



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 6/5/2013
Agenda Placement: 8A
Continued From: APRIL 17, 2013

Napa County Planning Commission Board Agenda Letter

TO: Napa County Planning Commission

FROM: Charlene Gallina for Hillary Gitelman - Director
Planning, Building and Environmental Services

REPORT BY: RONALD GEE, PLANNER III - 707.253.4417

SUBJECT: HARTWELL VINEYARDS, LLC / ROBERT & BLANCA HARTWELL – HARTWELL VINEYARDS USE PERMIT MODIFICATION - USE PERMIT MAJOR MODIFICATION # P11-00389-MOD

RECOMMENDATION

HARTWELL VINEYARDS, LLC / ROBERT & BLANCA HARTWELL – HARTWELL VINEYARDS USE PERMIT MODIFICATION - USE PERMIT MAJOR MODIFICATION # P11-00389-MOD

CEQA Status: Subsequent Negative Declaration Prepared. New environmental effects resulting from proposed changes, altered conditions or new information are addressed in the Initial Study; there are no changes proposed in this project which require major revisions to the previous environmental document. This project site is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5.

Request: Approval to modify prior Use Permit # 95608-UP to: 1) Increase annual wine production from 12,000 gallons/year to 36,000 gallons/year; 2) Increase Tuesday-Saturday, appointment-only tours and tastings from three tours/16-people/day to five tours/24-people/day with pre-packaged or caterer-prepared food pairings; 3) Expand the winery marketing plan to increase the allowable number of people at catered events from one End of Harvest 16-20 person event to one with 20-40 persons; two Wine Release Events with 16-20 people to 80-100 people events; one holiday (Christmas) party with 30-36 people to one event with 80-100 people; no changes to the three Wine & Food events of 20-25 people or one Wine Auction Weekend event with 30-50 people are proposed; 4) Increase the days of operation from Monday-Saturday to Monday-Sunday; 5) Increase the number of employees from 3.5 full-time and 6 part-time to 10 total; 6) Increase on-site parking from 10 to 23 spaces; 7) Allow installation of a new hold-and-haul wastewater processing system; and 8) Allow on-site sale and consumption of wine pursuant to AB 2004. No changes to the existing winery buildings, accessory-to-production use ratio or hours of operation are proposed. The project is located on an approximately 29.81 acre parcel on the west side of Silverado Trail, approximately 1.95 mile (10,315 feet) south of the intersection with Yountville Cross Road, 5795 Silverado Trail, Napa, CA 94558, APN 039-040-004.

Staff Recommendation: That the Planning Commission adopt the Subsequent Negative Declaration and approve the Use Permit Modification as conditioned.

Staff Contact: Ronald Gee, (707) 299-1351, ronald.gee@countyofnapa.org

Representative Contact: Sudhir Chaudhary, (707) 255-2729

THIS ITEM WAS CONTINUED FROM APRIL 17, 2013.

EXECUTIVE SUMMARY

Proposed Actions

That the Planning Commission:

1. Adopt the attached Subsequent Negative Declaration, based on Findings 1-10 of Exhibit A; and
2. Approve Use Permit Major Modification # P11-00389-MOD based on Findings 11-15 of Exhibit A and subject to the recommended conditions of approval in Exhibit B.

Discussion

A public hearing was held on April 17, 2013 and was continued to allow the applicant and staff to address winery road access requirements to meet County Road and Street Standards. In addition, the Planning Commission requested staff clarify the following items in the Staff Report: number of winery employees, winery operating hours, tours and tastings; and addition of the new hold-and-haul wastewater processing system. All items have been addressed and reviewed in the Background section below. No changes to the April 17, 2013 staff report or recommended Findings are required at this time. Only minor changes are recommended to Conditions of Approval to correct the project description, total number of winery visitors for tours and tastings and days for appointment-only visitation. The staff report is included in the Planning Commission packet for reference. Staff recommends approval for the proposal with the actions defined above.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

A Subsequent Negative Declaration has been prepared to update the Mitigated Negative Declaration previously adopted for the winery in August, 1996 as part of Use Permit # 95608-UP. Two mitigation measures adopted as part of the Mitigated Negative Declaration addressed Geology and Traffic; as detailed in the new Initial Study, both mitigation measures have been implemented with construction of the winery building, cave and installation of a northbound left-turn lane on Silverado Trail. The new document identifies new baseline thresholds for winery operations and analyzes potential Air Quality impacts and Greenhouse Gas Emissions.

The proposed winery production increase, marketing plan and visitation expansion, minor employee and parking space increases and related improvements will not be located in any identified biologically or archaeologically-sensitive areas and will take place on previously-disturbed areas. New environmental effects resulting from proposed changes, altered conditions or new information were addressed in the Initial Study; there are no

changes proposed in this project which require major revisions to the previous environmental document. This project site is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5.

BACKGROUND AND DISCUSSION

A public hearing was held on April 17, 2013 and was continued to allow the applicant and staff to address winery road access requirements to meet County Road and Street Standards. In addition, the Planning Commission requested clarification of different aspects of the original staff report which are addressed below.

1) Winery Access Road - The original 1996 winery permit included a 14-foot wide "Agricultural Special Use Roadway" that is currently lined on either side with mature Italian Cypress trees. With the proposed winery production increase, visitation and marketing plan expansion, an 18-foot wide roadway with a two-foot shoulder is required. The applicant has submitted the attached proposal and exhibit to comply with current Napa County Road & Street Standards, 2011.

As determined by an arborist, the south side row of Italian Cypress will be relocated or removed to widen the paved roadway. Additional retaining/rock wall relocation and construction work will also be needed. The front entry gate will be removed and relocated to accommodate the wider access road. All Fire Marshal and Engineering Division requirements will be met. Recommended Conditions of Approval have remained unchanged.

2) Number of Employees - The original application requested an increase from 3.5 full-time and 8 part-time (harvest only) staff to 6 full-time and 2 part-time staff. The applicant now requests they be allowed a total of up to 10 employees to allow flexibility. It should be noted that the proposed range in numbers was analyzed in the CEQA document prepared for this project.

3) Winery Operating Hours - The existing winery operates from Monday-Friday for daily administration and production. Appointment-only visitation occurs from Tuesday-Saturday and operates the full week during harvest season. The applicants are requesting that they be allowed to operate Monday-Sunday.

4) Tours and Tasting - The applicants wish to continue their Tuesday-Saturday, appointment-only tours and tasting program. In addition, they want to increase from three tours/16-people/day to five tours/24-people/day with pre-packaged or caterer-prepared food pairings. References in the staff report for total weekly visitation at 24 visitors per day now total 120 per week for five days rather than 168 for seven days per Commission discussion on April 17, 2013. This places Hartwell Vineyards Winery within the mid-range of winery visitation for wineries in the 30,000 gallons/year-50,000 gallons/year production range.

5) Addition of New Hold-and-Haul Wastewater Processing System - The proposed new hold-and-haul process wastewater system is now included in the Use Permit Major Modification project description as analyzed in the April 17, 2013 Staff Report and CEQA document. It should also be noted that the Environmental Health Division has recommended approval of this proposal.

No other changes to the April 17, 2013 staff report, Use Permit Findings or Conditions of Approval (as amended per discussion above) are required.

SUPPORTING DOCUMENTS

A . Exhibit A - Findings

B . Exhibit B - Conditions of Approval

C . Road Narrative / Exhibit

Napa County Planning Commission: Approve

Reviewed By: John McDowell