

STAFF REPORT TO: AMADOR COUNTY PLANNING COMMISSION
FOR MEETING OF: JULY 9, 2019

Item 2 - Zoning Interpretation Hearing (ZI-19;6-1). Request by Chaim Gur-Arieh, proprietor of C.G. Di Arie Vineyard and Winery, for a zoning ordinance interpretation pursuant to Amador County Code Section 19.24.040, “A,” Agricultural district regulations, regarding whether or not the “A” district would allow the production and tasting of distilled spirits from materials other than grapes.

Applicant: C.G. Di Arie Winery and Vineyard (Chaim Gur-Arieh, representative)

Supervisory District: 5

Location: 19919 Highway 49, Plymouth (APN 014-230-005).

A. General Plan Designation: AG, Exclusive Agriculture (40 acre minimum parcel size)

B. Present Zoning: “A,” Agricultural District

C. Background: County Code Section 19.24.040, “A,” Agricultural district regulations, allows wineries and wine tasting rooms as permitted uses, and the “processing, packaging, selling, shipping of agricultural products” as a conditional use. California’s Department of Alcoholic Beverage Control regulations also allow wine makers to distill grapes into brandy, which can then be further processed into botanical brandies by including additional fruit and/or other flavors. The County’s practice has been to allow wineries to further process wine into brandy, thereby establishing the distillation of grapes and wine into neutral spirits as an extension of grape growing and/or wine manufacturing.

ABC regulations prohibit tasting of wine and distilled spirits in the same facility. The applicant proposes to convert an existing wine production and storage building into a distillery and spirits tasting room. This facility would be on the same parcel with an existing wine tasting room, but in separate buildings to comply with ABC regulations.

The issue before the Planning Commission is to determine whether or not the conditional use of “processing of agricultural products” extends to the production and tasting of distilled spirits from materials other than grapes.

D. Planning Commission Action: Following the public hearing, the Planning Commission may either:

1. Find that “processing of agricultural products” extends to the production and tasting of distilled spirits from materials other than grapes and is consistent with the intent of County Code Section 19.24.040, “A,” Agricultural district conditional uses.
2. Find that “processing of agricultural products” does not extend to the production and tasting of distilled spirits from materials other than grapes and is inconsistent with the intent of County Code Section 19.24.040, “A,” Agricultural district conditional uses.

E. Findings: If the Planning Commission moves to find that production and tasting of distilled spirits from materials other than grapes is compatible with County Code Section 19.24.040, the action must

be based on specific findings *(please specify in the motion)* which are supported by materials or information presented during the hearing.

C.G. Di Arie Vineyard and Winery - Aerial

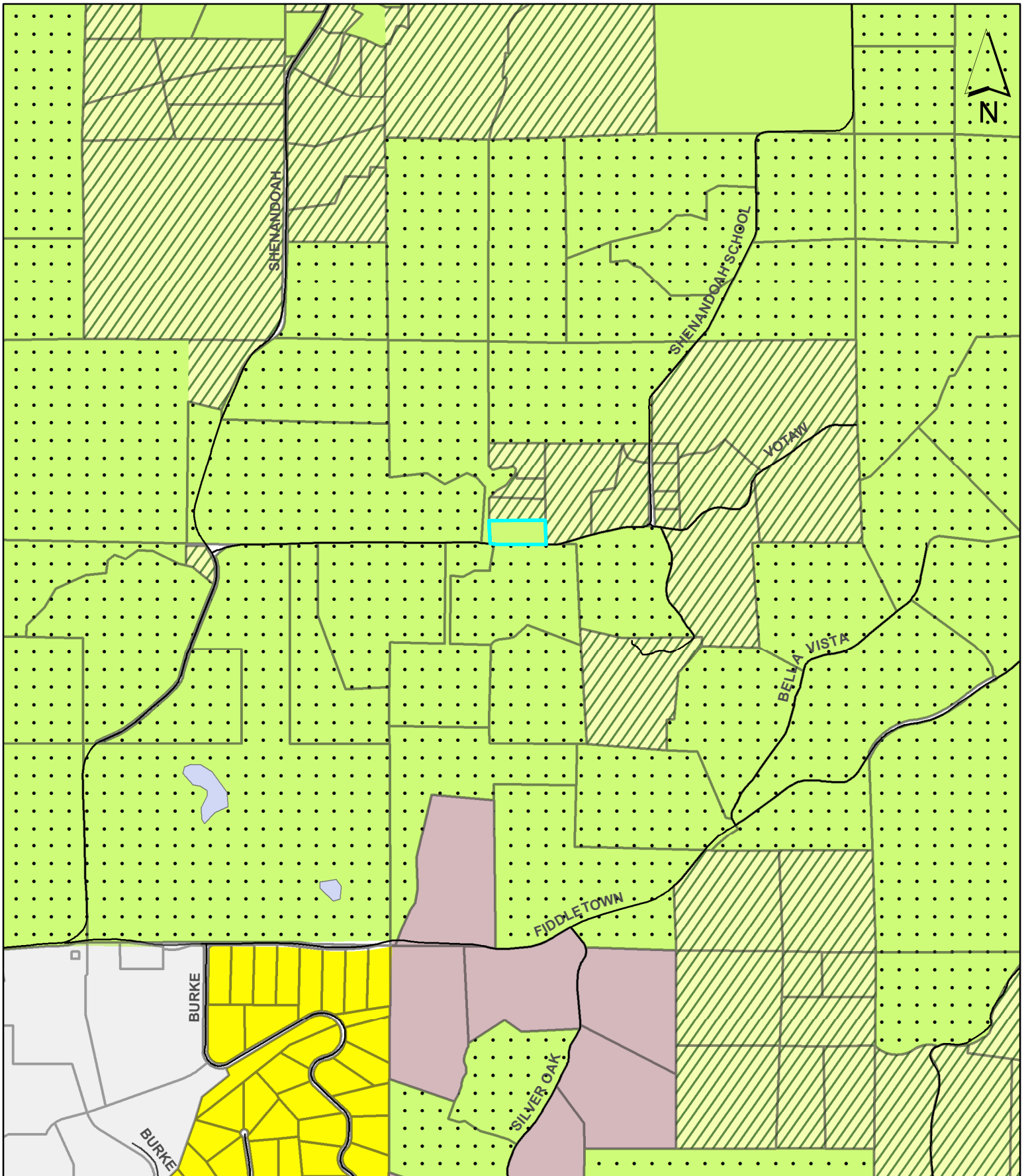


Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

0 500 1,000 Feet

Parcel Boundaries

C.G. Di Arie Vineyard and Winery - Zoning

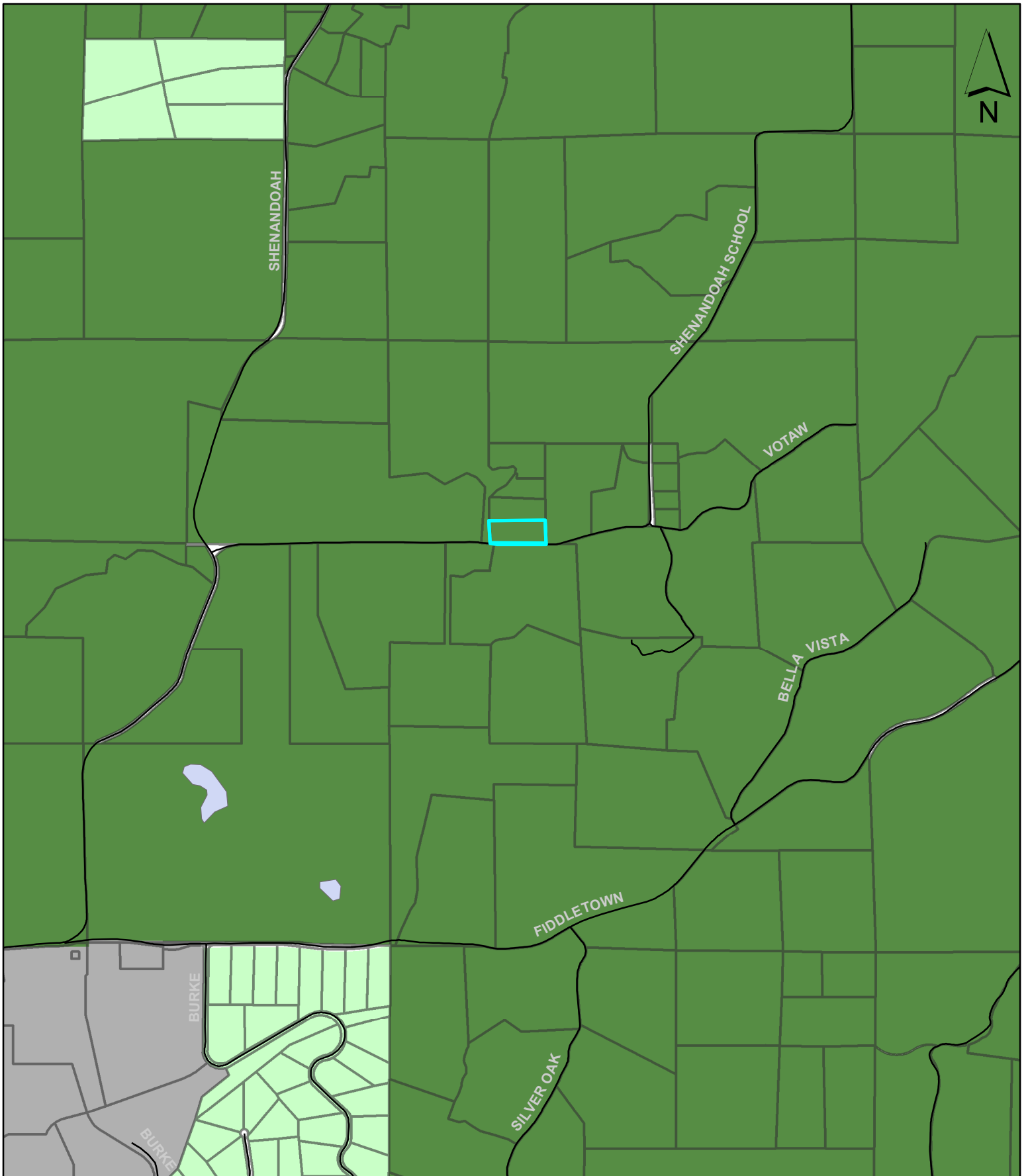


Zoning

0 0.1 0.2 0.4 0.6 0.8 1 Miles

- A
- AG
- R1A
- RE
- X
- Plymouth City Limits

C.G. Di Arie Vineyard and Winery - General Plan Designation



0 0.1 0.2 0.4 0.6 0.8 1 Miles

General Plan Designation

AG AT UA

JUNE 15, 2019

**APPLICATION FOR PERMISSION TO ADDRESS
THE AMADOR COUNTY PLANNING COMMISSION**

APPLICANT: C.G. Di Arie Winery and Vineyard
19919 Shenandoah School Road
Plymouth, CA 95669
Owner: Chaim Gur-Arieh

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1	Cover Sheet
2	Introduction
3	Proposed Operation
4	Facility Data
5	Building Photo

Articles:

		<u>Format</u>
1	Site Plan with Existing Buildings	24 x 36
2	Plan of Proposed Building to be Changed	11 x 17
3	Parcel Map with Parking shown	11 x 17

Please Respond to the Following Address:

Chaim Gur-Arieh
P.O. BOX 589
MT. AUKUM, CA 95656

To: THE AMADOR COUNTY PLANNING COMMISSION

**Subject: REQUEST FOR A ZONING ORDINANCE INTERPRETATION FOR A
 PROPOSED ADDITIONAL TASTING ROOM IN AMADOR COUNTY**

Applicant: C.G. Di Arie Winery and Vineyard

19919 Shenandoah School Road

Plymouth, CA 95669

Owner: Chaim Gur-Arieh

Introduction:

Mr. Chaim Gur-Arieh, the proprietor of the C.G. Di Arie Vineyard and Winery on Shenandoah School Road, intends to add a small craft distillery to be located within an existing on-site building to produce small quantities of distilled spirits (Brandy, Gin and like Products). The proposed process involves distilling his wine into small quantities of alcoholic spirits with all the distilled ingredients used in the process produced by C.G. Di Arie, thus, keeping within the intent of the Amador County General Plan for Wineries located within an Agricultural Zoned District.

Request:

In conjunction with the new Distillery and due to ABC Regulations for Distilleries, wine tasting and distilled spirits tasting areas cannot be combined into one location, they must be separated. Therefore, Mr. Gur-Arieh would like to add an additional tasting room to his property to be located within the new Distillery to allow his patrons to sample the distilled spirits and view the distilling process.

However, according to the Amador County Planning Department, in order to allow a second on-site tasting room, an Interpretation from the Planning Commission for compliance within the intent of the Amador County Zoning Ordinance for Wineries is required for this proposed project to move forward.

Therefore, Mr. Gur-Arieh requests a hearing with the Planning Commission at the earliest possible date to address this subject. Thank You.

Proposed Operation for the New Distillery Tasting Room

Drawings provided: Articles (1) Site plan and (2) enlarged floor plan, (3) Parcel Map

The new Tasting room will be accessible directly from Shenandoah School Road as shown on the site plan and located within the existing permitted on-site product storage building:

1. Hours of Operation: 8:30 AM – 5 PM for Staff and 10 AM – 5 PM for Visitors
2. Days of the week: 7 days a week
3. Occupancy: Less than 20 Occupants at a time
4. The distillery will be open at the same time as the existing wine tasting room.
5. The products served at the Tasting room will be: Brandy, Gin and other like products made by the distillation of wine or wine by-products.
6. On-site parking: 30 spaces available plus two van accessible spaces.
7. Parking is accessible directly off Shenandoah School Road, not a privately shared drive-way

Areas of the Existing Storage Building to be Used:

Proposed Tasting Room:	400 SF: Occupancy 20< occ.
Proposed Distillery:	230 sf Separated from tasting area
Sales area and display	400 sf Connected to tasting room
Restroom/misc. area	195 sf
Outdoor Seating Area	480 sf Seating for 10 -20

Total Building Area of Proposed Distillery: 1,225 sf

EXISTING USE OF PROPERTY:

USE: Public Wine Tasting and Product Sales, Vineyard, Wine Production, Product Storage and Office Space.

Zoning: A General Agricultural

APN: 014-230-005-0000 lot 5

Area: 5 Acres / 217,800 SF

Occupancy: Mixed Use: B / S2 / F2

On-Site Buildings: A – B – C

A. Existing Building A: Change in-Use From Product Storage to a Distillery with a Tasting room.

Building (A) New Use: Distilled Products Tasting Area, Product Sales and Distilling Alcohol

Occupancy Class.: M / F1 Mercantile and Production

Area: 1,225 SF Type VB Non-Rated / No Sprinklers

B. Existing Building B: No Proposed Change in Use

Building (B) Use: Wine Production and Storage

Occupancy Class.: F2 / S2 Wine Production / Storage

Area: 645 SF Type VB Non-Rated / No Sprinklers

C. Existing Building C: No Proposed Change in Use

Building (C) Public Tasting Room for Wine, Product Sales, Storage and Office Space

Occupancy Class.: M / B / S2 Mercantile / Office / Product Storage

Area: 3,100 SF Type VB Non-Rated / No Sprinklers

BUILDING A : PROPOSED NEW DISTILLERY BUILDING



C.G. DI ARIE WINERY AND VINEYARD
 PROJECT ADDRESS: 19919 SHENANDOAH SCHOOL ROAD
 PLYMOUTH, CA 95669
 APN: 014-230-005-000

OWNER: CHAIM GUR-ARIEH ARCHITECT: JAMES WHITMARSH
 MAILING ADDRESS: WHITMARSH ARCHITECTURE
 P.O. BOX 598 331 37TH STREET
 MT. AIRKIN, CA 95656 SACRAMENTO, CA 95816
 PHONE: (510) 325-0445 (916) 275-9733 JW@whitmarsh-arch.com

SCOPE:

CHANGE TO EXISTING: THE PROPOSED PROJECT INVOLVES A RENOVEL TO THE EXISTING ON-SITE PRODUCT STORAGE BUILDING AND ADDITION OF NEW DISTILLERY AND TASTING ROOMS. THE PROPOSED CHANGE INCLUDES A NEW DISTILLERY OF ALCOHOL SPIRITS.

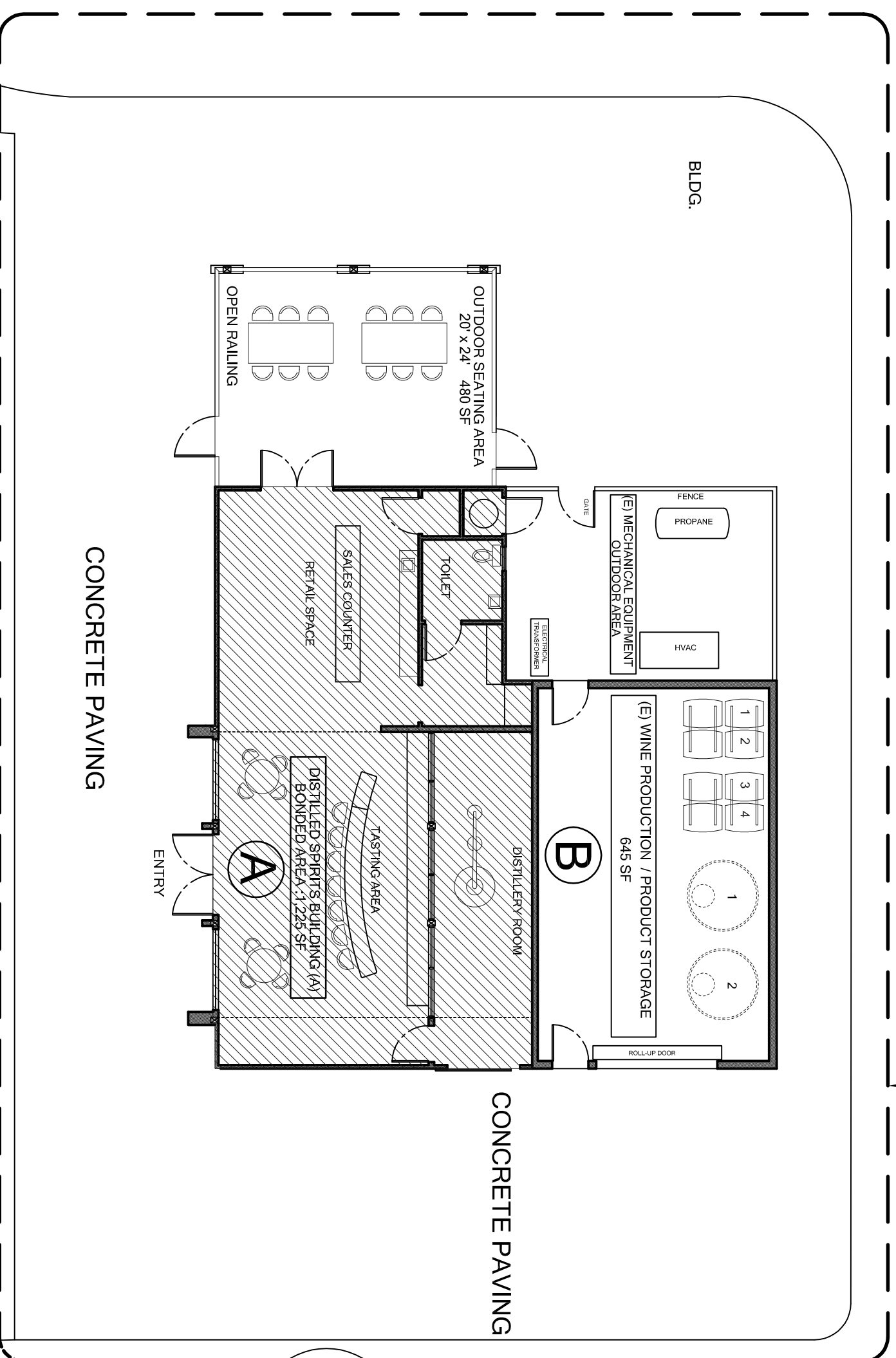
AREA DATA

USE	CURRENT USE OF EXISTING WINE TASTING BUILDING (C)	BLDG.	(E) EXISTING BUILDINGS :	OCC. CLASS	FLOOR AREA SF
PARKING SPACES	32		(E) BUILDING (C)	B	2,040 SF
CONSTRUCTION TYPE	V - B - NON-HATED		(E) BUILDING (C)		
OCCUPANCY TYPE	MIXED USE : M / B / S2		(E) BUILDING (C)		
FIRE SPRINKLERS	NO		(E) BUILDING (C)		
NUMBER OF STORES	1		(E) BUILDING (C)		
OCCUPANT LOAD	53		(E) BUILDING (C)		
BUILDING AREA	3,100 SF		(E) BUILDING (C)		
APN	014-230-005-000		(E) BUILDING (C)		
ZONING	A AGRICULTURE		(E) BUILDING (C)		
TOTAL FLOOR AREA OF ALL EXISTING ON-SITE BUILDINGS:					4,970 SF

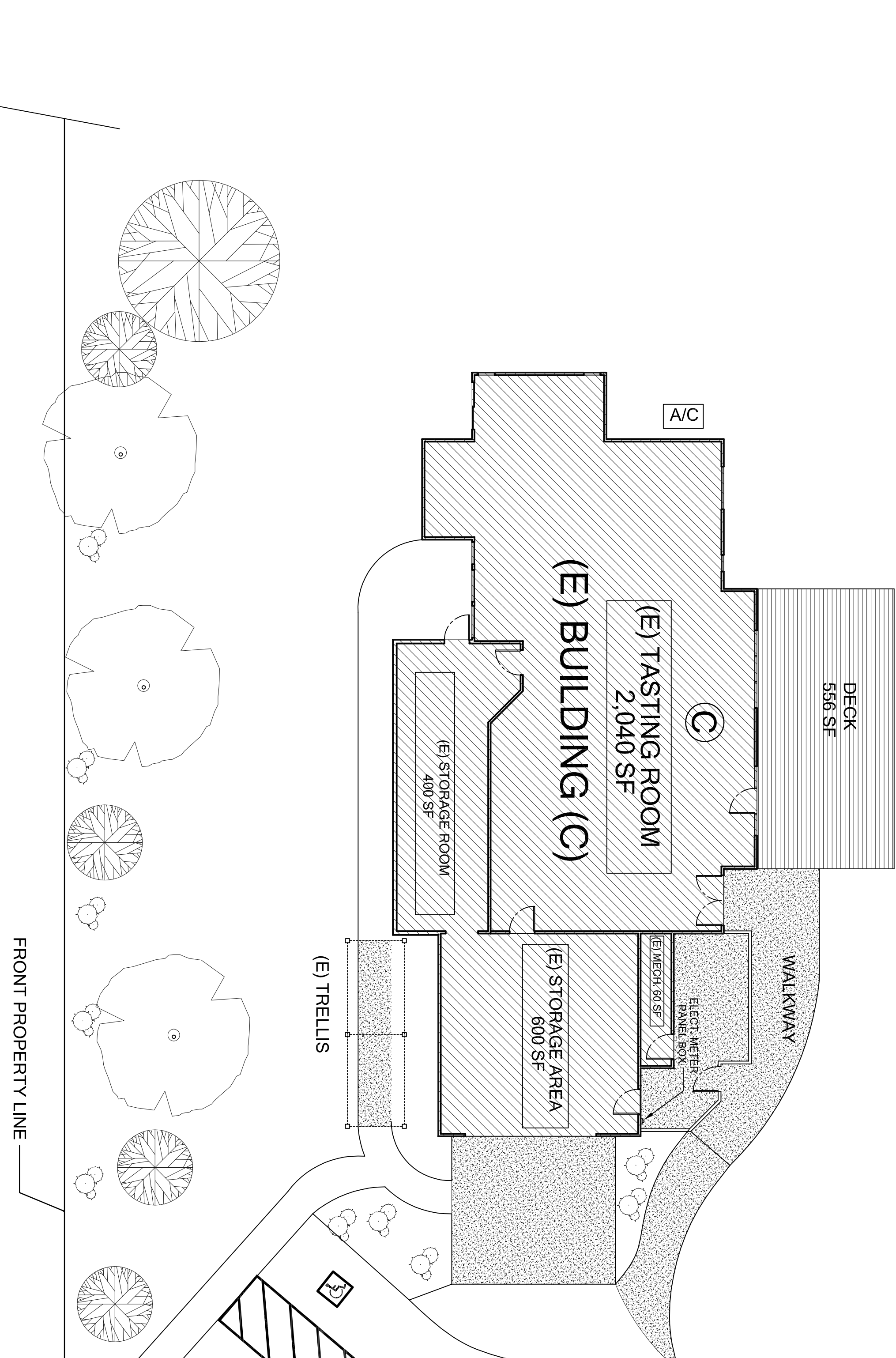
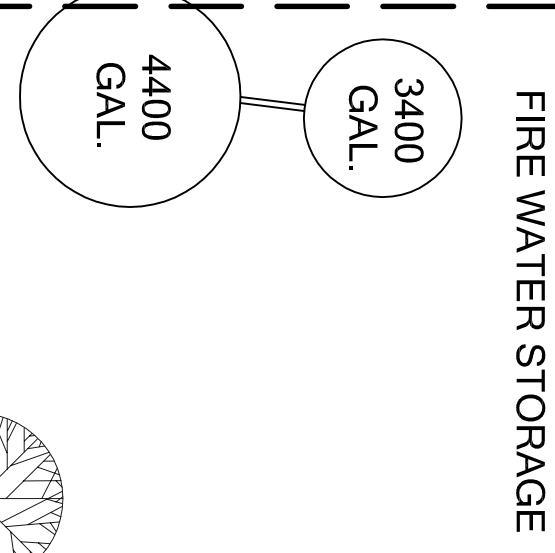
USE	PROPOSED CHANGE TO BUILDING (A)	BLDG.	(E) EXISTING BUILDINGS :	OCC. CLASS	FLOOR AREA SF
PARKING SPACES	32		(E) BUILDING (C)	B	2,040 SF
CONSTRUCTION TYPE	V - B - NON-HATED		(E) BUILDING (C)		
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APN	014-230-005-000		(E) BUILDING (C)		
ZONING	A AGRICULTURE		(E) BUILDING (C)		
TOTAL FLOOR AREA OF ALL EXISTING ON-SITE BUILDINGS:					4,970 SF

OUTLINE OF AREA OF IMPROVEMENTS



SHADING PATTERN ABOVE INDICATES
 (E) AREA OF BUILDING (A)
 (NOTE: NO ADDED FLOOR AREA)

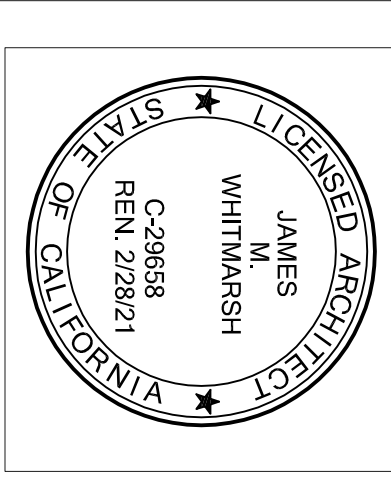


**1 SITE PLAN
 ARTICLE 1**

CG di ARIE WINERY
 19919 SHENANDOAH SCHOOL ROAD

ADDITIONAL PARKING
 30 SPACES

**CG di ARIE WINERY CHANGE TO EXISTING
 NEW DISTILLERY / TASTING ROOM
 19919 SHENANDOAH SCHOOL ROAD
 PLYMOUTH, CA 95669
 SITE PLAN WITH IMPROVEMENTS**



WHITMARSH ARCHITECTURE
 331 37th STREET
 SACRAMENTO, CA 95816
 JW@WHITMARSH-ARCH.COM

JUNE 15, 2019

Article 1

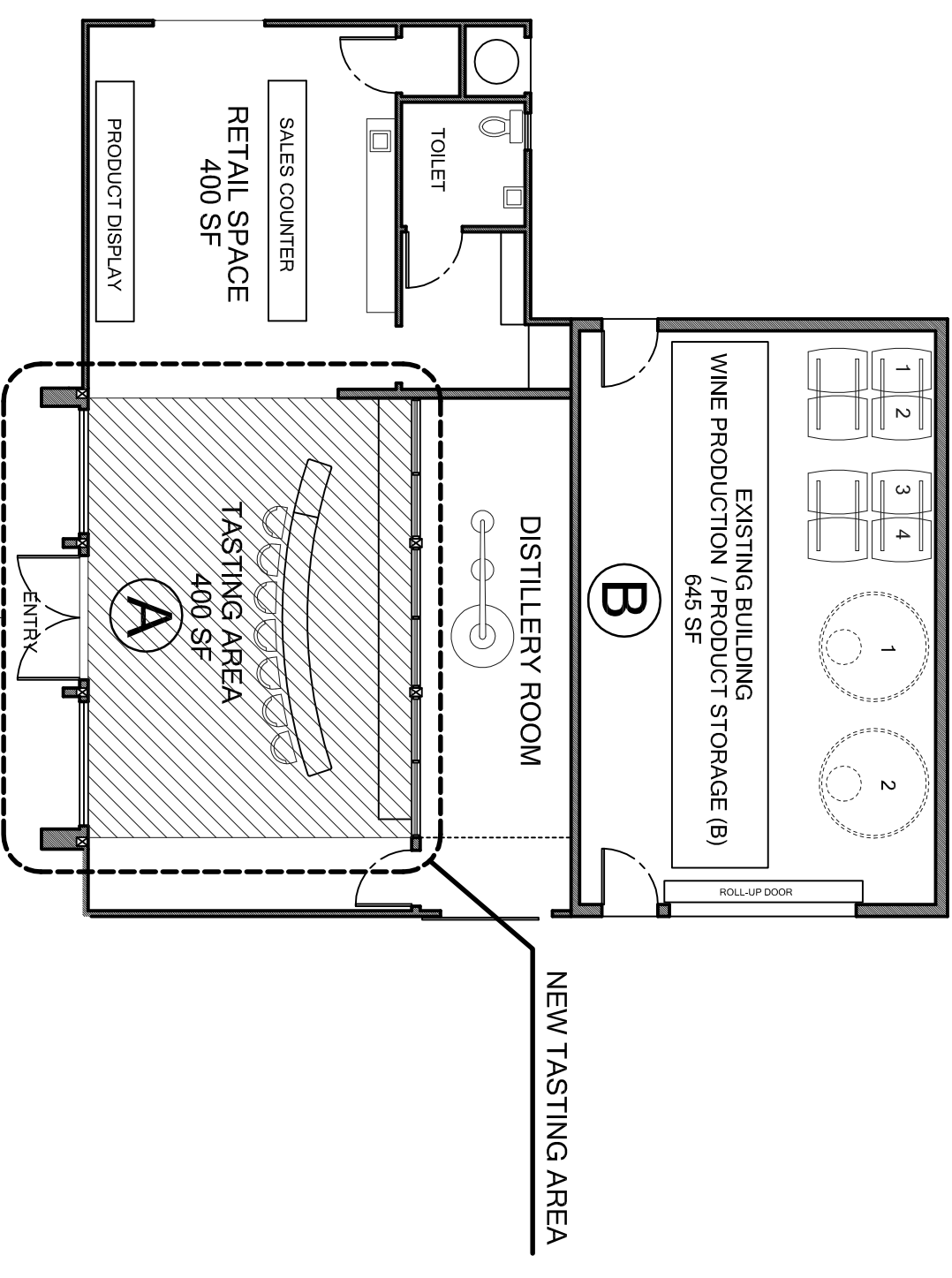
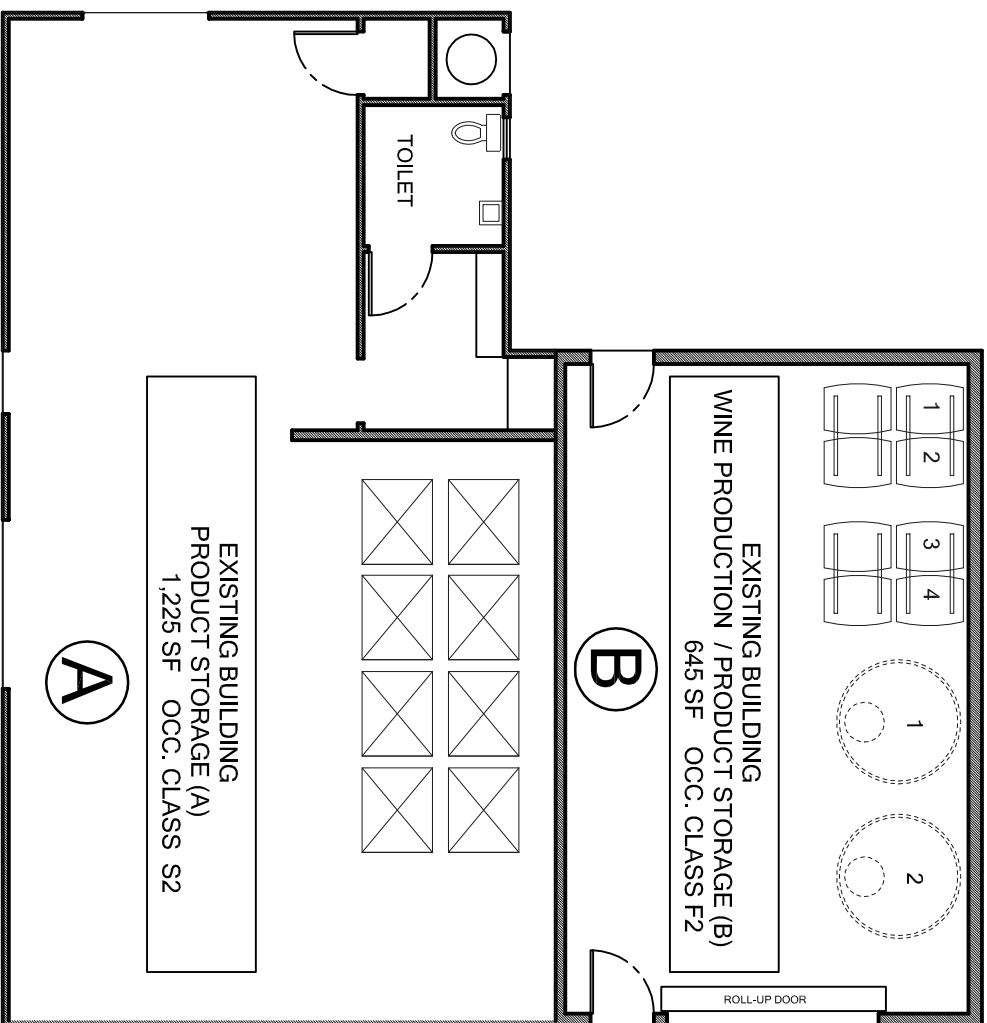
CG di ARIE WINERY AND VINEYARD

PROJECT ADDRESS: 19919 SHENANDOAH SCHOOL ROAD
PLYMOUTH, CA 95669
APN: 014-230-005-000

SCOPE: CHANGE TO EXISTING

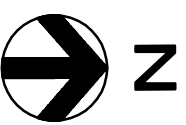
CHANGE TO EXISTING BUILDING (A) NEW TASTING ROOM

THE PROPOSED PROJECT INVOLVES A REMODEL TO THE EXISTING ON-SITE PRODUCT STORAGE BUILDING (A) AS SHOWN BELOW. THE PROPOSED CHANGE-IN-USE INCLUDES A NEW TASTING ROOM AND RETAIL SALES AREA FOR THE SITE-MADE DISTILLED SPIRITS. NEW TASTING ROOM 400 SF NEW RETAIL SALES AREA 400 SF



EXISTING BUILDING
PRODUCT STORAGE

SHOWN WITH DISTILLED SPIRITS
TASTING ROOM



N.T.S.

Date: 6.15.19
Article 2

CG di ARIE WINERY AND VINEYARD

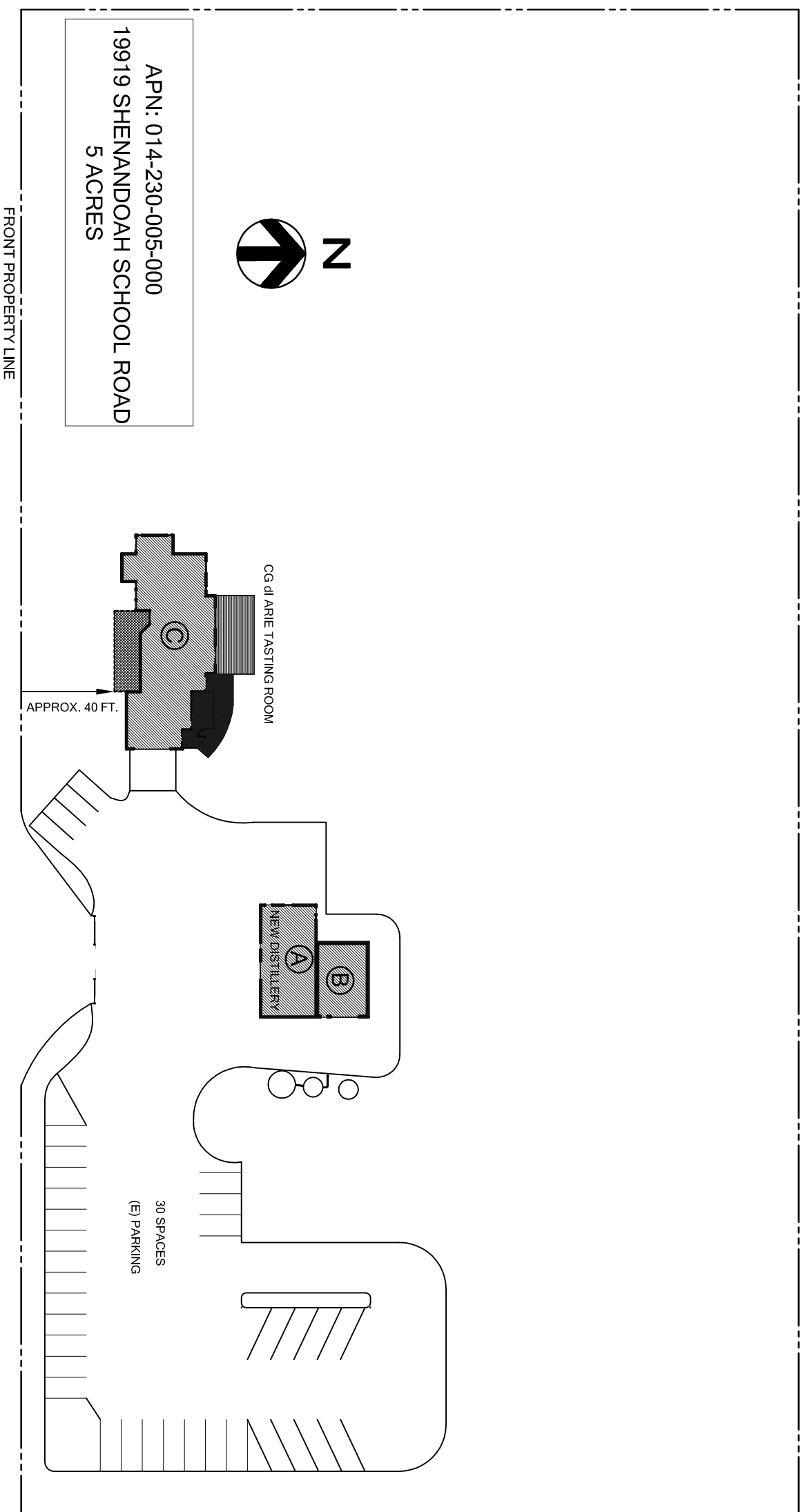
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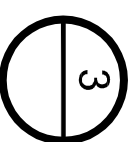
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NEW TASTING ROOM 400 SF



SHENANDOAH SCHOOL ROAD



PARCEL MAP
NOT TO SCALE

Date: 6.15.19
Article 3