**Exhibit A**

**BACKGROUND**

**3730 Silverado Trail Winery**

**Use Permit Application *№* P13-00260**

**3730 Silverado Trail, St. Helena, Calif., 94574**

**Assessor’s Parcel *№.* 021-040-017**

**Owner/Applicant:  3730 Silverado Trail** Winery, Frank Dotzler, (707) 965-1718, PO Box J, Angwin, CA 94508

**Representative:**    Jon Webb, Albion Surveys, Inc., (707) 963-1217, 1113 Hunt Avenue, Saint Helena, CA 94574

**Zoning:**    AP (Agricultural Preserve)

**General Plan Designation:**    AR (Agriculture Resource)

**Filed:**    August 9, 2013   **Complete:**    October 18, 2013

**Production Capacity - Existing:** N/A

**Production Capacity - Proposed:    6**0,000 gallons per year

**Number of Employees - Existing:** N/A

**Number of Employees - Proposed:** 10 or fewer employees

**Visitation - Existing:**    N/A

**Visitation - Proposed:**    Private tours and tastings; max of 60 visitors per day; max of 210 visitors per week

**Hours of Operation - Existing:**    N/A

**Hours of Operation - Proposed:**    7 am to 5 pm, daily

**Visitation Hours of - Existing:**    N/A

**Visitation Hours - Proposed:**    10 am to 4 pm, daily

**Parking - Existing:** N/A

**Parking - Proposed:** 20 spaces

**Winery Coverage - Existing:**    N/A (25% max)
**Winery Coverage - Proposed:**    Approx. 0.67 acres (15 acres max) and/or 12% of the 17.7 acre lot area (25% max

**Adjacent General Plan Designation/ Zoning / Land Use**

North
Agriculture Resource **General Plan** designation - AP (Agricultural Preserve) zoning
Agricultural, residential, and a producing winery uses on large lots (Wermuth Winery)

South
Agriculture Resource **General Plan** designation - AP (Agricultural Preserve) zoning
Agricultural, residential, and producing winery uses on large lots (Dancing Hares Vineyard)

West
Agriculture Resource **General Plan** designation - AP (Agricultural Preserve) zoning
Agricultural, residential, and vineyards uses on large lots (Tudal Winery and Bennessere)

East
Agriculture Resource **General Plan** designation - AP (Agricultural Preserve) zoning
Agricultural, residential, and approved winery uses on large lots (Masked Man Winery and Stoney Springs)

**Nearby Wineries (located within 1 mile of the project)**

Masked Man Winery~3750 Silverado Trail ~Approved~8,000 gallons per year~By appointment

Dancing Hares Vineyard~3750 Silverado Trail~ Producing ~15,000 gallons per year~By appointment

Stoney Springs~264 Crystal Springs Road~ Producing ~20,000 gallons per year~By appointment

Wermuth Vineyard~3942 Silverado Trail ~ Producing ~20,000 gallons per year~Public visitation, No Marketing events

Tudal Winery~1015 Big Tree Road ~ Producing ~20,000 gallons per year~ By appointment

Bennessere~1010 Big Tree Road ~ Producing ~40,000 gallons per year~ By appointment

**Parcel History and Evolution of this Application**

The site was developed with vineyard rows in the 1960’s along with a residence, barn, and well. The application for a new winery and related construction was submitted on August 9, 2013. The application was complete October 18, 2013.

**Code Compliance History**

There are no open or pending code violations for the subject site.

**Discussion Points**

Setting- 3730 Silverado Trail Winery is located on a 17.7 acre parcel located on the northwest corner of Silverado Trail and Crystal Springs Road. The proposed 60,000 gallons per year winery involves construction of new winery buildings totaling 28,524 square feet, including a covered crush pad, barrel storage, hospitality and tasting room, and office space; construction of a Transient Non-Community Water System; and construction of 20 parking spaces.

Land uses in the vicinity are a mix of large lot residential uses, active vineyard operations, and wineries with production ranging from 8,000 to 20,000 gallons annually. Residential uses in the project area are fairly sparse, with less than a dozen residences located within a mile of the Winery.

Proposed Building Design- The winery building is located over 600 feet from Silverado Trail and is architecturally similar to a barn structure. The building will have an overall height of thirty feet, with the cupola having a height of 34 feet. There is an existing residence and barn on the property which are not proposed to be used for the winery and will be conditioned to ensure are not used for any commercial purposes in the future (see Condition 2.c in Exhibit C). No trees will need to be removed from the site for any new construction including the winery and residence driveway, approximately 0.75 acres of existing vineyard will need to be removed for the winery building.

Staff has received comments from Ron Goldin and Mark Young located at 3750 Silverado Trail to the rear of the property expressing concerns regarding impacts to noise, views, and privacy to their properties as a result of the project. The affected residence is located approximately 259 feet away, respectively from the rear of the proposed winery building. Due to the County Code requirement for a 600 feet setback from Silverado Trail the ability to shift the building further from the affected neighbor is not feasible. The applicant has proposed adding some additional landscaping along the rear property line to soften the effect to the neighbor’s views, noise, and privacy. The applicant has also stated a willingness to move the building closer to Silverado trail, but staff has no basis upon which to support a variance from the 600 feet setback and could not support relocating the winery building. Staff has also received two letters of support for the project from Paradigm Winery and Wallis Family Estate.

Tours and Tastings/Marketing Events- The applicant is proposing tours and tastings by appointment only on a daily basis up to a maximum of 60 visitors per day from 10 AM to 4 PM daily; private promotional tastings with meals up to 12 per year with a maximum of 35 guests between the hours of 10 AM to 10 PM; marketing events up to four per year with a maximum of 100 guests between the hours of 10 AM to 10 PM; and harvest events up to two per year with a maximum of 100 guests between the hours of 10 AM to 10 PM.

Staff has provided a table below comparing marketing and tours and tastings visitation at other wineries with annual production of 60,000 gallons per year. The proposed visitation program falls into the middle of the spectrum with regards to number of visitors and on the high end for events among its peer group of wineries with an approved production capacity of 60,000 gallons per year. The table also provides a comparison of winery building square footage for the wineries listed. As can be seen 3730 Silverado Trail Winery’s building square footage relative to its production capacity hits on the higher end of the spectrum at 28,524 square feet, with other wineries ranging in size from 1,632 square feet to almost 33,000 square feet.

| **Staff Report - Comparison Wineries** |  |
| --- | --- |
| **Winery Name** | **Current or Expan Total Prod.** | **Tours & Tasting** | **Visitors(Ave/Wk)** | **Total Events/Yr** | **Building****s.f.** |
| ARKENSTONE VINEYARDS | 60,000.00 | APPT | 210 | 18 | 10,800 |
| BOURASSA WINERY | 60,000.00 | APPT | 45 | 10 | 9,604 |
| ELYSE WINERY | 60,000.00 | APPT | 24 | No data\* | 4,287 |
| FREEMARK ABBEY | 60,000.00 | PUB | 1,800 | No data\* | 32,702 |
| HUNNICUTT WINERY | 60,000.00 | APPT | 21 | 16 | 28,538 |
| ODETTE WINERY | 59,999.00 | APPT | 917 | 96 | 24,666 |
| SPELLETICH WINERY | 60,000.00 | NONE | 0 | No data\* | 7,300 |
| STAGS LEAP WINERY (DOUMANI 1) | 60,000.00 | APPT | 60 | No data\* | 9,400 |
| TRUCHARD VINEYARDS | 60,000.00 | NONE | 12 | No data\* | 1,632 |
| TAMBER BEY | 60,000.00 | APPT | 140 | 26 | 19,382 |
| 3730 SILVERADO TRAIL WINERY | 60,000.00 | APPT | 210 | 18 | 28,524 |

\* No Data - Attributed to older wineries with no marketing program proposed or approved.

Traffic- The winery traffic generated by the project is expected to be minimal. Access to the winery is from Silverado Trail, between Crystal Springs Road and Bale Lane where the Level of Service has a “B” and “C” rating, respectively as of the most recent county-wide traffic study. The applicant has submitted a traffic study which identifies that the proposed winery hours (1**0:00 am to 4:00 pm, Monday-Sunday for visitation and 7:00 am to 5:00 pm, Monday-Friday for production)**, the number of employees (10), the winery’s Tours/Tastings Plan (60 persons maximum per day), and the Marketing Plan with food catered at the winery ( 12-35 person private promotional tastings events per year, 6-100 Harvest and Marketing person events per year) will contribute to 55 daily trips and 19 daily PM peak trips to Silverado Trail’s overall traffic.

Access to the site will be accommodated by a newly proposed left-turn lane which leads to a twenty-foot wide driveway leading to the winery. This allows traffic from both directions to reach the site. There are no design features that will impact traffic on Silverado Trail. The Department of Public Works and Engineering Services has reviewed project access and recommends approval of the project as proposed. The applicant is also proposing an access driveway to the existing residence on the property which is proposed to be twenty feet. The road will service only the residence and is not to be used for any winery related purposes. The Napa County Fire Marshall has reviewed this application and has identified no significant impacts related to emergency vehicle access provided that standard conditions of approval are incorporated. Project impacts related to traffic hazards and emergency access are expected to be less than significant.

The Department of Public Works has reviewed the traffic study and application and recommends approval of the project on the basis that the traffic volumes are below the threshold that would impact Silverado Trail. There will be no residual individual or cumulatively significant traffic impacts associated with this project as regards traffic congestion and levels of service. The proposed 20 parking spaces would be sufficient to accommodate parking needs during normal business days for employees and visitors. Additional parking will be required during marketing events. As proposed, temporary event parking will be provided on-site via valet parking service. The applicant has sufficient space to accommodate some additional parking throughout the remainder of the property. No parking will be permitted within the right-of-way of Silverado Trail.

Grape Sourcing- The subject property contains approximately 7 acres of existing vineyards which would supply approximately 6,500 gallons annually. The applicant has also informed the County that it has verbal agreements with other county vineyard operators and owners which will also be utilized to comply with the 75% Napa Valley grape source requirement.

Greenhouse Gases/Climate Action Plan- The County requires project applicants to consider methods to reduce Green House Gas (GHG) emissions consistent with Napa County General Plan Policy CON-65(e), which requires GHG review of discretionary projects. The applicant has completed the Department’s Best Management Practices Checklist for Development Projects, which is attached to this report as part of the application materials. The applicant proposes to incorporate GHG reduction methods including: 1) limited grading of the site; 2) water efficient landscaping; 3) local food production; 4) and the education of staff and visitors regarding sustainability practices.

GHG Emission reductions from local programs and project level actions, such as application of the CalGreen Building Code, tightened vehicle fuel efficiency standards, and more project specific on-site programs including those winery features noted above would combine to reduce emissions. The proposed project would not conflict with or obstruct the implementation of any applicable air quality plan.

**Consistency with Standards**

Zoning - The project is consistent with AP (Agricultural Preserve) zoning district regulations. A winery (as defined in Napa County Code § 18.08.640) and uses in connection with a winery (see Napa County Code § Section 18.16.030) are permitted in the AP district with an approved use permit. This application is subject to and complies with all tenants of the Winery Definition Ordinance and all other requirements of the Zoning Code as applicable.

Building Division Requirements - The Building Division has reviewed this application and has no comments.

Fire Department Requirements - The Fire Marshal's office has reviewed this application and recommends approval with standard conditions. Please see their attached memo dated September 17, 2013.

Engineering Services Division Requirements - The Engineering Services Division has reviewed this application and recommends approval with standard conditions. Please see their attached memo dated September 4, 2013.

Environmental Health Division Requirements - The Environmental Health Division has reviewed this application and recommends approval with standard conditions. Please see their attached memo dated November 22, 2013.