

P L A N S

W I N E

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APR 14 2015  
TB  
Napa County Planning, Building  
& Environmental Services

April 14, 2015

Ms. Shaveta Sharma  
Planner III

Napa County Dept. of Planning, Engineering & Environmental Services  
1195 Third Street, Suite 210  
Napa, CA 94559

RE: RESUBMITTAL FOR MOUNTAIN PEAK WINERY CUP APPLICATION  
APN 032-500-033 3165 Soda Canyon Road, Napa, CA 94558

Dear Shaveta:

In our most recent communications with you about Mountain Peak Winery use permit application, you indicated that the only items needed for the project to be determined "complete" were the revised Cumulative Traffic Analysis and the Safety Analysis of Soda Canyon Road. Enclosed in the materials for this resubmittal are a revised traffic analysis by Crane Transportation Group and a safety analysis of Soda Canyon Road conducted by the firm of Bartelt Engineering. We would appreciate receiving a letter from you confirming that our filing is now deemed "complete."

Removal of Both Variances

We have revised the earlier project to remove both of the variances that were originally required. One variance was related to the shared easement (and road) on the south side of the property, where a portion of an at-grade structure is proposed. That structure was moved out of the 300-ft. setback from the private road. Please note, too that the applicant has removed that road as the primary access to his winery; therefore, none of the winery traffic will travel the road used by neighbors, even though my client actually owns the easement. In addition, we have removed the at-grade tasting room structure that was previously located within the 300-ft. setback from Soda Canyon Road, thereby requiring a variance. The tasting room use has been incorporated into the wine cave instead.

Reconfiguration of Caves and Winery Uses Therein

In order to eliminate the variance, when we moved the main tasting room building, we had to do a simple reconfiguration of the wine cave plans. In order to make this a clean, simple adjustment, we arranged to have essentially the same total cave square footage as before with a net loss of only nine (9) square feet. The production and accessory square footage numbers and ratios adjusted slightly through the elimination of the small tasting room and its associated variance and assigning its tasting space to be inside the caves.

The revised numbers for the winery development area are 1,819,066. The revised winery coverage numbers are 106,397 or 1.96 percent of the parcel area. Revised numbers for production facilities are 126,057 sq. ft. and for accessory uses are 21,222 sq. ft., resulting in a production-to-accessory ratio of 16.84 percent. These simple adjustments to the cave plan allow us to remove both variances without a significant change from the previously submitted plans for the wine cave.

#### Proposal for Phased Visitation

The applicant is proposing a phased approach to their earlier tours and tasting numbers. The original proposal was for a maximum of 80 visitors per day, with a weekly maximum of 320 visitors.

The applicant proposes an initial visitation of a maximum of 45 visitors per day, with a weekly maximum of 240 visitors. One year after final occupancy and once production has reached at least 50,000 gallons per year, the winery would like to achieve their proposed limits of up to 80 visitors per day or a maximum of 320 visitors per week.

Phase one of the visitation would involve a total of 16 cars per day or two cars per hour during the stated hours for visitation, 10:00 A.M. until 6:00 P.M.

Phase two of the visitation would involve a total of 29 cars per day or 3.5 cars per hour.

The applicant intends that many of their visitors will arrive via HOV vehicles capable of carrying more than the standard 2.8 persons per car. So the actual number of trips could be significantly lower than the standard traffic generation numbers indicate.

#### Proposed Settlement with Soda Canyon Neighbors

Some months ago we provided the County file with a settlement proposal that was offered to Soda Canyon neighbors, which they chose to not engage on. My client decided that he was willing to do those things anyway and the team proceeded to change the plans accordingly, at a significant loss of time and incurrence of expense. We believe this is a very generous proposal, one that goes a long way towards addressing the expressed concerns of the neighbors. My client continues to stand behind this in a good faith effort. For this reason and because time has passed, I am including a copy of the settlement with the materials in this resubmittal.

#### SUMMARY

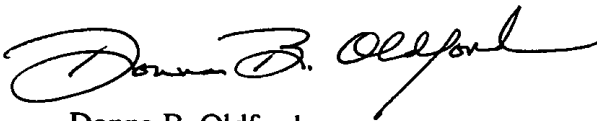
We believe that the removal of the two variances and the significant reduction of visitation reflected in the phased plan represent a respectable performance standard and good faith effort, respectively.

This winery is characterized by unusually high development standards for wineries in Napa, in the following ways.

- (1) LEED Platinum design
- (2) Water efficient design that allows the completed project to use less water than is currently used on the site.
- (3) Applicant owns 112 acres of vineyards combined on-site and on a nearby vineyard, which means he owns 92 percent of the vineyards necessary for satisfying the requested 100,000-gpy production level.
- (4) Grapes will no longer need to be trucked all the way down the hill for processing.
- (5) Almost the entire winery is housed in the wine cave, rather than in at-grade structures.
- (6) Extensive neighborhood outreach has been done since prior to submittal of the application.

We look forward to moving ahead with the project. I assume that you now have all the information necessary for preparing a CEQA document. We stand ready to answer any questions you might have during that process. Thank you for your efforts and assistance on the project to date.

Sincerely,



Donna B. Oldford  
Principal, Plans4Wine

cc: Steven Rea, Mountain Peak Vineyards LLC

Enclosures: Revised plans and drawings for winery/cave  
Digital file containing Final Traffic Study  
Safety Analysis for Soda Canyon Road  
Revised page 12 of Use Permit Application Form

## Winery Coverage and Accessory/Production Ratio

**Winery Development Area.** Consistent with the definition at "a." at page 11, and with the marked-up side plans included in your submittal, please indicate your proposed winery development area. If the facility already exists, please differentiate between existing and proposed.

Existing N/A sq. ft. N/A acres  
Proposed 35,734 sq. ft. 0.82 acres

**Winery Coverage.** Consistent with the definition at "b." at page 11 and with the marked-up site plans included in your submittal, please indicate your proposed winery coverage (maximum 25% of parcel or 15 acres, whichever is less).

106,397 sq. ft. 2.44 Acres 0.058 % of parcel

**Production Facility.** Consistent with the definition at "c." at page 11 and the marked-up floor plans included in your submittal, please indicate your proposed production square footage

Existing N/A sq. ft. Proposed 126,057 sq. ft.

**Accessory Use.** Consistent with the definition at "d." at page 11 and the marked-up floor plans included in your submittal, please indicate your proposed accessory square footage. If the facility already exists, please differentiate between existing and proposed. (maximum = 40% of the production facility)

Existing N/A sq. ft. N/A % of production facility  
Proposed 21,222 sq. ft. 16.84 % of production facility

## Caves and Crushpads

If new or expanded caves are proposed please indicate which of the following best describes the public accessibility of the cave space:

- ☐ None – no visitors/tours/events (Class I) ☐ Guided Tours Only (Class II) ☐ Public Access (Class III)  
☐ Marketing events and/or Temporary Events (Class III) **Caves not yet built.**

Please identify the winery's...

Cave area	Existing: <u>N/A</u> sq. ft.	Proposed: <u>59,980</u> sq. ft.
Covered crush pad area	Existing: <u>N/A</u> sq. ft.	Proposed: <u>13,256</u> sq. ft.
Uncovered crush pad area	Existing: <u>N/A</u> sq. ft.	Proposed: <u>1,759</u> sq. ft.

# Mountain Peak Vineyards LLC

*steven@mountainpeakvineyards.com 707.853.8600*

## Proposed Compromise Agreement

With the desire to reach a mutually agreeable compromise with Neighbors who have expressed concerns (Neighbors) regarding the Mountain Peak Vineyards LLC (MPV) winery project at 3265 Soda Canyon Rd., on this day of May 7, 2014, MPV proposes to make the following revisions to its project and to notify the County as soon as possible of such changes, in return for the Neighbors to agree that they will not oppose or appeal the winery use permit.

"Neighbors" includes Kosta Arger, Julie Arger, Anthony Arger, Bill Hocker, Mui Ho, Tony Fernandez, Glenn Schreuder, Yeoryios Apallas.


- (1) MPV will prepare and present design drawings for County Staff and Traffic Consultant review, which would remove the hospitality entrance from the shared access easement and place it directly off Soda Canyon Rd., in close proximity to the existing residential entrance. If the County approves of this change, MPV agrees to move forward with this new location. See Addendum 1 for proposed entrance.
- (2) MPV will propose to the County to build a berm and plant an orchard on the east side of the proposed parking area, to provide increased visual screening for the Arger vacation home or those driving down the shared access easement.
- (3) MPV will propose to the County to construct an additional temporary construction portal to the caves, so that drilling can be carried out from both the front and the back at the same time. This will significantly reduce the amount of time necessary to drill the caves and any disruption related to such construction.
- (4) MPV will propose to the County a reduction in the daily winery tours/tastings on those days when a marketing event is held. This reduction would be equal to ½ the number of persons in attendance at the marketing event scheduled for that particular day.
- (5) MPV will respond to the inquiry by the Arger family, who asked that MPV erect a shade cloth along parts of our eastern fence that faces the Arger property, in order to help with dust mitigation. Although we believe that standard dust control measures will be quite adequate to achieve the normal level of dust control for this temporary issue, as they have been with virtually every winery construction project undertaken in the County, we are willing to concede this. We would install this shade cloth for the period of the winery construction when there is a large amount of grading or land work in that area.
- (6) While the Agricultural barn is not part of the winery use permit due to its agricultural use, MPV will remove the proposed agricultural barn from the area that is adjacent to the Hocker property, if Bill Hocker and Mui Ho agree to and sign this agreement.

This proposal is offered as a settlement agreement and is contingent upon the agreement and receipt of signatures from all Neighbors. If all Neighbors' signatures are not received, then this proposal is not executed. In this case, MPV will proceed forward as they best see fit and in accordance with the guidelines set forth by the County.

# Mountain Peak Vineyards LLC

steven@mountainpeakvineyards.com 707.853.8600

By signing this agreement, all parties acknowledge understanding of and hereby agree to all the terms set forth in this agreement.

 5/8/14  
\_\_\_\_\_  
Mountain Peak Vineyards LLC date  
Steven Rea - General Manager

\_\_\_\_\_  
Kosta Arger date

\_\_\_\_\_  
Julie Arger date

\_\_\_\_\_  
Anthony Arger date

\_\_\_\_\_  
Bill Hocker date

\_\_\_\_\_  
Mui Ho date

\_\_\_\_\_  
Tony Fernandez date

\_\_\_\_\_  
Glenn Schreuder date

\_\_\_\_\_  
Yeoryios Apallas date

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## Addendum 1

