



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 5/16/2012

Agenda Placement: 9A

Napa County Planning Commission Board Agenda Letter

TO: Napa County Planning Commission

FROM: Charlene Gallina for Hillary Gitelman - Director
Conservation, Development & Planning

REPORT BY: Chris Cahill, Planner - 707.253.4847

SUBJECT: Swanson Winery, Use Permit P08-00550 and Variance P08-00551

RECOMMENDATION

W. CLARKE SWANSON, JR. / W. CLARKE SWANSON, JR. / SWANSON WINERY - USE PERMIT P08-00550 & VARIANCE P08-00551

CEQA Status:

Revised Recirculated Mitigated Negative Declaration Prepared. According to the proposed mitigated negative declaration, if mitigation measures are not included, the proposed project would have potentially significant environmental impacts in the following areas: Biological Resources; Hydrology and Water Quality. The project site is not on any of the lists of hazardous waste sites enumerated under Government Code section 65962.5.

Request:

Variance to allow construction of a new winery within required winery road setbacks (Money Road- 300 feet required, 66 feet proposed). *Use Permit* to establish a new 100,000 gallon per year winery with: 1.) an approximately 43,600 sq. ft. three level (two stories plus cellar) winery building; 2.) an approximately 2,500sq. ft. single story hospitality building; 3.) approximately 5,600 sq. ft. of crush pad and loading dock areas; 4.) approximately 14,680 sq. ft. of covered and uncovered patio areas; 5.) up to 30 full-time employees (35 during harvest); 6.) a 70 space parking lot; 7.) by-appointment tours and tastings including food/wine pairings with a maximum of 200 visitors per day; 8.) sale of wine by the glass or bottle for on-premise consumption in winery buildings and covered and uncovered patio areas; 9.) a marketing plan with private promotional tastings and meals including a maximum of two 24-person events weekly, one 36-person event monthly, two 100-person events annually, one 250-person event annually, and participation in Auction Napa Valley; 10.) new winery domestic and process wastewater treatment systems; 11.) approximately 7,108 cubic yards of cut and 6,123 cubic yards of fill, for a net cut (off-haul) of 985 cubic yards; 12.) potential demolition of an existing residence and agricultural barn following their public offering for relocation; 13.) removal of an existing irrigation pond at the property's northeast corner; 14.) abandonment of all vehicular access to and installation of "no winery parking" signs on Money Road and construction of a new winery driveway off of Oakville Cross Road; 15.) drainage improvements designed to minimize standing water at and near the parcel's southeast corner; 16.) removal of 1.2 acres of vineyard; 17.) approval of a comprehensive sign plan; 18.) approval of a black walnut revegetation and landscaping plan; 19.) recordation of a voluntary deed restriction permanently prohibiting winery use of the adjacent applicant-owned

property at 7727 Money Road (APN 031-040-034); and 20.) construction of a left turn lane on Oakville Cross Road at the proposed project driveway.

The 74 acre project parcel is located on the north side of Oakville Cross Road, adjacent to and directly northwest of its intersection with Money Road, within the AP (Agricultural Preserve) zoning district. APN: 031-040-033. Current address: 7711 Money Road, Oakville, Calif., 94562

Staff Recommendation: Adopt the revised recirculated mitigated negative declaration and approve the requested variance and use permit as conditioned.

Staff Contact: Chris Cahill, 253-4847 or chris.cahill@countyofnapa.org

EXECUTIVE SUMMARY

Proposed Actions:

That the Planning Commission:

1. Adopt the project revised recirculated mitigated negative declaration and MMRP, based on findings 1-5 of Exhibit B;
2. Approve variance No. P08-00551 based on findings 6-10 of Exhibit B; and
3. Approve use permit No. P08-00550 based on findings 11-15 of Exhibit B and subject to the recommended conditions of approval (Exhibit C).

Discussion:

The applicant requests approval of a variance and use permit to allow the construction of a new 100,000 gallon per year winery in approximately 50,000 square feet of new buildings on a large parcel located at the northwest corner of the intersection of Money Road and Oakville Cross Road. The proposed Swanson Winery would have up to 200 by-appointment tours and tastings visitors daily and a marketing plan with 119 events annually, the vast majority of which would be smaller 24-person events; larger events would be less frequent and would include 100 to 250 visitors. Because the floodway of the Napa River makes much of the 74 acre property difficult to impossible to build upon, a variance to the required 300 foot Money Road winery road setback is requested to allow construction of the facility some 65 feet from the centerline of the Money Road right-of-way. All winery access (vehicular and otherwise) is proposed to be from Oakville Cross Road and the proposed winery will be set back more than 600 feet from Oakville Cross, conforming to the required setback from that road. A redesign of the proposed facility, undertaken in late 2011 and early 2012, has resulted in a project which has been proven through computer modeling not to have any negative flood impacts off site. The redesign also saves a number of the oldest and largest Northern California black walnuts on the property and the applicant has reduced his proposed marketing program from the numbers requested when this project was last agendized for Planning Commission hearing, in the late summer of 2011. Staff recommends approval of the project with conditions addressing rare and endangered Northern California black walnut trees located on the property, requiring completion of roadway improvements prior to winery occupancy, and other standard winery conditions of approval.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

Mitigated Negative Declaration Prepared. According to the proposed revised recirculated mitigated negative declaration, if mitigation measures are not included, the proposed project would have potentially significant environmental impacts in the following areas: **Biological Resources, Hydrology and Water Quality**. The project site is not on any of the lists of hazardous waste sites enumerated under Government Code section 65962.5.

BACKGROUND AND DISCUSSION

Please see Exhibit A (attached).

SUPPORTING DOCUMENTS

- A . Exhibit A - Background
- B . Exhibit B - Findings
- C . Exhibit C - Conditions
- D . Departmental Conditions
- E . CEQA Documents (RRMND, MMRP, PRS)
- F . Comments
- G . Submitted Application Materials
- H . Graphics

Napa County Planning Commission: Approve

Reviewed By: John McDowell