**Exhibit A**

**BACKGROUND**

**Sinegal Estate, P13-00261**

**2125 Inglewood Avenue, St. Helena, Calif., 94574**

**Assessor’s Parcel *№.* 027-120-008**

**Owner/Applicant:**David Sinegal, 2125 Inglewood Avenue, St. Helena, CA 94574, (714) 330-7128, david@orivo.com

**Representative:**    Tom Adams, 1455 First Street, Suite 301, Napa, CA 94559, (707) 261-7106, tadams@dpf-law.com

**Zoning:**    AW (Agricultural Watershed) and AP (Agricultural Preserve)

**General Plan Designation:**    Agriculture Watershed and Open Spaces (AWOS) and Agricultural Preserve (AP) Designations

**Filed:**    August 12, 2013 Revised:  September 23, 2013; November 25, 2013

**Complete:**    February 1, 2014

**Production Capacity - Existing:** 13,200 gallons per year

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

Winery Size-Existing: 4,400 square feet

Winery Size-Proposed: 20,255 square feet (including caves)

Accessory to Production Ratio-Existing: n/a

Accessory to Production Ratio-Proposed: 8.2%

**Winery Coverage - Existing:**    Approx. 0.7 acres (15 acres max) and/or 3% of the 30 acre lot area (25% max)

**Winery Coverage - Proposed:**    Approx. 0.9 acres (15 acres max) and/or 3.5% of the 30 acre lot area (25% max)

**Number of Employees - Existing:** 1 employee

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

**Visitation - Existing:**    one visitor per week

**Visitation - Proposed:**    Private tours and tastings; max of 21 visitors per day; max of 120 visitors per week

**Hours of Operation - Existing:**    8 am to 5 pm, daily

**Hours of Operation - Proposed:**    8 am to 5 pm, daily

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

**Visitation Hours - Proposed:**    10 am to 6 pm, daily

**Parking - Existing:** 3 spaces

**Parking - Proposed:** 8 spaces

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

North
Agriculture Preserve (AP) Designation - AW (Agricultural Watershed) zoning
Agricultural, residential, and approved/producing winery uses on large lots (Martini Winery, Praeger Winery, Sutter Home Winery, Hall Winery, Sattui Winery)

South
Agriculture, Watershed and Open Spaces (AWOS) and Agricultural Resource (AR) Designations - AW (Agricultural Watershed) and AP (Agricultural Preserve) zoning
Agricultural, residential, and approved/producing winery uses on large lots (Del Dotto Winery, Floral Springs Wine Co)

West
Agriculture, Watershed and Open Spaces (AWOS) and Agricultural Resource (AR) Designations - AW (Agricultural Watershed) and AP (Agricultural Preserve) zoning
Agricultural, residential, and approved/producing winery uses on large lots (Edge Hill Estate Winery, Marciano Winery)

East
Agricultural Resource (AR) Designation - AW (Agricultural Watershed) zoning
Agricultural, residential, and approved winery uses on large lots (Sandpoint Winery, Villa Helena, Milat Winery, Corison Winery)

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

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Winery Name | Address | Status | Total Production | Tours & Tasting | Visitors(Avg/Week) |
| Martini Winery  | 254 St. Helena Hwy  | Producing | 2,000,000 gallons | Public | 1,400 visitors per week; 294 by appointment per week |
| Hall Winery  | 401 St. Helena Hwy | Producing | 1,260,000 gallons | Public | 3,500 visitors per week |
| Sattui Winery  | 1111 White Lane | Producing | 96,000 gallons | Public | 3,850 visitors per week |
| Praeger Winery  | 1281 Lewelling Lane | Producing | 8,500 gallons | Appointment | 42 visitors per week |
| Sutter Home Winery  |  277 St. Helena Hwy | Producing | 200,000 gallons per year | Public | 500 visitors per week |
| Villa Helena  | 1455 Inglewood Ave | Producing  | 6,000 gallons per year | Appointment | 20 visitors per week |
| Corison Winery  | 987 St. Helena Hwy  | Producing  | 20,000 gallons per year | Appointment  | 10 visitors per week |
| Milat Winery  | 1091 St. Helena Hwy  | Producing  | 20,000 gallons per year | Public | 140 visitors per week |
| Sandpoint Winery  | 1919 Inglewood Avenue | Approved  | 30,000 gallons per year | Appointment | 112 visitors per week |
| Edge Hill Estate Winery  | 2585 Sulfur Springs  | Producing  | 24,000 gallons per year | Appointment | 25 visitors per week |
| Marciano Winery  | 2233 Sulfur Springs  | Approved  | 20,000 gallons per year | Appointment | 75 visitors per week |
| Flora Springs Wine Co | 1978 Zinfandel Lane ~ | Producing  | 120,000 gallons per year | Appointment | 175 visitors per week |
| Del Dotto Winery  | 1445 St. Helena Hwy  | Producing  | 48,000 gallons per year | Appointment | 200 visitors per week |

**Parcel History and Evolution of this Application**

The site was developed with vineyard rows, a winery, and related improvements per Use Permit #438182 on August 4, 1982 for William Jaeger Winery and has been a functioning winery since that time. The application to modify the winery and related construction was submitted on August 12, 2013. The application was complete February 1, 2014.

**Code Compliance History**

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

**Discussion Points**

Setting- Sinegal Estate is located on a 30 acre parcel at the terminus of Inglewood Avenue on the northwest side, approximately ½ mile west of St. Helena Highway. The proposed 60,000 gallons per year winery involves construction of expanded winery buildings totaling 4,780 square feet, a hospitality and tasting room, and office space of 1,535 square feet; a 710 square feet covered crush area, and 13,200 square feet of caves for barrel storage.

Land uses in the vicinity are a mix of large lot residential uses, active vineyard operations, and wineries with production ranging from 6,000 to 2,000,000 gallons annually. Residential uses in the project area are located primarily northwest of the project site.

Proposed Building Design- The expanded winery building is located over 700 feet from Inglewood Avenue and is a low profile one-story design with a building height of 22 feet. No existing vineyard will need to be removed for the expanded winery building and new hospitality area or work area. In order to accommodate the necessary access requirements the construction will encroach upon an unnamed stream on the property. The expanded and additional winery buildings will be architecturally consistent with the existing winery structure.

The applicant has applied for an Exception to the Conservation Regulations due to the constraints on the site with the existing development. In order to attenuate any impacts from this encroachment a Riparian Restoration plan has been incorporated into the project scope and reflected in the Conditions of Approval to restore the area within the 45 foot setback area. The findings for the Exception are reflected in Exhibit B and staff finds that any potentially significant impacts in the stream setback have been avoided with incorporation and implementation of the Riparian Restoration plan.

Tours and Tastings/Marketing Events- The applicant is proposing tours and tastings by appointment only on a daily basis up to a maximum of 21 visitors per day from 10 AM to 6 PM daily; private promotional tastings with meals up to 48 per year with a maximum of 10 guests between the hours of 10 AM to 10 PM; marketing events up to six per year with a maximum of 30 guests between the hours of 10 AM to 10 PM; and two events per year with a maximum of 60 guests between the hours of 10 AM to 10 PM; and participation in Auction Napa Valley.

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 Sinegal Estate’s building square footage relative to its production capacity hits on the low end of the spectrum at 6,315 square feet, with other wineries ranging in

size from 2,000 square feet to almost 25,960 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 | APPT | 210 | 18 | 10,800 |
| BOURASSA WINERY | 60,000 | APPT | 45 | 10 | 9,604 |
| ELYSE WINERY | 60,000 | APPT | 24 | No data\* | 4,287 |
| FREEMARK ABBEY | 60,000 | PUB | 1,800 | No data\* | 32,702 |
| HUNNICUTT WINERY | 60,000 | APPT | 21 | 16 | 28,538 |
| ODETTE WINERY | 59,999 | APPT | 917 | 96 | 5,485 |
| SPELLETICH WINERY | 60,000 | NONE | 0 | No data\* | 7,300 |
| STAGS LEAP WINERY (DOUMANI 1) | 60,000 | APPT | 280 | No data\* | 23,939 |
| TRUCHARD VINEYARDS | 60,000 | NONE | 12 | No data\* | 1,632 |
| TAMBER BEY | 60,000 | APPT | 140 | 26 | 19,382 |
| 3730 SILVERADO TRAIL WINERY | 60,000 | APPT | 210 | 18 | 28,524 |
| **SINEGAL ESTATE** | 60,000 | **APPT** | **120** | **57** | **4,780** |

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

Traffic- The applicant has submitted a Traffic Study prepared by Omni-Means which analyzes impacts to traffic as a result of the project. The analysis concludes that the project will result in an average increase of 30 daily weekday trips, with 11 of those occurring in the peak afternoon hours. On weekends, there would be an average of 24 additional trips, with 7 during the peak hours. Traffic during crush would result in 35 daily weekend trips. On the two days when the largest 60 person events occur there would be an increase of 63 trips, which would typically occur in the evening outside of the normal operating hours. The increased traffic will not reduce the level of service (LOS) on Inglewood Avenue which currently operates at LOS A. While the project would result in increased delays of turning movements during the peak hours at the Inglewood Avenue/St. Helena Highway intersection by 4-6 seconds, the LOS of the intersection will continue to operate at LOS C.

The Engineering Division and Public Works Department have reviewed the traffic study and application materials and recommend approval of the project on the basis that the traffic volumes are below the threshold that would impact Inglewood Avenue and St. Helena Highway. There will be no residual individually or cumulatively significant traffic impacts associated with this project as regards traffic congestion and levels of service.

Access to the site will be accommodated via a twenty-foot wide driveway leading to the winery, with the exception of the nine foot bridge which spans approximately 20 feet. There are no design features that will impact traffic on Inglewood Avenue. The Department of Public Works and Engineering Services reviewed project access and recommends approval of the project as proposed. The Napa County Fire Marshall reviewed this application and 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 applicant has also requested a Road and Street Standards Exception for an existing nine foot bridge. Napa County development standards typically require twenty foot access roads, however due to the potential impacts to the stream, staff supports the requested exception. The Fire Department and Engineering Division reviewed this request and support the exception, as the overall practical effect for public safety can be maintained by providing a turn out lane.

The Department of Public Works reviewed the traffic information and application and recommends approval of the project on the basis that the traffic volumes are below the threshold that would impact Inglewood Avenue. 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 eight (8) 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, marketing event parking will be provided on-site via valet parking service or by shuttling visitors to the winery. 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 Inglewood Avenue.

Grape Sourcing- The subject property contains approximately 13.5 acres of existing vineyards that would supply approximately 5,400 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) exceed Title 24 standards; 2) energy conserving lighting; 3) cool roof for the new addition; 4) bicycle incentives; 5) water efficient fixtures; 6) low impact development; 7) water efficient landscape; 8) recycle 75% of waste; 9) compost 75% of food and garden material; 10) implement sustainable purchasing and shipping programs; 11) planting shade trees on the south side of the building elevation; 12) natural cooling site design; and 12) limiting grading and tree removal.

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.

Public Comments- Staff has received two public comment letters from affected neighbors concerned with traffic, noise, water, production increase, and the 75% rule. A traffic study was prepared and submitted by the applicant for this property. The increase in traffic, water use, and noise level as analyzed in the Negative Declaration do not rise to a level of significance requiring mitigation. Additionally, there are no Napa County Code Sections which would preclude the applicant from applying for the 60,000 gallons per year production, so long as they comply with the 75% rule as written in the Winery Definition Ordinance. The applicant is aware of the 75% grape source rule and has agreed to comply. Furthermore, the project will be subject to comply with the rule as per a standard condition of approval. In order to ensure that all wineries are in compliance the 75% rule, in addition all other parameters of their Use Permits, the County has an annual winery audit of 20 wineries.

**Consistency with Standards**

Zoning - The project is consistent with AW (Agricultural Watershed) and AP (Agricultural Preserve) zoning districts regulations. A winery (as defined in Napa County Code § 18.08.640) and uses in connection with a winery (see Napa County Code § Sections 18.16.030 and 18.20.030) are permitted in the AW and AP districts 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.

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 December 16, 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 March 11, 2014.

Public Works Requirements - The Public Works Department has reviewed this application and recommends approval.