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Agenda Date: 3/18/2009

Agenda Placement: 9B

Napa County Planning Commission Board Agenda Letter

TO: Napa County Planning Commission

FROM: John McDowell for Hillary Gitelman - Director
Conservation, Development & Planning

REPORT BY: LINDA STCLAIRE, PLANNER II - 707.299.1348

SUBJECT: Lincoln Ranch Winery Variance P08-00495-VAR and Use Permit P08-00494-UP

RECOMMENDATION

TOM GAMBLE / LINCOLN RANCH WINERY / VARIANCE #P08-00494-VAR and USE PERMIT REQUEST #P08-00495-UP

CEQA Status: Mitigated Negative Declaration Prepared. According to the Mitigated Negative Declaration, the proposed project would have, if mitigation measures are not included, potentially significant environmental impacts in the following areas: Archaeological and Cultural Resources. 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 and winery setback variance to establish a new 50,000 gallon per year winery including: (1) demolition of two existing barns and one garage; (2) construction of a 20,050 square foot two story winery building with; (3) a 2,800 square foot reception building; (4) a 2,230 square foot structure containing the main tasting room and additional offices; (5) a 5,450 square foot covered outdoor crush pad; (6) tours and tasting by appointment only for a maximum of 30 visitors per week day and 75 visitors per weekend and 300 per week; (7) a marketing plan with 33 private wine and food tastings for the wine trade per year with a maximum of 50 people; one private harvest event per year with a maximum of 150 people and one wine auction per year with a maximum of 150 people; (8) eight full-time and six part-time employees; (9) installation of winery wastewater septic system; (10) fifteen parking spaces; (11) widening a shared private access road and installation of a left hand turn lane from Highway 29 (St. Helena Highway); and (12) a Variance to reduce the minimum 300 foot winery setback to 60 feet along a section of the shared private road. The project is located on a 11.17 acre parcel on the eastside of Highway 29, approximately 1,000 feet north of its intersection with Yount Mill Road within an AP (Agricultural Preserve) zoning district. (Assessor's Parcel # 031-100-031) 7554 St. Helena Highway, Napa.

Staff Recommendation: Adopt the Mitigated Negative Declaration and approve the variance and use permit as conditioned.

Staff Contact: Linda St. Claire 299-1348 lstclaire@co.napa.ca.us

EXECUTIVE SUMMARY

Proposed Action:

1. That the Planning Commission adopt the Mitigated Negative Declaration and Mitigation Monitoring Program for the Lincoln Ranch Winery, based on findings 1-6 of Exhibit A;
2. That the Planning Commission approve Variance #P08-00494 and Use Permit P08-00495-UP based on Variance findings 7-12 and UP findings 13-17 of Exhibit A and subject to the recommended conditions of approval (Exhibit B).

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: Mitigated Negative Declaration Prepared. According to the Mitigated Negative Declaration, the proposed project would have, if mitigation measures are not included, potentially significant environmental impacts in the following areas: Archaeological and Cultural Resources. 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: Tom Gamble

Winery Applicant/Representative: Jeffrey Redding

Zoning: AP Agricultural Preserve

General Plan Designation: Agricultural Resource

Filed: August 8, 2008, **Revised:** December 8, 2008

Declared Complete: February 9, 2009

Proposed Building size: Total winery square footage: 25,080, (a 20,050 square foot two story winery building, a 2,800 square foot reception building with offices, a 2,230 square foot main tasting room, with additional offices), and a 5,450 sq ft covered outdoor crush pad.

Proposed Production capacity: 50,000 gallons per year

Proposed Marketing: Thirty-three private wine and food tastings for the wine trade per year with a maximum of 50 people, one private harvest event per year with a maximum of 150 people and one wine auction per year with a maximum of 150 persons.

Proposed Visitation: Tours and Tasting allowed by appointment only for a maximum of 30 persons per week day 75 persons per day on weekends and a maximum of 300 persons per week.

Number of employees: 8 FT, 6 PT

Hours of operation: 7AM -5PM

Parking: 15 off-street spaces

Adjacent Zoning / Land Use:

North: AP - To the north is a 71.95 acre parcel containing the Cardinale Winery owned by the Jackson Family Investments LLC.

South: AP - A 19.15 acre parcel to the southeast with vineyards owned by the Dawne P. Dickerson Trust and a 20.51 acre parcel to the southwest with vineyards owned by Rennick J and Marilyn P Harris trust.

East: AP - An 11.33 acre parcel with a residence owned by Michael L. and Barbara B. Oliver trust.

West: AP - Two parcels totalling 22.24 acres with vineyards owned by Jackson Family Investments LLC.

Property History:

From the Cultural Resources evaluation written by Sally Evans of (ARS) Archaeological Resources Service, dated April 15, 2008: The Lincoln family has owned the property since about 1898 and since that time it has remained in agricultural use: barley, hops, apples, vineyard and as permanent pasture. The existing farmhouse was present by 1880. The two existing barns were constructed between 1906 and 1913. The barns were used as animal shelter and storage of feed and equipment. The original water tower was built in the early 20th century. It burned down in 1988 and was replaced with a replica building in 1991, according to building records and permits issued by Napa County.

Code Compliance History: None

Discussion Points:

1. Timeline: August 8, 2008 - Winery application submittal. October 9, 2008 - Site visit conducted. December 8, 2008 - Applicant revises application moving structures from a cut and cover design. February 2009 - Project deemed complete by Planning Department.
2. Cultural Resources - A Cultural Resources study was prepared for this parcel. Five sensitive sites were identified, two archaeological and three cultural. Three cultural sites (the barns and a garage) were found to be ineligible for the local or national historic register and therefore will be demolished. The owner will attempt to recycle the material from the demolition into the construction or design of the new winery. The other site is a residence which is outside of the project area and will not be disturbed. The tenants, the Lincolns, have a lifetime lease and are not involved with this project, other than allowing their name to be associated with the winery.
3. Archeology - The two archaeologically sensitive areas on the parcel are included in mitigation measures. Should any new cultural or archaeological material be found during construction all work will be halted in the vicinity of the finds in order to be evaluated by a qualified archaeologist or historian to determine significance under CEQA. As agreed to mitigation measures have been established, the project now includes assurances that these steps will be followed.
4. Winery Road Setback - The new winery is proposed to be set back 60 feet from a shared roadway which provides access to one additional parcel. The Winery Definition Ordinance requires a 300 foot setback from shared private roads, so a variance is necessary to approve the winery as submitted. Constraints include the proximity of the Napa River and the flood plain. Staff is comfortable recommending that the required variance findings can be made.

Consistency With Standards:

1. Zoning - AP (Agricultural Preserve) allowed per Napa County Ordinance: 18.16.030(F)(H).
2. Building - As conditioned this application complies with the requirements.
3. Fire Code - As conditioned the Fire Department has recommended approval of this request based on the

memorandum of December 19, 2008. Extensive vegetation management and fire-resistive construction materials are necessary to comply with Firewise design mandates.

4. Public Works Standards - A left turn lane will be constructed from State Highway 29 at the existing driveway entrance and the remaining issues, to include driveway widening and the grading of the site, have been addressed by Public Works in their comments.

5. Environmental Management Standards - The project proposes to add a system for domestic waste and winery waste. The new winery waste system will include pre-treatment holding tanks and distribution to a leachfield.

SUPPORTING DOCUMENTS

- A . Exhibit A Findings
- B . Exhibit B Conditions of Approval
- C . Department Comments - Use Permit
- D . Department Comments- Variance
- E . Use Permit Application Submittal
- F . Variance Application
- G . Traffic Study
- H . Geotechnical Reconnaissance
- I . Graphics

Napa County Planning Commission: Approve

Reviewed By: John McDowell