

MINUTES OF THE MEETING OF THE
CONSERVATION, DEVELOPMENT AND PLANNING COMMISSION
COUNTY OF NAPA

April 19, 2006

1. Call to Order.
THE CONSERVATION, DEVELOPMENT AND PLANNING COMMISSION OF THE COUNTY OF NAPA MET IN REGULAR SESSION, TUESDAY, APRIL 19, 2006, AT 9:00 A.M. THE MEETING WAS CALLED TO ORDER BY CHAIR JAGER AT 9:00 A.M.
2. Roll Call.
THE FOLLOWING MEMBERS WERE PRESENT: CHAIR RICH JAGER, COMMISSIONERS TERRY SCOTT, JIM KING AND DAVID GRAVES. COMMISSIONER BOB FIDDAMAN WAS EXCUSED.
3. Pledge of Allegiance.
JOHN STEVENS LED THE SALUTE TO THE FLAG.
4. Citizen Comments and Recommendations.
NONE
5. Approval of Minutes.
NONE
6. Director's Report / Deputy Director's Report.

CONSERVATION, DEVELOPMENT AND PLANNING DEPUTY DIRECTOR STEVE LEDERER REPORTED THAT THE BOARD OF SUPERVISORS TOOK TENTATIVE ACTION ON AN APPEAL OF A FULTON WINERY ROAD MODIFICATION REQUEST. THE MATTER WAS SCHEDULED TO COME BEFORE THE COMMISSION IN JUNE, 2006.

DEPUTY DIRECTOR LEDERER ALSO REPORTED THAT THE BOARD OF SUPERVISORS DISCUSSED WHETHER THE OPERATION OF FARM MANAGEMENT/VINEYARD MANAGEMENT COMPANIES WOULD BE AN APPROPRIATE USE IN THE AGRICULTURAL PRESERVE. THE BOARD DIRECTED STAFF TO DEVELOP ORDINANCE LANGUAGE TO ALLOW FOR THIS USE. ONCE DRAFTED THE PROPOSED ORDINANCE WOULD FIRST BE HEARD BEFORE THE COMMISSION.

7. Agenda Review.
DEPUTY DIRECTOR LEDERER REQUESTED THAT ITEMS #9 AND #10 BE MOVED TO THE CONSENT CALENDAR AND CONTINUED TO MAY 17, 2006.

Public Hearings

8. Items to be decided without additional testimony.
SEE ITEMS #9 AND #10.

9. **NICK & CARA NAYLOR / NICHOLAS NAYLOR ETAL - VARIANCE REQUEST
#P05-0461-VAR**

California Environmental Quality Act (CEQA) Status: See Item #10

Request: Approval of a Variance to reduce the combined minimum 48 foot road and side yard setbacks to 22 feet and reduce the designated slope easement from Stagecoach Canyon Road from 50 feet to 13 feet. The project is located on a 0.51 acre parcel on the northwest side of Stagecoach Canyon Road approximately 200 feet southwest of its intersection with Harness Drive and Stagecoach Canyon Road within a PD (Planned Development) zoning district Pope Valley. (Assessor's Parcel #: 016-191-003). (Continued from April 5, 2006)

SEE ITEM #10.

10. **NICK & CARA NAYLOR / NICHOLAS NAYLOR ETAL – USE PERMIT EXCEPTION
REQUEST #P05-0462-UPCONSETB**

CEQA Status: Categorically Exempt pursuant to Section 15303 (Class 3 – New Construction or Conversion of Small Structures) and Section 15305 of the California Environmental Quality Act. (Class 5 - Minor Alterations in Land Use Limitations).

Request: Approval of a Use Permit Exception to the Conservation Regulations to reduce both a 65 foot and an 85 foot stream setback to zero to allow construction of a new single-family home and detached garage. The project is located on a 0.51 acre parcel on the northwest side of Stagecoach Canyon Road approximately 200 feet southwest of its intersection with Harness Drive and Stagecoach Canyon Road within a PD (Planned Development) zoning district Pope Valley. (Assessor's Parcel #: 016-191-003) (Continued from April 5, 2006)

ITEM #9 AND ITEM #10 HEARD TOGETHER.

THE COMMISSION CONTINUED THE ITEMS TO MAY 17, 2006.

DG-TS-JK-BF-RJ

X

11. **MICHAEL FENNELL / FENNELL, HALL AND MCDEVITT / SUSCOL CREEK
WINERY – USE PERMIT REQUEST #P05-0434-UP**

CEQA Status: Mitigated Negative Declaration Prepared. According to the Mitigated Negative Declaration, the proposed project would have, if mitigation measures are not included, potentially significant environmental impacts in the following areas: traffic, biological resources, hydrology and water quality.

Request: Approval of a Use Permit to establish a new 200,000 gallon per year custom-crush winery with: (1) a 61,281 square foot winery building with no caves to be constructed in two phases - Phase I consists of a 30,750 square foot barrel storage and fermentation building with a 15,306 square foot covered canopy including 2,000 square feet of office, a laboratory and an employee area; Phase II consists of adding an additional 12,600 square feet of barrel storage, and a 2,625 square foot office and tasting room for a winery totaling approximately 47,975 square feet; (2) 13 full-time employees, with three additional full-time and five part-time employees at harvest season; (3) 36 on-site parking spaces with a loading dock for three vehicles; (4) tours and tasting by appointment only; (5) a marketing plan with two weekly trade tastings for up to five persons per event; and two weekly catered lunches or dinners with up to 20 persons per event; and, (6) a modification to the AIASP site development standards to allow a new waste water treatment pond, spray fields and access road within 75 ft. of the 150 ft. Suscol Creek setback, and environmental enhancement of the remaining areas within 75 ft. of the creek. The project is located on a 10.32 acre parcel on the south side of Soscol Ferry Road approximately 1,400 feet west of its

11. Continued.

intersection with Napa-Vallejo Highway (State Highway 12/29) within the Napa County Airport Industrial Area and a GI:AC (General Industrial: Airport Compatibility) combination zoning district Napa. (Assessor's Parcel #: 057-170-018)

PUBLIC HEARING HELD – TESTIMONY PRESENTED

THE COMMISSION DECLARED THEIR INTENT TO APPROVE ENVIRONMENTAL RECOMMENDATIONS #1 THROUGH #6, ADOPT THE MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM, APPROVE USE PERMIT #P05-0434-UP BASED ON FINDINGS #9 THROUGH #16 AND SUBJECT TO CONDITIONS OF APPROVAL #1 THROUGH #24, AND CONTINUED THE ITEM UNTIL MAY 3, 2006 TO ALLOW CONSIDERATION OF THE PROJECT BY THE NAPA COUNTY AIRPORT LAND USE COMMISSION.

TS-JK-DG-BF-RJ

X

12. **NAPA VALLEY GATEWAY PROPERTY DEVELOPMENT, LP. / CARNERA CORPORATE CENTER OFFICE CONDOMINIUM PLAN – TENTATIVE PARCEL MAP REQUEST #P06-0009-PM**

CEQA Status: Mitigated Negative Declaration. According to the Mitigated Negative Declaration, the proposed project would have if mitigation measures are not included, a potentially significant environmental impact in the following area: transportation.

Request: Approval to subdivide four proposed multi-tenant office buildings into sixteen office condominium units and one common area parcel from a 3.15-acre parcel located at the northeast corner of Devlin Road and Gateway Road East within an IP:AC (Industrial Park: Airport Compatibility) combination zoning district Napa. (Assessor's Parcel #: 057-210-042).

SEE ITEM #13.

13. **NAPA VALLEY GATEWAY PROPERTY DEVELOPMENT, LP. / CARNERA CORPORATE CENTER – USE PERMIT REQUEST #P06-0008-UP**

CEQA Status: Mitigated Negative Declaration. According to the Mitigated Negative Declaration, the proposed project would have if mitigation measures are not included, a potentially significant environmental impact in the following area: transportation.

Request: Approval of a Use Permit to construct four office buildings ranging in size from 5,000 square feet to 13,750 square feet and totaling 40,000 square feet for speculative office use and including installation of 160 parking spaces. The project is located on a 3.15 acre parcel at the northeast corner of Devlin Road and Gateway Road East within an IP:AC (Industrial Park: Airport Compatibility) combination zoning district Napa. (Assessor's Parcel #: 057-210-042).

ITEM #12 AND ITEM #13 HEARD TOGETHER

PUBLIC HEARING HELD – TESTIMONY PRESENTED

13. Continued.

THE COMMISSION APPROVED ENVIRONMENTAL RECOMMENDATIONS #1 THROUGH #6, ADOPTED THE MITIGATED NEGATIVE DECLARATION AND THE MITIGATION MONITORING AND REPORTING PROGRAM.

TS-DG-JK-BF-RJ

X

THE COMMISSION APPROVED USE PERMIT P06-0008-UP AND TENTATIVE PARCEL MAP P06-0009-PM BASED ON FINDINGS #9 THROUGH #20 AND SUBJECT TO CONDITIONS OF APPROVAL #1 THROUGH #23.

TS-DG-JK-BF-RJ

X

Other Business

14. City Referrals:
NONE

15. Discussion of Items for the May 3, 2006 meeting.

DEPUTY PLANNING DIRECTOR STEVE LEDERER ADVISED THAT THE FOLLOWING MATTERS WOULD BE DISCUSSED:

- **THE AIRPORT LAND USE COMMISSION (ALUC) WOULD MEET AND DISCUSS THE MICHAEL FENNELL / FENNELL, HALL AND McDEVITT / SUSCOL CREEK WINERY - AIRPORT LAND USE COMPATIBILITY DETERMINATION (#P06-0111-ALU) REQUEST;**
- **DISCUSSION AND POSSIBLE RATIFICATION OF NEW COMMISSION BYLAWS;**
- **CHIEF BUILDING OFFICIAL TO PRESENT A REPORT ON NEW ENERGY CODES AND THEIR IMPACT;**
- **PLUMPJACK WINERY USE PERMIT REQUEST #P05-0389-UP; AND,**
- **MICHAEL FENNELL/FENNELL, HALL AND MCDEVITT / SUSCOL CREEK WINERY – USE PERMIT REQUEST #P05-0434-UP.**

16. Commissioner Comments.

COMMISSIONER KING STATED HIS CONCERNS REGARDING POSSIBLE ENVIRONMENTAL ISSUES ON THE CURRENT USE OF THE LAND BEHIND THE STORAGE UNITS AT SUSCOL CREEK WINERY. HE ALSO STATED HIS CONCERNS ABOUT DRAINAGE ISSUES.

COMMISSIONER GRAVES QUESTIONED WHETHER OR NOT THE WINERY WAS REQUIRED TO HAVE A STORMWATER POLLUTION PLAN AND SUGGESTED THAT STAFF MAY NEED TO REVIEW THE SITUATION.

16. Continued.

COMMISSIONER SCOTT REPORTED THAT HE AND COMMISSIONER KING ATTENDED THE CALIFORNIA COUNTIES PLANNING ASSOCIATION CONFERENCE WHICH TOOK PLACE IN CHICO. HE THOUGHT THE CONFERENCE PROVIDED EXTREMELY USEFUL INFORMATION AND ENCOURAGED THE COMMISSIONERS TO ATTEND FUTURE CONFERENCES.

17. Future Agenda Items.

- #03409-UP, 5/17/07
MATCH WINERY
- #P04-0551-UP, 6/7/06
ONE TRUE VINE
- #03318-UP, 10/4/06
JOHN CALDWELL & VINEYARDS, LLC
- #02082-UP, 1 YEAR AFTER OPENING
DEL DOTTO
- #03457-UP, 1 YEAR AFTER OPENING
TWO SISTERS/PECOTA
- **POSSIBLE DISCUSSION ON THE DEFINITION OF “EARTH TONES.”**

18. Adjournment.

ADJOURNED TO A REGULAR MEETING OF THE CONSERVATION, DEVELOPMENT AND PLANNING COMMISSION, WEDNESDAY, MAY 2, 2006 AT 9:00 A.M.

TERRY SCOTT, Chair

ATTEST: HILLARY GITELMAN
Secretary-Director

GLADYS I. COIL, Clerk

Key

Vote: DG = David Graves; JK = Jim King; TS = Terrence Scott; RJ = Rich Jager; BF = Bob Fiddaman;

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