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Agenda Date: 1/16/2019  
Agenda Placement: 7A  
Continued From: 10/3/18 & 12/5/17

## Napa County Planning Commission Board Agenda Letter

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**TO:** Napa County Planning Commission  
**FROM:** Charlene Gallina for David Morrison - Director  
Planning, Building and Environmental Services  
**REPORT BY:** Donald Barrella, Planner III - 707-299-1338  
**SUBJECT:** Anthem Winery, P14-00320-MOD, P14-00321-VAR, and P14-00322-ECPA

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### **RECOMMENDATION**

**JULIE ARBUCKLE / ANTHEM WINERY / USE PERMIT MODIFICATION # P14-00320-MOD, VARIANCE #P14-00321-VAR, VIEWSHED, EXCEPTION TO THE NAPA COUNTY ROAD AND STREET STANDARDS, AND AGRICULTURAL EROSION CONTROL PLAN #P14-00322-ECPA**

**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 (or MM's). MM's are proposed for the following area(s) Biological Resources, Geology and Soils, and Noise. 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 Major Modification for an existing winery permit to allow the following: (1) an increase in annual permitted production capacity from 30,000 to 50,000 gallons; (2) the construction of a new 10,388 sq.ft. Winery Facility including a 1,508 sq. ft. Tasting Room, a 1,724 sq. ft. Office, Catering and Conference Room, and outdoor marketing areas; (3) the development of 29,053 sq.ft. of caves including the on-site placement and storage of spoils; (4) an increase in on-site parking; (5) the development of winery support facilities (water tanks, septic system, and rainwater harvesting and winery process water recycling and reuse systems); (6) an increase in the number of employees; (7) a change in the in the winery's hours of operation; (8) a marketing plan that includes daily tours and tastings by appointment, 36 annual marketing events, and on-site consumption of wine produced on-site; and (9) the reconfiguration of an existing access driveway including the construction of a clear span bridge and approximately 650 feet of new driveway to provide adequate access to the winery. The project also includes an Exception to the Napa County Road and Street Standards for reduced commercial driveway widths and for road grades exceeding 18%, a Variance to allow construction of the proposed winery a minimum of 65 feet from a private access drive where a minimum 300-foot setback is required, a Viewshed request; and, an Agricultural Erosion Control Plan for the installation and maintenance of approximately 1.19 acres of new vineyard. The project is located on an approximate 44.8 acre holding within the Agricultural Watershed (AW) zoning district that consists of two parcels: i) the Winery Parcel (3454 Redwood Road, APN 035-470-046) an

approximate 27.23 acre parcel located on the east side of Redwood Road approximately 1.5 miles north of its intersection with Browns Valley Road; and ii) the Access Parcel (3123 Dry Creek Road, APN 035-460-038) an approximate 17.54 acre parcel located on the west side of Dry Creek Road approximately 1.7 miles north of its intersection with Redwood Road (or approximately 0.4 miles north of its intersection with Linda Vista Avenue). Access to the winery is proposed from Dry Creek Road.

**Staff Recommendation:** That the Planning Commission drop the item from the agenda to be re-notice for a future hearing date.

**Staff Contact:** Donald Barrella, Planner III, (707) 299-1338 or [Donald.barrella@countyofnapa.org](mailto:Donald.barrella@countyofnapa.org)

**Applicant:** Julie & Justin Arbuckle, Trustees of the Arbuckle Family Trust dated May 5, 2016; (707) 227-0722 or [jarbuckle@sbcglobal.net](mailto:jarbuckle@sbcglobal.net)

**Applicant Representative:** Rob Anglin, Holman Teague Roche, Anglin LLP.; (707) 927-4280 or [angling@htralaw.com](mailto:angling@htralaw.com).

**CONTINUED FROM THE OCTOBER 3, 2018 AND THE DECEMBER 5, 2018 COMMISSION MEETINGS.**

**TO BE CONTINUED TO A DATE UNCERTIAN AND RENOTICED.**

## **EXECUTIVE SUMMARY**

### **Proposed Action:**

That the Planning Commission drop the item from the agenda and re-noticed for a future hearing date.

### **Discussion:**

On October 3, 2018, the Planning Commission held a public hearing to consider a use permit modification and related requests as outlined above and described in detail within the October 3, 2018 Staff Report ([http://napa.granicus.com/ViewPublisher.php?view\\_id=21](http://napa.granicus.com/ViewPublisher.php?view_id=21)). Comments, testimony, and Commission deliberation primarily focused on the following issues: i) groundwater availability and use, and the adequacy of the Project's Water Availability Analysis (WAA); ii) access to the site including the County Road and Street Standards (RSS) and adequacy of emergency ingress and egress; and iii) general land use concerns as a result of proposed visitation, marketing and production. At the conclusion of the hearing the Commission continued the item to the December 5, 2018 hearing, and requested clarification on: i) the Project's WAA conclusions; ii) the adequacy of the proposed access and exceptions to the County Road and Street Standards; iii) the visitation and marketing numbers in relation to marketing and visitation numbers for 30,000 gallon wineries; and iv) that additional information be provided on the viewshed request, the Agricultural Erosion Control Plan, and the County's role/responsibility relative to a private tree easement with an adjacent property.

At December 5, 2018 hearing staff and the applicant/permittee requested the item be continued to the January 16, 2019 Commission hearing to allow staff and the applicant/permittee sufficient time to review comments and prepare and provide additional information.

Because the applicant/permittee is in the process of modifying the proposed project and amending/updating reports affect by anticipated modifications (in particular the projects Water Use Analysis and WAA, and that a modified project would necessitate additional review and analysis by staff, in addition to affecting responses to

comments received on the Project), staff is requesting the item be continued to a date uncertain (i.e. dropped from the agenda) and re-noticed to a future hearing date. The applicant/permittee is supportive of the continuation to a date uncertain and re-notification.

**FISCAL IMPACT**

Is there a Fiscal Impact?                      No

**ENVIRONMENTAL IMPACT**

**BACKGROUND AND DISCUSSION**

**SUPPORTING DOCUMENTS**

None

Napa County Planning Commission: Approve  
Reviewed By: Charlene Gallina