



Agenda Date: 4/16/2008
Agenda Placement: 7B

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: Neyers Vineyards Cave Modification

RECOMMENDATION

BRUCE AND BARBARA NEYERS / NEYERS VINEYARD / USE PERMIT MODIFICATION REQUEST #P07-00461-MOD

Director of Conservation, Development and Planning recommends approval to modify Use Permit #U-208182 to construct a 6,800 square foot cave with two portals with no increase in visitation, marketing or other changes. The project is located on a 29.31 acre parcel on the south side of Sage Canyon Road, approximately 13.2 miles east of its intersection with Silverado Trail within an AW (Agricultural Watershed) zoning district. (Assessor's Parcel # 032-010-048) 2153 Sage Canyon Road, St. Helena.

Staff Recommendation: Adoption of a Negative Declaration under the California Environmental Quality Act (CEQA) and approval of the Use Permit Modification P07-00461 UP, subject to the recommended conditions of approval.

(REQUESTED TO BE CONTINUED TO MAY 7, 2008 MEETING)

EXECUTIVE SUMMARY

This project consists of a proposal to construct a 6,800 square foot cave with two portals to be used for wine production and storage. There is no increase to production and no changes to existing marketing or visitation are proposed. The winery is comprised of two structures totalling 8,100 square feet on 29.31 acres. No tours or tasting nor marketing activity is approved at this winery.

Staff Recommendation: That the Planning Commission adopt Resolution P07-00461, find the item Categorically Exempt pursuant to CEQA, Section 15301 Existing Facilities, Class 1, Existing Facilities and Appendix B, Class 3 new Construction or Conversion of Small Structures. and approving the Use Permit Major Modification.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is Categorically Exempt pursuant to CEQA, Section 15301 Existing Facilities, Class 1, Existing Facilities and Appendix B, Class 3 new Construction or Conversion of Small Structures.

BACKGROUND AND DISCUSSION

Owner: Bruce and Barbara Neyers

Applicant/Representative: Jon Webb

Zoning: AW Agricultural Watershed

General Plan Designation: Agriculture, Watershed and Open Space

Filed: June 25, 2007

Declared Complete: March 26, 2008

Building size: current: Winery, storage and office total 7,616 square feet.

Cave Size: Proposed: 6,800 square feet

Production Capacity: 40,000 gallons per year (NO INCREASE PROPOSED)

Current Marketing: no marketing plan requested or approved

Proposed Marketing: (NO CHANGES PROPOSED)

Current Visitation: no visitation requested or approved

Proposed Visitation: (NO CHANGES PROPOSED)

Number of employees: 4 Full Time and 1 Part Time

Hours of operation: 9am - 5pm

Parking: minimum of two spaces

Adjacent Zoning / Land Use: Various sized parcels ranging from 10 acres up to 970 acres.

North: Two parcels- one at 61 acres and the other at 71 acres both vacant.

West: A 28 acre parcel with a residence and a 50 acres vacant parcel.

South: Chappellet Vineyard consisting of approximately 293 acres.

East: A 50 acre parcel with a residence and a 970 acre vacant parcel owned by Acme Rocket Sleds Inc.

Property History:

October 1982: Use Permit #U-208182 approved by the Planning Commission to establish a 40,000 gallon winery with no public tours or tasting.

November 1982: Parcel rezoned from Watershed Recreation to Agricultural Watershed.

Code Compliance History : none**Discussion Points:**

1. This is a small winery established in 1982, well before the Winery Definition Ordinance was created. Therefore, the original Use Permit is very limited in documenting hours of operation and number of employees. Current conditions were relied upon to make these two findings in the background.
2. Setback Issues: Sage Canyon Road/Hwy 128 has a 600 foot winery setback. Cave portals are exempt from this if they cannot be seen from the road. The portals at Neyers Vineyards are not visible from Sage Canyon Road/Hwy 128.

Consistency With Standards:

1. Zoning - AW (Agricultural Watershed). allowed per Napa County Ordinance: 18.20.030 para. H.
2. Building/Fire Code - Meets all standards and must obtain permits and comply with Building/Fire Codes.
3. Public Works Standards - Original use permit conditions have been met.
4. Environmental Management Standards: Initially found incomplete, the standards were later met after additional information was submitted. Conditions are attached and will be met.

Supporting Documents**SUPPORTING DOCUMENTS**

- A . Resolution
- B . Application
- C . Original Use Permit
- D . Comments
- E . Public Works Comments and Original Conditions
- F . Conditions of Approval
- G . Graphics

Napa County Planning Commission: Approve

Reviewed By: John McDowell