

Town of Yountville  
**Resolution Number 18-3461**

**Approving a Use Permit Amendment for Girard Tasting Room (6795 Washington Street; APN 036-032-014) to permit wine tasting service in the outdoor deck space.**

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**Recitals**

- A. On November 7, 2017, the Yountville Town Council passed and adopted Ordinance Number 17-466 which amended the parking ordinance to allow an increase or decrease in the number of parking spaces required by the Town Council.
- B. On December 5, 2017, the Yountville Town Council adopted Resolution 17-3447 which established an advisory checklist for wine tasting rooms that would allow a reduction in the number of required off-street parking spaces.
- C. An application for a Use Permit Amendment was received by the Planning & Building Department for Girard Tasting Room located at 6795 Washington Street (APN 036-032-014) to include the outdoor deck area as part of the business's Use Area and permit wine tasting service within it.
- D. The Yountville Town Council conducted a duly noticed public hearing on March 6, 2018 in order to receive comments and testimony from the public.
- E. A Notice of Town Council Public Hearing for the Use Permit Amendment was prepared and displayed in conformance with State law.
- F. The Town Council hereby find that the project satisfies the following criteria:

1. The business is unable to meet the required parking demand set forth in 17.88 of the Yountville Municipal Code with the addition of the proposed use area expansion.

*The parking lot is currently striped to allow the densest use of the space. The business is unable to acquire additional parking spaces reserved only for its employees and guests without negatively impacting the other businesses on the site.*

2. The business's guests must already use the open space regularly according to the provisions of the existing approved use permit.

*The deck in front of Girard Tasting Room is used by guests regularly. Extending wine pouring services to the deck would not change the current guest behavior or use of the space.*

3. Permitting employee service to guests in the outdoor use area would not require any additional staffing.

*Employees currently pour wine during wine tasting services indoors. This amendment would permit the pouring to occur outdoors on the deck space. Because the service is substantially the same, no additional staffing would be required.*

4. Permitting the business staff to use the open space as use area would not negatively affect the noise, lighting, safety, or business practices of neighboring properties.

*The business's use permit allows use of the deck space until 8:00 PM, and indoor special event activity until 10:00 PM. Because guests already use the deck space, it is unlikely that permitting service on the deck will have a negative effect in terms of noise, lighting, safety, or the business practices of neighboring properties.*



5. This use permit amendment will enhance the atmosphere of the streetscape and improve the overall experience for the business, staff, and passersby.

*Extended service on the deck will make the deck livelier. An active streetscape is generally seen as a positive element to most communities, and an active deck space would contribute to the activity of the streetscape.*

6. This is a shared complex with multiple businesses. As a tenant, the applicant does not have the ability to designate onsite parking for employee use, which is required under the Town's Employee Parking Management Program regulations. Therefore, designated offsite employee parking is necessary to keep employee parking from negatively impacting adjoining residential neighborhoods.

**Now therefore, the Town Council of the Town of Yountville does resolve as follows:**

- I. Adopts Resolution Number 18-3461 Approving the Use Permit Amendment for Girard Tasting Room subject to the following conditions of approval:
  1. Conditions of approval contained in Resolution Numbers 2626-07, 2717-08, and 2813-09 shall remain in full force and effect and are incorporated by reference except as modified herein.
  2. Condition number 14 from Resolution Number 2717-08 is hereby stricken from the use permit.
  3. Only the service of catered appetizers, defined as hors d'oeuvres or cocktail size food, may be served in the outdoor deck space. Catered meals, defined as full size meals served individually or in a buffet, shall be limited to special events and shall be limited to indoors.
  4. The maximum number of seats and tables permitted on the deck space shall not exceed 20 seats and 5 tables.
  5. The maximum number of patrons permitted on the deck shall not exceed 20.
  6. The applicant shall include all employees in the Town's Employee Parking Management Program and create internal parking management policies that describe how the onsite and offsite parking spaces are to be used and managed.
  7. Applicant shall provide a monthly payroll report, due the first of every month, to Planning Staff for the first twelve months of operation under the amended use permit to verify that the number of employees does not increase.
  8. The placement of the barrel shall be limited to on the deck, near the front door. Display of wine or other wine-related items on the barrel is not permitted.
  9. Signage shall be installed on the site indicating that the space is available for the public. Sign specifications shall be approved by Planning Staff prior to installation.
  10. If conditions in the business change during the first year of operation which would affect or alter the findings made by the Town Council, then the amendment to the use permit may be revoked.
- II. The Resolution is hereby adopted and becomes effective and in full force immediately upon adoption.

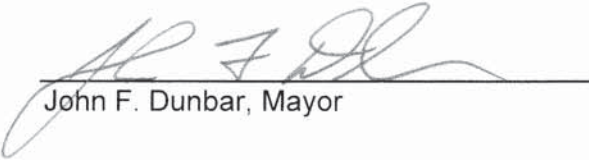
**PASSED AND ADOPTED** at a regular meeting of the Town Council of the Town of Yountville, State of California, held on this 6<sup>th</sup> day of March 2018 by the following vote:

AYES: Mohler, Dorman, Durham, Dorenbecher, Dunbar

NOES: None

ABSENT: None

ABSTAIN: None

  
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John F. Dunbar, Mayor

ATTEST:

  
\_\_\_\_\_  
Julie Baidia

Deputy Town Clerk

**Town of Yountville**  
**Resolution Number 2626-07**

**Approving a Use Permit for Girard Winery to establish a use for wine tasting and the retail sale of wine and related merchandise, located at 6795 Washington Street, Building E.**

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**Recitals**

- A. An application for Use Permit (07-UP-12) was received by the Planning Department to establish a use for wine tasting and the retail sale of wine and related merchandise at the Washington Square complex, located at 6795 Washington Street, Building E.
- B. The Yountville Town Council conducted duly noticed public hearings for project related applications on November 20, 2007 in order to receive comments and testimony from the public.
- C. The Use Permit application is exempt from the provisions of the California Environmental Quality Act pursuant to Section 15301 (Existing Facilities).
- D. A Notice of Public Hearings for the Town Council meeting on the Use Permit was prepared and displayed in conformance with State law.
- E. The Town Council found that the proposed project is consistent with the intent of the General Plan, Zoning Ordinance, and Design Ordinance policies or standards.
- F. The Yountville Town Council has reviewed and considered the staff report, applicant statement, other exhibits; in addition to considering the comments, statements, and other evidence presented by all persons who submitted materials and/or appeared at the Public Hearing conducted on November 20, 2007 to consider the application pursuant to the following:
  - a. Zoning Ordinance § 6.5 Regulations for Impact on Adjacent Uses
  - b. Zoning Ordinance § 7.6.b Findings Required, Use Permit
  - c. Zoning Ordinance § 4.10.f Findings Required, Old Town Commercial Use Permit
- G. The Town Council hereby finds that the project is designed and located in a manner that will best satisfy the following criteria:

**Z o n i n g   O r d i n a n c e**

**6.5.b Impacts on Adjacent Uses - General Conditions**

The performance criteria for each Impact Category are listed below:

**Noise**

Impact Category I: All noise-generating operations to be buffered so that they do not exceed a specified ambient noise level during daytime operations.

*No new significant noise impacts are anticipated.*

**Light Impact**

Impact Category I: No bright or flashing lights shall be visible in a residential district. All lighted signs shall be subject to sign regulations.



*No new significant light impacts are anticipated. Lighting levels for signs will be reviewed at time of Sign Review and will comply with the Lighting Ordinance.*

### **Traffic Circulation and Parking**

Impact Category I: New development must demonstrate that it will not substantially increase truck traffic on residential streets. Trucks over two tons shall not be permitted on local residential streets. Customer and employee parking and truck loading areas shall be provided in accordance with the Town-wide parking and loading regulations.

*Increased truck traffic due to the conversion of use will be limited to Madison Avenue and Washington Street and will not be on residential streets. All truck loading will be performed in the parking lot and will not encroach on the public right-of-way. All parking demand will be met onsite.*

### **Vibration**

Impact Category I: No perceptible vibrations shall be permitted off the development site;

*No new sources of vibration will result from the project.*

### **Flammable Material**

Impact Category I: No operations involving the use or storage of flammable materials or fuses shall be permitted adjacent to any residential area;

*No operations involving the use or storage of flammable materials or fuses are proposed in the project.*

### **Airborne Emissions**

Impact Category I: No use shall exceed the maximum permissible emissions standards established by the San Francisco Bay Area Air Quality Management District;

*The project type does not typically generate, or contribute to, air emissions exceeding BAAQMD maximum emission standards.*

### **Water Quality**

Impact Category I: The Town shall evaluate liquid waste to be disposed into its sewer systems and report upon the Town's capacity to provide treatment. Industries not connecting to the municipal sewer systems are subject to water quality standards administered by the San Francisco Bay Regional Water Quality Control Board;

*No food handling facilities will be present onsite.*

### **Building Size and Architectural Design**

Impact Category I: All building design and site layouts shall be approved by the ZDRB or Town Council;

*No changes to the building design or site layout are proposed at this time.*

## **7.6.b Use Permits - Findings Required**

After its hearing on the application, the Town Council or the ZDRB may approve the application and authorize a Use Permit if the facts presented establish the following:

1. The proposed use or feature, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable, and compatible with the neighborhood and community;

*The size and intensity of wine tasting and retail sales may be a more intense use than the prior retail use (home loan services). The proposed use is compatible with the surrounding uses along the north end of Washington Street and will encourage pedestrian traffic in the area.*

2. Such use or feature, as proposed 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, with respect to aspects including but not limited to the following:

- a The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;
- b The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;
- c The safeguards afforded to prevent noxious or offensive emissions such as glare, dust and odor;
- d The proposed use will not result in excessive levels of noise for any period of time;
- e Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs; and

*No exterior design changes are proposed to the Washington Square complex by the use permit. Additional traffic generated will not exceed capacity of the complex and deliveries will be limited to the rear parking lot. The business is not anticipated to generate any glare, dust, odor, or noise.*

3. Such use or feature as proposed will comply with the applicable provisions of this Ordinance and will be consistent with the policies and standards of the General Plan.

*The project generally complies with all applicable provisions of the Zoning Ordinance and General Plan. The intent of the Old Town Commercial land use designation states: commercial development shall serve residents and visitors, be small in scale, promote pedestrian traffic, and enhance the interface between commercial uses and the street. The proposed wine wholesale business is small in scale and will serve Yountville and Napa Valley residents as well as visitors. Additional pedestrian traffic will be generated and the building's street orientation will be reinforced.*

#### **4.10.f – Old Town Commercial Use Permits - Findings Required**

In addition to the findings listed in Section 7.6.b, the Town Council, after a public hearing, shall make the following findings before granting a Use Permit for a proposed use listed in section 4.10.d above:

1. The proposed use provides benefit to residents;

*It is the applicant's intent to enhance the commercial activity located within the north Washington Street area. The business will reach out to local businesses and residents through promotions and outreach.*

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

*The proposed use is anticipated to require only normal utility, police and fire services, which are already provided for in the Washington Square complex.*

3. The proposed use conforms to the design standards as established in Chapter II, Section D.4 of the Design Ordinance;

*No exterior modifications to the existing structure are proposed at this time.*

4. The proposed use will not require excessive amounts of water; and,

*While the proposed wine tasting and retail sales use will require more water than the previous professional office use, this usage will not be excessive.*



5. The proposed use will not generate excessive wastes that result in offensive or noxious odor or excessive burden to the Town's waste disposal capacity.

*The wine related business will generate recyclable bottles that will be stored onsite. It is not anticipated that the use will create excessive waste or a burden on the Town's waste disposal capacity.*

**NOW, THEREFORE, BE IT RESOLVED that the Yountville Town Council hereby approves the Use Permit application to establish a use for wine tasting and the retail sale of wine and related merchandise at 6795 Washington Street, Building E, subject to the following conditions of approval:**

1. Development and operation of the use shall be substantially as represented on the approved applicant statement, site plan, and staff report on file with the Planning Department, except as modified by conditions.
2. No changes or alterations to the exterior of the building or the grounds of the Washington Square retail and office complex are allowed or approved by this Use Permit without the prior review and approval by the Town Council.
3. Hours of operation shall be the following:

<b><i>Tasting Room, Retail Hours:</i></b>	Monday – Sunday	10:00 AM – 6:00 PM
<b><i>Special Event Hours:</i></b>	Monday – Sunday	10:00 AM – 10:00 PM
4. Alcohol consumption and sales shall conform to the Alcoholic Beverage Control and County of Napa Environmental Management rules and regulations.
5. There shall be no consumption of wine outside the building.
6. The applicant shall secure approval by the County of Napa Department of Environmental Management for any portion of the use related to food service.
7. There shall be no food preparation on the premises and shall be prepared off-site. Catered appetizers, defined as hors d'oeuvres or cocktail size food, may be available to guests on a daily basis. Catered meals, defined as full size meals served individually or in a buffet, shall only be permitted at special events.
8. Special events, defined as events exceeding 15 persons and/or extending beyond normal operating hours, shall be limited to two per month. For special events, the Community Services Director shall be notified and grant approval and any other necessary permits obtained and precautions taken.
9. Business signage shall be reviewed and approved by the Zoning & Design Review Board prior to initiation of use.
10. The applicant shall be in compliance with the Americans with Disabilities Act (ADA) and the California Disabled Accessibility Guidebook.
11. Staff shall perform a review of use after 6 months of operation and present to Council.

***General Conditions***

12. All construction shall comply with the approved plans.
13. Minor design and finish changes may be approved by the Town Planner. The Town Planner may refer any and all design and finish changes to the Zoning & Design Review Board for consideration and adjudication.

14. Once installed, all improvements shall be maintained in accordance with the approved plans.

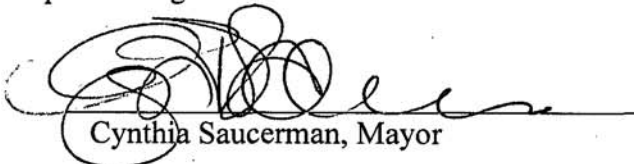
15. Construction and demolition activities shall conform to the noise control provisions contained in Municipal Code Chapter 8.04, Noise Control Regulations, including Section 8.04.020 B.1., as follows:

*No person engaged in construction or demolition activity as a contracted service shall operate or cause the operation of any tools or equipment except between the hours of 7:30 am and 5:00 pm, Monday through Friday (excluding holidays), such that the sound therefrom creates noise across a residential or commercial real property boundary, except by permit issued pursuant to Section 8.04.040(E).*

16. No construction activities shall occur on the following holidays:

- Dr. Martin Luther King's Birthday
- Lincoln's Birthday
- Presidents' Day
- Memorial Day
- 4<sup>th</sup> of July
- Labor Day
- Veterans' Day
- Thanksgiving & Friday following Thanksgiving
- Christmas

17. The applicant will defend and indemnify and hold the Town, 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 Town promptly notifies the applicant of any such claim, action, or proceedings and the Town cooperates fully in the defense of the action or proceeding.


  
Cynthia Saucerman, Mayor

ATTEST:

State of California )  
County of Napa )§  
Town of Yountville)

I, Michelle Price, Town Clerk of the Town of Yountville, do hereby certify that the Town Council of the Town of Yountville duly adopted the foregoing Resolution at a regular meeting thereof held on the 20<sup>th</sup> day of November 2007, by the following vote:

AYES: Dutton, Rosa, Chilton, Dunbar and Saucerman  
NOES: None  
ABSENT: None  
ABSTAIN: None

  
Michelle Price, Town Clerk