

CARVER SUTRO
PALISADES VINEYARD

May 19, 2009

Trish Hornisher, Planner
Department of Planning and Environmental Management
1195 Third Street
Napa, California 94559
BY EMAIL to THornisher@co.napa.ca.us;
Hard Copy to Follow

**RE: Revised Project Description for Carver Sutro Winery at 3106
Palisades Road, Calistoga**

Dear Trish;

On February 5, 2009, I submitted to Sean Trippi our first round of documents pursuing a Use Permit and Variance for the captioned project. On March 6th, you responded with an Incompleteness Determination. I responded to that determination in detail on March 25th. On May 15th, you requested an update in the project description to include calculations for the redesigned access driveway which was altered to accommodate Public Works' request that we incorporate a 275 foot line of site from the entrance of the driveway to the closest curve on Palisades Road. Everything in this letter is precisely as it was in our March 25th, 2009 version, except for the calculation of the amount of vineyard removed to accomplish the development, which shifted from .26 acres to .31 acres, and the Total Development Area which shifted from 20,347 sq.ft to 20,753 sq.ft. (See 1(f), below.

To enable a prompt circulation of our project to other county departments, I am stating below the key elements of our project.

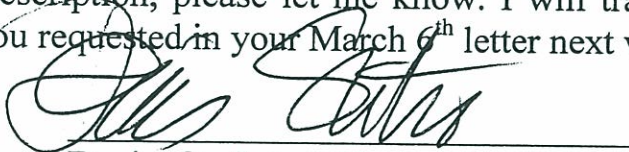
1. **Use Permit (#P08-00043-UP)** To construct a new, Type V, single story winery building at 3106 Palisades Road, Calistoga, with an interior floor area of 3,265 sq. ft (2,811 devoted to production, 454

devoted to accessory uses), which includes the interior dimensions of the covered crush pad. The footprint of this building, including the crush pad, is 3,752 sq. ft.

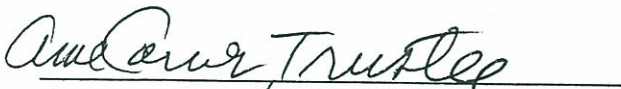
- a. Capacity - 20,000 gallons.
- b. Cave - Type I, 6,700 sq. ft.
- c. Project Phases – One.
- d. Parking – 8 spaces, 4 for employees, 4 for visitors.
- e. Road Improvements – County standard access road to and from the winery will be provided over approximately 300 feet of an existing vineyard avenue, including the provision of a hammer-head to accommodate fire vehicle turnaround. Details of the road improvements were sent with Delta's January 28, 2009 transmittal to Erich Kroll, P.E.
- f. Total Development Area – 20,753 sq. ft, including building, leech field, driveway, impervious surfaces which will comprise approximately .005% coverage of the parcel after the Lot Line Adjustment described in Section 2 below. The existing vineyard is 17.88 acres; .31 acres of vineyard will be removed for the winery development. No trees will be removed for construction of the septic fields.
- g. Days of Operation – 6, Tuesday through Sunday, employees 9-6, visitors, 10-5. Marketing events hours would be different, see "h" below.
- h. Marketing Events: 10 per year. Days of events: Wednesday, Friday and Saturday, with hours 12pm to 10pm. All food to be prepared off site, portable bathrooms used for all events, off-site parking will be provided for all events.
 - i. 7 marketing events, not more than 30 people.
 - ii. 2 release parties, not more than 30 people.
 - iii. 1 wine auction event, not more than 100 people.
- i. Employees - 2 full time, 2 additional part-time during harvest.
- j. Visitors – by appointment only, with anticipated visitors on the busiest day being 20, with the average weekly visitors being 80.
- k. Production source – approximately 60% estate, 40% from other vineyards. Grapes will be sourced consistent with Section 12419(b) and/or (c) of Napa County Winery Definition Ordinance. It is anticipated that there would be up to 6 custom crush clients.

1. Small Winery Categorical Exemption requested consistent with State CEQA Guidelines, Sect. 15303.
2. **Lot Line Adjustment.** The project is presently located on 2 parcels – APN #s 017-230-034 (78 acres according to a recently completed survey) and 017-230-035 (20 acres according to the same survey), totaling approximately 98 acres. As designed, the cave and the engineered septic system to accommodate the winery waste are partially located on 035; the bulk of the project is located on 034. Applicant expects that the issuance of building permit will be conditioned upon the completion of a lot line adjustment which places all of the winery improvements, including all applicable setbacks, on parcel 034. After the LLA is complete, parcel 034 will be 80.22 acres, and 035 will be 17.91 acres. All Use Permit exhibits reflect the post-lot line adjusted parcel configuration.
3. **Variance. (P0-00044-VAR).** Request for a Variance of 19 feet from the 300 foot roadway setback from Palisades Road. Chosen site only feasible location for following reasons which are elaborated in the Variance Application: avoids massing buildings and rendering access to existing equipment impractical; all other locations raise serious safety concerns, create greater environmental impact including substantial additional grading and loss of trees, or would require a private road variance of fully 300 feet.

If you require any additional information regarding this Project Description, please let me know. I will transmit all additional information you requested in your March 6th letter next week.



Denis O. Sutro, Husband and on behalf of Anne Carver, Trustee,
Margaret H. Carver Trust, Owner



Anne Carver, Trustee, Margaret H. Carver Trust, Owner

FILE # PO9-00044

NAPA COUNTY
CONSERVATION, DEVELOPMENT & PLANNING DEPARTMENT
1195 Third Street, Suite 210, Napa, California, 94559 • (707) 253-4417
VARIANCE APPLICATION FORM

FOR OFFICE USE ONLY

ZONING DISTRICT: AW Date Submitted: 2-6-08
TYPE OF APPLICATION: VARIANCE Date Published: _____
REQUEST: Request for variance to req'd setbacks Date Complete: _____
to two private roads for a winery.

TO BE COMPLETED BY APPLICANT

PROJECT NAME: Carver Sutro WineryAssessor's Parcel #: 017-230-034Existing Parcel Size: 86 Acres

Site Address/Location 3106 Palisades Road Calistoga Ca 94515
No. Street City State Zip

Property Owner's Name: Anne D. Carver, Trustee, Margaret H. Carver Trust

Mailing Address: 3106 Palisades Road Calistoga Ca 94515
No. Street City State Zip

Telephone #: (707)942- 9166 Fax #: (707) 942-5167 E-Mail: annedcarver@gmail.comApplicant's Name: Denis O. Sutro CELL: 979-2668

Mailing Address: AS ABOVE _____
No. Street City State Zip

Telephone #: (707)942-5153 Fax #: (707)942-5167 E-Mail: dsutro@attglobal.netStatus of Applicant's Interest in Property: Husband of ownerRepresentative Name: NONE

Mailing Address: _____
No. Street City State Zip

Telephone # () _____ Fax #: () _____ E-Mail: _____

I certify that all the information contained in this application, including but not limited to the information sheet, water supply/waste disposal information sheet, site plan, floor plan, building elevations, water supply/waste disposal system site plan and toxic materials list, 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.

Signature of Property Owner

126 08

Date

Signature of Applicant

126 08

Date

ANNE D. CARVER
Print Name

DENIS O SUTRO
Print Name

TO BE COMPLETED BY CONSERVATION, DEVELOPMENT AND PLANNING DEPARTMENT

*Total Estimated Fees: \$ (N/A See UP)Receipt No. (N/A See UP)Received by: _____ Date: 2/6/09

REASONS FOR GRANTING A VARIANCE

SUMMARY: THE CHOSEN WINERY SITE IS THE ONLY FEASIBLE SITE ON THE PROPERTY. THE REQUEST FOR A VARIANCE FROM THE 300 FOOT COUNTY ROAD SETBACK IS FOR 19 FEET, OR 6% OF THE SETBACK. THE REQUEST IS TO ENABLE EXISTING EQUIPMENT MAINTENANCE AND TO AVOID THE NOISE AND SMELL OF THE WINERY FROM IMPACTING THE ADJACENT RESIDENTIAL USE. THE GRANT OF THE VARIANCE WILL HAVE NO NEGATIVE HEALTH OR SAFETY IMPACTS. UNLIKE THE CHOSEN SITE, ALL OTHER SITES AT THE PROPERTY RAISE SERIOUS SAFETY OR ENVIRONMENTAL CONCERNS.

1. Please describe what exceptional or extraordinary circumstances or conditions apply to your property (including the size, shape, topography, location or surroundings), which do not apply generally to other land, buildings, or use and because of which, the strict application of the zoning district regulations deprives your property of the privileges enjoyed by other property in the vicinity and under identical zoning classification.

ANSWER TO QUESTION 1:

- A. **At 3106 Palisades Road (a parcel which will be 80 acres after a requested Lot Line Adjustment) the site chosen for the proposed winery is the only feasible site. Detail of Answer 1A:** Caves are critical to the project. Although caves could be dug along the southern side of the vineyard (indicated as location 1 on the Variance Site Plan), an access road for other adjacent properties runs along the entire southern edge of the vineyard. Drilling under this road would violate the private road setback in its entirety (i.e. we would require a 300 foot variance as opposed to 19 feet as requested), and would require the removal of numerous trees whereas the requested site requires the removal of no trees of significance. The only other possible site would be along the northern edge of the vineyard east of the existing buildings (location 2). Any site on this side of the vineyard would channel all commercial traffic directly through the middle of the residential compound raising serious, ongoing safety concerns. Additionally, the only access road to such a site goes through buildings which are 12 feet apart, creating a dangerous bottle neck which is impossible to improve without moving or destroying the buildings (location 3). Finally as to possible site 2, the vineyard is farmed north/south there, and any winery operation would create constant conflicts over equipment. The proposed site, by contrast, is close to Palisades Rd facilitating commercial traffic, does not require that traffic interfere with residential uses, does not interfere with farming practices and minimizes destruction of existing vineyard (location 4).
- B. **The 300 foot setback from Palisades Road places the winery building (which is less than 3600 sq. ft, and the minimum size required for this small winery) approximately 13 feet from the residential use, and restricts ready access to existing septic tanks and a pool overflow drain and maintenance of other, fixed location equipment.**
- C. **The topography and existing development of this property are unique, and if the applicant is forced to build inside the 300 foot setback it will place the commercial use unreasonably close to an existing residential use (with obvious threats of noise and wine-making related smells), and will substantially restrict access to existing equipment. It is hard to imagine that other similarly situated properties would be faced with this unusual set of circumstances. The variance we are requesting is the minimum necessary to reduce these impacts, an additional 18 feet.**

2. Please state why the granting of your variance request is necessary for the preservation and enjoyment of your substantial property rights.

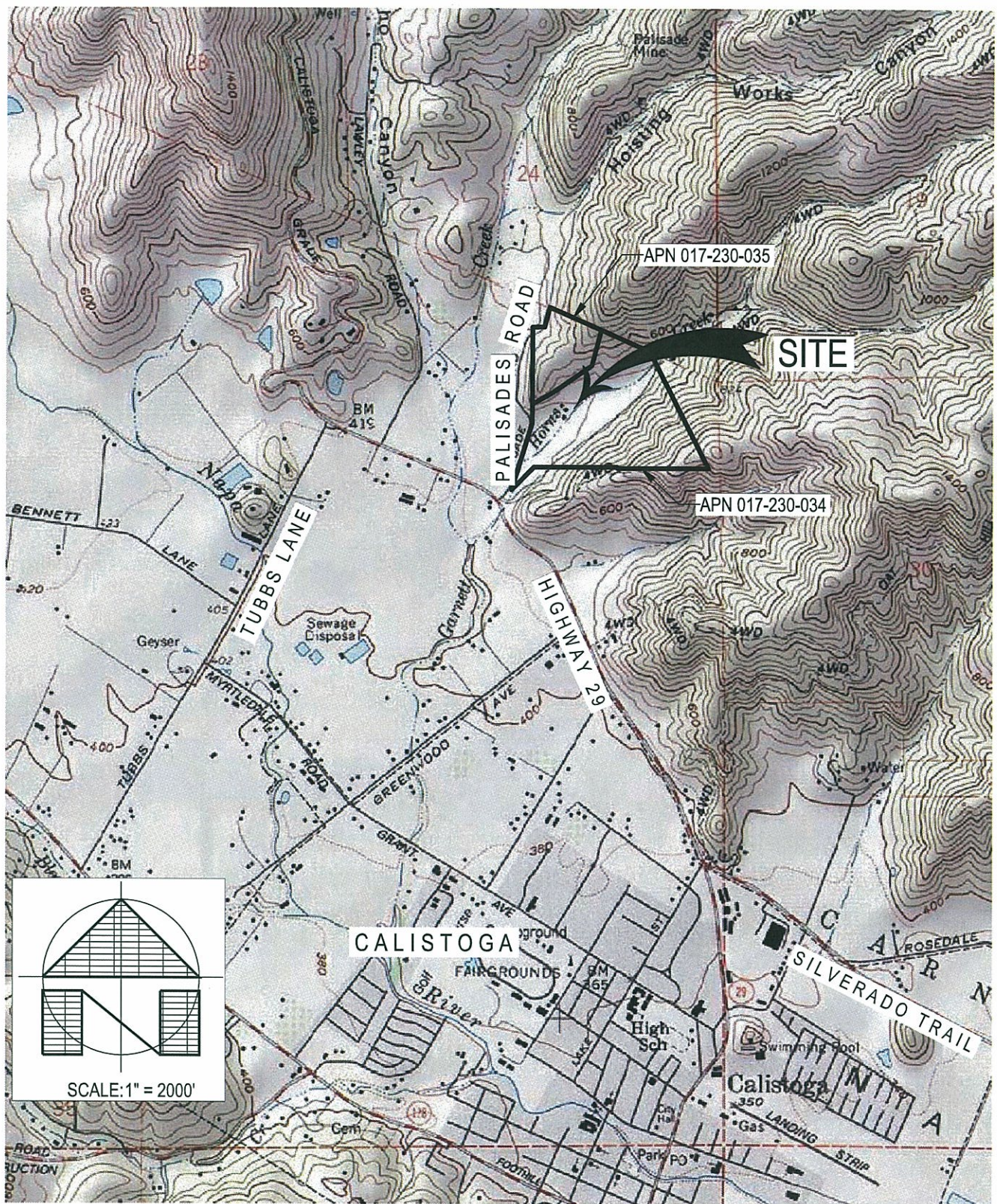
ANSWER TO QUESTION 2:

Both winery and residential uses are allowed in the AP and AW zones. The quiet enjoyment of the residential use will be compromised and ready access to, and maintenance of, existing equipment will be restricted if the setback requirements are strictly enforced. In addition, any location other than the one proposed will involve either significant safety issues, removal of more vineyard than at the requested location, removal of more trees than at the requested location, need for a much greater setback variance or conflict with farming operations.

3. Please state why the granting of your variance request will not adversely affect the health or safety of persons residing or working in the neighborhood of your property, and will not be materially detrimental to the public welfare or injurious to property or improvements in your neighborhood.

ANSWER TO QUESTION 3:

The request for variance is 18 feet, or 6 % of the 300 foot setback from Palisades Road, If the use application is supportable, especially in light of the fact that we have only 2 neighbors who live beyond us on Palisades Road, then it seems reasonable that granting this variance will not be materially detrimental to the public welfare. Applicant has supplied a view of the winery from the Palisades Rd/ Hiway 29 corner, with a setback of 282 as opposed to 300 feet.



SITE LOCATION

USGS QUAD MAP: CALISTOGA

SCALE: 1"=2000'

CARVER-SUTRO WINERY

DELTA CONSULTING & ENGINEERING
OF ST. HELENA
1104 ADAMS STREET, SUITE 203 - ST. HELENA, CALIFORNIA 94574
707-963-6456 + 707-963-8528 FAX

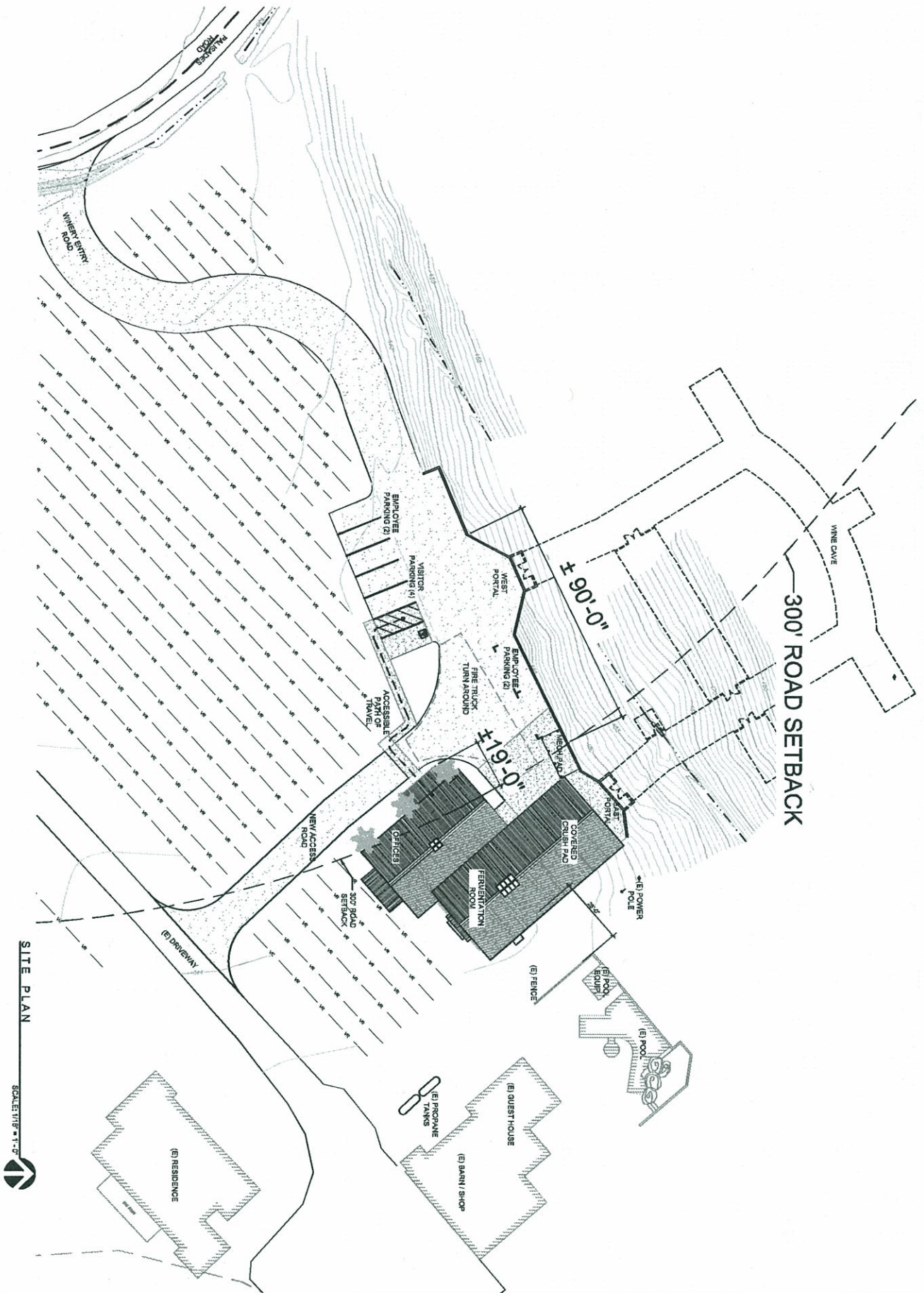
DATE:	1/15/2009	JOB #	H-122
SCALE:	AS NOTED	APN:	017-230-034

SHEET
1
OF
1

[illegible]

OFF

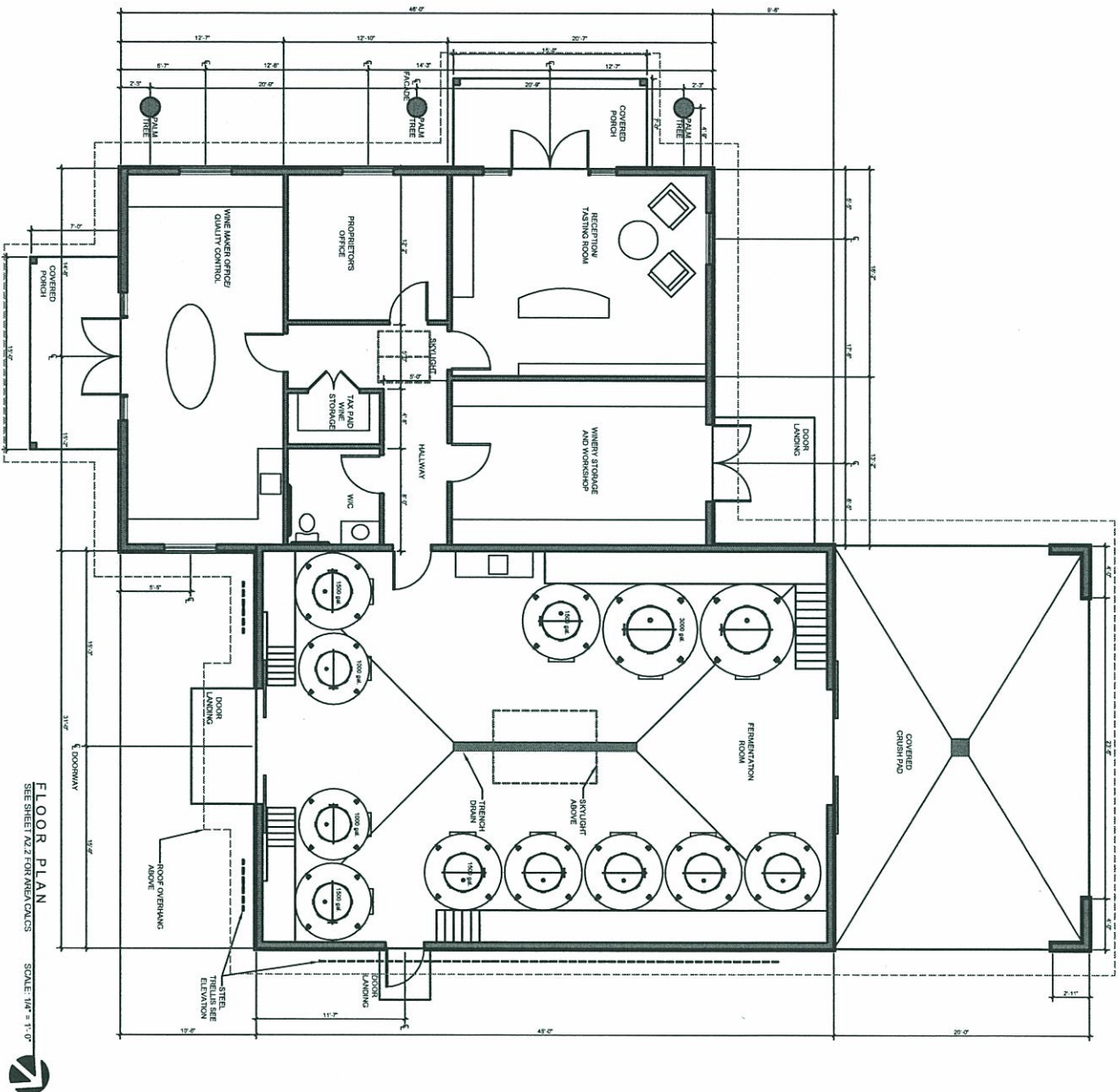
CARVER SUTRO WINERY
VARIANCE SITE PLAN
CALISTOGA CALIFORNIA



SITE PLAN

SCALE: 1" = 50'

		THOMAS J. VALLETY ENGINEER & ARCHITECT VALLEY ARCHITECTS LLP 1000 PALMWOOD AVENUE SUITE 200 PALMWOOD, CA 94369 TEL: (925) 835-1100 FAX: (925) 835-1101 WWW: valleyarchitects.com	
		CARVER SUTRO WINERY WINERY & CAVES 3100 PALMWOOD ROAD SUITE 200, PALMWOOD, CA 94369 JOHN C. FISCHER/CAHO	
SITE PLAN			
DATE	TIME	DATE	TIME
03/13/09			
A1.1			



FLOOR PLAN

SCALE: 1/4" = 1'-0"



USE PRINTING 300%



VALLEY ARCHITECTS LLP
1640 BALBOA AVENUE
S.F. HELEN, CA 94574
www.valleyarchitects.com



CARVER SUTRO
WINERY

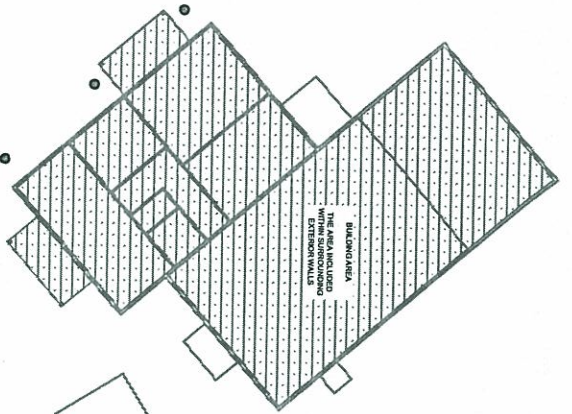
WINERY
& CAVES

3100 BALBOA AVENUE
OAKLAND, CA 94612
APR 19 2008

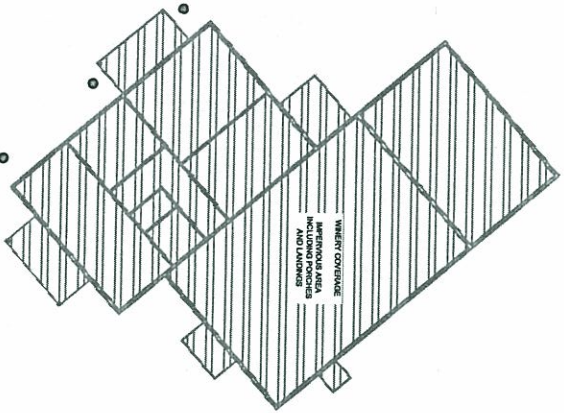
FLOOR PLAN

1/4"	0.001309
1/8"	

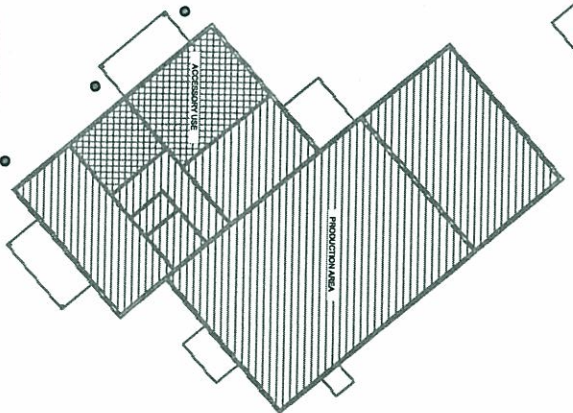
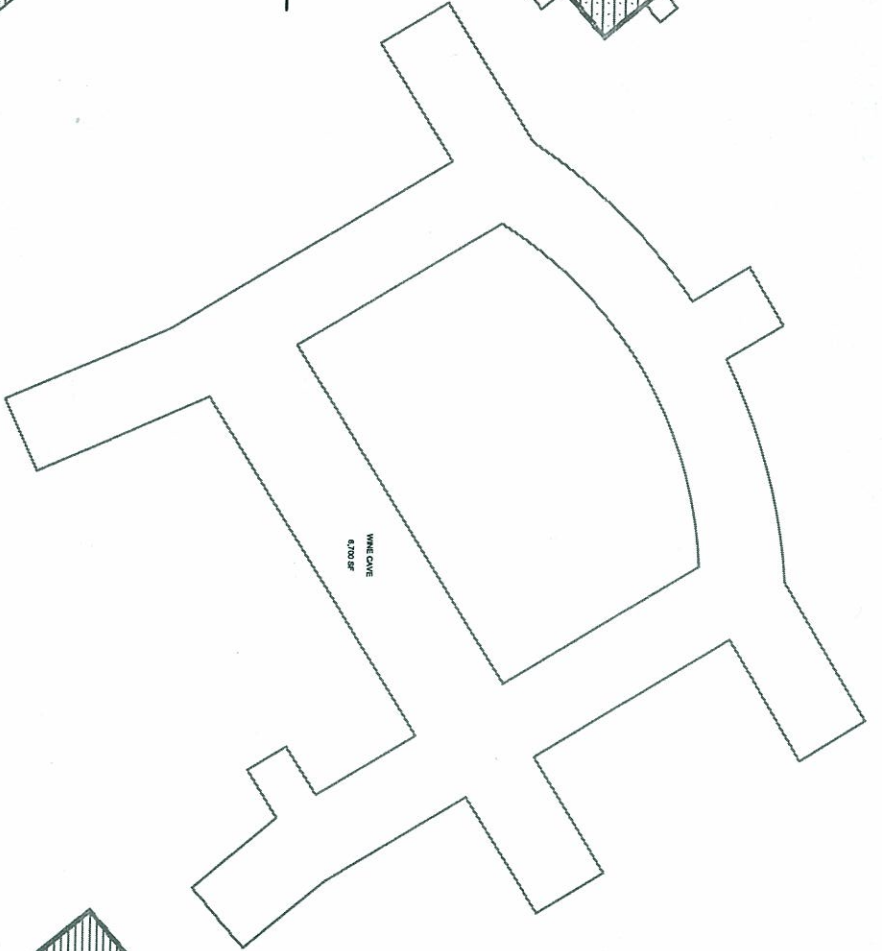
A2.1



BUILDING AREA (FOR FIRE DEPT.)
3,483 SQUARE FEET



WINERY COVERAGE (FOR PLANNING)
3,732 SQUARE FEET (WINEGRAPES AND VINES)

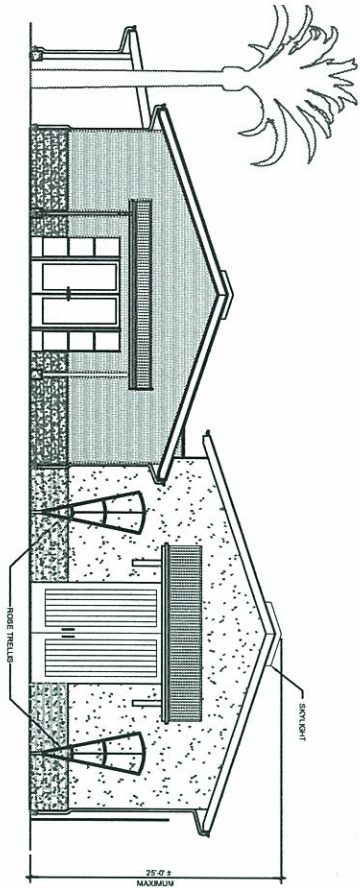


PRODUCTION FACILITY & ACCESSORY USE
(FOR PLANNING DEPARTMENT)
SEE SHEET A21 FOR ROOM NAMES
NOT TO SCALE
PRODUCTION FACILITY = 2,811 SQUARE FEET
ACCESSORY USE = 454 SQUARE FEET
ACCESSORY USE = 10% OF PRODUCTION FACILITY

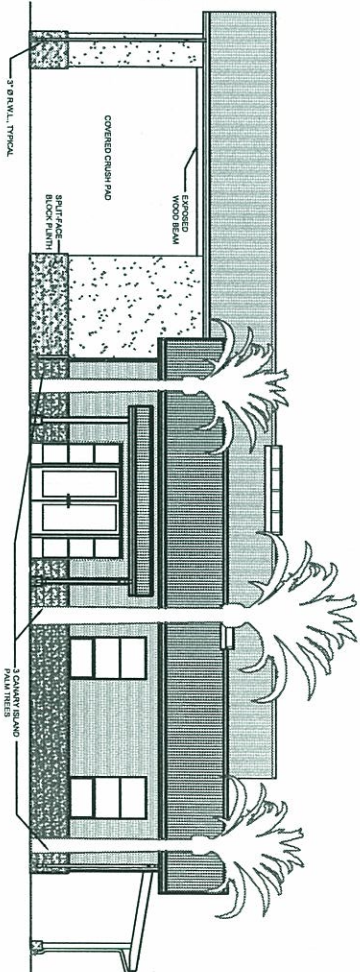
RECEIVED

APR 27 2009

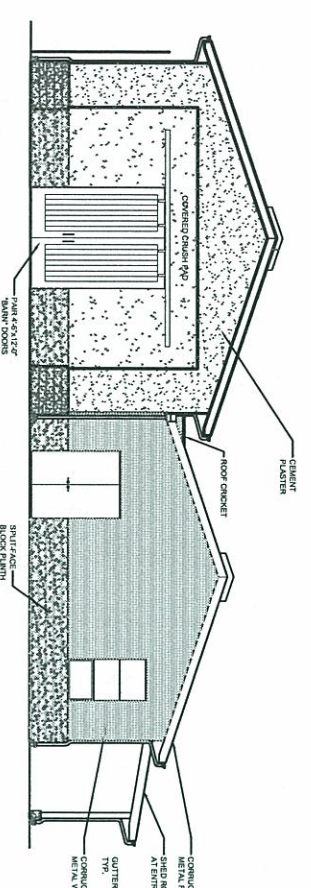
NAPA CO. CONSERVATION
NAPA COUNTY OFFICE OF PLANNING & DEPT.



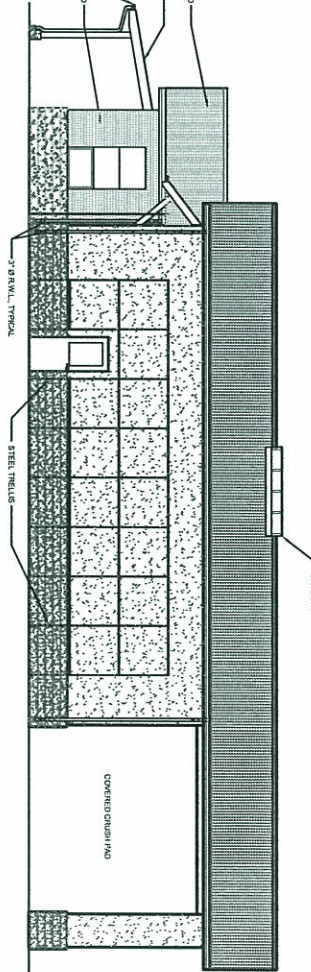
SOUTH ELEVATION
SCALE: 3/16" = 1'-0"



WEST ELEVATION
SCALE: 3/16" = 1'-0"



NORTH ELEVATION
SCALE: 3/16" = 1'-0"



EAST ELEVATION
SCALE: 3/16" = 1'-0"



USE PRINTED SCALE



VALLEY ARCHITECTS LLP
1660 BALBOA AVENUE, SUITE 200
SAN JOSE, CA 95128
TEL: 408.261.1000
WWW.VA-LLP.COM

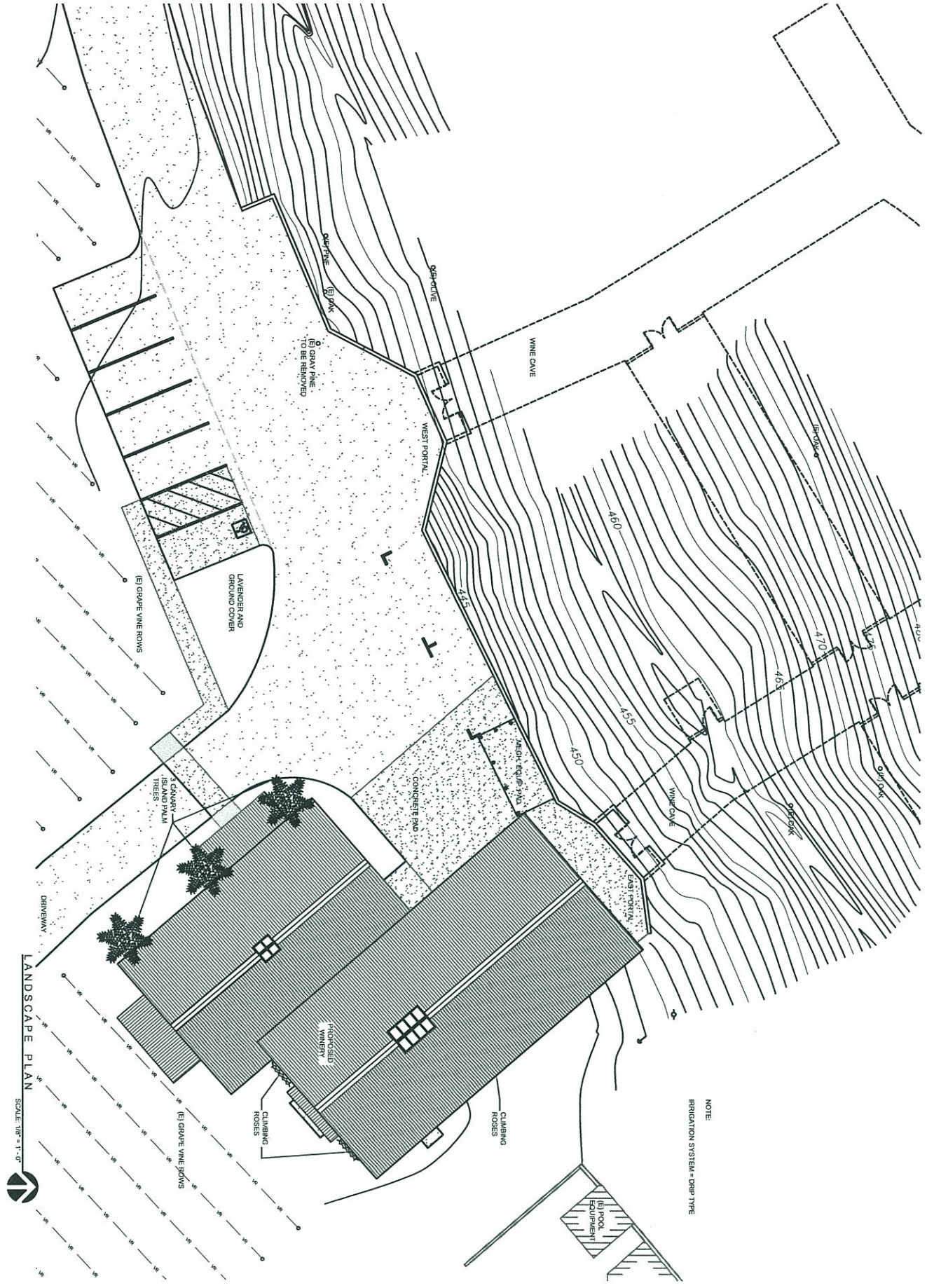


CARVER SUTRO WINERY
WINERY & CAVES
3196 PALMISTO ROAD
CALISTO, CA 95015
408.637.2244

EXTERIOR ELEVATIONS

DATE	BY	CHK
03/13/09	TRV	

A3.1



LANDSCAPE PLAN

SCALE: 1/8" = 1'-0"

NOTE: IRRIGATION SYSTEM - DRIP TYPE

THOMAS J. FARMER ARCHITECTS & STUDIO

VALLEY ARCHITECTS LLP

1500 BALBOA AVENUE

ST. HELENA, CA 94574

TEL: 707.261.1111 FAX: 707.261.1112

WWW.TJFARCHITECTS.COM

EXISTING SITE

LANDSCAPE PLAN

CARVER SUTRO WINERY

WINERY & CAVES

3100 PALMISTO BLVD

ST. HELENA, CA 94574

APR 10, 2010

LANDSCAPE PLAN

TYPE

03/13/09

L1

PROPOSED WINERY WHEN VIEWED
FROM PALISADES ROAD

