

# **NAPA COUNTY**

## **CONSERVATION, DEVELOPMENT AND PLANNING COMMISSION**

### **MINUTES**

**AUGUST 4, 2010**

**1. CALL TO ORDER/ROLL CALL**

Meeting was called to order by Vice Chair Matt Pope.  
Commissioners Basayne, Fiddaman, Scott, Pope present.  
Commissioner Heather Phillips excused.

**2. PLEDGE OF ALLEGIANCE**

Jeff Redding led the salute to the flag.

**3. CITIZEN COMMENTS AND RECOMMENDATIONS**

None.

**4. APPROVAL OF MINUTES**

Minutes for the meeting held on July 7, 2010 were approved as presented.  
TS-MB-MP-BF-HP  
X

**5. DIRECTOR'S REPORT**

No Report given.

- BOARD OF SUPERVISORS ACTIONS
- OTHER DEPARTMENT ACTIVITIES

**6. AGENDA REVIEW**

John McDowell gave the review.

**7. DISCLOSURES**

Commissioners reported.

**8. PUBLIC HEARING ITEMS TO BE DECIDED WITHOUT ADDITIONAL TESTIMONY**

**A. FROG'S LEAP / FROG'S LEAP WINERY / USE PERMIT MAJOR MODIFICATION  
#P10-00157-MOD**

**CEQA Status:** Negative Declaration Prepared. According to the Negative Declaration, the proposed project would not have a significant effect on the environment. 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 modification to Use Permit 93397-UP to include: (1) Changing tours and tasting (by appointment only) from Monday through Saturday to include Sunday tours and tastings for 50 persons per day maximum. No changes to winery production levels, marketing activities and events, or to site and building improvements are proposed. The project is located on a 38.92 acre parcel on

the northwest corner of Conn Creek Road and Highway 128 within an AP (Agricultural Preserve) zoning district. (Assessor's Parcel # 030-090-033) 8815 Conn Creek Road, St. Helena, CA.

**Staff Recommendation:** Adopt the attached Negative Declaration and approve the winery major modification as proposed and conditioned.

Commissioners voted to:

1. Adopt the Negative Declaration for the Frog's Leap Winery, based on findings 1-6 of Exhibit A;
2. Approve Major Modification P10-00157-MOD based on findings 7-11 of Exhibit A and subject to the recommended conditions of approval (Exhibit B).

BF-MB-BF-MP-HP

X

## 9. PUBLIC HEARING ITEMS

### A. ROBERT SINSKEY WINERY / SINSKEY VINEYARDS, INC. - ROBERT SINSKEY WINERY USE PERMIT # P09-00480-MOD

**CEQA Status:** Negative Declaration has been prepared. 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

**Request:** Approval to allow major modification to Use Permit # 94099-MOD to: 1) expand winery production capacity from 65,000 gallons/year to 143,000 gallons/year; 2) expand and relocate the demonstration kitchen with 662 square feet of additional kitchen area and 1,261 square feet of new seating area; 3) expand the existing winery facility with a 2,937 square foot second-floor winery office wing and first-floor 801 square foot office addition; 4) expand the existing west-side, outdoor terrace by 1,500 square feet; 5) increase parking from 30 to 62 spaces with a new parking lot; 6) increase the number of full-time employees from six to ten and part-time employees from three to five; 7) construct a new wastewater disposal system; 8) modify the existing marketing plan to increase the average number of food and wine seminar attendees from 30 to 36, allow up to 75 visitors/day for private tours and tastings and modest food service, add a new once-monthly evening marketing event for up to 80 people and new twice-yearly marketing events with food service for up to 150 visitors, all evening events would be held between the hours of 6:00 pm and 11:30 pm with clean-up permitted until 12:00 am; 9) modify four 1994 Use Permit conditions of approval and four mitigation measures which restricted winery operations to accommodate a former neighbor; and 10) allow retail sales of produce and animal products grown, raised or produced on the winery property and adjacent parcel, also owned by the applicant's family. The project site is located on one parcel, approximately 11.82 acres in size, on the east side of Silverado Trail, approximately 0.21 mile (1,100 feet) southeast of the intersection with Yountville Cross Road, within the AW (Agricultural Watershed) zoning district. (Assessor's Parcel Number: 031-230-017) 6320 Silverado Trail, Napa.

**Staff Recommendation:** Adopt the Negative Declaration and approve the Use Permit with the recommended Conditions of Approval.

Commissioners voted to:

1. Adopt the Negative Declaration for Use Permit # P09-00480-MOD based on findings 1-6 of attached Exhibit A - Findings.
2. Approve Use Permit # P06-00480-MOD based on Use Permit findings 7-11 of attached Exhibit A - Findings, and subject to attached Exhibit B - Conditions of Approval as revised.

MB-TS-BF-MP-HP

X

**B LARRY HYDE / LARRY HYDE & SONS WINERY / USE PERMIT REQUEST #P09-00025-UP**

**CEQA Status:** Negative Declaration Prepared. According to the Negative Declaration, the proposed project would not have a significant effect on the environment. 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 establish a new 30,000 gallon per year winery to include: (1) a 9,947 square foot winery building with solar panels on the roof; a 192 square foot loggia; a 2,413 square foot covered outdoor crush pad for a winery totaling 12,552 total square feet; (2) two full-time and two part-time employees; (3) thirteen parking spaces including one disabled-accessible space; (4) winery wastewater system to include on-site septic system; (5) by appointment tours and tasting with a maximum of 20 visitors per day and 120 visitors per week; and (6) a marketing plan with ten 30-person special events and a private 100-person wine auction/Premier Napa Valley event annually. Site improvements consist of the following: Installing drainage improvements; widening the existing driveway to meet the standard 18 foot width for wineries; installing a new winery wastewater (with a drip dispersal) system and domestic wastewater (with pretreatment) septic disposal systems; installation of an automatic fire sprinkler system for the structure and water efficient landscaping. No other alterations to the appearance of the site are proposed. The project is located on a 10.56 acre parcel on the southeast corner of Los Carneros Avenue and Highway 121/12 within an AW (Agricultural Watershed) zoning district. (Assessor's Parcel # 047-220-009) 3250 Los Carneros Avenue, Napa, CA.

**Staff Recommendation:** Adopt the attached Negative Declaration and approve the winery use permit as proposed and conditioned.

Commissioners voted to:

1. Adopt the Negative Declaration for the Hyde and Sons Winery, based on findings 1-6 of Exhibit A;
2. Approve Use Permit P09-00025-UP based on findings 7-11 of Exhibit A and subject to the recommended conditions of approval (Exhibit B).

MB-BF-TS-MP-HP

X

**C. MJA VINEYARDS / MARIN ARTUKOVICH c/o FARELLA BRAUN & MARTEL LLP-USE PERMT MAJOR MODIFICATION (P10-00123-MOD)**

**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: Transportation/Traffic. The project is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

**Request:** Approval to modify Use Permit #U-28889 to allow (1) an increase in production capacity from 3,300 gallons per year to 23,775 gallons per year; (2) the conversion of previously approved residential living areas to winery production and accessory uses establishing a winery with approximately 11,921 square feet of production area and approximately 2,588 square feet of accessory area within structures and caves; (3) authorizing existing and proposed outdoor work (5,534 sq. ft.), tank pad (2,876 sq. ft.), and storage areas (2,161 sq. ft.) totaling approximately 10,571 square feet of area; (4) establishing winery uses within a 5,511 sq. ft. cave (cave floor area is included in (2) and (3), above); (5) approval of an existing retaining wall; (6) approval an existing expansion of the parking area on the west side of the building; (7) tours and tastings by appointment only for up to 15 visitors per day, with a maximum of 75 visitors per week; (8) establish a marketing plan with two events per



month for a maximum of 15 guests at each event and two events per year for a maximum of 30 guests at each event; (9) an increase to the number of employees from one part-time employee to two full-time and two part-time employees; (10) an increase to the number of on-site parking spaces from four to nine; (11) installation of a new winery process and domestic wastewater system; and, (12) an exception to the County Road and Street Standards recognizing the reduced width of the existing access drive. The 17.78 acre project site is located on the west side of Greenfield Road, approximately 1,700-feet northwest of the intersection Greenfield Road and Conn Valley Road within the AW (Agricultural Watershed) zoning district. APN: 025-380-021. 647 Greenfield Road, St. Helena.

**Staff Recommendation:** Adopt the mitigated negative declaration and mitigation monitoring and reporting program and approve the use permit with the proposed conditions of approval.

Commissioners voted to:

1. That the Planning Commission adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for MJA Vineyards winery, based on findings 1-6 of Exhibit A;
2. That the Planning Commission approve the requested Exception to the Napa County Road and Street Standards based on findings 7-9 of Exhibit A; and,
3. That the Planning Commission approve Use Permit Modification (File #P10-00123-MOD) based on findings 10-14 of Exhibit A and subject to the recommended Conditions of Approval (Exhibit B) as amended.

BF-TS-MB-MP-HP

X

#### 10. DEPUTY DIRECTOR'S REPORT

John McDowell gave the report.

- DISCUSSION OF ITEMS FOR THE **August 18, 2010 PC** MEETING
  - ▶ Rooster Ordinance
  - ▶ Relic Winery
  - ▶ Design Review
- CODE COMPLIANCE REPORT
- ZONING ADMINISTRATOR ACTIONS

#### 11. COMMISSIONER COMMENTS / COMMITTEE REPORT

#### 12. 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

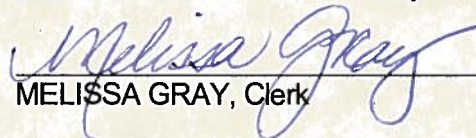
#### 13. ADJOURNMENT

Adjourned to the regular meeting of the Conservation Development and Planning meeting of August 18, 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