

“E”

Road and Street Standards Exception Request



December 11, 2017
March 5, 2018 – Revision #1

Job No. 14-129

David Morrison, Director
Napa County Planning, Building and Environmental Services Department
1195 Third Street, Suite 210
Napa, California 94559

Re: Driveway Improvements and Request for Exception to the Napa County Road and Street Standards for the Proposed Bergman Family Vineyards Winery located at 3285 St. Helena Highway, St. Helena, CA 94574 Napa County APN 022-080-010

Dear Mr. Morrison:

This request for an exception to the Napa County Road and Street Standards is being filed concurrent with the Use Permit Application for a new winery to be located on the above referenced property. We are providing this information for your review and final decision by the Conservation, Development and Planning Commission, pursuant to Section 3 of the Napa County Road and Street Standards as adopted by the Napa County Board of Supervisors on January 26, 2016 (Resolution 2016-06). Section 3 of the Standards allows exceptions to the Standards provided that that the proposed driveway conditions, including the requested exceptions, still provides the same overall practical effect as the Standards towards providing defensible space and consideration towards life, safety and public welfare and:

1. The exception will preserve unique features of the natural environment which includes, but is not limited to, natural watercourses, steep slopes, geological features, heritage oak trees, or other trees of at least 6" 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.

It is our opinion that approving the subject Use Permit along with the proposed driveway improvements and granting this exception will:

1. Preserve mature native trees;
2. Minimize the need for grading on the steep slopes;
3. Abide by the limitations of the existing legal constraint (driveway easement);
4. Provide the same overall practical effect as the Standards towards providing defensible space and consideration towards life, safety and public welfare; and
5. Improve emergency vehicle access to the subject properties and the area in general.

The remainder of this letter describes the proposed project, provides background information regarding existing access conditions, outlines significant proposed driveway improvements that have been designed to meet the requirements of the Napa County Road and Street Standards, identifies the specific areas where an exception to the Standards is being requested and provides justification for the requested exception including measures to provide the same overall practical effect as the Standards.

Project Description

The Use Permit application under consideration proposes the construction and operation of a new winery with the following characteristics:

- **Wine Production:**
 - The winery will be permitted for up to 8,000 gallons of wine per year. The primary focus of the new winery will be for processing fruit which is grown onsite and thus will eliminate the need to off-haul fruit from the site which currently accounts for approximately 12 to 16 truck trips during harvest.
- **Employees:**
 - There will be 2 full time employees. One of the two full time employees will live onsite and the other full time employee will come to the winery and may also work from offsite.
 - There will also be 2 part-time employees that will come to the winery on a limited basis when need for seasonal activities such as harvest and bottling.

- Marketing Plan:
 - There is no visitor or marketing plan proposed as part of this application. The project was specifically designed to not include a visitor or marketing program to minimize the traffic associated with the proposed winery.

Existing improvements on the property include a single-family residence, a second dwelling unit, accessory structures, approximately 8.6 acres of vineyard and the related access and utility infrastructure needed to support these uses.

Existing Access Road Conditions

Access to the subject parcel is via a shared private driveway off the west side of State Route 29 / 128 (St. Helena Highway) approximately 0.6 miles north of the intersection of State Route 29 and Ehlers Lane in an unincorporated portion of Napa County. The shared driveway provides access to the Bothe Napa Valley State Park and other adjacent properties. Please refer to the Bergman Family Vineyards Winery Use Permit Conceptual Site Improvement Plans prepared by Applied Civil Engineering Incorporated for a detailed illustration of the project site relative to the existing public road and shared private driveway as well as the existing and proposed conditions along the subject 0.7 +/- mile stretch of shared private driveway that are generally outlined in the remainder of this letter.

Segment A: State Route 29/128 to Bale Grist Mill Gate

The existing driveway follows relatively gentle topography for the first 0.3 +/- miles from the intersection at State Route 29 / 128 to the gate at the entrance to the Bale Grist Mill. This section of driveway is relatively gently sloping, has a paved width exceeding 20 feet and generally complies with the Standards for a “Common Drive”.

Segment B: Bale Grist Mill Gate to Stony Hill Vineyard Driveway (STA 10+00 to 16+75)

At this point the shared private driveway diverges from Segment A at a 90 degree left hand turn and continues another 0.1 +/- miles to a fork in the road. This segment of private driveway is shared with Stony Hill Vineyards and traverses relatively gently sloping lands with longitudinal slopes generally less than 10%. The surface is paved and is generally 10 feet wide. There is a 14' wide turnout at STA 14+00 that was recently created by the Applicants as part of driveway improvements that were made to serve the recently constructed second dwelling unit on the subject property. The Stony Hill Vineyard driveway intersection also serves as a functional turnout.

Segment C: Fork in Road to Subject Property Entrance Gates (STA 16+75 to 36+00)

The left fork in the private driveway continues another 0.36 +/- miles to the subject property and is used for access to the subject property only. This segment of driveway traverses steeply sloping and densely forested hillsides. However, despite the steep topography, the longitudinal slope of the road is generally moderate and generally averages less than 16% with a maximum slope of 18.8% for a very short stretch at STA 26+50 (slopes averaged over 50' intervals). The surface is paved with asphalt and is generally 10 feet wide except at the following locations where improvements were recently made to provide additional width to the extent possible within the easement and within the confines of the sloping topography and mature trees:

STA 20+00 – Total paved width is approximately 16 feet
STA 24+00 – Total drivable width is approximately 16 feet
STA 26+50 – Total paved width is approximately 16 feet
STA 29+00 - Total paved width is approximately 16 feet
STA 32+25 – Total paved width is approximately 14 feet

Segment D: Subject Property Entrance Gates to Proposed Winery Site (STA 36+00 to STA 52+50)

Where the private driveway enters the subject parcel there is a large paved apron with two gates. The left gate provides access to the existing residence and second dwelling unit and the right gate provides access to the vineyard and planned winery site. The vineyard/winery gate has a 22 foot wide clear opening. Access from this point to the proposed winery site will continue 0.31 +/- miles along existing gravel vineyard access roads to the winery site. These existing vineyard access roads are generally 8 to 12 feet wide, surfaced with gravel and have slopes ranging from less than 5% to in excess of 20%.

The existing driveway has provided adequate access to the subject property for at least 60 years and the owner has not reported any issues with the driveway providing proper access even during recent construction activities while the second dwelling unit was built, the vineyard was redeveloped and the infrastructure updated. This resulted in significant construction traffic without any issues with the driveway.

Napa County Road and Street Standards Requirements

The Napa County Road and Street Standards require that private access driveways serving winery uses provide two 10-foot-wide travel lanes (20 feet total), 22 feet of horizontal clearance, 15 feet of vertical clearance, 50 foot minimum inside turning radius and a maximum 16% longitudinal slope (provisions are made to allow slopes up to 20% in certain circumstances if the driveway is paved with asphalt).

Proposed Driveway Improvements and Request for Exception to Napa County Road and Street Standards

Proposed Driveway Improvements

In order to significantly improve access conditions the Applicant is proposing the following upgrades to the existing driveway:

Segment A:

This section of driveway fully complies with the Standards and thus no improvements are proposed.

Segments B & C:

These sections of driveway were previously improved by the Applicant to the extent permitted by the State Parks within the confines of the access easement. No further improvements are proposed for these sections of driveway as the State Parks (as the owner of the property that these segments of driveway are located on) has indicated during past discussions regarding improvements that were recently constructed that further improvements will not be allowed.

Segment D:

This section of driveway will be improved to fully comply with the standards. This will include substantial grading and retaining wall improvements to provide the 20' minimum driveway width, 22 feet of horizontal clearance and slopes less than 20% in accordance with the Standards.

In total the proposed improvements will result in over 50% of the private driveway from State Route 29/128 to the project site being in full compliance with the Standards.

Identification of Exception Areas

The request for an exception to the Napa County Road and Street Standards includes the following specific items:

- 1) To allow a reduced width along the existing paved driveway in Segments B and C
- 2) To allow turning radius less than 50 feet at two locations in Segments B and C (STA 24+00 and 29+00)

While the Applicant would very much like to implement further work to increase the width of the driveway for Segments B and C and improve the turning radii in the areas referenced above, they are not able to do so because these segments of driveway are located on land owned by the State Parks. The access easement is very limited and does not allow additional widening. Furthermore, any widening performed on these two segments of driveway would require removal of mature trees in this densely forested area of the State Park and grading on slopes that exist along both sides of the driveway in the State Park.

Justification of Exception

As previously described, Section 3.D. of the Napa County Road and Street Standards, states that an exception to the Road and Street Standards may be granted if the exception will preserve unique features of the natural environment (including native trees, watercourses, steep slopes and geologic features) and the proposed project provides the same overall practical effect as the Standards towards providing defensible space, and consideration towards life, safety and public welfare.

In addition to the proposed substantial driveway improvements that will be constructed to improve ingress and egress to the subject property several other measures have been incorporated into the project design to provide the "same overall practical effect" as the Standards towards providing defensible space and consideration towards life, safety and public welfare. Below is a summary of the proposed measures:

Defensible Space

1. Horizontal and vertical vegetation management will be implemented along the entire length of the existing driveway and around the existing and proposed structures on the subject property to create defensible space. This will include vegetation management and modification 10 feet horizontally and 15 feet vertically along all private access roads and 100 feet (or to the nearest property or easement line) around buildings in accordance with Napa County Fire Department requirements.

Life Safety and Public Welfare

1. Address signage for existing and proposed uses on the subject property will be upgraded as needed to comply with County Fire Department Standards to improve emergency vehicle accessibility.
2. The project results in a minimal increase in ADT. The project scope was purposely kept to a minimal level to keep the ADT to the lowest level possible by including the following provisions as part of the project statement:
 - a. No public visitors or marketing events will be allowed at the winery.
 - b. There will be 2 full time employees. One of the two full time employees will live onsite and thus will not generate additional traffic above existing residential levels. The other full time employee will come to the winery and will also work from offsite. There will also be 2 part time seasonal employees that will come to the winery on a limited basis when needed for seasonal activities such as crush and bottling.
 - c. The onsite vineyard was recently replanted and is expected to produce approximately 27 to 35 tons of fruit which equates to 4,050 to 5,250 gallons of wine (assuming 150 gallons of wine per ton of grapes). Given the nature of the ripening process in the vineyard it could be harvested in six to eight different batches resulting in six to eight trucks hauling grapes from the site (twelve to sixteen twelve trips in and out). All fruit grown onsite will be processed in the proposed winery and thus no fruit will be hauled off thereby eliminating those twelve to sixteen truck trips. Approximately 18 to 26 tons of fruit will be hauled into the site when and if the winery grows to its full production capacity of 8,000 gallons per year. It is planned that this fruit will be brought in 10 ton batches to minimize truck trips bringing fruit to the winery. This would equate to two to three truckloads of imported fruit or 4 to 6 truck trips. Therefore the net reduction in truck trips associated with hauling fruit to and from the site will be 16 – 6 or 10 trips.

A more detailed assessment of anticipated vehicle trips for existing and proposed conditions for both harvest and non-harvest days is included as an attachment to this letter. As noted in the spreadsheets the proposed winery will add an estimated ADT of 3 trips per day during some non-harvest days for the one full time employee and winery deliveries. As previous noted the one full time employee will likely work offsite some days so these additional trips will only occur on days when the employee is working

onsite. Winery deliveries are expected to generate less than 1 trip per day on average. On a worst-case day during harvest when all employees are onsite the winery is expected to generate an estimated ADT of 6 trips per day, including winery employees and winery deliveries. These trips will be very seasonal and will only occur over the limited harvest period.

Section 3.F. of the Standards specifically identifies limiting of marketing events and visitors as a permit condition that can be used to help achieve the same overall practical effect as the Standards towards providing defensible space, consideration of life, safety and public welfare and not compromising civilian access or Fire Department access. The very minimal increase in ADT described above certainly meets the intent of Section 3.F.

3. All proposed structures will be outfitted with built in fire protection systems including sprinklers and a pressurized fire hydrant. The onsite water storage and pressurized fire hydrant will be a benefit to both the proposed winery building and the existing residential structures onsite.

Section 3.F. of the Standards specifically identifies that built in fire protection systems can be used to help achieve the same overall practical effect as the Standards towards providing defensible space, consideration of life, safety and public welfare and not compromising civilian access or Fire Department access.

Conclusions & Findings In Support of Exception Request

It is our opinion that this request to allow the existing access driveway to be approved with significant improvements and with segments that do not strictly comply with the Standards meets the criteria established in Section 3 of the Road and Street Standards. More specifically, approval of the proposed exception will:

1. Preserve mature native trees on steeply sloping hillsides;
2. Minimize the need for grading on steep slopes;
3. Abide by the limitations of the existing access easement on the State Park property;
4. Provide the same overall practical effect as the Standards towards providing defensible space and consideration towards life, safety and public welfare.

As previously described, there are mature native trees and steep hillside slopes along the existing driveway that are worthy of preservation. It is important to preserve the natural character of the area by minimizing the amount of grading on steep slopes and minimizing tree removal. Not only do the trees and topography contribute to the rural character of the woodlands and watershed areas, they also provide shelter and habitat for a wide range of animal and plant species. This is especially important given the State Park's requirements that the area be maintained in a natural state to the greatest extent possible.

Preservation of these features can be achieved by allowing an exception to the Standards in the areas previously described. The Applicant is willing to improve the private access road to the greatest extent practicable where it is beneficial while abiding by the limitations of the existing easement and minimizing unnecessary grading on steep slopes and while preserving mature native trees and forest areas located inside the State Park to the greatest extent possible. With the proposed improvements and mitigation measures, proper vegetation management and regular maintenance, there is no reason that these environmental features cannot be preserved while still achieving the same overall practical effect as outlined in the Standards. Furthermore, the driveway conditions that will result from the proposed improvements will be significantly better than what exists today and will therefore improve emergency vehicle access which is important to not only the property that is part of this application but the entire area in general.

We trust that this information is sufficient to process the subject Use Permit. Please contact us at (707) 320-4968 if you have any questions.

Sincerely,

Applied Civil Engineering Incorporated

By:



Michael R. Muelrath, R.C.E. 67435
Principal

Enclosures:

Bergman Family Vineyards Winery Use Permit Conceptual Site Improvement Plans
Traffic Calculation Spreadsheets

Copy:

Alan and Pam Bergman, Bergman Family Vineyards LLC
Donna Oldford, Plans for Wine

Summary of Estimated Daily Traffic Trips

	Existing	Proposed	Existing	Proposed
Category	Non-Harvest Day	Non-Harvest Day	Harvest Day	Harvest Day
Full Time Employees	0.0	2.0	0.0	2.0
Seasonal Employees	0.0	0.0	0.0	4.0
Residences (2)	20.0	20.0	20.0	20.0
Grape Deliveries	0.0	0.0	0.5	0.2
Winery Deliveries	0.0	0.1	0.0	0.1
Grand Total	20.0	23.0	21.0	27.0

Traffic Trip Generation Assumptions

Number of People per Vehicle:

Employees	1 person per vehicle	Napa County Winery Traffic Generation Characteristics
-----------	----------------------	---

Trips per Vehicle & Peak vs Non-Peak:

Employees	2 trips per vehicle, 50% peak	Napa County Winery Traffic Generation Characteristics
Residences	10 trips per day, 10% peak	Institute of Traffic Engineers - Trip Generation, 8th Edition

Deliveries:

(E) Grape Offhaul Deliveries	27 to 35 tons of fruit hauled off in six to eight different batches over 30 day period (use 16 trips)	
(P) Grape Import Deliveries	Up to 10 tons brought in two to three loads over 30 day period (use 6 trips)	
General Deliveries	2.27 trips per year per 1,000 gallons	Napa County Winery Traffic Generation Characteristics

Visitor Counts and Marketing Event Characteristics:

Tours and Tastings	None
Marketing Events	None

Assume typical day during harvest for analysis

Harvest Day (Existing Conditions)

Category	People per Day	People per Vehicle	Vehicles per Day	Trips per Vehicle	Peak Rate	Peak Trips	Non-Peak Rate	Non-Peak Trips	Total Daily Trips
FT Employees	0	1	0	2	50%	0.0	50%	0.0	0.0
Seasonal Employees	0	1	0	2	50%	0.0	50%	0.0	0.0
Residences (2)	n/a	n/a	10	2	10%	2.0	90%	18.0	20.0
Grape Deliveries	n/a	n/a	n/a	n/a	0%	0.0	100%	0.5	0.5
Winery Deliveries	n/a	n/a	0	2	0%	0.0	100%	0.0	0.0
Grand Total	0					2		19	21

Non-Harvest Day (Existing Conditions)

Category	People per Day	People per Vehicle	Vehicles per Day	Trips per Vehicle	Peak Rate	Peak Trips	Non-Peak Rate	Non-Peak Trips	Total Daily Trips
FT Employees	0	1	0	2	50%	0.0	50%	0.0	0.0
Seasonal Employees	0	1	0	2	50%	0.0	50%	0.0	0.0
Residences (2)	n/a	n/a	10	2	10%	2.0	90%	18.0	20.0
Grape Deliveries	n/a	n/a	n/a	n/a	0%	0.0	100%	0.0	0.0
Winery Deliveries	n/a	n/a	0	2	0%	0.0	100%	0.0	0.0
Grand Total	0					2		18	20

Harvest Day (Proposed Conditions)

Category	People per Day	People per Vehicle	Vehicles per Day	Trips per Vehicle	Peak Rate	Peak Trips	Non-Peak Rate	Non-Peak Trips	Total Daily Trips
FT Employees	1	1	1	2	50%	1.0	50%	1.0	2.0
Seasonal Employees	2	1	2	2	50%	2.0	50%	2.0	4.0
Residences (2)	n/a	n/a	10	2	10%	2.0	90%	18.0	20.0
Grape Deliveries	0	n/a	n/a	n/a	0%	0.0	100%	0.2	0.2
Winery Deliveries	n/a	n/a	n/a	n/a	0%	0.0	100%	0.1	0.1
Grand Total	3					5		22	27

Note:

The winery proposes two full time and two part time employees. It is assumed that one full time employee will live onsite and that their traffic generation is covered under the residence category.

Non-Harvest Day (Proposed Conditions)

Category	People per Day	People per Vehicle	Vehicles per Day	Trips per Vehicle	Peak Rate	Peak Trips	Non-Peak Rate	Non-Peak Trips	Total Daily Trips
FT Employees	1	1	1	2	50%	1.0	50%	1.0	2.0
Seasonal Employees	0	1	0	2	50%	0.0	50%	0.0	0.0
Residences (2)	n/a	n/a	10	2	10%	2.0	90%	18.0	20.0
Grape Deliveries	0	n/a	n/a	n/a	0%	0.0	100%	0.0	0.0
Winery Deliveries	n/a	n/a	n/a	n/a	0%	0.0	100%	0.1	0.1
Grand Total	1					3		20	23

Note:

The winery proposes two full time and two part time employees. It is assumed that one full time employee will live onsite and that their traffic generation is covered under the residence category.