



A Tradition of Stewardship  
A Commitment to Service

Agenda Date: 9/7/2016

Agenda Placement: 9A

## Napa County Planning Commission Board Agenda Letter

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**TO:** Napa County Planning Commission

**FROM:** Charlene Gallina for David Morrison - Director  
Planning, Building and Environmental Services

**REPORT BY:** Charlene Gallina, SUPERVISING PLANNER - 299-1355

**SUBJECT:** Sleeping Giant Winery Use Permit #P15-00284

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### **RECOMMENDATION**

#### **SLEEPING GIANT WINERY- COSTA DEL SOL, LLC. - USE PERMIT NO. P15-00284-UP**

**CEQA Status:** Consideration and possible adoption of a Negative Declaration. According to the proposed Negative Declaration, the project would not have any potentially significant environmental impacts. 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 allow the construction of a new 30,000 gallon winery with the following characteristics: a) Demolition of an existing 1,138 sf barn to be replaced by the construction of a two-story 12,745 sf winery building which includes a 4,366 sf crush pad. Overall building height is 30 feet to the ridgeline and 35 feet to the top of cupolas. A 1,196 sf outdoor terrace is also proposed; b) Removal of two (2) abandoned wells and two (2) water storage tanks; c) Daily tours and tastings by appointment with catered food and wine pairings for 10 daily visitors Monday-Thursday and 15 visitors per day Friday-Sunday, 85 visitors maximum per week; d) A marketing program consisting of six (6) events annually with 50 guests (catered); e) Five (5) full-time and one (1) part-time employees; f) Hours of operation for winery production is 7:00 am to 7:00 pm and for visitation 10:00 am to 6:30 pm (Daily); g) On-premises consumption of wines produced on site in the tasting room and outdoor terrace in accordance with Business and Professions Code Sections 23358, 23390 and 23396.5 (AB 2004-Evans Bill); h) Construction of a new code compliant wastewater facility; i) Construction of an unregulated water system; j) Installation of one (1) 50,000 gallon fire water storage tank, two (2) 5,000 gallon process wastewater storage tanks, and one (1) 5,000 gallon irrigation water storage tank, and one (1) 2,000 gallon domestic and process water storage tank; k) Construction of 12 parking spaces; l) Removal of 0.50 acre of vineyards; m) Undergrounding of existing overhead utility power line to the site; n) Extension of the recycled water line from Las Amigas Road to be used for irrigation of vineyards and project landscaping; o) Upgrade of the existing driveway to Napa County Roads and Streets Standards; and p) Construction of a new entry gate. The project is located on a 11.41 acre parcel, within the AW (Agricultural Watershed) zoning district on the north side of Las Amigas Road, approximately a ½ mile west of its intersection with Cuttings Wharf Road; 2258 Las Amigas Road, Napa CA; APN: 047-290-031.

**Staff Recommendation:** Adopt the Negative Declaration and approve the Use Permit, as conditioned.

**Staff Contact:** Charlene Gallina, Supervising Planner, (707) 299-1355 or [charlene.gallina@countyofnapa.org](mailto:charlene.gallina@countyofnapa.org)

**Applicant Contact:** Jeffrey Redding, 2423 Renfrew Street, Napa, CA 94558; (707) 255-7375 or [jreddingaicp@comcast.net](mailto:jreddingaicp@comcast.net)

## **EXECUTIVE SUMMARY**

### **Proposed Actions:**

That the Planning Commission:

1. Adopt the Negative Declaration, based on Findings 1 - 7 of Attachment A;
2. Approve Use Permit Modification No. P15-00284-UP based on Findings 8 - 12 of Attachment A, and subject to the recommended conditions of approval of Attachment B.

### **Discussion:**

This Use Permit request is for the construction of a new 30,000 gallon winery within a 12,745 sf two story winery building which includes a 4,366 sf crush pad and a 1,196 sf outdoor terrace, daily tours and tastings by appointment, a marketing program, five (5) full-time and one (1) part-time employees, on-premises consumption of wines, and associated infrastructure improvements.

This proposal has been analyzed for its environmental impacts, which were found to be less than significant. Staff believes there is adequate rationale to support approval of the overall project, but recommend diligence before authorizing the total amount of proposed visitation space. The overall project is relatively small in scope in terms of annual production and visitation levels. The project design also complies with Winery Definition Ordinance design requirements in terms of setbacks, access, building design, etc., and the property is well situated for proposed project.

## **FISCAL IMPACT**

Is there a Fiscal Impact?                      No

## **ENVIRONMENTAL IMPACT**

Consideration and possible adoption of a Negative Declaration. 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 lists of hazardous waste sites enumerated under Government Code Section 65962.5.

**BACKGROUND AND DISCUSSION**

**Owner:** Costa Del Sol, LLC

**Owner's Representative:** Jeffrey Redding, 2423 Renfrew Street, Napa, CA 94558; (707) 255-7375

**Applicant:** Chris Dearden; P.O. Box 4364, Napa, CA 94558; (707) 944-2054

**Zoning:** Agricultural Watershed (AW)

**GP Designation:** Agricultural Resource (AR)

**Filed:** August 28, 2015

**Resubmittal Received:** January 20, 2016 and April 29, 2016

**Deemed Complete:** May 23, 2016

**Parcel Size:** 11.41 acres

**Existing Development:** The existing parcel consists of 10.21 acres of vineyards which were originally planted in 2007. The site also includes an existing 1,472 sf single-family residence, a 1,138 sf barn, a garage, two (2) 5,000 gallon and one (1) 1,500 gallon water storage tanks for irrigation and domestic use, a 344 sf water tower, and four (4) existing wells.

**Proposed Winery Characteristics:**

**Winery Size:** 12,745 sf winery building which includes a 4,366 sf crush pad and a 1,196 sf outdoor terrace.

**Production Capacity:** 30,000 gallons.

**Winery Coverage:** 8.5%

**Accessory/Production Ratio:** 3,241 sf accessory/9,504 sf production - approximately 25.4%.

**Number of Employees:** Five (5) full-time and one (1) part-time employees

**Visitation:** Daily tours and tastings by appointment with catered food and wine pairings for 10 daily visitors Monday-Thursday and 15 visitors per day Friday-Sunday, 85 visitors maximum per week

**Marketing:** Six (6) annual events with a maximum of 50 guests per event (Catered)

**Days and Hours of Operation:** Winery Production - 7:00 am to 7:00 pm; Visitation - 10:00 am to 6:30 pm

**Parking:** 12 spaces

**Setbacks (Required):** 300' front; 20' side; 20' rear

**Setbacks (Proposed):** ±498' front, ± 160 east side, 58' rear

**Adjacent General Plan Designation/ Zoning / Land Use:**

North: Agricultural Resource (AR)/Agriculture Watershed (AW) zoning/large lot residential.

South: Agricultural Resource (AR-AC)/Agricultural Watershed-Airport Compatibility zoning/agricultural use (vineyards).

East: Agricultural Resource (AR-AC)/Agricultural Watershed-Airport Compatibility zoning/agricultural use (vineyards).

West: Agricultural Resource (AR)/Agricultural Watershed zoning/agricultural use (vineyards) and large lot residential.

**Nearby Wineries (located within 1 mile of the project):**

Please refer to Attachment J.

**Code Compliance History:**

Having discussed the application with Code Enforcement staff, toured the property, and upon review of the department's files, staff is not aware of any code compliance issues on the subject parcel. Structures allowed by use permit/building permit are in compliance at this time.

**Discussion Points:**

Setting - Existing improvements are detailed above under "Existing Development." Surrounding land uses consist of large lot residential development and agricultural vineyards to the north, east, and west of the project site. The closest residence is approximately 350 feet from the proposed winery structure. Approximately 0.50 acres of vineyards would be removed for the construction of the proposed project.

Winery Proposal - The project consist of a two-story 12,745 sf winery building which includes a 4,366 sf crush pad and an 1,196 sf outdoor terrace. Daily tours and tastings by appointment consists of 10 daily visits on weekdays and 15 daily visitors on weekends, a marketing program will consist of six (6) - 50 person annual events. The proposed winery building has an overall building height of 30 feet, and 35 feet to the top of the two cupolas. The building is sited near the rear of the property and to the rear of the existing residence. The structure features a modern barn aesthetic, with board and batten siding, louvered doors, and a corrugated metal roof. The east and west elevations of the building feature trellis structures, with the western trellis over the proposed 1,196 sf outdoor terrace area to be used for on-site consumption of wines. The building conveys the attractiveness and permanence required by the County's General Plan and is of a high aesthetic design.

Visitation and Marketing - As can be seen in the winery comparison chart in Attachment J, the proposed hospitality plan for the winery is below average with respect to both by appointment and public wineries of similar size. Staff finds this level of visitation supportable due to the modest size of the winery, no viewshed issues, the placement of the winery building on previously disturbed land with minimal vineyard removal, no loss of sensitive habitat, no significant environmental impacts, sufficient water supply, and compliance with all Winery Definition Ordinance (WDO) and Zoning Code regulations.

The only concern with the proposed visitation and marketing plan is the overall size of the tasting areas. There is an approximately 1,500 sq. ft. main tasting room, a separate 500 sq. ft. private tasting room, and 1,196 sq. ft. covered outdoor tasting terrace to serve 15 by-prior-appointment visitors daily (busiest days). Although these areas comply with the WDO's accessory use to production use ratio, the size of these areas appears out of scope of the proposed levels of visitation. The artist's rendering (see Graphics Attachment) shows seating for approximately 50 patrons in the covered outdoor terrace. Detail for the tasting area layout has not been provided, and Staff did not request that the applicant outline their direct-to-consumer program. The proposed levels of employment and visitation are just below the threshold for the project to install a regulated transient non-community water system

(i.e. - regulated public drinking water supply). The Environmental Management Division will require detailed floor plans with the project building permits to ensure that the final design of seating and serving areas stays below the regulated water system threshold.

Traffic & Parking - RSA+ Consulting Civil Engineers prepared a Traffic Impact Study on January 7, 2016. The study utilized the W-Trans study prepared for Bouchaine Vineyards Winery expansion prepared in April 2015 as the baseline for existing conditions. The study found that the proposed project would result in an increase of an average of 17.34 daily trips during the weekday, 5.67 trips during the PM weekend peak hour, 18.25 trips during the weekend and 5.71 trips during the weekend midday peak hour. The marketing events would have up to 50 attendees per event and occur six (6) times a year. These events would typically be held in the evenings and on weekends would be anticipated to generate 41.71 two-way trips.

State Route 12-121 is currently operating at LOS E while Duhig Road and Cuttings Wharf Road are operating at LOS A. According to the study, State Route 12-121 is projected to continue to operate deficiently at LOS E under cumulative conditions. Under Future conditions, Duhig Road and Cuttings Wharf Road are expected to operate acceptably at LOS A. State Route 12-121 would operate at LOS E under the future conditions scenario. The addition of project trips to either cumulative or future traffic volumes would result in no measurable change to operation on the study roadways. As indicated in the study, the project adds a maximum of six vehicle trips to any one segment of SR 12-SR/121 during the weekday PM peak hour, and with an existing volume of 2,504 this equates to 0.2 percent, or less than one percent. Similarly, on the weekend the project is expected to add up to seven trip ends to the existing volume of 2,675, which is a 0.3 percent increase, also less than one percent. Therefore, the project would result in a nominal increase in trips on the study roadways. Additionally, a project specific condition would ensure that all additional marketing events be scheduled outside peak weekend and weekday traffic hours.

Twelve parking spaces have been requested to be constructed adjacent to the winery building. However, staff is concerned that the number of requested parking spaces may be excessive and not consistent with the proposed visitation level for the winery in which 10 visitors are proposed during the week and 15 on the weekend along with six (6) employees proposed for the winery production and visitation activities. Since daily visitation does not occur all at once within the day, the Commission may want to consider a slight reduction in parking (e.g. 10 parking spaces) to a more appropriate level. Staff has added a project condition of approval in Attachment B should the Commission desire a reduction in parking spaces.

Groundwater Availability - The projected water use for the project 6.35 AF/YR. Existing water use for residential purposes is 0.75 AF/YR and will remain the same with the proposed project. Current water use for the vineyard is 4.85 AF/YR and will decrease to 4.41 AF/YR due to removal of a small amount of vineyards. Landscaping is currently 0.0 AF/YR and will increase to 0.39 AF/YR. The winery is expected to use 1.19 AF/YR. The applicant will use reclaimed process wastewater in the amount of 0.65 AF/YR with operations from the winery use. Additionally, the applicant has obtained a will-serve letter from Napa Sanitation District for 1.24 AF/YR of recycled water to be used for irrigation. The estimated groundwater demand of 4.46 AF/YR, represents a decrease of 1.14 AF/YR over existing conditions. The winery, as part of its entitlement will include the County's standard condition of approval requiring well monitoring, as well as, the potential to modify/alter permitted uses on site should groundwater resources become insufficient to supply the use.

Greenhouse Gases/Climate Action Plan - The County requires project applicants to consider methods to reduce Green House Gas (GHG) emissions consistent with Napa County General Plan Policy CON-65(e), which requires GHG review of discretionary projects. The applicant has completed the Department's Best Management Practices Checklist for Development Projects, which is attached to this report as Attachment D. The project would incorporate the following voluntary best management practices: generation of on-site renewable energy, exceed Title 24 requirements, VMT reduction plan, solar hot water heating, energy conserving lighting, energy star roof, bicycle incentives, connection to recycled water, water efficient fixtures, low-impact development, water efficient landscape

recycle 75% of all waste, compost 75% of food and garden material, implement a sustainable purchasing and shipping program, planting of shade trees, electrical vehicle charging stations, limit amount of grading and tree removal, become a "Napa Green Winery", use of recycled materials, education of staff and visitors on sustainable practices, use 70-80% cover crop, retain biomass by chipping.

Grape Sourcing - The project site currently has 10.21 acres of vineyard. Approximately 0.50 acres of vines will be removed as part of the winery proposal. This amount represents approximately 10% of the grapes needed for wine production. The applicant has informed staff that the remaining grapes will come from various sources around the Napa-Carneros, Calistoga, Napa Valley, Coombsville, and Atlas Peak Appellations. This information is based upon the applicant's custom crush operation currently undergoing. The grapes available from these sources would be sufficient to accommodate proposed production levels and comply with the 75% Napa Valley grape source requirement.

Public Comments - No comments have been received at the time of preparation.

### **Decision Making Options:**

As noted in the Executive Summary Section above, Staff is recommending approval of the Option 1, the applicant's proposal with conditions of approval as described below. Decision making options also include approval of the applicant's proposal and project denial.

#### Option 1 – Approve Applicant's Proposal (Staff Recommendation)

Disposition - This option would result in the approval of the Use Permit for the proposed new winery, 30,000 gallons per year of production, a winery building, associated visitation and marketing program, and necessary infrastructure.

Action Required - Follow proposed action listed in the Executive Summary. If conditions of approval are to be amended, specify conditions to be amended at the time a motion is made. This option has been analyzed for its environmental impacts, which were found to be less than significant without mitigation. The project as proposed meets all County Code requirements and complies with General Plan policies. There exist operational factors due the winery's location and particulars including compliance with all WDO and Zoning Code regulations, no viewshed impacts, no loss of sensitive habitat, no significant environmental impacts, sufficient water supply, which have led staff to conclude that the project merits approval as proposed.

#### Option 2 – Reduced Alternative

Disposition - This option could result in a potential decrease in the proposed winery building, production, tours and tastings and/or marketing program, or requiring a permanent septic system on-site. The applicant has committed to constructing the necessary infrastructure to accommodate the proposal.

Action Required- Follow proposed actions listed in the Executive Summary and amend scope and project specific conditions of approval to place limits on use. If major revisions of conditions of approval are required, the item will need to be continued to a future date.

#### Option 3 – Deny Proposed Project

Disposition – In the event the Commission determines that the project does not, or cannot meet the required findings for grant of a use permit modification, Commissioners should articulate what aspect or aspects of the project are in conflict with required findings. State law requires the Commission to adopt findings, based in the General Plan and County Code, setting forth why the proposed use permit is not being approved. Based on the

administrative record as of the issuance of this staff report, there does not appear to be any evidence supporting denial of the project.

Action Required – Commission would take tentative motion to deny project and remand the matter to staff for preparation of required finding to return to the Commission on specified date.

Option 4 – Continuance Option

The Commission may continue an item to a future hearing date at its own discretion.

**SUPPORTING DOCUMENTS**

- A . Recommended Findings
- B . Recommended Conditions of Approval and Final Agency Approval Memos
- C . Initial Study - Negative Declaration
- D . Use Permit Application Packet
- E . Water Availability Analysis
- F . Wastewater Feasibility Study
- G . Traffic Study
- H . Stormwater Control Plan
- I . Graphics
- J . Winery Comparison Analysis

Napa County Planning Commission: Approve

Reviewed By: John McDowell