



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 2/26/2019
Agenda Placement: 9D
Set Time: 9:30 AM PUBLIC HEARING
Estimated Report Time: 5 Minutes
Continued From: January 29, 2019

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: David Morrison - Director
Planning, Building and Environmental Services
REPORT BY: Wyntress Balcher, Planner II - 707 299-1351
SUBJECT: Caldwell Vineyard Winery Appeal Hearing

RECOMMENDATION

Consideration and possible action regarding an appeal filed by Caldwell Vineyards Winery to a decision by the Napa County Planning Commission on October 17, 2018 to deny a modification (P17-00074-MOD) to the Caldwell Vineyards Winery Use Permit No.00318-UP to allow the following: 1) increase the winery production capacity from 25,000 gallons to 35,000 gallons per year; 2) increase the existing area of the winery caves; 3) increase the number of daily by-appointment visitation; 4) increase the number of employees; 5) modify by-appointment tasting hours; 6) modify the Marketing Plan; 7) allow for on-site consumption of wines; 8) construct a trellis shade structure; 9) increase the width of portions of the existing roadway; 10) installation of traffic calming measures on Kreuzer Lane; and 11) a request for an Exception to the Napa County Road and Street Standards (RSS). The project is located on a ±42.96 acre parcel at the terminus of Kreuzer Lane within an Agricultural Watershed (AW) Zoning District. (Assessor's Parcel Nos. 045-310-056 and 045-310-055) 270 Kreuzer Lane, Napa, CA 94558.

ENVIRONMENTAL DETERMINATION: Consideration and possible adoption of a Revised Negative Declaration. According to the proposed Revised Negative Declaration, the proposed 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. Pursuant to State CEQA Guidelines Section 15072, the public review period for the notice of intent to adopt a Negative Declaration ran from December 27, 2017 to January 16, 2018. (The Revised Negative Declaration was prepared and circulated for public review and comment but was not adopted.) State CEQA Guidelines Section 15270 provides: CEQA does not apply to projects which a public agency rejects or disapproves. A denial is not subject to CEQA review. **(CONTINUED FROM JANUARY 29, 2019; APPELLANT AND STAFF REQUEST CONTINUANCE TO MARCH 12, 2019 AT 9:30 A.M.)**

EXECUTIVE SUMMARY

The matter before the Board involves the applicant's appeal of the Planning Commission's decision (4:0) to deny a Use Permit Modification to allow the following: 1) increase the winery production capacity from 25,000 gallon to 35,000 gallons per year; 2) increase the existing area of the winery caves; 3) increase the number of daily by-appointment visitation from eight to 35/day; 4) increase the number of employees; 5) modify by-appointment tasting hours; 6) modify the Marketing Plan; 7) allow for on-site consumption of wines; 8) construct a crush pad cover and a trellis shade structure; 9) increase the width of portions of the existing roadway, 10) installation of traffic calming measures on Kreuzer Lane; and 11) a request for an Exception to the Napa County Road and Street Standards. The project is located on a ±42.96 acre parcel at the terminus of Kreuzer Lane; within the Agricultural Watershed (AW) zoning district; 270 Kreuzer Lane, Napa; APN: 045-310-056 and 045-310-055. The parties attended the pre-hearing conference on January 14, 2019 wherein a request was made to continue the February 26, 2019 hearing to allow time for additional preparation. Staff requests that the Chair introduce the item, open the public hearing, and request a motion for continuance to March 12, 2019 at 9:30 a.m. Staff presentation and public testimony will not occur at the February 26, 2019 hearing. Appellant and Staff support the continuance.

PROCEDURAL REQUIREMENTS

1. Chair introduces item and opens the public hearing.
2. Motion by a Board member and second by another Board member to continue the item to March 12, 2019 at 9:30 a.m.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

Consideration and possible adoption of a Revised Negative Declaration. According to the proposed Revised Negative Declaration, the proposed 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. Pursuant to State CEQA Guidelines Section 15072, the public review period for the notice of intent to adopt a Negative Declaration ran from December 27, 2017 to January 16, 2018. (The Revised Negative Declaration was prepared and circulated for public review and comment but was not adopted.) State CEQA Guidelines Section 15270 provides: CEQA does not apply to projects which a public agency rejects or disapproves. A denial is not subject to CEQA review.

BACKGROUND AND DISCUSSION

This matter involves the applicant's appeal of the Planning Commission's denial of a Use Permit Modification for an existing winery to allow the following: 1) increase the winery production capacity from 25,000 gallon to 35,000 gallons per year; 2) increase the existing area of the winery caves; 3) increase the number of daily by-appointment visitation from eight to 35/day; 4) increase the number of employees; 5) modify by-appointment tasting hours; 6) modify the Marketing Plan; 7) allow for on-site consumption of wines; 8) construct a crush pad cover and a trellis shade structure; 9) increase the width of portions of the existing

roadway, 10) installation of traffic calming measures on Kreuzer Lane; and 11) a request for an Exception to the Napa County Road and Street Standards.

The project was denied by the Planning Commission on October 17, 2018. A timely appeal was filed by the applicant subsequent to the Commission's action. The parties attended the pre-hearing conference on January 14, 2019 wherein a request was made to continue the February 26, 2019 hearing to allow time for additional preparation. Staff requests that the Chair introduce the item, open the public hearing, and request a motion for continuance to March 12, 2019 at 9:30 a.m. Staff presentation and public testimony will not occur at the February 26, 2019 hearing. Appellant and Staff support the continuance.

SUPPORTING DOCUMENTS

None

CEO Recommendation: Approve

Reviewed By: Leigh Sharp