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Agenda Date: 4/5/2017

Agenda Placement: 8B

Continued From: 2/15/17 & 3/15/17

## Napa County Planning Commission Board Agenda Letter

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**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:** WHL Winery - Use Permit (P15-00215) & Road and Street Standards Exception Request

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### **RECOMMENDATION**

#### **SOUTH WHITEHALL LANE DEVELOPMENT, LLC / WHL WINERY / USE PERMIT (P15-00215-UP) & ROAD AND STREET STANDARDS EXCEPTION REQUEST**

**CEQA Status:** Consideration and possible adoption of a Negative Declaration. According to the proposed Negative Declaration, the proposed project would not have any potentially significant environmental impacts. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

**Request:** Approval of a Use Permit to allow the construction of a new 10,000 gallon winery with the following characteristics: (a) a new 6,812 sq. ft. winery building with an 1,230 sq. ft. unenclosed covered crush pad area, bottling to be handled by a mobile bottling service on an as needed basis within the unenclosed crush pad area; (b) a 384 sq. ft. pump house and trash enclosure; (c) on-site parking for two (2) vehicles; (d) a new driveway adjoining the west property line; (e) fewer than 10 full and part time employees; (f) hours of operation from 6:00 AM to 6:00 PM, seven days per week; (g) four (4) water storage tanks with a capacity of 10,000 gallons each for fire protection, domestic and irrigation; and (h) Installation of a wastewater treatment system. No tours and tastings or marketing events are proposed. The request also includes an exception to the County's Road and Street Standards (RSS) to allow widths of less than 22-feet for two existing portions of the South Whitehall Lane shared access drive. The project is located on a 19.97-acre parcel within the Agricultural Preserve (AP) zoning district on the southeast side of South Whitehall Lane (a shared private access drive), approximately 630-feet west of the bend in the road or approximately 0.6 miles south of Whitehall Lane. 1561 South Whitehall Lane, St. Helena, CA 94574. APN: 027-460-013.

**Staff Recommendation:** Adopt the Negative Declaration and approve the Road & Street Standards Exception Request and Use Permit, as conditioned.

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

**Applicant Contact:** Donna B. Oldford, Plans4Wine, 2620 Pinot Way, St. Helena, CA 94574, (707) 963-5832

**ITEM CONTINUED FROM THE FEBRUARY 15, 2017 AND MARCH 15, 2017 REGULAR PLANNING COMMISSION MEETINGS.**

**EXECUTIVE SUMMARY**

**Proposed Actions:**

That the Planning Commission:

1. Adopt the Negative Declaration based on Findings 1-7 of Attachment A;
2. Approve the Road and Street Standards Exception request based on Findings 8-10 of Attachment A and subject to the recommended revised conditions of approval (Attachment B); and,
3. Approve Use Permit No. P15-00215 based on Findings 11-15 of Attachment A and subject to the recommended revised conditions of approval (Attachment B).

**Discussion:**

On February 15, 2017, the Planning Commission held a public hearing to consider a proposal to establish a new winery with an annual production capacity of 10,000 gallon with a 6,812 sq. ft. winery building plus a 1,230 sq. ft. unenclosed covered crush pad area. No visitation or marketing is requested which is described in detail within the February 15, 2017 staff report (Attachment D). The proposal also includes an exception to the Road and Street Standards. After considering public comment, the item was continued to March 15, 2017, to allow the applicant and staff time to address questions and concerns raised by the public and Commissioners regarding area-wide drainage and flooding issues. The applicant initially scheduled a meeting with the neighbors for February 28, 2017 to discuss the concerns raised at the Planning Commission meeting but the neighbor meeting was rescheduled to the week of March 13, 2017. As a result, the applicant requested that the item be continued to the April 5, 2017. The neighborhood meeting was held on March 14, 2017. According to the applicant's representative, there was consensus that property owners in the vicinity of the project site would collaborate and pursue solutions related to flooding in the area.

**FISCAL IMPACT**

Is there a Fiscal Impact?                      No

**ENVIRONMENTAL IMPACT**

Consideration and possible adoption of a Negative Declaration. According to the proposed Negative Declaration, the proposed project would not have any potentially significant environmental impacts. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

**BACKGROUND AND DISCUSSION**

On February 15, 2017, the Planning Commission held a public hearing to consider the proposal for a new 10,000

gallon per year winery. After considering public comment, the item was continued to March 15, 2017, to allow ample time to address questions and concerns raised by the public and Commissioners. The applicant subsequently requested that the item be continued to the April 5, 2017.

### **Neighborhood Meeting**

The applicant and his representative held a neighborhood meeting for all interested parties on March 14, 2017. Based on feedback from the applicant's representative, those in attendance agreed to work collaboratively to address the areas drainage issues during major storm events. An e-mail from the applicant's representative is attached summarizing the meeting (see Attachment D).

### **Drainage/Flooding**

Subsequent to the Planning Commission hearing on February 15, 2017, Engineering staff visited the project site and surrounding areas and reviewed the residential development's grading and drainage plans prepared by Kier & Wright, as well as, the FEMA Flood Zone Letter of Map Revision (LOMR) prepared by Schaaf & Wheeler as part of this evaluation. A memorandum from Engineering staff with more detail is attached (see Attachment C). According to Engineering staff's analysis, runoff from rain events flows down from the hills to the east along natural and manmade drainage ways, including a drainage swale along the south side of South Whitehall Lane and a drainage ditch along the north side of the road. A vineyard sump on the property adjacent to the project site, west of the driveway entrance to the proposed winery, pumps surface water to a pipe that runs beneath South Whitehall Lane to the drainage ditch on the north side of the road. There is also a drain inlet near the sump that conveys water to the project's site drainage system. Runoff from the hills as well as the water conveyed from the south side of the road flows down the drainage ditch along the north side of South Whitehall Lane towards Bale Slough. The drainage ditch flows through a culvert beneath an access drive to the vineyard on the north side of the road, west of Bale Slough. There is also a sump at the east end of the vineyard on the north side of the road that conveys water directly to Bale Slough. This water enters Bale Slough north of South Whitehall Lanes where it is conveyed through a 72-inch corrugated metal culvert as the stream flows from north to south. As noted in Engineering's memo, this culvert is at about half capacity. Stormwater runoff that enters the project site is conveyed via the property's drainage system, including drain tiles beneath the vineyards, to a detention pond near the southeast corner of the property which then drains to Bale Slough, south of the 72-inch culvert.

Based on staff's review of the project site and development documents, it appears the existing drainage condition, particularly localized flooding during larger storm events, is likely due to historic natural and artificial drainage patterns, reduced capacity of the existing 72-inch culvert on Bale Slough due to siltation and possible channel restriction at the vineyard road culvert. Schaaf & Wheeler reach a similar opinion that Bale Slough and the Bale Slough culvert are undersized for the estimated peak flows which contributes to a backwater condition resulting in localized flooding of the area.

As noted in staff's memo, the proposed winery development and recent residential development are unlikely to cause, contribute negatively or exacerbate the existing drainage condition of the area. Long term or permanent repairs and/or maintenance of the existing drainage infrastructure along S. Whitehall Lane, in accordance with all State and local codes and regulations, may significantly improve the conveyance of runoff through the area during smaller more frequent storm events.

### **Wetlands**

At the February 15, 2017 meeting, a graphic showing a wetland area on the property was presented to the Commission. The graphic was from the National Wetlands Inventory (NWI). The NWI was established by the U.S. Fish and Wildlife Service to conduct a nationwide inventory of U.S. wetlands to provide biologists and others with information on the distribution and type of wetlands to aid in conservation efforts. The NWI relies on trained image

analysts to identify and classify wetlands and deepwater habitats from aerial imagery. The County's mapping system also includes this information. When a proposed discretionary project may impact a potential wetland area, staff requests an assessment of the potential wetland area by a qualified professional. If the wetland area cannot be avoided, mitigation measures are recommended to address the impacts. Wetland areas may be filled subject to permitting through the U.S. Army Corps of Engineers. The potential wetland area on the project site was a manmade area that appears to have been created to provide a water source for livestock that previously grazed on the project site. In the case of the proposed winery, its location would not have an impact on the potential wetland area, so further studies are not required. In addition, according to the applicant's representative, the pond was filled at the request of and under the guidance of the State Regional Water Quality Control Board.

### **Project Revisions**

The applicant proposed revisions to the project at the February 15, 2017 Planning Commission meeting. Additional revisions are proposed as result of the applicant's meeting with the neighbors and are included in the letter dated March 28, 2017 (see Attachment D). The proposed revisions include modifying hours of operation, grape sourcing, driveway design, neighborhood cooperation to address area wide drainage and flooding, limited duration of utilizing hold and haul for process waste disposal, lighting, contact information and landscaping. The proposed revisions have been incorporated into the project specific conditions of approval. New wording has been underlined and deleted wording has been struck through.

### **SUPPORTING DOCUMENTS**

- A . Recommended Findings
- B . Recommended Conditions of Approval and Final Agency Approval Memos
- C . March 21, 2017 Drainage Memo
- D . Applicant's Letter Dated March 28, 2017
- E . February 15, 2017 Planning Commission Staff Report
- F . Initial Study/Negative Declaration
- G . Graphics

Napa County Planning Commission: Approve

Reviewed By: Charlene Gallina