

# AGENDA

## NAPA COUNTY PLANNING COMMISSION

1195 Third Street, Ste. 305  
Napa, Ca. 94558

**Wednesday, October 19, 2016**  
**9:00 AM**



A Tradition of Stewardship  
A Commitment to Service

### COMMISSION MEMBERS

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<i>COMMISSIONER</i> <i>Heather Phillips</i> <i>District # 1</i>	<i>CHAIR</i> <i>Michael Basayne</i> <i>District # 2</i>	<i>COMMISSIONER</i> <i>Anne Cottrell</i> <i>District # 3</i>	<i>COMMISSIONER</i> <i>Terry Scott</i> <i>District # 4</i>	<i>VICE-CHAIR</i> <i>Jeri Gill</i> <i>District # 5</i>
<i>COMMISSION COUNSEL</i> <i>Laura Anderson</i>		<i>SECRETARY-DIRECTOR</i> <i>David Morrison</i>		<i>COMMISSION CLERK</i> <i>Melissa Frost</i>

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The Commission welcomes you to its meeting which is regularly scheduled the first and third Wednesday of the month. The Commission meets at 1195 Third Street, Ste. 305 Napa. The following information is provided to ensure your understanding and participation in the Commission's meeting and decision making process. Your comments and participation in the meeting are invited and would be welcomed. It is our desire to give everyone an opportunity to speak and be heard in a timely manner and within an atmosphere of respect and diplomacy. These procedures are meant to foster an atmosphere of respect. Assistive listening devices are available for the hearing impaired from the office of the Clerk of the Board. If an ASL interpreter or any other special arrangement is required, please provide the Clerk of the Commission with 24-hour notice by calling 253-4417.

### ITEMS TO BE DECIDED WITHOUT ADDITIONAL TESTIMONY:


Items listed under this section on the agenda are regular items which are recommended for approval or continuance by staff with the applicant's consent concerning conditions of approval, when the applicant has signed any required project revision statement and when no member of the Commission or public indicates a desire to comment or ask questions about the item. These items regardless of their agenda assigned number will be acted upon by the Commission in one motion at the beginning of the meeting. Applicants having items so listed need not speak unless they disagree with the staff recommendation or wish to comment. If an Item requires discussion, it will be heard in the numerical order listed on the agenda.

### PERSONS WISHING TO SPEAK CONCERNING AN AGENDA ITEM:

If you wish to speak on an item on the Agenda and under discussion by the Commission, you may do so upon receiving recognition from the Chairperson. After being recognized by the Chairperson, please step to one of the microphones and state your name and address and make your presentation. No comment or testimony shall be shouted from the audience. All comments are to be directed to the Commission, including inquiries requiring staff response. Time limitations shall be at the discretion of the Chair or Commission.

### APPEAL PROCEDURE:

If you do not agree with the Commission's decision or the conditions that may have been imposed by the

Commission in approving an agenda item, you may appeal the Commission's action to the Napa County Board of Supervisors. Appeals may be limited to those issues raised at the public hearing relating to the agenda item or to written correspondence delivered to the Planning Commission at or prior to the public hearing. For additional information concerning the County's Ordinance requirements for filing an appeal or to obtain the required forms to file an appeal, please stop at the front counter in the County Executive Office/Clerk of the Board, 1195 Third Street, Suite 305 in Napa. If you have any question concerning the appeals procedure, please call (707) 253 4580  and request assistance.

All materials relating to an agenda item for an open session of a regular meeting of the Planning Commission which are provided to a majority or all of the members of the Commission by Commissioners, staff or the public within 72 hours of but prior to the meeting will be available for public inspection, at the time of such distribution, in the office of the Clerk of the Planning Commission, 1195 Third Street, Suite 210, Napa, California 94559, Monday through Friday, between the hours of 8:00 a.m. and 5:00 p.m., except for County holidays. Materials distributed to a majority or all of the members of the Commission at the meeting will be available for public inspection at the public meeting if prepared by the members of the Commission or County staff and after the public meeting if prepared by some other person. Availability of materials related to agenda items for public inspection does not include materials which are exempt from public disclosure under Government Code sections 6253.5, 6254, 6254.3, 6254.7, 6254.15, 6254.16, or 6254.22.

**Agenda available on line at [www.countyofnapa.org](http://www.countyofnapa.org)**

**1. CALL TO ORDER / ROLL CALL****2. PLEDGE OF ALLEGIANCE****3. CITIZEN COMMENTS AND RECOMMENDATIONS**

The Commission invites Citizen comments and recommendations concerning current problems and future prospects of a planning nature which are within the jurisdiction of the Planning Commission. Anyone who wishes to speak to the Commission on such a matter, if it is not on the agenda, may do so at this time.

**4. APPROVAL OF MINUTES**

Clerk of the Commission request approval of Minutes for the following meetings:  
September 21, 2016 (All Commissioners present)  
October 5, 2016 (Commissioner Phillips excused)

**5. DIRECTOR'S REPORT**

- BOARD OF SUPERVISORS ACTIONS

- OTHER DEPARTMENT ACTIVITIES

**6. AGENDA REVIEW****7. DISCLOSURES****8. PUBLIC HEARING ITEMS TO BE DECIDED WITHOUT ADDITIONAL TESTIMONY****A. MOUNTAIN PEAK WINERY / MOUNTAIN PEAK VINEYARDS, LLC - USE PERMIT NO. P13-00320-UP AND ROAD AND STREET STANDARDS EXCEPTION REQUEST**

**CEQA Status:** Consideration and possible adoption of a Negative Declaration. According to the proposed 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.

**Request:** Request for approval of a Use Permit to allow: 1) Construction of a new 100,000 gallon per year winery including an approximately 33,424 square foot cave, approximately 8,046 square foot tasting and office building, and approximately 6,412 square foot covered outdoor crush pad and work area; 2) demolition of the existing single family residence; 3) installation of twenty-six parking spaces; 4) construction of two (2) new driveways and private access roads with ingress/egress from Soda Canyon Road; 5) installation of a High Treatment wastewater treatment system and community non-transient potable water supply sourced from on-site private wells including two (2) 100,000 gallons water tanks for vineyard irrigation and one (1) 20,000 gallon water tank for domestic supply; 6) disposal of all cave spoils on-site within existing vineyards; 7) nineteen full time employees, four (4) part-time employees and four (4) seasonal harvest employees; 8) wine tours and tastings by prior appointment only for a maximum of eighty visitors per day and a maximum of 320 visitors per week; 9) a marketing plan including three (3) events per month for up to twelve visitors, three (3) events per month for up to twenty-four visitors, four (4) events per year for up to seventy-five visitors, and two (2) events per year for up to 125 visitors; and 10) on premises consumption of wines produced on site in the tasting room and outdoor terrace in accordance with Business and

Professions Code Sections 23358, 23390 and 23396.5 (AB 2004-Evans Bill). The project also includes a request for an exception to the Napa County Road and Street Standards (RSS) to increase the maximum slope on a portion of the commercial access road to the covered crush pad and cave portals from 16% to 19.6%. The project is located on a 41.76-acre parcel on the northwest side of Soda Canyon Road, approximately 6.1 miles north of its intersection with Silverado Road, 3265 Soda Canyon Road, Napa, CA, 94558; APN: 032-500-033.

**Staff Recommendation:** Continue the item to the regular meeting of November 16, 2016.

**Staff Contact:** John McDowell, (707) 299-1354 or [john.mcdowell@countyofnapa.org](mailto:john.mcdowell@countyofnapa.org)

**Applicant / Property Owner Contact:** Steven Rea, 1114 Petra Drive, Napa, CA 94558, (310) 913-0742

**CONTINUED FROM JULY 20, 2016 REGULAR MEETING AND AUGUST 17, 2016**

**TO BE CONTINUED TO NOVEMBER 16, 2016 REGULAR MEETING**

## 9. PUBLIC HEARING ITEMS

### A. DOLORES R. BULLER TRUST / JESSEL GALLERY AND PRIME SOLUM TASTING ROOM & BARREL STORAGE – USE PERMIT APPLICATION #P12-00194-UP

**CEQA Status:** Consideration and possible adoption of a Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program (MMRP). According to the proposed MND, the project would not have a significant environmental impact after implementation of a mitigation measure related to potential Transportation/Traffic impacts. This 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 (P12-00194 – UP) in order to: 1) legitimize the existing art studio, gallery and retail store offering wine tasting, retail art and wine sales, events and art classes (Jessel Gallery); 2) allow wine barrel storage, events, wine tasting, retail and wholesale sale of wine, and retail sale of food, art and antiques (Prime Solum Tasting Room); and 3) recognize an existing apartment residence as an accessory dwelling unit on the upper floor of the building currently occupied by Jessel Gallery. If approved, all activities would occur within and adjacent to two existing buildings located near the southern property line of the 6.65-acre property located north of Monticello Road, at 1019 Atlas Peak Road (Assessor's parcel number 039-320-008), in the CL (Commercial Limited) District.

**Staff Recommendation:** Adopt the MND and MMRP and approve the requested Use Permit, as conditioned.

**Staff Contact:** Dana Ayers, Planner III; phone number (707) 253-4388 or email address [dana.ayers@countyofnapa.org](mailto:dana.ayers@countyofnapa.org)


**Applicant Contacts:** George Monteverdi, Principal, Monteverdi Consulting, phone number (707) 761-2516 or email address [George@MonteverdiConsulting.com](mailto:George@MonteverdiConsulting.com); David Knitter, Knitter & Knitter, LP, phone number (707) 969-8880 or email address [DaveK@KnitterLaw.com](mailto:DaveK@KnitterLaw.com)


### B. MCVICAR VINEYARDS / MCVICAR VINEYARDS - USE PERMIT P15-00020-UP

**CEQA Status:** Consideration and possible adoption of Categorical Exemptions pursuant to the California Environmental Quality Act (CEQA), Section 15303, Class 3, which exempts construction and operation of small wineries and Appendix B, Class 3 of the Napa County's Local Procedures for Implementing the California Environmental Quality Act. 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 to convert and existing 20,000 gallons per year Small Winery Exemption permit into a 20,000 gallon per year winery with the following components: (1) Conversion of an existing 1,131 square foot building for winery production to include a 300 square foot tasting room and 831 square foot production area; (2) Construction of a 600 square foot covered crush pad and 800 square foot patio; (3) Hours of operation: 8:30 AM to 5:00 PM (production hours, except during harvest) and 10:00 AM to 6:00 PM (hospitality hours), seven (7)-days a week; (4) Employment of seven (7) full-time employees; (5) Employee hours: 8:30 AM to 6:00 PM, 1 shift; (6) Construction of six (6) parking spaces (five standard spaces and one ADA space); (7) Construction of a new pipe connection from the proposed crush pad area to the existing waste processing system; (8) Visitation of a maximum of 12 visitors per day; maximum 84 visitors per week; and (9) Marketing Program to include 10 events per year for a maximum of 30 guests per event. All events to be catered. The project is located on a 7.5 acre parcel within the Agricultural Preserve (AP) zoning district and accessed via a private driveway located off Solano Avenue; 6155 Solano Avenue, Napa, CA 94558; APN: 034-160-008.

**Staff Recommendation:** Find the project Categorically Exempt and approve the Use Permit, as conditioned.

**Staff Contact:** Jason R. Hade, AICP, Planner III, (707) 259-8757  or [jason.hade@countyofnapa.org](mailto:jason.hade@countyofnapa.org)

**Applicant Contact:** James Koller, 6155 Solano Avenue, Napa, CA 94558, (707) 346-7760 

**C. YOUNTVILLE WASHINGTON STREET WINERY / GARY & MARY ANNE TAYLOR AND WILLIAM & DOROTHY KELLER - USE PERMIT P16-00083-UP**

**CEQA Status:** Consideration and possible adoption of Categorical Exemptions pursuant to Appendix B, Class 3, of the Napa County Local Procedures for Implementing the California Environmental Quality Act which exempts the construction and operation of small wineries. This project 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 30,000 gallon per year winery with the following components:(a) the construction of a 3,460 sq. ft. winery production building including a 480 sq. ft. covered crush pad; (b) construction of a 1,324 sq. ft. hospitality building; (c) employ 10 or fewer persons full and part time; (d) authorize visitation for a daily maximum of 25 persons; (e) establish a marketing program to host ten (10) events of up to 30 persons and one (1) event during the annual wine auction of up to 100 persons, for a total attendance of 400 persons annually; (f) allow on-site consumption of wines produced on site in the tasting room and outdoor courtyards, patios, lawn and garden areas in accordance with Business and Professions Code Sections 23358, 23390 and 23396.5 (AB 2004-Evans Bill); and, (g) construct associated on-site and off-site improvements. The project is located on a 10.5 acre parcel within the Agricultural Preserve (AP) zoning district and accessed via a new driveway from Washington Street; 6170 Washington Street, Napa, CA 94558; APN: 036-110-009.

**Staff Recommendation:** Find the project Categorically Exempt and approve the Use Permit, as conditioned.

**Staff Contact:** Sean Trippi, Project Planner, (707) 299-1353 or [sean.trippi@countyofnapa.org](mailto:sean.trippi@countyofnapa.org)

**Applicant Contact:** George Monteverdi, Monteverdi Consulting, LLC, PO Box 6079, Napa, CA 94581, (707) 761-2516 or [George@MonteverdiConsulting.com](mailto:George@MonteverdiConsulting.com)

**10. ADMINISTRATIVE ITEMS - None**

**11. DEPUTY DIRECTOR'S REPORT**

- DISCUSSION OF ITEMS FOR THE **NOVEMBER 2, 2016 REGULAR MEETING**
- CODE COMPLIANCE REPORT
- ZONING ADMINISTRATOR ACTIONS
- OTHER PENDING PROJECTS' STATUS

**12. COMMISSIONER COMMENTS / COMMITTEE REPORTS**

**13. FUTURE AGENDA ITEMS**

ITEMS REQUIRED TO RETURN TO THE PLANNING COMMISSION FOR DISCUSSION BASED ON FUTURE PRIVATE CONSTRUCTION SCHEDULE

- #03457-UP, 1 year after occupancy - Kendall Jackson (formerly Pecota) Winery
- #P12-00347-UP, 1 year after occupancy - Diogenes Ridge Winery
- #P09-00185-UP, 1 year after occupancy - Ca' Nani Winery
- #P10-00206-UP, 1 year after occupancy for visitation - Caravan Serai Winery
- #P10- 00123-MOD, 1 year after occupancy - MJA Vineyards
- #P11-00464-MOD, 1 year after occupancy - Oakville Grocery
- #P13-00055-UP, 3 years after approval date for reporting on visitation and marketing - Bell Wine Cellars

**14. ADJOURNMENT**

I HEREBY CERTIFY THAT THE AGENDA FOR THE ABOVE STATED MEETING WAS POSTED AT A LOCATION FREELY ACCESSIBLE TO MEMBERS OF THE PUBLIC AT THE NAPA COUNTY ADMINISTRATIVE BUILDING, 1195 THIRD STREET, NAPA, CALIFORNIA ON 10-12-16 BY 5:30 PM. A HARDCOPY SIGNED VERSION OF THE CERTIFICATE IS ON FILE WITH THE CLERK OF THE COMMISSION AND AVAILABLE FOR PUBLIC INSPECTION.

Melissa Frost (By e-signature)  
Melissa Frost, Clerk of the Commission