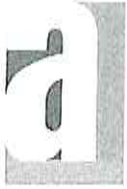


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Road Exception Request & Public Works Department Response



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NAPA COUNTY
 DEPT OF PUBLIC WORKS

August 31, 2017

Mr. Steve Lederer, PE
 Director of Public Works
 1195 Third Street, Suite 210
 Napa, California 94559

RE: Left Turn Lane Exception Request
 Cuvaison Winery Use Permit Modification #P16-00146

Dear Mr. Lederer:

This request is to allow an exception from the Napa County Road and Street Standards to allow the Cuvaison Winery Use Permit Modification to be approved without the requirement that a left turn lane be installed at the intersection of the property driveway and Duhig Road.

The project proposes to increase employees from 10 fulltime/12 harvest to 28 full time/34 harvest. The project also proposes to increase daily visitation from a maximum of 75 per day to 180, with the weekly maximum increasing from 525 to 840. An annual marketing plan is proposed allowing 24 events with 60 guests, 14 events with 200 guests and one wine auction event with 200 guests.

A Traffic Impact Study (TIS) has been prepared by W-Trans dated April 25, 2017 and is attached for reference. The Traffic Impact Study concludes that the existing two-way Average Daily Trips (ADT) on Duhig Road at the driveway entrance is 1952 vehicles. The TIS states that on an average day, the proposed project would result in a total of 244 daily trips (122 trips in/122 trips out). This exceeds the ADT threshold on the Left Turn Lane Warrant Graph on page 22 of the Napa County Road and Street Standards. W-Trans also analyzed whether or not the project would meet the warrant for a turn lane using CalTrans standards which are based on peak hour traffic and it was determined that a turn lane would not be required under those warrants.

It was also determined that project may create traffic conflicts with the driveway on the other side of Duhig Road providing access to Domaine Carneros Winery because of the offset of the two driveways. This situation should have been identified by the County when it approved Domaine Carneros in 1987 and allowed them to construct he offset driveway from the existing road on the Cuvaison property which provided access to a residence and farm management facility for the ± 400 acre vineyard property, or during the review and approval of the most recent modification for Domaine Carneros in 2014.

The offset driveways of Cuvaison Winery and Domaine Carneros have not resulted in reported traffic collisions over the past 30 years since they have co-existed for the past 15 years since Cuvaison Winery was constructed. Also, given that the potential from vehicles coming and going at both wineries at the same time is infrequent and when they do occur at very low speeds there would not be any new significant safety hazards. Rather than installing a turn lane which would provide minimal public benefit, Cuvaison proposes an alternative safety improvement at the intersection of Duhig road and SR 12-121. It is

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proposed that the eastbound side of the intersection be widened to provide adequate room for vehicles that are turning right to pass by vehicles stopped and waiting to turn left onto the highway. Additional striping delineating the lanes would be provided. A sample improvement plan is attached with this request. Cuvasion believes this improvement would provide a greater overall traffic safety benefit to the general public. In addition, Cuvasion proposes to improve the existing driveway intersection with Duhig Road by repairing decaying paving and smoothing the surface.

The grant of the exception provides more public benefit than would a left-turn pocket at the driveway by providing defensible space that can be used by all drivers leaving the area, and has a positive impact on life, safety and public welfare.

The installation of a turn lane serving the project driveway would require the removal and relocation of 4-four power poles along Duhig Road, the modification of existing, long-established drainage courses, and the potential removal of existing vineyard. Relocation of existing overhead power would potentially require modifications to the existing right of way along Duhig Road.

Adobe Associates Inc. has analyzed two different left-turn lane scenarios. The first scenario would involve widening of the north and south sides of Duhig Road, ultimately resulting in the modification of an established, natural drainage course located on the north side of Duhig Road and causing encroachment onto the neighboring vineyard, as a result. The second scenario would involve widening of the south side of Duhig Road, which would also necessitate a shift of a drainage course, resulting in a cut slope, potentially removing some of the existing Cuvasion vineyard.

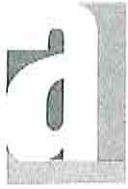
This alternative improvement is supported by the policies of the General Plan. The Circulation Element contains the following policies:

Policy CIR-5: Roadways outside the urbanized areas of the county shall reflect the rural character of the county.

Significant road widening and the additional striping and signage required for installation of a turn lane detract from the rural nature of the Carneros region. Duhig Road is in a very rural area with many parcels exceeding 100 acres in size. The proposed improvements at the existing intersection of Duhig Road and the highway would only involve minor paving over an existing dirt area used by vehicles and would not make a noticeable change in the rural character of the area.

Policy CIR-7: Roadway improvements shall be designed to conform to existing landforms and shall include landscaping and/or other treatments to ensure that aesthetics and rural character are preserved.

Constructing a turn lane would require significant road widening, the removal of existing landscaping, altering established drainages and aesthetic features at the entrance to the winery and would detract from the existing aesthetics and rural character. The alternative improvements would result in the preservation of the existing aesthetics and rural character of the area.



CIR-13: The County seeks to provide a roadway system that maintains current roadway capacities in most locations and is both safe and efficient in terms of providing local access:

- *Install safety improvements on rural roads and highways throughout the county including but not limited to new signals, bike lanes, bikeways, shoulder widening, softening sharp curves, etc.*

Policy CIR-14: Recognizing limited funding for road maintenance, the County shall prioritize maintenance activities which provide safe travel for the public.

The alternative improvements would result in the County needing to maintain a far smaller amount of pavement that would improve safety and serve all drivers turning from Duhig Road onto the highway than the installation and maintenance of a turn lane serving one parcel.

All of the required findings for granting an exception to the Road and Street Standards can be made, as follows:

1) The exception will preserve unique natural 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 least 6" dbh and found by the decision maker to be of significant importance.

The widening of the road to accommodate a turn lane would require the relocation of existing utility poles, long established drainage courses.

2) The exception is necessary to accommodate physical site limitations such as grade differentials.

Not Applicable

3) The exception is necessary to accommodate other limiting factors such as recorded historical sites or legal constraints.

Not Applicable

This request is also consistent with all of the applicable objectives of the Napa County Road and Street Standards, as follows:

a. To provide reasonable standards that relate to terrain and parcel size.

The amount of traffic that would enter the site from the left turn lane is fairly low, the warrants for a left-turn lane in the Caltrans Guidelines for Reconstruction of Intersections are not met, and it would be unreasonable to require a left turn lane that is not warranted and is unnecessary.

b. To preserve the natural landscape and desirable aesthetic features while balancing



the needs of the property owners.

Approval of this exception would preserve the natural landscape by reducing grading, drainage improvements, utility relocation, and significant landscaping and vegetation removal. The existing improvements adequately and safely meet the needs of the property owner.

- c. To encourage the location of roads to minimize disturbance or impacts on wetlands, critical native plant communities, or other environmentally sensitive areas.*

- d. To minimize diversion and concentration of storm runoff, including selection of appropriate discharge locations, outlet dispersion appurtenances and selection of practices that maximize soil infiltration.*

Approval of this exception would promote infiltration by limiting impervious areas and avoid the need to alter existing drainage systems.

- e. To encourage use of native grasses and other plant materials for erosion control and habitat enhancement.*

Approval of the exception maintains existing grasses and other native plants that provide for both erosion control at the head of drainages and wildlife habitat.

- f. To minimize alteration of streams and ephemeral drainage at discharge outfalls, utilizing "bio-technical" stream stabilization techniques and preservation of natural stream morphological conditions.*

Not Applicable

- g. To identify "impacted" runoff basins where special design considerations may be necessary to minimize downstream flooding and other impacts to neighboring properties.*

Approval of the exception would maintain the existing impervious surfaces and not result in any additional runoff that could impact downstream peak flows.

- h. To provide adequate safety and service.*

As demonstrated in the W-Trans Traffic Impact Study, the existing highway improvements are considered to be more than adequate to safely handle the traffic generated by the proposed project.

- i. To provide low maintenance cost road facilities.*

Approval of this exception would avoid the need for new improvements that would require increased maintenance by Napa County.



j. To produce standards compatible with City Requirements within areas of influence.

Not Applicable

We thank you for your consideration of our request for an exception. And we would very much appreciate your support of our request.

Please do not hesitate to contact me if you have any questions regarding the above.

Respectfully,

A handwritten signature in dark ink, consisting of a large, stylized 'D' followed by a long, horizontal stroke that ends in a small loop.

David R. Brown, RCE 41833
My license expires 3/31/2018



A Tradition of Stewardship
A Commitment to Service

Napa County Public Works

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Steven E. Lederer
Director

September 28, 2017

Mr. David Brown
Adobe Associates
1220 North Dutton Ave.
Santa Rosa, CA 95401

Subject: Left Turn Exception Request; Cuvaision Winery Use Permit Modification #P16-00146

Dear Mr. Brown:

Thank you for your letter dated August 31, 2017, requesting an exception from the Napa County Road and Street Standards. The request is to waive the requirement for installation of a left turn lane at the intersection of the Cuvaision property driveway and Duhig Rd. The requirement is prompted by the property owner's request for a Use Permit Modification (#P16-00146) which requests increases in employees, visitation, and marketing events.

Basis for Request:

In support of your request, you offer some useful information, including:

- Installation of the left turn lane would result in the need for relocation of 4 power poles, an established drainage course, and the potential removal of a portion of an existing vineyard.
- The off-set driveways of Cuvaision and your neighbor across the street, Domaine Carneros, have co-existed in their current configuration since your winery was constructed in 2002 without a record of accidents occurring. Left turn installation for your project may require the slight realignment of your existing driveway, or some other traffic design, in order to avoid creating a conflict between the two driveways.
- You offer to make improvements at the intersection of Duhig Road and Highway 121 to provide separated left and right turn lanes and appropriate striping at that intersection, which you indicate will have minor to no environmental impact to construct and will provide benefits to all who use Duhig Road.

You also offer other information, which is less supportive of your request:

- You concur that the Napa County Road and Street Standards require installation of the left turn lane. You note that “applying the Caltrans Standards would not require the left turn lane”. This is true, but is not relevant. Until and unless the Board of Supervisors chooses to revise the Napa County Standards, they are the controlling requirements for your project.
- The comment that somehow the County should have addressed this issue in 1987 when Domaine Carneros was built, or in 2014 when the Domaine Carneros Winery Use Permit was modified is also not relevant.

Discussion:

The standards for waiving a left turn requirement are difficult to meet. The County has one opportunity, at the time of permit issuance, to ensure the needed facilities are installed, even though the project will exist for many decades into the future. The findings to waive the left turn requirement are challenging to meet, as I’m sure you recognize.

In reviewing Section 3 of the Road and Street Standards:

(d) An exception to these Standards may be allowed as provided if one or more of the following findings can be made and the findings in subsection (e) can also be made:

i. The exception will preserve unique 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 least six feet in diameter at breast height and found by the decision-maker to be of significant importance, but does not include human altered environmental features such as vineyards and ornamental or decorative landscaping, or artificial features such as, rock walls, fences or the like;

ii. The exception is necessary to accommodate physical site limitations such as grade differentials; and/or

iii. The exception is necessary to accommodate other limiting factors such as recorded historical sites or legal constraints.

After reviewing your submittal, visiting the site, conferring with Napa County Fire, and analyzing other documents submitted for this project, I am unable to make the necessary findings to grant an exception. There are no natural water courses, steep slopes, geological features, heritage Oak Trees, physical site limitations, recorded historical sites or legal constraints, or other natural feature of significance which would meet the test as set forward in the Road and Street Standards.

I understand the nature and the reasons behind your request, approached it with an open mind, and tried hard to accommodate it. I appreciated particularly your offer to make improvements to the Duhig Rd./Highway 121 intersection. (Whether Caltrans ultimately requires those improvements anyway is a separate subject from this matter). However, the Standards exist to provide for the long term good of the Carneros community, ensure consistency amongst projects, and to set the bar for what qualifies for an exception. Given my inability to make the required findings, I am really left with only one choice.

Determination:

I cannot, based on the information in front of me, grant an exception to the left turn lane requirement.

This decision is appealable to the Board of Supervisors following the Planning Commission's decision on your project as a whole. If you have any questions please feel free to contact me.

Sincerely,



Steven E. Lederer
Director of Public Works

Cc: David Morrison, Director, Planning, Building, and Environmental Services
Jason Hade, PBES Project Planner
Chris Apallas, Deputy County Counsel