



## Staff Report

Agenda Item #: {{section.number}}A

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### Yountville Town Council Staff Report

**DATE:** September 17, 2024  
**TO:** Mayor and Town Council  
**FROM:** Ken MacNab, Interim Community Development Director  
**PREPARED BY:** Kari Svanstrom, Contract Planner, Swan Stream Studios

#### **RECOMMENDATION**

Adopt Resolution Number 24-4308 approving a Use Permit Amendment to allow a 212 square foot addition to a non-conforming building and a Design Review Permit for exterior modifications to an existing one-story commercial building at 6764 Washington Street.

#### **PROJECT SITE**

The Project site is a 0.24-acre site developed with a one-story, 1,282 square foot commercial building (circa 1920) with front and rear covered porches, a rear garden area, and a gravel parking area. The current structure is a legal non-conforming building governed by Yountville Municipal Code (YMC) Chapter 17.232, in that the front portion of the building encroaches on the public right-of-way, and does not meet the required front setback of 15 feet for a building with a height of between 15 and 18 feet. There is no sidewalk along this section of Washington Street and street parking is immediately adjacent to the front entry porch.

The Project site is located in the Old Town Commercial zoning district and fronts the Washington Street pedestrian corridor. Pancha's operates under a Use Permit approved for Pancha's Bar (Resolution 964-93). A mobile food truck operates on the south side of the gravel parking area under a separate Use Permit.

Surrounding uses include commercial uses to the north, south and west, and residential to the east. Location can be seen in Attachment 3 Project Plans.

#### **BACKGROUND/DISCUSSION**

The subject building was first constructed circa 1920 and has operated as "Pancha's", a neighborhood bar, since the 1980's. The bar reduced operations during the Covid-19 pandemic and has since been sold to a new owner. The new owner intends to reopen Pancha's and continue the use as a bar after rehabilitating the building to meet current health and safety codes.

Given the structure's age and significance in the community, a Historical Evaluation was completed by a qualified architectural historian for the Project (Brunzell Historical, see Attachment 4). The Historic Evaluation concluded that the structure was not eligible for historic listing at this time. There are two criteria it may be eligible under in the future, however insufficient time has elapsed for these to be qualifying events/circumstances at the present time, as discussed below. The structure itself was not eligible for historic designation for several reasons as outlined in the report, including multiple alterations throughout the years.

An initial draft historic report noted the potential significance of the history of the Solis family and its

establishment and operations of the Pancha's bar as potential factors that should be considered in evaluation. However, the structure does not meet the criteria for eligibility at this time as the Solis' (Bobby and Rose) association with the structure did not begin until the 1980's, and therefore insufficient time has passed to assess historic significance. Such evaluations are also made posthumously, and Mr. Solis is still living. The draft report also noted the potential importance of the interior memorabilia. However, interior items that are not part of the fixed architectural elements do not qualify a structure for historic consideration under the required historic criteria.

The final Historical Evaluation (Attachment 4) responded to Town staff's concerns about the above, and concluded that the structure is not currently eligible for listing on either the California Register of Historical Resources or National Registers of Historic Places (and is not currently listed on a local historic register). There may be future eligibility based on 'persons important to the Town' in regard to the Solis' family and their establishment/operation of Pancha's, under historic evaluation criteria, but this criteria cannot be met when the persons are living, which is the case for this structure.

Although the Historic Evaluation concluded that the structure is not historic, the establishment of Pancha's bar is recognized as an important event in the Town in the General Plan History (noted in the "Incorporation Era" timeline). Staff, the property owners, and the Project team all recognize that this structure and its history as a bar is an important part of the Town's history and culture. This is recognized in the Project's proposal to restore many original elements of the structure and continue the use as a bar.

### **PROJECT PROPOSAL**

Major changes to the current structure proposed as part of the Project include removal of the stucco elements on the front facade to reveal the original horizontal siding and wainscoting; restoration of the gable entry and wood pillars at the front porch; and restoration of the three large windows on the southern portion of the front facade (currently blocked off). The existing "Pancha's" sign is proposed to be restored and remain.

Material changes on the side and rear facades include replacement of vertical and T-111 panels and stucco siding with horizontal siding to match the front of the building. Original wood siding, wainscoting, and other elements will be evaluated during construction and either rehabilitated or replaced in kind. The wood siding is proposed to be stained where it occurs on the current structure, and to be painted on the rear addition. This is consistent with keeping with appropriate practices for treatment to modern additions to older structures, rather than attempting a 'faux historic addition' (see Material and Color Board in Attachment 3 for proposed stain and paint colors).

Addition of trim at the transition between the sloped roof/original section of the building and the front (post 1969) addition is proposed. This would delineate between what is understood to be the original structure and a later addition, again keeping with accepted practices for treatment of older buildings.

California Building Code upgrades (building shoring, fire, utilities, etc.) will also be part of the building rehabilitation, but will not impact the visible design of the structure.

No changes to the roof heights are proposed, and the rear addition roof would match the height of the rear portion of the structure. The new addition will not be visible from the Washington Street right-of-way and will utilize similar materials to the rest of the structure.

### **ANALYSIS**

The following Yountville Municipal Code (YMC) sections are applicable to this application:

- YMC § 17.60 OTC, Old Town Commercial
- YMC § 17.72 Nonresidential and Mixed Use Design Standards
- YMC § 17.188 Design Review
- YMC § 17.200 Use Permits
- YMC § 17.232 Legal Nonconforming Buildings
- YMC § 17.140 Utilities and Refuse Storage
- YMC § 17.144 Regulations for Impact on Adjacent Uses

Pursuant to YMC § 17.188.020.(B)(1), “Major Design Review Approval” is required for expansions and exterior alterations to commercial structures.

YMC § 17.232.020(C)(2) requires the approval of a Use Permit for the expansion of a non-conforming building. The current structure is non-conforming to the Development Standards for the Old Town Commercial Zoning District, in that it does not meet the required front setback of 15 feet for a building with a height of between 15 and 18 feet, and does not have the number of parking spaces required for a bar use. The intent of this requirement is to limit the number and extent of nonconforming uses and structures.

Both Major Design Review and Use Permit applications require review and recommendation by the Zoning and Design Review Board (ZDRB) to the Town Council. The ZDRB considered the project at a noticed public hearing on August 27, 2024. A summary of the ZDRB’s discussion is provided later in this report. The Town Council has the final authority to approve, conditionally approve or deny applications for Major Design Review and Use Permits.

Land Use and Zoning – Old Town Commercial Zoning District

17.72.020.B specifies that the Old Town Commercial “is a land use classification intended to reflect Yountville’s commercial beginnings in the period between 1870 to 1920 and in so doing create a distinct commercial district. To preserve the building and site layouts typical of this period and to avoid development of an auto-oriented commercial strip, new development should be street-oriented and configured in multiple small pedestrian-oriented buildings.

*It is also the intent of this classification to promote an interesting, attractive environment for pedestrians, and enhance the interface between commercial uses and the street. The design of new construction and alterations to existing buildings shall enhance the area’s appearance as an historic commercial retail area.”*

**Old Town Commercial Development Standards**

<b>Development Standard</b>	<b>Zoning Requirement</b>	<b>Existing</b>	<b>Proposed</b>
Maximum Lot Size	15,000 square feet (SF)	10,572 SF	10,572 SF
Building Area	-	1,282 SF Building, 305.5 SF covered porches	1,494.3 SF Building 305.5 SF covered porches
<i>Public Seating/Activity</i>	n/a	1,018 SF	914 SF
<i>Back of house and ancillary spaces (restrooms, storage, etc)</i>	n/a	264 SF	368 SF + 212 SF addition = 580 SF
Maximum Floor Area Ratio (FAR)	0.25	0.15	0.17
Setbacks			
<b>Front (West)</b>	<b>15 feet for buildings 15-18 feet high;</b>	<b>*Encroaches 5’-10½” into right-of-way</b>	<b>*Encroaches 5’-10½” into right-of-way</b>
Side (North)		1’-6½ ”	1’-6½ ”
Side (South)		45’-6”	45’-6”
Rear (East)		79’-7¾”	71’-4 ¾”
Height Limit	One-story buildings: max. 15 feet to plate and 20 feet to peak	15’-8¾”	15’-8¾”
Minimum Open Space	Lots 10,000-20,000 sf: min. 15% of gross area		
<b>Parking</b>	<b>1 space per 3 seats</b>	<b>5 spaces</b>	<b>6 spaces</b>

The subject property is a prime example of typical early building and site layout of the Town's commercial beginnings. It was constructed circa 1920, with the building oriented at the front of the site and parking behind. The restoration of the front porch and entry and the three large windows (currently boarded up) at the front facade will help promote a vibrant pedestrian atmosphere along this portion of Washington Street. This section of Washington Street does not have sidewalks on the east side of the street (both at this site and the adjoining property to the north). In recognition of the Town's desire to enhance pedestrian activity along the Washington Street corridor, Town staff will be coordinating with property owners on constructing a sidewalk extension in this area. Potential improvements are still being developed. A condition of approval requiring the property owner to financially participate in these improvements is being recommended by staff.

The structure is non-conforming as to the front setback, which is not proposed to be enlarged. The Applicant is proposing replacing the gable roof at the front porch to be in line with the porch's shed roof, which would reduce the encroachment into the right-of-way by 6" (the original gable roof entry feature extended 6" beyond the shed roof).

Additionally, the site is non-conforming relative to the parking provided on-site. However, the number of seats (51) is proposed to remain the same. Additionally, the area of the building dedicated to public seating and activities is actually proposed to be reduced by approximately 100 square feet as noted in the table. The proposed addition would be utilized for ADA-accessible restrooms and back-of-house support spaces, including an enclosed trash area, not an expansion of public seating/activity areas.

Although there is no increase in public seating, one additional parking space is proposed, to create a paved ADA-accessible space as required by the California Building Code. The remaining five spaces along that row of parking would be upgraded with wheel stops but are proposed to remain gravel. Staff also recommends that bicycle parking (one station for one to two bicycles), which would be required in a new use, be required as a condition of approval, as this could be easily accommodated and would bring the site closer to current requirements, as well as support the Town's goals.

Staff supports the 212 square foot addition to the structure as the addition is minor, will not be visible from the public right-of-way, and is in scale with the structure. The addition will provide health and safety benefits by providing enclosed trash areas as well as creating accessible restrooms for both staff and clientele. Staff believes the conditions for expansion of a legal non-conforming building can be met in this particular case, and has provided Findings for the associated Use Permit below.

#### § 17.60.020 Old Town Commercial - General Conditions

**YMC § 17.60.020(A)** requires all new uses listed in Section 17.60.050 of this chapter shall require a use permit as regulated by Chapter 17.200 of this title; new development proposals shall require approval of a Master Development Plan as regulated by Chapter 17.192 of this title; expansion or exterior remodeling of a structure shall require design review approval as regulated by Chapter 17.188 of this title; and all commercial operations shall be as regulated by Chapter 17.144, Regulations for Impact on Adjacent Uses, of this title.

*The Project proposes to continue the use as a bar and has a valid use permit on file with the Town per Resolution 964-93. The expansion and exterior remodeling of the structure is subject to design review approval, as analyzed below.*

**YMC § 17.60.020(B)** requires that development be of an intensity and scale which preserves and enhances the historic, small-scale commercial character of the district. Building height, massing and size shall be compatible with adjacent development, with smaller building sizes appropriate for the east side of Washington Street, and shall comply with the design standards established in Chapter 17.72 of this title.

*The Project proposes to rehabilitate a dilapidated structure that has been a mainstay of the Old Town Commercial area since the 1920's. Although the structure is not eligible for historic designation at this time, the Project intends to restore some of the original features, such as the three large windows fronting Washington street and removing the stucco on the parapet to reveal the original horizontal siding, which will enhance the*

*small-scale commercial character of the district.*

*The Project does not propose any increase to the building height, nor does it propose to change any elements that would modify the perceived massing from the street. A small addition at the rear of the building will not add to the perceived massing for pedestrians or the general public, and the new Floor Area Ratio (FAR) of 0.17 is below the allowed FAR of 0.25.*

**YMC § 17.60.020(C)** requires that development shall contribute to a well-integrated mix of uses that create an attractive, vibrant, and walkable Washington Street experience. Buildings shall be generally street-oriented with pedestrian entrances from the street.

*The Project proposes to rehabilitate the front facade, including the porch, gabled roof over the entry, and front-facing window fenestration, all of which contribute to the pedestrian experience along Washington Street.*

**YMC § 17.60.020(D)** requires that parking shall be accommodated in ways which limit its visibility and prominence, typically in small lots screened from public view as established in Chapter 17.116, Off-Street Parking and Loading, and Chapter 17.136, Walls, Fences and Landscape Screening, of this title.

*The Project's existing parking is in the rear of the site, and at least partially screened from public view via by nature of being located behind the building. There is an existing gravel area to the south of the structure which serves as the drive aisle to access the rear lot and parking a mobile taco truck which is proposed to remain as-is. The rear of the site in this area includes four mature trees and a variety of shrubbery, creating a vegetated backdrop to the driveway and mobile food truck parking as well as screening to the adjacent properties. Although not planted in wells, the number of trees meets the requirements of a minimum of one tree per six parking spaces specified in 17.116.070. There is an existing block wall separating the property to the south and the parking area.*

#### YMC § 17.72 Nonresidential and Mixed Use Design Standards

The following are design standards which all nonresidential projects are required to conform with, unless waived by design review approval as regulated by Chapter 17.188 of this title:

#### **YMC § 17.72.030(A) Building Scale and Massing.**

1. Use massing techniques that mitigate heavy or bulky forms, such as modulating building mass, partial upper stories, setbacks for upper story volume, and varying roof forms.

*The upper parapet is set back from the front porch element. Removal of the monolithic stucco at the upper parapet and rehabilitation/replacement of the horizontal siding at this location as well as other facades of the building will provide a finer grain scale of materials on the building elevations.*

2. Break up the massing of buildings and the scale of long façades to fit the rhythm of the surrounding block.

*The replacement of the gable roof at the porch entry and reinstallation of windows along the front facade will provide breaks and interest along the front facade.*

3. Avoid placement of structures or dense landscaping which obstructs public view corridors as defined in the General Plan.

*There is a General-Plan identified view corridor along Washington Street looking north in the vicinity of this property. The addition of the structure is at the rear of the building and will not obstruct this public view corridor.*

4. In the Residential-Scaled Commercial District, proposed development should consist of multiple small buildings rather than one large building. If total proposed building square footage exceeds 5,000 square feet, consideration and preference shall be given to multiple buildings. Building size and location should take into

account existing trees or similar site conditions which are considered important to the Town's character.

*The property is not within the Residential-Scaled Commercial District.*

5. In the Old Town Commercial District, proposed development should consist of multiple small buildings rather than one large building. If total proposed building square footage exceeds 2,500 square feet in size, consideration and preference shall be given to multiple buildings. Building size and location should take into account existing trees or similar site conditions that are considered important to the Town's character.

*The structure is a single structure; the total square footage will be less than 1,500 square feet after the addition. The addition will not interfere with any existing trees or other landscape elements.*

6. In the Old Town Commercial District, there shall be a combination of different building heights with an emphasis on one-story buildings.

*The structure is proposed to remain a one-story structure.*

7. Blank walls (facades without doors or windows) shall be less than 30 feet in length if visible from adjacent street(s).

*There are no exterior walls greater than 30 feet in length.*

#### **YMC § 17.72.030(B) Street Frontage.**

1. Buildings should be pedestrian oriented, creating an attractive and active sidewalk and street frontage.

*The Project proposes to rehabilitate the front facade, including the porch, gabled roof over the entry, and front-facing window fenestration, all of which contribute to the pedestrian experience along Washington Street.*

2. Create or reinforce a well-defined rhythm of intervals of built and open spaces. Pedestrian passageways between buildings should generally be at least 12 feet in width.

*There are no pedestrian passageways as part of this Project.*

3. Where possible, provide open spaces adjacent to the sidewalk and design public frontages to support direct engagement with the street to encourage pedestrian activity and informal community gathering.

*There is no sidewalk in this area, however, the Project will maintain and restore the front entry porch, which has adequate space for informal community gathering at the building's entry point.*

4. Support adjacent sidewalks and public spaces with active ground floor uses and amenities such as seating and public art.

*Currently, there is no sidewalk in this area. A condition of project approval has been included that will require the property owner to participate in future efforts to construct a sidewalk along the frontage of the property.*

5. Create a human-scale environment at street level with architectural detailing that adds variety and rhythm to the facade.

*The Project proposes to rehabilitate the front facade, including the porch, gabled roof over the entry, and front-facing window fenestration. Adding this architectural detailing back into the facades will support a human-scale environment by allowing views into the building and utilizing finer grain building materials of horizontal siding and wainscoting in lieu of the more monolithic stucco material.*

6. Give prominence to pedestrian entrances over vehicle access.

*The pedestrian entry is prominent on the facade, which will be enhanced by restoring the gable roof at the front entry porch to further emphasize the front entry.*

7. Create focal points and integrated public spaces at prominent corner sites.

*The Project is not on a corner site.*

8. Ground floor façades shall be articulated, with a variety of measures to create a streetscape of interest, such as indentations in plane, change of materials in a complementary manner, façade modulation, and façade elements like transparency, building entries and other architectural details that engage the pedestrian.

*The Project proposes to restore the three large windows at the front facade, which will create transparency into the building for pedestrians, as well as the wainscoting on the front facade and the gable roof entry element.*

9. In the Old Town Commercial District, all new construction and expansions of existing structures shall be required to install and maintain pedestrian pathways along the Washington Street frontage in accordance with the Town Bicycle and Pedestrian Pathways Master Plan. Pedestrian pathways shall be interrupted with the minimal number and width of driveways. In consideration of the site limitations along Washington Street, various types of pathways shall be permitted including at-grade paving changes, poured-concrete sidewalks with curb and gutter or other pathway designs that meet the approval of the Zoning and Design Review Board or Town Council.

*There is currently no plan for installation of sidewalks at the frontage of the building due to lack of right-of-way space. A condition of approval has been included that will require the property owner to participate in future efforts to construct a sidewalk along the frontage of the property.*

#### **YMC § 17.72.030(C) Exterior Building Materials and Colors.**

1. Buildings shall have consistent materials, details, and architectural theme on all sides of the buildings. Materials that appear faux or veneer-like should be avoided, and joints, or raw edges of materials shall be concealed to create an appearance of authenticity.

*The proposed siding modifications include removal of the stucco throughout to reveal horizontal siding, and replacement of stucco and T-111 siding with horizontal siding on the side and rear elevations, to provide a consistency of materials in both the existing structure and the proposed addition. The Project proposes to stain all wood siding and posts that are part of the existing structure, and paint the areas of the new addition to delineate the new addition from the older existing structure. While the structure was deemed not to be eligible for historic listing, this is in keeping with appropriate practices for treatment to modern additions to older structures, rather than attempting a 'faux historic addition'. The colors proposed for the new addition would be via painted siding in muted grey to complement the darker wood stain and asphalt shingles visible elsewhere on the structure.*

#### **YMC § 17.72.030(D) Parking and Driveways.**

1. Locate at-grade parking and vehicular access away from active pedestrian areas wherever possible and screen at-grade parking from public view. Limit the amount of Washington Street frontage that can be used for parking or vehicular access.

*No additional parking is proposed at this time along the Washington Street frontage.*

2. In larger developments, parking should be provided in smaller lots, rather than one large lot.

*The subject Property is a small development and lot; this criterion is not applicable.*

3. Provide bicycle parking near access points and active areas to maximize visibility and convenience.

*The site does not currently have bicycle parking. As conditioned, one bicycle parking station (accommodating two bicycles) will be required which will maximize convenience for employees and customers.*

4. Consider measures that maximize the amount of onsite and offsite parking, including valet, tandem, parking structures and other creative solutions provided they take into account neighborhood context, view corridors, setbacks, screening and massing.

*The parking improvements include designating and delineating 6 parking spaces at the center of the site and retaining the unmarked/informal parking area located between vegetation and trees on the southern side of the site.*

5. Access drives to off-street parking shall be designed and constructed to provide adequate safety for pedestrians and drivers. In no case shall car movements result in blocking of the street right-of-way. The number of access drives shall be limited to the minimum that will accommodate anticipated traffic.

*One existing drive aisle is proposed to be maintained.*

6. To minimize the amount of paved area, the sharing of driveways and access to parking lots is encouraged. An easement providing for shared use shall be recorded.

*This criterion is not applicable.*

7. Where practical, on-site paving for vehicles should be of a permeable material.

*The site is proposing to maintain gravel for the non-ADA parking spaces, and limit asphalt paving to the required ADA-accessible parking space.*

8. Lighting for parking areas shall be designed to confine emitted light to the parking areas, and the light source shall not be visible from adjacent properties. Average illumination at the ground shall be no more than one foot candle, except where an increase in lighting level is recommended by a lighting consultant or qualified professional as necessary for safety.

*No changes are proposed to the exterior lighting of the parking lot.*

#### **YMC § 17.72.030(E) Open Space.**

1. Use landscape design to connect a network of open spaces appropriate to the project context. This open space network could include the streetscape and building frontages, spaces between buildings, or a series of planted areas and hardscape intended for outdoor use and pedestrian circulation.

*No changes are proposed to landscaping as part of the Project. The existing site has a large garden/open space area behind the building and trees and shrubbery between the parking area and adjacent residential property to the east.*

2. Encourage interaction between the building's interior uses and exterior public space, including plazas, seating areas and other hardscape areas to support public activities appropriate to the site context and building use.

*The Project provides both a front and rear porch for transition between interior to exterior spaces.*

3. Choose plantings that complement the proportions and scale of the building, offer color and interest throughout the year, and are water efficient.

*No modifications are proposed. The existing plantings are in scale with the building and site.*

4. Locate deciduous trees to complement passive solar strategies, providing shade in summer and allowing sun in the winter.

*No modifications or new tree plantings are proposed. This item is not applicable.*

5. Use public art as required by Chapter 17.148 of this title to enhance buildings and publicly accessible spaces.

*As conditioned, provision of Public Art or payment of in-lieu fees for Art will be met in accordance with Chapter 17.148.*

**YMC § 17.72.030(F) Utilities and Auxiliary Structures.**

1. Locate utility areas away from public areas and adjacent sensitive uses.

*The proposed new trash enclosure is at the rear of the structure and away from the parking and rear entry porch.*

2. Integrate utilities and service functions into the architectural design. Screen rooftop equipment from view and group roof penetrations to the extent feasible.

*As conditioned, this criterion will be met.*

3. Utilities and refuse storage areas are not permitted in any setback area or front yard.

*The proposed refuse storage area aligns or is greater than the current setback, and is not in a front yard.*

4. All new electrical, telephone, CATV and similar service wires or cables shall be installed underground. Risers on poles or buildings are permitted.

*As conditioned, this criterion will be met.*

5. Electrical vaults and meter boxes must be screened from view and discreetly located. Fire pipes and extinguishers must be easily identified, but discreetly located.

*As conditioned, this criterion will be met.*

6. Refuse storage areas shall be screened from public and adjacent properties view or located within a building. All refuse storage areas shall be maintained to minimize odor and other impacts.

*The proposed refuse storage is part of the structure addition and will be enclosed with doors.*

7. Trash and recycling areas shall be fully enclosed structures with solid roofs and shall conform with all mandated water quality requirements and building codes, including accessibility requirements for persons with disabilities. Chain link fencing and gates with wood or plastic slats shall not be used for trash and other utility enclosures.

*As conditioned, this criterion will be met.*

8. All exterior mechanical and electrical equipment shall be screened by landscaping or fencing or incorporated into the design of buildings so as not to be visible from the street. Equipment to be screened includes, but is not limited to, all roof-mounted equipment, air conditioners, heaters, cable equipment, telephone entry boxes, irrigation control valves, electrical transformers, pull boxes, and all ducting for air conditioning, heating, and blower systems.

*As conditioned, the existing mechanical equipment will be screened.*

9. Reduced pressure backflow prevention devices are required for connection to the Town's water system, and are required to be above ground, but shall be screened from adjacent public street(s) by landscaping or fencing while allowing access for annual testing.

*As conditioned, this criterion will be met.*

#### YMC § 17.232.020.C Non-Conforming Buildings

Per YMC § 17.232.020(C)(2), a nonconforming building may be enlarged or extended only upon approval of a use permit. The Town Council may require, as a condition of this approval, that the building maintain a conforming use from then on.

*The proposed use, continuation of the existing Pancha's Bar use, is a conforming use which has a valid use permit. With the approval of a use permit amendment to allow an expansion to the building, this criterion will be met.*

Per YMC § 17.232.020(C)(3) A nonconforming building may be enlarged or extended only when such addition or alteration complies with all applicable provisions of Title 17.

*The proposed addition complies with the applicable provisions of Title 17, as included in this report.*

#### **ZDRB REVIEW**

A noticed public hearing on the requested Design Review Permit and Use Permit Amendment was held before the Yountville Zoning and Design Review Board (ZDRB) at a Special Meeting on August 27, 2024. At the meeting, the ZDRB received a report and presentation from staff, as well as comments from members of the public – which were generally supportive of the project.

Staff requested the ZDRB consider three elements of the building design. Two of the three building elements (noted below) were proposed to remain should the building be deemed historic, but since the building has been determined not be historic may be removed for a cleaner appearance or more “architecturally correct” methods of construction. The ZDRB provided the following recommendations:

- The door on the south side of the building (which is currently an interior grade door) is unused and blocked off on the interior of the structure. It was not proposed to be utilized/restored by the applicant.

*The ZDRB recommends that the non-functional door on the south side of the building be removed. A condition of approval requiring this has been included in Attachment 1a (Condition No. 4).*

- The front gable roof entry was originally constructed to project from the shed roof by 6 inches, and cuts through the shed roof eaves (which is not a generally acceptable detail for roof compositions and construction). In restoring this, the architect has noted that the correct treatment would be to end the gable at the shed roof eave. This would reduce the encroachment into the right-of-way, and correct the construction of the gable roof element.

*In the interest of furthering the general design objective of restoring the building to its original character, the ZDRB recommends that the 6-inch front gable roof projection be retained.*

The third issue staff sought the ZDRB's concurrence on a recommended condition of approval requiring installation of screening around the rooftop mechanical equipment, which is visible to public views from Washington Street. As noted earlier in this report, the requirement for screening is consistent with and implements the Town's design standards for non-residential development projects (YMC § 17.72.030(F)(2)).

*The ZDRB concurred with this recommendation. A condition of approval requiring the screening of rooftop equipment is included in Attachment 1a (Condition No. 3).*

At the conclusion of their deliberations, the ZDRB adopted a resolution recommending approval to the Town Council (Attachment 6).

## **FINDINGS**

Pursuant to YMC §§ 17.180.070, 17.188.020.B(2), and 17.200.040.B, following the public hearing, the Town Council may approve, conditionally approve, or deny the application to 1) Amend the Use Permit to allow the expansion of a Non-conforming building, and 2) Approve the Design Review application, if from the facts presented, the findings required by YMC § 17.188.060 and 17.200.060 can be made.

### YMC§ 17.188 Design Review

Following the public hearing, the responsible reviewing authority may approve the application and authorize a design review permit if the facts presented establish all of the following in accordance with YMC § 17.188.020:

A. The proposed development or physical improvement is appropriate for the site with regard to the siting and scale of buildings, pedestrian and vehicular access and circulation, and relationship of structures and open spaces to the streetscape;

#### STAFF FINDING:

*The Project proposes to maintain the existing structure, site design, and relationship to the streetscape. Improvements to the organization of the parking lot are proposed behind the building, as is a small addition which will not be visible from the street. The proposed modifications to the building elevations will rehabilitate the entry, front facade, and side elevations of the structure, and improve pedestrian and vehicular access from the parking to the rear entry.*

B. The location of structures preserves significant trees, natural features and identified public view corridors;

#### STAFF FINDING:

*The addition to the structure will not disrupt or destroy any trees, nor will it disrupt the public view corridor identified in the General Plan (looking north on Washington Street), and no trees are proposed for removal.*

C. The project will be compatible with neighboring properties and developments with regard to setbacks, building heights, and massing;

#### STAFF FINDING:

*The Project is non-conforming to the front setback and encroachment into the Washington Street right-of-way, similar to the adjacent older building to the north. The encroachment will not be increased with the building modifications. The height of the building is not being changed, and the perceived massing from the right-of-way and will not be altered as the addition is at the rear of the building away from public view points.*

D. The project will not be detrimental to neighboring properties and developments with regard to the location of parking facilities, siting of trash enclosures, placement of mechanical equipment, and privacy considerations;

#### STAFF FINDING:

*No significant alterations are being made to the parking, landscaping and screening, or privacy to adjacent properties. The Project proposes a significant improvement to the refuse area by incorporating the trash enclosure into the building addition. As conditioned, the mechanical equipment on the roof will be screened.*

E. The project presents an attractive design, utilizing high-quality building finishes and materials, and design techniques to mitigate potentially bulky building forms, such as modulating varied rooflines, partial upper stories, setbacks for upper story volume and/or a variety of roof forms;

#### STAFF FINDING:

*The proposed finishes are high-quality materials, including western red cedar for the posts and horizontal siding and aluminum anodized windows. The roof forms are varied and the upper parapet is set back from the*

front porch; these are proposed to remain unchanged. The rear addition will be a similar height to the existing roof at the rear of the building. The wood materials on the existing structure are proposed to be stained to emphasize the natural wood material and to recognize the age and character of the structure and its place in the Town's history. Wood materials on the new addition will be painted to visually differentiate it from the existing structure.

F. Proposed landscaping provides sufficient visual relief, complements the buildings and structures on the site, and provides an inviting environment for the enjoyment of occupants and the public;

STAFF FINDING:

*No changes are proposed to landscaping. The current landscaping provides screening to adjacent residential properties.*

G. The existing or proposed infrastructure and utility capacity are adequate for the proposed development; and

STAFF FINDING:

*Conditions of approval proposed by Public Works, Fire, and Environmental Health ensure the infrastructure and utility capacity will be adequate. Therefore, this criterion will be met.*

H. The proposed project will comply with all applicable provisions of this Title 17 and will be consistent with the policies and standards of the General Plan.

STAFF FINDING:

*With the approval of a Use Permit to expand a non-conforming building, the Project and a Major Design Review permit, the Project will comply with the applicable provisions of Title 17, as analyzed in this staff report.*

*The Project is consistent with the following policies and standards of the General Plan:*

Goal OH-1: Identify, preserve and protect potential and listed historical resources.

STAFF FINDING:

*In conformance with Town practice, a Historical Evaluation by a qualified Historic Consultant was completed for the structure. This report concluded that the property is not eligible for listing on State or Federal Registers at this time, and the Town does not currently have a Local Historic Preservation program. However, the treatment of the structure respects the building's age and place in the Old Town Commercial streetscape.*

Policy OH-1.1 Decision Making. Incorporate historic preservation considerations into the Town's decision-making process.

STAFF FINDING:

*While the structure is not eligible for listing as a historic resource at this time, the Project will maintain the existing envelope at the front and side elevations, including roofing, front facade elements, roof forms, and general fenestration patterns. Additionally, the Project proposes to remove stucco siding that was added at some point in the building's history, to reveal the original horizontal siding and wainscoting and, where necessary due to deterioration, will replace in-kind the horizontal siding, wainscoting, and other elements on the various facades in line with the original building. The new addition will be visually distinguished from the existing structure, in line with industry practices for treatment of new additions to older buildings.*

Goal ES-1: Maintain a vibrant and diverse economy.

Policy ES-1.1 Tourism. Support the development of responsible businesses and events that enhance the Town's reputation as a world-class destination while preserving the livability of the Town for its residents.

STAFF FINDING:

*The history of Pancha's is as a working-class establishment for local residents. The revitalization of, and continued operation of, this establishment will help preserve the livability of the Town for its residents as well as tourists.*

YMC § 17.200.060 Use Permit

Per YMC § 17.200.060, the following findings must be made for the granting of an amendment to the existing Use Permit to authorize expansion of the non-conforming building:

A. The proposed use, at the intensity represented and at the proposed location, will provide a use that is compatible with the neighborhood and community;

STAFF FINDING:

*The proposed addition is at the rear of the building, and is not visible from the public right-of-way. The use of the addition to create a code-compliant trash enclosure and code-compliant restrooms will not in itself intensify the existing use nor will it intensify other existing non-conforming aspects of the building. The proposed addition meets applicable zoning standards and maintains the same or greater setback along the north property line, making it compatible with the neighborhood and community.*

B. The proposed use will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity;

STAFF FINDING:

*The proposed addition, including enclosed trash area, will improve the health, safety, and general welfare of the persons and property in the vicinity of the Project by creating an enclosing refuse area on the site where there currently is none.*

C. The proposed use would not conflict with the Town's goal of achieving economic sustainability with a mix of varied commercial services;

STAFF FINDING:

*The proposed addition will not impact or alter the existing use of the building as a bar, which has been in existence since the 1980's and has a valid use permit to operate. The continuation of this use will further the Town's goal of achieving economic sustainability with a mix of varied commercial services.*

D. The proposed use will not impair accessibility or traffic patterns for persons and vehicles based on the type and volume of anticipated traffic, will provide safe and adequate ingress and egress, and will furnish adequate off-street parking and loading for both customers and employees to the extent deemed feasible by the decision-making body;

STAFF FINDING:

*The proposed addition will not alter any traffic patterns, and the proposed upgrades to the parking to provide compliant ADA-accessible parking and better delineate existing parking will be a benefit to both customers and employees.*

E. The proposed use provides sufficient safeguards to prevent noxious or offensive emissions such as glare, dust and odors, or levels of noise which may exceed the Town's noise regulations;

STAFF FINDING:

*The proposed addition will likely help contain noxious odors, as refuse storage on-site will be enclosed as part of the addition rather than the current unenclosed practice. A condition of approval requires all construction and demolition activities conform to the Town's noise regulations.*

F. The proposed use does not require excessive amounts of water or generate excessive amounts of waste;

**STAFF FINDING:**

*The proposed addition is negligible and will not require excessive amounts of water or generate excessive amounts of waste.*

G. The existing or proposed utility, police and fire services are adequate to serve the proposed use;

**STAFF FINDING:**

*As conditioned, the Project will be adequately served by emergency services, and will meet the requirements for adequate service for utilities, police, and fire services.*

H. The proposed use will comply with all applicable provisions of Title 17 and will be consistent with the policies and standards of the General Plan.

**STAFF FINDING:**

*With the approval of a Use Permit to expand a non-conforming building, the Project and a Major Design Review permit, the Project will comply with the applicable provisions of Title 17, as analyzed in this staff report.*

*The Project is consistent with the following policies and standards of the General Plan:*

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**ENVIRONMENTAL REVIEW**

The approval of the proposed Design Review and Use Permit has been determined to be exempt per California Environmental Quality Act (CEQA) Guidelines pursuant to Sections §15061(b)(3) (common sense exemption) which exempts a project where there is no possibility it may have a significant effect on the environment, and

§15301, Class 1, of Title 14 of the California Code of Regulations (the “CEQA Guidelines”). CEQA Guidelines §15301 (a) exempts interior and exterior alterations; §15301 (d) exempts the restoration or rehabilitation of deteriorated or damaged structures to meet current standards of public health and safety; §15301 (e) exempts additions to existing structures less than 50 percent of the floor area and less than 2,500 square feet. The Project involves the restoration of a 1920's structure which has been deemed ineligible for historic listing at this time, and includes adequate shoring and bracing of the structure, addition of accessible restrooms, accessible parking and repair/replacement of glazing and decayed siding, posts, and other building elements. The Project involves an addition of approximately 212 square feet which will include creating accessible restrooms and refuse enclosures that meet current building and health codes. None of the exceptions to the categorical exemptions set forth in 14 CCR § 15300.2 apply and it can be seen with certainty that the Project will not have a significant effect on the environment.

### **FISCAL IMPACT**

Is there a Fiscal Impact? No

Is it Currently Budgeted? N/A

Where is it Budgeted? N/A

Is it Mandatory or Discretionary? Discretionary

Is there a Staff Resource Impact? No

### **STRATEGIC PLAN GOAL**

Is item Identified in Strategic Plan? Yes

If yes, Identify Strategic Goal and Objective.

**Premier Destination:** The Town values its residents, rich history, natural environment, culinary excellence, arts, and distinguished businesses that make our home a place people love.

**Quality of Life:** The Town enhances the livability of Yountville by providing well-maintained public facilities, parks, and trails, and quality programs and events.

Briefly Explain Relationship to Strategic Plan Goal and Objective. The Project will rehabilitate building from the Town's early history and continue the use of an early building, supporting the Town's values of maintaining history and distinguished businesses. The Project follows the design ordinance adopted by the Town to ensure developments and associated uses comply with the goals and policies set forth by the Town Council to maintain the Town's quality of life.

### **ATTACHMENTS**

1. Draft Resolution Number 24-4308
  - 1a. Exhibit A to Draft Resolution - Conditions of Approval
2. Written Statement and site photographs
3. Project Plans
4. Historic Evaluation Report
5. Operative Use Permits
6. ZDRB Resolution No. 24-015 recommending approval of the project, subject to conditions of approval.