

SPECIAL MEETING AGENDA

NAPA COUNTY PLANNING COMMISSION

1195 THIRD STREET, STE. 305

**Wednesday, May 06, 2015
9:00 AM**



A Tradition of Stewardship
A Commitment to Service

COMMISSION MEMBERS

<i>CHAIR</i> <i>Heather Phillips</i> <i>District # 1</i>	<i>COMMISSIONER</i> <i>Michael Basayne</i> <i>District # 2</i>	<i>COMMISSIONER</i> <i>Anne Cottrell</i> <i>District # 3</i>	<i>COMMISSIONER</i> <i>Terry Scott</i> <i>District # 4</i>	<i>VICE - CHAIR</i> <i>Matt Pope</i> <i>District # 5</i>
<i>COMMISSION COUNSEL</i> <i>Laura Anderson</i>		<i>SECRETARY-DIRECTOR</i> <i>David Morrison</i>		<i>COMMISSION CLERK</i> <i>Melissa Frost</i>

The Commission welcomes you to its meeting which is regularly scheduled the first and third Wednesday of the month. The Commission will meet at 1195 Third Street, Ste. 305, Board of Supervisors meeting room, Napa. The following information is provided to ensure your understanding and participation in the Commission's meeting and decision making process. Your comments and participation in the meeting are invited and would be welcomed. It is our desire to give everyone an opportunity to speak and be heard in a timely manner and within an atmosphere of respect and diplomacy. These procedures are meant to foster an atmosphere of respect. Assistive listening devices are available for the hearing impaired from the office of the Clerk of the Board. If an ASL interpreter or any other special arrangement is required, please provide the Clerk of the Commission with 24-hour notice by calling 253-4417.

ITEMS TO BE DECIDED WITHOUT ADDITIONAL TESTIMONY:

Items listed under this section on the agenda are regular items which are recommended for approval or continuance by staff with the applicant's consent concerning conditions of approval, when the applicant has signed any required project revision statement and when no member of the Commission or public indicates a desire to comment or ask questions about the item. These items regardless of their agenda assigned number will be acted upon by the Commission in one motion at the beginning of the meeting. Applicants having items so listed need not speak unless they disagree with the staff recommendation or wish to comment. If an Item requires discussion, it will be heard in the numerical order listed on the agenda.

PERSONS WISHING TO SPEAK CONCERNING AN AGENDA ITEM:

If you wish to speak on an item on the Agenda and under discussion by the Commission, you may do so upon receiving recognition from the Chairperson. After being recognized by the Chairperson, please step to one of the microphones and state your name and address and make your presentation. No comment or testimony shall be shouted from the audience. All comments are to be directed to the Commission, including inquiries requiring staff response. Time limitations shall be at the discretion of the Chair or Commission.

APPEAL PROCEDURE:

If you do not agree with the Commission's decision or the conditions that may have been imposed by the Commission in approving an agenda item, you may appeal the Commission's action to the Napa County Board of Supervisors. Appeals may be limited to those issues raised at the public hearing relating to the agenda item or to written correspondence delivered to the Planning Commission at or prior to the public hearing. For additional information concerning the County's Ordinance requirements for filing an appeal or to obtain the required forms to file an appeal, please stop at the front counter in the County Executive Office/Clerk of the 1195 Third Street, Ste. 305, Napa. If you have any question concerning the appeals procedure, please call (707) 253 4580 and request assistance.

All materials relating to an agenda item for an open session of a regular meeting of the Planning Commission which are provided to a majority or all of the members of the Commission by Commissioners, staff or the public within 72 hours of but prior to the meeting will be available for public inspection, at the time of such distribution, in the office of the Clerk of the Planning Commission, 1195 Third Street, Suite 210, Napa, California 94559, Monday through Friday, between the hours of 8:00 a.m. and 5:00 p.m., except for County holidays. Materials distributed to a majority or all of the members of the Commission at the meeting will be available for public inspection at the public meeting if prepared by the members of the Commission or County staff and after the public meeting if prepared by some other person. Availability of materials related to agenda items for public inspection does not include materials which are exempt from public disclosure under Government Code sections 6253.5, 6254, 6254.3, 6254.7, 6254.15, 6254.16, or 6254.22.

Agenda available on line at www.countyofnapa.org

1. CALL TO ORDER / ROLL CALL**2. PLEDGE OF ALLEGIANCE****3. CITIZEN COMMENTS AND RECOMMENDATIONS**

The Commission invites Citizen comments and recommendations concerning current problems and future prospects of a planning nature which are within the jurisdiction of the Planning Commission. Anyone who wishes to speak to the Commission on such a matter, if it is not on the agenda, may do so at this time.

4. APPROVAL OF MINUTES

Clerk of the Commission requests approval of Minutes for the meetings held on:

April 1, 2015 (Commissioner Phillips excused)
March 10, 2015 (All Commissioners present)
March 4, 2015 (All Commissioners present)
January 7, 2015 (All Commissioners present)
April 2, 2014 (All Commissioners present)
November 19, 2014 (All Commissioners present)

5. DIRECTOR'S REPORT

- BOARD OF SUPERVISORS ACTIONS
- OTHER DEPARTMENT ACTIVITIES

6. AGENDA REVIEW**7. DISCLOSURES****8. PUBLIC HEARING ITEMS TO BE DECIDED WITHOUT ADDITIONAL TESTIMONY****A. STAG'S LEAP WINE CELLARS - USE PERMIT MAJOR MODIFICATION NO. P13-00356-MOD AND VARIANCE NO. P13-00357-VAR**

CEQA Status: Consideration and possible adoption of a Negative Declaration. According to the proposed Negative Declaration, the proposed project would not have any potentially significant environmental impacts. The Project site is not included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5.

Request: Approval to modify the previous project approvals (Use Permit #U487273, Use Permit #867576, Use Permit #U517980, #U438384, #U-4684885, Use Permit #487273-MOD, Use Permit #97046-MOD, Use Permit #00055-MOD, Use Permit #03469-MOD #03468-VAR) for an existing Winery to allow the following: 1) demolition of two existing production buildings totaling 8,514 square feet to be replaced by two new production buildings totaling 10,966 square feet in size; 2) modify the existing Marketing Plan consisting of 50 Tastings with Dinner for up to 60 persons to allow 20 Tastings with Dinner for up to 120 persons and 30 Tasting with Dinner for up to 60 persons; 3) addition of four events annually to support Napa Valley Auction and/or Napa Valley Vintner Trade for

up to 250 persons as follows: two Open House Events, one Trade Event, and one Volunteer Event; 4) a new access driveway to the two new production buildings; 5) restriping of existing parking area and addition of 13 parking spaces for a total of 118 spaces; 6) upgrades to existing wastewater systems including reserve area; 7) a new 738 sq. ft. covered fruit sorting and loading and staging areas; 8) new 682 square foot covered deck; and 9) grading resulting in removal of approximately 500 cubic yards of soils to be deposited off site. The proposal also includes a Variance request for the two new production buildings to encroach 474 feet into the required 600 foot setback from Silverado Trail. There are no changes to production, daily visitation, or the number of employees. The project is located on a 40.22 acre site at 5766 Silverado Trail, Napa, approximately 3.2 miles south of Yountville Cross Road, designated Assessor's Parcel Number: 039-030-040.

Staff Recommendation: Continue the item to the next regular Planning Commission Meeting of May 20, 2015.

Staff Contact: Shaveta Sharma; (707) 299-1358; shaveta.sharma@countyofnapa.org

Applicant Contact: Jeffrey Redding, 2423 Renfrew Street, Napa, CA 94558; (707) 255-7375; jreddingaicp@comcast.net

REQUEST TO BE CONTINUED TO THE REGULAR MEETING OF MAY 20, 2015

B. CHANGE IN PLANNING COMMISSION MEETING LOCATION

CEQA Status: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

Request: Adoption of a County sponsored resolution to change the normal meeting location.

Staff Recommendation: That the Planning Commission adopt the attached resolution establishing the regular meeting location for the Napa County Planning Commission be returned to 1195 Third Street, Suite 305, Napa, California, effective as of the next regular Commission meeting on May 20, 2015.

Staff Contact: Melissa Frost, Commission Clerk; (707) 299-1380; melissa.frost@countyofnapa

9. PUBLIC HEARING ITEMS

A. BELL WINE CELLARS / SPANOS BERBERIAN PROPERTIES, LLC - USE PERMIT MAJOR MODIFICATION NO. P13-00055

CEQA Status: Consideration and possible adoption of a Negative Declaration. According to the proposed negative declaration, the project would not have any potentially significant environmental impacts. The project site is not on any lists of hazardous waste sites enumerated under Government Code Section 65962.5.

Request: Request for approval of a modification to Use Permits #U-90-42 and #03315-MOD to allow the following: 1) Increase in the approved production capacity from 40,000 to 60,000 gallons; 2) Increase the approved visitation from 24-76 persons per week to a maximum of 100 persons per day with a maximum of 420 persons per week; 3) Interior remodeling of the 8,911± sq. ft. winery to allocate a new 628 sq.ft. tasting room area; a new 150 sq.ft. commercial kitchen for on-site

marketing event meals and food pairings at tastings; a 210 sq.ft. meeting room; and to construct a 1,048 sq.ft. storage mezzanine, resulting in a total of 9,959± sq.ft. winery floor area with a 1,450 sq. ft. exterior covered crush pad; 4) On-premise consumption of the wines produced on-site, consistent with Business and Professions Code §§23356, 23390, and 23396.5 (also known as AB 2004 (Evans 2008 or the Picnic Bill)) outside on the adjacent patio or lawns; 5) Employ maximum 15 persons; 6) Modify the existing Marketing Event Program to remove the following events: a) Lunch or dinner for trade, press, VIP's, a maximum 6/year with maximum 8 persons; b) Educational lunch for club or non-profit group, maximum 4/year, maximum 40 people; c) Harvest Festival, Grape Picking, Grape Stomp, etc., maximum 2/year, maximum 60 people; and d) Open House by invitation (i.e. Napa Valley Wine Auction), maximum 2/year, with maximum 200 people, but no more than maximum 30 guests at any given time to replace with the following new Marketing Event Program: a) Events for wine club members, wine education seminars and trade events with appetizers or full lunch or dinner, up to four (4) events per week (no more than 1 per day) with a maximum 40 guests; and b) Wine Auction-related and other major events such as the Napa Film Festival, accompanied by food and wine, sometimes with non-amplified musical program, four (4) per year for a maximum 200 guests. All marketing events will continue to be held in all of the various winery facilities, including the winery structure and patio area. The events will last approximately 4-5 hours between 10:00 AM and 9:00 PM depending on morning or evening schedule. Up to 80 overflow parking spaces in the vineyard along the side of the access road are available during large events; five spaces are available on the grass-crete hard surface adjacent to the winery (near lawn area adjacent to the winery and driveway entrance); and nine spaces available in the center area of the circular driveway near the residence; 7) Revise the annual limit condition on the number of buses (maximum 3 per year) permitted to visit the winery (Condition #7, Use Permit #U90—42) to exclude for-hire cars, vans and public transit; 8) Installation of a new subsurface drip wastewater system; and 9) Installation of a Transient Non-Community Water system and a water backflow prevention system. The ±7.8 acre parcel is located on the east side of the State Highway 29 frontage road, Washington St., approximately 600 feet north of its intersection with Hoffman Lane and .5 miles south of the town of Yountville, within the AP (Agricultural Preserve) Zoning District at 6200 Washington St., Yountville, CA APN: 036-110-030.

Staff Recommendation: Adopt the Negative Declaration and approve the Use Permit Modification request as conditioned.

Staff Contact: Wyntriss Balcher, Planner II, (707) 299-1351, or wyntriss.balcher@countyofnapa.org

Applicant Contact: Scott Greenwood-Meinert, (707) 252-7122, or ScottGM@dpf-law.com

THIS ITEM WAS CONTINUED FROM THE APRIL 1, 2015 REGULAR MEETING

B. CUSTOM CRUSH WINERY / NAPA CUSTOMER CRUSH LLC - USE PERMIT MINOR MODIFICATION (#P14-00288-MOD)

CEQA Status: Consideration and possible adoption of a Categorical Exemption pursuant to the California Environmental Quality Act (CEQA), Section 15301, Class 1, which exempts minor alterations to existing buildings; Section 15303, Class 3, which exempts construction and operation of small wineries; and Appendix B, Class 1 (modifications to existing use permits), of the Napa County's Local Procedures for Implementing the California Environmental Quality Act. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

Request: Approval of a Use Permit Minor Modification to the existing Use Permit No. P08-00527 to:
(a) Recognize an already constructed 4th portal concealed by existing vegetation to the valley floor;

(b) Allow a 700 square foot tasting area outside of the 4th portal; (c) Allow 3-100 square foot outdoor tasting areas; (d) Allow for an access path traveling from the 4th portal tasting area to two tasting areas at the top of the hill; and (e) Allow for on premise consumption within the tasting area of the cave and all four outdoor tasting areas of wines produced on site in accordance with Business & Professions Code Sections 223396.5 (also known as the AB 2004 [Evans 2008] or the Picnic Bill). There are no proposed changes to the winery production level - 30,000 gallons per year, visitation (maximum 20 daily visitors; maximum 70 visitors per week); marketing plan: six (6) private wine and food events for wine trade personnel – maximum 20 guests; 10 private wine and food events – maximum 100 guests; 1 private harvest event-maximum 200 guests: 1 open house during the Napa Valley Wine Auction for wine auction ticket holders, or number of employees (maximum 3 FT and 1 PT). The 41.35 acre project parcel is located 1,300 feet west of Soda Canyon Road, east of Silverado Trail, approximately 4 miles north of the intersection of Silverado Trail and Soda Canyon Road within an AW (Agricultural Watershed) zoning district: at 2275 Soda Canyon Road, Napa, (APN: 039-640-012).

Staff Recommendation: Denial of amended Use Permit Modification request.

Staff Contact: John McDowell; (707) 299-1354; john.mcdowell@countyofnapa.org

Applicant Contact: Ryan Waugh, (707) 738-6446; ryan@thecavesatsodacanyon.com

CONTINUED FROM THE APRIL 1, 2015 REGULAR COMMISSION MEETING

C. THE WRIGHT CORNER / THE WRIGHT CORNER INC. - USE PERMIT MAJOR MODIFICATION (#P14-00022-MOD)

CEQA Status: The proposed major modification project is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA), pursuant to CEQA Section 15303(c), Class 3, which exempts conversion of small structures including stores, offices and restaurants or similar commercial structures less than 2,500 sq. ft. in floor area. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

Request: Approval of a Use Permit Modification to existing Use Permit U-348283 to allow conversion of a 1,448 square foot existing antique furniture store to allow: (a) 340 square foot Art Gallery (display and sale of art); (b) 788 square foot Bike Rental/Guided Tour Business and Luxury Car Excursion; (c) 331 square foot shared storage area for all three businesses; (d) sale of riding gear, pre-packaged food and convenience items; (e) employee bathrooms located in an adjacent existing structure; (f) construction of a ±24 square foot trash enclosure; (g) rehabilitate four pre-existing legal non-conforming parking spaces; (h) upgrade four additional existing parking spaces to meet current Napa County Road and Street Standards; (i) amend prior Public Works approval requiring on-site parking improvements; (j) remove prior Public Works requirement for public road widening, with concrete curb, gutters and sidewalks; and (k) allow a maximum of three marketing events annually with a maximum of 50 guests in attendance. A previously approve and existing adjacent 1,900 sq. ft. furniture store building will not be altered as a result of this request. The 2.35 acre project parcel is located on the corner of Old Sonoma Highway and Old Sonoma Road, 0.19 miles east of its intersection of Old Sonoma Road and State Highway 12/121 within a CL (Commercial Limited) zoning district: 4370 Old Sonoma Highway, Napa, (APN: 047-110-017)

Staff Recommendation: Find the project Categorically Exempt and approve the Use Permit Modification as conditioned.

Staff Contact: John McDowell; (707) 299-1354; john.mcdowell@countyofnapa.org; and Suzie

Gambill; (707) 299-1334 suzie.gambill@countyofnapa.org

Applicant Contact: Kerry Smith; (707) 812-5006; TheWrightCorner@earthlink.net

CONTINUED FROM THE APRIL 1, 2015 REGULAR COMMISSION MEETING

D. LEAF AND VINE WINERY / LEAF AND VINE, LLC – USE PERMIT P14-00403-UP

CEQA Status: Consideration and possible adoption of a Categorical Exemption pursuant to Section 15301 (Class 1, Existing Facilities) and Section 15303 (Class 3, New Construction or Conversion of Small Structures) of the State Guidelines for Implementation of the California Environmental Quality Act (CEQA Guidelines). Categorical Exemption Class 1 exempts from CEQA those projects that include use of, interior or exterior building alterations to, and small additions to existing structures when the site is served by public services and is not in an environmentally-sensitive area. Categorical Exemption Class 3 exempts from CEQA those projects that involve a change in use of an existing small structure, where only minor modifications are made to the exterior of the structure. Under CEQA Guidelines Section 15300.2, a Categorical Exemption cannot be used if environmental sensitivities exist at the site or if there will be cumulative impacts. The site of this proposed project is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5.

Request: Approval of a use permit in order to allow a wine production and retail sales facility within a 3,561 square foot tenant space of a 16,912 square foot, multi-tenant condominium building. As proposed, the winery would include: 1) an annual production capacity of 18,500 gallons; 2) four full-time and two part-time employees; 3) daily operation between the hours of 6:00 a.m. and 10:00 p.m., with visitation limited to the hours between 10:00 a.m. and 6:00 p.m.; 4) an appointment-only tasting room, with expected attendance of up to 30 guests per day and no more than 135 visitors per week; 5) five 30-person marketing events, plus one 50-person marketing event, per year, with catered food; and 6) a hold and haul system for process wastewater. The City of American Canyon and the Napa Sanitation District will provide treated water service and sanitary sewer service to the site, respectively. The proposed project site is located at 190 Camino Oruga, Suite 24, on a 1.67-acre site that is west of North Kelly Road and north of State Route 12, in the GI:AC (General Industrial: Airport Compatibility Combination) District. Assessor's Parcel Number 057-270-008.

Staff Recommendation: Find the project categorically exempt from CEQA and approve the requested use permit, as conditioned to require installation of minor façade improvements and compliance with health and safety regulations.

Staff Contact: Dana Ayers, Planner III, phone 707-253-4388 or email dana.ayers@countyofnapa.org

Applicant: Richard B. Keith, Leaf and Vine, LLC, phone 707-225-1895 or email rick@leafandvine.com

Applicant's Representative: Paul Bartelt, Bartelt Engineering, phone 707-258-1301 or email paulb@barteltengineering.com

E. SAWYER CELLARS / CORY AND KRISTEN PHILLIPS - USE PERMIT P14-00353-UP

CEQA Status: Consideration and possible adoption of a Categorical Exemption pursuant to section 15301, "Existing Facilities," and section 15303 "New Construction or Conversion of Small Structures" of the Guidelines for Implementation of the California Environmental Quality Act (CEQA Guidelines),

and Napa County's Local Procedures for Implementing the California Environmental Quality Act Appendix B Class 3 "New Construction or Conversion of Small Wineries".

Request: Approval of a use permit in order to allow a wine production and retail sales facility utilizing approximately 3,743 square feet within an existing approximately 20,000 square foot, multi-condominium building. As proposed, the winery would include: 1) an annual production capacity of 10,000 gallons; 2) one full-time and one part-time employee; 3) daily operations between the hours of 7:00 a.m. and 6:00 p.m., with visitation limited to the hours of 10:00 a.m. and 6:00 p.m.; 4) a tasting room by appointment only, with expected attendance of up to eight guests per day (six per day on average); 5) ten marketing events per year with up to 30 people and one annual wine auction event for up to 100 people (events may be catered); 6) signage per the Napa Valley Business Park Specific Plan (NVBPSP) standards; and 7) a hold and haul system for winery process wastewater. The City of American Canyon and Napa Sanitation District will provide water and domestic sanitary sewer service to the site, respectively. The proposed project site is located at 759 Technology Way, Napa, between Gateway Road and Gateway Road West, on a 1.45-acre site, in the Industrial Park: Airport Compatibility (IP:AC) District. Assessor's Parcel No. 057-330-005.

Staff Recommendation: Adopt the Categorical Exemption and approve the Use Permit with the proposed conditions of approval.

Staff Contact: Emily Hedge, Planner II, (707) 259-8226, or emily.hedge@countyofnapa.org

Applicant Contact: Charles Sawyer (904) 571-2606 or Charles@sawyercellars.com

Applicant's Representative: Beth Painter (707) 287-9089 or beth@bpnapa.com

10. ADMINISTRATIVE ITEMS

11. DEPUTY DIRECTOR'S REPORT

- DISCUSSION OF ITEMS FOR THE **MAY 20, 2015 REGULAR MEETING**
- CODE COMPLIANCE REPORT
- ZONING ADMINISTRATOR ACTIONS
- OTHER PENDING PROJECTS' STATUS

12. COMMISSIONER COMMENTS / COMMITTEE REPORTS

13. FUTURE AGENDA ITEMS

- #03457-UP, 1 year after occupancy - Kendall Jackson (formerly Pecota) Winery
- #P12-00347-UP, 1 year after occupancy - Diogenes Ridge Winery
- #P09-00185, UP, 1 year after occupancy - Ca' Nani Winery
- #P10-00206-UP, 1 year after occupancy for visitation - Caravan Serai Winery
- #P10-00123-MOD, 1 year after occupancy - MJA Vineyards
- #P11-00464-MOD, 1 year after occupancy - Oakville Grocery

14. ADJOURNMENT

I HEREBY CERTIFY THAT THE AGENDA FOR THE ABOVE STATED MEETING WAS POSTED AT A LOCATION FREELY ACCESSIBLE TO MEMBERS OF THE PUBLIC AT THE NAPA COUNTY ADMINISTRATIVE BUILDING, 1195 THIRD STREET, NAPA, CALIFORNIA ON 5-1-15 BY 10:00 PM. A HARDCOPY SIGNED VERSION OF THE CERTIFICATE IS ON FILE WITH THE CLERK OF THE COMMISSION AND AVAILABLE FOR PUBLIC INSPECTION.

Melissa Frost (By e-signature)
Melissa Frost, Clerk of the Commission