

Napa County Planning, Building and Environmental Services
C/O Nate Galambos
1195 Third St.
Napa, CA 94559

RECEIVED

FEB 06 2014

Napa County Planning, Building
& Environmental Services

RE: Road Exception Request for P13-00027, Reverie Winery Major Use Permit Modification
1520 Diamond Mountain Road
APN 020-440-005

Dear Nate,

The purpose of this letter is to request a road exception for the existing driveway serving APN 020-440-005. The project proposes abandonment of an existing septic system, installation of new process and domestic waste septic systems, recognition of existing visitation levels, recognition of an existing cave for barrel storage, and installation of a new ADA compliant parking space. A review of the existing road condition was conducted on January 14, 2014 with myself, Patrick Ryan from your office and Peter Munoa from Napa County Fire Department. This request reflects comments presented in the field from the County staff during that visit.

The winery is located approximately 1300 feet west of the driveway entrance to Diamond Mountain Road. The shared driveway serves the following parcels: APN 020-400-012 Lands of Von Strasser, APN 020-400-013 Lands of von Strasser, APN 020-440-005 Lands of Kiken, and APN 020-440-004 Lands of Diamond Creek Vineyards. Both APN 020-400-013 and 020-440-005 have active winery operations with visitation that are served by the driveway. See Appendix A for UP 2.0 detailing the existing road condition and dimensions from topographic survey collected this year. See Appendix B for a photo summary of the driveway.

The driveway falls within an existing 56' easement in favor of APN 020-440-005 and 020-440-004.

Unique natural and manmade features exist though the length of the driveway. Beginning at Station 10+50, the driveway is bounded on each side by 18-inch redwood trees just outside the traveled way. At Station 10+65, an existing bridge approximately 13.6-feet wide crosses Diamond Mountain Creek, a mapped blue line stream. An existing wall lines the driveway on its northern side from Station 11+00 to 12+80. A second bridge across a mapped blue line stream is located at Station 12+90. The Von Strasser vineyards line the driveway on the northern side from Station 12+50 to 19+50. Parking for the Von Strasser Winery and Tasting room line the western side of the driveway from 13+60 to 15+00. A 55-foot creek setback borders the western side of the driveway from Station 16+00 to 18+00 and then again from 20+70 to 22+50.

Within the Kiken parcel, APN 020-440-005, the southern and western side of the driveway is lined with approximately 13 mature olives with 6, 16-inch diameter at breast height. Sufficient room is provided at Station 24+25 for a fire truck turnaround.

As noted on UP 2.0, the existing driveway varies from 10 to 15-foot paved width with approximately 2-foot shoulders on each side, save for the bridge crossings. New construction proposed for the driveway is shown hatched for reference.

This project requests exceptions to the Common Drive Standard to meet the following objectives found in the August 9, 2011 Road and Streets Standards:

Objective A – To provide reasonable standards that relate to terrain and parcel size.

Objective B – Strive to preserve the natural landscape and desirable aesthetic features.

Objective C – To encourage the location of roads to minimize the disturbance or impacts on wetlands, critical native plant communities, or other environmentally sensitive areas.

Objective E – To minimize alteration of streams and ephemeral drainage at discharge outfalls, utilizing “bio-technical” stream stabilization techniques and preservation of natural stream morphological conditions.

Objective H – To provide adequate safety and service.

As noted in the Standards Section 3.D, an exception may be allowed if one of the following exists:

- 1) The exception will preserve features of the natural environment which includes, but is not limited to, natural water courses, steep slopes, geological features, heritage oak trees, or other trees of at least 6-inch diameter at breast height (dbh) and found by the decision-maker to be of significant importance, but does not include man made environmental features such as vineyards, rock walls, ornamental or decorative landscaping, fences or the like;
- 2) The exception is necessary to accommodate physical site limitations such as grade differentials; and/or
- 3) The exception is necessary to accommodate other limiting factors such as recorded historical sites or legal constraints.

A letter from the owner of APN 020-400-012/013, von Strasser, is attached as Appendix C, supporting this exception request.

Detailed Exceptions to Standards

Station 10+67 – 11+21: Common Drive Width Standard and Bridge Standard

The project driveway is bounded on each side at Station 10+67 by twin 18-inch redwoods and then narrows to 13.6-feet at the first bridge. At Station 11+10, the project is bounded by a 24-inch oak and twin maples over 6-inch diameter at breast height (dbh). The southern top of bank to Diamond Creek is approximately at Station 11+66. The slopes near this section of road vary from 1-5%.

Exception 3.D.1 to the Standards is requested to comply with Napa County Code Section 18.108.025 for setback to an intermittent or perennial stream. Improvements are planned outside of the 45-foot setback as shown on Sheet UP 2.0.

Allowance of this exception would allow the project to comply most specifically with Objectives B, E, and H listed above.

Station 12+41 – 13+45: Common Drive Width Standard and Bridge Standard

A second existing bridge is located at Station 12+95 which spans an unnamed tributary to Diamond Creek. The southern and northern tops of bank are at approximately 11+96 and 13+00 respectively. The slopes near this section of road vary from 1-5%.

Exception 3.D.1 to the Standards is requested to comply with Napa County Code Section 18.108.025 for setback to an intermittent or perennial stream. Improvements are planned outside of the 45-foot setback as shown on Sheet UP 2.0.

Allowance of this exception would allow the project to comply most specifically with Objectives B, E, and H listed above.

Station 20+15 – 21+31: Common Drive Width Standard

This short section of driveway is bordered on the left by slopes of approximately 3h:1v with vineyard at the toe of slope and a landscape wall to the right serving the von Strasser Guest Unit. During the site visit, this section was not acknowledged by staff for a grant of exception. Upon further review, an exception for this area is requested for the following reasons:

1. Development of the right shoulder to comply with the 20-foot road requirement would encroach on a 20-foot setback to the von Strasser Guest unit. This 20-foot setback is typical of new construction within Agricultural Watershed zoning.
2. Development of the left shoulder, due to the existing 3h:1v slope would result in encroachment of a 55-foot setback per Napa County Code Section 18.108.025.

Both of these situations are noted on UP 2.0. Improvements within this area would be landscape modification to the von Strasser Guest Unit "front yard" vegetation and removal of approximately 18-feet of fence at the Kiken property line. Both modifications will greatly enhance the existing site line between Stations 20+15 and 22+00, providing an unrestricted inter-visibility between those stations. Exceptions 3.D.1 and 3.D.3 to the standards are requested to comply with Napa County Conservation Regulations Section 18.108.025 for stream setback and compliance with the intent of Napa County Code Section 18.104.010.

Allowance of this exception would allow the project to comply with Objectives B, C, and H.

Station 21+31 – 23+62: Common Drive Width Standard

Entry within the Kiken parcel is constrained on the southern side of the driveway by a row of mature olive trees all over 6-inch dbh. These existing mature olives were noted by Staff as "heritage trees" to remain. The northern side of the driveway is bounded by two blue oaks, 16 and 18-inch dbh, respectively. Guest parking starts at approximately Station 23+00 and continues through the winery area.

Exception 3.D.1 to the standard is requested for this portion of the driveway. Additional paving is proposed at the intersection of the winery driveway and residential driveway between Stations 21+40 and 22+50. This additional paving will provide for a two lane split at the intersection allowing unrestricted passing opportunity at this location.

Allowance of this exception would allow the project to comply with Objectives B, C, and H.

Your consideration of this exception request is greatly appreciated. Please contact me at 707.694.6479 or email at cbutts@cabengineering.com if there are any questions or comments regarding this request.

Respectfully,



Carl Butts, P.E.
RCE 70562
President



Cc: Scott Greenwood-Meinert, Dickenson Peatman Fogarty

Appendix A – UP 2.0

Appendix B – Photo Summary

Appendix C – von Strasser Letter

APPENDIX A – UP 2.0



Station 24+00 – 23+00



Station 23+00 – 21+00



Station 21+00 – 18+00



Station 19+70 – 17+60



Station 18+30 – 15+80



Station 17+30 – 15+50



Station 15+50 – 13+50



Station 14+50 – 12+50



Station 13+00 – 11+50



Station 11+50 – 10+00



Station 10+50 – 10+00

APPENDIX C – von Strasser Letter

VON
STRASSER

Diamond Mountain District
NAPA VALLEY

Norm Kiken

Reverie on Diamond Mountain
1520 Diamond Mountain Road
Calistoga, CA 94515

Napa County Planning
Building and Environmental Services
C/o Nate Galambos
1195 Third Street
Napa, CA 94559

Gentlemen:

11/27/13

We understand that the County may require Reverie to widen the existing access road crossing our property to Reverie as a condition of approval of Reverie's conditional use permit modification. I am concerned about this possibility because of potential impact on my property and economic hardship that I may experience if the condition is adopted.

The existing road runs completely across our property, in a narrow strip between my vineyard on one side, and my tasting room and administrative offices on the other, which includes parking spaces and also a blue-line creek; Teale Creek. If the road is widened, one of two things will happen depending on the direction of the widening. The proposed widening will either cause me to remove a significant number of vines or remove or restrict the already quite limited parking area next to the tasting room and administrative offices. In either event, I will suffer economically and face significant interruption to my vineyard operation or my winery activities.

All of the improvements, including the road, have been in place for many years, and were in existence when both the Von Strasser and Reverie use permits were approved. Although I support Napa County's desire to have wide-enough access to rural properties in case of fire emergency, Reverie and von Strasser have operated adjacent winery businesses for at least twenty years, during which time large trucks such as bottling lines and shipping/delivery trucks have shared the road successfully with employees, visitors and the families that live on the road. The vineyard and parking area have been designed to accommodate the road. All of the improvements are interrelated and connected. No one improvement can be altered or expanded without affecting the related improvements.

In conclusion, it does not make any sense to impose economic hardship and physical disruption that will result if Reverie is required to widen the road under the proposed use permit condition. The best use for Napa County land has always been agriculture, and this road-widening would have a negative impact on Napa County agricultural land for absolutely no gain. We respectfully request that a road exception be granted in connection with the approval of Reverie's use permit.

Sincerely,



Rudy and Rita von Strasser