



A Tradition of Stewardship
A Commitment to Service

AGENDA

NAPA COUNTY CONSERVATION, DEVELOPMENT AND PLANNING COMMISSION

Wednesday August 04, 2010
9:00 AM

COMMISSION MEMBERS

<i>CHAIRPERSON</i> <i>Heather Phillips</i> <i>District # 1</i>	<i>COMMISSIONER</i> <i>Michael Basayne</i> <i>District # 2</i>	<i>COMMISSIONER</i> <i>Terry Scott</i> <i>District # 4</i>	<i>COMMISSIONER</i> <i>Bob Fiddaman</i> <i>District # 3</i>	<i>VICE-CHAIRPERSON</i> <i>Matt Pope</i> <i>District # 5</i>
<i>COMMISSION COUNSEL</i> <i>Laura Anderson & Minh Tran</i>		<i>SECRETARY-DIRECTOR</i> <i>Hillary Gitelman</i>	<i>COMMISSION CLERK</i> <i>Melissa Gray</i>	

The Commission welcomes you to its meeting which is regularly scheduled the first and third Wednesday of the month. The Commission meets at 1195 Third Street, Suite 305, Napa. The following information is provided to ensure your understanding and participation in the Commission's meeting and decision making process. Your comments and participation in the meeting are invited and would be welcomed. It is our desire to give everyone an opportunity to speak and be heard in a timely manner and within an atmosphere of respect and diplomacy. These procedures are meant to foster an atmosphere of respect. Assistive listening devices are available for the hearing impaired from the office of the Clerk of the Board. If an ASL interpreter or any other special arrangement is required, please provide the Clerk of the Commission with 24-hour notice by calling 253-4417.

ITEMS TO BE DECIDED WITHOUT ADDITIONAL TESTIMONY:

Items listed under this section on the agenda are regular items which are recommended for approval or continuance by staff with the applicant's consent concerning conditions of approval, when the applicant has signed any required project revision statement and when no member of the Commission or public indicates a desire to comment or ask questions about the item. These items regardless of their agenda assigned number will be acted upon by the Commission in one motion at the beginning of the meeting. Applicants having items so listed need not speak unless they disagree with the staff recommendation or wish to comment. If an Item requires discussion, it will be heard in the numerical order listed on the agenda.

PERSONS WISHING TO SPEAK CONCERNING AN AGENDA ITEM:

If you wish to speak on an item on the Agenda and under discussion by the Commission, you may do so upon receiving recognition from the Chairperson. After being recognized by the Chairperson, please step to one of the microphones and state your name and address and make your presentation. No comment or testimony shall be shouted from the audience. All comments are to be directed to the Commission, including inquiries requiring staff response. Time limitations shall be at the discretion of the Chair or Commission.

APPEAL PROCEDURE:

If you do not agree with the Commission's decision or the conditions that may have been imposed by the Commission in approving an agenda item, you may appeal the Commission's action to the Napa County Board of Supervisors. Appeal must be filed within ten (10) working days from the date of the Commission's action.

Appeals may be limited to those issues raised at the public hearing relating to the agenda item or to written correspondence delivered to the Planning Commission at or prior to the public hearing. For additional information concerning the County's Ordinance requirements for filing an appeal or to obtain the required forms to file an appeal, please stop at the front counter in the County Executive Office/Clerk of the Board, 1195 Third Street, Suite 310 in Napa. If you have any question concerning the appeals procedure, please call (707) 253 4580 and request assistance.

DISCLOSURE – CONFLICT OF INTEREST:

State law requires agency officers (Commissioners, Directors, Board members) to disclose, and then be disqualified from participation in, any proceeding involving a license, permit, or other entitlement for use, if the officer has received from any participant in the proceeding an amount exceeding \$250 within the prior 12 month period. State law also requires any participant in a proceeding to disclose on the record any such contributions to an agency officer.

All materials relating to an agenda item for an open session of a regular meeting of the Planning Commission which are provided to a majority or all of the members of the Commission by Commissioners, staff or the public within 72 hours of but prior to the meeting will be available for public inspection, at the time of such distribution, in the office of the Clerk of the Planning Commission, 1195 Third Street, Suite 210, Napa, California 94559, Monday through Friday, between the hours of 8:00 a.m. and 5:00 p.m., except for County holidays. Materials distributed to a majority or all of the members of the Commission at the meeting will be available for public inspection at the public meeting if prepared by the members of the Commission or County staff and after the public meeting if prepared by some other person. Availability of materials related to agenda items for public inspection does not include materials which are exempt from public disclosure under Government Code sections 6253.5, 6254, 6254.3, 6254.7, 6254.15, 6254.16, or 6254.22.

Agenda available on line at www.countyofnapa.org

1. CALL TO ORDER / ROLL CALL**2. PLEDGE OF ALLEGIANCE****3. CITIZEN COMMENTS AND RECOMMENDATIONS**

The Commission invites Citizen comments and recommendations concerning current problems and future prospects of a planning nature which are within the jurisdiction of the Conservation, Development & Planning Commission. Anyone who wishes to speak to the Commission on such a matter, if it is not on the agenda, may do so at this time.

4. APPROVAL OF MINUTES

Clerk of the Commission requests approval of Minutes for the meeting held on:
July 7, 2010 (Commissioner Phillips excused)

5. DIRECTOR'S REPORT

- | BOARD OF SUPERVISORS ACTIONS
- | OTHER DEPARTMENT ACTIVITIES

6. AGENDA REVIEW**7. DISCLOSURES****8. PUBLIC HEARING ITEMS TO BE DECIDED WITHOUT ADDITIONAL TESTIMONY****A. FROG'S LEAP / FROG'S LEAP WINERY / USE PERMIT MAJOR MODIFICATION #P10-00157-MOD**

CEQA Status: Negative Declaration Prepared. According to the Negative Declaration, the proposed project would not have a significant effect on the environment. The project site is not on any of the lists of hazardous waste sites enumerated under Government Code section 65962.5.

Request: Approval of a use permit modification to Use Permit 93397-UP to include: (1) Changing tours and tasting (by appointment only) from Monday through Saturday to include Sunday tours and tastings for 50 persons per day maximum. No changes to winery production levels, marketing activities and events, or to site and building improvements are proposed. The project is located on a 38.92 acre parcel on the northwest corner of Conn Creek Road and Highway 128 within an AP (Agricultural Preserve) zoning district. (Assessor's Parcel # 030-090-033) 8815 Conn Creek Road, St. Helena, CA.

Staff Recommendation: Adopt the attached Negative Declaration and approve the winery major modification as proposed and conditioned.

Staff Contact: Linda St. Claire 299-1348 or linda.stclaire@countyofnapa.org

9. PUBLIC HEARING ITEMS**A. ROBERT SINSKEY WINERY / SINSKEY VINEYARDS, INC. - ROBERT SINSKEY WINERY USE PERMIT # P09-00480-MOD**

CEQA Status: Negative Declaration has been prepared. According to the proposed Negative Declaration, the proposed project would not have any potentially significant environmental impacts.

The project site is not on any of the the lists of hazardous waste sites enumerated under Government Code Section 65962.5

Request: Approval to allow major modification to Use Permit # 94099-MOD to: 1) expand winery production capacity from 65,000 gallons/year to 143,000 gallons/year; 2) expand and relocate the demonstration kitchen with 662 square feet of additional kitchen area and 1,261 square feet of new seating area; 3) expand the existing winery facility with a 2,937 square foot second-floor winery office wing and first-floor 801 square foot office addition; 4) expand the existing west-side, outdoor terrace by 1,500 square feet; 5) increase parking from 30 to 62 spaces with a new parking lot; 6) increase the number of full-time employees from six to ten and part-time employees from three to five; 7) construct a new wastewater disposal system; 8) modify the existing marketing plan to increase the average number of food and wine seminar attendees from 30 to 36, allow up to 75 visitors/day for private tours and tastings and modest food service, add a new once-monthly evening marketing event for up to 80 people and new twice-yearly marketing events with food service for up to 150 visitors, all evening events would be held between the hours of 6:00 pm and 11:30 pm with clean-up permitted until 12:00 am; 9) modify four 1994 Use Permit conditions of approval and four mitigation measures which restricted winery operations to accommodate a former neighbor; and 10) allow retail sales of produce and animal products grown, raised or produced on the winery property and adjacent parcel, also owned by the applicant's family. The project site is located on one parcel, approximately 11.82 acres in size, on the east side of Silverado Trail, approximately 0.21 mile (1,100 feet) southeast of the intersection with Yountville Cross Road, within the AW (Agricultural Watershed) zoning district. (Assessor's Parcel Number: 031-230-017) 6320 Silverado Trail, Napa.

Staff Recommendation: Adopt the Negative Declaration and approve the Use Permit with the recommended Conditions of Approval.

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

B. LARRY HYDE / LARRY HYDE & SONS WINERY / USE PERMIT REQUEST #P09-00025-UP

CEQA Status: Negative Declaration Prepared. According to the Negative Declaration, the proposed project would not have a significant effect on the environment. The project site is not on any of the lists of hazardous waste sites enumerated under Government Code section 65962.5.

Request: Approval of a use permit to establish a new 30,000 gallon per year winery to include: (1) a 9,947 square foot winery building with solar panels on the roof; a 192 square foot loggia; a 2,413 square foot covered outdoor crush pad for a winery totaling 12,552 total square feet; (2) two full-time and two part-time employees; (3) thirteen parking spaces including one disabled-accessible space; (4) winery wastewater system to include on-site septic system; (5) by appointment tours and tasting with a maximum of 20 visitors per day and 120 visitors per week; and (6) a marketing plan with ten 30-person special events and a private 100-person wine auction/Premier Napa Valley event annually. Site improvements consist of the following: Installing drainage improvements; widening the existing driveway to meet the standard 18 foot width for wineries; installing a new winery wastewater (with a drip dispersal) system and domestic wastewater (with pretreatment) septic disposal systems; installation of an automatic fire sprinkler system for the structure and water efficient landscaping. No other alterations to the appearance of the site are proposed. The project is located on a 10.56 acre parcel on the southeast corner of Los Carneros Avenue and Highway 121/12 within an AW (Agricultural Watershed) zoning district. (Assessor's Parcel # 047-220-009) 3250 Los Carneros Avenue, Napa, CA.

Staff Recommendation: Adopt the attached Negative Declaration and approve the winery use permit as proposed and conditioned.

Staff Contact: Linda St. Claire 299-1348 Linda.StClaire@countyofnapa.org

C. MJA VINEYARDS / MARIN ARTUKOVICH c/o FARELLA BRAUN & MARTEL LLP- USE PERMT MAJOR MODIFICATION (P10-00123-MOD)

CEQA Status: Mitigated Negative Declaration prepared. According to the proposed mitigated negative declaration, if mitigation measures are not included, the proposed project would have potentially significant environmental impacts in the following area: Transportation/Traffic. The project is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

Request: Approval to modify Use Permit #U-28889 to allow (1) an increase in production capacity from 3,300 gallons per year to 23,775 gallons per year; (2) the conversion of previously approved residential living areas to winery production and accessory uses establishing a winery with approximately 11,921 square feet of production area and approximately 2,588 square feet of accessory area within structures and caves; (3) authorizing existing and proposed outdoor work (5,534 sq. ft.), tank pad (2,876 sq. ft.), and storage areas (2,161 sq. ft.) totaling approximately 10,571 square feet of area; (4) establishing winery uses within a 5,511 sq. ft. cave (cave floor area is included in (2) and (3), above); (5) approval of an existing retaining wall; (6) approval an existing expansion of the parking area on the west side of the building; (7) tours and tastings by appointment only for up to 15 visitors per day, with a maximum of 75 visitors per week; (8) establish a marketing plan with two events per month for a maximum of 15 guests at each event and two events per year for a maximum of 30 guests at each event; (9) an increase to the number of employees from one part-time employee to two full-time and two part-time employees; (10) an increase to the number of on-site parking spaces from four to nine; (11) installation of a new winery process and domestic wastewater system; and, (12) an exception to the County Road and Street Standards recognizing the reduced width of the existing access drive. The 17.78 acre project site is located on the west side of Greenfield Road, approximately 1,700-feet northwest of the intersection Greenfield Road and Conn Valley Road within the AW (Agricultural Watershed) zoning district. APN: 025-380-021. 647 Greenfield Road, St. Helena.

Staff Recommendation: Adopt the mitigated negative declaration and mitigation monitoring and reporting program and approve the use permit with the proposed conditions of approval.

Staff Contact: Sean Trippi, 299-1353 or sean.trippi@countyofnapa.org

10. DEPUTY DIRECTOR'S REPORT

- | DISCUSSION OF ITEMS FOR THE **AUGUST 18, 2010 PC MEETING**
- | CODE COMPLIANCE REPORT
- | ZONING ADMINISTRATOR ACTIONS
- | OTHER PENDING PROJECTS' STATUS

11. COMMISSIONER COMMENTS / COMMITTEE REPORTS

12. FUTURE AGENDA ITEMS

- | #03457-UP, 1 year after opening - Kendall Jackson (formerly Pecota) Winery
- | P06-01426-UP, 1 year after opening - Pavitt Winery
- | #02082-UP, September 2010 - Alpha Omega Winery
- | #P06-0102-MOD, December 2010 - Frank Family Winery

13. ADJOURNMENT

I HEREBY CERTIFY THAT THE AGENDA FOR THE ABOVE STATED MEETING WAS POSTED AT A LOCATION FREELY ACCESSIBLE TO MEMBERS OF THE PUBLIC AT THE NAPA COUNTY ADMINISTRATIVE BUILDING, 1195 THIRD STREET, NAPA, CALIFORNIA ON JULY 28, 2010 BY 4:00 PM. A HARDCOPY SIGNED VERSION OF THE CERTIFICATE IS ON FILE WITH THE CLERK OF THE COMMISSION AND AVAILABLE FOR PUBLIC INSPECTION.

Melissa Gray (By e-signature)
Melissa Gray, Clerk of the Commission