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Agenda Date: 1/19/2011

Agenda Placement: 9A

Napa County Planning Commission Board Agenda Letter

TO: Napa County Planning Commission
FROM: Melissa Gray for Hillary Gitelman - Director
Conservation, Development & Planning
REPORT BY: Sean Trippi, Principal Planner - 299-1353
SUBJECT: Ramsay / Rasmussen Winery Modification

RECOMMENDATION

RAMSAY / RASMUSSEN WINERY / KENT RASMUSSEN & CELIA RAMSAY - USE PERMT MAJOR MODIFICATION, P10-00284-MOD.

CEQA Status: Mitigated Negative Declaration prepared. According to the proposed mitigated negative declaration, if mitigation measures are not included, the proposed project would have potentially significant environmental impacts in the following area: Transportation/Traffic. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

Request: Approval to modify previous use permit approvals for the Ramsay/Rasmussen Winery to: (1) increase production capacity from 40,000 gallons per year to 100,000 gallons per year; (2) add up to 5 new fermentation tanks in the covered existing fermentation tanks area; (3) stripe 14 on-site parking spaces on an existing impervious surface; (4) convert an existing 985 sq. ft. quest cottage into office, tasting/retail space, and employee break room; (5) provide an approximate 400 sq. ft. tasting area within the existing winery building; (6) establish a marketing plan with 4 food and wine parings per month for a maximum of 24 guests at each event, 4 open house and release events per year for a maximum of 75 guests at each event, and one event per year for a maximum of 125 guests; (7) tours and tastings by appointment only, with food paring(s) for up to 48 visitors per day and a maximum of 336 visitors per week; (8) recognize existing outdoor work and crush areas and a 1,054 sq. ft. covered elevated pad located near the southeast corner of the property; (9) install a new winery process and domestic wastewater system; and (10) install a new left turn lane on Silverado Trail. The project is located on a 5.67 acre parcel on the west side of Silverado Trail located approximately 1/2 mile north of Taplin Road within the Agricultural Watershed (AW) zoning district. APN: 025-410-002. 1001 Silverado Trail, St. Helena.

Staff Recommendation: Adopt the mitigated negative declaration and mitigation monitoring and reporting program and approve the use permit modification with the proposed conditions of approval.

Staff Contact: Sean Trippi, 299-1353 or sean.trippi@countyofnapa.org

EXECUTIVE SUMMARY**Project Action:**

1. That the Planning Commission adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for Ramsay/Rasmussen winery, based on findings 1-6 of Exhibit A;
2. That the Planning Commission approve Use Permit Modification (File #P10-00284-MOD) based on findings 7-11 of Exhibit A and subject to the recommended Conditions of Approval (Exhibit B).

Discussion:

This application proposes a modification to a winery use permit first approved in 1980, chiefly to allow an increase in production from 40,000 gallons to 100,000 gallons annually, conversion of an existing guest cottage to winery uses, the addition of by-appointment tours and tasting and marketing events. The original use permit and subsequent approvals did not allow tours and tastings of any type. The proposal also includes a new left turn lane on Silverado Trail with 60-feet of stacking. The existing facility pre-dates the Winery Definition Ordinance (WDO) and is located on a parcel less than 10 acres in size. Expansion of pre-WDO facilities are permitted upon grant of a use permit modification contingent upon all expanded aspects complying with the WDO. The proposed project appears consistent with these requirements, and therefore, approval of the modification is recommended.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: Mitigated Negative Declaration prepared. According to the Mitigated Negative Declaration (MND), the proposed project would have, if mitigation measures are not included, a potentially significant environmental impact in Transportation/Traffic. This project site is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5.

Discussion:

Mitigation measures are included that address improving vehicle sight distance at the project driveway intersection with Silverado Trail. As noted in the staff report, the applicant also proposes a new left turn lane on Silverado Trail and associated roadway improvements.

BACKGROUND AND DISCUSSION

Owner/Applicant: Kent Rasmussen & Celia Ramsay

Representatives: Donna Oldford, Plans4Wine

Zoning: AW (Agricultural Watershed)

General Plan Designation: AWOS (Agricultural Watershed and Open Space)**Filed:** August 12, 2010**Complete:** November 17, 2010**Production Capacity (Approved):** 40,000 gallons per year**Production Capacity (Proposed):** 100,000 gallons per year**Winery Size (existing):** Approximately 11,832 sq. ft. of floor area within two existing buildings, about 2,981 sq. ft. of covered and uncovered outdoor work area, and a 1,054 raised covered platform.**Winery Size (proposed):** An existing 985 sq. ft. guest cottage is proposed for conversion to winery uses (tasting area, offices, employee breakroom). No new structures are proposed.**Accessory to Production Ratio (Approved):** 5.9%**Accessory to Production Ratio (Proposed):** 9.1%**Accessory to Production Ratio (WDO Maximum):** 40%**Marketing (Existing):** One event per month for 50 guests with catered food.**Marketing (Proposed):** Four (4) events per month for a maximum of 24 guests; four (4) events per year with a maximum of 75 guests; and, one (1) event per year with a maximum of 125 guests. All food for the proposed marketing events will be catered.**Visitation (Existing):** The original use permit did not allow public tours and tastings or tours and tastings by prior appointment.**Visitation (Proposed):** Tours & tastings by appointment only for 48 visitors per day (maximum) with a maximum of 336 visitors per week.**Number of Employees (Approved):** 2 part-time and 2 full-time.**Number of Employees (Proposed):** 4 full-time and 2 part-time.**Days & Hours of Operation (Existing):** 7 days a week, 6:00 Am to 6:00 PM**Days & Hours of Operation (Proposed):** No Change**Parking (Existing):** 6 were previously approved but there is currently no delineation**Parking (Proposed):** 14 including one ADA parking space will be striped on existing pervious surfaces**Setbacks:** The two existing winery buildings area setback 90 and 130 feet from the centerline of Silverado trail. The existing guest cottage proposed to be converted to winery uses with this application is setback about 55-60 feet from the centerline of Silverado Trail. The original project approval predates the requirement for a 600-foot setback from the centerline of Silverado Trail. No new structures are proposed with this application. There is also an existing covered elevated platform and concrete pad near the top of the river bank that was built quite some time ago (in existence prior to 1975 according to a previous property owner.) This structure has been utilized by the winery since its inception.**Setting:**

The 5.7 acre project site is located approximately one mile northwest of the Silverado Trail/Zinfandel Lane intersection and a little under one mile southeast of the Pope Street Bridge. Access to the property is via an existing driveway from Silverado Trail; however, there is currently no left turn lane on Silverado trail serving the site. The project site is currently developed with a winery, a single-family home, and the guest cottage which is proposed to be converted for use by the winery. The site also includes two small vineyards totaling approximately 0.6 acres.

One vineyard is adjacent to Silverado Trail and one is located between the existing main winery building and the winery storage buildings. There is also an olive orchard, totaling approximately 0.6 acres, and other landscaped areas on the site. Properties in the vicinity of the project site range in size from 2 to 478.5. Surrounding uses include single-family homes, vineyards, and a number of wineries (see below).

Other producing wineries along Silverado Trail within about a mile or two of the project site include Meadowood, Napa Valley Reserve (HMS), and Palladian to the northwest, Mario Perelli Minetti and Houge to the southeast, and Joseph Phelps to the east. There are also a couple of approved wineries in the vicinity, Stephens (north) and Rockledge (northeast).

Nearby Wineries:

Meadowood Lane Winery - 500 Meadowood Lane - 22,925 sq. ft. - 48,000 gal/yr - Tours & Tastings by appointment (90/week) - 18 events with 25 people or less and 7 events with between 25 to 75 people.

Palladian Estate - 690 Meadowood Lane - 2,470 sq. ft. - 5,000 gal/yr - No Tours & Tastings - Two events with 25 people or less.

HMS Winery - 1030 Silverado Trail - 47,830 sq. ft. - 48,000 gal/yr - Tours & Tastings by appointment (75/week) - 36 events with between 25 to 75 people and 6 events with more than 75 people.

Mario Perilli Minetti - 1443 Silverado Trail - 6,400 sq. ft. - 20,000 gal/yr - Tours & Tasting by appointment (4/week).

Houge Winery - 1450 Silverado Trail - 1,964 sq. ft. - 20,000 gal/yr - Tours & Tasting by appointment (10/week).

Joseph Phelps - 200 Taplin Road - 92,218 sq. ft. - 420,000 gal/yr - Tours & Tastings appointment (800/week) - 365 events with 25 people or less, 6 event with between 25 to 75 people, and 4 events with more than 75 people.

Stephens Winery - 186 Howell Mtn Road - 13,516 sq. ft. - 12,000 gal/yr - Tours & Tastings by appointment (960/week) - 12 events with between 25 to 75 people and 2 events with more than 75 people.

Rockledge Winery - 360 Taplin Road - 8,340 sq. ft. - 15,000 gal/yr - Tours & Tastings by appointment (10/week)- 6 events with between 25 to 75 people.

Adjacent General Plan Designation/ Zoning / Land Use:

North:

AWOS General Plan designation, AW zoning -

The north side of the site adjoins Silverado Trail. Directly across Silverado Trail is a fairly steep wooded hillside which is part of a larger site, totaling approximately 478.5 acres, owned by Stone Bridge Cellars and includes vineyards and the Joseph Phelps winery which is accessed via Taplin Road.

South:

The south side of the property adjoins the Napa River. Directly across the river from the project site is a 127.8 acre property planted in vines with one home which is located within the St. Helena city limits.

East:

AWOS General Plan designation, AW zoning -

Stone Bridge Cellars also owns the 26.7 acre property adjoining the southeast side of the project site which includes additional vineyards, a home and a second living unit. An 8-acre portion of this property had previously been carved out for a farm worker housing complex.

West:

AWOS General Plan designation, AW zoning -

Adjoining the project site to the northwest are two properties under single ownership totaling about 8.5-acres planted in vines and include one home. There are additional 12 lots to the west/northwest ranging in size from about 0.7 acre up to a little over two acres. The lots on the northwest side of Silverado Trail are mostly vacant, very steep and wooded. These lots back up to very steep heavily wooded terrain that lies with the St. Helena city limits. The lots on the southwest side of the Silverado Trail contain single-family homes and back up to the Napa River. The properties across the river are also within the St. Helena city limits.

History:

The winery was established in 1980, prior to adoption of the Winery Definition Ordinance, and has been in continuous operation since that date and has also been known as Napa Creek Winery and Rasmussen Winery. The site has also been the location of a meat processing plant.

February 4, 1976 – The Planning Commission approved Use Permit (#U-467576) for the Sunshine Meat Packing Company. The Use Permit reactivated a meat processing plant/slaughter house within an existing 5,800 sq. ft. building on the site of a previous similar use. The permit was valid for 5 years and was subsequently superseded by Use Permit U-417980.

July 16, 1980 – The Planning Commission approved Use Permit (#U-417980) for the Napa Creek Winery which allowed the conversion the meat packaging plant to a 40,000 gal/yr winery utilizing the existing building. Although 5 visitors per day and 20 per week were allowed, a condition of approval was added explicitly stating that no public tours or tastings or tours and tastings by prior appointment were approved. The application/request did include retail sales.

January 5, 1983 – The Planning Commission approved Use Permit (#U-98283) was approved by the Planning Commission for the Napa Creek winery. The Use Permit allowed the construction of a 12,000 sq. ft. freestanding building for case goods storage. However, only a 6,000 sq. ft. building was constructed. No other changes were proposed or approved. The Planning Commission also allowed the applicant to post “Retail Sales Only” on a sign below the required “No Public Tours or Tasting” sign copy.

December 21, 1998 – Use Permit Modification (#98121-MOD) was approved by the Zoning Administrator for the Kent Rasmussen winery. The Use Permit Modification approved minor interior and exterior changes to the winery buildings including extension of the winery building’s roofline over an outdoor work area; custom crush for four entities producing a maximum of 10,000 gal/yr of the approved total of 40,000 gal/yr.; and a marketing plan recognizing one event per month for 50 guests with catered food. The staff report also noted that the site was legally non-conforming regarding overall site coverage (31.6% vs. 25% maximum allowed by Code). Previous applications had indicated that the site included anywhere from 2.8 to 3.0 acres. However, a recent survey indicated that the property includes 5.67 acres, so the actual winery coverage is 16.8%, making the site coverage issue moot.

Code Compliance History:

Based on a review of the Planning Division’s files, there are no records of any code compliance issues on this property.

Discussion:**Use Permit Modification -**

The use permit modification currently before the Commission includes an increase in annual wine production from

40,000 gallons to 100,000 gallons, conversion of an existing guest cottage to winery uses, a slight increase in employment, adding tours and tastings by prior appointment and new marketing events, and other minor improvements. Five fermentation tanks would be added to the winery to accommodate the proposed production increase. The tanks would be located in the same area as the existing outdoor tanks, which would generally not be visible from surrounding properties.

Tours and Tastings/Marketing Events -

The original use permit for the winery was approved prior to adoption of the WDO. However, a condition of approval expressly prohibited public tours and tastings. In addition, tours and tasting by prior appointment were also not allowed. A subsequent pre-WDO use permit approved in 1983 contained the same restrictions. This application includes a request to allow private tours and tastings by prior appointment for a maximum of 48 visitors per day with a maximum of 336 visitors per week. The winery owners also request approval for food pairing during Tours and Tasting visitation as allowed by recent amendments to the Winery Definition Ordinance under Ordinance 1340 (Approved by the Board of Supervisors May 11, 2010) and the provision for on-premise wine consumption consistent with Assembly Bill 2004 (Evans) within the tasting room and patio area.

The proposal also includes a request to have additional marketing events. No marketing activities were approved with the original use permit. A subsequent use permit modification approved in 1998 recognized one event per year with up to 50 guests. This application requests four (4) events per month for a maximum of 24 guests; four (4) events per year with a maximum of 75 guests; and, one (1) event per year with a maximum of 125 guests. The winery also participates in the annual auction Napa Valley.

All food for the proposed food pairings and marketing events will be catered. The proposal does not include a commercial kitchen. Per Environmental Management conditions of approval the kitchen shown on the proposed floor plan must be designed or redesigned such that it can be considered an employee break room.

Traffic/Parking -

The applicant has submitted a traffic analysis (*Updated Traffic Analysis for a Proposed Production/Visitor Expansion at the Ramsay Winery on Silverado Trail* by George Nickelson, dated December 16, 2010) which analyzes existing and proposed traffic conditions. As analyzed in the submitted traffic analysis, the project impacts on traffic loading and levels of service are deemed not to be considerable and would not result in a change in the level of service on Silverado Trail. However, the study did indicate that with the addition of tours and tastings and increased marketing activities, the daily volumes in/out at the project driveway would warrant a left turn lane on Silverado Trail with a minimum storage length of 50-feet. As noted in the project description, the proposal includes a new left turn lane with 60-feet of vehicle storage. The study also recommended tree/foilage trimming and relocating fencing to address the sight distance deficiency at the project's driveway intersection with Silverado Trail which are included as mitigation measures.

Previous use permits had approved 6 parking spaces. This request includes 14 parking spaces which can be accommodated on existing paved or otherwise impervious surfaces.

Consistency with Standards:

Zoning -

The project is consistent with AW (Agricultural Watershed) zoning district regulations. A winery (as defined in Napa County Code § 18.08.640) and uses in connection with a winery (see Napa County Code § Section 18.20.030) are permitted in the AW district with an approved use permit. This application complies with the Winery Definition Ordinance. The Fire Department, Public Works Department, and Environmental Management Department have all recommended approval of the project as conditioned.

SUPPORTING DOCUMENTS

- A . Findings
- B . Conditions of Approval
- C . Review Agency Comments
- D . Initial Study & MMRP
- E . Traffic Study
- F . Application Materials & Supplemental Information
- G . Use Permit #U-417980 Conditions & Graphics
- H . Use Permit #U-98283 Conditions & Graphics
- I . Use Permit Modification #98121-MOD Conditions & Graphics
- J . Project Graphics

Napa County Planning Commission: Approve

Reviewed By: Melissa Gray