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Agenda Date: 2/4/2009

Agenda Placement: 9B

## 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:** John McDowell, Deputy Director - 299-1354

**SUBJECT:** Laird Winery Major Modification and Rescission of Previous Major Modification

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### **RECOMMENDATION**

#### **LAIRD FAMILY ESTATE WINERY / USE PERMIT MAJOR MODIFICATION REQUEST P08-00564-MOD AND RESCISSION OF PREVIOUSLY APPROVED USE PERMIT MAJOR MODIFICATION P07-00587-MOD**

**CEQA Status:** Negative Declaration Prepared. According to the proposed Negative Declaration, the proposed project would have no potentially significant environmental impacts. This project site is not on any of the lists of hazardous waste sites enumerated under Government Code section 65962.5.

**Request: (A) Approval of Use Permit Major Modification P08-00564-MOD** to Use Permit Nos. 97526-UP through 02193-UP to: (1) increase maximum total production capacity from 650,000 gallons per year to 900,000 gallons per year; (2) construction of a new 34,437 sq. ft. production building with an approximately 18,500 sq. ft. covered roof work area surrounding the building; (3) installation of a recessed loading dock on the east side of the new building; 4) addition of a covered outdoor work area on the east side of the existing barrel storage building; 5) construction of a new mechanical pad on the west of the existing barrel storage building; and 6) removal of the condition of approval regarding alternating proprietor/custom crush clients. **(B) Adoption of a Resolution Rescinding Approval of Use Permit Modification No. P07-00587-MOD** and the Related Negative Declaration. The project site is located on a 40.06-acre parcel on the west side of Solano Avenue approximately 700 feet north of its intersection with Oak Knoll Avenue at SR 29 within an Agricultural Preserve (AP) zoning district (Assessor's Parcel Number 034-031-031) 5055 Solano Avenue, Napa.

**Staff Recommendation:** Adopt revised negative declaration and approve new major modification and rescind prior use permit approval and related negative declaration.

**Staff Contact:** John McDowell, 299-1354 and Mary Doyle, 299-1350

***CONTINUED FROM THE DECEMBER 3, 2008 AND JANUARY 7, 2009 REGULAR MEETING.***

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

1. That the Planning Commission adopt the revised Negative Declaration for the Laird Winery Expansion, based on findings 1-5 of Exhibit A (attached to prior staff report); and
2. That the Planning Commission approve Major Modification P08-00564-MOD based on findings 6-10 of Exhibit A and subject to the attached revised conditions of approval (Exhibit B);and
3. That the Planning Commission adopt Resolution No. 09-01 (Exhibit C) Rescinding Approval of Use Permit Modification No. P07-00587-MOD and the Related Negative Declaration.

**Discussion:**

This item was heard by the Commission at its regular meeting of December 3, 2008. The Commission continued the public hearing to January 7, 2009 so that additional information could be presented concerning the design and location of the building, and to respond to comments raised on the environmental document. The item was continued from January 7, 2009 to February 4, 2009 to allow additional time for supplemental materials to be submitted by the applicant. Attached to this report are a revised landscape plan, a survey and photo simulation prepared by the applicant in response to comments made at the December 3, 2008 hearing.

This report is intended to augment the staff reports and attachments provided for and received during the December 3, 2008 and January 7, 2009 meetings. Copies of the December 3, 2008 and January 7, 2009 packet materials will be provided to Commissioners, and are available on-line by accessing the respective meeting agenda at <http://napacounty/agendanet/MeetingSummary.asp>.

**FISCAL IMPACT**

Is there a Fiscal Impact?                      No

**ENVIRONMENTAL IMPACT**

A revised Initial Study/Draft Negative Declaration

**BACKGROUND AND DISCUSSION**

The applicant has submitted the following supplemental information in response to issues raised which is attached to this report:

1. Landscape Plan - The Commission has been provided with full-size landscape plans calling for the installation of a 5 ft. high, 50 ft. wide landscape berm with double-row of mature trees to be planted on top of the berm, and located on the north side of the proposed building wrapping around to the east of the proposed loading dock and existing building. Trees will be live oak and madrone, 36 inch box specimens, and planted 20 ft. on center. The project landscape architect has indicated that these trees will reach a height of 35 ft. in 10 years, and are intended to screen the view of the building from West Oak Knoll.
2. Photomontage - Two photographs are attached showing the view of the building site from West Oak Knoll looking southeast across the property. The first photograph shows the property in its current condition. The second photograph has a simulation of that includes the new building with the proposed landscape berm and tree planting.

3. Site Survey - Attached is a survey of the existing property submitted by the applicant which indicates improvements located on the south side of the existing structure.

Staff has prepared the following items that are also attached to this report:

4. Revised Draft Conditions of Approval - Staff has revised the proposed conditions of approval to reflect the landscaping proposal (Cond. #1) and to require that the new building be painted with a green or brown earth tone (Cond. #11).

5. Revised Initial Study - Staff updated the initial study to provide supplemental information intended to clarify and augment the document.

It is anticipated that neighbors and/or the applicant may submit additional information after this report is distributed and prior to the meeting. Any such materials will be forwarded to the Commission as quickly as possible.

The Commission should refer to the original December 3, 2008 staff report for details on the proposal, and for procedural requirements for taking action.

#### **SUPPORTING DOCUMENTS**

- A . Revised Draft Conditions of Approval
- B . Augmented Initial Study / Draft Negative Declaration
- C . Applicant Proposed Landscape Plan
- D . Photomontage - Existing Conditions Photograph
- E . Photomontage - Proposed Building with Landscaping
- F . Applicant Site Survey
- G . Resolution Rescinding Laird Use Permit and Related Negative Declaration

Napa County Planning Commission: Approve

Reviewed By: John McDowell