

AGENDA

NAPA COUNTY PLANNING COMMISSION

1195 Third Street, Ste. 305
Napa, Ca. 94558

Wednesday, June 15, 2016
9:00 AM



A Tradition of Stewardship
A Commitment to Service

COMMISSION MEMBERS

<i>COMMISSIONER</i> <i>Heather Phillips</i> <i>District # 1</i>	<i>CHAIR</i> <i>Michael Basayne</i> <i>District # 2</i>	<i>COMMISSIONER</i> <i>Anne Cottrell</i> <i>District # 3</i>	<i>COMMISSIONER</i> <i>Terry Scott</i> <i>District # 4</i>	<i>VICE-CHAIR</i> <i>Jeri Gill</i> <i>District # 5</i>
<i>COMMISSION COUNSEL</i> <i>Laura Anderson</i>		<i>SECRETARY-DIRECTOR</i> <i>David Morrison</i>		<i>COMMISSION CLERK</i> <i>Melissa Frost</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, Ste. 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. 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 305 in Napa. If you have any question concerning the appeals procedure, please call (707) 253 4580 and request assistance.

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, 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.countyofnapa.org

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

The Commission invites Citizen comments and recommendations concerning current problems and future prospects of a planning nature which are within the jurisdiction of the 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 meetings held on:
April 20, 2016 (Commissioner Phillips excused)
May 4, 2016 (Commissioners Gill and Cottrell excused)

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. FROG'S LEAP WINERY-DAVID W. FLANARY- USE PERMIT MAJOR MODIFICATION NO. P14-00054-MOD**

CEQA Status: Consideration and possible adoption of a Revised Negative Declaration. According to the proposed Revised Negative Declaration, the project would not have any potentially significant environmental impacts. The project site is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5.

Request: Approval to modify previous project approvals (Use Permit #U-93397, Use Permit #U-98501-MOD, Use Permit #P04-00427-MOD, and Use Permit #P10-00157-MOD) for the existing 240,000 gallons per year Winery to allow the following: 1) construction of a 3,047 sq. ft agricultural processing facility to process fruit from the existing orchard on-site, a 625 sq. ft. tasting room, and an 845 sq. ft porch to replace an existing 2,290 sq. ft. modular office building; 2) demolition of a 2,290 sq. ft modular office building; 3) increase the daily tours and tastings from approved 50 persons per day and 350 persons maximum per week, to 125 persons maximum per day Monday through Friday and 300 persons maximum per day on Saturday and Sunday, and a weekly maximum of 1,100 persons per week. Visitation hours will be modified from the existing hours of 8:00 AM to 4:30 PM to 10:00 AM to 6:00 PM; 4) modify the existing approved Marketing Plan that allows for a total of three monthly events for up to 25 persons to add 52 weekly events for up to 20 persons, 12 monthly events to allow up to 150 persons (the winery would be closed to visitation on days when 150-person marketing events are scheduled during the day time), four quarterly events up to 500 persons (the

winery would be closed to visitation on days when 500-person marketing events are scheduled), and participation in Auction Napa Valley; 5) upgrade the existing water system and wastewater treatment and disposal systems; 6) installation of four new water tanks totaling 35,000 gallons for fire suppression for improved domestic water supply system; 7) increase full time employees from four previously permitted to the existing 30 full-time employees and five part-time employees; and 8) the addition of 30 parking spaces for a total of 68 spaces.

The project also includes a request for an Exception to the Napa County Road and Streets Standards to allow an exception from the requirement to install a left turn lane on Conn Creek Road. The project will instead incorporate shoulder widening along Conn Creek Road, and use of the driveway along Rutherford Road for employee access. Pursuant to the Napa County Road and Street Standards, the approval authority for this exception is the Public Works Director because the exception is located within a public right of way. That request was tentatively approved by the Public Works Department, as stated in their memo dated October 12, 2015. Formal action will be taken by the Public Works Director after the Planning Commission makes a decision on the Use Permit Modification application as a whole.

There are no changes to the gallons of wine produced as part of this proposal. The project is located at 8815 Conn Creek Road on a 38.92 acre parcel on the west side of Conn Creek Road between Silverado Trail and Rutherford Road, Rutherford, CA, within an AP (Agriculture Preserve) zoning district (Assessor's Parcel # 030-090-033-000).

Staff Recommendation: Continue the item and re-notice for a future hearing date.

Staff Contact: Shaveta Sharma, (707) 299-1358 or shaveta.sharma@countyofnapa.org

Applicant Contact: Jeff Redding, 2423 Renfrew Street, Napa, CA 94558; (707) 255-7375

CONTINUED FROM THE DECEMBER 2, 2015, JANUARY 6, 2016. AND APRIL 20, 2016 MEETINGS

STAFF REQUESTS THE ITEM BE CONTINUED TO A DATE CERTAIN WHICH WILL BE ANNOUNCED AT THE MEETING.

9. PUBLIC HEARING ITEMS

A. SODHANI WINERY - USE PERMIT NO. P14-00402-UP, VIEWSHED PERMIT NO. P16-00111-VIEW, AND ROAD AND STREET STANDARDS EXCEPTION REQUEST

CEQA Status: Consideration and possible adoption of a Mitigated Negative Declaration. According to the proposed Mitigated Negative Declaration, the proposed project would not have any potentially significant environmental impacts after implementation of mitigation measures. Mitigation measures are proposed for the area of biological resources. 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 and Viewshed Permit to allow: (1) Construction of a new 12,000 gallon per year winery and associated winery structure (cut and cover cave), totaling 7,150 square feet in area to include: 6,696 square foot production area (fermentation room, barrel storage, wine storage, storage/mechanical area, restroom, lab, refuse, and outdoor area); 454 square feet of accessory use area (office, break room, and entry area); with a maximum building height of approximately 35 feet above natural grade and 23 feet above the grade of the receiving area; (2) Hours of operation: 6:00 AM to 6:00 PM (production hours, except during harvest), 7-days a week; (3)

Employment of: two employees (two full time; one residing on-site) non harvest; two additional employees (two part time) during harvest, for a total maximum of four employees; (4) Employee hours: 6:00 AM to 6:00 PM, 1 shift; (5) Construction of four (4) parking spaces (three (3) standard spaces and one ADA space); (6) Installation of landscaping; (7) Construction of a new 20-foot wide driveway from the proposed winery to State Highway 29; (8) Installation of an in-ground wastewater treatment system or hold and haul system; (I) Removal of an existing water tank and construction of six 10,000 gallon water storage tanks, 156 square foot fire pump house, and associated piping; and (9) Disposal of cave spoils on-site near the eastern property line as shown on the site plan. While most cave spoils would be kept on site, it may be necessary to off-haul up to 5,200 cubic yards of excess spoils. No visitation or marketing events are proposed. The project includes a review of the proposed new winery structure under the Viewshed Protection Program (Chapter 18.106 of Napa County Code) to review the visibility of the new construction from County designated Viewshed roads. The project also includes a request for an exception to the Napa County Road and Street Standards (RSS). The request proposes an exception to the State Responsibility Area Fire Safe Regulations for maximum longitudinal slope for a total of 450 feet of the 2,100 foot winery access road because of unique features of the natural environment which include steep slopes and heritage oak trees. This segment, totaling approximately 450 feet in length is proposed to have an average longitudinal slope of 18 percent and a maximum longitudinal slope of 20 percent. The Napa County RSS permit a maximum longitudinal slope of 16 percent. The project is located on a 11.1 acre parcel within the Agriculture Watershed (AW) zoning district and accessed via a private driveway located off State Highway 29; 3283 St. Helena Highway North, St. Helena, CA 94574; APN: 022-080-004.

Staff Recommendation: Adopt the Mitigated Negative Declaration and approve the Use Permit, Viewshed Permit, and Road Exception Request, as conditioned.

Staff Contact: Jason R. Hade, AICP, Planner III, (707) 259-8757 or jason.hade@countyofnapa.org

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

Property Owner Contact: Arvind Sodhani, 85 21st Avenue, San Francisco, CA 94121, (415) 608-1565

10. ADMINISTRATIVE ITEMS - None

11. DEPUTY DIRECTOR'S REPORT

- DISCUSSION OF ITEMS FOR THE **JULY 6, 2016 REGULAR MEETING**
- CODE COMPLIANCE REPORT
- ZONING ADMINISTRATOR ACTIONS
- OTHER PENDING PROJECTS' STATUS

12. COMMISSIONER COMMENTS / COMMITTEE REPORTS

13. FUTURE AGENDA ITEMS

ITEMS REQUIRED TO RETURN TO THE PLANNING COMMISSION FOR DISCUSSION BASED ON FUTURE PRIVATE CONSTRUCTION SCHEDULE

- #03457-UP, 1 year after occupancy - Kendall Jackson (formerly Pecota) Winery

- #P12-00347-UP, 1 year after occupancy - Diogenes Ridge Winery
- #P09-00185-UP, 1 year after occupancy - Ca' Nani Winery
- #P10-00206-UP, 1 year after occupancy for visitation - Caravan Serai Winery
- #P10-00123-MOD, 1 year after occupancy - MJA Vineyards
- #P11-00464-MOD, 1 year after occupancy - Oakville Grocery
- #P13-00055-UP, 3 years after approval date for reporting on visitation and marketing - Bell Wine Cellars

14. ADJOURNMENT

I HEREBY CERTIFY THAT THE AGENDA FOR THE ABOVE STATED MEETING WAS POSTED AT A LOCATION FREELY ACCESSIBLE TO MEMBERS OF THE PUBLIC AT THE NAPA COUNTY ADMINISTRATIVE BUILDING, 1195 THIRD STREET, NAPA, CALIFORNIA ON 6-8-16 BY 2:00 PM. A HARDCOPY SIGNED VERSION OF THE CERTIFICATE IS ON FILE WITH THE CLERK OF THE COMMISSION AND AVAILABLE FOR PUBLIC INSPECTION.

Melissa Frost (By e-signature)
Melissa Frost, Clerk of the Commission