



Agenda Date: 4/16/2008
Agenda Placement: 8A

Napa County Planning Commission Board Agenda Letter

TO: Napa County Planning Commission
FROM: John McDowell for Hillary Gitelman - Director
Conservation, Development & Planning
REPORT BY: KIRSTY SHELTON, PLANNER III - 707 253 4417
SUBJECT: EI Retiro Winery / Screaming Eagle Use Permit Modification #P07-00782

RECOMMENDATION

EL RETIRO WINERY / EAC PARTNERS, LLC. – USE PERMIT # P07-00782 MOD

Request: Approval of a Use Permit Modification (P07-00782) to modify a prior Use Permit (#03533-MOD) that authorized the construction of a 7,850 sq. ft. winery structure and 3,500 sq. ft. of caves, for a total of 22,333 sq. ft. of building area and a total of 11,400 sq. ft. of cave area and the reconfiguration of the entrance, located at 7557 Silverado Trail in Yountville, Assessor's Parcel Number 031-070-009. There are no other changes to the operations besides the request to establish 4 full time employees.

Staff Recommendation: Adoption of a Negative Declaration under the California Environmental Quality Act (CEQA) and approval of the Use Permit Modification P07-00782 UP, subject to the recommended conditions of approval.

EXECUTIVE SUMMARY

This project is a Use Permit Modification (P07-00782- UP) to modify a prior Use Permit (#03533-MOD) that although never constructed is considered "used" within the meaning of the County Code Section 18.124.080. This prior Use Permit authorized the construction of a 7,850 sq. ft. winery structure and 3,500 sq. ft. of caves. This proposal requests construction of a total of 22,333 sq. ft. of building area and a total of 16,000 sq. ft. of cave area. The cave spoils will be exported to the Stony Point Rock Quarry located in Sonoma. The buildings will be accessed by the reconfiguration of the existing entrance and the improvement of 3,160 linear foot one-way loop access road and six parking spaces. The winery currently operates under a Small Winery permit (SW-48889), which authorizes a maximum production capacity of 20,000 gallons of wine per year, a maximum of 15 visitors per week, and no other marketing. Water serves the operations via an existing well and the wastewater is processed via an existing pond. There are no other changes to the operations besides the request to establish 4 additional full time employees, for a total of 5.

Proposed Action: That the Planning Commission adopt Resolution P07-00782-UP adopting the Negative Declaration, and approving the Use Permit Modification for the EI Retiro/Screaming Eagle Winery.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: A Negative Declaration has been prepared. According to the Negative Declaration, the proposed project would not have potentially significant impacts, 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: EAC Partners LLC

Applicant/Representative: Cathy Roche/Michael Witek, Dickenson, Peatman & Fogarty

Zoning: AP (Agricultural Preserve District)

General Plan Designation: Split designation of Agricultural Resource (AR) and Agriculture, Watershed, and Open Space (AWOS), *Napa County General Plan, March 2002.*

Filed: 10/31/2007 **Declared Complete:** March 21, 2008

Building Size: A total of 22,333 square feet of "conditioned" space is proposed, however an additional 5,740 square feet is included in the covered outdoor production/crushing area, for a total of 28,073 square feet. This includes 865 square feet of accessory uses vs. 27,208 square feet of production square feet, resulting in a 3% ratio of accessory versus production area.

Site Development: There is a total of 70,850 square feet, or 1.6 acres of impervious coverage. This includes the footprint of the structures, parking, access, and loading areas, and outdoor production areas. The majority of this results from the one-way loop road, which is 47,600 square feet in total. The project site is 73.13 acres and yields a 2.2% of winery coverage to parcel size.

Production capacity: No change requested. 20,000 gallons/year authorized by Small Winery Exemption (#SW-48889)

Proposed Visitation: No change requested, a maximum of 15 visitors per day as authorized by SW-48889

Proposed marketing: None.

Number of Employees: There is currently one full time employee as authorized by SW-48889 and this proposed requests four additional full-time employees for a total of five.

Hours of Operation: No change. Current operations include Monday through Friday from 8:00 a.m. until 5:00 p.m.

Parking: 5 on-site parking spaces and one van accessible handicap space; Further the site includes easily

accessible loading spaces.

Adjacent Zoning/Land Use:

North	47 acres	Vineyard/Agricultural Contract
East	13.51 acres	Single family home and undeveloped land
South	544.25 acres	Vineyard/Agricultural Contract
West	188.2 acres	Vineyard/Agricultural Contract

Entitlement History:

7-15-1988	Small Winery Exception authorizing a maximum of 20,000 gallons/year within a 1,000 sq. ft. winery.	SW-48889
11-6-2002	Use Permit Modification to allow the construction of 3,060 sq.ft. wine processing building and 3,500 sq. ft. of caves. (wine processing building never constructed).	02353-MOD
3-3-2004	Use Permit Modification authorizing the expansion of the above approved winery facility building from 3,060 sq.ft. to 7,850 sq. ft. (*).	03533-MOD
7-26-2006	Administrative approval to allow temporary winery operations to occur in an existing 1300 sq. ft. barn that would be converted and the construction of a 3,000 sq. ft. outdoor pad. Operation as approved were agreed to cease in December 2010.	P06-01087 MOD

(*) never built but determined used by the installation of the wastewater treatment facility.

Construction History:

- 2005 Installation of wastewater facility
- 2007-8 Construction of caves as authorized by 03-533-MOD

Code Compliance History: None.

Discussion Points:

1. For almost 20 years, Screaming Eagle winery operated in an approximate 1,000 sq. ft. winery facility, 1300 sq. ft. barn, and 7,850 sq. ft. of cave area under a Small Winery exemption (SW-48889). Two years ago, in 2006, a temporary facility was approved (P06-01087 MOD) to use the barn creating an additional 4,300 sq. ft. of operational area, for a total of 14,450 sq. ft. of operational area during construction of the previously approved Use Permit Modification (03533-MOD). The current proposal includes a total of 28,073sq. ft. of building and production area plus 11,400 sq. ft. of cave area, for a total of 39,473 sq. ft of operational area. This is a 389% increase in operational floor area for a proposal that includes a request of no increase in production, marketing, water use, and overall operations.

Consistency with Standards:

This request is consistent with all of the relevant standards as indicated by the required findings in the attached Resolution.

SUPPORTING DOCUMENTS

- A . Resolution P07-00782
- B . Recommended Conditions of Approval
- C . Interagency Comments, supplement to Conditions of Approval
- D . Application and supplement info.
- E . Negative Declaration
- F . Graphics

Napa County Planning Commission: Approve

Reviewed By: John McDowell