



A Tradition of Stewardship
A Commitment to Service

AGENDA

NAPA COUNTY CONSERVATION, DEVELOPMENT AND PLANNING COMMISSION

Wednesday October 01, 2008
9:00 AM

COMMISSION MEMBERS

<i>COMMISSIONER</i> <i>Heather Phillips</i> <i>District # 1</i>	<i>COMMISSIONER</i> <i>Jim King</i> <i>District # 2</i>	<i>CHAIRPERSON</i> <i>Terry Scott</i> <i>District # 4</i>	<i>VICE-CHAIRPERSON</i> <i>Bob Fiddaman</i> <i>District # 3</i>	<i>COMMISSIONER</i> <i>Rich Jager</i> <i>District # 5</i>
<i>COMMISSION COUNSEL</i> <i>Laura Anderson</i>		<i>SECRETARY-DIRECTOR</i> <i>Hillary Gitelman</i>		<i>COMMISSION CLERK</i> <i>Melissa von Loesch</i>

The Commission welcomes you to its meeting which is regularly scheduled the first and third Wednesday of the month. The Commission meets at 1195 Third Street, Suite 305, Napa. The following information is provided to ensure your understanding and participation in the Commission's meeting and decision making process. Your comments and participation in the meeting are invited and would be welcomed. It is our desire to give everyone an opportunity to speak and be heard in a timely manner and within an atmosphere of respect and diplomacy. These procedures are meant to foster an atmosphere of respect. Assistive listening devices are available for the hearing impaired from the office of the Clerk of the Board. If an ASL interpreter or any other special arrangement is required, please provide the Clerk of the Commission with 24-hour notice by calling 253-4417.

ITEMS TO BE DECIDED WITHOUT ADDITIONAL TESTIMONY:

Items listed under this section on the agenda are regular items which are recommended for approval or continuance by staff with the applicant's consent concerning conditions of approval, when the applicant has signed any required project revision statement and when no member of the Commission or public indicates a desire to comment or ask questions about the item. These items regardless of their agenda assigned number will be acted upon by the Commission in one motion at the beginning of the meeting. Applicants having items so listed need not speak unless they disagree with the staff recommendation or wish to comment. If an Item requires discussion, it will be heard in the numerical order listed on the agenda.

PERSONS WISHING TO SPEAK CONCERNING AN AGENDA ITEM:

If you wish to speak on an item on the Agenda and under discussion by the Commission, you may do so upon receiving recognition from the Chairperson. After being recognized by the Chairperson, please step to one of the microphones and state your name and address and make your presentation. No comment or testimony shall be shouted from the audience. All comments are to be directed to the Commission, including inquiries requiring staff response. Time limitations shall be at the discretion of the Chair or Commission.

APPEAL PROCEDURE:

If you do not agree with the Commission's decision or the conditions that may have been imposed by the Commission in approving an agenda item, you may appeal the Commission's action to the Napa County Board of Supervisors. Appeal must be filed within ten (10) working days from the date of the Commission's action. Appeals may be limited to those issues raised at the public hearing relating to the agenda item or to written

correspondence delivered to the Planning Commission at or prior to the public hearing. For additional information concerning the County's Ordinance requirements for filing an appeal or to obtain the required forms to file an appeal, please stop at the front counter in the County Executive Office/Clerk of the Board, 1195 Third Street, Suite 310 in Napa. If you have any question concerning the appeals procedure, please call (707) 253 4580 and request assistance.

DISCLOSURE – CONFLICT OF INTEREST:

State law requires agency officers (Commissioners, Directors, Board members) to disclose, and then be disqualified from participation in, any proceeding involving a license, permit, or other entitlement for use, if the officer has received from any participant in the proceeding an amount exceeding \$250 within the prior 12 month period. State law also requires any participant in a proceeding to disclose on the record any such contributions to an agency officer.

All materials relating to an agenda item for an open session of a regular meeting of the Planning Commission which are provided to a majority or all of the members of the Commission by Commissioners, staff or the public within 72 hours of but prior to the meeting will be available for public inspection, on and after at the time of such distribution, in the office of the Clerk of the Planning Commission, 1195 Third Street, Suite 210, Napa, California 94559, Monday through Friday, between the hours of 8:00 a.m. and 5:00 p.m., except for County holidays. Materials distributed to a majority or all of the members of the Commission at the meeting will be available for public inspection at the public meeting if prepared by the members of the Commission or County staff and after the public meeting if prepared by some other person. Availability of materials related to agenda items for public inspection does not include materials which are exempt from public disclosure under Government Code sections 6253.5, 6254, 6254.3, 6254.7, 6254.15, 6254.16, or 6254.22.

Agenda available on line at www.co.napa.ca.us

1. CALL TO ORDER / ROLL CALL**2. PLEDGE OF ALLEGIANCE****3. CITIZEN COMMENTS AND RECOMMENDATIONS (10 Minutes)**

The Commission invites Citizen comments and recommendations concerning current problems and future prospects of a planning nature which are within the jurisdiction of the Conservation, Development & Planning Commission. Anyone who wishes to speak to the Commission on such a matter, if it is not on the agenda, may do so at this time.

4. APPROVAL OF MINUTES

Clerk of the Commission requests approval of minutes for the meeting held on;
September 3, 2008

5. DIRECTOR'S REPORT

- | BOARD OF SUPERVISORS ACTIONS
- | OTHER DEPARTMENT ACTIVITIES

6. AGENDA REVIEW**7. DISCLOSURES****8. PUBLIC HEARING ITEMS TO BE DECIDED WITHOUT ADDITIONAL TESTIMONY****A. ALPHA OMEGA WINERY, LLC. / ALPHA OMEGA WINERY – VARIANCE AND USE PERMIT MAJOR MODIFICATION REQUEST #P08-00047 AND #P07-00869-MOD**

CEQA Status: Subsequent Mitigated Negative Declaration Prepared. According to the proposed Subsequent Mitigated Negative Declaration, the proposed project would have, if mitigation measures are not included, a potentially significant environmental impact in the following area:
transportation/traffic.

Request: Approval of a Variance: to allow a new production/barrel building to encroach a max. of 74 ft. into the required 300 foot setback from centerline of Mee Lane and a corner of the new covered porch addition on the existing winery building to encroach 127 ft. into the required 600 foot setback from centerline of St. Hwy. 29 and a Use Permit Modification: to modify Use Permits: #U-118081, #U-538485, & #95037-MOD in 2 phases: Phase A: (1) establish the size of the pre-Winery Definition Ordinance public tasting room; (2)(a) Public Tours and Tasting Visitors: recognize Public Tours and Tasting visitors without prior appoint. at a max. of 900 visitors/wk; (2)(b) By Appointment Tours and Tasting Visitors: establish Tours and Tasting by Appointment. Only Visitors and combine them with Marketing event visitors for max. of 450 visitors/wk. The total combined Public, By Appt. & Marketing visitors not to exceed a max. of 1,350 visits/wk; (3) increase employees to 19 f/t and 6 p/t with an additional 15 p/t, seasonal workers during Harvest; (4) establish a Marketing Plan to include: 7 events/mo. with a max. of 50 people/event, 10 annual events with a max. of 100 people/event, and 6 annual events with a max. 200 people/per event (2 for the Napa Valley Wine Auction). Events to be catered by off-site food service; (5) authorize the use of the covered patio and garden areas by visitors; (6) add a 2nd work shift during Harvest only; (7) increase parking to 63 auto & 2 bus spaces; and, (8) convert the existing wastewater pond to a dual domestic and process wastewater system. Phase B: (1) construct a new approx. 9,273 sq. ft. production/barrel building adjacent to the existing 6,298 sq. ft. winery structure totaling approx. 15,571 sq. ft.; (2) increase production from 50,000 gal. to 144,000 gal. The project is located on a 10.79 ac. parcel on the southeast side of Mee Lane approx. 760 ft.

northeast of its intersection with St. Highway 29 & approx.2 mi. south of the City of St. Helena.
(Assessor's Parcel #: 030-080-046) 1155 Mee Lane, St. Helena.

Staff Recommendation: Continue the item to October 15, 2008 regular meeting at 1:30 p.m. time certain.

Staff Contact: Patricia Hornisher 299-1349.

(Continued from the September 3, 2008 regular meeting)

(Continued to the October 15, 2008 regular meeting, time certain: 1:30 p.m.)

B. TIM WARD / WARD RESIDENCE / USE PERMIT EXCEPTION REQUEST #P08-00361-UP

CEQA Status: Categorically exempt from the provisions of CEQA, under Section 15303(a) for one single family residence in a residential zone (Class 3).

Request: Approval of a Use Permit Exception to the Conservation Regulations to construct an approximately 1,500 square foot residence with an attached garage on slopes exceeding an average of 30%. The project is located on a 1.18 acre parcel on the north side of Bentley Drive, approximately 900 feet west of its intersection with Highway 29 within an AW (Agricultural Watershed) zoning district. (Assessor's Parcel # 017-180-001) 1250 Bentley Drive, Calistoga.

Staff Recommendation: Drop the item from agenda for renoticing to a future public hearing.

Staff Contact: Linda St. Claire 299-1348

(To be dropped from the agenda for renoticing)

9. PUBLIC HEARING ITEMS

A. BUSBY ENTERPRISES INDUSTRIAL CONDOMINIUMS - USE PERMIT #P08-00221-UP & TENTATIVE PARCEL MAP #P08-00222-PM

CEQA Status: Mitigated Negative Declaration prepared. According to the Mitigated Negative Declaration, the proposed project would have, if mitigation measures are not included, a potentially significant environmental impact in the following areas: Biological Resources, Population and Housing, and Transportation.

Request: Approval of a use permit to construct a 27,677 square foot building for speculative warehouse and light industrial uses with ancillary office area, 62 on-site parking spaces, landscaping, and a freestanding monument sign. The request also includes approval of a tentative parcel map to subdivide the proposed building into 10 industrial airspace condominium units ranging in size from 2,409 to 2,540 square feet with the balance of the property being common area. The proposed project is located on a 2.4 acre parcel at the southwest corner of Devlin Road and Sheehy Court within an Industrial Park: Airport Compatibility (IP:AC) zoning district. APN: 057-250-037. Napa.

Staff Recommendation: Adopt the mitigated negative declaration and approve the use permit and tentative parcel map with the proposed conditions of approval.

Staff Contact: Sean Trippi 299-1353

10. ADMINISTRATIVE ITEMS

A. BARREL STOP WINERY / MARIE SCHUTZ - BUILDING PERMIT B07-01691, USE PERMIT P06-0031-UP

Request: Discussion and possible Commission direction concerning proposed architectural

changes to the Barrel Stop Winery (former Johnny Miller Casa Las Trancas Winery) to determine if architectural changes can be processed as a Staff-level use permit modification. The project is located on the north side of Trancas Street approximately 250 ft. east of its intersection with Big Ranch Road, 622 Trancas Street, Assessor Parcel Number 038-190-019, Napa.

Staff Recommendation: Review proposed building design, and direct Staff to process a Staff level minor modification.

Staff Contact: Chris Cahill, 253.4847 or ccahill@co.napa.ca.us

11. DEPUTY DIRECTOR'S REPORT

- | DISCUSSION OF THE **OCTOBER 15, 2008** REGULAR CDPC MEETING
- | CODE COMPLIANCE
- | ZONING ADMINISTRATOR ITEMS
- | OTHER PENDING PROJECTS' STATUS
 - | Napa Gateway Hotel - Report on changes to signage

12. COMMISSIONER COMMENTS / COMMITTEE REPORTS

13. FUTURE AGENDA ITEMS

- #00338-UP, 1 year after opening - Caldwell Winery
- #02082-UP, December 2008 - Del Dotto Winery
- #03457-UP, 1 year after opening - Kendall Jackson (formerly Pecota) Winery
- #P06-0102-MOD, 2 years after opening - Frank Family Winery.

14. ADJOURNMENT