Agenda Date: 5/7/2014 Agenda Placement: 9D



A Tradition of Stewardship A Commitment to Service

Napa County Planning Commission Board Agenda Letter

TO:	Napa County Planning Commission
FROM:	Charlene Gallina for David Morrison - Director Planning, Building and Environmental Services
REPORT BY:	Charlene Gallina, SUPERVISING PLANNER - 299-1355
SUBJECT:	Goosecross Cellars Winery

RECOMMENDATION

GOOSECROSS CELLARS WINERY/AC VIN COMPANY LLC - USE PERMIT MAJOR MODIFICATION #P13-00387-MOD & VARIANCE P14-00018-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 materials sites compiled pursuant to Government Code Section 65962.5.

Request: Approval to modify previous project approvals (Use Permit #02571, Very Minor Modification P07-00197 and Very Minor Modification P08-00174) to allow the following activities for the new owners of Goosecross Cellars: (a) Demolition of existing winery buildings (approximately 1,250 sq.ft. including the tank pad), residence (2,346 sq.ft.), garage (571 sq.ft.) and ornamental landscaping for the development of a new winemaking facility; (b) construction of new winery buildings totaling approximately 6,511 square feet to be organized into two standalone buildings: Building A - 3,583 sq.ft. to be utilized as a new tasting room, barrel room and administrative offices; Building B - 2,928 sq.ft. to house the tank room, lab and winemaker's office; (c) construction of a new 640 sq.ft. covered crush pad; (d) construction of a new water storage tank for fire suppression; (f) construction of a new courtyard and walkways (approximately 2,583 sq.ft.); (g) installation of approximately 4,282 sq.ft. of landscaping; (h) removal of the southernmost driveway (approximately 300 feet in length) and replaced with new vineyard rows; (i) repaying and expansion of a sixteen (16) space existing parking facility for a new total of twenty-two (22) parking spaces; (j) request for on premise consumption of wines produced on site within the tasting room and outdoor courtyard in accordance with AB 2004; (k) modification of the approved marketing plan (twelve (12) private promotional tastings per year for a maximum of thirty (30) visitors and two (2) release events per year for a maximum of 100 visitors, both with hours 11:00 am to 9:00 pm) to add participation in the annual Wine Auction with fifty (50) attendees maximum; (I) increase in employees from six (6) to ten (10) or fewer employees; and (m) a Variance to encroach approximately 280 feet into the required 300 foot setback from an existing vineyard road to the north that serves as primary access to 1133 State Lane (APN 031-170-010) and 1141 State Lane (APN 031-150-006). No changes are proposed to production, daily visitation, or hours of operation. The project is located on an 11.31 acre parcel on the west side of State Lane approximately 34 mile north from the intersection with Yountville

Cross Road, within the AP (Agricultural Preserve) zoning district; 1119 State Lane, Yountville; APN: 031-180-035.

Staff Contact: Charlene Gallina; (707) 299-1355; charlene.gallina@countyofnapa.org

Applicant Contact: Jeffrey Redding; (707) 255-7275; jreddingaicp@comcast.net

EXECUTIVE SUMMARY

Proposed Actions:

That the Planning Commission:

1. Adopt the Negative Declaration for the Goosecross Cellars Winery based on Findings 1-6 of Exhibit A;

2. Approve Variance request (P14-00018-VAR) based on Findings 7-11 of Exhibit A and subject to the recommended Conditions of Approval (Exhibit B); and

3. Approve Use Permit (P13-00387-MOD) based on Findings 12-16 of Exhibit A and subject to the recommended Conditions of Approval (Exhibit B).

Discussion:

The applicant requests use permit modification approval for the demolition of existing winery buildings, a residence, garage and ornamental landscaping for the development of a new winemaking facility approximately 6,511 sq.ft. in size, modification of the approved marketing plan to add participation in the annual Wine Auction with fifty (50) attendees maximum, the number of employees (six to fewer than ten), parking (sixteen spaces to twenty-two spaces), and other associated improvements on a 11.31 acre parcel. The proposal also includes a variance request to encroach approximately 280 feet into the required 300 foot setback from an existing vineyard road to the north that serves as primary access to 1133 and 1141 State Lane. No changes are proposed to the 30,000 gallons per year production, fifty (50) daily "By Appointment Only" tours and tastings or their hours of operation (8 am-6 pm daily). Staff has no objections to the request and finds the project consistent with the Winery Definition Ordinance and other applicable provisions of the Zoning Ordinance and General Plan, subject to standard conditions of approval.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

Negative Declaration Prepared. According to the proposed Negative Declaration, the proposed project would have no potentially significant environmental impacts. This project site is not on any of the lists of hazardous waste enumerated under Government Code Section 65962.5.

BACKGROUND AND DISCUSSION

Owner: AC Vin Company

Applicant: Christi Coors Ficeli, 1119 State Lane, Yountville, (303) 501-6521

Representative: Jeffrey Redding, Planning Consultant (707) 255-7375 and Craig Nordby, Norby Construction Company, (707) 526-4500

Zoning District: Agricultural Preserve (AP)

General Plan Designation: Agricultural Resource (AR)

Filed: November 4, 2013; Revised: January 10, 2014; Complete: March 21, 2014

Parcel Size: 11.31 acres

Existing Development: A 2,346 sq.ft. three (3) bedroom, including the partial second floor residence, and a 571 sq.ft. garage constructed in 1977-78. The existing winery was constructed in 1987-88 and measures approximately 2,144 sq.ft., exclusive of the tank pad. All structures are proposed to be demolished, and replaced with a new winery facility.

Vineyard Acreage (Existing): 9.4 acres Vineyard Acreage (Proposed): 9.4 acres; new vine rows to be added in place of the southernmost driveway

Winery Characteristics:

Winery Size (Existing): 2,144 sq.ft., exclusive of the tank pad Winery Size (Proposed): Total new construction of 6,511 square feet to be organized into two standalone buildings: Building A – 3,583 sq.ft. to be utilized as a new tasting room, barrel room and administrative offices Building B – 2,928 sq.ft. to house the tank room, lab and winemaker's office Plus - Covered crush pad - 640 sq.ft.

Production Capacity (Previously Approved): 30,000 gallons per year; Applicant has indicated that winery is currently producing 20,000 gallons per year **Production Capacity (Proposed):** No change proposed

Development Area (Existing): 4,905 sq.ft.; 0.11 acres **Development Area (Proposed)** 9,556 sq.ft.; 0.22 acres

Winery Coverage (Existing): 19,621 sq.ft., 0.45 acres or 4% Winery Coverage (Proposed): Approximately 31,205 sq.ft., 0.72 acres or 6% (Maximum 25% or 15 acres)

Accessory/Production Ratio (Existing): Approximately 1,258 sq.ft. accessory and 4,705 sq.ft. production; 26% Accessory/Production Ratio (Proposed): Approximately 1,667 sq.ft. accessory and 4,712 sq.ft. production; 35% (Maximum 40% allowed)

Number of Employees (Existing): Six (6) full-time employees Number of Employees (Proposed): Ten (10) or fewer employees

Visitation (Existing): Maximum of 50 visitors per day (By Appointment Only)

Visitation (Proposed): No change proposed

Marketing Program (Existing): Twelve (12) private promotional tastings per year for a maximum of thirty (30) visitors and two (2) release event per year for a maximum of 100 visitors, both with hours of 11:00 am to 9:00 pm Marketing Program (Proposed): Existing marketing program plus participation in the annual Wine Auction with fifty (50) attendees maximum

Days and Hours of Operation (Existing): Sunday-Saturday; 8:00 am – 6:00 pm (production); 10:00 am – 6:00 pm (visitation)

Days and Hours of Operation (Proposed): No change proposed

Parking (Existing): 16 spaces; 1 loading area

Parking (Proposed): 22 spaces; Temporary parking for events to be provided through tandem parking within the proposed visitor/employee parking areas (17 spaces).

Setbacks (Required): 20' front; 20' side; 20' rear; 300' State Lane; 300' Private Access Road Setbacks (Proposed): 400' State Lane and front setback; 250 rear; 20 side setback and Private Access Road; A variance is being requested to encroach approximately 280 feet into the required 300 foot setback from an existing vineyard road to the north that serves as primary access to 1133 State Lane (APN 031-170-010) and 1141 State Lane (APN 031-150-006).

Adjacent General Plan Designation/Zoning District/Land Use:

North:

AR General Plan Designation, AP Zoning – Adjoining the property site to the north is a home with vineyards on 17 acres.

South:

AR General Plan Designation, AP Zoning – Adjoining the property site to the south is a home with vineyards and a reservoir on 11.31 acres.

East:

AR General Plan Designation, AP Zoning – Across State Lane to the east are three homes with vineyards on parcels ranging in size from 2 to 6.4 acres.

West:

AR General Plan Designation, AP Zoning – Adjoining the property site to the west has vineyards on 21.5 acres.

Wineries in the Vicinity (located within 1 mile of the project):

Winery	Address	Floor Area (square feet)	Production gal / year	Tours & Tastings visitors / week (average)	Employees
Karpsandy Winery	1001 State Ln	11,820	20,000	36 - By Appt	2.5
Perata Winery*	1278 State Ln	4,120	20,000	50 - By Appt	2.5
Cliff Lede Vineyards	1473 Yountville Cross Rd	49,190	80,000	875 - Public	2
Annapurna*	1467 Yountville Cross Rd	15,950	12,000	60 - By Appt	3

Goosecross Cellars Winery	1119 State Ln	6,511	30,000	350	10 or Fewer
Baldacci Family Vineyards	6236 Silverado Trail	576	20,000	0**	0.5
Robert Sinskey Vineyards	6320 Silverado Trail	19,685	65,000	820 - Public	7.5
Poetry	6390 Silverado Trail	15,801	12,000	25 - By Appt	5

Note: Floor area includes caves

* Approved/entitled but not producing

** No visitation was approved (small winery exemption)

Property History:

<u>Prior to 1986</u> - The 11.31 acre parcel consisted of vineyards and a residence and garage that were constructed in 1977-78.

<u>October 28, 1986</u> – Small Winery Use Permit Exemption #40642-SWE was approved by the Conservation, Development and Planning Department to permit Goosecross Cellars to produce up to 20,000 gallons per year within a 1,229 sq.ft. winery building, 484 sq.ft. lab area, 367 sq.ft. office within an existing residence and a 2,268 sq.ft. open work area. Hours of operation approved were for 10 am to 4 pm. No tours and tastings by appointment were authorized with the exception of 1 business visitor anticipated per week. Winery was constructed in 1987-1988.

<u>April 16, 2003</u> – Use Permit #02571-UP was approved by the Planning Commission to increase production from 20,000 to 30,000 gallons per year and authorized the construction of a detached 64 sq.ft. restroom for the winery totaling 2,144 sq.ft., a 1,500 sq.ft. open work area, 10 additional parking spaces for a total of 16 spaces, a special designed wastewater system, and a 10,000 gallon water tank. In addition, this approval expanded the hours of operation for processing to 8 am to 6 pm seven days per week; authorized 4 additional full-time employees for a total of 6 full-time employees; authorized tours and tastings by appointment only and retail sales for a maximum of 50 visitors per day; and authorized a marketing plan for 12 private promotional tastings per year for a maximum of 30 visitors and 2 release event per year for a maximum of 100 visitors, both with hours of 11:00 am to 9:00 pm. A Negative Declaration was prepared and adopted by the Commission for this project finding that such expansion would not have a significant environmental effect on the environment.

<u>February 21, 2005</u> – Confirmation of "Use" of Use Permit #02571 Administrative Determination by the Conservation, Development & Planning Department due to sufficient amount of funds that were expended toward completion of the driveway, parking lot and paved work area, as well as, construction of the new restroom building. At the time, increase in production up to 30,000 gallons per year had not been implemented, and the associated water and wastewater system had not been installed and/or implemented.

<u>May 9. 2009</u> – Very Minor Modification P07-00197 MODVMIN was approved administratively by the Conservation, Development and Planning Department to construct a 360 sq.ft. of office space and a 360 sq.ft. of trellis/patio directly in front of the new office for aesthetic purposes with no changes to the production, number of employees, or visitation/marketing activities.

<u>April 14, 2010</u> – Very Minor Modification P08-00174-MODVMIN was approved administratively by the Conservation, Development and Planning Department to construct a new driveway off of State Lane to serve the winery with no changes to the production, increases in square feet, number of employees, or visitation/marketing activities.

<u>May. 2013</u> - The property was purchased by AC Vin Company, LLC with the intent of redeveloping the site, as proposed by the current application.

Code Compliance History:

There are no open or pending code violations for the subject site.

Discussion Points:

<u>Setting</u> - The 11.31 acre parcel is located on the west side of State Lane, a public road, approximately ³/₄ mile north of its intersection with Yountville Cross Road. Existing land uses include a single-family residence and garage, winery, and vineyards. Approximately 9.4 of the 11.31 acres are planted in vineyard. One redwood tree and several ornamental trees such as red maple, maple, sycamore, pine and leafy evergreen were planted in the 1970s when the existing residence was constructed. Some of these trees are proposed to be removed with demolition of the residence/garage, and replaced with new landscaping with construction of the new winery. The closest biological resource, Napa River, Rector Creek and Conn Creek, are more located more than 2,000 feet from the project's vicinity. Adjacent to the parcel on the north is an existing common access that is shared by two property owners that are located over 900 feet from the proposed winery buildings. The nearest residence in the vicinity is located over 500 feet to the east of the project site.

<u>New Winery Proposal</u> – As proposed, the existing winery buildings, the residence/garage and the southernmost driveway would be demolished to develop a new winemaking facility, additional parking and landscaping. The new winery would consist of 6,511 sq.ft. organized in two standalone buildings. The new tasting, room, barrel room and administrative offices (Building A - 3,583 sq.ft.) would be located in the southern most building in the approximate location of the existing residence that is proposed to be demolished. This building would be two stories in height (ranges 22' for office to 26' barrel room) and would have an architectural design that consists of painted board and batten siding, metal roof and steeply-pitched roof and stone wainscoting. The winery building (Building B – 2,928 sq.ft. plus 640 sq.ft.) adjacent along the northern property line is also two stories in height (28 feet) and is of the same architectural design, would house the tank room, lab, a winemakers office and a covered crush pad. New parking areas to accommodate a total of 22 spaces and repaving of the existing entry way are also proposed. The property contains 13 trees (1 sycamore, maple, redwood, pine, red maple leafy evergreen) ranging in size from 6" dbh to 30" dbh, which are planted around the existing residence and garage. Of these trees, 1 sycamore, 4 maples, 1 redwood, 1 pine and 2 leafy evergreen trees will be removed and replaced with new trees, a rear tasting courtyard, brick paving, walkways and new landscaping around Building A. Several new trees and shrubs and landscaping are proposed to screen Building B for a total landscape area of 4,282 sq.ft. As proposed, the southernmost driveway approximately 300 feet in length will be removed and replaced with new vineyard rows.

<u>Setback Variance Request</u> – A variance is being requested to allow Building B to be located 280 feet into the required 300-foot setback. Building B proposes to be set back 20 feet from an existing vineyard road to the north that serves as primary access to two properties. As proposed, the 20 foot-wide setback area will be landscaped with new trees and shrubs to screen winery equipment and soften the north winery building's north elevation and proposed rear parking area. The location where the new winery buildings are proposed is within the area already occupied by existing structures. Compliance with the required 300' setback would require removal of existing mature vines and increase the developed area on the property. The land on which the existing structures are now located have less value for agricultural uses due to sustained compaction of soil from existing buildings and pavement. Compliance with the 300' setback would increase the developed area on the proped area on the property and result in incrementally more agricultural land being removed from production than if the buildings remain where currently proposed. Constructing new buildings in the proposed location will not result in adverse visual or land use impacts given that Buildings A and B remain set back over 300' from State Lane. The additional 20-foot wide landscape planting proposed on the north side and around the front of the new building will be less visible from both the existing residence and subject driveway than the existing production building to be replanting.

<u>Tours & Tasting/Marketing Events</u> – The applicant is proposing no changes in existing tours and tastings "By Appointment Only" which occur on a daily basis up to a maximum of 50 visitors per day (or 350 per week) from 10

AM to 6 PM daily. With exception for a request to add participation in the annual Wine Auction with fifty (50) attendees maximum, the Goosecross Cellars marketing program also remains the same as follows: Twelve (12) private promotional tastings per year for a maximum of thirty (30) visitors and two (2) release event per year for a maximum of 100 visitors, both with hours of 11:00 am to 9:00 pm.

Staff has provided a table below comparing marketing and tours and tastings visitation at other wineries with annual production of 30,000 gallons per year. The proposed visitation program falls into the middle of the spectrum with regards to number of visitors and on the high end for events among its peer group of wineries with an approved production capacity of 30,000 gallons per year. The table also provides a comparison of winery building square footage for the wineries listed. As can be seen, Goosecross Cellars Winery's building square footage relative to its production capacity is near the middle of the spectrum at 6,511 square feet, with other wineries ranging in size from 2,000 square feet to almost 25,960 square feet.

Winery	Location	Approved Production	Floor Area (sq. ft.)	Tours & Tastings visitors/week (average)	Marketing Events per year*	Employees
BY APPT ONLY						
Anthem Winery & Vineyards	Hillside	30,000	2,000	5*	**	0.5
Cade Winery	Hillside	30,000	25,960	75	15	5.5
David Arthur Vineyards	Hillside	30,000	13,400	35	**	3.5
Fontanella Winery	Hillside	30,000	4,800	10	9	4
Hourglass Winery	Hillside	30,000	10,400	22	15	1.5
Judd's Hill Winery	Valley Floor	30,000	5,608	28	0	2.5
Star Vineyards	Valley Floor	30,000	2,800	20	0	4.0
Paradigm Winery	Valley Floor	30,000	5,967	120	1	3.5
Castellucci Family Winery (Proposed)	Valley Floor	30,000	12,376	300	19	3
Goosecross Cellars (Proposed)	Valley Floor	30,000	6,511	112 average/wk; 350 max/wk	15	10 or fewer
PUBLIC						
Cosentino Winery	Valley Floor	30,000	11,809	350	15	5

Note: Floor area includes caves

* No Tours & Tastings

**No Data - Attributed to older wineries with no marketing program proposed or approved.

<u>Traffic & Parking</u> – As previous analyzed in Use Permit #02571-UP, traffic generated by the existing winery is expected to be minimal especially with the elimination of the existing single-family residence on the property which typically generates 10 vehicle trips per day. The proposal requested is for the development of a winery that was previously authorized by the County. The applicant has submitted traffic data, which identifies the existing winery with a minimal increase in employees (from 6 employees to fewer than 10 employees) and the demolition of the

existing residence, is expected to generate 44 daily trips and 15 daily PM peak hour trips. On a typical Saturday, 45 daily trips with 30 peak hour trips would be expected. The General Plan EIR anticipates a cumulative traffic increase and service level changes to Yountville Cross Road as existing wineries expand and/or new wineries area added over the next 20 years. The Department of Public Works has reviewed this project and recommends approval of the project on the basis that the updated traffic volumes due to no changes in visitation and the removal of the residence diminishes the need for a left turn lane and other roadway improvements on State Lane and/or Yountville Cross Road. Additional measures implemented by the County, including scheduling events and visitation outside of peak periods (currently a condition of approval), would further reduce long term conditions.

The project proposes a total of 22 parking spaces broken up into two areas (employee - 13 spaces and visitor - 9 spaces). These parking spaces would be sufficient to accommodate parking needs during normal business days for employees and visitors. Additional parking will be required for larger marketing events. The applicant proposes to provide valet services for larger events through the use of tandem parking within the proposed visitor and employee parking areas for an additional 17 spaces to be provided for a total of 39 spaces. No parking will be permitted within the right-of-way of State Lane. As proposed, tasting room daily appointments will be closed during these events.

<u>Groundwater Availability</u> - Napa County has established a water availability threshold of 11.31 AF/YR for this parcel, which is calculated by applying a rate of 1.0 AF/YR multiplied by the acreage of the site. The water use for the property is currently 3.45 AF/YR. Current water use for the winery with visitation and marketing activities is 0.86 AF/YR and is projected to be the same in the new winemaking facility. Current water use for residential purposes is 0.50AF/YR and will no longer be needed with the proposed project due to demolition of the residence and garage. Current water use for the vineyard is 1.99 AF/YR and is also projected to remain the same. Landscaping currently utilizes 0.10 AF/YR and will increase to 0.30 AF/YR. Given these changes, the total project water use for the property with project approval will be reduced from 3.45 AF/YR to 3.15 AF/YR. To date, the County is not aware of, nor has it received any reports of, ground water shortages near the project area. As estimated, the overall water demand of 3.15 AF/YR is well below the threshold established for the parcel and is projected to decrease by 0.30 AF/YR due to changes in existing conditions.

While the Draft Negative Declaration did not specifically address current climatic conditions, the County is cognizant of fluctuating environmental factors that could affect groundwater resources even in non-drought years as evident by the groundwater use condition of approval (see Condition 13.A. in Exhibit B) that has been included on winery approvals over the past 5 years since approximately 2009. This condition enables the County to collect additional data on the groundwater aquifer if it is determined that water usage at the winery is affecting, or would potentially affect groundwater supplies or nearby wells, due to changed circumstances or in light of significant new information provides substantial evidence that the groundwater system referenced in the permit would significantly affect the groundwater basin. This condition also allows the County to recommend additional reasonable conditions on the permittee as necessary (such as water use minimization through best available control technology, best water management conservation practices, and/or reduced groundwater extraction/use) to meet the requirements of the Napa County Groundwater Ordinance and protect public health, safety, and welfare.

<u>Grape Sourcing</u> - For Goosecross Cellars, the 75% Napa Valley grape source requirement only applies to the 10,000 gallon increase authorized under Use Permit #02571-UP (Condition #4). The subject property contains approximately 9.4 acres of existing vineyards in which new vine rows will be added in place of the southernmost driveway. The grapes available from the property currently supply approximately 40% of the 20,000 gallons produced annually. The applicant has informed staff that the remaining 60% of the grapes are currently under contract from vineyard sources within Napa County with exception 8-10% of the grapes that are generated outside Napa County. Of the remaining 10,000 gallons, grape sourcing for the wine to be produced will have to comply with the 75% Napa Valley grape source requirement.

Greenhouse Gases/Climate Action Plan - The County requires project applicants to consider methods to reduce

Green House Gas (GHG) emissions consistent with Napa County General Plan Policy CON-65(e), which requires GHG review of discretionary projects. The applicant has completed the Department's Best Management Practices Checklist for Development Projects, which is attached to this report as part of the application materials. The applicant proposes to incorporate GHG reduction methods including: energy conserving lighting, installation of a cool roof (light colored), continued accommodation of bicycle racks for 5-6 bicycles, implementation of recycling activities, retention of four existing mature deciduous trees on the south and west sides of the tasting building, incorporation of a site design that places the winery's tasting room on an east-west orientation, as well as, installation of windows that will provide natural light, ventilation and exhaust heat in the summer, and limited amount of grading and tree removal.

GHG Emission reductions from local programs and project level actions, such as application of the CalGreen Building Code, tightened vehicle fuel efficiency standards, and more project specific on-site programs including those winery features noted above would combine to reduce emissions.

Consistency with Standards:

<u>Zoning</u> – The project is consistent with AP (Agricultural Preserve) Zoning District regulations. A winery (as defined in the Napa County Code Section 18.08.640) and uses in connection with a winery (refer to Napa County Code Section 18.16.030) are permitted in the AP District with an approved use permit. The project as conditioned complies with the Napa County Winery Definition Ordinance and all other requirements of the Zoning Code as applicable.

Environmental Health Division – Recommends approval with standard conditions in the attached Memorandum dated March 21, 2014.

Engineering Services Division – Recommends approval with standard conditions in attached Memorandum dated February 14, 2014.

<u>Public Works Department (Ground Water)</u> - Recommends approval in the attached Memorandum, dated January 15, 2014.

<u>Fire Department</u> – Recommends approval with standard conditions in the attached Inter-Office Memo dated February 10, 2014 and November 16, 2013.

SUPPORTING DOCUMENTS

- A . Exhibit A Findings
- B . Exhibit B Conditions of Approval
- C . Department Conditions
- D . Prior Conditions of Approval
- E . Negative Declaration
- F . Application Packet
- G . Wastewater Management System Feasibility Study
- H. Water Management System Feasibility Report
- I. Graphics

Napa County Planning Commission: Approve

Reviewed By: Charlene Gallina