



A Tradition of Stewardship
A Commitment to Service

Planning, Building & Environmental Services

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

Hillary Gitelman
Director

MEMORANDUM

To: Sean Trippi, Planning Division	From: Peter Corelis, Engineering and Conservation Division <i>PSC</i>
Date: May 20 th , 2013	Re: Technology Way Warehouse Building Lots 5 & 6 P12-00059, APN: 057-210-026 & 027

The Engineering Division received a re-submittal for a proposed use permit modification generally requesting the following:

To allow new construction at Lots 5 & 6 of Technology Way at Technology Court in Napa County of a 104,307 square foot office building with 101 parking stalls, signage, landscaping and on-site stormwater retention Best Management Practices (BMPs).

After careful review of the Technology Way Warehouse Building Lots 5 & 6 use permit application package the Engineering Division approves the use permit subject to the following conditions.

EXISTING CONDITIONS:

1. Existing lots 5 & 6 are adjacent undeveloped parcels with no current access off Technology Way. Utility stub-outs, manholes, and junction boxes exist within the parcels' 25-foot landscape easement. The parcels are located in the Airport Industrial Area.

APPROVAL CONDITIONS:

NEW DRIVEWAYS:

2. New access driveways and connections to sidewalks shall conform to the latest addition of the Napa County Road and Street Standards for a Commercial & Industrial Driveway & Adjoining Sidewalk (detail P-4, pg. 65) and shall be designed by a licensed Civil engineer to withstand a minimum load of H20.

Planning Division
(707) 253-4417

Building Division
(707) 253-4417

Engineering & Conservation
(707) 253-4417

Environmental Health
(707) 253-4471

Parks & Open Space
(707) 259-5933

PARKING:

3. Any parking proposed by the applicant or required by the Planning Department as a condition of this use permit shall be designed to support a minimum of H2O loading.
4. Parking lot details shall conform to the requirements of the latest edition of the Napa County Road and Street Standards.

SITE IMPROVEMENTS:

5. 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 Storm Water Ordinance. Best Management Practices shall also be implemented to minimize dust at all times.
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. Plans shall also indicate changes in runoff and alterations to drainage patterns.
7. Grading, drainage and parking improvements shall be constructed according to the latest "Napa County Road and Street Standards".
8. All grading shall conform to the requirements of the 2007 California Building Code: Appendix J – Grading, including surface preparations, benching, fill material specifications, compaction and maximum slopes, as required.

POST-CONSTRUCTION RUNOFF MANAGEMENT REQUIREMENTS

9. The application shall incorporate Site Design, Source Control, and Treatment Control Best Management Practices to comply with County and State water quality standards.
10. It shall be shown that post-development runoff volume shall not exceed pre-development runoff volume for the 2-year, 24-hour storm event if more than 10,000 square feet of new or redeveloped impervious surface is proposed. Post-development runoff volume shall be determined by the same method used to determine pre-development conditions and shall include analyses of all site areas for which work is proposed and causing hydrologic changes. 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.
11. Detention ponds used to impound water temporarily must be designed with vector management considerations in mind. Extended detention ponds with low flow orifices used to control draw-down

times must be designed to drain ponds within 72-hours of a storm event. Placement of dry ponds must be in areas not likely to remain wet (i.e. with high water tables).

12. Runoff from the commercial site shall undergo pre-treatment, such as filtration, to remove both physical and chemical contaminants prior to infiltration.
13. Any new 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.
14. Loading and unloading dock areas shall be covered or designed to preclude stormwater run-on and runoff. Direct connections to storm drains from depressed loading docks (truck wells) are prohibited. Alternatives to treat loading dock areas with minimal use of covering include interception and routing of run-on to the storm drain system, while treating the depressed dock or loading area for contaminant spills and/or a storm first flush through an approved system such as the sanitary sewer, hold and haul tank, or other approved method suitable for the anticipated contaminants that is separate from the storm drain system. Alternative designs must have the same overall practical effect as a covered loading dock.
15. Final inspection and issuance of the certificate of occupancy will require the recordation of a notarized Maintenance and Operation Agreement with the Recorder's Office signed by designees of the County and the owner. The agreement will identify all BMPs built as part of the project and required scheduled maintenance thereof, and include legible and reproducible 8½" x 11" reference exhibits clearly showing the approved BMPs to be used for quick identification and inspection, to run with the title to the land.

OTHER RECOMMENDATIONS:

16. If the construction activity results in a disturbance greater than one acre of total land area, the permittee shall file a Notice of Intent with the California Regional Water Quality Control Board (SRWQCB) prior to any grading or construction activity. All hazardous materials stored and used on-site 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. 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. All trash enclosures must be covered and protected from rain, roof, and surface drainage.

17. Applicant shall pay the applicable Napa County Airport Industrial Area Traffic Mitigation Fees prior to receiving any building permits for this project. The applicant should contact the Public Works office to obtain information regarding the determination of this fee.
18. Improvements shall be constructed according to plans prepared by a registered civil engineer, which will be reviewed and approved by this office. Improvement plans shall be submitted with the building permit. A plan check fee will apply.
19. Applicant shall obtain all required permits prior to excavation of the proposed cave, including the issuance of a grading permit or grading exemption for the disposal of the cave spoils generated.
20. 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 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.
21. The Applicant must comply with all associated requirements and exhibits relating to water conditions to be imposed on all parcels as described in Napa County Agreement No. 7070, between the County of Napa and the City of American Canyon. This agreement and all its parts shall be effective as of July 3rd, 2008. (See Attached Exhibits E,F,G,H)

Any changes in use may necessitate additional conditions for approval.

If you have any questions regarding the above items please contact Peter Corelis at (707) 259-87571.

EXHIBIT E

Water Conditions To Be Imposed On All Parcels (City Customers and Outside Customers) For Which New Water Service is Requested

The City of American Canyon ("City") may impose the conditions listed below on new water services for Outside Customers by including these conditions in the "will-serve" letters that the City provides to such Outside Customers, but only if the City also imposes the same conditions on all new water services for parcels with similar uses within the City's limits. The County shall include these same conditions in all new land use development permits for parcels within the Airport Industrial Area Specific Plan area.

1. **City Capacity Fees and Conditions of Approval for Water Service.** Capacity Fees charged for parcels within the City's Water Service Area shall be established by the City and will be periodically reviewed and updated. Capacity Fees (also known as Connection Fees) will be uniform throughout the Water Service Area, regardless of whether the parcel to which the fee applies is inside or outside the City's Limits. The Capacity Fee and any conditions on new water service will be determined based on the Water Supply Report, which shall contain the analysis described in Part II.C. of Exhibit "F" of this Agreement, and which will be consistent with the City's Zero Water Footprint Policy, adopted by the City on October 23, 2007.
2. **Cost of Water Service.** The cost of new water service shall be imposed through the capacity fees in the City's Ordinance 2007-09 or through new capacity fees approved by the County and enacted in a new City ordinance. However, if the Water Supply Report finds, consistent with the City's Zero Water Footprint Policy (see Exhibit F), that the City will have to obtain additional water supplies to meet "dry year" shortfalls, then the cost of water to meet such "dry year" shortfalls will be the sole responsibility of the Applicant. In determining whether or not such "dry year" shortfalls will occur, the City shall include in the base supplies available to the City during "dry years" the new water supplies that have been or will be included in the calculations used to set the City's Capacity Fees and water rates. The City will conclude that "dry year" shortfalls will occur only if such base supplies will not be adequate to meet anticipated "dry year" demands. The City may not impose any costs on the Applicant under this section to reimburse the City for any capital or operating costs that have been or will be included in the calculations used to set the City's Capacity Fees or water rates. The City may impose the additional costs described in the preceding sentence on Outside Customers only if the City also imposes such additional costs uniformly on City Customers.
3. **Maximum Allowable Water Use.** Water received from the City for use on parcels within the Airport Industrial Area Specific Plan area and on parcels with similar uses within the City's limits shall be limited to an average of 650 gallons of water per day per acre (measured monthly), and Applicants for new or increased City water service for all such parcels shall be required to demonstrate to the City while the City is preparing the Water Supply Report for the Applicant the maximum extent to which the Applicant can further reduce its water consumption by applying the following best management practices:

- **No Flow or Low Flow Fixtures.** These Applicants shall be required to install no flow or low flow water fixtures, and to implement other reasonable water conservation measures that are described in the City's Water Conservation Guidelines adopted in the City's Resolution No. 2008-08 or in new City water conservation guidelines approved by the County and adopted in a new City ordinance or resolution.
- **Drought Tolerant Landscape & Irrigation with Recycled Water.** These Applicants shall be required to use only drought tolerant landscaping, and they may only irrigate landscaped areas with recycled water, when it is available.
- **Purple Pipe.** These Applicants shall be required to dual plumb their buildings and install "purple pipe" in all landscape areas in anticipation of the availability of recycled water and shall use the recycled water when available.
- **These Applicants shall follow the water conservation methods that are described in the Water Conservation Guidelines adopted in the City's Resolution No. 2008-08 or in new City water conservation guidelines approved by the County and adopted in a new City ordinance or resolution.**

The City may apply the provisions of this Paragraph 3 to Applicants for new or increased City water service for parcels within the Airport Industrial Area Specific Plan area only if the City also uniformly applies these provisions to all Applicants for new or increased City water service for parcels with similar uses within the City's limits.

4. Water Offsets. Applicants for City water service for parcels within the Airport Industrial Area Specific Plan area and for parcels with similar uses within the City's limits that wish to use more than an average of 650 gallons of water per day per acre (measured monthly) shall offset the proposed water use over 650 gallons per day per acre (measured monthly) through the use of one or more options that are made available by the City to the Applicants. These options include, but are not limited to, retrofitting of existing residences with low flow fixtures, purchase of otherwise developable land as permanent open space, or acquisition of other water supply resources as provided for by a water supply analysis that follows the Zero Water Footprint Methodology described in Exhibit F. The City shall make all such options available uniformly to Applicant for City water service for parcels within the Airport Industrial Area Specific Plan area and for parcels with similar uses within the City's limits, and that seek such offsets.

5. Drought Restrictions. To the extent permitted by law, the City may curtail or ration the use of water provided by the City below the limit of 650 gallons per day per acre (measured monthly) in dry years through the imposition of drought restrictions that are uniformly applied throughout the City's Water Service Area.

EXHIBIT F

Zero Water Footprint and Water Supply Report Methodology

I. PURPOSE

To implement the Zero Water Footprint Policy adopted by the City Council on October 23, 2007. In this policy, "Zero Water Footprint" is defined as:

"No loss in reliability or increase in water rates for existing water service customers due to requested increased demand for water within the City's Water Service Area."

II. PROCEDURES

- A) **Initial Request.** Applicants for all projects requiring additional water supplies from the City of American Canyon, either inside City limits or in the City's Water Service Area but outside of City limits, shall complete a water supply worksheet estimating average and peak use for indoor and outdoor uses and provide the completed worksheet to the City's Engineering Division.
- B) **Evaluation of Water Footprint.** The Engineering Division shall evaluate the water footprint of the project, using the water supply worksheet provided by the Applicant, to determine whether a Water Supply Report is required. A Water Supply Report will not be required if the project meets the adopted Zero Water Footprint definition. This can be accomplished by projects with no additional water demand or by projects which offset increased water demand by off-site conservation measures.
- C) **Water Supply Report.** A Water Supply Report shall be prepared for all projects that do not meet the adopted Zero Water Footprint definition. The Water Supply Report shall be prepared by the City of American Canyon at the cost of the project applicant. The Water Supply Report shall be substantially in the form of the report approved in the City's Resolution No. 2008-02, or in a new form approved by the County and approved by the City in a new resolution and shall include the following analysis:
- 1) Water service request
 - a) Description of project
 - b) Water service request
 - (i) Average Daily Demand
 - (ii) Peak Day Demand
 - c) Conservation Measures Included in Project
 - 2) Consistency
 - a) Urban Water Management Plan
 - b) Recycled Water Facilities Plan
 - c) Water Conservation Implementation Guidelines
 - 3) Water footprint
 - a) Zero Water Footprint Definition
 - b) Project's impact on reliability
 - c) Project's impact on rates

- d) Project's water footprint
- 4) Project's contribution
 - a) Capacity fee
 - b) Reimbursable improvements
- 5) Capital program status
 - a) Summary
 - b) System planning status
 - c) Water supply
 - (i) Water supply implementation status
 - (ii) Water supply alternatives
 - d) Water treatment
 - (i) Water treatment implementation status
 - (ii) Water treatment alternatives
 - e) Water storage, transmission, and distribution status
 - f) Water capital program financial status
- 6) Vineyards analysis
 - a) Vineyards decision
 - b) Facts with respect to solutions to water supply problems
 - c) Water supply over the life of the project
 - d) Impacts of likely future water sources
 - e) Possible replacement sources and their impacts
- 7) Recommended mitigations
 - a) Long term water mitigations
 - b) Short term water mitigations
- 8) Opportunities to reduce project's water footprint
 - a) On-site conservation opportunities
 - b) Off-site conservation opportunities

D) Applicant Review of Water Supply Report. The Water Supply Report, once approved by the City, will be furnished to the project applicant. If the applicant elects to revise the project to reduce the water footprint, the Water Supply Report may be revised at the applicant's cost.

E) Water Will Serve Letter. Water will-serve letters are required for projects outside of the Napa Valley Gateway project limits that are requesting increased water services from the City. The Napa Valley Gateway project is subject to the terms and conditions of a will-serve letter for the entire project agreed upon between the City of American Canyon and Charles Slutzkin of Napa Valley Gateway Limited in a will-serve letter agreement dated December 13, 2002. So long as the terms and conditions of that will-serve letter agreement are complied with, developments of parcels within the Napa Valley Gateway project limits will not require any Water Supply Report or additional will-serve letters.

EXHIBIT G

Appeal Procedure: Zero Water Footprint Methodology

1. **Grounds for Appeal- Conditions of Approval.** If the water service application is for a parcel outside the City's limits, then the City shall, within 30 days of receipt of such application, provide to the Applicant and the County any conditions of approval that the City proposes to impose on the parcel at least 90 days before imposing the conditions of approval.

Conditions of approval that result from the Water Supply Report and that the City proposes to include in a water service will-serve letter that will be issued by the City for a parcel outside of the City's limits may be appealed by an Applicant under the process described in Section 3 below.

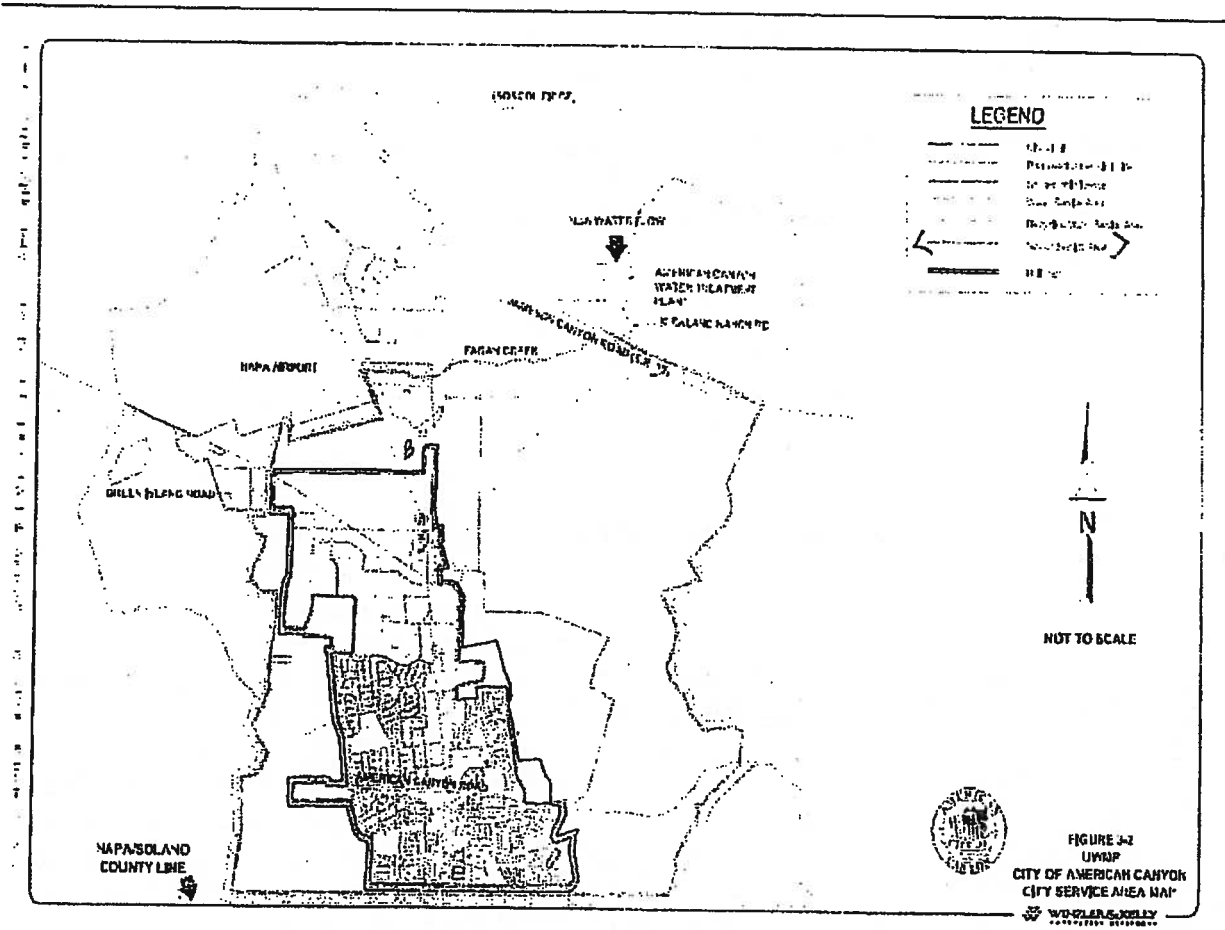
2. **Exceptions:** An appeal may not challenge water rates imposed by the City that are consistent with *Hansen v. City of San Buenaventura* (1986) 42 Cal.3d 1172, and the City's Ordinance 2007-13. An appeal also may not challenge Capacity Fees that are set pursuant to the City's Ordinance 2007-09, or new capacity fees approved by the County and enacted in a new City ordinance.

3. **Appeal Process and Appeal Panel.** An appeal of water service conditions of approval that the City proposes for a parcel outside the City's limits may be filed within ninety (90) days after the proposed conditions are forwarded to the Applicant and the County for inclusion in a development permit. The appeal will be heard by the panel described in the following paragraph, and this panel will determine whether any of the conditions under appeal is inconsistent with any provision of this Agreement.

The Appeal Panel will be made up of one member selected by the County Executive Officer, one member selected by the City Manager and one member selected by the two appointed members. If the two appointed members cannot agree on the third member, the name of each candidate shall be placed in a hat to be drawn for selection. The decision of the Appeal Panel will be final, but subject to judicial review pursuant to Code of Civil Procedure section 1094.5. The reasonable cost of the Appeal Panel shall be borne by the Applicant.

EXHIBIT H

City's Water Service Area





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A Commitment to Service

Planning, Building & Environmental Services

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

Hillary Gitelman
Director

MEMORANDUM

To: Sean Trippi, Project Planner	From: Kim Withrow, Senior Environmental Health Specialist
Date: May 14, 2013	Re: E&P Properties Spec Warehouse Technology Way AP # 057-210-026 & -027 File # P13-00059

The application requesting approval to construct a building for warehouse and office tenants has been reviewed. This Division has no objection to approval of the application with the following conditions of approval:

1. 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.
2. All waste water lines of the proposed development must be connected to the Napa Sanitation District.
3. All solid waste shall be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.
4. 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.
5. 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.
6. The proposed development must be connected to the City of American Canyon water system.



A Tradition of Stewardship
A Commitment to Service

Conservation Development and Planning

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Hillary Gitelman
Director

Building Inspection Division Planning Use Permit Review Comments

Date: March 20, 2013

Planning Use Permit #: P13-00059

APN: 057-210-026

Owner: E & P Properties Inc.

Description of Use Permit: This use permit is for approval to construct a new 103,310 square foot warehouse and accessory office space.

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 #P13-00059 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** Building, Plumbing, Mechanical, Electrical, Energy, and the Green Building Standards Code.
2. This use permit application does not identify the exact use for each suite. This is a shell only building that will have tenants occupying the building as they are leased out. The owner of the building shall be required to procure separate building, plumbing, electrical and mechanical permits for any tenant improvements.

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
Chief Building Official
County of Napa
Planning, Building and Environmental Services Department
1195 Third Street, Suite 210
Napa, CA 94559
Phone: (707) 253-4417
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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: Sean Trippi
Conservation, Development and Planning Department

FROM: Brian Hampton
Fire Department

DATE: March 7, 2013

P13-00059 APN# 057-210-026 & 027

Subject: Technology Way Warehouse

SITE ADDRESS: Technology Way & Technology Court

The Napa County Fire Marshal's Office has reviewed the Use Permit application to construct a new 103,410 square foot warehouse with accessory offices, 100 parking spaces, landscaping, & signage. 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. 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 buildings 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 4,750 gpm for a 4 hour duration at 20 psi residual pressure. A UL listed fire pump conforming to NFPA 20, 2010 edition may be required to meet or exceed the required fire flow for the project. The fire flow can be reduced in half as the building will be protected throughout with an automatic fire

sprinkler system conforming to NFPA 13, 2010 edition. Therefore your fire flow will be 2,375 gpm for a 2 hour duration at 20 psi residual operating pressure.

6. Provide fire department access roads to within 150 feet of any exterior portion of the buildings. Fire department access roads shall be a minimum of 20 feet in width with a 14 foot clear vertical clearance.
7. Blue dot reflectors shall be installed 12-inches off centerline in front of all fire hydrants.
8. All fire hydrants shall be painted chrome/safety yellow.
9. Approved steamer fire hydrants shall be installed within 250 feet of any exterior portion of the building as measured along approved vehicular access roads. Private fire service mains shall be installed, tested and maintained per NFPA 24 2010 edition.
10. Currently serviced and tagged 2A10BC fire extinguishers shall be mounted 3 1/2' to 5 feet to the top of the extinguisher within 75 feet of travel distance from any portion of the facility.
11. All exit doors shall open without the use of a key or any special knowledge or effort.
12. Install illuminated exit signs throughout the buildings and caves per the California Building Code 2010 edition.
13. Install emergency back-up lighting throughout the buildings per the California Building Code 2010 edition.
14. Install laminated 11" x 17" site plans and building drawings in a KNOX CABINET. Two Master keys to all exterior doors shall be provided in the KNOX CABINET. Contact the Napa County Fire Marshal's Office for an application and mounting instructions.
15. Beneficial occupancy will not be granted until all fire department issues have been inspected, tested and finalized.
16. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus in all weather conditions.
17. Fire lanes shall be painted red with white 4 inch high white letters to read "NO PARKING FIRE LANE-CVC22500.1" stenciled on the tops of the curbs every 30 feet.
18. Barricades shall be provided to protect any natural gas meter, fire hydrants, or other fire department control devices, which may be subject to vehicular damage.
19. Technical assistance in the form of a Fire Protection Engineer or Consultant acceptable, and reporting directly to the Napa County Fire Marshal's Office. The Fire protection Engineer or Consultant shall be provided by the applicant at no charge to the County for the following circumstances:
 - a. Independent peer review of alternate methods proposals.

20. Plans detailing compliance with the fire and life safety conditions of approval shall be submitted to the Napa County Fire Marshal's Office for review and approval prior to building permit issuance and/or as described above.
21. All post indicator valves and any other control valve for fire suppression systems shall be monitored off site by a Central Station or Remote receiving Station in accordance with NFPA 72 2010 edition.
22. Each tenant space shall be provided with a minimum of one manual pull station and horn/strobes for occupant notification. All devices shall be installed per NFPA 72, 2010 edition.
23. A complete set of building drawings and civil drawings shall be submitted to the Napa County Fire Marshal's Office for plan review and approval prior to building permit issuance.



Dedicated to Preserving the Napa River for Generations to Come

March 7, 2013

Conservation, Development and Planning Department
County of Napa
1195 Third Street, Room 210
Napa, CA 94559

SUBJECT: APN 057-210-026 & 057-210-027 – Technology Way Warehouse – Sanitary Sewer
& Recycled Water

To Whom It May Concern:

The Napa Sanitation District has received a request to provide a "Will Serve" letter for a proposed 103,410 SF warehouse to be located on the subject parcel. The subject parcel is currently within the District's Sphere of Influence and within the District's boundaries. The District will provide sanitary sewer service to this parcel.

The owner/developer will be required to install the sanitary sewer and recycled water improvements as specified in the District's Conditions of Approval for the project. The owner/developer will be required to pay the appropriate connection and inspection fees, and shall be subject to all applicable rules and regulations of the District.

The District has been informed that the proposed warehouse will generate approximately 3,000 gallons of wastewater per day which is equivalent to the flow of approximately 15 single-family dwellings.

This parcel is within the District's Reclaimed Water Benefit Zone. The development will be required to install the necessary facilities to utilize reclaimed water for landscape irrigation. The project has requested service to approximately 1.2 acres of proposed landscaping, with a total recycled water demand of approximately 3.0 acre-feet per year.

This "Will Serve" letter for sanitary sewer and recycled water service is valid for a period of three (3) years from the date of this letter. If the proposed development has not obtained its required Connection Permits from the District at the end of this time, this "Will Serve" letter shall become void. If you have any questions regarding this matter, please contact Andrew Damron at (707) 258-6000 ext 507.

Sincerely,

Timothy B. Healy, P.E.
General Manager/District Engineer

by: Andrew Damron, P.E.
Associate Engineer

cc: George Condon, Sponsor Properties



Dedicated to Preserving the Napa River for Generations to Come

March 11, 2013

Conservation, Development, and Planning
County of Napa
1195 Third Street, Suite 210
Napa, CA 94559

TECHNOLOGY WAY WAREHOUSE, George Condon, (Trippi) – APN
057-210-026 & 057-210-027

The Napa Sanitation District has reviewed the above-named application. The following are the conditions of approval for the project.

The owner shall pay to the District the prevailing fees and charges in effect as established by Resolutions and Ordinances before the issuance of a County Building Permit, and shall adhere to the rules and regulations as they apply to the application.

The District has identified the following comments based on the current application. The District reserves the right to modify the following conditions/comments based on changes to future applications or changes to the project site plan. The proposed project shall be subject to the following conditions of approval:

The proposed project shall be subject to the following conditions of approval:

- 1 A plan showing the required sanitary sewer improvements shall be prepared by a registered civil engineer conforming to NSD standards, and shall be submitted to the District for approval.
- 2 The project will be required to design and construct a 6-inch private recycled water main along the property frontage consistent with the Napa Valley Gateway Recycled Water Master Plan.
- 3 If the owner desires to discharge the process wastewater to the District in the future, the owner would be required to pay capacity charges to the District based on the rates in effect at the time and would be subject to the rules and regulations in effect at that time. At a minimum the facility would be subject to the following:
 - a. Installation of a flow meter and sampler on the process waste line
 - b. Insure that the discharge conforms with the District's Local Limits
 - c. Provide the District with a wastewater treatment plan
 - d. Obtain an Industrial Waste Discharge Permit from the District for the winery operation. Permit conditions would be established by the District at the time an application is made by the owner.

4 Sanitary sewer facilities are required to have a minimum of 24" of cover at all points within the

public right of way. The proposed sanitary sewer facilities shall be designed to meet this requirement.

5 No floor drains are allowed in the building except in the restroom areas.

6 The proposed development would be subject to the following fees, based on the rates in effect at the time they are paid:

Plan Check Fees (presently \$40.00 per building)

Inspection Fees (presently \$35.00 per each 4" public lateral and \$35.00 per each 4" private lateral)

Capacity Charges (presently a minimum of \$7,000.00 per each commercial unit / tenant space, located within the proposed building. The capacity charge may be higher depending on the number of fixture units installed within each commercial unit / tenant space. The owner shall contact the District for additional information.)

Capacity Charges for the domestic waste stream shall be based on fixture units per Section 906.00 (C) 4 of District Ordinance. The capacity charges for the process waste stream shall be calculated per Section 906.00 (C) 5 of District Ordinance. The owner shall contact the District for additional information.

7 The subject parcels shall use recycled water for their landscape irrigation.

8 Each parcel shall be served by a separate sanitary sewer lateral.

9 The District has updated sanitary sewer and recycled water standard specifications and details. The updated specifications and details are available online at the District's website (www.NapaSanitationDistrict.com). Plans submitted for first review after August 31, 2012 shall conform to the District's updated standards and shall reference current standard details. The District may revise the standard specifications and details at any time. It is the responsibility of the engineer, contractor, and developer to verify that they are in possession of the current version of the standards prior to design and construction of sanitary sewer and recycled water improvements.

Please include this information as a part of your consideration of the application.

Sincerely,

Timothy B. Healy, P.E.
General Manager / District Engineer

by: Andrew Damron, P.E.
Associate Engineer

CITY OF AMERICAN CANYON



April 17, 2013

Dennis Paulley
E&P Properties, Inc.
5400 Industrial Way
Benicia, CA 94510

SUBJECT: Napa County APN: 057-210-026 and 027
Technology Way
Napa Valley Gateway Unit 3, Phase 4, Lot 5 and 6

Dear Mr. Paulley:

The City of American Canyon ("City") received a request from George Condon of Sponsor Properties (Applicant) on March 4, 2013, for a "Will-Serve" letter for improvements and use as described below related to the proposed improvement of real property located on Technology Way at Napa County Assessor's Parcel Numbers 057-210-026 and 027 ("the Property"). The request is subject to both City and State legal requirements as detailed below.

The City's understanding of the development of this property is based on the Will-Serve questionnaire dated February 22, 2013, and an e-mail dated March 21, 2013. The proposed development consists of a new building (approximately 103,410 square feet) on approximately 5.84 acres. According to the summary table below, the average water demand is estimated to be 162 gallons per acre, per day.

The use and water use are as follows:

Warehouse:	103,410 square feet
Total lot acreage:	5.84 acres

Annual Average Daily Water Demand in gallons per day:

Domestic:	945 gpd
Irrigation*:	0 gpd
Industrial:	0 gpd
Total average daily water usage:	945 gpd

Maximum Daily Water Demand in gallons per day:

Domestic:	1,418 gpd
Irrigation*:	0 gpd
Industrial:	0 gpd
Combined peak daily water usage:	1,418 gpd

* Irrigation demand will be supplied by Napa Sanitation District.

Water Service Conditions

The City reviews proposed developments to ensure that Will-Serve Letters are issued based on assumed water and sewer demands for specified allowed densities of development, taking into



account the overall demand for water and the overall demand for effluent discharge within the City's system.

The City will provide the level of water service requested by the Applicant, subject to the occurrence or satisfaction of the following conditions and/or the continued existence of the following described conditions:

1. Applicant shall be subject to the City's rules and regulations in force at the time application for service for the authorized and described development is made, including all fees and charges, unless otherwise agreed in writing.
2. Applicant shall construct all facilities required to serve the development property which shall be determined by the City based on the authorized and described development. Applicant shall bear 100 percent of the costs of the facilities required to serve the development property, subject to review and approval of the City's Public Works Department. Applicant shall also be responsible for paying its proportionate fair-share allocation of any additional regional facilities required to serve the development property, including, but not limited to, participation in a mutual beneficial assessment district to be initiated by others.
3. Applicant shall submit to the City cost estimates for the construction of all on- and off-site public water facilities required for the authorized and described development. If the City finds the costs reasonable, the Applicant shall pay to the City an amount equal to Applicant's proportionate fair share of five percent (5%) of the agreed-upon construction costs to cover plan check and inspection services by the City. Per the City's fiscal policy, plan check & inspection services are performed on a full cost recovery basis. Should additional funds be required, the applicant agrees to pay additional invoices. This Will-Serve Letter is conditional upon the City's agreeing in writing to the estimated costs.
4. Because the City faces a cutback of up to 96% in its allocation from the State Water Project during extremely dry years, as documented by the City's Urban Water Management Plan, it is seeking additional water supply in the form of transfers of rights. The cost of this water supply is not known nor is it included in the current City water rates. The City may institute in the future a drought surcharge on all existing and new customers in order to finance a drought reserve. The Applicant agrees to waive any protest to such a drought surcharge during its formulation and implementation and review under the California Environmental Quality Act, Public Resources Code section 21000 *et seq.* ("CEQA").
5. As a result of *Vineyard Area Citizens for Responsible Growth v. Rancho Cordova* (2007) 40 Cal.4th 412, the lead agency as defined under CEQA, here the County, in its environmental review of a development project, including what is currently proposed by the Applicant, must at a minimum accomplish an environmental review under CEQA that: (a) presents sufficient facts to evaluate the pros and cons of supplying the water that the project will need; (b) presents an analysis that assumes that all phases of the project will be built and will need water, and includes an analysis to the extent reasonably possible of the consequences of the impacts of providing water to the entire project; and (c) where it is impossible to determine that anticipated future water sources will be available, some discussion of possible replacement sources or alternatives to use of anticipated water and of the environmental consequences of those impacts must be presented. *Vineyard, supra*, 40 Cal.4th 430-434.

6. The City Council of the City of American Canyon adopted a Zero Water Footprint (ZWF) policy on October 23, 2007, which requires development to offset all (100%) of its water demand. As a result of this policy, Applicants who do not meet the ZWF will be required to pay a surcharge on their monthly water rate. The project does not have a ZWF because it is requesting a new average-day water demand.
7. Financial Obligation for Water Service:
 - a. Monthly water service charge will be \$5.13 per 100 cubic feet. This fee is subject to change to coincide with current City of Vallejo water rates if those rates change. The estimated monthly water service charge based on 945 gpd average daily water demand is approximately \$194 per month.
 - b. The water capacity fee for the subject use is \$25,992 (MDD of 1,418 gpd X \$18.33 gpd)
 - c. There are no mitigation fees associated with this project because the project is located in the Napa Valley Gateway Development.
8. City records as of the date of this letter indicate that 162,545 gpd of water are being used by existing projects or have been allocated to permitted development projects within Napa Valley Gateway Development (NVGD). Adding this project's "proposed" demand (945 gpd) allocates a total 163,490 gpd to NVGD. This number is less than the cap of 191,100 gpd agreed upon between the City of American Canyon and Mr. Charles Slutzkin of NVGD on December 13, 2002.
9. There is no Water Supply Report because the project is located in the Napa Valley Gateway Development.
10. The City reserves the right to audit the site's water demand as deemed necessary in order to verify that the applicant's water use is in accordance with this Will-Serve Letter.

This Will-Serve Letter supersedes all prior purported Will-Serve Letters and service commitments to the development of the Property with any use. This Will-Serve Letter will remain valid for a period of two years from its date and is only valid for the authorized development. The City reserves the right to further condition extension of water service if development different from that presently proposed and authorized is pursued or if events out the City's control affect the City's ability to furnish water.

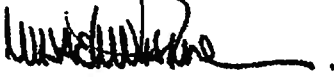
Except to the extent set forth, this letter does not create a liability or responsibility to the Applicant or to any third party on behalf of the City. The City does not make a determination as to land use entitlements required for the proposed project, and the issuance of this Will-Serve Letter shall not be construed to be an expression of the City of a position regarding the use or intensity of use of the development property or that the County has complied with applicable law in assessing the proposed project under CEQA.

This Will-Serve Letter only becomes effective upon acceptance of the conditions set forth in this letter by execution of the acceptance provision set forth below and the transmittal of the executed acceptance to the City Public Works Department.

Letter to Mr. Paulley
April 17, 2013
Page 4

SENT
4/23/13

Sincerely yours,



Michael W. Throne, P.E.
Public Works Director

cc: Dana Shigley, City Manager
William Ross, City Attorney
Barry Whitley, Finance Director
Greg Baer, Community Development Department
Christina Roybal, Finance Department
Utility Billing Department
Charles Slutzkin, Napa Valley Gateway
Hilary Gitelman, Napa County Planning

ACCEPTANCE
of
WILL-SERVE CONDITIONS
for
Napa Valley Gateway Unit 3, Phase 4, Lot 5 and 6
Technology Way
APN 057-210-026 and 027

I, Dennis Paulley, accept the conditions set forth in this communication.

Dennis Paulley President
(Print Name and Title)

[Handwritten Signature]
(Signature)

Date: 4/24/13