



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 1/7/2009

Agenda Placement: 9D

Napa County Planning Commission Board Agenda Letter

TO: Napa County Planning Commission
FROM: John McDowell for Gitelman, Hillary - Director
Conservation, Development & Planning
REPORT BY: Mary M Doyle, Principal Planner - 299-1350
SUBJECT: Cunat Premium Vineyard / Materra Winery Use Permit P08-00428

RECOMMENDATION

CUNAT PREMIUM VINEYARD / MATERRA WINERY - USE PERMIT #P08-00428-UP

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. The project site is not on any of the lists of hazardous waste sites enumerated under Government Code section 65962.5

Request: Approval of a Use Permit to establish a new 50,000 gallon per year winery with: 1) 17,115 sq. ft. total winery in 2 separate buildings, one structure of 15,371 sq. ft. to include production activities, storage, office, and a second structure of 5,094 sq. ft. for a tasting room facility; 1,545 sq ft uncovered outdoor crush pad and 3,600 sq. ft loading area; 2) three full-time, three part-time employees and 2-4 seasonal employees ; 3) 24 parking spaces; 4) by-appointment tours and tastings with a maximum of 18 visitors per day and 40 per week; 5) a marketing plan of 12 wine trade events annually with a maximum of 25-persons, 12 annual events with a maximum of 50 persons and 2 Harvest events annually with a maximum of 100 persons; 6) winery waste water and septic systems; and 7) the relocation of an existing driveway for the winery entrance. The project is located on a 50 acre parcel located on the east side of Big Ranch near its intersection with Oak Knoll Avenue, and within the Agricultural Preserve (AP) zoning district. APN: 036-160-003. 4324 Big Ranch Road, Napa, CA 94558.

Staff Recommendation: Adopt the mitigated negative declaration and approve the use permit with the proposed conditions of approval.

Staff Contact: Mary Doyle, 299-1350

EXECUTIVE SUMMARY

Proposed Action:

1. That the Planning Commission adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Cunat Premiém Vineyards/Materra Winery, based on findings 1-5 of Exhibit A (attached); and
2. That the Planning Commission approve Use Permit P08-00428 based on findings 6-10 of Exhibit A and subject to the attached conditions of approval (Exhibit B).

Discussion: This project is the establishment a new 50,000 gallon production per year winery. There would be 2 winery structures, one would be a production facility and the second would be a tasting room facility. The construction would occur in 2 construction phases. The first construction phase would include the winery production facility of 17,115 square foot, outside uncovered work area of 3,600 square foot, walkways, parking area and the new driveway. The production structure would include fermenting, bottling, bulk & bottle storage, laboratory, shipping and receiving area, employee and visitor restrooms, employee break room, office, maintenance/storage area, with associated winery waste and septic systems. There would also be a temporary tasting room. The second phase of the construction would involve a detached tasting room facility of 5,094 square feet. The tasting room facility would include a small kitchen, library, retail sales area and meeting/conference room. The temporary tasting room area in the production facility would then be converted to bulk and bottle storage. The proposed marketing plan would include 12 wine trade events, 12 private events, 2 harvest events and appointment only tours and tasting. A detailed winery landscaping plan was submitted with the winery application. The plan specifies the type and size of plants at planting and at maturity, and the use of pervious and impervious surfaces. The winery buildings would use earth tones and surface materials will include clay tile roof, natural stone walls, and decorative stucco columns.

Currently the parcel is developed with an approximately 46-acre vineyard and a small approximately 2-3 acre residential area containing two dwelling units, barn and several outbuildings. All of the existing structures and associated vegetation would be removed prior to construction; the area would be used as a construction staging area and then planted as vineyard. A new main residence is proposed for the parcel (#BO8-902), however its construction may not coincide with the winery construction and it is not considered part of the use permit application except to the extent that the winery landscape plan includes landscaping for the future main residence and a common driveway.

Approximately 2-3 acres of the existing vineyard would be removed for the proposed winery structures. No other changes to the existing vineyard is anticipated.

The proposed winery would be in keeping with the Winery Definition Ordinance as well as General Plan policies related to agriculture (Policy Ag/LU-2) and to the attractiveness of wineries (Policy Ag/LU-10).

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

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

BACKGROUND AND DISCUSSION**Owner:** Cunat Premier Vineyards**Applicant/Representative:** Chris Zock**Zoning:** AP (Agricultural Preserve)**GP designation:** AR (Agricultural Resource)**Filed:** June 23, 2008 **Revised:** August 22, 2008 & October 29, 2008.**Buildings Size:** The winery production facility: 17,115 square feet. The tasting room facility: 5,094 square feet.**Production Capacity:** 50,000 gallons per year**Proposed Visitation:** 18 visitors per day appointment only

Marketing events: 25-50 total visitors event dependent between 12-4 p.m. and 6-11:30 p.m.

- Private food & wine tasting for trade 12 events per year, 25 people per event
- Private food & wine, 12 events, 50 people
- Private Harvest, 2 events, 100 people

Number of employees: 3 full time, 3 part time and an additional 2-4 seasonal**Adjacent Zoning/Land Use:**North: Agricultural Preserve (AP) 160 acres (vineyard and rural residential)South: Agricultural Preserve (AP) 84 acres (vineyard and rural residential)East: Agricultural Preserve (AP) Napa River and associated habitatWest: Agricultural Preserve (AP) 55 acres (vineyard and rural residential)

Wineries in the vicinity using are: Christina Vineyards (20,000 gallon/yr, private), Monticello Vineyards (100,000 gallon/yr, public)

Property History: This parcel has been an operational vineyard and residences since the 1940's (Cultural resources memo). There are building permits for the various modifications to the existing buildings (house, farm labor house, barn and 3 other accessory structures) since 1971. The parcel was rezoned from A-1 to AP in April of 1973 at a regular BOS meeting. Ag Contract # A/P109/75 has been in effect since February 1975.**Code Compliance History:** Based on a review of the Planning and Building files, there have been no code compliance issues.**Discussion:**1. Environmental Review - Mitigated Negative Declaration

An initial study was prepared. Mitigation measures are necessary under Traffic and Transportation. With the incorporation of mitigation measures as discussed below, there would be less than significant impacts.

Transportation/Traffic: The existing access/driveways on the parcel have good lines of sight for vehicles coming in either direction on Big Ranch Road and on Oak Knoll Avenue. Oak Knoll Avenue is bisected by Bid Ranch Road into east and west sections. Oak Knoll Avenue (east) is a T-intersection with Big Ranch Road, turning left (north) on to Big Ranch Road for approximately 200 feet and turn right becoming Oak Knoll Avenue (west).

The proposed winery entrance would not use the existing residence driveway, however, it would use an alternate location approximately 90 ft from the T-intersection of Big Ranch Road and Oak Knoll Avenue (west). 90 feet is an insufficient distance between Big Ranch Road, Oak Knoll Avenue (west & east) and the proposed winery main entrance for safe vehicular turning movements, particularly left turns on to and off of Big Ranch Road. The options for safe turning movements are to have the new access on Big Ranch Road a minimum 200' south of the T-intersection of Big Ranch Road and Oak Knoll Avenue (west), or to have the entrance directly across from from Oak Knoll Ave (west). Either of these two options would mitigate the potential significant impact concerning traffic safety. These two options are also requirements for the project to become compliant with the Napa County Road and Street Standards.

2. Approximately 80% of the demolition debris can be recycled or reused. Among the items from residences to be recycled and reused are the windows, doors, other fixtures, mouldings and such. All metals like as plumbing fixtures, copper are recyclable also. Wood from the structures and metal building siding are recyclable. The existing asphalt and concrete driveways and walkways will be crushed and recycled when no longer necessary as a staging area surface. The asphalt and concrete debris can be recycled as road base. The existing residential vegetation will be chipped into mulch.

Consistency with Standards

1. Zoning

The project is consistent with AP (Agricultural Preserve) zoning district regulations. An AP designation does allow a winery and associated used (as defined in Code section 18.08.640) with an approved use permit (Code section 18.16.020). This application complies with the Winery Definition Ordinance, the setbacks and other requirements of the Zoning Code.

2. Public Works Department Requirements

The Public Works Department recommends approval with conditions as stated in their memo dated October 29, 2008

3. Fire Department Requirements

The Fire Department recommends approval with conditions as stated in their memo dated July 5, 2008.

4. Building Department Requirements

The Building Department recommends approval with conditions as stated in their memo dated December 13, 2008

5. Environmental Management Department Requirements

The Environmental management Department recommends approval with conditions as stated in their memo dated September 29, 2008

SUPPORTING DOCUMENTS

- A . Exhibit A - Required Findings
- B . Exhibit B - Conditions of Approval
- C . Cal FIRE
- D . Public Work
- E . Environmental Management
- F . Building Division
- G . Cultural Resources
- H . CEQA
- I . MMRP
- J . Application and supplemental information
- K . Phase 1 Water Analysis
- L . Revised Parking layout
- M . Graphics

Napa County Planning Commission: Approve

Reviewed By: John McDowell