

**NAPA COUNTY**  
**CONSERVATION, DEVELOPMENT AND PLANNING COMMISSION**  
**MINUTES**  
**JUNE 6, 2007**

**1. CALL TO ORDER**

Meeting called to order at **9:00 a.m.**

**2. ROLL CALL**

All Present.

**3. PLEDGE OF ALLEGIANCE**

Ed Shenk led the salute to the flag.

**4. CITIZEN COMMENTS AND RECOMMENDATIONS**

None.

**5. APPROVAL OF MINUTES**

May 2, 2007 minutes approved as presented.  
TS-RJ-HP-JK-BF

**6. DIRECTOR'S REPORT**

- ▶ Department activities: relocated space and remodel of center clerical area.
- ▶ Staff introductions: Kirsty Shelton and Linda St. Claire. Kelli Felker is out in the field today. Another new planner to begin on June 18<sup>th</sup>
- ▶ Budget: Goes to the Board of Supervisors in next two weeks. Don't expect any surprises.
- ▶ Zoning Administrator: Approved Minor Modification for Palmaz project.
- ▶ Board of Supervisors: Yesterday took two actions that are relevant to the Commission. 1<sup>st</sup> is that they agreed that the department should begin processing of the property owners for a general plan amendment and 2<sup>nd</sup> is they talked about the Pumpkin Patch because the owner has submitted signatures to put the item on the ballot to expand uses.
- ▶ General Plan meeting schedule presented to Commission showing what is done by who and when it is due. Steering Committee suggested three changes – 1) Want opportunity to discuss the three controversial issues - Angwin, American Canyon RUL and the Napa Pipe Growth Management issues. 2) They will combine the Safety and Community Character Elements on October 10, 2007. 3) Discuss American Canyon on July 18<sup>th</sup> and Angwin on August 1<sup>st</sup>. Discussion regarding inviting the American Canyon Planning Commission to the July 18<sup>th</sup> meeting.  
Special meeting in Yountville on June 14, 2007 to take public testimony and not for discussion at that time.

**7. AGENDA REVIEW**

Bob Nelson presented agenda review. No Changes.

**Public Hearings:**

8. **ITEMS TO BE DECIDED WITHOUT ADDITIONAL TESTIMONY - item  # 9 and #10**  
Commission placed items #9 and 10 on consent agenda.

Commission voted to continue item #9 to the next Planning Commission meeting of June 27, 2007 and voted to drop item #10 from the calendar, item will be renoticed for a future date.

TS-BF-HP-JK-RJ

9.  **FRANK FAMILY VINEYARDS (RICHARD FRANK) / PRESTON HILL, LLC AND FRANK FAMILY INVESTMENTS, LLC – USE PERMIT MODIFICATION #P06-0102-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: biological resources.

**REQUEST:** Approval to modify Use Permits #U117576, #U-218081, and Use Permit Modifications #93060-MOD, #95661-MOD, #00462-MOD, and #03384-MOD to: (1) demolish the 1,410 square foot visitor building and construct a new 7,920 square foot, two-story building that includes administrative offices, caterer's prep kitchen, and public and private tasting areas resulting in a winery totaling 105,500 square feet; (2) allow the authorized production limit of 564,500 gallons to be based on a three year average with no more than a 20% variation in any single year and authorize crushing activities for 93,200 gallons of the total production capacity; (3) add a new 1,526 square foot crush pad on an existing impervious surface; (4) increase on-site parking from 72 to 92 spaces; (5) remove previous conditions of approval restricting custom crush activities; (6) eliminate reporting requirements for water usage, truck deliveries, sewage flows, and tasting room visitors; (7) increase the number of full and part time employees from approximately 24 to 28; (8) increase hours of operation from 8 a.m. to 5 p.m. to 8 a.m. to 6 p.m.; (9) allow tours and tastings by appointment only for up to an additional 200 visitors per day; (10) allow additional marketing events to include: four lunches or dinners per month with a maximum of 100 people and 5 lunches or dinners per week with a maximum of 25 people (previously approved marketing events include four wine related events per year for up to 100 people and four to six catered dinners per year with a maximum of 100 people at each); (11) construct a new entry gate; (12) provide new site landscaping; and, (13) upgrade the existing sewage disposal system. The project is located on a 5.15 acre parcel on the east side of Larkmead Lane approximately 2,400 feet north of its intersection with St. Helena Highway (State Highway 29) within an AP (Agricultural Preserve) zoning district. (Assessor's Parcel #: 020-290-007) 1091 Larkmead Lane, Calistoga. **(Continued from April 18, May 2, and May 16, 2007). (TO BE CONTINUED TO JUNE 27, 2007)** **ST**  
See Item #8.

10.  **BRYANT MORRIS GHOST WINERY / BRYANT MORRIS - USE PERMIT REQUEST #P06-01453-UP**

**CEQA STATUS:** Categorically Exempt pursuant to Section 15303 of the California Environmental Quality Act (Class 3 – New Construction or Conversion of Small Structures).

**REQUEST:** Approval of a Use Permit to re-establish the former historic 1880 Castner Winery as a 20,000 gallon per year winery with: (1) a 1,764 square foot living area, 182 square foot office, 146 square foot sales area, 605 square feet of detached storage and 5,000 square feet of caves for a winery totaling 7,881 square feet; (2) three full-time and six part-time employees; (3) nine on-site parking spaces; (4) up to 25 visitors per week (12 maximum in one day); and, (5) a marketing plan with seven activities per year consisting of catered, private wine and food events with a maximum of 25 people three times a year and a maximum of 15 people four times a year and one private wine and food Wine Auction event with a maximum 50 people. The project is located on a 8.97 acre site on the west side of St. Helena Highway North at its intersection with Deer Park Road, within the AW (Agricultural Watershed) zoning district (Assessor's Parcel #: 022-200-028) 2825 North St.

Helena Highway, St. Helena. (Continued from May 16, 2007) (DROPPED FROM AGENDA FOR RENOTICING) RG  
See Item #8.

- 11. D'AMBROSIO BROTHERS INVESTMENT COMPANY (DBIC) / FRANK D'AMBROSIO JR ETAL / D'AMBROSIO WINERY - USE PERMIT REQUEST #P06-01095-UP**  
**CEQA STATUS:** Negative Declaration Prepared. According to the proposed Negative Declaration, the proposed project would have no potentially significant environmental impacts.  
**REQUEST:** Approval of a Use Permit to establish a 30,000 gallon per year winery with: (1) 1,645 square feet of offices, 1,332 square feet of storage / warehouse and 7,571 square feet of production for a winery totaling 10,548 square feet; (2) two full-time and one part-time employee; (3) nine on-site parking spaces; (4) tours and tasting by appointment only for up to 21 visitors per day for a maximum of 147 visitors per week; and, (5) a marketing plan consisting of eight catered food and wine events per year with a maximum of thirty persons per event and one Wine Auction event per year with a maximum of 30 people. The project is located on an 11.37 acre parcel on the west side of Rapp Lane at its intersection with Chateau Lane, within the AW (Agricultural Watershed) zoning district (Assessor's Parcel #: 052-170-019) 10 Chateau Lane, Napa. RG  
Commission voted to adopt Negative Declaration.  
TS-BF-HP-RJ-JK
- Commission voted to approve Use Permit #P06-01095-UP with revised Conditions of Approval.  
TS-BF-HP-RJ-JK

## ITEM 12, 13, & 14 HEARD TOGETHER

- 12. BRIAN MALK TRUST / ALAN PEIRSON / GRIFFIN WINERY - VIEWSHED APPLICATION #P07-00364-VIEW**  
**CEQA STATUS:** See item #14.  
**REQUEST:** Review and approval under the Viewshed Protection Program (Napa County Code Chapter 18.106) to construct a 1,276 square foot winery with a 672 square foot uncovered crush pad located on a slope of fifteen percent or more. KS  
Commission voted to approve Viewshed Protection Plan # P07-00364 to develop on a slope greater than fifteen percent in view of Silverado Trail based on findings 22 through 27 and subject to Conditions of Approval.  
TS-BF-HP-RJ-JK
- 13. BRIAN MALK TRUST / ALAN PEIRSON / GRIFFIN WINERY - VARIANCE REQUEST FOR WINERY SETBACK #P06-01280-VAR**  
**CEQA STATUS:** See item #14.  
**REQUEST:** Approval of a Variance to allow construction of a 1276 square foot winery building to encroach 260 feet into the 300 foot road setback required by County Code section 18.104.230(A)(2). KS  
Commission voted to approve Variance # P06-01280 for the winery to encroach into the front setback based on findings 10-17 and subject to Conditions of Approval  
TS-BF-HP-RJ-JK
- 14. BRIAN MALK TRUST / ALAN PEIRSON / GRIFFIN WINERY - USE PERMIT REQUEST #P06-01274-UP**  
**CEQA STATUS:** Categorically Exempt pursuant to Section 15303 of the California Environmental Quality Act (Class 3 – New Construction or Conversion of Small Structures)

and Napa County's Local Procedures for Implementing CEQA, Appendix B, Section 10 (Class 3 – new construction of small wineries).

**REQUEST:** Approval of a Use Permit to establish a new 2,400 gallon per year winery with: (1) a 1,276 square foot winery building that includes a fermentation room, office, restroom, and storage for a winery totaling 1,276 square feet; (2) a 672 square foot uncovered crush pad; (3) one full and one additional part-time employee during harvest; (4) four parking spaces; and, (5) tours and tasting by appointment only with a total of 28 maximum visitors per week. There are no Marketing events or other activities proposed.

The project is located off a private road on the east side of Silverado Trail on two parcels totaling 10.49 acres approximately 2.7 miles north of Oak Knoll Avenue and 3,000 feet east of its intersection with Silverado Trail within an AP / AW (Agricultural Preserve / Agricultural Watershed) split zoning district. (Assessor's Parcel #: 032-400-018 SFAP, 028 SFAP). 5850 Silverado Trail, Napa.

**KS**

Commission voted to find project Categorically Exempt pursuant to Section 15303 of the California Environmental Quality Act (Class 3 – New Construction or Conversion of Small Structures) and Napa County's Local Procedures for implementing CEQA, Appendix B, Section 10 (Class 3 – New Construction of Small Wineries)

TS-BF-HP-RJ-JK

Commission voted to approve use permit P06-01274 based on findings 17 through 21 subject to Conditions of Approval.

TS-BF-HP-RJ-JK

**15. DEL DOTTO FAMILY WINERY, INC. / DEL DOTTO WINERY – USE PERMIT MODIFICATION REQUEST # P07-00278-MINMOD**

**CEQA STATUS:** Categorically Exempt pursuant to Section 15301 of the California Environmental Quality Act (Class 1 – Existing Facilities) and Napa County's Local Procedures for Implementing CEQA, Appendix B, Section 3 (minor modifications of existing wineries).

**REQUEST:** Approval of a modification to Use Permit #02082-UP to: (1) add a 2,640 square foot mezzanine to the Cut and Cover Cave, slightly increasing its floor area from 15,025 to 15,163 square feet, revise the height of the non-production area from 8 feet above grade to 14 feet and change the railings throughout the structure from a tensioned cable design to a ceramic baluster design; (2) delete the approved Phase II building (of approximately 6,924 square feet in area and 35 feet in height) thereby reducing the total winery area from 21,949 square feet to 15,163 square feet; (3) increase the parking from 13 to 20 spaces, including two handicapped; (4) allow use of the roof top patio area over the non-production portion of the winery structure; (5) relocate the crush pad area of approximately 840 square feet from the west side of the Phase II building to the north side of the Phase I Cut and Cover Cave; and, (6) add a new entry structure at the winery driveway entrance on South St. Helena Highway (St. Highway 29). The 48,000 gallon per year production, visitation and employee numbers remain unchanged. The project is located on a 13.38 acre parcel at the southwest corner of South St. Helena Highway and West Zinfandel Lane, approximately one mile south of the City of St. Helena within an AP (Agricultural Preserve) zoning district. (Assessor's Parcel #: 027-160-055) 1445 South St. Helena Highway, St. Helena.

**RN**

Commission voted for motion of intent to find the project Categorically Exempt under Section 15301 (Class 1 – Existing Facilities) intent to approve the basic modifications with the Commission determining acceptable level of exterior appearance of the cut and cave, cover the level of use as to be revised by staff and the roof level of the cut and cover cave not be available for any use. Return to Commission meeting of June 27, 2007 for final Conditions of Approval.

BF-RJ-TS-HP-JK

**Other Business:** (The following matters, unless otherwise noted, may be heard at any time during the meeting at the discretion of the Chairperson).

16. USE PERMIT MODIFICATION PROCESS Discussion of criteria for determining whether projects are subject to Director, Zoning Administrator or Planning Commission level review and possible direction to staff. JMc  
No action taken.

17. CITY REFERRALS:  
None.

18. DEPUTY DIRECTOR'S REPORT

- DISCUSSION OF ITEMS FOR THE **JUNE 27, 2007** SPECIAL MEETING  
Del Dotto, Frank Family Vineyards, General Plan, Quarterly report on Woodbridge, Cosintino Noise Issue.
- CODE COMPLIANCE REPORT  
Viniteri Property – owner has come into compliance.
- ZONING ADMINISTRATOR ACTIONS  
Palmaz (changes to winery at bottom of hill), project was approved with very limited conditions.

19. COMMISSIONER COMMENTS / COMMITTEE REPORTS  
Commissioner Scott – Complimented Heather Phillips on the CCPCA Northern District Spring Conference that she hosted.  
Commissioner Phillips – Thanked Renee' Lederer for her assistance with the conference.

20. FUTURE AGENDA ITEMS  
Nothing to report.

- #00338-UP, 1 Year after opening – Caldwell Winery
- #02082-UP, 1 Year after opening – Del Dotto Winery
- #03457-UP, 1 Year after opening – Pecotta Winery
- Lokoya Road Drainage Report – September 5, 2007

21. ADJOURNMENT  
Adjourned to a special joint meeting with the Conservation, Development and Planning Commission and the Board of Supervisors, Tuesday, June 12 at 9:00 a.m.

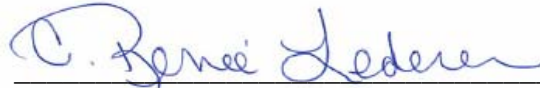
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JIM KING, Chairperson

ATTEST: HILLARY GITELMAN, Secretary-Director



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C. RENEE LEDERER, Clerk

Key

Vote: RJ = Rich Jager; JK = Jim King; BF = Bob Fiddaman; TS = Terry Scott; HP = Heather Phillips

The maker of the motion and second are reflected respectively in the order of the recorded vote.

Notations under vote: N = No; A = Abstain; X = Excused