



A Tradition of Stewardship
A Commitment to Service

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

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Pete Muñoa
Fire Marshal

INTER-OFFICE MEMORANDUM

TO: Linda St Claire
Conservation, Development and Planning Department

FROM: Brian Hampton
Fire Department

DATE: January 31, 2012
P12-00008 APN# 039-320-008

Subject: Whetstone Wine Bar

SITE ADDRESS: 1075 Atlas Peak Road

The Napa County Fire Marshal's Office has reviewed the Use Permit application to rehab an existing residence on CL zoned parcel & use it as a tasting/bar/room for Whetstone Winery. Proposed new underground waste disposal system, proposed additional parking, 2 full time employees, catered food. We would like to recommend the following comments be incorporated as project conditions if the Planning Commission approves the project.

- 1. All construction and use of the facility shall comply with all applicable standards, codes, regulations, and standards at the time of building permit issuance.**
2. Provide fire department access roads to within 150 feet of any exterior portion of the facility. All fire department access roads shall comply with Napa County Public Works Road and Street Standards.
3. The numerical address of the facility shall be posted on the street side of the building visible from both directions and shall be a minimum of 4-inches in height on a contrasting background. Numbers shall be reflective and/or illuminated.
4. All buildings over 3,600 square feet shall be equipped with an automatic fire sprinkler system conforming to NFPA 13 2010 edition with water flow monitoring to a Central Receiving Station.

5. The required fire flow for this project is 200 gpm for a 60 minute duration at 20 psi residual pressure. A UL listed fire pump may be required to meet the required fire flow for the project. The fire pump shall be installed, and tested per NFPA 20, 2010 edition.
6. The required water storage for this facility is 12,000 gallons of water dedicated for fire protection. Water storage tanks shall be installed per NFPA 22, 2010 edition.
7. Blue dot reflectors shall be installed 12-inches off centerline in front of all fire hydrants. All fire hydrants shall be painted chrome/safety yellow.
8. Approved steamer fire hydrants shall be installed within 250 feet of any exterior portion of the building as measured along approved vehicular access roads.
9. Currently serviced and tagged 2A10BC fire extinguishers shall be mounted 31/2' to 5 feet to the top of the extinguisher within 75 feet of travel distance from any portion of the facility.
10. All exit doors shall open without the use of a key or any special knowledge or effort.
11. Install illuminated exit signs throughout per the California Building Code 2010 edition.
12. Install emergency back-up lighting throughout per the California Building Code 2010 edition.
13. Install a KNOX CABINET at the driveway entrance to the project. Contact the Napa County Fire Marshal's Office for an application and mounting instructions. Provide two laminated 11" x 17" site plans and building drawings in the KNOX CABINET. Provide two Master keys to all exterior doors in the KNOX CABINET.
14. Beneficial occupancy will not be granted until all fire department issues have been inspected, tested and finalized.



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Conservation Development and Planning

1195 Third Street, Suite 210
Napa, CA 94559
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Main: (707) 253-4417
Fax: (707) 253-4336

Hillary Gitelman
Director

Building Inspection Division Planning Review Comments

Date: January 14, 2013

Planning Use Permit #: P12-00008

APN: 039-320-008

Owner: Whetstone Wine Cellars Wine Bar

Description of Use Permit: Minor modification to an existing winery/residential building to create a new wine bar and retail sales for Whetstone wine Cellars.

Comments: The Building Division is not reviewing this project for compliance with the California Building Standards at this time; the Division is reviewing the proposed Planning entitlements only. The Building Division has no issues or concerns with the approval of the Use Permit; it is a Planning entitlement only and does not in itself authorize any construction or change in occupancy.

The plans provided for Use Permit application #P12-00008 does not provide enough information in sufficient clarity and detail to determine all code requirements. A complete and thorough plan review will be performed at the time an application is made for the required building construction permits.

1. This facility will be required to comply with the California Code of Regulations, Title 24, and local ordinances that are adopted at the time of building permit application. At the time of this letter the current editions adopted are the **2010** California Building, Plumbing, Mechanical, Electrical, Energy, Residential, Historical and the Green Building Standards Code.
2. The building that will be re-located to create an accessible bathroom will require a separate building permit.

Issues of compliance with the California Building Standards Codes, Title 24, will be addressed during the building permit application, review and approval process. If the applicant has any question please do not hesitate contact me at (707) 253-4417.

All plans and documents for commercial projects are required by California Law to be prepared and coordinated under the direction of a California Licensed Architect (Business and Professions Code, Chapter 3, Division 3 and California Building Code Chapter 1).

Darrell Mayes, CBO
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Hillary Gitelman
Director

MEMORANDUM

To: Linda St. Claire, Project Planner	From: Kim Withrow, Senior Environmental Health Specialist
Date: January 11, 2013	Re: Application for Use Permit - Whetstone, 1075 Atlas Peak Road, AP # 039-320-008 File # P12-00008

The application and revised plans received December 14, 2012 requesting approval to convert an existing historic residence to wine tasting bar have been reviewed. This Division has no objection to approval of the application with the following conditions of approval:

1. The water supply and related components must comply with the California Safe Drinking Water Act and Related Laws. This will require plan review and approval prior to approval of building permits. Prior to occupancy, the owner must apply for and obtain an annual operating permit for the water system from this Division. The technical report required with the application must be completed by a licensed engineer with experience in designing water systems. The applicant must comply with all required monitoring and reporting.
2. Since the proposed water system is to be installed (or exists) on a separate parcel from the facility it is to serve, an agreement to grant a water easement or an approved water easement must be filed with this Division prior to approval of a building permit.
3. A commercial food facility was not included in this application. The architectural plans submitted with the use permit application show an employee break room located within the proposed facility. This break room is approved for employee use only. All food provided to the public must be prepared and served by a caterer permitted to operate in Napa County.

Since wines not only produced by Whetstone or future tenants may be sold and/or tasted from this location the facility may meet the definition of a food facility in the future if the tenants change. When there is a change of tenants or change from selling only wines sold directly by the producer of the wine, the facility will have to meet the requirements of the California Retail Food Code (Cal Code) which will require plan review and an annual operating permit.

4. Pursuant to Chapter 6.95 of the California Health and Safety Code, businesses that store hazardous materials above threshold planning quantities (55 gallons liquid, 200 cubic feet compressed gas, or 500 pounds of solids) shall obtain a permit and file an approved Hazardous Materials Business Plan with this Division within 30 days of said activities. If the business does not store hazardous materials above threshold planning quantities, the applicant shall submit the Business Activities Page indicating such.
5. A permit for a new standard sewage treatment system must be secured from this Division 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.
6. To secure a permit to install a standard sewage treatment system the applicant must submit plans with a plan check fee to this Division for review and approval. The plans must show the location of the proposed septic system relative to the proposed project and other structures, the required 100% expansion area, 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 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, etc.
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.



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Hillary Gitelman
Director

MEMORANDUM

To: Linda St. Claire, Planning Division	From: Jeannette Doss, Engineering and Conservation Division <i>jo</i>
Date: January 14, 2013	Re: Whetstone Wine Cellars Tasting Bar Use Permit - Engineering CoA 1075 Atlas Peak Road, Napa, CA P12-00008 APN 039-320-008

The Engineering Division received a referral for comment on a new use permit for Whetstone Wine Cellars, generally requesting the following:

To rehab an existing historic residence on a CL zoned parcel and use it as a tasting bar/room for Whetstone Winery. The project also proposes to install a new underground waste disposal system, and add a new 6 space parking lot and a new 3 space parking lot for a total of 9 on-site parking spaces. The project will operate with 2 full time employees. The marketing plan will generally include daily visitation by appointment only with a maximum of 40 visitors per day; ten private food and wine events per year with a maximum of 24 guests per event; six private winemaker dinners per year with up to 12 people per dinner; and two wine auction events will be held per year with a maximum of 50 people per event. No tasting appointments will occur during any special marketing events. The application also proposes that parking for the marketing events will be either on-site or off-site with shuttle service.

After careful review of the use permit submittal the Engineering Division recommends approval of the project with the following recommended conditions:

EXISTING CONDITIONS:

1. Napa County parcel 039-320-008 is located on Atlas Peak Road.
2. The existing parcel is approximately 6.65 acres.
3. Parcel is currently developed with a residence, winery, and several other mixed use buildings.

RECOMMENDED CONDITIONS:

GROUNDWATER:

Groundwater comments are provided in a separate memo.

PARKING:

1. Any parking proposed by the applicant or required by the Planning Commission as a condition of this permit must conform to the requirements of the latest edition of the Napa County Road and Street Standards.

NEW PRIVATE ACCESS ROADS AND DRIVEWAYS:

2. All roadway construction associated with this application shall conform to the current Road and Street Standards of Napa County at the time of building permit submittal and accepted construction and inspection practices.
3. The applicant must obtain an encroachment permit from the Public Works Department for any work performed within the Napa County Right-of-Way.
4. Applicant has requested a modification to the Napa County Road and Street Standards for the access driveway and emergency vehicle turn around areas. Public Works will support the request with the conditions outlined in separate attached memo titled “Whetstone Road Modification Request” and dated January 11, 2013.

SITE IMPROVEMENTS:

5. 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.
6. 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.
7. 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.
8. If excess material is generated that cannot be used onsite, the Owner shall furnish to the Napa County Planning, Building and Environmental Services 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.

OTHER RECOMMENDATIONS:

9. Prior to the issuance of applicable building or grading permits the applicant must obtain all appropriate regulatory permits from the Regional Water Quality Control Board, Army Corp. of Engineers and Fish & Game.

CONSTRUCTION STORMWATER REQUIREMENTS:

10. 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 Planning, Building and Environmental Services Department for review.
11. 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.
12. 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 Planning, Building and Environmental Services Department for review.
13. 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.
14. All trash enclosures must be covered and protected from rain, roof, and surface drainage.
15. The property owner shall inform all individuals, who will take part in the construction process, of these requirements.

POST-CONSTRUCTION RUNOFF MANAGEMENT REQUIREMENTS:

16. 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 Planning, Building and Environmental Services Department office.
17. 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.

18. 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. Processing areas that generate liquid wastes shall drain to the sanitary sewer system or other approved collection system per the requirements of Environmental Services.
19. 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.
20. 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. Waivers from this requirement can only be granted by the Director.
21. For on-site common retention basins, the side slopes shall not exceed 3:1.
22. 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.
23. Each year the entity responsible for maintenance is required to complete an annual report. The report shall be signed by the property owner and include 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 253-4417. For groundwater questions and/or traffic questions, please contact the Napa County Department of Public Works at (707) 253-4351 and ask for Anna Maria Martinez (groundwater) or Paul Wilkinson (traffic).



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Hillary Gitelman
Director

MEMORANDUM

To: Linda St. Claire, Planning Division	From: Jeannette Doss, Engineering and Conservation Division <i>go</i>
Date: January 11, 2013	Re: Whetstone Road Modification Request 1075 Atlas Peak Road, Napa, CA P12-00008 APN 039-320-008

Road Modification Request

The Engineering and Conservation Division received a request (The Request) for modification of County Road and Street Standards (RSS) for the Whetstone Wine Cellars Tasting Bar at 1075 Atlas Peak Road, Napa, dated December 10, 2012. The current existing driveway is approximately 10 feet wide paved from the connection with Atlas Peak Road to the proposed parking areas. The nature and reasons for the road modification request are as follows:

Exception Area #1: Allow for a reduction of width at the existing stone entrance columns at the driveway connection with Atlas Peak Road to allow a 15 ft width when the RSS requirement is 20 ft for a Commercial Drive. This reduction in width is to accommodate the existing recorded historic stone columns. The existing columns are currently set back 8-10 ft from the existing edge of pavement and the applicant's engineer has reviewed the driveway entrance for adequate sight distance. In addition the application proposes to narrow the driveway only in the area of the existing columns and provide a fully improved driveway for the balance of the driveway.

Exception Area #2: Allow for the hammerhead turnaround area to be greater than the 50 ft required distance from the existing building. The reason for this request is to accommodate the existing environmental features and physical site constraints that would prevent the applicant from adding a full turnout anywhere within a 50 ft radius of the existing historic stone building. Examples of these constraints include a small grove of several mature oak trees, a historic rock wall along the parcel frontage, and the fact that the existing historic building was built into a hillside. The applicant is proposing alternative access by including turnarounds approximately 225 ft northwest of the building, 225 ft south of the building, and by fire department access 75 ft east of the building and a new fire hydrant and pull up area 90 ft from the front of the building along Atlas Peak Road.

Engineering and Conservation Division Evaluation and Recommendation:

The Engineering and Conservation Division staff has discussed The Request noted above with Cal Fire and the applicant. With respect to Section (3) of the RSS as adopted by Resolution No. 2011-95 by the Board of Supervisors on August 9, 2011, this division has determined the following:

The request for modification has provided the necessary documentation as required by RSS Section 3(A). The request for modification is in connection with an active use permit for a new tasting bar, and has received the appropriate environmental review from the Planning Division, therefore the approving body shall be the Planning Commission.

With respect to findings the steep slopes, mature trees, physical site limitations, and recorded historical sites are consistent with the definitions as described in RSS Section 3(D).

The Engineering and Conservation Division and Cal Fire have discussed the improvements proposed in The Request and determined that their implementation would serve as an alternate method by which adherence to the RSS may be achieved and would provide the same overall practical effect as the RSS towards providing defensible space, preserving the natural environment and protecting the life, safety and welfare of the public.

The Engineering and Conservation Division and Cal Fire support the approval of the road modification as proposed in The Request with the following conditions that are in addition to any and all conditions previously placed on the project:

1. Applicant shall improve the existing driveway to the maximum road width achievable in the area of the entry columns.
2. Access road shall meet the road surfacing requirements for a residential driveway as described in Detail C-10 on Page 32 of the RSS for the entire length of the roadway.
3. The property owner will implement a fire protection and access plan that shall be reviewed and approved by the Napa County Fire Marshall.
4. Any/all future road design changes or changes in use of this roadway beyond the existing use shown on the above noted Request dated December 10, 2012 shall require re-evaluation of the roadway to comply with the requirements of adopted codes, standards and regulations and may require additional conditions.



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Steve Lederer
Director

GROUNDWATER MEMORANDUM

**-These comments supersede comments submitted
to your Department on July 19, 2012-**

DATE: November 6, 2012

TO: Conservation Development and Planning Department

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

SUBJECT: Whetstone Wine Bar, APN# 039-320-008, P12-00008-UP – Revision

The applicant requests approval to rehab an existing residence on a parcel, and use it as a tasting bar/room for Whetstone Winery. The project parcel is located in the groundwater deficient Milliken-Sarco-Tulocay region on Coombsville Road in Napa.

COMMENTS:

1. The parcel is located in the groundwater deficient “MST” region.
2. The existing use on the parcel is estimated to be 1.85 acre-feet per year.
3. The parcel currently contains a winery, vineyard, dwelling, art gallery, and other accessory uses

RECOMMENDED CONDITIONS:

1. We have reviewed the phase one, water availability analysis for the project parcel. The 6.65 acre parcel is located in the MST region with an extraction threshold of 0.3 AF/Acre, resulting in a total parcel threshold of 2.0 AF/Year – not 2.0 AF/acre/year as suggested by the Applicants recent Water Availability Analysis dated 10/10/12. Projects in the MST region, must not only demonstrate a proposed water usage that is equal to or less than the fair share, but must also demonstrate a “no-net increase” in groundwater usage over the current usage.

The existing usage has been estimated at 1.85 AF/Year – which is below the “threshold,” and the estimated water demand of 1.6 AF/Year for the parcel is below both the existing use and the established threshold for the property. According to these estimates, the projects meets the requirements for water use for projects in the MST area.

2. We believe that it is possible for the proposed project to not have a significant impact on groundwater levels or agriculture in the groundwater basin, as the project proposes to rehabilitate one of the residences on the property and use it as a tasting bar/room for the winery which will result in a reduction of groundwater use of 0.50 AF/yr for residential purposes. An additional decrease of 0.06 AF/yr is also expected for landscaping/vineyard purposes. And finally while the addition of the wine bar/tasting room is expected to increase water use for commercial purposes in the amount of 0.31 AF/yr, the overall water use on the property is estimated to decrease by approximately 0.25 AF/yr.
3. Based on the proposed reduction in groundwater use for the property, no evidence exists that the issuance of the subject permit would result in a degradation of water quality or would significantly affect the reasonable and beneficial uses of groundwater in the area.
4. No further analysis is necessary, however, we recommend the following conditions:

We believe it is possible to keep water use at a minimum with the use of best available technology and best management water conservation practices. These practices include the use of sprinkler timers, xeriscape landscaping techniques, bubblers and drip irrigation, and avoiding broadcast sprinklers to the greatest extent possible in areas of landscaping. Best management practices also require that the applicant utilize water efficient appliances and fixtures throughout the existing and proposed residences. With these best management practices in place and with the use of best available technology, we believe that it will possible to accomplish the project, and stay at the threshold for the parcel.

- a. The applicant shall apply best available technology and best management water conservation practices throughout the parcel.
- b. The applicant shall apply best management water conservation practices where possible in the structures on site. This includes but is not limited to the installation of low flow fixtures and appliances.
- c. The parcel shall be limited to the projected use for all water consuming activities on the parcel listed in the application: **1.60 acre-feet per year, or 520,000 gallons per year.**
- d. The applicant shall install a meter on ALL wells serving the parcel. The meters shall be placed in a location that will allow for the measurement of ALL groundwater used on the project parcel. The location and the configuration of the installation of the meter shall conform to a drawing prepared by the applicant and reviewed and approved by the Director of Public Works prior to installation.
- e. As a groundwater consuming activity already exists on the property, meter installation and monitoring shall begin immediately.
- f. For the first six months of operation under the use permit, the applicant shall read the meters at the beginning of each month and provide the data to the Public Works Director monthly. If the water usage on the property exceeds the proposed use listed in the application, additional reviews and analysis may be required. Should the water use be

within the volume proposed in the application, the applicant may at the end of the six month period begin the following meter reading schedule:

- i. On or near the first day of each month the owner shall read the water meter, and provide the data to the Public Works Director during the first weeks of April and October. The applicant shall also convey to the Public Works Director, or his designated representative, the right to access and verify the operation and readings of the meters at any time.