



A Tradition of Stewardship  
A Commitment to Service

Agenda Date: 8/20/2008

Agenda Placement: 9A

## Napa County Planning Commission Board Agenda Letter

---

**TO:** Napa County Planning Commission  
**FROM:** John McDowell for Hillary Gitelman - Director  
Conservation, Development & Planning  
**REPORT BY:** Melissa von Loesch, Administrative Secretary II - 299-1380  
**SUBJECT:** Bennett Lane Winery Expansion - July 16, 2008 Staff Report Reprint - Continued Item

---

### **RECOMMENDATION**

#### **LYNCH FAMILY VINEYARDS, LLC. / BENNETT LANE WINERY – USE PERMIT MAJOR MODIFICATION REQUEST # P07-00299-MOD**

**Request:** Approval of a Major Modification to Use Permit #92452-UP to: (1) remodel the existing approximately 8,900 square foot winery building including expansion of the offices; (2) construct a new approximately 3,650 square foot tasting room with offices; (3) construct a new approximately 5,000 square foot barrel storage building with a commercial kitchen; (4) add an enclosed courtyard between buildings (for a winery totaling approximately 17,550 square feet); (5) relocate and expand the customer parking lot to 22 parking spaces; (6) increase tours and tasting by appointment only to 32 visitors per day, with 168 visitors average per week; (7) add a marketing plan with 48 private wine, food and harvest events per year with a maximum of 40 people per event, and four industry Open House events with a maximum of 50 people per event; (8) three Napa Valley Wine Auction related events per year with a maximum of 125 people per event; and, (9) installation of winery wastewater and sewage systems upgrades. No change to the annual production limit of 50,000 gallons per year is proposed. The project is located on a 10.0 acre parcel on the northeast side of State Highway 128, approximately 1,000 feet southeast from its intersection with Bennett Lane within an AP (Agricultural Preserve) zoning district. (Assessor's Parcel #: 017-160-002). 3340 State Highway 128, Calistoga. **(Continued from the July 16, 2008 Regular Planning Commission Meeting.)**

**Staff Recommendation:** Adopt negative declaration and approve project as proposed with conditions of approval.

**Staff Contact:** John McDowell 299-1354

### **EXECUTIVE SUMMARY**

**Proposed Action:** 1. That the Planning Commission adopt the Negative Declaration for the Bennett Lane Winery

Expansion, based on findings 1-6 of Exhibit A (attached); and,

2. That the Planning Commission approve Use Permit Major Modification P07-00299-MOD based on findings 7-11 of Exhibit A and subject to the attached conditions of approval (Exhibit B).

**Discussion:** Bennett Lane Winery was originally developed in the early 1990's as a 20,000 gallon per year facility with by-appointment visitation and a typical marketing plan for a winery of that size. In 2003, the Commission approved a capacity increase from 20,000 gallons per year to 50,000 gallons per year, but at that time the permittee did not seek any changes to the building, visitation or marketing. The current application will roughly double the building size of the existing facility as well as expand by-appointment visitation and marketing. The scope of the proposed changes are consistent with the Winery Definition Ordinance and with past County actions on similar sized facilities, and does not appear to result in any significant impacts to the general area or neighboring properties.

### **FISCAL IMPACT**

Is there a Fiscal Impact?                      No

### **ENVIRONMENTAL IMPACT**

**ENVIRONMENTAL DETERMINATION:** Negative Declaration Prepared and attached. 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 sites enumerated under Government code section 65962.5

### **BACKGROUND AND DISCUSSION**

**Owner:** Lynch Family Vineyards, LLC.

**Applicant/Representative:** Donna Oldford, Planning Consultant

**Zoning:** AP Agricultural Preserve

**General Plan Designation:** Agricultural Resource

**Filed:** April 24, 2007

**Declared Complete:** May 29, 2008

**Winery Size (Existing):** 8,900 square feet

**Winery Size (Proposed):** 17,550 square feet

**Production Capacity (Existing):** 50,000 gallons per year

**Production Capacity (Proposed):** No Changes Proposed

**Marketing (Existing):** various types of events as follows: 12 events per year for 20 persons, 12 events per year for

35 persons, 7 events per year for 50 persons, 3 auction-related events per year for 50 persons, 4 trade events per year for 40 persons

**Marketing** (*Proposed*): 48 events per year for 40 persons, 3 auction-related events per year for 125 persons, 4 trade events per year for 50 persons

**Visitation** (*Existing*): By appointment only for an average of 50 per day averaging 100 per week.

**Visitation** (*Proposed*): By appointment only for a maximum of 32 per day averaging 168 per week (staff proposed maximum of 200 per week).

**Number of employees** (*Existing*): Three full-time

**Number of employees** (*Proposed*): No Changes Proposed

**Hours of operation** (*Existing*): 9 am to 5:30 pm, seven days a week

**Hours of operation** (*Proposed*): No Changes Proposed

**Parking** (*Existing*): 14 off-street, 11 customer, 3 employee

**Parking** (*Proposed*): 25 off-street, 22 customer, 3 employee

### **Adjacent Zoning / Land Use:**

**North** AP - 44-acre vineyard parcel located across unnamed creek the straddles the common property line.

**South** AW - 3 vacant hillside properties located across State Highway 128.

**East** AP - 10-acre vineyard property with a residence located approximately 500 ft. from the proposed winery addition.

**West** AP - One 15-acre vineyard property with a residence located approximately 350 ft. from the proposed winery addition, and to the southwest there are two residence on 2 and 4 acre properties located approximately 700 to 1,000 ft. from the proposed winery addition.

### **Property History:**

1991 The original winery use permit (U-91-1) was approved under the name Charter Oaks winery. That permit was never implemented.

1993 The Planning Commission approved the second Charter Oaks Winery permit (#92452-UP). Approved capacity was 20,000 gallons per year.

1995 Under Modification (94307-MOD), the final building design was changed from a single story structure to a two story structure.

July 2003 The Planning Commission approved Use Permit Major Modification (#02638-MOD) to increase the capacity of the winery to 50,000 gallons per year.

### **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. Neighbor Issues - Attached to this report are letters from five neighbors received by this office between January 2007 and February 2008 expressing concerns over the size of the project and potential impacts to the general vicinity. The applicant's representative commented that they have had several meetings with neighbors.

2. Building Sizes - Winery structures will be roughly doubling in size with this proposal. The applicant has indicated that the additional size is required to accommodate both planned production and marketing/visitation needs. It was apparent to Staff during site visits that the current facility is stretched to its limit. Staff observed that there was no available space within the barrel aging room, and that office functions were effectively occurring within the space dedicated for tasting. The currently proposed buildings, including the mix of production space to accessory marketing/visitation space, appears consistent with what has been approved for similar capacity wineries. A potential issue is neighbor concerns that there was a past verbal agreement in 2003 to not seek building expansion in turn for neighbor acceptance of the capacity increase from 20,000 gallons to 50,000 gallons per year.

3. Architecture Changes - The proposed architecture of the building complex appears in keeping with County aesthetic goals. The winery is located at the rear of the property, and although the mass of the buildings will increase substantially from existing conditions, the scale and size of the complex is considered by Staff to be compatible with County standards and the surrounding area.

#### **Consistency With Standards:**

Zoning This project is consistent with AP (Agricultural Preserve) 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 project specific conditions for an upgraded septic system.

#### **SUPPORTING DOCUMENTS**

- A . Exhibit A - Findings Required for Approval
- B . Exhibit B - Proposed Conditions of Approval
- C . Environmental Management Conditions Memo
- D . Fire Department Conditions Memo
- E . Building Division and Public works Department Conditions of Approval
- F . Previous Staff Reports and Conditions of Approval
- G . Draft Negative Declaration / Initial Study
- H . Neighbor Comments
- I . Application Package
- J . Project Graphics

Napa County Planning Commission: Approve

Reviewed By: John McDowell