



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 9/21/2011

Agenda Placement: 9C

Napa County Planning Commission Board Agenda Letter

TO: Napa County Planning Commission

FROM: John McDowell for Hillary Gitelman - Director
Conservation, Development & Planning

REPORT BY: Mary M Doyle, Planner - 299-1350

SUBJECT: Eagle Eye Winery Use Permit P11-00168 UP

RECOMMENDATION

EAGLE EYE WINERY/ WILLIAM & ROXANNE WOLF - USE PERMIT P11-00168 UP

CEQA STATUS: Negative Declaration prepared. According to the Negative Declaration, the proposed project would not have the potential for significant environmental effects. This project is not on any lists of hazardous waste sites enumerated under Government Code Section 65962.5.

REQUEST: Approval of use permit for a 30,000 gallon per year winery including: 1) new construction consisting of a 3,600 sq. ft. production and accessory use building, a 3,600 sq. ft. barrel storage building, a 2,400 sq. ft. covered outdoor area, a 1,600 sq. ft. outdoor crush pad and tank storage area, a winery wastewater system, a 29,311 sq. ft. winery access road and 6 parking spaces; 2) a less than 10 employee facility; 3) a marketing program including 4 events per month with 24 guests per event, 4 events per year with 50 guests per event, and 2 events per year with 100 guests; 4) 2 private tours & tastings per day with a maximum of 8 guests per tour/tasting; and (5) on-premise consumption consistent with Assembly Bill 2004 (Evans). The project is located on an 13-acre parcel on the west side of Gordon Valley Road, approximately 1,600 feet north of its intersection with Wooden Valley Cross Road within the Agricultural Watershed (AW) zoning district. (Assessor's Parcel Number: 033-160-018) Napa.

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

Staff Contact: Mary Doyle, 299-1350 or mary.doyle@countyofnapa.org

EXECUTIVE SUMMARY

Proposed Action:

That the Planning Commission:

1. Adopt the Negative Declaration pursuant to Section 15074 of the California Environmental Quality Act based on findings 1-5 of Exhibit A
2. Approve Use Permit no. P11-00168 based on findings 6 through 10 of Exhibit A and subject to the attached conditions of approval (Exhibit B).

Discussion:

The proposal before the Commission is to establish a 30,000 gallon annual production winery on a 13 acre parcel located in southeast Napa County. Currently the parcel is developed with a residence, associated infrastructure, landscaping, approximately 6-acre producing vineyard, barn and an olive orchard. The winery facility will be situated at the southwestern corner of the parcel. The winery facilities will require the removal of approximately 1 acre of vineyard near the barn. The barn houses vineyard associated equipment and materials. No changes in barn use is proposed. An existing vineyard access at Gordon Valley Road will be improved to serve as the winery access road. The winery will use the on-site grapes to produce wine that is now produced at an off-site location. The applicant proposes a limited visitation and marketing program. The proposed hours of operation will be between the hours of 10 a.m. and 10 p.m. with tours and tastings during the hours of 10 a.m. to 4 p.m. There will be no changes to the vineyard operations and maintenance schedule.

As proposed and conditioned, this small winery with limited visitation and marketing would be in keeping with other such wineries. Staff recommends approval of the project with the attached conditions of approval.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

Negative Declaration prepared. According to the Negative Declaration, the proposed project would not have the potential for significant environmental effects. This project is not on any lists of hazardous waste sites enumerated under Government Code Section 65962.5.

BACKGROUND AND DISCUSSION

Owner/applicant: William and Roxanne Wolf/EagleEye Winery (707-427-1600)

Representative: Donna Oldford (707-963-5832)

Zoning: Agriculture Watershed (AW)

GP designation: Agriculture Resource (AR) and Agricultural Watershed Open Space (AWOS)

Filed: May 20, 2011. Complete as submitted.

Proposed Winery Development Area: Approximately 29,812 square feet

Proposed Building Size: 2 separate buildings, each building is 3,600 square feet for a total of 7,200 square feet

Production Capacity: 30,000 gallons per year

Marketing Program: 4 events with food per month with 24 guests per event; 4 events with 50 guests per year; one Wine Auction event per year; and one event per year with 100 guests. All events will/may have food and all food served shall be catered. On-premise consumption of wine may occur consistent with AB2004. The on-site consumption would occur in the tasting room. No amplified music.

Days and hours of operations: Winery operations Sunday through Saturday from 6 a.m. to 6 p.m. Event hours from 10 a.m. to 10 p.m. Tours and tastings hours Sunday through Saturday from 10 a.m. to 4 p.m.

Visitation: 2 private tours & 8 guests per day with a maximum of 16 visitors per day with catered food..

Number of employees: Less than 10

Parking: 6 spaces (including 1 ADA compliant)

Parcel size: 13.16 acres

Accessory/production ratio: 25%

Winery Coverage: 5.2%

Property line & winery road setbacks: The proposed winery location is approximately 300 feet west of Gordon Valley Road, approximately 80 feet north of the southern property line, approximately 560 feet south of the northern property line, and approximately 200 feet east of Suisun Creek, the west property line.

Adjacent Zoning/Land Use/acreage:

North: AW - residential/3.3 acres

South: AW - residential/3.04 acres

West: AW - Suisun Creek and natural habitat

East: AW - Gordon Valley Road

Wineries in the Vicinity:

There are no wineries in the vicinity of Gordon Valley Road. The nearest winery is approximately 5 miles west on Wooden Valley Road.

Staff is providing a table comparing marketing and tours and tastings visitation at similar size wineries in

Exhibit "K". The proposed marketing plan is similar to other marketing plans for similar sized wineries.

Property History: The parcel has been farmed since the 1920's and continues to be a producing vineyard. The harvested grapes are currently exported off site for wine production. Upon completion of this application and construction of this facility, existing grapes shall be processed on site. The residence was constructed in 1976. The residence has an active Home Occupation Permit (#03397 HO) for retail/wholesale wine sales. The HO permit shall be surrendered by the applicant when this winery becomes operational. No winery or winery related activities will take place at the residence once the winery is operational. The property contains cultural resources, however the proposed winery location is outside the known cultural resources. The western boundary of the parcel is Suisun Creek and its habitat. The closest proposed winery structures is located approximately 45 feet from Suisun Creek and its habitat.

Code Compliance History:

The County has no record of any code compliance issues on this property.

Discussion:

1. Access - The project will improve an existing vineyard avenue on Gordon Valley Road to become the winery access. The existing vineyard avenue is approximately 20 feet in width with a compacted gravel surface and will be improved to a 18 foot wide driveable pavement with 2 foot wide shoulders per County Standards. The avenue begins at Gordon Valley Road at the east parcel boundary and ends at the existing agricultural barn near the western parcel boundary. The avenue is lined with olives trees on the south and vines on the north parcel boundary is lined with olives. The distance between the proposed winery entrance and nearest driveway is approximately 100 feet. The improvements will meet the Napa County road and street standards for a commercial driveway.
2. Water Use - The County's groundwater ordinance allocates .5 acre feet of water per year per acre to a hillside property or 6.58 acre feet per acre for this parcel. The existing residence receives domestic water from the City of Vallejo. The residential use is therefore not included in the groundwater use calculation. Approximately one acre of vines will be removed to accommodate the winery facilities. Estimated existing ground water use for the property is approximately 3.95 acre feet including 2.95 acre feet for the vineyard. Removal of one acre of vineyard will result in a reduction of approximately .8 acre feet of water and the proposed winery will use 0.8 acre feet of water per year. Therefore, there will no change in water use. The estimated ground water use will remain at 3.95 acre feet of water. The total proposed use of 3.95 acre feet is below the 6.58 acre feet per year that the property is eligible to utilize under the groundwater ordinance. The County is not aware of, nor has it received any reports of, groundwater shortages near the project area.
3. Winery Design - The winery structures will be of a simple modern design with landscape trellising on the facade. Landscaping is proposed and may include an outdoor sitting area at the tasting room entrance. The structures are single story. Staff believe this design will compliment the existing setting and be in keeping to County General Plan policies concerning the design and attractiveness of wineries of the Napa Valley.
4. No Food Service - No commercial food preparation areas have been proposed as part of this project. All food service for events will be catered. Tours and tasting visitation to the proposed winery would be by-appointment, with a maximum of 16 guest per day. Catered food may be served. Additionally, a marketing plan is proposed, including 4 24-persons events per month; 4 50-persons events per year and one 100-person

event per year. The tours and tasting visitations and the marketing events may have catered food served.

5. Residences - Approximately 160 feet east of the proposed winery facility is the applicant's existing single story residence. The closest off site residence is located on an adjacent property approximately 200 feet to the south of the proposed winery. This residence is largely screened from view of the proposed winery by existing vegetation and olive trees at the parcel boundary. The residence to the north is approximately 1,000 feet from the parcel.

6. Greenhouse Gas Reduction Strategies - The applicant team has completed the Department's required Checklist of Voluntary Greenhouse Gas Emission Reduction Measures. The applicant intends to incorporate the following: preserving the existing natural habitat and trees, using high efficiency irrigation, irrigating with zero potable water use, landscaping with native plants, using high efficiency HVAC systems, using water efficient fixtures and appliances, recycling material and composting green waste. The applicant is considering implementing other green strategies in the future that are not known now. Staff believes that the project is environmentally friendly; it will implement a substantial number of effective greenhouse gas emission measures.

7. Stream Setback - The proposed winery location is proposed to be setback from the Suisun Creek approximately 50 feet from the top of bank. This area is currently vineyard and a vineyard avenue. The proposed winery structures will be located east of the vineyard avenue and north of the barn. There are no changes proposed to either the vineyard avenue or the barn. Approximately an acre of vineyard will be removed to accommodate the winery facilities. To assure that no construction activities will occur in the stream setback area, prior to any construction, the area shall be fenced and the fencing maintained until construction of the winery is complete.

Consistency with Standards:

1. Zoning: The project is consistent with the AW zoning district which allows a winery with a use permit approval. (County Code Section 18.124.010)
2. Fire: As proposed and conditioned this project complies with the building and FIRE codes.
3. Public Works: As conditioned the project will comply with the applicable standards and guidelines under the Department of Public Works discretion.
4. Environmental Management: As conditioned the project will comply with the applicable standards and guidelines under the Department of Environmental Management discretion.

SUPPORTING DOCUMENTS

- A . Proposed Findings
- B . Proposed Conditions of Approval
- C . Environmental Management Conditions
- D . Fire Conditions
- E . Public Works Conditions

- F . Negative Declaration
- G . Application material
- H . Supplemental Application Material
- I . Home Occupation Permit #03397 HO
- J . Graphics
- K . Comparative Marketing Table

Napa County Planning Commission: Approve

Reviewed By: John McDowell