



Agenda Date: 3/19/2008
Agenda Placement: 8A

Planning Commission Board Agenda Letter

TO: Planning Commission
FROM: John McDowell for Hillary Gitelman - Director
Conservation, Development & Planning
REPORT BY: KIRSTY SHELTON, PLANNER III - 707 253 4417
SUBJECT: Calistoga Artisan Village (Robert Pecota) Use Permit #P07-00472

RECOMMENDATION

ROBERT PECOTA / CALISTOGA ARTISAN VILLAGE, LLC. - USE PERMIT #P07-00472-UP

Request: Approval of Use Permit to establish a combined facility consisting of: a new 48,000 gallon per year winery with custom crush abilities within a 9,144 square foot winery building including a tasting room; a cheese processing facility producing 70,000 pounds of cheese per year within a 2,160 square foot building; and an olive oil processing facility producing 150 tons of olive oil per year within a 2,008 square foot building. The three buildings total 13,312 square feet and share a 13,513 square foot common outdoor court yard. The combined winery, cheese, and olive oil facility and accessory uses will require eight full-time employees, three part-time employees, and 13 seasonal part-time employees with a total of 12 parking spaces. It will be open to the public by appointment only with a maximum of 240 visitors per week. The marketing plan includes eight events per year with a maximum of 48 participants per event. Utilities for the commercial uses consists of construction of a leach field for sanitary wastewater, conversion of an existing 12.5 acre foot water storage pond to a waste water aeration pond and storage tank, and connection to the City of Calistoga's water system. The project is located on a 24 acre parcel on the northeast side of Bennett Lane approximately 100 feet northwest of its intersection with Tubbs Lane within an AP (Agricultural Preserve) zoning district (Assessor's Parcel #: 017-150-004) Calistoga.

Staff Recommendation: Adoption of mitigated negative declaration, and approval of the use permit with recommended conditions of approval

EXECUTIVE SUMMARY

This project consists of three independent facilities for the production of wine, cheese, and olive oil. Visitors will have the opportunity to taste and purchase all of the products produced on site at a common tasting/retail area. All products will also be sold wholesale to offsite locations. This is the first application for a Use Permit that includes combined production of more than one type of agricultural product. The proposed marketing is very moderate, with only 8 marketing events of 48 people per year in addition to the by appointment only visitors that

includes a maximum of 240 people per week. The buildings consist of separate facilities around a common courtyard, with agricultural influenced architecture, and is in keeping with the character of the Napa Valley. The applicant has been proactive in discussions with the neighbors and has agreed to the proposed Conditions of Approval and the attached Mitigation Monitoring Plan. Staff have concerns on the issue of acquiring 100% Napa County milk for the production of cheese, but the applicant has addressed this issue in the attached supplemental letter of intent discussing his intention to secure the required amount of locally produced milk.

Proposed Action: That the Planning Commission adopt Resolution P07-00472-UP adopting the Mitigated Negative Declaration, and approving the Use Permit for the Calistoga Artisan Village.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: A Mitigated Negative Declaration has been prepared. According to the mitigated Negative Declaration, the proposed project would have, if mitigation measures are not included, potentially significant impacts in the area of housing and population. This project site is not on any of the lists of hazardous waste sites enumerated under Government code section 65962.5.

BACKGROUND AND DISCUSSION

Owner: Calistoga Artisan Village LLC

Applicant/Representative: Robert Pecota, Managing Member

Zoning: AP - Agricultural Preserve

General Plan Designation: AWOS - Agriculture, Watershed & Open Space

Filed: June 29, 2007

Declared Complete: February 14, 2008

Building Size:

2,008 square foot olive oil production facility
9,144 square foot winery and tasting room facility,
2,160 square foot cheese production facility
13,312 square feet of building area total

Production Capacity:

48,000 gallons/year of wine
79,000 gallons/year of milk (70,000 lbs. of cheese)
60,000 gallons/year of olive oil (from 150 tons of olives)
133,000 gallons/year of liquid production total.

Proposed Visitation: 40 people per day, for a maximum of 240 people per week.

Proposed Marketing: Yearly - 8 events for a maximum 48 persons per year

Number of Employees: Less than 8 fulltime, 3 year-round part-time, and 13 seasonal part-time employees.

Hours of Operation:

Tasting Room 6 days a week, Tuesday thru Sunday, from 9 a.m. to 5 p.m.;

Typical production operation 5 days per week, Monday thru Friday from 7 a.m. to 5 p.m.

with peak seasonal fluctuations during grape and olive harvest.

Parking: 12 spaces

Adjacent Zoning / Land Use:

North: AP - Agricultural Preserve - Adjacent parcel is 3.72 acres and is currently owned by the same owner and contains a single family residence under construction.

South: AP - Agricultural Preserve - two parcels: one 0.8 acre and the other 1.78 containing uses operated by the State of California.

East: AP - Agricultural Preserve 15.54 acre parcel containing Chateau Montelena Winery and a 1.74 parcel containing a commercial wine barrel use.

West: AP - Agricultural Preserve - two parcels: one 23 acre partially developed with agriculture and the other 16 acre containing a single family dwelling.

Property History:

The site has been vacant since at least 1993 based on County aerial photographs. Sometime prior to 1993, the existing reservoir on the southern portion of the site was constructed. In 2006, the current property owner planted vines and olive trees.

Code Compliance History: None.

Discussion Points:

1. Combined Agricultural Processing Facility - This project consists of a moderately sized winery tasting room including three independent facilities for the production of wine, cheese, and olive oil. Visitors will have the opportunity to taste and purchase all of the products produced on site at a common tasting/retail area. All products will also be sold wholesale to offsite locations. Currently there are only a few production facilities of non-wine grape processing facilities within the County, such as olive oil and wreath making. This is the first application for a Use Permit that includes combined production of more than one type of agricultural product. The proposed marketing is very moderate, with only 8 marketing events of 48 people per year in addition to the by appointment only visitors that includes a maximum of 240 people per week.

2. Agricultural Product Origin - Attached is a Letter of Intent signed by the applicant accepting the Certification of Origin to provide 75% of wine grapes (Ordinance 947) and 100% of olive oil and cheese sources (Ordinance Number 1275) to be derived from the Napa County. In regards to the production of olive oil, the 2006 Napa Agricultural Crop Report states that there are 216 acres of olives, further the applicant has planted and intends to plant more olive trees on this property. The proposed olive oil will require approximately 16 acres of producing olive

trees. It is conditioned and there are obviously enough wine-grapes grown within the County to produce the requirement. However, it should be noted that Staff does have concerns on the issue of acquiring 100% Napa County milk for the production of cheese. There currently exists one creamery within the County, Goat's Leap (www.goatsleap.com). There could be more dairy cows, sheep, or goats within the county jurisdiction; however there are currently no known dairies as they would require a Use Permit. The applicant has addressed this issue in the attached supplemental letter of intent discussing his intention to secure the required amount of locally produced milk. For reference, to produce the cheese as proposed (733 gallons of milk per production incident) would take approximately 66 milk producing cows. There is a condition of approval included to provide adequate information on milk and olive sourcing prior to the release of building permits for the respective processing facilities.

3. Building Design - The project is located north of Calistoga on a relatively flat +/-24-acre parcel accessed by Bennett Lane, to the north of Tubbs Lane. The buildings consist of separate facilities around a common courtyard, with agricultural influenced architecture, and is in keeping with the character of the Napa Valley.

Consistency With Standards:

1. Zoning - Site and building design comply with all zoning requirements. The Winery, as proposed and conditioned, will comply with all requirements of the winery definition ordinance. Olive and cheese production will comply with the requirement that all agricultural products will be produced solely from Napa County sources.
2. Building/Fire Code - As proposed and conditioned this project complies with the Building and Fire Codes. No substantive changes to building and site design are required.
3. Public Works - This project will connect to the City of Calistoga water supply and has surface water diversion rights from the Napa River. These combined sources will supply adequate water to the proposed uses. As conditioned the project will comply with the applicable standards and guidelines under the Department of Public Work's discretion. Site improvements and the new driveway connection to Bennett Lane comply with standards. This project does not warrant a traffic study due to relatively low project generated traffic and very low existing volumes on Bennett Lane.
4. Environmental Management Standards - Environmental Management staff have indicated that food and wine processing improvements have been designed, and are conditioned, to comply with health standards.
5. Other regulatory requirements - This project's waste-water system is subject to approval by the State Regional Water Quality Control Board. Preliminary approval has been given by the Board based on the applicant's proposal to convert an existing water storage pond to a waste water treatment pond. The application has also indicated that in the future a treatment plant could be located on-site and conform to the applicable codes.

SUPPORTING DOCUMENTS

- A . Resolution P07-00472
- B . Recommended Conditions of Approval
- C . FIRE comments
- D . PW Comments
- E . EM comments
- F . Misc. public comments

- G . public comment
- H . Revised Mitigated Negative Declaration
- I . Application and supplement info.
- J . Letter of Intent of local agricultural source
- K . Wastewater feasibility study
- L . graphics

Planning: Approve
Reviewed By: John McDowell