

# CITY OF CALISTOGA

## STAFF REPORT

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

**FROM: ERIK V. LUNDQUIST, SENIOR PLANNER**

**MEETING DATE: MARCH 21, 2012**

**SUBJECT: BRIAN ARDEN WINERY – 331 SILVERADO TRAIL**

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1 **REQUEST:**

2

3 Consideration of a Zoning Text Amendment (ZO 2011-01), Preliminary and Final

4 Development Plan (PD 2011-01), Conditional Use Permit (U 2011-12) and

5 Design Review (DR 2011-10), requested by Burt Harlan, to establish a 10,000

6 case production winery and wine related uses including limited events,

7 administrative offices, retail sales and tasting located at 331 Silverado Trail (APN

8 011-050-030) within the “PD”, Planned Development District.

9

10 **BACKGROUND:**

11

12 On June 22, 2011 and July 13, 2011, the Planning Commission considered

13 conceptual designs submitted by Burt Harlan, suggesting the development of a

14 winery on the property. At these meetings, the Commission provided feedback

15 and direction on the project design and land use issues presented in the staff

16 report.

17

18 Following the June and July 2011 meetings, Staff met on several occasions with

19 the development team to discuss the Commission’s comments as well as

20 respond to the various comments provided by City Departments and the Napa

21 County Department of Environmental Management. On September 16, 2011, a

22 formal application was submitted. Since submittal, staff and the applicant have

23 been working through the development issues relative to infrastructure service,

24 drainage, access, design and environmental sensitivity.

25

26 On February 17, 2012, staff completed an Initial Study and released the

27 Mitigated Negative Declaration for the proposed winery project for public review.

28

29 Entitlements: With regard to the actions needed for full entitlement of the project,

30 there are several land-use actions required for this application, including

31 consideration of a Preliminary & Final Development Plan, Conditional Use Permit

32 and Design Review. Additionally, the development proposal requires  
 33 amendment of the current PD Zoning regulations to allow for the new  
 34 development in conjunction with the land-use entitlements.  
 35

36 **PROJECT DESCRIPTION:**  
 37

38 Structural Improvements: The project includes the development of a 10,000 case  
 39 winery (approximately 24,000 gallons) consisting of 2 buildings connected by a  
 40 sky-light covered crush pad. Building #1 (Barrel & Tank Room) will consist of a  
 41 barrel room housing approximately 500 barrels, a small tank room with 8  
 42 stainless fermentation tanks, skywalks, service areas, a laboratory and restroom.  
 43

44 Building #2 (Operations Building) will contain support offices, case storage, small  
 45 sales area, dry-good storage, a public tasting room, a small private tasting room,  
 46 sitting room, men and woman's bathroom and a small kitchen for supportive  
 47 tastings and pairings. Operations will also have a second floor for administrative  
 48 offices, an employee bathroom, storage and an area that is now left open.

49 The Crush Pad will be covered with a translucent canopy for light and  
 50 temperature control, rainwater retention and year-around usability. Functions will  
 51 include handling of fruit, processing of grapes and wine, related barrel  
 52 maintenance and bottling operations.

	<b>Square Feet</b>	<b>Coverage</b>
<b>Footprint</b>		
Tank Room	4,000	
Operations Building	3,129	
<b>Building Footprint</b>	<b>7,129</b>	<b>7.27%</b>
Crush Pad	3,500	
Porches & Patios	1,406	
<b>Covered Area (under Roofline)</b>	<b>12,035</b>	<b>12.28%</b>
2 <sup>nd</sup> Floor Operations Bldg.	2,482	
<b>Total Useable Area</b>	<b>14,517</b>	<b>14.81%</b>
<b>Mezzanine &amp; Other</b>		
Roof Decks	216	
Mezzanine & Catwalks	759	

53

54 Parking: 12 parking spaces including 1 handicap parking space will be provided  
55 on site.

56 Landscaping: The landscape architect's overall vision was to create a rustic  
57 vernacular Northern California landscape of natives and drought tolerant plants.  
58 The plan includes the reintroduction of 27 native trees and 75 native shrubs and  
59 perennials along with a selection of drought tolerant plants.

60 These plants will be strategically placed to soften and nestle the buildings into  
61 the existing landscape, with plans to screen the parking and wine making  
62 operations from adjacent neighbors to the South, while still allowing horizon  
63 views to the East. The goal at the front gate is to create a sense of entry with low  
64 laying plants full of seasonal color and textures.

65 Agricultural Use: Approximately 40,252 square feet will be retained for  
66 agricultural use. The majority of this land would be planted with grape vines.

67 Irrigation: Water for irrigation will be rain harvested onsite or water brought in  
68 from off site. Since 40% of the plant palette will consist of native plants, the  
69 irrigation requirements will be minimal.

70 No Calistoga City water will be used to irrigate the vineyard, at planting or during  
71 the early years when the vines are being established:

- 72 • The vineyard will be 'dry farmed'.
- 73 • Initial planting will be a bore hole, back-filled with mulch and fertilizer,  
74 counter-sunk and surrounded by a small water well.
- 75 • A rented water truck will be filled with well water and used to transfer  
76 water to a small tractor pulled water tank capable of moving down the vine  
77 rows for individual hand watering.
- 78 • The young vines will have approximately 2-3 gallons added at planting  
79 and then an additional 2-3 gallons 2x during the year, July and  
80 September, depending upon weather conditions. More frequent watering  
81 may be required during severe heat, or if the young vines begin to show  
82 signs of stress.
- 83 • Given the depth of the water table, it is anticipated that the need for the  
84 water truck and hand watering will diminish by year 2 and not be needed  
85 at all by year 3.

86 Water trucks will be used to haul water from wells to the site and ultimately used  
87 to fill the water trailers.

88 Water: a 12" water main runs along the north side of the property along the  
89 Silverado Trail and along the east side of the property in a 15' easement. The  
90 project will connect to the water main line located within the Silverado Trail right  
91 of way. Projected annual water demand is 1.13 acre feet or 368,211 gallons.

92 Sanitary Sewer: A “Wastewater Disposal Feasibility Study & Water Use and  
93 Wastewater Generation Estimates” was prepared by Applied Civil Engineering,  
94 Napa, CA. Given the study’s findings and the determination by Public Works that  
95 the 15’ easement running along the eastern border of the subject property has  
96 the appropriate clearances to contain both sewer and water, the following  
97 scenario for the treatment of Sanitary Wastewater disposal and the disposal of  
98 Winery Waste is proposed:

99 *Sanitary Wastewater Disposal:* City of Calistoga Sewer Main Extension

100 *Process Wastewater Disposal:* Hold and Haul System

101 Projected wastewater disposal is 1.13 acre feet or 244,388 gallons per year.

102 Site Access: The site has 410.66’ of frontage on the Silverado Trail with access  
103 off the Silverado Trail to the parking entrance along a 40’ easement for  
104 ingress/egress and utilities. The easement runs along the southeasterly property  
105 line and extends from the Silverado Trail to 333 Silverado Trail (APN 011-050-  
106 031).

107 Electrical: There is an electrical transformer on the southeast corner of the  
108 property.

109 Gas: The gas main has been brought down the Silverado Trail as far as Solage  
110 Resort. There are no plans at the present to extend the line to the property. A  
111 propane gas tank will placed underground south of the barrel room.

112 Phasing: Site Work – Spring 2012;

113 Construction Barrel & Tank Room – May/June 2012;

114 Operations Building – Spring 2013;

115 Constraints: subject to avoiding earth work and excavation during  
116 the crush and weather related delays.

### 117 **C. GENERAL OPERATIONS**

118

119 Hours of Operation: Tasting Room - 10:00 AM to 5:00 PM seven days per week.  
120 Administrative hours will be between 8:00 AM and 6:00 PM Monday through  
121 Friday.

122 Events - General: The Operations Building will have a small commercial kitchen  
123 for the preparation of food pairings and a limited number of catered events  
124 annually.

- 125
  - No commercial food service or restaurant type operation will be
- 126 conducted at the winery.
- 127
  - Size will be limited to capacity of the onsite parking unless public
- 128 transportation is provided for, but in no case will any event restrict or
- 129 impede access to the neighboring properties.

130 Event Hours: Events will be held in the evening outside of normal business and  
131 tasting room hours.

132 Opening Events (3):

133 1-Calistoga Community & Civic Leaders

134 1 – Industry & Trade

135 1 – Friends & Family

136 Annual Events (6):

137 2 – Wine Release Events

138 4 – Club Member Appreciation Evenings

139 Two events will have approximately 50 guests, four events with less than 25  
140 guests.

141 General Event: The maximum number of guests per any given event shall be 50  
142 unless otherwise approved. Each event may include food or food/wine pairings,  
143 which will either be catered or prepared in the commercial kitchen.

144 Special Events (e.g. weddings, bar mitzvahs, etc.): None anticipated or planned.  
145 Additional review and approval by the City of Calistoga would be necessary if  
146 pursued by the applicant.

147 **D. WINERY OPERATIONS**

148

149 Production: Brian Arden Wines is requesting a Use Permit to produce 10,000  
150 cases of wine annually. As conditioned, 75% of the wine produced will be made  
151 from fruit grow in Napa County. The request includes all aspects of winemaking;  
152 receiving, crushing, fermentation, barrel aging, blending and bottling, most of the  
153 finish case goods storage will occur offsite.

154 Harvest: The harvest season will begin in mid-September and extend until the  
155 end of October or the 1st week of November. The processing and handling of  
156 fruit will occur during this time period each year.

157 Grape Deliveries: At maximum allowed production level of 10,000 cases per year  
158 the winery would receive approximately 150 tons of grapes over a 6 week period  
159 beginning in September and ending in late October or early November.  
160 Deliveries will typically arrive between 7:00 AM and 11:00 AM, but grapes in an  
161 emergency will be accepted in the afternoon, subject to next day processing.

162 All of the grapes will arrive on flat-bed trucks of various lengths, but all will be  
163 able to turn in the space provided at the crush pad. In addition, all of the grapes  
164 will arrive in ½-ton stackable forklift bins.

165 Processing & Crush: Once inside the winery, grapes will be processed in  
166 different ways depending on the varietal, style and desired quality. In general,  
167 whites will be whole-cluster to press, juice to tank(s) and reds will be destemmed,

168 sorted, crushed, and transferred to tank(s). The pomace or solid waste (leaves,  
169 stems, seeds and skins etc.) will be transferred back into the emptied ½ -ton bins  
170 and disposed of for composting.

171 Both the interior of the winery and the covered areas are classified as “process  
172 areas” and all water in these areas drain to the process-water collection and  
173 hauling facilities. The process equipment necessary for these activities; crusher  
174 stemmer, press, sorting table and assorted pumps / sumps will be stored on-site.

175 Tank Fermentation: The tank room contains eight stainless steel temperature  
176 controlled fermentation tanks: 2 7-ton, 4 5-ton and 2 3-ton.

177 Barrel Storage, Wine Aging: The barrel room is designed to accommodate  
178 approximately 500 barrels. Should production demand more barrel storage, Brian  
179 Arden Wines will contract with one of a number of storage facilities in the valley,  
180 or arrange to have the barrels stored at nearby facilities.

181 Bottling: All bottling operations will be conducted at the winery 2 times per year.  
182 All of the related blending and transfer to holding tanks, filtering (if required) will  
183 be conducted at the winery.

184 Case Storage & Shipping: A small amount of case storage will be provided for in  
185 the Operations building. This storage will be used to meet tasting demands and  
186 retail sales. The remainder and majority of the case storage will be at commercial  
187 storage facilities within the valley. Brian Arden Wines currently uses Biagi Bros in  
188 the City of Napa for case storage and VinLux for shipping and distribution.

## 189 **PROJECT ANALYSIS:**

190

### 191 **A. General Plan Consistency**

192

193 The property is within the Rural Residential General Plan land use designation.  
194 The Rural Residential land use designation allows crop production, vineyards,  
195 light agricultural structures, and single family residences. Wineries and visitor  
196 accommodations may occur with discretionary approval. The suggested winery  
197 use is consistent with the Rural Residential designation.

198

199 The property has been designated within a Planned Development Overlay  
200 designation, the *Maxfield/Adams Beverage Company Properties*. This  
201 designation is applied to achieve a superior design and explain more specifically  
202 the development goals for the properties. Page LU-29 through LU-30 of the  
203 General Plan Land Use Element states:

204

205 *“Development on these large parcels on the Silverado Trail shall be*  
206 *designed to be visually suitable for its entry corridor location on the edge*  
207 *of town and should contribute to the economic and/or community vitality*  
208 *of Calistoga. Development on this site shall respond to the following*  
209 *issues:*

- 210       ▪ *A balance of uses among various parts of the site.*
- 211       ▪ *Sensitivity to the natural landscape, scenic vistas (particularly to the*  
212 *Palisades) and site features, including adequate creek setbacks and*  
213 *preservation of vegetation on Mount Washington.*
- 214       ▪ *Protection of natural resources, including retention of on-site*  
215 *drainage, mature trees and sensitive habitat.*
- 216       ▪ *Clustering of development to allow for the retention of habitat-*  
217 *containing open space.*
- 218       ▪ *Minimization of grading.*
- 219       ▪ *Minimization of impacts on adjacent land uses, including appropriate*  
220 *siting of noise generators, lighting, and building location, height and*  
221 *style.*
- 222       ▪ *Incorporation of adequate landscaping, including provision of a*  
223 *landscaped setback from Silverado Trail and a landscaped berm*  
224 *or other screening along the boundary with the mobile home park.*
- 225       ▪ *Ensure that new development is of a scale subordinate to the*  
226 *agricultural uses of properties located at these entry corridors.*
- 227       ▪ *Consideration of passive recreational opportunities on Mt.*  
228 *Washington and a pedestrian pathway on the site to provide*  
229 *public access to this area. An appropriate location for such a*  
230 *pathway may be along the boundary with the mobile home park.*
- 231       ▪ *Adequate consideration, through submittal of geotechnical and*  
232 *preliminary drainage plans with a project application, of geological*  
233 *and hydrological constraints, including soil erosion and slope*  
234 *stability, drainage, flooding, and drainage ditch maintenance.*
- 235       ▪ *Provision of on-site parking and circulation that includes safe access*  
236 *to Silverado Trail.”*

237  
238 The Planned Development Overlay designation expressly states that wineries  
239 and retail wine sales are allowed in the Planned Development Overlay  
240 designation, *“provided that these uses are clearly subordinate to the primary*  
241 *agricultural use”*.  
242

243 The Planned Development Overlay designation further indicates that  
244 *“Development of these parcels shall be varied and shall not include a single land*  
245 *use or predominant use such as visitor accommodations or wineries on each lot”*  
246 *and “due to Mount Washington’s visual and open space significance, private*  
247 *construction on its slopes shall be prohibited.”* The Brian Arden Winery, in  
248 addition to the other developments, provides an adequate mix of uses in the  
249 designation. At the time the General Plan was adopted the Mt. Washington  
250 property (Parcel No. 4) was privately owned and there was concern about

251 incompatible development on its slopes. It is staff's interpretation that the  
252 General Plan direction was not intended to preclude situations such as the  
253 contemplated development.

254  
255 Lastly, the property is also within an Entry Corridor Overlay designation as  
256 described in the 2003 General Plan Update. "Entry Corridor: 2 Downvalley  
257 Silverado Trail" states that development in the area along Silverado Trail should  
258 preserve vineyards and existing trees and conform to the rural quality of the area.

259  
260 The purpose of the Entry Corridor Overlay is to make certain that the "country  
261 town" appearance of Calistoga will be preserved "by ensuring that new  
262 development is of a scale subordinate to the agricultural uses of properties  
263 located at these entry corridors." All development in this area is required to  
264 incorporate features to achieve this goal.

265  
266 Listed below are the features that would apply to this project:

- 267  
268
  - *Setbacks shall be wide in order to preserve rural characteristics and shall*
- 269 *be landscaped with trees, vineyards and/or native vegetation.*

270  
271 The project would reserve approximately 40,252 square feet (53% of the  
272 developable area) in agricultural production, primarily grape vines. The  
273 developable area excludes hillside and access easement. The developable  
274 area is approximately 75,780 square feet.

- 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 Stone walls and abundant grape vines will be appropriately placed to soften  
281 surrounding views and blend into the surrounding environment rural  
282 landscape.

- 283  
284
  - *Existing orchards and stands of mature trees shall be maintained or*
- 285 *replaced with similar vegetation.*

286  
287 The land is currently vacant, there are no vineyards to preserve and unless,  
288 necessary for safety (i.e. dead, dying or diseased), all trees will be preserved.

- 289  
290
  - *Unique natural features shall be preserved and remain visible.*

291  
292 The project would be placed at the foot of Mt. Washington on the eastern  
293 side. The structure is situated against the base of the mountain, as opposed  
294 to orientating the structure along Silverado Trail, lessening the project's



295 overall presence on the property while retaining views to the upper slopes  
296 and peak Mt. Washington.

297  
298 • *New buildings should reflect small-scale, low-rise design characteristics*  
299 *with an understated visual appearance, and should maintain existing*  
300 *small-town and open space qualities.*

301  
302 There is no universally accepted height requirement for a building to be  
303 considered a low-rise. Meriam-Webster defines low-rise as having a few  
304 stories and not equipped with elevators. The proposed structure does not  
305 have elevators and no exterior stairways along the predominate elevations.  
306 The exaggerated eaves and elongated windows are features typical of small-  
307 scale structures and further reduce the overall massing creating an  
308 understated visual appearance.

309  
310 • *Parking areas should not be visible from the entry corridor roadway.*

311  
312 Parking areas are located away from Silverado Trail and screened with stone  
313 walls and ornamental landscaping and vineyard. The chip and seal parking  
314 area will also be in a decorate color chip and seal to give a natural  
315 appearance.

316  
317 • *All development within designated entry corridors shall be subject to*  
318 *design review.*

319  
320 This project is subject to design review along with the use permit review. The  
321 design review guidelines contained in Chapter 17.06 of the Calistoga  
322 Municipal Code are discussed in the draft Planning Commission Resolution  
323 PC 2012-08 attached to this report.

324  
325 • *Commercial uses permitted in the entry corridor should complement rather*  
326 *than compete with Calistoga's downtown commercial core. Examples of*  
327 *such uses include, but are not limited to, nurseries, destination spas and*  
328 *resorts, museums, winery and vineyard-related businesses and*  
329 *community facilities such as a library or recreational use.*

330  
331 A Winery is explicitly listed as an appropriate use in the entry corridor and this  
332 winery project will not compete with downtown businesses.

333  
334 **B. Zoning Ordinance Text Amendment**

335  
336 The City's Zoning Ordinance designates this site as "PD", Planned Development;  
337 however there are no formal zoning standards that regulate its development,  
338 such as permitted or conditionally permitted uses. Under State law, a local  
339 agency is required to provide standards for the development of parcels in all

340 zoning districts as a means of informing property owners and the general public  
 341 of their development rights and the development potential of property. Several  
 342 of the former Maxfield/Adams Beverage Company properties (i.e. Mt.  
 343 Washington, Palisades, Helmer’s property, Silver Rose Inn and Aubert Winery  
 344 (formerly August Briggs Winery)) have encountered this same issue. In order to  
 345 resolve this issue, all of these properties have been rezoned to accommodate  
 346 development and/or potential development. The table below contains a summary  
 347 of the draft Planned Development District - PD 2011-01 regulations that would be  
 348 applicable to the project site and the proposed project.  
 349

<b>Draft Planned Development (PD 2011-01) Regulations – 331 Silverado Trail</b>			
<b>Development Criteria</b>	<b>Requirements</b>	<b>Proposed</b>	<b>Required Actions</b>
Allowed Uses Uses Permitted w/ Use Permit	Wineries, public tours and tasting, bottling operations and ancillary wine related operations: provided that the use(s) is subordinate to a primary agricultural use on the parcel. If the winery is located on property that is designated as Rural Residential by the General Plan, a minimum of 75% of the fruit used to make wine produced on-site must be grown within the County of Napa.	Winery and ancillary uses	Preliminary/Final Development Plan, Conditional Use Permit; Design Review
Minimum Lot Area	2 acres	2.25 acres	
Maximum Lot Coverage	Maximum 25	16%	
Height	Maximum 35'	29'	
Minimum Setbacks – Main Building	Silverado Trail Front: 30 Feet Side Yard: 5 Feet Rear Yard: 5 Feet	Proposed new structures to meet setback requirements.	
Parking	Compliance with Chapter 17.36 CMC, <u>Parking and Loading</u> or subject to Use Permit Approval supported by parking study	Proposed: 12 spaces	Preliminary/Final Development Plan, Conditional Use Permit; Design Review

350  
 351 The proposed Planned Development District would be consistent with the  
 352 Municipal Code provisions pertaining to purpose and general development  
 353 principles of the “Planned Development” zoning district. The proposed Planned  
 354 Development District limits development to specific permitted uses and prohibits  
 355 all other uses, thereby ensuring that strict parameters are placed on land use  
 356 activities. In addition, the proposed Planned Development District sets forth

357 development standards that limit the intensity and scale of the development,  
358 while also maintaining the rural character of the project site and surroundings,  
359 consistent with the purpose of the district.

360

361 As such, the proposed Planned Development District text would fulfill the  
362 Municipal Code's objective of facilitating a well-planned development that  
363 conforms to the General Plan, while also allowing certain desirable departures  
364 from the strict application of individual zoning district regulations.

365

### 366 **C. Aesthetics**

367

368 Aesthetically the architecture draws from the existing rural character of  
369 Calistoga's surrounding areas. Materials and colors were selected to blend the  
370 buildings with Mt. Washington at the rear. The stone veneer will anchor the lower  
371 portion of the buildings to the ground, and vertical western red cedar batten on  
372 the upper portions. Not only does this symbolize the wine barrel staves, but it  
373 also blends the buildings with the tree trunks covering Mt. Washington. The roof  
374 material selected is standing seam metal panels to represent the corrugated  
375 metal roofs of the many indigenous barns that are found throughout the Valley.  
376 The color selected for the roof material is Zinc Grey to better blend with the tree  
377 canopy behind. The combination of massing, scale, over positioning, colors,  
378 materials and highly textured palette will result in a blending of the structures that  
379 will not take away from Mt. Washington's natural beauty. Staff finds that the  
380 design meets the guidelines contained in Chapter 17.06 of the Calistoga  
381 Municipal Code, see the findings contained in the draft Planning Commission  
382 Resolution PC 2012-07.

383

### 384 **D. Grading and Drainage**

385

386 Delta Consulting and Engineering prepared a Hydrological and Drainage Report  
387 dated February 1, 2012<sup>1</sup> that analyzes the site hydrology associated with the  
388 proposed development. The purpose of this report was to investigate the storm  
389 water runoff hydrologic flows for the pre-construction and post-construction  
390 conditions of the project. The design storm events evaluated in the report are the  
391 10-year and the 100-year design storms using the SCS Method and the Rational  
392 Method, both industry standards for determining hydrologic conditions. Based on  
393 Delta Consulting & Engineering's analysis of the proposed site improvements per  
394 the Use Permit Plans prepared by James Cassayre dated January 18, 2012, the  
395 flow patterns of the storm water runoff will be maintained to pre-construction

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<sup>1</sup> The Preliminary Reports by Delta dated January 18, 2012 and February 1, 2012 were used to support the environmental significance findings in the initial study and proposed mitigated negative declaration. Delta prepared a letter and report revisions dated February 13, 2012 to address peer review comments from Green Valley Consulting Engineers. The revisions to the Delta report do not result in the need to revise the initial study and the proposed mitigated negative declaration.

396 conditions. The runoff will exit the property at the southern corner of the property  
397 similar to the pre-construction conditions. In addition, the detention basin and  
398 other hydrologic energy reducing features proposed in the plans will reduce the  
399 post-construction flows to be less than the pre-construction conditions.  
400

#### 401 **E. Growth Management**

402  
403 This new commercial use would result in an increased demand for water service.  
404 As such, a growth management allocation must be awarded prior to authorizing a  
405 water and wastewater allocation. The Planning and Building Manager intends to  
406 grant a non-residential Growth Management Allocation (GMA 2011-26) allowing  
407 1.13 acre feet of water and wastewater per year. Prior to building permit  
408 issuance, the applicant will be required to pay the water service connection fee at  
409 the rate in affect at the time the building permit is issued, unless otherwise  
410 deferred by the Planning and Building Department.  
411

#### 412 **F. Traffic and Circulation**

413  
414 The project site is located along the southerly side of Silverado Trail within the  
415 City of Calistoga City limits. Silverado Trail is a two-lane east-west rural arterial  
416 with no curb, gutter, or sidewalk on either side of the street; however, Class II  
417 bike lanes are provided on both sides. This proposed new driveway would be a  
418 secondary access as the existing main access driveway is located approximately  
419 500 feet further west.  
420

421 Whitlock & Weinberger Transportation, Inc. (W-Trans) has completed a focused  
422 traffic analysis dated November 29, 2011. The analysis reviewed the project's  
423 need for improved access (i.e. sight distance, left-turn lanes and internal  
424 circulation) based upon the findings that the project will generate an average of  
425 46 daily trips.  
426

427 Left-Turn Lane Warrants: The need for a left-turn lane, right-turn lane or right-turn  
428 taper on Silverado Trail at the project driveway was evaluated based on criteria  
429 contained in the *Intersection Channelization Design Guide*, National Cooperative  
430 Highway Research Program (NCHRP) Report No. 279, Transportation Research  
431 Board, 1985, as well as a more recent update of the methodology developed by  
432 the Washington State Department of Transportation. The NCHRP report  
433 references a methodology developed by M. D. Harmelink that includes equations  
434 that can be applied to expected or actual traffic volumes in order to determine the  
435 need for a turn pocket based on safety issues. Based on W-trans research and  
436 discussions with Caltrans staff, this methodology is consistent with the  
437 "Guidelines for Reconstruction of Intersections," August 1985, which is  
438 referenced in Section 405.2, Left-turn Channelization, of Caltrans' *Highway*  
439 *Design Manual*.  
440

441 Machine count data collected for the *Terrano Napa Valley Traffic Impact Study*  
442 (W-Trans, 2007) as well as safety criteria were evaluated. Note that traffic  
443 volume comparisons have consistently indicated that 2011 volumes are either  
444 equal to or less than volumes taken prior to 2008, so it is anticipated that these  
445 2007 volumes represent a conservative analysis. Based on machine counts  
446 taken between Thursday and Monday, March 1-5, 2007, Silverado Trail east of  
447 Brannan Street had an average weekday volume of approximately 5,070  
448 vehicles, including 319 vehicles during the a.m. peak hour and 476 vehicles  
449 during the p.m. peak hour. Population in this area has grown by an average of  
450 1.35 percent per year. Using this average level, a growth factor was developed to  
451 determine future (2031) traffic volumes for a 20-year horizon from existing (2011)  
452 conditions. A growth factor of 1.38 was applied to 2007 through volumes on  
453 Silverado Trail to project 2031 conditions.

454

455 Existing peak hour trips accessing Aubert Winery, as referenced in the *Focused*  
456 *Traffic Analysis for the August Briggs Winery* (W-Trans, 2002), as well as the  
457 proposed trips that are expected to access Brian Arden Winery were added to  
458 future volumes as this represents a worst-case scenario. It was conservatively  
459 assumed that 75 percent of inbound peak hour traffic accessing either winery site  
460 would do so via a westbound left turn movement from Silverado Trail. Even with  
461 these conservative assumptions, neither a left-turn, right-turn or right-turn taper  
462 lane is warranted on Silverado Trail at the existing driveway.

463

464 Silverado Trail and Lincoln Avenue Intersection: The project's impacts on  
465 operation of the intersection of SR 29/Silverado Trail under both short-term and  
466 long-term conditions have been analysis by W-trans in a letter dated March 9,  
467 2012. W-trans concluded that since the project generates fewer than 10 vehicle  
468 trips during peak hours, and the adjacent State facility (SR 29) is not  
469 experiencing significant delay there are no associated impacts or improvements  
470 warranted.

471

472 Right of Way Improvements: Aside from the impacts discussed in the Traffic  
473 Study, the project is required to conform to the Calistoga Municipal Code (CMC).  
474 Silverado Trail is classified as an Arterial Street in the General Plan. Section  
475 12.040.110(A) of the Calistoga Municipal Code states:

476

477 *"A. Arterial Street Section. The arterial street section shall have an*  
478 *84-foot right-of-way, a four-foot public utility easement on each side*  
479 *between the right-of-way line and the sidewalk and a six-foot*  
480 *sidewalk on each side with vertical curb and gutter. The roadway*  
481 *section shall be 64 feet between curb faces to comprise a 14-foot*  
482 *parking-bicycle lane, a 12-foot traveled lane, a 12-foot turning lane, a*  
483 *12-foot traveled lane, and a 14-foot parking-bicycle lane."*

484

485 The applicant accepts the conditions addressed in the traffic study but proposes  
486 a street section that is reduced from that required by the Calistoga Municipal  
487 Code. City Staff agrees that a roadway section of lesser improvements than that  
488 required by the CMC Arterial Street Section is appropriate, specifically, allowing a  
489 reduced right-of-way with no curb, gutter, sidewalks or parking lane. The existing  
490 Class II bike path is adequate to meet the projects needs and are compatible  
491 with the rural nature of the site. The CMC provides flexibility for implementing a  
492 different roadway section at this location upon concurrence with the Planning  
493 Commission. Upon the Planning Commission's approval the applicant would  
494 only be required to address Staff's recommendations and those  
495 recommendations contained in the Traffic Study dated November 29, 2011, as  
496 indicated in the draft Planning Commission PC Resolutions 2012-06 and 2012-  
497 08.

498  
499 In addition to the aforementioned criterion, this project must also conform to  
500 Section 17.10.030 of the Calistoga Municipal Code. Section 17.10.030 requires  
501 the payment of \$88.06 per vehicle trip to fund roadway improvements at the  
502 intersection of Silverado Trail, Lake Street and Lincoln Avenue (SR 29).

503  
504 **G. Parking**  
505

506 Daily Operations: Assuming that each employee drives to work in their own  
507 vehicle, a total of four spaces would be needed to accommodate the proposed  
508 employees associated with daily winery and tasting room operations. Data  
509 collected by W-Trans to develop winery tasting room rates was also used to  
510 develop the parking demand for the project. Based on this information, it was  
511 assumed that an average of 25 percent of the 17 daily vehicles associated with  
512 the tasting room visitors, or five vehicles, would be parked on-site during any  
513 single hour; therefore, a maximum of nine spaces might be needed to  
514 accommodate the typical daily parking demand. The project as proposed  
515 provides a total of 12 parking spaces, which would accommodate the typical  
516 guest and employee parking demand with a surplus of three spaces.

517  
518 Special Events: A maximum-sized special event with 50 guests would be  
519 expected to generate need for 20 parking spaces, plus an additional five spaces  
520 for employees for a combined total of 25 parking spaces. The 12 permanent on-  
521 site parking spaces would not be able to accommodate the demand for event  
522 parking. The covered crush pad and the unpaved area between the proposed  
523 vineyard and north of the proposed driveway will be available for valet parking  
524 during a special event. It is anticipated that the expected deficiency in the on-site  
525 parking supply for a maximum-sized event could be accommodated within these  
526 overflow parking areas. To ensure proper parking management, an  
527 administrative use permit will be required prior to an event. These provisions  
528 have been incorporated as conditions of approval in the draft Planning  
529 Commission Resolution PC 2012-08.

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## H. Utilities

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The project would extend the existing City of Calistoga sewer main approximately 760 feet from its existing terminus located approximately 500 feet southwest of the subject parcel to the northeast corner of the subject parcel ending immediately adjacent to Silverado Trail. The existing sewer main at the proposed point of connection is eight inches in diameter. The proposed sewer main extension is 8 inches in diameter. The project would connect to the existing 12 inch diameter water mainline located within the Silverado Trail right-of-way. As such, based upon the preliminary design and calculations by James Cassayre the parcel is able to handle the wastewater flow from the proposed project and adequate water is available to meet the project demand.

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## I. Health and Safety

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Permits are required from the Napa County Department of Environmental Management for the proposed winery operation (i.e. Land Use Development Permits and a Hazardous Materials Business Plan).

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The Fire Department has reviewed the application and has indicated that the project can be built in reasonable compliance with the Fire Code provided conditions of approval are incorporated, including but not limited to, the installation of a fire hydrant and a fire sprinkler system throughout the proposed structures.

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## **ENVIRONMENTAL REVIEW:**

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In accordance with the California Environmental Quality Act (CEQA), the City of Calistoga, Planning and Building Department prepared an Initial Study/CEQA Checklist for the project. Potentially significant impacts to air quality, biological resources, cultural resources, geology and soils, greenhouse gas emissions, hydrology and water quality and mandatory findings of significance were identified. The applicant has agreed to incorporate the mitigation measures; therefore, the Planning and Building Department determined that the proposed project as amended by mitigation measures would not have a significant adverse impact on the environment. As previously stated, the Initial Study/Mitigated Negative Declaration was sent to the State Clearinghouse for distribution to state agencies. The comment period for the environmental document was February 17, 2012 to March 19, 2012. Both a Notice of Intent to Adopt a Mitigated Negative Declaration was sent to adjoining properties and a Notice of Public Hearing was sent to all property owners within 300 feet of the subject site. The notice advised of the public comment period and also advised that additional comments would be taken at the public hearing. Prior to any project approvals, the Planning Commission will need to adopt the Mitigated Negative Declaration.

575 CEQA requires the lead agency to consider the environmental document in  
576 conjunction with the comments received. If the comments contain substantial  
577 evidence supporting a fair argument that the project may actually produce  
578 significant environmental impacts, the lead agency must find a way to mitigate  
579 the impacts to a level of insignificance, and then recirculate a revised proposed  
580 negative declaration or prepare an EIR. Recirculation is not required when new  
581 project revisions are added in response to written or verbal comments which are  
582 not new avoidable significant effects.  
583

584 As a result of sending the CEQA notice to the State Office of Planning and  
585 Research (OPR) Clearinghouse, the City has received comments from Caltrans  
586 in a letter received March 7, 2012 request further analysis on the project's  
587 impacts on the intersection of Silverado Trail and Lincoln Avenue (SR 29).  
588

589 In response to the Caltrans comments, the City's third party traffic consultant, W-  
590 trans, prepared a letter received March 12, 2012 indicating that since the project  
591 generates fewer than 10 vehicle trips during the peak hours and the intersection  
592 is not experiencing significant delay, there does not appear to be a need for  
593 further study. W-trans letter was sent to Caltrans via email on March 12, 2012.  
594

595 **PUBLIC COMMENTS:**  
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597 Letters of Opposition: Adjoining property owner, Don Luvisi expressed in a letter  
598 received February 3, 2012 concerns regarding the project's drainage. The City  
599 provided a response to his concerns in a letter dated February 10, 2012.  
600

601 Representing Mark and Theresa Aubert, Charles Meibeyer, of the Meibeyer Law  
602 Group, Crane Transportation Group (CTG), Bartelt Engineering all provided  
603 correspondence regarding project related concerns, which are attached to this  
604 report. The City's third party traffic consultant, W-trans responded to CTG's  
605 comments in a letter dated February 13, 2012. The City's third party  
606 engineering consultant Green Valley reviewed and provided an email dated  
607 February 17, 2012 finding that, the hydrological report prepared by Delta  
608 Engineering dated February 13, 2012 is complete.  
609

610 Additionally, multiple letters have been received from the general public in  
611 opposition to the project generally citing that the Planning Commission should  
612 find the project inconsistent with General Plan policies and that the project has  
613 not adequately addressed their concerns regarding grape sourcing, massing,  
614 stormwater runoff and traffic/parking.  
615

616 Letters of Support: Two letters were received in support of the project stating that  
617 the project, as designed, is consistent with General polices and would be an  
618 attract asset to the Napa Valley.  
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620 **PROJECT FINDINGS:**

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

624

625 **RECOMMENDATIONS:**

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627 A. Adopt Resolution PC 2012-06 recommending to the City Council adoption  
628 of a Mitigated Negative Declaration based on an Initial Study prepared for  
629 the Brian Arden Winery Project incorporating the findings and mitigation  
630 measures as provided in the resolution.

631

632 B. Adopt Planning Commission Resolution PC 2012-07 recommending to the  
633 City Council approval of a Zoning Text Amendment (ZO 2011-01)  
634 incorporating the findings as provided in the resolution.

635

636 C. Adopt Planning Commission Resolution PC 2011-08 recommending to the  
637 City Council approval of a Preliminary/Final Planned Development Plan  
638 (PD 2011-01), Conditional Use Permit (U 2011-12) and a Design Review  
639 (DR 2011-10), and, for the project incorporating the findings and subject to  
640 the conditions of approval as provided in the resolution.

641

642 **ATTACHMENTS:**

643

- 644 1. Vicinity Map
- 645 2. Draft Planning Commission Resolution PC 2012-05, Mitigated Negative  
646 Declaration
- 647 3. Draft Planning Commission Resolution PC 2012-06, Zoning Ordinance  
648 Text Amendment
- 649 4. Draft Planning Commission Resolution PC 2012-07, Preliminary/Final  
650 Development Plan, Conditional Use Permit and Design Review<sup>32</sup>
- 651 5. California Department of Transportation letter dated March 2, 2012
- 652 6. W-trans, Response to Caltrans Comments dated March 9, 2012
- 653 7. Don Luvisi letter received February 3, 2012
- 654 8. City of Calistoga Letter dated February 10, 2012
- 655 9. Crane Transportation Group memorandum received February 6, 2012
- 656 10. Meibeyer Law Group letter received February 17, 2012
- 657 11. Bartelt Engineering letter dated February 14, 2012
- 658 12. W-trans letter dated February 13, 2012
- 659 13. Delta Consulting & Engineering letter dated February 13, 2012
- 660 14. Green Valley Consulting Engineers email dated February 17, 2012
- 661 15. Jones Family Vineyard letter dated March 5, 2012
- 662 16. Kennedy Brooks email received March 7, 2012
- 663 17. Karen Cakebread email received March 7, 2012
- 664 18. Piper Cole email received March 7, 2012

- 665 19. Elaine Sczuke letter received March 7, 2012
- 666 20. Jerry Baker letter received March 8, 2012
- 667 21. Dave Dexter email received March 10, 2012
- 668 22. Mitch and Tracey Hawkins received March 10, 2012
- 669 23. Thomas D. Vence letter received March 12, 2012
- 670 24. Daphne Araujo letter received March 12, 2012
- 671 25. David Goodrich letter received March 12, 2012
- 672 26. David Duncan, Twomey letter received March 12, 2012
- 673 27. Alf Burtleson letter received March 13, 2012
- 674 28. Robert Levenstein letter received March 13, 2012
- 675 29. Indian Springs Resort and Spa letter received March 14, 2012
- 676 30. Adam McClary email received November 16, 2012
- 677 31. Meibeyer Law Group letter received March 15, 2012
- 678 32. Joe Briggs letter received March 15, 2012
- 679 33. Douglas Sterk letter received March 15, 2012
- 680 34. Don Luvisi letter received March 15, 2012
- 681 35. Kate and Jack Berquist email received March 15, 2012
- 682 36. Architectural Plan Set prepared by Di Fede Design Group
- 683 37. Engineered Plan set prepared by James Cassayre

684

685 *The Initial Study and Notice of Intent to Adopt Mitigated Negative Declaration is*  
686 *Available Upon Request at the Planning and Building Department, 1232*  
687 *Washington Street, City of Calistoga or on the City's web site at*  
688 *[www.ci.calistoga.ca.us](http://www.ci.calistoga.ca.us). Please be advised that these documents have been*  
689 *distributed to the Planning Commission in advance of this meeting.*

690

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

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