

**CITY OF ST. HELENA
PLANNING DEPARTMENT 1480 MAIN STREET- ST. HELENA, CA 94574
PLANNING COMMISSION**

July 19, 2016

AGENDA ITEM: 8

FILE NUMBER: PL16-054

SUBJECT: Appeal of an Administrative Determination that the Sportago retail store meets the definition of a “Clothing Store” and therefore requires approval of a Use Permit to occupy 1380 Main Street, located within the Central Business Zoning District.

PREPARED BY: Noah Housh, Planning Director

REVIEWED BY: Noah Housh, Planning Director

APPLICATION FILED: June 13, 2016 **ACCEPTED AS COMPLETE:** June 13, 2016

LOCATION OF PROPERTY: 1380 Main Street

APPLICANT: Chris Patrick and Ahren Trumble

PHONE:707-963-9042

APN: 009-212-001

GENERAL PLAN/ZONING: Central Business/Central Business

PROPERTY DESCRIPTION

Sportago is currently located at 1224 Adams Street in the Central Business Zoning District. The location they would like to move into is located at 1480 Main Street, an empty building which is also located in the Central Business Zoning District.

A brief search through the permit history of the property identified a previous Use Permit approval for a Winery in 1986, a stationary store as a permitted use in 1995, a Use Permit approval for a children’s clothing store in 1996 and a Use Permit for a retail wine shop in 2009. With the exception of the winery, all of these approvals appear to be located within tenant spaces other than Sportago’s location.

The applicants have indicated they believe the owner had received Use Permit approval for a previous use; and the winery could be this approval. This concept is supported by the fact that a winery would typically be found to be a much more intensive use than any retail use (including a “Clothing Store” or a “Sporting Goods Store”), and therefore could have been utilized to permit Sportago to occupy the tenant space at 1224-B Adams Street as a continuing use. However there is no record of the determination or process which allowed Sportago to occupy the space.

In addition, the timing of the opening of the Sportago business coincided with the adoption of the most recent General Plan (1993) which typically triggers (comprehensive) Zoning Code revisions, further complicating the historic analysis of the definition of the existing use.

PROJECT DESCRIPTION

Appeal of an Administrative Determination that the Sportago retail business is a “Clothing Store” and is therefore subject to the requirement for a Use Permit in the Central Business Zoning District.

The applicants have filed an appeal of this determination requesting that the Planning Commission overturn this determination. They request that the Commission find that Sportago is actually a “Sporting Goods Store” and therefore a permitted land use in the Central Business Zoning District.

Unfortunately, the St Helena Zoning Code does not provide a definition for “Sporting Goods Store” or “Clothing Store”. The applicants reference the definition of a Sporting Goods store found on a website known as Phorio Standards to support their assertion. Phorio Standards specifically defines sporting goods store as:

Sporting Goods Store-Retail space specializing in equipment, gear, and clothing used in sports and athletic activities.

A sporting goods store is a retail space devoted to any kind or variety of equipment, gear, clothing, and other goods related to sports, sporting contests, exercise, fitness, athletic activity, and/or outdoor recreation in general. Products sold may include balls, nets, sticks, weights, running shoes, sweatclothes, jerseys, and other sports-related items.

This website defines clothing store as:

Clothing Store-A shop where customers purchase clothing, hats, or similar objects for wearing.

A clothing store is a shop specializing in goods which clothe the body, usually made of cloth of some fabric. This does not include general stores or department stores which sell clothing along with a wider variety of merchandise.

When a use is proposed that does not meet a clear land use category, or where the individual land use category is not defined, City staff is tasked with making a determination as to what land use category the proposed use fits into. This determination is made based on a number of factors including information provided by the applicant in describing their use, definitions of similar uses which are identified in the code, past interpretations of the code and industry standards.

While staff seeks every opportunity to assist applicants through a streamlined review process, the Department must also consistently apply the zoning standards to all applicants. Sportago, in the information provided to staff to support their appeal, identifies their efforts to attract both typical retail clothing shoppers, as well as outdoor enthusiasts seeking gear for their next adventure. The challenge in clearly delineating retail uses into types is clearly evident, both in the information provided by Sportago and the analysis provided by staff in this report.

However, it is the role of staff to consistently classify individual use types based on information provided by applicants and available in the zoning code standards and definitions. Based on information originally provided by the owners of Sportago describing their business as a clothing store, the lack of definitions of either use type in the code, the specific criteria currently identified in the zoning code and a review the business inventory, staff determined that Sportago is more of a “Clothing store” than a “Sporting Goods Store” and is therefore subject to the requirement for a Use Permit to locate within the 1380 Main Street location, based on the criteria of the Central Business Zoning District.

ANALYSIS

GENERAL PLAN

The project site is designated as Central Business by the General Plan. The Central Business land use designation is defined as:

Central Business (CB)

The 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 ground floor level, with office uses on the upper levels. Residential uses in this designation can be considered for upper floor areas, subject to discretionary review and approval. 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. The maximum allowable FAR in the CB district is 2.00, with off-site parking.

The Central Business District generally extends from Sulphur Springs Creek north along Main Street to midway between Adams Street and Pine Street, and west to Oak Street and easterly along the north side of Adams Street.

Staff Response- Given that the entire project is essentially a determination of retail land uses occupying an existing building in the Central Business designation (which is intended for retail land use), no additional General Plan analysis was warranted by staff. Planning Commission support or denial of the appeal are both determined to be consistent with the General Plan.

ZONING

The project site is located in the Central Business Zoning District. The Central Business zoning district is consistent with and implements the Central Business General Plan designation.

The purpose of the Central Business Zoning District (Code Section 17.48.010 Purpose.) is stated as:

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 which serve both local residents and tourists will be allowed. Uses which are primarily tourist-serving are not permitted.

Section 17.48.020 Permitted Uses identifies the permitted land uses in the Central Business Zoning District and specifically identifies “Sporting Goods Store” as a permitted land use.

Zoning Code Section 17.48.030 identifies the Conditional Uses in the Central Business Zoning District. Specifically, this Section states:

The following list of uses require approval of a use permit as regulated by Chapter 17.168. A use permit is also required for a business which consists of two or more of the permitted uses listed in Section 17.48.020. Approval of a use permit is subject to finding the use consistent with the policies of the general plan and the purpose of the CB zoning district. When a use permit is considered for a use in the CBD, the standard use permit findings included in Section 17.168.050 shall be made to determine consistency of the use with the policies of the general plan and the purpose of the CB zoning district:

Clothing store, limited to the sale of new clothing and clothing accessories;

Staff Response-Staff finds that the proposed original use description originally provided by the applicants clearly identifies their use as a “Clothing Store”. Based on this original description, and the information and analysis provided above, staff determined this original description was accurate and made a formal Administrative Determination as such. The applicants appealed this determination on June 13, 2016.

Administrative Procedures

Code Section 17.08 identifies the procedures for Administrative Determinations regarding use types. Specifically, 17.08.030 Determination of similar use states:

Each zoning district establishes a list of uses which are permitted or permitted with a use permit. In addition, each district establishes a list of accessory uses which are permitted in conjunction with a principal use. From time to time, uses may be proposed which are not specifically listed as permitted, permitted with a use permit or permitted as an accessory use. The following procedures shall be observed when an unlisted use is proposed in a zoning district:

A. The planning director may, at his or her discretion, administratively determine that such uses are similar to those of the appropriate use category (e.g., permitted, permitted with a use permit or accessory) where such uses are clearly similar in character to those uses listed and consistent with the purposes of the zoning district and general plan. Action of the planning director shall be confirmed by the planning commission prior to establishment of the use.

B. In making a determination that a proposed use is or is not similar to those listed, the planning director and planning commission shall consider the character of the proposed use, those listed in the appropriate category, the purposes of the zoning district in which it is proposed and the general plan. The planning commission’s determination of similar use is subject to appeal to the city council pursuant to the provisions of Section 17.08.180. A use determined to be similar shall apply to the zoning district uniformly regardless of location. (Prior code § 27.402)

Code Section 17.08.180 Appeal procedure, defines the process for appealing decisions. Specifically, this section states:

In accord with the following provisions, any applicant or other interested person dissatisfied with any action taken under this title may appeal such action and decision:

A. Unless otherwise indicated, appeals from the decision of the planning director or any other administrative official in taking any of the actions authorized by this title shall be made to the planning commission through the planning director. Appeals from the decision of the planning commission in taking any of the actions authorized by this title shall be made to the city council through the city clerk.

CEQA

Given that Sportago is an existing business which currently occupies an existing building and seeks to occupy another existing building at 1480 Main Street, staff finds that the requested appeal qualifies for a Class 1 Categorical Exemption under Section 15301 of CEQA.

WATER

No analysis of the water impacts of a retail business was provided or required as an element of the review of the Appeal of the Administrative Determination.

CORRESPONDENCE

Numerous written comments in support of Sportago were sent to the Planning Commission and staff has been provided a copy of several of these comments which have been included as an attachment to this report.

ISSUES

No outstanding issues were identified as a part of the review of the applicant's appeal of the Administrative Determination that their use is a clothing store.

STAFF RECOMMENDATION

It is recommended by the Planning and Community Improvement Department that the Planning Commission:

1. Determine that the project is exempt from the requirements of CEQA under Section 15301 and therefore qualifies for a Class 1 Categorical Exemption.
2. Review the provided report and appeal package and take action on the requested appeal.

ATTACHMENTS

Resolution to Approve the Appeal
Administrative Determination and Supporting Materials
Appeal Package (Appeal Statement, Photos of Merchandise Examples and Appeal Application)
Public Comments
Previous 1986 Winery Use Permit

CITY OF ST. HELENA PLANNING COMMISSION

RESOLUTION PC2016-054

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ST. HELENA
GRANTING THE APPEAL, FINDING THAT SPORTAGO IS A SPORTING GOODS
STORE AND OVERTURNING THE ADMINISTRATIVE DETERMINATION THAT
SPORTAGO IS A CLOTHING STORE FOR THE BUSINESS
CURRENTLY LOCATED AT 1224-B ADAMS STREET**

PROPERTY OWNER: ARLIE JEAN PHILLIPS TRUST APN: 009-223-021

Recitals

- A. Whereas**, Chris Patrick and Ahren Trumble submitted an Appeal of the Administrative Determination which found their business ‘Sportago’ is a Clothing Store, requesting the business alternatively be defined as a Sporting Goods Store, which is currently located at 1224 Adams Street in the Central Business Zoning District; and
- B. Whereas**, 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, 2016.
- C. Now, therefore** let it be found that, the Planning Commission approves the requested Appeal on the following basis:

Resolution

- A.** The Planning Commission hereby finds that this project qualifies for a Class 1 Categorical Exemption pursuant to Section 15301 of the California Environmental Quality Act (CEQA).
- B.** The Planning Commission has considered the Appeal procedures identified in Municipal Code Section 17.08.180 and supports the motion to approve the appeal and over-turn the Administrative Determination that ‘Sportago’ is a “Clothing Store”, in favor of the applicant request to define the business as a “Sporting Goods Store”, given that the project has been found to demonstrate:
1. The City of St Helena Zoning Code does not provide formal definitions of either a Clothing Store or a Sporting Goods Store and the applicants have provided a clear and adequate definition of their use.
 2. The Administrative Determination made by staff was based on information which has been amended by the applicant to further define and characterize their use and business definition.

3. The described use characteristics and provided merchandise inventory supports the determination that the business is a Sporting Goods Store.
4. A sporting goods store is found to be a more intensive use than a clothing store, therefore allowing both a future sporting goods store and/or clothing store to occupy the tenant space at 1224-B Adams Street as a continuing use, per the requirements of Zoning Code Section 17.08.030.

I HEREBY CERTIFY that the foregoing Appeal 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, 2016, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Grace Kistner
Chair, Planning Commission

Noah Housh,
Planning and Community
Improvement Director

ADMINISTRATIVE DETERMINATION



DATE: June 17, 2016

TO: Neighboring Property Owners and Interested Citizens

FROM: Noah Housh, Planning and Community Improvement Director

RE: Administrative Determination that the Sportago retail store meets the definition of a "Clothing Store" and therefore requires approval of a Use Permit to occupy 1380 Main Street, located within the Central Business Zoning District.

PROJECT DESCRIPTION

The owners of Sportago have requested approval of a business license to occupy the "Menegon Building" at 1380 Main Street, in the Central Business Zoning District.

Zoning Code Section 17.48.030 Conditional Uses states:

The following list of uses require approval of a use permit as regulated by Chapter 17.168. A use permit is also required for a business which consists of two or more of the permitted uses listed in Section 17.48.020. Approval of a use permit is subject to finding the use consistent with the policies of the general plan and the purpose of the CB zoning district. When a use permit is considered for a use in the CBD, the standard use permit findings included in Section 17.168.050 shall be made to determine consistency of the use with the policies of the general plan and the purpose of the CB zoning district:

Clothing store, limited to the sale of new clothing and clothing accessories;

Based on information provided by the owners describing their business, the requirements of the zoning code and a review the business inventory, staff has determined that Sportago is a "Clothing store" and therefore is subject to the requirement for a Use Permit to locate within the 1380 Main Street location, based on the criteria of the Central Business Zoning District.

APPEALS

This determination is subject to a 14-day appeal period. 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 Planning Commission 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.

Notice of this Determination will be provided to the Planning Commission at the next available regularly scheduled meeting (July 5, 2016).

Thank you for your attention to this matter.

A handwritten signature in black ink, appearing to read "Noah Housh". The signature is fluid and cursive, written over a light blue horizontal line.

Noah Housh
Planning and Community Improvement Director
City of St Helena.

Noah Housh

Subject: FW: Use Permit

From: SPORTAGO@aol.com [<mailto:SPORTAGO@aol.com>]

Sent: Friday, February 19, 2016 10:37 AM

To: Aaron Hecock <ahecock@cityofsthelena.org>

Subject: Re: Use Permit

Thanks Aaron,

We are also open today and could meet with you at Sportago or your office anytime between 12:00 and 2:30 or 3:30 to 5:00. If that doesn't work for you how about 11:00 on Monday? Let us know which location is most convenient for you.

Please find responses to your questions below. Let me know if you have any more questions. Thanks for your time and look forward to meeting you.

Christine Patrick
1224 B Adams St
St. Helena, CA 94574
Home - 707-963-8709 Cell - 707-256-9125

In a message dated 2/19/2016 9:43:24 A.M. Pacific Standard Time, ahecock@cityofsthelena.org writes:

Hi Chris,

All those time work for me. Just let me know after you set a time with Gary and we'll go from there. I have a couple questions ahead of the meeting: 1. Do you have a Use Permit in your current location? **Yes we do but I am not sure if I have a copy. It was aquired by our landlord, Jeanne Phillips. I will check with her but she is rarely in town so that may be a challenge. We have been at the current location since March 1993 so it was aquired somewhere around that time.** If so, do you have a copy that is easily accessible?

2. What do you classify your store as (i.e. sporting goods, outdoor gear, clothing, etc.)? I'm guessing it is a mix of all of the above. **We are outdoor/travel/lifestyle clothing, shoes and accessories with some outdoor gear like backpacks. We really don't do anything in the way of what you would call sporting goods.**

If you could provide a rough breakdown of what the percentages are of your merchandise that would be helpful. **This one is a bit tougher but here is the breakdown based on todays inventory. This is the point at which our inventory is the lowest but we feel as it increases the percentages most likely remain the same. We are 47% clothing, 28% shoes (which will drop if we are able to move) 25% accessories**

Thank you,

Aaron

Aaron Hecock, AICP

Senior Planner

City of St. Helena

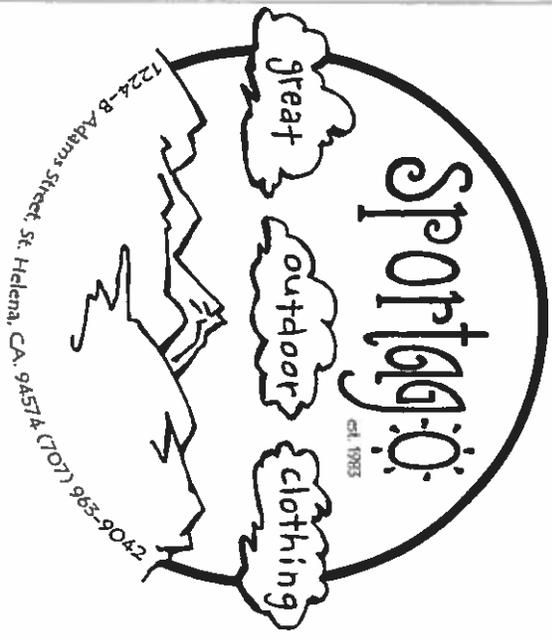
1480 Main Street

St. Helena, CA 94574

707-967-2792

aaronh@cityofstheleena.org

=



ADDENDUM TO SPORTSGO
REQUEST "PRODUCT SELECTION"

City of St Helena, City Hall
Received

MAR 17 2016

1480 Main St.
St Helena, CA 94574

ATTN: Noait Housch

Sportago

March 15, 2016

Mr. Noah Housh
City Planner
City of St. Helena

Dear Mr. Housh:

We are the owners of the Sportago here in town. We've been a local St. Helena business for 33 years and hope to be here for many more. Recently we were informed that our landlord was not willing to renew our lease on a long term basis and we therefore feel in order to maintain the integrity and longevity of our business, the time has come to move and that time is now because in two years there may not be anything suitable for us to move in to. We've spoken to the Menegons and would like to move to the corner space in their building at 1380 Main Street. We are excited about this partnership as this is a new landmark building in town and we (and many others) consider our business to be an institution in St. Helena. The fit seems ideal.

Since our beginnings we have always considered ourselves a store that caters to outdoor recreation and sports, although we have never had to classify ourselves nor could we find reference to a certain percentage of hard goods vs. soft goods that would define our store one way or another. The Standards Phorio website (<http://standards.phorio.com>) says a sporting goods store

“... is a retail space devoted to any kind or variety of equipment, gear, clothing and other goods related to sports, sporting contests, exercise, fitness, athletic activity and/or outdoor recreation in general. . .”

This defines our store perfectly. We believe our original use permit was as a sporting goods business as we did carry a variety of ski and tennis products... but times change. Virtually all of the products we carry are sports related (see partial inventory list attached), but we also believe the definition of sporting goods has changed over the years. We do not carry soccer balls or baseballs – Steves Hardware does that. The traditional “sporting goods” store is carrying more clothing than ever and many have branched out of ball sports into more unconventional outdoor activities. Our customers come to us because they live an active outdoor lifestyle and they are planning a skiing trip, or a hiking trip in Europe. They visit us because they are hikers, fishermen, runners, hunters, kayakers, backpackers, campers, surfers, skiers and more. All of these are sports as much as baseball and football.

1224 Adams street St. Helena, Ca. 94574 (707) 963-9042 Fax 963-7461

Sportago

While space does not permit us to stock many large items such as kayaks, tents or sleeping bags, we do like to maintain a small presence of these items in the store and do often special order them for our customers. Our inventory changes often and seasonally, so it is common for us to carry items such as hammocks, travel chairs, coolers, backpacking stoves, sleeping pads, fly fishing rods and more. In fact we have some of these items in stock now. We are happy to provide a list of our current vendors and/or catalogs we order from.

At first glance you will notice one big difference between Sportago and a store like Big 5 and that is we pride ourselves in displaying our product in a versatile and sophisticated way. We do not have racks of only gym shorts, or ski jackets with signs calling the contents out, but we do have these items. They are thoughtfully, and creatively merchandised throughout the store and may not be perceived for what they are at first. That is where our knowledgeable staff comes in. By taking a more "boutique" approach to an outdoor store, we have developed an ongoing trust and loyalty with our customers and it is what has enabled us to be successful in a time when traditional store like Sports Authority are failing.

St. Helena has and will continue to benefit from us as a sports specific retailer and we ask you to find that we are indeed a sporting goods business and therefore a permitted use in the Central Business District.

Sincerely yours,



Chris Patrick and Ahren Trumble
Sportago owners.

I have met with the Sportago owners and would very much like to have them as tenants at 1380 Main Street. Their sporting goods lines would fit nicely with the sporting goods carried by Steves Hardware.

Gary Menegon
Gary Menegon

3-16-2016
Date

Sportago

Sportago Product Selection "Sporting Goods"

Hiking:

- Hiking Backpacks
- Trekking Poles
- Hiking Hydration System and Bottles
- Hiking Specific Apparel
- Hiking Footwear
- Hiking Sunglasses

Yoga:

- Yoga Mats and Accessories
- Yoga Specific Apparel

Camping/Backpacking:

- Flashlights & Lanterns
- Camping Stoves & Fuel
- Sleeping Pads
- Tents
- Sleeping Bags
- Water Purifiers
- Knives
- Hammocks
- Camp Chairs & Games

Running/Gym:

- Running Footwear
- Running Bottles and Belts
- Running Specific Apparel
- Gym Bags
- Running Glasses

Adventure Travel:

- Luggage
- Travel Accessories
- Water Sports Accessories and Footwear, i.e. Snorkeling, Kayaking, Surfing, etc.
- Travel Apparel

Fishing/Fly Fishing:

- Fishing Specific Apparel & Accessories
- Fishing Sunglasses
- Fishing Footwear
- Inflatable Kayaks

Skiing/Snow Sports:

- Downhill Ski Apparel
- Gloves
- Goggles
- Cross Country Ski Apparel & Accessories
- Snow Shoeing Apparel & Accessories

Golf:

- Golf Apparel
- Golf Sunglasses

This is only a partial list of items we have carried in the store over the last few years... We special order far outside of this realm for our customers from our extensive catalogs of outdoor products.

We are appealing the determination by St. Helena Planning Director, Noah Housh, that Sportago is a "Clothing Store" and therefore a Conditional Use in the City Code (17.48.030). We ask that the Planning Commission overturn Mr. Housh's determination and grant us the determination of "Sporting Goods Store", a permitted use in the City Code (17.48.020). The following is our reasoning.

Since Sportago's beginning we have always considered ourselves a store that caters to outdoor recreation and sports, although we have never had to classify ourselves as such. Now that we are going through the process of moving the store, we are faced with the definition of our product mix and store identity. We will be the first to admit, at first, we did not think of ourselves as a sporting goods store in the traditional sense. We also, had this misconception... but the more we did our research, reaching out to industry professionals, other similar stores, and our customers, we feel this is exactly what we are. The Standards Phorio website (<http://standards.phorio.com>) says a sporting goods store

... is a retail space devoted to any kind or variety of equipment, gear, clothing and other goods related to sports, sporting contests, exercise, fitness, athletic activity and/or outdoor recreation in general. . ."

This defines our store perfectly. Virtually all of the products we carry can and are considered sports related, but not necessarily the classic definition of sports... things have changed. We do not carry soccer balls or baseballs – Steves Hardware does that. The traditional "sporting goods" store is carrying more clothing than ever and many have branched out of ball sports into more unconventional outdoor activities. Our customers come to us because they live an active outdoor lifestyle and they are planning a skiing trip, or a hiking trip in Europe. They visit us because they are hikers, fishermen, runners, hunters, kayakers, backpackers, campers, surfers, skiers and more. All of these are sports as much as baseball and football.

While space does not permit us to stock many large items such as kayaks or tents, we do maintain a small presence of these items in the store and do often special order them for our customers. Our inventory changes often and seasonally, so it is common for us to carry items such as tents, hammocks, travel chairs, coolers, backpacking stoves, sleeping bags & pads, fly fishing rods and more. In fact we have some of these items in stock now. We are happy to provide a list of our current vendors and/or catalogs we order from.

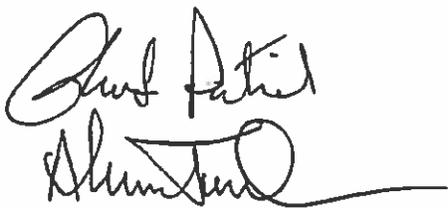
Stores that are traditionally in the "Clothing" industry do their buying at fashion shows that are dedicated to this type of clothing. We do not. We and stores like us do almost all our buying at Outdoor Retailer twice a year. You will not find buyers from Neiman Marcus there, or even more locally, from Marios, or Reeds. You will find buyers for REI, from Dicks Sporting Goods, and from Backcountry.com there to make their selections, right alongside us. This is an outdoor sports show and there is very little crossover between this and the clothing industry.

We have had to address this stereotype by adding the tagline "great outdoor clothing" to most of our advertising campaigns and print material because many times we are mistaken for a "traditional" sporting goods store. Quite often, a customer will stand outside our door and say, "Oh, it's a sports store" and keep on walking. We place our more lifestyle and cross-over clothing closer to the door to try and overcome this perception of our product selection. We also hear from our local customers that, although they would like to support us, they just don't do anything sports related. The inclusion of the word clothing for us is an attempt to overcome this misconception. We do cater to sports enthusiasts, but much of our apparel has multiple uses.

At first glance you will notice one big difference between Sportago and a store like Big 5 and that is we pride ourselves in displaying our product in a versatile and sophisticated way. We do not have racks of only gym shorts, or ski jackets with signs calling the contents out, but we do have these items. They are thoughtfully, and creatively merchandised throughout the store and may not be perceived for what they are at first. That is where our knowledgeable staff comes in. By taking a more "boutique" approach to an outdoor store, we have developed an ongoing trust and loyalty with our customers and it is what has enabled us to be successful in a time when traditional sporting goods stores like Sports Authority are failing.

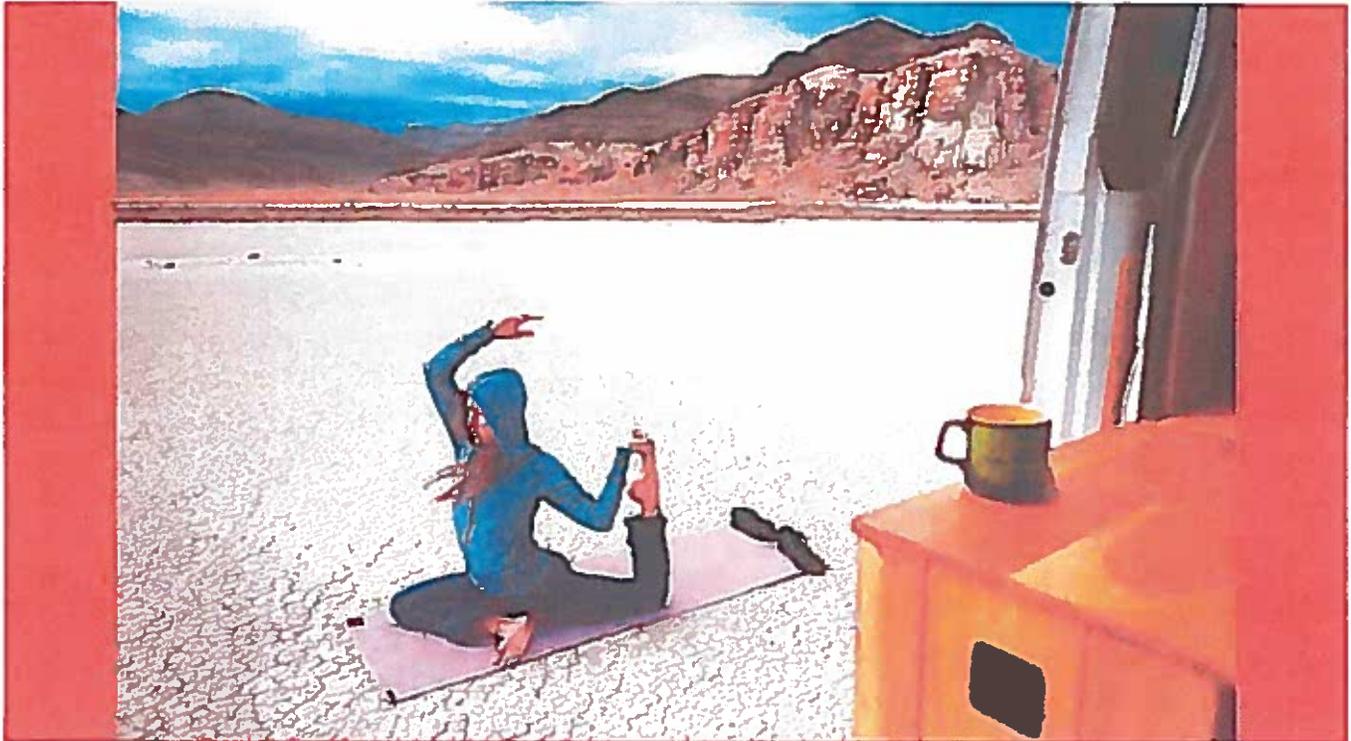
Attached you will find several advertising campaigns from vendors we currently carry that show even something as simple as a T-Shirt is used to do active, outdoor sports in. Also, attached is several photos of the interior of stores that most would consider to be a "sporting goods store". Stores like Dick's Sporting Goods are now carrying far more clothing and footwear than traditional hard goods such as baseball mitts and soccer balls.

Thank You,

The image shows two handwritten signatures in black ink. The first signature is 'Chris Patrick' and the second is 'Ahren Trumble'. Both are written in a cursive, flowing style.

Chris Patrick & Ahren Trumble
Owners, Sportago

FREE SHIPPING ON ORDERS OVER \$75*



Women's Yoga & Activewear

What defines our multifunctional active collection is a yogi's understanding of women's physiology, untold hours of product testing and long-lasting fabrics that are keenly matched to their intended use—plus our mission to cause the least harm. The Ahnya Pants, for example, combine an easy yet flattering fit with organic cotton, just enough stretch and Fair Trade Certified™ sewing.

FREE SHIPPING ON ORDERS OVER \$75*



Tees for Seas

Printed with PVC- and phthalate-free inks, our Responsibili-Tees™ are made from 100% recycled polyester or a 50% recycled cotton/50% post-consumer recycled polyester blend. Using recycled fibers saves the water and energy used to grow cotton and diverts scrap material from the waste stream; the post-consumer polyester content comes from single-use plastic bottles just like the ones that are threatening oceans and marine life all around the world. Paired with fast-drying hybrid shorts, these light and durable tees are standard issue for any warm weather trip.



KÜHL

MEN - WOMEN - MORE -



ACCOUNT



New Styles and Colors
SPRING 2016

NEW STYLES FOR SPRING



NEEDS BY REGION

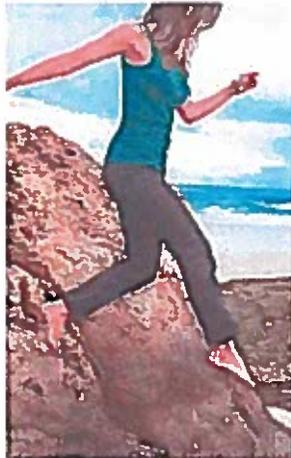
spring.jpg

Show all downloads




The Stretch Zion Collection
prAna's Most Versatile Pants & Shorts

[Shop Now](#)



This season, the versatile Stretch Zion fabric is available in more styles and fits than ever before. The blend of durability, performance, and comfort makes it ideal for just about any adventure—whether you're backpacking, climbing in the gym, navigating the airport, or biking around town on a summer evening. Wherever your path leads, there's a Stretch Zion style fit for the journey.

Dick's Sporting Goods, Santa Rosa, CA.



REI (Recreational Equipment Inc.) Santa Rosa, CA



RECEIVED
PLANNING DEPARTMENT

JUN 13 2016

City of St. Helena



APPEAL

Planning Department
1480 Main Street
St. Helena, CA 94574

Office Use Only - Do Not Write in this Area

File Number _____
General Plan _____ Zoning _____

Background Files _____
Related Applications _____

Initial Deposit Received _____ Received By _____

Please Type or Print

Project Name USE PERMIT 1380 MAIN ST. Project Applicant SPORTAQD, INC.
Site Address 1380 MAIN ST. APN 009-212-001 000- -

Person Submitting Appeal PATRICK, CHRIS & TROMBLE, AMREN
(Last Name, First Name)
Mailing Address 1224-B ADAMS ST.
City ST. HELENA State CA ZIP Code 94574
Phone Number 707-963-9042

If you would like project correspondence and notice of meetings to be sent to parties other than the appellant, please list their names, address and telephone numbers on a separate sheet.

Action being appealed (include the name of the decision-making board and date the action was taken):

ADMINISTRATIVE DETERMINATION BY NOAH HOUSH THAT SPORTAQD IS A CLOTHING STORE, THEREFORE A CONDITIONAL USE.

Action requested by appellant:

WE REQUEST THAT THE PLANNING COMMISSION OVERTURN MR HOUSH'S DETERMINATION AND GRANT US A DETERMINATION OF "SPORTING GOODS STORE."

Reason for appeal:

* SEE ATTACHED

You may attach additional paper if you need more room to describe the facts and grounds on which your appeal is being filed. Indicate what error in any order, requirement, permit, decision, determination, approval, or denial you believe should be corrected. Following receipt of your appeal, the Planning Department will place the appeal on the next agenda for which a notification can be published in the St. Helena Star. Such notice must be published at least ten (10) days in advance of the hearing date.

Processing fee: \$1,000 Minor
Processing Fee: \$2,600 Major
Public Hearing Notice: \$ 400
Request Preparation of Mailing Labels: \$ 200 *(Additional Fee)

Applications with a negative balance at the time of the public hearing will be continued until the balance is paid in full.

I, ANDREW TRUMBLE, hereby file this application for an appeal and agree to pay any and all processing fees imposed by the St. Helena Municipal Code and City Council Resolutions (as they may be amended from time to time).

Failure to pay all accumulated fees by the time of public hearing will result in a continuance or denial of the project.

A finance charge of 12% per annum shall accrue on any balance unpaid after 30 days.

In the event the City is required to take legal action to enforce any of the terms and conditions of this application, Applicant and Property Owner agree to pay to City reasonable attorney fees and costs incurred in such action.

I, the applicant, will defend, indemnify and hold the City, its agents, officers, and employees harmless from any claim, action or proceeding to attack, set aside, void or annul an approval of the City concerning the project, as long as the City promptly notifies the applicant of any such claim, action or proceedings and the City cooperates fully in the defense. We have also reviewed the requirement to disclose the complete list of partners and/or shareholders.

Date: 6/22/16 Applicant's Signature: 

Noah Housh

From: Grace Kistner
Sent: Saturday, July 02, 2016 8:34 AM
To: Noah Housh
Subject: FW: Sportago business distinction

From: Ahren Trumble [info@sportago.com]
Sent: Monday, April 04, 2016 1:34 PM
To: Grace Kistner
Subject: Sportago business distinction

Hello Grace,

We write to you as the owners of the Sportago. We have been a local serving St. Helena business for 33 years and hope to be here for many more. Recently we were informed that our landlord was not willing to renew our lease without a significant (16%) rent increase or a length of time that we feel would maintain the integrity and longevity of our business. We've spoken to the Menegons and would like to move to the corner space in their building at 1380 Main Street and feel that the time to move is now when there is a suitable space available. We are excited about this partnership as this is a new landmark building in town and we (and many others) consider our business to be an institution in St. Helena. The fit seems ideal and we are both working together to make this happen as smoothly and quickly as possible.

We have requested from the city planner, Noah Housh, that he make a distinction that we are a Sporting Goods store and therefore a permitted use. After speaking with Noah in person, he has decided that he will not be able to give us this distinction (although he has not done that officially) based on his interpretation of what is considered "sporting goods" and what is considered "clothing". Also, weighing heavily on his decision is an email exchange that we had early on in this process where we flatly admitted that we had not thought about ourselves as a sporting goods store as we had never had to make a distinction either way. We feel strongly that by asking for this distinction now we are not contradicting our original statement, but have since then done our research, spoken to our customers, industry professionals and similar businesses and come to the conclusion that sporting goods has changed dramatically since 1993.

Since our beginnings we have always considered ourselves a store that caters to outdoor recreation and sports, although we have never had to classify ourselves nor could we find reference to a certain percentage of hard goods vs. soft goods that would define our store one way or another. The Standards Phorio website (<http://standards.phorio.com>) says a sporting goods store

“. . . is a retail space devoted to any kind or variety of equipment, gear, clothing and other goods related to sports, sporting contests, exercise, fitness, athletic activity and/or outdoor recreation in general. . .”

This defines our store perfectly. Virtually all of the products we carry can and are considered sports related, but not necessarily the classic definition of sports... things have changed. We do not carry soccer balls or baseballs – Steves Hardware does that. The traditional "sporting goods" store is carrying more clothing than ever and many have branched out of ball sports into more unconventional outdoor activities. Our customers come to us because they live an active outdoor lifestyle and they are planning a skiing trip, or a hiking trip in Europe. They visit us because they are hikers, fishermen, runners, hunters, kayakers, backpackers, campers, surfers, skiers and more. All of these are sports as much as baseball and football.

While space does not permit us to stock many large items such as kayaks, we do like to maintain a small presence of these items in the store and do often special order them for our customers. Our inventory changes often and seasonally, so it is common for us to carry items such as tents, hammocks, travel chairs, coolers, backpacking stoves, sleeping bags & pads, fly fishing rods and more. In fact we have some of these items in stock now. We are happy to provide a list of our current vendors and/or catalogs we order from.

At first glance you will notice one big difference between Sportago and a store like Big 5 and that is we pride ourselves in displaying our product in a versatile and sophisticated way. We do not have racks of only gym shorts, or ski jackets with signs calling the contents out, but we do have these items. They are thoughtfully, and creatively merchandised throughout the store and may not be perceived for what they are at first. That is where our knowledgeable staff comes in. By taking a more "boutique" approach to an outdoor store, we have developed an ongoing trust and loyalty with our customers and it is what has enabled us to be successful in a time when traditional store like Sports Authority are failing.

Noah has very carefully explained the process going forward should we decide to appeal his decision to the planning commission. Since we understand this can be a very costly and time consuming process this letter is to open a dialogue with you and hopefully gain some insight into what you feel about his decision, our requested designation and the potential outcome should we decide to move forward with the appeal process. Your feedback will greatly help in the decision we make going forward. We are happy to provide you with any information you would need including product lists, percentages, etc. and are open to meet in person or over the phone should you want to discuss anything further.

Sincerely yours,

Chris Patrick and Ahren Trumble
Sportago owners
(707) 963-9042

Noah Housh

From: Grace Kistner
Sent: Friday, July 01, 2016 6:53 AM
To: Noah Housh
Subject: Fw: Sportago

From: Sara Chappellet <sarachappellet@gmail.com>
Sent: Wednesday, June 29, 2016 10:41 AM
To: Bobbi Monnette; Grace Kistner; Sarah Parker; Tracy Sweeney; Mary Koberstein
Subject: Sportago

Good Morning.

As a loyal customer, I support Sportago's appeal and join them to ask the Planning Commission to overturn the City's determination and grant the determination of "Sporting Goods Store", a permitted use in the City Code (17.48.020). I believe this action would be not only in line with our current ordinances, but a positive, business friendly example of how our City government can work for us.

I completely support Sportago's assertion that they fall under the definition of a Sporting Goods store defined as ". . . a retail space devoted to any kind or variety of equipment, gear, clothing and other goods related to sports, sporting contests, exercise, fitness, athletic activity and/or outdoor recreation in general. . ."

This defines Sportago perfectly. Their products enhance our active outdoor lifestyle. We are hikers, fishermen, runners, hunters, yoginis, kayakers, backpackers, campers, surfers, skiers and more. All of these are sports as much as baseball and football. For over 33 years, Sportago has provided this equipment, gear and clothing in a sophisticated, elegant way which accents and enhances our town.

I hope while you uphold the integrity of our City's ordinances, you also see the value in serving this business which has served us well.

Thank you for your consideration in this matter.

Sara

Sara Chappellet
Chief Beauty Officer
Heaven and Earth
1317 Main St.
St. Helena, CA 94574

707-963-1124-office
707-963-8979-fax
707-738-5525-cell

Board of Directors
Chamber of Commerce
Saint Helena, CA 94574

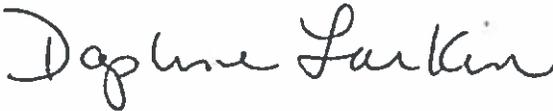
Noah Housh

From: Grace Kistner
Sent: Friday, July 01, 2016 6:52 AM
To: Noah Housh
Subject: Fw: APPEAL FOR SPORTAGO

From: Daphne <daphne@daphnelarkin.com>
Sent: Wednesday, June 29, 2016 11:54 AM
To: Bobbi Monnette; Grace Kistner; Sarah Parker; Tracy Sweeney; Mary Koberstein
Subject: Re: APPEAL FOR SPORTAGO

Thank you Bobbi Monnette. Chuck and I appreciate that.

Daphne Larkin



SL Helena, California
707-529-0557

Author: NAPA VALLEY: The Land, The Wine, The People (2011)
Author: BERINGER VINEYARDS: The Rhine House (2009)
Author: WINE ACROSS AMERICA: A Photographic Road Trip (2007)

On Jun 29, 2016, at 11:40 AM, Daphne <daphne@daphnelarkin.com> wrote:

Dear St Helena Planning Commissioners,

We have lived in Saint Helena since 1978 and have watched the town grow and develop in ways that are essentially good thanks to your wise decisions and dedicated work.

A recent determination concerning **Sportago** came to our attention recently and we are writing to ask that you reconsider the store's request to be considered a Sporting Goods Store. We ask this because we know this characterization of their business is true and because we need more commercial enterprises like Sportago on Main Street if we are to maintain the vitality and charm of this town and serve local needs.

As we understand the issue, a positive outcome rests on your willingness to recognize Sportago as "... a retail space devoted to any kind or variety of equipment, gear, clothing and other goods related to sports, sporting contests, exercise, fitness, athletic activity and/or outdoor recreation in general. ..." In our view, this defines Sportago perfectly.

We have turned to Sportago for most of our sports needs from hiking to backpacking to camping. For over 33 years, Sportago has provided this equipment, gear and clothing so that those who prefer to shop locally are able to do so.

We hope you will uphold the integrity of our City's ordinances and promote the overall goal of economic vitality for Saint Helena.

Noah Housh

From: Grace Kistner
Sent: Friday, July 01, 2016 6:49 AM
To: Noah Housh
Subject: Fw: Sportago appeal
Attachments: image001.wmz

From: Elaine John <Elaine.John@stjoe.org>
Sent: Wednesday, June 29, 2016 2:02 PM
To: Grace Kistner
Subject: Sportago appeal

I am writing to offer my support for Sportago's assertion that they fall under the definition of a Sporting Goods store. We buy our camping gear, running shoes and socks as well as workout clothes, hiking clothing and shoes, sunglasses, waterproof vests, etc. for all of our outdoor athletic activities. We are very fortunate to be able to access these items without having to leave our community. Because of the quality and selection of the merchandise many of my colleagues in Napa travel to St. Helena to shop there, too, and house guests who routinely visit always want to check to see what's new in Sportago. Great for business in St. Helena.

Thank you for doing whatever you can to accommodate this important business that has served our community for more than three decades!

Personal address:
(540 White Cottage Road, South
Angwin, CA 94508)

Elaine John
President/CEO

Queen of the Valley Foundation
1000 Trancas Street, Napa CA 94558
Direct: (707) 251-3527 Cell (707) 477-2117
Main Office: (707) 257-4044 Fax: (707) 251-1830

www.thequeen.org
www.queensfoundation.org

St. Joseph Health    
Queen of the Valley

Notice from St. Joseph Health System:
Please note that the information contained in this message may be privileged and confidential and protected from disclosure.

Noah Housh

From: Grace Kistner
Sent: Thursday, June 30, 2016 7:43 PM
To: Noah Housh
Subject: Fw: Sportago

From: janniemi@aol.com <janniemi@aol.com>
Sent: Wednesday, June 29, 2016 3:10 PM
To: Grace Kistner
Subject: Sportago

Dear Grace,

I am writing to voice my support for the classification of Sportago as a sporting goods store, not a clothing store. I have been a customer for years and feel strongly that I should support this shop rather than taking my business out of town.

Thanks for your consideration,

Jan Niemi

Noah Housh

From: Grace Kistner
Sent: Friday, July 01, 2016 2:20 PM
To: Noah Housh
Subject: Fw: Sportago

From: Diane Livingston <dianeflivingston@gmail.com>
Sent: Friday, July 1, 2016 9:20 AM
To: Bobbi Monnette; Grace Kistner; Sarah Parker; Tracy Sweeney; Mary Koberstein
Subject: Sportago

Dear Commissioners,

We have been long time customers of Sportago and support their move to Main Street. We believe that they are "a retail space devoted to any kind or variety of equipment, gear, clothing and other goods related to sports, sporting contests, exercise, fitness, athletic activity and/or outdoor recreation in general..."

We hope that you overturn the City's determination and grant the determination of "Sporting Goods Store", a permitted use in the City Code(17.48.020). We believe that Sportago fits the current ordinance and would continue to provide locals with sporting goods.

We hope that you will uphold the integrity of our City's ordinances and see the value of this local serving business which has served the community for over 33 years.

Thank you.

Sincerely,

Diane and John Livingston
1148 Hudson Avenue
Saint Helena, CA 94574

Noah Housh

From: Grace Kistner
Sent: Friday, July 01, 2016 6:57 AM
To: Noah Housh
Subject: Fw: In support of Sportago

From: Betsy Kane-Hartnett <betsykanehartnett@gmail.com>
Sent: Wednesday, June 29, 2016 2:17 PM
To: Bobbi Monnette; Grace Kistner; Sarah Parker; Tracy Sweeney; Mary Koberstein
Subject: In support of Sportago

Dear Commissioners,

My husband and I have owned a home in Calistoga since 2001. Since then we've been frequent customers of St. Helena's many businesses and loyal customers of Sportago.

We support Sportago's appeal and join them in asking the Planning Commission to overturn the City's determination and grant the determination of "Sporting Goods Store", a permitted use in the City Code (17.48.020). We believe this action would be not only in line with current ordinances, but a positive, business friendly example of how City government can work for its citizens.

We completely support Sportago's assertion that they fall under the definition of a Sporting Goods store defined as

". . . a retail space devoted to any kind or variety of equipment, gear, clothing and other goods related to sports, sporting contests, exercise, fitness, athletic activity and/or outdoor recreation in general. . ."

This defines Sportago perfectly. Their products enhance our active outdoor lifestyle. We rely on them for are hiking, exercising, camping and much more. In other words, *our* sports. For over 33 years, Sportago has provided equipment, gear and clothing in a sophisticated, elegant way which accents and enhances St. Helena.

We hope while you uphold the integrity of St. Helena's City ordinances, you also see the value in serving this business which has served us well.

Thank you,



--
Betsy & John Kane-Hartnett
2880 Foothill Blvd
Calistoga CA 94515
(707) 942-6737

Noah Housh

From: Grace Kistner
Sent: Friday, July 01, 2016 2:24 PM
To: Noah Housh
Subject: Fw: Sportago

From: Diane Livingston <dianeリビングストン@gmail.com>
Sent: Friday, July 1, 2016 9:20 AM
To: Bobbi Monnette; Grace Kistner; Sarah Parker; Tracy Sweeney; Mary Koberstein
Subject: Sportago

Dear Commissioners,

We have been long time customers of Sportago and support their move to Main Street. We believe that they are "a retail space devoted to any kind or variety of equipment, gear, clothing and other goods related to sports, sporting contests, exercise, fitness, athletic activity and/or outdoor recreation in general..."

We hope that you overturn the City's determination and grant the determination of "Sporting Goods Store", a permitted use in the City Code(17.48.020). We believe that Sportago fits the current ordinance and would continue to provide locals with sporting goods.

We hope that you will uphold the integrity of our City's ordinances and see the value of this local serving business which has served the community for over 33 years.

Thank you.

Sincerely,
Diane and John Livingston
1148 Hudson Avenue
Saint Helena, CA 94574

Noah Housh

From: Grace Kistner
Sent: Friday, July 01, 2016 2:23 PM
To: Noah Housh
Subject: Fw: Sportgo

From: Nena Talcott <nenat@grove45.com>
Sent: Wednesday, June 29, 2016 7:58 AM
To: Bobbi Monnette; Grace Kistner; Sarah Parker; Tracy Sweeney; Mary Koberstein
Subject: Sportgo

Dear Commissioners,

As a loyal customer, I support Sportago's appeal and join them to ask the Planning Commission to overturn the City's determination and grant the determination of "Sporting Goods Store", a permitted use in the City Code (17.48.020). I believe this action would be not only in line with our current ordinances, but a positive, business friendly example of how our City government can work for us.

We completely support Sportago's assertion that they fall under the definition of a Sporting Goods store defined as ". . . a retail space devoted to any kind or variety of equipment, gear, clothing and other goods related to sports, sporting contests, exercise, fitness, athletic activity and/or outdoor recreation in general. . ."

This defines Sportago perfectly. Their products enhance our active outdoor lifestyle. We are hikers, fishermen, runners, hunters, kayakers, backpackers, campers, surfers, skiers and more. All of these are sports as much as baseball and football. For over 33 years, Sportago has provided this equipment, gear and clothing in a sophisticated, elegant way which accents and enhances our town.

We hope while you uphold the integrity of our City's ordinances, you also see the value in serving this business which has served us well.

Sincerely,

Nena Talcott

GROVE 45 Extra Virgin Olive Oil
www.grove45.com
Nena Talcott
nenat@grove45.com
1467 Kearney Street
Saint Helena, CA 94574
T.707.963.7896
C.707.812.7896
F.707.963.9090

Noah Housh

From: Grace Kistner
Sent: Friday, July 01, 2016 2:22 PM
To: Noah Housh
Subject: Fw: Special request

Importance: High

From: Mary Cunningham Agee <mcagee@msn.com>
Sent: Wednesday, June 29, 2016 9:02 AM
To: Grace Kistner; Bobbi Monnette; Sarah Parker; Tracy Sweeney; Mary Koberstein
Subject: Special request

Dear Grace, Bobbi, Sarah, Tracy and Mary,

Our family has enjoyed living in this beautiful city of Saint Helena for over twenty years. We have watched our town grow and develop in ways that are essentially good -- in large part thanks to the wise decisions and dedicated work of your Planning Commission.

One recent determination concerning Sportago came to our attention and we are writing to ask that you please reconsider their request to be considered a Sporting Goods Store. We ask this because we know this characterization of their business is accurate and because we believe they contribute significantly to the economic vitality and charm of this town.

As I understand the issue, a positive outcome rests on your willingness to recognize Sportago as “. . . a retail space devoted to any kind or variety of equipment, gear, clothing and other goods related to sports, sporting contests, exercise, fitness, athletic activity and/or outdoor recreation in general. . .” In my view, this defines Sportago perfectly.

Members of our family have always turned to Sportago for all of our sports needs from hiking to running, skiing to backpacking. For over 33 years, Sportago has provided sporting equipment, gear and clothing so that residents like us who prefer to shop locally are able to do so while meeting our athletic needs.

We hope you will uphold the integrity of our City's ordinances and promote the wellbeing of our town by encouraging businesses like Sportago to remain with us on Main Street in Saint Helena.

Respectfully,

Mary Cunningham Agee
And Family

Noah Housh

From: Grace Kistner
Sent: Saturday, July 02, 2016 9:05 AM
To: Noah Housh
Subject: Fw: Sportago use permit

From: flin mcdonald <flinmcdonald@gmail.com>
Sent: Friday, July 1, 2016 8:14 AM
To: Bobbi Monnette; Grace Kistner; Sarah Parker; Tracy Sweeney; Mary Koberstein
Subject: Sportago use permit

Dear Bobbi, Grace, Sarah, Tracey and Mary,

I wanted to write to let you all know we completely support Sportago's assertion that they fall under the definition of a Sporting Goods store defined as

“. . . a retail space devoted to any kind or variety of equipment, gear, clothing and other goods related to sports, sporting contests, exercise, fitness, athletic activity and/or outdoor recreation in general. . .”

Our family has enjoyed this local serving gem for as long as they have been in business. We have used there well chosen sporting goods to equip us on hikes, triathlons, Safaris, yoga practice, horse pack trips, camping adventures, routine gym work, running, cross country training, to mention a few outdoor activities.

We appreciate your consideration and thank you for working to help shape the healthy local serving balance of St Helena, our home town.

Regards,
Flin McDonald and Family

Flin McDonald

707.965.9402 home
707.529.1998 studio
p o box 88
saint helena
california
9 4 5 7 4

Noah Housh

From: Grace Kistner
Sent: Thursday, June 30, 2016 7:42 PM
To: Noah Housh
Subject: Fw: Sportago Designation

From: Susan Krausz <Susan@arkenstone.com>
Sent: Wednesday, June 29, 2016 3:28 PM
To: Bobbi Monnette; Grace Kistner; Sarah Parker; Tracy Sweeney; Mary Koberstein
Subject: Sportago Designation

Dear esteemed St. Helena Planning Commissioners,

I wanted to write to support Chris Patrick and Ahren Trumble of Sportago, in their effort to be acknowledged as a "Sporting Goods Store" for the purpose of St. Helena Central Business zoning designation. Clearly there is a subjective component to this designation, as well as an implied intent or purpose of our zoning regulations. The purpose for the regulations, it seems to me, is to make sure our town continues to maintain a healthy balance between local serving and tourist businesses in order to support our residents needs, but also to encourage a robust and competitive business environment. I have seen that balance shift markedly over the last 20 years, as one local serving business after the other has either gone out of business or moved elsewhere due to rising rents. Although stores such as Vasconis, Smith Pharmacy and Steve's Hardware (thankfully) have broadened their inventory to help provide for local needs, our Main Street "Central Business District "has become less and less diverse. I know there are a lot of reasons for this, and imagine that it is very difficult as a Planning Commissioner, to work to maintain this fine line.

The subjective component to this issue is whether a store completely dedicated to sporting attire and accessories (and fits the definition of a sporting goods store) is considered a "Clothing Store" or a "Sporting Goods" store. The implication is that a Sporting Goods store would be more local serving (as would a shoe repair, hardware store, etc), but a clothing store would not automatically be characterized as such; thus the need for a use permit. Sportago does fill a useful niche in our small town that is not duplicated by other businesses, it definitely sells sports related "goods", and is local serving. On the flip side, we have a number of "clothing stores" in our Central Business area, which makes me wonder if it wouldn't be doubly hard for Sprtago to get a use permit to get a use permit if they maintain this designation.

To make a long standing, local serving business go through the onerous red tape and expense that "might" get them a use permit, seems counter to the implied purpose of our zoning regulations. I think a decision to revisit the determination that Sportago is a clothing store, and re-designate it as a Sporting Goods Store, would support the intent and purpose of our zoning regulations. This is a perfect example of a business that provides valuable service to local residents, but also brings in business from visitors who find their high quality sporting attire and accessories unique and useful.

Thank you for your time and attention.

Best regards,

Susan Krausz

St. Helena home owner and full time resident for over 20 years.

Noah Housh

From: Grace Kistner
Sent: Thursday, June 30, 2016 7:42 PM
To: Noah Housh
Subject: Fw: Sportago

From: Mary Stephenson <stepcomm@aol.com>
Sent: Wednesday, June 29, 2016 6:09 PM
To: Bobbi Monnette; Grace Kistner; Sarah Parker; Tracy Sweeney; Mary Koberstein
Subject: Sportago

Ladies - I know you are receiving mucho correspondence on this issue, so I will just say that I agree that Sportago should be allowed to move to Main Street. From a procedural perspective there must be a way to make this happen. From a community perspective, Sportago is a locally-owned, long-standing business that serves both residents and tourist. I can not think of a better fit for a prime Main Street location.

Mary Stephenson
707 963 1548 o
707 849 2583 c

Noah Housh

From: Grace Kistner
Sent: Thursday, June 30, 2016 7:40 PM
To: Noah Housh
Subject: Fw: Re-designation for Sportago

From: Joan Westgate <jwestgate33@gmail.com>
Sent: Wednesday, June 29, 2016 8:15 PM
To: Bobbi Monnette; Grace Kistner; Sarah Parker; Tracy Sweeney; Mary Koberstein
Subject: Re-designation for Sportago

I have shopped for years at Sportago, and I consider it a sporting goods store. We need a store like this on Main St., especially since Goodman's is gone.

Please make the changes necessary to allow Sportago to move into Steve's new building.

Thank you,

Joan Westgate

jwestgate33@gmail.com

1520 Pine Street

St. Helena, CA 94574

707-963-9050

707-888-2984 (Cell)

Noah Housh

From: Grace Kistner
Sent: Thursday, June 30, 2016 7:39 PM
To: Noah Housh
Subject: Fw: Sportago
Attachments: Dear Members of the St.docx

From: Annette Smith <lovely3tees@aol.com>
Sent: Thursday, June 30, 2016 6:55 PM
To: Sarah Parker; Tracy Sweeney; Grace Kistner; Mary Koberstein; Bobbi Monnette
Subject: Sportago

Dear Members of the St. Helena Planning Commission,

Please read the attached letter concerning the determination for Sportago sporting goods store which will come before your commission on July 5th and 19th. I write this letter as a 3rd generation citizen of St. Helena, a loyal customer and a property owner of 2 commercial buildings in the downtown area (1336 Oak Ave. and 1351 Main St.)

I appreciate your attention to this very important matter.

Sincerely,
Annette Micheli smith



CITY HALL, 1480 MAIN STREET
ST. HELENA, CALIFORNIA 94574
(707) 963-2741

Office of the City Planner

September 5, 1986

Mr. George Vierra
Merlion Winery
P. O. Box 606
St. Helena, CA 94574 *file*

Dear Mr. Vierra,

This is to advise you that at its August 19, 1986 meeting the Planning Commission determined that the barrel fermentation of 30 puncheons was consistent with originally approved Use Permit for your winery at 1224 Adams Street. This determination was made upon the understanding that no other changes in the Use Permit conditions are being allowed.

If you have any questions, please do not hesitate to call me.

Very truly yours,

Gary Gouvea
City Planner

GG:pl



RECEIVED
SEP 15 1986

CITY HALL, 1480 MAIN STREET
ST. HELENA, CALIFORNIA 94574

(707) 963-27 **ENDORSED**

FILED AUG - 8 1986
JANICE F. NORTON
NAPA COUNTY CLERK
BY: D.I. BELLO
DEPUTY CLERK

Office of the City Planner

August 4, 1986

SH-265

DATE RECEIVED 8/8
POSTED FROM 8/8 TO 9/12
DATE RETURNED SEP 12 1986

USE PERMIT
THE CITY OF ST. HELENA
HEREBY
GRANTS A USE PERMIT
TO
MERLION WINERY
1224 ADAMS STREET
ST. HELENA, CALIFORNIA 94574

Said Permit is to allow case goods storage, wine sales, tasting and winery office at 1224 Adams Street. Assessor's Parcel No. 9-223-21.

Permit shall be in conformance with all City Ordinances, rules and regulations and policies in effect at time of issuance of this Use Permit or a Building Permit, if required. The conditions listed below are those particularly pertinent to this permit and shall not be construed to permit violation of other laws and policies not so listed.

Use permit shall be issued subject to compliance with the following conditions:

1. No public wine tasting shall be allowed, except as provided in 6. below.
2. Retail sales shall be limited to wines produced by the winery occupant.
3. No food products other than wine shall be sold from the premises.
4. Winery activities shall be limited to storage of cases of wine and puncheons; a labeling operation and a pump to be used to top up the puncheons with wine from demijohns.
5. This winery shall not be allowed to crush grapes, press grapes, filter wine, bottle wine or receive tank trucks with bulk wine.
6. Wine tasting shall be offered only to potential commercial or institutional customers or the retail purchasing public

Merlion Winery Use Permit

July 7, 1986

only when they have made arrangements for such tasting 24 hours in advance. The area where such tasting takes place shall not be visible by the visiting public. A sign indicating that no tastings are allowed shall be posted so as to be clearly visible in the sales area and from outside of the building.

7. Improvements to the premises shall only be allowed within the limits specified in Article 23 - Nonconforming uses.
8. Winery production shall not exceed 17,000 cases annually.

Effective date of permit is July 28, 1986.

Use Permit to be void if use is not commenced by July 28, 1987.



Gary Gouvea
City Planner

Attachments

GG:pl