

FILE # P10-345

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

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NOV 22 2010

APPLICATION FORMNAPA CO CONSERVATION
DEVELOPMENT & PLANNING DEPT.**FOR OFFICE USE ONLY**ZONING DISTRICT: AWDate Submitted: 11/22/10TYPE OF APPLICATION: Major MOD

Date Published: _____

REQUEST: _____

Date Complete: _____

TO BE COMPLETED BY APPLICANT
 (Please print or type legibly)

PROJECT NAME: Morlet Family EstateAssessor's Parcel #: 022-200-028 & 022-200-030Existing Parcel Size: 10.14 ac & 1.5 acSite Address/Location: 2825 St. Helena Hwy.
No StreetSt. Helena CA 94574
City State ZipProperty Owner's Name: Luc and Jodie MorletMailing Address: 818 Chiles Avenue
No StreetSt. Helena CA 94574
City State ZipTelephone #: (707) 967-8690Fax #: (707) 967-8590E-mail: luc@morletwines.comApplicant's Name: Luc and Jodie MorletMailing Address: 818 Chiles Avenue
No StreetSt. Helena CA 94574
City State ZipTelephone #: (707) 967-8690Fax #: (707) 967-8590E-mail: luc@morletwines.comStatus of Applicant's Interest in Property: Owner and ApplicantRepresentative Name: Donna B. Oldford, Plans4WineMailing Address: 2620 Pinot Way
No StreetSt. Helena CA 94574
City State ZipTelephone #: (707) 963-5832Fax #: (707) 963-7556E-mail: DBOldford@aol.com

I certify that all the information 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

Date

Luc Morlet

Print Name

Signature of Applicant

Date

Luc Morlet

Print Name

TO BE COMPLETED BY CONSERVATION, DEVELOPMENT AND PLANNING DEPARTMENT*Application Fee Deposit: \$ 2500.00Receipt No. 03234Received by: JessicaDate: 11/22/10

*Total Fees will be based on actual time and materials.

INDEMNIFICATION AGREEMENT

Pursuant to Chapter 1.30 of the Napa County Code, as part of the application for a discretionary land use project approval for the project identified below, Applicant agrees to defend, indemnify, release and hold harmless Napa County, its agents, officers, attorneys, employees, departments, boards and commissions (hereafter collectively "County") from any claim, action or proceeding (hereafter collectively "proceeding") brought against County, the purpose of which is to attack, set aside, void or annul the discretionary project approval of the County, or an action relating to this project required by any such proceeding to be taken to comply with the California Environmental Quality Act by County, or both. This indemnification shall include, but not be limited to damages awarded against the County, if any, and cost of suit, attorneys' fees, and other liabilities and expenses incurred in connection with such proceeding that relate to this discretionary approval or an action related to this project taken to comply with CEQA whether incurred by the Applicant, the County, and/or the parties initiating or bringing such proceeding. Applicant further agrees to indemnify the County for all of County's costs, attorneys' fees, and damages, which the County incurs in enforcing this indemnification agreement.

Applicant further agrees, as a condition of project approval, to defend, indemnify and hold harmless the County for all costs incurred in additional investigation of or study of, or for supplementing, redrafting, revising, or amending any document (such as an EIR, negative declaration, specific plan, or general plan amendment) if made necessary by said proceeding and if the Applicant desires to pursue securing approvals which are conditioned on the approval of such documents.

In the event any such proceeding is brought, County shall promptly notify the Applicant of the proceeding, and County shall cooperate fully in the defense. If County fails to promptly notify the Applicant of the proceeding, or if County fails to cooperate fully in the defense, the Applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the County. The County shall retain the right to participate in the defense of the proceeding if it bears its own attorneys' fees and costs, and defends the action in good faith. The Applicant shall not be required to pay or perform any settlement unless the settlement is approved by the Applicant.

LUC MORLET
Applicant

10/2/10
Date

[Signature]
Property Owner (if other than Applicant)

APN 022-200-028 and - 030
Project Identification

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NOV 22 2010

DONNA B. OLDFORD
PLANS4WINE
2620 PINOT WAY
ST. HELENA, CALIFORNIA 94574

TELEPHONE 707-963-5832
FAX 707-963-7556

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NOV 22 2010

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

November 8, 2010

Mr. John McDowell
Zoning Administrator
Napa County Dept. of Conservation, Development & Planning
1195 Third Street, Room 210
Napa, CA 94559

SUBJECT: MAJOR MOD FOR ACCESS TO MORLET FAMILY ESTATE
APN # 022-200-028 at 2825 ST. HELENA HIGHWAY, ST. HELENA, CA

Dear John:

Please find enclosed an application for a major mod to the use permit for the property mentioned above, now under the ownership of Luc and Jodie Morlet. The sole focus and request of this major modification to the approved winery use permit is to establish a legal access for the winery. There are some interior modifications to the existing historic ghost winery structure on the property that we have applied for in a separate minor modification request, in hopes that Mr. and Mrs. Morlet can have their winery constructed and ready for operations in time for the 2011 harvest.

As you are aware from our discussions, the original winery use permit that was obtained by the previous owner, Mr. Bryant Morris showed a winery access road from Highway 29 that is separate by a very short distance from the existing access road that serves the Ballentine Ghost Winery on the north side of the Morlets' property. This access was drafted as a result of opposition from the north neighbor, who maintained that Mr. Morris had no right to legal access within the recorded easement. As part of this application, we provide evidence that this is not the case. In fact, the language contained in the easement (see attached) clearly stipulates that the subject property is entitled to access within the established easement "*for any and all uses.*" This would obviously include the winery.

When the winery use permit was originally approved, the County planner was advised that Caltrans had agreed to the access road from Highway 29 just to the south of the existing access. This was incorrect, and the access road in its current configuration does not meet Caltrans standards for distance from other access points. Caltrans will not concur with the provisions of the County use permit; therefore, the winery use permit as currently approved has no legal access to the property.

We are requesting that the access road currently approved in the winery use permit be removed and the main access to the subject property reestablished within the existing road and easement, according to the provisions of the easement language and per the County standards for winery access roads.

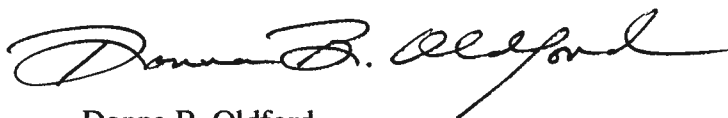
This applicant has a phased winery use permit, with the winery structure and winery infrastructure representing Phase One of the development and the wine caves representing Phase Two. Because the caves will be drilled in Phase Two, we request that widening and paving of the existing road that will serve both Morlet Family Estate and the Ballentine Winery be done at the conclusion of the caves development. The road is sufficient in length and width that both wineries are adequately served for both visitor and emergency vehicle access for the interim. And postponing this improvement until Phase Two of the winery development will prevent my client from having to redo the roadway after heavy equipment is no longer needed for winery program development.

Please see the enclosed site plan, which reconfigures the winery access road within the established easement, as opposed to the configuration slightly to the south as approved in the original winery use permit.

It is our understanding that this major mod must go before the Napa County Planning Commission for action. We maintain that this change in the access road represents a more responsible approach to access for both of the wineries. We also maintain that if the mod is necessary in order to rectify the mistake of this winery being originally approved without benefit of a legal access from Highway 29.

Thank you for your consideration and a timely resolution of this critical matter. My client is very intent on having the winery use permit rectified, and we are also on file with construction drawings for the winery structural improvements. So time is of the essence if we are to have his winery constructed and ready for final occupancy in time for the sale of wine and the 2011 harvest.

Sincerely,

A handwritten signature in black ink, appearing to read "Donna B. Oldford", written in a cursive style.

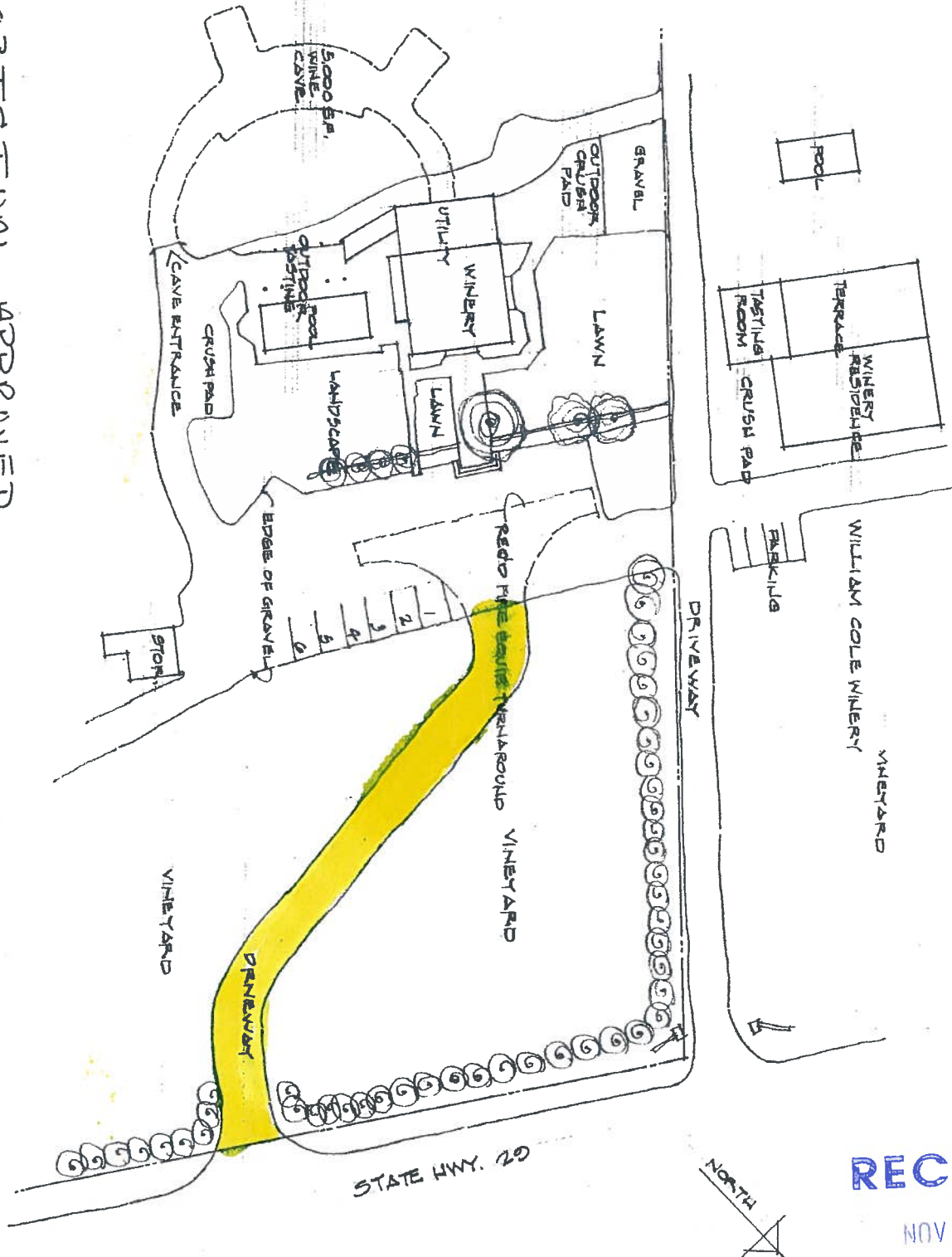
Donna B. Oldford
Principal

cc: Luc and Jodie Morlet, Owners of Morlet Family Estate

Attachments: Revised Site Plan with Proposed Access within Easement
Easement Language Allowing Access for Any and All Uses

ORIGINAL APPROVED
WINERY ACCESS ROAD

PARTIAL SITE PLAN



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NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

Michael E. Rada Architect
1000 Brown Street #6, St. Helena, California 94574 USA
Tel/Fax 707-965-2393 michael_rada@att.net

MORLET FAMILY ESTATE
2825 ST. HELENA HIGHWAY, ST. HELENA, CA 94574
APN #022-200-028

Project No. 1010
Date 11 Oct 2010
Scale ONE
Sheet ONE of ONE

54

CERTIFIED COPY

FILED

SEP 26 2008

Clerk of the Napa Superior Court
By: [Signature]
Deputy

1 DAVID M. GUREWITZ, S.B. # 76641
2 David M. Gurewitz, Attorney at Law
3 4675 Wailapa Road
4 P.O. Box 1267
5 Kilauea, HI 96754
6 (808) 828-6299

Attorney for Plaintiff

7 SUPERIOR COURT OF THE STATE OF CALIFORNIA
8 FOR THE COUNTY OF NAPA
9

10 BD Morris Enterprises, L.P., a California
11 limited partnership

12 Plaintiff,

13 -vs-

14 Donald F. Houghton, individually and as
15 Trustee of The Donald F. Houghton
16 Revocable Trust Dated July 7, 1992; and
DOES 1 through 50, inclusive,

17 Defendants
18
19

CASE NO.: 26-43324

JUDGMENT FOR DECLARATORY
RELIEF PUSUANT TO STIPULATION
FOR ENTRY OF JUDGMENT

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NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

20 The Court having read the Stipulation For Entry Of Judgment filed concurrently herewith
21 and good cause appearing therefor, it is now determined, declared, ordered and adjudged as
22 follows:

23 Factual Determinations

24 The Court finds as follows:

25 A. Plaintiff BD Morris Enterprises, L.P., a California limited partnership ("Plaintiff") is the
26 owner of certain real property located in the County of Napa, State of California commonly
27 known as 2825 St. Helena Highway North, St. Helena, CA 94574 (the "Morris Property"). The
28 Morris Property is legally described on Exhibit 1 attached hereto and incorporated herein by this
reference; and

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SEP 19 2008

NAPA SUPERIOR COURT

1 B. Defendant Donald F. Houghton, individually and as trustee of The Donald F. Houghton
2 Revocable Trust date July 7, 1992 ("Defendant") is the owner of the real property commonly
3 known as 2845 St. Helena Highway North, St. Helena, CA 94574 (the "Houghton Property"). The
4 Houghton Property is legally described on Exhibit 2 attached hereto and incorporated herein by
5 this reference.

6 C. A part of the Houghton Property consists of a private roadway (the "Road"). The Road
7 is legally described on Exhibit 3 attached hereto and incorporated herein by this reference; and

8 D. The Road is contiguous to the northwesterly boundary of the Morris Property. The Road
9 and its relation to the Morris Property is depicted on the survey map attached hereto as Exhibit 4
10 and incorporated herein by this reference; and

11 E. By deed recorded on February 1, 1950 in Book 324 at Page 189 of Official Records of
12 Napa County (the "Deed"), the predecessor in interest to the Morris Property was granted a right
13 of way and easement for road purposes over the Road by the predecessor in interest to the Road;
14 and

15 F. The Deed created an express right of way and easement in favor of the Morris Property
16 over the Road.

17 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED as
18 follows:

19 1. The Road is a servient tenement on the Houghton Property appurtenant to the Morris
20 Property. The Morris Property is the dominant tenement; and

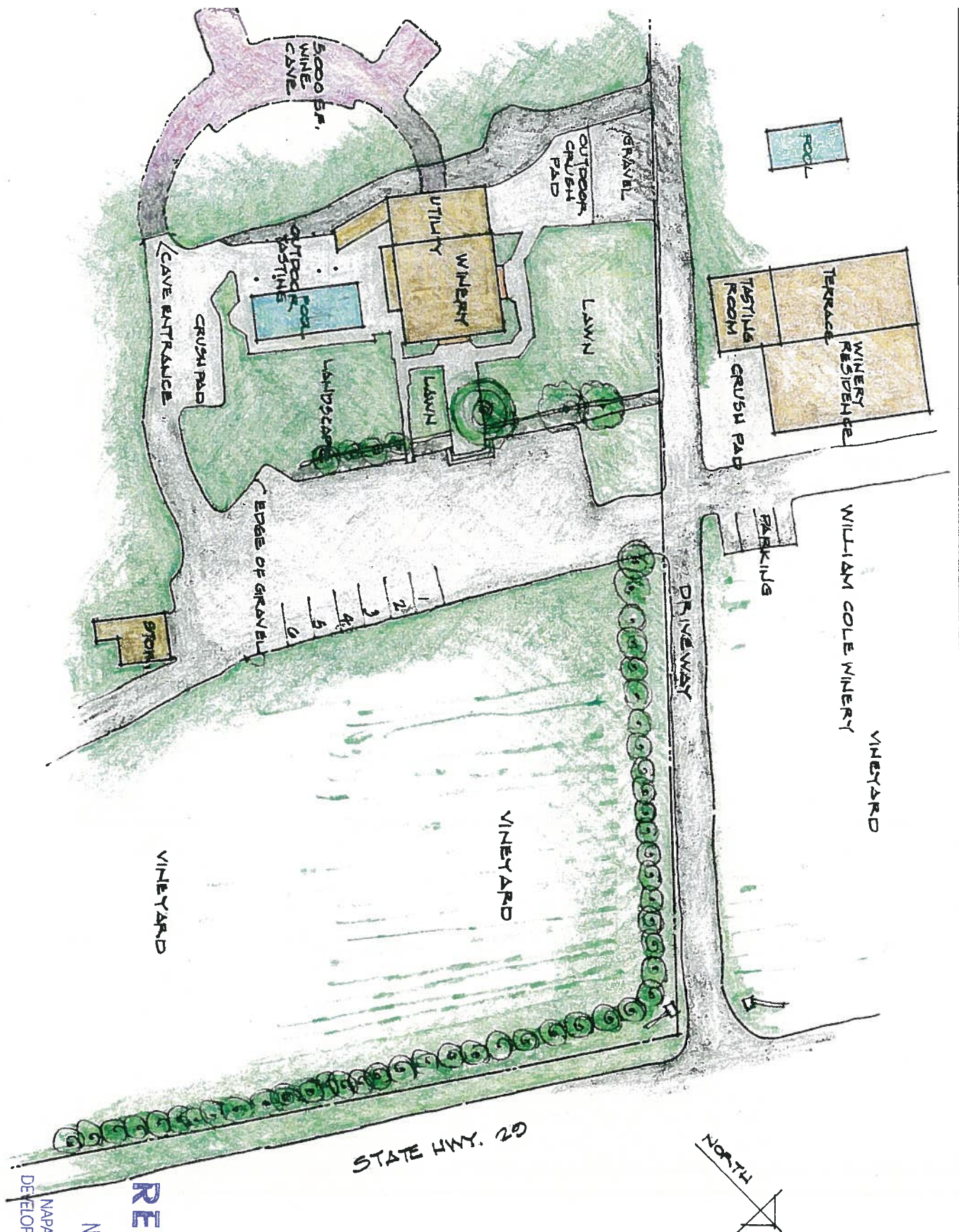
21 2. Plaintiff and the successors in interest to the Morris Property, as owner of the dominant
22 tenement, and the entirety of the Morris Property have the right to use, without restriction, the
23 Road for roadway purposes in perpetuity; and

24 3. This Judgment shall apply to the Morris Property as same may be adjusted by any future
25 lot line adjustment which is recorded in the Napa County Recorder's Office, provided that the
26 adjusted parcel of the Morris Property continues to have a contiguous boundary to the Road; and

27 4. A certified copy of this Judgment shall be recorded in the Napa County Recorder's Office.

28 Dated: 7/24/08

Reg. M. G. [Signature]
Judge Of The Superior Court



PARTIAL SITE PLAN

NOV 22 2014

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING

MORLET FAMILY ESTATE
2825 ST. HELENA HIGHWAY, ST. HELENA, CA 94574
APN #022-200-028

Michael E. Rada Architect
1000 Brown Street #6 St. Helena, California 94774 USA
Tel/Fax 707-963-2999 michael_rada@att.net

Page Number
 1010
 19 Oct 2010
 Serial Number
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 or one

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OCT 13 2010

**PROJECT STATEMENT
FOR MORLET FAMILY ESTATE
MINOR MODIFICATION TO WINERY USE PERMIT
P-06-01453-UP
APNs 022-200-028 and 022-200-030**

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT

The subject property consists of two parcels which were lot-line adjusted and recorded on May 10, 2010. These two parcels combined result in an 11.64-acre parcel. The property is located at 2825 St. Helena Highway, just north of the City of St. Helena and the intersection of Deer Park Road and Highway 29, on the western side of the highway. The subject property is a ghost winery previously known as "The Kastner Winery." Structures on these two parcels include the ghost winery stone structure on the northern edge of the parcel; an existing storage shed; an existing Victorian residence on the south end of the property; and some partially-dug wine caves dating back to pre-Prohibition. There are two acres of vineyards planted on the property, with room for future vineyard plantings.

The original ghost winery permit was approved on January 2, 2008 for a 20,000-gallon per year wine production, with the winery marketing plan consistent with the County's provision for ghost wineries. The total square footage dedicated to winery use was 6,117 square feet, which includes a proposed 5,000-sq. ft. wine cave. The stone winery structure consists of a ground floor area of 2,251 sq. ft. and a second story of 1,326 sq. ft. Presently, the winery use permit provides for production uses on the ground floor and a private residence on the second floor.

Luc and Jodie Morlet of the Morlet Family Estate recently acquired the subject property from the applicant, Bryant Morris. The Morlets intend to make their wines at this property and to reside in the existing Victorian house on the property.

The Minor Mod Request

This request is as follows.

- (1) Retire the private residential use of the second story in the stone winery and convert this space to winery offices and storage; and
- (2) Recognize an 80-sq. ft. area in front of the fireplace on the ground floor as a wine tasting and marketing area. This space has been calculated into the revised winery accessory space.
- (3) Approve a new 1,424-sq. ft. crush pad on the north side of the existing winery.
- (4) Recognize an existing 2,400-sq. ft. pool deck area for some of the marketing events already approved as part of the winery use permit and a 120-sq. ft. existing restroom in the pool area as a winery visitor restroom.

Justification for Minor Mod Status:

We believe this request qualifies as a minor mod to the winery use permit for the following reasons:

No changes are proposed to the current production level or winery marketing plan. Production will remain at the previously approved 20,000 gallons per year. The marketing plan remains the same as that approved as consistent with a ghost winery.

No new structures are proposed. The winery space requested consists of winery offices that will replace the private residence on the second floor of the stone winery. This will not result in any expansion of the existing structure or any discernible changes in the elevations of the building. All areas for which the applicant requests recognition in the winery use permit are existing ones.

Total square footage is less than 25 percent of total winery uses. The second floor of the structure consists of 1,326 square feet. This represents 21.7 percent more winery space over that approved in the original use permit. The threshold for minor mod qualification is space that does not exceed 25 percent. The addition of a 1,424-sq. ft. outdoor crush pad results in a very small increase to the overall impervious coverage and does not approach the threshold of 25 percent coverage in the *Winery Definition Ordinance*.

The 1,326 sq. ft. of winery accessory space (winery offices and storage) results in a production-to-accessory ratio of 21.5 percent, well below the County's threshold of 40 percent accessory space. Because the existing pool deck area, for which we request recognition for certain of the winery marketing events, is not structural it does not calculate into the accessory versus production ratio according to the language in the County's *WDO*.

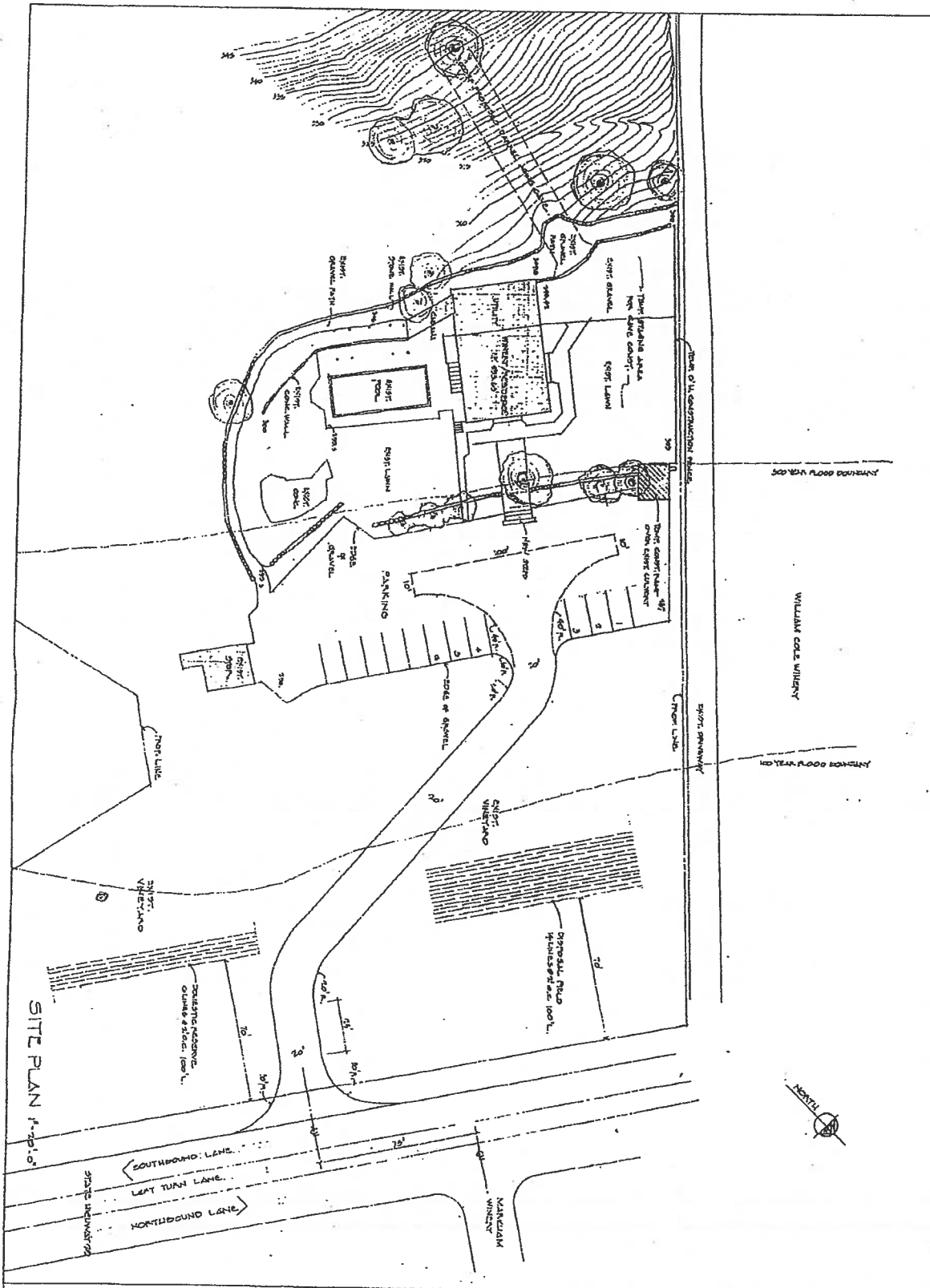
Planning and Building Issues: Planning and Building Department issues should be minimal, since the project as proposed meets all County standards related to the *Zoning Code*, *Winery Definition Ordinance (WDO)*, and the *Ghost Winery Ordinance*. The uses proposed are consistent with other wineries throughout the Napa Valley and will be housed in an existing structure. The existing Victorian house on the property will become the primary residence on-site as a result of this action, with no residential use within the winery.

ADA compliance should not be an issue, inasmuch as there are winery offices and a tasting room on the ground floor of the structure and these areas will be comparable with the winery offices upstairs. The restrooms on the ground floor will be ADA accessible.

The applicant is currently in the process of procuring an agreement from the City of St. Helena to provide water for fire protection on-site. There is a City water main serving the property for residential use and the applicant will provide the required water facilities (check valve) for fire protection. All water used for winery and irrigation purposes will be groundwater from an on-site well.

The applicant will either "use" the winery permit or request an extension in advance of the date of expiration of the winery use permit, which would be on July 2, 2011 based on the date of approval.

The applicant requests that the condition of approval for widening of the access road to meet County standards for width and surface be imposed after the wine caves have been excavated, since heavy equipment and truck trips will affect the existing road during the time of the cave construction.



SITE PLAN 1"=20' 0"

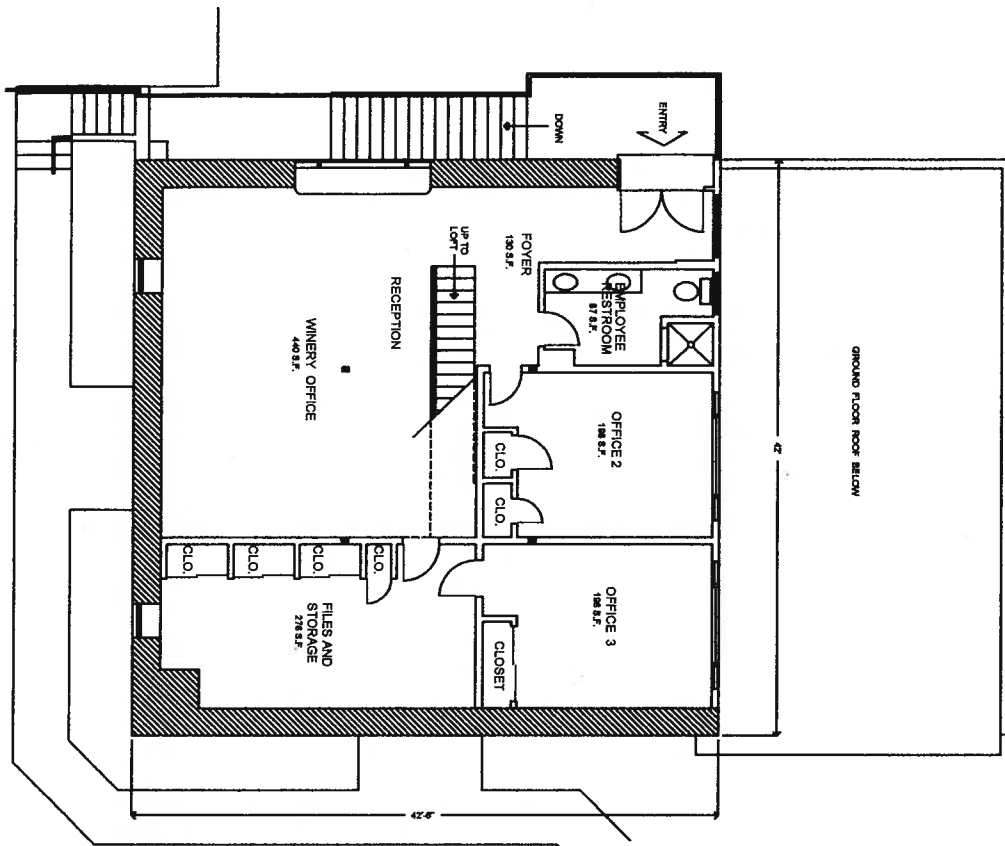
PROPOSED
2-10-00
OF TWO
21 SETS

USE PLANT APPLICATION 1000-0110
PLANT NUMBER 21-000-0A
GHOST WINERY
7830 ST. HELENA AVENUE, ST. HELENA, CA 94574

Michael RADA Architects & Associates
1000 Drive Street, St. Helena, CA 94574
Tel: 707/233-2000 Fax: 707/233-2001

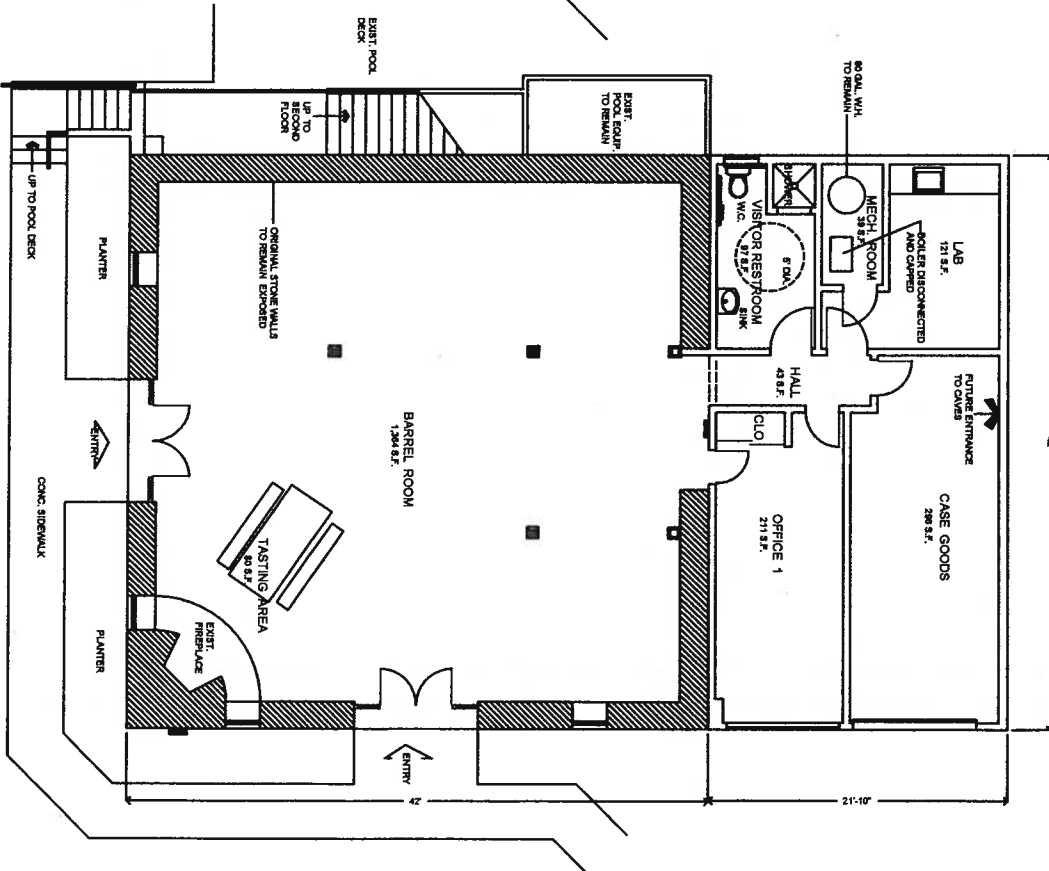
SECOND FLOOR PLAN

1,308 S.F.



GROUND FLOOR PLAN

2,281 S.F.



SCALE
0 10
1" = 10'

MORLET FAMILY ESTATE

2525 S. HILINA HIGHWAY, S. HILINA, CA 94705
APN #022-222-022

Michael E. Rada Architect
1800 Dwyer Street #6, San Mateo, California 94401 USA
Tel: 650 797-9473-7777
michael@radarchitect.com

Project No. 1010
11 Oct 10
Scale: ONE
0' 10'

DONNA B. OLDFORD
PLANS4WINE
2620 PINOT WAY
ST. HELENA, CALIFORNIA 94574

TELEPHONE 707-963-5832
FAX 707-963-7556

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NOV 19 2010

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

November 28, 2010

Ms. Jessica Jordan
Dept. of Conservation, Development & Planning
Napa County
1195 Third Street, Room 210
Napa, CA 94559

SUBJECT: MORLET FAMILY ESTATE WINERY CUP MINOR MOD

Dear Jessica:

Thank you for your very thorough letter of November 12 and for assisting our efforts on a minor modification of the use permit for what is now the Morlet Family Estate ghost winery. Luc and Jodie Morlet are most eager to have the necessary modifications done on the winery so that they can do the 2011 crush at the winery and have visitors. As you know, this effort involves not only the minor mod but also a major mod that is on file to change the winery access. Construction drawings for improvements within the winery are also a necessity and the project architect, Michael Rada assures me that he intends to have these on file sometime next week or right after the Thanksgiving holiday. I have encouraged Mike to schedule time with Eric when he files these drawings and to include you in that meeting.

In response to the requests in your letter and according to clarifications made recently by my client, I have the following. Please consider this letter and the accompanying site plan as a Revised Project Statement request as indicated herein.

Loft Space in Upper Winery: The applicant wishes this space to be utilized as a small winery office. This space is a total of 120 square feet in size and we have included a revised floor plan for that area for your consideration. We had originally thought of this loft space as winery storage.

Wine Caves: The 5,000 square feet of winery caves, approved in the original winery use permit, will be constructed during Phase II (see subsequent section of this letter on use permit phasing plan). We have indicated that these wine caves will be Type II caves instead of Type I caves as we originally discussed. The applicant has been advised about the fire protection necessities related to a Type II caves classification. During phase one, fermentation tanks (mostly barrel fermentation) will be housed on the ground floor of the existing stone ghost winery building. After the wine caves are constructed, these fermentation tanks/barrels will be moved into the wine caves. The site plan indicates the location for fermentation tanks/barrels.

Production Crush Pads: The 1,750-square foot production pad located in front of the wine caves portal (which was also approved in the original winery use permit) will be constructed during Phase Two, when the wine caves are excavated. During Phase One of the winery construction (see below for details), the applicant wishes to have approved a 1,413-square foot covered production crush pad located on the north side of the winery building per the attached revised site plan. The applicant envisions this crush pad as a temporary use and proposes a voluntary condition of approval that it will be removed at such time as the wine caves and larger crush pad adjacent to it are excavated and constructed. This crush pad is consistent with the neighboring winery, which has a crush pad of similar size and location relative to the access road.

The applicant currently has a fence at this location, which will provide screening of the crush pad for the neighbor to the north. The applicant is willing to leave the existing fence in place and also agrees to add some landscaping in the form of mounded shrubs at the base of the fencing. The applicant will endeavor to minimize any disruption to the neighbor on the north by advising production staff to minimize unnecessary noise (such as radio music and/or conversation) and intends on keeping evening lighting confined to the period during harvest, as necessary. We envision the dynamics and operations of this crush pad to be consistent with those employed by the neighbor's winery at the production crush pad right across the road from where this one would be (temporarily) located. In any event, crush operations occur during a very confined period of each year.

Pad for Water Storage Tank(s): The revised site plan indicates a 120-square foot concrete pad intended as support for the water tanks providing fire protection and other water necessary for the winery. CDF has indicated a necessity for a minimum of 12,000 gallons of water for fire protection and we are allowing extra space on the pad in the event that a larger amount might be required in association with these revised plans. The water tank will be located at the top of the hill and will be screened by existing mature trees.

Originally, the applicant had considered requesting water for fire protection via a connection to City of St. Helena water. Closer research into this solution resulted in a recognition that the new costs associated with St. Helena water connections (for fire protection) are prohibitively expensive. Because the property offers a considerable elevation differential, it is conducive to a gravity feed water system without the need for a water pump.

Recognition of Outdoor Area for Marketing Events: The applicant requests recognition of the outdoor area around the existing pool for purposes of some of their marketing events. The pool will not be used in any capacity with winery visitors and will be a landscape feature with fountains that help attenuate noise from Highway 29. This pool area is an existing impervious surface with a pool house containing restrooms. It is screened from the neighbor to the north by the existing stone structure.

Phasing Plan for Winery Use Permit: One request of this minor mod is the recognition of a phasing plan in connection with the winery construction. Phase One will consist of

construction of the winery within the stone building; the 1,413-sq. ft. production/crush pad on the north side of the existing winery building; the water storage tank pad at the far eastern side of the property; winery storage in the existing shed located to the southeast of the winery structure; and recognition of the existing outdoor pool deck area for winery marketing events.

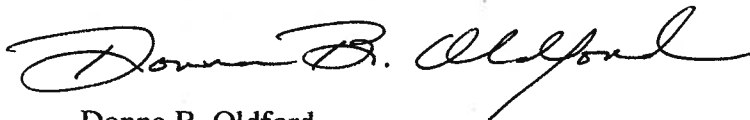
Phase Two of the winery construction consists of excavation of 5,000 square feet of winery caves and construction of the approved 1,750-square foot production/crush pad located adjacent to the wine caves portal. After this crush pad is constructed, the crush pad on the north side of the existing winery will be removed via a voluntary condition of approval proposed by the applicant.

Winery Access During Construction: The applicant intends to comply with the present condition of approval limiting winery operations (and construction of same) to the existing access point on the south end of the property, next to the Victorian residence. We envision the construction activities during Phase One of the winery to be rather minimal in scope, since it is primarily within an existing structure. Construction crews responsible for this work will be directed to utilize the existing access until such time as a subsequent major modification to the use permit might change the winery access road.

We would envision that the Napa County Planning Commission would hear the major modification before the specified "rainy season" ends. Based on the outcome of the major mod request, construction of the production/crush pad on the north side of the winery might be via the existing access road, as would be Phase Two construction activities.

Again, thank you for your very timely efforts on behalf of this applicant. We look forward to working with the County to insure that this winery will be a nice addition to the County's wine industry and that it will be a beautiful wine estate as it has been in the past. My client is also very intent on being a compatible neighbor with other wineries and their owners who live on their properties. In fact, my client is in the process of moving into the Victorian residence on-site and this will be their family home.

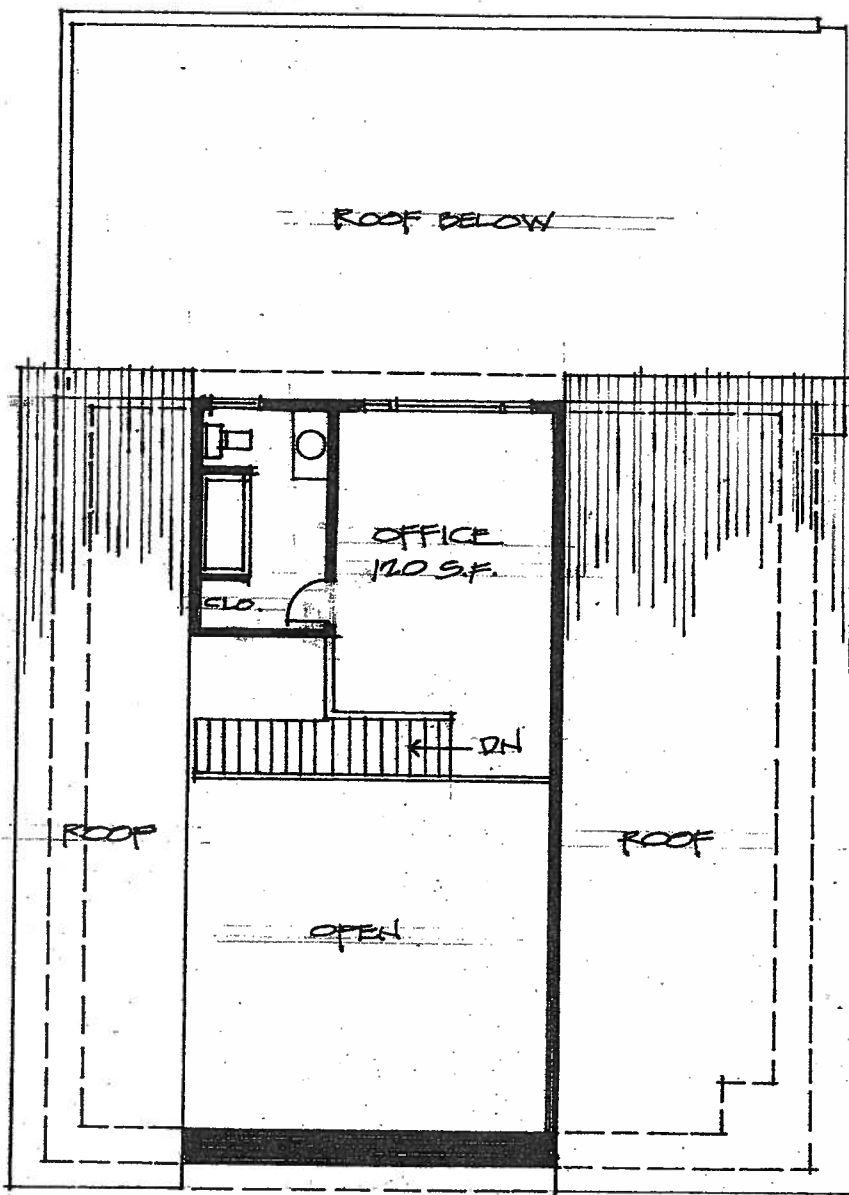
Sincerely,



Donna B. Oldford
Principal, Plans4Wine

cc: Luc and Jodie Morlet

Enclosures: Revised Site Plan
Revised Floor Plan



LOFT FLOOR PLAN

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NOV 19 2010

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

MORLET FAMILY ESTATE
2825 ST. HELENA HWY.

MICHAEL E. RADA ARCHITECT
1000 BROWN STREET, ST. HELENA, CA

SHEET
ONE
OF ONE

18 Nov 2010

JESSICA

DONNA B. OLDFORD
PLANS4WINE
2620 PINOT WAY
ST. HELENA, CALIFORNIA 94574

TELEPHONE 707-963-5832
FAX 707-963-7556

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DEC 21 2010

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

December 20, 2010

Ms. Jessica Jordan
Dept. of Conservation, Development & Planning
Napa County
1195 Third Street, Room 210
Napa, CA 94559

SUBJECT: REQUEST FOR PROJECT REVISION TO WINERY USE PERMIT MOD
MORLET FAMILY ESTATE

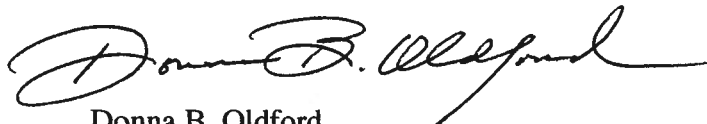
Dear Jessica,

This letter represents a request on behalf of my client, Morlet Family Estate (Luc and Jodie Morlet) to revise their currently pending winery use permit modification application to include a hold-and-haul capability for the first two years of harvest at the ghost winery. The Morlets intend to have the septic system designed and built as soon as possible and it is their intent to "use" their winery permit by doing so. However, this is the wrong time of year for such construction and we also face an unknown in regard to timing of the permits process due to the neighbor who seeks to delay or stop the project.

Due to the small maximum production level (30,000 gpy) associated with this winery, we would envision one truck trip, or certainly no more than two trucks per harvest period for hauling solid waste off-site. The applicant does not envision hold-and-haul as a permanent wastewater solution for this winery and is eager to have the permanent in-ground system operational as soon as weather and permitting/inspection allows.

Please include the hold-and-haul option for winery process wastewater for a period of two years and include this in the Morlet Family Estate winery use permit mod request. We understand that this request must be circulated to Napa County Environmental Management for additional comments and look forward to receiving same.

Sincerely,



Donna B. Oldford
Planning Consultant

cc: Luc and Jodie Morlet, Morlet Family Estate

George W. Nickelson, P.E.
Traffic Engineering – Transportation Planning

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DEC 15 2010

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

December 14, 2010

Ms. Donna Oldford
Plans4Wine
2620 Pinot Way
St. Helena, CA 94574

Subject: *Revised Access Location for the Planned Morlet Winery on State Route 29 (SR29) in Napa County (Post Mile 30.15 +/-)*

Dear Ms. Oldford:

This letter addresses the revised access plan for the proposed Morlet Winery. Specifically, I have reviewed the original traffic impact analysis within the context of a proposed shift of the project access to the existing driveway at the northern property boundary. The prior design located a new project access on the west side of SR29 about 75 feet south of the Markham Winery driveway. The revised access at the existing driveway would be about 110 feet north of the Markham Winery driveway.

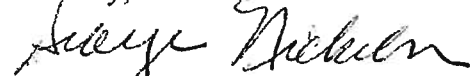
As outlined in our original traffic report, the weekend peak hour left turn volumes (the highest hour of traffic activity) would be 1 inbound left turn into the proposed Morlet Winery and 3 existing left turns into the Markham driveway. The existing two-way-left-turn-lane would provide ample storage for these combined left turns. Although not shown in our traffic report, we counted traffic in/out of the existing northern driveway, and the existing volumes are very low with no counted inbound left turns (3 outbound right turns during the weekday peak hour; 2 inbound right turns and 6 outbound right turns during the weekend peak hour).

It is also our understanding that the parcel's residential access to the south on SR 29 (near the SR 29/Deer Park Road intersection) would not be used for any winery activities. Thus, no traffic conflicts or impacts would be experienced at the SR 29/Deer Park Road intersection.

In conclusion, shifting the project access to the existing northern driveway would not result in any measurable impacts. The combination of winery traffic and existing Markham Winery driveway volumes would not measurably affect traffic flow conditions. In fact, the revised driveway proposal would continue to be consistent with the Mitigated Negative Declaration mitigation measure which states that the project driveway "...shall be off-set from the existing Markham Winery driveway on the east side of the road."

I trust that this letter responds to any questions raised by Napa County or Caltrans. Please contact me if further input is required.

Sincerely,


George W. Nickelson, P.E.