



Agenda Date: 7/16/2008
Agenda Placement: 8C

Napa County Planning Commission Board Agenda Letter

TO: Napa County Planning Commission
FROM: John McDowell for Gitelman, Hillary - Director
Conservation, Development & Planning
REPORT BY: LINDA STCLAIRE, PLANNER II - 707.299.1348
SUBJECT: Futo Family Winery Modification

RECOMMENDATION

TOM & KYLE FUTO/KT WINECO LLC / FUTO FAMILY WINERY / USE PERMIT MODIFICATION REQUEST #P08-00096-MOD

Request: Approval to modify Use Permit #UP-04029 to: (1) increase production from 5,000 to 10,000 gallons per year; (2) revise the existing 14,802 square foot floor plan (in accordance with submitted plans dated March, 2008) with no increase in the overall square footage; (3) revise exterior design material of the winery from plaster, wood, stone and earth tile roof to corrugated metal siding and stone veneer with a corrugated metal roof; (4) increase full-time employees from two to five; (5) expand approved Special Design Sewage Disposal System (SDSDS) to accommodate the additional process wastewater. No increase in visitation, marketing or other changes are proposed. The project is located off a private driveway on a 39.96 acre parcel on the southeast side of Oakville Grade approximately two miles northeast of its intersection with Dry Creek Road within an AW (Agricultural Watershed) zoning district. (Assessor's Parcel #: 027-360-018) 1575 Oakville Grade, Napa (in the Oakville vicinity).

Staff Recommendation: Find the project within the scope of the previously certified negative declaration and approve the Use Permit Modification as conditioned.

Staff Contact: Linda St. Claire 299-1348

EXECUTIVE SUMMARY

Proposed Action:

- 1) That the Planning Commission find the Futo Family Winery Expansion within the scope of the previously certified negative declaration; and
- 2) That the Planning Commission approves the Futo Family Winery Use Permit Modification (P08-00096-MOD), based on findings one through six of Exhibit A, and subject to Conditions of Approval included in Exhibit B, attached.

Discussion: The Futo Family Winery Modification project, originally approved in 2005, consists of expanding the production of wine from 5,000, to 10,000 gallons per year; expanding the approved special design sewage disposal system (SDSDS) in order to accommodate the additional process wastewater; minor changes to interior floor plan of the winery with no increase in square footage; and revise exterior design material of the winery from plaster, wood, stone and earth tile roof to corrugated metal siding and stone veneer with a corrugated metal roof. This winery is under construction and the completed winery, if approved, would reflect these changes.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: Find that pursuant to State CEQA Guidelines Section 15162, (1) no substantial changes are proposed in the project which will require major revisions of the previous negative declaration due to new significant effects or a substantial increase in the severity of previously identified significant effects; (2) no substantial changes exist in the circumstances under which the project is undertaken; and (3) no new information of substantial importance arises, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous negative declaration was adopted. The increase in employees from two to five is to accommodate the assistance needed during harvest and these minor changes do not create new or different impacts from what was previously evaluated. Therefore, the previously adopted negative declaration does not need to be substantially revised and no further environmental review is necessary for this project.

BACKGROUND AND DISCUSSION

Owner: Tom & Kyle Futo/KT Wineco LLC/Futo Family Winery

Applicant/Representative: Tom Futo

Zoning: AW Agricultural Watershed

General Plan Designation: Agricultural Watershed

Filed: February 19, 2008

Declared Complete: March 14, 2008

Winery Size (Existing): 14,802 square feet

Winery Size (Proposed): NO CHANGES PROPOSED

Production Capacity (Existing): 5,000 gallons per year

Production Capacity (Proposed): 10,000 gallons per year

Marketing (Existing): Three private promotional tastings with meals per year with a max of 24 persons and two wine auction events per year with a max of 40 persons

Marketing (*Proposed*): NO CHANGES PROPOSED

Visitation (*Existing*): *By appointment only* for a max of 10 persons per day and 40 persons per week.

Visitation (*Proposed*): NO CHANGES PROPOSED

Number of employees (*Existing*): Two full-time, two part-time

Number of employees (*Proposed*): Five full-time and two part-time

Hours of operation (*Existing*): 6am to 6pm, seven days a week

Hours of operation (*Proposed*): NO CHANGES PROPOSED

Parking (*Existing*): 6 off-street

Parking (*Proposed*): NO CHANGES PROPOSED

Adjacent Zoning / Land Use:

North AW - A seven acre parcel owned by James Kirkhan with a residence, wooded areas and an orchard; and a 21 acre parcel owned by Dinesh Maniar doing business as Diamond Oaks Winery with vineyards, wooded areas and an orchard.

South AW: Approximately 40 acre parcel owned by Harlan Winery of douglas fir, pine, hardwood and vineyards and a small 2.25 acre wooded parcel owned by Elsa Black described by the Assessor as less than five acres with one residence.

East AW - a 48 acre long narrow strip of land planted entirely in vineyard owned by Nickel Vineyard Company.

West AW - 82 acre parcel owned by the applicant with mixed hardwoods and vineyard.

Nearby Wineries (within one mile of the project site)

Hakanson Winery - 1835 Oakville Grade - 20,000 gallons per year - tastings by appointment only

Harlan Winery - 1551 Oakville Grade - 20,000 gallons per year - tastings by appointment only

Paradigm Winery - 1277 Dwyer Road - 6,000 gallons per year - tours and tastings by appointment

Far Niente Winery - 1 Acacia Drive - 175,000 gallons per year - public

Diamond Oaks Winery - 1595 Oakville Grade - 144,000 gallons per year - public

Property History:

1983 Robert and Sharon Lieff construct a residence on the vacant parcel.

1984 The Lieffs construct a guest cottage.

2005 Approval of Use Permit #04029-UP to establish a 13,802 square foot, 5,000 gallon per year winery with custom production activities; a 1,400 square foot winery storage structure; retail sales and tours and tasting by appointment only; marketing plan to include 3 private tastings with meals per year for a maximum of 24 people and 2 wine auction events per year for a maximum of 40 people; two full time and two part time employees, six parking spaces; construction of an engineered process wastewater system; improvements to the private access road and driveway and demolition of existing residence.

2006 Approval of Very Minor Modification to Use Permit #04029-UP to allow for the elimination of the 1,000 square foot winemaker's apartment and convert the use of this space to winery production and storage increasing the winery square footage to 14,802; convert from the use permit the 1,900 square foot of winery storage located on the

western side of the winery and utilize the space for agricultural storage.

Code Compliance History

Based on a review of the Planning Division's files, there are no records of any code compliance issues on this property.

Discussion Points:

1. Production Capacity - Any increase in winery production, marketing or visitation triggers a Planning Commission level major modification. Although this winery's capacity will double as a result of this proposal, the facility will still have a very modest production capacity at 10,000 gallons.

2. Architecture Changes - The original Use Permit request included a 1,000 square foot residential/winemaker's apartment attached to the winery. In 2006 the owners requested a very minor modification to that use permit, requesting elimination of the apartment and to absorb the 1,000 square feet into the winery for production and storage, still maintaining a less than 40% production to accessory ratio required by Napa County Code Section 18.104.200.

Consistency With Standards:

Zoning This project is consistent with AW (Agricultural Watershed) zoning district regulations.

Building Division Requirements The Division recommends approval with standard conditions.

Fire Department Requirements The Department recommends approval with standard conditions.

Public Works Department Requirements The Department recommends approval with standard conditions.

Environmental Management Department Requirements The Department recommends approval with standard conditions.

SUPPORTING DOCUMENTS

- A . Exhibit A Findings
- B . Exhibit B Conditions of Approval
- C . Comments
- D . Submittal Application
- E . Revised Sanitary Feasibility Study
- F . Graphics

Napa County Planning Commission: Approve

Reviewed By: John McDowell