



NAPA COUNTY
CONSERVATION, DEVELOPMENT & PLANNING COMMISSION
 1195 Third Street, Suite 210, Napa, California, 94559 • (707) 253-4416

494 UP
 FILE # 000-0495-VAR

APPLICATION FOR USE PERMIT

FOR OFFICE USE ONLY

ZONING DISTRICT: AP Date Submitted: 9 AUG 08

REQUEST: _____ Date Complete: _____

_____ Date Published: _____

ZA CDPC BS APPEAL

Hearing _____

Action _____

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

Applicant's Name: Tom Gamble

Telephone #: (707) 963-5627 Fax #: (707) 963-2633 E-Mail: N/A

Mailing Address: P.O Box 670 St. Helena California 94574
No. Street City State Zip

Status of Applicant's Interest in Property: Purchaser

Property Owner's Name: Lincoln Family Trust

Telephone #: (707) 987-3390 Fax #: (707) 987-3469 E-Mail: bill@lincolnae.com

Mailing Address: 7554 St. Helena Highway Yountville, California 94599
No. Street City State Zip

Site Address/Location: 7554 St. Helena Highway Yountville, California 94599
No. Street City State Zip

Assessor's Parcel: 031-100-031 Existing Parcel Size: 11.74 +/- acres

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 property involved.

Tom Gamble 8-05-08
Signature of Applicant Date

William D. Lincoln 7/30/08
Signature of Property Owner Date

Tom Gamble William D. Lincoln
Print Name Print Name

TO BE COMPLETED BY CONSERVATION, DEVELOPMENT AND PLANNING DEPARTMENT

*Application Fee Deposit: \$ _____ Receipt No. _____ Received by: _____ Date: _____

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

IV. TYPICAL OPERATION

	<u>Existing</u>	<u>Proposed</u>
A. Days of Operation:	<u>N/A</u>	<u>7</u>
B. Expected Hours of Operation:	<u>N/A</u>	<u>7:00am - 5:00pm.</u>
C. Anticipated Number of Shifts:	<u>N/A</u>	<u>1</u>
D. Expected Number of Full-Time Employees/Shift:	<u>N/A</u>	<u>8</u>
E. Expected Number of Part-Time Employees/Shift:	<u>N/A</u>	<u>6</u>
F. Anticipated Number of Visitors		
• busiest day:	<u>N/A</u>	<u>30(wkdys)/75(wkends)</u>
• average/week:	<u>N/A</u>	<u>300</u>
G. Anticipated Number of Deliveries/Pickups		
• busiest day:	<u>N/A</u>	<u>2</u>
• average/week:	<u>N/A</u>	<u>4</u>

V. SUPPLEMENTAL INFORMATION FOR SELECTED USES

A. Commercial Meeting Facilities
Food Serving Facilities

• restaurant/deli seating capacity:	<u>N/A</u>
• bar seating capacity:	<u>N/A</u>
• public meeting room seating capacity:	<u>N/A</u>
• assembly capacity:	<u>N/A</u>

B. Residential Care Facilities (6 or more residents)
Day Care Centers

	<u>Existing</u>	<u>Proposed</u>
• type of care:	<u>N/A</u>	<u>N/A</u>
• total number of guests/children:	<u>N/A</u>	<u>N/A</u>
• total number of bedrooms:	<u>N/A</u>	<u>N/A</u>
• distance to nearest existing/approved facility/center:	<u>N/A</u>	<u>N/A</u>

USE PERMIT APPLICATION
SUPPLEMENTAL INFORMATION SHEET
FOR WINERY USES

1. **Operations.** (In the blank in front of each operation, place an "E" for Existing, a "P" for Proposed, an "X" for Expanding, or an "N" for None.)

- | | |
|---|--|
| <p>a. <u>P</u> crushing</p> <p>b. <u>P</u> fermentation</p> <p>c. <u>P</u> barrel ageing</p> <p>d. <u>P</u> bottling</p> <p>e. <u>P</u> case goods storage</p> <p>f. <u>N</u> caves:
 <i>use:</i>
 ___ barrel storage
 ___ case goods storage
 ___ other _____
 <i>accessibility to public:</i>
 ___ none – no visitors/tours/events
 <u>P</u> guided tours only
 ___ public access – no guides/unescorted
 <u>P</u> marketing events and/or temporary events</p> | <p>g. <u>P</u> underground waste disposal</p> <p>h. <u>N</u> above-ground waste disposal</p> <p>i. <u>P</u> administration office</p> <p>j. <u>P</u> laboratories</p> <p>k. <u>N</u> daycare</p> <p>l. <u>P</u> tours/tastings:
 <u>N</u> public drop-in
 <u>P</u> public by appointment and
 <u>P</u> wine trade</p> <p>m. <u>P</u> retail wine sales
 <u>P</u> public drop-in and
 <u>P</u> public by appointment</p> <p>n. <u>N</u> public display of art or wine-related items</p> <p>o. <u>N</u> food preparation</p> |
|---|--|

2. **Marketing Activities.** (Describe the nature of any marketing or educational events not listed above including the type of events, whether public or private, frequency of events, average attendance, etc. Differentiate between existing and proposed activities. Attach additional sheets if necessary):_

Private promotional tastings with meals: twenty (20) events; 50 persons; thirteen (13) events; 20 persons. 11:00 a.m.— 10:00 p.m. + one-half hour clean up activities following conclusion of event

Release Events: One annual event for 150 persons. 11:00 a.m.—10:00 p.m. + one-half hour clean up activities following conclusion of event

3. **Napa Valley Wine Auction Activities.** (Describe the size and type of event that you may conduct as part of the annual Wine Auction): One for 150 persons

4. **Food Service.** (Describe the nature of any food service including type of food, whether public or private, whether profit or non-profit, frequency of service, whether prepared on site or not, kitchen equipment, eating facilities, etc. Differentiate between existing and proposed food service. Attach additional sheets if necessary: Food for marketing events will be catered.

5. **Production Capacity.**
 - a. existing capacity: N/A date authorized: N/A
 - b. current maximum actual production (year): N/A ()
 - c. proposed capacity: 50,000 gallons annually

6. **Grape Origin.** (Fill out a "Initial Statement of Grape Source" form if establishing a new winery or expanding an existing winery development area and include with application form.)

7. **Winery Development Area.** (see a below - for existing winery facilities)
Will the project involve construction of additional facilities beyond the winery development area? _____

8. **Total Winery Coverage.** (see b below – maximum 25% of parcel or 15 acres, whichever is less)
 - a. square feet/acres: 98,150 s.f.
 - b. percent of total parcel: 20%

9. **Production Facility.** (see c below – include the square footage of all floors for each structure)
 - a. square feet: 24,7000

10. **Accessory Use.** (see d below – maximum permitted 40% of the production facility)
 - a. square feet: 5,500
 - b. percent of production facility: 23%

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.

WINERY CALCULATION WORKSHEET

1. WINERY COVERAGE

All paved or impervious ground surface areas of the production facility:

Footprint of all winery structures	20,050
Outside work areas	5,450
Tank areas	within structure
Storage areas (excluding caves)	within structure
All paved areas:	
Parking areas	3,818
Loading areas	included above
Walkways	1,150
Access driveways to the public or private road	45,740
Above-ground wastewater and run-off treatment systems:	
Wastewater pond or SDDS	N/A
Spray disposal field	43,560
Parcel size: 11.17 acres	Percent of winery coverage of parcel size:
Total winery coverage: 2.74 acres	24.5 %

2. PRODUCTION FACILITY

Total square footage within structures and caves utilized for the following:

Crushing	2,000
Fermenting	6,000
Bottling	1,800
Bulk & bottle storage	6,000
Shipping	2,000
Receiving	included above
Laboratory	200
Equipment storage & maintenance facilities <small>(excludes fire protection facilities)</small>	1,000
Employee-designated restrooms	240
Total square footage of production facility:	19,240

3. ACCESSORY USE

Total square footage within structures and caves utilized for the following:

Office space	3,480
Lobbies/waiting rooms	360
Conference/meeting rooms	530
Non-production access hallways	220
Kitchens	420
Tasting rooms (private & public areas)	750
Retail space areas	0
Visitor restrooms	80
Art display areas	0
Any other areas within the winery structure not directly related to production	0
Total square footage of accessory use space:	5,840
Percent of accessory use to production use:	30.4%

(OVER)

4. **Production Capacity**
 - a. existing capacity: N/A date authorized: N/A
 - b. current maximum actual production (year): N/A (N/A)
5. **Grape Origin.** (Fill out a "Initial Statement of Grape source" form if establishing a new winery or expanding an existing winery development area.)
6. **Total Coverage.** (as defined below)
 - a. square feet: 119,354
 - b. percent of total parcel: 24.5
7. **Production Facility Coverage.** (as defined below)
 - a. square feet: 19,240
8. **Accessory Structure Coverage.** (as defined below)
 - a. square feet: 5,840
 - b. percent of production facility coverage: 30.4

Marketing Definition (paraphrased from County Code)

1. **Marketing of Wine** - Any activity conducted at the winery shall be limited to members of the wine persons who have pre-established business or personal relationships with the winery or its owner, 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 respect to wine which can be sold at the winery on a retail basis and may include food service with charge except to the extent of cost recovery when provided in association with such education development, but shall not include cultural and social events unrelated to such education and development.

Coverage Definitions (paraphrased from County Code)

1. **Total Coverage** - The aggregate paved or impervious ground surface areas of the production facility storage areas (except caves), offices, laboratories, kitchens, tasting rooms, paved areas and access roads, public or private roads or rights-of-way and above-ground sewage disposal systems.
2. **Production Facility Coverage** - The aggregate paved or impervious ground surface areas of crushing, fermenting, bottling, bulk and bottle storage, shipping, receiving, laboratory, equipment storage, maintenance facilities; not including wastewater treatment or disposal areas which cannot be used for agricultural purposes.
3. **Accessory Structure Coverage** - The square footage of structures used for accessory uses related to the winery (i.e., the Total Coverage less Production Facility Coverage, paved areas, and access roads).

WATER SUPPLY/WASTE DISPOSAL INFORMATION SHEET

I. WATER SUPPLY

	<u>Domestic</u>	<u>Emergency</u>
A. Proposed source of Water (eg., spring, well, mutual water company, city, district, etc.):	<u>well</u>	<u>well</u>
B. Name of Proposed Water Supplier (if water company, city, district): annexation needed?	<u>N/A</u> Yes ___ No <u>X</u>	<u>N/A</u> Yes ___ No <u>X</u>
C. Current Water Use (in gallons/day): Current water source:	<u>5,356</u> <u>well</u>	<u>6,543</u> <u>well</u>
D. Anticipated Future Water Demand (in gallons/day):	<u>6,100</u>	_____
E. Water Availability (in gallons/minute):	<u>new well</u>	_____
F. Capacity of Water Storage System (gallons):	<u>10,000 +/-</u>	<u>40,000 +/-</u>
G. Nature of Storage Facility (eg., tank, reservoir, swimming pool, etc.):	<u>tank</u>	<u>tank</u>
F. Completed Phase I Analysis Sheet (Attached):		

II. LIQUID WASTE

	<u>Domestic</u> (sewage)	<u>Other</u> (please specify)
A. Disposal Method (e.g., on-site septic system on-site ponds, community system, district, etc.):	<u>on-site septic</u>	<u>on-site pre-treatment</u>
B. Name of Disposal Agency (if sewage district, city, community system): annexation needed?	<u>NCEM</u> Yes ___ No <u>X</u>	<u>NCEM</u> Yes ___ No <u>X</u>
C. Current Waste Flows (peak flow in gallons/day):	<u>N/A</u>	<u>N/A</u>
D. Anticipated Future Waste Flows (peak flows in gallons/day):	<u>568</u>	<u>1,250</u>
E. Future Waste Disposal Capacity (in gallons/day):	<u>568</u>	<u>1,250</u>

III. SOLID WASTE DISPOSAL

A. Operational Wastes (on-site, landfill, garbage co., etc.):	<u>on-site/landfill</u>	_____
B. Grading Spoils (on-site, landfill, construction, etc.):	<u>on site/landfill</u>	_____

IV. HAZARDOUS/TOXIC MATERIALS (Please fill out attached hazardous materials information sheet, attached)

A. Disposal Method (on-site, landfill, garbage co., waste hauler, etc.):	_____	_____
B. Name of Disposal Agency (if landfill, garbage co., private hauler, etc.):	_____	_____

VALLEY ARCHITECTS LLP

December 1, 2008

MEMO :

To The Napa County
Conservation, Development and Planning Commissioners

Re: Sustainable approach for site design – Lincoln Ranch Winery

The design of the Lincoln Ranch Winery will incorporate a sustainable approach to the improvements proposed. Environmental protection, conservation of natural materials and limiting the impact of construction on the land, are concerns we are interested in being sensitive toward.

To start we will carefully dismantle the two barns on the property and recycle the wood. The resurfaced barn-wood will be utilized in various areas of the winery. Removal of the barn structures allows for the new buildings to be positioned on the site in a manner most conducive to meeting our "green" objectives. Orientation of the buildings was a concern. We set the winery building so that the long axis was along the contours of the hill thus limiting the amount of earth moving required. In fact, a balanced site will be achieved – no off haul of dirt. The building is positioned so the sloping roof faces southwest, which is a perfect orientation for the possible use of solar panels. The owner is interested in the idea of producing electricity on site but is evaluating the cost effectiveness of installing a PV system prior to including it at this time. The small retaining wall required at the toe of the hill behind the winery will be accomplished by locating concrete water tanks there. The tanks will do double duty by retaining the dirt and holding the water required for fire suppression and irrigation/winery use. This approach decreases the amount of materials used and thus reduces project imbedded energy. To save energy in the wine production areas of the building we are utilizing night time cooling. We are increasing insulation values beyond those required by title 24 in areas where chilling the air is necessary – predominantly the barrel aging rooms. To reduce energy spent on lighting we are using appropriately placed skylights to provide natural light in many areas.

On the exterior of the building we will protect south and west facing windows to mitigate direct heat gain. Shading strategies will be employed in order to avert a "heat island effect" in areas near the building and in the parking lot. A light colored roof will be specified to reduce heat gain. Hardscape driving surfaces will be pervious AC paving where possible and reduced to the minimum required to serve the winery needs. Surface runoff will be directed through bioswales where appropriate. Landscaping will be made up of native plants to minimize the irrigation-water demand. It is a goal to maintain the natural look of the meadow and hillside areas, as you drive in, that define the original approach to the Lincoln Ranch. Ann Baker from RRM Design will work within the landscape design to preserve the existing bird habitat in order that the original owners, who are avid bird watchers and still live on the property, will continue to feel at home there.

Respectfully,



William E Bylund AIA, LEED AP
Architect of Record



(11/17)

Tom Gamble
P.O. Box 391
St. Helena, California 94574

December 8, 2008

Linda St. Claire
Department of Conservation, Development and Planning
County of Napa
1195 Third Street, room 210
Napa, California 954559

Re: Application for Use Permit #P08-00494, P0800495-VAR, Lincoln Ranch
Winery 7554 St. Helena Highway Yountville, California. Assessor's Parcel No.
031-100-031

Dear Ms. St. Claire:

This letter is a follow up to your on-site visit with Eric Sims and Jeffrey Redding during which you discussed some concerns you had about the impacts of the cut and cover component of our proposed winery. In addition, you asked for a clarification of the energy and resource conservation features that we are included in the project.

Following your visit, we met with our architect to discuss alternatives to respond to your suggestions. The result of our reexamination is detailed on the attached plans and is summarized below. In addition, we have updated the application forms (using bold) to describe the changes that we have made. Finally, we have asked our LEED consulting architect, Bill Bylund of Valley Architects to provide you with a summary of the conservation features included in the project.

Summary of Proposed Changes

The most significant change to the winery is the downsizing of the winery and the elimination of the cut and cover component. The production building has been relocated further north of its original location to significantly reduce its impact on the Highway 29 viewshed. By so doing we have substantially reduced required cut and fill and impact on the hillside. In addition, the winery has been separated into three (3) distinct functional components. The footprint of the production building has been reduced from 33,000 square feet to approximately 20,000 square feet. A reception building located east of the production building contains employee kitchen, reception area and supplemental tasting room. The footprint of this building is approximately 2800 square feet. Administrative functions, including offices as well as the main tasting room remains within a new building located in the southeast corner of the property near the existing residential compound. As before,

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NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING

all buildings have been designed to complement and blend with the existing historic residential buildings that will continue to be occupied by the Lincoln family.

A significant change has been made to the location and design of the water storage tanks required for fire protection. Whereas the previous proposal showed these tanks on top of the hill, in view of Highway 29, the new proposal relocates them to a point behind the hill where they act as retaining walls to support the cut and fill required for the production building. The new location is out of the Highway 29 viewshed.

An existing driveway that traverses the length of the property continues to provide access to the project. It has been realigned from the previous submittal to improve fire department access. A left turn lane in Highway 29 remains a part of the project.

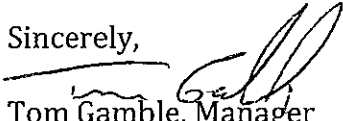
Despite these positive changes, a variance to winery setbacks from the existing private road will be required to develop the project as proposed.

Ms. St. Claire, we appreciated your suggestions about how we might improve our project. The result of our reexamination is a project that minimizes the impact on the landscape, improves energy and resource conservation and reduces impacts on the Highway 29 viewshed. While a variance to winery setbacks from the private road is still required, our project conforms to all other standards that govern winery development. We thank you in advance for your continued support of our project.

If you have questions please feel free to call my project manager Eric Sims or me.

Thank you.

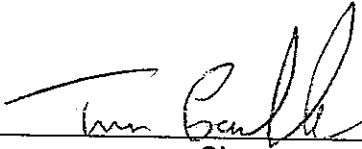
Sincerely,


Tom Gamble, Manager
Lincoln Ranch Winery

CC: Eric Sims
Jeffrey Redding

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.



Signature



Date

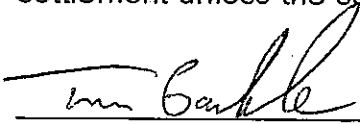
Letters of commitment from grape suppliers and supporting documents will be required prior to issuance of any building permits for the project. Recertification of compliance will be required on a periodic basis. Recertification after initiation of the requested wine production may require the submittal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

INDEMNIFICATION AGREEMENT

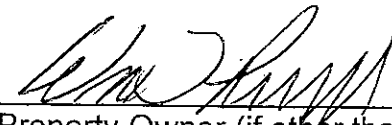
Pursuant to Chapter 1.30 of the Napa County Code, as part of the application for a discretionary land use project approval for the project identified below, Applicant agrees to defend, indemnify, release and hold harmless Napa County, its agents, officers, attorneys, employees, departments, boards and 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.



Applicant



Property Owner (if other than Applicant)

8-05-08

Date

Project Identification