

# CITY OF CALISTOGA

## STAFF REPORT

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

**FROM:** CHARLENE GALLINA, PLANNING DIRECTOR

**MEETING DATE:** FEBRUARY 11, 2009

**SUBJECT:** SUPPLEMENTAL STAFF REPORT - PRE-APPLICATION  
CONSULTATION (PA 2008-04) CONCEPTUAL REVIEW  
(CDR 2008-04) OF THE BOUNSALL & WRIGHT WINERY  
& EVENT CENTER

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### REQUEST:

Conceptual Design Review for the proposed Bounsall & Wright Winery and Event Center on a 7 acre site to be developed in three phases. The project proposes to feature two wineries, a tasting room with a delicatessen and outside picnic areas, two retail buildings, winery office space, and a special event area with an adjacent reception building for a site total of 80,289 square feet. The project site is located at 414 Foothill Boulevard (APNs 011-260-045 through 011-260-076) within the "I" Light Industrial Zoning District.

### BACKGROUND:

At the request of the applicant, the Planning Commission continued this item to allow for a site visit of the subject property and to provide the project team additional time to review the staff report and prepare their presentation. This continuance also afforded the opportunity for staff to provide additional information on wineries located in Calistoga and the Napa Valley for comparison purposes, as well as provide staff's overall recommendation on the proposed project as presented.

### PURPOSE OF REVIEW:

The Conceptual Design Review process provides an opportunity for a property owner or developer to receive feedback on a development concept prior to submitting a formal development application. The scope of Conceptual Design Review encompasses all aspects of a project and allows for identification and discussion of potential issues at the earliest stage in the development process. It is the City's expectation that the property owner will use the feedback received

through this process as guidance when preparing the formal development application.

Upon completion of this review, staff will be presenting this conceptual design to the City Council for review to determine the desire to process a Development Agreement for this proposal and its potential elements. Should the City Council express interest, staff will then provide the Applicant with a final letter that identifies potential issues associated with the project proposal, and any specific studies or detailed information needed to process this proposal in the future. Afterwards, the Bounsall Family and their Project Team will have sufficient information to begin the processing of this project. Please note that as this project moves through the formal review process, additional opportunity for review, comment and application of any specific conditions or requirements will be provided.

### **STAFF ANALYSIS:**

A detailed analysis of the project proposal was provide on January 28, 2009 and should be utilized during review and discussion of this item. Provide below is additional information prepared by staff to assist the Commission in your review.

### **Winery Comparison**

Within Napa County, with exception of Calistoga, there are approximately 457 wineries that exist today. Out of this number, wine production in the Valley ranges between 600 gallons to 43 million gallons. These production ranges are as follows:

#### Production Representation

600 - 10,000 gallons	13%
10,000 - 25,000 gallons	40%
50,000 - 100,000 gallons	13%
100,000 - 500,000 gallons	13%
500,000 - 1 million gallons	18%
1 million - 43 million gallons	3%

Attachment 2 of this report provides a summary table of select wineries located in Calistoga and in the Napa Valley. It should be noted that the majority of this information was obtained by the County of Napa and represents a summary of winery operations that have been reported by the wineries themselves or through the processing of planning permits. Please note that this information in some cases may not be completely accurate, however, its general purpose is to provide the Commission a perspective of how wineries are being operated in

Napa Valley based upon their facility size, operation characteristics and production capabilities. Visitor and event information has also been provided for comparison purposes.

Please note that for production conversion purposes (gallons to number of cases) staff has used a conversion calculation of 2.34 gallons per case to determine the total of cases produced at a winery. However, it should be noted that this number may fluctuate year to year based upon the number of grapes grown, the type of wine produced and stored (whites versus reds), and the winery's desired aging process for their wines.

### **Assessment of Project**

As presented in the original staff report prepared for this item, staff finds that this project has substantial merit and should be encouraged. Staff further finds the architectural design to be of high quality and characteristic of the buildings found in the Napa Valley and Calistoga.

Although the General Plan designation for this site is Light Industrial, which promotes heavy commercial and light industrial uses with ancillary retail and office uses, this site is also within the City's main Entry Corridor which states that new buildings should reflect small scaled, low rise design characteristics and maintain existing small-town and open space qualities. Furthermore, such policies also dictate that parking areas should not be visible to the entry corridor roadway (State Highway 29/128). In addition, the Planned Development Overlay designation for this site calls for the development of the property to have a winery and/or inn scaled proportionately to the amount of open space and set within vineyards or orchards as a means to encourage agricultural preservation.

Given these General Plan policies, staff does have concerns with this development proposal with respect to the proposed scale and intensity of the two wineries (each to produce up to 40,000 cases) coupled with proposed intensity of the retail component, as well as the special events to occur on the project site, especially if all these activities occur at the same time that the two wineries are at their peak operation. It should be noted, however, that the Applicant has clarified to staff that the proposed winery operations have not been set at this time and could be in the range of 10,000 to 40,000 cases dependent upon the type of wines to be produced (whites versus reds), as well as the desired aging process of the wines to be produced. (More information through the Applicant's presentation will be provided at the meeting on this issue.) The Applicant's representative has also clarified to staff this past week that the number of special events estimated to occur on-site per year is 100 events. Once again, staff is recommending Commission discussion on whether or not the proposed mix of uses and functions to be provided on a daily basis (retail sales) or special events,

as well as the proposed scale and intensity of two wineries (each to produce 40,000 cases) will meet the desired character for this key entry corridor property.

With respect to the scale of development on the site, the project is dedicating 39% in total area to open space/landscaped areas. The remaining 61% has been dedicated to building coverage, hardscape treatment and pavement for vehicular circulation and parking. Staff finds this appropriate given that this site is designated as Industrial. However, staff is recommending Commission discussion on whether or not the Applicant should scale down of the project to provide a better proportion of building area to open space once all site functions are clearly define.

### **Public Comments**

Attached for Commission review and discussion are written comments that have been received on this application to date.

### **RECOMMENDATION:**

Staff recommends that the Planning Commission review the conceptual site plan and elevations, receive comments from the applicant and the public, and provide preliminary comments to the Applicant and staff on the following as well as other issues of commission concern.

It should be noted that the Planning Commission comments received during conceptual design review are advisory only and should not be considered by the Applicant to be requirements or an endorsement of the project until a complete application is considered through the formal review process.

### **ATTACHMENTS:**

1. Aerial Vicinity Maps
2. Winery Comparison Table
3. Public Comments
  - Kristin Casey, dated January 28, 2009
  - Paul Smith, dated February 3, 2009

### **PREVIOUSLY DISTRIBUTED**

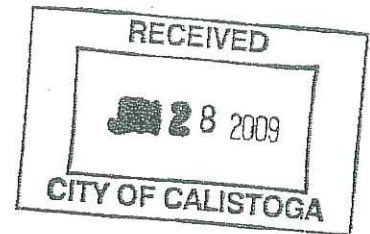
4. January 28, 2008 Planning Commission Staff Report

WINERY COMPARISON

Winery	Location	Site Acreage	Building Square Feet	Case Production	Reported Gallons	Tours & Tasting	Visitors (Ave/Wk)	Employees	Parking	Total Events/YR
<b>Project Proposal in Calistoga (Refer to Staff Report for a Project Description)</b>										
Winery 1			19,100	10,000 - 40,000	93,600	None Proposed		4		
Winery 2			17,400	10,000 - 40,000	93,600	Appointment Only		3		
Wine Tasting & Sales; Delicatessen "Building A"			18,500			Public Tastings		4		
<b>City of Calistoga</b>										
Tedeschi	Grant St.	2.46	768	2,000	4,680	Appointment Only		0	4	None Permitted
Moye	Greenwood Ave.	6.2	4,714	4,000	9,360	Appointment Only			7	
August Briggs	Silverado Trail	2	8,200	10,000 (Currently Produces 5,000)	24,000	Public		4	8	No Restrictions
Silver Rose Cellars/Terrano Resort	Silverado Trail	20 23.5	6,400 10,784	5,000; 10,000	11,700 24,000	Public			99	No Restrictions
<b>Napa County</b>										
Zahltia Vineyards	2250 Lake County Hwy	3.31	600	2,137	5,000	Appointment Only			1	Not Reported
Revana Winery	2910 St. Helena Hwy	10.74	6,624	6,410	15,000	Appointment Only	40	3.5	6	
Paoletti Vineyards	4501 Silverado Trail	13.27	10,004	6,838	16,000	Appointment Only	350	1.5	5	
Arroyo Winery	2361 Greenwood Ave	22.62	6,074	8,547	20,000	Appointment Only	90	2.5	6	Not Reported
Calistoga Vineyards	3380 Hwy 128	4.21	2,096	8,547	20,000	Appointment Only		0.5	20	Not Reported
Dutch Henry Winery	4310 Silverado Trail	3.77	5,000	8,547	20,000	Public	50		10	Not Reported
Araujo Estates Wine	2155 Pickett Rd	162	24,000	8,547	20,000	Appointment Only	15	4	9	Not Reported
Calistoga Cellars Winery	Tubbs Ln	18	3,043	8,547	20,000	Appointment Only	60	3	6	
Saviez Winery	4060 Silverado Trail	114.32	6,306	8,547	20,000	Appointment Only	40	2.5	3	
Ehlers Estate Winery	401 St. Helena Hwy So.	13.98	26,070	10,687	25,000	Public	100	8.5	14	Not Reported
Calistoga Artisan Village	Bennett Ln	23.96	13,568	20,513	48,000	Appointment Only	240	18	20	
Bennett Lane Winery	3340 Hwy 128	10	7,552	21,368	50,000	Appointment Only	250	11	14	Not Reported
Chateau Montelena	1429 Tubbs Ln	15.54	27,741	25,641	60,000	Public	1,800	7	8	Not Reported
Freemark Abbey	3022 St. Helena Hwy	1.74	32,702	30,769	72,000	Public	490	12	134	Not Reported
St Clement Vineyards	2867 St. Helena Hwy	3.77	9,600	34,820	81,480	Public	75	3.5	25	Not Reported
Twomey	1183 Dunaweal Ln	17	25,510	41,025	96,000	Public	3,850	26.5	137	Not Reported
Saltui Winery	1111 White Ln	21.6	34,676	47,008	110,000	Public	50	17.5	40	Not Reported
Duckhorn Vineyards	1000 Lodi Ln	10.67	27,927	66,260	155,048	Public	2800	15	43	Not Reported
Cuvalson	4550 Silverado Trail	14.59	46,026	81,197	190,000	Public	570	24	0	Not Reported
Merryvale Vineyards	1000 Main St	3.3	20,000	85,470	200,000	Public	725	10	35	Not Reported
Clos Pegase	1060 Dunaweal Ln	20.39	43,100	128,205	300,000	Public	400	17.5	37	Not Reported
Markham Winery	2812 St. Helena Hwy	9.97	70,783	641,026	1,500,000	Public	3,850	143	230	Not Reported
Sterling Vineyards	1111 Dunaweal Ln	95	160,252							



Date: January 28, 2009  
 To: Chairman and Members of the Planning Commission  
 From: Kristin Casey  
 Re: Bounsall Development Proposed for Entry Corridor



I have two primary issues regarding this proposed development in our Entry Corridor, having just reviewed the application and staff report briefly.

1. I object to the Staff's continued use and reference to the Urban Design Plan (the UDP), including copying provisions for the Planning Commissioners to refer to. The UDP is not yet fully vetted by the public, since the revisions which were mandated by the Planning Commission in response to public input last year have not yet been made available to the public and have not been publicly discussed. More importantly, the UDP has not been formally adopted by our City Council, and therefore it doesn't really legally exist yet. If the provisions of any guiding document are copied for Planning Commission consideration, they should be the provisions from our General Plan, at pages **LU-26, 27, 28, 29** and **LU-32, 33, 34** and **LU-46**. These provisions were not copied for reference in the packet, which means that anyone reading the packet would have to go to a copy of the General Plan to find the guidelines. And, although some of the General Plan provisions and sections mentioned here were set forth in the staff report, not all were included. The fact that the UDP provisions were added as an Attachment tends to give improper weight and authority to the UDP at this time. I continue to simply want to see more deference given to our General Plan and its original intentions.
  
2. It is clear from even a brief review of this proposed development that it is way over the top in regard to size. I wonder if this outrageously huge proposal is a negotiating ploy sometimes undertaken when someone wants to slip in a too-large project and therefore paints it as much larger to begin with, hoping the powers that be will be relieved to authorize a slightly reduced development (which is nevertheless too big). Beyond the size of the project as a whole, the number of uses being proposed goes beyond anything envisioned when we worked on the General Plan revision. Perhaps ONE small, rural winery was thought possible, but certainly not TWO. And it would have been unacceptable to those who crafted the General Plan to allow retail buildings and event + reception areas as part of the notion of one small winery with perhaps one small inn on this important site. Small is the governing word here, including low-rise (not 2 story) buildings and an emphasis on the agricultural setting over the physical development of the grounds.

I believe it would be inappropriate and irresponsible to encourage this project to proceed to obtaining a Development Agreement, unless and until the developers first show us that the size is seriously reduced and the uses are also limited. Certainly, Calistoga citizens should be concerned about giving water rights to this project – the last time I looked at the papers, California is in a drought.

City of Calistoga  
Planning Commission  
1232 Washington St.  
Calistoga, CA 945615



Paul G. Smith  
P.O. Box 689  
1255 Lincoln Ave.  
Calistoga, CA 94515

February 3, 2009

**Subject:** PA 2008-04, CDR 2008-04  
**Ref:** Calistoga Municipal Code 13.08.395 "Geothermal Mineralized Water Discharges"

"A. The City is required to utilize land irrigation as a method of wastewater effluent disposal during the summer dry season when there is insufficient flow for dilution in the Napa River, and it is therefore necessary to limit the concentration of boron, total dissolved solids, chlorides and sulfates that could have a toxic effect upon plant growth or degrade groundwater that could otherwise be used as a source of irrigation water.

B. Regulations pertaining to restriction of boron content as set forth in CMC 13.08.345 and other sections of this chapter shall be strictly enforced.

C. No person or entity shall by any connection, use, maintenance, construction, alteration or repair of sanitary sewer facilities, discharge or cause to be introduced into the sanitary sewer system any substance or material which has an element of chloride or sulfate exceeding 250 milligrams per liter, or of total dissolved solids that would exceed 500 milligrams per liter. All such discharges are prohibited. (Ord. 435 § 6, 1988; Ord. 322 § 1, 1976).

Honorable Commissioners

As a winery owner I am generally in favor of most quality winery projects. As such I am not completely against the Bounsai proposal. I am however against this proposal if it proposes to increase the wastewater flow into the city municipal wastewater system. Though not the responsibility of the developer, the city continues to neglect its own ordinances with respect to the discharge of boron-toxic waters into the wastewater flow.

Currently, treated wastewater must be diluted by 600% in order to mitigate the toxic effects of boron in the present wastewater. Until and unless the city adopts a responsible policy with respect to enforcement of its own ordinances against direct dumping of boron-toxic geothermal water, it would be irresponsible to approve any project with the potential to increase the AMOUNT of municipal wastewater. Alternately, such projects should only be approved if all wastewater generated by the project is to be treated and disposed of on the project site.

As the state becomes increasingly parched and the Napa River is looking more and more like a Mojave arroyo, the images of "green" and "healthy" which Calistoga strives to project are in harsh conflict with its secret though absolute refusal to enforce its own boron contamination laws, its subsequent chronic and intentional environmental abuse, its corresponding grossly irresponsible resource management and of course, its disgustingly obvious preferential politics. These actions collectively and irrefutably reveal the true character of Calistoga's previous administrations at best as benevolent in denial or at worst as blatantly hypocritical.



No project with the potential to increase municipal wastewater and thus exacerbate the disposal of same should be approved until and unless the City of Calistoga acknowledges and enforces its own laws against boron-toxicity in the municipal wastewater.

Respectfully,

Paul G. Smith

