

### **Project Description**

On June 16, 2020, the Napa City Council approved amendments to the Chapter 5.16 (Ordinance No. 2020-009) and a use permit (Resolution No. R2020-088) for the operation of a card room with 12 tables at 505 Lincoln Ave (the "Site"). The use permit allows the card room, now known as Ace & Vine, to have 9 of the 12 tables in operation at one-time consistent with Section 5.16.140 of the Napa Municipal Code, as amended.

Recently, the Legislature approved and the Governor signed into law Assembly Bill 341 ("AB 341") to add Section 19961.07 to the California Business and Professions Code. Under Section 19961.07, a city may allow a card room, operating fewer than 20 tables, to increase the amount of tables by two and up to two additional tables every subsequent four years not to exceed ten additional tables. Pursuant to Section 19961.07, the applicant seeks to amend Napa Municipal Code Section 5.16.140 and its use permit to increase the number of tables it may operate at one time to 11 tables, while maintaining the same overall number of 12 tables in the card room establishment as allowed under its existing use permit.

No site modifications or expansion of the subject building is proposed under this application. The card table layout will not change and remain substantially consistent with the Gaming Table Plan, dated August 28, 2019, originally approved by the City. Consistent with Condition No. 28 of R2020-088, the applicant will pay the Supplemental Table Fee of \$10,000 annually per table for the additional two tables in operation. This would amount to an additional \$20,000 in table fees to the City.

The Site provides 130 parking spaces. Consistent with NMC Section 17.54.040, the City established a parking demand of 114 spaces for the restaurant and assumed 41 spaces for the card room. While there is no parking demand ratio for a card room use, staff assumed one parking space per one card table seat based on a 41-seat occupancy. This was a conservative assumption as card players frequently travel in groups of two to four, as opposed to individual vehicle trips. In addition, Ace & Vine offers free local pick-up and drop-off as an amenity to its players—significantly reducing the vehicle trips to the Site. However, using the previous assumptions and considering the tables most frequently in use, the project likely allows for an additional 5-player table and 7-player table, totaling 12 additional seats. As a result, the Site's 130 parking spaces will—using the previous conservative assumptions—accommodate a new parking demand of no greater than 122 spaces.

Under the project and state law, including AB 341, the number of card rooms allowed within the City of Napa will continue to be limited to one and no additional card room permits would be issued beyond the existing permit held by the applicant.

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