



A Tradition of Stewardship
A Commitment to Service

Department of Public Works

1195 Third Street, Suite 201
Napa, CA 94559-3092
www.co.napa.ca.us/publicworks

Main: (707) 253-4351
Fax: (707) 253-4627

Donald G. Ridenhour, P.E.
Director

MEMORANDUM

To: Linda St. Claire, Conservation Development and Planning Department	From: Jeannette Doss, Assistant Engineer Public Works
Date: June 14, 2011	Re: Diamond Heights Winery 255 Petrified Forest Road, Calistoga, CA P10-00400 APN 020-430-007

The Napa County Public Works Department received a referral for comment on a use permit application, generally requesting the following:

To add tours and tastings by appointment only for up to 18 visitors per day with a maximum of 60 visitors per week and to add limited special events including one annual open house event with up to 100 people, three private wine club events with up to 40 people per event, and one wine auction lunch with up to 25 people.

After careful review of the Seven Stones Winery Use Permit submittal package the Public Works Department recommends approval of the project with the following conditions:

EXISTING CONDITIONS:

1. The existing parcel is approximately 41.45 acres.
2. Existing property is currently developed with a non-operating commercial winery facility, vineyard, and a private residence.
3. Existing addition was built without permits and is currently a Violation/Code Enforcement issue with the Napa County Conservation Development and Planning Department.

RECOMMENDED CONDITIONS:

GROUNDWATER

1. See attached groundwater comments dated May 27, 2011.

PARKING:

2. Any parking proposed by the applicant or required by the Planning Commission as a condition of this permit must have a minimum structural section of two inches of asphalt concrete over 5 inches of Class II Aggregate or equivalent. (County Road and Street Standards, Page 27, Section 19).
3. Parking lot details shall conform to the requirements of the latest edition of the Napa County Road and Street Standards.

NEW PRIVATE ACCESS ROADS AND DRIVEWAYS:

4. All roadway construction associated with this application shall conform to the current Road and Street Standards of Napa County at the time of permit submittal and accepted construction and inspection practices. Access drive shall meet the requirements of a commercial drive and be a minimum of 18 feet wide with 2 feet of shoulder. Structural section shall be a minimum two inches of asphalt concrete surface over five inches of Class II Aggregate or equivalent. (County Road and Street Standards, Page 9, Par. 12).
5. The applicant must obtain an encroachment permit for any work performed within the Napa County Right-of-Way.

SITE IMPROVEMENTS:

6. All on site civil improvements proposed including but not limited to the excavation, fill, general grading, drainage, curb, gutter, surface drainage, storm drainage, parking, and drive isles, shall be constructed according to plans prepared by a registered civil engineer, which will be reviewed and approved by this office prior to the commencement of any on site land preparation or construction. Plans shall be submitted with the building and/or grading permit documents at the time of permit application. A plan check fee will apply.
7. Proposed drainage for the development shall be shown on the improvement plans and shall be accomplished to avoid the diversion or concentration of storm water runoff onto adjacent properties. Plan shall also indicate the path and changes in runoff.
8. Grading and drainage improvements shall be constructed according to the latest "Napa County Road and Street Standards" and the California Building Code. Specifically, all cuts and fills slopes shall be setback to meet the latest CBC.
9. If excess material is generated that cannot be used onsite, the Owner shall furnish to the Napa County Public Works Department evidence that the Owner has entered into agreements with the property owners of the site involved and has obtained the permits, licenses and clearances prior to commencing any off-hauling operations.
10. The applicant shall furnish a complete set of the electronic files of all approved improvement plans on a storage media acceptable to the County Engineer.

11. At the completion of construction, and prior to the final approval by the County, the applicant shall verify that all electronic files provided to the County reflect any changes to the approved plans made during construction and that all plans reflect the as built conditions.

OTHER RECOMMENDATIONS:

12. Prior to the issuance of any grading or building permit, or the signing of improvement plans, the permittee and County shall survey and document the condition of the nearest County roads before construction begins, and then reevaluate conditions at the end of construction. Prior to Occupancy of any buildings or commencement of any use, the permittee shall be responsible for repair of any pavement degraded due to its construction vehicles.
13. Operations cannot begin until any on-site Code Enforcement issues have been remedied and the applicant has obtained the appropriate building permits from the Napa County Conservation Development and Planning Department including any and all appropriate approvals/clearances from the Napa County Public Works Department.
14. An application for a building permit to construct the proposed cover and/or alter the crush pad to exclude run-on and run-off of storm water must be submitted to the building department.
15. All roadway improvements approved and/or required pursuant to this use permit shall be completed prior to obtaining a certificate of occupancy.
16. All on-site civil improvements shall be completed prior to the commencement of any use associated with the approval of this use permit.

CONSTRUCTION STORMWATER REQUIREMENTS

17. Any Project that requires a building or grading permit shall complete a Napa County Construction Site Runoff Control Requirements Appendix A - Project Applicability Checklist and shall submit this form to the Napa County Public Works Department for review.
18. All earth disturbing activities shall include measures to prevent erosion, sediment, and waste materials from leaving the site and entering waterways both during and after construction in conformance with the Napa County Stormwater Ordinance 1240 and the latest adopted state regulations. Best Management Practices (BMPs) shall also be implemented to minimize dust at all times.
19. Any construction activity that equals or exceeds one acre of total disturbed area shall prepare a Stormwater Pollution Prevention Plan (SWPPP) in accordance with the regulations of California Regional Water Quality Control Board (SRWQCB) and shall file a Notice of Intent (NOI) prior to commencement of any construction activity. The completed SWPPP shall be submitted to the Napa County Department of Public Works for review.

20. All hazardous materials stored and used on-site during construction that could cause water pollution (e.g. motor oil, cleaning chemicals, paints, concrete, etc.) shall be stored and used in a manner that will not cause pollution, with secondary containment provided. Such storage areas shall be regularly cleaned to remove litter and debris. Any spills shall be promptly cleaned up and appropriate authorities notified.
21. All trash enclosures must be covered and protected from rain, roof, and surface drainage.
22. The property owner shall inform all individuals, who will take part in the construction process, of these requirements.

POST-CONSTRUCTION RUNOFF MANAGEMENT REQUIREMENTS

23. Project must conform and incorporate all appropriate Site Design, Source Control and Treatment Control Best Management Practices as required by the Napa County manual for *Post-Construction Runoff Management Requirements* which is available at the Public Works office.
24. Post-development runoff volume shall not exceed pre-development runoff volume for the 2-year, 24-hour storm event. Post-development runoff volume shall be determined by the same method used to determine pre-development conditions. If post-development runoff volume exceeds pre-development runoff volume after the site design BMPs are incorporated into the project's overall design, a structural BMP (e.g. bio-retention unit) may be used to capture and infiltrate the excess volume.
25. Loading/unloading dock and processing areas must be covered or designed to preclude stormwater run-on and runoff. All direct connections to storm drains from depressed loading docks (truck wells) are prohibited.
26. Parking lots and other impervious areas shall be designed to drain through grassy swales, buffer strips, sand filters or other sediment control methods which will be approved by this Department. If any discharge of concentrated surface waters is proposed into any "Waters of the State," the permittee shall consult with and secure any necessary permits from the State Regional Water Quality Control Board prior to the issuance of applicable construction permits.
27. Provide concrete stamping, or equivalent, of all stormwater conveyance system inlets and catch basins within the project area with prohibitive language (e.g., "No Dumping – Drains to Napa River"). Signage shall identify the receiving water the drain discharges to and include a message in Spanish.
28. Trash storage areas shall be paved with an impervious surface, designed not to allow run-on from adjoining areas, and screened or walled to prevent off-site transport of trash. Trash storage areas must contain a roof or awning to minimize direct precipitation or contain attached lids on all trash containers that exclude rain.

29. Prior to final occupancy the property owner must legally record an "implementation and maintenance agreement" approved by the Public Works department to ensure all post-construction structures on the property remain functional and operational for the indefinite duration of the project.

30. Each year the entity responsible for maintenance is required to complete an annual report that includes copies of completed inspection and maintenance checklists to document that maintenance activities were conducted during the previous year. The annual report shall be retained for a period of at least five years and made available upon request by the County.

Any changes in use may necessitate additional conditions for approval.

If you have any questions regarding the above items please contact Jeannette Doss at 253-4351. For groundwater questions, please contact Anna Maria Martinez.



A Tradition of Stewardship
A Commitment to Service

Environmental Management

1195 Third Street, Suite 101
Napa, CA 94559
www.co.napa.ca.us

Main: (707) 253-4471
Fax: (707) 253-4545

Steven Lederer
Director

MEMORANDUM

To: Conservation Development and Planning, Linda St. Claire, Planner	From: Kim Withrow, Senior Environmental Health Specialist
Date: June 2, 2011	Re: Application for Use Permit for Diamond Heights Winery, 255 Petrified Forest Road, Calistoga Assessor Parcel # 020-430-007 File # P10-00400

We have reviewed the revised application received May 24, 2011 for a modification to previously approved use permit. This department has found the application to be substantially complete. The following conditions shall be included if the use permit is approved:

1. A commercial food facility was not included in this project and the applicant has indicated all food service will be catered. Any food to be served during an event must be prepared and served by a Napa County permitted caterer.
2. Within 30 (thirty) days of initiation of the use or change of tenants, an updated Hazardous Materials Business Plan or a Business Activities Page shall be submitted and approved by this Department.
3. The existing uncovered crush pad drain(s) was determined to be connected to the existing winery septic system. It is a violation of the Napa County Sewage Ordinance to allow storm water to enter a septic system. The existing crush pad must be covered for the drain(s) to remain connected to the existing septic system and the crush pad must be constructed to prevent run-on of storm water. An application for a building permit to construct the cover and/or alter the crush pad to exclude run-on of storm water must be submitted or the drain must be disconnected under permit and inspected by a representative of this department within 30 days of approval of this use permit.
4. A permit for the new standard sewage treatment system to treat and dispose the sanitary waste from employees and visitors must be secured from this Department prior to approval of a building clearance (or issuance of a building permit) for any structure that generates wastewater to be disposed of by this system or within 30 days of approval of this use permit application if no building permit is required.

5. The standard sewage disposal system is being constructed to handle waste water generated from the peak number of daily visitors and employees. The septic system is not being sized to accommodate waste water from guests attending the 5 events requested in the use permit application. As agreed, portable toilets must be utilized during the 5 events occurring at the winery each year.
6. To secure a permit to install a standard sewage treatment system the applicant must submit plans with a plan check fee to this Department for review and approval. The plans must show the location of the proposed septic system relative to the proposed project and other structures, all existing leach fields and tanks, **the required 100% expansion area for all existing approved uses on the property**, the proposed trench detail, the location of the site evaluation soil profile pits and all other site features such as storm drainage, wells, roads, slope, etc. The plans must be drawn to scale. If alternative sewage treatment system plans are required, such plans shall fulfill this requirement.
7. 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.
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. 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.
11. 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.

Diamond Heights Winery Use Permit
P10-00400
020-430-007

Page 3 of 3

cc: Diamond Heights Winery, LLC, 900 Veterans Blvd, Suite 500, Redwood City, Ca 94603
Enterra Associates, 1585 Terrace Way, #418, Santa Rosa, CA 95404
Hillary Gitelman, CDPD



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

June 14, 2011

Building Dept Comments for P10-00400 Diamond Heights Use Permit

6/13/2011	Mayes, Darrell	1.00	Building Review	Approved	<p>The Building Division is not reviewing this proposal for compliance with the California Building Standards at this time; it is only reviewing the proposed Planning entitlement. The Building division has no issues or concerns with the approval of the Use Permit; it is a planning entitlement only and does not authorize any construction or a change in occupancy.</p> <p>The proposed new use (Tasting Room), if approved, will require that the applicant apply for a change in use permit with the Building Division and be prepared to submit drawings demonstrating compliance with all applicable codes pertaining to a tasting room that will be open to the public. The new use (Tasting Room) will be required to be accessible to persons with disabilities, which include an accessible parking stall, an accessible route into the area of alteration or new use.</p> <p>There are a number of building code violations on this property that will need to be abated prior to the issuance of the required Certificate of Occupancy. If you have any questions please call me at (707) 253-4417.</p>
-----------	----------------	------	-----------------	----------	--

A handwritten signature in black ink, appearing to read "Darrell Mayes".

Darrell Mayes
Napa County Chief Building Official

From: Giudice, David
Sent: Monday, April 25, 2011 4:22 PM
To: St. Claire, Linda
Subject: FW: Diamond Heights Winery

Linda –I reviewed the recent submittal for the Diamond Heights winery and have the same comments as previously provided. They are as follows:

Code Enforcement Comments
Diamond Heights Winery
APN# 020-030-007

On August 19, 2010 Code Enforcement staff along with other County Agencies conducted a site visit at the Winery. We were invited by the appointed receiver to inspect the property for safety concerns and violations. Staff conducted a cursory inspection and noted the following issues with the property.

- The electrical system has been modified with additional branch circuits. Junction boxes and subpanels are not properly covered. Some areas of conduit have exposed wiring. The existing electrical system on the entire property should have a thorough evaluation by a licensed electrician. Staff can provide specific violations upon request.
- A small second story addition was placed at the rear of the tasting room building. It is not adequately supported and must be removed. The addition may be replaced with a permit.
- Interior alteration occurred in the rear of the proposed tasting area and attic space. Some of the work is incomplete with framing exposed. A permit is required to complete the alterations.
- The tasting room will require upgrades to convert the building (residential) to a commercial use. Particularly the building must be upgraded for accessibility (ADA compliance).
- The main dwelling is missing a landing behind the kitchen.
- Front steps to the main dwelling (parking side) are deteriorated and pose a trip hazard.

Proposed condition: The buildings on the property were originally constructed as a residential with agricultural accessory buildings. Permits must be obtained through the Building division to correct existing safety hazards and to convert the proposed winery related areas to commercial use.

David Giudice
Code Enforcement Supervisor
County of Napa



A Tradition of Stewardship
A Commitment to Service

Department of Public Works

1195 Third Street, Suite 201
Napa, CA 94559-3092
www.co.napa.ca.us/publicworks

Main: (707) 253-4351
Fax: (707) 253-4627

Donald G. Ridenhour, P.E.
Director of Public Works

GROUNDWATER MEMORANDUM

DATE: May 27, 2011

TO: Conservation Development and Planning Department

FROM: Annamaria Martinez, Assistant Engineer *AM*
Phone: 707-259-8378
Email: annamaria.martinez@countyofnapa.org

SUBJECT: Diamond Heights Winery, APN# 020-430-007

The applicant requests approval to construct a new 20,000 gallon per year winery, including tours and tastings by appointment only and limited special events. The project parcel is located on Petrified Forest Road in Calistoga.

COMMENTS:

1. The parcel is located in the "Hillside" region.
2. The existing use is 3.56 acre-feet per year.

RECOMMENDED CONDITIONS:

1. We have reviewed the phase one, water availability analysis for the proposed project. The 41.5 acre parcel is located in the hillside area with an extraction threshold of 0.5 AF/Acre, resulting in a total parcel threshold of 20.7 AF/Year. The estimated water demand of 4.58 AF/Year is below the established threshold for the property.

Based on the information provided, the projected groundwater usage for the project should not have a significant impact on static water levels of neighboring wells.

No further analysis is necessary.



A Tradition of Stewardship
A Commitment to Service

RECEIVED

JAN 06 2011

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

FILE #: P10-00400

Conservation Development and Planning

1195 Third Street, Suite 210
Napa, CA 94559
www.countyofnapa.org

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

Hillary Gitelman
Director

PERMIT APPLICATION AND INITIAL STUDY
REQUEST FOR COMMENTS

TO: Sheriff

APPLICATION TITLE: DIAMOND HEIGHTS WINEBY MOD APN: 020-430-007

DESCRIPTION OF PROJECT: MODIFY use permit to include Tours & Tastings
and MARKETING.

RESPONSE REQUEST DATE: 1/3/11 RESPONSE RETURN DATE: 1/17/11

PLEASE RESPOND VIA E-MAIL TO: Linda.StCLAIRE @countyofnapa.org
OR FAX TO (707) 299-4270

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.

Name of contact person: T. STUART

Telephone #: 253-4475

Email: Tracey.stuart@countyofnapa.org

Title: CAPTAIN napa

Date: 1/4/11



A Tradition of Stewardship
A Commitment to Service

Napa County Fire Department
Fire Marshal's Office
1199 Big Tree Road
St. Helena, CA 94574

Office: (707) 967-1419
Fax: (707) 967-1474

Pete Muñoa
Fire Marshal

INTER-OFFICE MEMORANDUM

TO: Linda StClaire
Conservation, Development and Planning Department

FROM: Brian Hampton
Fire Department

DATE: January 11, 2011

SUBJECT: Diamond Heights Winery
P10-00400 APN# 020-430-007

SITE ADDRESS: 255 Petrified Forest Road

The Napa County Fire Marshal's Office has reviewed the Use Permit application for a major mod by adding tours, tastings and marketing.

This current application does not warrant any new fire protection conditions as long as **all construction and use of the facility shall comply with all applicable standards, codes, regulations, and standards at the time of building permit issuance.**

If you have any questions and/or concerns in regards to the meaning of these conditions, please feel free to contact our office Monday through Thursday at 707-967-1423.

