



A Tradition of Stewardship  
A Commitment to Service

Agenda Date: 12/2/2014  
Agenda Placement: 9E  
Set Time: 9:45 AM PUBLIC HEARING  
Estimated Report Time: 4 Hours

## NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

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**TO:** Board of Supervisors  
**FROM:** David Morrison - Director  
Planning, Building and Environmental Services  
**REPORT BY:** Sean Trippi, Principal Planner - 299-1353  
**SUBJECT:** Yountville Hill Winery Use Permit Appeal P13-00279; P13-00417; P13-00416

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### **RECOMMENDATION**

Consideration and possible action regarding an appeal filed by Save Yountville Hill to a decision by the Planning Commission on July 2, 2014, to approve the Yountville Hill Winery/CS2 Wines, LLC application for a use permit and exception to the conservation regulations, a variance, and a viewshed application to establish a new winery with an annual production capacity of 100,000 gallons as follows: (1) construct two new winery buildings with approximately 14,019 sq. ft. of floor area, including a 1,208 sq. ft. reception building and a 12,811 sq. ft. winery, administration and visitor center building with 9,605 sq. ft. of unenclosed terraces; (2) construct approximately 35,588 sq. ft. of cave area, including a warming kitchen; (3) provide 37 on-site parking spaces; (4) establish a Marketing Plan with 48 events per year for a maximum of 50 guests at each event (half of the events will be scheduled to begin after 6:30 PM); six (6) events per year for a maximum of 100 guests at each event; two (2) events per year for a maximum of 200 guests at each event; and, two (2) wine auction events per year; (5) allow tours and tastings, which may include food pairing, by appointment only for a maximum of 285 visitors per day with a maximum of 1,120 visitors per week (285 Sat/Sun; 110/day Mon-Fri); (6) establish hours of operation from 6 AM to 3 PM (production staff), 8 AM to 5 PM (administrative staff) and 9:30 AM to 6:30 PM (hospitality staff – visitation would occur between 10 AM and 6 PM); 7 days a week; (7) allow on-premise consumption of the wines produced on-site in the winery administration and visitor center building and terraces pursuant to the Evans Bill (AB2004); (8) employ up to 19 people; (9) install a new on-site winery process and domestic wastewater treatment system; and, (10) new landscaping, driveway improvements, four water storage tanks (10,500 gallons each), and signage. The proposal also includes an exception to the conservation regulations to grade/construct improvements on slopes exceeding 30%, a viewshed application to construct on slopes 15% or greater and visible from a viewshed designated roadway (State Route 29) and a variance to allow the lower cave portal and winery related activities on the pad in front of the cave to encroach into the approximately 275-feet into the 600-foot setback from State Route 29, winery buildings to encroach into the 300-foot setback from a private road, a staircase at the rear of the winery building to encroach 6-feet into a 20-foot rear yard and a non-habitable portion of the structure/landscaped terrace and stairs at the third or roof level to encroach 15-feet into the 20-foot rear yard. The project site is comprised of two parcels that will be combined. An existing 4,000 sq. ft. residence (former bed & breakfast) and garage, the existing driveway from State Route 29 to the structures, and a cave will be removed as part of the proposal to facilitate

construction of the winery, a new driveway, and associated improvements. The 10.9 acre project site is located on the east side of State Route 29 approximately ¼-mile south of the Yount Mill Road/State Route 29 intersection. APN's: 031-130-028 & 029. 7400 St. Helena Highway, Napa.

**ENVIRONMENTAL DETERMINATION:** Consideration and possible readoption of a Mitigated Negative Declaration. According to the Mitigated Negative Declaration, the proposed project would have, if mitigation measures are not included, a potentially significant impact in the following areas: Biological Resources; Cultural Resources and Transportation/Traffic. The project is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

**(CONTINUED FROM OCTOBER 14, 2014; APPLICANT, APPELLANT AND STAFF REQUEST CONTINUANCE TO DECEMBER 16, 2014 AT 10:15 AM)**

### **EXECUTIVE SUMMARY**

On July 2, 2014, after considering all written and verbal evidence presented, the Planning Commission closed the public hearing and voted (3:1) to adopt a Mitigated Negative Declaration and approve the Yountville Hill Winery/CS2 Wines, LLC application for a use permit and exception to the conservation regulations, a variance, and a viewshed application to establish a new winery with an annual production capacity of 100,000 gallons as follows: (1) construct two new winery buildings with approximately 14,019 sq. ft. of floor area, including a 1,208 sq. ft. reception building and a 12,811 sq. ft. winery, administration and visitor center building with 9,605 sq. ft. of unenclosed terraces; (2) construct approximately 35,588 sq. ft. of cave area, including a warming kitchen; (3) provide 37 on-site parking spaces; (4) establish a Marketing Plan with 48 events per year for a maximum of 50 guests at each event (half of the events will be scheduled to begin after 6:30 PM); six (6) events per year for a maximum of 100 guests at each event; two (2) events per year for a maximum of 200 guests at each event; and, two (2) wine auction events per year; (5) allow tours and tastings, which may include food pairing, by appointment only for a maximum of 285 visitors per day with a maximum of 1,120 visitors per week (285 Sat/Sun; 110/day Mon-Fri); (6) establish hours of operation from 6 AM to 3 PM (production staff), 8 AM to 5 PM (administrative staff) and 9:30 AM to 6:30 PM (hospitality staff – visitation would occur between 10 AM and 6 PM); 7 days a week; (7) allow on-premise consumption of the wines produced on-site in the winery administration and visitor center building and terraces pursuant to the Evans Bill (AB2004); (8) employ up to 19 people; (9) install a new on-site winery process and domestic wastewater treatment system; and, (10) new landscaping, driveway improvements, four water storage tanks (10,500 gallons each), and signage. The proposal also includes an exception to the conservation regulations to grade/construct improvements on slopes exceeding 30%, a viewshed application to construct on slopes 15% or greater and visible from a viewshed designated roadway (State Route 29) and a variance to allow the lower cave portal and winery related activities on the pad in front of the cave to encroach into the approximately 275-foot into the 600-foot setback from State Route 29, winery buildings to encroach into the 300-foot setback from a private road, a staircase at the rear of the winery building to encroach 6-feet into a 20-foot rear yard and a non-habitable portion of the structure/landscaped terrace and stairs at the third or roof level to encroach 15-feet into the 20-foot rear yard. The project site is comprised of two parcels that will be combined. An existing 4,000 sq. ft. residence (former bed & breakfast) and garage, the existing driveway from State Route 29 to the structures, and a cave will be removed as part of the proposal to facilitate construction of the winery, a new driveway, and associated improvements.

On July 30, 2014, subsequent to the Planning Commission's decision and within the prescribed period, A Notice of Intent to Appeal was filed by Save Yountville Hill, Maryann Moffitt, Christian Moueix and Ren Harris ("Appellants") filed an appeal of the Planning Commission's decision.

This item was continued from October 14, 2014, due to scheduling issues and other post-earthquake related matters. Staff, the Appellant, and Applicant all request that the appeal hearing be continued to December 16, 2014, at 10:15 a.m. to allow the Applicant and Appellant time to continue discussion of the issues raised in the appeal.

**FISCAL IMPACT**

Is there a Fiscal Impact?                      No

**ENVIRONMENTAL IMPACT**

ENVIRONMENTAL DETERMINATION: Consideration and possible readoption of a Mitigated Negative Declaration. According to the Mitigated Negative Declaration, the proposed project would have, if mitigation measures are not included, a potentially significant impact in the following areas: Biological Resources; Cultural Resources and Transportation/Traffic. The project is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

**BACKGROUND AND DISCUSSION**

On July 2, 2014, after considering all written and verbal evidence presented, the Planning Commission closed the public hearing and voted (3:1) to adopt a Mitigated Negative Declaration and approve the Yountville Hill Winery/CS2 Wines, LLC application for a use permit and related approvals.

On July 30, 2014, subsequent to the Planning Commission's decision and within the prescribed period, A Notice of Intent to Appeal was filed by Save Yountville Hill, Maryann Moffitt, Christian Moueix and Ren Harris ("Appellants") filed an appeal of the Planning Commission's decision.

This item was continued from October 14, 2014. An additional continuance is requested to December 16, 2014, at 10:15 a.m. to allow the applicant and appellant to continue discussion of the issues raised in the appeal. Appellant, Applicant and staff support the continuance.

**SUPPORTING DOCUMENTS**

None

CEO Recommendation: Approve

Reviewed By: Molly Rattigan