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A Commitment to Service

Agenda Date: 9/23/2020

Agenda Placement: 2A

## Zoning Administrator Board Agenda Letter

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**TO:** Zoning Administrator  
**FROM:** Charlene Gallina for David Morrison - Director  
Planning, Building and Environmental Services  
**REPORT BY:** Sean Kennings, Contractor -  
**SUBJECT:** Hindawi Residence Viewshed Application #P19-00469-VIEW

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### **RECOMMENDATION**

#### **Hindawi Residence / Orion Hindawi / Viewshed application #P19-00469-VIEW**

**CEQA Status:** Consideration and possible adoption of a Mitigated Negative Declaration. According to the proposed Mitigated Negative Declaration, the proposed project would not have any potentially significant environmental impacts after implementation of mitigation measures. Mitigation measures are proposed for the following area: Biological Resources. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

**Request:** Approval of a Viewshed application to allow the following: a) construction of a new 13,685 square foot residence; 1,000 square foot guest cottage; three car garage and two carports; pool, covered pavilions and patios; and associated landscaping improvements, b) development of an approximately 1,000-foot long new access driveway, including retaining walls, turnouts and emergency access turnaround; c) installation of a wastewater system and associated infrastructure; and, d) use of an existing groundwater well and construction of four (4) 10,500-gallon concrete water storage tanks. The Project includes approximately 6,100 cubic yards of cut and approximately 5,200 cubic yards of fill to create level building areas and vehicle parking and turnaround areas. The project is located on approximately 2-acres on a ±58.1-acre parcel within the Agricultural Resource (AR) General Plan designation and AP (Agricultural Preserve) Zoning District. 1275 and 1277 State Lane, APN:031-160-026.

**Staff Recommendation:** Adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and approve the Viewshed application subject to the recommended Conditions of Approval.

**Staff Contact:** Sean Kennings, Contract Planner, (415) 533-2111, or [sean@lakassociates.com](mailto:sean@lakassociates.com)

**Applicant Contact:** Orion Hindawi, State Lane Knoll, LLC, 53 Crest Road, Oakland, CA 94611 (510) 207-2110, or [orion.hindawi@gmail.com](mailto:orion.hindawi@gmail.com)

**EXECUTIVE SUMMARY****That the Zoning Administrator**

1. Adopt the Mitigated Negative Declaration and Mitigation and Monitoring Reporting Program based on Findings 1 through 7 of Attachment A; and
2. Approve the Viewshed Application (P19-00469-VIEW) based on Findings 8-16 of Attachment A and subject to the conditions of approval Attachment B;

**Discussion:**

The applicant submitted a viewshed application to construct a new home, guest cottage, garage, carports, and associated improvements that sit below a minor ridgeline, which may be visible from Highway 29 and Silverado Trail. The proposed structures will be visible from Highway 29 which is identified as a designated public road in the Napa County General Plan and Chapter 18.106 (Viewshed Protection Program) of the Napa County Code. It was determined that there be no visibility from Silverado Trail due to existing vegetation. Therefore, the proposed residence and accessory structures are subject to review for compliance with the Viewshed Protection Program prior to issuance of the building permit. Given that the floor area of the proposed home exceeds 4,000 square feet, the project does not meet the criteria for administrative review and has been scheduled for review by the Zoning Administrator.

The County's Viewshed Protection Program provides for review of projects in locations such as the project site and establishes standards that must be met prior to project approval. The structures are required to be located and/or screened from view such that visual impacts are reduced. Use of existing natural vegetation, new landscaping, topographical siting, architectural design, and color tone are mentioned in the Viewshed Protection Program as viable ways to reduce the visual impact, and either these techniques must be applied to effectively "screen the predominant portion" (defined as 51% or more of viewable areas as it relates to views or screening of structures and benches and shelves from designated roads) of the proposed structures, or the applicant must seek an exception pursuant to Code Section 18.106.070. The applicant has not requested an exception as per of this proposal.

As proposed, the project has been designed in substantial conformance with the County's viewshed protection manual because it would avoid grading on steep slopes and the structures will be screened from view on Highway 29 by existing vegetation and proposed landscaping. As shown in the submitted viewshed analysis, the proposed residence and associated driveway improvements will be less than 50% visible from Highway 29.

Staff believes all findings can be made in support of the project and recommends approval subject to the recommended conditions of approval.

**FISCAL & STRATEGIC PLAN IMPACT**

Is there a Fiscal Impact? No

County Strategic Plan pillar addressed:

**ENVIRONMENTAL IMPACT**

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Consideration and possible adoption of a Mitigated Negative Declaration. According to the proposed Mitigated Negative Declaration, the proposed project would not have any potentially significant environmental impacts after implementation of mitigation measures. Mitigation measures are proposed for the following area: Biological Resources. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

### **BACKGROUND AND DISCUSSION**

**Owner:** Orion Hindawi, State Lane Knoll, LLC, 53 Crest Road, Oakland, CA 94611 (510) 207-2110, or orion.hindawi@gmail.com

**Applicant/Representative:** Orion Hindawi, State Lane Knoll, LLC, 53 Crest Road, Oakland, CA 94611 (510) 207-2110, or orion.hindawi@gmail.com

**Zoning:** Agriculture Preserve (AP)

**General Plan Designation:** Agriculture Resource (AR)

#### **Code Compliance History:**

There are no open or pending code violations for the subject site.

#### **Discussion Points:**

Viewshed Review – The project site is characterized as a small wooded “L-shaped” hill north of the Town of Yountville and approximately 1.25 miles west of the Silverado Trail. There are two high points, or knolls, on the property with a lower “saddle” between the two. On the western side of the property, the knoll has a high point of 300 feet whereas the southeastern knoll high point is approximately 337 feet. The main residence is proposed on the southeastern knoll on the property, just below the highest point. There is a ridgeline (west) behind the knoll as viewed from an approximate perpendicular location on Silverado Trail, and several taller redwood trees will screen views from this location. When viewed from State Highway 29, at locations approximately two miles west of the site, there is a backdrop of higher topographical features to the east. From the Yountville Cross Road, the residence would generally be screened by existing mature vegetation. Several covered patios, a pool and yard area, are proposed on the west and north side of the house, facing towards State Highway 29. The driveway to the garages is located on the east side of the house and requires a retaining wall over 400 feet long with a maximum height of approximately 13 feet to natural grade on the east side of the driveway facing the Silverado Trail.

Proposed architectural design of these structures would utilize a reclaimed natural wood finish in an earth-tone color with a non-reflective standing seam metal roof as well as board formed concrete walls. The proposed parking spaces would be located within a garage or carports screened from offsite locations. As such, the project would not degrade the existing character of the site and its surroundings and impacts would be less than significant. The existing grade elevations in the area of the house, access drive, and fire truck turnaround are between 310 and 337 feet above mean sea level. The finished floor elevation of the main house is proposed to be approximately 310 feet, representing cuts from approximately three to seven feet which lowers the overall height of the house. Two (2) to 13 feet of fill will be needed for the driveway and fire truck turnaround area. The height of the house, measured from grade on the west side of the house to the roof peak, ranges from approximately 23 to 27 feet. The lowest finished grade for the guest cottage is proposed at 284'-10" with a high point of 331' to the covered pavilion above. The proposed residence pad would be cut into the hilltop to reduce the massing and to take advantage of existing vegetation on the property for screening purposes.

The proposed residence is potentially visible along the western side of the property from areas on Highway 29. Although 52 trees are required for removal, the majority of which are coast live oak and black oak, the proposed residence will be partially screened by the remaining existing trees on the property, including many mature oak trees along the western and southwesterly side of the residence. As shown on the landscape plan, approximately 97% of the existing vegetation on the property will be retained so no tree replanting is proposed throughout the project site to provide additional visual screening of the proposed residence. In order to screen the building and soften the western elevation, seven new trees are proposed along the western and southern side of the home, including four large box oak and olive trees. Twelve large box trees are proposed for the eastern side of the residence to help shield views to the retaining walls required for the driveway and parking area. The landscape plan also includes small shrubs and grasses to further soften the views from all vantage points. With the installation of the proposed landscaping, potential views from Highway 29 and the Silverado Trail will be reduced, and the project will be substantially screened in compliance with the Viewshed Protection Program as detailed in the findings in Attachment A. In addition, the property owner shall be required to execute and record in the County recorder's office a use restriction, in a form approved by county counsel, requiring building exteriors, and existing and proposed covering vegetation, as well as any equivalent level of replacement vegetation, to be maintained by the owner or the owner's successors so as to "prevent the project from being viewed from any designated public road" in perpetuity pursuant to County Code, Chapter 18.106.050.(C).

Four 10,500-gallon, concrete, water storage tanks are located approximately 115 feet to the south of the main residence and along the base of the highest point on the property. The finished pad for the water tanks is 325 feet and the tanks are approximately 12 feet tall. One existing tree would be removed for construction of the tank pad. The highest point of the nearby knoll is elevation 337 feet and there is significant mature oak vegetation surrounding this area. The tanks would not be seen from public vantage points due to the retention of existing trees. The proposed guest cottage is located approximately 50 feet to the north of the main residence and is approximately 15-feet below the finished floor of the main residence. The guest cottage includes a covered patio and is located between a cluster of existing oak trees on the west facing slope. To limit the overall grading impact, the guest cottage is accessed from the main residence via a small pedestrian bridge and stairs. No new landscaping is proposed around this structure.

Public Comments - Based on comments received from the California Department of Fish and Wildlife (CDFW) during the public comment period (see Attachment D), Mitigation Measure BIO-1 has been revised to further clarify protecting all bat species during tree removal activities, consistent with the CDFW recommendation. [Revised consistent with State CEQA Guidelines Section 15073.5 (c)(4).]

The CDFW comment letter also questions if there are potentially significant impacts to oak woodland and appropriate mitigation. As indicated in the Mitigated Negative Declaration (MND), while the project would remove approximately 1.55 acres of mixed oak woodland, it would retain approximately 29.72 acres of the site's 31.27 acres of oak woodlands resulting in less than significant impacts to oak woodlands and consistency with Policy CON-24 which requires a ratio of 3:1 preservation for any impacts to oak woodlands, thereby not requiring mitigation. A combination of avoidance and preservation, as is the case here, ensures consistency with this policy. In total, 52 trees are proposed for removal to construct the project (18 for the main residence, 33 for the driveway, and one for the storage tanks).

## **SUPPORTING DOCUMENTS**

- A . Recommended Findings
- B . Recommended Conditions of Approval and Final Agency Approval Memos
- C . Initial Study/Mitigated Negative Declaration

- D . Public Comments
- E . Viewshed Application Packet
- F . Biological Study
- G . Graphics

Zoning Administrator: Approve

Reviewed By: Charlene Gallina