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FILE # P14-00203

JUN 05 2014

Napa County Planning, Building & Environmental Services

COUNTY OF NAPA

PLANNING, BUILDING, AND ENVIRONMENTAL SERVICES

1195 Third Street, Suite 210, Napa, California, 94559 • (707) 253-4417

A Tradition of Stewardship  
A Commitment to Service

MINOR MODIFICATION APPLICATION FORM

FOR OFFICE USE ONLY

ZONING DISTRICT: AW Date Submitted: June 5, 2014  
TYPE OF APPLICATION: Minor Modification Date Published: \_\_\_\_\_  
REQUEST: Relic Winery use permit Plc-00152-up to Date Complete: \_\_\_\_\_  
allow relocation of approved 6 parking spaces to Winery Main Annex.

TO BE COMPLETED BY APPLICANT

(Please type or print legibly)

PROJECT NAME: Relic Winery Minor Modification  
Assessor's Parcel #: 032-090-024 Existing Parcel Size: 10.3 acres  
Site Address/Location: 2400 Soda Canyon Road, Napa  
No. Street City State Zip  
Property Owner's Name: Relic Winery, Mike Hirby and Schatzi Throckmorton  
Mailing Address: PO 327 St Helena, CA 94574  
No. Street City State Zip  
Telephone #: (707)967-9380 Fax #: (707)967-0724 E-Mail: schatzi@relicwines.com  
Applicant's Name: Same As Owner  
Mailing Address: \_\_\_\_\_  
No. Street City State Zip  
Telephone #: ( ) - Fax #: ( ) - E-Mail: \_\_\_\_\_  
Status of Applicant's Interest in Property: \_\_\_\_\_  
Representative Name: Albion Surveys, Inc. Attn: Jon M Webb  
Mailing Address: 1113 Hunt Avenue, St Helena, CA 94574  
No. Street City State Zip  
Telephone # (707)963-1217 Fax #: (707)963-1829 E-Mail: jwebb@albionsurveys.com

I certify that all the information contained in this application, including but not limited to the information sheet, water supply/waste disposal information sheet, site plan, floor plan, building elevations, water supply/waste disposal system site plan and toxic materials list, is complete and accurate to the best of my knowledge. I hereby authorize such investigations including access to County Assessor's Records as are deemed necessary by the County Planning Division for preparation of reports related to this application, including the right of access to the property involved.

[Signature] 5/23/14  
Signature of Property Owner Date  
Courtenay Schatzi Throckmorton  
Print Name

\_\_\_\_\_  
Signature of Applicant Date  
\_\_\_\_\_  
Print Name

TO BE COMPLETED BY PLANNING, BUILDING AND ENVIRONMENTAL SERVICES

Application Fee \$ 5248.74 Receipt No. 102526 Received by: [Signature] Date: 6/6/2014

# ***NEW ALBION SURVEYS***

CONSULTING LAND SURVEYORS

1113 Hunt Avenue, St. Helena, CA 94574

(707) 963-1217 ♦ FAX (707) 963-1829

E-Mail: jwebb@albionsurveys.com

## **Statement of Request**

### **Relic Winery Minor Modification**

### **Use Permit Modification**

**NCAPN 032-090-024, 2400 Soda Canyon Road**

**P10-00162-UP**

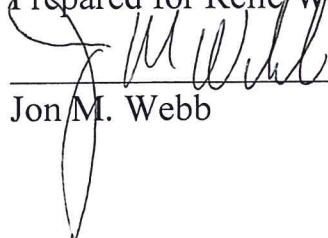
Mike Hirby and Schatzi Throckmorton are the owners of 2400 Soda Canyon Road, NCAPN 032-090-024, and were granted Use Permit P10-00162-UP (UP) to construct a Winery building and caves. The UP allowed for 20,000 gallons per year of wine production with visitations by appointment only. The project improvements were to be constructed in 2 phases, Phase One being the construction of the 8641 square feet (sf) Winery Building, Crush Pad, Access Driveway, Domestic and Winery Waste Septic System, the Mechanical Equipment Area and a Parking Area to accommodate 3 vehicles for 2 employees and Phase Two being the construction of 2458 sf of caves to be used solely for wine fermentation and barrel storage with no visitors allowed in the caves. Phase Two would also see the construction of the remaining 3 parking spaces for the additional 2 employees.

In 2014 by way of a Very Minor Modification to the Use Permit, the owners made a few minor changes to the project (P14-00093-VMM).

At this time, the owners are requesting a Minor Modification to the current Use Permit so that all of the 6 proposed parking spaces can be constructed now and in a different location than originally approved. Originally the use Permit allowed for 3 parking spaces to be built above the winery and 3 parking spaces were to be built at the winery level. By way of this Minor Modification Application, the Owners are requesting that all six (6) parking spaces be built now and directly adjacent to and westerly of the proposed crush pad in an area which has been previously graded and leveled by the previous owner prior to the issuance of the Winery Use Permit. If the 3 approved spaces above the winery are moved to the proposed area, 150 cubic yards of dirt and rock will not need to be excavated at the upper site. On the contrary, some of the fill created by the cave construction will be utilized to construct the parking area, approximately 20-30 cubic yards.

No other changes or modifications are being requested.

Prepared for Relic Wine Cellars, LLC by New Albion Surveys, Inc



Jon M. Webb

6/04/14



Revised 7/15  
Revised 10/6/2014

- 6. **Winery Development Area.** (see a below - for existing winery facilities)  
Will the project involve construction of additional facilities beyond the winery development area? No
- 7. **Total Winery Coverage.** (see b below - maximum 25% of parcel or 15 acres, whichever is less)
  - a. square feet/acres: 30,492/0.7 28,500/.65 ac
  - b. percent of total parcel: 6.8% .64%
- 8. **Production Facility.** (see c below - include the square footage of all floors for each structure)
  - a. square feet: 6,497
- 9. **Accessory Use.** (see d below - maximum permitted 40% of the production facility)
  - a. square feet: 2,144
  - b. percent of production facility: 33%

**Marketing Definition:** (paraphrased from County Code)

**Marketing of Wine** - Any activity conducted at the winery shall be limited to members of the wine trade, persons, who have pre-established business or personal relationships with the winery or its owners, or members of a particular group for which the activity is being conducted on a prearranged basis. Marketing of wine is limited to activities for the education and development of the persons or groups listed above with respect to wine which can be sold at the winery on a retail basis and may include food service without charge except to the extent of cost recovery when provided in association with such education and development but shall not include cultural and social events unrelated to such education and development.

**Coverage and Use Definitions:** (paraphrased from County Code)

- a. **Winery Development Area** - All aggregate paved or impervious or semi-permeable ground surface areas of the production facility which includes all storage areas (except caves), offices, laboratories, kitchens, tasting rooms and paved parking areas for the exclusive use of winery employees.
- b. **Winery Coverage** - The total square foot area of all winery building footprints, all aggregate paved or impervious ground surface areas of the production facility which includes all outside work, tank and storage areas (except caves); all paved areas including parking and loading areas, walkways, and access driveways to public or private roads or rights-of-way; and all above-ground wastewater and run-off treatment systems.
- c. **Production Facility** - (For the purpose to calculate the maximum allowable accessory use) The total square footage of all winery crushing, fermenting, bottling, bulk and bottle storage, shipping, receiving, laboratory, equipment storage and maintenance facilities, and employee-designated restrooms but does not include wastewater treatment or disposal areas which cannot be used for agricultural purposes.
- d. **Accessory Use** - The total square footage of area within winery structures used for accessory uses related to a winery that are not defined as "production facility" which would include offices, lobbies/waiting rooms, conference/meeting rooms, non-production access hallways, kitchens, tasting rooms (private and public areas), retail space areas, libraries, non-employee designated restrooms, art display areas, or any area within winery structures not directly related to wine production.

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JUL 19 2010

NAPA CO. CONSERVATION  
DEVELOPMENT & PLANNING DEPT.

## INDEMNIFICATION AGREEMENT


Pursuant to Chapter 1.30 of the Napa County Code, as part of the application for a discretionary land use project approval for the project identified below, Applicant agrees to defend, indemnify, release and hold harmless Napa County, its agents, officers, attorneys, employees, departments, boards and commissions (hereafter collectively "County") from any claim, action or proceeding (hereafter collectively "proceeding") brought against County, the purpose of which is to attack, set aside, void or annul the discretionary project approval of the County, or an action relating to this project required by any such proceeding to be taken to comply with the California Environmental Quality Act by County, or both. This indemnification shall include, but not be limited to damages awarded against the County, if any, and cost of suit, attorneys' fees, and other liabilities and expenses incurred in connection with such proceeding that relate to this discretionary approval or an action related to this project taken to comply with CEQA whether incurred by the Applicant, the County, and/or the parties initiating or bringing such proceeding. Applicant further agrees to indemnify the County for all of County's costs, attorneys' fees, and damages, which the County incurs in enforcing this indemnification agreement.

Applicant further agrees, as a condition of project approval, to defend, indemnify and hold harmless the County for all costs incurred in additional investigation of or study of, or for supplementing, redrafting, revising, or amending any document (such as an EIR, negative declaration, specific plan, or general plan amendment) if made necessary by said proceeding and if the Applicant desires to pursue securing approvals which are conditioned on the approval of such documents.

In the event any such proceeding is brought, County shall promptly notify the Applicant of the proceeding, and County shall cooperate fully in the defense. If County fails to promptly notify the Applicant of the proceeding, or if County fails to cooperate fully in the defense, the Applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the County. The County shall retain the right to participate in the defense of the proceeding if it bears its own attorneys' fees and costs, and defends the action in good faith. The Applicant shall not be required to pay or perform any settlement unless the settlement is approved by the Applicant.

Courtenay 'Schatzi'  
Applicant

Throckmorth

  
Property Owner (if other than Applicant)

5/23/14  
Date

Relic Wine Cellars Minor Modification  
Project Identification





**RELIC WINERY**

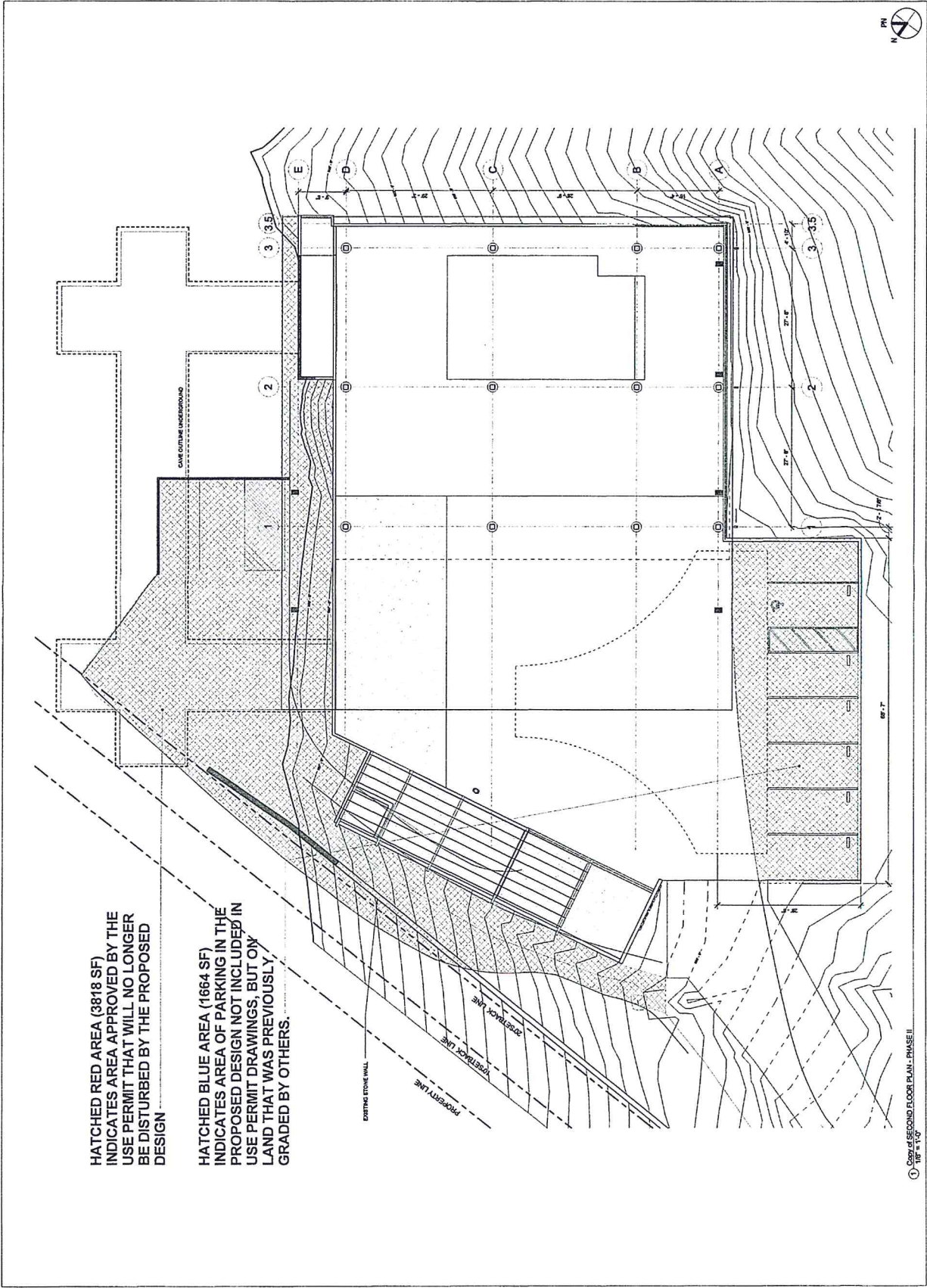
2404 Soda Canyon Rd.  
Napa, CA

Issue/Revision	Date
Issue Description	4/21/14
Issue	1/14

Print Date: 05/02/14  
 Drawn By: 12:30:51 PM  
 Author:  
 Checked By: 10:11:12  
 Scale: 1/8" = 1'-0"  
 All drawings and notes remain the property of the author and are not to be used for any other project without the written consent of the author.

**SITE PLAN OVERLAY**  
**A2.04**

**LD**  
LUNDBERG DESIGN  
2225 THIRD STREET  
SANTA ROSA, CA 95401-3115  
T 415.633.0101 F 415.633.6379



HATCHED RED AREA (3818 SF)  
INDICATES AREA APPROVED BY THE  
USE PERMIT THAT WILL NO LONGER  
BE DISTURBED BY THE PROPOSED  
DESIGN

HATCHED BLUE AREA (1664 SF)  
INDICATES AREA OF PARKING IN THE  
PROPOSED DESIGN NOT INCLUDED IN  
USE PERMIT DRAWINGS, BUT ON  
LAND THAT WAS PREVIOUSLY  
GRADED BY OTHERS.

① COPY OF SECOND FLOOR PLAN - PHASE II  
1/8" = 1'-0"