County of Santa Clara

Department of Planning and Development
Planning Office

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June 30, 2017

Chateau Masson, LLC
c/o William Hirschman
15055 Los Gatos Blvd., #310
Los Gatos, CA 95032

File Number: 3179-17PA
Subject: Architecture and Site Approval Modification Pre Application
Site Location: 14831 Pierce Road Saratoga

Dear Mr. Hirschman:

This letter summarizes the comments discussed at the Architecture and Site Approval (ASA) modification pre-application meeting that took place on May 31, 2017. As described on submitted project description and project plans, this pre-application is to modify the existing July 2006 ASA approval, which included a proposed arbor structure , a multi-purpose building, a wine terrace and cellar, and a storage barn that were never constructed.

The current ASA modification proposes seven (7) buildings as shown on plans for the following:

Building A – Wine Tasting/Concessions:	1,500 sq. ft.
Building B – Winery Plaza Building:	8,345 sq. ft.
Building C – Plaza Concessions Building:	1,220 sq. ft.
Building D – Venue Office/Restrooms	4,010 sq. ft.
Building E – Storage/Operational Support	3,890 sq. ft.
Building F – Trash/Recycle	450 sq. ft.
Building G – Box Office	650 sq. ft.
Total Development:	31,055 sq. ft.

If approved, the ASA modification would supersede the 2006 ASA approval with regard to these uses and buildings. Discussions at the Pre-Application Meeting indicated that the scope of the project is reduced in terms of building space, but the facilities are located in the general same locations shown for buildings in the previous ASA approval.

According to the Use Permit terms and conditions, Mountain Winery is authorized to conduct the following uses: (per Use Permit Condition 2.)

a. Performing arts: 75 events, not to exceed the capacity of the concert bowl per event, which is 1,750 seats

Board of Supervisors: Mike Wasserman, Cindy Chavez, Dave Cortese, Ken Yeager, S. Joseph Simitian
County Executive: Jeffrey V. Smith

b. Weddings, Receptions, Corporate Banquets: not to exceed 450 events and shall range from 25 to 500 persons per event
c. Special Events: not to exceed thirty-six (36) events with no more than three (3) events per month, and with no more than 1,500 persons (visitors and employees) per event.

According to Zoning Ordinance Chapter 2.10, the land use classifications for this use is "Entertainment – Seasonal Outdoor" with ancillary Reception Facility.

Entertainment – Seasonal Outdoor (commercial) is defined as facilities used for spectator entertainment include but not limited outdoor movie and live performance theaters or stages.

Reception Facility (commercial) is defined as indoor or outdoor facilities used for receptions, parties, weddings, or other similar gatherings. Kitchen and dining rooms may be included.

The submitted project description indicates that no modifications are requested for number or type of events, or number of people on-site. No new signage, and parking remains the same as previously approved. One existing office building shall be demolished.

The site is approximately 177 acres with an existing outdoor entertainment arena, with associated reception buildings of Mountain Winery. Surrounding parcels include homes, campground facilities, and forested land.

AN APPOINTMENT IS REQUIRED FOR THIS ASA MODIFICATION SUBMITTAL. WHEN YOU ARE READY TO SUBMIT AN APPLICATION WHICH ADDRESSES ALL THE COMMENTS IN THIS LETTER, CALL OR EMAIL ME TO SCHEDULE A SUBMITTAL APPOINTMENT AT (408) 299-5797, Colleen.Tsuchimoto@pln.sccgov.org.

PLANNING
Contact Colleen Tsuchimoto at (408) 299-5797, Colleen.Tsuchimoto@pln.sccgov.org regarding the following:

GENERAL PLAN

1) The subject property has the Hillsides general plan land use designation. Therefore, General Plan land use policies R-LU16 to R-LU18, RLU24 to R-LU25, and RLU27 to RLU30 apply to this project, which are related to development within the Hillsides general plan land use designation.

ZONING

2) The proposed site is designated Hillsides (HS) by the zoning map, with an –sr combining district applicable to structures within 100 feet of Congress Springs Rd., and d1 combining district Santa Clara Valley Viewshed area. The intent of HS zoning is to preserve mountainous land unplanned or unsuited for urban development primarily in open space and to promote those uses which support and enhance a rural character. In accordance with Table 2.20-2 of the County Zoning Ordinance, the proposed modifications to Mountain Winery are allowed by means of the Architecture and Site Approval (ASA) process, given that the nature and intensity of the existing

authorized uses are not changing. Specific findings for Architecture and Site Approval are provided in Zoning Ordinance Section 5.65.

To achieve the desired modifications, the property owner would need to do the following:

a) File for ASA Modification. Go to the Planning Office website – www.sccplanning.org – Apply for Permit – ASA for submittal requirements.
b) If new additional grading is needed for the ASA modification, file for concurrent Grading Approval modification with grading plans and other submittal requirements. Go to Planning Office website – www.sccplanning.org – Apply for Permit – Grading Approval.
c) No additional fee is required to process Design Review, which is subsumed within the application for ASA. The Site is located within the –d1 zoning district (Santa Clara Valley viewshed area). Visibility analysis performed by staff subsequent to the pre-application meeting show that the Mountain Winery facilities are within a prominently visible area at the top of a ridge. Buildings over 12,500 sq. ft. in the –d1 zone (Tier 3) are subject to Design Review approval by the County Planning Commission. From discussions at the Pre-Application Meeting, the project and each building will be designed to qualify as Tier 2 projects of no greater than 12,500 sq. ft. max. size. Tier 2 Design Review applications and ASA applications are decided at the Zoning Administration public hearings, and are subject different criteria than Tier 3 projects.
d) NOTE: The modifications will require a Zoning Administration hearing. After the project is complete and conditioned, the hearing will be scheduled. The action of the Zoning Administrator may be appealed to the Planning Commission within 15 calendar days of the decision.
e) The Zoning Administrator is required to make ASA findings per Zoning Ordinance section 5.65 for any ASA approvals, Grading findings per the County Grading Ordinance for any Grading approvals, and Design Review findings per Zoning Ordinance Section 5.50 for any Design Review approvals.

PROJECT DESCRIPTION AND PLANS

3) Within project description and plans to be submitted for the ASA modification, provide documentation that explains and shows all proposed site improvements.
    a) Provide site plan and project description showing existing approved buildings and improvements, and clear identification of modification to those buildings and improvements. A matrix on plans and/or within project description that identifies the size of buildings of the previous ASA modification, comparing to the current proposal should be submitted.
    b) Provide floor plan of all new buildings. Identify location of all activities on floor and site plans. Calculate square footage of all buildings; and highly advise that size not exceed 12,500 sq. ft. Buildings over 12,500 sq. ft. are subject to Planning Commission Design Review approval.
    c) Provide elevation plans of the new buildings.
    d) If any exterior lighting is proposed, provide lighting plan.
    e) If any new landscaping is proposed, provide landscaping plan.

Setbacks

4) Zoning Setbacks: Property is located in the HS-d1-sr zoning district which requires a minimum setback of 30 feet from road right-of-way. The project meets zoning setbacks.

Environmental Review

5) Per the California Environmental Quality Act (CEQA); the proposed modifications to ASA qualifies for the Use of a Prior CEQA Document. Submit Petition for Use of a Prior CEQA Document form and fee.

Fees

6) Current planning fees for processing of the land use applications are as follows:

   ASA modification - $9,217
   Design Review - no additional fee submittal when subsumed within ASA application
   Use of a Prior CEQA Document - $620
   Geology report review - $1,653
   Total Fees initially required $11,490
   If concurrent Grading Approval modification is necessary – add $2,383.

HISTORICAL

Contact Robert Salisbury at (408) 299-5785, Robert.Salisbury@pln.sccgov.org regarding the following:

7) An updated historical report prepared by a qualified historical consultant is required evaluating the impact of the proposed project on the historic resource. Mountain Winery is on the National Register of Historic Places, and is a designated Landmark.

DEPARTMENT OF ENVIRONMENTAL HEALTH

Contact Darrin Lee at (408) 299-5748, Darrin.Lee@pln.sccgov.org regarding the following:

Existing Onsite Waste Water Treatment System (OWTS)

8) The existing septic system must be evaluated by a licensed septic tank contractor or pumper. The evaluation must include pumping, inspecting and water testing the septic tank, and a 30 minute water test of the leachlines. The evaluation is necessary to ensure that the existing system is in adequate working condition, and if it is not, that sufficient area is available for a septic system repair before any further development on the parcel is approved.

9) To ensure the existing OWTS (inclusive of dispersal field) is properly sized to accommodate the planned improvements, please provide wastewater loading calculations to the Department of Environmental Health.

Proposed Wine Tasting/Concessions (Building A) – Concessions and Wine Tasting

10) All food facilities require plan review by the plan review and construction unit of the Department of Environmental Health (DEH) that is separate from any plan review done by the

County Building Department. Contact DEH at 408-918-3400 regarding plan submittal requirements.

a) Obtain OWTS clearance for Building A as there will be waste water contributions to the existing OWTS.

Proposed Winery Plaza Building (Building B) – concessions, pantry, and restrooms

11) All food facilities require plan review by the plan review and construction unit of the Department of Environmental Health (DEH) that is separate from any plan review done by the County Building Department. Contact DEH at 408-918-3400 regarding plan submittal requirements.

a) Obtain OWTS clearance for Building B as there will be waste water contributions to the existing OWTS.

Proposed Plaza Concessions Building (Building C) – kitchen, concessions, and restrooms

12) All food facilities require plan review by the plan review and construction unit of the Department of Environmental Health (DEH) that is separate from any plan review done by the County Building Department. Contact DEH at 408-918-3400 regarding plan submittal requirements.

a) Obtain OWTS clearance for Building C as there will be waste water contributions to the existing OWTS.

13) Please clarify "accessory storage" as noted in the project description. What's being stored within the accessory storage?

FIRE MARSHAL

Contact Mac Bala at (408) 299-5763, Mac.Bala@pln.sccgov.org regarding the following:

14) Provide and maintain a minimum 20 feet access road. The fire apparatus access road shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first floor as measured along the path of travel.

15) The existing fire truck turnaround shall not be compromised and shall be kept clear at all times.

16) Prepare a construction site safety plan to address the access road during construction. The Fire apparatus road to the Chateau, and concert bowl need to be maintained.

LAND DEVELOPMENT ENGINEERING

Contact Ed Duazo at (408) 299-5733, Ed.Duazo@pln.sccgov.org regarding the following:

17) Submit a C.3 questionnaire with the ASA Modification Application. The Preliminary Plans should detail the C.3 treatment measures, as well as the site design and source control measures that have been incorporated into the project design. A Storm Water BMP Operations &

Maintenance Agreement will be required to cover C.3 treatment improvement. Reference the C.3 Stormwater Handbook for additional information.

18) Provide additional grading details, including:
    a) a revised grading table summarizing the grading volumes associated with the modification
    b) the limits of the modified grading, and
    c) how the modified grades will tie into existing contours

19) The project will add more than 2,000 square feet of impervious area, and will require a drainage permit/drainage review. In the preliminary plans, show the conceptual drainage improvements that will mitigate the increased run-off created by the increase in impervious area. For additional information regarding drainage mitigation requirements, please refer to the 2007 Santa Clara County Drainage Manual (available on-line).

20) If the Fire Marshal's Office requires improvement to the existing access roads, show these improvements in the plans, and how the access improvements will tie into existing grades. Include any grading associated with this work in the grading summary table.

GEOLOGY

Contact Jim Baker at (408) 299-5774, Jim.Baker@pln.sccgov.org regarding the following:

21) Submit a geologic report that includes evaluations of potential surface fault rupture and slope instability. This site is located within a State Earthquake Fault Zone, a County Fault Rupture Hazard Zone, a State Seismic Hazard Zone of Required Investigation of Potential Landsliding, and County Landslide Hazard Zone. Contact the County Geologist to discuss the scope of investigation needed. Pay the report review fee when submitting one wet-signed original and an electronic version (pdf on CD) of the report to the Planning Office.

BUILDING INSPECTION

Contact Matthew O'Brien at (408) 299-5752, Matthew.Obrien@pln.sccgov.org regarding the following:

22) A Separate building permit submittal shall be required for each separate structure that is being proposed. The removal of any existing structures will also require permitting.

23) Please be aware that accommodations for persons with disabilities will be required for the areas of the site that will be accessed by the public, and throughout the new buildings as needed for both public and employees required access. Site accessibility shall also include accessible routes connecting the new to the existing buildings and to the publicly accessed areas of the site.

24) A geotechnical report will be required as a part of the building permit submittals.

25) Please see the following link for the County CalGreen compliance checklist for your reference. https://www.sccgov.org/sites/dpd/DocsForms/Documents/Checklist_CALGreen_NonResidential.xls

If you have any questions or other concerns, please call me at (408) 299-5797, or contact me at Colleen.Tsuchimoto@pln.sccgov.org.

Sincerely,

Colleen A. Tsuchimoto

Colleen A. Tsuchimoto
Senior Planner

cc:
Rob Salisbury – Historical
Darrin Lee – Dept. of Environmental Health
Mac Bala – Fire Marshal
Ed Duazo – Land Development Engineering
Jim Baker – Geologist
Matthew O'Brien – Building

Applicant – AEG 647 W. Jefferson St. Los Angeles, CA 90007
Amanda Musy-Verdel of Hanna Brunetti – 7651 Eigleberry St. Gilroy, CA 95020