

CITY OF CALISTOGA

STAFF REPORT

**TO: CHAIRMAN MANFREDI AND MEMBERS OF THE
PLANNING COMMISSION**

FROM: ERIK V. LUNDQUIST, SENIOR PLANNER

MEETING DATE: NOVEMBER 30, 2011

**SUBJECT: T-VINE CELLARS
810 FOOTHILL BOULEVARD (APN 011-260-019)**

REQUEST

1
2
3 Consideration of Conditional Use Permit (U 2011-01) and Design Review (DR
4 2011-04) applications requested by James Harder and Chuck Easley, on behalf
5 of Unfiltered Napa LLC, to allow the construction and operation of a 2,500 case
6 production winery including associated winery administration and hospitality
7 uses, on the property located at 810 Foothill Boulevard within the "CC-DD",
8 Community Commercial - Design District (APN 011-260-019). The applicants
9 have also requested Variances (VA 2011-01) to allow a reduction in the front
10 yard setback for a principal building from 20 feet to 10 feet and the rear yard
11 setback for an accessory structure from 5 feet to 0 feet.
12

BACKGROUND & PROJECT DESCRIPTION

13
14
15 T-Vine Cellars has been producing wine within the Calistoga AVA (outside of the
16 City) since the early 1990's. With this proposal, winery administration, hospitality
17 and ±2500 cases (6000 gallons) of production would occur at this site. In general
18 terms the proposed project consists of two small structures; a ±1300 square foot
19 winery and ±2000 square foot administration and tasting room building,
20 separated by a small parking lot and associated landscape/pedestrian spaces.
21 The applicants have indicated 75% of the wine produced at the winery will be
22 made with Napa County Grapes.
23

24 The Tasting/Administration building includes two offices, and meeting rooms,
25 (main level and upper level) to accommodate winery administration, meetings
26 and seasonal winemaking work spaces. The balance of this building is dedicated
27 to the tasting room and related support functions; toilet rooms, glass washing,
28 storage and utilities. The Winery building is split between a small stainless steel

29 tank room (± 6 tanks) and a barrel room (± 120 barrels) with a small storage /
 30 mechanical room at the back of the cellar.

31
 32 Tasting room hours will vary seasonally with peak season hours estimated at
 33 seven days/week 10:00am to 7:00pm; winery administration will be Monday-
 34 Friday 8:00 to 5:00. Owing to the small quantities of wine produced on site, wine
 35 making activities will occur before the tasting room opens, except during harvest
 36 where activities may overlap for brief periods. A Visitation / Occupant Summary
 37 is included in the application material and the building area, site coverage and
 38 parking statistics are on sheet A1.0 Site / Landscape Plan of the architectural
 39 drawings.

40
 41 **Wine Production:** T-vine Cellars is requesting a Use Permit to produce 2500
 42 cases of wine annually. The request includes all aspects of winemaking;
 43 receiving, crushing, fermentation, barrel aging, blending and bottling, finish
 44 casegoods storage will occur offsite. While the site is relatively small for a winery,
 45 it should be noted that an annual production of 2500 cases is also small by Napa
 46 County Winery standards [typical winery capacities are in the range of 25,000 to
 47 500,000 cases]. Accordingly, typical winemaking activities will take days rather
 48 than weeks or months.

49
 50 Winemaking (enology), while in part a science, is a process that is often difficult
 51 to predict. Some common variables include; harvest timing and duration, yields,
 52 and fruit quality, varietals, wine styles, etcetera. These variables make it difficult
 53 to precisely define a winemaking operation. Accordingly, it is necessary to make
 54 reasonable but conservative assumptions before defining a specific winery's
 55 production activities. In defining T-Vine Cellars operation the following
 56 assumptions were used:

57

Description	Range	Model Assumption
Harvest Duration; (still wine single region, typical varietals)	4 – 12 wks	6 wks
Tank Fermentation Duration; (settling, cold soak, fermentation)	3- 15 days	10 days
Wine yield per ton of fruit; (small lot high price point)	145 – 165 gal	150gal/ton
Case yields per ton of fruit; (12 bottle 9 liter case)	60 – 68 cases	64 cases/ton

58 Based on the “model” assumption above the proposed 2500 case production (annual) can be
 59 reasonably summarized as follows: ▪ 40 tons of fruit, ▪ 6000 gallon of juice/wine, ▪ 2500 finished
 60 cases.

61

62 **Winemaking Process:** Subject to variation discussed above the proposed
63 winemaking activities and related impacts can generally be summarized in five
64 stages as follows:
65

66 Grape Delivery: The winery will receives ± 40 tons of fruit over a 6 week (42 day)
67 harvest period. The applicants intend to use 75% Napa County grapes. In that a
68 typical harvest does not occur in a linear even distribution the following
69 assumption were made:

- 70 a. All deliveries will be made by single flat bed trucks (no trailers) capable of
71 carrying up to twenty (20) $\frac{1}{2}$ -ton stackable forklift bins (4'x4'x3'high).
- 72 b. The trucks will enter and leave the site using a three-point turning
73 movement very similar to the fire truck modeled on the engineering
74 drawings submitted with the application
- 75 c. Over the 6 week harvest period most days (60%-80%) will not have any
76 grape deliveries. Other days may have relatively small daily deliveries, 2-5
77 tons per day (5-10 bins). For an average harvest it is estimated that there
78 will be between 4 and 6 grape deliveries.
- 79 d. The peak day delivery would be limited to 10 tons on two trucks
- 80 e. Bins would be off loaded directly into the winery between 7:00 and 10:00am;
81 (average delivery duration = 1hr/truck) and stacked on the floor for
82 processing.
83

84 Processing (crush): Once inside the winery, grapes will be processed in different
85 ways depending on the varietal, style and desired quality. In general, whites will
86 be whole-cluster to press, juice to tank(s) and reds will be de-stemmed, sorted,
87 crushed, and transferred to tank(s). The pomace or solid waste (leaves, stems,
88 seeds and skins etc.) will be transferred back into the emptied $\frac{1}{2}$ -ton bins and
89 transferred to the previously emptied delivery truck and hauled back to the
90 vineyard for composting.
91

92 While the majority of the crush operations will occur inside the winery a small
93 amount of activity associated with the transfer of the fruit and pomace will occur
94 outside under the canopy at the main door. Both the interior of the winery and the
95 covered areas are classified as "process areas" and all water in these areas
96 drains to the process-water collection and hauling facilities. The process
97 equipment necessary for these activities; crusher stemmer, press, sorting table
98 and assorted pumps / sumps will be stored off site most of the year and remain in
99 the cellar during the ± 6 weeks of harvest.
100

101 Tank Fermentation: While some fermentation will occur in barrel, tank
102 fermentations represents the production "pinch point". Accordingly, the tank cellar
103 is assumed to be the primary fermentation area. Additionally, since red
104 fermentation is less efficient and more space intensive, it was the basis for sizing
105 the tanks as follows:

- 106 a. Red fermentation process typically occurs on the skins. Allowing for the
107 additional solids and fermentation activity, 1 ton of fruit (± 150 gallons of
108 juice + skins) requires a fermentation vessel of roughly 300 gallons in size
109 b. Peak day capacity is calculated as follows: 10 tons/day at 320 gallons/ton
110 (100% reds) = 3200 gallons of capacity. Allowing for lot variations this
111 should be divided over three (3) tanks
112 c. Allowing for a 10 day fermentation and a spike in harvest rates, (accelerated
113 ripening) it is assumed that two 10 ton peak days will be fermenting
114 concurrently within a 1½ week period.
115 d. Using the above assumptions the proposed cellar will have a mix of tanks
116 likely between (6) ± 1100 gallon tanks or (3) ± 1500 gallon plus (3) ± 700
117 gallon tanks
118

119 Barrel Aging: Requirements vary by varietal, style, percent to barrel and time in
120 barrel. Depending on what is being made the barrel requirement for this facility
121 could range from 0 to 240 barrels. The barrel room can hold between 28 barrels
122 (1 tier high) and 168 barrels (6 tiers high) depending on stacking protocol.
123

124 Storing, Blending & Bottling: The six fermentation tanks discussed above will
125 double as storage and blending tanks prior to the next year's harvest. In late
126 summer / early fall the previous vintage (± 6000 gallons) will be bottled and
127 trucked to an off site warehouse. The bottling activity will generally follow the
128 sequence below:

- 129 a. General: bottling will be done by a single mobile line capable of $\pm 1500-1800$
130 cases/day and will occur on two separate weekdays between the months of
131 July and September. A peak bottling day will be ± 1500 cases. On these two
132 days the winery will be closed to the public allowing the parking lot to be used
133 for the operation.
134 b. Packaging and finished casegoods will be stored in the winery prior to and
135 after shipping. Deliveries will occur a day or two before and after bottling
136 before the tasting room opens (between 7:00 and 10:00am). Note: the
137 standard single trailer delivery truck can carry ± 2200 empty cases and
138 ± 1500 full cases and the parking lot has been analyzed by the project
139 engineer for adequacy of movements.
140 c. A typical bottling event includes the following activities:
141 i. Mobile bottling-line arrives at 7:00am and backs into the eastern center
142 of the parking lot. Note, 3-5 open parking stalls are left for bottling staff.
143 ii. Allowing for setup and clean up time the bottling line will run ± 6 hours
144 (8:30am – 2:30pm), bottling up to 1500 cases in a peak day, ($50\text{btl}/\text{min}$
145 * $360\text{min} = 18,000$ bottles or 1500 cases).
146 iii. Empty and finished cases are continually shuttled in and out of the winery
147 during the 6 hour bottling period.
148 iv. Once bottling is completed the line is cleaned the mobile line will depart
149 between 6:00 and 7:00pm

150

151 Wine & Juice Shipping: In a given year it is possible that all or some fruit may be
152 delivered in the form of juice and finished wine may be trucked off site for
153 bottling. These alternatives were not analyzed because in all cases they
154 represent a decrease activity or intensity of operation as follows:

155 a. One (small) juice truck= ±3000 gallons; in fruit delivery equivalents is 20
156 tons or 50% of the harvest

157 b. One single wine shipment = ±3000 gallons which in bottling equivalents is
158 ±1250 cases replacing; 1 packaging delivery trip + 1 mobile line trip + 1
159 finished casegoods trip

160

161 Traffic Trip Summary:

162 • Harvest Equipment 1 move in around Sept. 1st , 1 move out around Oct
163 20th

164 • Fruit delivery 4-6 trucks/yr between September 1 and October 15
165 (max day = 2 trucks)

166 • Pomace off-haul 0 combined as a backhaul with the fruit deliveries
167 above

168 • Bottling 2 similar (separate events) w/ 1packaging delivery
169 trip+1 mobile line trip+1 finished casegoods trip

170 • Barrel Deliveries 2-3 per year (7:00am 10:00am) between May 1st and
171 July 15th

172

173 Special Events:

174 At this time T-Vine Cellar's proposal does not identify special events as a
175 proposed use. In an effort to manage unanticipated events, staff recommends
176 that a condition of approval be incorporated that limits wine related events up to
177 24 people, unless an administrative use permit has been obtained prior to the
178 event by the Planning and Building Department.

179

180 **STAFF ANALYSIS & DISCUSSION**

181

182 **A. Aesthetics**

183

184 This proposal seeks to develop a small working winery and tasting room while
185 contributing to the downvalley Foothill Boulevard entry/gateway and reinforcing
186 the small town feel of Calistoga. Aesthetically the architecture draws from the
187 existing rural character of Calistoga's surrounding areas while beginning to
188 introduce urban proportions and elements from the downtown. In order to create
189 visual interest, operational efficiency and break down the scale the working
190 winery and administration/tasting activities are placed in separate buildings. The
191 buildings are designed as simple gable structures, similar in size and proportion
192 to many of the buildings found as you enter town. Additionally, in response to the
193 entry/transitional nature of the site the buildings are placed on this larger parcel

194 in a manner reminiscent of the older rural farmhouses with barns and out-
195 buildings located along Highway 29 as you approach town. The structures are
196 placed orthogonal to the adjacent rural farmhouse and prevailing street grid,
197 further reinforcing their relationship to the surrounding uses.
198

199 The building's aesthetic, although more contemporary, is reminiscent of the
200 traditional off-white farmhouses and barns in the valley; two archetypes with
201 significant local precedence. However, the materials and certain building
202 elements are purposefully more contemporary in their material and detailing. The
203 buildings incorporate a mix of traditional timber framing and metal "board-and-
204 batten" siding. The metal roofs, repetitive wood rafter and generous eaves recall
205 the aesthetic of a typical wood framed barn. Secondary building elements are
206 introduced to break up the simple barn forms. These elements are clad in a
207 horizontal rusting steel. The large horizontal covered awnings, while framed in a
208 traditional timber manner are also made of rusting steel to offer a unique and
209 contemporary presence for the business and the T-Vine brand. The building and
210 site design is further detailed on the drawings prepared by Raesfeld-associates
211 and submitted with this application.
212

213 **B. Grading, Drainage and Flood Hazards**

214
215 The site is extremely flat with an average cross slope of less than 2%. An
216 insignificant portion of the site drains to the adjacent vineyard property located
217 north-easterly of the parcel with the remainder sheet flowing south-easterly
218 toward the drainage swale along the entire frontage of the property. The historic
219 drainage pattern will essentially be continued, however after the surface water
220 drains across the parking areas (toward the highway frontage) it will be directed
221 through a vegetated filter strip parallel to the rock landscape wall at the front of
222 the property prior to entering the existing drainage swale; no point source storm-
223 drains are associated with this project. Portions of the property are located in the
224 Special Flood Hazard Area, Floodway Fringe Zone AE.
225

226 Due to the property's proximity to the Napa River, it is located within a special
227 flood hazard area. Specifically, the property is located within the floodway fringe.
228 Pursuant to the City's Floodplain Management Ordinance, Chapter 18 CMC,
229 nonresidential structures located in the floodway fringe must maintain a lowest
230 floor elevation two feet above the base flood elevation or together with the
231 sanitary facilities be floodproofed and have structural components capable of
232 withstanding hydrodynamic forces (§ 18.20.010(2) CMC). The base flood
233 elevation for the site is generally 345.59 feet above sea level (NAVD88) as
234 indicated on the Site Plan prepared by Delta Consulting & Engineering dated
235 June 2011. The applicant proposes a pad grade elevation of approximately
236 345.50 above sea level (NAVD88). Since the finished floor elevation is below the
237 base elevation the structure will be required to meet the strict flood proofing

238 design standards of the Floodplain Management Ordinance. Conditions of
239 approval have been incorporated to ensure compliance.

240

241 **C. Growth Management**

242

243 This new commercial use would result in an increased demand for water and
244 wastewater service. As such, a growth management allocation must be awarded
245 prior to authorizing a water and wastewater allocation. The Planning and
246 Building Department Manager intends to grant a non-residential Growth
247 Management Allocation (GMA 2011-21) allowing an additional 0.382 acre feet of
248 water per year and 0.286 acre feet of wastewater per year. The total water and
249 wastewater capacity needed for this project is 0.46 ac-ft/year of water and 0.286
250 ac-ft/year of wastewater (no prior wastewater connection). Prior to building permit
251 issuance, the applicant will be required to pay the water and wastewater service
252 connection fee at the rate in affect at the time the building permit is issued,
253 unless otherwise deferred by the Planning and Building Department.

254

255 **D. Land Use**

256

257 The General Plan land use designation for the property is Community
258 Commercial. The General Plan also has the property identified within one of the
259 Entry Corridors, "Entry Corridor 6: Downvalley Foothill Boulevard".

260

261 The purpose of the Entry Corridor Overlay is to make certain that the "country
262 town" appearance of Calistoga will be preserved "by ensuring that new
263 development is of a scale subordinate to the agricultural uses of properties
264 located at these entry corridors." All development in this area is required to
265 incorporate features to achieve this goal.

266

267 Listed below are the features that would apply to this project:

268

- 269 • *Setbacks shall be wide in order to preserve rural characteristics and shall*
270 *be landscaped with trees, vineyards and/or native vegetation.*

271

272 The wide roadway right-of-way and landscape plan (i.e. Olive trees) will soften
273 views of the parking lot from the Highway 29 and will resemble the rural
274 characteristics typical of other transitional properties in the region.

275

- 276 • *Walls, fences and berms included in landscaping should incorporate*
277 *materials and design that blend harmoniously with the surrounding*
278 *landscape.*

279

280 The landscaping plan maintains the rural qualities of the site and surroundings by
281 incorporating local materials into the walls and fencing designs.

282

283

284

285

- *Existing orchards and stands of mature trees shall be maintained or replaced with similar vegetation.*

286 There are no orchards or stands of trees located on the site. However, the
287 property street improvements and site development has been planned to
288 preserve the large oak tree adjoining the property.

289

290

291

- *Unique natural features shall be preserved and remain visible.*

292 The site is flat and contains existing developments. No unique natural features
293 exist on the site. No unique off-site features will be disturbed by this project.

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298

- *New buildings should reflect small-scale, low-rise design characteristics with an understated visual appearance, and should maintain existing small-town and open space qualities.*

299 The building's aesthetic, although more contemporary, is reminiscent of the
300 traditional off-white farmhouses and barns in the valley; two archetypes with
301 significant local precedence. However, the materials and certain building
302 elements are purposefully more contemporary in their material and detailing. The
303 buildings incorporate a mix of traditional timber framing and metal "board-and-
304 batten" siding. The metal roofs, repetitive wood rafter and generous eaves recall
305 the aesthetic of a typical wood framed barn. Secondary building elements are
306 introduced to break up the simple barn forms.

307

308

309

- *Parking areas should not be visible from the entry corridor roadway.*

310 The parking area may be visible for a brief moment after the large oaks are
311 passed traveling northbound. This Architect has designed landscaping
312 improvements to screen the parking lot. Strategically placed rock wall and trees
313 along the frontage will be used to reduce visibility.

314

315

316

317

- *All development within designated entry corridors shall be subject to design review.*

318 This project is subject to design review along with the use permit review. The
319 design review guidelines contain in Chapter 17.06 of the Calistoga Municipal
320 Code are discussed further herein.

321

322

323

324

325

Furthermore, staff has conducted an evaluation and finds that the project is consistent with the "CC", Community Commercial Zoning District development standards with exception to the building setback requirements. In accordance with the City of Calistoga Municipal Code, Chapter 17.42 the owners request

326 variances to reduce the front property setback from 20 feet to 10 feet and a 0 foot
327 rear yard setback for an accessory structure. The subject parcel is part of a small
328 group of parcels zoned CC, comprising a ± 500 foot strip of zoning southeast of
329 Pine Street, adjacent to the Downtown Commercial District. The proposed project
330 as described in the Conditional Use Permit application meets all of the setback,
331 coverage and height requirements of the CC zoning district, except for the rear
332 and front setback; when directly across the street from a residential district the
333 CC Zoning District increases the minimum 10 foot setback to 20 feet. The
334 property directly across the street is zoned Rural Residential-Hillside (RR-H).
335 Accordingly the project applicant's request a variance reducing the front setback
336 from 20 feet to a ± 14 foot average with a minimum of 10 feet. The rear yard
337 setback reduction from 5 feet to 0 feet for the accessory structure will more-or-
338 less allow an architectural features to be development that visual draws the
339 buildings together.

340
341 In general, staff finds that these Variances can be supported as shown in the
342 attached Draft Resolution 2011-18.

343

344 **E. Traffic and Circulation**

345

346 The site is accessed via an existing shared driveway at western corner of the
347 property. The "V" shaped notch in the property boundary appears to have been
348 specifically created by Cal-trans when a portion of the property frontage was
349 deeded to the State in 1955. The actual edge of highway pavement is ± 60 feet
350 from the parcel boundary. Based on the historic use of the current driveway and
351 significant vehicle stacking length provided by the setback to the edge of highway
352 no roadway improvements are proposed in the Cal-trans right-of-way other than
353 some minor driveway apron improvements.

354

355 A traffic study was originally prepared and finalized for the project in May 2011,
356 by W-trans (Attachment No. 6). Data collected by W-Trans at local Sonoma
357 County wineries was used to develop factors for winery tasting room trips made
358 during the p.m. peak hours. Counts were collected on a driveway serving a large
359 tasting room for one week every month for a year and indicate that 10 percent of
360 the daily visitor trips occur during the p.m. peak hour. No factors were
361 established for the a.m. peak hour as tasting rooms are not open and only
362 employee trips were considered during the a.m. peak hour. It was conservatively
363 assumed that nearly all employees generate trips during the evaluated peak
364 hours.

365

366 The likely trip generation of the proposed project includes an average of 58 daily
367 trips, including five trips during the p.m. peak hour and ten during the weekend
368 midday peak hour. Compared to the previous use, the project would generate 62

369 fewer daily trips, two fewer a.m. peak hour trips, and a net of one new trip during
370 the p.m. peak hour.

371
372 The need for turn lanes was conservatively evaluated based on available p.m.
373 peak hour counts for SR 29 that were obtained in March 2007 and on an
374 approach speed of 50 mph. A sensitivity analysis was performed and it was
375 determined that even if all ten of the trips that the project is expected generate
376 during the p.m. peak hour, both inbound and outbound, arrived from the west,
377 making a left turn in or from the east, making a right turn into the site, neither a
378 left-turn, right turn or right-turn taper is warranted or recommended.

379

380 **F. Parking**

381

382 Assuming that each employee drives to work in their own vehicle, a total of five
383 spaces would be needed to accommodate the proposed employees associated
384 with daily winery and tasting room operations. Data collected by W-Trans used to
385 develop winery tasting room rates was also used to develop the parking demand
386 for the project. Based on this information, it was assumed that an average of 25
387 percent of the 21 daily vehicles associated with the tasting room visitors, or 6
388 vehicles would be parked on-site during any single hour; therefore, a maximum
389 of 11 spaces might be needed to accommodate the typical daily parking demand.

390

391 The project as proposed provides a total of 13 parking spaces, which would
392 accommodate the typical guest and employee parking demand with a surplus of
393 two spaces.

394

395 **G. Utilities**

396

397 The site is currently served with City water, via a meter and 2" water-main
398 running across the frontage of the neighboring northern parcel. The Fire Chief is
399 recommending a new water main be constructed to the parcel to provide
400 adequate water for emergency purposes. The developer anticipates constructing
401 a new 8" water-main commencing at Pine Street and terminating near the
402 property boundary. The new main will be used for fire protection and potable
403 water. The existing 2" main will be abandon at Pine Street. The private line
404 serving the Bingham ranch will be abandoned and a new private line and
405 easement will be established northerly along the western property line
406 terminating on the Bingham Ranch property at the southwest corner,
407 approximately five feet from the property line.

408

409 A sanitary sewer lift station and 2" force main were installed by the previous
410 property owner, however for unknown reasons the main was terminated just
411 short of the City's sanitary new sewer manhole west of the site (constructed in
412 2010 for the Diamond Hills project). Sanitary sewer will be provided by

413 completing the connection of the 2" force-main to the City's sewer manhole.
414 Process wastewater generated from winemaking activities will be collected in two
415 below grade concrete holding tanks located in the parking lot. Process effluent
416 shall be off-hauled to the East Bay Municipal Utility District under their Winery
417 Waste Management Program (www.ebmud/resourcerecovery.com).

418
419 These above design elements are further detailed on the drawings prepared by
420 Delta Consulting & Engineering and submitted with this application
421

422 **H. Health and Safety**

423
424 Permits are required from the Napa County Department of Environmental
425 Management for the proposed winery operation.
426

427 The Fire Department has reviewed the application and, as previously noted, a
428 fire sprinkler system is required. Therefore, prior to occupancy an automatic fire
429 sprinkler system shall be approved by the Fire Department and installed. In
430 addition, a fire hydrant and connection shall also be provided subject to the
431 review and approval of the Fire Department.
432

433 **ENVIRONMENTAL REVIEW**

434
435 In accordance with the California Environmental Quality Act (CEQA), the City of
436 Calistoga, Planning and Building Department prepared an Initial Study/CEQA
437 Checklist for the project. Potentially significant impacts to air quality, biological
438 resources, cultural resources and greenhouse gas emissions were identified. The
439 applicant has agreed to incorporate the mitigation measures; therefore, the
440 Planning and Building Department determined that the proposed project as
441 amended by mitigation measures would not have a significant adverse impact on
442 the environment. As previously stated, the Initial Study/Mitigated Negative
443 Declaration was sent to the State Clearinghouse for distribution to state
444 agencies. The comment period for the environmental document was October 24
445 to November 22, 2011. Both a Notice of Intent to Adopt a Mitigated Negative
446 Declaration was sent to adjoining properties and a Notice of Public Hearing were
447 sent to all property owners within 300 feet of the subject site. The notice advised
448 of the public comment period and also advised that additional comments would
449 be taken at the public hearing. Prior to any project approvals, the Planning
450 Commission will need to adopt the Mitigated Negative Declaration. CEQA
451 requires the lead agency to consider the environmental document in conjunction
452 with the comments received. If the comments contain substantial evidence
453 supporting a fair argument that the project may actually produce significant
454 environmental impacts, the lead agency must find a way to mitigate the impacts
455 to a level of insignificance, and then recirculate a revised proposed negative
456 declaration or prepare an EIR.

457

458 As a result of sending the CEQA notice to the State Office of Planning and
459 Research (OPR) Clearinghouse, the City has received one written comment from
460 the Department of Transportation (Caltrans) submitted a letter dated November
461 9, 2011 requesting a copy of the traffic impact assessment and noting that a
462 cultural resource study may be required.

463

464 In response, on November 11, 2011 staff sent Caltrans an email containing the
465 traffic study and supporting sensitivity analysis. Additionally, staff noting that
466 based upon the existing developments and analysis recently conducted in the
467 vicinity the draft cultural resource mitigation measures are adequate to mitigate
468 potentially significant impacts to cultural resources to a level of less than
469 significant.

470

471 **PUBLIC COMMENTS:**

472

473 The public comment period ends November 22, 2011. At the current time, no
474 written comments have been received regarding this project.

475

476 **FINDINGS**

477

478 To reduce repetition, all of the necessary findings are contained in each of the
479 respective Resolutions, see attached.

480

481 **SUGGESTED MOTIONS**

482

483 A. Staff recommends that the Planning Commission adopt Resolution PC
484 2011-18 adopting a Mitigated Negative Declaration, finding that with the
485 inclusion of mitigation measures, the project will not have a significant
486 adverse impact on the environment.

487

488 B. Staff is recommending that the Planning Commission adopt Resolution PC
489 2011-19 approving Variances allowing a reduction in the front yard
490 setback for a principal building from 20 feet to 10 feet and the rear yard
491 setback for an accessory structure from 5 feet to 0 feet on the property
492 located at 810 Foothill Boulevard (APN 011-260-019) within the "CC-DD",
493 Community Commercial - Design District, based upon the findings and
494 subject to conditions of approval contained in the Resolution.

495

496 C. Staff is recommending that the Planning Commission adopt Resolution PC
497 2011-20 approving a Conditional Use Permit and Design Review allow the
498 construction and operation of a 2,500 case production winery including
499 associated winery administration and hospitality uses, on the property
500 located at 810 Foothill Boulevard (APN 011-260-019) within the "CC-DD",

501 Community Commercial - Design District, based upon the findings and
502 subject to conditions of approval contained in the Resolution.

503

504 **ATTACHMENTS**

505

506 1. Vicinity Map

507 2. Draft Planning Commission Resolution PC 2011-18, Mitigated Negative
508 Declaration

509 3. Draft Planning Commission Resolution PC 2011-19, Setback Variances

510 4. Draft Planning Commission Resolution PC 2011-20, Conditional Use
511 Permit and Design Review

512 5. Department of Transportation (Caltrans) letter dated November 9, 2011

513 6. Focused Traffic Impact Analysis dated May 24, 2011

514 7. Architectural and Engineered Plan Set received June 22, 2011

515

516 *The Initial Study and Notice of Intent to Adopt Mitigated Negative Declaration is*
517 *Available Upon Request at the Planning and Building Department, 1232*
518 *Washington Street, City of Calistoga*

519

520 **NOTE:** The applicant or any interested person is reminded that the Calistoga
521 Municipal Code provides for a ten (10) calendar day appeal period. If there is a
522 disagreement with the Planning Commission, an appeal to the City Council may be
523 filed. The appropriate forms and applicable fee must be submitted prior to 5:00
524 p.m. on or before the tenth calendar day following the Commission's final
525 determination.

526