



## Agenda Submittal

**Agenda #:** 23 **Status:** Regular Calendar  
**Type:** Miscellaneous **Department:** Resource Management  
**File #:** 17-613 **Contact:** Mike Yankovich, 784-6765  
**Agenda date:** 8/22/2017 **Final action:** 8/22/2017  
**Title:** Conduct a public hearing to consider an application for an Outdoor Festival License to conduct outdoor concerts for Vezer Family Vineyard located at 2522 Mankas Corner Road in an "ATC" Agriculture Tourist Center zoning district in accordance with Article III. Outdoor Festivals, Sections 3.30 through 3.39 of the Solano County Code, APN 0026-220-070  
**Governing body:** Board of Supervisors  
**District:** District 3  
**Attachments:** 1. A - License Application, 2. B - Chapter 3, Article III. Outdoor Festivals, 3. C - Conditions of Approval, 4. Presentation, 5. Correspondence, 6. Minute Order

Date	Ver.	Action By	Action	Result
8/22/2017	1	Board of Supervisors	Approved	

Published Notice Required? Yes \_\_\_ No X  
Public Hearing Required? Yes X No \_\_

### **DEPARTMENTAL RECOMMENDATION:**

The Department of Resource Management recommends that the Board of Supervisors:

1. Conduct a public hearing to consider the application of Vezer Family Vineyard for an Outdoor Festival License, under Chapter 3, Article III. Outdoor Festivals, Sections 3.30 through 3.39 of the County Code to conduct outdoor concerts, and
2. After receiving testimony, both written and verbal, determine that the outdoor concerts can take place for specific dates for the 2017 calendar year subject to conditions of approval as determined by the Board of Supervisors.

### **SUMMARY:**

Vezer Family Vineyard is requesting that the Board of Supervisors consider an application (Attachment A) for an Outdoor Festival License for property located at 2522 Mankas Corner Road in an "ATC" Agriculture Tourist Center zoning district in accordance with Article III. Outdoor Festivals, Sections 3.30 through 3.39 of the Solano County Code (Attachment B). Chapter 3 of the County Code addresses amusements such as public dances, outdoor festivals, and miscellaneous issues like unsafe or disruptive conduct and trespassing, along with activities associated with the County fairgrounds. The proposed license is for an outdoor concert festival series that will be limited to the remainder of 2017. Any future proposal beyond the term of the license will require necessary land use approvals.

### **FINANCIAL IMPACT:**

The applicant submitted filing fees to process this request. The license will be conditioned to cover any added County costs to monitor future concert events.

## **DISCUSSION:**

### **Environmental Setting and Background**

The proposed festival site is located at 2522 Mankas Corner Road in unincorporated Mankas Corner. The site is located in a traditional commercial area on a parcel approximately .85 acres in area. The parcel is developed with four buildings with the following uses: Restaurant (Mankas Steakhouse), Deli, patio, winery/wine tasting; cottage, and apartment. There are several mature trees on-site in addition to shrubs and plantings. There are approximately twenty-five parking spaces in front of the restaurant and the winery/wine tasting facility.

The applicant has previously conducted several concerts at this site in late spring/early summer of this year as well as several last season.

According to the application for this license, the remaining concerts will be conducted no more than twice a month and end in mid-October 2017.

### **Project Description**

The applicant's project description proposes to conduct an outdoor concert festival series consisting of "tribute bands" playing music associated with the 60's, 70's, and 80's. The festival series commenced in Mid-May and is proposed to continue twice per month on Saturdays through Mid-October. The festival site is open to attendees beginning at 3:00 pm and ending at 9:00 pm. The concerts are planned to begin at 4:30 pm and end no later than 8:30 pm. The applicant estimates the average attendance will be between 200 and 300, with a maximum of 400 at any one time. Both the Suisun Fire Protection District and the Building Division have commented that the occupant load must be determined which in turn will determine the maximum attendance, should this license be issued by the Board. Initial calculations indicate a maximum occupancy load of approximately 200. As a condition of approval, the festival will be limited to 200 attendees.

Access is from Mankas Corner Road with approximately 25 parking spaces provided in front of the facility. The remaining parking will be located on that portion of Mankas Corner Road west of the facility. The applicant has submitted a Vehicle Pedestrian and Safety analysis (attached) which has recommendations to improve pedestrian safety and measures to reduce vehicle and pedestrian conflicts along Mankas Corner Road. Festival employees will assist in traffic control and parking.

Food, water and wine will be served. Food and wine will be provided for sale while unlimited water will be provided for each guest. No outside beverages or food will be allowed on the premises. Existing ADA accessible sanitary facilities will be provided with additional services provided through a temporary restroom trailer.

As part of the application, the applicant has submitted a report by RGD Acoustics that provides an assessment of the sound for a concert held on May 27, 2017. The sound consultant states that there are four main areas that can be addressed to reduce the transfer of amplified sound from an outdoor concert to neighbors. Several of them have been implemented which include orientation of stage and noise barriers, and sound system design. An additional sound system design is recommended that deals with loudspeaker orientation and a measure regarding control of maximum sound level is also included.

### **General Plan & Zoning Consistency**

#### General Plan

The proposed festival would occur on land designated Neighborhood Agricultural/Tourist Center. Per the Solano County General Plan, the designation of Neighborhood Agricultural/Tourist Center recognizes the current commercial community where previous development has occurred that is specific to certain areas of

the unincorporated county such as the Mankas Corner area.

#### County Code

Chapter 3 of the County Code does allow for a licensing process for temporary outdoor music or theatrical festivals. A festival license is valid only for a very limited period, such as a single weekend or season. Chapter 3 authorizes the Board to issue a festival license, authorizing this activity, in any zoning district if the Board decides the festival would not have adverse impacts to the surrounding area or the County as a whole.

#### **Project Review & Environmental Analysis**

As part of the Department of Resource Management project review process, the application has been reviewed by various County Departments, as well as the Suisun Fire Protection District. Their comments are as follows.

#### Solano County Building Division

The Building Division reviewed the application and is requiring that the applicant submit a floor plan with measurements showing the seating, standing and seating with tables to establish occupant load and required number of exit ways and paths. In addition, compliance with the Americans with Disabilities Act is required and compliance must be reflected on the site plan. Preliminary measurements by the Building Official and Fire District indicate a capacity of about 200 people.

#### Solano County Public Works Engineering Division

Mankas Corner Road is a County of Solano maintained road. The applicant has submitted a traffic and pedestrian analysis that includes recommendations to improve pedestrian and vehicle traffic. The Engineering Division has reviewed the analysis and will require a Traffic Control Plan be prepared and enforced. The Plan must specify signs according to the Municipal Unified Traffic Control Devices sign designation system. An encroachment permit will be required for signage and other traffic and circulation improvements in the road right-of-way.

#### Solano County Environmental Health Division

A food permit may be required dependent upon where the food is prepared. The applicant must contact Environmental Health prior to commencement of events.

#### Sheriff Department

The Sheriff Department reviewed the application and concluded that it had no concerns.

#### Suisun Fire Protection District

The project was reviewed by the Fire District which provides fire protection services to the property. The Fire District expressed concerns about using Mankas Corner road shoulders for parking and the possible conflict with emergency vehicles using the road to stage and, as a result, blocking access to other responding units. The parking management plan prepared by the applicant is intended to address these concerns. The District also is requiring the applicant to submit a floor plan with measurements showing the seating, standing and seating with tables to establish occupant load and required number of exit ways and paths.

Based on the nature of the above comments, recommended conditions of approval, and the applicant's project description, the conduct of the outdoor festival will not constitute a nuisance to, or be detrimental to the health, safety, or general welfare of persons residing or working in or passing through the neighborhood. Vezer employees will participate in traffic control and parking as well as overseeing the consumption of wine by the patrons. Staff has provided conditions of approval (Attachment C) for the Board's consideration for the 2522 Mankas Corner Road location. Condition #8 requires strict monitoring at the gate to ensure attendance does not exceed authorized occupancy levels.

Approval of the Outdoor Festival License comes within the Class 1 categorical exemption, Existing Facilities,

because the applicant will use only existing facilities for the festival concerts and there will be no new construction. In addition, the license only authorizes the applicant to conduct a limited number of concerts on specific days. It is essentially a single-event or single-series permit.

Applicant/Owner:

Mankas LLC  
2526 Mankas Corner Road  
Fairfield, CA 94534

General Plan Land Use Designation/Zoning:

General Plan: Neighborhood Agricultural/Tourist Center  
Zoning: "ATC" Agriculture Tourist Center

Existing Use: Wine Tasting Facility/Winery

Adjacent Zoning and Uses:

North: ASV-20, Agriculture-Suisun Valley/vacant  
South: ASV-20, Agriculture-Suisun Valley/single family residence  
East: ATC, Agriculture Tourist Center/Mankas Steakhouse Restaurant  
West: ASV-20, Agriculture-Suisun Valley/single family residence

**ALTERNATIVES:**

The Board may choose to:

1. Approve a reduced number of concerts to assess the impacts, or
2. Deny the request if it finds that the impacts are to the level that constitutes a nuisance or is detrimental to the health, safety, or general welfare of persons residing or working in or passing through the neighborhood.

**OTHER AGENCY INVOLVEMENT:**

None.

**CAO RECOMMENDATION:**

APPROVE DEPARTMENTAL RECOMMENDATION