

PERLA DE OCCIDENTE WINERY PROJECT STATEMENT

APN 039-190-028 SILVERADO TRAIL, NAPA

The proposal is for a new 100,000-gallon per year winery located on a 49.05-acre parcel on the Silverado Trail west, just south of the intersection of the Silverado Trail with Soda Canyon Road. The project as proposed represents the standard winery improvements of a winery access road circulation system; a process and sanitary wastewater treatment system(s); production and accessory winery structures with a (gross) total of 21,746 sq. ft.; and a separate winery accessory structure of 7,164 sq. ft. The use permit request also includes a winery marketing plan and an entry structure at the entrance to the property.

A variance is required for siting the winery structure within (462 ft. from centerline of right-of-way) the Winery Definition Ordinance required 600-ft. setback for Silverado Trail.

Proposed Actions

Request approval of a variance to the County's Winery Definition Ordinance (WDO) 600-ft. setback from Silverado Trail. (See variance application and drafted "findings.")

Request approval of a winery use permit allowing for a total winery coverage of 84,597 sq. ft. of overall impervious surfaces, resulting in an overall winery coverage ratio of four (4) percent of the parcel.

Request approval of a winery use permit allowing for two winery structures totaling 21,746 (gross) sq. ft. and 28,050 (net) sq. ft. in size, with a resulting production/accessory ratio of 34 percent.

Request approval of winery ancillary uses such as a 2,541-sq. ft. covered crush pad; a 1,200-sq. ft. pad for water tank storage and other mechanical uses; a winery access road paved surface;; 13 impervious surface visitor parking spaces (including one ADA-compliant space) and 10 pervious employees parking spaces south of the winery building, for a total of 23 spaces; and a sanitary and process wastewater treatment system for the winery. Request approval of a Transient Water System Feasibility Report, as well.

Request approval of an entry structure and signage for the main entryway into the winery, as presented in the overall winery landscape concept plans submitted with this application.

Request approval of a Winery Marketing Plan, described in the application and detailed in a subsequent section of this Project Statement.

The Site and Existing Conditions

The subject parcel is a 49.05-acre site on the western side of Silverado Trail, consisting of level to gently rolling lands. Approximately 40 acres of planted vineyards are currently on the site, along with two residential structures (one a primary residence and the other a “second unit”). There is an agricultural storage structure on the property. The property boundaries extend from the County right-of-way on Silverado Trail westward to the banks of the Napa River. An existing on-site reservoir that runs parallel to the banks of the River is utilized for frost protection and irrigation and the property owner has documented water rights to the Napa River. Portions of the site nearest the River fall within a Flood Zone designation.

Local Plans, Ordinances and Regulations

The land use designation in the General Plan for the subject parcel is AP (Agricultural Preserve). The zoning designation is also AP (Agricultural Preserve). Wineries are an allowed use in the AP zoning district, with an approved winery use permit. The proposed winery is consistent with the provisions of the County’s Winery Definition Ordinance (WDO), with the exception of a requirement for a 600-ft. setback from the centerline of right-of-way for the Silverado Trail. A variance to this setback requirement is part of the application and must be approved prior to consideration of the winery use permit.

The variance is needed due to the floodway area of the Napa River encompassing a large part of the westernmost portion of the parcel. Public Works personnel expressed a particular emphasis on avoiding the floodway, during the project pre-application meeting. In addition, the existing reservoir is located on the site so that the winery would have to be constructed on its eastern side and this represents a slight encroachment into the 600-ft. setback area. The actual location of the winery as proposed is 462 ft. from the centerline of the Silverado Trail right-of-way. This portion of the site provides a slight rise in topography that results in less visual impact as the winery is perceived by the traveler along the Silverado Trail. Since the intent of the setback is to prevent a solid line of structures along major arterials in the County, this siting is a preferred condition from the standpoint of visual impact. This area also represents an area partially within the floodplain that is not as conducive to better winegrape growing than some of the other vineyard areas to the north and northeast of the proposed siting, thus maximizing the amount of suitable vineyard growing area.

The proposed winery must also be consistent with the *Napa County Conservation Regulations* and the *California Unified Building Code*. All County regulations will be adhered to, and all construction on the site will be consistent with the County Codes and all conditions of approval as dictated by County departments and other relevant agencies.

The County requires a *Phase One Water Report* and a *Wastewater Feasibility Report* on all new winery use permits. The *Phase One Report*, which is included with this

application, indicates that there is an adequate water use allocation for the existing and proposed new uses on the subject property. The *Wastewater Feasibility Report* indicates suitable area for processing process and sanitary wastewater generated by the proposed winery, as well as a reserve area on-site. The report is included with this application.

A review of the County's Geographic Information Systems (GIS) data base yielded the following characteristics of the subject property.

Flood Zone: Parcel falls within the FEMA Flood Zone.

Groundwater Ordinance: Parcel is not in a Groundwater Deficient Area.

CalWater Watershed: HR: San Francisco Bay
HU: San Pablo
HA: Napa River
HSA: Napa River
SPW: Lower Napa River
PW: Mouth of Napa River

Local Drainage: Hardman Creek
Napa River – Upper Napa City Reach
Soda Creek

Soil Type: Coombs gravelly loam, 2 to 5 percent slopes
Cortina very gravelly loam, 0 to 5 percent slopes
Riverwash
Yolo loam, 0 to 2 percent slopes

CalVeg: AG

HazMat Releases: Sunrise Montessori School

Archaeology: Archaeological sites found.

Spotted Owls: No spotted owls found.

Special Plants: No special plants found.

Landslides: No landslides found.

Alquist Priolo Faults: No Alquist Priolo Faults found

Fire Hazard Severity: No fire hazard severity information available.

Zoning: AP (Agricultural Preserve)

Nearby Wineries: Van der Heyden, Hagafen, Darioush, Reynolds Family, Luna, Andretti, Jan Krupp Winery.

Winery Facilities and Improvements

Upon completion, the winery will consist of the following winery facilities. The total square footage of winery coverage (impervious) spaces is 84,597 sq. ft. This represents an overall coverage of 4 percent, significantly lower than the maximum overall coverage allowed by the County's WDO, which is 25 percent.

Of the above coverage, the total amount allocated for winery structures is 30,808 sq. ft. This includes 20,886 sq. ft. of production structures and 7,164 sq. ft. of accessory structures, for a production-to-accessory ratio of 34 percent. This is appreciably lower than the County's WDO threshold of 40 percent maximum allowable for accessory use.

Winery Design Concept: The winery was designed by the renowned architectural firm of Taylor Lombardo Architects, who designed many Napa Valley wineries. The winery design is evocative of the old California Mission-style architecture that is most typified by the Santa Barbara County Courthouse. The building that houses both production and accessory uses is separated by a spacious open-air courtyard and terrace with arcade. Building materials include stucco and wood, ornamental iron balconies, stone on facades, and a clay tile roof.

The two structures are linked by an outdoor terrace graced by arches and an outdoor open-air terrace with covered arcade. The rooftop offers an outdoor wine tasting area with wood burning outdoor fireplace and wooden trellising. Height of the winery is 32 feet, although the unoccupied design spaces of the winery extend to 45 ft. in places.

The winery design and construction details are reflected in a series of elevations included in this application.

Landscape Concept: The landscape architect for the winery is Christian Hedberg of CBH Design. The landscape concept for the winery is simple and evocative of the native landscape in California. It is largely drought-tolerant and is consistent with the County ordinances pertaining to the discouragement of pests that destroy vineyards, such as the glass-winged sharpshooter and mealy-mouth larvae. The landscape concept around the winery is minimalist, with seasonal color provided next to the winery structures. The surrounding vineyards provide the context for the winery landscape concept.

An entry treatment consisting of entry structure pillars and gate, with winery identification signage, is graced by landscaping consisting of stately date palms, native shrubs and grasses, small areas of drought-tolerant turf, and the use of structural materials that are indicative of naturally occurring materials in the area.

The landscape concept and winery entry structure/landscape treatment are reflected in the landscape concept plans and elevations sketches included with this application.

Winery Production Structure:

The production structure of the winery, on the southern portion of the winery development envelope, consists of a total of 20,886 (net) sq. ft. of area for enclosed crush, fermentation, and barrel storage, as well as ancillary facilities such as employee restrooms and locker rooms for winery workers. There is a covered receiving area totaling 2,541 sq. ft. on the southern edge of the production facility. The production-oriented portions of the winery are separate from accessory uses by a terrace area that includes an open-air courtyard and covered arcade.

Winery Accessory Structure:

The accessory portions of the winery development envelope are located on the northern end, with the open-air terrace separating these functions from the production area. Accessory uses for the winery include a tasting room and outdoor terrace, winery administrative offices and accessory storage areas, visitor restrooms, a second VIP tasting area with outdoor terrace, and a commercial kitchen. These accessory uses will be housed in a ground level and second-story of this structure.

The production-to-accessory ratio of these two structures is calculated as 34 percent.

Winery Access Roads and Parking:

The winery access road is proposed about mid-section in the parcel, extending west from a major winery entry at the Silverado Trail. A left-turn lane requirement is assumed at this location, since the winery traffic generation meets the County's threshold for this requirement. The road extends to the existing reservoir that parallels the alignment of the Napa River, then turns south and goes all the way around the winery development area. The road will meet the County's standard 20-ft. width (18 ft. paved with 2-ft. shoulders), and it will provide clear access to all portions of the two winery structures for purposes of fire safety.

A total of 13 permeable-surface visitor parking spaces are indicated on the eastern side of the winery, with one of these an ADA-accessible space of sufficient width for unloading an ADA-accessible van vehicle. There are an additional 10 impervious-surface employee parking spaces on the south side of the winery building. Additional overflow parking for larger winery events can be accommodated along the winery access road shoulders and along vineyard roads. Shuttle buses may be utilized for the largest winery events, with transport staged from another existing legal parking area.

Water Facilities:

The *Phase One Water Availability Analysis* conducted for this project reports a current water usage of 342,144 gallons per year and a proposed 1,205,649 gallons per year associated with the existing and proposed uses on a 49.05-acre site. There are approximately 40.2 acres of existing vineyards on the parcel. According to the property owner, all water for vineyard irrigation comes from the existing on-site irrigation reservoir. This is filled by a documented riparian water right from the Napa River. The conclusion of the *Phase One Report* is that the proposed uses fall within the established thresholds the County makes for suitable water allocation based on uses and land area.

The property currently has an existing groundwater well and is in the process of drilling a second well, anticipated to provide approximately 50 gallons of water per minute. All water usage for the winery and on-site residences will be provided by these groundwater wells. On the southeastern edge of the winery development envelope there is an area suitable for accommodating two water storage tanks that will hold at least 70,000 gallons of water for winery and vineyard use, but also for emergency fire service.

The employee and visitation numbers associated with this winery translate into a requirement for filing a transient water company plan. The feasibility report for this inclusion is part of this application and the appropriate plans will be filed with Napa County Environmental Management prior to issuance of any building permits for the project.

Wastewater Treatment Facilities:

Based on the results of soils testing on the subject parcel and the characteristics of the proposed winery, the civil engineer has recommended that the process and sanitary wastewater generated at the winery be disposed of on-site in a standard gravity distribution type septic system. The conclusion of the civil engineer in concern with NCEM personnel in testing is that the proposed winery can be served by a standard leach line type on-site wastewater disposal system. Full design calculations and construction plans will be prepared in accordance with Napa County Environmental Management Department standards at the time of building permit application.

The required *On-site Wastewater Disposal Feasibility Study* for the winery was prepared by Michael Muelrath of Applied Civil Engineering and is included with this application.

Winery Marketing Plan:

The County's Winery Definition Ordinance (WDO) requires that every winery have on file a marketing plan for the on-site promotion and retail sales of wines made at the winery. The marketing uses proposed for this winery include areas dedicated to the marketing and promotion of wine, wine tours and tastings, marketing events that pair wines with food service, a commercial kitchen to be used for such, and areas where retail sales of wine are indicated.

Private Tours/Tastings: The winery proposed a maximum of 48 persons per day for by-appointment winery tours/tastings. Request that food may be served at some of these tastings and will be prepared in the proposed commercial kitchen at the winery. There may be times when food is provided by licensed caterers, however.

Food and Wine Pairings: A maximum of six (6) such events per month are proposed, with a maximum of 24 guests in attendance at any one such event. These events include food served with wines, ranging from hors d'ouvres served with wines to multi-course luncheons and dinners. Food served at these events may be prepared in the proposed commercial kitchen or by licensed caterers.

Private tours/tastings may occur on the same day as a wine and food pairing, so long as the maximum daily 24-hour persons limitation is not exceeded.

Wine Club/Release Events: A maximum of six (6) such events yearly are proposed, with a maximum of 75 guests at attendance at any one such event. Food may be prepared by the commercial kitchen or by licensed caterer, or a combination of the two.

Larger Auction-related Events: A maximum of two (2) events per year, with a maximum of 125 persons in attendance at any one such event, is proposed. Food is likely to be provided by licensed caterer for events of this magnitude, although the food service may be augmented by service from the commercial kitchen at the winery. Portable restroom facilities will be provided at these larger events.

A.B. 2004/"Picnic" Ordinance: Request that the winery use permit include the ability to serve alcoholic beverages on-site, as provided for by the Evans Assembly Bill 2004. The area where this on-site consumption would occur is within the terrace area courtyard and covered arcade.

Hours of operation for tours/tastings are proposed as 10:00 A.M. until 6:00 P.M. Evening marketing events will commence at 6:00 P.M. and will conclude before 11:00 P.M.

No outdoor amplified music will be provided in association with winery marketing event unless expressly provided for in a Special Events Permit issued by Napa County.

REASONS FOR GRANTING A VARIANCE

Please describe what exceptional or extraordinary circumstances or conditions apply to your property (including the size, shape, topography, location or surroundings) which do not apply generally to other land, buildings, or use and because of which, the strict application of the zoning district regulations deprives your property of the privileges enjoyed by other property owners in the vicinity and under identical zoning classification.

The subject property is located on Silverado Trail, where the County's Winery Definition Ordinance (WDO) prescribes a minimum 600-ft. setback from the centerline of right of way on that County road. This parcel is rectilinear in shape, with an extensive frontage along the Silverado Trail and its western boundary defined by the Napa River. In addition, the property has an existing reservoir that is also rectilinear in shape and aligns itself parallel with the River bank. Further constraining the westernmost portion of the property is a Floodway and Flood Plain designation related to the Napa River. These conditions and constraints to structures translate into the necessity of having winery structures located less than 600 feet from the Silverado Trail as some other wineries are.

There have been a number of variances granted to winery properties along Silverado Trail, where similar constraints exist on those properties and also in circumstances where the proposed siting of the winery is consistent with the intent of the WDO setback and actually represents an "environmentally superior" alternative to the setback results. The intent of the WDO setback was to prevent the impression of a solid wall of structures along major arterials within the County. In this case, the rectilinear shape of the 49-acre property, in combination with the amount of frontage it enjoys along the Silverado Trail (approximately 2,700 linear feet or a half-mile), insure that the winery building will not have other wineries creating a cumulative visual effect that would be perceived as a solid wall of structures. In fact, if the structural aspect of the winery was separated and the two buildings sited in conformance with the setback, two impacts would be incurred. The first is that the perception of structures from the vantage point of the Trail would be extended further along the subject property. The second is that a large amount of prime planted vineyard would require removal, as compared to the removal of a small amount of vineyard land that does not represent prime growing conditions due to the floodway and floodplain.

Other wineries that are located closer than 600 feet from the Silverado Trail right of way include Black Stallion Winery, Paraduxx Winery, Luna, Signorello, Mumm, Rutherford Ranch, Quintessa, Rasmussen, and many others.

It should be noted that the variance request is for the building to be sited 462 feet from the Trail, 138 feet short of the 600-ft. setback. And that there is a slightly undulating knoll on the eastern side of the proposed winery site that will help screen the winery from Silverado Trail views, whereas building further away and raising the winery structure per the floodplain elevations requirements would make it more highly visible than siting it as proposed.

Please state why the granting of your variance request is necessary for the preservation and enjoyment of your substantial property rights.

One of the objectives of this applicant is to maximize the amount of viable (existing planted) vineyard land on the parcel for making estate-grown wines. If the winery must be sited in observance of the 600-ft. setback, it will require the removal of a vast swath of mature vineyard land to the northeast of where the winery is currently proposed. In addition, the winery structures would then be scattered along the entire length of the subject property, when the existing residential structures are taken into consideration.

Approval of the variance will result in the existing and proposed structures being loosely “clustered” as opposed to a conflagration of structures that could be perceived as a continuous line of structures along the frontage of the property. Approval of the variance will also prevent the necessity of this applicant unnecessarily removing more than two acres of prime vineyard plantings for siting of the winery structures. Finally, siting of the winery at 462 feet from Silverado Trail, as opposed to the setback of 600 ft., will result in a visually superior result due to the topographic character of the land on the eastern side of the winery development envelope.

The applicant’s primary objective is to protect his existing vineyard on this large property. The family’s business is viticulture. Approval of the variance maximizes the amount of prime vineyard on this property without the necessity of building the winery even higher in elevation due to floodplain requirements for building up out of that area.

Please state why the granting of your variance request will not adversely affect the health or safety of persons residing or working in the neighborhood of your property, and will not be materially detrimental to the public welfare or injurious to property or improvements in your neighborhood.

The proposed location of the winery at 462 ft. from centerline achieves the same goal and intent of the WDO setback, that of preventing the perception of a solid line of winery structures along a major arterial in the County. The 462-ft. setback is more than adequate from the roadway for insuring the safety of employees and visitors who come to the winery. There are no characteristics or constraints defining this property or the specific site of the winery that would represent a threat to public safety and health. In point of fact, locating the winery outside the floodway protects winery workers and visitors in the event of flooding on the Napa River, a non infrequent occurrence.

The 462-ft. setback from the Trail achieves the same visual intent as the ordinance, so far as aesthetics for neighbors, and is even superior to the 600-ft. setback in that it takes advantage of an existing knoll for partial screening of the structure and visual relief.

In summary, there are no reasons the proposed variance would constitute a safety hazard to employees, visitors, or neighbors of the winery. And it would not prove detrimental to the public welfare or injurious to neighboring properties in any fashion. Public safety is protected even better with the winery located outside the floodplain to the extent possible.



**NAPA COUNTY
CONSERVATION, DEVELOPMENT & PLANNING DEPARTMENT
1195 Third Street, Suite 210, Napa, California, 94559 (707) 253-4417**

APPLICATION FORM

FOR OFFICE USE ONLY

ZONING DISTRICT: _____ **Date Submitted:** _____
TYPE OF APPLICATION: _____ **Date Published:** _____
REQUEST: _____ **Date Complete:** _____

**TO BE COMPLETED BY APPLICANT
(Please print or type legibly)**

PROJECT NAME: Perla de Occidente Winery

Assessor's Parcel #: 039-190-028 **Existing Parcel Size:** 49.05

Site Address/Location: 3165 Silverado Trail Napa CA 94558
No Street City State Zip

Property Owner's Name: Napa Valley Holdings, LLC

Mailing Address: 125 Maximillian Court Napa CA 94558
No Street City State Zip

Telephone #: (707) 287-0872 **Fax #:** (707) _____ **E-mail:** tito_10381@hotmail.com

Applicant's Name: Roberto Corona

Mailing Address: P. O. Box 714 Rutherford CA 94573
No Street City State Zip

Telephone #: (707) 696-0615 **Fax #:** (707) _____ **E-mail:** tito_10381@hotmail.com

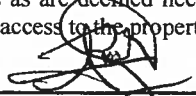
Status of Applicant's Interest in Property: Agent for Owners

Representative Name: Donna B. Oldford, Plans4Wine

Mailing Address: 2620 Pinot Way St. Helena CA 94574
No Street City State Zip

Telephone #: (707) 963-5832 **Fax #:** (707) _____ **E-mail:** DBOldford@aol.com

I certify that all the information in this application, including but not limited to the information sheet, water supply/ waste disposal information sheet, site plan, floor plan, building elevations, water supply/waste disposal system site plan and toxic materials list, is complete and accurate to the best of my knowledge. I hereby authorize such investigations including access to County Assessor's Records as are deemed necessary by the County Planning Division for preparation of reports related to this application, including the right of access to the property involved.

 2-27-13
 Signature of Property Owner Date

Roberto Corona
 Print Name

 2/27/13
 Signature of Applicant Date

Roberto Corona
 Print Name

TO BE COMPLETED BY CONSERVATION, DEVELOPMENT AND PLANNING DEPARTMENT

***Application Fee Deposit:** \$ _____ **Receipt No.** _____ **Received by:** _____ **Date:** _____

**Total Fees will be based on actual time and materials.*

USE PERMIT INFORMATION SHEET

USE

Narrative description of the proposed use (please attach additional sheets as necessary):

Use Permit & Variance (to 600-ft. setback from Silverado Trail):

New 100,000 gpy winery located on a 49.05 acre parcel on Silverado Trail, Napa. Includes a 84,597- sq. ft. winery development area with a 20,886 sq. ft. production building; a 7,164- sq. ft. accessory building; a 2,541 sq. ft. covered crush pad; a 1,200- sq. ft. water storage tank area to accommodate 70,000 gallons of water storage; in-ground process and sanitary wastewater treatment facilities, transient water system filing; winery access roads and 13 parking spaces (one ADA-accessible); winery commercial kitchen; and a winery marketing plan.

What, if any, additional licenses or approvals will be required to allow the use?

District None Regional RWQCB
State ABC; CA Fish & Game Federal BATE

IMPROVEMENTS

Narrative description of the proposed on-site and off-site improvements (please attach additional sheets as necessary):

A left-turn lane from Silverado Trail is indicated, based on traffic generation factors associated with the winery.

Improvements, cont.

Total on-site parking spaces: N/A existing 23 proposed

Loading areas: N/A existing 1 proposed

Fire Resistivity (check one, if not checked, Fire Marshall will assume Type V – non rated):

Type I FR Type II 1 Hr Type II N (non-rated) Type III 1 Hr Type III N

Type IV H.T. (Heavy Timber) Type V 1 Hr Type V (non-rated)

(for reference, please see the latest version of the California Building Code)

Is the project located in an Urban/Wildland Interface area? Yes No

Total land area to be disturbed by project (include structures, roads, septic areas, landscaping, etc.) 4 acres

Employment and Hours of Operation

Days of operation: N/A existing 7 days/week proposed

Hours of operation: N/A existing 6:00 am – 6:00 pm proposed

Anticipated number of employee shifts: N/A existing 1 proposed

Anticipated shift hours: N./a existing 6:00 am – 6:00 pm proposed

Maximum Number of on-site employees:

10 or fewer 11 – 24 25 or greater (specify number) _____

Alternately, you may identify a specific number of on-site employees:

other (specify number) _____

Certification and Indemnification

Applicant certifies that all the information contained in this application, including all information required in the Checklist of Required Application Materials and any supplemental submitted information including, but no limited to, the information sheet, water supply/waste disposal information sheet, site plan, floor plan, building elevations, water supply/waste disposal system site plan and toxic materials list, is complete and accurate to the best of his/her knowledge. Applicant and property owner hereby authorize such investigations including access to County Assessor's Records as are deemed necessary by the County Planning Division for preparation of reports related to this application, *including the right of access to the property involved.*

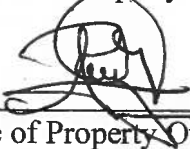
Pursuant to Chapter 1.30 of the Napa County Code, as part of the application for a discretionary land use project approval for the project identified below, Applicant agrees to defend, indemnify, release and hold harmless Napa County, its agents, officers, attorneys, employees, departments, boards and commissions (hereafter collectively "County") from any claim, action or proceeding (hereafter collectively "proceeding") brought against County, the purpose of which is to attack, set aside, void or annul the discretionary project approval of the County, or an action relating to this project required by any such proceeding to be taken to comply with the California Environmental Quality Act by County, or both. This indemnification shall include, but not be limited to damages awarded against the County, if any, and cost of suit, attorneys' fees, and other liabilities and expenses incurred in connection with such proceeding that relate to this discretionary approval or an action related to this project taken to comply with CEQA whether incurred by the Applicant, the County, and/or the parties initiating or bringing such proceeding. Applicant further agrees to indemnify the County for all of County's costs, attorneys' fees, and damages, which the County incurs in enforcing this indemnification agreement.

Applicant further agrees, as a condition of project approval, to defend, indemnify and hold harmless the County for all costs incurred in additional investigation of or study of, or for supplementing, redrafting, revising, or amending any document (such as an EIR, negative declaration, specific plan, or general plan amendment) if made necessary by said proceeding and if the Applicant desires to pursue securing approvals which are conditioned on the approval of such documents.

In the event any such proceeding is brought, County shall promptly notify the Applicant of the proceeding, and County shall cooperate fully in the defense. If County fails to promptly notify the Applicant of the proceeding, or if County fails to cooperate fully in the defense, the Applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the County. The County shall retain the right to participate in the defense of the proceeding if it bears its own attorneys' fees and costs, and defends the action in good faith. The Applicant shall not be required to pay or perform any settlement unless the settlement is approved by the applicant.

Roberto Corona
Napa Valley Holdings, LLC

Print Name of Property Owner



Signature of Property Owner

2-27-13

Date

Roberto Corona

Print Name of Applicant (if different)



Signature of Applicant

2/27/13

Date

Supplemental Application for Winery Uses

Operations

Please indicate whether the activity or uses below are already legally **EXISTING**, whether they exist and are proposed to be **EXPANDED** as part of this application, whether they are **NEWLY PROPOSED** as part of this application, or whether they are neither existing nor proposed (**NONE**).

Retail Wine Sales	<input type="checkbox"/> Existing	<input type="checkbox"/> Expanded	<input checked="" type="checkbox"/> Newly Proposed	<input type="checkbox"/> None
Tours and Tasting – Open to the Public	<input type="checkbox"/> Existing			
Tours and Tasting – By Appointment	<input type="checkbox"/> Existing	<input type="checkbox"/> Expanded	<input checked="" type="checkbox"/> Newly Proposed	<input type="checkbox"/> None
Food at Tours and Tastings	<input type="checkbox"/> Existing	<input type="checkbox"/> Expanded	<input checked="" type="checkbox"/> Newly Proposed	<input type="checkbox"/> None
Marketing Events*	<input type="checkbox"/> Existing	<input type="checkbox"/> Expanded	<input checked="" type="checkbox"/> Newly Proposed	<input type="checkbox"/> None
Food at Marketing Events	<input type="checkbox"/> Existing	<input type="checkbox"/> Expanded	<input checked="" type="checkbox"/> Newly Proposed	<input type="checkbox"/> None
Will food be prepared...	<input checked="" type="checkbox"/> On-site?	<input checked="" type="checkbox"/> Catered?		
Public display of art or wine-related items	<input type="checkbox"/> Existing	<input type="checkbox"/> Expanded	<input checked="" type="checkbox"/> Newly Proposed	<input type="checkbox"/> None

*For reference please see definition of "Marketing," at Napa County Code §18.08.370 – <http://library.municode.com/index.aspx?clientid=16513>

Production Capacity*

Please identify the winery's...

Existing production capacity: N/A gal/y Per Permit No: N/A Permit Date: N/A

Current maximum actual production: N/A gal/y For what year? N/A

Proposed production capacity: 100,000 gal/y

*For this section please see "Winery Production Process," at Page 11.

Visitation and Hours of Operation

Please identify the winery's...

Maximum daily tours and tastings visitation:	<u>N/A</u> existing	<u>48/day</u> proposed
Average daily tours and tastings visitation ¹ :	<u>N/A</u> existing	<u>32/day</u> proposed
Visitation hours (e.g. M-Sa, 10am-4pm):	<u>N/A</u> existing	<u>10:00 am – 6:00 pm</u> proposed
Non-harvest Production hours ² :	<u>N/A</u> existing	<u>6:00 am – 6:00 pm</u> proposed

¹Average daily visitation is requested primarily for purposes of environmental review and will not, as a general rule, provide a basis for any condition of approval limiting allowed winery visitation.

²It is assumed that wineries will operate up to 24 hours per day during crush.

Grape Origin

All new wineries and any existing (pre-WDO) winery expanding beyond its winery development area must comply with the 75% rule and complete the attached "Initial Statement of Grape Source". See Napa County Code §18.104.250(B) & (C).

Marketing Program

Please describe the winery's proposed marketing program. Include event type, maximum attendance, food service details, etc. Differentiate between existing and proposed activities. (Attach additional sheets as necessary.)

Food and Wine Pairings: 6 per month with maximum 24 guests each.

Wine Club / Release Events: 6 per year with maximum 75 guests each.

Larger Auction-related Events: 2 per year with maximum 125 guests each (portable facilities utilized.)

Approval for food served with wine tastings.

Approval for A.B. 2004 ("Picnic" Ordinance), allowing on-site consumption of alcoholic beverages.

Food Service

Please describe the nature of any proposed food service including type of food, frequency of service, whether prepared on site or not, kitchen equipment, eating facilities, etc. Please differentiate between existing and proposed food service. (Attach additional sheets as necessary.)

Food served with wine will be provided by via a proposed on-site commercial kitchen and also via caterers licensed to provide service in Napa County.

Winery Coverage and Accessory/Production Ratio

Winery Development Area. Consistent with the definition at "a." at page 11, and with the marked-up side plans included in your submittal, please indicate your proposed winery development area. If the facility already exists, please differentiate between existing and proposed.

Existing N/A sq. ft. 49.05 acres
Proposed 39,926 sq. ft. 0.92 acres

Winery Coverage. Consistent with the definition at "b." at page 11 and with the marked-up site plans included in your submittal, please indicate your proposed winery coverage (maximum 25% of parcel or 15 acres, whichever is less).

 39,926 sq. ft. 0.92 Acres 0.02 % of parcel

Production Facility. Consistent with the definition at "c." at page 11 and the marked-up floor plans included in your submittal, please indicate your proposed production square footage

Existing N/A sq. ft. Proposed 23,132 sq. ft.

Accessory Use. Consistent with the definition at "d." at page 11 and the marked-up floor plans included in your submittal, please indicate your proposed accessory square footage. If the facility already exists, please differentiate between existing and proposed. (maximum = 40% of the production facility)

Existing N/A sq. ft. N/A % of production facility
Proposed 7,164 sq. ft. 35.8 % of production facility

Caves and Crushpads

If new or expanded caves are proposed please indicate which of the following best describes the public accessibility of the cave space:

None – no visitors/tours/events (Class I) Guided Tours Only (Class II) Public Access (Class III)

Marketing events and/or Temporary Events (Class III) **No wine caves proposed.**

Please identify the winery's...

Cave area Existing: N/A sq. ft. Proposed: N/A sq. ft.
Covered crush pad area Existing: N/A sq. ft. Proposed: 2,541 sq. ft.
Uncovered crush pad area Existing: N/A sq. ft. Proposed: 0 sq. ft.

Initial Statement of Grape Source

Pursuant to Napa County Zoning Ordinance Sections 12419(b) and (c), I hereby certify that the current application for establishment or expansion of a winery pursuant to the Napa County Winery Definition Ordinance will employ sources of grapes in accordance with the requirements of Section 12419(b) and/or (c) of that Ordinance.



Owner's Signature

2-27-13

Date

Letters of commitment from grape suppliers and supporting documents may be required prior to issuance of any building permits for the project. Recertification of compliance will be required on a periodic basis. Recertification after initiation of the requested wine production may require the submittal of additional information regarding individual grape sources. Proprietary information will not be disclosed to the public.

WATER SUPPLY/WASTE DISPOSAL INFORMATION SHEET

Water Supply

Proposed source of water
(e.g., spring, well, mutual water company, city, district, etc)

Domestic

Groundwater
Well

Emergency

Storage Tanks

Name of Proposed Water Supplier
(if water company, city, district):

N/A

N/A

Is annexation needed?

Yes No

Yes No

Current Water Use:

937 gallons per day (gal/d)

Current water source:

On-site reservoir

Tanks & Reservoir

Anticipated future water demand

3,303 gal/d

Per CDF gal/d

Water availability (in gallons/minute):

17 gal/m

Per CDF gal/m

Capacity of water storage system:

10,000 + 1 gal

60,000 + 1 gal

Type of emergency water storage facility, if applicable
(e.g., tank, reservoir, swimming pool, etc.):

Water Tanks & Reservoir

Liquid Waste

Type of Waste:

Domestic

Sewage

Other

Winery PW

Disposal Method (e.g., on-site septic system, on-site ponds, community system, district, etc.):

On-Site
Septic

On-site septic

Name of disposal agency
(if sewage district, city, community system):

N/A

N/A

Is annexation needed?

Yes No

Yes No

Current waste flows (peak flow):

N/A gal/d

N/A gal/d

Anticipated future waste flows (peak flows):

1,509 gal/d

2,500 gal/d

Future waste disposal capacity:

1,509 gal/d

2,500 gal/d

Solid Waste and Recycling Storage and Disposal

Please include location and size of solid waste and recycling storage on site plans in accordance with the guidelines available at www.countyofnapa.org/dem.

Hazardous and/or Toxic Materials

If your facility generates hazardous waste or stores hazardous materials above threshold planning quantities (55 gallons liquid, 500 pounds solid or 200 cubic feet of compressed gas) than a hazardous materials business plan and/or a hazardous waste generator permit will be required.

Grading Spoils Disposal

Where will grading spoils be disposed of?

(e.g. on-site, landfill, etc. If off-site, please indicate where off-site:)

On-site, winery access road and vineyard rows

----- Winery Traffic Information / Trip Generation Sheet -----

Traffic during a Typical Weekday

Number of FT employees: <u>12</u> x 3.05 one-way trips per employee	=	<u>37</u>	daily trips.
Number of PT employees: <u>4</u> x 1.90 one-way trips per employee	=	<u>7</u>	daily trips.
Average number of weekday visitors: <u>32</u> / 2.6 visitors per vehicle x 2 one-way trips	=	<u>24</u>	daily trips.
Gallons of production: <u>100,000</u> / 1,000 x .009 truck trips daily ³ x 2 one-way trips	=	<u>1</u>	daily trips.
Total	=	<u>69</u>	daily trips.
(No of FT employees) + (No of PT employees/2) + sum of visitor and truck <u>trips</u> x .38)	=	<u>39</u>	PM peak trips.

Traffic during a Typical Saturday

Number of FT employees (on Saturdays): <u>12</u> x 3.05 one-way trips per employee	=	<u>37</u>	daily trips.
Number of PT employees (on Saturdays): <u>4</u> x 1.90 one-way trips per employee	=	<u>7</u>	daily trips.
Average number of Saturday visitors: <u>32</u> / 2.8 visitors per vehicle x 2 one-way trips	=	<u>24</u>	daily trips.
Total	=	<u>68</u>	daily trips.
(No of FT employees) + (No of PT employees/2) + visitor <u>trips</u> x .57)	=	<u>32</u>	PM peak trips.

Traffic during a Crush Saturday

Number of FT employees (during crush): <u>12</u> x 3.05 one-way trips per employee	=	<u>37</u>	daily trips.
Number of PT employees (during crush): <u>4</u> x 1.90 one-way trips per employee	=	<u>7</u>	daily trips.
Average number of Saturday visitors: <u>32</u> / 2.8 visitors per vehicle x 2 one-way trips	=	<u>24</u>	daily trips.
Gallons of production: <u>100,000</u> / 1,000 x .009 truck trips daily x 2 one-way trips	=	<u>1</u>	daily trips.
Avg. annual tons of grape on-haul: <u>4,848</u> / 144 truck trips daily ⁴ x 2 one-way trips	=	<u>67</u>	daily trips
Total	=	<u>136</u>	daily trips.

Largest Marketing Event – Additional Traffic

Number of event staff (largest event): <u>10</u> x 2 one-way trips per staff person	=	<u>20</u>	trips.
Number of visitors (largest event): <u>75</u> / 2.8 visitors per vehicle x 2 one-way trips	=	<u>54</u>	trips.
Number of special event truck trips (largest event): <u>4</u> x 2 one-way trips	=	<u>8</u>	trips.

³Assumes 1.47 materials & supplies trips + 0.8 case goods trips per 1,000 gallons of production / 250 days per year (see *Traffic Information Sheet Addendum* for reference).

⁴Assume 4 tons per trip / 36 crush days per year (see *Traffic Information Sheet Addendum* for reference).

Taylor Lombardo Architects LLC
 529 Commercial Street
 Suite 400 San Francisco
 California 94111
 (415) 433-7777 fax
 (415) 433-7717 fax
 www.taylorlombardo.com

Project: **Perla de Occidente Winery**

Address: 3165 Silverado Trail
 Napa, CA 94558

APN: 052-130-037

Building Area Summary

Production vs Accessory			
Total Net Usable Areas by Type	Net Production		Net Accessory
	21,887		8,703
Total Net Usable Areas		30,590	
Accessory Percentage of Total Net Production Area:			39.8 %

Building Area Details

ROOM NAME/ TYPE	AREA (SF)	
	PRODUCTION	ACCESSORY
HOSPITALITY BUILDING		
<u>First Floor</u>		
101 Entry Foyer		126
102 Main Tasting Room		2228
103 Stair		215
104 Mens Restroom		274
105 Womens Restroom		263
106 Store/Glass Washing		289
107 Office		152
108 Wine Storage	426	
109 Dining		510
110 Kitchen		426
<u>Second Floor</u>		
201 Reserve Tasting		539
203 Womens Restroom		102
204 Mens Restroom		108
205 Hallway		145
206 VIP Tasting		1,361
Total Net Hospitality Building		7,164
Exterior and Interior Walls		1,898

Total Gross Hospitality Building

9,062

Production Building			
ROOM NAME/ TYPE	AREA (SF)		
	PRODUCTION	ACCESSORY	
<u>First Floor</u>			
111 Storage	177		
112 Mens Restroom	83		
113 Womens Restroom	83		
114 Break Room			312
115 Kitchen/Lab	168		
116 Hallway	238		
117 Stair	126		
118 Fermentation	6,195		
119 Work Area	3,453		
120 Barrel Storage	6,001		
121 Mech. Yard	2,396		
<u>Second Floor</u>			
208 Conference Room			268
209 Office Space			1,073
210 Executive Office			312
Total Net Production Building		20,886	
Exterior and Interior Walls		860	

Total Gross Production Building

21,746

Covered Receiving Area			
122 Covered Receiving Area	2,541		
Total Net Covered Receiving	2,541		

Total Gross Covered Receiving

2,541

Total Overall Gross Area

33,349

30,808 #

Taylor Lombardo Architects LLP
 529 Commercial Street Suite 400 San Francisco California 94111
 (415) 433-7777 Tel (415) 433-7717 Fax
 www.taylorlombardo.com

Project: **Perla de Occidente Winery**

Address: 3165 Silverado Trail
 Napa, CA 94558

APN: 052-130-037

Building Area Summary

Production vs Accessory			
Total Net Usable Areas by Type	Net Production	Net Accessory	
		21,202	8,358
Total Net Usable Areas	29,560		
Accessory Percentage of Total Net Production Area:		39.4 %	

Building Area Details

ROOM NAME/ TYPE	AREA (SF)	
	PRODUCTION	ACCESSORY
HOSPITALITY BUILDING		
First Floor		
101 Entry Foyer		554
102 Main Tasting Room		2123
103 Stair		205
104 Mens Restroom		252
105 Womens Restroom		262
106 Store/Glass Washing		275
107 Office		144
Second Floor		
201 Reserve Tasting		514
203 Womens Restroom		97
204 Mens Restroom		104
205 Hallway		139
206 VIP Tasting		1,296
208 Wine Storage	338	
209 Dining		480
210 Kitchen		338
Total Net Hospitality Building		7,121
Exterior and Interior Walls		1,175

Total Gross Hospitality Building

8,296

Production Building			
ROOM NAME/ TYPE	AREA (SF)		
	PRODUCTION	ACCESSORY	
First Floor			
111 Storage	170		
112 Mens Restroom	80		
113 Womens Restroom	80		
114 Employee Locker	312		
115 Kitchen/Lab	168		
116 Hallway	227		
117 Stair	121		
118 Fermentation	6,000		
119 Work Area	3,290		
120 Barrel Storage	5,714		
121 Mech. Yard	2,282		
Second Floor			
211 Conference Room			254
212 Office Space			1,023
213 Executive Office			298
Total Net Production Building		20,019	
Exterior and Interior Walls		693	

Total Gross Production Building

20,712

Covered Receiving Area			
ROOM NAME/ TYPE	PRODUCTION	ACCESSORY	
122 Covered Receiving Area	2,420		
Total Net Covered Receiving		2,420	

Total Gross Covered Receiving

2,420

Total Overall Gross Area

31,428

Hi Donna,

Here is a summary of the impervious areas:

IMPERVIOUS SURFACE SUMMARY				
	PRE-PROJECT AREA (SF)	NEW AREA (SF)	RECONSTRUCTED AREA (SF)	TOTAL NEW AND RECONSTRUCTED AREA (SF)
BUILDINGS / ROOFS	6,547	28,553	0	28,553
PATIO / DECKING / PAVERS	1,392	2,028	0	2,028
SIDEWALKS / PATHS	0	3,256	0	3,256
PARKING	0	4,300	0	4,300
ROADWAYS AND DRIVEWAYS	28,270	41,616	0	41,616
OFF-SITE IMPROVEMENTS	835	4,844	0	4,844
TOTAL AREA OF IMPERVIOUS SURFACE (EXCLUDING ROADWAYS AND DRIVEWAYS)	7,939	38,137	0	38,137

This should match what is on your plan, let me know if it does not.

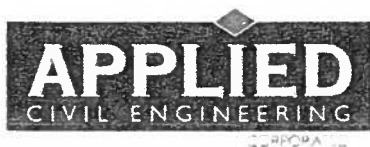
Also, I was in the area yesterday and saw the olive trees planted along Silverado Trail between the existing trees. Luckily they are very small and should be easy to move. Some of them would have had to be removed anyway for the left turn lane widening. Please send the County letter when you have a chance.

Thank you,

Mike

Mike Muelrath, P.E.

Principal



2074 West Lincoln Avenue

Napa, CA 94558



A Tradition of Stewardship
A Commitment to Service

RECEIVED

MAR - 1 2013

Napa County Planning, Building
& Environmental Services

Department of Public Works

1195 Third Street, Suite 201
Napa, CA 94559-3092
www.co.napa.ca.us/publicworks

Main: (707) 253-4351
Fax: (707) 253-4627

Donald G. Ridenhour, P.E.
Director

WATER AVAILABILITY ANALYSIS - PHASE ONE STUDY

Introduction: As an applicant for a permit with Napa County, It has been determined that Chapter 13.15 of the Napa County Code is applicable to approval of your permit. One step of the permit process is to adequately evaluate the amount of water your project will use and the potential impact your application might have on the static groundwater levels within your neighborhood. The public works department requires that a Phase 1 Water Availability Analysis (WAA) be included with your application. The purpose of this form is to assist you in the preparation of this analysis. You may present the analysis in an alternative form so long as it substantially includes the information required below. Please include any calculations you may have to support your estimates.

The reason for the WAA is for you, the applicant, to inform us, to the best of your ability, what changes in water use will occur on your property as a result of an approval of your permit application. By examining the attached guidelines and filling in the blanks, you will provide the information we require to evaluate potential impacts to static water levels of neighboring wells.

Step #1:

Provide a map and site plan of your parcel(s). The map should be an 8-1/2"x11" reproduction of a USGS quad sheet (1:24,000 scale) with your parcel outlined on the map. Include on the map the nearest neighboring well. The site plan should be an 8-1/2"x11" site plan of your parcel(s) with the locations of all structures, gardens, vineyards, etc in which well water will be used. If more than one water source is available, indicate the interconnecting piping from the subject well to the areas of use. Attach these two sheets to your application. If multiple parcels are involved, clearly show the parcels from which the fair share calculation will be based and properly identify the assessor's parcel numbers for these parcels. Identify all existing or proposed wells

Step #2: Determine total parcel acreage and water allotment factor. If your project spans multiple parcels, please fill a separate form for each parcel.

Determine the allowable water allotment for your parcels:

Parcel Location Factors

The allowable allotment of water is based on the location of your parcel. There are 3 different location classifications. Valley floor areas include all locations that are within the Napa Valley, Pope Valley and Carneros Region, except for areas specified as groundwater deficient areas. Groundwater deficient areas are areas that have been determined by the public works department as having a history of problems with groundwater. All other areas are classified as Mountain Areas.

Please underline your location classification below (Public Works can assist you in determining your classification if necessary):

Valley Floor	1.0 acre feet per acre per year
Mountain Areas	0.5 acre feet per acre per year
MST Groundwater Deficient Area	0.3 acre feet per acre per year

Assessor's Parcel Number(s)	Parcel Size (A)	Parcel Location Factor (B)	Allowable Water Allotment (A) X (B)
039-190-028	49.05	1	49

Step #3:

Using the guidelines in Attachment A, tabulate the existing and projected future water usage on the parcel(s) in acre-feet per year (af/yr). Transfer the information from the guidelines to the table below.

EXISTING USE:

PROPOSED USE:

Residential	1.05	af/yr	Residential	1.05	af/yr
Farm Labor Dwelling		af/yr	Farm Labor Dwelling		af/yr
Winery		af/yr	Winery	2.65	af/yr
Commercial		af/yr	Commercial		f/yr
Vineyard*		af/yr	Vineyard*		af/yr
Other Agriculture		af/yr	Other Agriculture		af/yr
Landscaping		af/yr	Landscaping		af/yr
Other Usage (List Separately):			Other Usage (List Separately):		
_____		af/yr	_____		af/yr
_____		af/yr	_____		af/yr
_____		af/yr	_____		af/yr

TOTAL: 1.05 af/yr
342,144 gallons**

TOTAL: 3.7 af/yr
TOTAL: 1,205,649 gallons**

Is the proposed use less than the existing usage? Yes No Equal

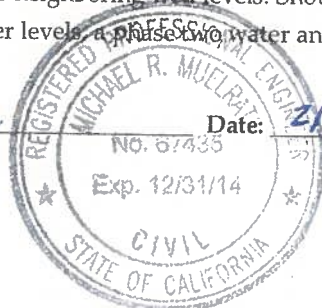
Step #4:

Provide any other information that may be significant to this analysis. For example, any calculations supporting your estimates, well test information including draw down over time, historical water data, visual observations of water levels, well drilling information, changes in neighboring land uses, the usage if other water sources such as city water or reservoirs, the timing of the development, etc. Use additional sheets if necessary.

There are approximately 40.2 acres of existing vineyard located on the subject parcel. According to the property owner, all water for vineyard purposes comes from the existing onsite irrigation reservoir which is filled by a riparian water right from the Napa River and no groundwater is used for vineyard irrigation.

Conclusion: Congratulations! Just sign the form and you are done! Public works staff will now compare your projected future water usage with a threshold of use as determined for your parcel(s) size, location, topography, rainfall, soil types, historical water data for your area, and other hydrogeologic information. They will use the above information to evaluate if your proposed project will have a detrimental effect on groundwater levels and/or neighboring well levels. Should that evaluation result in a determination that your project may adversely impact neighboring water levels, a phase two water analysis may be required. You will be advised of such a decision.

Signature: Michael R. Muelbrath Date: 2/26/2013 Phone: (707) 320-4968



WATER AVAILABILITY ANALYSIS - PHASE ONE STUDY

Attachment A: Estimated Water Use Guidelines

Typical Water Use Guidelines:

Primary Residence	0.5 to 0.75 acre-feet per year (includes some landscaping)
Secondary Residence	0.20 to 0.30 acre-feet per year
Farm Labor Dwelling	0.06 to 0.10 acre-feet per person per year

Non-Residential Guidelines:

Agricultural:

Vineyards

Irrigation only	0.2 to 0.5 acre-feet per acre per year
Heat Protection	0.25 acre feet per acre per year
Frost Protection	0.25 acre feet per acre per year
Farm Labor Dwelling	0.06 to 0.10 acre-feet per person per year
Irrigated Pasture	4.0 acre-feet per acre per year
Orchards	4.0 acre-feet per acre per year
Livestock (sheep or cows)	0.01 acre-feet per acre per year

Winery:

Process Water	2.15 acre-feet per 100,000 gal. of wine
Domestic and Landscaping	0.50 acre-feet per 100,000 gal. of wine

Industrial:

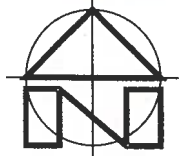
Food Processing	31.0 acre-feet per employee per year
Printing/Publishing	0.60 acre-feet per employee per year

Commercial:

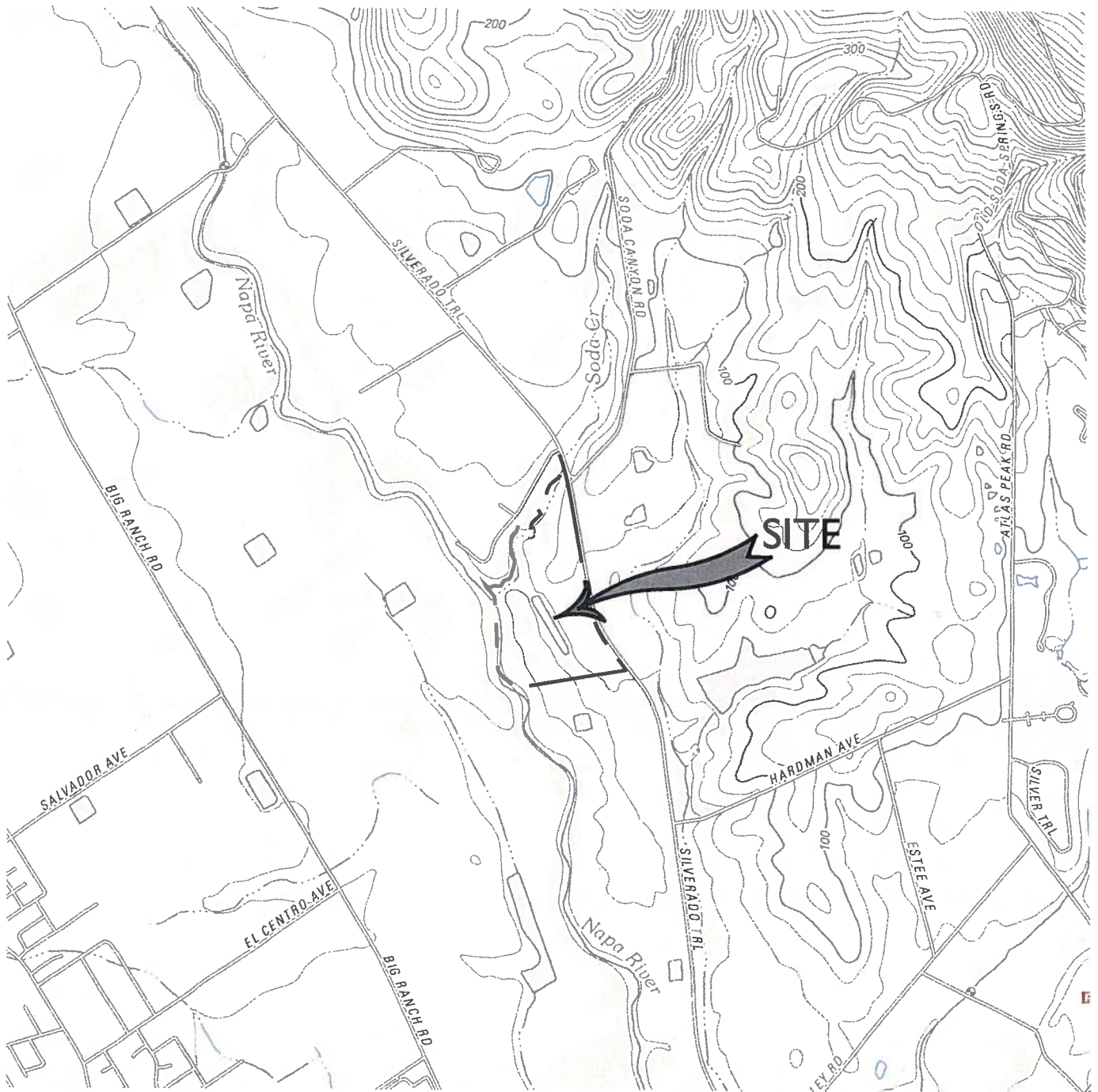
Office Space	0.01 acre-feet per employee per year
Warehouse	0.05 acre-feet per employee per year

SITE TOPOGRAPHY MAP

REPRESENTS A PORTION OF THE
UNITED STATES GEOLOGICAL SURVEY 7.5 MINUTE QUADRANGLE
"NAPA, CA"



SCALE: 1" = 2,000'



2074 West Lincoln Avenue
Napa, CA 94558
(707) 320-4968 (707) 320-2395 Fax
www.appliedcivil.com

PERLA DE OCCIDENTE
3165 SILVERADO TRAIL
NAPA, CA 94558
APN 039-190-028

JOB NO. 12-113

DECEMBER 2012