

AGENDA

NAPA COUNTY CONSERVATION, DEVELOPMENT AND PLANNING COMMISSION



A Tradition of Stewardship
A Commitment to Service

**Wednesday
June 16, 2010
9:00 AM**

COMMISSION MEMBERS

<i>CHAIRPERSON</i> <i>Heather Phillips</i> <i>District # 1</i>	<i>COMMISSIONER</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>VICE-CHAIRPERSON</i> <i>Matt Pope</i> <i>District # 5</i>
<i>COMMISSION COUNSEL</i> <i>Laura Anderson & Minh Tran</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

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

Clerk of the Commission requests approval of Minutes for the meetings held on:
May 5, 2010 (All Commissioners present)
May 18, 2010 (Commissioner Fiddaman excused)

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- None****9. PUBLIC HEARING ITEMS****A. TIM MCDONALD / PROVO LAND PARTNERS LLC / SHUTTERS WINERY - USE PERMIT P09-00222-UP and VARIANCE P09-00223-VAR**

CEQA Status: 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 area: Biological Resources. 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 road setbacks (300 feet required, 69 feet proposed). Use Permit to establish a new 50,000 gallon per year winery with: 1.) a 9,034 sq. ft. three level barrel storage building with adjoining courtyard; 2.) an approximately 11,600 sq. ft. wine production and storage cave; 3.) three full-time and three part-time employees; 4.) fourteen parking spaces; 5.) by-appointment tours and tastings with a maximum of 18 visitors per day and 40 per week; 6.) a marketing plan with twelve 25-person events, twelve 50-person events, two 50-person harvest events, and participation in Auction Napa Valley (all marketing events include catered food service); 7.) relocation of the existing private drive extending from Lommel Road; 8.) new domestic and process wastewater treatment systems; and 9.) two new upslope water tanks totaling approximately 90,000 gallons. The project is located on a 15 acre parcel located at the terminus of Lommel Road, approximately 1 mile northeast of its intersection with the Silverado Trail and within the AW (Agricultural Watershed) zoning district. APN: 018-060-027, Calistoga

Staff Recommendation: Adopt the mitigated negative declaration and mitigation monitoring and

reporting plan and approve the requested variance and use permit as conditioned.

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

B. CEJA FAMILY WINERY / PEDRO AND AMELIA CEJA ETAL- VARIANCE REQUEST - #P10-00171-VAR & USE PERMIT REQUEST – #P09-00352-UP

CEQA STATUS: Negative Declaration Prepared. According to the Negative Declaration, the proposed project would have no potentially significant impacts. This project site is not on any of the lists of hazardous waste sites enumerated under Government code section 65962.5.

REQUEST: **(A)** Approval of a Variance from the required road setbacks set forth in Napa County Code section 18.104.230 (A.)(2.) to allow the construction of a winery building no more than 130 feet from the centerline of a shared private access road where 300 feet is required. **(B)** Approval of a Use Permit to establish a new 45,000 gallon per year winery in three phases totaling 31,200 square feet as proposed below: Phase I: Demolish an existing barn and two small agricultural structures; construct a new, two-story fermentation building with barrel storage, mechanical room, administrative office, wine library and tasting room and covered crush pad/work areas for a Phase I winery totaling 21,603 square feet; with 10 full-time and 5 part-time employees; 23 parking spaces (incl. one ADA space); Tours and Tasting By Appointment Only for a maximum of 24 visitors per day (168 max. per week); a Marketing plan with four 20-person food and wine pairing events per month, four 50-person industry/wine club events per year, one wine auction event per year and participation in the Napa Valley Wine Auction (all events will serve food items); install a commercial kitchen with a new water system; install a combined winery and domestic sanitary wastewater subsurface drip dispersal system; make improvements to the existing main access for winery production use. Phase II: Construct a second 5,760 square foot two-story structure immediately adjacent to the proposed Phase I winery structure to include a second outdoor crush/work area, additional barrel storage, a commercial kitchen, hospitality area and outdoor patio area. Phase III: Construct an addition to the Phase II structure totaling 3,837 square feet to include additional wine storage; a mechanical equipment room and an outdoor patio. The project is located on a 10.39 acre parcel on the northwest side of Las Amigas Road approximately 350 feet east of its intersection from Cuttings Wharf Road and approximately 2 miles southwest of St. Hwy. 12/121 within an Agricultural Watershed:Airport Compatibility (AW:AC) combination zoning district. (Assessor's Parcel #: 047-240-037) 1016 Las Amigas Road, Napa.

Staff Recommendation: Adopt the Negative Declaration and approve the Variance and Use Permit as proposed with conditions of approval.

Staff Contact: Patricia Hornisher 299-1349 or Trish.Hornisher@countyofnapa.org

10. ADMINISTRATIVE ITEMS - None

11. DEPUTY DIRECTOR'S REPORT

- | DISCUSSION OF ITEMS FOR THE **JULY 7, 2010 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
- | #P06-01426-UP, 1 year after opening - Pavitt Winery
- | #02082-UP, September 2010 - Alpha Omega Winery
- | #P06-0102-MOD, December 2010 - Frank Family 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 JUNE 9, 2010 AT 4:00 P.M. 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