



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

APPLICATION FORM

THIS IS AN APPLICATION FOR A DEVELOPMENT PERMIT

A Tradition of Stewardship A Commitment to Service

ZONING DISTRICT: AW FOR OFFICE USE ONLY Date Submitted: 9/23/10 TYPE OF APPLICATION: NEW WINERY USE PERMIT Date Published: REQUEST: Request to establish a new 30,000 gallon/year, 4,773 sq ft winery within an existing Pre-Prohibition historic structure with a 225 sq ft covered crush pad for a winery totaling 4,998 sq ft; Tours and Tasting By Appt Only with 20 visitors/day; AB2004 on premise wine sales within the tasting room and outdoor patio; 2 full-time employees; 5 parking spaces including ADA; Marketing Plan: Ten 30 person maximum tasting events with catered meals per year; One 100 person maximum Napa Valley Wine Auction Evt.

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TO BE COMPLETED BY APPLICANT (please type or print legibly) SEP 23 2010 PROJECT NAME: Rogers Winery NAPA CO. CONSERVATION DEVELOPMENT & PLANNING DEPT. Assessor's Parcel #: 025-180-081069 Existing Parcel Size: 55.3 acres Site Address/Location: 970 Conn Valley Road St. Helena CA 94574 Property Owner's Name: Gary and Kathleen Rogers Mailing Address: 10 Clay Street, #200 Oakland CA 94607 Telephone #: (510) 899-7910 Fax#: E-Mail: t_andy_rogers@yahoo.com Applicant's Name: Andy Rogers Mailing Address: 10 Clay Street, #200 Oakland CA 94607 Telephone #: (510) 899-7910 Fax#: E-Mail: t_andy_rogers@yahoo.com Status of Applicant's Interest in Property: Owners' Family Member Representative Name: Rob Anglin - Holman Teague Roche Anglin LLP Mailing Address: 1455 First Street, Suite 217 Napa CA 94559 Telephone #: (707) 927-4280 Fax#: (707) 676-4283 E-Mail: anglin@htrlaw.com

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, plot plan, floor plan, building elevations, water supply/waste disposal system plot 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 with reasonable prior notice the right of access to the property involved.

Signature of Property Owner: Kathleen Rogers Date: 9/19/10 Print Name: Kathleen Rogers

Signature of Applicant: Andy Rogers Date: 9/19/10 Print Name: Andy Rogers

TO BE COMPLETED BY CONSERVATION, DEVELOPMENT AND PLANNING DEPARTMENT *Application Fee Deposit: \$ 5,000 Receipt No. Received by: TH Date: 9/23/10 entered 9/24/10 *Total Fees will be based on actual time and materials

INFORMATION SHEET

I. USE

- A. Description of Proposed Use (attached detailed description as necessary)(including where appropriate product/service provided): See attached Project Statement
-
- B. Project Phases: one two more than two (please specify) _____
- C. Estimated Completion Dated for Each Phase: Phase 1: 2012 Phase 2: n/a
- D. Actual Construction Time Required for Each Phase: less than 3 months
 More than 3 months
- E. Related Necessary On-And Off-Site Concurrent or Subsequent Projects: None
- F. Additional Licenses/Approval Required:
- District: none Regional: none
 State: ABC Federal: TTB

II. BUILDINGS/ROADS/DRIVEWAY/LEACH FIELD, ETC.

- A. Floor Area /Impervious area of Project (in square ft): 4,773
 Proposed total floor area on site: 4,773
 Total development area (building, impervious, leach field, driveway, etc.) 30,924
 New Construction: 0
- existing structures or portions thereof to be utilized: +/- 4,773
- existing structures or portions thereof to be moved: 0
- B. Floor Area Devoted to each separate use (in square ft):
- living: 0 storage/warehouse: 2484 offices: 223
 sales: _____ caves: 0
 other: _____ septic/leach field: 5,700
 roads/driveways: 18,171
- C. Maximum building Height: existing structures: ± 35' new construction: n/a
- D. Type of New Construction (e.g., wood-frame): n/a
- E. Height of Crane necessary for construction of new buildings (*airport environs*): n/a
- F. Type of Exterior Night Lighting Proposed: shielded, directed downward
- G. Viewshed Ordinance Applicable (See County Code Section 18.106) Yes _____ No X
- H. 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 III 1 Hr Type III N
 Type IV H.T. (Heavy Timber) Type V 1 Hr. Type V (non-rated)
 (Reference Table 6 A of the 2001 California Building Code)

III. PARKING

		<u>Existing</u>	<u>Proposed</u>
A.	Total On-Site Parking Spaces:	<u>0</u>	<u>5</u>
B.	Customer Parking Spaces:	<u>0</u>	<u>3</u>
C.	Employee Parking Spaces:	<u>0</u>	<u>2</u>
D.	Loading Areas:	<u>0</u>	<u>0</u>

IV.	TYPICAL OPERATION	<u>Existing</u>	<u>Proposed</u>
A.	Days of Operation:	<u>n/a</u>	<u>6</u>
B.	Expected Hours of Operation:	<u>n/a</u>	<u>6:00am-6:00pm</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>2</u>
E.	Expected Number of Part-Time Employees/Shift:	<u>n/a</u>	<u>0</u>
F.	Anticipated Number of Visitors		
	• busiest day:	<u>n/a</u>	<u>20</u>
	• average/week:	<u>n/a</u>	<u>120</u>
G.	Anticipated Number of Deliveries/Pickups		
	• busiest day:	<u>n/a</u>	<u>2</u>
	• average/week:	<u>n/a</u>	<u>2</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 Car 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>

WATER SUPPLY/WASTE DISPOSAL INFORMATION SHEET

	<u>Domestic (winery)</u>	<u>Emergency</u>
I. WATER SUPPLY		
A. Proposed source of Water (e.g., spring, well mutual water company, city, district, etc.)	<u>well</u>	<u>well, tank</u>
B. Name of Proposed Water Supplier (if water company, city, district): annexation needed?	<u>n/a</u> <input type="checkbox"/> Yes <input type="checkbox"/> No	<u>n/a</u> <input type="checkbox"/> Yes <input type="checkbox"/> No
C. Current Water Use (in gallons/day): Current water source:	<u>n/a</u> <u>well</u>	<u>n/a</u> <u>well, tank</u>
D. Anticipated Future Water Demand (in gallons/day)	<u>± 1,090 (peak)</u>	<u>n/a</u>
E. Water Availability (in gallons/minute):	<u>5 gpm</u>	<u>5 gpm</u>
F. Capacity of Water Storage System (gallons):	<u>40,000</u>	<u>40,000</u>
G. Nature of Storage Facility (e.g. tank, reservoir, swimming pool, etc.):	<u>tank</u>	<u>tank</u>
H. Completed Phase I Analysis Sheet (Attached)		
II. LIQUID WASTE	<u>Domestic (sewage)</u>	<u>Other (please specify)</u>
A. Disposal Method (e.g., on-site septic system On-site ponds, community system, district, etc.)	<u>on-site septic</u>	<u>winery process on-site septic</u>
B. Name of Disposal Agency (if sewage district, city, community system): annexation needed?	<u>n/a</u> <input type="checkbox"/> Yes <input type="checkbox"/> No	<u>n/a</u> <input type="checkbox"/> Yes <input type="checkbox"/> No
C. Current Waste Flows (peak flow in gallons/day):	<u>see analysis</u>	<u>see analysis</u>
D. Anticipated Future Waste Flows (peak flows in gallons/day)	<u>see analysis</u>	<u>see analysis</u>
E. Future Waste disposal Capacity (in gallons/day):	<u>see analysis</u>	<u>see analysis</u>
III. SOLID WASTE DISPOSAL		
A. Operational Wastes (on-site, landfill, garbage co., etc)	<u>garbage co</u>	<u>garbage co</u>
B. Grading Spoils (on-site, landfill, construction, etc.)	<u>n/a</u>	<u>n/a</u>
IV. HAZARDOUS/TOXIC MATERIALS (Please fill out attached hazardous materials information sheet)		
A. Disposal Method (on-site, landfill, garbage co., waste hauler, etc)	<u>garbage co</u>	<u>garbage co</u>
B. Name of Disposal Agency (if landfill, garbage co private hauler, etc.):	<u>Napa</u>	<u>Napa</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.)

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

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 of necessary): 10 per year with up to 30 persons at each event and one 100-person event in conjunction with Auction Napa Valley

3. **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): All food service to be provided by licensed caterers. No kitchen facilities proposed.

4. **Production Capacity**

a. existing capacity: n/a date authorized: n/a

b. current maximum actual production (year): n/a (n/a)

c. proposed capacity: 30,000

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

7. **Total Winery Coverage.** (see b below – maximum 25% of parcel or 15 acres, whichever is less)
 - a. square feet/acres: 25,224 / .58
 - b. percent of total parcel: 1%

8. **Production Facility.** (see c below – include the square footage of all each structure)
 - a. square feet: 3585

9. **Accessory Use** (see d below – maximum permitted 40% of the production facility)
 - a. square feet: 867
 - b. percent of production facility coverage: 24%

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 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 Definitions (paraphrased from County Code)

- a. **Winery Development Area** - All aggregate paved or impervious or semi-impervious ground surface areas of the production facility, storage areas (except caves), offices, laboratories, kitchens, tasting rooms and paved 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.

ROGERS WINERY TRAFFIC CHARACTERISTICS

Proposed Production Capacity

30,000 gallons 12,600 cases (2.38 gls/case)

Truck Traffic Characteristics, Crush

165 gallons per ton crushed; $30,000 \div 165 = 182$ tons grape deliveries

10 tons per truck delivery; $182 \text{ tons} \div 10 = 19$ grape deliveries

4-6 week crush period = 3-5 trips per week, less 1 trip per week from processing

Truck Traffic Characteristics, Non-Crush

Glass deliveries

2,310 cases per truckload

$12,600 \text{ cases} \div 2,310 = 5.4$ (6) deliveries

Cork, labels, empty cases, etc.

3 deliveries per bottling cycle X 2 bottling cycles = 6 deliveries

Outbound wine deliveries

1,232 cases per truckload

$12,600 \text{ cases} \div 1,232 = 10.2$ (13) deliveries

Total Non-Crush deliveries 25

Delivery frequency; 46-48 week non-crush period

One truck delivery every 2 weeks

Employee/Visitor Traffic

Average Daily Traffic

2 employees	4 trips/day
15 visitors/day, avg. 2.6 persons/vehicle ¹	<u>12</u> trips/day
Total average daily trips	20

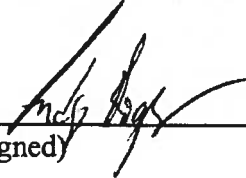
Peak Daily Traffic

4 employees:	8 trips
20 visitors; avg. 2.6 persons/vehicle	<u>16</u> trips
Total peak day trips	24

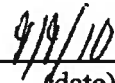
¹ Source: Napa County Conservation, Development & Planning Department Winery Traffic Characteristics Memorandum, November 8, 1990

INITIAL STATEMENT OF GRAPE SOURCE
(Napa County Zoning Ordinance Sections 18.104.250 (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 (18.104.250 of the Zoning Ordinance).



(signed)



(date)

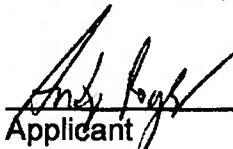
Letters of commitment from grape suppliers and supporting documents will be required prior to issuance of any building permits for the project. Recertification of compliance will be required on a periodic basis. Recertification after initiation of the requested wine production may require the submittal 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.

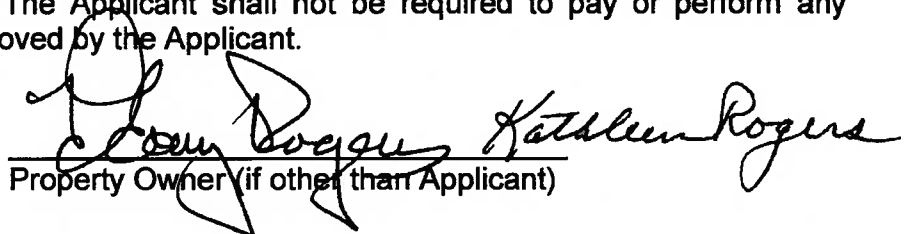
In the event any such proceeding is brought, County shall promptly notify the Applicant of the proceeding, and County shall cooperate fully in the defense. If County fails to promptly notify the Applicant of the proceeding, or if County fails to cooperate fully in the defense, the Applicant shall not 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

9/19/10

Date



Property Owner (if other than Applicant)

Project Identification

Rogers Winery Project Statement

(revised January 10, 2011)

Owners: Gary & Kathleen Rogers
10 Clay Street, No. 200
Oakland, California 94607

Applicant: Andy Rogers
10 Clay Street, No. 200
Oakland, California 94607

Representative: Rob Anglin
1455 First Street, Suite 217
Napa, California 94559
707/927-4280

Property Location: 970 Conn Valley Road (APN 025-180-069)

Zoning: AW (Agricultural Watershed)

General Plan: AWOS (Agriculture, Watershed, Open Space)

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JAN 10 2010

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

This application seeks local landmark designation and use permit approval to re-establish the use of a pre-Prohibition (“ghost”) winery. According to published sources, the winery was constructed in the 1880’s by Abran Alsip but converted into a residence in the 1950’s.¹ A report by historic architect Juliana Inman dated November 29, 2010 also confirms the historic significance of the winery. Previous owners used the historic winery building as a residence until its purchase by the Rogers family.

Setting: The project site is a 55.3-acre parcel located on the north side of Conn Valley Road near that road’s intersection with Rossi Road. As a pre-Prohibition winery, this project could qualify for reduced parcel size, but the proposed project site’s size of 55.3 acres meets the WDO’s minimum parcel size for all wineries. The site has frontage on both Conn Valley Road and Rossi Road both of which are maintained by Napa County. The project site’s topography is generally flat, and the parcel has been previously developed with vineyard, associated agricultural buildings, and residential structures. The historic winery is the only structure included in the project, and no winery use is proposed for other buildings on the site. Anderson Conn Valley Vineyards is within ½ mile, and two other historic wineries (Mansfield Winery and Seavy Vineyards) are approximately 1 mile away from the project.

Proposed Winery: The proposed winery would be located within the existing footprint of the historic winery structure, and changes would consist of a remodel to

¹ *Ghost Wineries of Napa Valley*, Irene W. Hayes (The Wine Appreciation Guild, Ltd. 1995) pages 41-42. Excerpts regarding this winery are enclosed with this Project Statement.

Rogers Winery Project Statement

(revised January 10, 2011)

convert the structure from residential to winery use. All work to convert the winery will be consistent with the Secretary of Interior's Standards for Rehabilitation of Historic Structures.

Tours and tastings by prior appointment are proposed for a maximum of 20 visitors per day, and a marketing plan is included with this application. Food service would be provided by a licensed caterer, and no commercial kitchen facilities are proposed. The proposed winery does not intend to hold temporary events.

The proposed winery includes on-premise wine consumption consistent with Assembly Bill 2004 (Evans) and the Napa County Planning Director's July 17, 2008 memo, "Assembly Bill 2004 (Evans) & the Sale of Wine for Consumption On-Premises." On-premise wine consumption would occur within the tasting room and outdoor patio. All wine consumption would be limited to wine purchased on-site.

Fire Protection and Access: A one-way loop road would provide access to the winery from an existing entrance on the north side of Conn Valley Road, a County maintained road. As depicted by the enclosed plans, vehicles would enter from Conn Valley Road and exit onto Rossi Road. Driveway and turnaround areas meet or exceed the Napa County Road and Streets Standards and Fire Department standards. In the event the existing bridge on the project site is unable to hold H20 loads, the project includes an alternative two-way access drive with connection onto Rossi Road. This alternative access would meet Napa County Road and Street Standards as well.

The building will be provided with automatic fire suppression sprinklers. Water will be available from on-site tanks with a total capacity of 40,000 gallons.

CEQA: The applicant has designed the project to qualify for the County's categorical exemption from CEQA for small wineries.²

Traffic: As shown on the traffic characteristics summary, the project would generate an average of 20 visitor and employee daily trips with up to 24 trips on a peak day. This level of traffic is equivalent to two single-family dwellings. This minor increase in overall traffic would not change the level of service on Conn Valley Road or Rossi Road.

Winery Size: +/- 4,998 square feet (including +/- 225 square foot crush pad)

Production Capacity: 30,000 gallons

² Napa County's Local Procedures for Implementing the California Environmental Quality Act, Appendix B, #10.

Rogers Winery Project Statement

(revised January 10, 2011)

Visitation: Tours and tastings by prior appointment for up to 20 persons per day for an average of 120 persons per week.

Number of Employees: 2

Hours of Operation: 6:00 a.m. to 6:00 p.m. daily (excluding marketing events)

Parcel Size: 55.3 acres

Winery Road Setbacks: The winery structure is 510 feet from the centerline of Conn Valley Road (300 feet is required). Though no specific number is specified on the enclosed plans, the winery is set further back from Rossi Road than Conn Valley Road.

Marketing: The following includes all marketing events proposed for the Rogers Winery:

- a. Private Promotional tastings and meals
Frequency: 10
Attendees: 30 maximum
Time of day: 11:00 a.m. to 10:00 p.m.*
- b. Auction Napa Valley/Premier Napa Valley Open House
Frequency: 1 per year
Attendees: 100 maximum
Time of day: 11:00 a.m. to 10:00 p.m.*

*Approximately four hours per event depending on morning or evening schedule. All marketing events will take place in the winery or on the outdoor patio. Food service will be catered.

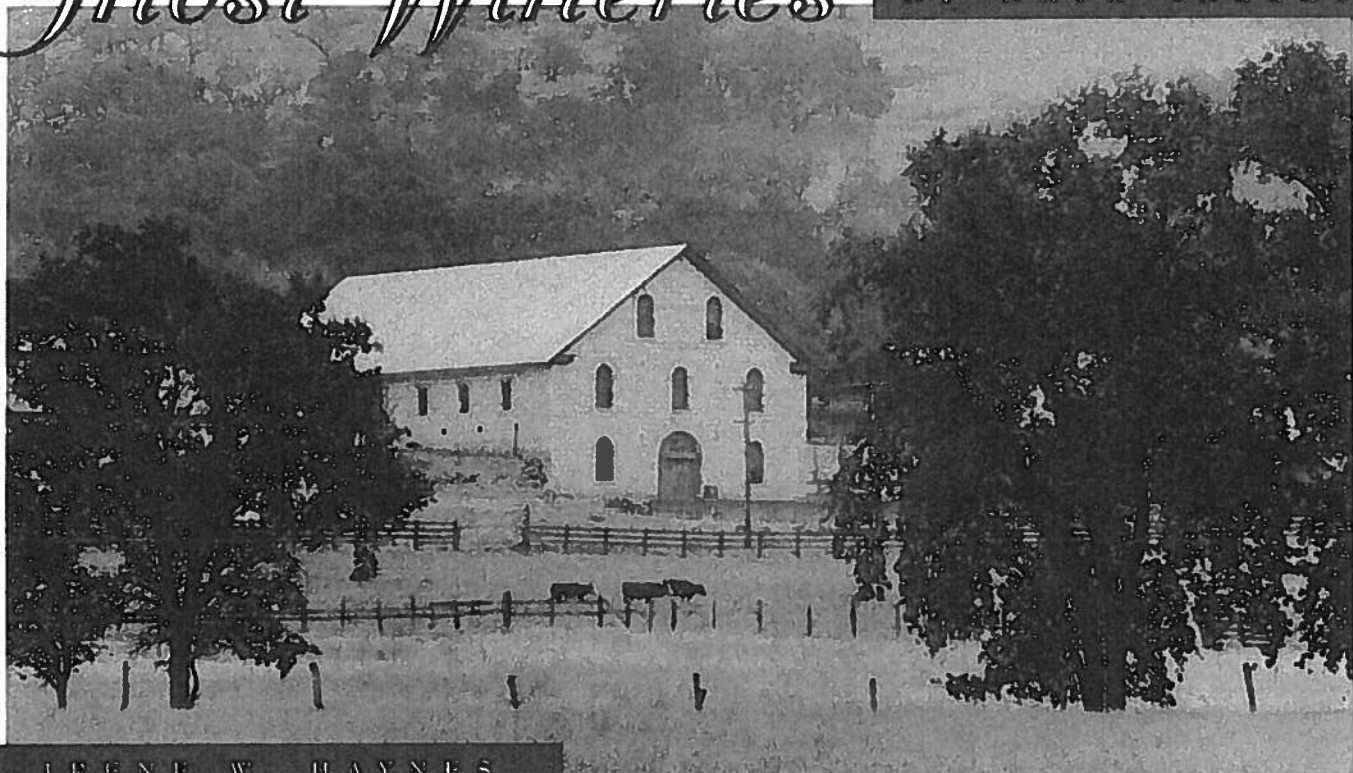
Parking: 5 spaces. Parking for 30-person events will occur in vineyard rows with no blockage of the access road. Parking for Auction Napa Valley/Premier Napa Valley event will use shuttle buses and off-site parking.

Landscaping/Lighting: Existing landscaping is attractive and complements the historic buildings use as a winery. No additional landscaping or lighting is proposed.

Signs: No winery signs are proposed in this application.

Ghost Wineries

OF NAPA VALLEY



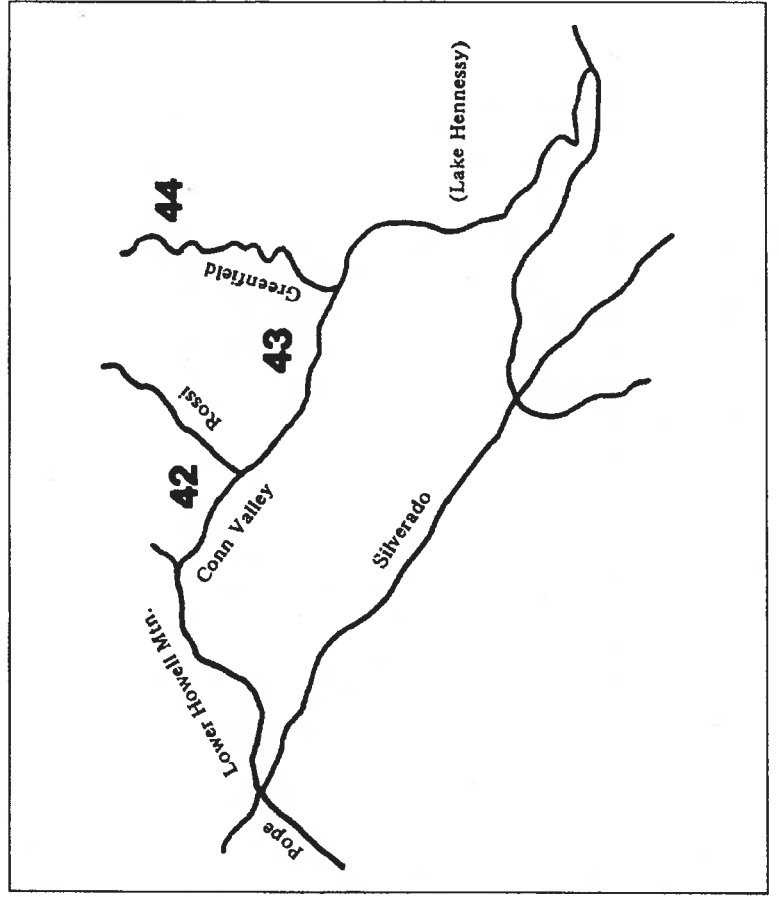
IRENE W. HAYNES

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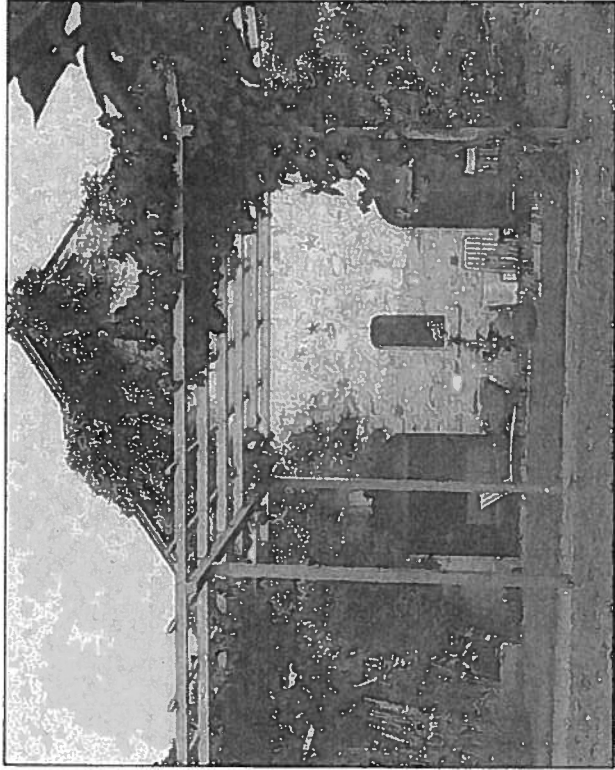
SEP 23 2010

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

Conn Valley



Chapter 5



Conn Valley Road, which extends southeast from lower Howell Mountain Road, leads to three ghost wineries. A private road a mile and a half from the intersection leads across a creek to a lovely stone residence that, starting in the 1880s, was the Mountain Cove Ranch winery of Abner Alsip. A former Marylander who crossed the plains by oxcart in 1853, Alsip made fine wines, but grieved because wine merchants in the 1880s sold them under counterfeit names. "When our wines can hold under home labels the high reputation they now enjoy under foreign labels," he wrote, "the difficulties of the wine business will have been solved." His vineyard was destroyed by the phylloxera vine louse around the turn of the century, and the winery was closed. During the 1950s retired Harvard Professor Francis Wayne MacVeagh and his wife converted the winery into their home.

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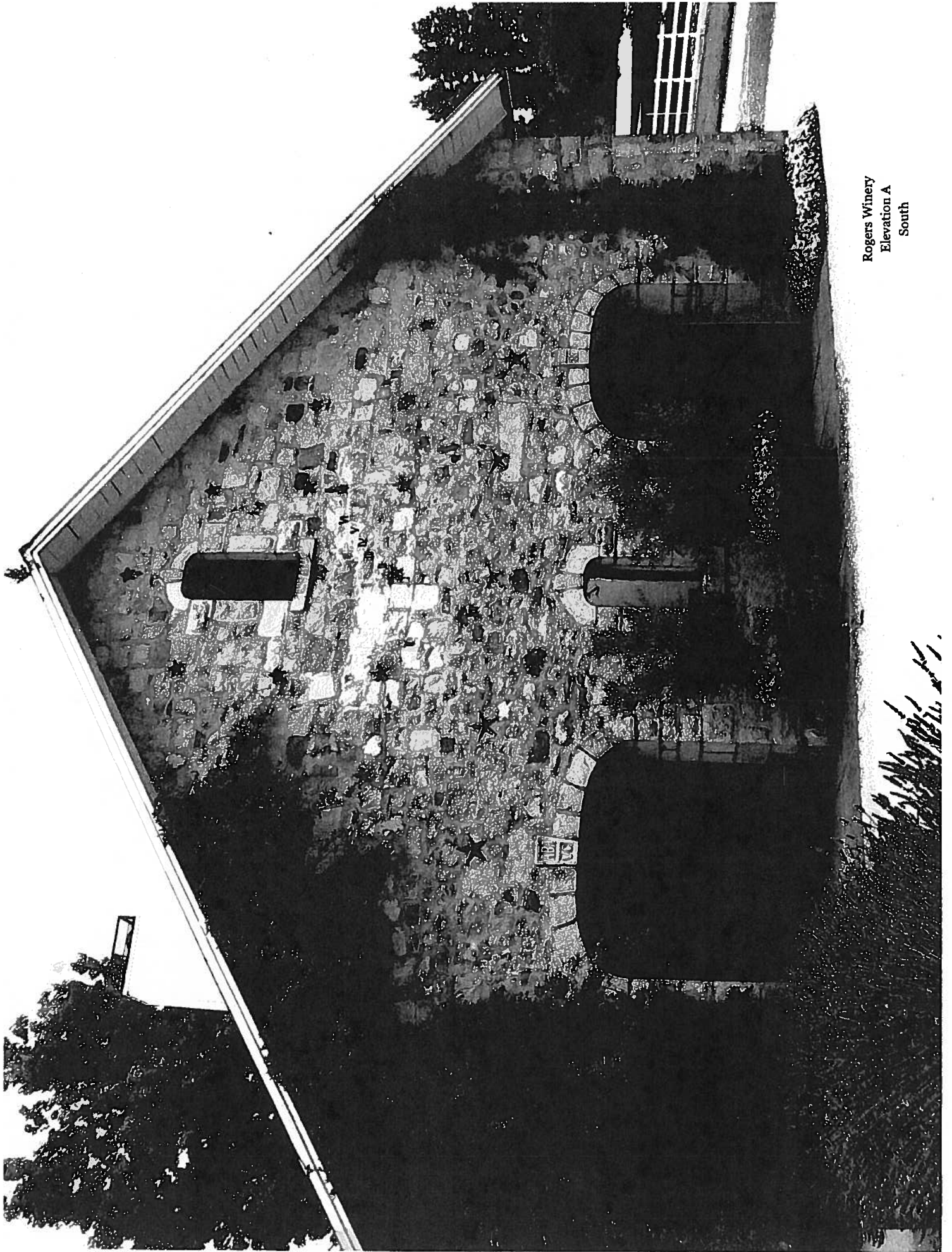


A mile farther on the left is the one of Napa's County's largest p as early as 1883. The founders German-Swiss. I am told that n

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Rogers Winery
Elevation A (South)



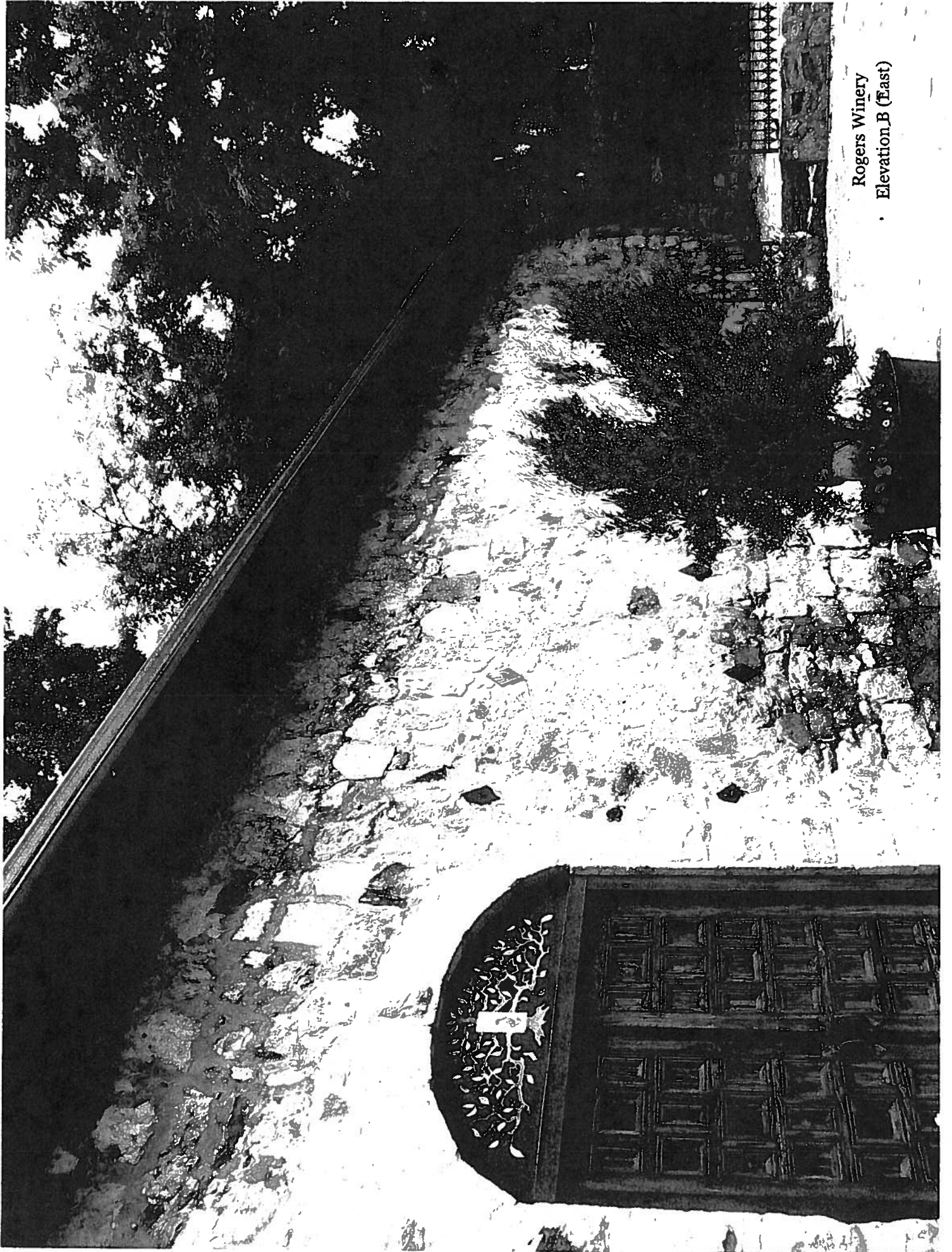
Rogers Winery
Elevation A
South

Rogers Wherry
Dated Keystone
Elevation A (South)

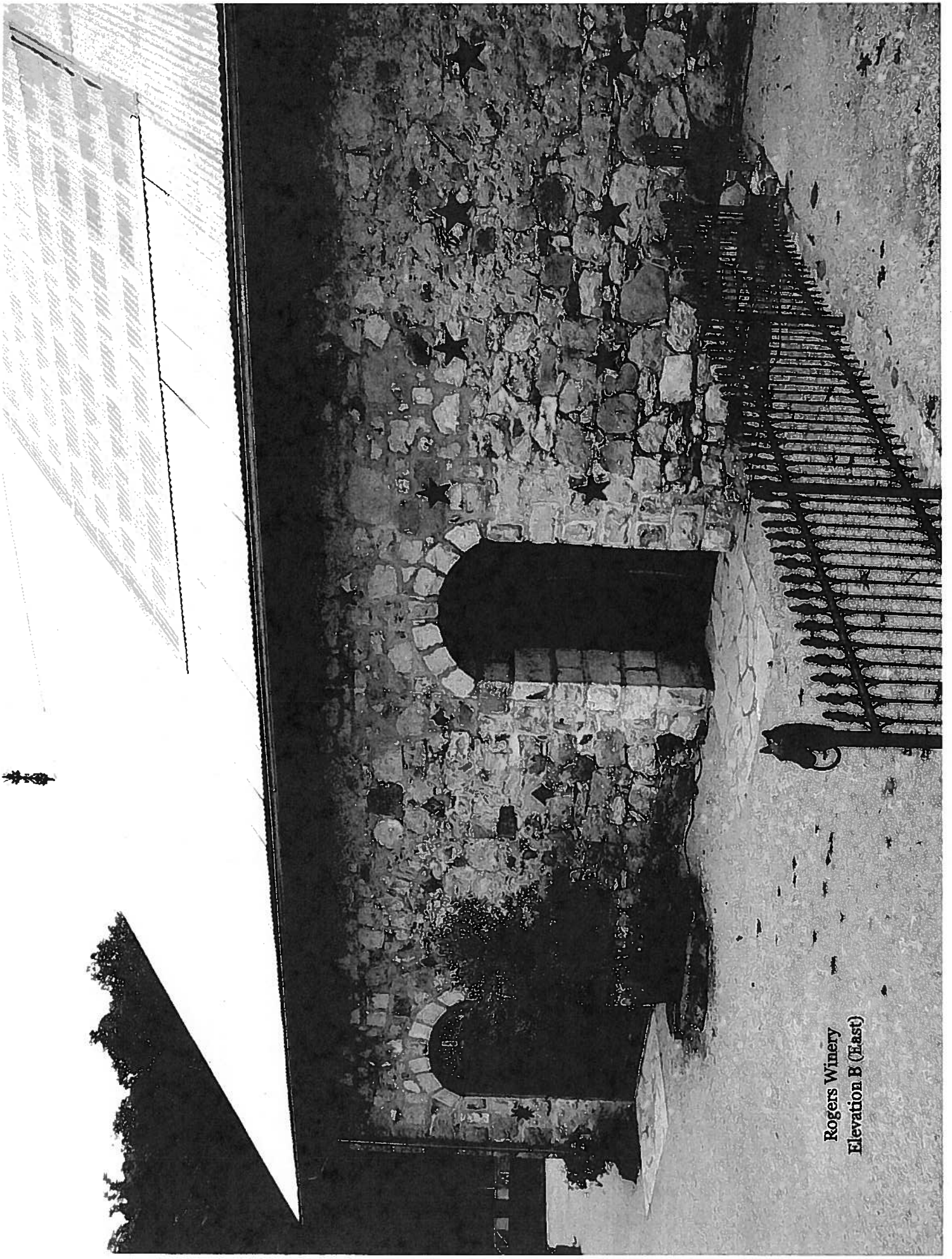


Rogers Winery
Keystone
Elevation A (South)

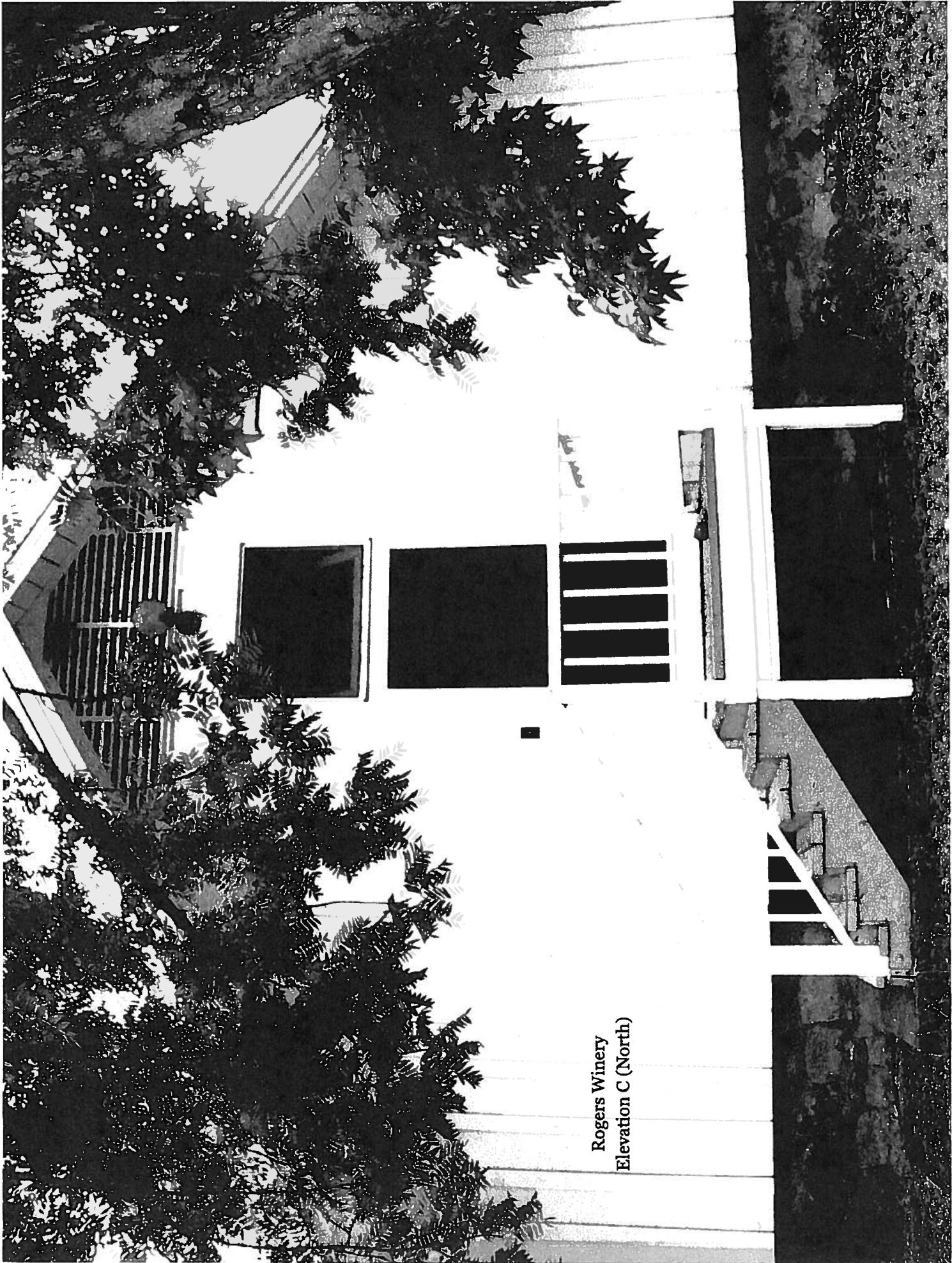




Rogers Winery
Elevation, B (East)



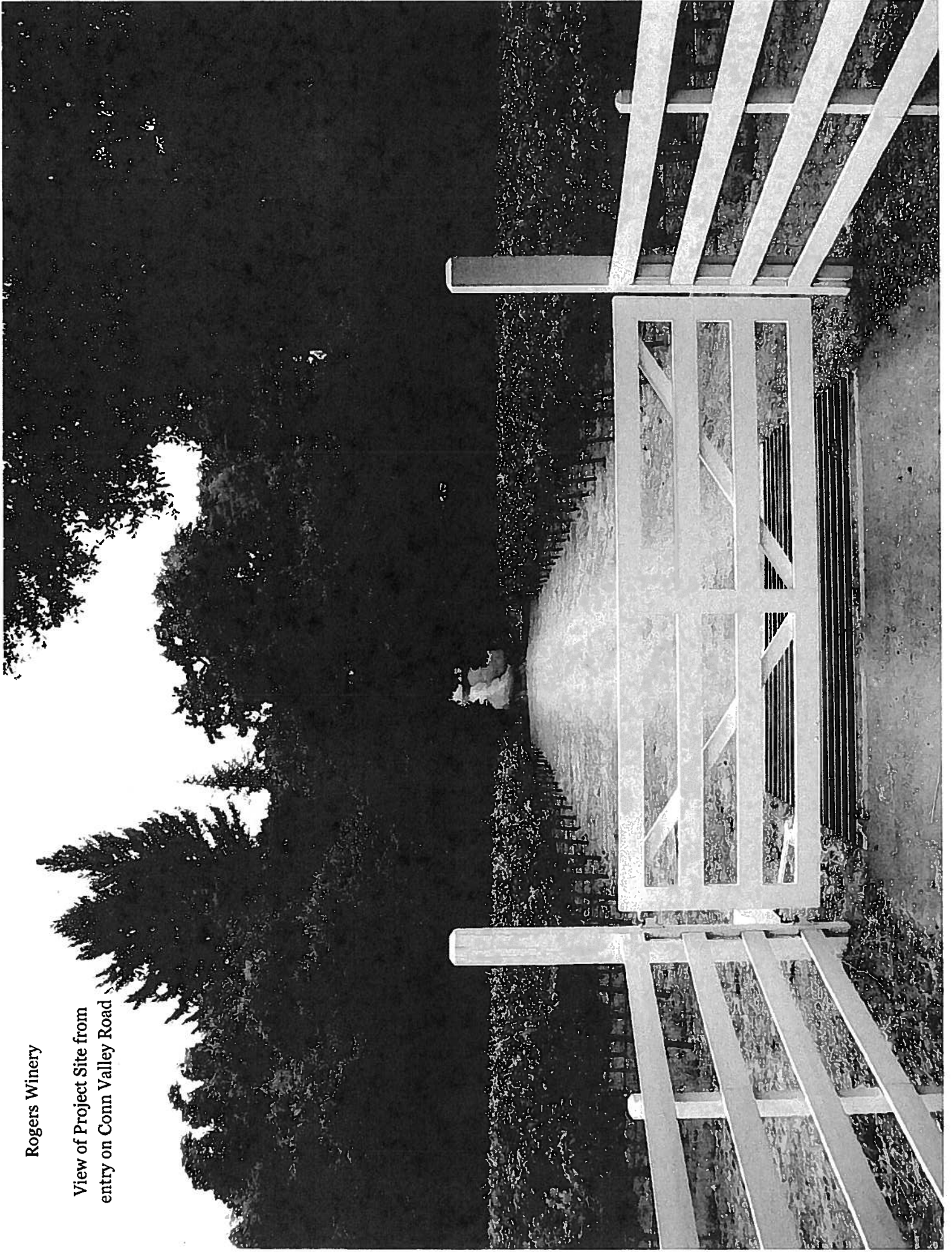
Rogers Winery
Elevation B (East)



Rogers Winery
Elevation C (North)

Rogers Winery

View of Project Site from
entry on Conn Valley Road



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Checklist of Voluntary Greenhouse Gas Emission Reduction Measures



A Tradition of Stewardship
A Commitment to Service

An addendum to the Entitlement Application and a supplement for Initial Studies as required by CEQA

PROJECT NAME	Rogers Winery		
PROJECT ADDRESS	970 Conn Valley Road		
APPLICANT	Andy Rogers		
CONTACT INFO	t-andy-rogers@yahoo.com	510/899-7910	
	email	phone	

	yes	no	I don't know
1 Have you designed to U.S.G.B.C.™ LEED™ or Build It Green™ standards? If yes, please include a copy of their required spreadsheets.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2 Do you have an integrated design team? if yes, please list: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3 SITE DESIGN			
3.1 Does your design encourage community gathering, pedestrian friendly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3.2 Are you building on existing disturbed areas, or preserving high quality ag land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.3 Landscape Design			
3.31 native plants?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.32 drought tolerant plants?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.33 Pierce Disease resistant planting?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.34 Fire resistant planting?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.35 Are you restoring open space and/or habitat?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3.36 Are you harvesting rain water on site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.37 large trees to act as carbon sinks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.38 using permeable paving materials for drive access and walking surfaces?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.4 Does your site provide access to alternative transportation? If yes, what kind: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3.5 Does your parking lot include bicycle parking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3.6 Do you have on-site waste water disposal?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.7 Do have post-construction stormwater on site detention/filtration methods designed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.8 Have you designed in harmony with existing natural features, such as preserving existing trees or rock outcroppings?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.9 Does the project minimize the amount of site disturbance, such as minimizing grading and/or using the existing topography in the overall site design, such as cave design?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4 Is the structure designed to take advantage of natural cooling and passive solar aspects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4 ENERGY PRODUCTION & EFFICIENCY			
4.1 Does your facility use energy produced on site? If yes, please explain the size, location, and percentage of off-set: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.2 Does the design include thermal mass within the walls and/or floors?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.3 Do you intend to commission the performance of the building after it is built to ensure it performs as designed?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.4 Will your plans for construction include:			
4.41 High density insulation above Title 24 standards?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4.42 Zone your heating and cooling to provide for maximum efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4.43 Energy Star™ or ultra energy efficient appliances?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4.44 A "cool" (lightly colored or reflective) or a permeable/living roof?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.45 Timers/time-outs installed on lights (such as the bathrooms)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If yes, please explain: _____			
5 WATER CONSERVATION			
5.1 Does your landscape include high-efficiency irrigation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5.2 Does your landscape use zero potable water irrigation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5.3 Is your project in the vicinity to connect to the Napa Sanitation reclaimed water?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5.4 Will your facility use recycled water?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5.41 If no, will you prepare for it by pre-installing dual pipes and/or purple lines?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5.5 Will your plans for construction include:			
5.51 a meter to track your water usage?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5.52 ultra water efficient fixtures and appliances?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5.53 a continuous hot water distribution method, such as an on-demand pump?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5.54 a timer to insurer that the systems are run only at night/early morning?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

yes no I don't know

6 MATERIAL RECYCLING

6.1 Are you using reclaimed materials? If yes, what and where: _____			✓
6.2 Are you using recycled construction materials-			
6.21 finish materials?			✓
6.22 aggregate/concrete road surfaces?			✓
6.23 fly ash/slag in foundation?			✓
6.3 Will your contractor be required to recycle and reuse construction materials as part of your contract?			✓
6.4 Does your facility provide access to recycle-			
6.41 Kitchen recycling center?		✓	
6.42 Recycling options at all trash cans?			✓
6.43 Do you compost green waste?		✓	
6.44 Provide recycling options at special events?	✓		

7 NATURAL RESOURCES

7.1 Will you be using certified wood that is sustainably harvested in construction?			✓
7.2 Will you be using regional (within 500 miles) building materials?			✓
7.3 Will you be using rapidly renewable materials, such as bamboo?			✓
7.4 Applying optimal value engineering (studs & rafters at 24" on center framing)?			✓
7.5 Have you considered the life-cycle of the materials you chose?			✓

8 INDOOR AIR QUALITY

8.1 Will you be using low or no emitting finish and construction materials indoors-			
Paint?			✓
Adhesives and Sealants?			✓
Flooring?			✓
Framing systems?			✓
Insulation?			✓
8.2 Does the design allow for maximum ventilation?			✓
8.3 Do you plan for a wood burning fireplace (US EPA Phase II certified)?			✓
8.4 Does your design include dayliting, such as skylights?		✓	

9 Are there any superior environmental/sustainable features of your project that should be noted? Use of existing building

10 What other studies or reports have you done as part of preparing this application? Hydrology / Drainage

1 Septic Feasibility

2 Easement Report

3 Stormwater Management

4 _____

11 If your project involves an addition or modification to an existing building, are you planning to improve energy conservation of existing space (such as insulation, new windows, HVAC, etc.)?

If yes, please describe: _____

12 Once your facility is in operation, will you:

12.1 calculate your greenhouse gas emissions?

12.2 implement a GHG reduction plan?

12.3 have a written plan to reduce your vehicle miles traveled of your operations and employee's commute?

13 Does your project provide for education of green/sustainable practices?

If yes, please describe: _____

14 Any comments, suggestions, or questions in regards to the County's efforts to reduce greenhouse gases?

Form filed out by: Rob Anglin



ROBERT J. PETERSON, P.E.
Director of Public Works
County Surveyor-County-Engineer
Road Commissioner

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COUNTY of NAPA

DONALD G. RIDENHOUR, P.E.
Assistant Director of Public Works

WATER AVAILABILITY ANALYSIS PHASE 1 STUDY

Introduction: As an applicant for a permit with Napa County, it has been determined that Chapter 13.15 of the Napa County Code is applicable to approval of your permit. One step of the permit process is to adequately evaluate the amount of water your project will use and the potential impact your application might have on the static groundwater levels within your neighborhood. The public works department requires that a Phase 1 Water Availability Analysis (WAA) be included with your application. The purpose of this form is to assist you in the preparation of this analysis. You may present the analysis in an alternative form so long as it substantially includes the information required below. Please include any calculations you may have to support your estimates.

The reason for the WAA is for you, the applicant, to inform us, to the best of your ability, what changes in water use will occur on your property as a result of an approval of your permit application. By examining the attached guidelines and filling in the blanks, you will provide the information we require to evaluate potential impacts to static water levels of neighboring wells.

Step #1:

Provide a map and site plan of your parcel(s). The map should be an 8-1/2"x11" reproduction of a USGS quad sheet (1:24,000 scale) with your parcel outlined on the map. Include on the map the nearest neighboring well. The site plan should be an 8-1/2"x11" site plan of your parcel(s) with the locations of all structures, gardens, vineyards, etc in which well water will be used. If more than one water source is available, indicate the interconnecting piping from the subject well to the areas of use. Attach these two sheets to your application. If multiple parcels are involved, clearly show the parcels from which the fair share calculation will be based and properly identify the assessors parcel numbers for these parcels. Identify all existing or proposed wells

Step #2: Determine total parcel acreage and water allotment factor. If your project spans multiple parcels, please fill a separate form for each parcel.

Determine the allowable water allotment for your parcels:

Parcel Location Factors

The allowable allotment of water is based on the location of your parcel. There are 3 different location classifications. Valley floor areas include all locations that are within the Napa Valley, Pope Valley and Carneros Region, except for areas specified as groundwater deficient areas. Groundwater

deficient areas. Groundwater deficient areas are areas that have been determined by the public works department as having a history of problems with groundwater. All other areas are classified as Mountain Areas. Please circle your location classification below (Public Works can assist you in determining your classification if necessary):

Valley Floor 1.0 acre feet per acre per year
 Mountain Areas 0.5 acre feet per acre per year
 MST Groundwater Deficient Area 0.3 acre feet per acre per year

Assessor Parcel Number(s)	Parcel Size (A)	Parcel Location Factor (B)	Allowable Water Allotment (A) X (B)
025-180-001 069	55.3 ac	Mountain Areas (.5)	27.65

Step #3:

Using the guidelines in Attachment A, tabulate the existing and projected future water usage on the parcel(s) in acre-feet per year (af/yr). Transfer the information from the guidelines to the table below.

EXISTING USE:

Residential .9 af/yr
 Farm Labor Dwelling _____ af/yr
 Winery 0 af/yr
 Commercial _____ af/yr
 Vineyard* 0 af/yr
 Other Agriculture _____ af/yr
 Landscaping 0 af/yr
 Other Usage (List Separately):
 _____ af/yr
 _____ af/yr
 _____ af/yr

PROPOSED USE:

Residential .7 af/yr
 Farm Labor Dwelling _____ af/yr
 Winery 8 af/yr
 Commercial _____ af/yr
 Vineyard* 0 af/yr
 Other Agriculture _____ af/yr
 Landscaping _____ af/yr
 Other Usage (List Separately):
 _____ af/yr
 _____ af/yr
 _____ af/yr

TOTAL: .9 af/yr
TOTAL: 293,239 gallons**

TOTAL: 1.5 af/yr
TOTAL: 488,732 gallons**

*Water use for vineyards should be no lower than 0.2 AF-unless irrigation records are available that show otherwise.

** To determine your existing and proposed water use in gallons, multiply the totals (in acre-feet) by 325,821 gal/AF.

Is the proposed use less than the existing usage () Yes (X) No () Equal

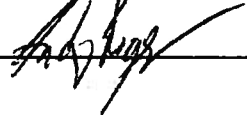
Step #4:

Provide any other information that may be significant to this analysis. For example, any calculations supporting your estimates, well test information including draw down over time, historical water data,

visual observations of water levels, well drilling information, changes in neighboring land uses, the usage of other water sources such as city water or reservoirs, the timing of the development, etc. Use additional sheets if necessary.

Groundwater not used for vineyard. Vineyard irrigation and frost protection provided by surface water reservoir.

Conclusion: Congratulations! Just sign the form and you are done! Public works staff will now compare your projected future water usage with a threshold of use as determined for your parcel(s) size, location, topography, rainfall, soil types, historical water data for your areas, and other hydrogeologic information. They will use the above information to evaluate if your proposed project will have a detrimental effect on groundwater levels and/or neighboring well levels. Should that evaluation result in a determination that your project may adversely impact neighboring water levels, a phase two water analysis may be required. You will be advised of such a decision.

Signature:  Date: 9/19/10 Phone: (515) 730-6696



**Napa County Department of Environmental Management
CUPA-Related Business Activities Form**

Business Name: Rogers Winery

Business Address: 970 Conn Valley Road, St. Helena

Contact: Andy Rogers **Phone #:** 510/899-7910

A. HAZARDOUS MATERIALS

Have on site (for any purpose) hazardous materials at or above 55 gallons for liquids, 500 pounds for solids, or 200 cubic feet for compressed gases (include liquids in AST's and UST's or handle radiological materials in quantities for which an emergency plan is required pursuant to 10 CFR Parts 30, 40 or 70?

YES NO

B. UNDERGROUND STORAGE TANKS (UST's)

- Own or operate underground storage tanks?
- Intend to upgrade existing or install new UST's?

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YES NO

YES NO

C. ABOVE GROUND STORAGE TANKS (AST's)

Own or operate AST's above these thresholds:
-Any tank capacity with a capacity greater than 660 gallons, or
-The total capacity for the facility is greater than 1,320 gallons?

YES NO

D. HAZARDOUS WASTE

- Generate hazardous waste?
- Recycle more than 220 lbs/month of excluded or exempted recyclable materials (per H&SC §25143.2)?
- Treat hazardous waste on site?
- Treatment subject to financial assurance requirements (for Permit by Rule and Conditional Authorization)?
- Consolidate hazardous waste generated at a remote site?

YES NO

YES NO

YES NO

YES NO

YES NO

E. OTHER

- Does the business activity include car/fleet washing, mobile detailing, auto body related activities?
- Does the business handle Extremely Hazardous Substances in amounts that would qualify for the Risk Management Program? Some examples and their thresholds common to Napa County include: Ammonia - 500 lbs, Sulfur Dioxide - 500 lbs, Chlorine - 500 lbs.

YES NO

YES NO

**A NEW REQUIREMENT FOR ALL DEVELOPERS AND LANDSCAPE CONTRACTORS
FROM THE COUNTY AGRICULTURAL COMMISSIONER**

Please notify our office of all impending deliveries of live plants with points of origin outside Napa County.

Napa County needs your help in preventing the introduction of the Glassy-Winged Sharpshooter (GWSS) into our area. The magnitude of the threat that this half-inch long leafhopper insect poses to our local economy, the environment and our quality of life cannot be overstated.

GWSS feeds off a wide variety of plants and possesses the capability of transmitting a bacterium that causes Pierce's Disease (PD). Grapevines are highly susceptible to a particular strain of this bacterium, which chokes off the water and nutrient flow and eventually kills the plant. GWSS is a stronger flier and a more voracious eater than the common native vectors of PD, and it can quickly spread to all types of habitats in a given location. Ornamental plants and native vegetation may not show any symptoms, but they can serve as reservoirs of PD for many years. GWSS picks up the disease from these infected plants and transmits it to the vineyards while feeding on the grapevines. No other county has as much at risk economically from the threat of PD spread by GWSS.

To combat this threat, Napa County has gone beyond the standard state quarantine regulations in implementing the most rigorous inspection program of any county in the state for incoming plant shipments. *We are asking for your cooperation to purchase plant materials locally when possible and notify our office of all impending deliveries of live plants with points of origin outside Napa County.* An evaluation based on the origin and contents of each shipment will then be made, and, if necessary, trained personnel will be promptly dispatched to perform an inspection upon its arrival at your destination site. When you purchase ornamental plants from local nurseries, the special restrictions imposed by this county program would not apply.

In conjunction with these plant inspections, the Napa County Agricultural Commissioner's Office has developed an extensive year 'round pest detection program aimed at discovering any possible existing GWSS infestations. Thousands of traps have been set up throughout the county and are routinely monitored by staff members and with the help of vineyards personnel. Sweep surveys are conducted at developments which have been landscaped within the last few years as well as at other high-risk locations. We also participate in meetings, discussions and the distribution of informational materials to educate the public and members of the industry about this matter. Please look over the attached brochures, share them with your employees and contact us if you have any training needs, questions or concerns. Our goal is to have everyone in the community aware and helping us look for GWSS!

Thank you for your continued assistance in providing a greater level of protection to safeguard our community from this serious menace.

Sincerely,

David R. Whitmer
Napa County Agricultural Commissioner