



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 4/7/2010
Agenda Placement: 9C

Napa County Planning Commission Board Agenda Letter

TO: Napa County Planning Commission
FROM: John McDowell for Hillary Gitelman - Director
Conservation, Development & Planning
REPORT BY: Mary M Doyle, Planner - 299-1350
SUBJECT: Feathered Horse (formerly Lake Ridge) Winery - Major Modification P09-00540

RECOMMENDATION

FEATHER HORSE WINERY / EDWARD FITTS - USE PERMIT MAJOR MODIFICATION #P09-00540-MOD

CEQA Status: Subsequent Negative Declaration Prepared. According to the Subsequent Negative Declaration the proposed project would not have any potentially significant effects. This project is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5. The previously adopted Negative Declaration (Lake Ridge Winery, #P09-00039-UP) relating to the project is on file and available for public review in the Napa County Planning Division.

Request: Approval to modify previously approved but not yet constructed winery use permit P09-00039-UP to include the following: (1) relocate the facility from a knoll in the center of the property to a hillside on the southwest portion of the property, including relocation of the winery entrance and the winery waste and sanitary systems with no changes in annual production (10,000 gallons per year); (2) increase the winery structure footprint to 10,678 square feet; (3) increase the cave to 7,700 square feet; (4) increase the loading/outdoor work area to 5,612 square feet; (5) increase full time employees to 4, and part time employees to 4; (6) amend the marketing plan to allow 6 marketing events with 20 guests per event; (7) increase the winery hours of operation to 8 AM to 5 PM, tours & tastings hours of 10 AM to 4 PM and marketing events hours of 10 AM to 10 PM and (8) increase the parking spaces to 11. The project is located on a 42-acre parcel on the east side of Long Ranch Road approximately 1 mile from its intersection with Sage Canyon Road and within the Agricultural Watershed (AW) zoning district. APN: 032-010-088 (formerly 032-010-068) 90 Long Ranch Road, St Helena, Ca.

Staff Recommendation: Adopt the Subsequent Negative Declaration and approve the Major Modification Use Permit with proposed conditions of approval.

Staff Contact: Mary Doyle, 299-1350 or mary.doyle@countyofnapa.org

EXECUTIVE SUMMARY

Proposed Action:

That the Planning Commission:

1. Adopt the Subsequent Negative Declaration based on findings 1-5 of Exhibit A; and
2. Approve Use Permit no. P09-00521 Maj Mod based on findings 6-10 of Exhibit A and subject to the attached conditions of approval (Exhibit B).

Discussion:

In August 5, 2009 the Planning Commission approved Lake Ridge Winery (P09-00039-UP), a new 10,000 gallon annual production winery. Subsequent to the Commission's approval, the winery name has been changed to Feathered Horse Winery and the parcel had a lot line adjustment adding 2 or so acres to the previous 40 acre parcel. The newly aligned parcel is 42.26 acres. The applicant is now seeking with this modification to relocated the winery in its entirety on to the newly acquired acreage. According to the application submittal, the original cave location was deemed unsuitable, due to the geology and the potential for the shallow cave ceiling to collapse. The relocation site is approximately 700 feet westerly and down gradient from original location. The existing access to/from Long Ranch Road (private road) would remain the same, however, the existing access would branch to the south directly to the proposed winery site and the existing driveway going north to the resident and vineyard would not change. The relocated winery entrance would not remove as many trees as the original location. The new winery would be setback approximately 100' from Long Ranch Road. The relocation site is discontinuous from Long Ranch Road by approximately 5 feet via an access easement. Also requested are a limited 6 event marketing plan, increase of the production facility by 2,466 square feet to 15,361 square feet, increase the accessory use by 370 square feet to 2,975 square feet, increase the caves by 1,000 square feet to 7,700 square feet and increase the loading/outdoor work area by 1,900 square feet to 5,612 square feet. The new winery design, color palette and construction material is similar to the previously approved Lake Ridge Winery of earthtones, stone veneer, concrete and metal, use of solar roof system, and remains in keeping with the Winery Definition Ordinance.

There will be no changes to the approved annual gallonage of 10,000 gallons or the use of a mobile bottling service. The winery with its limited production capacity, limited visitation and marketing events is in keeping with the Winery Definition Ordinance. The proposed design of the winery and cave and the limited removal and prudent modification to the natural environment is consistent with the County's goal of conveying the attractiveness of wineries and providing for the health and safety of local and visiting public. The design materials include concrete, stone veneer, metal and the earthtone color palette will be complimentary to the existing natural environment. This parcel and the surrounding area is considered a high fire zone. The proposed design include defensible space for the winery structure and access road. The defensible space includes modifications to the natural environmental including removal of some trees, reducing fuel load, and removing dead shrubs.

FISCAL IMPACT

Is there a Fiscal Impact?

No

ENVIRONMENTAL IMPACT

Subsequent Negative Declaration Prepared. According to the Subsequent Negative Declaration the proposed project would not have any potentially significant effects. This project is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5. The previously adopted Negative Declaration (Lake Ridge Winery, #P09-00039-UP) relating to the project is on file and available for public review in the Napa County Planning Division.

BACKGROUND AND DISCUSSION

Owner/applicant: Edward Fitts/Feather Horse Winery (610-322-8154)

Representative: Kelly Berryman/Berryman & Montalbano (707-942-0750)

Zoning: Agriculture Watershed-AW

GP designation: Agriculture Resource – AR

Filed: December 23, 2009

Proposed Building Size: 15,361 square foot winery/production 2-story building to include laboratory, office space, reception area, tasting, conference room, case and barrel storage, restroom, employee kitchen, crush pad and 7,700 square feet of cave for case and barrel storage including 500 square foot wine library. Loading/outdoor work area of 5,612 square feet.

Production: 10,000 gallons per year (NO CHANGE)

Marketing: 6 events per year with 20 guests per event, tours and tastings by appointment only (including the wine trade)

Days and hours of operations: Winery operations Monday through Saturday from 8 a.m. to 10 p.m. (Hours/days during Harvest/Crush 7 a.m. to 10 p.m. Sun-Sat) Event hours Monday through Saturday from 10 a.m. to 10 p.m. Tours and tastings hours Monday through Saturday from 10 a.m. to 4 p.m.

Parking: 11 spaces (including 2 ADA compliant)

Proposed Visitation: 10 visitors per day appointment only, maximum 60 per week (NO CHANGE)

Number of employees: 4 full time, 4 part time/seasonal

Adjacent Zoning/Land Use/acreage:

North: AW/City of Napa Lake Hennessey Municipal Watershed/120 acres and AW/vineyard & rural residential/69acres

South: AW/vineyard, winery, rural residential/40 acres

East: AW/winery, vineyard, rural residential/125 acres

West: AW/winery, vineyard, rural residential/69 acres

In the vicinity with access on Long Ranch Road are the following wineries: Two Rock Winery (02157-UP/62,500 gallons production/appointment only visitation), Colgin Partners (99226-UP/20,000 gallons production/appointment only visitation), David Arthur (00446-UP/30,000gallons/appointment only visitation and 13 marketing events), and Nelson/Johnson (02541-UP/18,000 gallons production/appointment only visitation).

Property History:

In August of 2009, Lake Ridge Winery Use Permit P09-00039 UP was approved for 10,000 gallon annual production, with private tours and tastings, no marketing events. The location of the winery facilities including cave was at the top of a knoll sharing access with the existing residence. The winery has not been constructed. A lot line adjustment was requested in 2009 and subsequently a deed was recorded in October of 2009. The adjustment increased the parcel by approximately 2 acres, and has a new Assessor's Parcel Number - #032-010-088. In December of 2009, this major modification application was submitted to relocate the entire winery facilities including cave as well as winery & sanitary waste water systems and entrance to the newly acquired acreage.

The parcel has contained a residential complex since the 1980's and an operational vineyard since 1996. Included in the residential complex is a main residence, garage, guest unit, with associated infrastructure, pool, and landscaping. The producing vineyard is 10 acres. There is an agriculture contract (#96148 AKG H) associated with the original parcel of 40 acres. The applicant submitted an application #P09-00361-AGK on August 14, 2009 to rescind and replace #96148 AKG H due to the LLA. The new contract is currently in review by the County. The parcel takes access through an easement on the adjoining property to allow direct access to Long Ranch Road, a private road. The surrounding area of 853 acres burned in 1955 and burned again in the 1981 Atlas Peak Fire along with some 33,600 acres.

Code Compliance History:

There have been no issues. At this writing the parcel is in compliance.

Discussion:

There are no changes to the previously approved annual production of 10,000 gallons or the use of mobile bottling. The winery design is similar to the previously approved P09-00039, features similar quality materials that compliment the surrounding natural vegetation, and includes similar solar system. A defensible space stragety is included in the attachments and is similar to the previously approved use permit.

The request to relocate the winery entrance reduces the amount of earthmoving activities as well as reducing the amount of tree removal and other natural habitat from the previously approved location. Additionally, with the reduction in tree removal, these existing trees will continue to sequester carbon over their life span.

No other changes are being requested.

Consistency with Standards:

1. Zoning: The project is consistent with the AW zoning district which allows a winery with a use permit approval. (County Code Section 18.124.010)
2. Building/Fire: As proposed and conditioned this project complies with the building and FIRE codes.
3. Public Works: As conditioned the project will comply with the applicable standards and guidelines under the Department of Public Works discretion.
4. Environmental Management: As conditioned the project will comply with the applicable standards and guidelines under the Department of Environmental Management discretion.

SUPPORTING DOCUMENTS

- A . Findings
- B . Proposed Conditions of Approval
- C . Previous Conditions of Approval
- D . CALFIRE comments
- E . Napa County Public Works comments
- F . Napa County Building Comments
- G . Napa County Environmental Management Comments
- H . City of Napa Comments
- I . Initial Study/Subsequent Negative Declaration
- J . Biology/Botany Report
- K . Application info
- L . Supplemental Application Information (Septic Feasibility Study)
- M . Supplemental Application Information (Stormwater Management Plan)
- N . Lot Line Request & Deed
- O . graphics

Napa County Planning Commission: Approve

Reviewed By: John McDowell