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Agenda Date: 7/6/2011
Agenda Placement: 9C

Napa County Planning Commission Board Agenda Letter

TO: Napa County Planning Commission

FROM: Hillary Gitelman - Director
Conservation, Development & Planning

REPORT BY: RONALD GEE, PLANNER III - 707.253.4417

SUBJECT: KENT A. RASMUSSEN / KENT RASMUSSEN CARNEROS WINERY - USE PERMIT # P11-00043-UP

RECOMMENDATION

KENT A. RASMUSSEN / KENT RASMUSSEN CARNEROS WINERY, USE PERMIT # P11-00043-UP

CEQA Status: Negative Declaration prepared. According to the Negative Declaration, the proposed project will not have a significant environmental impact. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

REQUEST: Approval to allow conversion of a 1986 Small Winery Certificate in two phases to 1) increase production from 20,000 gallons/year to 100,000 gallons/year; 2) convert the existing residence to a 2,471 square foot administrative office/tasting room space with exterior 1,386 and 493 square feet deck additions; 3) replace an existing barn and carport with a new 14,691 square foot winery production facility including a 2,350 square foot covered crush pad, laboratory and employee break kitchen (no commercial kitchen); 4) upgrade the existing sanitary and wastewater treatment system; 5) add mechanical equipment, water pump and water storage tank pads and an enclosed disposal receptacle; 6) install a new 12-space parking lot and improved access/circulation area; 7) allow 8 full-time and 4 part-time employees; 8) allow catered food with wine tastings and outdoor picnicking; 9) expand hours of operation from 5 days/week, 9:00 AM-5:00 PM to 7 days/week, 6:00 AM-6:00 PM; and 10) expand the winery marketing plan from 5 visitors per week to allow 4 daily private tours and tastings with 6 people, 4 monthly food and wine pairings with 24 people, 4 annual wine club/wine release events with 50 people, one annual winery auction-related event with 125 people and one annual Napa Valley Wine Auction event with 125 people with all evening events concluding by 10:00 PM. The winery project is located on an 11.55 acre parcel on the southwest side of Cuttings Wharf Road, approximately 0.5 mile (2,747 feet) north of the intersection with Las Amigas Road, within the AW:AC (Agricultural Watershed : Airport Compatibility Combination) Zoning District. (Assessor's Parcel Number: 047-240-006) 2125 Cuttings Wharf Road, Napa

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

Staff Contact: Ronald Gee, 299-1351 or ronald.gee@countyofnapa.org yofnapa.org

EXECUTIVE SUMMARY

Proposed Action:

That the Planning Commission:

1. Adopt the project Negative Declaration, based on findings 1-5 of Exhibit A; and
2. Approve Use Permit # P11-00043-UP based on findings 6-10 of Exhibit A and subject to the recommended Conditions of Approval, Exhibit B.

Discussion:

The subject property is located on the southwest side of Cuttings Wharf Road about 0.5 mile north of the intersection with Las Amigas Road. The site's original Small Winery Certificate was granted in 1986 to allow an ultimate production level of 20,000 gallons per year. The winery operated 5 days a week and was allowed one full-time employee, 4 part-time employees and only 5 visitors per week.

The Use Permit proposal expands wine production to 100,000 gallons per year. The main residence would be converted to a tasting room/administrative office space with two exterior deck additions. A barn and carport would be replaced with a new winery production facility that includes a covered, outdoor crush pad. Additional improvements include accessory equipment and infrastructure, including a new driveway, parking and circulation area. Hours of operation and the number of employees would increase to 8 full-time and 4-part-time. The new marketing program requests 4 daily private tours and tastings with 6 people, 4 monthly food and wine pairings, quarterly wine club/wine release events and two annual winery auction-related events. All food served at the winery would be catered with all evening events concluding by 10:00 PM.

As part of the Initial Study review and proposed Negative Declaration, a focused biological review, cultural resources evaluation and traffic study were prepared. No potentially significant environmental impacts were identified that could result from the project. All other requirements of the County Zoning Ordinance, General Plan, Airport Land Use Compatibility Plan and affected agencies shall be met. The proposed winery expansion is similar to other agricultural and winery uses in the Carneros area. As such, Staff recommends approval of the use permit request as conditioned.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

Environmental Determination: Negative Declaration prepared. A focused biological review, cultural resources evaluation and traffic study were prepared and reviewed as part of the Initial Study; each attached report concluded that the project poses no risk to any potentially significant resources and does not create a situation where mitigation measures are warranted. According to the Negative Declaration, the proposed project would not have a potentially significant environmental impact. This project site is not on any of the lists of hazardous waste

sites enumerated under Government Code Section 65962.5.

BACKGROUND AND DISCUSSION

Owner/Applicant: Kent A. Rasmussen for Kent Rasmussen Carneros Winery

Representative: Donna Oldford, Plans4Wine

General Plan Designation: Agricultural Resource

Zoning: AW:AC (Agricultural Watershed : Airport Compatibility Combination) District

Filed: February 17, 2011

Deemed Complete: May 19, 2011

Winery Square Feet: Current: 400 square feet - Proposed: 15,098 square feet

Production Capacity: Current: 20,000 gallons/year - Proposed: 100,000 gallons/year

Visitation: Current: 5 visitors per week - Proposed: 24 visitors per day/168 visitors per week (4 daily tours with 6 people)

Marketing: Current: None - Proposed: 4 monthly food and wine pairings with 24 people, 4 annual wine club/wine release events with 50 people, one annual winery auction-related event with 125 people and one annual Napa Valley Wine Auction event with 125 people with all evening events concluding by 10:00 PM

Number of Employees: Current: 1 full-time and 4 part-time - Proposed: 8 full-time, 4 part-time

Days and Hours of Operation: Current: 9:00 AM-5:00 PM, Monday to Friday - Proposed: 9:00 AM-6:00 PM, 7 days per week

Parking: Current: 3 spaces - Proposed: 12 spaces

Parcel Size: 11.55 acres

Accessory/Production Ratio: 2,411 square feet/15,098 square feet = 16.4 %

Winery Coverage: 33,814 square feet/11.55 acres = 6.7%

Winery Road Setbacks: 613 feet from centerline of Cuttings Wharf Road, exceeds standards

Adjacent Zoning/Land Use:

North - AW:AC - Vineyard and rural residence (Two parcels: 51.31 acres, 6.13 acres)

South - AW:AC - Vineyard with rural residence (40 acres)

East - AW:AC - Vacant (22.67 acres)

West - AW:AC - Rural residence (17.51 acres and 1.8 acres)

Nearby Wineries (within one mile of project site):

Ceja Winery - 1016 Las Amigas Road
21,603 square feet, 45,000 gallons/year, tours and tasting by appointment (168/week), marketing with 14 events/yr;

Etude Winery - 1250 Cuttings Wharf Road
65,900 square feet, 150,000 gallons/year, public tours and tasting (740/week); no marketing;

McKenzie-Mueller Winery - 2530 Las Amigas Road
24,623 square feet, 96,000 gallons/year, tours and tasting by appointment only (50/week), no marketing

Bouchaine Winery, 1075 Buchli Station Road
32,000 square feet, 225,000 gallons/year, public tours and tasting (150/week), no marketing

Comparison Wineries

Winery	Production	Visitors per Week	Marketing Events per Year
Rasmussen Carneros Winery	100,000 gpy	168 [(4 x 6) x 7]	54
McKenzie-Mueller Winery	96,000 gpy	50	0
Pahlmeyer Winery	100,000 gpy	70	18
Round Pond Winery	100,000 gpy	90	30
Dominari Winery	100,000 gpy	50	18

Property History:

On March 6, 1986, Small Winery Use Permit Exemption Certificate was issued to initially allow 1,200 gallons/year winery with a maximum 20,000 gallons/year production level in a 400 square foot building. One full-time and 4 part-time employees were approved for a Monday-Friday, 9:00 AM-5:00 PM operation. A maximum 5 visitors per week were allowed.

Code Compliance History:

No Code Enforcement referrals were recorded on the property.

Discussion:

Small Winery Exemption Certificate

The Kent Rasmussen Winery received a Small Winery Exemption Certificate in 1986 which, at that time, was a standard process for small, production-only, wineries located at sites with no environmental constraints. Small Winery Exemption Certificates did not allow for tours and tastings or marketing. Small Winery Exemptions are not use permits; if the owner wants to conduct tours and tastings and a marketing plan, a use permit must be obtained. The Small Winery Exemption Certificate process was removed from the County Code in 1990 with the adoption of the Winery Definition Ordinance (Ordinance 947). Such permits remained legal entitlements but, since

1990, expansion of these facilities has triggered conversion of the entitlement to a use permit.

Facility Upgrade and Operations

Construction of proposed winery improvements would occur in two phases. Phase One would convert the single-family residence, create an outdoor covered crush pad and storage shed. Phase Two would construct the new winery structure and associated improvement pads. The existing single-family residence would be converted to a 2,471 square feet tasting room and administrative office structure with two outdoor deck additions of 1,386 square feet and 493 square feet (1,879 square feet total). The existing rear barn and carport will be replaced with a 14,691 square feet winery production facility including a 2,350 square feet covered crush pad, laboratory and employee break kitchen only (no commercial kitchen). The winery building exterior will have rough-sawn, douglas fir plywood siding with off-set, vertical redwood trim. There will be steel-frame windows, a galvanized, sheet-metal roof and exposed, black/raw steel columns and beams on the north-side crush pad cover. Other winery support facilities include an upgraded sanitary and wastewater treatment system, new mechanical equipment, water pump and storage tank pads, an enclosed disposal receptacle with a separated, 12-space parking lot and improved access/circulation areas. There would be 8 full-time and 4 part-time employees. Hours of operation would increase from 9:00 AM-5:00 PM, Monday-Friday to 6:00 AM-6:00 PM, seven days a week.

Visitation and Marketing

The proposed project increases the current 5 visitors per week limit to allow 4 tours and tastings with up to 6 people per day (148 people per week), 4 monthly food and wine pairings with 24 people, 4 annual wine club/wine release events with 50 people, one annual winery auction-related event with 125 people and one annual Napa Valley Wine Auction event with 125 people with all evening events concluding by 10:00 PM. All food service at the winery for wine marketing events will be fully catered. This marketing program is similar to other wineries of similar annual production levels. Staff has reviewed the proposed visitation and marketing program and has not identified any negative traffic impacts associated with the additional visitors.

Traffic

The project site will be accessed via Cuttings Wharf Road, a public road maintained by Napa County. As detailed in the Initial Study, traffic counts on this road have an average weekday traffic volume of 2,105 vehicles and a Saturday volume of 2,059 vehicles south of State Route 121. The current level of service (LOS) for the subject area is LOS A during peak hours. According to Public Works traffic counts conducted from February-March 2011, the average daily traffic volume along Cuttings Wharf Road, at the project site, is estimated to be 1,640 vehicles. Traffic counts at the winery show that the weekday and Saturday two-way peak hour volumes are 146 and 148 vehicles, respectively, and represent about 9% of this total.

The use permit includes 8 full-time and 4 part-time employees and up to four daily tours with a maximum of 6 people that create 43 daily trips (this assumes 1.05 occupants per car for employees, 3.2 trips per day per full-time employee, 2 trips per day per part-time employees and 2.6 occupants per car for visitors). Winery operations create 5 additional trips per day for "grapes, materials/supplies and case goods" (all figures per *Napa County Winery Traffic Generation Characteristics*). The total volume increase of 48 maximum daily trips, combined with the series of planned marketing events discussed above, will not increase the existing LOS A along Cuttings Wharf Road. According to Public Works Traffic Engineering staff, any potential line-of-sight issues due to the location of the existing driveway on Cuttings Wharf Road will be addressed with recommended and standard conditions of approval.

Airport Compatibility

The project is located in the Napa County Airport Compatibility Zone E, Other Airport Environs, the outer ring of the main runway flight path at its highest altitude. Aircraft overflights can occur anywhere in these areas when aircraft are departing or approaching the airport. Overflight annoyance is the primary effect in these areas. The risk of accident is very low. The project would not result in a change in air traffic patterns for the Napa County Airport. According to the *Napa County Airport Land Use Compatibility Plan* (ALUCP). Dedication of an aviation or

overflight easement is required as a condition of new development within all airport influence area zones. Since the Napa County Zoning Ordinance and General Plan conform with the ALUCP, the project does not require a Napa County Airport Land Use Commission referral for ALUCP consistency determination.

Consistency with Standards:

Zoning

The project is consistent with AW:AC (Agricultural Watershed : Airport Compatibility Combination) zoning district regulations.

Fire Department Requirements

The Fire Department recommends approval. See their March 8, 2011 memo.

Environmental Management Department Requirements

The Environmental Management Department recommends approval with conditions. See their March 9, 2011 memo.

Public Works Department Requirements

The Public Works Department recommends approval with conditions. See their June 22, 2011 memo.

Sheriff's Department Requirements

The Sheriff's Department has reviewed this application and has no comments.

SUPPORTING DOCUMENTS

- A . Exhibit A - Findings
- B . Exhibit B - Conditions of Approval
- C . Small Winery Certificate
- D . Departmental Comments
- E . Initial Study / Negative Declaration
- F . Biological Survey
- G . Cultural Resources Evaluation
- H . Traffic Impact Analysis
- I . Application Materials
- J . Greenhouse Gas Reduction Measures
- K . Graphics

Napa County Planning Commission: Approve

Reviewed By: Hillary Gitelman