



A Tradition of Stewardship  
A Commitment to Service

# AGENDA

## NAPA COUNTY CONSERVATION, DEVELOPMENT AND PLANNING COMMISSION

**Wednesday June 01, 2011  
9:00 AM**

### COMMISSION MEMBERS

<i>COMMISSIONER</i> <i>Heather Phillips</i> <i>District # 1</i>	<i>VICE-CHAIR</i> <i>Michael Basayne</i> <i>District # 2</i>	<i>COMMISSIONER</i> <i>Terry Scott</i> <i>District # 4</i>	<i>COMMISSIONER</i> <i>Bob Fiddaman</i> <i>District # 3</i>	<i>CHAIR</i> <i>Matt Pope</i> <i>District # 5</i>
<i>COMMISSION COUNSEL</i> <i>Laura Anderson</i>		<i>SECRETARY-DIRECTOR</i> <i>Hillary Gitelman</i>		<i>COMMISSION CLERK</i> <i>Melissa Gray</i>

The Commission welcomes you to its meeting which is regularly scheduled the first and third Wednesday of the month. The Commission meets at 1195 Third Street, Suite 305, 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. Appeal must be filed within ten (10) working days from the date of the Commission's action.

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 Board, 1195 Third Street, Suite 310 in Napa. If you have any question concerning the appeals procedure, please call (707) 253 4580 and request assistance.

**DISCLOSURE – CONFLICT OF INTEREST:**

State law requires agency officers (Commissioners, Directors, Board members) to disclose, and then be disqualified from participation in, any proceeding involving a license, permit, or other entitlement for use, if the officer has received from any participant in the proceeding an amount exceeding \$250 within the prior 12 month period. State law also requires any participant in a proceeding to disclose on the record any such contributions to an agency officer.

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](http://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 Conservation, Development & 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 - None
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
9. PUBLIC HEARING ITEMS

**A. GATEWAY WINERY LLC - TENTATIVE PARCEL MAP # P10-00363-PM & USE PERMIT MINOR MODIFICATION # P11-00146-MOD**

**CEQA Status:** On March 5, 2008, a Mitigated Negative Declaration (MND) was adopted for development of the site as part of Use Permit # P06-01532-UP. The proposed tentative parcel map and use permit time extension request are within the scope of the adopted MND; no further environmental review or amendment to this document is required. The project site is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5.

**Request:** Approval of a Tentative Parcel Map to create three commercial condominium units 49,000 square feet, 73,261 square feet and 138,379 square feet in size with a Common Area parcel, Parcel A, on a site that is currently vacant but has been approved for a 261,000 square foot winery, warehouse and office development consisting of three buildings and supporting site improvements; and, approval of Use Permit Minor Modification # P11-00146-MOD to allow time extension of Use Permit # P06-01352-UP to match the concurrent tentative parcel map. The project is located on an approximately 11.06 acre parcel on the northwest corner of Technology Way and Morris Court in the I:AC and IP:AC (Industrial and Industrial Park:Airport Compatibility Combination) Zoning Districts. (Assessor's Parcel Number: 057-250-029) Napa

**Staff Recommendation:** Find the project within the scope of the adopted Mitigated Negative Declaration for the development, approve the Tentative Parcel Map and approve time extension of Use Permit #P06-01532-UP to coincide with Map with the recommended conditions of approval.

**Staff Contact:** Ronald Gee, 707-299-1351, or [ronald.gee@countyofnapa.org](mailto:ronald.gee@countyofnapa.org)

***THIS APPLICATION WAS AUTOMATICALLY CONTINUED FROM THE COMMISSION'S MAY 18,***

**2011 REGULAR MEETING AS A RESULT OF THAT MEETING'S CANCELLATION.****B. 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](mailto: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.***

**10. ADMINISTRATIVE ITEMS**

**A. PUBLIC WORKS ROAD AND STREET STANDARDS UPDATE**

**CEQA Status:** General Rule. It can be seen with certainty that there is no possibility the proposed action may have a significant effect on the environment and therefore CEQA is not applicable. [See Guidelines For the Implementation of the California Environmental Quality Act, 14 CCR 15061(b)(3)].

**Request:** Presentation and discussion on a draft update to the Napa County Road & Street Standards. These standards address design criteria for roads, streets, driveways, parking lots, traffic control, storm drainage, and entry gates. The proposed revisions consist mainly of clarification to existing standards, but include providing additional flexibility for improvements to existing residential driveways, updating references to Caltrans requirements, and updating hydrology information.

**Staff Recommendation:** Information item. Any Commission and public comments will be forwarded to the Board of Supervisors.

**Staff Contact:** Nate Galambos, Principal Engineer, 259-8371 or [nate.galambos@countyofnapa.org](mailto:nate.galambos@countyofnapa.org) or John McDowell, 299-1354 or [john.mcdowell@countyofnapa.org](mailto:john.mcdowell@countyofnapa.org)

**11. DEPUTY DIRECTOR'S REPORT**

- | DISCUSSION OF ITEMS FOR THE **JUNE 15, 2011 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 opening - Kendall Jackson (formerly Pecota) Winery
- | #P09-00185-UP, 1 year after opening - Ca'Nani Winery
- | #P06-01426-UP, August 2011, Pavitt Winery
- | #P10-00123-MOD, August 2011, MJA Vineyards
- | #P10-00177-MOD, November 2011, Kelham Winery

**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 (FILL IN DATE) BY (FILL IN TIME). A HARDCOPY SIGNED VERSION OF THE CERTIFICATE IS ON FILE WITH THE CLERK OF THE COMMISSION AND AVAILABLE FOR PUBLIC INSPECTION.

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