

NAPA COUNTY
CONSERVATION, DEVELOPMENT AND PLANNING COMMISSION

MINUTES
JUNE 16, 2010

1. CALL TO ORDER/ROLL CALL

Meeting was called to order by Chair Heather Phillips.
Commissioners Basayne, Pope, Fiddaman, Scott and Phillips present.

2. PLEDGE OF ALLEGIANCE

Chris Cahill led the salute to the flag.

3. CITIZEN COMMENTS AND RECOMMENDATIONS

None.

4. APPROVAL OF MINUTES

Minutes for the May 5, 2010 and May 18, 2010 meetings were approved as presented.
MB-TS-BF-MP-HP

5. DIRECTOR'S REPORT

Hillary Gitelman gave the report.

- BOARD OF SUPERVISORS ACTIONS

- ▶ BOS heard a report on the Local Food Forum
- ▶ BOS will meet on June 29, 2010 to discuss the Vacation Rental Ordinance.

- OTHER DEPARTMENT ACTIVITIES

6. AGENDA REVIEW

Hillary Gitelman gave the review.

7. DISCLOSURES

Commissioners reported.

8. PUBLIC HEARING ITEMS TO BE DECIDED WITHOUT ADDITIONAL TESTIMONY

None.

9. PUBLIC HEARING ITEMS

A. TIM MCDONALD / PROVO LAND PARTNERS LLC / SHUTTERS WINERY - USE PERMIT P09-00222-UP and VARIANCE P09-00223-VAR

CEQA Status: Mitigated Negative Declaration Prepared. According to the proposed mitigated negative declaration, if mitigation measures are not included, the proposed project would have potentially significant environmental impacts in the following area: Biological Resources. The project site is not on any of the lists of hazardous waste sites enumerated under Government Code section 65962.5.

Request: Variance to allow construction of a new winery within required road setbacks (300 feet required, 69 feet proposed). Use Permit to establish a new 50,000 gallon per year winery with: 1.) a 9,034 sq. ft. three level barrel storage building with adjoining courtyard; 2.) an approximately 11,600 sq.ft. wine production and storage cave; 3.) three full-time and three part-time employees; 4.) fourteen parking spaces; 5.) by-appointment tours and tastings with a maximum of 18 visitors per day and 40 per week; 6.) a marketing plan with twelve 25-person events, twelve 50-person events, two 50-person harvest events, and participation in Auction Napa Valley (all marketing events include catered food service); 7.) relocation of the existing private drive extending from Lommel Road; 8.) new domestic and process wastewater treatment systems; and 9.) two new upslope water tanks totaling approximately 90,000 gallons. The project is located on a 15 acre parcel located at the terminus of Lommel Road, approximately 1 mile northeast of its intersection with the Silverado Trail and within the AW (Agricultural Watershed) zoning district. APN: 018-060-027, Calistoga.

Staff Recommendation: Adopt the mitigated negative declaration and mitigation monitoring and reporting plan and approve the requested variance and use permit as conditioned.

Commissioners voted to:

1. Adopt the Mitigated Negative Declaration and Mitigation Monitoring Program for Shutters Winery, based on findings 1-5 of Exhibit A;
2. Approve Variance No. P09-00223 based on findings 6-11 of Exhibit A; and
3. Approve Use Permit No. P09-00222 based on findings 12-16 of Exhibit A and subject to the recommended conditions of approval (Exhibit B) as amended.

BF-MB-MP-TS-HP

**B. CEJA FAMILY WINERY / PEDRO AND AMELIA CEJA ETAL- VARIANCE REQUEST
#P10-00171-VAR &**

USE PERMIT REQUEST – #P09-00352-UP

CEQA STATUS: Negative Declaration Prepared. According to the Negative Declaration, the proposed project would have no potentially significant impacts. This project site is not on any of the lists of hazardous waste sites enumerated under Government code section 65962.5.

REQUEST: (A) Approval of a Variance from the required road setbacks set forth in Napa County Code section 18.104.230 (A.)(2.) to allow the construction of a winery building no more than 130 feet from the centerline of a shared private access road where 300 feet is required. (B) Approval of a Use Permit to establish a new 45,000 gallon per year winery in three phases totaling 31,200 square feet as proposed below: Phase I: Demolish an existing barn and two small agricultural structures; construct a new, two-story fermentation building with barrel storage, mechanical room, administrative office, wine library and tasting room and covered crush pad/work areas for a Phase I winery totaling 21,603 square feet; with 10 full-time and 5 part-time employees; 23 parking spaces (incl. one ADA space); Tours and Tasting By Appointment Only for a maximum of 24 visitors per day (168 max. per week); a Marketing plan with four 20-person food and wine pairing events per month, four 50-person industry/wine club events per year, one wine auction event per year and participation in the Napa Valley Wine Auction (all events will serve food items); install a commercial kitchen with a new water system; install a combined winery and domestic sanitary wastewater subsurface drip dispersal system; make improvements to the existing main access for winery production use. Phase II: Construct a second 5,766 square foot two-story structure immediately adjacent to the proposed Phase I winery structure to include a second outdoor crush/work area, additional barrel storage, a

commercial kitchen, hospitality area and outdoor patio area. Phase III: Construct an addition to the Phase II structure totaling 3,837 square feet to include additional wine storage; a mechanical equipment room and an outdoor patio. The project is located on a 10.39 acre parcel on the northwest side of Las Amigas Road approximately 350 feet east of its intersection from Cuttings Wharf Road and approximately 2 miles southwest of St. Hwy. 12/121 within an Agricultural Watershed: Airport Compatibility (AW:AC) combination zoning district. (Assessor's Parcel #: 047-240-037) 1016 Las Amigas Road, Napa.

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

Commissioners voted to:

1. Adopt the Negative Declaration for the Ceja Family Winery, based on the findings 1-6 of Exhibit A;
2. Approve Variance #P10-00171-VAR based on the attached findings 7-12 of Exhibit A; and,
3. Approve Use Permit #P09-00352-UP based on the attached findings 13-17 of Exhibit A and subject to the recommended Conditions of Approval of Exhibit B as amended.

TS-MB-MP-BF-HP

10. ADMINISTRATIVE ITEMS

None.

11. DEPUTY DIRECTOR'S REPORT

Hillary Gitelman gave the report.

- DISCUSSION OF ITEMS FOR THE *July 7, 2010 PC* MEETING
 - ▶ Design Review
 - ▶ Sinskey Winery
 - ▶ Annual Winery Audit
- CODE COMPLIANCE REPORT
- ZONING ADMINISTRATOR ACTIONS

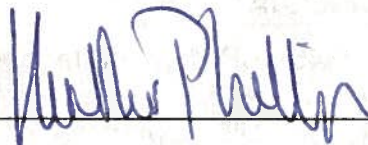
12. COMMISSIONER COMMENTS / COMMITTEE REPORT

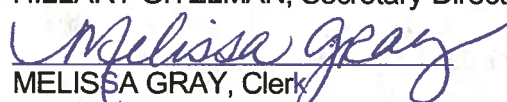
13. FUTURE AGENDA ITEMS

- #03457-UP, 1 year after opening - Kendall Jackson (formerly Pecota) Winery
- #P06-01426-UP, 1 year after opening - Pavitt Winery
- #02082-UP, September 2010 - Alpha Omega Winery
- #P06-0102-MOD, December 2010 - Frank Family Winery

13. ADJOURNMENT

Adjourned to the regular meeting of the Conservation Development and Planning Commission Meeting of July 7, 2010.


HEATHER PHILLIPS, Chairperson

ATTEST: HILLARY GITELMAN, Secretary-Director

MELISSA GRAY, Clerk

Key

Vote: MB = Mike Basayne; MP = Matt Pope; 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