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Public Comments

From: Cahill, Kelli
To: Gallina, Charlene
Cc: Parker, Michael
Subject: FW: REVISED COMMENT P22-00384
Date: Wednesday, January 10, 2024 12:08:00 PM

FYI – This email from George Caloyannidis has been modified based on his follow-up email below. These comments followed mailout of an amended Courtesy Notice I sent out as the project was modified from a micro winery to a Use Permit to include additional visitation, marketing and a cave. The request also includes a variance and exception to the Roads and Street Standards.

Promise Winery
2004 Sage Canyon Road
APN 032-520-009

The deadline to provide comments on the resubmittal is January 17th. Finally, I did respond to George to acknowledge receipt of the emails and let him know that the we are presently reviewing the resubmittal and the amended project.

NAPA COUNTY FIRE MARSHAL

In the recent past, the Fire Marshal has imposed as part of his conditions of approval adherence to the Napa Couty Road Standards (22 feet width etc.) within the boundaries of a winery. This has been the case at the Vida Valiente winery of the exact similar 30,000-gallon size. The length of the interior driveway in that case was but a tiny fraction of that of this application.
There are no Fire Marshall conditions of approval for this application which one would assume would be the same, especially given the narrow, long and winding road within the property.

VARIANCE

Narrative Response 1

As part of its application, the owner requests a variance for a setback reduction from a 600-foot minimum from Sage Canyon Road (a highway) to 349 feet. This is a significant reduction which was granted for a residential use. Citing that "development of a winery in new structures elsewhere on the property beyond the 600-foot setback is essentially impossible" and that in essence the 600-foot setback along state highways ought to apply only where topography does not preclude development of a winery within such setback is a sweeping demand. As such, it would require a fundamental revision of setback rules from highways and set an all-encompassing precedent.

The applicant further argues that such setback "would deprive Promise's property of privileges enjoyed by other similar properties in the vicinity and under identical zoning classification". This argument places zoning classification as the sole determinate factor superseding setback

regulations. In essence it argues that whenever topography stands in the way of non-conforming development, setbacks need to be modified. This is would also be an all-encompassing precedent.

While the applicant has argued for similar treatment as others enjoy within the same zoning classification, it did not provide other property owners who enjoyed such treatment in the same zoning classification and **similarly constraining topography following enactment of the 600-foot setback rule.**

Narrative Response 2

The applicant argues that denying the conversion of the existing residential and vineyard structures to a winery, deprives it from the preservation and enjoyment of its substantial property rights. However, the applicant ignores the fact that when it originally purchased the property, it was granted all necessary permits including a set back variance for the use and enjoyment it chose at the time. It also purchased the property being fully aware that it fulfilled the purpose for which it was intended and developed it accordingly.
Arguably, such prior development is an impediment to the new use of the property sought now and for which a variance is being requested.

Narrative Response 3

To argue that a 30,000-gallon winery including caves will not be materially detrimental to the public welfare is not credible. Caves require drilling, often blasting as do impactful tailings exports. No data has been provided for the yardage being excavated. No data are provided for the traffic generated by the winery operation itself, such as grape imports, bottling line, service personnel etc.
The fact that the finished product will not be visible from the highway and the argument that new buildings on the property would be more impactful (which the applicant elsewhere stated are impossible) are not arguments supporting the premise that this 30,000-gallon winery will have no negative impact on the neighborhood.

CONCLUSION

1. The project does not comply with Title 14 Minimum Fire Safe Regulations. If the residence on APN 032-520-009 and / or any residences on APN 032-520-008 are retained, the access road must comply with these minimum standards. Only if the residences are removed and the road is used solely for agriculture, the road may be used in a condition as determined by Napa County. It does not appear that there are compliant turnarounds for all structures.
2. A Napa County Fire Marshal's conditions of approval, especially in this highly fire-prone area are required.
3. The particular variance justifications on all three Narratives are farfetched and would set sweeping precedents. The applicant had its chance to originally develop a winery on the site and opted for a residential development which guaranteed its full enjoyment of its property. The winery conversion is a discretionary act.
4. Not all properties in all zoning districts which allow a winery always subject to a use permit are appropriate for such uses. At this time, the applicant has been provided by Napa County

with both a residential and an agricultural use.

5. The winery data for a 30,000-gallon winery by which its impact may be properly assessed and mitigations if any are put in place is incomplete in regards to trip generation during and after its conversion and construction and other pertinent data commensurate with the size of the operation.

From: gecalo@comcast.net <gecalo@comcast.net>
Sent: Saturday, January 6, 2024 11:32 AM
To: Cahill, Kelli <Kelli.Cahill@countyofnapa.org>
Subject: REVISED COMMENT P22-00384

[External Email - Use Caution]

Dera Kelli,

Following discussions with Deborah Eppstein PhD, Director, State Alliance for Fire Safe Road Regulations (SAFFR), I hereby revise / substitute the entirety of my discussion under "TITLE 14" in my COMMENT dated January 5, 2024. Specifically in connection to whether the Promise Winery project qualifies under the agriculture exemption clause of Title 14, State Minimum Fire Safe Regulations 2023, Subchapter 2. While in my previous COMMENT I had argued that it does under certain conditions, further analysis based on the detailed definitions in Subchapter 2 compel me to argue that it does not.

I hope this REVISION will help staff in its analysis of the application. Let me know if you wish me to actually withdraw and revise my January 5 COMMENT, or whether you prefer to attach this writing as a REVISION of it.

§1270.03 Scope

(d) The standards in Subchapter 2 applicable to Roads shall not apply to Roads used solely for Agriculture, mining; or management of timberland or harvesting of forest products.

§1270.01 Definitions

(a) Agriculture: Land used for agricultural purposes as defined in a Local Jurisdiction's zoning ordinances.
(i) Driveway: A vehicular pathway that serves no more than four (4) Residential Units and any number of non-commercial or industrial or non-industrial Utility or Miscellaneous Group U Buildings on each parcel. A Driveway shall not serve commercial or industrial uses at any size and scale.
(y) Road: A public or private vehicular pathway to more than four (4) Residential Units, or to any industrial or commercial Occupancy.

Discussion:

When applying these definitions, the pathway within the Promise property leading to its existing

developments is defined by Subchapter 2 as a (i) Driveway. It does not qualify as a (y) Road.
The Road by which the Promise property derives access from is Soda Canyon Road which serves all the uses Subchapter 2 specifies for it to be classified as a (y) Road.
Soda Canyon Road is not being "used solely for Agriculture". Therefore, the Road serving the Promise property does not qualify for the agricultural exemption under Subchapter 2 provision §1270.03 (d).

George Caloyannidis

January 12, 2026

Letter in Support of the Use Permit Application by Promise Wine

I am writing to express my unquailed and enthusiastic support for the application that Stephen and Jennifer McPherson and Promise Wine have submitted for their property on Sage Canyon Road. The McPhersons are nearby neighbors; their property is just north and east of mine.

I have interacted with the McPhersons both personally and in my role in leading the Hennessey Rector Fire Safe Council. In both regards, they are excellent neighbors and I am delighted with the how collaborative they have been in addressing wildfire risk. The work they have done on their property has significantly reduced risk for them and for those of us who live nearby. In addition, they have been enthusiastic participants in the work our neighbors have done jointly to reduce the risk we all face.

The McPhersons have been excellent stewards of their land as well as terrific neighbors. Approval of their use permit application will benefit all of us who live nearby.

Thank you,

Robert Cumby
1701 Sage Canyon Road
St. Helena, CA

NAPA**FIRE**WISE

January 12, 2026

To Whom It May Concern

The Napa Communities Firewise Foundation (NCFF) is pleased to provide this letter in recognition of the exceptional wildfire resilience work undertaken by Steve and Jen McPherson of Promise Winery on their Sage Canyon property.

Over the past six months, NCFF has collaborated with Mr. McPherson to catalog and map a range of resilience investments across the property. These improvements represent strategically important elements for wildfire response. The McPherson lands will serve as an anchor parcel for a planned Enhanced Resiliency Site (ERS), which will support firefighters in containing wildfire movement in the Gregg Mountain, Sage Canyon, and Pritchard Hill areas.

Mr. McPherson has demonstrated consistent leadership and initiative in prefire mitigation. His farm animal and vineyard operations have created effective defensible space around structures and have helped break up continuous fuels across both City of Napa and adjacent private lands.
In addition, Mr. McPherson has expressed interest in further strategic fuel modification work, specifically the creation of a shaded fuel break along a spur ridge connecting Sage Creek to Pritchard Hill Road. This project is currently being planned in coordination with the Hennessy Rector Fire Safe Council, NCFF, and the local CAL FIRE Battalion Chief.

NCFF has mapped existing fire access roads, emergency water sources, hydrants, and fuel modification areas on the property. This information is now available to fire agencies through the Tablet Command mobile mapping platform.

Given Napa County's history and ongoing risk of wildfire, proactive landowner actions such as those taken by Mr. McPherson are essential to moderating wildfire behavior and protecting critical evacuation routes, including State Highway 128 (Sage Canyon Road).

Sincerely,
Napa Communities Firewise Foundation

Joseph Nordlinger, CEO

Elliot Taylor

Dear Planning Commissioner's,

My name is Elliot Taylor and my family and I own the property directly across Sage Canyon Rd from the McPhersons. We account for everything across the 128 from them so are maybe the most important neighbors.

This letter is in support of their efforts to get their Use Permit approved.

They are exceptional neighbors and outstanding community members. We have together navigated through 2017 and 2020 fires and numerous other challenging events. Steve & Jen are amazing stewards of not only their land but also the Pritchard Hill neighborhood in general.

We know first hand the amount of personal money and effort they have invested in the area and it is wonderful.

We fully support them in all their endeavors and believe that their prosperity, is our prosperity, is the community prosperity.

Thank you.

Respectfully,

Elliot Taylor

1999 Sage Canyon Rd, St Helena, CA 94574