

BUILDING DIVISION COMMENTS



A Tradition of Stewardship
A Commitment to Service

Conservation, Development and Planning

1195 Third Street, Suite 210
Napa, CA 94559
www.co.napa.ca.us

Main: (707) 253-4417
Fax: (707) 253-4336

Hillary Gitelman
Director

12-24-09 Updated letter

Building Inspection Department review comments for inclusion with:

Planning Department permit: P09-00148 Use Permit General

Status of Building Department review of this Use Permit: Approved: awaiting future building permit submittal.

At parcel: 039-190-038
1094 Hardman Avenue, Napa, CA

Owner: Peter & Patricia Kitchak

Description of permit: Request for a use permit to establish a 5,000 gallon per year winery of approximately 2,047 SF to be located within an existing residential garage which is to be converted to winery use; a 500 SF crush pad; hold and haul winery waste disposal system; 1 full-time and 2 part-time employees; 6 winery related parking spaces; tour & tasting by appointment only maximum 8 persons per day and, a Marketing Plan of unspecified amounts. Also requires a variance from the required 300 foot setback from the centerline of a private road. (P09-00149 -VAR.)

Comments:

Conversion of the existing garage accessory to the dwelling into a Winery involves a change in building occupancy classification; this requires a building permit. Improvements and revisions to the existing building and facilities will be required. One Example: The existing bathroom in the garage doesn't appear to meet some of the applicable code requirements for accessibility required for commercial restrooms per CBC Chapter 11B. The Building Department is not reviewing this project for compliance with CA Building Standards at this time; it is only reviewing the proposed Planning entitlement. All Building Code issues will be dealt with during future building permit application and review processes. Building Department approval of this Planning Use Permit doesn't imply that the existing facilities are fully acceptable for the proposed future winery use without some future alterations being required to meet California Building Standards Code requirements.

The Building Department is able to approve the Use Permit General; it is a planning use permit only and doesn't in itself authorize any change in occupancy or construction.

A building permit is absolutely required for conversion of the previously finished garage for the dwelling into a winery. It is the necessary and primary vehicle for delineating the existing facilities and detailing any improvements or alterations to be done to demonstrate

how the facilities will conform to the California Building Standards Code requirements as well as the many requirements and conditions of approval from the various County agencies laid out in the General Use Permit approval letter. The plans and documents for this future building permit must detail how all conditions of approval are being met. They will be routed around to all the effected agencies for review for conformance to the agencies requirements. Each agency will need to approve the building permit for their aspects in order for the permit to be approved for issuance.

All plans and documents for commercial projects are required by State Law to be prepared and coordinated under the direction of a California Licensed Architect, or other allowable properly CA-Licensed Design Professional in Responsible Charge (Business and Professions Code, Chapter 3, Division 3 & California Building Code, Appendix Chapter 1).

Prior to any future construction work, or change in occupancy, applicable building permits for the work must first be obtained; all work must comply with all applicable code requirements, including accessibility requirements of CBC Chapter 11B. Submit complete & appropriate plans, specifications, energy compliance, accessibility compliance, engineering, etc., as needed when applying for permits.

Eric Banvard

Plans & Permit Supervisor
Conservation Development & Planning
Napa County, CA 94559
eric.banvard@countyofnapa.org

**ENVIRONMENTAL MANAGEMENT
COMMENTS**



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REVISED (11/20/09)

REVISED SITE PLAN W.
TRASH ENCLOSURE; HOLD & HAUL SEPTIC

FILE #: P09-00148 UP
Conservation Development and Planning

1195 Third Street, Suite 210
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Hillary Gitelman
Director

**PERMIT APPLICATION AND INITIAL STUDY
REQUEST FOR COMMENTS**

TO: ENV. MGMT

APPLICATION TITLE: REVISED - KITZBAK WINERY APN: 039-190-038

DESCRIPTION OF PROJECT: CONVERSION OF PREVIOUSLY CONSTRUCTED
(PERMITTED) RESIDENTIAL GARAGE TO WINERY USE. PRODUCTION:
5,000 GAL/YR; 2,047 SQ FT WINERY PROD BLDG (FORMERLY GARAGE) - TOURS
& TASTING APPT; MARKETING 4 EVENTS/50 PERSONS/YR; 300 SQ FT CRUSH PAD.

RESPONSE REQUEST DATE: 12/3/09 RESPONSE RETURN DATE: 12/18/09

PLEASE RESPOND VIA E-MAIL TO: thornish @countyofnapa.org
OR FAX TO (707) 299-1349

This application (see enclosed project description and maps) is being sent to you for your review and comment.

With respect to environmental analysis, the County is assuming Lead Agency status for the project and will be preparing the necessary environmental documents.

1. Do you have any comments on this project? Yes No
2. Do you have jurisdiction by law over this project? Yes No
3. Attach your agencies comments, or list below: Comments attached Comments below.

RECEIVED
DEC 05 2009
DEPT. OF
ENVIRONMENTAL MANAGEMENT

Name of contact person: _____ Telephone #: _____
Email: _____
Title: _____
Date: _____



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Environmental Management

1195 Third Street, Suite 101
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Main: (707) 253-4471
Fax: (707) 253-4545

Steven Lederer
Director

MEMORANDUM

To: Napa County Planning Department Hillary Gitelman, Planning Director	From: Napa County Environmental Management Department Kim Withrow, Sr. Env. Health Specialist
Date: December 18, 2009	Re: Use Permit Application for Kitchak Winery Located at 1094 Hardman Ave Assessor Parcel # 039-190-038 File #P09-0148

We have reviewed the above proposal and recommend approval of the application providing the following are included as conditions of approval:

1. Pursuant to Chapter 6.95 of the California Health and Safety Code, businesses that generate hazardous waste and/or store hazardous materials above threshold amounts shall obtain a permit and file an approved plan with this Department within 30 days of said activities. If your business does not generate hazardous waste and/or store hazardous materials above threshold quantities, a Hazardous Materials Negative Declaration shall be filed.
2. A permit for hold and haul system must be secured from this Department prior to approval of a building clearance (or issuance of a building permit) for any improvements to the structure that generates wastewater to be disposed of by this system.
3. The use of the absorption field/drain field area shall be restricted to activities which will not contribute to compaction of the soil with consequent reduction in soil aeration. Activities which must be avoided in the area of the septic system include equipment storage, traffic, parking, pavement, livestock, and etc.
4. Plans for the proposed hold and haul system shall be designed by a licensed Civil Engineer or Registered Environmental Health Specialist and be accompanied by complete design criteria based upon local conditions. No building clearance (or issuance of a building permit) for any improvements to the structure that generates wastewater to be disposed of by this system will be approved until such plans are approved by this Department.
5. If any uncovered outdoor processing areas are proposed, the applicant must submit a proposal from their engineer that addresses proper diversion and direction of storm water and process wastewater

from such areas. This proposal must include a detail on the diversion valve (or equivalent) must be provided to this department prior to issuance of sewage permits.

6. An annual holding tank permit must be obtained for the hold and haul system prior to issuance of a final on the project. The monitoring, as required by this permit, must be fully complied with.
7. An annual operating permit is required for the subsurface drip system which requires contracting with a service provider to monitor this system. Submit a copy of the contract within 30 days of use permit approval.
8. All solid waste shall be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.
9. During the construction, demolition, or renovation period of the project the applicant must use the franchised garbage hauler for the service area in which they are located for all wastes generated during project development, unless applicant transports their own waste. If the applicant transports their own waste, they must use the appropriate landfill or solid waste transfer station for the service area in which the project is located.
10. Adequate area must be provided for collection of recyclables. The applicant must work with the franchised garbage hauler for the service area in which they are located, in order to determine the area and the access needed for the collection site. The garbage and recycling enclosure must meet the enclosure requirements provided during use permit process and be included on the building permit submittal.
11. All diatomaceous earth/bentonite must be disposed of in an approved manner. If the proposed septic system is an alternative sewage treatment system the plan submitted for review and approval must address bentonite disposal.
12. The proposed water system to serve this project is not currently required to be regulated as a small public water system by this Department under California Code of Regulations, Title 22, or Napa County Code. Therefore, we have no comment as to its adequacy at this time. The applicant will be required to provide minimal information on the water system prior to approval of a building permit, and may wish to retain the services of a consultant in this matter.

Cc: Kitchak Winery, 1094 Hardman Ave., Napa CA 94558
T. Hornisher, CDPD

TRISH



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Environmental Management

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Steven Lederer
Director

MEMORANDUM

To: Napa County Planning Department Hillary Gitelman, Planning Director	From: Napa County Environmental Management Department Kim Withrow, Sr. Env. Health Specialist
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KW

Date: December 17, 2009	Re: Variance Application for Kitchak Winery Located at 1094 Hardman Assessor Parcel # 039-190-038 File #P09-00149
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We have reviewed the above proposal and recommend approval of the application providing the following are included as conditions of approval:

1. We have neither recommendations nor conditions of approval to be included if the project is approved.

RECEIVED

DEC 21 2009

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

Cc: Kitchak Winery, 1094 Hardman Ave., Napa, CA 94558
T. Hornisher, CDPD

FIRE DEPARTMENT COMMENTS



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Alicia Amaro
Napa County Fire
Asst. Fire Marshal
1199 Big Tree Road
St. Helena, CA 94574

alicia.amaro@fire.ca.gov

Main: (707) 967-1425
Fax: (707) 967-1474
Cell: (707) 486-5782

INTER-OFFICE MEMO

TO: Hillary Gitelman, Director
Conservation, Development, and Planning Department

FROM: Alicia Amaro, Fire Department

DATE: December 29, 2009

SUBJECT: Kitchak Winery Use Permit **Revision Comments**
Apn: 039-190-038 P09-00148

Site Address: 1094 Hardman Avenue, Napa

The Napa County Fire Marshal staff has reviewed the revised Use Permit application to convert an existing 2,047 square foot residential garage / barn to a 5,000 gallon per year winery with tours and tastings by appointment only and limited marketing events. We recommend that the following items shall be incorporated as project conditions or mitigation measures if the commission approves the project.

- 1. All construction and use of the facility shall comply with all applicable standards, regulations, codes and ordinances at time of building permit issuance.**
2. The ***minimum*** required fire flow for the protection of the ***proposed*** building is 200 gallons per minute for 60 minutes duration at 20 pounds residual water pressure with a storage volume of 12,000 gallons.
3. A fire pump may be required to meet the fire flow requirements. The fire pump shall be installed and maintained in accordance to the *National Fire Protection Standard (NFPA) #20 (Installation of Stationary Pumps for Fire Protection 2003 edition)*. Fire pumps are required to be listed and tested by an approved testing agency and are required to be either diesel driven or electric. Electric fire pumps also require a secondary power source.
4. The private fire service mains shall be installed and maintained in accordance with the

National Fire Protection Standard # 24 (Installation of Private Fire Service Mains and Their Appurtenances 2002 edition).

5. The location, number and type of fire hydrants connected to the water supply shall be in accordance with the *California Fire Code, 2007 edition*.
6. All post indicator valves, control valves, waterflow devices and fire pumps will also require monitoring by an approved remote station or central alarm monitoring company. The fire alarm system shall be designed and installed in accordance with the *National Fire Protection Standard #72 (Fire Alarm Code, 2002 edition)*.
7. Fire apparatus access roads shall be provided to within 150 feet of all portions of the structures. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet at the building site and an unobstructed vertical clearance of not less than 15 feet. **It does not appear that there is access for fire department vehicles on the west side of the winery building per the site plans dated November 18, 2009.**
8. Access roads from the public and/or private right-of- ways to the project/ building site shall comply with Napa County Road and Street Standards and shall be reviewed by the Napa County Public Works Department.
9. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with a surface so as to provide driving capabilities in all weather conditions. Said access shall be provided prior to any construction or storage of combustible materials on site.
10. The applicant shall be responsible for maintaining 10 feet of defensible space along each side of the roadway. This defensible space zone shall include the removal of all dead fuel, dry grass mowed to less than four inches in height, the removal or cutting of all brush, the removal of small trees less than 8 inches in diameter and the removal of all ladder fuel on existing trees up to 8 feet in height, within 10 vertical feet of each side of the roadway.
11. A defensible space zone shall be created around all structures. This defensible space zone shall be 100' from all portions of a structure. Flammable vegetation shall be removed and/or modified in the defensible space zone to create a fuel break that will help protect the structures from an encroaching wildland fire and will protect the surrounding wildland areas from a structure fire originating on-site.
12. The request for beneficial occupancy ***will not*** be considered until all fire and life safety issues have been installed, tested and finalized.
13. The approved address numbers shall be placed on the building by the applicant in such a position as to be plainly visible and legible from the street or streets fronting the property and shall be placed as to be seen from all entrances. Proposed address shall be indicated on the elevation drawings contained within the building plan submittal. The address numbers shall be a minimum of 4" in height for the building, contrasting in color with their background and shall be illuminated.
14. An approved project sign shall be placed at vehicle access points into the project during

construction to assist emergency responders. The sign shall identify the project name and address. Such signs shall be clearly visible and legible from the street fronting the project.

15. The applicant shall properly identify all required fire lanes. Fire lanes shall be painted red with white letters to read "NO PARKING FIRE LANE CVC 22500.1, stenciled every 30 feet on top of the curb or on signs.
16. An approved access walkway shall be provided to all exterior doors and openings required by either the *California Fire Code* or the *California Building Code*. A concrete sidewalk or other approved hard surface will meet the intent of the access walkway requirement. Adequate space adjacent to the access walkway, vertically and horizontally, shall be provided to allow firefighters to access required building openings in order to effectively perform rescue operations, to allow for equipment maneuverability. Any landscaping adjacent to the access walkway shall be such that it does not obstruct the functional purpose of the walkway upon maturity.
17. Buildings with high piled storage exceeding 12 feet in height shall be equipped with smoke and heat vents and curtain boards in accordance with the *California Fire Code, Chapter 23, 2007 edition*.
18. Firefighter access doors in high piled storage occupancies shall be installed every 100 linear feet per the *California Fire Code, Chapter 23, 2007 edition*.
19. Currently serviced and tagged fire extinguishers with a minimum rating of 2A10BC shall be provided within 75 feet of travel distance from any portion of the facility and shall be mounted 3 1/2 to 5 feet to the top of the extinguisher.
20. All exit doors shall be operable without the use of a key or any special knowledge or effort.
21. Illuminated exit signs and emergency back up lighting shall be installed throughout the building per the *California Building Code, section 1004, 2007 edition*.
22. A Knox cabinet will be required to allow emergency vehicle access to the site. Because an alarm system is required the Knox box/cabinet will require "tamper monitoring".
23. The Knox Cabinet shall have one or all of the following items placed in the Knox cabinet, dependent on requirements of this facility:
 - a. A minimum of 2 master keys to the structure(s) for emergency access.
 - b. 2 scaled site plans of the facility, identifying all buildings, hydrants, fire department access around the facility, and location of all water, electric, and gas shut-off valves.
 - c. 2 scaled floor plans of all structures showing doors, offices, etc.
 - d. Napa County Hazardous Materials Business including all MSDS forms, etc.
 - e. **A digital file of the site and floor plans in a PDF format must be submitted at building final in addition to the hard copies listed above.**
24. A complete set of Building Plans shall be submitted to the Fire Department for review and approval for egress requirements.

25. Barricades shall be provided to protect any natural gas meter, fire hydrant, or other fire department control device, which may be subject to vehicular damage. Approved signs may be required to identify the location of fire protection devices.
26. Technical assistance in the form of a fire protection engineer or consultant acceptable, and reporting directly, to the NCFD shall be provided by the applicant at **no** charge to the County for independent peer review of alternate methods and materials proposals.
27. Plans detailing compliance with the fire and life safety conditions-of-approval shall be submitted to the Napa County Fire Marshal's Office for review and approval prior to building permit issuance and /or as described above.
28. "Fire Plan Review and Inspection" fees shall be paid to the Fire Department for all applicable plan review and inspection work at the established hourly rate as adopted by the Napa County Board of Supervisors by resolution.

Please feel free to contact the Napa County Fire Marshal's Office at (707) 967-1425 to discuss any fire protection issues you may have regarding your project.

Alicia Amaro
Assistant Fire Marshal



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INTER-OFFICE MEMO

TO: Public Works

FROM: Alicia Amaro, Fire Department

DATE: December 29, 2009

SUBJECT: Kitchak Winery Road Exception Request
Apn: 039-190-038 P09-00148

Site Address: 1094 Hardman Avenue, Napa

The Napa County Fire Marshal's office has reviewed the application submitted by the applicant at the above address for a road modification request.

We agree with Public Work's that a 20' wide road is required for this project.

If you have any questions please do not hesitate to call me at (707) 967-1425.

Alicia Amaro
Assistant Fire Marshal

**SHERIFF'S DEPARTMENT
COMMENTS**

REVISED (11/20/09)

FILE #: P09-00148 UP

Conservation Development and Planning

1195 Third Street, Suite 210
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Hilary Gitelman
Director



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**PERMIT APPLICATION AND INITIAL STUDY
REQUEST FOR COMMENTS**

TO: SHERIFF

APPLICATION TITLE: REVISED - KITZHAK WINERY APN: 039-190-038

DESCRIPTION OF PROJECT: CONVERSION OF PREVIOUSLY CONSTRUCTED (PERMITTED) RESIDENTIAL GARAGE TO WINERY USE. PRODUCTION 5,000 GAL/YR; 2047 SQ FT WINERY PROD BLDG (FORMERLY GARAGE) - TOURS & TASTING APPT; MARKETING 4 EVENTS/50 PERSONS/YR; 300 SQ FT CRVSH. PAD.

RESPONSE REQUEST DATE: 12/3/09 RESPONSE RETURN DATE: 12/18/09

PLEASE RESPOND VIA E-MAIL TO: thornish @countyofnapa.org
OR FAX TO (707) 299-1349

This application (see enclosed project description and maps) is being sent to you for your review and comment .

With respect to environmental analysis, the County is assuming Lead Agency status for the project and will be preparing the necessary environmental documents.

1. Do you have any comments on this project? Yes No
2. Do you have jurisdiction by law over this project? Yes No
3. Attach your agencies comments, or list below: Comments attached Comments below.

NO COMMENTS AT THIS TIME

RECEIVED

DEC 11 2009

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

Name of contact person: JEAN DONALDSON Telephone #: 259-8672

Email: jean.donaldson@countyofnapa.org

Title: CAPTAIN

Date: 12-09-09