



City of Calistoga
Planning Commission

Agenda Item Summary

DATE	September 28, 2016
ITEM	Aubert Winery Expansion Zoning Ordinance Amendment ZOA 2016-1, Use Permit UP 2016-3 & Design Review DR 2016-11
APPLICANT	Mark and Teresa Aubert
STAFF CONTACT	Erik V. Lundquist, Senior Planner
POTENTIAL CONFLICTS	None
RECOMMENDATION	Recommend City Council approval of the zoning ordinance amendment and approve the use permit and design review with conditions
SUGGESTED MOTIONS	<p>"I move that the Planning Commission adopt a resolution recommending to the City Council a zoning ordinance text amendment deleting the requirement for a primary agricultural use in order to operate a winery within the existing PD 2002-2 Planned Development District."</p> <p>"I move that the Planning Commission adopt a resolution approving a use permit and design review allowing a winery expansion at 333 Silverado Trail."</p>

CITY OF CALISTOGA

STAFF REPORT

TO: CALISTOGA PLANNING COMMISSION
FROM: ERIK V. LUNDQUIST, SENIOR PLANNER
MEETING DATE: SEPTEMBER 28, 2016
SUBJECT: AUBERT WINERY EXPANSION - 333 SILVERADO TRAIL
ZONING ORDINANCE AMENDMENT ZOA 2016-1
USE PERMIT UP 2016-3 & DESIGN REVIEW DR 2016-11

1 ITEM

2 Consideration of a zoning ordinance text amendment deleting the requirement for a
3 primary agricultural use on the property in order to operate a winery. The Planning
4 Commission will also consider use permit and design review applications allowing an
5 increase in production up to 15,000 cases (35,550 gallons) annually and an addition of
6 approximately 10,080 square feet for new tank rooms, office space and covered crush
7 pad at 333 Silverado Trail.

8 BACKGROUND

9 The subject property was rezoned on November 6, 2002 from a general Planned
10 Development District to a unique Planned Development District, PD 2002-2. This
11 District includes the subject property and the property located at 345 Silverado Trail,
12 which is currently developed with a single-family residence. The rezone was initiated by
13 the property owners in order to guide the development on the property and provide the
14 development standards necessary to build-out the property. *See the Staff Report dated*
15 *July 27, 2016 for a complete history of the property and description of its surroundings.*

16 Currently, PD 2002-2 allows a winery as a conditionally-permitted use, provided that the
17 use is subordinate to a primary agricultural use on the parcel. On July 27, 2016, the
18 Planning Commission discussed whether retaining this zoning provision was still
19 warranted in light of recent General Plan policy changes and development that has/is
20 occurring in the surrounding area. In response to this question, the Planning
21 Commission expressed their displeasure that the pre-existing vineyard had been
22 removed in violation of the existing approvals but reached consensus that the removal
23 of the requirement for a primary agricultural use was appropriate (see Attachment 12).

24 On September 12, 2016, the Planning and Building Department received a revised
25 application requesting an amendment to PD 2002-2 District to remove the agricultural
26 requirements and a revised use permit and design review applications to include
27 additional parking at the rear of the winery addition. The request still includes an
28 increase in production and an approximately 10,080 square foot addition. The proposal
29 requests a slight increase in wine production from 10,000 to 15,000 cases per year.

30 Since floor space is limited, the additional square footage is primarily needed to
31 accommodate existing production and the anticipated increase.

32 **DISCUSSION**

33 **A. General Plan Consistency**

34 The property is within the Rural Residential General Plan land use designation. The
35 Rural Residential land use designation allows crop production, vineyards, light
36 agricultural structures, and single family residences. Wineries and visitor
37 accommodations may occur with discretionary approval. The expansion of an existing
38 winery use is consistent with the Rural Residential designation.

39 The property has been designated within the Silverado Trail Planned Development
40 Overlay designation. This designation is applied to achieve a superior design and
41 explain more specifically the development goals for the properties. Page LU-13 and
42 LU-15 of the General Plan Land Use Element states:

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

- 47 • *A balance of uses among various parts of the site.*
- 48 • *Sensitivity to the natural landscape, scenic vistas (particularly to the*
49 *Palisades) and site features, including adequate creek setbacks and*
50 *preservation of vegetation on Mount Washington.*
- 51 • *Protection of natural resources, including retention of on-site drainage,*
52 *mature trees and sensitive habitat.*
- 53 • *Clustering of development to allow for the retention of habitat-containing*
54 *open space.*
- 55 • *Minimization of grading.*
- 56 • *Minimization of impacts on adjacent land uses, including appropriate siting*
57 *of noise generators, lighting, and building location, height and style.*
- 58 • *Incorporation of adequate landscaping, including provision of a*
59 *landscaped setback from Silverado Trail and a landscaped berm or other*
60 *screening along the boundary with the mobile home park.*
- 61 • *Ensure that new development is of a scale subordinate to the agricultural*
62 *uses of properties located at these entry corridors.*
- 63 • *Consideration of passive recreational opportunities on Mount Washington*
64 *and a pedestrian pathway on the site to provide public access to this area.*
65 *An appropriate location for such a pathway may be along the boundary*
66 *with the mobile home park.*

- 67 • *Adequate consideration, through submittal of geotechnical and preliminary*
- 68 *drainage plans with a project application, of geological and hydrological*
- 69 *constraints, including soil erosion and slope stability, drainage, flooding,*
- 70 *and drainage ditch maintenance.*
- 71 • *Provision of on-site parking and circulation that includes safe access to*
- 72 *Silverado Trail.*

73 Furthermore, the Planned Development Overlay designation states that wineries and
 74 retail wine sales are allowed, “*provided that these uses are clearly subordinate to the*
 75 *primary agricultural use*”. The Planning Commission on July 27, 2016 interpreted this
 76 policy to address the land use cumulative properties within the Overlay rather than
 77 parcel specific. For instance, a winery may be allowed provided that the allowance
 78 does not affect the overall predominance of agriculture in the area. The Aubert Winery,
 79 in addition to the other developments in the surrounding area, provides an adequate mix
 80 of uses and agricultural uses are still the predominate use in the surrounding area. As
 81 such, this request is consistent with the General Plan.

82 **B. Zoning Ordinance**

83 The property is within the PD 2002-2 Planned Development District (see Attachment 2).
 84 As previously noted, the PD 2002-2 District allows a winery as a conditionally-permitted
 85 use, provided that the use is subordinate to a primary agricultural use on the parcel.
 86 Based upon the Planning Commission’s discussion of July 27, 2016, the applicant has
 87 requested a zoning ordinance text amendment to modify CMC Section 17.24.130(B)(3)
 88 as shown below in track change.

89
 90 *“In APN 011-050-031, wineries and bottling operations; ~~provided, that the~~*
 91 *use is subordinate to a primary agricultural use on the parcel.”*
 92

93 Aside from the requested amendment, the proposed expansion meets the PD 2002-2
 94 development regulations. The table below demonstrates the project’s compliance with
 95 the Planned Development District - PD 2002-02 regulations.

Development Criteria		Project	Compliant
Minimum Lot Area	2 acres	2 acres	Yes
Maximum Lot Coverage	Maximum 25%	19.8%	Yes
Height	Maximum 30'	25.5'	Yes
Minimum Setbacks	Front Yard: 20 Feet Side Yard: ½ of the half (12.5 feet) Rear Yard: 20 Feet	Front Yard >35 feet Side Yard: 20 feet Rear Yard: 20 feet	Yes
Parking	7 spaces required for expansion	11 spaces proposed	Yes

97 **C. Aesthetics**

98 The architectural design of the winery addition is consistent with the existing character
99 and the defining architectural elements, materials and colors. The overall design of the
100 structure is barn-like with corrugated metal roof, stained vertical siding and steel
101 windows and doors. As viewed from the Silverado Trail, the building will have a
102 symmetrical look with gable ends and two new cupolas having matching materials.

103 Depending upon the ultimate wastewater treatment and dispersal system, 3 irrigation
104 tanks may be installed above the two existing tanks. The applicant has suggested that
105 the tanks would be steel. A condition of approval has been included requiring these
106 tanks to be screened and constructed of concrete in order to match the existing tanks.
107 Otherwise, staff is supportive of the design since it is in keeping with the rural small-
108 town character.

109 **D. Vehicular Circulation**

110 The existing site is currently under-parked and does not provide adequate turnaround
111 areas for trucks. As a result, employees have parked in the driveway easement to the
112 north and on the neighbor's property to the east. Depending upon the driver, delivery
113 trucks have occasionally used Silverado Trail to turn around in order to back down the
114 driveway, which impedes traffic on Silverado Trail. The proposed project by design and
115 with the suggested conditions of approval would correct these issues. The revised civil
116 drawings received on September 12, 2016 indicate 11 new parking spaces at the rear of
117 the winery building and a generous turnaround area to accommodate emergency
118 vehicles and delivery trucks. Staff believes that this is an acceptable design solution
119 and further suggests a condition of approval that prohibits parking on adjoining
120 properties and delivery trucks from backing down the access easement.

121 **E. Drainage**

122 Bartelt Engineering prepared a revised Drainage Analysis and Stormwater Control Plan
123 dated September 2016 that analyzes the site hydrology associated with the proposed
124 development. The purpose of Bartelt's Drainage Analysis was to investigate the pre-
125 construction and post-construction storm water runoff flows for a 2-year, 10-year, and
126 100-year over a 24-hour period. This report indicates the post-construction runoff flows
127 exceed the pre-construction flows. Per state requirements, the post-construction runoff
128 flows must be less than the pre-construction flows. In order to mitigate for the additional
129 flows, on-site detention and bio-retention features will be installed in the southeastern
130 corner of the site. As a result, the project will reduce the post-construction runoff to a
131 level at or below the pre-construction flow volume.

132 **F. Growth Management**

133 The property carries an annual water baseline of 1 acre-foot of water and does not have
134 a baseline for wastewater since the property is currently served by an on-site septic
135 system. Upon review of the property's historic water usage it appears the property has
136 been operating at or above the established water baseline, a median of approximately

137 1.05 acre-feet over the last 4 years. The Public Works Department has determined that
138 an additional 0.22 acre-feet of water will be needed to accommodate the proposed use.
139 Prior to building permit issuance, the applicant is required to pay the water connection
140 fee at the rate in effect at the time the permit is issued. The current cost is
141 approximately \$8,156.

142 The applicants propose to connect the domestic or sanitary waste to the City's sanitary
143 sewer system (see discussion below). As such, a wastewater allocation is warranted.
144 Based upon the study prepared by Bartelt Engineering it appears that the domestic
145 waste is estimated to be 210 gallons per day or 0.24 acre-feet annually. Prior to building
146 permit issuance, the applicant will be required to pay the wastewater connection fee at
147 the rate in effect at the time the permit is issued. The current cost is approximately
148 \$25,976.

149 In the event that the project connects the processed winery waste to the City's sanitary
150 sewer system in the future, an additional allocation for wastewater would be required at
151 the time of connection. Discharge of the processed winery waste to the City's sanitary
152 sewer system is an option but is not the preferred method; see discussion below and
153 the On-site Wastewater Dispersal Feasibility Study for a complete discussion.

154 **G. Utilities**

155 Water Service: The site is currently served with City water, via a lateral connecting to
156 the mainline in Silverado Trail. This lateral will be adequate for the expansion. The
157 expansion will trigger the installation of fire sprinklers, which will warrant additional
158 connections to the City's mainline. The application suggests connection to the City's
159 mainline located within an easement on the adjoining property to the east.

160 Wastewater Service: Wastewater is currently treated and dispersed through in an on-
161 site wastewater treatment system. The project proposes to handle the processed
162 winery waste and sanitary waste separately. The sanitary waste would be discharged
163 through a new connection to the City's sewer mainline located in an easement on the
164 adjoining property to the east. The preferred method of treatment and disposal for the
165 processed winery waste would be a subsurface drip dispersal system. The Onsite
166 Wastewater Dispersal Feasibility Study prepared by Bartelt Engineering discusses other
167 options, including discharging the winery waste into the City's sanitary sewer system.
168 This would require adequate pretreatment and monitoring subject to Public Works
169 review and approval. All on-site systems would require review and approval by Napa
170 County Environmental Management.

171 Based upon the preliminary design and calculations by Bartelt, the parcel is able to
172 handle the winery wastewater from the proposed project. Detailed calculations and
173 construction plans will be submitted to the Napa County Department of Environmental
174 Management for permit approval prior to the construction of the final disposal systems.

175
176

177 **PUBLIC COMMENTS**

178 As of September 23, 2016, no written public comments were received on the subject
179 applications.

180 **RECOMMENDATIONS**

181 Recommend City Council approval of the zoning ordinance amendment and approve
182 the use permit and design review with conditions

ATTACHMENTS

1. Location Map
2. Zoning Map with PD 2002-2 call-out
3. Draft Zoning Ordinance Amendment Resolution
4. Draft Use Permit and Design Review Resolution
5. Architectural Plans dated March 21, 2016 (Sheets A1 through A5) and color board
6. Engineered Plans (UP1 through UP4) received September 12, 2016
7. Site Area Exhibit received September 12, 2016
8. Lot Coverage Exhibit received September 12, 2016
9. Site Photos dated September 2016
10. On-site Wastewater Dispersal Feasibility Study received September 12, 2016
11. Drainage Analysis received September 12, 2016
12. Stormwater Control Plan received September 12, 2016
13. Planning Commission Meeting Minutes Excerpt July 27, 2016