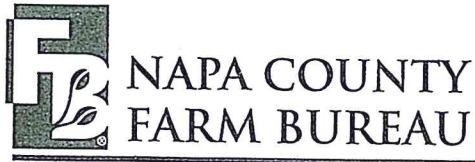


MAY 06, 2015

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Napa County Farm Bureau, 811 Jefferson Street, Napa, CA 94559  
Telephone: 707-224-5403 FAX: 707-224-7836

May 6, 2015

Napa County Planning Commission  
Chair Heather Phillips and Commissioners

re: The Caves at Soda Canyon Minor Modification P14-00288-MOD

Napa County Farm Bureau supports the staff report prepared for The Caves at Soda Canyon Minor Modification P14-00288-MOD and its recommendation that the Planning Commission adopt Option 3 to deny the proposed modification.

This denial will send a clear message that, in Napa County, it will no longer be "easier to beg forgiveness than to ask permission" as it has sometimes appeared. This action should provide a meaningful incentive for increased future compliance and, ultimately, a more level playing field for all.

We thank staff for a thorough report and encourage the Commission to adopt Option 3.

Sincerely,

A handwritten signature in cursive script that reads 'Norma J. Tofanelli'.

Norma J. Tofanelli  
President

Planning Commission Mtg.

MAY 06 2015

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LOBO® WINES, LLC  
WULFF VINEYARDS

RECEIVED

APR 30 2015

Napa County Planning, Building  
& Environmental Services

April 27, 2015

To the members of the Planning Department and Planning Commission:

My name is Randall Wulff, 2855 Atlas Peak Rd, Napa. My wife and I are investors and one of vintners at the Caves At Soda Canyon. We will be out of town when the Commission next hears the revised application of the Caves in May, so I am writing to convey my thoughts.

Of the four families making wine at the Caves, we are the most recent additions, becoming involved only two years ago. I was in attendance at your April 1, 2015 meeting addressing the minor modification requested by the Caves. Not having attended such a meeting before, it was appalling to me to listen to residents, with no first hand knowledge of the facts, assail the motives and character of the Waughs.

We have worked very closely with not only the Waughs but also the Buoncristianis, who have been so instrumental in creating their dream and vision at the Caves through over ten years of hard work. Unequivocally, I would vouch for their integrity and initiative. These are precisely the sort of honest, enterprising young people that I would expect any forward-thinking community would want to encourage and reward, rather than punish. I could not be more proud of them and what they have accomplished than if they were my own children.

I was puzzled at the characterization of the application as asking for "forgiveness" for taking unapproved latitude with the existing permit. This is not a case of someone clearcutting a forest, planting a vineyard and then asking permission.

As I understand it, the originally contemplated "ventilation shaft" became something different when, during excavation, the boring machine left a larger




LOBO® WINES, LLC  
WULFF VINEYARDS

hole on the west side. When confronted with this condition, the Waughs, along with County officials and the Fire Marshal, opted to complete the area and finish, utilizing all current County building code standards. The Fire Marshal preferred this additional portal to add further access and life safety options, and also requested the path to the saddle at the top. Both the County and Fire Marshal observed and approved the pour of the patio.

It seems not an unreasonable assumption that Caves visitors could also walk on this newly created area. Indeed, as I understand it, the requirement for a special permit to allow visitors outside (permit AB2004) had not even been enacted until well after the Cave was created. The Caves did not become aware of the need for this additional permit until more recently, leading to the modification request. Under these circumstances, the push by a handful of residents for punishment is misplaced.

Most fundamentally, this application should not be tarred with the general politics and antipathy that a few feel for the wine industry in-general. It does not increase production. It does not increase hospitality numbers. In short, it does not materially affect anyone except the Caves families and, of course, the visitors who love the Caves and what it uniquely brings to the Napa Valley. It has only to do with where visitors stand when they visit, and only involves a total of less than 1000 square feet! There were no facts presented that indicated any impact to any other County residents, including the neighbors with whom the Caves has worked diligently to reduce and address noise from its generator.

This application, while minor, is crucial not only to the economic success of the Caves but to the quality of experience that so many Napa residents and visitors get to enjoy while at the Caves. I appeal to the Commissioners to grant it.

  
Randall Wulff, Proprietor, Lobo Wines

**Gambill, Suzanne**

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**From:** L & L Carr <carr4x4@gmail.com>  
**Sent:** Monday, May 04, 2015 10:19 PM  
**To:** Gambill, Suzanne; McDowell, John  
**Cc:** Morrison, David  
**Subject:** The Caves at Soda Canyon P14-00288

Planning Commission Mtg.

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Dear Ms. Gardner-Gambill & Mr. McDowell,

We are writing to ask you to deny the Use Permit Minor Modification P14-00288. Given all the information that has been gathered from witnesses, neighbors and even a written article from 4/17/14 in "Wine Country This Week", it appears that the applicant had every intention of developing a cave portal and deck from the very beginning without the necessary plans and permits. The applicant stated that "Napa County fire officials wanted another cave entrance and exit for safety reasons" (Napa Register 4/3/15), but the Fire Dept said "these improvements were not necessary to in order to comply with Fire Dept standards" (NCPC Board Agenda Letter for 5/6/15 meeting). It seems that someone is being untruthful as to the needed safety issue. How did a ventilation shaft turn into a portal with a concrete apron and added outdoor tasting area? It would appear that the builders need a remedial class on how to read blueprints.

The applicant stated that tastings/visitations ceased in May 2014, but evidence points to tastings having continued unabated in the unauthorized areas through at least December 2014, and possibly longer. Was there any punishment for such flagrant transgressions? Apparently not, which conforms to the findings of a random audit that revealed almost half of all Napa wineries did not comply with their use permit in 2013.

There appears to be an unofficial rule of "It is easier to beg forgiveness than to ask permission" when it comes to winery/vineyard development. And it does appear to be true when the Planning Department and Commission try to legalize permit violations whenever they become an issue. This is one of those flagrant violations that a Commissioner was willing to approve, and he stated that "It's not impacting anybody and it's essential to their business model at this present time." If it was so essential, why didn't the applicant apply for it in the original plans?

Besides denying this modification permit, we believe that the portal and 700 square foot tasting area should be removed. It was never in the use permit plans, therefore, this will return the winery back to it's original proposal. Please do not reward the applicants for ignoring the planning process. The applicant should be punished where they will feel it the most—in their pocketbook.

We also respectfully ask that you forward our email to all the Planning Commissioners.

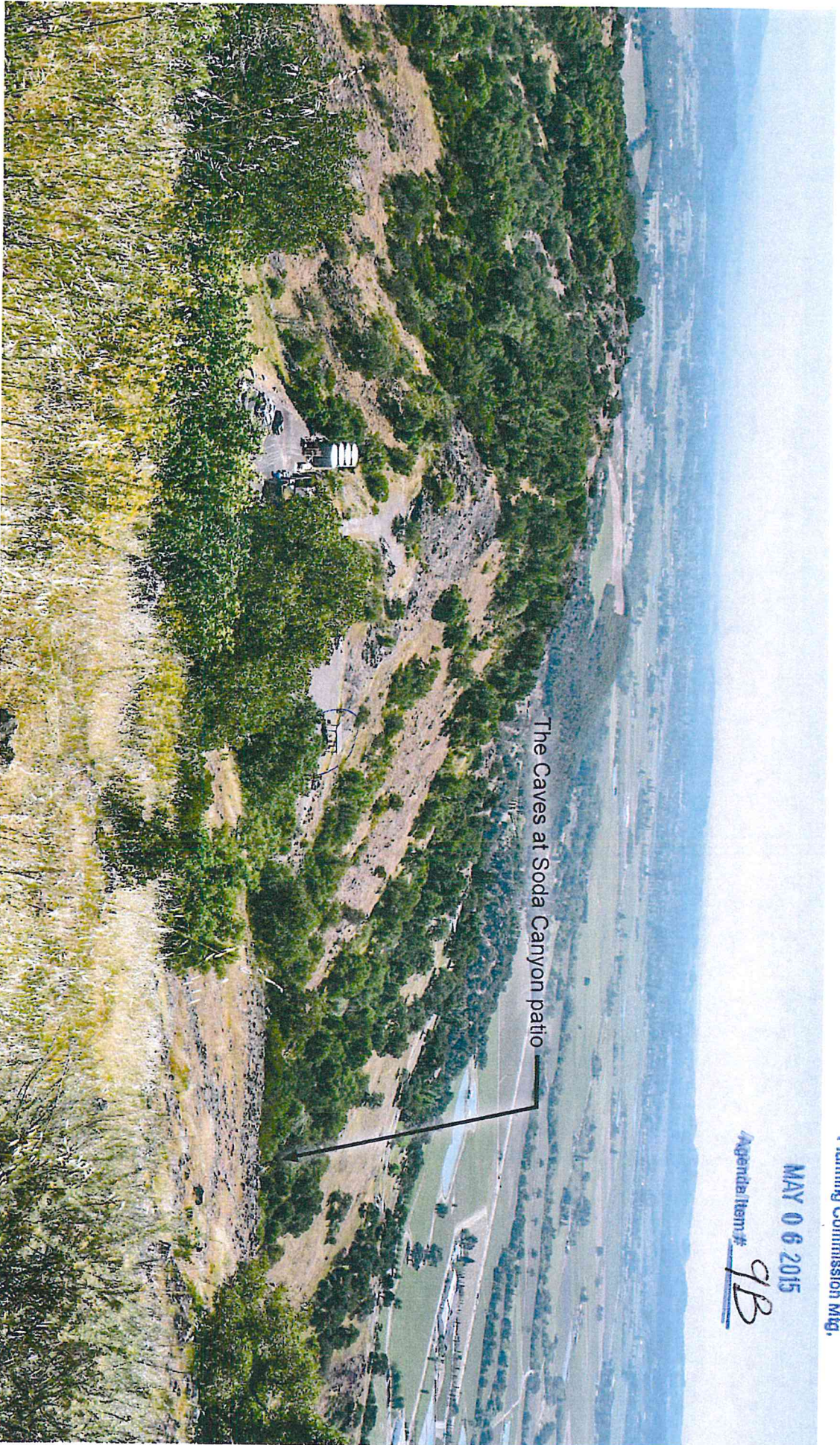
Thank you for your consideration in this matter.

Sincerely,  
Lisa Hirayama  
Larry Carr  
16 Dogwood Court  
Napa

Planning Commission Mtg.

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The Caves at Soda Canyon patio

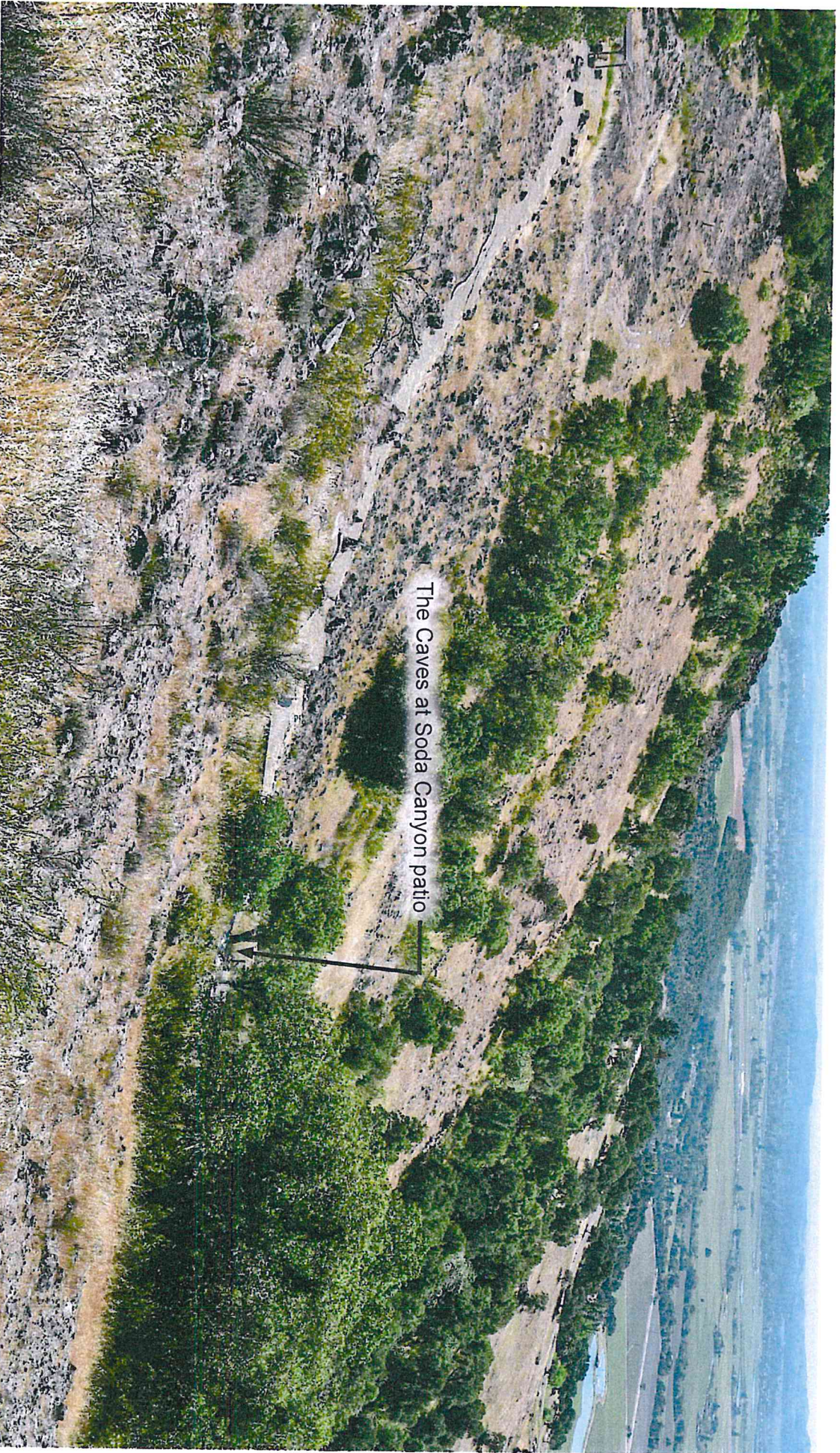


The Caves at Soda Canyon  
VISUAL STUDY  
May 1, 2015

VIEW #6140 @ 2291 Soda Canyon Rd



The Caves at Soda Canyon patio

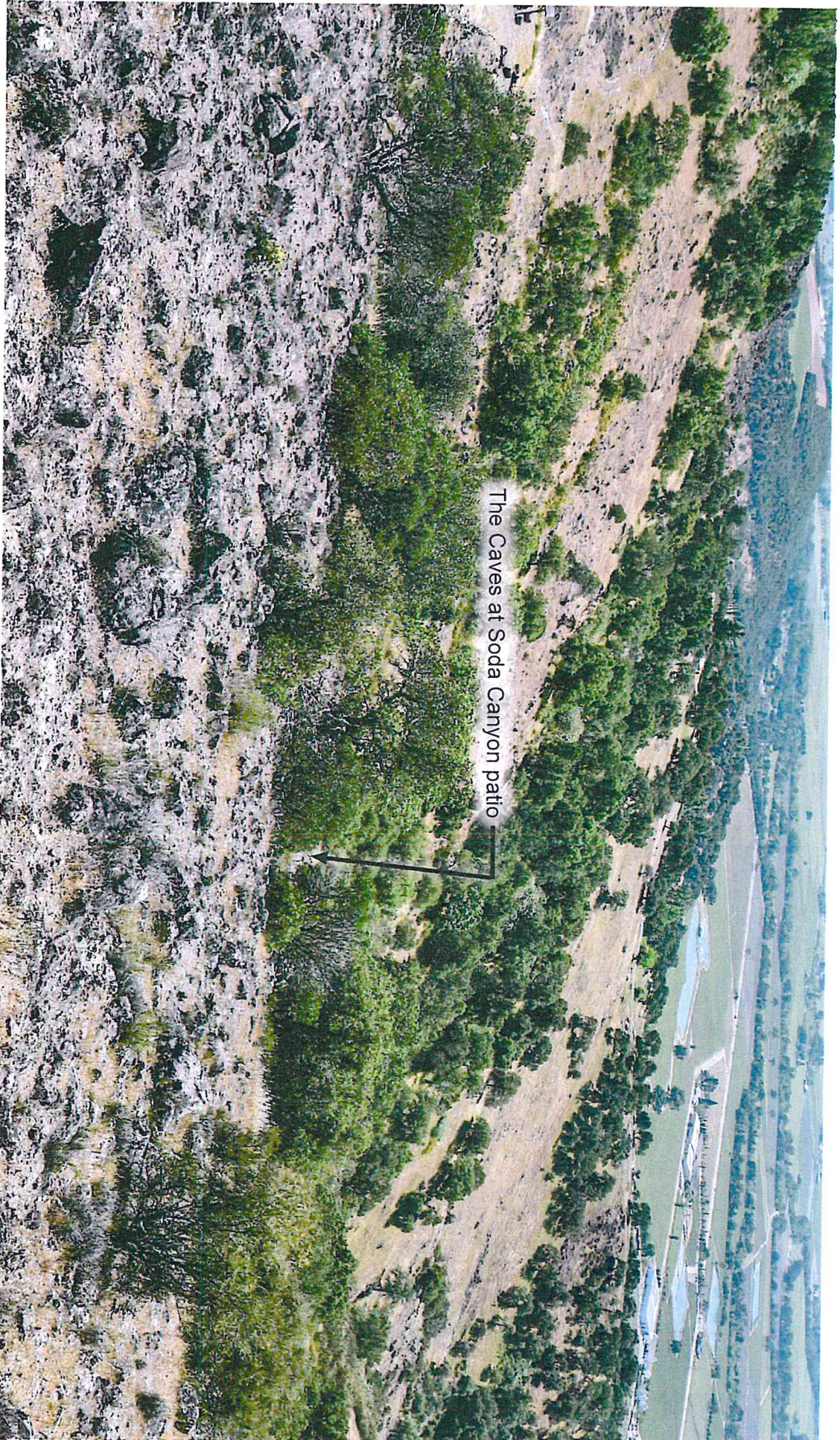


The Caves at Soda Canyon patio



The Caves at Soda Canyon patio





The Caves at Soda Canyon patio

