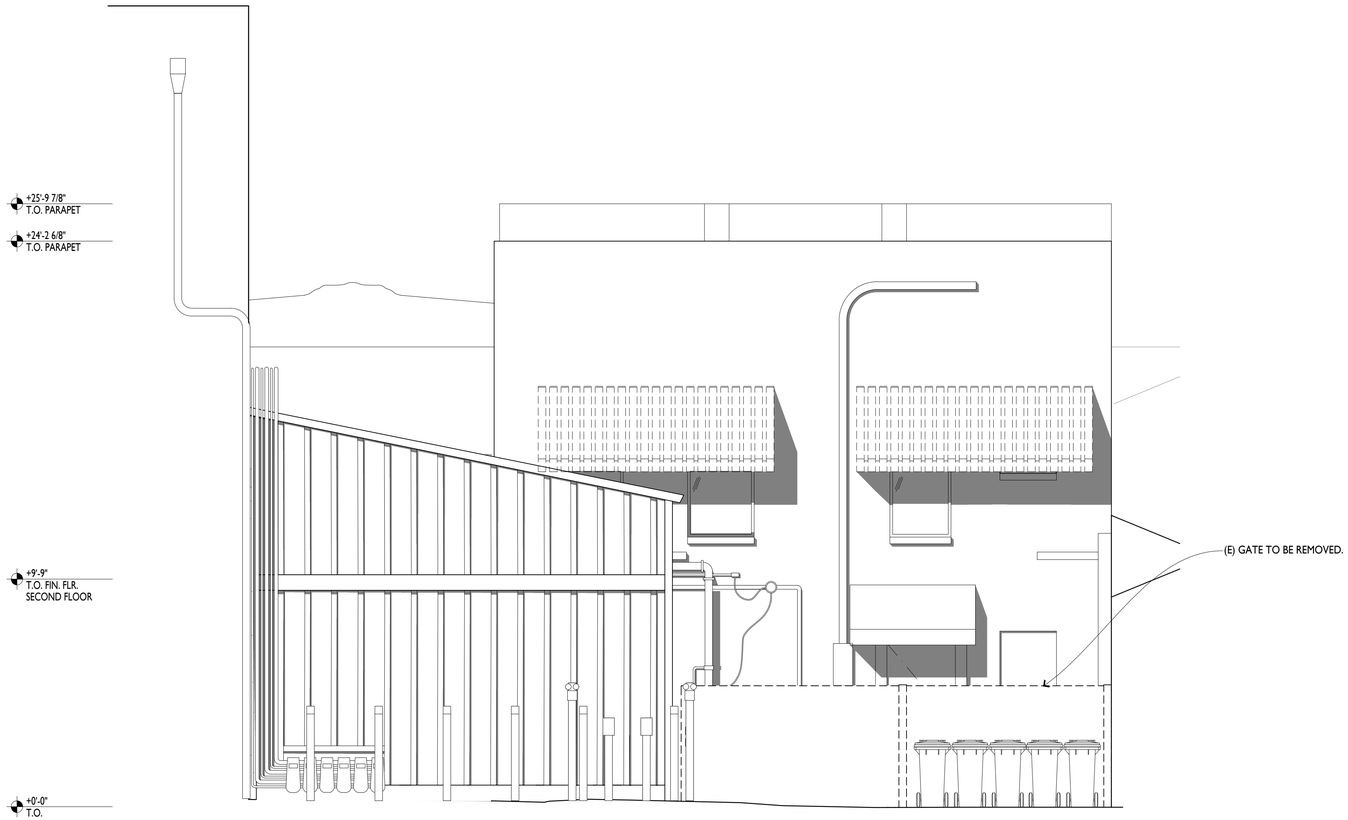
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Date	Issue

EXISTING SOUTH EXTERIOR ELEVATION

3/8" = 1'-0"

A1.5



1 / A1.6 EXISTING S. STREET ELEVATION

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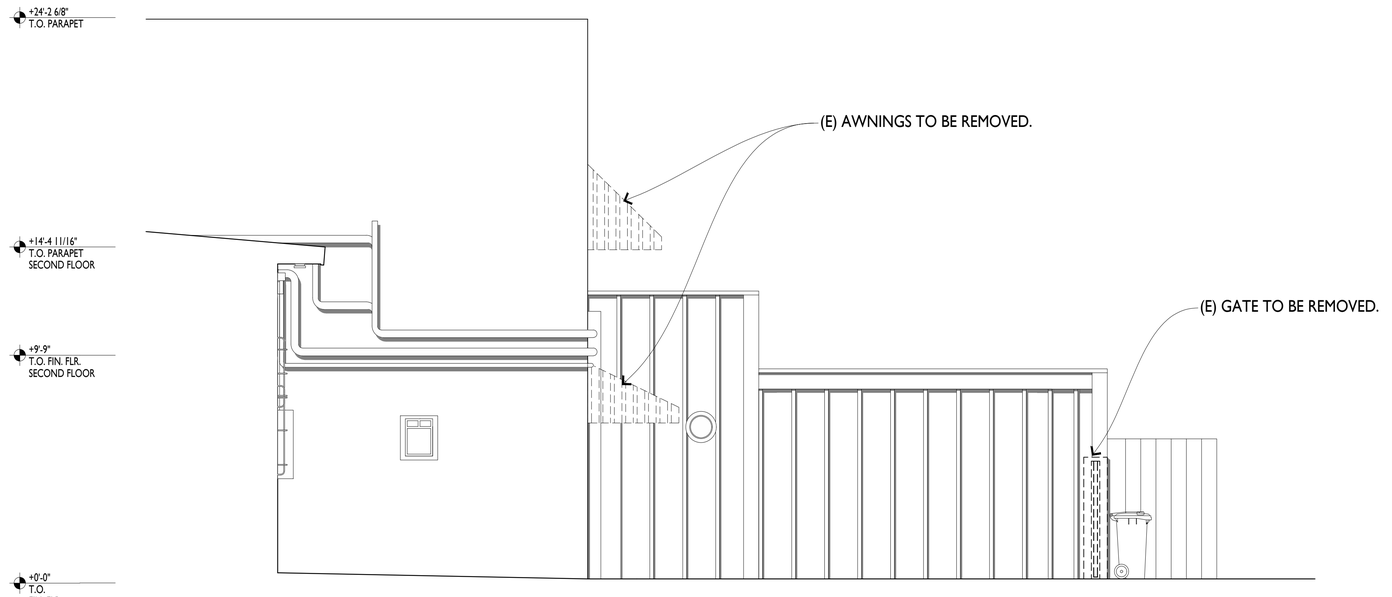
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Project No.	21012

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EXISTING SOUTH STREET ELEVATION

3/8" = 1'-0"

A1.6



1 / A1.7 EXISTING EXTERIOR EAST ELEVATION

2 4 8 16

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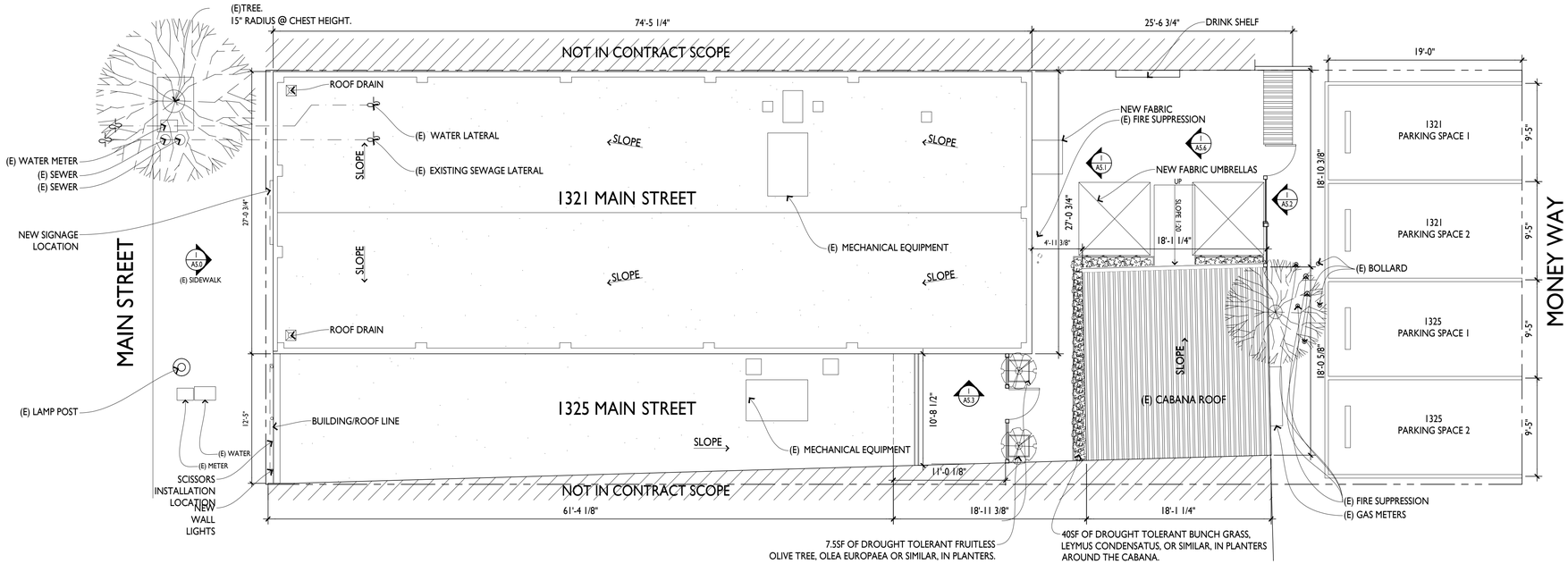
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Date	Issue

EXISTING EXTERIOR SIDE ELEVATION

3/8" = 1'-0"

A1.7



LANDSCAPING NOTE:
ALL LANDSCAPING SHOWN IS LOCATED IN ABOVE GRADE PLANTER BOXES AND ARE TO BE HAND WATERED.
TOTAL AREA OF 47.5SF IS LESS THAN 500SF, THEREFORE MWELO COMPLIANCE NOT REQUIRED.

PROPOSED ROOF/SITE PLAN

2 12
4 24

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STATE OF CALIFORNIA · LICENSED ARCHITECT · KURT FORMROOK · No. C-34259 · EXP. 08.31.2023

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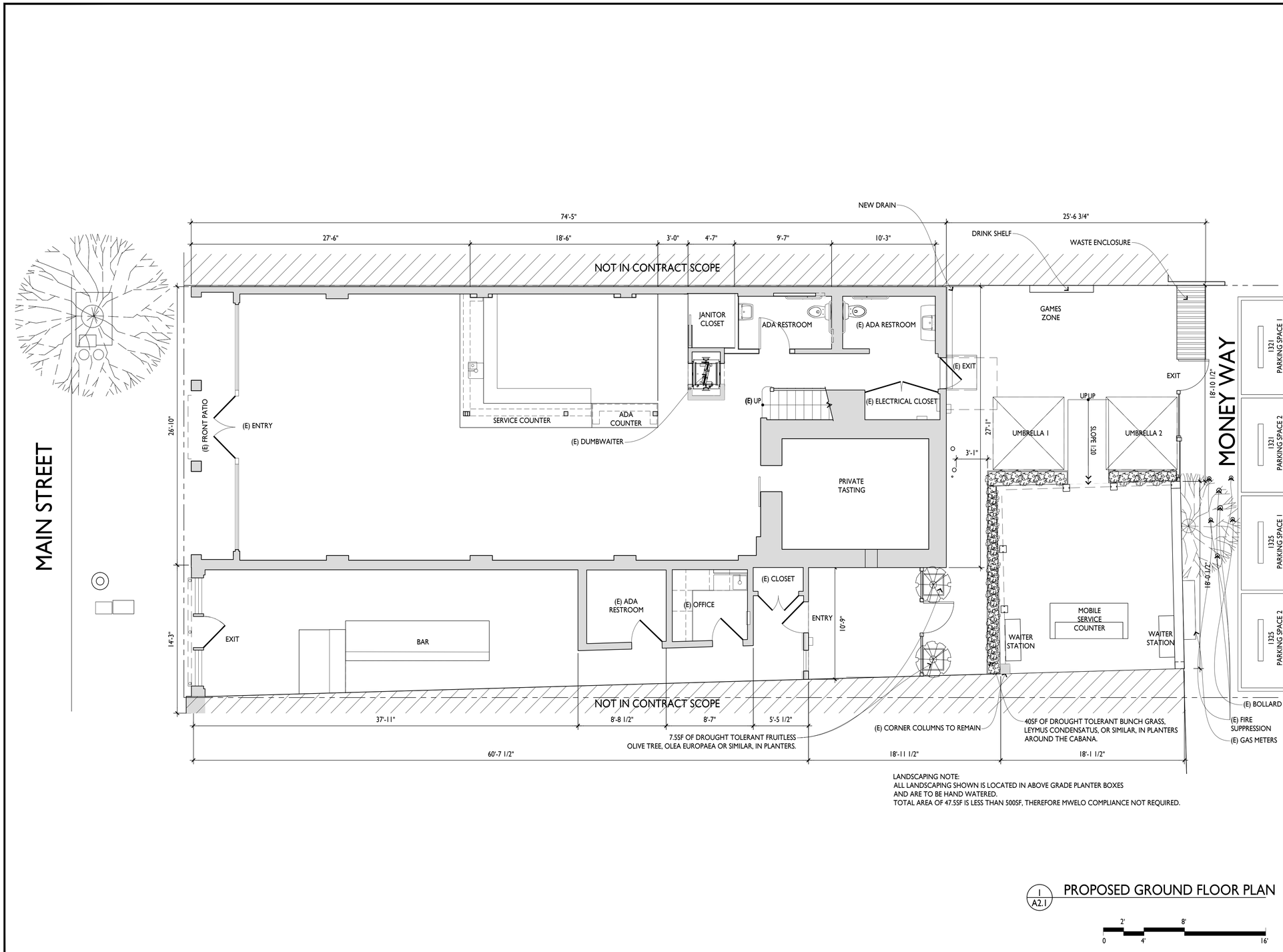
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07.07.2022	REVISION 1

PROPOSED ROOF/SITE PLAN

3/16" = 1'-0"

A2.0



LANDSCAPING NOTE:
ALL LANDSCAPING SHOWN IS LOCATED IN ABOVE GRADE PLANTER BOXES AND ARE TO BE HAND WATERED.
TOTAL AREA OF 47.5SF IS LESS THAN 500SF, THEREFORE MWELO COMPLIANCE NOT required.

1 / A2.1 PROPOSED GROUND FLOOR PLAN

0 2' 4' 8' 16'

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LICENSED ARCHITECT
KURT SIMROCK
No. C-34259
EXP. 08.31.2023
STATE OF CALIFORNIA

ORIN SWIFT CELLARS

1321 MAIN STREET
ST HELENA, CA 94574

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07.07.2022	REVISION 1

PROPOSED GROUND FLOOR PLAN

1/4" = 1'-0"

A2.1

I A2.2 PROPOSED SECOND FLOOR PLAN

2' 0 4' 8' 16'

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LICENSED ARCHITECT
KURT FARMROOK
No. C-34259
EXP. 08.31.2023
STATE OF CALIFORNIA

ORIN SWIFT CELLARS

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Project No.	22001

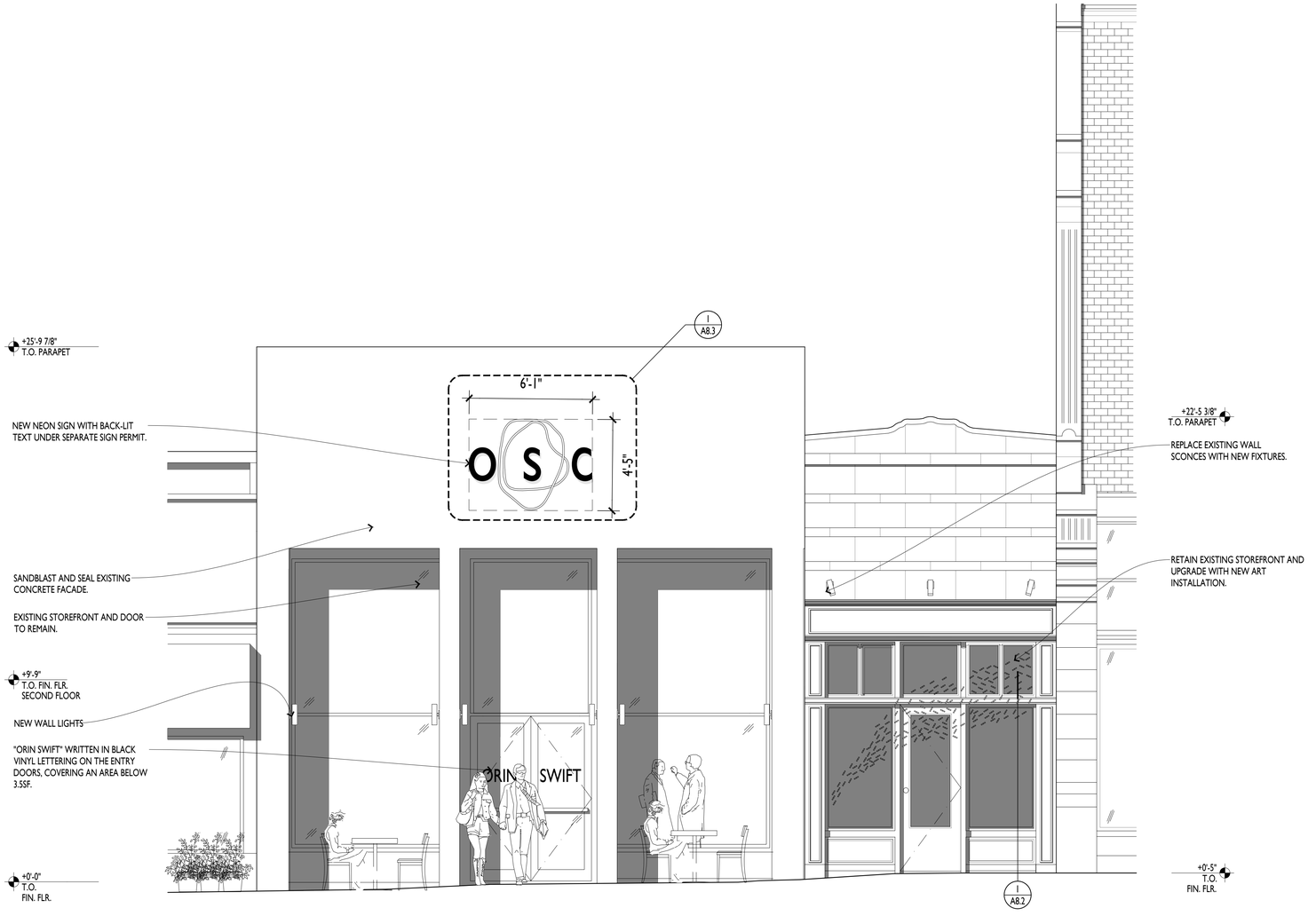
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07.07.2022	REVISION 1

PROPOSED SECOND FLOOR PLAN

1/4" = 1'-0"

N

A2.2



1 A5.0 PROPOSED N. EXTERIOR ELEVATION

2 4 8 16

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ORIN SWIFT CELLARS

1321 MAIN STREET
ST HELENA, C A 94574

Date	
Drawn By	MG
Checked By	AF / CC
Project No.	21012

Date	Issue

PROPOSED NORTH EXTERIOR ELEVATION

3/8" = 1'-0"

A5.0



1 A5.1 PROPOSED S. EXTERIOR ELEVATION

2 4 8 16

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ORIN SWIFT CELLARS

1321 MAIN STREET
ST HELENA, CA 94574

Date	
Drawn By	MG
Checked By	AF / CC
Project No.	21012

Date	Issue

PROPOSED SOUTH EXTERIOR ELEVATION

3/8" = 1'-0"

A5.1



1 / A5.2 PROPOSED SOUTH STREET ELEVATION

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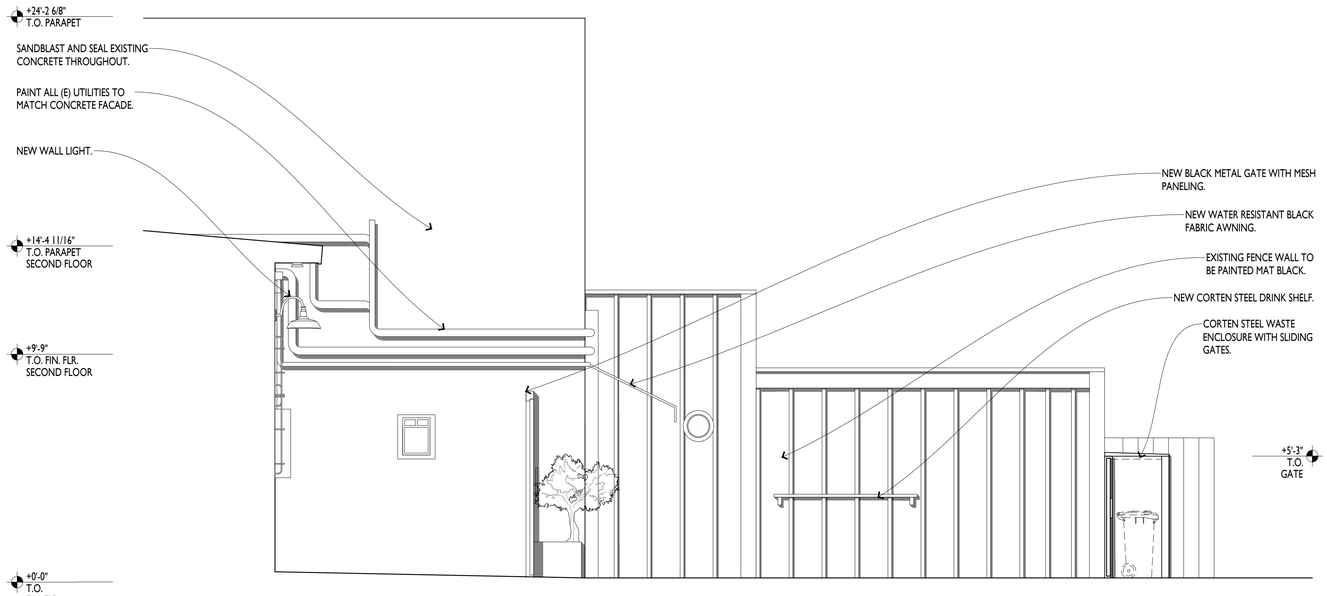
Date	
Drawn By	MG
Checked By	AF / CC
Project No.	21012

Date	Issue

PROPOSED SOUTH STREET ELEVATION

3/8" = 1'-0"

A5.2



1 / A5.3 PROPOSED EXTERIOR EAST ELEVATION

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ST HELENA, CA 94574

Date	
Drawn By	MG
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Project No.	21012

Date	Issue

PROPOSED EXTERIOR SIDE ELEVATION

3/8" = 1'-0"

A5.3



1 A5.4 PROPOSED N. EXTERIOR ELEVATION RENDER

2 4 8 16

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ST HELENA , C A 94574

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Project No.	21012

Date	Issue

PROPOSED NORTH EXTERIOR ELEVATION RENDER

3/8" = 1'-0"

A5.4

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1 A5.5 PROPOSED S. EXTERIOR ELEVATION STREET VIEW RENDER

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Date	
Drawn By	MG
Checked By	AF / CC
Project No.	21012

Date	Issue

PROPOSED SOUTH EXTERIOR ELEVATION STREET VIEW RENDER

3/8" = 1'-0"

A5.5



1 / A5.6 PROPOSED S. EXTERIOR ELEVATION RENDER

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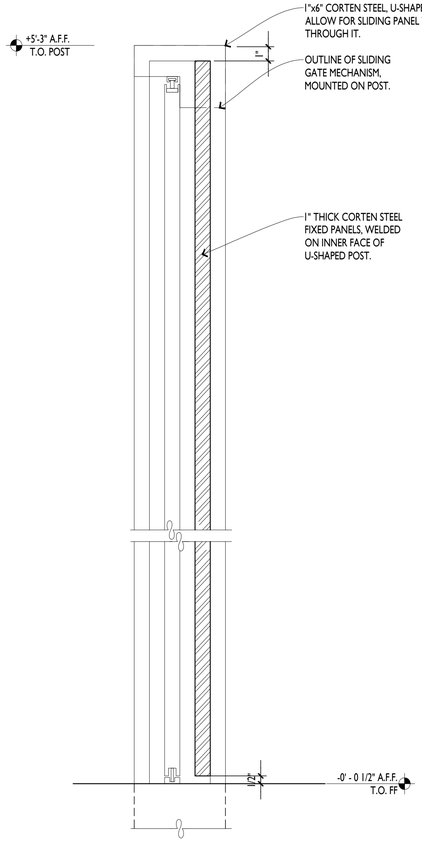
Date	
Drawn By	MG
Checked By	AF / CC
Project No.	21012

Date Issue

PROPOSED SOUTH EXTERIOR ELEVATION RENDER

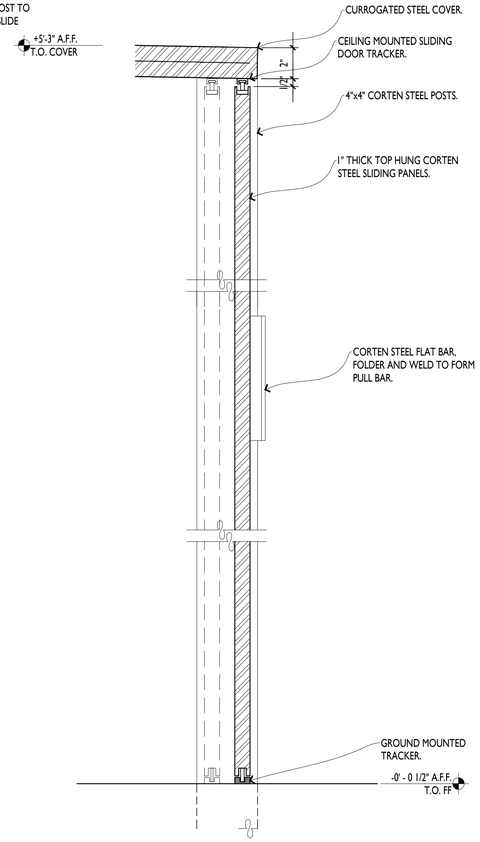
3/8" = 1'-0"

A5.6



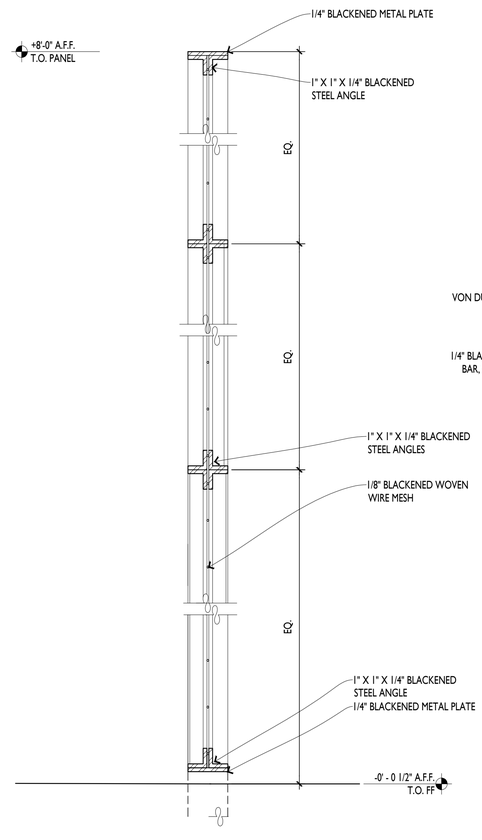
13 A8.1 CORTEN STEEL GATE - FIXED PANEL

3" = 1'-0"



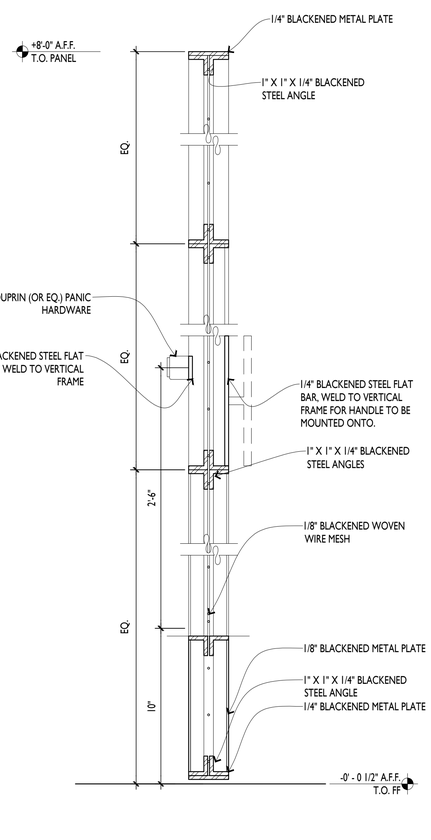
5 A8.1 CORTEN STEEL GATE - SLIDING DOORS

3" = 1'-0"



9 A8.1 VIP ENCLOSURE FENCE

3" = 1'-0"



1 A8.1 VIP ENCLOSURE GATE SILL/HEAD

3" = 1'-0"

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ORIN SWIFT CELLARS

1321 MAIN STREET
ST HELENA, CA 94574

Date	05.02.2022
Drawn By	NM
Checked By	AF / CC
Project No.	22001

Date	Issue
05.02.2022	

PROPOSED WALL / FENCE DETAILS

AS NOTED

A8.1





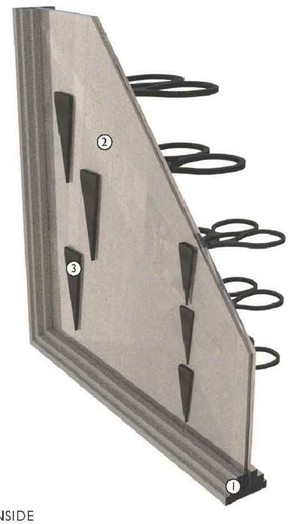






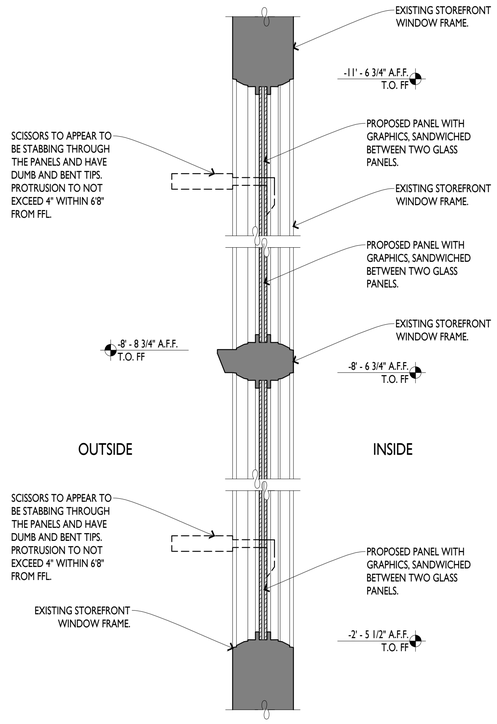


OUTSIDE



INSIDE

1. Existing Window Frame
2. Comic book / Newspaper cut-outs sandwiched between two layers of plexiglass or similar.
3. Scissors of different sizes going through the panels and have tips bent.
   Edge of bows to not exceeding 4" from the face of the panel within 6'8" from FFL.



1 / A8.2 1325 STOREFRONT - WINDOW DETAIL

3" = 1'-0"

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1321 MAIN STREET
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Date	05.02.2022
Drawn By	NM
Checked By	AF / CC
Project No.	22001

Date	Issue
05.02.2022	

PROPOSED STOREFRONT DETAILS

AS NOTED

A8.2

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1 A5.4 PROPOSED N. EXTERIOR ELEVATION RENDER

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Drawn By	MG
Checked By	AF / CC
Project No.	21012

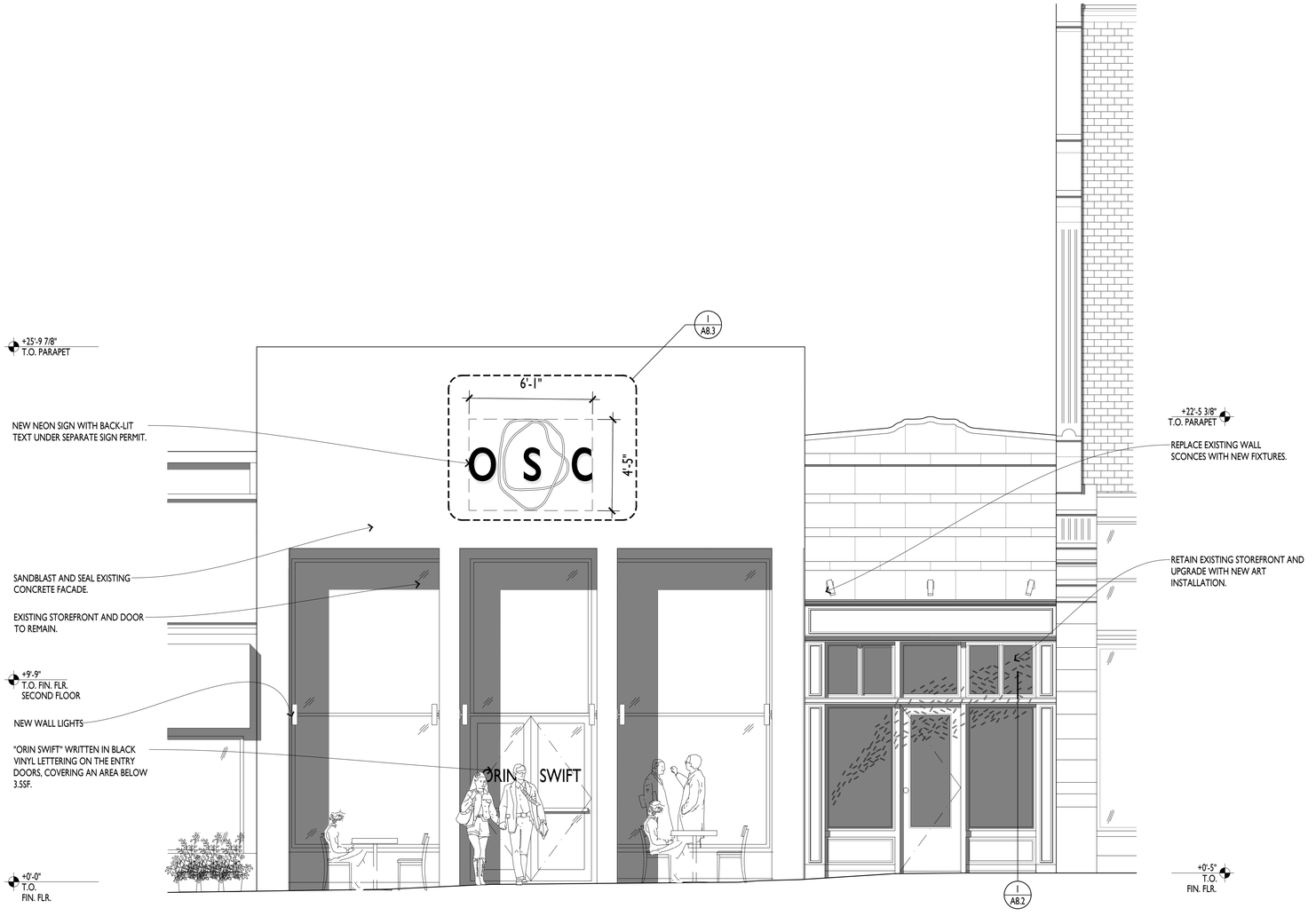
Date	Issue

PROPOSED NORTH EXTERIOR ELEVATION RENDER

3/8" = 1'-0"

A5.4

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1 A5.0 PROPOSED N. EXTERIOR ELEVATION

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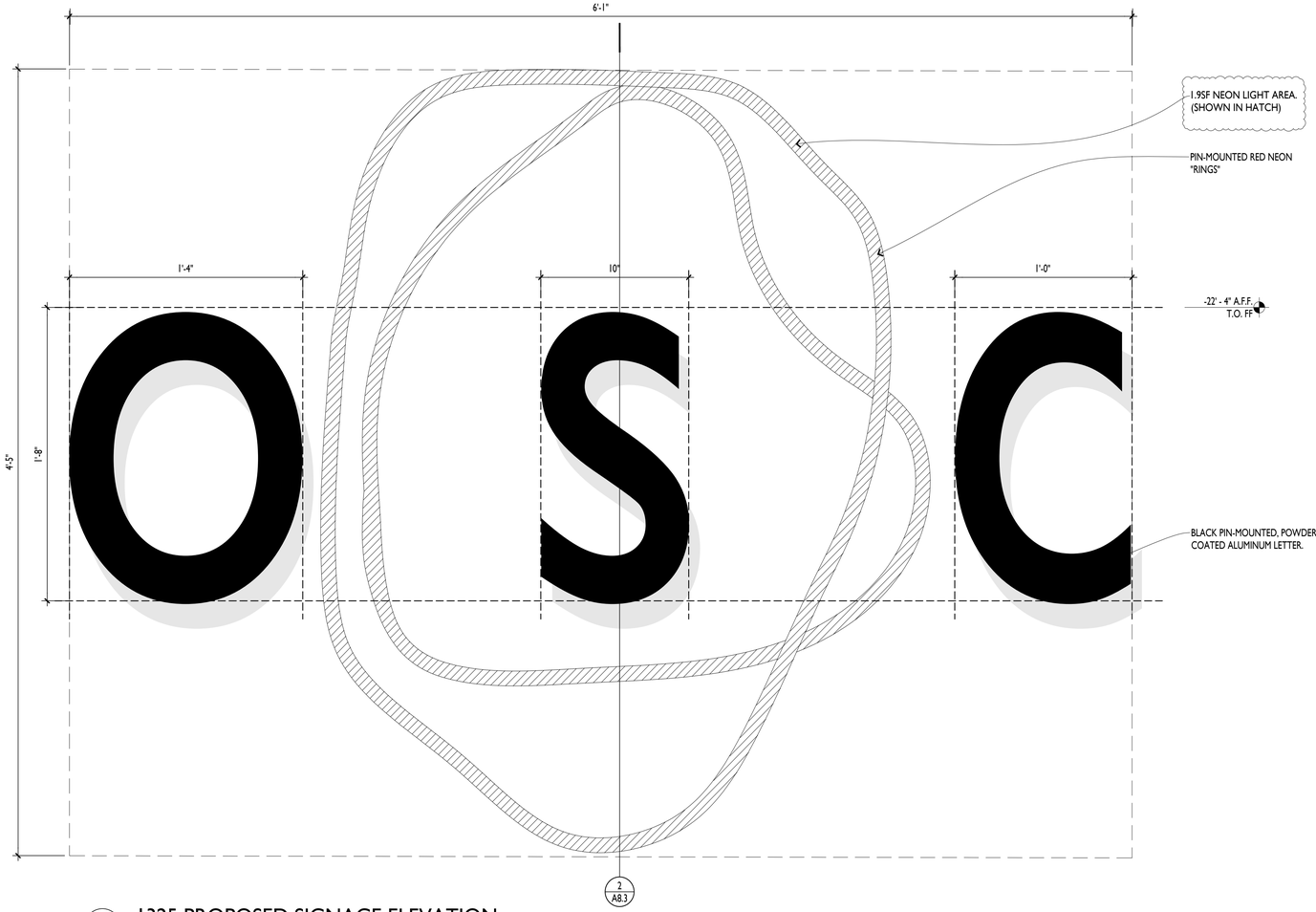
Date	
Drawn By	MG
Checked By	AF / CC
Project No.	21012

Date	Issue

PROPOSED NORTH EXTERIOR ELEVATION

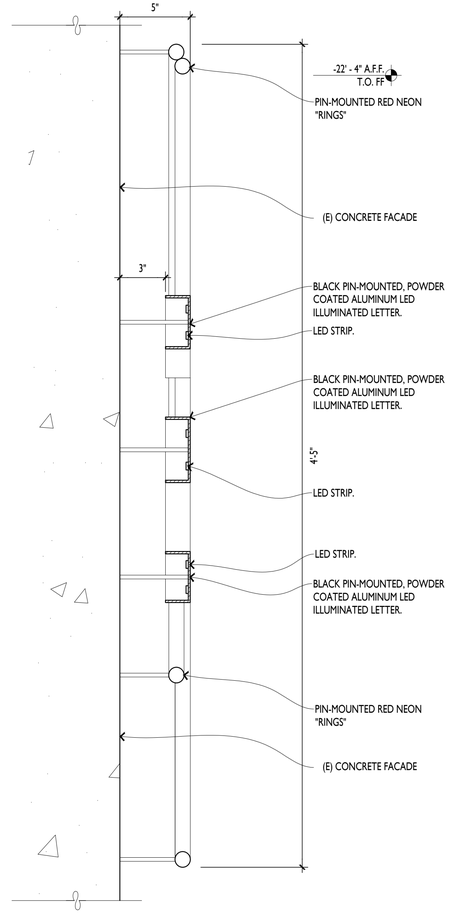
3/8" = 1'-0"

A5.0



1 A8.3 — 1325 PROPOSED SIGNAGE ELEVATION

3" = 1'-0"



2 A8.3 — 1325 PROPOSED SIGNAGE - DETAIL 01

3" = 1'-0"

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STATE OF CALIFORNIA — LICENSED ARCHITECT — KURT FORMHOOK — No. C-34259 EXP. 08.31.2023

ORIN SWIFT CELLARS

1321 MAIN STREET
ST HELENA, CA 94574

Date	05.02.2022
Drawn By	NM
Checked By	AF / CC
Project No.	22001

Date	Issue
05.02.2022	
07.06.2022	REVISION 1

PROPOSED SIGNAGE DETAILS

AS NOTED

A8.3

VIEW OF SITE

NORTH ELEVATION

SOUTH ELEVATION

VIEW FROM SITE

NORTH VIEW

EAST VIEW

SOUTH VIEW

WEST VIEW

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Project No.	22001

Date | Issue

EXISTING SITE PHOTOS

A0.1

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RECEIVED
By Xgamero at 1:37 pm, Jun 01, 2022

Project Statement
Orin Swift Cellars Tasting Room Renovation
1321 & 1325 Main Street
St. Helena, CA
Design Review Application

Background

On January 18, 2022, the Planning Commission of the City of St. Helena approved Resolution PC2022-002, which approved Orin Swift Cellars (OSC) Use Permit Amendment PL21-028. This use permit amendment allowed the expansion of the existing OSC tasting room at 1325 Main Street into the vacant space at 1321 Main Street and the outdoor patio behind the building.

Proposed Project

To enable the approved use, the applicant proposes to make tenant improvements to 1321 Main Street and the outdoor patio behind the building. The exterior elevations of both spaces will also be modified to be congruent with the tenant improvements. The building is within the City's Nationally Recognized Historic Downtown district but is considered a non-contributing building. The proposed changes are being evaluated by a qualified architectural historian to ensure they will not have a negative impact on the historic district. A letter from the architectural historian will be generated, as requested by Planning staff, and will be submitted as soon as available.

There are no planned square footage changes or height changes to the building. The existing storage shed behind the building would be converted to a gazebo with no change in square footage or height. The four (4) existing parking spaces would remain.

The attached pictures, renderings and floor plans show the proposed changes to the spaces. The existing façade at 1321 Main Street would be stripped of cladding and the original concrete underneath sandblasted. A neon sign featuring the Orin Swift logo would mark the entrance to the tasting room, hanging on the exposed concrete. An art installation would span the storefront of 1325 Main Street, and the existing signage would be removed. The façade of 1325 Main Street would otherwise remain the same.

In the rear, the building would be sandblasted to remove old paint and expose the original concrete. The existing shed would be painted and two walls removed to create an open-air gazebo to provide shade to tasting room guests. Additional shade would be provided by umbrellas.

Seating would conform to the total guest counts approved in PL21-028.

	Approx. Sq. Ft.	Guest Seats
First floor – 1321 Main	1,886	32
First floor – 1325 Main	723	14
Second floor – 1321 Main	752	N/A – staff and storage only
Outdoors	1,144	20
TOTAL	**3,361 (indoor only)**	**66 (indoor and outdoor)**

We respectfully request approval of the design review package. Thank you for your consideration of our application.

State of California ◆ The Resources Agency Primary #
DEPARTMENT OF PARKS AND RECREATION HRI#

BUILDING, STRUCTURE, AND OBJECT RECORD

***Resource Name or #** 1321 Main Street ***NRHP Status Code** 6X; 6Z
Page 2 **of** 3

B3. Original Use: 1-3 Story Commercial Building B4. Present Use: Commercial
***B5. Architectural Style:** N/A
***B6. Construction History:** The commercial building was constructed in ca. 1920 as a commercial storefront building. The primary façade was significantly modified in the 1980s.
***B7. Moved?** ☒No ☐Yes ☐Unknown **Date:** N/A **Original Location:** N/A
***B8. Related Features:** None
B9a. Architect: Unknown b. Builder: Unknown
***B10. Significance: Theme** N/A **Area** N/A
Period of Significance N/A **Property Type** N/A **Applicable Criteria** N/A

The ca. 1920 commercial building was previously determined ineligible for the National Register of Historic Places (NRHP) as a contributor to the St. Helena Historic Commercial District (P-28-002481) and as an individual resource. The ca. 1920 commercial building also does not appear to meet the criteria for individual listing in the California Register of Historical Resources (CRHR) under any criteria, as discussed below.

Criterion 1 (Event): The ca. 1920 commercial building was not found to be associated with any event that made a significant contribution to local, state, or National history; therefore, the ca. 1920 commercial building does not appear eligible for listing in CRHR under Criterion 1.

Criterion 2 (Person): The ca. 1920 commercial building is not associated with anyone that made any significant contribution to local, state, or National history. Therefore, the ca. 1920 commercial building does not appear eligible for individual listing in the CRHR under Criterion 2.

Criterion 3 (Architecture): The ca. 1920 commercial building is not associated with any architectural style. Therefore, the ca. 1920 commercial building does not appear eligible for individual listing on the CRHR under Criterion 3.

Criterion 4 (Information): The ca. 1920 commercial building is not the principal source of important information, does not exhibit a local variation on a standard design or construction technique, and does not have the potential to yield important information such as how local availability of materials or construction expertise affected the evolution of local building development, or information that is unique or unknown in regard to an architectural style or form. Therefore, the ca. 1920 commercial building does not appear individually eligible for listing on the CRHR under Criterion 4.

B11. Additional Resource Attributes: N/A
***B12. References:**

McAlester, Virginia and Lee McAlester. A Field Guild to American Houses. New York, Alfred A. Knopf. Munro-Fraser, J.P. 2014.

B13. Remarks: N/A
***B14. Evaluator:** Stacey De Shazo, M.A.
***Date of Evaluation:** 11/6/2019

(This space reserved for official comments.)

(Sketch Map with north arrow required.)



*Required information

State of California ♉ The Resources Agency Primary #
DEPARTMENT OF PARKS AND RECREATION HRI#

BUILDING, STRUCTURE, AND OBJECT RECORD

***Resource Name or #** 1325 Main Street ***NRHP Status Code** 6X; 6Z
Page 2 **of** 3

B3. Original Use: 1-3 Story Commercial Building B4. Present Use: Commercial
***B5. Architectural Style:** N/A
***B6. Construction History:** The commercial building was constructed in ca. 1925 as a commercial storefront building. The primary façade was significantly modified in the 1980s.
***B7. Moved?** ☒**No** ☐**Yes** ☐**Unknown** **Date:** N/A **Original Location:** N/A
***B8. Related Features:** None
B9a. Architect: Unknown b. Builder: Unknown
***B10. Significance: Theme** N/A **Area** N/A
Period of Significance N/A **Property Type** N/A **Applicable Criteria** N/A

The ca. 1925 commercial building was previously determined ineligible for the National Register of Historic Places (NRHP) as a contributor to the St. Helena Historic Commercial District (P-28-002481) and as an individual resource. The ca. 1925 commercial building also does not appear to meet the criteria for individual listing in the California Register of Historical Resources (CRHR) under any criteria, as discussed below.

Criterion 1 (Event): The ca. 1925 commercial building was not found to be associated with any event that made a significant contribution to local, state, or National history; therefore, the ca. 1925 commercial building does not appear eligible for listing in CRHR under Criterion 1.

Criterion 2 (Person): The ca. 1925 commercial building is not associated with anyone that made any significant contribution to local, state, or National history. Therefore, the ca. 1925 commercial building does not appear eligible for individual listing in the CRHR under Criterion 2.

Criterion 3 (Architecture): The ca. 1925 commercial building is not associated with any architectural style. Therefore, the ca. 1925 commercial building does not appear eligible for individual listing on the CRHR under Criterion 3.

Criterion 4 (Information): The ca. 1925 commercial building is not the principal source of important information, does not exhibit a local variation on a standard design or construction technique, and does not have the potential to yield important information such as how local availability of materials or construction expertise affected the evolution of local building development, or information that is unique or unknown in regard to an architectural style or form. Therefore, the ca. 1925 commercial building does not appear individually eligible for listing on the CRHR under Criterion 4.

B11. Additional Resource Attributes: N/A
***B12. References:**

McAlester, Virginia and Lee McAlester. A Field Guild to American Houses. New York, Alfred A. Knopf. Munro-Fraser, J.P. 2014.

B13. Remarks: N/A
***B14. Evaluator:** Stacey De Shazo, M.A.
***Date of Evaluation:** 11/6/2019

(This space reserved for official comments.)

(Sketch Map with north arrow required.)



***Required information**

RECEIVED
By Xgamero at 1:37 pm, Jun 01, 2022

Theoretical Water Use Analysis

Orin Swift Cellars Tasting Room Expansion

1321 & 1325 Main Street, St. Helena, CA

Use Permit Amendment #PL21-028

August 23, 2021

Background & Introduction

The Orin Swift Cellars tasting room is currently located at 1325 Main Street and wishes to expand into the adjacent space at 1321 Main Street. 1321 Main Street was previously home to a wine shop and wine tasting bar. Both 1321 & 1325 Main Street are located within APN 009-240-010 (the property).

In September 2011, as part of the application process for Use Permit Amendment #2011-5 establishing the Orin Swift Cellars tasting room, Delta Consulting & Engineering completed a theoretical water use report for the property. The report documented proposed water usage of 59,626 gallons annually for the property, based on 47 wine tastings and 5 employees per day. Use Permit Amendment #2011-5 was approved in November 2011.

The expansion of the tasting room is expected to increase the number of daily wine tastings from 47 to 99 and the number of employees from 5 to 8. This analysis will demonstrate how the expansion project will achieve a water-neutral state to the water usage approved in November 2011 by utilizing water efficient fixtures and appliances.

Water-use Analysis

A. Baseline Water Use

Per Delta Consulting & Engineering's 2011 report, the baseline water use for the subject parcel is 59,626 gallons annually.

B. Proposed Water Demand with Water Reduction Measures

Water uses at the property include glass and dish washing, hand washing, and restrooms. The property will install and utilize water efficient fixtures and appliances as part of the proposed project to achieve water use at or below the previously approved 59,626 gallons annually.

1. Glass and dish washing: High efficiency dishwashers using 0.74 gallons per cycle will be used (16 glasses per cycle). The business estimates that 4 glasses will be used per guest on average. Other dish washing is estimated at 1 cycle per day (no food service).
2. Restrooms: High efficiency toilets/urinals using an average of 1.28 gallons per flush will be used. It is assumed that every employee will use the restroom 3 times a day and 50% of guests will use the restroom once. The business believes this is conservative based on their experience.

3. Hand washing: High efficiency faucets using 1.2 gallons per minute will be used in the restrooms and bar sinks. Hand washings are assumed to be 20 seconds each.

Please see the table below for the proposed project water use.

Use	Daily Count	Gallons per Count	Daily Gallons	Annual Gallons
Glass & Dish Washing	26	0.74	19	7,023
Toilets/Urinals	74	1.28	95	34,573
Lavatory Sink	74	0.40	30	10,804
Bar Sink	32	0.40	13	4,672
		TOTAL	**156**	**57,071**

Note: According to the Napa County Onsite Wastewater Treatment Systems (OWTS) Technical Standards Table II-1, Wine Tasting Facilities where no meals are served should estimate a daily water use of 3 gallons per day per guest and 15 gallons per day per employee. These values are not reflective of water efficient fixtures and appliances and therefore not used for this analysis.

Conclusion

The expansion of the Orin Swift Cellars tasting room is not expected to increase water usage of the subject parcel above the previously approved level of 59,626 gallons annually if water efficient fixtures and appliances are utilized as described above. The project will be able to meet the City of St. Helena's water neutral requirement.

CITY OF ST. HELENA

PLANNING DEPARTMENT 1480 MAIN STREET-ST. HELENA, CA 94574

PLANNING COMMISSION

APRIL 3, 2001

AGENDA ITEM:

2001-18: Request of **JUDI BERINGER-JIMENEZ** for a **USE PERMIT** to expand the retail floor space that is part of **THE ST. HELENA WINE CENTER**, a wine shop with an accessory wine tasting area, at **1321 MAIN STREET** in the Central Business district. The business will expand into the space at **1325 MAIN STREET** and the two areas will be connected by a new doorway through their common wall. (Exempt from CEQA) (APN 009-240-010)

NOTE: This item has been recommended for consideration under the Consent Calendar.

PREPARED BY: Naomi Metz, Assistant Planner
APPROVED BY: Carol Poole, Planning Director

APPLICATION FILED: 03/09/01 **ACCEPTED AS COMPLETE:** 03/15/01

LOCATION OF PROPERTY: 1321 Main Street
1325 Main Street

APN: 009-240-010
009-240-009

GENERAL PLAN: Central Business

ZONING: CB: Central Business

APPLICANT: Judi Beringer-Jimenez **PHONE:** 963-1313

PROPERTY OWNER: Fred and Cathy Beringer **PHONE:** 965-3317

PROJECT DESCRIPTION:

This is a request for a Use Permit to expand the retail, office, and storage space of the St. Helena Wine Center. The applicants are proposing to expand into the space at 1325 Main Street (previously the candy shop) and will make a doorway through the common wall of 1321 and 1325 Main Street to connect the two buildings. The proposed expansion will increase the Wine Center's area by 720 square feet, 480 square feet of which will be dedicated to retail space. The

doorway will be located approximately twenty-three (23) feet from the front of the building and will be five (5) feet wide.

Both tenant spaces are owned by Fred and Cathy Beringer.

This application does not include any reference to extending the hours of operation or the number of people employed at the Wine Center.

REQUIRED ACTIONS:

1. CEQA determination that this project is exempt from the requirements of CEQA pursuant to Section 15303, Class 3 which exempts the operation of existing private structures.

2. Accept or reject the required findings and approve or deny a Use Permit to expand the retail, office, and storage space of the St. Helena Wine Center, located at 1321 Main Street.

ANALYSIS: CEQA

This project is exempt from the requirements of CEQA pursuant to Section 15303, Class 3 of the Guidelines which exempts the conversion of existing small structures from one use to another. The area of the building located at 1325 Main Street will remain in retail use.

ANALYSIS: GENERAL PLAN

The General Plan designation of the property is Central Business. The Central Business district (CB) designation provides for retail, personal service uses, offices, restaurants, hotels/motels, service stations, public and quasi-public uses, and similar and compatible uses that serve local residents and the surrounding area. Emphasis is on pedestrian-oriented retail and service uses on the ground floor level, with office and residential uses on the upper levels. The intent is for the CB district to remain primarily local resident serving in character. New uses serving both local residents and tourists will be allowed. Uses which are primarily tourist-serving are not permitted.

Implementing Policy 2.6.42 of the 1993 General Plan states: Allow only businesses which are primarily local-serving within all commercial areas. Exclude all fast food restaurants, outlet and discount type stores as well as large retail businesses whose consumer base requires a population larger than St. Helena and its vicinity. For purposes of the General Plan, vicinity shall be defined as the surrounding agricultural area for which St. Helena has historically provided goods and services.

Local-serving businesses are considered to be those that derive a significant portion of their revenues from St. Helena residents, and which provide services and products which satisfy local residents' day-to-day needs. They are those businesses for which a majority of the shoppers are regular repeat customers from the community. Non-local serving or tourist serving uses are those which would generally not be in St. Helena if it were not for the presence of visitors. Tourist serving business use is generally characterized by a redundancy in merchandise from

store to store with goods sold being substantially similar to such goods sold in other major destination points.

ANALYSIS: ZONING

Wine shops, primarily off-sale with wine tasting as an accessory use, are allowed in the CB: Central Business district with the approval of a Use Permit. Such approval is subject to finding the use consistent with the policies of the General Plan and the purpose of the CB Zoning District.

The St. Helena Wine Center does not currently operate with a Use Permit. At the August 4, 1992 Planning Commission meeting, the Commission supported the Planning Director's determination that the St. Helena Wine Center could establish a tasting area in the existing retail business without obtaining a Use Permit.

Because the current regulations for the CB district require a Use Permit for a wine shop with an accessory tasting area, the Wine Center is now a legal, non-conforming business. Section 27.301 of the Zoning Ordinance states that *no nonconforming use shall be permitted to expand its operation or enlarge its floor area.* Therefore, in order to expand its floor area, the Wine Center must obtain a Use Permit to comply with current regulations.

Parking

The two properties that will be affected by this expansion are located in the PI: Parking Impact Overlay District. Pursuant to Section 27.206 of the Zoning Ordinance, the following parking standards apply to this project:

(a) The basic parking requirement for buildings existing as of February 1, 1980, shall be at least one (1) space for each one thousand two hundred (1,200) square feet of ground floor area and one (1) space for each two thousand four hundred (2,400) square feet floor area of basement or upper floors (floor area to include exterior measurements).

(d) Note within the provisions of Article IV an existing building may be substantially remodeled for purposes of historical preservation or restoration without the provision of additional off-street parking, provided:

(1) There is no increase in floor area.
(2) Any existing off-street parking is maintained.
(3) There is no increase in occupancy defined as follows:

For purposes of this section change or increase in occupancy shall also include the following:

(aa) Change from a non-conforming use to a permitted use.

(bb) Change in "Group Occupancy" as defined in the 1976 Uniform Building Code.

(cc) Change between uses requiring parking specified in Article III, Division 4.

(dd) Increase in the number of leaseholders, tenant spaces, or commercial spaces owned, franchised, rented or leased above that existing on April 14, 1981.

In making the determination regarding the establishment of a tasting area in the existing retail business, the parking was reviewed and it was determined that the existing floor area required two (2) parking spaces. There are four (4) existing parking spaces. Because the proposed expansion will not create any additional floor area and will not increase the number of leaseholders, Section 27.206(d) allows for the change *without the provision of additional off-street parking*.

ANALYSIS: USE PERMIT

Pursuant to Section 27.439, the Commission must make the following findings to approve a Use Permit:

1. That the proposed use would not generate odors, fumes, dust, light, glare, radiation or refuse that would be injurious to surrounding uses or to the community.

2. That the proposed use would not generate levels of noise that adversely affect the health, safety, or welfare of neighboring properties or uses.

3. That the proposed use would not generate traffic noise in excess of the "normally acceptable" range identified in the General Plan.

4. That the proposed use would not make excessive demands on the provision of public services including water supply, sewer capacity, energy supply, communication facilities, police protection, and fire protection.

5. That the proposed use would provide adequate ingress and egress to and from the proposed location.

6. That allowing the proposed use would not conflict with the City's goal of maintaining the economic viability of a local serving economy.

7. That the proposed use would be compatible with surrounding land uses and would not conflict with the purpose established for the district within which it would be located.

8. That the proposed use would not be in conflict with the City's General Plan.

9. That the proposed use would not be injurious to public health, safety, or welfare.

10. That granting the use permit would not set a precedent for the approval of similar uses whose incremental effect would be detrimental to the City or would be in conflict with the General Plan.

11. That, as demonstrated on a detailed plan submitted by the applicant, adequate off-street parking to accommodate the long term parking needs of employees and business owners and customers is available.

12. That the capacity of surrounding streets is adequate to serve the automobile and delivery truck traffic generated by the proposed use.

When a use permit is considered for a use in the CB district, the following special use permit findings shall be made in addition to the standard use permit findings to determine consistency of the use with the policies of the General Plan and the purpose of the CB Zoning District. The special use permit findings shall be considered as a whole and no one factor shall necessarily be used to determine consistency or inconsistency of the proposed use with the policies of the General Plan and the purpose of the CB Zoning District.

1. Is this a pedestrian oriented business, consistent with the Central Business District?

2. Is it likely that significant revenues from this business will be derived from residents within the St. Helena service area?

3. Is it likely the business will provide services or products which satisfy the day-to-day needs of local residents within the St. Helena service area?

4. Is it likely that the majority of customers will be from the St. Helena service area and patronize the business on a regular basis?

5. Is this a smaller scale business commensurate with the character of the CBD and the needs of the St. Helena service area?

6. Are necessities emphasized over novelty items in the business merchandise; is the proposed use consistent with Section 27.75, Prohibited Uses?

7. Is the business consistent with the unique character of St. Helena?

8. If a visitor-based population did not exist, would this business locate in St. Helena?

9. Is it likely that the business will provide services or products which will complement existing businesses in the Central Business District?

10. Is there a need for the type of business proposed given the number of same or similar businesses existing in St. Helena?

11. Is the location of this business appropriate given the type of use and the proximity of the same or similar businesses?

STAFF COMMENTS / RECOMMENDATIONS

Staff recommends that the Commission approve the Use Permit so that the St. Helena Wine Center can continue its operations in compliance with current regulations. The Wine Center has been operating with a tasting room since 1992 without incident, and the space into which the applicants would like to expand has historically been used as retail space.

Staff recommends that the Use Permit be approved with the following conditions of approval:

- All assumptions defined in the letter confirming the determination of use, which was dated August 13, 1992 and addressed to Mr. and Mrs. Fred Beringer, shall be included as conditions of approval.

- This permit authorizes the expansion of the existing retail space at the St. Helena Wine Center. The business has an accessory use of a tasting area. The expansion shall be consistent with the floorplan labeled Exhibit A, dated 4/03/01, and with the conditions listed in the draft Use Permit #2001-18.

This permit does not authorize any signs for the business. Signs must be consistent with the sign ordinance and a sign permit must be granted prior to the installation of signs.

This item has been recommended for approval on the Consent Calendar. If the Commission wishes to discuss the item it should be removed form the Consent Calendar and placed for review on the regular agenda.

PLANNING COMMISSION ACTION

1. CEQA Action: Determination that this project is exempt from the requirements of CEQA pursuant to Section 15303, Class 3 which exempts the operation of existing private structures.

2. Project Action: Accept the required findings and approve a Use Permit to expand the retail, office, and storage space of the St. Helena Wine Center, located at 1321 Main Street.

Attachments: Page:

Assessor's Parcel Map…… 7
Project statement…… 8
Exhibit A, dated 04/03/01…….. 9
Letter of August 13, 1992…….. 10
Draft Use Permit 2001-18.…… 12

CITY OF ST. HELENA
STATE OF CALIFORNIA
USE PERMIT NO. 2001-18

FOR THE EXPANSION OF THE ST. HELENA WINE CENTER

PROPERTY OWNER: Fred and Cathy Beringer **APN**: 009-240-010 and 009-240-009

Recitals

A. **Judi Beringer-Jimenez** submitted an application for a **Use Permit** to expand the retail, office, and storage space of the St. Helena Wine Center at 1321 and 1325 Main Street in the CB: Central Business district. The applicants are proposing to expand into 1325 Main Street and will make a doorway through the common wall of 1321 and 1325 Main Street to connect the spaces. The proposed expansion will increase the Wine Center's area by 720 square feet, 480 square feet of which will be dedicated to retail space. The doorway will be located approximately twenty-three (23) feet from the front of the building and will be five (5) feet wide.

B. The Planning Commission of the City of St. Helena, State of California, held a noticed public hearing on April 3, 2001 for the purpose of reviewing the Use Permit application.

Resolution

A. The Planning Commission hereby finds that the expansion of the retail, office, and storage space of the St. Helena Wine Center is exempt from the requirements of CEQA pursuant to Section 15303, Class 3 of the Guidelines which exempts the operation of existing private structures.

B. Pursuant to Section 27.439, the Planning Commission makes the following findings to support the motion to approve the Use Permit:

1. That the proposed use would not generate odors, fumes, dust, light, glare, radiation or refuse that would be injurious to surrounding uses or to the community.

2. That the proposed use would not generate levels of noise that adversely affect the health, safety, or welfare of neighboring properties or uses.

3. That the proposed use would not generate traffic noise in excess of the "normally acceptable" range identified in the General Plan.

4. That the proposed use would not make excessive demands on the provision of public services including water supply, sewer capacity, energy supply, communication facilities, police protection, and fire protection.
5. That the proposed use would provide adequate ingress and egress to and from the proposed location.

6. That allowing the proposed use would not conflict with the City's goal of maintaining the economic viability of a local serving economy.

7. That the proposed use would be compatible with surrounding land uses and would not conflict with the purpose established for the district within which it would be located.

8. That the proposed use would not be in conflict with the City's General Plan.

9. That the proposed use would not be injurious to public health, safety, or welfare.

10. That granting the use permit would not set a precedent for the approval of similar uses whose incremental effect would be detrimental to the City or would be in conflict with the General Plan.

11. That, as demonstrated on a detailed plan submitted by the applicant, adequate off-street parking to accommodate the long term parking needs of employees and business owners and customers is available.

12. That the capacity of surrounding streets is adequate to serve the automobile and delivery truck traffic generated by the proposed use.

C. Pursuant to Section 27.79, the Planning Commission makes the following special findings for approval of a business in the Central Business district:

1.) It is likely that the business will provide services or products which satisfy the day-to-day needs of local residents within the St. Helena service area.

2.) It is likely that the majority of customers will be from the St. Helena service area and patronize the business on a regular basis.

3.) This is a smaller scale business commensurate with the character of the Central Business District and the needs of the St. Helena service area.

4.) Necessities are emphasized over novelty items in the business merchandise. The proposed use is not listed in Section 27.75, Prohibited Uses.

5.) The business is consistent with the unique character of St. Helena.

6.) The business would locate in St. Helena if a visitor-based population did not exist.

7.) It is likely that the business will provide services or products which will complement existing businesses in the Central Business District.

8.) There is a need for the type of business proposed given the number of same or similar businesses existing in St. Helena.

9.) The location of this business is appropriate given the type of use and the proximity of the same or similar businesses.

D. The Use Permit for the use described above is granted subject to compliance with the following conditions. Permit shall be in conformance with all City ordinances, rules, regulations and policies in effect at the time of issuance of a building permit. The conditions noted below are particularly pertinent to this permit and shall not be construed to permit violation of other laws and policies not so listed.

1. The Use Permit shall be vested within one (1) year from the date of approval or it shall expire. A building permit for the use allowed under this Use Permit shall have been obtained within one (1) year from the effective date of the Use Permit or the Use Permit shall expire; provided however that the Use Permit may be extended for up to two (2) one-year periods pursuant to the St. Helena Municipal Code, Section 27.412, Extension of Permits and Approvals.

2. This permit is valid for this use only. A new permit must be applied for upon any change in use. The permit will expire if the use is discontinued pursuant to then existing ordinances and regulations.

3. The Use Permit shall not become effective until fourteen (14) calendar days after approval, providing that the action is not appealed by the City Council or any other interested party within that 14 day period.

4. Any request for an extension of the Use Permit must be justified in writing and received by the Planning Department at least thirty (30) days prior to expiration.

5. All required fees, including planning fees, development fees and building fees shall be paid prior to issuance of building permit. Fees shall be those in effect at the time of the issuance of the building permit.

6. Compliance with all permit conditions shall occur in accordance with specific regulations but in all cases no later than prior to occupancy or initiation of use unless another time is set by law or by this approval. Occupancy or final inspection of a project may be withheld if all conditions, including payment of fees for services rendered by the City, are not met.

7. The applicant will defend and indemnify and hold the City, its agents, officers, and employees harmless of any claim, action or proceedings to attack, set aside, void or annul an

approval so long as the City promptly notifies the applicant of any such claim, action, or proceedings and the City cooperates fully in the defense of the action or proceedings.

8. Provided they are in general compliance with the Use Permit, minor modifications may be approved by the Planning Director.

9. This Use Permit shall run with the land and shall be binding upon all parties having any right, title or interest in the real property or any part thereof, their heirs, successors and assigns, and shall inure to their benefit and benefit of the City of St. Helena.

10. The primary purpose of this review is for compliance with the General Plan and Zoning Ordinance. The owner/applicant is responsible for meeting with the Building Official / Fire Inspector to review compliance with Building and Fire Codes, including fire protection systems and the accessibility standards of Title 24.

11. This permit authorizes the expansion of the existing retail space at the St. Helena Wine Center. The business has an accessory use of a tasting area. The expansion shall be consistent with the floor plan labeled Exhibit A, dated 4/03/01.

12. The wine tasting area shall remain incidental and accessory to the primary retail wine shop use.

13. The wine tasting area shall be used only as a sales promotion for the wine inventory in the retail shop. It shall not be used as an off-site tasting room by wineries located elsewhere.

14. The wine tasting area shall be used only by customers of the retail shop and no seating shall be provided.

15. This permit does not authorize any signs for the business. Signs must be consistent with the sign ordinance and a sign permit must be granted prior to the installation of signs. Signage for the business shall not include reference to a wine tasting area.

16. Fire equipment shall be inspected annually by the Fire Department.

17. A rapid entry Knox Box system shall be installed, unless waived by the Fire Chief.

I HEREBY CERTIFY that the foregoing Use Permit was duly and regularly approved by the Planning Commission of the City of St. Helena at a regular meeting of said Planning Commission held on April 3, 2001 by the following roll call vote:

AYES: **Commissioner Fanucci, Katz, Philippakis, Ryan, Chairman York**

NOES: **None**

ABSENT: **None**

Carol Poole, Planning Director

Fred Beringer, Property Owner

Cathy Beringer, Property Owner

Judi Beringer-Jimenez, Applicant

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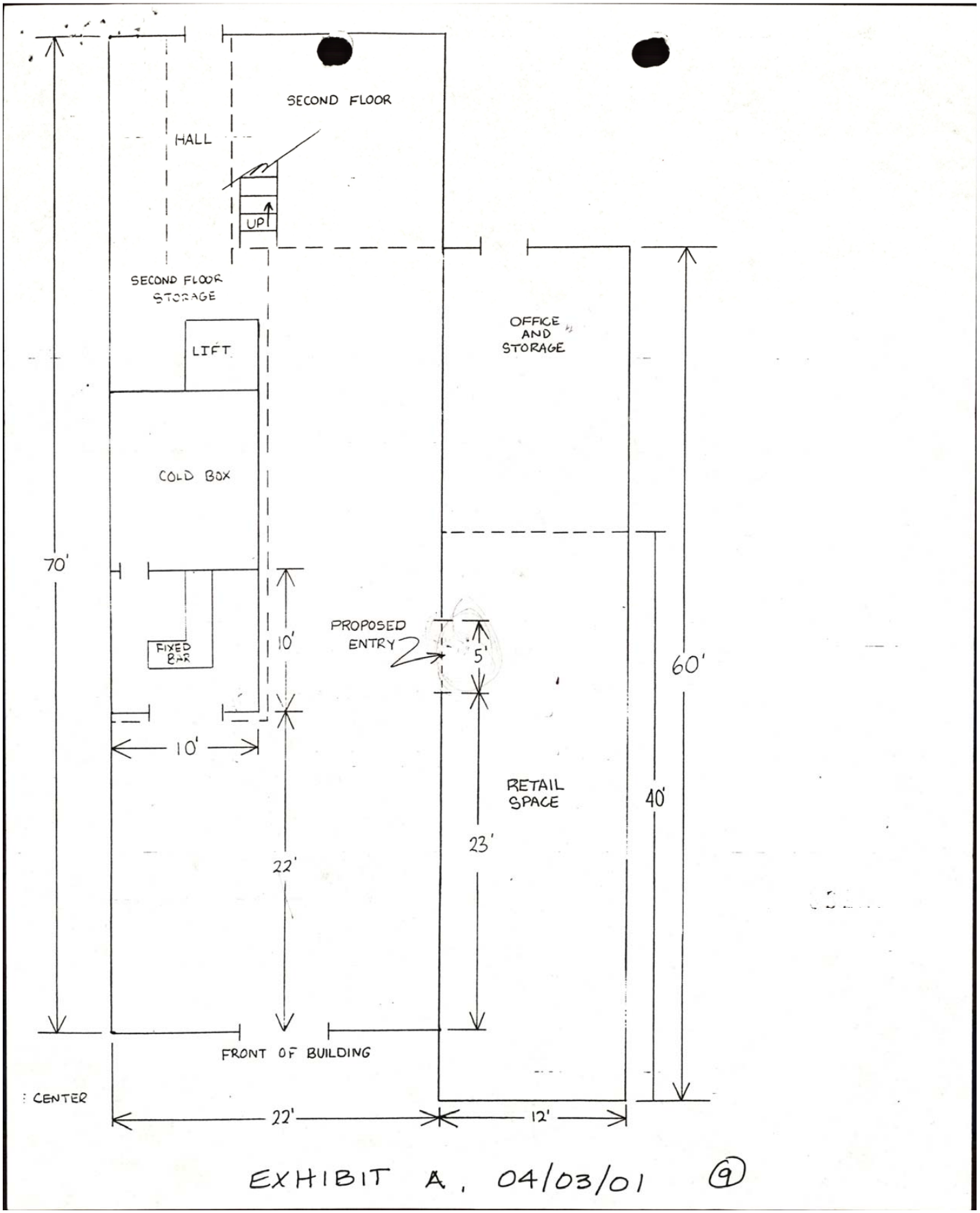


EXHIBIT A, 04/03/01 (9)

CITY OF ST. HELENA

PLANNING DEPARTMENT 1480 MAIN STREET-ST. HELENA, CA 94574

PLANNING COMMISSION

NOVEMBER 1, 2011

AGENDA ITEM:
2011-55: Request of Dave Phinney dba Orin Swift Cellars, LLC for a **USE PERMIT AMENDMENT** to a previously approved Use Permit (2001-18) which allowed expansion of the St. Helena Wine Center, retail wine shop with accessory wine tasting, into the adjoining space. St. Helena Wine Center will occupy one space (1321 Main) and Orin Swift Cellars, LLC will occupy the other 444 square foot adjacent space (1325 Main) as a wine tasting room. (Exempt from CEQA) (APN 009-240-010)

NOTE: This item has been recommended for consideration under the Consent Calendar

PREPARED BY: Shelley Mills, Associate Planner

APPROVED BY: Greg Desmond, Interim Planning Director

APPLICATION FILED: 9/22/11 **ACCEPTED AS COMPLETE:** 10/18/11

LOCATION OF PROPERTY: 1325 Main Street

APN: 009-240-010

GENERAL PLAN: Central Business

ZONING: CB: Central Business

APPLICANT: Dave Phinney - Orin Swift Cellars, LLC **PHONE:** (707) 967-9179

PROPERTY OWNER: Fred and Cathy Beringer

PROJECT DESCRIPTION:
The applicant submitted a request for a Use Permit Amendment to a previously approved Use Permit (2001-18) which allowed for an expansion of the St. Helena Wine Center, a retail wine shop with wine tasting as an accessory use to the adjoining space. St. Helena Wine Center will occupy one space (1321 Main) and Orin Swift Cellars, LLC (OSC) will occupy the other 444 square foot space (1325 Main) as a wine tasting room. There is an existing bathroom and kitchen in the space at 1325 Main. The applicant is proposing that the kitchen be replaced with an office

and a rectangular bar to be constructed on the north side of the tasting room. The only exterior improvements will be to add a sign to the front of the building and to make the entrance ADA accessible. There is no food preparation proposed for the site.

OSC currently has their principal winery office located at 1352 Main. Orin Swift will use the proposed new tasting room and office as their wine tasting and sales headquarters. The wine tasting room will employ up to two full-time employees and proposed hours of operation are 10:00 a.m. to 7:00 p.m. daily. For limited special events and during prime season, the tasting room proposes to be open until 9:00 p.m.

BACKGROUND:
Orin Swift Cellars was founded in 1998 by St. Helena resident, David Swift Phinney. The brand name Orin Swift is a combination of Mr. Phinney's father's middle name, Orin, and his mother's maiden name, Swift.

The St. Helena Wine Center has operated at 1321 Main Street for approximately 26 years (previously as The Bottle Shop). Additional previously approved uses at 1325 Main included:

1968: Redwood Agency
1993: Noodles, a pasta/food shop
1996: Napa Valley Chocolates, a candy store
2001: St. Helena Wine Center, expansion of a retail wine shop with accessory wine tasting
2003: Cheese Monger, cheese & food sales – This permit was never vested

REQUIRED ACTIONS:
1. CEQA determination that this project is exempt from the requirements of CEQA pursuant to Section 15301, Class 1 which exempts the operation of existing facilities.

2. Accept the required findings and approve a Use Permit Amendment to a previously approved Use Permit (2001-18). St. Helena Wine Center will occupy the space at 1321 Main Street as a retail wine shop with accessory wine tasting and Orin Swift Cellars, LLC will occupy the adjacent 444 square foot space at 1325 Main Street as a wine tasting room.

ANALYSIS: CEQA
This project is exempt from the requirements of CEQA pursuant to Section 15301, Class 1 of the Guidelines which exempts the operation of existing facilities with minor exterior or interior alterations, and involving negligible or no expansion of use.

ANALYSIS: GENERAL PLAN
The Central Business designation provides for retail, personal service uses, offices, restaurants, hotels/motels, service stations, public and quasi-public uses, and similar and compatible uses that serve local residents and the surrounding area. Emphasis is on pedestrian-oriented retail and service uses on ground floor level, with office uses on the upper levels. The intent is for the

Central Business district to remain primarily local resident serving in character. New uses which serve both local residents and tourists will be allowed.

The General Plan Land Use & Growth Management Element states the following regarding retail and commercial uses and local serving businesses:

> *Local-serving businesses are of a smaller scale commensurate with the needs of the community. The number of any particular type of business is generally not greater than that required by the community. The nature of the goods and services are such that necessities are emphasized over novelty. Non-local serving or tourist serving uses, on the other hand, are those which would generally not be in St. Helena if it were not for the presence of visitors. Tourist serving business use is generally characterized by a redundancy in merchandise from store to store with goods sold being substantially similar to such goods sold in other major destination points.*

The 1993 St. Helena General Plan policies that support the local economy include:

> *Guiding Policies:*
> *Prohibit commercial uses that are primarily tourist-serving in nature, and that are inconsistent with the community image of St. Helena. Encourage primarily local serving businesses in the CB and SC designated area.*
>
> *Implementing Policy:*
> *Revise the Zoning Ordinance to require the City to make findings that a proposed commercial use is consistent with the local-serving purpose of the district prior to approval of a use permit.*

The Zoning Ordinance was revised in response to the implementing policy, but those modifications were later rescinded, upon the advice of the city attorney, as being too arbitrary.

One of the primary principles of the existing General Plan is the continued support of Napa County agriculture and the wine industry. The location of Napa County winery tasting rooms within the City of St. Helena commercial zones helps control the need for tasting rooms on agricultural land and helps preserve land for agriculture.

Following are the wine tasting rooms that are already occupied or have been approved:
Approved (no tenant or under construction):
Vineland Station L.P. - 1281 Vidovich
Vineland Station L.P. - 1282 Vidovich (3 use permits and tenant spaces)
Vineland Station L.P. – 649 Main
Vineland Station L.P. - 657 Main
Bello Family Vineyards – 929 Main

Occupied:
Acme Fine Wines – 1080 Fulton

Karl Lawrence Cellars – 639 Main
Clif Family Winery – 709 Main
750 Wines – 1224 Adams (Wine shop with tasting)
Long Meadow Ranch - 738 Main Street
Napa Valley Estate Wines, LLC – 1118 Hunt
Tamber Bey Vineyards, LLC – 1234 Adams
Favia Erickson Winegrowers, LLC – 1461 Railroad

ANALYSIS: ZONING

The zoning designation is Central Business (CB) which provides for retail, personal service uses, offices, restaurants, hotels/motels and similar and compatible uses.

On November 10, 2009, a Zoning Ordinance Text Amendment to Chapter 17.48 Central Business Zoning district was approved to clarify regulations and definitions pertaining to wine shops, off-site winery tasting rooms, and off-site winery offices. The proposed use as a winery tasting room is conditionally permitted in the CB district and is defined as:

> *Winery tasting rooms are establishments that sell wines on behalf of one or more wineries and enable consumers to taste wine (with and without charge) as a regular part of the sales process. The wines for tasting and for sale must be made from a minimum of 75% Napa Valley grapes and must be labeled Napa Valley or be a sub-appellation of the Napa Valley. The permit requires a Type 02 ABC license. Food may be provided if it is at no cost to the consumer, is made off-premises and the facilities are approved by Napa County Environmental Management.*

Parking

The subject property is located in the PI: Parking Impact Overlay District. Pursuant to Section 17.104.021 of the Zoning Ordinance, the following parking standards apply to this project:

(a) The basic parking requirement for buildings existing as of February 1, 1980, shall be at least one (1) space for each one thousand two hundred (1,200) square feet of ground floor area and one (1) space for each two thousand four hundred (2,400) square feet floor area of basement or upper floors (floor area to include exterior measurements).

(b) Note within the provisions of Article IV an existing building may be substantially remodeled for purposes of historical preservation or restoration without the provision of additional off-street parking, provided:

(1) There is no increase in floor area.
(2) Any existing off-street parking is maintained.
(3) There is no increase in occupancy defined as follows:

For purposes of this section change or increase in occupancy shall also include the following:

(aa) Change from a non-conforming use to a permitted use.

(bb) Change in "Group Occupancy" as defined in the 1976 Uniform Building Code.

(cc) Change between uses requiring parking specified in Article III, Division 4.

(dd) Increase in the number of leaseholders, tenant spaces, or commercial spaces owned, franchised, rented or leased above that existing on April 14, 1981.

The parking was reviewed with the previous approval for the expansion of the St. Helena Wine Center and it was determined that the existing floor area required two (2) parking spaces. There are four (4) existing parking spaces. The previous expansion did not create any additional floor area and did not increase the number of leaseholders, and therefore, did not require additional off-street parking.

Section 17.124.030 (d)(2) of the Zoning Ordinance requires that establishments with seating for service of food and/or drinks require *one parking space for each four (4) seats*.

The proposal is for an 8-seat establishment which requires 2 parking spaces. The tasting room will provide two dedicated on-site parking spaces for Orin Swift Cellars on Money Way. Additionally, there are two dedicated spaces for the St. Helena Wine Center as well as nearby street and lot parking on Money Way.

Water Conservation/Retrofit Fees

Pursuant to the City Council meeting of March 22, 2011, the City Council adopted the definition of "Safe Yield" as proposed by the Safe Water Yield Committee as follows:

> *"The safe annual yield of the St. Helena water supply system is that quantify of water which can be reliably delivered on an annual basis through most rainfall years, including a Dry year (rainfall at 22" to 25.9") without undue hardship on water customers through water shortage restrictions. It is recognized that the safe annual yield, as so defined, could place significant hardship on water customers in a Critically Dry Year (rainfall at 21.9" or less) or in periods of two or more consecutive Dry Years."*

The 1993 General Plan Policy 9.2.1states that:

> *"Approval of new development shall be contingent upon the ability of the City to provide water without exceeding the safe yield of its water supply system."*

The City's Safe Water Yield Committee recently reported that the St. Helena potable water supply system, under current conditions, is not currently in balance under the definition of safe yield as adopted by the City Council.

Pursuant to Municipal Code Section 13.12.020, Definitions:

"New development" means any of the following construction projects that have not received a certificate of occupancy from the city or county building department prior to September 13, 1994, or that was issued a building permit and did not construct a foundation prior to September 13, 1994:

1. Any freestanding building that contains water-using fixtures;
2. Any floor area additions to existing nonresidential structures;
3. Any residential additions or remodeling that increases the number of independent living units.

Pursuant to Municipal Code Section 13.12.050, New Development:

A. All new development shall apply the following water use efficiency measures, as applicable:

1. Installation of ultra-low flush (ULF) toilets, low flow showerheads and faucet aerators;
2. Installation of water efficient hot water instantaneous dispensing systems;
3. Installation of swimming pool covers.

New development shall completely offset its water requirement by installing city-approved ULF toilets and associated water-efficient hardware in a sufficient number of existing homes or nonresidential properties having toilets that use greater than 1.6 gallons per flush.

Pursuant to Municipal Code Section 13.12.050.g, non-residential projects are required to mitigate their water demand through off-site retrofitting. Retrofits include offsetting increased water use by installing water efficient toilets and fixtures. The number of retrofits is established by determining the projected lifetime water need of the proposed use in comparison to that of the prior use.

The applicant has submitted a water use analysis for the existing and proposed uses for the subject site. The analysis shows that the baseline water use for the St. Helena Wine Center is 1.37 acre-feet per year. The proposed Orin Swift Cellars wine tasting room is expected to increase the number of employees and the number of daily visitors. With low-flow retrofitting of the toilet and the installation of a high-efficiency dishwasher in lieu of hand washing dishes, the daily water flow is able to be reduced from 163 gallons to 151 gallons per day and annually, the water use is estimated to decrease from 1.37 acre-feet per year to 1.27 acre-feet per year. This meets the water neutral requirement as established by the City.

Signage

No modifications to the exterior of the space are proposed at this time. The permitted maximum cumulative sign area for the primary frontage is 40 square feet. The applicant will submit signage that meets the requirements of the Central Business District or shall be reviewed by the Planning Commission at a future date.

ANALYSIS: USE PERMIT

Findings

The Planning Commission must make the following Use Permit findings to support the motion to approve the Use Permit:

1. *That the proposed use would not generate odors, fumes, dust, light, glare, radiation or refuse that would be injurious to surrounding uses or to the community.*
2. *That the proposed use would not generate levels of noise that adversely affect the health, safety, or welfare of neighboring properties or uses.*
3. *That the proposed use would not generate traffic noise in excess of the "normally acceptable" range identified in the General Plan.*
4. *That the proposed use would not make excessive demands on the provision of public services including water supply, sewer capacity, energy supply, communication facilities, police protection, and fire protection.*
5. *That the proposed use would provide adequate ingress and egress to and from the proposed location.*
6. *That allowing the proposed use would not conflict with the City's goal of maintaining the economic viability of a local serving economy.*
7. *That the proposed use would be compatible with surrounding land uses and would not conflict with the purpose established for the district within which it would be located.*
8. *That the proposed use would not be in conflict with the City's General Plan.*
9. *That the proposed use would not be injurious to public health, safety, or welfare.*
10. *That granting the use permit would not set a precedent for the approval of similar uses whose incremental effect would be detrimental to the City or would be in conflict with the General Plan.*
11. *That, as demonstrated on a detailed plan submitted by the applicant, adequate off-street parking to accommodate the long term parking needs of employees, business owners and customers is available.*
12. *That the capacity of surrounding streets is adequate to serve the automobile and delivery truck traffic generated by the proposed use.*

The proposed Orin Swift Cellars tasting room will be located on a parcel where retail sales and wine tasting as an accessory use was previously approved. The Use Permit Amendment is required for clarification of the two separate uses in the tenant spaces located at 1321 and 1325 Main and to review water usage and parking. The owners of the St. Helena Wine Center & Palladium jewelry stores have submitted letters in support of the new proposed Orin Swift Tasting Room.

STAFF COMMENTS / RECOMMENDATIONS

Staff concludes the Use Permit findings can be made and is in support of this application for the following reasons:

- The proposal is consistent with the 1993 General Plan and the Zoning Ordinance because the primary principles support St. Helena and Napa County agriculture and the wine industry.
- The location of Napa County winery tasting rooms within the City of St. Helena commercial zones helps control the need for tasting rooms on agricultural land and helps preserve land for agriculture.

- Tasting rooms in the Central Business Zoning district will encourage walking, rather than driving, to downtown shops and restaurants to achieve a sustainable community.

This item has been recommended for approval on the Consent Calendar. If the Commission wishes to discuss the item it should be removed from the Consent Calendar and placed for review on the regular agenda.

PLANNING COMMISSION ACTION

1. CEQA Action: Determine that this project is exempt from the requirements of CEQA pursuant to Section 15301, Class 1 which exempts the operation of existing facilities.

2. Project Action: Accept the required findings and approve a Use Permit Amendment to a previously approved Use Permit (2001-18). St. Helena Wine Center will occupy the space at 1321 Main Street as a retail wine shop with accessory wine tasting and Orin Swift Cellars, LLC will occupy the adjacent 444 square foot space at 1325 Main Street as a wine tasting room.

Attachments: Page:
Location Map 9
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Existing & Proposed Floor Plan 14
Draft Use Permit 16

Separate Attachment for Commissioners:
Water Use Report - Delta Consulting & Engineering, dated September 21, 2011

USE PERMIT AMENDMENT NO. 2011-55
CITY OF ST. HELENA, STATE OF CALIFORNIA
GRANTED TO 1321/1325 MAIN STREET
APN: 009-240-010

Property Owner: Fredrick & Cathy Beringer Applicant: David Swift Phinney

Recitals

1. The applicant submitted a request for a Use Permit Amendment to a previously approved Use Permit (2001-18) which allowed for an expansion of the St. Helena Wine Center, a retail wine shop with wine tasting as an accessory use to the adjoining space. St. Helena Wine Center will occupy one space (1321 Main) and Orin Swift Cellars, LLC (OSC) will occupy the other 444 square foot space (1325 Main) as a wine tasting room.

2. The proposed tasting room hours of Orin Swift Cellars are from 10:00a.m. to 7:00p.m. daily. For limited special events and during prime season, the tasting room proposes to be open until 9:00p.m. The wine tasting room will employ up to two full-time employees.

3. The Planning Commission of the City of St. Helena, State of California, held a noticed public hearing on November 1, 2011.

Resolution

The Planning Commission of the City of St. Helena, State of California, approved the Use Permit Amendment on the following basis:

A. The Planning Commission hereby finds that this project is exempt from the California Environmental Quality Act pursuant to Section 15301, Class 1 of the Guidelines which exempts the operation of existing facilities.

B. The Planning Commission makes the following Use Permit findings, Section 17.168.050, to support the motion to approve the Use Permit Amendment:

1. That the proposed use would not generate odors, fumes, dust, light, glare, radiation or refuse that would be injurious to surrounding uses or to the community.
2. That the proposed use would not generate levels of noise that adversely affect the health, safety, or welfare of neighboring properties or uses.
3. That the proposed use would not generate traffic noise in excess of the "normally acceptable" range identified in the General Plan.
4. That the proposed use would not make excessive demands on the provision of public services including water supply, sewer capacity, energy supply, communication facilities, police protection, and fire protection.
5. That the proposed use would provide adequate ingress and egress to and from the proposed location.

6. That allowing the proposed use would not conflict with the City's goal of maintaining the economic viability of a local serving economy.
7. That the proposed use would be compatible with surrounding land uses and would not conflict with the purpose established for the district within which it would be located.
8. That the proposed use would not be in conflict with the City's General Plan.
9. That the proposed use would not be injurious to public health, safety, or welfare.
10. That granting the use permit would not set a precedent for the approval of similar uses whose incremental effect would be detrimental to the City or would be in conflict with the General Plan.
11. That, as demonstrated on a detailed plan submitted by the applicant, adequate off-street parking to accommodate the long term parking needs of employees and business owners and customers is available.
12. That the capacity of surrounding streets is adequate to serve the automobile and delivery truck traffic generated by the proposed use.

C. The Use Permit for the above described use is granted subject to compliance with the following conditions. The Use Permit shall be in conformance with all City ordinances, rules, regulations and policies in effect at the time of issuance of a building permit. The conditions noted below are particularly pertinent to this permit and shall not be construed to permit violation of other laws and policies not so listed.

1. The Use Permit Amendment shall be vested within one (1) year from the date of approval. A building permit for the tenant improvements allowed under this Use Permit shall have been obtained within one (1) year from the effective date of the Use Permit or the Use Permit shall expire; provided however that the Use Permit may be extended for up to two (2) one-year periods pursuant to the St. Helena Municipal Code, Section 17.08.130, Extension of Permits and Approvals.

2. This permit is valid for this use only. New permits must be applied for upon any change in use. This permit will expire if the use is discontinued pursuant to then existing ordinances and regulations.

3. The Use Permit Amendment shall not become effective until fourteen (14) calendar days after approval, providing that the action is not appealed by the City Council or any other interested party within that 14 day period.

4. Any request for an extension of the Use Permit Amendment must be justified in writing and received by the Planning Department at least thirty (30) days prior to expiration.

5. All required fees, including planning fees, development fees, housing fees, building fees toilet retrofit fees, and St. Helena Unified School District fees shall be paid prior to issuance of building permit. Fees shall be those in effect at the time of the issuance of the building permit.

6. Compliance with all permit conditions shall occur in accordance with specific regulations but in all cases no later than prior to occupancy or initiation of use unless another time is set by law or by this approval. Occupancy or final inspection of a project may be withheld if all conditions, including payment of fees for services rendered by the City, are not met.

7. The applicant will defend and indemnify and hold the City, its agents, officers, and employees harmless of any claim, action or proceedings to attack, set aside, void or annul an approval so long as the City promptly notifies the applicant of any such claim, action, or proceedings and the City cooperates fully in the defense of the action or proceedings.

8. Provided they are in general compliance with the Use Permit Amendment, minor modifications may be approved by the Planning Director.

9. This Use Permit Amendment shall run with the land and shall be binding upon all parties having any right, title or interest in the real property or any part thereof, their heirs, successors and assigns, and shall inure to their benefit and benefit of the City of St. Helena.

10. The primary purpose of this review is for compliance with the General Plan and Zoning Ordinance. The owner/applicant is responsible for meeting with the Building Official / Fire Inspector to review compliance with Building and Fire Codes, including fire protection systems and the accessibility standards of Title 24.

11. At 1325 Main Street, Orin Swift Cellars: This permit authorizes an 8-seat wine tasting room with retail sales in the existing 444 square foot commercial space located at 1325 Main Street. Tastings will be limited to the hours of 10:00a.m. to 7:00p.m. and to 9:00p.m.for limited special events. This business shall remain distinct from those businesses authorized for operation as a food, beverage or drinking establishment as regulated through the Food & Beverage Establishments Inventory. This permit does not authorize the preparation of food on-site.

12. At 1325 Main Street, St. Helena Wine Center: The previously approved use of a wine retail shop with wine tasting as an accessory use (2001-18) shall continue in the existing 1,540 square foot commercial space located at 1321 Main Street. The previous conditions of approval shall apply except as superceded herein.

13. The project is subject to Ordinance No. 2009-6, Chapter 17.48 Central Business Zoning District pertaining to Wine Shops, Off-Site Winery Tasting Rooms and Winery Offices. A Winery tasting room in the Central Business district is defined as: *"Winery tasting rooms are establishments that sell wines on behalf of one or more wineries and enable consumers to taste wine (with and without charge) as a regular part of the sales process. The wines for tasting and for sale must be made from a minimum of 75% Napa Valley grapes and must be labeled Napa Valley or be a sub-appellation of the Napa Valley. The permit requires a Type 02 ABC license. Food may be provided if it is at no cost to the consumer, is made off-premises and the facilities are approved by Napa County Environmental Management."*

14. Prior to initial occupancy, the winery shall apply for a St. Helena Business License and include a written statement demonstrating compliance with Municipal Code Section 17.48.030 pertaining to Wine Tasting Rooms. The business license shall be reviewed by and approved by the Planning Director prior to issuance.

15. The applicant shall comply with all conditions of the Napa County Department of Environmental Management pertaining to glass washing for wine-tasting.

16. The applicant shall submit signage for review and approval by the Planning Director that meets the Central Business (CB) Zoning district requirements. If the plans do not meet the CB Zoning requirements, the plans shall be reviewed by the Planning Commission.

17. Fire equipment shall be inspected annually by the Fire Department.

18. To reduce disturbance of residents in the project vicinity, construction activities which generate noise that can be heard at the property line of any parcel of real property within the City limits shall be limited to 8:00 a.m. to 5:00 p.m. Monday through Saturday. Delivery of materials/equipment and cleaning and servicing of machines/equipment shall be limited to 7:00 a.m. to 6:00 p.m. Exceptions to these time restrictions may be granted by the Public Works Director for one of the following reasons: (1) inclement weather affecting work, (2) emergency work, or (3) other work, if work and equipment will not create noise that may be unreasonably offensive to neighbors as to constitute a nuisance. The City Engineer must be notified and give approval in advance of such work. No construction activities shall occur on Sundays or federal or local holidays that generate noise that can be heard at the property line of any parcel of real property within the City limits.

Public Works:

1. Approval of this project shall be subject to the requirements of, and all improvements shall be designed and constructed in accordance with the most current version at the time of improvement plan submittal, Caltrans Standards and Specifications, the City of St. Helena Municipal Code, the St. Helena Water and Sewer Standards, the St. Helena Street, Storm Drain and Sidewalk Standards, and all current federal, state and county codes governing such improvements.

2. Where applicable, the improvement plans shall incorporate all grading, drainage, and utilities shown on the approved Use Permit package, those improvements agreed to in public hearings, those improvements as stated in the mitigations for the Negative Declaration, the requirements of these conditions of approval, and those improvements required by any codes in effect at the time of plan submittal.

3. Where applicable, the applicant shall be required to obtain an encroachment permit for improvements on public right-of-ways prior to receiving a grading or building permit authorizing site work or construction activities on the site.

4. Where applicable, the applicant shall be required to submit to the requirements for annual inspections of food/beverage service establishments and businesses that handle hazardous wastes for illicit stormwater discharges as required by the State National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges. The annual stormwater illicit discharge inspections are performed and invoiced by Napa County Department of Environmental Management.

5. Any new and modified existing water laterals, meters and backflow prevention devices shall be required and constructed in accordance with the requirements of the City of St. Helena's Water Standards.

6. No construction may commence until adequate access to fire water supply is available to building sites as approved by the Fire Chief.

7. The applicant shall incorporate water conservation practices into the proposed project per the water use report prepared by Delta Consulting & Engineering, dated September 21, attached hereto.

8. All wastewater lines of the proposed development must be connected to the St. Helena sewer system and designed in accordance with the City sewer system standards. Any new fixture units added to the existing building will require upgrade of the sewer lateral to the building, including a sewer cleanout at the property line.

9. Trash areas, dumpsters and recycling containers shall be enclosed and roofed per State and County standards to prevent water run-on to the trash area and water runoff from the area, to contain litter and trash so that it is not dispersed by the wind or run-off during waste removal. In the event that wine or food is disposed in these areas, they shall drain to the sanitary sewer system. An area drain connected to the sanitary sewer shall be installed in the enclosure area and a structural control such as an oil/water separator or sand filter shall be included. No other area shall drain into the trash enclosure. A sign shall be posted prohibiting the dumping of hazardous materials into the sanitary sewer.

10. Where applicable, deteriorating or broken curb, gutter and/or sidewalk along the project frontage shall be replaced per City specifications, extent to be determined by the Public Works Department.

11. Existing streets being cut by new services will require edge grinding and an A.C. overlay per City standards, extent to be determined by the Public Works Department.

12. The applicant shall repair all public improvements that are damaged by the construction process in accordance with Caltrans Standards and Specifications and the City Water/Sewer/Street/Storm Drain/Sidewalk Standards.

I HEREBY CERTIFY that the foregoing Use Permit was duly and regularly approved by the Planning Commission of the City of St. Helena at a regular meeting of said Planning Commission held on November 1, 2011 by the following roll call vote:

AYES: **COMMISSIONERS PITTS, HEIL, KISTNER, PARKER, & CHAIRPERSON GALBRAITH**
NOES: **NONE**
ABSENT: **NONE**
ABSTAIN: **NONE**

_____
Greg Desmond, Interim Planning Director

_____
Fredrick M. Beringer, Property Owner

_____
Cathy A. Beringer, Property Owner

_____
Orin Swift Cellars, LLC
David Swift Phinney, Applicant

PLANNING COMMISSION REPORT

Planning Commission Meeting of January 18, 2022

FILE NUMBER: PL21-028

SUBJECT: Request by Megan Collins on behalf of E. & J. Gallo Winery for adoption of a resolution approving a use permit amendment in order to expand wine tasting uses into the entirety of the existing building located at 1321/1325 Main Street in the Central Business zoning district.

PREPARED BY: Aaron Hecock, Senior Planner

REVIEWED BY: Maya DeRosa, Planning & Building Director

APPROVED BY: Maya DeRosa, Planning & Building Director

APPLICATION FILED:06/22/21 **ACCEPTED AS COMPLETE:**11/01/21

LOCATION OF PROPERTY: 1321/1325 Main Street

APN: 009-240-010

GENERAL PLAN/ZONING: Central Business District (CBD)

APPLICANT: Megan Collins / E. & J. Gallo Winery **PHONE:** (707) 921-9852

BACKGROUND

In April 2001, the Planning Commission approved Use Permit #2001-18 (attached for review) allowing the St. Helena Wine Center (SHWC) to expand their retail operation from 1321 Main Street into 1325 Main Street resulting in them occupying the entirety of the building for retail, office, and storage space. A doorway was created in the common wall between the two spaces in order to internally connect them. It should be noted that this approval included an accessory wine tasting area that was to remain incidental and accessory to the primary retail wine shop.

In November 2011, the Planning Commission approved Use Permit Amendment #2011-55 (attached for review) allowing the building to again be bifurcated into two tenant spaces, one of which (1321 Main Street) would continue to be used by the SHWC as a retail wine shop with accessory tasting and the other (1325 Main Street) would be converted into an 8 seat tasting room for Orin Swift Cellars (OSC).

PROJECT DESCRIPTION

The existing approximately 3,254 square foot (sf) building is located on a 5,556 sf parcel in the heart of the City's Central Business District. The building is currently divided into two tenant spaces, an approximately 2,603 sf two-story space formerly occupied by the SHWC (1321 Main Street) and an approximately 651 sf space occupied by OSC (1325 Main Street). The applicant is seeking use permit amendment approval in order to expand the existing OSC tasting room into the vacant space formerly occupied by SHWC. The main entrance for the expanded tasting room would be at 1321 Main Street. Access to 1325 Main Street would primarily be through the outdoor patio behind the building, but the existing door on Main Street would continue to be used for emergency egress. The second floor of 1321 Main Street would continue to be used for staff and storage uses, as the SHWC used it before. There is no second floor above the 1325 Main Street space. The proposal includes removal of an existing 333 sf storage shed so that the outdoor patio behind the building can be used for outdoor seating.

The expanded OSC tasting room would include the selling of wine as well as branded artwork and merchandise. Over 90% of the business activities would be related to wine tasting, wine sales, and associated storage and staff areas. Accessory to the primary wine tasting use, the retail sales of branded artwork and merchandise is anticipated to be 5%-10% of the business.

Proposed hours of operation are the same as approved in Use Permit Amendment #2011-55: tastings would be limited to the hours of 10:00a.m. to 7:00p.m. and to 9:00p.m. for limited special events. The applicant anticipates a total of 6 events per year: 3 or 4 events exclusively for Wine Club members and 2 or 3 events open to members of the public. Event attendance will require a reservation in advance and will not exceed capacity as allowed by Fire Code (total first floor and outdoor area capacity is 153 people according to the Fire Department). Consistent with St. Helena Municipal Code (SHMC) Section 17.48.030, any food service would be provided at no cost to the consumer and made off-premises. The attached floor plan shows the proposed configuration and the four (4) existing parking spaces that are accessed by Money Way. Approximate square footage and guest seat counts are shown in the table below (note that 16 outdoor seats are proposed in the back patio and 4 seats are proposed in front of the building on the subject property):

	Approx. Sq. Ft.	**Guest Seats**
1321 Main Street (1st Floor)	1,813	30
1321 Main Street (2nd Floor)	790	n/a - staff & storage only
1325 Main Street (1st Floor)	651	16

Outdoor Areas	1,085	20
Total:	**3,254 (indoor only)**	**66**

ANALYSIS

CEQA

Staff has conducted the requisite analysis and concluded that the project is categorically exempt from the requirements of CEQA pursuant to CEQA Guidelines Section 15301 which exempts the operation, permitting and leasing of private structures. The proposed project is not subject to any of the exceptions to the use of a categorical exemption as outlined in CEQA Section 15300.2. The project site is not visible from a scenic highway, is not included on a hazardous waste site, and will not impact historic resources or otherwise generate or contribute to any potentially significant impacts.

GENERAL PLAN

The subject property has a General Plan Land Use designation of Central Business (CB). The CB land use designation provides for retail and commercial uses that serve local residents and the surrounding area. Typical CB uses include offices, restaurants, specialty retail and lodging, with particular emphasis on pedestrian-oriented retail and service uses on the ground floor level and offices located on upper floors. Residential uses can be considered for upper floor areas but are subject to discretionary use permit review and approval. The maximum allowable FAR in CB-designated areas is 2.0. The CB district extends from Sulphur Creek along Main Street to midway between Adams Street and Pine Street, west to Oak Avenue and along the north side of Adams Street east of Main Street. The 2040 St. Helena General Plan Update includes the following policies that are relevant to the proposed project:

- LU3.1 - Strengthen the downtown as the City's social and cultural core, and as the primary center of retail services. Facilitate a healthy mix of retail and commercial uses, residential development, entertainment, and lodging.
- LU3.2 - Enhance the pedestrian-oriented character of commercial areas and provide for convenient pedestrian and bicycle connections to encourage walking and reduce vehicle trips within the commercial area.
- LU3.3 - Support the redevelopment of auto-oriented commercial areas into pedestrian-friendly commercial uses.
- LU3.4 - Protect historic resources in the commercial areas and encourage appropriate rehabilitation and adaptive reuse.
- LU3.5 - Ensure that new retail and commercial development is compatible with and complementary to St. Helena's small-town image. In addition, within the City's Central Business District, new retail and commercial development should be of a scale and type that complements the historic character.
- LU3.7 - Provide sufficient auto and bicycle parking in order to serve local businesses in the commercial districts. Ensure that all parking areas are well designed and that auto parking spaces are hidden from pedestrian view, whenever possible.

- LU5.6 - Permit wineries and other agricultural-related industries to locate in the city if their location does not adversely impact surround-ings, uses, or city services (water, traffic, etc.) or the quality and char-acter of the community.
- ES1.1 - Maintain central St. Helena as the social, cultural, and economic heart of the City by supporting infill and redevelopment of vacant and underutilized parcels in the central St. Helena area.
- ES1.2 - Identify and expand economic sectors in which the City has competi-tive advantages, and capitalize on these strengths in order to diversify local economic activities and strengthen St. Helena's role as an agriculturally-based service center for the surrounding area.
- ES1.6 - Support local arts, cultural activities, and entertainment that can con-tribute to the local economy.
- ES2.1 - Support the development of responsible, visitor-serving components to the City's economy as a valuable source of jobs, tax revenues, and cultural ame-nities. Promote policies that facilitate and encourage this type of sustainable economic development.
- ES2.2 - Encourage visitor-serving uses oriented toward an upscale market, consistent with the Valley's reputation as a producer of world-class wines. Discourage the introduction of uses that are dependent upon a mass tourist market.
- ES2.3 - Ensure a diverse mix of uses that avoids an over-representation of any particular use. Remove the cap on the number of hotel and motel rooms and restaurant seats but continue to limit vacation rentals.

Staff Response: In accordance with the General Plan and in particular those policies listed above, the proposed project would support both a local and visitor serving component to the City's economy by providing jobs, tax revenue, and additional amenities. The project would also be oriented toward an upscale market, consistent with the Valley's reputation as a producer of world-class wines. For these reasons, the proposed project exhibits overall consistency with the General Plan Update 2040.

ZONING

Like the General Plan land use designation, the site has a zoning designation of Central Business (CB). This designation provides for retail, personal service uses, offices, restaurants, hotels/motels, service stations, public and quasi-public uses, and similar and compatible uses that serve local residents and the surrounding area. St. Helena Municipal Code (SHMC) Section 17.48.030 requires use permit approval for new or expanded winery tasting rooms. Winery tasting rooms" are establishments that sell wines on behalf of one or more wineries and enable consumers to taste wine (with and without charge) as a regular part of the sales process. The wines for tasting and for sale must be made from a minimum of seventy-five percent (75%) Napa Valley grapes and must be labeled Napa Valley or be a subappellation of the Napa Valley. The permit requires a Type 02 ABC license. Food may be provided if it is at no cost to the consumer, is made off premises and the facilities are approved by Napa County environmental management. No changes are being proposed to the existing building; the following table summarizes applicable development standards and the conformity of the existing building with each:

STANDARD	MIN/MAX	EXISTING	PROPOSED
Lot Size	5,000 sf min	5,556 sf	No Change
Front Setback (Main St.)	0 feet	11 feet	No Change
Rear Setback (Money Way)	0 feet	36 feet	No Change
Sideyard Setback (South)	0 feet	0 feet	No Change
Sideyard Setback (North)	0 feet	0 feet	No Change
Height	35 feet max	26'6"	No Change
Floor Area Ratio (FAR)	2.0 max	0.59	No Change

Staff Response: The project as proposed meets all development standards as required by Section 17.48.070 of the Municipal Code including lot size, setbacks, height and floor area ratio.

Landscaping Requirements
SHMC Section 17.48.090(D) prescribes various landscaping requirements for shade trees, planters, and landscaped areas. Frontage yards, off-street parking areas, and all other open areas (other than screened storage areas) must be permanently maintained by the property owner to cover a minimum of five percent of the total site. A minimum of two shade trees are required for parking areas with 15 spaces or less. This code section also states that landscaping and shade trees shall be contained in planters and tree wells bordered by a six-inch-high concrete curb or equivalent barrier approved by the city. This code section goes on to say that unless otherwise specified in the code or under the conditions of an approved permit, planters and tree wells shall have a width of not less than five feet and shall be protected from automobile overhang where necessary through the provision of barriers, tire stops or additional width.

Staff Response: Staff recognizes that the existing building was constructed before current landscaping requirements were in place and that the building is legal non-conforming. As the building has zero lot lines on two sides; fronts Main Street's sidewalk; and has parking spaces behind the building off of Money Way, it is incapable of meeting current landscaping requirements and is permitted to remain non-conforming.

Wastewater Generation
SHMC Section 17.48.090(E) restricts each and every use in the CB district such that any lot of record does not generate wastewater in excess of 600 gallons per day (gpd), without a use permit which regulates wastewater generation.

Staff Response: The uses at 1321/1325 Main Street are limited to 600 gpd per the code section referenced above. According to the Finance & Utilities Department, the existing

building has a historical water use average of approximately 99.74 gpd, far below the 600 gpd maximum. The applicant provided a theoretical water use analysis (attached to this report) which estimates water usage will be approximately 156 gpd, also far below the 600 gpd maximum. A condition of approval has been added requiring that the 600 gpd wastewater generation maximum be maintained.

WATER

Chapter 13.12 of the Municipal Code requires mandatory water efficiency measures and water demand offset requirements for new construction. Among these provisions is the requirement that any "new development" (i.e. construction that would introduce any freestanding building that contains water-using fixtures, any floor area additions to existing nonresidential structures, or any residential additions or remodeling that increases the number of independent living units) offset new water demand by an amount equal to the new demand placed on the city water system (i.e., it must be water neutral). The offset must be clearly demonstrated to the satisfaction of the Public Works Department.

Staff Response: No changes are being proposed to the existing building and no new square footage is being added; the proposed use changes do not constitute new development as defined above, therefore, the project is not subject to St. Helena Water neutrality requirements. While not required, the applicant has provided a theoretical water use analysis (attached to this report) which shows that water neutrality will be achieved.

PARKING

The existing building is within the City's parking impact overlay district which is governed by SHMC Chapter 17.104. The purpose of the parking impact overlay district is to establish parking standards for portions of the City generally located within the central business district. This area of the City is impacted by a lack of off-street parking because the buildings are of historic and unique character and were constructed in the early history of the City when automobiles were not as common. Per SHMC Section 17.104.020(A), the basic parking requirement for buildings existing as of February 1, 1980, shall be at least one space for each one thousand two hundred (1,200) square feet of ground floor area and one space for each two thousand four hundred (2,400) square feet floor area of basement or upper floors. Per SHMC Section 17.104.020(B)(1), the parking requirement for buildings which are being converted to create additional occupancies not less than one thousand two hundred (1,200) square feet in area shall be one space per six hundred (600) square feet. Furthermore, per SHMC Section 17.104.020(C), the parking requirement for a change in category of uses in the parking impact area shall equal the difference between what would be required for the new use, minus what Chapter 17.124 would require for the previous use.

Staff Response: Per SHMC Section 17.104.020(A), the existing 3,254sf building requires 2 off-street parking spaces (2.05 spaces for 2,464sf of ground floor area and .329 spaces for 790sf of upper floor area equals 2.4 spaces which rounds down to 2 spaces). As the building is being converted to create additional occupancies greater than 1,200 sf, SHMC Section 17.104(B)(1) requires 5 (5.4 rounded down) off-street parking spaces (1 space

for each 600 sf of floor area). Previous uses on-site include 1,813 sf ground floor and 790 sf upper floor commercial floor area in 1321 Main Street (1 space for each 300sf = 9 spaces) and an 8-seat tasting room in 1325 Main Street (1 space per 4 seats = 2 spaces) for a total of 11 spaces per SHMC Section 17.124. As required by SHMC Section 17.104.020(C), the previous use requirement per SHMC 17.124 is subtracted from the new use requirement and would result in no required off-street parking (5 minus 11 = 0 spaces required).

Off-Street Parking Requirements

SCENARIO	REQUIREMENT	TOTAL
Existing building	1 space / 1,200sf ground floor area 1 space / 2,400sf upper floor area	2 spaces
New use for additional occupancies greater than 1,200sf	1 space / 600sf floor area (3,254sf)	5 spaces
Previous uses required under §17.124	1 space / 300sf floor area (2,603sf) 1 space / 4 seats (8 seats)	9 spaces 2 spaces
Total parking required under §17.104.020 (C)	New use (5 spaces) – Previous use under §17.124 (11 spaces)	**0 spaces required**

As demonstrated in the attached parking plan, a private off-street parking area with four (4) spaces exists on-site. Therefore, off-street parking requirements have been exceeded. A condition of approval has been added that the off-street parking area be appropriately striped and that concrete tire stops be added to the spaces.

HISTORIC RESOURCES

The subject building is within the City's nationally recognized historic downtown commercial district however it is considered a non-contributing building.

Staff Response: No exterior modifications are being proposed to the existing building and the uses proposed will not negatively impact the structure's status within the historic downtown commercial district nor will they detract from or be incompatible with the historic nature of the surrounding area.

USE PERMIT AMENDMENT

As noted above, SHMC Section 17.48.030 requires use permit approval for wine tasting rooms in the Central Business District. As the applicant wishes to expand wine tasting uses into the entirely of the building, a use permit amendment is required. The purpose of a use permit is to allow the proper integration of essential or desirable uses which may be suitable only in certain locations or zoning districts in the City, or to ensure that such uses are designed or arranged on the site in a particular manner. In its review of applications for use permits, the Planning Commission shall evaluate each proposed use

in order to consider its impact on the City. Pursuant to Municipal Code Section 17.168.050, no use permit shall be granted unless the following findings can be made:

1. That the proposed use would not generate odors, fumes, dust, light, glare, radiation or refuse that would be injurious to surrounding uses or to the community.
2. That the proposed use would not generate levels of noise that adversely affect the health, safety, or welfare of neighboring properties or uses.
3. That the proposed use would not generate traffic noise in excess of the "normally acceptable" range identified in the General Plan.
4. That the proposed use would not make excessive demands on the provision of public services including water supply, sewer capacity, energy supply, communication facilities, police protection, and fire protection.
5. That the proposed use would provide adequate ingress and egress to and from the proposed location.
6. That allowing the proposed use would not conflict with the City's goal of maintaining the economic viability of a local serving economy.
7. That the proposed use would be compatible with surrounding land uses and would not conflict with the purpose established for the district within which it would be located.
8. That the proposed use would not be in conflict with the City's General Plan.
9. That the proposed use would not be injurious to public health, safety, or welfare.
10. That granting the use permit would not set a precedent for the approval of similar uses whose incremental effect would be detrimental to the City or would be in conflict with the General Plan.
11. That, as demonstrated on a detailed plan submitted by the applicant, adequate off-street parking to accommodate the long term parking needs of employees and business owners and customers is available.
12. That the capacity of surrounding streets is adequate to serve the automobile and delivery truck traffic generated by the proposed use.

Staff Response: Staff finds that the project meets and/or complies with the required findings to approve a use permit amendment for the proposed project. The findings included in the attached resolution identify this compliance.

ISSUES

Staff has not identified any outstanding issues related to this application that require additional discussion.

CORRESPONDENCE

At the time of packet distribution staff had not received any correspondence related to this application.

STAFF RECOMMENDATION

For the reasons described above, staff recommends that the Planning Commission:

1. Determine that the project is exempt from the requirements of CEQA pursuant to CEQA Guidelines Section 15301; and

Agenda Item #5.2.

2. Accept the required findings and approve a resolution granting use permit amendment approval for wine tasting, wine sales, accessory art/merchandise sales, and limited special events (up to 6 per year) uses to expand in the building located at 1321/1325 Main Street.

ATTACHMENTS

Resolution
APN - Aerial View
Current Floor Plan
Proposed Floor Plan_100121
Requested Seat Count
Applicant Statement_rev_110121
Water Use Analysis_83021
Use Permit #2001-18
Use Permit #2011-55

CITY OF ST. HELENA PLANNING COMMISSION
RESOLUTION NO.
GRANTING USE PERMIT AMENDMENT APPROVAL TO
1321 / 1325 Main Street (File No. PL21-028)

PROPERTY OWNER: Refugee Wine Company, LLC **APN:** 009-240-010

Recitals

1. The applicant has requested adoption of a resolution approving a use permit amendment in order to expand wine tasting uses into the entirety of the existing building (up to 66 seats) located at 1321 / 1325 Main Street in the Central Business zoning district. This includes the selling of wine, the accessory retail sales of branded artwork/merchandise and limited events up to 6 times per year; and
2. A public notice was published in the Napa Valley Register and mailed to residents and occupants within 300 feet of the project site in compliance with state and local law; and
3. The Planning Commission of the City of St. Helena, State of California, considered the project, staff report, and all testimony, written and spoken, at a duly noticed public hearing on January 18, 2022; and
4. Now, therefore let it be found that the Planning Commission approves the use permit amendment thereby authorizing the modifications contained in said application based on the findings below and subject to the conditions of approval enumerated herein.

Resolution

A. In making the findings in this Resolution, the Planning Commission relied upon and hereby incorporates by reference all of the documents referenced in this Resolution and the associated staff reports, City files for this matter, correspondence, presentations and other materials.

B. The Planning Commission hereby finds that the project is exempt from the requirements of CEQA pursuant to CEQA Guidelines Section 15301 which exempts the operation, permitting and leasing of private structures.

C. In accordance with SHMC Section 17.168.050, the Planning Commission makes the following use permit findings to support the motion to approve the use permit amendment:

   1. *That the proposed uses would not generate odors, fumes, dust, light, glare, radiation or refuse that would be injurious to surrounding uses or to the community in that proposed project consists of the expansion of wine tasting uses, accessory retail sales, and limited special events in an existing commercial building.*
   2. *That the proposed uses would not generate levels of noise that adversely affect the health, safety, or welfare of neighboring properties in that the proposed project consists of the expansion of wine tasting uses, accessory retail sales, and limited*

special events in an existing commercial building subject to City noise regulations and is not expected to produce noise audible beyond the property line.

3. *That the proposed use would not generate traffic noise in excess of the "normally acceptable" range identified in the General Plan as the proposed project consists of the expansion of wine tasting uses in an existing commercial building with existing vehicular access via Main Street.*
4. *That the proposed use would not make excessive demands on the provision of public services including water supply, sewer capacity, energy supply, communication facilities, police protection, and fire protection in that proposed project consists of the expansion of wine tasting uses, accessory retail sales, and limited special events in an existing commercial building.*
5. *That the proposed uses would provide adequate ingress and egress to and from the proposed location in that ingress and egress to the project site would remain via Main Street.*
6. *That allowing the proposed uses would not conflict with the City's goal of maintaining the economic viability of a local serving economy in that the proposed project would support both a local and visitor serving component to the City's economy by providing jobs, tax revenue, and additional amenities.*
7. *That the proposed uses would be compatible with surrounding land uses and would not conflict with the purpose established for the district within which it would be located as the proposed project consists of the expansion of wine tasting uses, accessory retail sales, and limited special events in an existing commercial building within the Central Business District.*
8. *That the proposed uses would not be in conflict with the City's General Plan in that the proposed project consists of the expansion of wine tasting uses, accessory retail sales, and limited special events in an existing commercial building within the Central Business District and is consistent with applicable General Plan policies.*
9. *That the proposed uses would not be injurious to public health, safety, or welfare in that the proposed project consists of the expansion of wine tasting uses in an existing commercial building within the Central Business District*
10. *That granting the use permit would not set a precedent for the approval of similar uses whose incremental effect would be detrimental to the City or would be in conflict with the General Plan in that this use permit amendment only applies to this property and to these specific uses.*
11. *That, as demonstrated on a detailed plan submitted by the applicant, adequate off-street parking to accommodate the long-term parking needs of employees and business owners and customers is available in that the proposed project has provided required off-street parking.*
12. *That the capacity of surrounding streets is adequate to serve the automobile and delivery truck traffic generated by the proposed uses in that the project site can adequately be served by existing streets (Main Street and Money Way).*

Planning Department Conditions of Approval

D. The Planning Commission approves a use permit amendment for the above-described project with the following conditions of approval. The conditions noted below are particularly pertinent to this permit and shall not be construed to permit violation of other laws and policies not so listed.

1. The project shall be in conformance with all city ordinances, rules, regulations and policies in effect at the time of issuance of a building permit.
2. The use permit amendment shall be vested within one (1) year from the date of final action or the approval shall expire, provided however that the approval may be extended for up to two (2) one-year periods pursuant to the St. Helena Municipal Code, Section 17.08.130, Extension of Permits and Approvals.
3. Any request for an extension of this approval shall be justified in writing and received by the Planning Department at least thirty (30) days prior to expiration.
4. The approvals shall not become effective until fourteen (14) calendar days after approval, providing that the action is not appealed by the City Council or any other interested party within that 14-day period.
5. All required fees, including planning fees, development impact fees, residential in-lieu housing fees, building fees, toilet retrofit fees, and St. Helena Unified School District fees shall be paid prior to issuance of a building permit. Fees shall be those in effect at the time of the issuance of the building permit.
6. Compliance with all permit conditions shall occur in accordance with specific regulations but in all cases no later than prior to occupancy or initiation of use unless another time is set by law or by this approval. Occupancy or final inspection of a project may be withheld if all conditions, including payment of fees for services rendered by the City, are not met.
7. In any action or proceeding to attack, challenge, invalidate, set aside, void or annul the City's approval of applicant's Project, in whole or in part, applicant shall defend, at its own expense and without any cost to the City, and with counsel acceptable to the City, and shall fully and completely indemnify and hold the City, its agents, officers, and employees harmless from and against any and all claims, causes of action, damages, costs, attorney's fees and liability of any kind, so long as the City reasonably promptly notifies the applicant of any such claim, action, or proceedings and the City cooperates fully in the defense of the action or proceedings.
8. Provided they are in general compliance with this approval, minor modifications may be approved by the Planning Director.
9. Pursuant to St. Helena Municipal Code Section 17.08.110, this permit shall run with the land and shall be binding upon all parties having any right, title or interest in the real property or any part thereof, their heirs, successors and assigns, and shall inure to their benefit and benefit of the City of St. Helena.

10. The primary purpose of this review is for compliance with the General Plan and Zoning Ordinance. The property owners or their designee shall be responsible for meeting with the Building Official, Fire Inspector and or Public Works Department to review compliance with Building Codes, Fire Codes and specific Public Works Standards including fire protection systems and any applicable accessibility standards of Title 24.
11. This resolution and conditions of approval replaces and supersedes all prior conditions of approval from Resolutions #2001-18 and #2011-55.
12. Operations shall be in compliance with plans submitted and reviewed by the Planning Commission on January 18, 2022, except as modified herein.
13. A maximum of 66 guests maybe onsite for wine tasting at any given time except for limited special events.
14. Tastings are limited to the hours of 10:00a.m. to 7:00p.m.
15. The wines for tasting and for sale must be made from a minimum of seventy-five percent (75%) Napa Valley grapes and must be labeled Napa Valley or be a subappellation of the Napa Valley.
16. The permit requires a Type 02 ABC license unless otherwise modified by the ABC.
17. Food may be provided if it is at no cost to the consumer, is made off premises and the facilities are approved by Napa County Environmental Management.
18. Music shall be allowed when accessory to the approved use and shall not be audible beyond the property boundary. No amplified or acoustic music is permitted outdoors.
19. The total seating capacity authorized by the use permit and fire code occupancy shall be posted on the premises.
20. Up to six (6) special events are permitted per year and they shall end no later than 9 p.m. Up to 153 attendees are permitted per event unless special event occupancy is granted by the Fire Department.
21. Accessory art and retail sales are limited to 10% of overall sales.
22. Frontage areas, off-street parking areas, and all other open areas shall be permanently maintained by the property owner.
23. The City recognizes that the existing building was constructed before current landscaping requirements were in place and that the building is legal non-conforming.
24. All trash and recycling areas shall be screened from view.
25. The uses at 1321/1325 Main Street are limited to 600 gallons per day of wastewater.
26. The off-street parking area must be appropriately striped and concrete tire stops must be added to each parking space.
27. A Sign Permit must be applied for and obtained for any new and/or replacement signage.
28. Exterior lighting shall be directed or shielded to prevent glare onto public roadways or adjacent properties.

29. To reduce disturbance of residents in the project vicinity, construction activities which generate noise that can be heard at the property line of any parcel of real property within the City limits shall be limited to 8:00 a.m. to 5:00 p.m. Monday through Saturday. Delivery of materials/equipment and cleaning and servicing of machines/equipment shall be limited to 7:00 a.m. to 6:00 p.m. Exceptions to these time restrictions may be granted by the Public Works Director for one of the following reasons: (1) inclement weather affecting work, (2) emergency work, or (3) other work, if work and equipment will not create noise that may be unreasonably offensive to neighbors as to constitute a nuisance. The Public Works Director must be notified and give approval in advance of such work. No construction activities shall occur on Sundays or federal or local holidays that generate noise that can be heard at the property line of any parcel of real property within the City limits.

Public Works Department Conditions of Approval

30. Where applicable, approval of this project shall be subject to the requirements of, and all improvements shall be designed and constructed in accordance with the most current version of the following at the time of improvement plan submittal: Caltrans Standards and Specifications, the City of St. Helena Municipal Code, the St. Helena Water and Sewer Standards, the St. Helena Street, Storm Drain and Sidewalk Standards, and all current federal, state and county codes governing such improvements.
31. Where applicable, the applicant shall be required to obtain an encroachment permit for improvements on public right-of-ways prior to receiving a grading or building permit authorizing site work or construction activities on the site.
32. Where applicable, the applicant shall be required to submit to the requirements for annual inspections of food/beverage service establishments and businesses that handle hazardous wastes for illicit stormwater discharges as required by the State National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges. The annual stormwater illicit discharge inspections are performed and invoiced by Napa County Department of Environmental Management.
33. Any new and modified existing water laterals, meters and backflow prevention devices shall be required and constructed in accordance with the requirements of the City of St. Helena's Water Standards.
34. Any new or modified sanitary sewer clean-out that do not meet City requirements, one will be required and may include replacement of the existing sewer lateral to the City main.
35. Trash areas, dumpsters and recycling containers shall be enclosed and roofed per State and County standards to prevent water run-on to the trash area and water runoff from the area, to contain litter and trash so that it is not dispersed by the wind or run-off during waste removal. In the event that wine or food is disposed in these areas, they shall drain to the sanitary sewer system. An area drain connected to the sanitary sewer shall be installed in the enclosure area and a structural control such as an

oil/water separator or sand filter shall be included. No other area shall drain into the trash enclosure. A sign shall be posted prohibiting the dumping of hazardous materials into the sanitary sewer.

36. Where applicable, deteriorating or broken curb, gutter and/or sidewalk along the project frontage shall be replaced per City specifications, extent to be determined by the Public Works Department.
37. The applicant shall repair all public improvements that are damaged by the construction process in accordance with Caltrans Standards and Specifications and the City Water/Sewer/Street/Storm Drain/Sidewalk Standards.
38. As part of the plans submitted to the Building Department for the internal improvements to the building, the applicant shall include plans showing the proposed improvements to accommodate the outdoor bar and seating area. The plans shall show grades to ensure proper drainage. If there is a proposed extension of water and sewer service to support the proposed bar area, the proposed extensions shall be shown on the plans.
39. Any deficiencies in the sidewalk fronting the 2 addresses shall be repaired to eliminate any tripping hazards.

Building Department Conditions of Approval

40. A building permit is required for all onsite demolition, construction and/or change of occupancy including proper exiting at the outdoor gate to include panic hardware and swing in direction of egress per Chapter 10 CBC.
41. The applicant will be required to comply with the codes adopted at the time the applicant applies for a building permit. At this time the City of St. Helena utilizes the 2019 Title 24 codes.
42. When submitting plans for a building permit, the plans shall include all documentation listed on the building permit application checklist.
43. The applicant shall provide a construction waste management plan with the building permit application.
44. The plans for construction shall include a checklist for compliance with the California Green Buildings Standards Code, mandatory measures. Provide a reference on the checklist indicating where the mandatory measures can be found on the plans.
45. When submitting plans, the title page shall include all information referenced on the building permit application checklist Title Page requirements.
46. Building Permit application materials and plans shall include any documentation pertaining to special loads applicable to the design and the specified section of the code that addresses the condition; special inspections for any systems or components requiring special inspection; requirements for seismic resistance; and a complete list of deferred submittals at time of application. Any deferral of the required submittal items shall have prior approval of the Building Official however deferral of fire sprinkler design is not allowed.

Agenda Item #5.2.

Fire Department Conditions of Approval

47. Plans submitted for building permit shall exhibit compliance with the current St. Helena Fire Code, as adopted and codified in St. Helena Municipal Code Chapter 15.36.
48. Fire sprinklers and fire hydrants shall be installed as required by Fire Code and the Fire Department.
49. One hour minimum fire resistant construction on all exterior walls within 10' of property boundary is required. Fire resistant construction of interior walls shall be determined by type of occupancy.

I HEREBY CERTIFY that the foregoing use permit amendment application was duly and regularly approved by the Planning Commission of the City of St. Helena at a regular meeting of said Planning Commission held on January 18, 2022 by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

APPROVED:	ATTEST:
John Ponte Chair, Planning Commission	Maya DeRosa, AICP Planning and Building Director

1321 / 1325 Main Street

Legend

- Addresses
- Parcels
- County Boundary

94.0 0 47.02 94.0 Feet

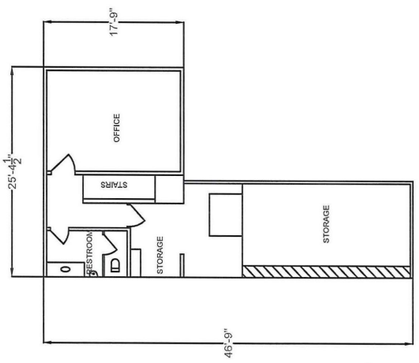
Disclaimer: This map was prepared for informational purposes only.
No liability is assumed for the accuracy of the data delineated hereon.

This map was printed on 9/30/2021

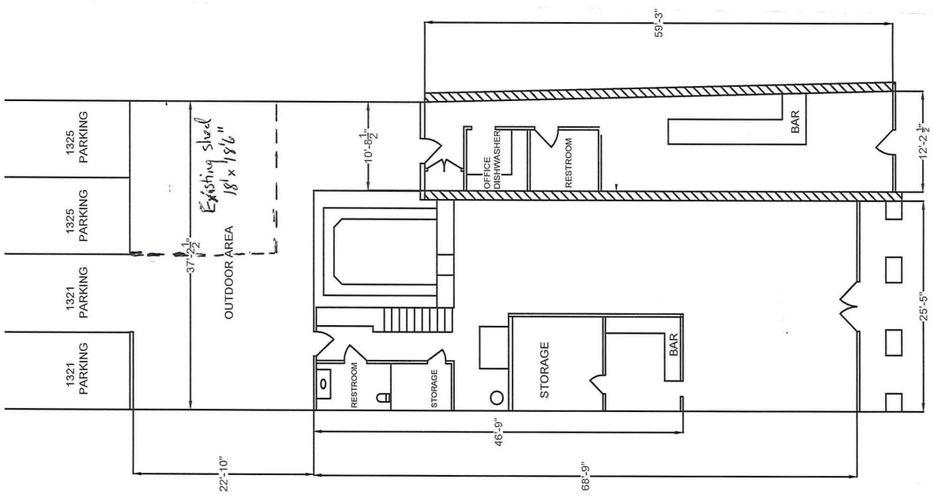
Notes

Agenda Item #5.2.

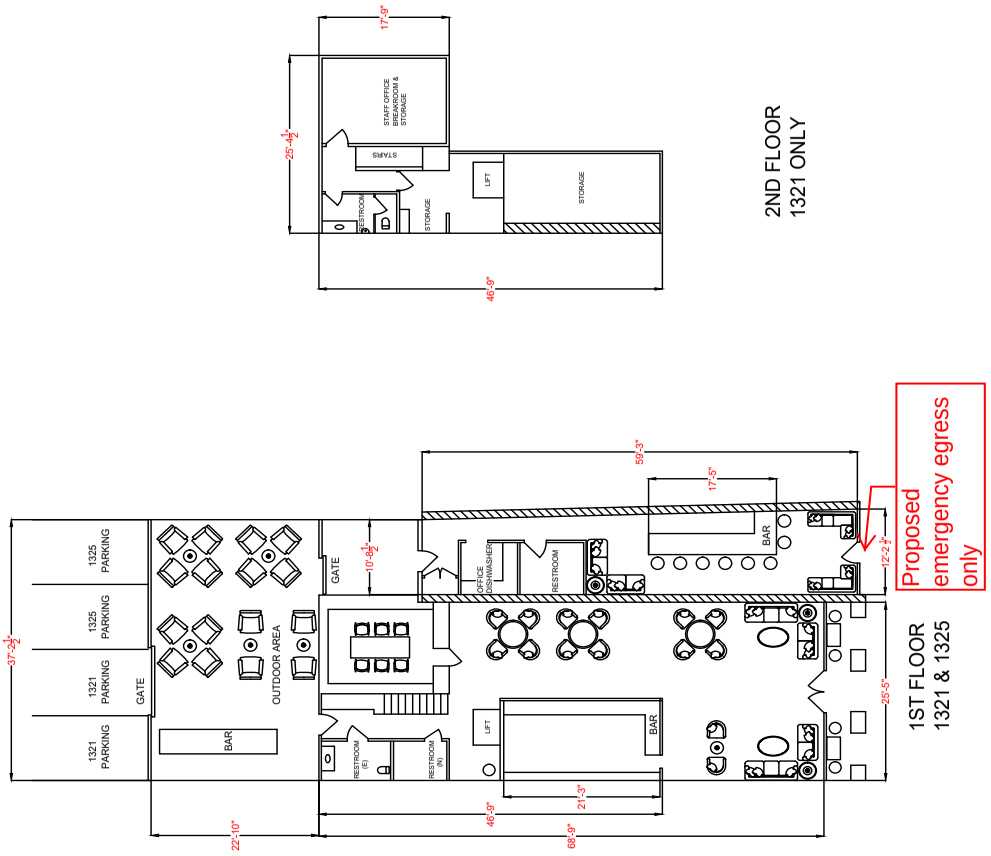
~~Architectural~~
Current State



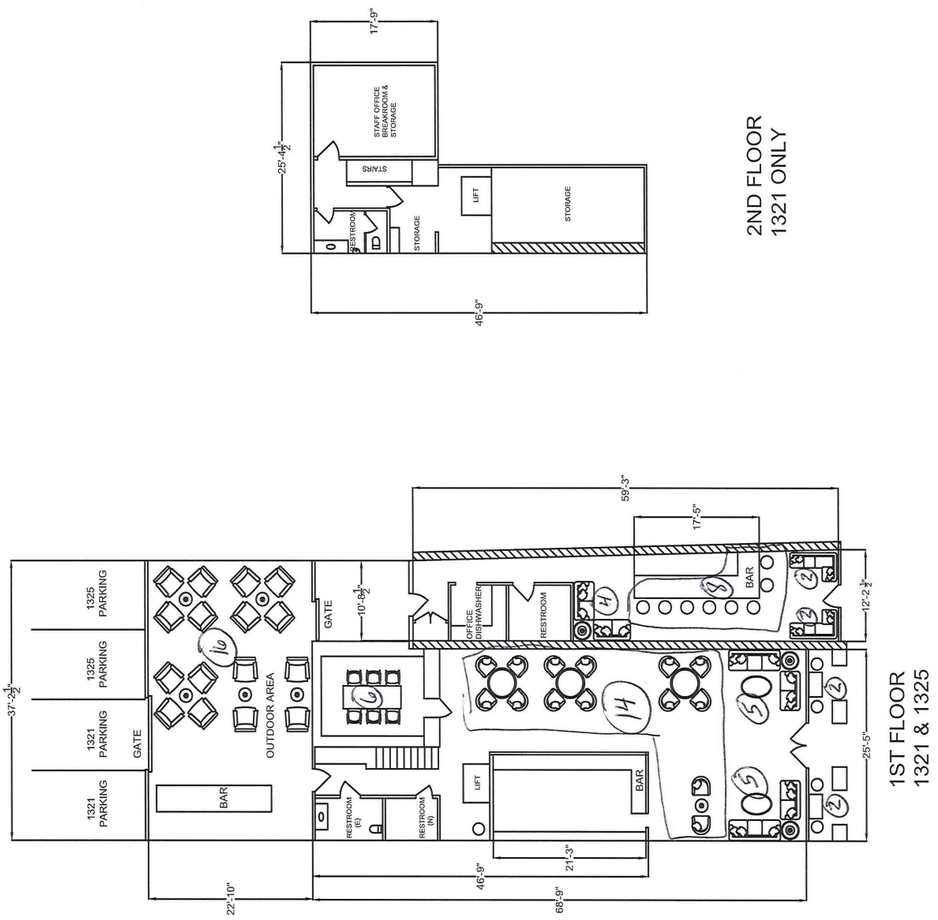
2ND FLOOR
1321 ONLY



1ST FLOOR
1321 & 1325


17'-9"
25'-4 1/2"
STAFF OFFICE
BREAKROOM &
STORAGE
STAIRS
RESTROOM
STORAGE
LIFT
STORAGE
46'-9"
2ND FLOOR
1321 ONLY
59'-3"
17'-5"
BAR
Proposed
emergency egress
only
12'-2 1/2"
37'-2 1/2"
1325
PARKING
1325
PARKING
1321
PARKING
1321
PARKING
GATE
OUTDOOR AREA
GATE
10'-9 1/2"
OFFICE
DISHWASHER
RESTROOM
BAR
LIFT
BAR
RESTROOM
(E)
RESTROOM
(N)
25'-5"
1ST FLOOR
1321 & 1325
22'-10"
46'-9"
21'-3"
68'-9"

Agenda Item #5.2.



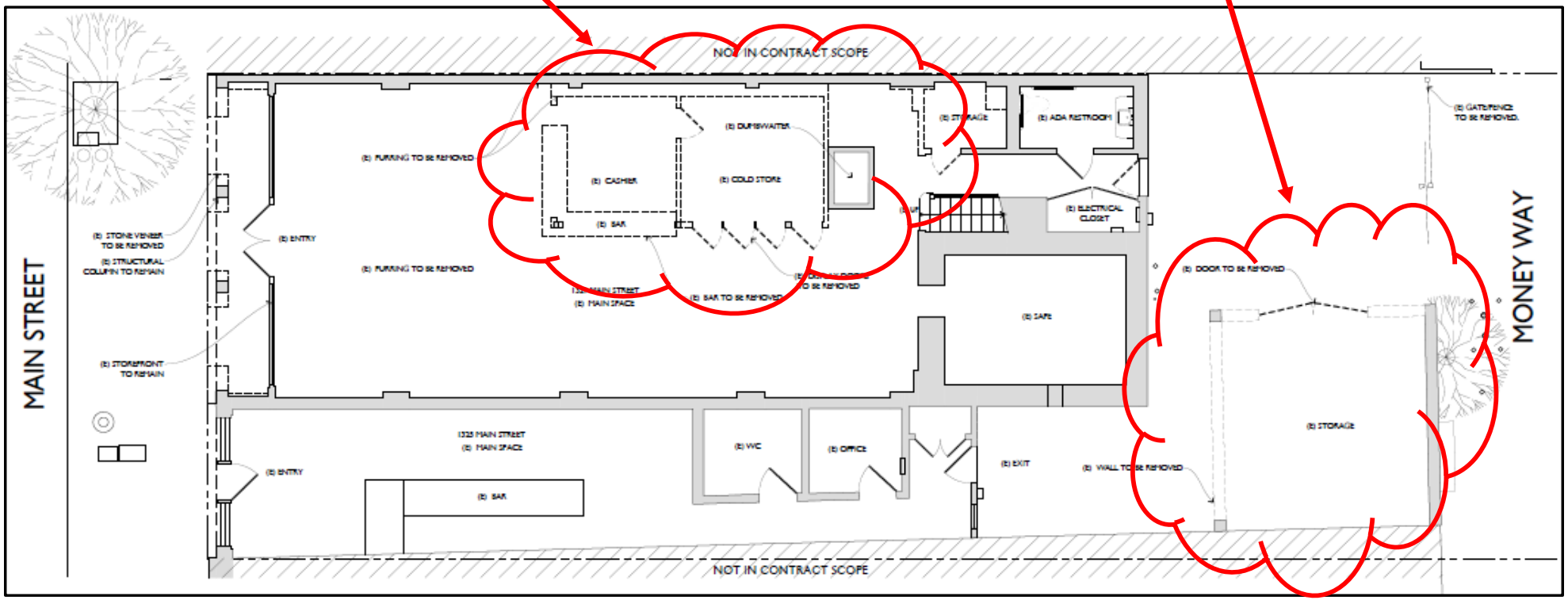
Planning Commission
July 19, 2022
Design Review & Planning Commission
Sign Permit File #PL22-017

- **1321-1325 Main Street**
- **General Plan District: Central Business (CB)**
- **Zoning District: Central Business (CB)**
- **Request for Design Review approval to install interior and exterior improvements at Orin Swift Cellars tasting room**
- **Request for Planning Commission Sign Permit Approval**

Proposed Demolition

Interior storage room walls and existing bar

Two walls of existing shed will be removed to create a cabana



Storefront Improvements

Existing Storefront

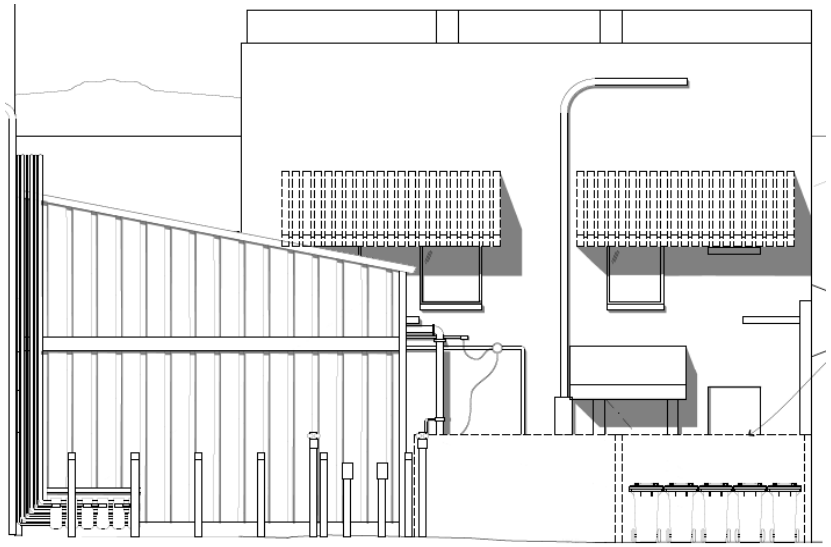




Proposed Improvements

Outdoor Improvements – Money Ave.

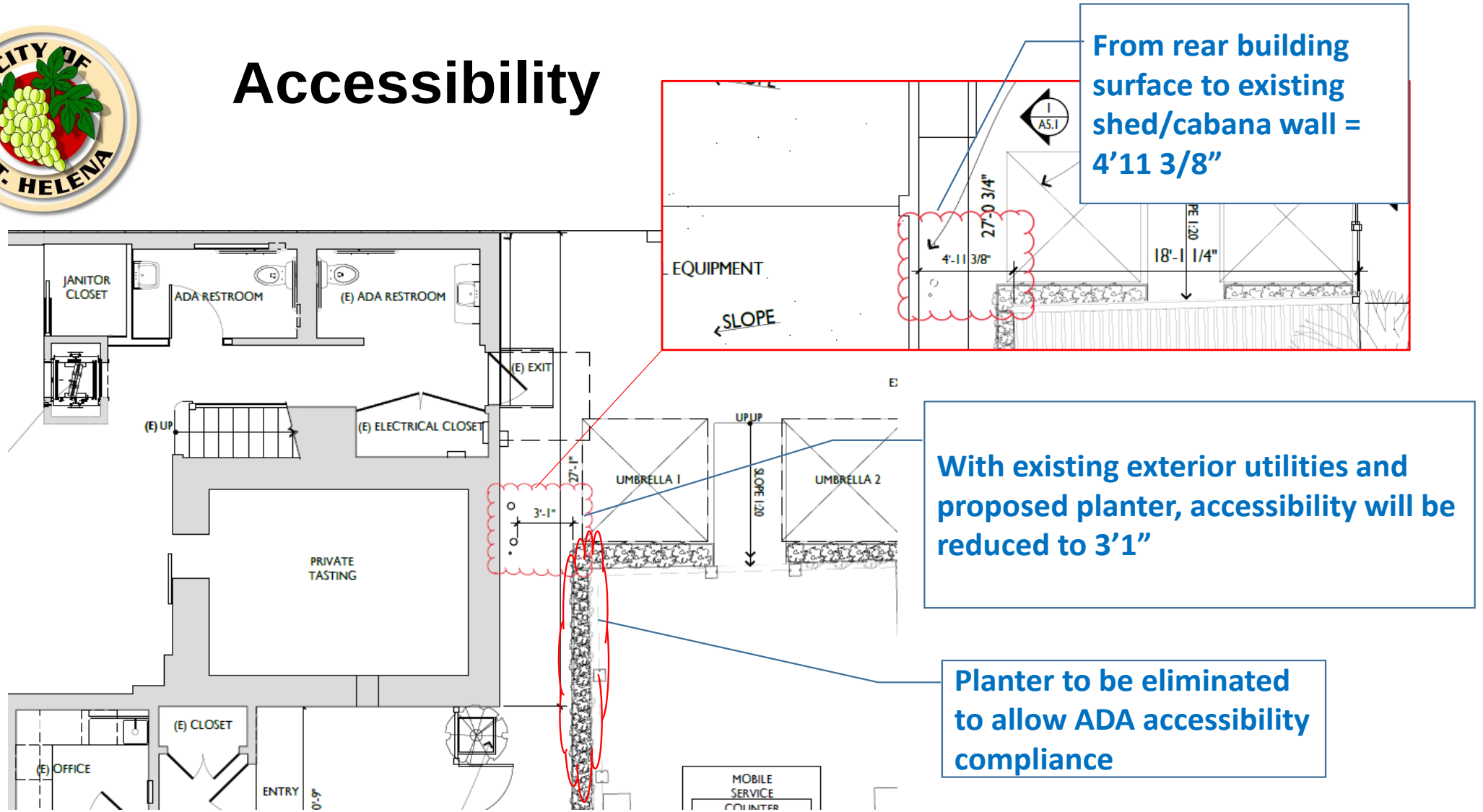
Existing Rear Elevation





Proposed Improvements

Accessibility



Planning Commission Sign Permit



SHMC - Section 17.148.040(B) – Planning Commission Sign Permit:

The purpose of the planning commission sign permit is to allow the consideration of illuminated signs (including neon), signs that are larger, of unique design or location, or signs that in addition to those permitted with an administrative sign permit. The planning commission shall consider the compatibility of the sign to the site , the appropriateness of the materials and colors in relation to the project, the compatibility of the sign to the small-town character of St. Helena, and the impact the sign may have on surrounding properties. The commission shall not approve signs which obscure or detract from the architecture of a historic building or structure.

Planning Commission Sign Permit

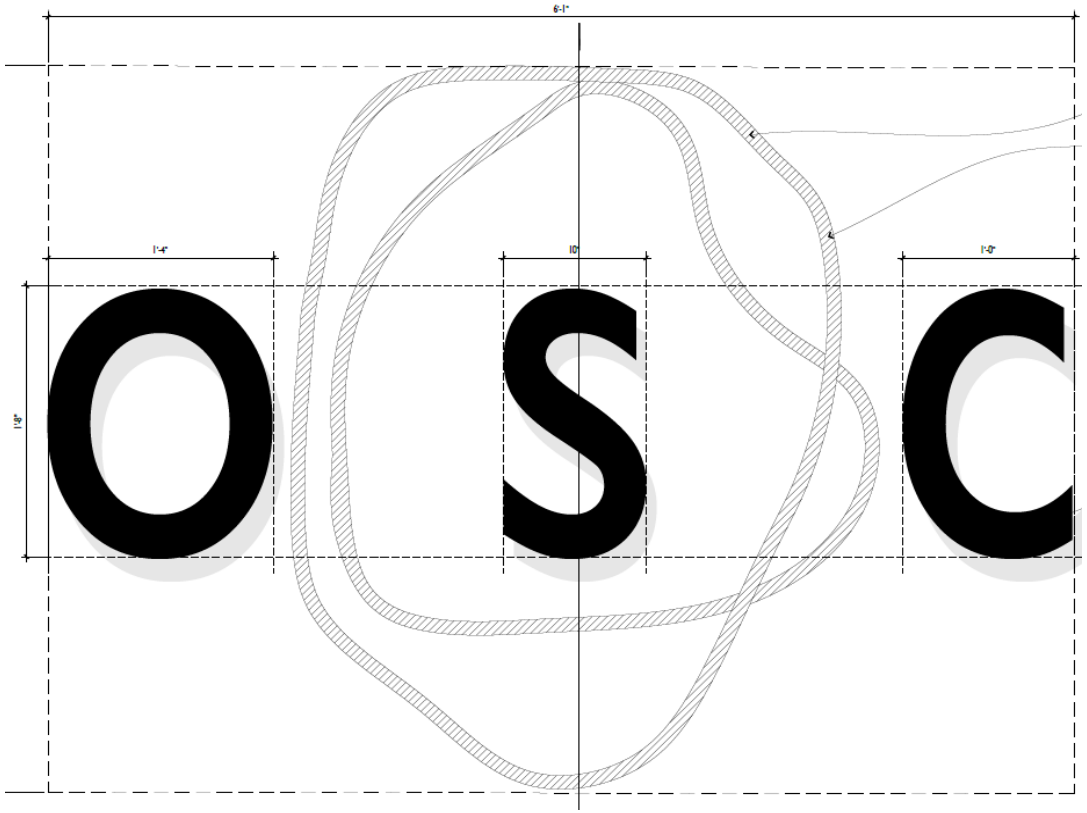


SHMC - Section 17.148.060 – Neon Signs:

1. All neon signs are regulated by planning commission sign permit.
2. Each business is limited to one neon sign.
3. No more than twenty-five percent (25%) of the sign area allowed for the primary frontage of a business shall be neon.
4. Neon may be used for business identification only and shall not be used for incidental signs pertaining to and advertising goods, products, services, brand names or facilities which are available on the premises. Neon “Open” signs are prohibited.

Planning Commission Sign Permit

Maximum brightness 61 lumens/sf with dimming capability



Staff is providing an additional method of calculating the neon sign area encompassing a box around the neon element

- **Total storefront = 41’1”**
- **Total sign area = 26.87 sq. ft.**
- **Total area of neon portion = 11.87 sq. ft. = 28.89% of primary frontage**

Additional Conditions

- **Prior to the issuance of a Certificate of Occupancy, the Building Official shall verify that the new sign does not exceed 61 lumens/sf and that is installed with dimming capability.**

- **Upon any future submittal of an application to subdivide the tenant spaces, an application for Planning Commission Sign Permit will also be submitted to reevaluate the signage for the tenant spaces.**

- **Prior to the issuance of a Building Permit, the Building Official shall verify ADA accessibility including ensuring there is no planter adjacent to the cabana north elevation in order to maintain a minimum 4 foot width clearance.**

Recommended Action

Staff recommends that the Planning Commission:

1. Determine that the project is exempt from the requirements of CEQA pursuant to Section 15301; and

2. Accept the required findings and approve the attached resolution granting Design Review approval and a Planning Commission Sign Permit for the proposed exterior improvements to the building located at 1321-1325 Main Street with the following additional conditions:

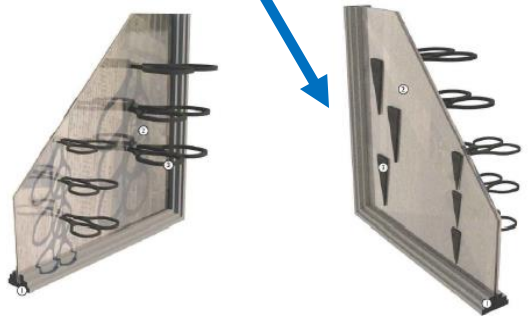
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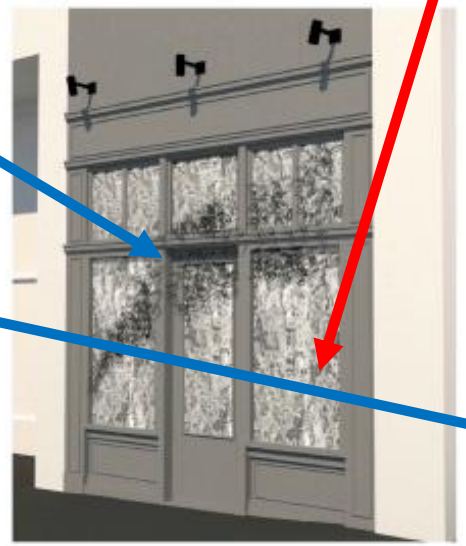
Art Installation

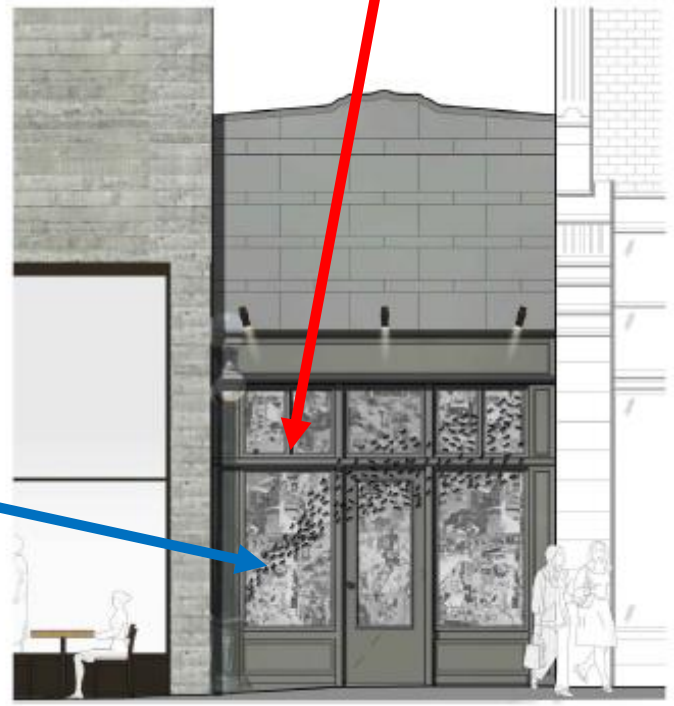
Newspaper clippings sandwiched between glass



Scissors appear to protrude through glass, handles to extend more than 4” on the exterior of the window, tips to be flattened on interior







PLANNING COMMISSION REPORT

Planning Commission Meeting of July 19, 2022

FILE NUMBER: N/A

SUBJECT: Nomination and election of a new Planning Commission Chair and Vice Chair and designation of the Commission Secretary.

PREPARED BY: Xinia Gamero, Permit Technician III

REVIEWED BY: Maya DeRosa, Planning & Building Director

APPROVED BY: Maya DeRosa, Planning & Building Director

APPLICATION FILED:

BACKGROUND

Rule 1 of the Commission By-Laws identifies that Commission shall elect a Chair and Vice-Chairperson and designate a Secretary at their first regular meeting of July.

PROJECT DESCRIPTION

Nomination and Election of the Chairperson and Vice-Chair person for the Commission as well as designation of the Commission Secretary. Currently Ms. Xinia Gamero, Permit Technician III, serves as the Commission Secretary.

STAFF RECOMMENDATION

It is recommended that the Commission nominate and vote to elect a new Chairperson and Vice Chairperson, and designate the Commission Secretary, as identified in Rule 1 of the Planning Commission By-Laws.

ATTACHMENTS

PC BY-LAWS 2018-Final(Votes)

CITY OF ST. HELENA

RESOLUTION NO. 2018-116

Resolution of the Council of the City of St Helena adopting revisions to the City of St Helena Planning Commission By-Laws

RECITALS

The City Council of the City of St. Helena hereby resolves as follows:

A. Whereas, the City of St. Helena Planning Commission voted unanimously to amend its By-Laws at its Regular Meeting on July 17, 2018; and

B. Whereas, the City of St Helena Protocol for Committees, Commissions and Boards requires City Council approval of any modifications to the By-Laws of a Committee, Commission or Board.

RESOLUTION

Therefore, the City Council of the City of St. Helena hereby resolves as follows:

1. This action is not a project under the California Environmental Quality Act; and
2. The City Council authorizes amendments to the City of St Helena Planning Commission By-Laws and are hereby approved, as amended by the Planning Commission on July 17, 2018 (attached).

Approved at a Regular Meeting of the St. Helena City Council on August 28, 2018, by the following vote:

Mayor Galbraith:	Yes
Vice Mayor White:	Yes
Councilmember Koberstein:	Yes
Councilmember Dohring:	Yes
Councilmember Ellsworth:	Yes

APPROVED:

Alan Galbraith, Mayor

CITY OF ST. HELENA Incorporated March 24, 1878 Re-incorporated May 14, 1886 STATE OF CALIFORNIA

ATTEST:

Cindy Tzafopoulos, City Clerk

ST. HELENA PLANNING COMMISSION

BY-LAWS

The following rules shall be applicable to the organization of the St. Helena Planning Commission, to the convening or calling of meetings, and to the transaction of business when the Commission has convened and acts or serves in an official capacity, pursuant to law.

ORGANIZATION AND ELECTION AND DUTES OF OFFICERS

RULE 1. The Commission shall elect a Chairperson and Vice Chairperson and designate a Secretary at the first regular meeting of the Planning Commission in July to serve for a period of one year from the date of their election. However, the Planning Commission, by majority vote, may choose to elect a Chairperson or Vice-Chairperson at a different meeting to address a resignation. In the case of a resignation of the Chair, the Vice-Chair shall become the interim Chair until formal election of a new Chairperson occurs.

RULE 2. The Chairperson of the Planning Commission shall preserve order and decorum and shall decide questions of order. The Vice Chairperson shall preside in the absence of the Chairperson.

RULE 3. The Chairperson of the Planning Commission may second any motion and present and discuss any matter as a member of the Commission without having to step down from the Chair and shall be entitled to vote on all matters before the Planning Commission.

RULE 4. The Secretary shall be a City Employee, normally the Planning Director.

RULE 5. The Secretary shall be responsible for the preparation of the Planning Commission minutes and shall assure that all official actions or decisions by the Commission shall be recorded within the minutes. Consistent with Municipal Code section 2.60.030, the Commission shall keep a public record of its resolutions, transactions, findings and determinations. Those records are kept as minutes that summarize Commission action, in the same manner as City Council minutes.

RULE 6. The City Attorney of the City of St. Helena shall be the legal counsel to the Planning Commission.

RULE 7. The video recordings of each meeting are designated as the official record of the Planning Commission agenda and action and are to be made available on the City of St Helena website.

SCHEDULE OF MEETINGS

RULE 8. The Planning Commission shall hold at least two Regular Meetings per month, which shall be held on the first and third Tuesdays of the month. In the event the first or third Tuesday is a holiday, an alternate meeting may be held. An additional Adjourned Meeting may be held, if

necessary. Such regular meetings may be canceled by a vote of the majority of Commission members present at a regular or special meeting or when a quorum is not available. Meetings shall be held in the same locale used by the City Council or at City Hall or the Fire Department starting at 6:00 P.M. Adjourned Meetings, Special Meetings, meeting relocation, or revised starting time shall be by a three-fifths vote of the Planning Commission. Notice of such meeting shall be given in accordance with State law.

RULE 9. Emergency or special meetings may be called as provided in Section 54956 of the Government Code of the State of California.

RULE 10. In the absence of a quorum all items on the agenda shall be continued to the next scheduled meeting.

AGENDA

RULE 11. An agenda shall be prepared by the Secretary of the Planning Commission for each meeting of the Planning Commission.

RULE 12. All matters to be considered by the Commission shall be properly filed with the City in compliance with the provisions, standards, and procedures established by adopted City Ordinances. The Secretary shall not accept for presentation to the Commission any matter unless it is properly made on the prescribed forms properly filled out with all data attached.

RULE 13. Any matter that comes before the Commission orally under Public Forum shall not be discussed or acted upon by the Commission unless and until it is heard as a scheduled agenda item at a Regular, Adjourned, or Special meeting of the Commission.

RULE 14. Request for informal or advance decisions concerning potential future developments or plans will not be considered by the Planning Commission.

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CONDUCT OF PUBLIC HEARINGS

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RULE 20. Any person desiring to address the Planning Commission may, when recognized by the Chairperson, give his or her name and address. A person appearing in a representative capacity shall provide the name and address of each represented party.

RULE 21. Testimony and argument relative to any item scheduled on the agenda as a Public Hearing shall, unless otherwise ordered by the Chairperson, be presented in the following order and within the time limits specified.

a. The Chairperson shall declare the Public Hearing to be open.
b. Disclosure of Ex Parte Communication*
c. Staff Report, including acknowledgement and/or reading of written testimony.
d. Presentation of the project by applicants, and/or agents/consultants directly associated with the project. (10 minutes)
e. Commission questions to staff and the applicant for purposes of clarification of staff report and proposed project.
f. Public Testimony in support or opposition of the project. (4 minutes per person)
g. Applicant and/or staff response to new information or questions raised by public testimony.
h. Chairperson declares public hearing to be closed.
i. Planning Commission debate, and motion.
j. Roll Call Vote.

Note: At the option of the Chairperson the public or applicant may give further testimony on the question, provided it is directly related to the motion.

* Ex Parte Communication is hereby defined as any additional factual information obtained by commissioners that pertains to an individual decision, including visiting a project site, meeting with a project applicant and/or meeting with interested citizens.

RULE 22. The Chairperson may, in the interest of facilitating the business of the Planning Commission, limit the amount of time that a person may use in addressing the Planning Commission. Opponents and proponents shall be given equal opportunity for presentation. A project applicant should always be given the right, reasonable opportunity and time, to respond fully to evidence and arguments presented after the applicant has made his/her opening presentation.

RULE 23. The applicant or his or her appointed representative may, with the permission of the Planning Commission, withdraw, or request a continuance on any matter pending before the Commission at any time prior to the Commission acting on such matter.

VOTING

RULE 24. A majority of the members of the Commission shall constitute a quorum. Unless otherwise required by federal, state or local regulation, the affirmative vote of a majority of the quorum is necessary to take action. If a majority is unable to be assembled on any motion (including a motion to continue a matter to a specific time) relating to a specific project for which the Commission must make a recommendation to the City Council, the project shall be referred to Council with a divided recommendation which reflects the individual votes of the Commissioners. If a majority is unable to be assembled on any motion (including a motion to continue a matter to a specific time) relating to a specific project for which the Commission has final authority, the matter before the Commission shall be deemed denied and the applicant may appeal such decision in accordance with the applicable rules. A tie vote, or deadlock, constitutes a denial unless the applicant requests a continuance of the item to a subsequent meeting at which a quorum is present, prior to a vote to deny the item.

RULE 25. On matters of procedure or order of business the Chairperson may make a motion and without a second and after calling for objection and hearing none, so order. In the event of objection, the Chairperson shall call for a second and a roll call vote.

MISCELLANEOUS

RULE 26. The Commission shall conduct their duties in keeping with the governing standards as provided by the Planning Commission Standards of Conduct document, maintaining the highest level of professionalism during their tenure serving the residents of the City of St. Helena.

RULE 27. Unless otherwise provided by these Rules, all proceedings before the Commission shall be conducted in accordance with and pursuant to the parliamentary rules of procedure as prescribed in "Rosenbergs's Rules of Order."

RULE 28. Testimony and argument relative to any other item on the agenda shall generally follow the procedure for a Public Hearing as may be modified at the discretion of the Chairperson.

RULE 29. Any rule of these By-Laws may be altered, amended, or repealed by majority vote of the Commission (subject to approval by the City Council), except that such alteration, amendment, or repeal shall not affect any pending matter.

RULE 30. Any rule of these By-Laws may be temporarily suspended by unanimous consent of the Commission.

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RULE 32. Commission members shall decide for themselves whether they have a conflict of interest on any matter before the Commission. Such determination shall be made in accordance with State law and the City of St Helena Protocol for Committee, Commissions and Boards or any amendment thereto. When a member has disqualified himself/herself, he/she shall remove himself/herself from the dais stating their reasons for conflict of interest. The member shall also remove himself/herself from the meeting room, unless they are permitted to remain for a qualified interest as set forth in State law.

RULE 33. Failure to adhere to any of these rules does not result in the invalidation of any decision or action of the Planning Commission.

RULE 34. Any violation of these rules does not result in a cause of action against the City of St. Helena.

RULE 35. Subject to compliance with all established laws and regulations, any violation of these rules shall not impact the outcome of a vote or action on a specific project.

Amended, Approved and Adopted at a Regular Meeting of the Planning Commission on July 17, 2018, by the following roll call vote:

MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

AYES: Commissioners Ponte, Monnette and Hardy
NOES: None
ABSENT: Commissioner Knudsen
ABSTAIN: None

CITY OF ST. HELENA

RESOLUTION NO. 2018-116

Resolution of the Council of the City of St Helena adopting revisions to the City of St Helena Planning Commission By-Laws

RECITALS

The City Council of the City of St. Helena hereby resolves as follows:

A. Whereas, the City of St. Helena Planning Commission voted unanimously to amend its By-Laws at its Regular Meeting on July 17, 2018; and

B. Whereas, the City of St Helena Protocol for Committees, Commissions and Boards requires City Council approval of any modifications to the By-Laws of a Committee, Commission or Board.

RESOLUTION

Therefore, the City Council of the City of St. Helena hereby resolves as follows:

1. This action is not a project under the California Environmental Quality Act; and
2. The City Council authorizes amendments to the City of St Helena Planning Commission By-Laws and are hereby approved, as amended by the Planning Commission on July 17, 2018 (attached).

Approved at a Regular Meeting of the St. Helena City Council on August 28, 2018, by the following vote:

Mayor Galbraith:	Yes
Vice Mayor White:	Yes
Councilmember Koberstein:	Yes
Councilmember Dohring:	Yes
Councilmember Ellsworth:	Yes

APPROVED:

Alan Galbraith, Mayor

CITY OF ST. HELENA Incorporated March 24, 1878 Re-incorporated May 14, 1889 STATE OF CALIFORNIA

ATTEST:

Cindy Tzafopoulos, City Clerk

ST. HELENA PLANNING COMMISSION

BY-LAWS

The following rules shall be applicable to the organization of the St. Helena Planning Commission, to the convening or calling of meetings, and to the transaction of business when the Commission has convened and acts or serves in an official capacity, pursuant to law.

ORGANIZATION AND ELECTION AND DUTES OF OFFICERS

RULE 1. The Commission shall elect a Chairperson and Vice Chairperson and designate a Secretary at the first regular meeting of the Planning Commission in July to serve for a period of one year from the date of their election. However, the Planning Commission, by majority vote, may choose to elect a Chairperson or Vice-Chairperson at a different meeting to address a resignation. In the case of a resignation of the Chair, the Vice-Chair shall become the interim Chair until formal election of a new Chairperson occurs.

RULE 2. The Chairperson of the Planning Commission shall preserve order and decorum and shall decide questions of order. The Vice Chairperson shall preside in the absence of the Chairperson.

RULE 3. The Chairperson of the Planning Commission may second any motion and present and discuss any matter as a member of the Commission without having to step down from the Chair and shall be entitled to vote on all matters before the Planning Commission.

RULE 4. The Secretary shall be a City Employee, normally the Planning Director.

RULE 5. The Secretary shall be responsible for the preparation of the Planning Commission minutes and shall assure that all official actions or decisions by the Commission shall be recorded within the minutes. Consistent with Municipal Code section 2.60.030, the Commission shall keep a public record of its resolutions, transactions, findings and determinations. Those records are kept as minutes that summarize Commission action, in the same manner as City Council minutes.

RULE 6. The City Attorney of the City of St. Helena shall be the legal counsel to the Planning Commission.

RULE 7. The video recordings of each meeting are designated as the official record of the Planning Commission agenda and action and are to be made available on the City of St Helena website.

SCHEDULE OF MEETINGS

RULE 8. The Planning Commission shall hold at least two Regular Meetings per month, which shall be held on the first and third Tuesdays of the month. In the event the first or third Tuesday is a holiday, an alternate meeting may be held. An additional Adjourned Meeting may be held, if

necessary. Such regular meetings may be canceled by a vote of the majority of Commission members present at a regular or special meeting or when a quorum is not available. Meetings shall be held in the same locale used by the City Council or at City Hall or the Fire Department starting at 6:00 P.M. Adjourned Meetings, Special Meetings, meeting relocation, or revised starting time shall be by a three-fifths vote of the Planning Commission. Notice of such meeting shall be given in accordance with State law.

RULE 9. Emergency or special meetings may be called as provided in Section 54956 of the Government Code of the State of California.

RULE 10. In the absence of a quorum all items on the agenda shall be continued to the next scheduled meeting.

AGENDA

RULE 11. An agenda shall be prepared by the Secretary of the Planning Commission for each meeting of the Planning Commission.

RULE 12. All matters to be considered by the Commission shall be properly filed with the City in compliance with the provisions, standards, and procedures established by adopted City Ordinances. The Secretary shall not accept for presentation to the Commission any matter unless it is properly made on the prescribed forms properly filled out with all data attached.

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ABSENT: Commissioner Knudsen
ABSTAIN: None