

“ | ”

Variance Application Packet
(Conservation Regulation Exception
Application; View Shed Application –
Please make a separate attachment)

**NAPA COUNTY
 CONSERVATION, DEVELOPMENT AND PLANNING COMMISSION
 1195 Third Street, Rm 210 Napa, California 94559 (707) 253-4416**

APPLICATION FOR A VARIANCE

| FOR OFFICE USE ONLY | |
|---|---------------------------------|
| ZONING DISTRICT: <u>AP</u> | File No: <u>P13-00357</u> |
| REQUEST: _____ | Date Filed: <u>10/15/13</u> |
| _____ | Date Published: _____ |
| <u>To reduce 600 ft. front yard setback</u> | Date Posted: _____ |
| <u>to 125 ft. for two replacement</u> | <u>ZA</u> <u>CDPC</u> <u>BS</u> |
| <u>production buildings</u> | Hearing: _____ |
| _____ | Action: _____ |
| _____ | _____ |

| TO BE COMPLETED BY APPLICANT | |
|---|-------------------------------------|
| Applicant's Name: <u>Brian Jones</u> | Telephone #: <u>707-261-6443</u> |
| Address: <u>5766 Silverado Trail Napa California 94588</u> | <u>number street city state zip</u> |
| Status of Applicant's Interest in Property: <u>Owners Representative</u> | |
| Property Owner's Name: <u>Stags Leap Wine Cellars/Michelle-Antinori</u> | Assessor's # <u>039-030-038</u> |
| Address: <u>5766 Silverado Trail Napa, California 94558</u> | Telephone #: <u>707-944-2020</u> |
| REQUEST: <u>Variance to section 18.104.230 (winery setback from Silverado Trail, private driveway)</u> | |
| PLEASE EXPLAIN ON THE REVERSE SIDE OF THIS FORM THE REASONS THAT THE VARIANCE REQUEST SHOULD BE APPROVED | |
| I certify that all the information contained in this application 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. | |
| <u></u> | <u>10.14.13</u> |
| Signature of Applicant | Date |
| <u></u> | <u>10/14/13</u> |
| Signature of Property Owner | Date |
| Submit with a check or money order payable to the County of Napa. The full application fee for a variance is \$1120.00 | |

| TO BE COMPLETED BY CONSERVATION, DEVELOPMENT AND PLANNING DEPARTMENT | |
|--|---|
| \$1010.00 _____ | Received By <u></u> <u>10/15/13</u> |
| Receipt Number | Conservation Development & Planning Department Date |
| Pre-application Receipt No. _____ | Date: _____ |

STATEMENT IN SUPPORT OF VARIANCE TO WINERY SETBACKS
STAG'S LEAP WINE CELLARS
5766 SILVERADO TRAIL

The applicants, Stag's Leap Wine Cellars, are proposing to replace the two, antiquated 1970s era production buildings with a state of the art production building in approximately the same footprint. The new facility will enable the Winery to take advantage of the latest technological advances to continue its awarding winning wine programs. The existing production buildings total 8,514 square feet. The replacement building would contain 10,054 square feet of production area with an additional 688 square feet of new accessory space (private tasting, office, employee break room, and restroom). New loading and unloading areas, fruit sorting and staging and a new access driveway are also part of the project. No change in approved annual production is proposed. The applicant is also requesting a modification to the approved marketing plan. No physical changes are necessary to accommodate the requested modification.

The project is described in more detail on the attached plans prepared by Daniel MacDonald AIA Associates and in the accompanying use permit application.

The applicants desire to locate the new production building as close to its current location as possible to retain optimal processing efficiency. In order to accomplish this objective, a variance to Chapter 18.108.230 (A) (1) & (2) of the zoning ordinance relating to winery setbacks is required. This Chapter requires a 600-foot setback from the centerline of Silverado Trail and a 300-foot setback from private roads. Both the existing buildings and the proposed building lie within the setback of Silverado Trail and the private driveway that provides primary access to APN 039-030-034. The proposed production buildings lies within the setbacks of both the Silverado Trail and the driveway that provides primary access to the abutting parcel to the north. The existing production buildings, which were constructed prior to the adoption of the Winery Definition Ordinance are setback 122' from the centerline of Silverado Trail. The setback to the new building is 126'. The two proposed buildings would be setback 264 and 288 feet respectively from the private driveway that lies northerly of the subject property. The attached exhibit prepared by Summit Engineering Inc. illustrates the extent of the required setbacks and how these setbacks impact the new project. This same exhibit shows the portions of the subject parcel that lie outside of the two required road setbacks.

The Stag's Leap Wine Cellars property in general and the site where the new production building is proposed contain a number of regulatory and physical constraints that in combination severely limit where the new production building could be located and still adhere to the required setbacks. Physical constraints and existing conditions that make the proposed location of the production building the desirable location include:

1. The location of existing improvements (buildings, cave, water and wastewater lines, and access roads) limit where new production building can be located while maintaining production efficiency. Locating the new building in locations that meet required setbacks would result in an inefficient operation

2. The site contains areas of steep slopes west of the existing and proposed production building that limits new development without extensive grading, retaining walls and removal of mature vegetation. Slopes in these areas are 30% in many places which preclude development without the granting of a use permit;

Regulatory constraints that affect development area available for a suitable new production building include setbacks from Silverado Trail (600 feet), the adjacent private driveway (300 feet) and the presence of Chase Creek.

Summit Engineers prepared the attached exhibit that shows the location on the property where the production building could be constructed without the need for the requested variance. That area, located adjacent to the wastewater ponds, is along the south property line well away from the currently winery complex where production currently takes place. This area is well away from the main winery complex. Locating the new production building in this location would require the installation of all new infrastructure, access roads and would greatly reduce production efficiency creating a severe hardship for the applicant. Relevant to this discussion is the fact that if the new production building was sited in compliance with the required setbacks it would be much more visible to the traveling public and to adjacent neighbors than if it were permitted in its proposed location. The proposed location is in an improved area of the site adjacent to existing buildings and is well screened from the Silverado Trail by the existing vegetation. The conforming portion of the site is devoid of screening vegetation and much more visible to the traveling public. Thus the intent of the winery setback ordinance, to reduce visual impacts to the traveling public, is met by the proposed location.

The proposed winery has been carefully designed to take advantage of the existing topography, to avoid impacts on Chase Creek, is located in proximity to existing infrastructure, to incorporate the significant oak tree into the project design and to take advantage of the dense vegetation along Silverado Trail. The proposed building is low profile with an architectural vocabulary that is consistent with the existing improvements.

We think that after reviewing the response of the proposed project to the numerous site constraints, the location of the existing improvements and the remote location of the area of the site that conforms to the setbacks, we believe that the required findings to grant a variance to required road setbacks could be made. We would appreciate your support of our application and project.

