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Agenda Date: 10/19/2016

Agenda Placement: 9C

Napa County Planning Commission Board Agenda Letter

TO: Napa County Planning Commission
FROM: Charlene Gallina for David Morrison - Director
Planning, Building and Environmental Services
REPORT BY: Sean Trippi, Principal Planner - 299-1353
SUBJECT: Yountville Washington Street Winery - Use Permit P16-00083

RECOMMENDATION

YOUNTVILLE WASHINGTON STREET WINERY / GARY & MARY ANNE TAYLOR AND WILLIAM & DOROTHY KELLER - USE PERMIT P16-00083-UP

CEQA Status: Consideration and possible adoption of Categorical Exemptions pursuant to Appendix B, Class 3, of the Napa County Local Procedures for Implementing the California Environmental Quality Act which exempts the construction and operation of small wineries. This project 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 30,000 gallon per year winery with the following components: (a) the construction of a 3,460 sq. ft. winery production building including a 480 sq. ft. covered crush pad; (b) construction of a 1,324 sq. ft. hospitality building; (c) employ 10 or fewer persons full and part time; (d) authorize visitation for a daily maximum of 25 persons; (e) establish a marketing program to host ten (10) events of up to 30 persons and one (1) event during the annual wine auction of up to 100 persons, for a total attendance of 400 persons annually; (f) allow on-site consumption of wines produced on site in the tasting room and outdoor courtyards, patios, lawn and garden areas in accordance with Business and Professions Code Sections 23358, 23390 and 23396.5 (AB 2004-Evans Bill); and, (g) construct associated on-site and off-site improvements. The project is located on a 10.5 acre parcel within the Agricultural Preserve (AP) zoning district and accessed via a new driveway from Washington Street; 6170 Washington Street, Napa, CA 94558; APN: 036-110-009.

Staff Recommendation: Find the project Categorically Exempt and approve the Use Permit, as conditioned.

Staff Contact: Sean Trippi, Project Planner, (707) 299-1353 or sean.trippi@countyofnapa.org

Applicant Contact: George Monteverdi, Monteverdi Consulting, LLC, PO Box 6079, Napa, CA 94581, (707) 761-2516 or George@MonteverdiConsulting.com

EXECUTIVE SUMMARY**Proposed Actions:**

That the Planning Commission:

1. Find the project Categorical Exempt based on Findings 1-3 of Attachment A; and
2. Approve Use Permit No. P15-00291-UP based on Findings 4-8 of Attachment A and subject to the recommended conditions of approval (Attachment B).

Discussion:

The proposal is to establish a new winery with an annual production capacity of 30,000 gallon with less than 5,000 square feet of floor area and a small visitation and marketing program.

Staff has reviewed the proposal and found it to be consistent with the Zoning Ordinance and applicable General Plan policies. Implementation of the proposed project would result in minimal potential environmental impacts as the winery has been designed pursuant to the small winery criteria to qualify for a categorical exemption under the County's Local Procedures for Implementing the California Environmental Quality Act.

Based on the reasons stated above, staff recommends approval of the project subject to the recommended conditions of approval.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

Consideration and possible adoption of a Categorical Exemption pursuant to Appendix B, Class 3, of the Napa County Local Procedures for Implementing the California Environmental Quality Act which exempts the construction and operation of small wineries. This project is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5.

BACKGROUND AND DISCUSSION

Owner: Gary & Mary Anne Taylor and William & Dorothy Keller, PO Box 546, Napa, CA 94558, (707) 333-1184

Applicant: James Keller, PO Box 546, Napa, CA 94558, (707) 333-1184

Representative: George Monteverdi, Monteverdi Consulting, LLC, PO Box 6079, Napa, CA 94581, (707) 761-2516

Zoning: Agricultural Preserve (AP)

GP Designation: Agricultural Resource (AR)

Filed: March 2, 2016

Resubmittals/Revisions Received: June 24, 2016 and September 2, 2016

Deemed Complete: July 22, 2016

Parcel Size: approximately 10.5 acres

Existing Development: Development on the property consists of approximately 9.3 acres of vineyards. A storm drain bisects the vineyard running north to south roughly parallel to the east (rear property line) with an outfall into a creek that runs along the easterly 2/3 of the southerly property line (side).

Proposed Winery Characteristics:

Winery Size: A 3,460 square foot production building with a 480 square foot covered crush pad and two buildings totaling 1,324 square feet connected by a breezeway for hospitality and administrative uses.

Production Capacity: 30,000 gallons per year.

Development Area: +/- 16,725 square feet or approximately 0.38 acres.

Winery Coverage: +/- 43,955 square feet or approximately 1.0 acre, 9.5% of parcel. (Maximum 25% or approximately 15 acres).

Accessory / Production Ratio: +/- 1,324 square feet accessory / +/- 3,460 square feet production - approximately 38% (Maximum 40% permitted).

Number of Employees: Three (3) full-time employees and four (4) part-time employees.

Proposed Visitation: Maximum of 25 visitors per day (175 per week). Food served with wine tasting activities will be catered.

Proposed Marketing Program: Ten events per year up to 30 guests per event and one (1) wine auction event per year with up to 100 guests. Food served at marketing events will be catered.

Days and Hours of Operation: 10:00 AM to 6:00 PM daily (production and hospitality hours).

Parking: Ten parking spaces (nine (9) standard spaces and one (1) ADA space).

Setbacks (Required): 600 feet from State Route 29 (west); 300 feet from a shared access drive adjoining the northerly property line; 45 feet from the top of the creek bank (south); and, 20 feet from the rear (east).

(Proposed): The proposed facility would be setback approximately 625 foot from State Route 29; 300 feet from the shared access drive; approximately 52 feet from the top of the creek bank to the parking lot/retaining wall (nearest earth disturbing activity); and approximately 190 feet from the rear property line (east).

Adjacent General Plan Designation/ Zoning / Land Use:

North:

Agricultural Resource (AR) General Plan designation, Agricultural Preserve (AP) zoning - Adjoining the project site to the north is the stem of a flag lot with a shared access drive leading back to Bell Wine Cellars and vineyard on a 7.8 acre property. Adjoining Bell Cellars to the north is Hopper Creek Winery on a 8.0 acre property that also includes vines. Adorning the stem of the flag lot/access drive are two properties; a six acre parcel with a home and vineyards and a 1.6 acre parcel with a home and vineyards.

South:

Agricultural Resource (AR) General Plan designation, Agricultural Preserve (AP) zoning - Adjoining the project site to the south is a 14.1 acre another flag lot with a home and vineyards. Beyond the flag lot are two vineyard properties totaling approximately 50 acres.

East:

Agricultural Resource (AR) General Plan designation, Agricultural Preserve (AP) zoning - On the eastern boundary of the project site is a 5 acre property with a home and vines. The Bell Wine Cellars lies behind the 5 acre property.

West:

Agricultural Resource (AR) General Plan designation, Agricultural Preserve (AP) zoning - Across Washington Street and State Route 29 is the McVicar Winery and vineyards on a 7.5 acre property fronting on Solano Avenue.

Nearby Wineries (located within 1 mile of the project)

Please refer to Attachment K.

Parcel History:

1985 - Use Permit #U-88586 for Crystal Valley Cellars was approved by the Planning Commission to construct a two-story 13,192 sq. ft. winery with 30,000 gallons per year production and public tours and tastings for up to 75 persons per day, seven days a week.

1986 - The Zoning Administrator granted an one-year time extension. The use permit subsequently expired in 1987.

Code Compliance History:

None. There are no open or pending code violations for the project site. The County is not aware of any compliance issues on the property and no complaints have been filed.

Discussion Points:

Setting - The 10.5 acre project site is located approximately 1/2 mile north of Ragatz Lane, at 6170 Washington Street. The site is located on the valley floor and is generally flat and planted in vines as are most of the surrounding properties. Access to the property is provided via an access drive off Washington Street. Surrounding uses include single-family homes, vineyards, and wineries. The closest residence to the proposed winery structure would be approximately 475 feet, north and west.

Winery Proposal - The applicant is proposing a 30,000 gallon per year winery located in three new structures

totaling 4,784 sq. ft., including a covered crush pad under roof of the production building. Both structures are single-story with an open courtyard in between. The hospitality/administration building includes a separate private tasting room joined to the main portion of the hospitality/administration building by a breezeway. The buildings would be primarily clad in clear cedar board and batten siding and a corrugated metal roof.

Setbacks - The proposed project meets all applicable minimum setbacks, including the 600-foot minimum winery building setback from State Route 29 and the 300-foot setback from a private road to the north.

Visitation/Marketing Program - The project includes a request for a maximum of 25 visitors per day; maximum 175 visitors per week; and a marketing program to include ten (10) events per year for a maximum of 30 guests per event and one (1) event per year with a maximum of 100 guests. As shown in Attachment K, the requested visitation for tours and tastings falls above the average and median and the marketing program falls below the average and median visitation for similar production size winery facilities. The proposed visitation and marketing program is consistent with the anticipated visitation and marketing program levels permitted under the County's small winery Categorical Exemption criteria. Therefore, staff has no concerns regarding the requested visitation and marketing program.

Traffic and Parking - The applicant has submitted a traffic study Traffic Impact Analysis for the Yountville Washington Street Winery, prepared by Crane Transportation Group, dated June 9, 2016, which analyzes existing, proposed, and cumulative traffic conditions. According to the County of Napa's Winery Traffic Information/Trip Generation Sheet, the proposed project's daily traffic volumes and peak hour trips have been calculated to be 25 vehicle trips with 5 trips occurring during the PM peak hour on a typical weekday and 33 vehicle trips with 5 trips occurring during the PM peak period on a typical Saturday. The applicant has indicated that daily visitation will be scheduled outside peak traffic hours which has also been included as condition of approval. The traffic study calculated traffic volumes for a Friday and Saturday during harvest which vary slightly from those noted above (33 vehicle trips on both Friday and Saturday with 3 trips occurring during the PM peak on both days.)

The traffic study analyzed the potential impacts of the project on four intersections in the vicinity: California Drive/SR 29 southbound ramps; California Drive/SR 29 northbound ramps; California Drive/Washington Street; and SR 29/Washington Street south access (about a mile and a half of the project site, opposite Hoffman Lane on the west side of SR 29). The traffic study concluded that the project would result in no significant impacts to the study intersections. Three of the four study intersections operate at acceptable levels under existing conditions, year 2020 conditions, and cumulative conditions (year 2030) both with and without the project. The SR29/Washington Street south access is projected to operate at unacceptable levels of service (LOS) with or without the project in the year 2020 and cumulative scenarios. A project would cause a significant impact requiring mitigation on a side-street approach for side-street controlled intersections, as is the case here, which operates at unacceptable LOS without the project and the project contributes ten percent or more of the total traffic entering the intersections from the side streets. According to the traffic study the project would account for approximately 3% of the total traffic entering the intersection, which is less than the ten percent threshold and therefore would not cause a significant impact and no mitigation is required. None of the four intersections would have increase traffic volumes such that traffic signals would be required.

10 onsite parking spaces (including one ADA space) are proposed. Overflow parking for the requested marketing events would be available near the existing barn and residence. All tastings would be by appointment only. Tastings would not be offered on those days in which marketing events are scheduled. Sufficient parking would be available for the proposed project.

Wastewater - Applied Civil Engineering prepared an Onsite Wastewater Disposal Feasibility Study, dated January 28, 2016, for the proposed winery. The report recommended that the process and sanitary wastewater generated at the proposed winery be kept separate for treatment and disposal. The sanitary waste would be pretreated and disposed of utilizing a subsurface drip system. Process would be pretreated and used to irrigate the vineyards and

winery landscaping. The designs proposed in the report meet the Napa County Environmental Health Division's design standards for the treatment of process and domestic wastewater. The Division of Environmental Health has reviewed the application and determined that the proposed wastewater systems are adequate to serve the facility's septic needs. No information has been encountered that would indicate a substantial impact to water quality.

Groundwater Availability - The applicant completed a Tier I Water Availability Analysis (WAA) . Based upon the site's location within the valley floor area, estimated groundwater availability would be 10.5 acre-feet per year (10.5 acres x 1.0). Groundwater is currently used to irrigate approximately 9.3 acres of vineyard. The Tier 1 WAA calculated an estimated annual proposed water use, for the existing vineyard, as 4.7 acre-feet per year which will decrease to 3.7 acre-feet per year due to the removal of approximately 1.9 acres of vines. The calculated proposed water use with the addition of the winery is calculated as 5.3 acre-feet per year, including 0.85 acre-feet per year for the winery, 0.75 acre-feet per year for landscape irrigation and 3.7 acre-feet per year acre for vineyard irrigation, resulting in an increase of 0.6 acre-feet per year. This estimate does not take into account the use of treated process wastewater for irrigation. The proposed winery water use is less than the property's calculated recharge rate of 10.5 acre feet per year. According to Napa County environmental resource mapping (Water Deficient Areas/Storage Areas), the project site is not located within a water deficient area and the County is not aware of, nor has it received any reports of groundwater deficiencies in the area. The proposed project would not result in a substantial increase the demand of ground water supplies or interfere with groundwater recharge or lowering of the local groundwater level. The winery, as part of its entitlement will include the County's standard condition of approval requiring well monitoring, as well as, the potential to modify/alter permitted uses on site should groundwater resources become insufficient to supply the use.

Grape Sourcing - The project site currently has 9.3 acres of vineyard. Approximately 1.9 acres of vines will be removed as part of the winery proposal. The remaining vineyards amount represents approximately 17% of the grapes needed for wine production. The applicant has informed staff that the remaining grapes will come from approximately 60 acres of vineyards owned by the applicant in the Darms Lane area which would be sufficient to accommodate proposed production levels and comply with the 75% Napa Valley grape source requirement.

Greenhouse Gas Emissions - The County requires project applicants to consider methods to reduce Green House Gas (GHG) emissions consistent with Napa County General Plan Policy CON-65(e), which requires GHG review of discretionary projects. The applicant has completed the Department's Best Management Practices Checklist for Development Projects, which is attached to this report as Attachment D. The project would incorporate the following voluntary best management practices: vehicle miles traveled reduction plan; energy conserving lighting; bicycle incentives; installation of water efficient fixtures; water efficient landscape; recycling of 75% of all waste; composting of 75% food and garden material; implement a sustainable purchasing and shipping program; planting of shade trees within 40 feet of the south side of the building elevation; site design that is oriented and designed to optimize conditions for natural heating, cooling and day lighting of interior spaces, and to maximize winter sun exposure; and, limit the amount of grading and tree removal.

GHG Emission reductions from local programs and project level actions, such as the application of the CalGreen Building Code, tightened vehicle fuel efficiency standards, and more project specific on-site programs including those winery features noted above would combine to reduce emissions.

Public Comments - At the time of staff report preparation, no public comment letters had been received regarding the proposed project.

Decision Making Options

As noted in the Executive Summary Section above, staff is recommending approval of the project with conditions of approval as described in Option 1 below. Decision making options also include a no project alternative and a

reduced project alternative.

Disposition - This option would result in approval of the proposed 30,000 gallon per year winery.

Action Required - Follow the proposed action listed in Executive Summary. If conditions of approval are to be amended, specify conditions to be amended at time motion is made. This option has been analyzed for its environmental impacts, which were found to be categorically exempt. Sufficient grapes and water supplies are available to serve the proposed project and there is no history of code compliance issues at the project site. The requested visitation and marketing program is higher than similar production size winery facilities, but qualifies as a Categorically Exempt small winery project pursuant to Napa County's Local Procedures for Implementing the California Environmental Quality Act. Staff recommends this option based upon the reasons discussed above.

Option 2 - Reduced Project Alternative

Disposition - This option would reduce the scope of the project via a reduced visitation and marketing program and/or production.

Action Required - Follow the proposed actions listed in the Executive Summary and amend scope and project specific conditions of approval to require a reduction in the requested visitation and marketing program and/or production. If major revisions of the conditions of approval are required, the item will need to be continued to a future date.

Option 3 - Deny Proposed Project

Disposition - In the event the Commission determines that the project does not, or cannot meet the required findings for the granting of a Use Permit, Commissioners should identify what aspect or aspects of the project are in conflict with the required findings. State Law requires the Commission to adopt findings, based on the General Plan and County Code, setting forth why the proposed Use Permit is not being approved. Based on the administrative record as of the issuance of this staff report, there does not appear to be any evidence supporting denial of the project.

Action Required - Commission would take tentative motion to deny the project and remand the matter to staff for preparation of required findings to return to the Commission on a specific date.

Option 4 - Continuance Option

The Commission may continue this item to a future hearing date at its own discretion.

SUPPORTING DOCUMENTS

- A . Recommended Findings
- B . Recommended Conditions of Approval and Final Agency Comments
- C . CEQA Memo
- D . Use Permit Application Packet
- E . Water Availability Analysis & Transient Non-Community Water System Information

- F . Wastewater Feasibility Study
- G . Stormwater Control Plan & Treatment and Maintenance Plan
- H . Traffic Study
- I . Biological Assessment
- J . Graphics
- K . Winery Comparison Analysis

Napa County Planning Commission: Approve

Reviewed By: John McDowell