

# AGENDA

## NAPA COUNTY PLANNING COMMISSION

**Wednesday September 04,  
2013  
9:00 AM**



A Tradition of Stewardship  
A Commitment to Service

### COMMISSION MEMBERS

<i>COMMISSIONER</i> <i>Heather Phillips</i> <i>District # 1</i>	<i>COMMISSIONER</i> <i>Michael Basayne</i> <i>District # 2</i>	<i>CHAIR</i> <i>Terry Scott</i> <i>District # 4</i>	<i>VICE-CHAIR</i> <i>Bob Fiddaman</i> <i>District # 3</i>	<i>COMMISSIONER</i> <i>Matt Pope</i> <i>District # 5</i>
<i>COMMISSION COUNSEL</i> <i>Laura Anderson</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. 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.

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](http://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 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 meetings held on:  
April 17, 2013 (All Commissioners present)  
May 1, 2013 (Commissioner Terry Scott excused)  
July 24, 2013 (Commissioners Heather Phillips and Matt Pope excused)

**5. DIRECTOR'S REPORT**

- BOARD OF SUPERVISORS ACTIONS
- OTHER DEPARTMENT ACTIVITIES

**6. AGENDA REVIEW****7. DISCLOSURES****8. ADMINISTRATIVE ITEMS - SET ITEM 9:00 A.M.****A. WINE INDUSTRY TRENDS: DIRECT TO CONSUMER SALES PRESENTATION**

**Request:** Informational presentation on wine industry trends. Two experts in the field will present their perspectives on direct to consumer sales by wineries. The experts include Paul Mabray, Chief Strategy Officer of VinTank - Powering Social Intelligence for the Wine Industry, and Michael Honig, Honig Vineyard & Winery and Board of Director Member of the Napa Valley Vintners Association.

**Staff Recommendation:** Informational Item. No action necessary.

**Staff Contact:** Hillary Gitelman, 253-4805 or [hillary.gitelman@countyofnapa.org](mailto:hillary.gitelman@countyofnapa.org).

**(THIS ITEM IS SET TO BE DISCUSSED AT 9:00 A.M.)**

**9. PUBLIC HEARING ITEMS TO BE DECIDED WITHOUT ADDITIONAL TESTIMONY - None****10. PUBLIC HEARING ITEMS (WILL COMMENCE AT 10:00 A.M.)****A. ROBERT KEENAN WINERY/ MICHAEL C. KEENAN / USE PERMIT P12-00438**

**CEQA Status:** Consideration and possible adoption of a Categorical Exemption. Pursuant to the California Environmental Quality Act, Section Section 15301 - Existing Facilities Class 1 & Napa

County's Local CEQA Procedures, Appendix B, Class 4: Minor Alterations in Land, Number 13: New access roads and driveways. This 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: 1) Acknowledge an existing winery with an annual production of 50,000 gallons per year and a 5,841 sq. ft. winery building with a 615 sq. ft. office, 1061 sq. ft. tasting room, and 4,165 sq. ft. barrel storage building, six on-site parking spaces, tours and tastings by appointment only for a maximum of 35 visitors per weekday and 245 visitors per week, a marketing plan, the hours of operation from 10 AM to 4 PM (tasting) and 8 AM to 5 PM (production), 7 days a week, and 10 or fewer employees; 2) allow on-site consumption pursuant to the Evans Bill (AB 2004); 3) allow food and wine tasting; 4) construction of a 540 sq. ft. outdoor cover and a 263 sq. ft. second floor deck, 346 sq. ft. new office and remodeling of the interior floor area removing the wine lab and replacing it with two ADA accessible bathrooms; and 5) approval of an exception to the road and street standards to allow for a reduced driveway width, improvements and signage. The 147.39-acre project site is located on the east side of Spring Mountain Road 3.6 miles of its intersection with Madrone Avenue located in the City of St. Helena, 1,035 feet west of its intersection with SR-29, within the Agricultural Watershed (AW) Zoning district at 3656 Spring Mountain Road, St. Helena, CA (APN: 022-150-036).

**Staff Recommendation:** Find the project Categorically Exempt from CEQA and approve the requested use permit and associated road exception as conditioned.

**Staff Contact:** Kirsty Shelton, [Kirsty.Shelton@countyofnapa.org](mailto:Kirsty.Shelton@countyofnapa.org), (707) 299-1377

**Applicant Contact:** Jon M. Webb, Albion Surveys, [jwebb@albionsurveys.com](mailto:jwebb@albionsurveys.com), (707) 963-1217

#### **B. VINTAGE WINE ESTATES / COSENTINO WINERY / USE PERMIT P13-00058**

**CEQA Status:** Consideration and possible adoption of a Categorical Exemption. Pursuant to the California Environmental Quality Act, Section 15301 - Existing Facilities, 15303 - New Construction or Conversion of Small Structures, & 15304, Minor alterations to the land.

**Request:** Approval of a Minor Modification to Use Permit #U-518687 et. seq. to: 1) construct a 2,754 square foot patio with landscaping and outdoor seating on the east side of the winery adjacent to the building on either side of the front public access; 2) replace the existing landscaping in the front setback with water efficient landscaping; 3) replace the winery sign; 4) re-surface and re-stripe the existing parking lot and sidewalk, 5) recognize an additional two (2) parking spaces for a total of 29 spaces, and; 6) allow on-site consumption of wines in accordance with AB2004. The 4.29 acre project site is located on the west side of State Highway 29, 0.23 miles south of its intersection with Yount Mill Road within the Agricultural Preserve (AP) Zoning District at 7415 St. Helena Hwy., Napa (APN: 027-540-013).

**Staff Recommendation:** Find the project Categorically Exempt from CEQA and approve the requested use permit as conditioned.

**Staff Contact:** Linda St. Claire, Planner [linda.stclaire@countyofnapa.org](mailto:linda.stclaire@countyofnapa.org) (707) 299.1348

**Applicant Contact:** Pat Roney (707) 836-5000

**C. PETER KITCHAK / KITCHAK WINERY - USE PERMIT MODIFICATION (P13-00062-MOD).**

**CEQA Status:** Consideration and possible adoption of a Statutory Exemption pursuant to Section 15270, "Projects Which Are Disapproved" of the California Environmental Quality Act.

**Request:** Approval of Use Permit Modification (P13-00062) to modify prior Use Permits (P09-00148-UP; P10-00151-VMM) to allow the following: (a) increase in annual production of 5,000 to 15,000 gallons per year; (b) construction winery barrel storage building of approximately 2,701 square feet including 759 square feet of conference/tasting room, balcony area, and storage; (c) Increase the size of the 640 square foot covered crush pad to 711 square feet. No other changes proposed to the existing winery building or use of hospitality patio; (d) increase tours and tastings visitations with catered food by appointment from twelve (12) per day to a maximum of 20 visitors per day (with no more than 12 persons per tasting tour; (e) increase in marketing plan from six (6) 20-person promotional events with catered meals per year; four (4) 30-person release event per year with No Tours & Tasting Appointments or Marketing Events to be held on the same day to twelve (12) promotional wine tastings per year with catered food per year with a maximum of twenty (20) guests and four (4) wine release events per year with catered food with a maximum of fifty (50) guests (No Tours & Tastings and other marketing event will be held on the same day); (f) increase hours of operation from 10 am to 4 pm to 10 am to 6:00 pm seven days a week for visitation. No changes proposed for winery operations; (g) increase the number of parking spaces from 6 to 8; (h) increase full-time employees from one (1) to two (2) (the number of part-time employees will remain at 2); and (i) increase the Hold-and-Haul winery process wastewater treatment system to accommodate the increased production capacity. The application also includes a Napa County Road and Street Standards Exception request. The 20.01-acre project site is located on north side of Hardman Avenue, approximately 1,500 feet east of its intersection with Silverado Trail within the Agricultural Preserve (AP) and Agricultural Watershed (AW) Zoning Districts at 1094 Hardman Avenue, Napa (APN: 039-190-055)

**Staff Recommendation:** Staff is recommending denial of the Use Permit Modification due to the Engineering Services Division's and the Fire Department's determination that the associated Road Exception request does not meet the required findings and provide the same overall practical effect as the Napa County Roads & Street Standards towards providing defensible space, and consideration towards life, safety and public welfare.

**Staff Contact:** Charlene Gallina, (707) 299-1355; charlene.gallina@countyofnapa.org

**Applicant Contact:** Peter Kitchak, (707) 226-1668

**11. DEPUTY DIRECTOR'S REPORT**

- DISCUSSION OF ITEMS FOR THE **SEPTEMBER 18, 2013 REGULAR MEETING**
- CODE COMPLIANCE REPORT
- ZONING ADMINISTRATOR ACTIONS
- OTHER PENDING PROJECTS STATUS

**12. COMMISSIONER COMMENTS / COMMITTEE REPORTS**

**13. FUTURE AGENDA ITEMS**

- #03457-UP, 1 year after occupancy - Kendall Jackson (formerly Pecota) Winery
- #P09-00185-UP, 1 year after occupancy - Ca'Nani Winery
- #P10-00123-MOD, 1 year after occupancy - MJA Vineyards
- #P10-00206-UP, 1 year after occupancy for visitation - Caravan Serai Winery
- #P11-00464-MOD, 1 year after final occupancy - Oakville Grocery
- #P12-00436-Cottage Food Ordinance, April 2014 - Status Review

**14. 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 AUGUST 30, 2013 BY 4:00 P.M. A HARDCOPY SIGNED VERSION OF THE CERTIFICATE IS ON FILE WITH THE CLERK OF THE COMMISSION AND AVAILABLE FOR PUBLIC INSPECTION.

Sarah Minahen (By e-signature)  
for Melissa Frost, Clerk of the Commission