



A Tradition of Stewardship
A Commitment to Service

AGENDA

NAPA COUNTY CONSERVATION, DEVELOPMENT AND PLANNING COMMISSION

**Wednesday October 15, 2008
9:00 AM**

COMMISSION MEMBERS

| | | | | |
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| <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 Gray</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- None
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. **BARBARA SPELLETICH / SPELLETICH FAMILY CELLARS / USE PERMIT MAJOR MODIFICATION REQUEST #P08-00475-UP**

CEQA Status: Categorically Exempt, Section 15301(a), Existing Facilities. (Class 1).

Request: Approval to Use Permit #P08-00475-UP to: (1) establish a 60,000 gallon per year wine production facility utilizing 7,300 sq ft in an existing 34,000 sq. ft. building, (in accordance with submitted plans dated July 14, 2008) with; 2) two full-time and two part- time employees (3) eight parking spaces and (4) no visitation or marketing is proposed. The project is located off a private driveway on a 2.22 acre parcel on the south side of Gateway Road West approximately one tenth of a mile northwest of its intersection with State Highway 29 within an IP:AC (Industrial Park: Airport Compatibility Combination) overlay zoning district. (Assessor's Parcel #: 057-210-045) 425 Gateway Road West, Napa.

Staff Recommendation: Adopt categorical exemption and approve project as proposed with conditions of approval.

Staff Contact: Linda St. Claire 299.1348, lstclair@co.napa.ca.us

B. **BOB KLEIS / JAMES E. VASSER JR. / VASSER WINERY - USE PERMIT #P07-00598-UP**

CEQA Status: Mitigated Negative Declaration Prepared. According to the proposed mitigated negative declaration, if mitigation measures are not included, the proposed project would have potentially significant environmental impacts in the following areas: Aesthetics and Biological Resources. The project site is not on any of the lists of hazardous waste sites enumerated under Government Code section 65962.5

Request: Approval of a Use Permit to establish a new 36,000 gallon per year winery with: 1) a 7,000 sq. ft. winery cave including production, storage, office, and tasting room facilities; 2) a 5,500 sq. ft.

uncovered outdoor crush pad and loading area; 3) a winery/agricultural storage barn totaling 1,800 sq. ft. and including 900 sq. ft. of winery equipment storage; 4) two full-time and two part-time employees; 5) eleven parking spaces; 6) by-appointment tours and tastings with a maximum of 16 visitors per day and 36 per week; 7) a marketing plan with four 50-person max. marketing events and one 100-person max. wine auction event annually; 8) an exception to the Road and Street Standards to allow a new winery access road with widths between 14 and 18 ft. (18 ft. required); and 9) the construction of four turnouts on Chimney Rock Road. The project is located on a 42.4 acre parcel located on the west side of Soda Canyon Road, adjacent to its intersection with Chimney Rock Road, and within the AW (Agricultural Watershed) zoning district. APN: 039-630-011. 2001 Soda Canyon Road, Napa, CA 94559.

Staff Recommendation: Continue the item to the November 5, 2008 regular Planning Commission meeting.

Staff Contact: Chris Cahill, 253-4847 or ccahill@co.napa.ca.us

(Continue to the November 5, 2008 regular Planning Commission meeting)

9. PUBLIC HEARING ITEMS

A. GREENWOOD COMMERCE CENTER - USE PERMIT #P08-00312-UP & TENTATIVE PARCEL MAP #P08-00313-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, Transportation, and Utilities and Service Systems. This project site is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5.

Request: Approval of a Use Permit to construct three industrial buildings totaling 374,926 square feet of floor area for flexible warehousing/distribution and light industrial uses with ancillary office areas. Parking for up to 204 vehicles is provided on-site. An additional 62 on-site parking spaces could be provided if needed for subsequent tenant mix. Landscaping and a comprehensive sign plan are also included with the proposal. The request also includes a tentative parcel map to subdivide the project site into four (4) parcels ranging in size from 0.62 to 8.90 acres. A parcel will be created for each building with the fourth parcel being common area including the parking areas. A lot line adjustment is proposed with the property to the east, subsequent to project approval, to accommodate the right-of-way and alignment for the Devlin Road extension. The proposed project is located on a 18.72 acre property plus a 0.57 acre portion of a 33.85 acre property on the southwest corner of Airport Boulevard and the Devlin Road terminus within an Industrial Park: Airport Compatibility (IP:AC) zoning district. APN: 057-210-055 & 056 (portion). 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, strippi@co.napa.ca.us

B. PROPOSED LAND USE MAP AMENDMENT (PLUMA) - GENERAL PLAN AMENDMENT

Title: A RESOLUTION OF THE NAPA COUNTY CONSERVATION, DEVELOPMENT AND PLANNING COMMISSION OF THE COUNTY OF NAPA, STATE OF CALIFORNIA, RECOMMENDING THAT THE NAPA COUNTY BOARD OF SUPERVISORS: (1) AMEND THE 2008 NAPA COUNTY GENERAL PLAN LAND USE MAP (GENERAL PLAN FIGURE AG/LU-3) TO IMPROVE THE CORRELATION BETWEEN THE LAND USE MAP AND UNDERLYING ZONING; (2) AMEND OTHER SECTIONS OF THE 2008

GENERAL PLAN TO CORRECT TYPOGRAPHICAL ERRORS AND MAKE OTHER NEEDED CORRECTIONS; AND (3) FIND THE MAP AND TEXT REVISIONS TO THE GENERAL PLAN WITHIN THE SCOPE OF THE PROGRAM LEVEL EIR PREPARED FOR THE 2008 GENERAL PLAN UPDATE AND CERTIFIED BY THE BOARD ON JUNE 3, 2008

CEQA Status: The project would implement Action Item AG/LU-114.1 in the Napa County General Plan and falls within the scope of the 2008 General Plan Update adopted June 3, 2008 and the program-level Environmental Impact Report (EIR) certified on June 3, 2008 adequately describes the activity for purposes of the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15168(c).

Request: The Proposed Land Use Map Amendment (PLUMA) would adjust the boundaries of areas designated Urban Residential and Rural Residential on the Land Use Map to remove agriculturally-zoned land from within these areas and to include Planned Development zoned land within the Berryessa Highlands and Berryessa Estates Rural Residential areas. The proposal would also adjust the boundaries of areas designated Cities on the Land Use Map to reflect actual city boundaries and, in the case of the Cities of Napa and American Canyon, would recognize voter-initiated growth boundaries. The proposal would also incorporate other minor corrections and changes to sections of the Napa County General Plan last amended June 3, 2008.

Staff Recommendation: Adopt attached resolution recommending that the Board of Supervisors approve the proposed General Plan Amendment.

Staff Contact: Hillary Gitelman 253-4805

C. SET MATTER 1:30 p.m.

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. This project site is not on any of the lists of hazardous waste sites enumerated under Government code section 65962.5

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 Appoint. 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 the November 5, 2008 regular Planning Commission meeting.

Staff Contact: Patricia Hornisher 299-1349, thornisher@co.napa.ca.us

(Continued from the the September 3, 2008 regular meeting)
(Continued from the October 1, 2008 regular meeting)

(Continue to the November 5, 2008 regular Planning Commission meeting)

10. ADMINISTRATIVE ITEMS- None

11. DEPUTY DIRECTOR'S REPORT

- | DISCUSSION OF THE **NOVEMBER 5, 2008** REGULAR CDPC MEETING
- | CODE COMPLIANCE
- | ZONING ADMINISTRATOR ACTIONS
- | OTHER PENDING PROJECTS' STATUS

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