

DRAFT
NAPA COUNTY

CONSERVATION, DEVELOPMENT AND PLANNING COMMISSION
MINUTES

SEPTEMBER 3, 2008

1. CALL TO ORDER / ROLL CALL

Meeting called to order at 9:02 a.m.

Commissioners Terry Scott, Bob Fiddaman, Jim King, and Rich Jager present.

Commissioner Heather Phillips is excused.

2. PLEDGE OF ALLEGIANCE

Lester Hardy led the salute to the flag.

3. CITIZEN COMMENTS AND RECOMMENDATIONS

None.

4. APPROVAL OF MINUTES

None.

5. DIRECTOR'S REPORT

Hillary Gitelman presented the report.

BOARD OF SUPERVISORS ACTIONS

- ▶ There will be a joint Meeting scheduled with the Board of Supervisors on October 14, 2008

OTHER DEPARTMENT ACTIVITIES

- ▶ Workforce Housing
- ▶ Napa Pipe Status Report

6. AGENDA REVIEW

Robert Nelson presented the agenda with no changes.

7. DISCLOSURES

All Commissioners present visited all Public Hearing Item sites of this Agenda.

8. PUBLIC HEARING ITEMS TO BE DECIDED WITHOUT ADDITIONAL TESTIMONY

None.

9. PUBLIC HEARING ITEMS

**A. BURKE RESIDENCE / BRIAN BURKE, MANALIRI INC. / SETBACK VARIANCE
FILE # P07-00793-VAR, AND CONSERVATION REGULATIONS USE PERMIT
EXCEPTION, FILE #P07-00792-UP**

Ceqa Status: Negative Declaration Prepared. This project site is not on one of the lists of hazardous waste sites enumerated under Government code section 65962.5.

Request: Approval of a building setback Variance and Use Permit Exception to the County Conservation Regulations to allow the construction of an approximately 2,500 sq. ft. single family residence with attached garage on a vacant wooded hillside property west of the Napa Valley floor. The setback Variance will allow the residence to encroach six (6) feet into the required twelve (12) foot northern side yard setback and twenty-four (24) feet into the required combined forty-eight (48) foot road and front yard setback. The Conservation Regulations Use Permit Exception will allow the residence on slopes averaging 42% and to encroach 70 feet into the required 150 foot Stream Setback for an unnamed intermittent creek located on the northern portion of the site. The scope of this project also includes the execution of a septic easement on the adjacent parcel to the east, and the grant of an Exception to the County's Road Standards to reduce required road widths in order to preserve existing mature trees. The project is located on a .38-acre parcel on the north side of Tucker Road where it intersects with Summit Drive and is approximately 1/4 mile west of Tucker Road's intersection with State Route 29 with an (AW) Agricultural Watershed Zoning Designation. APN: 020- 262-015 (project site)(formerly 020-262-010); 020-262-016 (septic) (formerly 020-262-011).

Staff Recommendation: Adopt the negative declaration and approve the project with attached conditions of approval.

The Commission voted to adopt the Negative Declaration for the Burke residence Use Permit and Variance application, based on findings 1-6 of Exhibit A.

BF-RJ-TS-JK

N

Motion passed 3-1

The Commission voted to approve an Exception to the Conservation Regulations in the form of Use Permit P07-00792-UP based on finding 7-18 of Exhibit A and subject to the attached conditions of approval of Exhibit B.

BF-RJ-TS-JK

N

Motion passed 3-1

The Commission voted to approve Variance P07-00793 based on findings 19-22 of Exhibit A and approve the exception to the road standard.

BF-RJ-TS-JK

N

Motion passed 3-1

B. 10:00 a.m.

PRO ALPHA OMEGA WINERY, LLC. / ALPHA OMEGA WINERY – VARIANCE AND USE PERMIT MAJOR MODIFICATION REQUEST #P08-00047 AND #P07-00869-MOD

CEQA Status: Subsequent Mitigated Negative Declaration Prepared. According to the proposed Subsequent Mitigated Negative Declaration, the proposed project would have, if mitigation measures are not included, a potentially significant environmental impact in the following area: transportation/traffic. 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 Variance: to allow a new production/barrel building to encroach a max. of 74 ft. into the required 300 foot setback from centerline of Mee Lane and a corner of the new covered porch addition on the existing winery building to

encroach 127 ft. into the required 600 foot setback from centerline of St. Hwy. 29 and a Use Permit Modification: to modify Use Permits: #U-118081, #U- 538485, & #95037-MOD in 2 phases: Phase A: (1) establish the size of the pre-Winery Definition Ordinance public tasting room; (2)(a) Public Tours and Tasting Visitors: recognize Public Tours and Tasting visitors without prior appoint. at a max. of 900 visitors/wk; (2)(b) By Appointment Tours and Tasting Visitors: establish Tours and Tasting by Appoint. Only Visitors and combine them with Marketing event visitors for max.of 450 visitors/wk. The total combined Public, By Appt.& Marketing visitors not to exceed a max.of 1,350 visits/wk; (3) increase employees to 19 f/t and 6 p/t with an additional 15 p/t, seasonal workers during Harvest; (4) establish a Marketing Plan to include: 7 events/mo. with a max.of 50 people/event, 10 annual events with a max.of 100 people/event, and 6 annual events with a max. 200 people/per event (2 for the Napa Valley Wine Auction). Events to be catered by off-site food service; (5) authorize the use of the covered patio and garden areas by visitors; (6) add a 2nd work shift during Harvest only; (7) increase parking to 63 auto & 2 bus spaces; and, (8) convert the existing wastewater pond to a dual domestic and process wastewater system. Phase B: (1) construct a new approx. 9,273 sq. ft. production/barrel building adjacent to the existing 6,298 sq.ft.winery structure totaling approx.15,571 sq.ft.; (2) increase production from 50,000 gal.to 144,000 gal. The project is located on a 10.79 ac. parcel on the southeast side of Mee Lane approx.760 ft northeast of its intersection with St. Highway 29 & approx.2 mi. south of the City of St. Helena. (Assessor's Parcel #: 030-080-046) 1155 Mee Lane, St. Helena.

Staff recommendation: Adopt subsequent mitigated negative declaration and approve the project with attached conditions of approval.

The Commission voted to continue the item to the October 1, 2008 Meeting.

BF-RJ-TS-JK-HP

X

10. ADMINISTRATIVE ITEMS

A. NAPA REDEVELOPMENT PARTNERS, LLC / NAPA PIPE - GENERAL PLAN AMENDMENT #P07-00230. APN's: 046-400-030 & 046-412-005, 1025 Kaiser Road, Napa.

STATUS UPDATE

Presentation and discussion regarding the status of the Napa Pipe development proposal.

Staff recommendation: No action is requested at this time.

Sean Trippi presented the report.

11. DEPUTY DIRECTOR'S REPORT

John McDowell presented the report.

- DISCUSSION OF ITEMS FOR THE **SEPTEMBER 17, 2008 CDPC MEETING**
 - ▶ **There will be no public hearing items on September 17, 2008.**
 - ▶ **There will be a Study Session to develop language used for Ordinances on Vacation Homes, Horses, number of vehicles/animals, and mobile vendors.**
- CODE COMPLIANCE REPORT
 - ▶ **Final Woodbridge report.**

- ZONING ADMINISTRATOR ACTIONS
 - ▶ Press Restaurant Minor MOD was approved for outdoor seating.

12. COMMISSIONER COMMENTS / COMMITTEE REPORT

Commissioner Jim King reported that Senator Patricia Wiggins has put forth legislation concerning Hot Air Balloons and their operations specifically in the Napa Valley.

13. FUTURE AGENDA ITEMS

- #00338-UP, 1 year after opening – Caldwell Winery
- #02082-UP, May 2008 – Del Dotto Winery
- #03457-UP, 1 year after opening – Kendal – Jackson (Formerly Pecota) Winery
- #P06-0102, 2 years after opening – Frank Family Winery

14. ADJOURNMENT

Adjourned to the Regular Meeting of the Conservation Development and Planning Commission meeting of September 17, 2008.

TERRY SCOTT, Chairperson

ATTEST: HILLARY GITELMAN, Secretary-Director

MELISSA VON LOESCH, Clerk

Key

Vote: RJ = Rich Jager; JK = Jim King; BF = Bob Fiddaman; TS = Terry Scott; HP = Heather Phillips;

The maker of the motion and second are reflected respectively in the order of the recorded vote.

Notations under vote: N = No; A = Abstain; X = Excused