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Revised FILE# <u>P07-00869</u>



NAPA CO. CONSERVATION DEVELOPMENT & PLANNING DEPT,

NAPA COUNTY

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

# **APPLICATION FOR USE PERMIT**

ZONING DISTRICT: AP Date Submitted: 7/2/08
REQUEST Approval for a phased project to modify Use Permits #U-118081, #U-538485, #03054-MOD, #95037-MOD and P07-00330-MODVMin to:1)increase production from 50,000 gallons to 144,000 gallons per year; (2) construct a new approx. 7,675 sq. ft barrel storage building adjacent to the existing 7,874 sq ft winery structure for a winery totaling 15,549 sq ft; (3) increase employees from three full-time and no part-time employees to 19 full-time,6 part-time with an addit 15 part-time during Harvest; (4) add a 2nd shift & extend its hours of operation for staff during Harvest season only from 6 a.m. to 11 p.m.; (5)Public Tours and Tasting; recognize an increase of Public Tours and Tasting visitors without prior appt from 70 visitors/wk to a max of 800 visitors/wk; (6) By Apptmt Tours and Tasting Visitors: establish Tours and Tasting by Apptmt only visitors &combined them with Marketing event visitors is not to exceed a max of 1,350 visitors/ wk(500 busiest day); (7) establish a Marketing Plan to include: 7 events /mo with a max of 500 people / event, 10 events annually with a max of 100 people / event, and 6 events annually with a max of 200 people / event(2 to be Wine Auction events); (8)legalize the use of the outdoor covered patio & garden areas by visitors and marketing events attendees with no amplified sound system or amplified music; (9) increase parking from 10 spaces to 63 auto spaces and 2 bus spaces; (10) expand the existing wastewater pond to a dual wastewater system processing both domestic and production waste. Develmt includes 2 phases: Phase A to convert the existing waste treatment syst. to a process/domestic syst. &add improvmts to tastg room; Phase B expand waste syst. to handle 144,000gal; see also VAR08-47
TO BE COMPLETED BY APPLICANT
Applicant's Name: Fric SKI20  Telephone #:(107) 484-8656 Fax #: (707) 963-9998 E-Mail: eric & AOWINERY. Com
Mailing Address: PO Box 822 Rutherford CA 94573
Status of Applicant's Interest in Property: Managing Member LLC
Property Owner's Name: Alpha & Omega Winery LCC
Telephone #: (107) 484 - 8454 Fax #: (107) 963 - 9998 E-Mail: 2010 AOWINERY. COM
Mailing Address: PO Box 822 Rutherford CA 94573  Site Address/Location: 1155 Mee Lane St Helena CA QUESTI
No. Street City State
I certify that all the information contained 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 signature of Property Owner.  Signature of Property Owner.  Date  Signature of Property Owner.  Date  Alpha + Omega Winery LLC
TO BE COMPLETED BY CONSERVATION, DEVELOPMENT AND PLANNING DEPARTMENT
*Application Fee Deposit: \$ NA Receipt No. NA Received by: Date: 7/2/08

#### **INFORMATION SHEET**

1.	USE				
	A.	Description of Proposed Use (attached detailed description as necessary) (including where appropriate product/service provided):			
	B.	Project Phases: [ ] one [ ] two [ ] more than two (please specify):			
	C.	Estimated Completion Date for Each Phase: Phase 1: Phase 2:			
	D.	Actual Construction Time Boundary			
	[ ] More than 3 months				
	E.	Related Necessary On- And Off-Site Concurrent or Subsequent Projects:			
	F.	Additional Licenses/Approval Required:			
ъ.		District:         Regional:           State:         Federal:			
II.	BUIL	State: Federal: DINGS/ROADS/DRIVEWAY/LEACH FIELD, ETC.			
	A.	Floor Area/Impervious area of Project (in square ft):  Proposed total floor area on site:  Total development area (building, impervious, leach field, driveway, etc.)  Proposed total floor area on site:  Total development area (building, impervious, leach field, driveway, etc.)			
		New construction: 1010			
		existing structures or existing structures or portions thereof to be utilized: 5150 moved: 0 SF			
	B.	Floor Area devoted to each separate use (in square ft):			
	S	living: storage/warehouse:\\daggerightarrow{363} offices:\\daggerightarrow{43} other: eptic/leach field: roads/driveways:\daggerightarrow{25, 141}			
	C.	Maximum Building Height: existing structures: 25'-8" new construction: 25-8"			
	D.	Type of New Construction (e.g., wood-frame):			
	E.	Height of Crane necessary for construction of new buildings (airport environs):			
	F.	Type of Exterior Night Lighting Proposed:			
	G.	Viewshed Ordinance Applicable (See County Code Section 18.106): Yes No			
		Fire Resistivity (check one; If not checked, Fire Department will assume Type V – non rated):  Type I FR  Type II 1 Hr  Type II N (non-rated)  Type II 1 Hr  Type II N (non-rated)  Type IV H.T. (Heavy Timber)  Type V 1 Hr.  Type V (non-rated)  (Reference Table 6 A of the 2001 California Building Code)	IN		
III.	PARK	KING <u>Existing</u> <u>Proposed</u>			
	A.	Total On-Site Parking Spaces:651			
	B.	Customer Parking Spaces: 0			
	C.	Employee Parking Spaces: 6			
	D.	Loading Areas:			

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IV.	TYPI	CAL OPERATION		Existing	<u>Proposed</u>
	A.	Days of Operation:		M-Sun	M-Sun
	B.	Expected Hours of Operation:	Reg. 8-6	Harvest: 6-11 pm	same
	C.	Anticipated Number of Shifts:	Reg: 1	Harvest: 2	same
	D.	Expected Number of Full-Time Employees/Shift:	Reg: 17	MAKINESTINO	Reg: 19 Harris AN
	Ε.	Expected Number of Part-Time Employees/Shift:		-4; harvest +10	6; harrest
	F.	Anticipated Number of Visitors busiest day:		350	6; harvest 500/450 at harve
		• average/week:		925	1350
	G.	Anticipated Number of Deliveries  busiest day:  average/week:	s/Pickups	5	10
V.	SUF	PPLEMENTAL INFORMATION FO	R SELECTED	USES ALLA	
	A.	Commercial Meeting Facilities Food Serving Facilities		NA	_
		<ul> <li>restaurant/deli seating capacity</li> <li>bar seating capacity;</li> <li>public meeting room seating consenses</li> <li>assembly capacity;</li> </ul>			
	В.	Residential Care Facilities (6 or Day Care Centers  • type of care:  • total number of guests/childrer  • total number of bedrooms:  • distance to nearest existing/apfacility/center:	1:	Existing	<u>Proposed</u>

# WATER SUPPLY/WASTE DISPOSAL INFORMATION SHEET

1.	WA	ITER SUPPLY	<u>Domestic</u>	Emergency
	A.	Proposed source of Water (eg., spring, well, mutual water company, city, district, etc.):	well	well-storage tank
	В.	Name of Proposed Water Supplier (if water company, city, district): annexation needed?	N/4- Yes No	N/A YesNo
	C.	Current Water Use (in gallons/day): Current water source:	300 _well	MONE MONE
	D.	Anticipated Future Water Demand (in gallons/day):	Phase A Phase B 1880/2025	
	E.	Water Availability (in gallons/minute):	_60_	
	F.	Capacity of Water Storage System (gallons):	N/4	60,000
	G	. Nature of Storage Facility (eg., tank, reservoir, swimming pool, etc.):	1/4	tonks
	F.	Completed Phase I Analysis Sheet (Attached):		-
11	. LIC	QUID WASTE	Domestic (sewage)	Other process wish (please specify)
	Α	<ul> <li>Disposal Method (e.g., on-site septic system on-site ponds, community system, district, etc.):</li> </ul>	Ohsit < - duel pand	Obsite -dual pond
	В.	Name of Disposal Agency (if sewage district, city, community system): annexation needed?	Yes No	W/4_ Yes No
	С	. Current Waste Flows (peak flow in gallons/day):	Phase A Phase B	<u>780</u>
	D	<ul> <li>Anticipated Future Waste Flows (peak flows in gallons/day):</li> </ul>	1810/2025	Phase A Phase B 1600/4720
	E	. Future Waste Disposal Capacity (in gallons/day):	2700	4720
	. sc	DLID WASTE DISPOSAL		~
	A	Operational Wastes (on-site, landfill, garbage co., etc	): <u>N/4</u>	land 1:11 / garbage co
	В.	Grading Spoils (on-site, landfill, construction, etc.):	11/4	44 (will import)
IN	/. H	AZARDOUS/TOXIC MATERIALS (Please fill out attache	ed hazardous materials information	n sheet, attached)
	A	<ul> <li>Disposal Method (on-site, landfill, garbage co., waste hauler, etc.):</li> </ul>	garbose co	garbase ce
	В	<ul> <li>Name of Disposal Agency (if landfill, garbage co., private hauler, etc.):</li> </ul>	garbose co Upper Volley	garbase Co Upper Valles

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# USE PERMIT APPLICATION SUPPLEMENTAL INFORMATION SHEET FOR WINERY USES

1.	Operations. (In the blank in front of each operation, plan "X" for Expanding, or an "N" for None.)	ace an "E" for Existing, a "P" for Proposed,
	a. Xcrushing b. Xfermentation c. Xbarrel ageing d. Xbottling e. Case goods storage f. N caves: use:barrel storage	g. X underground waste disposal h. X above-ground waste disposal i. X administration office j. E laboratories k. N daycare l. X tours/tastings: E public drop-in X public by appointment
	_case goods storage	× wine trade
	other accessibility to public:	m. <u>X</u> retail wine sales ∉ public drop-in
	none - no visitors/tours/events	×public by appointment
	guided tours only public access – no guides/unescorted	n. Npublic display of art or wine-related items
	marketing events and/or temporary events	o. <u>N</u> food preparation
	Marketing Activities. (Describe the nature of any above including the type of events, whether public attendance, etc. Differentiate between existing and princessary): 100 total events all by prior tevents must with a maximum of 50 to events year with a maximum of 100 events year with a maximum of 20	or private, frequency of events, average oposed activities. Attach additional sheets if Invitation only, 93 follows:
1750-1		
3.	Food Service. (Describe the nature of any food service private, whether profit or non-profit, frequency of service equipment, eating facilities, etc. Differentiate between additional sheets if necessary:    All food service professory and content apposed to the content of the	existing and proposed food service. Attach
4.	Production Capacity.  a. existing capacity: 50,000 gellus/year  b. current maximum actual production (year): 50,000 c. proposed capacity: 144,000 Finished wire, gall	date authorized: 1985  poo (At the end of Phase B)
5.		Source" form if establishing a new winery or

0.	Will the project involve construction of additional facilities beyond the winery development area?
7.	Total Winery Coverage. (see b below – maximum 25% of parcel or 15 acres, whichever is less) a. square feet/acres:  BLUTS (1.81 N.85)  b. percent of total parcel: 17.33%
8.	Production Facility. (see c below – include the square footage of all floors for each structure) a. square feet:
9.	Accessory Use. (see d below – maximum permitted 40% of the production facility) a. square feet:

# Marketing Definition: (paraphrased from County Code)

Marketing of Wine – Any activity conducted at the winery shall be limited to members of the wine trade, persons, who have pre-established business or personal relationships with the winery or its owners, or members of a particular group for which the activity is being conducted on a prearranged basis. Marketing of wine is limited to activities for the education and development of the persons or groups listed above with respect to wine which can be sold at the winery on a retail basis and may include food service without charge except to the extent of cost recovery when provided in association with such education and development but shall not include cultural and social events unrelated to such education and development.

# Coverage and Use Definitions: (paraphrased from County Code)

- a. Winery Development Area All aggregate paved or impervious or semi-permeable ground surface areas of the production facility which includes all storage areas (except caves), offices, laboratories, kitchens, tasting rooms and paved parking areas for the exclusive use of winery employees.
- b. Winery Coverage The total square foot area of all winery building footprints, all aggregate paved or impervious ground surface areas of the production facility which includes all outside work, tank and storage areas (except caves); all paved areas including parking and loading areas, walkways, and access driveways to public or private roads or rights-of-way; and all above-ground wastewater and run-off treatment systems.
- c. Production Facility (For the purpose to calculate the maximum allowable accessory use) The total square footage of all winery crushing, fermenting, bottling, bulk and bottle storage, shipping, receiving, laboratory, equipment storage and maintenance facilities, and employee-designated restrooms but does not include wastewater treatment or disposal areas which cannot be used for agricultural purposes.
- d. Accessory Use The total square footage of area within winery structures used for accessory uses related to a winery that are not defined as "production facility" which would include offices, lobbies/waiting rooms, conference/meeting rooms, non-production access hallways, kitchens, tasting rooms (private and public areas), retail space areas, libraries, non-employee designated restrooms, art display areas, or any area within winery structures not directly related to wine production.

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# WINERY CALCULATION WORKSHEET

Note: these are Net not Uscable #!

#### 1. WINERY COVERAGE

All paved or impervious ground surface areas of the production facility:			
Footprint of all winery structures	17 304		
Outside work areas	3 024		
Tank areas	N/A		
Storage areas (excluding caves)	233		
All paved areas:			
Parking areas	12,318		
Loading areas	1 471		
Walkways	11.978		
Access driveways to the public or private rd	13,870		
Above-ground wastewater and run-off treatment systems:			
Wastewater pond or SDSD	8.408		
Spray disposal field	NA		
Parcel size: \ \O. \text{8} \ acres \ Total winery coverage: \ \ \ \ \ \ \ \ \ \ \ \ acres	Percent of winery coverage of parcel size:		

### 2. PRODUCTION FACILITY

Crushing	7.889
Fermenting	7.706
Bottling	4 100
Bulk & bottle storage	
Shipping	
Receiving	
Laboratory	369
Equipment storage & maintenance facilities excludes fire protection facilities)	673
Employee-designated restrooms	HLR

#### 3. ACCESSORY USE

Office space		253	1
Lobbies/waiting rooms			1
Conference/meeting rooms			 1
Non-production access hallways		2.75	 1
Kitchens		198	l
Tasting rooms (private & public areas)		1260	1
Retail space areas		1000	 1
Libraries			
Visitor restrooms			
Art display areas			
Any other areas within the winery structure not directly related to production	USBSOLDLE	131	
Il square footage of accessory use space	221 00		

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# INITIAL STATEMENT OF GRAPE SOURCE (Napa County Zoning Ordinance Sections 12419(b) and (c))

I hereby certify that the current application for establishment or expansion of a winery pursuant to the Napa County Winery Definition Ordinance will employ sources of grapes in accordance with the requirements of Section 12419(b) and/or (c) of that Ordinance.

20Se	10/1/67
Signature	Date

Letters of commitment from grape suppliers and supporting documents will be required prior to issuance of any building permits for the project. Recertification of compliance will be required on a periodic basis. Recertification after initiation of the requested wine production may require the submittal of additional information regarding individual grape sources. Proprietary information will not be disclosed to the public.



## Law Offices of Lester F. Hardy

1407 Main Street, Suite 203 St. Helena, California 94574 Telephone: (707) 967-9610 Fax: (707) 967-9604 RECEIVED

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# Alpha Omega Winery

## **UPDATED PROJECT NARRATIVE—July 2008**

Alpha Omega Winery, located at 1155 Mee Lane, St. Helena, CA, APN 030-080-046, is applying for a major modification to its use permit. The modification, to occur in two phases, would allow Alpha Omega to expand its facility and increase its permitted production from 50,000 gallons (22,000 cases) to 144,000 gallons (60,000 cases) of finished wine per year. About 3% of the wine produced will come from the vineyard on the parcel. The parcel is 10.8 acres in size and is zoned AP. The acreage around the winery is vineyard. The total footprint of the project (including existing buildings) is 1.85 acres. 1.42 acres of vines have been removed for the project, and then .31 acres of that total will be replanted in new vineyard, resulting in a net decrease of 1.11 acres of vines.

#### **Background:**

Alpha Omega Winery is currently operating under its Use Permit #538485, approved on July 24, 1985. That use permit provides for public tours and tastings, with the condition that "[t]ours and tastings [are] to be limited to the Phase 2 building expansion area". Neither the text of the use permit nor the floor plan approved in connection with the use permit place any restriction on public tours and tasting beyond limiting them "to the Phase 2 building expansion area". Therefore, the use of that area for a tasting room, open to the public without prior appointment, and without limitation on the number of visitors, is consistent with the 1985 Use Permit and does not constitute an expansion of use under the WDO. That said, the applicant is now proposing the limits on public visitation (without prior appointment) set out below.

#### **Operational Details:**

If approved, the project will employ 19 persons full-time, 6 persons part-time, and an additional 15 part-time workers during harvest. The winery will continue its current hours of operation, being open to the public Monday through Sunday, 10 a.m. to 6 p.m. (The winery will be staffed from 7 a.m. to 6 p.m., with longer hours—6 a.m. to 11 p.m.—during harvest.) The winery will host 1350 visitors a week on average, and 500 visitors a day on the busiest day. During harvest, the winery will allow a maximum of 450 visitors a day.

Included in the total visitor numbers are: (a) visitors to the public tasting room without prior appointments; (b) visitors to the proposed private tasting rooms by prior appointment only; and (c) special events, hosted by the winery on a prior-invitation-only basis. During the non-harvest months, there will be a maximum of 300 visitors per day to the public tasting room, and a maximum of 200

visitors per day by prior appointment, including special events. During the harvest months, there will be a maximum of 270 visitors per day to the public tasting room, and a maximum of 180 visitors per day by prior appointment, including special events.

Special events will be planned as follows: the winery will host 7 events a month for a maximum of 50 people. It will also host 10 events annually for a maximum of 100 people, and 6 events annually for a maximum of 200 people. To accommodate staff and visitors, the project includes a total of 63 onsite parking spaces (up from the existing 23). Two bus parking spaces are also included in the plans.

#### **Building and phasing details:**

The proposed winery will be 15,549 square feet in size, up from its existing size of 7,874 square feet. The production facility will total 12,232 square feet, and the accessory use (office space, visitor restrooms, and tasting room) will total 3317 square feet. As part of the major modification, Alpha Omega has submitted an application for a variance for the barrel building and for the roof of the loggia, both of which will require an adjustment to the current setbacks. The loggia roof has already been approved under a previous minor-modification permit.

The applicant proposes to construct the project in two Phases (titled "Phase A" and "Phase B" to prevent confusion with other "Phase" references herein). In Phase A, the applicant will convert the waste treatment system from a process-only system to on that treats both process and domestic waste. The current pond has the capacity to function as a dual-process system for winery operations with the increased staffing and visitor numbers set out above, as well as the currently-approved 50,000 gallons / year of production. Phase A thus includes the increases in visitor and employee numbers, but not the construction of the barrel building nor the increase in wine production. Also included in Phase A will be the proposed improvements to the tasting room in the existing structure.

In Phase B, the applicant will construct the barrel building and expand the waste treatment pond to provide enough capacity for the increase in wine production to 144,000 gallons / year.

#### Water analysis:

The project will use water from its existing well (Permit # 46-01163). A Phase I water analysis has been provided. It concludes that there is adequate water supply to support the proposed project.

The project will convert the existing wastewater pond to a dual wastewater pond with the ability to process both domestic and production waste from the winery. The wastewater will be recycled and used for vineyard irrigation (see Report of Waste Discharge prepared by Delta Consulting and Engineering, copies to be submitted 6/20/08 to Planning and also to EMD).

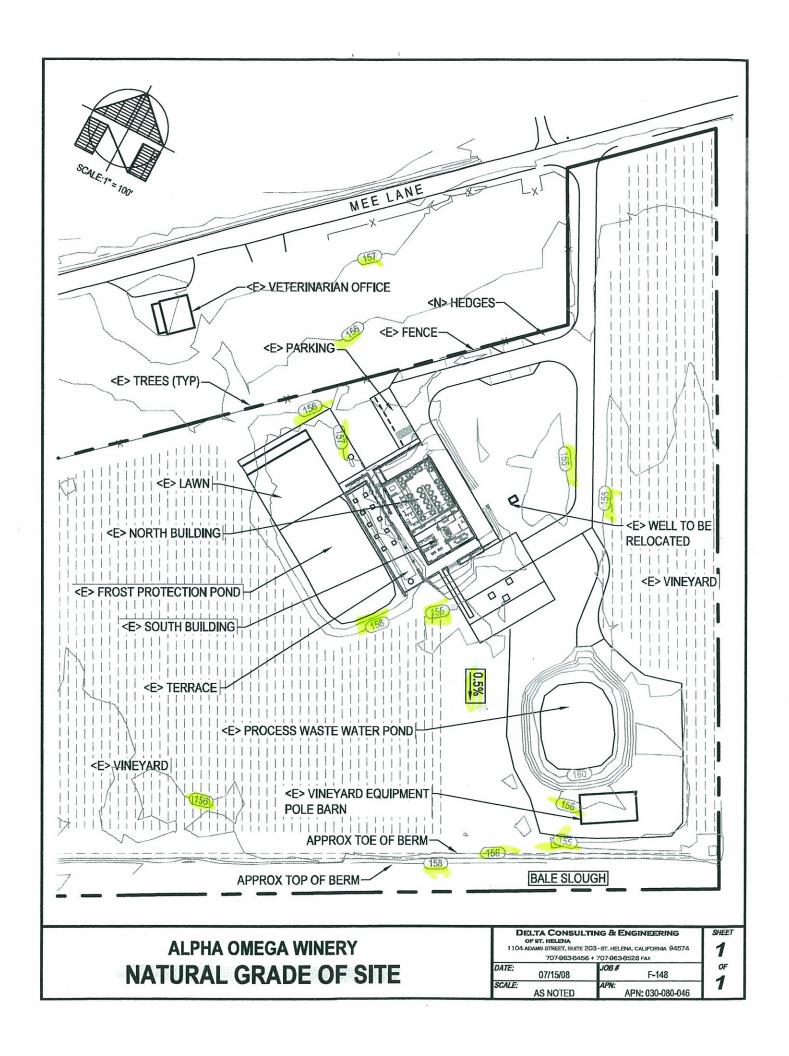
#### **Traffic and Transportation Plan:**

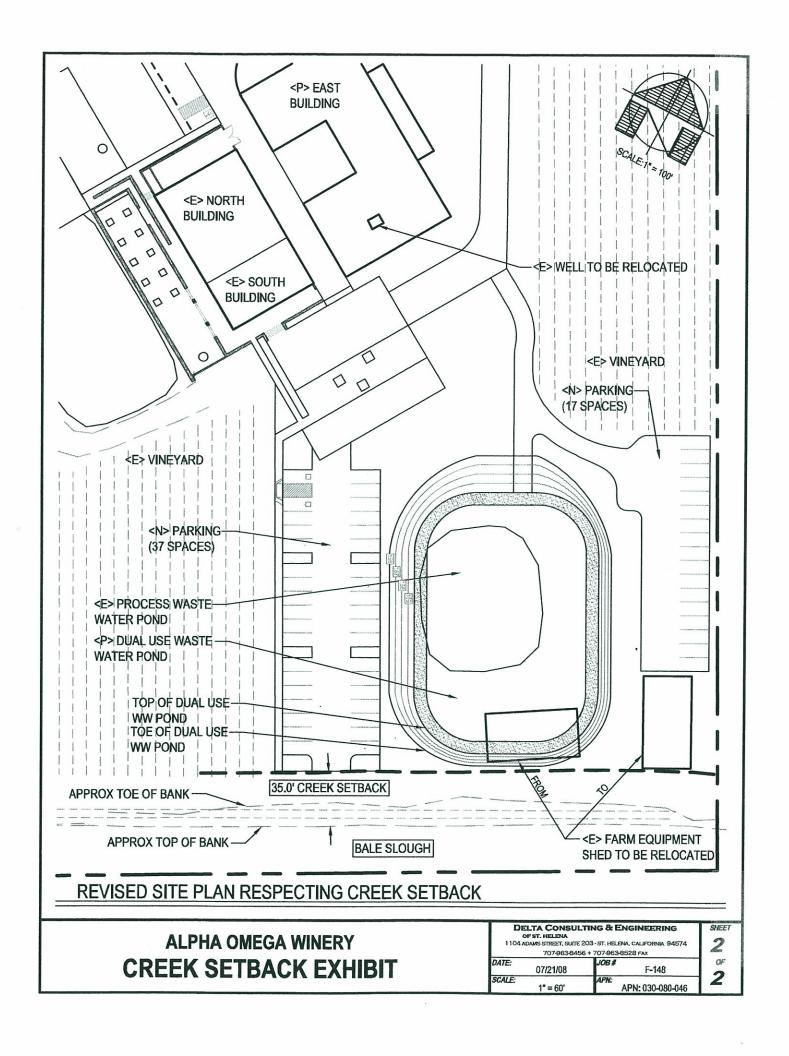
Alpha Omega's proposed new parking configuration (the expanded lot plus the bus parking) will accommodate its busiest-day scenario: on a weekend, up to 500 visitors. That figure means an average of about 63 visitors an hour. Applying the county's formula of 2.8 visitors per car produces a figure of 22.5 vehicles per hour. During the peak hours (3 – 6 pm), that number may double—up to 45 vehicles per hour. As the plans show, there are 63 parking spaces, plus two bus spots, for the proposed project. Setting aside 20 spots for employees leaves a total of 43 parking spaces for visitor vehicles. The winery's current data on visitor length-of-stay indicates that the average visitor stays on site about 20 to 30 minutes. That means that each of the visitor parking spaces could accommodate 2 vehicles an hour, meaning that a total of 82 vehicles could be accommodated per hour. So even using the "peak-

peak" number above—that is, 45 vehicles per hour on a peak hour on a peak weekend day—the parking lot will have more than sufficient capacity.

Moreover, the number of parking spaces required for employees during a weekend afternoon will be significantly less than the 20 allocated because there are fewer employees present on site during the weekend. None of the six office staff are there on weekends; and cellar workers are there on weekends for only six weeks out of the year (and their weekend shifts would be spread out through the day). Thus the extra employee spaces would be available for visitor parking during the peak hours as well.

Finally, these calculations do not factor in the bus parking capacity. The bus parking will be utilized for invitation-only events, not for use by the general public. For special events with 150 to 200 people that occur during peak traffic periods on S.R.29, the winery will be busing in attendees rather than having them arrive by car. Most large events will occur outside of those peak periods (on Friday or weekend evenings instead). For the few large (150+) events that would occur during peak business hours (Friday, Saturday or Sunday afternoons during the tourist season - July 1 through Labor Day), the applicant would agree to a condition of approval requiring that attendees arrive by bus or coach. Again, as noted in the project details, these special-events visitors will be included in the maximum numbers of visitors allowed on site. On a day when two busloads of 50 people visited, for example, then the total number of other visitors on site will drop to 400, and the resulting averages and peak numbers will also decline.





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