

NAPA COUNTY
CONSERVATION, DEVELOPMENT AND PLANNING COMMISSION
MINUTES

MAY 7, 2008

1. CALL TO ORDER / ROLL CALL

Meeting called to order at 9:20 a.m.
All Commissioners Present.

2. CITIZEN COMMENTS AND RECOMMENDATIONS

None.

3. APPROVAL OF MINUTES

None presented.

4. DIRECTOR'S REPORT

John McDowell presented the report.

- **BOARD OF SUPERVISORS ACTIONS**

- ▶ The Flea Market was unanimously approved.
- ▶ Ballantine appeal of the Morris Winery was denied.
- ▶ The County has entered into contracts for the update of the Housing Element. Bay Area Economics will prepare the actual Housing Element Document and Design Community Environment will prepare the Environmental Document.
- ▶ Signatures were gathered for the extension of Measure J and the Board of Supervisors ordered a 9111 report be prepared and presented at the June 3, 2008 meeting.

- **OTHER DEPARTMENT ACTIVITIES**

5. AGENDA REVIEW

Robert Nelson presented the agenda.
Item 7B Budge Brown will be moved to Agenda Item 6 to be decided without additional testimony.

6. PUBLIC HEARING ITEMS TO BE DECIDED WITHOUT ADDITIONAL TESTIMONY

Commission voted to move Agenda Item 7B (Budge Brown Family Winery / Silicatec Rentals) To Agenda item 6.

BF-RJ-TS-HP-JK

Commission voted to approve the Consent Calendar.

JK-BF-TS-HP-RJ

7. PUBLIC HEARING ITEMS

A. SHANE A. ROBERT YEAKEY / OAKVILLE LLC. & ROBERT YEAKEY - USE PERMIT EXCEPTION #99141-UP

Request: Approval of use permit #99141-UP, an exception to Conservation Regulations for earthmoving activities on slopes greater than 30% (County Code section 18.108.040 (A)) to allow the new construction of up to 11,100 LF of access road

and driveways to cross slopes of 4% to 71% with an average of 42.5% to allow access to 2 parcels currently without access to a private or public road. The proposed road has 3 distinct sections. The first section is 4,400 LF beginning at the proposed entrance on Dry Creek Road and will serve both parcels as a shared access. This section includes 2 tunnels, tunnel #1 is approximately 80 LF and tunnel #2 is approximately 70 LF. This first section comes to a 60' turn around that splits turning southward as a 1,700 LF private driveway to parcel (027-310-031) future residential complex and turning northward as a 5,000 LF private driveway to parcel (027-310-032) future residential complex. There will be approximately 68,000 CY of cut and 71,600 CY of fill in total for the access road and the two future residential building sites. The project is located on two parcels totally 178 acres on the north side of Dry Creek Road, approximately 1000 feet west of its intersection from Oakville Grade within an Agricultural Watershed (AW) zoning district (Assessor's Parcel Number 027-310-031, 027-310-032 SFAP and 027-270-019 SFAP) Napa County.

Staff Recommendation: Adoption of the Negative Declaration, and approve the use permit with recommended conditions of approval.

Commission voted to adopt Resolution #99141-UP certifying the negative declaration and approving the Robert Yeakey Use Permit Exception to the Conservation Regulation with conditions of approval.

BF-RJ-HP-TS-JK

B. BUDGE BROWN FAMILY WINERY/SILICATEC RENTALS, INC. USE PERMIT REQUEST #P07-00431-UP

Request: Approval of a Use Permit to establish a new 16,000 gallon per year winery with: (1) a 5,270 square foot single story winery building with no basement for a winery totaling 5,270 square feet; (2) a 1,600 square foot covered outdoor crush and fermentation pad with three eight foot diameter fermentation tanks; (3) two full-time and two part-time employees; (4) 20 parking spaces including two disabled-accessible spaces; (5) tours and tastings by appointment only with a maximum of 15 visitors per day but no more than 75 visitors per week; (6) a marketing plan with: six events with a maximum of 50 persons per year; two events with a maximum of 15 persons per year; and one Wine Auction event with a maximum of 100 persons per year; and, (7) installation of six 8,000 gallon above ground process waste water treatment tanks. The project is located on a 54.1 acre parcel on the west side of Pope Valley Road approximately 2,000 feet south of its intersection with Ink Grade within an AW (Agricultural Watershed) zoning district. (Assessor's Parcel #: 018-090-082). 6307 Pope Valley Road, Pope Valley.

Staff Recommendation: Adopt the attached Mitigated Negative Declaration and approve the requested winery use permit as proposed and conditioned.

See item #6.

C. V MADRONE CELLARS (TILLEY WINERY) – USE PERMIT MODIFICATION #P08-00099-MOD

Request: Approval of a Major Modification to Use Permit P04-0541-UP for the following items: (1) Approval to change original Use Permit Condition of Approval #2 (a.) Historical Structures as follows: Prior to issuance of any building permits for the project, the following shall be provided: (a.) Verification by an Historic Architect that the main residence is eligible for listing on the California Register; (2) Approval to increase the square footage of the planned renovated barn from 1,359 square feet to 1,492 square feet; and (3) Adoption of an Addendum to the previously adopted Mitigated Negative Declaration. The Addendum will amend Section XV. Traffic/Transportation Mitigation Measure #1 and the associated Project Revision Statement and Mitigation Monitoring and Reporting Program for Transportation/Traffic requiring the installation of a left-turn lane on St. Highway 29 prior to issuance of a building permit. It will also allow for a substituted equivalent mitigation measure that would implement the site and road design changes approved by State Department of Transportation (Caltrans) to reduce

potential traffic impacts associated with the winery site;

Staff Recommendation: Adopt the Addendum to the original mitigated negative declaration concerning turn lane requirements, and Approve the use permit major modifications as proposed and with revised conditions of approval.

Commission voted to adopt Resolution P08-00099-MOD adopting the Addendum to the Mitigated Negative Declaration of Use Permit P04-0541-UP, and approve the amended Project Revision Statement. The amended portion of the Mitigation Monitoring and Reporting Program for Transportation / Traffic (Section XV.) and the Use Permit modifications for the V Madrone Cellars (Tilley) winery project with the recommended Conditions of Approval.

HP-BF-TS-RJ-JK

8. ADMINISTRATIVE ITEMS- None

9. DEPUTY DIRECTOR'S REPORT

John McDowell presented the report.

- DISCUSSION OF ITEMS FOR THE **MAY 20Th, 2008** JOINT BOS/CDPC MEETING
Annual Code Enforcement Update Report will be given.
 - ▶ The Regular CDPC meeting for May 21, 2008 will be cancelled.
 - ▶ There will be a Special Meeting held for the June 13th Growth Summit.
- DISCUSSION OF ITEMS FOR THE **JUNE 4th, 2008** JOINT BOS/CDPC MEETING
 - ▶ Sage Hill winery
 - ▶ Allenbaugh-Formerly Highway 29 Café-Changing to an Art Gallery.
 - ▶ Opus One-1st Vineyard Management Use Permit.
 - ▶ Domain Mumm- small expansion.
 - ▶ 2 updates- Del Dotto Winery and Woodbridge Quarterly report.
- CODE COMPLIANCE REPORT
- ZONING ADMINISTRATOR ACTIONS
- OTHER PENDING PROJECT'S STATUS
 - ▶ Nyers Vineyard- Cave Expansion to be heard by the Zoning Administrator.

10. COMMISSIONER COMMENTS / COMMITTEE REPORT

- ▶ Commissioner King asked for continued status updates for Aetna Springs Resort and Guanocht Ranch.
- ▶ Commissioner Fiddaman commented on the Housing Element and Work Force Housing.
- ▶ John McDowell reported on the Luciana Golf Course- EIR to go Public at the end of the month and the Saint Helena Outlets application/proposal for a 50 room Resort.

11. FUTURE AGENDA ITEMS

- #00338-UP, 1 year after opening – Caldwell Winery
- #02082-UP, May 2008 – Del Dotto Winery
- #03457-UP, 1 year after opening – Kendal – Jackson (Formerly Pecota) Winery
- #P06-0102, 2 years after opening – Frank Family Winery

12. ADJOURNMENT

Adjourned to the Special joint meeting of the Conservation Development and Planning Commission and the Board of Supervisors meeting of May 20th, 2008.

TERRY SCOTT, Chairperson

ATTEST: HILLARY GITELMAN, Secretary-Director

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