



A Tradition of Stewardship  
A Commitment to Service

Agenda Date: 3/19/2014

Agenda Placement: 10C

## Napa County Planning Commission Board Agenda Letter

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**TO:** Napa County Planning Commission  
**FROM:** John McDowell for Pete Parkinson - Interim Director  
Planning, Building and Environmental Services  
**REPORT BY:** Sean Trippi, Principal Planner - 299-1353  
**SUBJECT:** Yountville Hill Winery

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### **RECOMMENDATION**

#### **YOUNTVILLE HILL WINERY / CS2 WINES, LLC - USE PERMIT AND AN EXCEPTION TO THE CONSERVATION REGULATIONS (P13-00279); VARIANCE (P13-00417); AND, VIEWSHED (P13-00416)**

**CEQA Status:** Consideration and possible adoption of a Mitigated Negative Declaration. According to the proposed Mitigated Negative Declaration, the proposed project would have, if mitigation measures are not included, a potentially significant environmental impact in the following areas; Biological Resources, Cultural Resources, and Transportation/Traffic. The project is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

**Request:** Approval of a use permit and exception to the conservation regulations, variance, and viewshed application to establish a new winery with an annual production capacity of 100,000 gallons as follows: (1) construct two new winery buildings with approximately 14,019 sq. ft. of floor area, including a 1,208 sq. ft. reception building and a 12,811 sq. ft. winery, administration and visitor center building with 9,605 sq. ft. of unenclosed terraces; (2) construct approximately 35,588 sq. ft. of cave area, including a warming kitchen; (3) provide 37 on-site parking spaces; (4) establish a Marketing Plan with 48 events per year for a maximum of 50 guests at each event (half of the events will be scheduled to begin after 6:30 PM); six (6) events per year for a maximum of 100 guests at each event; two (2) events per year for a maximum of 200 guests at each event; and, two (2) wine auction events per year; (5) allow tours and tastings, which may include food pairing, by appointment only for a maximum of 285 visitors per day with a maximum of 1,120 visitors per week (285 Sat/Su; 110/day Mon-Fri); (6) establish hours of operation from 6 AM to 3 PM (production staff), 8 AM to 5 PM (administrative staff) and 9:30 AM to 6:30 PM (hospitality staff – visitation would occur between 10 AM and 6 PM); 7 days a week; (7) allow on-premise consumption of the wines produced on-site in the winery administration and visitor center building and terraces pursuant to the Evans Bill (AB2004); (8) employ up to 19 people; (9) install a new on-site winery process and domestic wastewater treatment system; and, (10) new landscaping, driveway improvements, water storage tanks, and signage. The proposal also includes an exception to the conservation regulations to grade/construct improvements on slopes exceeding 30%, a viewshed application to construct on slopes 15% or greater and visible

from a viewshed designated roadway (State Route 29) and a variance to allow the lower cave portal and winery related activities on the pad in front of the cave to encroach into the 600-foot setback from State Route 29, winery buildings to encroach into the 300-foot setback from a private road, a staircase at the rear of the winery building to encroach 6-feet into a 20-foot rear yard and a non-habitable portion of the structure/landscaped terrace and stairs at the third or roof level to encroach 15-feet into the 20-foot rear yard. The project site is comprised of two parcels that will be combined. An existing 4,000 sq. ft. residence (former bed & breakfast) and garage, the existing driveway from State Route 29 to the structures, and a cave will be removed as part of the proposal to facilitate construction of the winery, a new driveway, and associated improvements. The 10.9 acre project site is located on the east side of State Route 29 approximately ¼-mile south of the Yount Mill Road / State Route 29 intersection. APN's: 031-130-028 & 029. 7400 St. Helena Hwy, Napa.

**Staff Recommendation:** Adopt the mitigated Negative Declaration and MMRP and approve the requested use permit, conservation regulation exception, variance and viewshed applications with the proposed conditions of approval.

**Staff Contact:** Sean Trippi, (707)-299-1353 or sean.trippi@countyofnapa.org

**Applicant Contact:** Lester Hardy, (707) 967-9610 or lester@[lhardy.comrussell@aklandlaw.com](mailto:lhardy.comrussell@aklandlaw.com)

## **EXECUTIVE SUMMARY**

### **Proposed Actions:**

That the Planning Commission:

1. Adopt the Mitigated Negative Declaration and MMRP based on Findings 1-6 of Exhibit A;
2. Approve the Use Permit & Exception to the Conservation Regulations (P13-00279) based on Findings 7-18 of Exhibit A and subject to the Conditions of Approval (Exhibit B);
3. Approve the Variance (#P13-00417) based on Findings 19-22 of Exhibit A and subject to the Conditions of Approval (Exhibit B); and,
4. Approve the Viewshed (P13-00416) based on Findings 23-29 of Exhibit A and subject to the Conditions of Approval (Exhibit B).

### **Discussion:**

The applicant requests approval of a use permit to allow construction of a new 100,000 gallon per year winery with approximately 14,019 sq. ft. of floor area and 9,605 sq. ft. of unenclosed terraces within the footprint of the winery building and approximately 35,588 sq. ft. of caves on a 10.9 acre site on the east side of State Route 29, just north of the the Town of Yountville. The project site is comprised of two parcels that will be combined. The proposed winery would have up to 285 by-appointment tours and tastings visitors on the weekends and 110 visitors during the week, daily and a marketing plan with 48 events per year for a maximum of 50 guests at each event (half of the events will be scheduled to begin after 6:30 PM); six (6) events per year for a maximum of 100 guests at each event; two (2) events per year for a maximum of 200 guests at each event; and, two (2) wine auction events per year. The proposal also includes an exception to the conservation regulations to grade/construct improvements on slopes exceeding 30%, a viewshed application to construct on slopes 15% or greater and visible from a viewshed designated roadway (State Route 29) and a variance to allow the lower cave portal and winery related activities on the pad in front of the cave to encroach into the 600-foot setback from State Route 29, winery buildings to encroach into the 300-foot setback from a shared driveway, a staircase at the rear of the winery building to encroach 6-feet into a 20-foot rear yard and a non-habitable portion of the structure/landscaped terrace and stairs at the third or roof level to encroach 15-feet into the 20-foot rear yard. An existing 4,000 sq. ft. residence (former bed & breakfast) and

garage, the existing driveway from State Route 29 to the structures, and a cave will be removed as part of the proposal to facilitate construction of the winery, a new driveway, and associated improvements. Staff recommends approval of the project as conditioned.

### **FISCAL IMPACT**

Is there a Fiscal Impact?                      No

### **ENVIRONMENTAL IMPACT**

Mitigated Negative Declaration Prepared. According to the proposed Mitigated Negative Declaration, the proposed project would have, if mitigation measures are not included, a potentially significant environmental impact in the following areas; Biological Resources, Cultural Resources and Transportation/Traffic. The project is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

### **BACKGROUND AND DISCUSSION**

**Owner / Applicant :** CS2 Wines, LLC (Eric Sklar)

**Owner's Representative:** Lester Hardy (707) 967-9610

**Zoning:** Agricultural Resources, (AR)

**General Plan Designation:** Agricultural Preserve (AP)

**Filed:** August 29, 2013

**Declared Complete:** January 3, 2014

#### **The Proposal Includes the Following:**

**Production Capacity** - 100,000 gallons per year

**Building size** - +/- 14,019 sq. ft. of enclosed floor area consisting of a 1,208 sq. ft. reception building and a 12,811 sq. ft. winery administration and visitor/hospitality building, with +/- 9,605 sq. ft. of unenclosed terraces within the buildings footprint

**Cave Size** - +/- 35,588 sq. ft.

**Development Area** - approximately 13,105 sq. ft.

**Winery Coverage** - approximately 75,575 sq. ft. or 1.74 acres (+/- 16% of parcel)  
(winery coverage is a maximum of 25% of parcel or 15 acres, whichever is less)

**Production Facility** - approximately 36,436 sq. ft.

**Accessory Use** - approximately 13,171 sq. ft. (does not include 9,605 sq. ft. of covered and uncovered unenclosed area identified on the floor plans)

**Accessory to Production Ratio** - proposed: 36.1%  
(accessory to production ratio is a WDO maximum of 40%)

**Marketing** - 48 events per year for a maximum of 50 guests at each event (half of the events will be scheduled to begin after 6:30 PM); Six (6) events per year for a maximum of 100 guests at each event; Two (2) events per year for a maximum of 200 guests; and, Two (2) wine auction events per year

**Visitation** - Tours and tastings with food pairings by appointment only for a maximum of 285 visitors on the weekends and 110 on weekdays (maximum of 1,120 visitors per week) are proposed.

**Number of Employees** - 19 or fewer full-time

**Hours of Operation** - 6:00 AM to 3:00 PM (production staff), 8 AM to 5 PM (administrative staff) and 9:30 AM to 6:30 PM (hospitality staff – visitation would occur between 10 AM and 6 PM); 7 days a week

**Parking** - 37 off-street spaces (9 parking spaces near the cave portals, 20 spaces near the reception building and the remaining 8 spaces near the winery, administration and visitor center building)

**Setting:**

The 10.9 acre project site is located on the east side of State Route 29 (SR 29) approximately ¼-mile south of the Yount Mill Road / State Route 29 (SR 29) intersection. Access to the property is via an existing driveway from SR 29 which will be relocated to the south approximately 125-feet (centerline to centerline). This will improve the separation between the project site access and two driveways located on the west side of SR 29. The existing driveway will be removed and revegetated.

The lower third of the project site, along the highway, is generally flat with an elevation of about 100-feet above mean sea level and approximately 2.6 acres of this area is planted in vines. Two constructed drainages are found on the lower portion of the site. One constructed drainage runs west to east alongside the existing driveway. This west-east drainage flows beneath the existing driveway in a culvert. The existing culvert will be replaced by a three-sided box culvert in approximately the same location as the existing culvert. The east-west drainage connects to another constructed drainage that runs from south to north at the edge of the flat portion of the site. The southerly portion of this drainage degrades to the point where it no longer is a definitional stream per Napa County Code (Section 18.108.030.). East of the south-north drainage, the site rises to an elevation of about 340-feet above mean sea level. Beyond the project site, the hill rises to a peak elevation of about 600-feet above mean sea level.

The site includes an existing residential structure and detached garage near the top of the hillside in the eastern portion of the site that had previously been a bed and breakfast, constructed in the early 1980's. The bed & breakfast ceased operations in approximately 2008. The structures will be removed as part of this project. The site also includes a wine cave near the base of the hill, constructed in 2004, that will also be removed, and a small stone structure built more than 45 years ago. Effectively all of the existing driveway to the residential structure will also be removed and replaced with a new driveway that follows the contours of the property to the extent possible. The new reception and winery buildings are proposed near the middle and the top portion of the property, respectively. The winery building is proposed in the location of the existing house/bed & breakfast which, as mentioned above, will be removed as part of this proposal. The current driveway also provides access to a property to the southeast which will also be provided by the new driveway. The new driveway will also provide future access to a property to the northwest of the site. Approximately 116 trees will be removed and approximately 185 trees, including a minimum of 63 oaks (24 to 48 inch box), are proposed to be planted as part of the project.

Producing wineries within about a mile of the project site include Cardinale and Entre Nous to the north, Cosentino, Paradigm, Folie A Duex, and Far Niente to the west. Gamble to the east, Ca 'Nani and Lincoln Ranch to the north and Stelling to the west are approved but not yet producing wine.

#### Nearby Wineries:

Winery	Address	Floor Area (square feet)	Production gal / year	Tours & Tastings visitors / week (average)	Employees
Cardinale Winery	7600 St. Helena Hwy	173,500	1,128,000	500 (appt)	25
Entre Nous Winery	7688 St. Helena Hwy	1,592	2,500	0**	1
Cosentino	7415 St. Helena Hwy	11,809	30,000	350 (public)	5
Paradigm	1277 Dwyer Road	13,000	13,000	15 (appt)	4
Folie A Duex	7481 St. Helena Hwy	10,000	50,000	350 (public)	30
Far Niente	1 Acacia Drive	61,883	175,000	210 (public)	2
Gamble*	1851 Cook Road	7,400	12,000	50 (appt)	14
Ca 'Nani*	7466 St. Helena Hwy	56,370	48,000	55 (appt)	14
Lincoln Ranch*	7554 St. Helena Hwy	33,050	50,000	300 (appt)	11
<b>Yountville Hill Winery</b>	<b>7400 St. Helena Hwy</b>	<b>49,607</b>	<b>100,000</b>	<b>1,120 max/wk (appt)</b>	<b>19</b>

Note: Floor area includes caves

\* Approved/entitled but not producing

\*\* No visitation was approved (small winery exemption)

#### Adjacent General Plan Designation/ Zoning / Land Use:

##### North:

AR General Plan designation, AP zoning -

Adjoining the project site to the north (and a bit to the east) are four properties ranging in size between 1.6 acres to about 12.5 acres with the largest and smallest lots owned by Yountville vineyards which includes the recently approved Ca 'Nani winery on the 12.5 acre lot, the smallest lot is undeveloped. The other two properties include vineyards and a home east of the Ca 'Nani winery.

##### South:

AR General Plan designation, AP / AP:HR & CL:HR zoning -

Adjoining the project site to the south (and a bit to the east) are a 15 acre property owned by Cal Trans and a 2.4 acre and 20 acre property both with a home and vineyards. Across State Route 29, south/southwest of the project site is a 20 acre property developed with Brix restaurant.

##### East:

AR General Plan designation, AP zoning -

A 30.5 acre property adjoins the project site to the east and is developed with a home and vineyards. The balance of the property is wooded.

##### West:

AR General Plan designation, AP / CL zoning -

West of the project site, across State Route 29 are five properties ranging in size from about a half and acre to a little over six acres developed with two homes, the Oleander House bed & breakfast, the Cosentino winery and

Mustards restaurant.

**Property History/Background:**

September 5, 1984 – The Planning Commission approved an application (#BB-118384) to bring an existing three bedroom bed and breakfast under county permitting. The home was constructed in 1977.

February 20, 2009 – A use permit application, by previous owners, (Sires winery - P09-00067) was submitted for a new winery with a production capacity of 100,000 gallons per year in a new 4,679 square foot building and 30,000 square feet of caves. The request included tours and tastings by appointment only for a maximum of 60 persons per day on the weekend and 30 persons per day during the week and a marketing plan with 674 events annually for between 6 to 200 people. The application was subsequently deemed withdrawn on June 16, 2009.

June 23, 2009 - A use permit application, by previous owners, (Wright winery - P09-00270) was submitted for a new winery with a production capacity of 60,000 gallons per year in a new 5,609 square foot building and 29,434 square feet of caves. The request included tours and tastings by appointment only for a maximum of 60 persons per day on the weekend and 30 persons per day during the week and a marketing plan although no details were submitted with the application. The application was subsequently deemed withdrawn on August 24, 2011.

**Compliance History:**

Based on a review of the Planning Division's files, there are no active records of any code compliance issues on this property.

**Discussion:**

1. Use Permit - The applicant is proposing a 100,000 gallon per year winery with approximately 14,019 sq. ft. of enclosed floor area, in two buildings; a 1,208 sq. ft. reception building and a 12,811 sq. ft. winery administration and visitor/hospitality building (winery building). Within the footprint of the winery building are approximately 9,605 sq. ft. of unenclosed terraces, on the first and third levels, intended for wine tasting. In addition to the two buildings, the proposal includes approximately 35,588 sq. ft. of caves, consisting of approximately 25,753 sq. ft. of lower cave area and 9,835 sq. ft. of upper cave. The lower cave is accessed from two portals (one existing) that are approximately 300-feet from SR 29. The pad in front of these portals includes nine parking spaces and bicycle racks. The lower cave includes a grape receiving area, crush pad, fermentation, barrel storage, and office area. The lower cave also includes an elevator to move barrels to the upper cave, which includes additional barrel storage and a banquet area. The upper cave is accessed via two portals at the reception building, one portal from within the building and another portal a few feet south of the building. This cave is then connected to the winery building via another elevator.

The reception building is approximately half way up the hill, at the 600-foot setback from the centerline of SR 29, and includes parking for 20 vehicles as well as bicycle racks and a charging station for an electric vehicle. The winery building is approximately 200-feet east of the reception building and includes an additional 8 parking spaces. The former bed & breakfast structure and associated improvements will be removed to make way for the winery building and parking spaces.

2. Exception to the Conservation Regulations - As mentioned above, the lower third of the project site, along the highway, is generally flat and planted in vines, with two constructed drainages, one generally perpendicular to SR 29 and the other parallel to the SR 29. The drainage perpendicular to SR 29 (running west to east) flows beneath the existing driveway in a culvert. The existing culvert will be replaced by a three-sided box culvert in approximately the same location as the existing culvert. East of the drainage parallel to SR 29 (running south to north) the site traverses slopes between 15% to 50%. Near the uppermost (eastern) portion of the site, the slope flattens out to

approximately 15% (where the new winery building is proposed).

The portion of the site east of the drainage that runs parallel to SR 29 consists of approximately 6.4 acres of Coast Live oak woodlands, predominantly Live, Blue and Valley oaks with an understory of non-native grasslands. Approximately 2.1 acres of the 6.4 acres of coast live oak woodland habitat will be impacted by the proposed project. The remaining 4.3 acres are proposed to be preserved and protected as well as enhanced with additional plantings per the preliminary tree planting plan. Pursuant to General Plan Policy Con-24, for all oak woodland that is removed, oak woodland must be preserved or replaced at a ratio of 2:1. The proposal is consistent with this policy since the proposal includes the preservation of more than 4.4 acres of oak woodland on the site, resulting in a preservation ratio greater than 2:1. In addition, a tree planting plan showing the removal of approximately 116 trees and the planting of approximately 185 trees, including a minimum of 63 oaks, has been incorporated into the project landscape plan.

The slopes at the lower cave portals and pad are about 18% and the slopes at the reception building and upper cave portals are about 38%. The slope of the existing driveway exceeds 20-25% over its two longest legs. The proposal includes removing this driveway and constructing a new driveway with slopes of 20% or less in compliance with County requirements. Per Napa County Code (Section 18.108.060), no development or earthmoving activity shall take place on slopes of 30% or greater unless an exception is granted. No alternatives exist on the property where construction could occur absent an exception. Staff finds that the proposed project as presented can meet the required findings for granting an exception under the Napa County Conservation Regulations. Furthermore, the building pads and road grading design have been designed to conform to the site's contours to the extent possible. The proposed caves further reduce the amount of grading that would result from constructing additional floor area above grade.

3. Viewshed Application Compliance – The new reception and winery buildings are proposed near the middle and the top portion of the property, respectively. The winery building is proposed in the location of the existing house/bed & breakfast which will be removed as part of this proposal. Both buildings have been cut into the slope to reduce the massing. The lower cave portals, potentially viewable from SR 29, and the retaining walls are also subject to Viewshed requirements. As noted above, development of the winery buildings, cave portals and pads are proposed on slopes of 15% or greater. A number of new trees are proposed to screen the predominant portions (i.e. 51%) of the new buildings and to comply with the screening requirements of the Viewshed Protection Program. The proposal also includes creating planted walls where retaining walls are needed. The trees and vegetation proposed to screen the buildings and driveway will include evergreen species with the majority of the trees proposed as 24 to 48 inch box. There is also significant existing natural vegetation behind the winery buildings. The proposed earth tones for the exterior wall colors will blend with the surrounding topography and natural features. A louvered system will be employed to reduce glass wall reflectivity. As mentioned above, approximately 116 trees will be removed and approximately 185 trees will be planted with the majority of these trees being 24 to 48 inch box specimen size. Furthermore, the proposed project will result in the installation of lighting that could have the potential to have a significant impact on nighttime views. Although the project site is in an area that has a certain amount of existing nighttime lighting, the installation of new sources of nighttime lights may affect nighttime views. To ensure that any potential impacts resulting from new sources of outside lighting are minimized, a standard condition of approval which will require that all proposed lighting is shielded and directed downward so that surrounding properties are not affected has been applied to this project.

The new winery buildings, cave portal and driveway would be viewed from an identified scenic roadway candidate and would be potentially significant. Given screening by existing vegetation, proposed landscaping, and exterior colors, the project, while noticeable from surrounding areas, would not substantially degrade scenic views or the visual quality of the site.

4. Setbacks/Variance - The proposal also includes a request for a variance to allow the lower cave portal and winery related activities on the pad in front of the cave to encroach approximately 300-feet into the 600-foot setback

from State Route 29, winery building(s) to encroach into the 300-foot setback from a shared driveway, a staircase at the rear of the winery building to encroach 6-feet into a 20-foot rear yard and a non-habitable portion of the structure/landscaped terrace and stairs at the third or roof level to encroach 15-feet into the 20-foot rear yard.

Underground portions of caves are not subject to setbacks; however, cave portals and outside work areas in front of caves are subject to setbacks when they are visible from the roadway. The lower cave portals are parallel to SR 29 and likely will be visible from the highway. There is existing vegetation between the portals and the highway and additional tree plantings are proposed as well. So the portals may wind up being completely screened from SR 29. However, staff believes a variance is appropriate given the possibility that the portals would be visible. As mentioned above, caves are preferable to vertical developments as the caves have less of an impact and the variance findings are met due to the sites topography.

In addition to the variance for the lower cave portals and winery building, stairways and a non-occupied area at the rear of the winery building encroach into the 20-foot rear yard by 6-feet and 15-feet, respectively. Although Section 18.104.260 allows stairs and fire escapes to extend 6-feet into required rear yards staff believes a variance is appropriate for the stairs as Section 18.104.230(D) states that "excepting caves, nothing herein shall be construed as permitting construction or improvements within applicable setback or yard areas as specified by other sections of this title." The location of the winery building is predicated on constructing the new driveway so that it does not exceed a slope of 25%. If the winery building were moved forward, or to the west of its proposed location, the driveway would become more steep, exceeding a 20% slope.

5. Visitation and Marketing: Tours and tastings visitation to the proposed winery would be by-appointment, with a maximum of 285 visitors per day and a maximum of 1,120 visitors per week (285 visitors on Saturday and Sunday and 110 visitors Monday through Friday). In addition, a marketing program is proposed for the facility, including 48 events per year for a maximum of 50 guests at each event (half of the events will be scheduled to begin after 6:30 PM); Six (6) events per year for a maximum of 100 guests at each event; Two (2) events per year for a maximum of 200 guests; and, Two (2) wine auction events per year. Food for the marketing events will be catered.

Staff has provided a table comparing marketing and tours and tastings visitation at other wineries with annual production of 100,000 gallons, below. The proposed visitation program falls roughly into the upper third amongst its peer group of wineries with an approved production capacity of approximately 100,000 gallons per year. The table also provides a comparison of winery building floor area for the wineries listed. As can be seen, the floor area for the proposed winery relative to its production capacity is near the upper end of spectrum at 49,607 square feet, with other wineries ranging in size from a little over 9,800 square feet to over 72,000 square feet.

Winery	Approved Production	Floor Area (sq. ft.)	Tours & Tastings	Tours & Tastings visitors/week (average)	Marketing Events per year*	Employees
Andretti winery	100,000	13,400	Public	100	no data	5
Black Stallion	100,000	43,600	Public	350	no data	10
Carevan Serai	100,000	24,000	By Appt	2,800	376	23
CE2V (Cosentino - Pope Valley)	100,000	33,795	No	20**	36	5
Corona	100,000	29,008	By Appt	336^	80	24
Darioush Winery	100,000	72,751	Public/ By Appt	350 (Pub) 2,800 (Appt)^	429	55
Dominari	100,000	22,700	By Appt	140^	20	5



Monticello Vineyards	100,000	11,500	By Appt	84	no data	10
Moss Creek winery	100,000	24,000	Public	600	no data	2
Pahlmeyer winery	100,000	56,057	By Appt	70	25	16
Round Pond winery	100,000	33,669	By Appt	360^	160	11
Trincherro	100,000	9,856	Public	930	215	9
<b>Yountville Hill winery (proposed)</b>	<b>100,000</b>	<b>49,607</b>	<b>By Appt</b>	<b>1,120 (max / wk)</b>	<b>58</b>	<b>19</b>

Note: Floor area includes caves

\* No Data - Attributed to older wineries with no marketing program proposed or approved.

\*\* Number authorized for retail sales only.

^ Maximum per week

6. Traffic - Based on the proposed production level and visitation plan, the winery is expected to generate approximately 145 daily trips on a typical weekday, 228 daily trips on a Saturday and an average of about 250 daily trips during the six week harvest/crush season. This would represent a less than 1% (0.006) increase to the daily volumes the highway. Trips during the PM peak hour would be 39 on a weekday and 59 on a Saturday.

The applicant has submitted a traffic study *Focused Traffic Analysis for the Proposed Yountville Hill Winery*, prepared by Omni-Means, dated September 19, 2013. According to the study, SR 29 has a current annual average daily traffic volume of approximately 22,800 vehicles. During the peak month (typically summer-fall), the roadway carries approximately 24,800 average daily trips, Based on the County's roadway segment LOS thresholds, these volumes are approaching the capacity of the roadway and are indicative of a LOS F (traffic study, page 3).

SR-29 would continue to operate at LOS F when project trips are added to existing traffic volumes. The project driveway would continue to operate at LOS C. These levels of service would remain at F and C for SR-29 and the project driveway, respectively, when near-term plus project trips are added to existing conditions. The largest marketing event (200 visitors) is expected to generate about 191 trips with inbound and outbound trips occurring over the course of several hours. Marketing events are typically scheduled so attendees are arriving/departing outside weekday or weekend peak traffic periods. An additional 7 to 8 daily truck trips would be generated during project construction to off-haul spoils from construction of the project (primarily cave excavation).

7. Access - The project proposal includes constructing a new driveway entrance off SR 29 to the site. The existing driveway will be removed and replaced with vegetation. The proposed location of the new driveway, south of the existing driveway, locates it farther away from the driveway for the Mustard's Grill restaurant reducing potential conflicts for vehicles exiting/entering both driveways and improve the usefulness of the existing two-way left turn lane on SR 29.

The traffic study noted that there is a shrub/low tree on the north side of the driveway that interferes with sight distance to the north and recommends removal of this obstruction which is included in mitigation measure TRANS-1. The traffic study also evaluated the driveway for a dedicated right turn lane. While inbound right turn volumes did not warrant a right turn lane they did warrant a right turn taper which is included in mitigation measure TRANS-2.

8. 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 proposed floor area is well below the floor area thresholds established by the BAAQMD.

In addition to the project being below the Air District's thresholds of significance and screening criteria, the applicant proposes to incorporate GHG reduction methods including: The applicant proposes to incorporate GHG reduction methods including but not limited to: building to CALGREEN tier 2 standards, instituting a Transportation Demand Management Plan, solar hot water heating, energy conserving lighting, energy star roof, bicycle incentive, using reclaimed or recycling water for landscaping, water efficient fixtures, water efficient landscaping, composting, and an electric vehicle charging station.

9. Grape Sourcing - The project site contains approximately 2.6 acres of vineyards on the 10.9 acre site. Including the vineyards planted on site, the applicants own or control approximately 44 acres of producing vineyard, and are actively negotiating the purchase of another 125 acres of land, of which some is planted and producing, and some is to be planted in the future. The applicants are also actively negotiating additional grape purchase agreements. The applicants holdings in Napa County which should be adequate for the proposed winery's production capacity.

10. Correspondence - Staff has received several letters and e-mails regarding this proposal including a request for a continuance. All correspondence received to date is attached to this report.

#### **Consistency with Standards:**

Zoning - The project is consistent with AP (Agricultural Preserve) zoning district regulations. A winery (as defined in Napa County Code § 18.08.640) and uses in connection with a winery (see Napa County Code § Section 18.16.030) are permitted in the AW district with an approved use permit. This application complies with the Winery Definition Ordinance.

The Fire Department, Engineering Services Division, Public Works Department, and Environmental Health Division have all recommended approval of the project as conditioned.

#### **SUPPORTING DOCUMENTS**

- A . Findings
- B . Conditions of Approval
- C . Review Agency Comments
- D . Mitigated Negative Declaration & MMRP
- E . Green House Gas Reduction Measures
- F . Traffic Study
- G . Application Materials
- H . Correspondence
- I . Graphics

Napa County Planning Commission: Approve

Reviewed By: John McDowell