

USE ONLY
YES NO

EXISTING STRUCTURES OR IMPROVEMENTS TO BE REMOVED: NONE

X

✓ TYPE OF SHIELDS TO BE INSTALLED
ON EXTERIOR LIGHTS: AS REQUIRED

X

WIDTH OF FIRE CLEAR ZONE AROUND
WINERY TO BE MAINTAINED: (NOT LESS THAN 100 FT.) AS REQUIRED FT.
(except creekside)

X

METHOD OF DOMESTIC WASTE DISPOSAL: Existing septic

X

METHOD OF INDUSTRIAL WASTE DISPOSAL: AS REQUIRED

X

3. Site Characteristics:

PARCEL ACREAGE: (NOT LESS THAN 6 AC.) 7.84 ACRES

X

ZONING DISTRICT INVOLVED: (AW,AP ONLY) AP

X

WINERY COMPLEX SETBACK FROM CENTERLINE OF NEAREST PUBLIC ROAD:
(NOT LESS THAN 400 FT. SILVERADO TRAIL AND STATE HIGHWAYS OR
200 FT. OTHER PUBLIC ROADS.) 2000 FT.

X

✓ ROAD FRONTAGE SEPARATION BETWEEN PROPOSED
WINERY & NEAREST APPROVED WINERY: (NOT LESS THAN 2,000 FT.
WITHIN 1,000 FT. CORRIDOR). 11560 FT.
(2 miles)

X

✓ DISTANCE BETWEEN PROPOSED WINERY &
NEAREST OFF-SITE RESIDENCE: (NOT LESS THAN 500 FT.) 900 500 FT.

X

✓ MINIMUM DISTANCE BETWEEN THE PROPOSED WINERY COMPLEX
INCLUDING SEWAGE SYSTEM AND ACCESS ROAD AND THE TOP
OF THE BANK OF THE ORDINARY HIGH WATER CHANNEL OF
THE NEAREST RIVER OR STREAM NOT COVERED BY COUNTY
FLOOD PLAIN MANAGEMENT ORDINANCE. (NOT LESS THAN 50 FT.) 35 FT.

X

NAME OF NEAREST RIVER OR STREAM: HOPPER CREEK

X

4. Access and Parking:

PUBLIC ROAD FOR ACCESS TO WINERY: WASHINGTON

X

16 ft
WIDTH OF FIRST 30 FEET OF ACCESS ROAD: (NOT LESS THAN 16 FT.) 20 FT.

X

✓ WIDTH OF REMAINDER OF ACCESS ROAD TO WINERY BUILDING:
(DETERMINED BY PUBLIC WORKS) 16 FT.

X

ACCESS ROAD SURFACE: Gravel

X

ACCESS ROAD GRADE: Level

X

NUMBER OF PARCELS PROVIDED ACCESS
VIA ACCESS ROAD TO WINERY Four

X

NUMBER OF USES OTHER THAN THE PROPOSED WINERY
AND RELATED ON-SITE RESIDENTIAL STRUCTURES
PROVIDED ACCESS VIA ACCESS ROAD TO WINERY One

X

✓ COUNTY PUBLIC WORKS DEPARTMENT
ACCESS ROAD REQUIREMENT MET: YES X NO
(private road)

YES X NO
(private road)

USE ONLY
YES NO

PARKING SPACES: EXISTING SPACES: Open area

PROPOSED SPACES: 3

X

X

5. Building Site Requirements:

MONTH DURING WHICH WINERY CONSTRUCTION RELATED GROUND DISTURBING ACTIVITIES WILL OCCUR: (APRIL THROUGH OCTOBER ONLY) UNLESS CATCH BASINS INSTALLED. September-October

X

NUMBER OF DEBRIS CATCH BASINS TO BE INSTALLED: As required

X

TYPE OF EROSION CONTROL MEASURES INSTALLED TO DISCHARGE ALL CONCENTRATED RUN-OFF AT NON-EROSIVE VELOCITIES: As required

X

TYPE OF GRASS MIXTURE TO BE USED IN AREAS DISTURBED BY WINERY CONSTRUCTION: As required

X

DATE BY WHICH DISTURBED AREAS WILL BE RESEEDDED: Prior to final inspection

X

6. Landscaping Requirements:

LANDSCAPE PLAN TO INCLUDE:

X

✓
submit by

DESIGNATION OF PLANTINGS TO SOFTEN GEOMETRIC FORM OF BUILDING AND BLEND IT WITH AGRICULTURAL CHARACTER OF SURROUNDING AREA

X

b. THE NAMES AND LOCATIONS OF THE PLANT MATERIALS TO BE EMPLOYED (Attach List to Application Form)

X

c. THE LOCATION OF THE PARKING AREA(S) PROPOSED WITH PARKING SPACES IDENTIFIED

X

✓

d. DESIGNATION OF PLANTINGS TO SCREEN PARKING LOTS, OUTDOOR WORK AND STORAGE AREAS FROM VIEW FROM SURROUNDING PROPERTIES AND HIGHWAYS

X

e. PROPOSED METHOD OF LANDSCAPE MAINTENANCE (*crucial to established natural landscaping*)

X

7. Environmental Considerations:

1. DOES THE PROPOSED SMALL WINERY BUILDING OR RELATED FACILITIES LIE WITHIN AN "ENVIRONMENTALLY SENSITIVE AREA" (I.E., WITHIN:

 ✓

NO a. A DESIGNATED FLOODWAY

 ✓

NO b. A RECOGNIZED ACTIVE EARTHQUAKE FAULT ZONE

 ✓

NO c. AN AREA THREATENED BY LANDSLIDES

 ✓

NO d. THE EXTENDED CLEAR ZONE OF A HELIPORT OR AIRPORT

 ✓

NO e. AN ARCHAEOLOGICALLY SENSITIVE AREA

 ✓

NO f. THE HABITAT AREA OF A RARE AND/OR ENDANGERED PLANT OR ANIMAL

 ✓

2. DOES THE PROPOSED SMALL WINERY LIE WITHIN:

NO a. A HIGH FIRE RISK HAZARD AREA

NO b. A RECOGNIZED HISTORIC STRUCTURE

YES	NO
	<input checked="" type="checkbox"/>
	<input checked="" type="checkbox"/>

I certify that the above statements are correct and that the plans submitted are accurate:

TEHWALE ENTERPRISES, INC.

Buddy D. Teiwale - PRESIDENT
Signature of Applicant

Buddy D. Teiwale - PRESIDENT
Signature of Property Owner

8-28-
Date

1980

8-28-80
Date

1980

FOR COUNTY USE ONLY

ACCEPTABLE PLOT PLAN SUBMITTED:

YES NO

TOPOGRAPHIC SITE LOCATION MAP
SUBMITTED:

YES NO

ACCEPTABLE LANDSCAPING PLAN
SUBMITTED:

YES NO

QUALIFIES FOR A SMALL WINERY
USE PERMIT EXEMPTION

YES NO

RECEIVED

AUG 28 1980

Napa County Conservation,
Development & Planning Commission

Evaluation made Oct. 2 1980
Date

BY Theresa E. Arnold

Applicant notified Oct. 3 1980
Date



NAPA COUNTY

CONSERVATION -- DEVELOPMENT AND PLANNING DEPARTMENT

JEFFREY REDDING
Director

1195 THIRD STREET, ROOM 210 • NAPA, CALIFORNIA 94559-3092
AREA CODE 707/253-4416

January 21, 1992

Frank Massa
2240 First St.
Napa, CA 94558

Re: Permit Request #U-90-42 - Assessor's Parcel #36-110-30

Dear Mr. Massa:

Please be advised that the Napa County Board of Supervisors on January 21, 1992 upheld your appeal to a decision made by the Conservation, Development and Planning Commission on July 24, 1991 approving an increase in annual production at the Plam Winery from 20,000 to 40,000 gallons per year with retail sales and tours/tastings by appointment. While it upheld your appeal, the Board of Supervisors granted the requested use permit #U-90-42, subject to the attached conditions of approval.

Pursuant to Section 12806 of the Napa County Code, the use permit must be activated within one (1) year from the approval date (i.e. by January 21, 1993) or the use permit shall automatically expire and become void. A one-year extension of time in which to activate the use permit may be granted by the County provided that such extension request is made thirty (30) days prior to the expiration date. A request for an extension of time is subject to payment of a \$300.00 filing fee.


JEFFREY R. REDDING
Director

cc: John Tutuer, Assessor
Bill Bickell, Director of Public Works
Robert Westmeyer, County Counsel
Gary Brewen, Building Codes Administrator
Michael Clark
Kenneth Plam

JRR:rl:7:Massa.P1m

CONDITIONS OF APPROVAL
U-90-42
PLAM VINEYARDS AND WINERY

- 1) The permit shall be limited to a maximum annual production capacity of 40,000 gallons with retail sales and tours/tastings by appointment with physical changes to be limited to the use of an existing shed for storage of winery-related supplies. The project shall conform to the approved site plan, floor plans, and elevations including any modifications required by these conditions. Primary case goods storage and office activities shall continue to take place off site (i.e., temporary storage and incidental office activities may occur on site). Any expansion of production capacity, changes in use, or changes in construction shall be subject to the approval of the Planning Director or if deemed necessary, the County Planning Commission.
- 2) Hours of operation of the winery, including the crush operation, shall be limited to 8:00 a.m. - 9:00 p.m. weekdays and 10:00 a.m. - 9:00 p.m. weekends.
- 3) All wine making operations authorized by this permit shall be confined to the existing slab on the north side of the existing winery building.
- 4) All existing, exterior lighting located on the south wall on the winery building shall either be removed or shielded so that light is directed away from the adjacent property to the south, within 90 days of final action by the Board of Supervisors. An inspection shall be conducted at the end of this 90 day period to ensure compliance with this condition.
- 5) Accessory uses permitted under Section 12232(j) of the County Code shall be limited to private tours and tasting as defined in Section 12070 of the Code.
- 6) Activities related to marketing of wine as defined in Section 12071 of the Napa County Code and private tours and tastings as defined in Section 12070 of the Napa County Code shall be limited to those activities identified in the attached Exhibit "A", incorporated by reference. Cultural and social events not related to wine education shall not be permitted without the appropriate approval from the County.
- 7) Visitation to the winery by buses shall be limited to a maximum of three (3) per year total. Use of the buses shall be limited to those persons who are members of the wine trade only. Operators of buses shall turn off bus engines after being on site 15 minutes. Bus passenger drop-off shall occur on the gravel parking area, north of the existing winery or at points northwesterly of this area. Buses awaiting passenger pick-up may park only in designated drop-off areas.
- 8) Retail sales shall be limited to that wine allowed by Section 12202(g)(5)(C) of the Napa County Code.
- 9) Compliance with the four (4) signed Mitigation Measures contained in the attached Project Revision Statement.
- 10) The applicant shall comply in full with the recommendations relating to outdoor equipment on the south side of the existing winery contained in the November 22, 1991

**CONDITIONS OF APPROVAL
PLAM VINEYARDS AND WINERY (U-90-42)
PAGE 2**

report from Jerald R. Hyde, incorporated by reference. Exterior enclosure materials and finish shall match the existing winery building. All recommendations contained in this report shall be completed within 180 days from conclusion of appeal hearing.

- 11) A landscape architect retained by the applicant shall prepare a landscaping plan for the Plam property adjacent to Hooper Creek on the south side of the bank. The purpose of said plan shall be to enhance the riparian community as well as to provide permanent screening of the winery and related work areas. Plant materials shall be compatible with the existing vegetation, drought-tolerant and low maintenance. All approved materials shall be installed at the applicant's expense, prior to the on-set of the 1992 crush. All landscaping shall be permanently maintained by the applicant. The plan shall be subject to review and approval by the Director.
- 12) The applicant shall comply with all requirements of the County Department of Public Works identified in their letter of March 25, 1991.
- 13) The applicant shall comply with all requirements of the County Environmental Health Department including the eight (8) conditions in their letter of March 18, 1991.
- 14) The applicant shall comply with all fire protection requirements of the Napa County Fire Department as set forth in their comments of March 13, 1991.
- 15) The applicant shall obtain all necessary approvals and permits from the State Department of Alcoholic Beverage Control and the Federal Bureau of Alcohol, Tobacco and Firearms.
- 16) The applicant shall obtain any necessary building permit for the shed structure on the northeast side of the winery building prior to any winery-related use of that structure. As a requirement of the building permit, the structure shall be made to conform to all applicable County setback provisions, including setbacks between structures.
- 17) The applicant shall comply with all other local, State, and federal requirements.
- 18) The applicant shall report to the Department on an annual basis the source of his grapes, verifying that 75% of the increased annual production is from Napa County grapes. The report shall include the grape tonnage and the Assessor's Parcel Number(s) where grown. Such report shall be proprietary and not available to the public.

For the public record, the applicant shall annually submit to the Department a statement certifying compliance with the sourcing requirement and indicating the percentage of Napa County grapes utilized.

JUL 9 - 1991

PROJECT REVISION STATEMENT

Use Permit #U-90-42 (Plam Vineyards and Winery)

NAPA CO. CONSERVATION,
DEVELOPMENT & PLANNING DEPT

I hereby revise my proposal to increase annual production of an existing 20,000 gallon winery with retail sales and tours/ tastings by appointment to 40,000 gallons, with physical changes to be limited to the use of an existing shed for storage of winery-related supplies, on a 7.8-acre parcel located on the east side of Washington Street approximately 3,400 feet north of Ragatz Lane within an AP (Agricultural Preserve) Zoning District (Assessor's Parcel #36-110-30), to include the environmental mitigation measures specified below:

Traffic (Increases)

1. Marketing activities shall be limited to those identified in the use permit application Supplemental Information Sheet, and shall be scheduled to avoid vehicle arrivals and departures during the PM peak periods from 4:00 PM to 6:00 PM. The applicant shall maintain written records of all such activities for review by the County Planning Department upon request.
2. The existing winery identification sign near Washington Street shall be supplemented with the words "Tours and Tastings by Prior Appointment Only".

Traffic (Parking)

3. Prior to any increase in production, a detailed parking plan shall be submitted to the Department for review and approval indicating the location of off-street parking spaces. The plan shall provide for six off-street paved parking spaces, and said parking improvements consistent with Public Works surfacing requirements shall be installed prior to any increase in production.
4. All employee and normal customer parking shall be in the approved off-street parking area. Parking for any approved large-scale special marketing events shall be located off-street.

I further commit myself and my successors-in-interest to communicate the above specified requirements in writing to any future purchasers of the property prior to transfer of title.

(3/07/91)

USE PERMIT FOR PLAM VINEYARDS & WINERY EXPANSION

MARKETING ACTIVITIES, FOOD SERVICE AND SPECIAL EVENTS

- All activities and events, present and proposed, will be by appointment and/or invitation.
- No activities and events, present and proposed, other than the sale of wine, are for profit.
- There will be no increase in the number or size of activities and events with the proposed "expansion".

Private Tours, Tastings and Retail Sales (By Appointment)

<u>Individuals</u>	Number per week:	5 - 10
	Attendance:	2 - 4 people
<u>Groups</u>	Number per week:	1 - 2
	Attendance:	12 people
	Food service:	bread and cheese

Trade and Marketing Representatives (By Appointment)

Representatives from retailers, restaurants, marketing firms, brokers, distributors, press, etc.:

Number per week:	1 - 2
Attendance:	2 - 6 people
Food service:	none or bread and cheese

Marketing And Social Events (By Invitation)

For the events listed below, food service, if any, is usually catered or prepared on outdoor grill. Weather permitting, eating facilities are outdoors using the existing patio furniture or rental tables and chairs.

Lunch or dinner for trade, press, VIP's, etc.:

Number per year:	4 - 6
Attendance:	4 - 8 people

Educational lunch for club or non-profit group hosted by winery:

Number per year: 2 - 4
Attendance: 20 - 40 people

Harvest Fest, Grape Picking, Grape Stomp, etc.:

Number per year: 1 - 2
Attendance: 30 - 60 people

Open House by invitation (i.e., Napa Valley Wine Auction)

Number per year: 1 - 2
Attendance: 100 - 200 total but no more than 20 - 30 at any given time



NAPA COUNTY

02129 - MOD
99215
CONSERVATION, DEVELOPMENT and
PLANNING DEPARTMENT

Charles Wilson
Director

1195 Third Street, Room 210 • Napa, CA 94559-3092
Telephone 707/253-4416 FAX 707/253-4336

May 20, 2002

Bell Wine Cellars
6200 Washington Street
Yountville, CA 94558

Re: Request for Modification of Use Permit, #U-90-42 to make minor modifications to the subject winery (APN 036-110-030)

Letter dated Apr. 3, 2002 : 1. Enclose work area 23'10" x 64', 2. Enclose refrigeration unit, 3. Use shed for supplies and office uses.

Dear Sir:

Please be advised that your request to modify Use Permit #U-90-42 for Bell Wine Cellars has been administratively **APPROVED**.

The CEQA status of this action is categorically exempt, Class 3 (Construction of small structures).

The permit becomes effective ten (10) working days from the approval date unless appealed to the Napa County Board of Supervisors pursuant to Chapter 2.88 of the Napa County Code, including payment of applicable fees. If an appeal is filed by others, you will be notified.

Pursuant to Section 18.124.080 of the Napa County Code, this approval must be activated within one year and ten calendar days from the approval date, or it shall automatically expire and become void. An extension of time in which to activate the approval may be granted for a maximum of 12 months, upon application at least 30 days prior to expiration, and payment of fees in effect at the time of application. This letter is your only notice regarding expiration and procedures for extension of this permit.

This approval applies only to the project as described in your proposal and must be constructed in substantial compliance with the drawing submitted and the attached comments from Building, Public Works, Environmental Management, and CDF. Please specifically note the Public Works condition requiring a Floodplain Management Permit for all work in the floodplain. This approval includes recognition of the existing covered work area (upgraded as needed to meet building code specifications), enclosure of an existing refrigeration unit, and upgrade of an existing storage shed for use as an office. All previous Conditions of Approval, except as modified herein, remain in full effect.

Should you have any questions, please contact me at sleder@co.napa.ca.us or at (707) 253-4416.

Sincerely,

A handwritten signature in black ink, appearing to read "St. Lederer".

Steven E. Lederer
Deputy Planning Director

Attachments

cc: file (w)
Gabriel Schnitzler, 809 Coombs St., Napa, CA 94559, representative (w)
John Tuteur, Assessor (w/o)
Gary Brewen, Building Codes Administrator (w)
Anna Maria Martinez, Public Works (w)



DICKENSON, PEATMAN & FOGARTY
A Professional Law Corporation

GABRIEL J. SCHNITZLER
gschnitzler@dpfnapa.com

RECEIVED

April 3, 2002

APR 03 2002

809 Coombs Street
Napa, CA 94559-2977
Tel: 707 252 7122
Fax: 707 255 6876
www.dpfnapa.com

Mr. Charles Wilson, Planning Director
Napa County Conservation, Development and Planning Department
1195 Third Street, Room 210
Napa, CA 94559

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

Re: Application of Bell Wine Cellars for Minor Modification of Use Permit
(#U-90-42), 6200 Washington Street, Yountville (APN 036-110-030)

Dear Mr. Wilson:

This office represents Bell Wine Cellars ("Bell"). By this writing, Bell is applying for a minor modification of its existing Use Permit (#U-90-42), approved on July 24, 1991. The winery originally was established by a small winery use permit exemption in October 1980.

This is an application for a development permit. The minor modification is being sought to authorize the following:

1. Enclosure of an existing covered work area consisting of a 23' 10" by 64' concrete slab and wood/plexiglass roof (approx. 1,536 square feet total) on the north side of the winery. The existing enclosure was constructed by the former owner of the winery, Plam Vineyards, and will be upgraded by the new property owner to meet building code specifications, if necessary. No change in the design of the existing roof or use or occupancy of the slab area is requested. Photos of the enclosure are in the file.
2. The enclosure of an existing refrigeration unit on the south side of the winery. Elevations are enclosed.
3. Use of the existing storage shed for winery supplies for incidental office purposes consisting of a table, chair, file cabinet and computer for keeping records of the winery's winemaking activities.

No other changes are proposed.

We believe that it is appropriate to process this project as a minor modification. Under Napa County Code section 18.124.130(B), the zoning administrator may approve a minor modification to an approved use permit which does not affect the overall concept, density, intensity or environmental impact of, or substantially alter or delete any environmental mitigation measure for, the project. The subject proposal does not increase the size of any winery structure, as the roof cover over the concrete slab on the north side of the winery was approved previously as part of Use Permit #U-90-42 and no

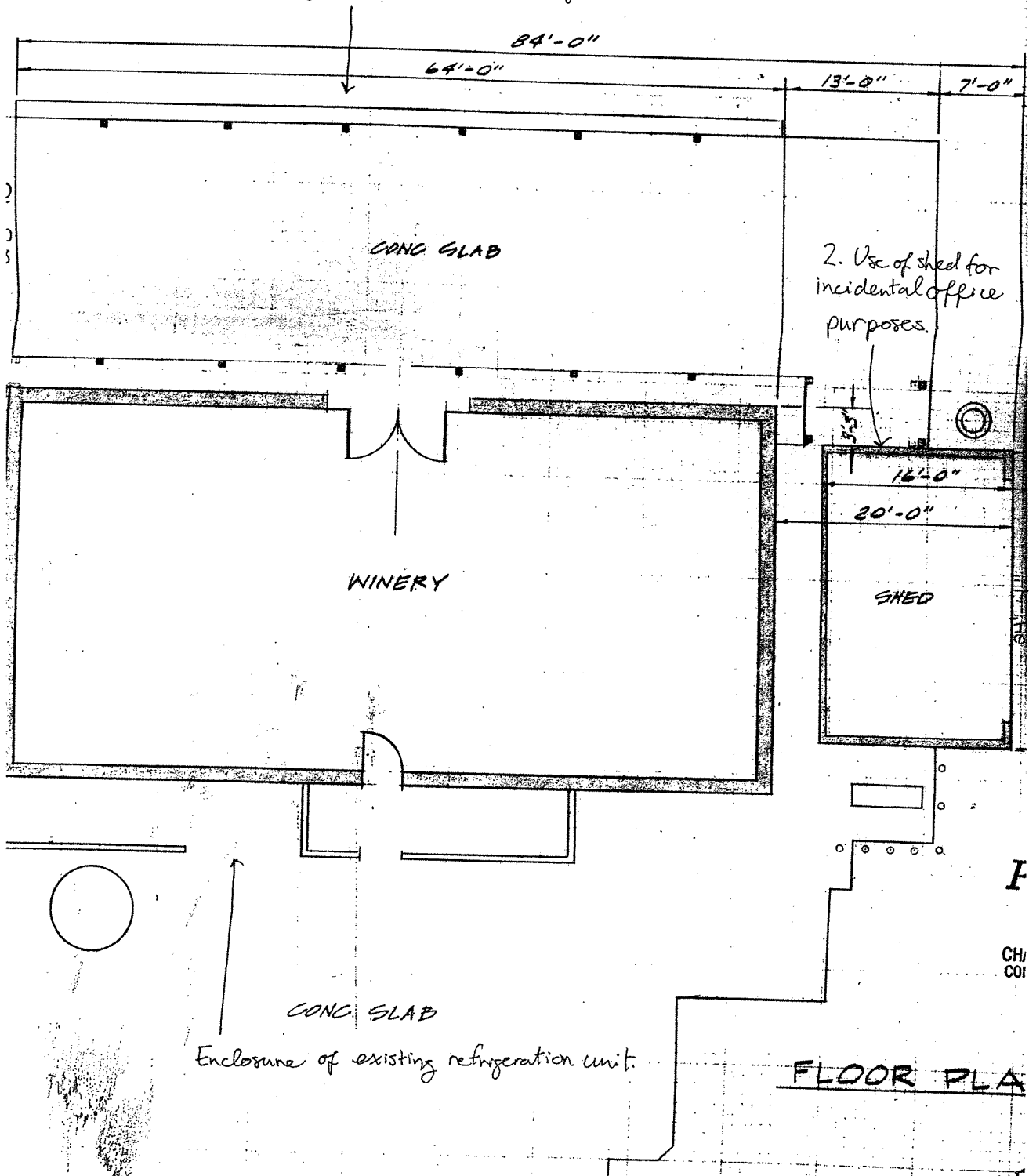
Walter J. Fogarty, Jr.
David W. Meyers
C. Richard Lemon
Francis J. Collin, Jr.
Charles H. Dickenson
Paul G. Carey
Richard P. Mendelson
Cathy A. Roche
James W. Terry
Katherine Ohlandt
Stan D. Blyth
Linda Emerson
Herbert M. Rowland, Jr.
Amy L. Keyser
Thomas F. Carey
Matthew J. Eisenberg
Danielle M. Houck
Michael J. Holman
Karen C. Kruse
Gabriel J. Schnitzler

Of Counsel
Joseph G. Peatman

Retired
Howard G. Dickenson

SOUTH ELEVATION

1. Enclosure of existing covered work area. The existing enclosure will be upgraded by the applicant to meet building code specs, if necessary



2. Use of shed for incidental office purposes.

Enclosure of existing refrigeration unit.

FLOOR PLAN



COUNTY *of* NAPA

CONSERVATION, DEVELOPMENT
AND PLANNING DEPARTMENT
Charles Wilson, Director

November 17, 2003

Anthony Bell
6200 Washington Street
Yountville, CA 94599

Re: ANOTHONY BELL /SPANOS BERBERIAN PROPERTIES, LLC -- USE PERMIT #03315-MOD

Dear Mr. Bell

Please be advised that Use Permit request #03315-MOD has been **APPROVED** by the Planning Commission on November 5, 2003 based on the attached conditions and applicable County regulations.

The permit approval went ten (10) working days from the approval date without any appeal to the Napa County Board of Supervisors (pursuant to Chapter 2.88 of the Napa County Code).

EXPIRATION DATE: November 5, 2005

Pursuant to Section 18.124.080 of the Napa County Code, the use permit must be activated within two (2) years from the approval date, or it shall automatically expire and become void.

You are hereby further notified, pursuant to Government Code Sec.66020 (d)(1), that the 90-day period, in which you would have to protest imposition of any fees, dedications, reservations, or other exactions that may have been attached as conditions of approval, has begun.

Should you have any questions, please contact Robert Nelson at (707) 253-4417.

Sincerely

A handwritten signature in black ink, appearing to read "Patrick Lynch", with a stylized flourish at the end.

Patrick Lynch
Assistant Director

Copies:

file

John Tuteur, Assessor

Steve Lederer, Deputy Director

Gary Brewen, Building Codes Administrator

Larry Bogner, Public Works

Christine Secheli, Environmental Management

Gabrielle Mauino, County Fire Department

CONDITIONS OF APPROVAL
SPANOS-BERERIAN LLC (Bell Winery)
#03315-MOD

1. **SCOPE:** The permit shall be limited to:

- No change in the existing 40,000 gallons per year production
- Construction of a 6,261 sq. ft. winery building addition to house barrel storage, tasting room, meeting room, conference room, kitchen, storage, stairway, loft, bath and covered crush pad, as drawn on the Patrick Mervin + Associates architectural floor plans, dated August 14, 2003. The total winery floor area shall be 9,031 sq. ft. upon completion of all demolition and construction covered by this use permit modification.
- Removal of 1,220 sq. ft. of the existing 3,990 sq. ft. existing building to make room the above addition.
- Construction of a patio, pergola, barbeque area, and bocce court as drawn on the Patrick Mervin + Associates architectural floor plans, dated August 14, 2003.
- No changes in sales and tours and tasting by appointment only.
- No changes in the established Marketing plan.
- Increase of 4 full time employees, to a total of 5, and a reduction of 1 part time employee, to a total of 1.
- One bocce ball court

The winery shall be designed in substantial conformance with the submitted site plan, elevation drawings, and other submittal materials. It is the responsibility of the applicant to communicate the requirements of these conditions and mitigations (if any) to all designers, constructors, employees, and guests of the winery to ensure compliance is achieved. Any expansion or changes in use shall be by the approved Use Permit modification process.

Conditions 2-5 intentionally deleted.

6. **LIGHTING:**

All exterior lighting, including landscape lighting, shall be shielded and directed downward, shall be located as low to the ground as possible, and shall be the minimum necessary for security, safety, or operations and shall incorporate the use of motion detection sensors to the greatest extent practical. No flood-lighting or sodium lighting of the building is permitted, including architectural highlighting and spotting. Low-level lighting shall be utilized in parking areas as opposed to elevated high-intensity light standards. Prior to issuance of any building permit for construction of the winery, two (2) copies of a separate detailed lighting plan showing the location and specifications for all lighting fixtures to be installed on the property shall be submitted for Department review and approval.

7. **LANDSCAPING/PARKING:**

Two (2) copies of a detailed landscaping plan, including parking details, shall be submitted for review and approval prior to issuance of building permits. The plan shall indicate the names and locations of all plant materials to be used along with the method of maintenance. **Plant materials shall be purchased locally when practical. The Agricultural Commissioner's office (707-253-4357) shall be notified of all impending deliveries of live plants with points of origin outside of Napa County.**

The location of employee and visitor parking and truck loading zone areas shall be identified along with proposed circulation and traffic control signage (if any). Landscaping and parking shall be completed prior to occupancy, and shall be permanently maintained in accordance with the landscaping plan.

No trees greater than 6" DBH shall be removed, except for those identified on the submitted site plan. Any trees that are removed shall be replaced elsewhere on the property on a 2 for 1 basis of equivalent caliper. Replaced trees shall be identified on the landscaping plan. Trees to be retained shall be protected during construction.

Evergreen screening shall be installed between the industrial portions of the operation (e.g. tanks, crushing area, parking area, etc.) and off-site residences that can view the structures. Parking shall

**CONDITIONS OF APPROVAL
SPANOS-BERERIAN LLC (Bell Winery)
#03315-MOD**

be limited to approved parking spaces only and shall not occur along access roads or in other locations except during harvest or approved marketing events. In no case shall parking impede emergency vehicle access or public roads. If any event is held which will exceed the available on-site parking, the applicant shall arrange for off-site parking and shuttle service to the winery.

8. OUTDOOR STORAGE/SCREENING:

All outdoor storage of winery equipment shall be screened from the view of adjacent properties by a visual barrier consisting of fencing or dense landscaping. No item in storage is to exceed the height of the screening. Water and fuel tanks, and similar structures, shall be screened to the extent practical so as to not be visible from public roads and adjacent parcels.

9. RENTAL/LEASING:

No winery facilities, nor portions thereof, including but not limited to offices, kitchens, barrel storage areas, and warehousing space, shall be rented, leased, nor used by entities other than the on-site winery itself, except as may be specifically authorized in this use permit or pursuant to the Temporary Events Ordinance (Section 5.36.010)

10. COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES:

The permittee shall comply with all applicable building codes, zoning standards, and requirements of County Departments and Agencies, including but not limited to:

Department of Environmental Management as stated in their letter of September 11, 2003
Department of Public Works as stated in their letter of September 9, 2003
County Fire Department as stated in their letter of September 10, 2003
Building Division as stated in their letter of August 25, 2003

12. SPOILS:

All spoils generated by construction of the project facilities shall be disposed of per Public Works direction. All spoils piles shall be removed prior to occupancy.

13. WELLS:

The permittee may be required (at the permittee's expense) to provide well monitoring data if it is judged that water usage at the winery is, or would potentially affect groundwater supplies or nearby wells. Data requested could include, but may not be limited to, water extraction volumes and static well levels. If applicant is unable to secure monitoring access to neighboring wells, onsite monitoring wells may need to be established to gage potential impacts on the groundwater resource utilized for the project proposed. Water usage shall be minimized by use of best available control technology and best water management conservation practices. In the event that changed circumstances or significant new information provide substantial evidence that the groundwater system referenced in the use permit would significantly affect the groundwater basin, the director of environmental management shall be authorized to recommend additional reasonable conditions on the permittee, or revocation of the permit, as necessary to meet the requirements of the Napa County Groundwater Ordinance and protect public health, safety, and welfare. That recommendation shall not become final unless and until the director has provided notice and the opportunity for hearing in compliance with the county code section 13.15.070.G-K.

14. NOISE:

Construction noise shall be minimized to the maximum extent practical and allowable under State and local safety laws. Construction equipment muffling and hours of operation shall be in compliance with County Code Section 8.16. Equipment shall be shut down when not in use. Construction equipment shall normally be staged, loaded, and unloaded on the project site. If project terrain or access road condition require construction equipment to be staged, loaded, or unloaded off the project site (such as on a neighboring road or at the base of a hill), such activities shall only occur

**CONDITIONS OF APPROVAL
SPANOS-BERERIAN LLC (Bell Winery)
#03315-MOD**

between the hours of 8 AM to 5 PM. Exterior winery equipment shall be enclosed or muffled and maintained so as not to create a noise disturbance in accordance with the Code. There shall be no amplified sound system or amplified music utilized outside of approved, enclosed winery buildings.

15. COLORS:

The colors used for the roof, exterior walls and built landscaping features of the winery shall be limited to earth tones that will blend the facility into the colors of the surrounding vegetation and shall be reviewed and approved by the Department prior to the issuance of any building permits. Highly reflective surfaces shall be prohibited.

16. DUST CONTROL:

Water and/or dust palliatives shall be applied in sufficient quantities during grading and other ground disturbing activities on-site to minimize the amount of dust produced. Construction activities shall not occur during windy periods.

17. ARCHEOLOGICAL FINDING:

In the event that archeological artifacts or human remains are discovered during construction, work shall cease in a 50-foot radius surrounding the area of discovery. The Department will be contacted for further guidance, which will likely include the requirement for the applicant to hire a qualified professional to analyze the artifacts encountered and to determine if additional measures are required. If human remains are encountered during the development, all work in the vicinity must be, by law, halted, and the Napa County Coroner informed, so that he can determine if an investigation of the cause of death is required, and if the remains are of Native American origin. If the remains are of Native American origin, the nearest tribal relatives as determined by the State Native American Heritage Commission would be contacted to obtain recommendations for treating or removal of such remains, including grave goods, with appropriate dignity, as required under Public Resources Code Section 5097.98.

18. TRAFFIC

Reoccurring and scheduled vehicle trips to and from the site for employees, deliveries, and visitors will not occur during peak (4-6 PM) travel times to the maximum extent possible. All road improvements on private property required per the Department of Public Works shall be maintained in good working condition.

19. STORM WATER CONTROL

For any construction activity that results in disturbance of greater than one acre of total land area, 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, 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 shall be designed to drain through grassy swales, buffer strips, or sand filters prior to any discharge from the impervious surface into a watercourse. If any discharge of concentrated surface waters is proposed in the 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.

20. INDEMNIFICATION

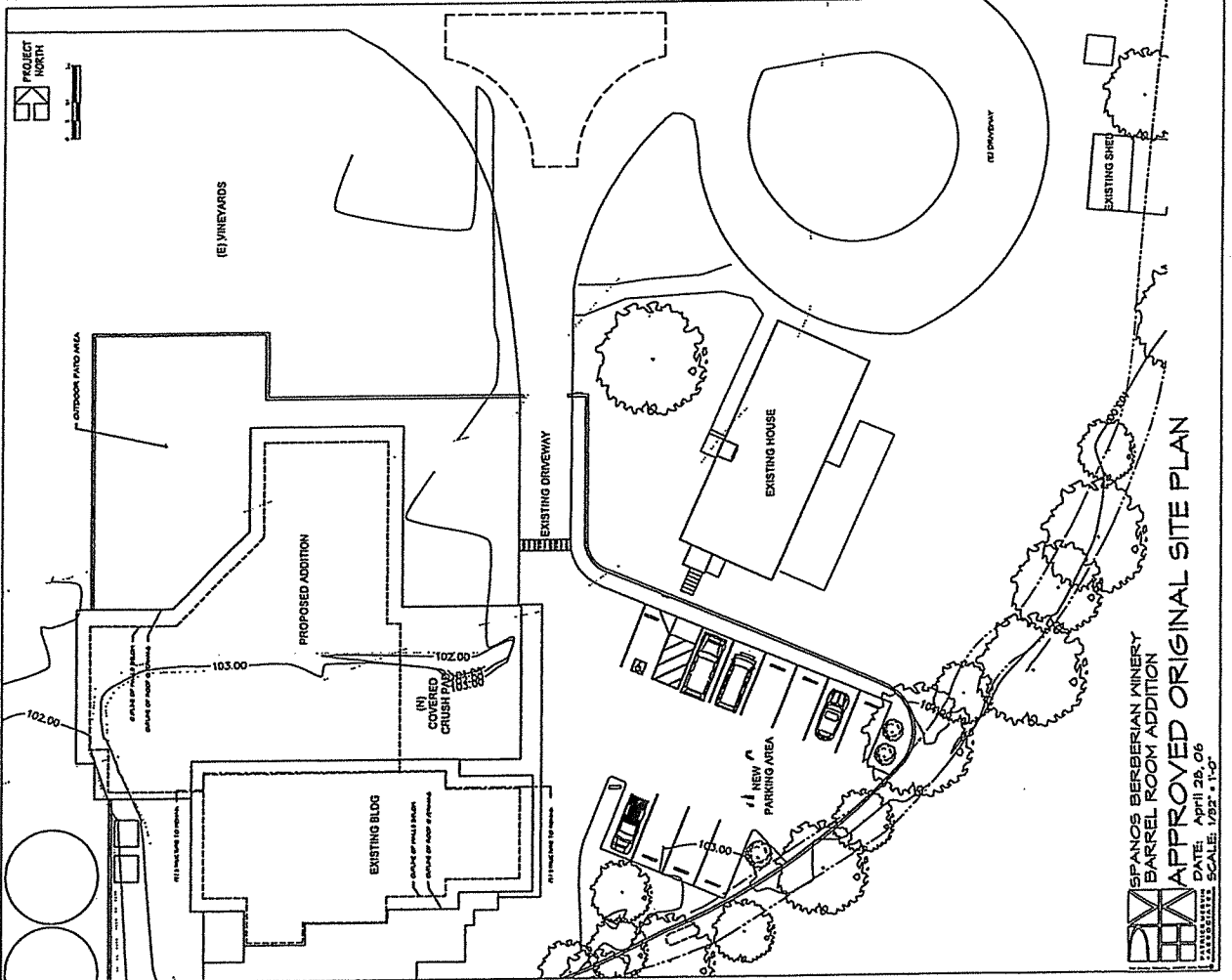
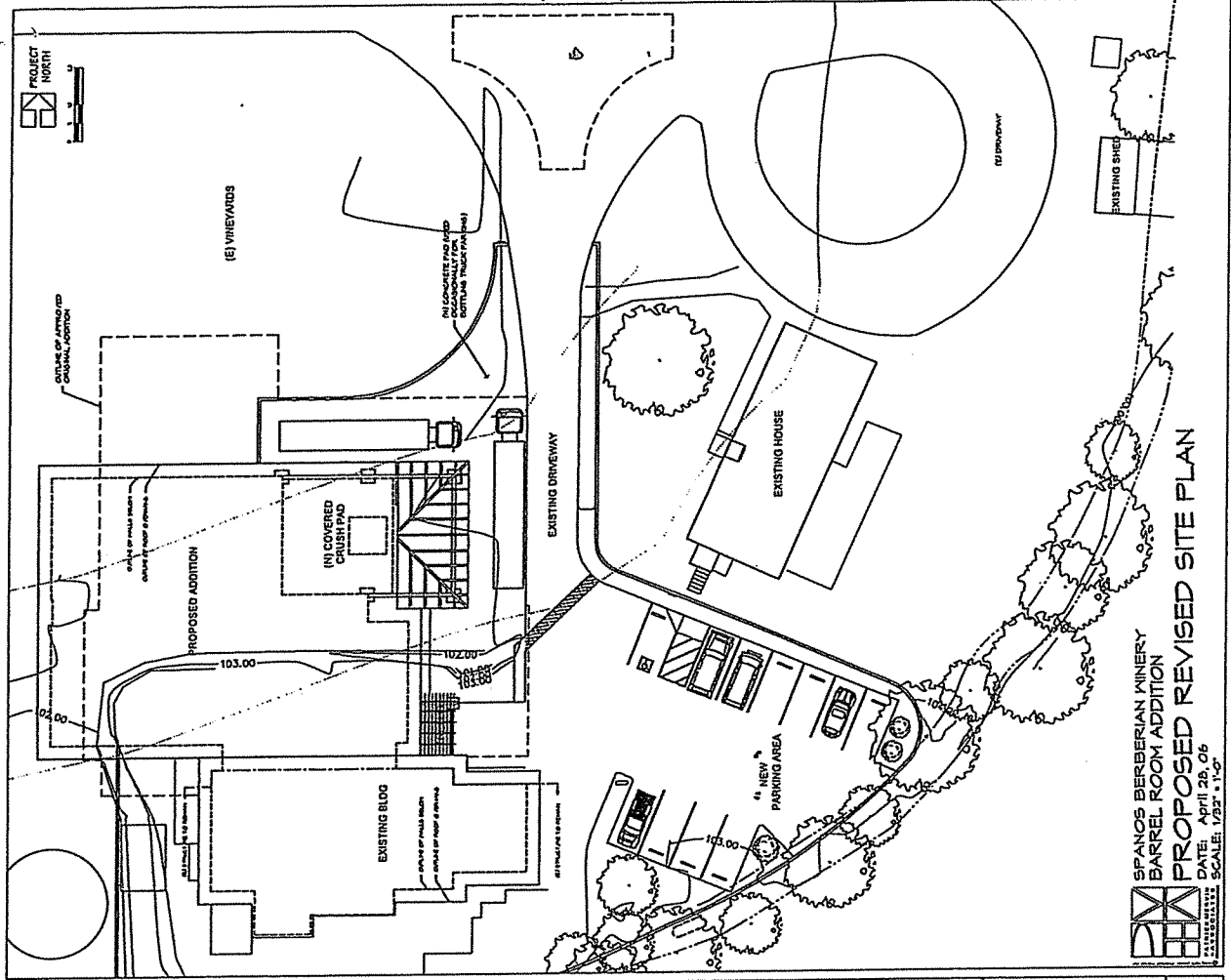
An indemnification agreement, in the form attached hereto, shall be signed and returned to the County within twenty (20) days of the granting of this approval.

**CONDITIONS OF APPROVAL
SPANOS-BERERIAN LLC (Bell Winery)
#03315-MOD**

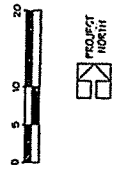
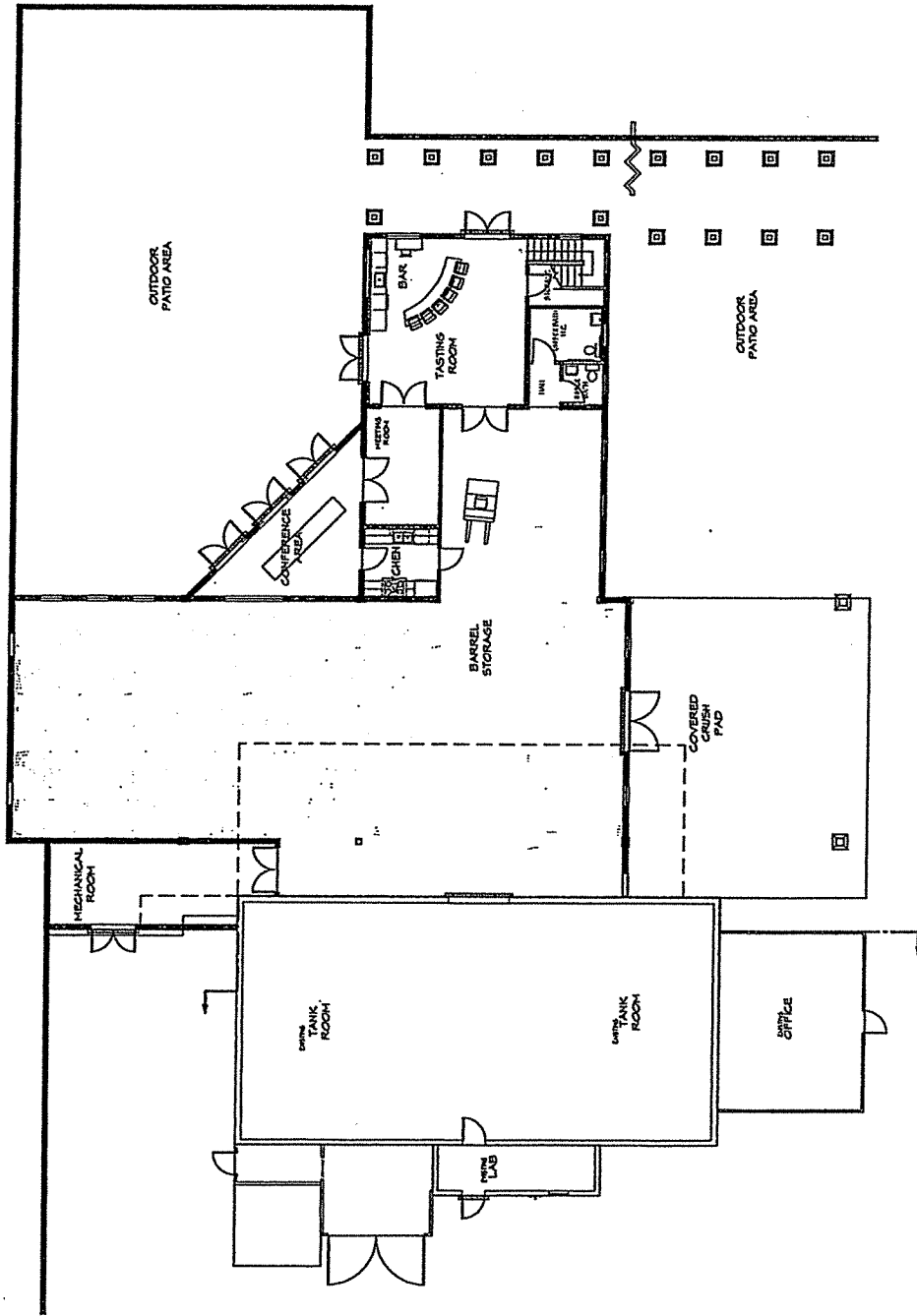
21. MONITORING COSTS:

All staff costs associated with monitoring compliance with these conditions, previous permit conditions and project revisions shall be borne by the permittee and/or property owner. Generally costs associated with planning review for building plan clearance and certification of occupancy are not to be charged per this condition. However, costs associated with conditions and mitigation measures that require monitoring outside of those two processes, including investigation of complaints, other than those costs related to investigation of complaints of non-compliance that are determined to be unfounded, shall be charged. Costs shall be as established by Resolution #95-77 or as such Resolution may be amended from time to time, or in accordance with the hourly consulting rate established by the Department at the time of the monitoring (\$88.00/hour as of December, 2002). Violations of conditions of approval or mitigations measures caused by the permittee's contractors, employees, and guests are the responsibility of the permittee.

The Planning Commission may implement an audit program if compliance deficiencies are noted. If evidence of compliance deficiencies is found to exist by the Planning Commission at some time in the future, the Planning Commission may institute the program at the applicant's expense (including requiring a deposit of funds in an amount determined by the Commission) as needed until compliance assurance is achieved. The Planning Commission may also use the data, if it is so warranted, to commence revocation hearings in accordance with section 18.124.120 of the County Code.



*Parking area near creek shown. Never shown before.
 MSP approval letter area not shown this area.....*



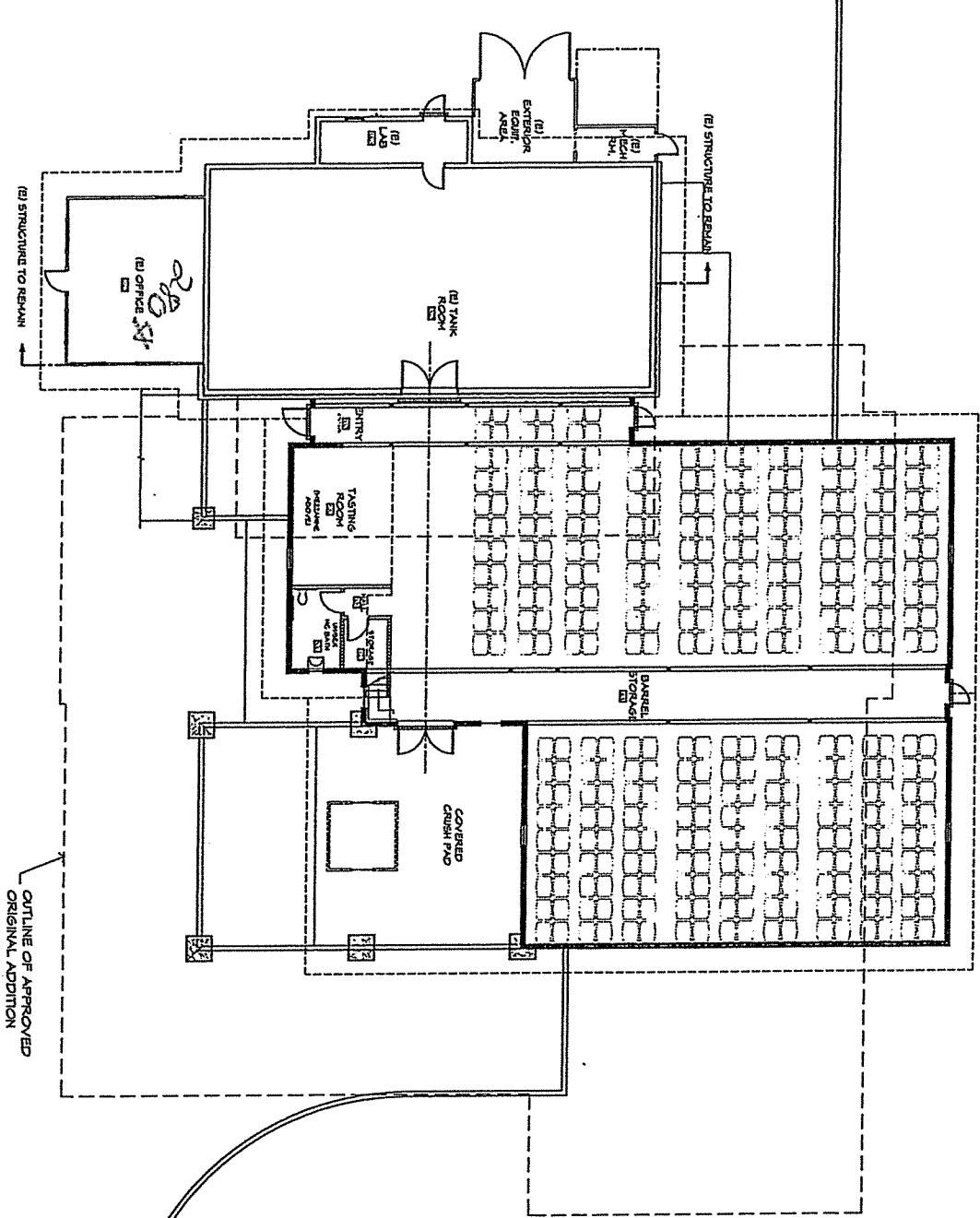
MAIN FLOOR PLAN

SPANOS BERBERIAN MINERY
 BARREL ROOM ADDITION
APPROVED ORIGINAL FLOOR PLAN
 DATE: April 29, 06
 SCALE: 1/8" = 1'-0"



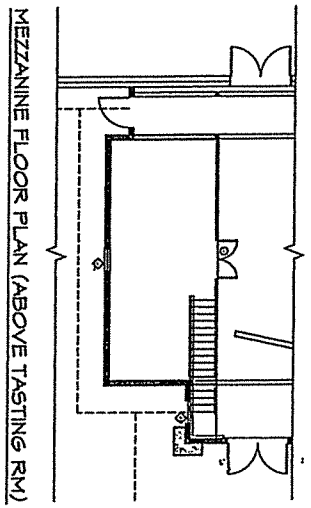

SFANOS BERBERIAN MINERY
 BARREL ROOM ADDITION
PROPOSED REVISED FLOOR PLAN
 DATE: April 28, 06
 SCALE: 1/8" = 1'-0"

They use the MOR

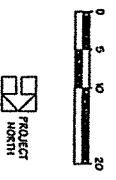


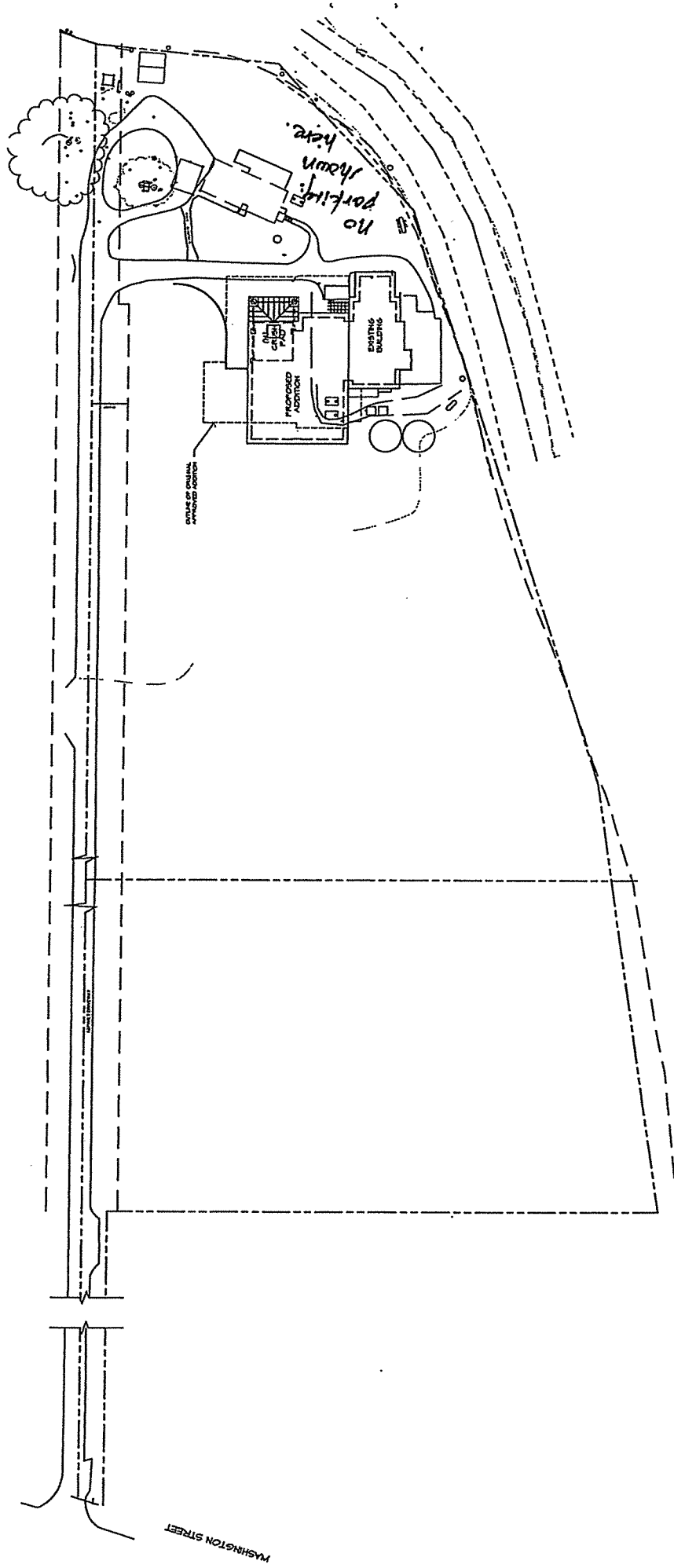
MAIN FLOOR PLAN


OUTLINE OF APPROVED ORIGINAL ADDITION



MEZZANINE FLOOR PLAN (ABOVE TASTING RM)






 SPANOS BERBERIAN MINERY
 BARREL ROOM ADDITION
PROPOSED REVISED OVERALL SITE PLAN
 DATE: April 28, 06
 SCALE: 1" = 15'



COUNTY of NAPA

OFFICE OF CONSERVATION, DEVELOPMENT & PLANNING

PLANNING DIVISION

HILLARY GITELMAN
Director

PATRICK LYNCH, AICP
Assistant Director

STEVE LEDERER
Deputy Director

JOHN MCDOWELL
Project Manager

ROBERT NELSON
Supervisor

HEATHER MCCOLLISTER
Principal Planner

SEAN TRIPPI
Principal Planner

BARBARA ABATE
Planner

TRISH HORNISHER
Planner

NAOMI BEATTIE
Planner

NANCY JOHNSON
Planner

SUZIE GAMBILL
Planning Technician

C. RENEE LEDERER
Planning Administrative
Specialist

May 18, 2006

Beth Painter
Balanced Planning Inc.
855 Bordeaux Way, Suite 100
Napa, CA 94559

Re: Request for Use Permit Modification (#P06-0168-MOD) for the Bell/Spanos Berberian Winery (APN 036-110-030)

Dear Beth:

Please be advised that your request to modify the Use Permit for Bell/Spanos Berberian has been administratively **APPROVED**. The CEQA status of this action is categorically exempt, Class 1 (Minor changes to existing operations).

The permit becomes effective unless appealed to the Napa County Board of Supervisors pursuant to Chapter 2.88 of the Napa County Code, including payment of applicable fees. If an appeal is filed by others, you will be notified.

This approval applies only to the changes proposed in your submittal of April 28, 2006 and must be constructed in substantial conformance with the submitted drawings. The proposal essentially requests various architectural and layout features of the winery structure, without requesting changes to other elements of the winery proposal.

No other changes were requested or approved. All previous conditions, and those specified by other agencies through subsequent building permits, remain in full effect.

Should you have any questions, please contact me at slederer@co.napa.ca.us or at (707) 253-4417.

Sincerely,

Steven E. Lederer
Deputy Planning Director

Cc: file
Spanos Berberian Properties, 6200 Washington Street, Napa 94558

1195 THIRD STREET
SUITE 210

NAPA, CALIFORNIA
94559

TELEPHONE:
707-253-4417

FAX:
707-253-4336

WWW.CO.NAPA.CA.US



Balanced Planning, Inc.
855 Bordeaux Way, Suite 100
Napa, CA 94558

Phone: (707) 261-8719
Fax: (707) 253-0135
e-mail: beth@swgnapa.com

ROB-00-2105
ROB-00-2136

April 28, 2006

Mr. Steven Lederer
Napa County, Conservation, Development and Planning Department
1195 Third Street
Napa, CA 94559

SUBJECT: Bell Cellars Use Permit, #03315-MOD, APN 036-110-030
REQUEST FOR VERY MINOR MODIFICATION

Dear Steve:

I am writing to you on behalf of my client, Spanos Berberian Properties, LLC. The architect has submitted plans for construction of the approved modification #03315-MOD for Bell Cellars. The footprint of the project has changed from the design approved as a part of the modification. The design change provides a larger barrel storage area and reduces the space dedicated to accessory uses. Enclosed are several site plans showing the expansion as approved and the revised design. Included are:

1. Overall site plan showing the entire parcel. This plan shows that the requested change extends the building by approximately 13 feet to the west. This is not encroaching any closer to the creek and is still well outside the necessary setback areas.
2. Comparative site plan showing the approved plan and the revised plan in greater detail. The parking and site circulation remain the same. The covered crush pad is moved to the north-west corner of the building and allows for better truck access.
3. Detailed floor plan of the original approved modification.
4. Detailed floor plan of the requested revision.

The approved winery modification allowed for demolition of a portion of the winery (1200 sf). This remains the same. The modification approved the addition of 6,261 square feet of building and covered crush area and the addition of a large ($\pm 5,000$ sf) outdoor patio and barbeque area. The requested revision decreases the size of the tasting area, eliminates the outdoor patio and barbeque and expands the barrel storage. The enclosed site plan and floor plans show the originally approved plan and the requested changes. The resulting winery building will include: