



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 6/1/2011
Agenda Placement: 9B

Napa County Planning Commission Board Agenda Letter

TO: Napa County Planning Commission
FROM: Gitelman, Hillary - Director
Conservation, Development & Planning
REPORT BY: Chris Cahill, Planner - 707.253.4847
SUBJECT: Carevan Serai Winery Use Permit Major Modification Application No.P10-00206-MOD

RECOMMENDATION

DARIOUSH KHALEDI / DARIOUSH KHALEDI WINERY LLC / CAREVAN SERAI WINERY - USE PERMIT MAJOR MODIFICATION No. P10-00206-MOD

CEQA Status: Subsequent Mitigated Negative Declaration Prepared. According to the proposed subsequent mitigated negative declaration, if mitigation measures are not included, the proposed project would have potentially significant environmental impacts in the following area: Transportation/Traffic. The project site is not on any of the lists of hazardous waste sites enumerated under Government Code section 65962.5.

Request: Use Permit Major Modification to modify a 1988 Small Winery Exemption Certificate (SW-38889) and 2000 Use Permit 98425-UP to allow the following: 1.) no change in the approved 100,000 gallon per year production; 2.) deletion of approved, but unbuilt, improvements including a 2,400 sq. ft. production building and approximately 5,000 sq. ft. of outdoor work area; 3.) demolition of an existing approximately 4,500 sq. ft. barn; 4.) construction of a new approximately 7,500 sq. ft. single-story winery hospitality building including a commercial kitchen; 5.) construction of a new approximately 16,500 sq. ft. single-story winery production building with a storage loft; 6.) construction of approximately 5,600 sq. ft. of covered outdoor work areas; 7.) construction of three 17 ½ ft. tall stone-clad wall structures along the proposed entry drive; 8.) an increase in winery employment from 5 full-time and 2 part-time employees to 15 full-time and 15 part-time employees; 9.) an increase in approved, but presently unbuilt, winery parking from 7 employee spaces and 9 visitor spaces (16 total) to 22 employee spaces and 28 visitor spaces (50 total), including 2 ADA-accessible spaces; 10.) an increase in by-appointment tours and tastings visitation from a maximum of 25 per day to a maximum of 400 per day and the addition thereto of food/wine pairings; 11.) sale of wine by the glass or bottle for on-site consumption in the winery courtyard and outdoor seating areas; 12.) deletion of the approved marketing program and its replacement with a new marketing plan including: 15 12-person dinner events monthly with food prepared on-site, 20 8-person lunch events monthly with food prepared on-site; and 8 150-person larger events annually with catered food; 13.) in no case shall the daily combined tours and tastings and marketing visitation exceed 400 persons; 14.) a change in the approved hours of operation from 8am – 6pm to 8am – 10pm with marketing event cleanup not to extend past 11pm; 15.) deletion of the custom crush restrictions adopted with Use Permit 98425-UP; 16.) new winery domestic and process wastewater treatment systems including a 2,210 linear foot pressure distribution leach field; 17.) installation of two

15,000 gallon above-ground water storage tanks and a 300 sq. ft. pump house; 18.) grading including 1,000 cu. yds. of cut and 1,110 cu. yds. of fill, resulting in a hospitality building finished floor level approximately 3 ½ ft. above existing grade; and 19.) improvements at the S.R. 29 /Howard Lane intersection including a new left-hand turn lane (southbound), a new refuge lane (southbound), and an expanded right-hand turn deceleration lane (northbound) at S.R. 29 and new stop signs and intersection improvements at Howard Lane. The 30 acre project parcel is located on the east side of State Route 29 (the St. Helena Highway), adjacent to and directly east of its intersection with Howard Lane, within the AP (Agricultural Preserve) zoning district. APN: 036-180-041. 4106 & 4120 Howard Lane, Napa, Calif., 94558.

Staff Recommendation: Adopt the subsequent mitigated negative declaration and approve the requested use permit modification as conditioned.

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

THIS APPLICATION WAS AUTOMATICALLY CONTINUED FROM THE COMMISSION'S MAY 18, 2011 REGULAR MEETING AS A RESULT OF THAT MEETING'S CANCELLATION.

EXECUTIVE SUMMARY

Proposed Action:

That the Planning Commission:

1. Adopt the project subsequent mitigated negative declaration, based on findings 1-5 of Exhibit B and
2. Approve use permit modification No. P10-00206 based on findings 6-10 of Exhibit B and subject to the recommended conditions of approval (Exhibit C).

Discussion:

The applicant requests approval of a use permit major modification to allow demolition of existing improvements, deletion of approved but as-of-yet unbuilt improvements, construction of new production and marketing buildings, additional tours and tastings and marketing visitation, and expanded hours of operation for an approved 100,000 gallon per year winery located just north of the City of Napa, adjacent to Bistro Don Giovanni. The project also includes substantial turn-lane and other improvements at Highway 29's intersection with Howard Lane. Staff recommends approval of the project with conditions limiting hours of operation, addressing noise buffering, limiting outdoor activities, requiring completion of roadway improvements prior to winery occupancy, and requiring that the fermentation of grape juice into wine actually take place at the winery before marketing activities begin. In the period between the original May 18 hearing date and the date of this report, the applicant met with several neighboring property owners and agreed to a series of limitations on the proposed facility. Those limitations are generally in keeping with staff's recommended conditions of approval and are outlined in staff's attached "Background" document and (in greater detail) in the attached May 19, 2011 memorandum from the applicant's attorney.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

Subsequent Mitigated Negative Declaration Prepared. According to the proposed subsequent mitigated negative declaration, if mitigation measures are not included, the proposed project would have potentially significant environmental impacts in the following area: Transportation/Traffic. Staff has reviewed the changes proposed by the May 19, 2011 Memorandum from Chuck Meibeyer to Chris Cahill and finds the revised project fully analyzed by and consistent with the proposed subsequent mitigated negative declaration. 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 . Environmental Management Conditions
- E . Building Division Comments/ Conditions
- F . Fire Marshal's Conditions
- G . Public Works Conditions
- H . Comments (as of May 20th)
- I . Applicant's Response
- J . Environmental Documents (CEQA)
- K . Submitted Noise Study
- L . Application Materials
- M . Graphics

Napa County Planning Commission: Approve

Reviewed By: Hillary Gitelman