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A Commitment to Service

Agenda Date: 10/2/2013

Agenda Placement: 9C

Napa County Planning Commission Board Agenda Letter

TO: Napa County Planning Commission

FROM: Charlene Gallina for Hillary Gitelman - Director
Planning, Building and Environmental Services

REPORT BY: LINDA STCLAIRE, PLANNER III - 707.299.1348

SUBJECT: Fantesca Winery Use Permit Modification

RECOMMENDATION

SUSAN AND DUANE HOFF / FANTESCA WINERY / USE PERMIT MODIFICATION P13-00080

CEQA Status: Consideration and possible adoption of a Categorical Exception. Pursuant to the California Environmental Quality Act, Section 15301 - Existing Facilities and 15303 - New Construction or Conversion of Small Structures 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 Modification to a Use Permit as follows: 1) modify the visitation to include tours and tastings by appointment (18 maximum per day); 2) modify the marketing plan from two events per year with a maximum of 15 persons, one wine and food event per year with a maximum of 80 persons, and one harvest event per year with a maximum of 50 persons, to a marketing plan with four food and wine pairings per month for a maximum of 20 persons, six wine club release events per year with a maximum of 60 persons per event, and two wine auctions per year with a maximum of 125 persons per event; 3) change hours of operation from 7:00am-5:00pm to 6:00am - 6:00pm; 4) recognize an existing 1,188 square foot crush pad; 5) increase employees from two full-time and one part-time to six full-time and three part-time; 6) utilize a 600 square foot existing outdoor space adjacent to the front of the cave portal, as indicated in the plans, for marketing events; 7) addition of Evans Bill (AB2004) on-premise consumption, adjacent to the existing winery structures; 8) realign the access road and construct an entry structure and gate; and, 9) approval of an exception to the County road and street standards to allow for a reduced driveway width at two locations and allow a slope of 24.8% at one location of the existing driveway. The 52.56 acre project site is located on the north side of Spring Mountain Road approximately 370 feet northwest of its intersection with Spring Mountain Road and approximately 0.52 miles from the City of St. Helena limits within the Agricultural Watershed (AW) at 2600 Spring Mountain Road, St Helena CA. (APN: 022-250-008-000).

Staff Recommendation: Find the project Categorically Exempt and approve the requested use permit as conditioned.

Staff Contact: Linda St. Claire, Planner linda.stclaire@countyofnapa.org (707) 299-1348

Applicant Contact: Donna Oldford (707) 963-5832

EXECUTIVE SUMMARY

Proposed actions:

That the Planning Commission:

1. Find the project Categorically Exempt from CEQA based on Finding 1 of Exhibit A;
2. Approve Exception to the Road and Street Standards based on Findings 2-3 of Exhibit A; and,
3. Approve Use Permit (P13-00080) based on Findings 4-8 of Exhibit A and subject to the recommended Conditions of Approval (Exhibit B).

Discussion:

Fantesca Winery Use Permit (#00236-UP) was originally approved by the Napa County Planning Commission October 31, 2001, for a 4,700 square foot, 20,000 gallon per year winery. The conditions of approval included a marketing plan but no tours and tastings. In 2006, a modification of the use permit was approved (P06-0078-MOD). The modification allowed for an increase in production, from 20,000 gallons per year to 30,000 gallons per year, increase in parking spaces from six to thirteen, elimination of custom crush clients, increase in employees from two full-time and one part-time to two full-time and five part-time employees. Neighbor concerns continued to influence the decision to not allow any tours and tastings at the winery but the marketing plan continued as approved in 2001. In 2009, a very minor modification (P09-00422 VMM) was approved at a staff level to convert a 96 square foot wine lab to storage and to move the wine lab into the 308 square foot marketing/tasting space. A 672 square foot deck was also proposed but not approved as winery space but allowed at the residence (the owner's residence is located on the same parcel). A Very Minor Modification (P12-00043 VMM) was approved at a staff level as well, to convert the existing 714 square feet of attic space for cold storage, include offices in the 94 square foot lab space, and allow retail sales in the tasting/marketing area.

This proposal would include adding tours and tastings by appointment, revising the marketing plan, adding full-time employees and reducing the part-time employees, expanding the operating hours, recognizing an existing crushpad, installing a new winery entry structure and sign, modifying the access road, and a request for an exception to the Napa County Road and Street Standards to allow some sections of the access drive to be less than twenty feet in width and allow one section with a slope of 25%. Staff finds the project consistent with the Napa County Zoning Ordinance, and General Plan, subject to standard conditions.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

The project is Categorically Exempt, pursuant to the California Environmental Quality Act. Section 15301 - Existing Facilities, and Section 15303 - New Construction or Conversion of Small Structures (see attached

CEQA Memo). The project site is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5.

BACKGROUND AND DISCUSSION

Owner: Susan and Duane Hoff, Fantesca Winery

Representative: Donna Oldford (707) 963-5832

Zoning District: AW (Agricultural Watershed)

General Plan Designation: AWOS (Agriculture, Watershed, and Open Space)

Original Application Filed: August 1, 2013

Application Deemed Complete: September 6, 2013

Parcel Size: 52.56 acres

Winery Size (Approved) 5,414 square feet and a 6,882 square foot cave.

Winery Size (Existing): 6,128 square feet, 6,882 square feet of caves and a 1,188 square foot uncovered crushpad. Total 14,198.

Winery Size (Proposed): With recognition of the unpermitted crushpad for the same "existing" total of 14,198 sq ft.

Production Capacity (Approved): 30,000 gallons per year.

Production Capacity (Existing): 30,000 gallons per year.

Production Capacity (Proposed): No changes proposed.

Accessory to Production Ratio (Approved): 10.7%

Accessory to Production Ratio (Existing): 15%

Accessory to Production Ratio (Proposed): 15%

Winery Coverage (Approved): 0.005%

Winery Coverage (Existing): 0.005%

Winery Coverage (Proposed): No changes proposed.

Number of Employees (Approved): two full-time and five part-time

Number of Employees (Existing): two full-time and five part-time

Number of Employees (Proposed): six full-time and three part-time

Hours of Visitation (Approved): 12:00pm to 4:00pm daily.

Hours of Visitation (Existing): 12:00pm to 4:00pm daily.

Hours of Visitation (Proposed): 10:00am to 6:00 pm. daily.

Hours of Operation (Approved): 7:00am - 5:00pm, daily.

Hours of Operation (Existing): 7:00am - 5:00pm, daily.

Hours of Operation (Proposed): 6:00am - 6:00pm, daily.

Tours & Tastings (Approved): None

Tours & Tastings (Existing): None

Tours & Tastings (Proposed): 18 maximum per day and 126 maximum per week, by appointment only.

Marketing; (Approved): Two per year with 15 person, one per year with 80 persons, & 1 per year with 50 persons.
Marketing (Existing): Two per year with 15 person, one per year with 80 persons, & 1 per year with 50 persons.
Marketing (Proposed): Food & Wine pairings-four/month with a maximum of 20 persons per event, Wine Club events-six/year with a maximum of 60 persons per event, and two auction related events per year with a maximum of 125 persons per event.

Parking Size (Existing): 13 spaces, including 1 ADA-accessible space.

Parking Size (Proposed): no changes proposed.

Adjacent General Plan Designation/Zoning District/Land Use:

Northerly - Agricultural Watershed (AW) and Agriculture, Watershed & Open Space (AWOS) - Three parcels ranging from 1.53 to 18.41 acres, the smaller parcel is vacant and the remaining two contain residences.

Southerly - Agricultural Watershed (AW) and Agriculture, Watershed & Open Space (AWOS) - A 39 acre parcel, with a residence and vineyard, borders the south and partial eastern side of the subject parcel.

Easterly - A 30 acre parcel borders the eastern edge of the subject parcel and is zoned City of St. Helena. The parcel is wooded and contains a residence.

Westerly - An 83 acre parcel zoned Agricultural Watershed (AW) and General Plan designation of Agriculture, Watershed & Open Space (AWOS) contains a residence and is planted with vines.

Nearby Wineries (within about a mile of the project site):

Spring Mountain Vineyards - 2805 Spring Mountain Road - 48,000 gallons per year - no tours and tastings or marketing.

Streblow Winery- 2849 Spring Mountain Road - 2,500 gallons per year - no tours and tastings or marketing (Small Winery Exemption).

Chateau Chavlier Winery - 3101 Spring Mountain Road - 24,500 gallons per year - Pre-WDO public tours and tastings (by appt).

Eeden Vineyards - 3505 Spring Mountain Road - 15,000 gallons per year - tours and tastings by appointment (8/wk-weekends only and ten marketing events per year.

Philip Vineyard - 3780 Spring Mountain Road - 20,000 gallons per year - tours and tastings by appointment (10/wk).

Keenan Winery- 3656 Spring Mountain Road - 50,000 gallons per year - tours and tastings by appointment (245/wk) and 21 marketing events/year.

Parcel History and Evolution of this Application:

October 2001 - Use Permit #00236-UP is approved by the Planning Commission to allow Shadow Lace Winery to establish a 20,000 gallon per year winery, to construct a 4,700 square foot winery structure with a 1,188 square foot tank pad, and a 6,900 square foot cave. The initial proposal was for 30,000 gallons per year, allowed for custom crush clientele, a marketing plan, tours and tastings by appointment, two full-time employees, and six parking spaces. In exchange for the support of the project by the immediate neighbors, the applicant reduced the proposal to 20,000 gallons per year, set specific limited marketing hours and reduced the number of marketing events, removed tours and tastings or retail sales and no winery signage was allowed.

2004 - Duane and Susan Hoff purchase the property.

November 15, 2006 - Use Permit Modification P06-00078-MOD was approved by the Planning Commission to

increase production to 30,000 gallons, allow an increase in parking from six to thirteen spaces, and add five part-time employees. The proposal included tours and tastings by appointment. Negotiations with the neighbors resulted in a revision and the applicant removed the tours and tastings request and agreed to maintain the current marketing plan, as approved.

December 11, 2009 - Very Minor Modification P09-00422 was administratively approved to convert the existing 96 square foot wine lab to winery storage, relocated the wine lab to the existing 308 square foot tasting room. A residential deck was proposed but not included in the winery modification.

February 16, 2012 - Very Minor Modification P12-00043 was administratively approved to allow retail sales of wine related items within the tasting area, convert an existing 714 square foot attic space to cold storage for a total winery square footage of 6,128, and recognition of the conversion of a section of the 94 square foot lab to two offices.

Code Compliance History:

The Code Enforcement Division did not identify any enforcement issues.

Discussion Points:

Road Modification/Entry Gate - The winery is accessed from a shared driveway that splits off to four differing parcels. A road modification is included in the proposal along with a new entry structure and directional signage. A site visit to the winery resulted in a conclusion that the access is somewhat confusing and it is difficult to intuit which direction to go to reach the winery. The proposed road modification would relocate the access to less than twenty feet from its current position, and with the addition of directional signage, would create a visually superior access, eliminating the need to guess in which direction to travel.

The applicant has also requested an exemption to the road and street standards to allow for the non-standard driveway connection to Spring Mountain Road, allow 17-18 foot widths (less than the required 20 foot width) on an existing 450 foot stretch of the roadway, and allow slopes of 25% (exceeding the 20% standard) on a 50 foot length of the driveway near the terminus of the road. The Engineering Division and Cal Fire has reviewed the request for an exception and concluded that it meets the required exception findings (Section 3(D) and that the alternative design achieves the same overall practical effect as that of a project that meets the standards. Additional safety conditions such as ribbed road improvements on slopes in excess of 20%, maintenance of vegetation along the north side of Spring Mountain Road, installation of directional signs both north and south of the winery, parabolic wide angle mirrors and submittal of a vegetation plan have been incorporated into the alternative design and included as project conditions (see exhibit B). All conditions will remain in place for the life of the access drive or until the drive is upgraded to meet current road and street standards.

Tours & Tastings - The current proposal includes a request for tours and tastings by appointment for a maximum of 18 visitors per day. The applicant feels that the improvements to the road give justification for the request at this time and that the requested number of visitors is comparable to neighboring wineries on Spring Mountain Road. At the time of this writing, staff has not received any comments from the neighbors and, therefore, staff is unaware of any potential conflict with this proposal.

Wineries with Similar Traits Below is a table of wineries with similar traits as Fantesca. Like Fantesca, they are all wineries with 30,000 gallons production or more and have comparable visitation, marketing and production.

Winery	Address	Approved Production	Tours & Tastings by	Marketing Plan
			Appt Max/Wk	
Cade Winery	360 Howell Mtn	30,000	Appt/75	Yes - 15 events/yr

Corbett Vineyards	2959 White Sulphur	30,000	Appt/60	Yes - 28 events/yr
David Arthur Vineyard	200 Long Ranch Rd	30,000	Appt/35	No
Keenan Winery	3656 Spring Mtn	50,000	Appt/245	Yes - 21 events/yr
Hourglass Winery	701 Lommel Rd	30,000	Appt /22	Yes - 15 events/yr
Judd's Hill	2332 Silverado Trl	30,000	Appt /28	No
Fantesca Winery	2600 Spring Mtn	30,000	Appt/126	Yes - 54 events/yr

Note: Total Visitation Ave/Wk number, are approximate.

Greenhouse Gas Reduction Strategies - In 2011, the Bay Area Air Quality Management District (BAAQMD) released California Environmental Quality Act (CEQA) Project Screening Criteria and Significance of Thresholds related to greenhouse gas emissions (GHG) for new development. The District's screening table (BAAQMD Air Quality Guidelines, Table 3.1) suggests that similar projects such as a quality restaurant and light industrial uses with less than 9,000 sq. ft. and 121,000 square feet of floor area, respectively, would not generate GHG in excess of the significance criterion (1,100 metric tons of carbon dioxide equivalents per year). By comparison a high quality restaurant is considered comparable to a winery tasting room for purposes of evaluating air pollutant emissions, but grossly overstates emissions associated with other portions of a winery, such as office, barrel storage and production, which generate fewer vehicle trips. Therefore, a general light industry comparison has also been used for other such uses. The existing winery has proposed changes in visitation, employees and recognition of an existing crushpad. They have proposed a number of measures to help reduce greenhouse gases to include; onsite waste disposal and construction runoff measures, natural cooling (cave) and passive solar (the winery was constructed as a rammed-earth structure), meters to track their water use, timers for lights, recycling and green sustainable education practices. The changes do not generate greenhouse gas in excess of the above criterion.

Consistency with Standards:

Zoning - A winery (as defined in the Napa County Code Section 18.08.640) and uses in connection with a winery (refer to Napa County Code Section 18.20.030) are permitted in the AW (Agricultural Watershed) District with an approved use permit. Based upon discussion provided above, staff is recommending approval of the use permit request. The project as conditioned complies with the Napa County Winery Definition Ordinance and all other requirements of the Zoning Code.

Fire Department - Recommends approval with standard conditions in the attached Memorandum dated March 27, 2013.

Engineering Services Division - Recommends approval with standard conditions in the attached Memorandum dated September 5, 2013.

Environmental Health Division - Recommends approval with standard conditions in the attached Memorandum dated September 12, 2013.

SUPPORTING DOCUMENTS

- A . Exhibit A - Draft Findings
- B . Exhibit B - Draft Proposed Conditions of Approval
- C . Department/Division Comments
- D . CEQA Memorandum

- E . Traffic Study
- F . Correspondence
- G . Prior Use Permits
- H . Application
- I . Road Exception Request
- J . Green House Gas Summary
- K . Graphics

Napa County Planning Commission: Approve

Reviewed By: John McDowell