



A Tradition of Stewardship  
A Commitment to Service

Agenda Date: 12/2/2009

Agenda Placement: 9C

## Napa County Planning Commission Board Agenda Letter

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**TO:** Napa County Planning Commission  
**FROM:** John McDowell for Hillary Gitelman - Director  
Conservation, Development & Planning  
**REPORT BY:** Mary M Doyle, Planner - 299-1350  
**SUBJECT:** Hunnicutt Winery

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### **RECOMMENDATION**

#### **HUNNICUTT WINERY / JUSTIN HUNNICUTT STEPHANS - USE PERMIT MAJOR MODIFICATION #P09-00245**

**CEQA Status:** Subsequent Negative Declaration Prepared. According to the Subsequent Negative Declaration the proposed project would not have any potentially significant effects. This project is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5. The previously adopted Mitigated Negative Declaration relating to the project is on file in the Napa County Planning Department and available for public review in the Behrens' Winery File P06-01310-UP.

**Request:** Approval to modify previously approved but not yet constructed winery use permit P06-01310-UP to include the following; (1) increase annual production from 20,000 gallons per year to 60,000 gallons per year; (2) 4,799 square feet of hospitality and office area within two structures connected by an 885 square foot covered walkway; (3) 14,100 square feet of caves for fermentation, crush, barrel and case good storage, (4) 7,750 square feet of patio/terrace area; (5) 7,000 square foot loading area; (6) 18 parking spaces; (7) a winery wastewater with reserve surface drip irrigation system and sanitary wastewater system; (8) hours of operation Monday-Saturday from 7 a.m.-5 p.m.; (9) marketing plan of 48 private events with 40 guests per event, 4 wine trade events with 50 guests per event, participation in the Wine Auction; (10) tours and tastings by appointment only with a maximum of 32 visitors per day and 168 visitors per week; (11) 3 full time, 2 part time, and 3 seasonal employees; (12) pave an existing 12 foot path; and (13) demolition of the existing garage/second unit. The project is located on a 15.1 acre parcel on the east side of Silverado Trail approximately 2,750 ft. south of its intersection with Crystal Springs Road within an Agriculture Watershed (AW) zoning district. (Assessor's Parcel No. 021-410-019) 3524 Silverado Trail, St. Helena.

**Staff Recommendation:** Adopt Subsequent Negative Declaration with Mitigation Monitoring and Reporting Plan and approve the Use Permit with proposed conditions of approval.

**Staff Contact:** Mary Doyle, 299-1350 or [mduoye@countyofnapa.org](mailto:mduoye@countyofnapa.org)

**EXECUTIVE SUMMARY****Proposed Action:**

1. That the Planning Commission adopt the Subsequent Negative Declaration and updated Mitigation Monitoring and Reporting Program based on findings 1-5 of Exhibit A; and
2. That the Planning Commission approve Use Permit no. P09-00245 Maj Mod based on findings 2-6 of Exhibit A and subject to the attached Conditions of Approval (Exhibit B)

**Discussion:**

In December 2008 the Planning Commission approved the Drinkwards Behrens Winery (P06-01310-UP) on the subject property. The approval was for a 20,000 gallon per year winery within an approximately 4,246 sq. ft. winery building. Subsequent to the Commission's action, the property was sold to the current owner, Hunnicutt Wine Company, who is now seeking to modify the permit including expanding production, visitation, marketing, structures, and adding a cave. Staff has evaluated the new proposal, and believe the new winery design is in keeping with the Winery Definition Ordinance. The proposed design of the winery, cave, the limited prudent modification of the natural vegetation is consistent with the County's goals to convey the attractiveness of wineries and providing for the health and safety of the local and visiting public. The design material include concrete, stone veneer, metal and a color palette of earthtones complimenting the existing natural conditions. Staff is recommending approval of the project subject to the attached proposed conditions of approval.

**FISCAL IMPACT**

Is there a Fiscal Impact?                      No

**ENVIRONMENTAL IMPACT**

Subsequent Negative Declaration prepared. According to the Negative Declaration, the proposed project would not have any potentially significant effects. The previously adopted Mitigated Negative Declaration relating to the project is on file in the Napa County Planning Department and available for public review in the Behrens Winery File P06-01310.

**BACKGROUND AND DISCUSSION**

**Owner:** Hunnicutt Wine Company/Justin Hunnicutt Stephans

**Applicant/Representative:** Justin Stephans (707-963-2908) /John Ward (707-224-2005)

**Zoning:** Agricultural Watershed (AW)

**GP designation:** Agricultural Resource

**Filed:** June 11, 2009

**Winery Size (2008 Approval):** 4,246 sq.ft. production and hospitality building, 1,841 sq. ft. covered crush pad  
**Winery Size (Proposed):** 4,799 square feet winery facility composed of 2 structures connected by a 885 square foot covered walkway. Main structure is two-story and 3,913 sq. ft. Secondary structure is single-story structure of 1,415 sq. ft. The two structures are at right angles to each other with the connecting covered (roof) walkway. These structures will house a laboratory, office space, tasting/conference room, restrooms and a employee break room. There will also be 14,100 sq. ft. of cave to house barrel and case good storage, bottling, crush pad, loading area, fermentation and wine library. There is also a 7,750 sq. ft. outdoor patio/terrace.

**Production Capacity (2008 Approval):** 20,000 gallons per year

**Production Capacity (Proposed):** 60,000 gallons per year

**Marketing (2008 Approval):** 10 private wine and food tastings per year with a maximum of 21 people; 4 private wine and food events per year with a maximum of 21 people; 1 private harvest event per year with a maximum of 21 people; participation in Wine Auction. Seven events annually, with maximums ranging from 50 to 400 people

**Marketing (Proposed):** 48 private events per year with 40 guests per event, 4 wine trade events per year with 50 guests per event and participation in the Wine Auction

**Visitation (2008 Approval):** Tours and Tastings by appointment only for a maximum of 10 persons per day and 21 per week.

**Visitation (Proposed):** Tours and tastings by appointment only with approximately 32 visitors per day, 168 visitors per week.

**Number of Employees (2008 Approval):** 1 full-time and 2 part-time

**Number of Employees (Proposed):** 3 full time, 2 part time and 3 seasonal

**Days and Hours of Operations:** Monday through Saturday from 7 a.m.-5 p.m., tours & tasting from 11 a.m-4 p.m. and Sunday through Saturday from 7 a.m.-10 p.m. during Crush.

**Parking (2008 Approval):** 5 for employees and visitors

**Parking (Proposed):** 18 for employees and visitors

#### **Adjacent Zoning / Land Use:**

North: AW - To the northwest is a 10 acre parcel containing the Jordan Winery and to the northeast a 31 acre, mostly wooded parcel, with one residence owned by the Gerry Working Trust.

South: AP - A 4.5 acre parcel with a residence owned by the Kenneth and Terry Bankson Trust.

East: AW - A 40 acre vacant wooded parcel owned by St. Helena hospital.

West: AP - An approximately 32 acre parcel with Rombauer Vineyards winery.

#### **Wineries in the Vicinity:**

Chateau Boswell (25,000 gallon production/appointment only visitation and 5 marketing events)

Rombauer Vineyards Winery (450,000 gallon production/appointment only visitation)

Ehren Jordan Wine Cellars (25,000 gallon production/appointment only visitation/5 marketing events)

#### **Property History:**

1970 - A residence was constructed by previous owner William Stafford.

1974 - Use Permit #U-287374 approved by the Planning Commission to operate a winery within an existing building and cellar with no public tastings. This was a request by the previous owner, William Stafford, in 1974, to reactivate a small winery in which was used for the same purpose before Prohibition. After a one year review was

conducted, the Planning Department found that the project was not implemented, therefore, the permit expired at that time. That same year the applicant applied for and was issued a demolition permit to remove the barn/winery structure. All that remains is the cellar/cave and portal. The current project to construct a winery is in a different location within the parcel. The property still contains the residence, septic system, garage/second unit built in the 1970's. There is also a 1,200 sq. ft. cave that are remnants of a pre-prohibition winery. These will not be used nor affected by the proposed project.

December 2008 - The Commission approved the Drinkwards / Behrens Winery Use Permit (P06-01310 UP) for a 20,000 annual production winery with associated facilities, though not constructed nor in production. The property and entitlement were sold in early 2009 to the current owner.

**Code Compliance:**

There is no history of compliance issues on this property.

**Discussion:**

1. The previous use permit (P06-01310) conditions of approval for the 20,000 gallon winery and mitigation monitoring & reporting program remains in effect. In brief, these conditions are to: a) widen the access road off of Silverado Trail to 20 feet with 10 feet of horizontal defensible space and 14 feet of vertical defensible space, b) provide protective fencing around trees to be retained in the construction area, c) the replace trees to be removed, d) to prepare a landscape maintenance plan, and e) have preconstruction raptor surveys. The mitigation monitoring and reporting program has been adjusted for this modification. The tree replacement and landscape maintenance plan includes the additional removal of natural vegetation to accommodate the increase of the winery footprint.

The location of the winery facility on the parcel will remain the same, though the building footprint will increase. Access from Silverado Trail will remain in the same location. The winery wastewater reserve designated area will remain, in the 4-acre forested area of the parcel.

2. With this mod, the winery production will increase by 40,000 gallons annually. The winery facility will be located in two separate buildings with a connecting covered pathway and will have associated caves. The caves will be use for fermentation, crush, barrel and case good storage, and have a wine library. The primary winery wastewater system will be a hold and haul with the winery wastewater to be hauled for use by EBMUD. EBMUD has a need for winery wastewater for use in their digester sytem.

3. The project includes the use of pervious and impervious surfaces such as concrete pavers, metal roof material, stamped concrete, and stone. It is anticipated that during the construction and demolition phase the items for recycle and/or reuse would be asphlat, rock, boulders, plant material (trees, shrubs). These items would be stockpiled for later use in the landscaping, or be made available as clean fill for other off-site projects needing fill material. The asphlat would be taken off-site for recycling for use such as road base. Some vegetation designated for removal may be chipped for mulch.

**Consistency with Standards:**

1. Zoning: The project is consistent with the AW zoning district which allows a winery with a use permit approval. (County Code 18.124.010)

2. Building/Fire: As proposed and conditioned this project complies with the building and FIRE codes.

3. Public Works: As conditioned this project will comply with the applicable standards and guidelines under the Department of Public Works discretion.

4. Environmental Managements: As conditioned this project will comply with the applicable standards and guidelines under the Department of Environmental Management discretion.

**SUPPORTING DOCUMENTS**

- A . Proposed Findings
- B . Proposed Conditions of Approval
- C . Department & Agency Comments
- D . Previous Conditions of Approval & MMRP
- E . Mitigation Monitoring & Reporting Program
- F . Previous Staff Report - Drinkward Behrens Winery
- G . Subsequent Negative Declaration
- H . Application & associated information
- I . Graphics

Napa County Planning Commission: Approve

Reviewed By: John McDowell