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MAY 20 2011

NAPA CO. CONSERVATION  
DEVELOPMENT & PLANNING DEPT.

Pat Rogala  
4449 Moffitt Drive  
Napa, California 94558  
[pirogala@att.net](mailto:pirogala@att.net)

Hillary Gitelman  
Director of Napa County Conservation, Development & Planning  
1195 Third Street, Suite 210  
Napa, California 94558

Hillary Gitelman,

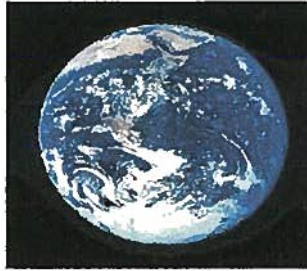
Darioush Khaledi was kind enough to meet with the neighbors regarding our previous documented concerns. He brought his engineer, architect and lawyer so that we could review our list and develop a compromise agreement. A revision was submitted to the county regarding the Carevan Serai project that the neighbors have reviewed and find them an accurate assessment of agreed upon items from our meeting.

At this time we have no objections to the new plan but would like to see a review of the marketing plan in one year after its implementation. We look forward to working with the county and Darioush Khaledi to produce an outcome that will be productive for all parties.

Sincerely,

Pat Rogala

CC: Chris Cahill, Jeannette Doss, Nancy Hanson, Kathy Newman, Darioush Khaledi,



1370 Trancas PMB-614  
Napa, Ca. 94559  
707-255-7434 Fax. 259-1097  
[cmalan@myoneearth.org](mailto:cmalan@myoneearth.org)  
[www.edennapa.org](http://www.edennapa.org)  
[www.livingriverscouncil.org](http://www.livingriverscouncil.org)

May 13, 2011

Jessica Jordan  
[jjordan@co.napa.ca.us](mailto:jjordan@co.napa.ca.us)  
Napa County Conservation, Development and Planning  
1195 Third Street, Suite 210  
Napa, CA 94559

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NAPA CO. CONSERVATION  
DEVELOPMENT & PLANNING DEPT.

**Re: Comments on Darioush Khaledi Winery Use Permit, MOD No. P10-002506**

1. The applicant wishes to install a commercial kitchen, and seating areas to provide wine and food pairings for lunches and dinners to the general public. The seatings are by appointment only for up to 400 persons per day. Also 15, 12 person dinner events are planned for up to 180 persons per day making a total of 580 people per day. The winery is to be located next to the popular Bistro Don Giovanni restaurant. This project goes beyond the definition of a winery and is more a description of a restaurant. Approval of this Use Permit would challenge what could be allowed in the Agricultural Preserve. What is a restaurant? The public can also ask for reservations at Bistro Don Giovanni, they can order wine and food pairings, be seated, and be served by staff from a commercial kitchen. The difference between a winery and a restaurant, if this project is allowed, will be blurred beyond recognition and make zoning enforcement difficult for the rest of the industry. We urge the Planning Commission to deny the Use Permit for food and wine pairings.
2. The placement of yet another open crossover on Highway 29 will create another opportunity for accidents for cars leaving the winery if they are allowed to turn left going south on Highway 29. Trying to cross three lanes of fast moving traffic is harder than trying to cross two lanes of traffic heading in the same direction. Un-signalized left hand turns across traffic should be discouraged. The cars leaving the property should be directed north to the next light where they can turn around while traffic is stopped in order to head south.

Earth Defense for the Environment Now, EDEN  
Advisory Chair  
John Stephens  
Chris Malan  
Manager

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MAY 10 2011

NAPA CO. CONSERVATION  
DEVELOPMENT & PLANNING DEPT.

Pat Rogala  
4449 Moffitt Drive  
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[pjrogala@att.net](mailto:pjrogala@att.net)

Hillary Gitelman  
Director of Napa County Conservation, Development & Planning  
1195 Third Street, Suite 210  
Napa, California 94558

Hillary Gitelman,

As neighbors, some of us attended Darioush Khaledi's neighborhood meeting to see his vision of the property for his Carevan Serai Winery and answer some of our questions. Subsequently a review was completed of the Use Permit major modification: NO. P10-00206-MOD, the engineering study, and architect drawings. Both Jeannette Doss and Chris Cahill were very generous with their time and assisted us in our review when questions arose.

Chris and Jeannette had not developed their reports yet; but we feel there are specific items of concern in addition to the Transportation/Traffic item listed in the public notice. Most of these areas were important during the previous 2000 use permit approval. Now the scope and scale of the project has increased significantly. The marketing plan is very aggressive as compared to the past approval and as such neighbors are asking for a stringent review. Communication has been sent to neighbors that states the barn is replaced "with a building that is lower in height than the existing barn structure" (see attachment). In a neighbor meeting we were told it would be 1.5 feet lower than current barn but in the use permit modifications it states "hospitality building finished floor level approximately 3.5 feet above existing grade", so it seems to be higher than the current barn, much larger in dimension and designed with a large amount of glass. The outside tasting area will be even closer to houses. We have attached photos of current views from two properties on the eastern side: one is standing at ground level and the other is around the corner that shows the view from the second floor. Currently houses that border the property are affected by underground spring activity during the winter. Nothing in the current engineering plan appears to address the effect of additional hardscape drainage in relationship to the springs. Attached you will find the six significant environmental items that we have identified for the county's review along with our suggestions and the neighbors signatures who agree with the need for review.

Darioush Khaledi's past projects show attention to detail and he has attempted to look at the old 2000 concerns. This new plan has added a great deal to the 2000 approved plan. Our concerns center on the impact to our quiet neighborhood. The old approved marketing plan was never implemented and now a very aggressive plan is being requested. This plan would set a precedent for the county with Tours and Tasting being held till 10PM and as residents we question if this is in the best interest for Napa Valley. This is a unique property that has housing so close to its borders and we know that the county is very protective trying to eliminate negative consequences and impacts for the environment.

We look forward to working with the county and Darioush Khaledi to produce an outcome that will be productive for all parties.

Sincerely,

  
Pat Rogala 253-2104

CC: Chris Cahill, Jeannette Doss

Attachments: Neighbor concerns, Darioush letter, two neighborhood photos, neighbor signatures

  
Nancy Hanson

Darioush Khaledi's Use Permit major modification: NO. P10-00206-MOD

Neighbor identified issues: Environmental Issues

1. Exposure to high construction noise levels for substantial periods of time:

Adopt the stricter county construction limitations than the 2000 approval and eliminate construction on Sunday.

2. Exposure of existing area occupants to annoyance from increased nighttime light levels or glare:

Shield all interior and external lighting so that it is not visible from housing.

3. Blockage or substantial degradation of important public or private view- the proposed new building is higher than current barn, has a wider blockage of our view and is closer to housing

Decrease the scale of buildings

Eliminate outside tasting areas

Provide screening for winery building, parking lot, tanks and outside tasting areas; with preference being given to full grown vegetation.

4. Increased ground water percolation in the area springs and runoff due to the hardscape drainage proposal. The underground pipe in the proposal is situated in the direction of houses that currently flood from this vineyard and underground springs.

Assure that the engineering plan specifically addresses the spring activity in relation to their hardscape drainage proposal.

5. Exposure of existing area occupants to annoyance for substantially increased ambient noise levels:

Limiting the daily tours and tastings to end at 6PM

Decrease the daily count of 400 people

Limit the number of events per month to prevent activities every weekend all summer long:

Only six events in June and no more than two per month

Limit the number of evening marketing events and prohibit use of outside tasting areas

End inside evening events by 10PM, cleanup by 11PM

Prohibit use of outside tasting areas after 6PM

Review the acoustical study to center in on the outside tasting areas

Provide acoustical buffers for winery, parking, crush pad and outside tasting areas

Eliminate outside tasting areas

6. Backup of traffic on Hwy 29 due to no turning lane.

Limit the number of events per month with no tours and tastings after 6PM.

Dear Resident,

I would like to thank those of you who attended our public gathering in late March to hear about my new winery being proposed in North Napa behind Restaurant Don Giovanni. I also wanted to let you know that our project is scheduled to be reviewed by the Napa County Planning Commission on May 18th. We are sending out this summary to explain a bit more about our project. We hope that if you have any questions or concerns, you can contact us so we can resolve any issues before that meeting.



*Aerial conceptual sketch of the proposed winery.*

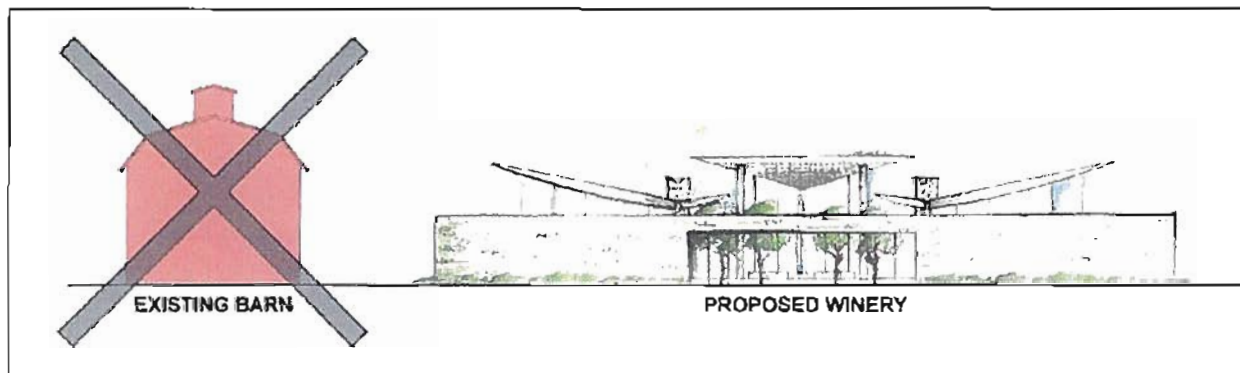
**Structure Changes**

Currently, the property consists of a barn, a partially built 40 x 60 foot barrel aging building and a 570 sq. ft. crush pad. The new winery would remove the barn and crush pad and replace it with a building that is lower in height than the existing barn structure (see image below for comparison).

**Water**

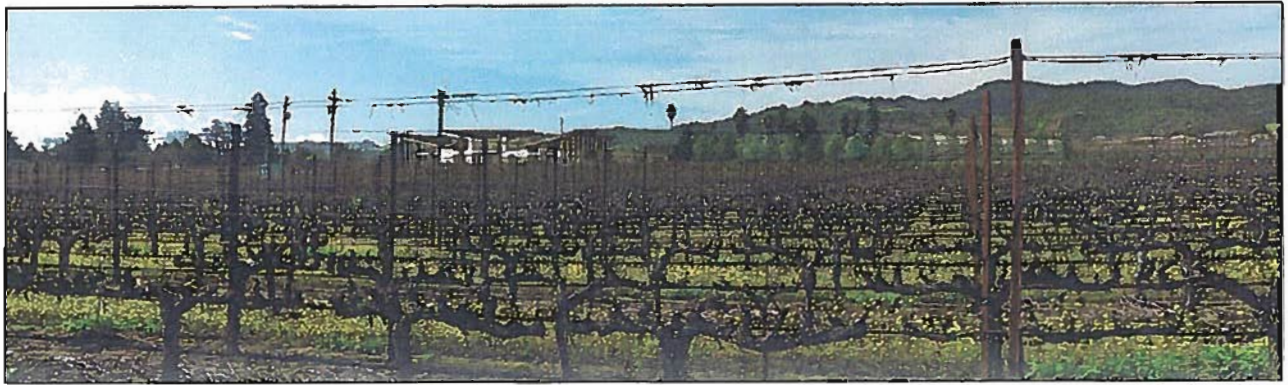
Our reports clearly show that there is more than enough water for the vineyards, wine production, events, visitors and single residence that will occur on the property.

(continued)

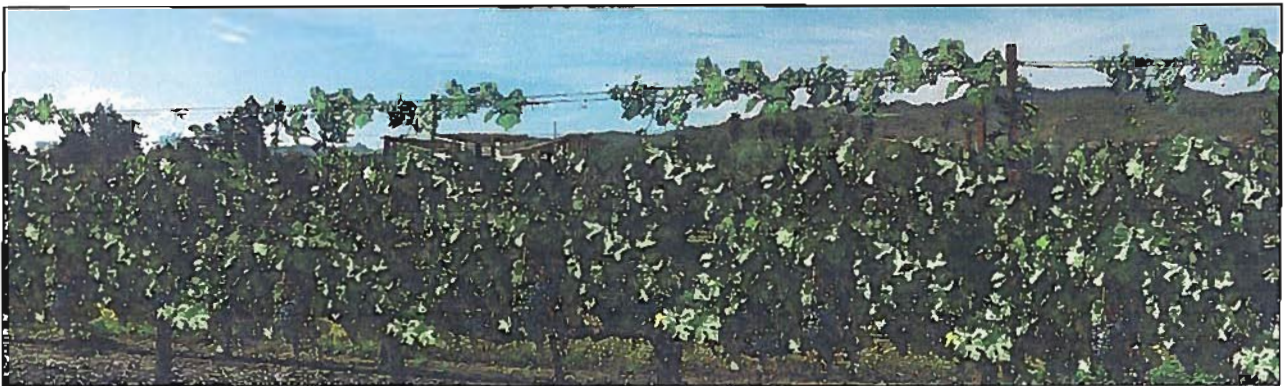


*This sketch shows the west elevation of the proposed winery and its height compared to the existing barn, which will be removed.*





*These images show how the winery will appear from the southeast corner in the winter (top) and in late summer (bottom).*



#### **Noise**

An Acoustical Noise Study determined that there would be no significant effect on neighbors to the east and south of the site from winery operations, including hospitality events, tours and tasting activities. The winery building is 683 feet from the property line to the south and 522 from the property line to the east. As a further noise limiting measure, the winery has proposed an acoustical buffer at the eastern edge of the parking lot, which will absorb and/or reflect car door noises during the evening hours. The winery has a 600 foot set back from the front of the property and is legally restricted from being too close to Highway 29.

#### **Traffic Issues**

The Winery has extensively studied the traffic circulation requirements at this site, given the fact that Bistro Don Giovanni and La Residence Inn are also located on Howard Lane. The winery currently proposes adding two new stop signs and striping at the winery's intersection with Howard Lane. A south-bound left turn lane on Highway 29 is also being proposed which would substantially improve the existing inadequate turning lane onto Howard Lane. There should be no traffic issues on any other roads in the area.

We are committed to making this project a real asset to the community and your neighborhood. Please share your thoughts on how we can do this better, and please let us know if you have any concerns or questions.

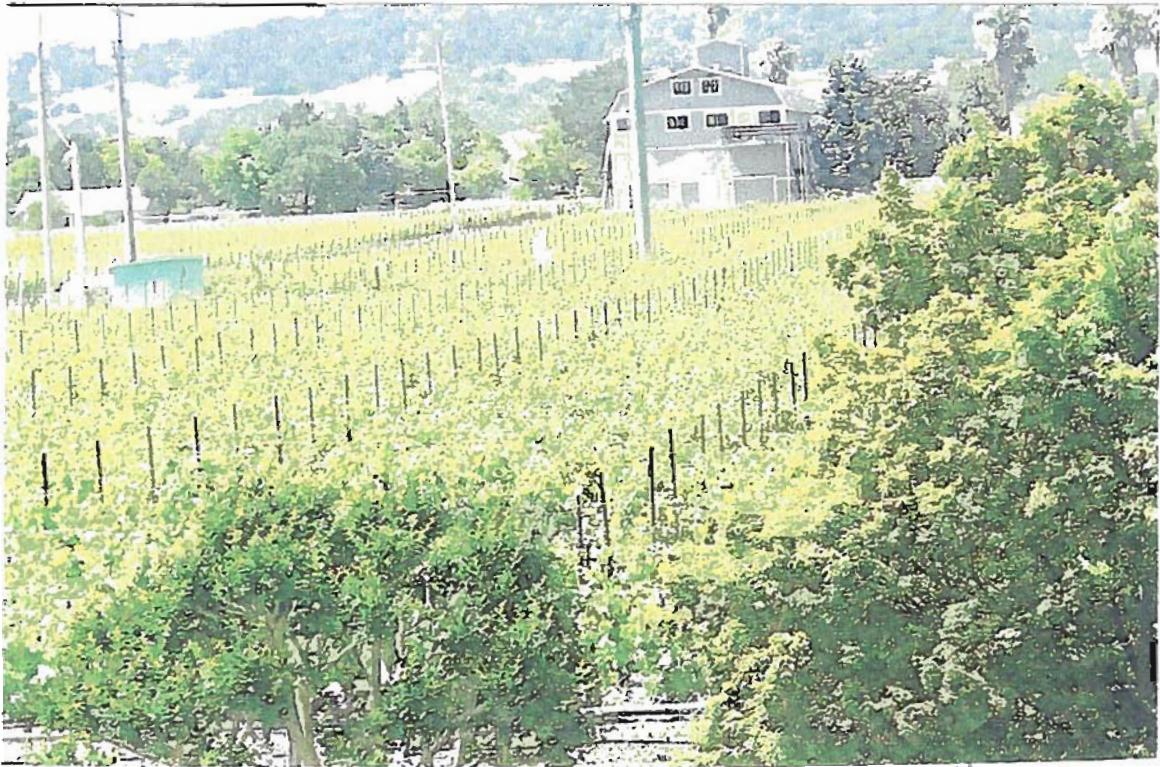
Sincerely,  
Darioush Khaledi

4240 Silverado Trail Napa CA 94558 USA  
Info@Darioush.com www.Darioush.com T 707.257.2345 F 707.257.3132



444-7 Moffett stanchery @ ground level





2 story house 4491 Sankalwood view from 2nd floor



Name

Address

Pat Rogals

4449 Moffett Drive

Roger Rogals

4449 Moffett Dr.

Sal Roman Jr

1026 BECCA Pa

Tom & Sheri Hundley

4445 Moffett Dr

Amelia A Saddam

4447 Moffett Dr

Karen & Jim Orsini

4457 Sandalwood St.

Chris Amern

4461 Sandalwood St.

Name

Address

Nancy L Hanson 4491 Sandalwood St, Napa 94558

Daniel Hanan 4491 Sandalwood St Napa 94558

William Akelah 4490 Sandalwood St, Napa 94558

Edaine A. Adams 4486 Sandalwood St Napa 94558

Jay A. Adams 4486 Sandalwood St. Napa 94558

deborah J Monte 4485 Sandalwood St Napa 94558

Maighnisi 4485 Sandalwood St. Napa CA 94558

Joseph L Lochert 4489 SANDALWOOD ST NAPA CA 94558

Jean Lochert 4489 Sandalwood Napa 94558

Rosa Reumann 1616 Mosswood Dr. Napa 94558

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Colette Jotter  
1035 Bella Drive  
Napa Ca 94558

Chris Cahill, Planner  
Napa County Conservation  
Development & Planning Dept  
1195 Third St suite 210  
Napa Ca.

Re: Darwish Khaledi / Darwish Khaledi Winery LLC /  
Caravan Serai Winery - Use Permit Major  
Modification no PID-00206 - MOD CEQA  
Status.

As an owner of property at 1035 Bella Drive Napa  
since 1961 I object to the proposed modification  
my objections include the threat to the R.U.L., the  
water table and the effects on my home well, the  
disturbance of noise from large crowds of people and  
equipment noise.  
The existing barn is a pleasant sight with a small footprint

Colette Jotter  
1035 Bella Drive  
Napa Ca 94558  
707-226-7313

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NAPA CO. CONSERVATION  
DEVELOPMENT & PLANNING DEPT.





Linda S. Adams  
Acting Secretary for  
Environmental Protection

# State Water Resources Control Board

## Division of Water Rights

1001 I Street • Sacramento, California 95814 • (916) 341-5300  
Mailing Address: P.O. Box 2000 • Sacramento, California • 95812-2000  
FAX (916) 341-5400 • <http://www.waterboards.ca.gov/waterrights>



Edmund G. Brown Jr.  
Governor

In Reply Refer  
to: EKW: 266.0

**MAY 02 2011**

Chris Cahill  
Napa County Department of Conservation, Development, and Planning  
County of Mendocino  
1195 Third Street, Suite 210  
Napa, CA 94559

Dear Mr. Cahill:

**NOTICE OF COMPLETION FOR THE CAREVAN SERAI WINERY USE PERMIT MAJOR  
MODIFICATION APPLICATION (SCH # 2011042030)**

State Water Resources Control Board (State Water Board), Division of Water Rights (Division) staff has reviewed the notice for the subject project. Based on the information provided in the notice, it appears the project may require a water right approval. The Applicant should contact the Division to determine whether a water right permit or other water right approval is needed. Information on water rights and the permitting process can be found on the Division's website at: <http://www.waterboards.ca.gov/waterrights/>.

If a water right approval is needed, the State Water Board will act as a Responsible Agency for this project. Accordingly, the State Water Board may need to rely on the Lead Agency's California Environmental Quality Act (CEQA) document to support the Division's evaluation of the requested approval. The Lead Agency should therefore ensure that any CEQA document prepared for the project considers all potential direct and indirect environmental impacts associated with the diversion and use of water.

If you have questions or require further information, please contact me at (916) 341-5803 or via email at [EWallace@waterboards.ca.gov](mailto:EWallace@waterboards.ca.gov).

Sincerely,

Emily Wallace  
Environmental Scientist  
Russian River Watershed Unit

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**MAY 03 2011**

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DEVELOPMENT & PLANNING DEPT.

*California Environmental Protection Agency*