



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 6/4/2014

Agenda Placement: 9C

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: WYNTRESS BALCHER, Planner II - 707 299 1351
SUBJECT: LMR Rutherford Estate Winery

RECOMMENDATION

LMR RUTHERFORD ESTATE WINERY/LMR RUTHERFORD PARTNERS, LLC - USE PERMIT APPLICATION, #P13-00167-MOD & VARIANCE #P13-00185-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 of a use permit application to establish a new winery with an annual production capacity of 100,000 as follows: (1) Construct a new 11,000 ± sq. ft. wine production facility, including a 4,164 sq. ft. covered tank pad and a 4,164 sq. ft. covered crush pad for a total of 19,328 sq. ft.; construct a new 816± sq. ft. storage building; and construct a new 1,360± sq. ft. administrative office building with conference rooms; (2) Relocate an existing driveway and construct a new 20' wide driveway to the new office building; (3) Relocate an existing greenhouse for the construction of a new 7-space employee parking lot and expand an existing farm stand visitor parking area from 4 to 12 spaces, for a total of 19 parking spaces on-site; (4) Use an existing, 2,400± sq. ft., open-air pavilion for tastings and marketing; (5) Remodel an existing restroom for use by visitors and employees; (6) Allow hosted daily tours and tastings for wine trade personnel and consumers by appointment only for a maximum 50 persons per day and a maximum 350 visitors/week in the open air pavilion; (7) Allow on-premise consumption of the wines produced on-site pursuant to the Evans Bill (AB2004) in the Pavilion or on the south porch of the winery; (8) Employ up to 9 people for the winery, 6 full-time, 3 part-time; (9) Install a new on-site winery process and domestic wastewater treatment system; (10) Install a transient non-community water system; (11) Remove an existing barn; (12) Establish hours of operation from 7:00 AM to 6:00 PM (production hours) and 10:00 AM to 4:00 PM (visitation hours), 7-days a week; (13) New landscaping and signage; (14) Establish a Marketing Program: 24 private promotional tastings and meals per year for a maximum of 35 people per event; Two (2) harvest party events per year for a maximum of 100 guests at each event, between the hours of 10:00AM and 11:00PM: Six (6) marketing events such as barrel tastings, auctions and other social events, including meals and music, 6 times per year for up to 60 people in the Pavilion or on the south porch of the winery. The application also includes a

variance request pursuant to County Code Section 18.104.230, to allow construction of the proposed wine production building 380± feet from State Highway 29, the administrative office building 160± feet from State Highway 29; and the winery equipment storage building 260± feet from State Highway 29 in lieu of the required minimum 600-ft winery setback. The project is located on a 30± acre parcel on the east side of State Highway 29, approximately ¼-mile north of the State Highway 29 / State Route 128 intersection, within the AP (Agricultural Preserve) zoning district; 1790 St. Helena Highway South, Rutherford, CA 94573; APN: 030-100-016.

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

Staff Contact: Wyntress Balcher (707) 299-1351; wyntress.balcher@countyofnapa.org

Applicant Contact: Jon Webb, Albion Surveys, Inc., (707) 963-1217; jwebb@albionsurveys.com

EXECUTIVE SUMMARY

Proposed Actions:

That the Planning Commission:

1. Adopt the Negative Declaration for the LMR Rutherford Estate Winery based on Findings 1-6 of Exhibit B;
2. Approve Variance request (P13-00185-VAR) based on Findings 7-11 of Exhibit B and subject to the recommended Conditions of Approval (Exhibit C); and
3. Approve Use Permit (P13-00167) based on Findings 12-16 of Exhibit B and subject to the recommended Conditions of Approval (Exhibit C).

Discussion:

Approval of a use permit application #P13-00167 to establish a new 100,000 gallon/year winery with the construction of a new 19,328± sq. ft. wine production facility, a new 816± sq. ft. storage building; and a new 1,360± sq. ft. administrative office building with conference rooms. The proposal also includes use of a portion of an existing, 2,400± sq. ft., open-air pavilion for hospitality/marketing use. The applicant proposes to relocate the existing driveway and construct a new 20' wide driveway, and provide a total of 19 on-site parking spaces. A variance is also being requested to allow the construction of a new winery building 380± feet; an administrative office building 160± feet; and winery equipment storage building 260± feet from the centerline of State Highway 29 in lieu of the required minimum 600 ft. winery road setback. 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

Please see Exhibit A.

SUPPORTING DOCUMENTS

- A . EXHIBIT A - BACKGROUND
- B . Exhibit B - Findings
- C . Exhibit C - Conditions
- D . Division-Department Comments
- E . Public Correspondence
- F . Draft Negative Declaration
- G . Application
- H . Traffic Impact Report
- I . Water Availability
- J . Water & Wastewater Systems
- K . Graphics

Napa County Planning Commission: Approve

Reviewed By: John McDowell