

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

APPROVING USE PERMIT MODIFICATION UP 2019-18 TO ALLOW BEER AND WINE SALES FOR ON-SITE CONSUMPTION BY GUESTS WITHIN AN EXISTING INN LOCATED AT 109 WAPPO AVENUE

1
2 **WHEREAS**, on November 21, 2019, Carl Dene, on behalf of Brannan Cottage
3 Inn, submitted a request for a use permit modification to UP 2019-13 in order to allow
4 beer and wine sales to guests for on-site consumption at an existing inn located at 109
5 Wappo Avenue; and

6 **WHEREAS**, the Planning Commission considered this request at its regular
7 meeting of December 11, 2019. Prior to taking action on the application, the Planning
8 Commission received written and oral reports by the staff, and received public
9 testimony; and

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

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

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

17 Supporting Evidence: The proposed use is consistent with the goals and policies
18 of the Calistoga General Plan in that it represents an allowable use in an existing
19 inn in a strategic location on the northern edge of the downtown. The added beer
20 and wine sales at the inn would complement the existing mix of uses in the
21 vicinity.

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

23 Supporting Evidence: The site is physically suitable for the type and intensity of
24 use in that it will occur on an existing inn property. The service of wine for guests
25 of the inn is similar to practices at other lodging facilities in Calistoga. The type of
26 use contemplated is allowed by use permit in the CC district by the Zoning Code.

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

29 Supporting Evidence: This is an existing downtown inn adding a complementary
30 use that will be conducted in existing floor space. The type of use already exists
31 in several other locations downtown and at other lodging facilities in Calistoga.
32 The nature of the use will minimize any possible conflict with nearby residences.
33 There will not be excessive noise, lighting, or any other operating characteristics
34 associated with the uses that will interfere with surrounding properties.

35 4. Finding: The proposed development is consistent with and will enhance
36 Calistoga's history of independent, unique, and single location businesses, thus
37 contributing to the uniqueness of the town, which is necessary to maintain a
38 viable visitor industry in Calistoga and to preserve its economy.

39 Supporting Evidence: The allowed use in a historic downtown inn would be
40 consistent with Calistoga's sense of independent and unique single-location
41 businesses. This locally owned inn, which has been in operation for 35 years,
42 would be enhanced by the complementary use. The proposed use would
43 enhance the experience for visitors to the city and make a meaningful
44 contribution to the City's fiscal vitality.

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

- 48 1. This use permit modification allows wine and beer sales to guests of the Brannan
49 Cottage Inn for on-site consumption. On-site alcohol consumption by the general
50 public is prohibited.
- 51 2. All conditions associated with previous entitlements for this property, specifically
52 including UP 2019-13.
- 53 3. This use permit modification shall be null and void if not used within a year, or if
54 the use is abandoned for a period of one hundred and eighty (180) days. Once
55 the use is initiated, this permit shall be valid until it expires or is revoked pursuant
56 to the terms of this permit and/or Chapter 17.40 of the Calistoga Municipal Code.
- 57 4. This use permit modification does not abridge or supersede the regulatory
58 powers or permit requirements of any federal, state or local agency, special
59 district or department which may retain regulatory or advisory function as
60 specified by statute or ordinance. The applicant shall obtain permits as may be
61 required from each agency.
- 62 5. Prior to the commencement of any wine or beer sales for on-site consumption by
63 guests at the property, a finding of Public Convenience or Necessity shall be
64 made by the Calistoga City Council, followed by the approval of the appropriate
65 license type by the California Department of Alcoholic Beverage Control (ABC).

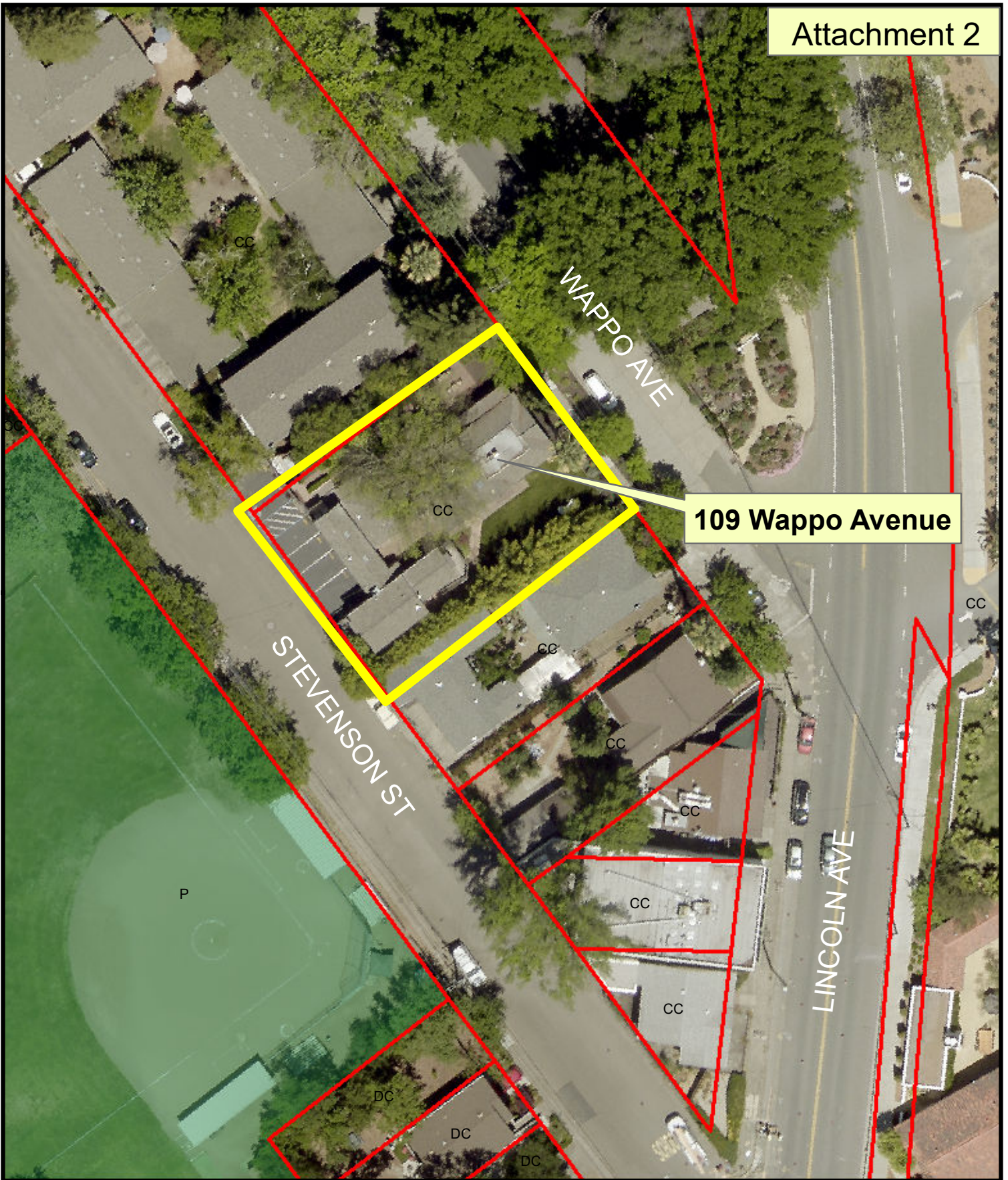
ADOPTED on December 11, 2019 by the following vote of the Calistoga
Planning Commission:

AYES:
NOES:
ABSENT:
ABSTAIN:

Paul Coates, Chair

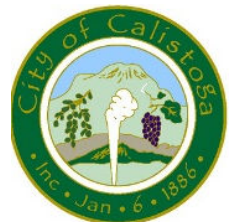
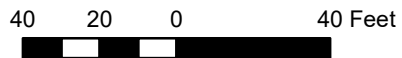
Resolution No. PC 2019-XX
Sam's General Store - Use Permit Modification UP 2019-18
109 Wappo Avenue
Page 3 of 3

ATTEST: _____
Lynn Goldberg, Secretary



LOCATION MAP

Sam's General Store at Brannan Cottage Inn
109 Wappo Avenue
APN 011-093-003





November 21, 2019

To Whom It May Concern,

This is my written statement, dated November 21st, 2019, for a modification to the use permit at my property, The Brannan Cottage Inn, located at 109 Wappo Avenue in the city of Calistoga. I would like this modification after advise and clarity was given from the ABC on the type of licensee that is needed. In order for our guest experience to include enjoying a glass of wine in our lobby and on the patio, a type 41(beer & wine) for on and off sale premise sales.

I would like this modification in order to obtain the correct license for the ability to sell wine and drink wine at our Inn & General Store located inside the lobby area, patio area of the Inn. We would love to be able to enhance our guest experience with the ability to pour a glass of wine upon check in, we have now be told by ABC that the type of license that would give us that ability as well as sell to guest making purchases for off site in the new general store is the type 41.

The new general store inside the Inn opened back on September 16th and has been highly supported by the locals and residents surrounding the property. The General Store area is 226 square feet, and the current employee count of 3 - 4 people on the property would not increase or be affected by this change. Our lobby hours of operation would remain at 7:00 AM - 6:00 PM, and the General Store hours will be from 7:30 AM - 4:00 PM. This modification is not in conflict with and is permissible by the zoning code.

Thank you for your time and consideration.

A handwritten signature in black ink, appearing to read "Carl P. Dene", is written over a horizontal line that spans across the width of the page.

Carl P. Dene
Owner, Brannon Cottage Inn

109 Wappo Ave. Calistoga, CA 94515

707.942.4200

BrannanCottageInn.com