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Agenda Date: 9/17/2014

Agenda Placement: 9B

Napa County Planning Commission Board Agenda Letter

TO: Napa County Planning Commission
FROM: Charlene Gallina for David Morrison - Director
Planning, Building and Environmental Services
REPORT BY: Sean Trippi, Principal Planner - 299-1353
SUBJECT: Hall Winery Distillery Building Demolition EIR Public Hearing

RECOMMENDATION

HALL WINERY DISTILLERY BUILDING DEMOLITION / HALL ST. HELENA WINERY, LLC & HALL HIGHWAY 29 WINERY, LLC - USE PERMIT MODIFICATION (P13-00233)

CEQA Status: A Final Environmental Impact Report (EIR) Prepared. A Draft EIR was prepared and a public hearing was held on the Draft EIR during the 45 day public comment and review period. Written responses to comments received during the public review period have been incorporated into a Final EIR consisting of the Draft EIR, public and agency comments, responses to comments, and required clarifications and changes to the text of the Draft EIR. The Planning Commission will consider approval or denial of the project following certification of the Final EIR.

Request: Approval of a request to modify Use Permit Modification No. P13-00233 to allow; a) demolition of the 1,752 sq. ft. Distillery Building; b) construction of a 3-4 foot high wall constructed of materials from the Distillery Building behind or as a back drop to a bench; c) construction of an historic marker; and d) new landscaping in the area of the Distillery Building. The project site consists of approximately 33.2 acres of land currently occupied by the Hall Winery complex located on the west side of State Route 29 between Lewelling Lane and Inglewood Avenue within the unincorporated portion of Napa County. 401 St. Helena Highway South, St. Helena, 94574. APN's 027-120-061 & 062 (SFAP).

Staff Recommendation: That the Planning Commission certify the Final Environmental Impact Report; adopt CEQA findings and an MMRP; and approve the project with conditions of approval.

Staff Contact: Sean Trippi, 707-299-1338 or sean.trippi@countyofnapa.org

Applicant Contact: Mike Reynolds, 707-967-2621 mreynolds@hallwines.com

EXECUTIVE SUMMARY**Proposed Actions:**

That the Planning Commission:

1. Adopt a Resolution Certifying the Final EIR (See Exhibit "A" attached); and
2. Adopt a Resolution: (A) Adopting Findings and a Statement of Overriding Considerations including Rejecting the No Project Alternative, the Relocation Alternative, and the Environmentally Superior Alternative Pursuant to the California Environmental Quality Act; (B) Adopting a Mitigation Monitoring Program; and (C) Adopting the Minimal Partial Restoration Alternative and Approving the Use Permit Modification No. P13-00233 for the Hall Winery Distillery Building Demolition (See Exhibit "B" attached).

Discussion:

According to the application materials previously submitted by the applicant, wine has been produced on the site since the late 1800's. During the mid 1930's the site became a large volume, bulk-processing facility. The first use permit addressing winery operations on the site was approved in 1975. A number of use permits and use permit modifications have been approved on the subject property since 1975 which established various conditions of approval for operation of the winery.

The current request is to demolish the existing 1,752 square foot Distillery Building located in the approximate center of the Hall Winery complex. The Distillery Building was constructed in 1936 and was used for making distilled wine products. In the 1940's and until recently, the building was used for storage and winery offices. The building is constructed as a two-story structure using concrete blocks with a wood framed roof structure. The applicant also proposes to landscape the area of the building footprint and place an historic marker and bench incorporating materials from the Distillery Building as a 3-4 foot high wall behind the bench. No amendments to winery operations are proposed.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

A Final Environmental Impact Report (EIR) has been prepared. Prior to taking an action on the Use Permit Modification regarding the Hall Winery Distillery Building Demolition Project, the Planning Commission is required to review and consider the Final EIR and to certify that the Final EIR has been prepared in compliance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and local procedures for implementing CEQA and that the Final EIR reflects the County's independent judgement and analysis.

As required under the California Environmental Quality Act (CEQA), an Initial Study was prepared for the project and determined there were potentially significant environmental effects and that a Draft Environmental Impact Report (EIR) was required. The Draft EIR prepared for the project was released for public review and comment on June 19, 2014 and a public hearing took place on July 16, 2014 at the Planning Commission. The Draft EIR and Response to Comments document together constitute the Final EIR for the project.

Prior to approving the project, the Planning Commission must certify that the Final EIR was completed in compliance with CEQA and presented to the Commission, that the Commission reviewed and considered the information in the Final EIR, and that the Final EIR represents the lead agency's independent judgement and analysis (CEQA Guidelines Section 15090). The approval action by the Commission must also include findings pursuant to CEQA and the State CEQA Guidelines.

BACKGROUND AND DISCUSSION

Owner: Hall St. Helena Winery LLC & Hall 29 Winery LLC

Representative: Mike Reynolds (707) 967-2621

Application Filed: July 12, 2013

Notice of Completion (of EIR) Filed: June 18, 2014

Zoning: AP (Agricultural Preserve)

General Plan Designation: AR (Agricultural Resource)

Winery Characteristics: No changes are proposed to annual production, visitation/marketing, the number of employees, parking area, hours of operation or to the winery buildings and associated improvements.

Setting:

The property is located on the west side of State Route 29, between Inglewood Avenue and Lewelling Lane. Approximately 483 feet of the property abuts Lewelling Lane which adjoins the southern boundary of the St. Helena city limits. The property also has 60 feet of frontage on Inglewood Avenue. Access to the winery is provided by two driveways on SR 29. Emergency vehicles and farm/agricultural equipment may access the site from Inglewood Avenue. The project site is fairly level with elevations between 215 to 230 feet above mean sea level. Existing uses on the site includes vineyards, the winery buildings and associated improvements. Properties surrounding the project site range in size from 0.13 to 49.74 acres and include rural residences, vineyards, wineries, and commercial businesses. There are a number of existing wineries within the vicinity of the project site including but not limited to Martini, Sutter Home, Prager, V Sattui, Villa Helena and Jaeger Family Vineyards. Other producing wineries in the vicinity project site include Milat winery and Corison winery, on State Route 29/St. Helena Highway to the south. Sandpoint winery, approved but not yet producing lies to the west down Inglewood Avenue.

Nearby Wineries:

Louis Martini - 254 St. Helena Hwy - 136,700 sq. ft. - 2,000,000 gal/yr - Public Tours & Tastings (1,550 visitors/week)

Sutter Home - 277 St. Helena Hwy - 41,000 sq. ft. - 200,000 gal/yr - Public Tours & Tastings (3,500 visitors/week)

Prager - 1281 Lewelling Lane - 4,492 sq. ft. - 8,500 gal/yr - Public Tours & Tastings (42 visitors/week)

V. Sattui - 1111 White Lane - 34,676 sq. ft. - 96,000 gal/yr - Public Tours & Tasting (3,850 visitors/week).

Villa Helena - 1455 Inglewood Ave - 3,315 sq. ft. - 6,000 gal/yr - Tours & Tasting by appointment (20 visitors/week)

Jaeger Family Vineyards - 2125 Inglewood Ave - 4,000 sq. ft. - 13,200 gal/yr - Tours & Tastings appointment (1 visitor/week)

Milat - 1091 S. St. Helena Hwy - 4,900 sq. ft. - 20,000 gal/yr - Public Tours & Tastings (40 visitors/week)

Corison - 987 St. Helena Hwy - 9,480 sq. ft. - 20,000 gal/yr - Tours & Tastings by appointment (10 visitors/week)

Sandpoint - 1919 Inglewood Ave - 110,941 sq. ft. - 30,000 gal/yr - Tours & Tastings by appointment (112 visitors/week)

Adjacent General Plan Designation/ Zoning / Land Use:

North:

AR General Plan designation, AP/PD/RC/CL zoning -

To the north and east of the project site are nine properties nestled between the project site and SR 29 and Lewelling Lane. The properties range in size from 0.53 acres to 2.08 acres. Four properties are zoned AP with homes on two of the lots, Sutter Home winery on one of the lots and an undeveloped lot. One lot is zoned PD and houses mobile homes. Three lots are zoned RC with homes on two of the lots and Prager winery on the third lot. The remaining lot, on the southwest corner of SR 29 and Lewelling Lane, is zoned CL is home to the Sutter Home Inn.

South:

AR General Plan designation, RS:B-1/AP/CN/CL zoning -

There are six lots ranging in size from 0.13 acres to 0.62 acres and totaling about 1.7 acres, all zoned RS:B-1. Each lot is developed with a residence. Across Inglewood are a single-family residence, Villa Helena winery (both zoned AP) and Inglewood Village Business Park (zoned CN) and Flyers gasoline station (zoned CL).

East:

AR General Plan designation, AP zoning -

Heitz Wine Cellars owns four properties across SR 29 totaling about 16.4 acres with a wine tasting room with retail sales (recognized by CLN in 1196), two residences, a vineyard maintenance building and storage yard, and vineyards. There are also three lots between the winery site and SR 29 totaling about 2.7 acres that include the Press restaurant, Dean & Deluca market, Flora Springs wine tasting, and the Vine Cliff wine shop (formerly St. Helena Wine Merchants).

West:

AR General Plan designation, RS:B-1/AP zoning -

The west side of the property adjoins a one acre property with a single-family home, and three lots ranging in size from 5 acres to 20 acres with a single-family home on each lot with the balance of each lot planted in vines.

History:

The winery was established in approximately 1885, about 35 years after the County was created, well before adoption of County ordinances which required a use permit as well as adoption of the Winery Definition Ordinance. The winery has been in continuous operation since that date and has also been known as the Napa Valley cooperative winery and the Golden State Vintners.

August 6, 1975 - The Planning Commission approved the first Use Permit, #U-697475, (Napa Valley Cooperative Winery) to add a 1,200 sq. ft. bay to an existing 2,080 sq. ft. grower's supply storage building, bringing the entire operation under use permit. The site plan showed a ±44,400 existing wine storage and fermentation building, 4,900 sq. ft. crush shed, 1,800 sq. ft. office/lab building, 3-100,000 and 2-50,000 gallon wine storage tanks, scales, cooling towers, California Department of Human Resources trailer, and miscellaneous site improvements. There were 5 existing full-time employees (up to 30 during crush) and 5 on-site parking spaces.

July 25, 1984 - The Planning Commission approved Use Permit #U-638384 (Napa Valley Cooperative Winery) increasing production capacity from 2,059,000 to 2,805,000 gal/yr with the addition of 60-20,000 gallon, 5-10,000 gallon and 15-5,000 gallon wine storage tanks. The winery was open 5 days a week, 8:00 AM to 5:00 PM, with 4 full-time and 20 part-time employees, and 20 on-site parking spaces.

February 5, 1986 - The Planning Commission approved Use Permit #U-118586 (Napa Valley Cooperative Winery) to construct a freestanding two-story 3,080 sq. ft. visitor's center. The proposal included a request to provide a picnic area for wine and cheese tasting. Approval of the permit was limited to wine tasting and wine sales only; cheese tasting and the picnic area were not allowed. The approval also included public tours and tasting for 500 visitors a day (3,500 a week). Hours of operation for the visitors center were 10:00 AM to 5:00 PM, seven days a week, run by 3 employees (2 full-time and 1 part-time). Parking for 100 vehicles on-site was approved.

May 23, 1997 - The Zoning Administrator approved Use Permit Modification #96539-MOD (Golden State Vintners) to remodel the exterior elevations of the visitor's center/tasting building; reduce the number of on-site parking spaces from 100 to 57, including a significant reduction in asphalt area (to be replaced with vineyards); a redesign of the entrance driveway to the visitor's center/tasting building; expand the fire access road; replace the two existing winery identification signs; and, revisions to the site landscaping.

May 20, 1998 - The Planning Commission approved Use Permit Modification #97365-MOD (Golden State Vintners) further remodeling the winery with the installation of new equipment, removal of structures, reconstructing 26,685 sq. ft. of the main winery building for barrel storage and bottling areas; constructing a 27,986 sq. ft. addition for case good storage, bottling, offices, workshop, and employee break room and restroom; remodeling the tank farm, relocating existing tanks and constructing new canopies over the tanks; constructing a new driveway and truck loading area and revising the on-site circulation areas; reconstructing and expanding the waste water pond to 4.5 MG; increasing number of employees from 29 to a total of 56 (51 full-time and 5 part-time); providing 88 on-site parking spaces; and, allowing 40% of total production capacity (1,122,000 gal/yr) for custom crush and alternating proprietors. The proposal resulted in an overall floor area of 165,690 sq. ft. for the facility, with the winery development area of 364,250 sq. ft. which includes buildings and impervious surfaces. Establishing the hours of operation noted above; and recognizing existing marketing activities which were three (3) private promotional wine tastings and catered meals for the wine trade and invited consumers per week averaging 30 persons per event and three (3) wine auction related events per year with no more than 500 guests at each event.

January 18, 2006 - The Planning Commission approved Use Permit Modification P05-0140-MOD (Hall Winery) decreasing production capacity from 2,805,000 gallons per year to 1,260,000 gallons per year; restoring the two-story 5,228 square foot and the 1,752 square foot historic winery and distillery buildings, respectively, for reuse as viticulture, historic, and enologic display areas; restoring and remodeling the ±19,361 square foot historic warehouse building and relocating to another location on-site for reuse as a bottling building and administrative offices; demolishing warehouse buildings, other small structures and additions, and the outdoor tank farm; constructing two new production buildings with 104,545 square feet of floor area; constructing a new 10,160 square foot two-story hospitality building and a 2,576 square foot visitor's center/reception building; constructing a 31,904 square foot underground barrel vault including a wine library and private marketing area partially beneath the hospitality building; converting the existing 3,080 sq. ft. visitors center to offices and meeting rooms; decreasing the number of full-time employees from 51 to 33; increasing on-site parking from 88 to 150 spaces; adding 12 new marketing events per year with 100 persons maximum at each event; decreasing the size and capacity of the existing process waste water pond and installing a new domestic waste water system; reducing annual water allotment from the City of St. Helena; and other site improvements.

December 5, 2006 - The Planning Director approved Use Permit Modification P06-01337 reconfiguring the reflection ponds (the ponds would still be located around the hospitality building and near the former distillery building); reconfiguring the parking lot area with no change to the previously approved number of parking spaces (150); reducing the floor area of the underground barrel storage area beneath production building #2 from approximately 31,904 square feet to approximately 30,398 square feet; reorganizing the interior floor plan of the hospitality building with no change to the areas designated for public tasting, private marketing events, and retail sales; and attaching the reception area and viticulture control room into production Building #2 and eliminating the 2,576 square foot reception and viticulture control building.

April 18, 2012 - The Planning Commission approved Use Permit Modification P11-00452 updating the phasing plan and allowed the following improvements as part of Phase 3: restoring the historic Peterson-Bergfeld building including use of the first floor for barrel storage and previously approved marketing events and use of the second floor for previously approved marketing events instead of the display of viticultural, enological and historic items; reducing the floor area of Production Building 2.2 from 30,249 sq. ft. to 19,347 sq. ft. (a loss of 10,902 sq. ft.); constructing a new 9,965 sq. ft two-story hospitality building attached to the north side of Production Building 2.2 (an increase of 9,965 sq. ft.); constructing a new 5,500 sq. ft. two-story office building attached to the east side of Production Buildings 2.1 and 2.2, replacing the previously approved 3,902 sq. ft. reception/viticulture control building (a gain of 1,598 sq. ft.); adding 25 new parking spaces on a pervious surface located north of the existing parking lot; constructing a new 990 sq. ft. unenclosed outdoor terrace west the Peterson-Bergfeld building; and constructing a new 500 sq. ft. outdoor barbecue/restroom pavilion with approximately 460 sq. ft. of enclosed floor area northwest of the Peterson-Bergfeld building. The following improvements would occur as part of Phase 4: constructing the previously approved 10,902 sq. ft. hospitality building west of the Peterson-Bergfeld building; constructing/relocating the previously approved 19,361 sq. ft. Production Building 1 northwest of the Peterson-Bergfeld building which will require the removal of the 500 sq. ft. outdoor barbecue/restroom building; constructing the previously approved 29,093 sq. ft. Production Buildings 3.2 and 3.3 between existing Production Building 3.1 and the pond; converting the existing 1,752 sq. ft. distillery building to display viticultural, enological and historic items; and converting of the existing 3,080 sq. ft. public tasting area to office use. The project resulted in a net gain of 661 sq. ft. of floor area. No changes to production, tours and tasting, marketing, number of employees, hours of operation, or general building locations/setbacks were proposed or approved.

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:

Background - According to materials previously submitted by the Applicant, wine has been produced on the site since the late 1800's. During the mid-1930's, the site became a large volume, bulk-processing facility. The first use permit addressing winery operations on the site was approved in 1975, when local County ordinances were changed to require a use permit. A number of use permits and use permit modifications have been approved on the subject property since 1975 which established various conditions of approval for operation of the winery, restoration and upgrading of existing buildings, and other features on the site that existed prior to filing of use permits and other land use applications. One of the existing buildings associated with the former winery is the Distillery Building that was constructed in 1936.

Use Permit Modification No. P05-01040, approved in 2005, included restoration and reuse of the Distillery Building and the nearby Peterson-Bergfeld Building. The project description also included relocation and reuse of the circa 1935 Forni-Williamson Building. The Peterson-Bergfeld Building has been fully restored. The Forni-Williamson Building has been dismantled and the significant architectural elements have been retained and stored on site to be used sometime in the future.

A Historical Resources Report for the Hall Winery complex was prepared by Lail Design Group, Inc. dated March 15, 2005. Lail (2005) concluded that the Distillery Building and other structures on the Hall site, including the 1935 Forni-Williamson Production building and the 1885 Peterson-Bergfeld Winery, were eligible for listing in the California Register of Historic Resources and the National Register of Historic Places. The report indicated that the Peterson-Bergfeld Winery eligible for listing under Criteria C; the Forni-Williamson Building eligible under Criteria A, B and C; and the Distillery Building under Criteria A and C. Criterion A is associated with events that have made a significant contribution to the broad patterns of our history, Criterion B is associated with the lives of persons significant in the past, and Criterion C is associated with distinctive characteristics of a type, period or method of

construction that represent a significant and distinguishable entity whose components may lack individual distinction. These criterion are discussed further in Section 2.5. Lail (2005) went on to say that the three eligible buildings and one eligible contributing feature, a circa 1824 Oak tree, formed an historic district.

A peer review of the Lail (2005) report was prepared by the Architectural Resources Group (ARG), authored by founding Principal Bruce Judd, dated May 10, 2005. The ARG report concluded that two buildings, the Peterson-Bergfeld Winery and Distillery Building, were eligible for listing in the California Register of Historic Resources under Criteria C (Design/construction) and A (Events/Patterns of Events), respectively. ARG indicated, however, that it was not prepared to reach the conclusion that the eligible historic resources on the site formed an historic district.

In September 2007, the County issued a building permit allowing the applicant to remove doors, windows, interior non-load bearing walls, interior wall furring, second floor framing, stairs and fixtures. The applicant then removed those components of the Distillery Building.

A building permit application for interior improvements to the Distillery Building was submitted to the County in November 2007 and the plans were approved and ready to be issued in January 2008 pending submittal of a letter-of-hire from a special testing agency, a wet-signed letter from the Geotechnical Engineer (RGH) stating they have been hired to observe the foundation excavation and final drainage, and a copy of the signed, accepted contract showing all project costs. However, these items were not submitted and the building permit application subsequently expired in March 2009.

Proposed Project - In 2013, the Applicant submitted an application to amend Use Permit No. P05-0140 to authorize demolition of the 1,752 sq. ft. Distillery Building located in the approximate center of the Hall Winery complex.. The applicant also proposes to landscape the area of the building footprint and proposes to provide an historic marker and a bench incorporating materials from the Distillery Building as a 3-4 foot high wall behind the bench. No other amendments to Use Permit No. P05-0140 are proposed. The Distillery Building was constructed in 1936 and was used for making distilled wine products. In the 1940's and until recently, the building was used for storage and winery offices. It is currently vacant. The building was constructed as a two-story structure using concrete blocks with a wooden roof structure.

As noted above, Lail (2005) identified the Distillery Building a historic resource and eligible for listing in the National Register. In July and November 2013, Bruce Judd, submitted reports providing his analysis of the current condition of the Distillery Building following the removal of the components identified above. Mr. Judd concluded that, *"Today, the Distillery Building still meets Criteria A, as the history and importance of what happened over time has not changed. However, the building has greatly deteriorated, and as a result, no longer meets Criteria C. What remains is in poor condition. After the 1970s additions and alterations were removed in 2007, including non-historic doors, windows and finishes, the only remaining elements are the structural blocks. Thus, little remains to convey the historic character or integrity of the building."* Judd (2013) goes on to say that, *"The condition of the remaining structure and the effort required to brace and then make the building habitable will require an extraordinary effort and the result will be a building that reflects little of its historic character. The building has lost its integrity for historic preservation purposes and would not be eligible for listing on the National Resister."*

The 2005 Lail Report also found that the restoration and reuse of the three historic buildings eligible for listing on the National Register of Historic Places, namely the Distillery Building, the Forni-Williamson Production Building, and the Peterson-Bergfeld Winery, formed an historic district. A peer review of the Lail report by the Architectural Resources Group (authored by Bruce Judd), dated May 10, 2005, stated that, "although we are not prepared to reach that conclusion based on the information available to us, the fact that the project is preserving and rehabilitating all three structures poses no adverse effect on any historic resources." However, Judd (2013) states more directly that there was not an historic district in 2005 nor is there one now.

According to Bruce Judd, in a letter dated May 8, 2014, *“because the physical characteristics that made the Distillery building eligible for inclusion in the National Register, or as a contributor to an Historic District, no longer exist, even if the Forni-Williams building were to be reconstructed, there would be no historic district since only two resources would contribute to the district, the Peterson-Bergfeld Building and the Forni-Williams Building and the Distillery Building would not be a contributor to any potential district.”*

Environmental Effects - Napa County completed a Draft Environmental Impact Report (EIR) analyzing the potential environmental impacts of demolition of the former Distillery Building on the Hall Winery site. The Draft EIR was released for public and agency review and comment beginning June 19, 2014. The public comment period closed at the end of business (4:45 p.m.) on August 4, 2014. Responses to all public comments, attached to this report, together with the Draft EIR represent the Final Environmental Impact Report. As required by the CEQA Guidelines, the EIR includes a summary description of the proposed project; a synopsis of environmental impacts and recommended mitigation measures; identification of the alternatives evaluated and of the environmentally superior alternative; and a discussion of the areas of controversy associated with the project. The EIR also includes objectives stated by the applicant as well as by the County. The applicant's objective is to amend Use Permit Modification P05-0140 to authorize demolition of the Distillery Building in light of information concerning its value as an historic resource. The County's objectives are to identify and preserve Napa County's irreplaceable cultural and historic resources for present and future generations to appreciate and enjoy and to encourage the reuse of historic buildings by providing incentives for their rehabilitation and reuse. The EIR also evaluated four alternatives: (1) No Project; (2) Relocate Distillery Building; (3) Leave the Distillery Building "As-Is" ; and, (4) Minimal or Partial Restoration (Shell, Wall, or other components). The evaluation of the four alternatives as described in the EIR concluded that the "No Project" alternative would also result in fewer impacts to cultural resources, since the Distillery Building would be reconstructed in an appropriate manner. However, restoring the Distillery Building in a cost effective economically feasible manner, due to the type of building construction (unreinforced masonry), and the costs to reconstruct the building to the Secretary of Interior Standards may be prohibitive and may not meet all of the Project Objectives. Therefore, Alternative No. 4 (minimal or partial restoration) would be the next most Environmentally Superior Alternative since part of the existing Distillery Building would be retained and its historic significance would be documented and memorialized on site.

Cultural/Historic Resources - Demolition of the building would result in a significant impact to an identified historic resource. However; as noted above, according to Mr. Judd, because the physical characteristics that made the Distillery Building a contributor to an Historic District, no longer exist, the Distillery Building would not be a contributor to any potential district. The EIR concluded that the demolition of the Distillery Building, eligible for listing in the National Register and therefore qualifying as an historic building under National Register Criterion A, would result in a significant impact with no suitable mitigation available.

The following measure is recommended to reduce this impact but not to a less-than-significant level. This impact would remain significant and unavoidable.

Mitigation Measure 3.1-1: Prior to demolition of the Distillery Building, the Applicant shall:

a) Retain a qualified architectural historian, as approved by the Napa County Planning, Building & Environmental Services Director (Director), to prepare a "Historic Documentation Report" for the Distillery Building. The Report shall include appropriate current and historic photographs of the building, scale drawings and a brief text description of the building. The photo-documentation shall be done in accordance with Historic American Building Survey/Historic Engineering Record (HABS/HAER) guidelines. The final Report shall be deposited with the Napa County Planning, Building & Environmental Services Department, the Napa County Historical Society, the Northwest Information Center, the State Office of Historic Preservation, local libraries and other appropriate organizations and agencies as identified by the Director.

b) Place and maintain a publicly accessible space for a memorial plaque on or near the Distillery Building site

identifying the former location of the building, its function and historic significance and a bench incorporating materials from the Distillery Building as a 3-4 foot high wall behind the bench.

Even with adherence to the above mitigation measure, the measure would not fully mitigate the loss of the structure and demolition of the Distillery Building, which is eligible for listing in the National Register under Criterion A, would be a significant and unavoidable impact.

Hazards and Hazardous Materials - The EIR also concluded that there may be hazards associated with the potential release of hazardous materials into the environment through demolition of the Distillery Building. The Distillery Building was constructed in 1936 and has been converted to office uses over time. Lead-based paint was commonly used for residential and commercial buildings until the late 1970's and asbestos was also used as a component in ceiling and floor tiles, water pipes, heating and cooling ducts and other building materials. It is presently unknown if any hazardous or potentially hazardous materials exist within the building but, in the interest of protecting public health and safety, the EIR assumes that such materials are present.

Demolition of the Distillery Building could release potentially hazardous lead based paints and asbestos containing material into the environment (potentially significant impact and mitigation required).

The following measure is recommended to reduce this impact to a less-than-significant level.

Mitigation Measure 3.2-1: Prior to demolition of the Distillery Building, the Applicant shall prepare and submit a Phase I Environmental Site Assessment report to the Napa County Planning, Building & Environmental Services Department to determine the presence or absence of hazardous material within the building. If no such materials are found, no further action is required.

If the Phase I report identifies the possible presence of building material contamination, a work plan for remediation shall be prepared by a qualified environmental consulting firm to safely remove and dispose of contaminated material. Necessary permits and approvals shall be obtained from the Napa County Planning, Building & Environmental Services Department or other agency with appropriate jurisdiction. The work plan shall contain a worker health safety component. A demolition permit shall not be issued until necessary clearances are obtained for the site from appropriate environmental regulatory agencies.

Agency and Public Comments - The County received written comments from the State Clearinghouse, the Native American Heritage Commission, the Tribal Chairman of the Yocha Dehe Wintun Nation, and the Mount Veeder Stewardship Council, and oral comments from Mike Reynolds, the project applicant, and Gary Margadant of the Mount Veeder Stewardship Council. The comments and responses are attached to this report and summarized below.

The letter from the State Clearinghouse acknowledges that the State Clearinghouse has received the Draft EIR and circulated copies of the documents to selected State agencies for review. The letter further states that Napa County has complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to CEQA.

The letters from Native American Heritage Commission and the Tribal Chairman of the Yocha Dehe Wintun Nation wanted to ensure that potential impacts to archeological resources were addressed. This concern is addressed by our standard condition of approval regarding accidental discovery of archeological artifacts or human remains during construction.

The letter from the Mount Veeder Stewardship Council addressed noticing, greenhouse gas impacts, water use during demolition, traffic generation, and potential cumulative impacts.

Mr. Reynolds spoke to the Distillery's building loss of historical integrity and the expense of restoring the building.

Revisions to the Draft EIR - As a result of the comments received, Section 2.6 "Hydrology and Water Quality" of the Draft EIR was revised as follows:

Hydrology and Water Quality- demolition of the Distillery Building would not generate any wastewater that would violate any water discharge requirements or water quality requirements. The proposed project would also use minimal and less-than-significant quantities of groundwater (approximately 3,000 gallons of water over a four day period) for dust suppression and related demolition activities. Implementation of the proposed project would serve to remove existing impervious surfaces, improve local groundwater percolation and reduce the existing amount of stormwater runoff. There would be no structure left at the site that would be subject to flood hazard.

and

Section 2.6 "Transportation and Traffic" was revised as follows:

Transportation and Traffic-implementation of the proposed project would not affect the amount of traffic on local roads in the long-term since no increase to the number of visitors or delivery of grapes is proposed. The project is expected to generate approximately four truck trips for removal of the demolished building. There would be no changes to air traffic patterns since the existing building does not use any air service. Removal of the building would not impact existing site access, emergency access, on-site circulation or parking.

CEQA Actions - Prior to approving the project, the Commission must take two actions under CEQA. The first is to adopt a resolution certifying the final EIR was prepared in compliance with CEQA. The second action is to adopt a resolution making CEQA findings. The proposed resolutions are attached for the Commission's consideration.

As noted in the Executive Summary section, staff is recommending certification of the EIR and MMRP, including a Statement of Overriding Considerations and approving the use permit modification to demolish the Distillery Building and providing an historic marker and a bench incorporating materials from the Distillery Building.

SUPPORTING DOCUMENTS

- A . Reso Certifyng EIR
- B . Reso CEQA FF
- C . Final EIR
- D . Draft EIR Comment Letters
- E . Applicant Alternatives Feasibility Reponse
- F . Applicant Project Benefits
- G . Application Materials

Napa County Planning Commission: Approve

Reviewed By: Charlene Gallina