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Applicant Resubmittal Materials

RECEIVED

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J. REDDING AICP
2423 RENFREW ST. NAPA, CA 94558
PHONE (707) 255-7375 • FAX (707) 255-7275 • JREDDINGAICP@COMCONV.COM
Napa County Planning, Building & Environmental Services

January 8, 2016

Emily Hedge, Planner II
Department of Planning, Building & Environmental Services
County of Napa
1195 Third Street, Suite 210
Napa, California 94559

Re: Project Status Report—Summers Winery Major Modification #P14-00232. 1171
Tubbs Lane, Calistoga APN 017-160-015

Dear Mrs. Hedge:

This letter is in response to the questions in your December 16, 2015 and January 4, 2016 emails and to the January 7, 2016 letter from John McDowell regarding the designation of Tubbs Lane as a rural two-lane collector in the 2008 General Plan and the applicable setback.

Setback/Variance

We are still reviewing the variance issue in light of John McDowell's 1/7/16 letter to the Commission. We are currently evaluating possible changes to the site plan to address the variance and will advise you under separate cover of any changes we intend to make. At the moment we intend to proceed with the tank building located as shown in the November 18, 2015 staff report.

History of Use of the Residence

The Summers purchased the subject property in May 1996. According to the attached appraisal, the existing residence was built in 1974 and remodeled in 1997. It is this residence that the Summers' propose to use as the new winery tasting room pursuant to the current application. The Summers began using the residence as a tasting room in 2011 according to Jim Summers. Use of the residence as a tasting room was disclosed to Mary Doyle the former project planner in late December 2013 or early January 2014 when Elizabeth Summers submitted the attached floor plan. Copies of the Ms. Doyle's email and the submitted floor plan are attached to this letter.

Wells/Water Use

Attached please find an updated figure prepared by RSA+ that clarifies the location and uses of the wells on the property. As to well yields and quality, please note that we will not be regulated as a public water system and consider well yield and water quality proprietary information.


AB 2004

The Summers' propose to use both the patio at the rear of the existing residence/proposed tasting room and the trellis area as AB 2004 on-premise consumption areas. These areas are in addition to the interior tasting room. Thanks for the opportunity to clarify this matter.

As I mentioned in my January 4, 2016 email and as noted above we are still evaluating possible changes to the site plan to address the variance issue. We will submit any changes to the site plan along with concomitant and necessary changes to the proposed winery elevations early next week.

We very much appreciate all of your efforts to guide us through the permitting process. . We look forward to a final resolution of our project and the outstanding compliance issues on January 20, 2016.

Thank you very much.


Jeffrey Redding for
Jim and Beth Summers

Enclosures

CC: Charlene Gallina, Supervising Planner
Clients
Bruce Fenton, RSA+

SUMMARY APPRAISAL

**SUMMERS WINERY
1171 TUBBS LANE
CALISTOGA, CALIFORNIA**

For
Mr. Jim Summers
1171 Tubbs Lane
Calistoga, California 94515

As of
August 27, 2007

BY
JORDAN & ASSOCIATES, INC.
Thomas Jordan
P. O. Box 412
Napa, CA 94559-0412

EXECUTIVE SUMMARY SUMMERS WINERY

Assignment: Determine the "As-Is" market value of the fee simple interest of the subject property, as of August 27, 2007, date of inspection.

Property Identification
Location: 1171 Tubbs Lane, Calistoga, Napa County, CA

Site Description: The subject consists of 25.30-acre rural parcel improved with a winery building, a hospitality structure, site improvements and a vineyard planting.

County Assessor's Parcel Number: 017-160-015 25.30 acres

Zoning: AP - Agricultural Preserve with a 50,000 gallon winery permit. Tastings are by appointment.

General Plan: Agricultural Preserve

Improvements: 4,880 sf Winery
2,288 sf Hospitality / Office Building
21.22 acres varietal vineyard

Hazardous Substances:	Yes	No	X
Flood Zone:	Yes	No	X
Unusual Seismic Hazards:	Yes	No	X
Agricultural Preserve	Yes	No	X
Wetlands	Yes	No	X

Value Indications
Highest & Best Use:
As Vacant: Rural residential site with combined varietal wine grape vineyard.
As Improved: Winery with estate vineyard

Rights Appraised: Fee simple title

Report Type: Summary Appraisal as defined by Uniform Standards of Professional Appraisal Practice (USPAP).

Date Of Valuation: August 27, 2007, primary date of inspection

Date Of Report: August 28, 2007

Appraisal Premise(s): "As-Is" Fee Simple Title

Conclusions to Value: "AS-IS"	Cost Approach	\$6,000,000
	Sales Comparison Approach	\$6,200,000
	Reconciled Value	\$6,200,000

Reasonable Marketing Period: 12 Months
Exposure Period: 12 Months

PART I. INTRODUCTION SUMMERS WINERY

IDENTIFICATION OF THE PROPERTY

The subject is a 25.30-acre rural property located on Tubbs Lane at Highway 29, north of the City of Calistoga in Napa County, California. The common address of the property is:

**1171 Tubbs Lane
Calistoga, California.**

The property is improved with a small winery and vineyard planting. The structures, site improvements and vineyard planting are described in detail within the Improvements section of this report.

Napa County Assessor's office identifies the property as follows:

PARCEL NUMBER	ACRE SIZE
017-160-015	25.30

Land area per Assessor's plat map.

APPRAISAL INFORMATION

Purpose of the Appraisal

The purpose of the appraisal is to determine the "As-Is" market value of the fee simple estate interest of the subject property as of the effective date of appraisal, August 27, 2007.

Function of the Appraisal & Intended User

The function of the appraisal is to support decisions by the Mr. Jim Summers and his assigns related to the subject property for lending purposes and not for distribution. This report is not to be used for any other purposes without the prior permission of the appraiser.

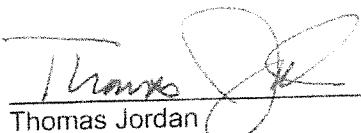
Appraisal Type / Report Format

This is a summary appraisal and is intended to comply with the Uniform Standards of Professional Appraisal Practice (USPAP), 12 CFR Part 323, Title IX of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (FIRREA).

CERTIFICATION

I certify that, to the best of my knowledge and belief:

- The statements of fact contained in this report are true and correct.
- The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, impartial and unbiased professional analyses, opinions and conclusions.
- I have no present or prospective interest in the property that is the subject of this report, and no personal interest with respect to the parties involved.
- I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- The reported analyses, opinions and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics & Standards of Professional Appraisal Practice of the Appraisal Institute, which include the Uniform Standards of Professional Appraisal Practice.
- The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
- I have made a personal inspection of the property that is the subject of this report.
- No one provided significant real property appraisal assistance to the person signing this certification.



Thomas Jordan
Jordan & Associates, Inc.
Certified General Real Estate Appraiser
OREA CA #AG001880

8/29/07
Date

Residence/Offices/Tasting Room

YEAR BUILT:	1974 (Remodeled 1997)	EFFECTIVE AGE:	20 years
AREA:	2,288 sf 8-Room, 1-Bedroom, 2-Bath, with Office, Kitchen, Meeting Room		
CONSTRUCTION:	Concrete perimeter foundation. Wood frame construction with plywood siding exterior. Gable roof with simulated tile covering.		
INTERIOR:	Painted sheetrock interior, hardwood and tile floor covering throughout home. Converted house for public tasting and office use.		
REMARKS:	Building appeared to be in good condition, the flooring and exterior doors were of good quality. Exterior paint was in good condition. The owner intends to convert the building from residential use to winery use once the county permit is obtained.		

Winery Cellar

YEAR BUILT:	1976-1985, remodeled 1997	EFFECTIVE AGE:	10 Years
AREA:	4,377 sf. Barrel and case goods storage with covered work area.		
CONSTRUCTION:	Concrete, slab foundation with wood framing and plywood exterior. Gable roof with simulated tile covering.		
INTERIOR:	The interior of the barrel storage and the case goods storage areas are to be insulated and plywood covered walls with concrete floors. The breezeway and tank area has open framing and concrete floors. The lighting is overhead and appears to be mercury vapor lighting. 16' x 33' office installed in middle section using a spiral stairway.		
REMARKS:	Large functional building with converted office space above breezeway.		

Tasting Room/Lab

YEAR BUILT:	Unknown, remodeled 1997	EFFECTIVE AGE:	10 Years
AREA:	504 sf. Private tastings and Lab.		
CONSTRUCTION:	Concrete, slab foundation with wood framing and plywood exterior. Dutch hip style roof with simulated tile covering.		
INTERIOR:	The interior consists of painted drywall and colored concrete flooring. The main retail room has some cabinetry and a sink and dishwasher.		
REMARKS:	Efficiently laid out space with adjacent storage and restroom.		

Beth Summers

From: Doyle, Mary
Sent: Tuesday, January 21, 2014 1:15 PM
To: 'Beth Summers'; Jim Summers
Cc: Withrow, Kim; Corelis, Peter; Gallina, Charlene
Subject: Summers Winery, tentataive scope for mod
Attachments: MajModNotes SummersWinery.docx

Beth & Jim, it was a pleasure to meet and chat with your vision for the winery. As a follow-up to some of our discussion, please find attached:

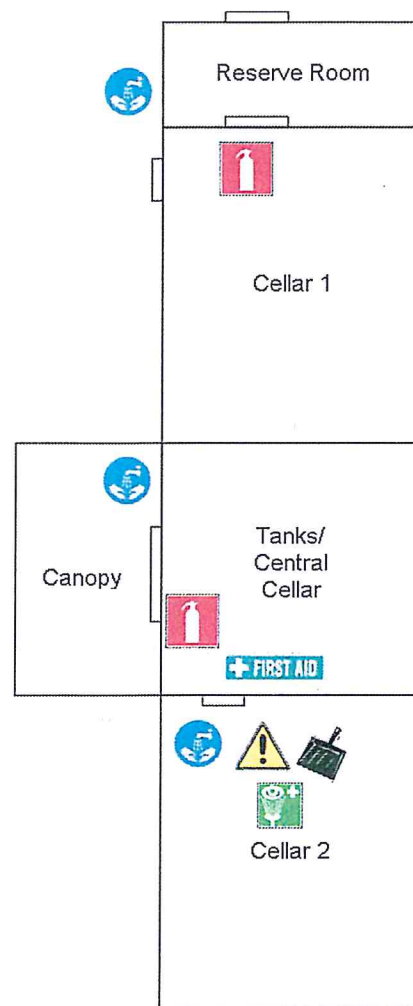
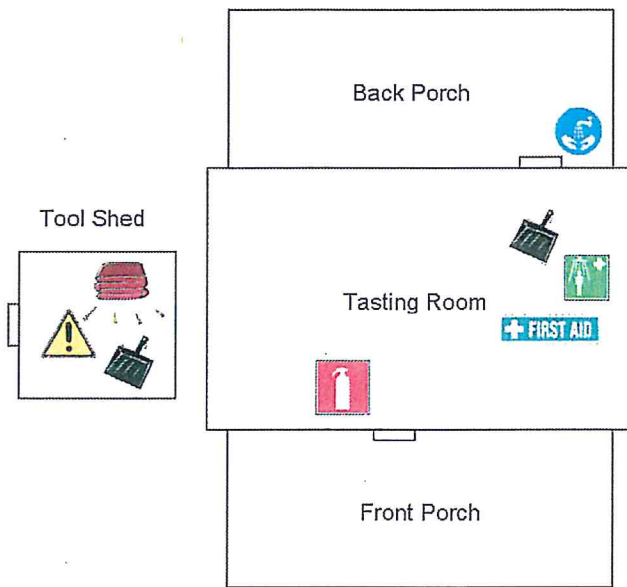
- An annotated summary of existing conditions of approval (**BOLD**): (1) in red, would be those items you are potentially requesting for the major mod, and (2) in blue, are some thoughts for your consideration regarding the mod scope.
- I know the application seems daunting at 30 pages, however, about ½ of the application packet is information & directions and the other ½ are the actual form pages. Please let me know if you have any questions or comments.

Just FYI, I spoke with Kim Withrow (Environmental Health) regarding your existing septic system, and names of some engineers. You may call her directly at 251-1075 or via e-mail. You met Peter Corelis, he'll be the County project Civil Engineer and since he was in the area I suggested he do a preliminary site visit. He can be reached at 259-8757 or via e-mail. And Chris Rose (Building) can be reached at 299-1359.

Regards/md.

Emergency Map – Villa Andriana

Emergency Response Plan: Located in Central Cellar near Time Clock



Fire Extinguishers:

- Cellar 1: Right of double door
- Central Cellar: Next to Time Clock
- Tasting Room: Front Register Counter



Water Outlets:

- Reserve Room: Outside under bathroom window
- Central Cellar: Outside North-east gate
- Cellar 2: Inside Walk-in Door on right
- Tasting Room: Outside NE corner of Building



Absorbent Materials:

- Tool Shed



Broom, Dustpan, Shovel, etc:

- Tool Shed
- Cellar 2: Inside Walk-in Door on left
- Tasting Room: Janitorial Closet



First Aid Kit:

- Central Cellar: Next to Time Clock
- Tasting Room: Main Bathroom



Personal Protective Equipment:

- Cellar 2: Work Bench
- Tool Shed



Eyewash Station:

- Cellar 2: Opposite Work Bench



Emergency Shower:

- Tasting Room: Main Bathroom

Summers Winery, LLC 1171 Tubbs Lane

Summers Winery 1171 Tubbs Lane, APN: 017-160-015 Tentative Major Mod request

Summary of existing Conditions of Approval (#U238384 thru #03075):

- 50,000 gallon annual production

Request to increase annual production to gallons

- 5,850sf winery structure (includes 704sf office & 400sf sales areas)

Request to construct new square foot tank storage facility

NOTE 1: to “recognize” your repurposed use of the residence.

Request to convert an existing square foot residential structure to include asquare foot tasting room; square foot admin facility,square foot restroom; a square foot kitchen; a..... square foot outdoor patio area; square foot picnic area and ...etc...

NOTE 2: you may want to consider repurposing the existing kitchen as an employee break room or “low-risk kitchen” for washing wine glasses etc associated with tasting activities.

- 2,400sf crush pad
- 936sf cover on an existing crush pad

Request to increasecrush area and relocate to

- 20 parking spaces

Request to increase to parking spaces. OR no change

NOTE 3: Since the traffic circulation pattern will change a bit to accommodate FIRE apparatus/emergency service vehicles access to the new production structure, you may want to consider a limo parking space, and perhaps adjust the total parking area between winery employee & guests. Vineyard workers should not be considered since they are an existing condition with no change to the vineyard operations. The only time the vineyard comes into play is under water use-irrigation.

- 2 Full Time Employees, 2 Part Time Employees

Request to increase OR no change

- Retail sales wine fermented/re-fermented on-site, no accessory items may be sold

Request to allow accessory items (such as

- Appt only T&T, 12 guests/day, 70 guest ave/week, no outdoor tasting

Request to increase T&T ... guests/day; ... guests/week, and allow outdoor tasting on the patio and in picnic area

- Marketing: 8 wine/food pairings with 30 guest/event, no outdoor dining

Request to increase marketing program to, and allow outdoor dining

- a. All food catered

Request to OR no change

See above NOTE 2 regarding use of kitchen for incidental use.

- No picnicking, no live or recorded music

Request to allow square foot picnic area, etc.

NOTE 4: For your information, live/recorded/amplified music is not allowed at any winery, unless under a Temporary Event permit.

- 2 directional signs

Request to increase OR no change

- Sign: No public T&T, retail sales only

Request to change OR no change

- Sun-Sat, 8 a.m.-6 p.m.

Request to change OR no change

- No outside social activities including picnicking, dining, tasting, live music, outdoor festivals or similar

Request to allow.....picnic, outdoor dining, outdoor tasting, and ..."other outdoor social activities such as "bocce" play area ..."

NOTE 5: For your information and consideration, any outdoor social activities you would like to have should be in keeping the paragraph below:

"Marketing of wine" means any activity of a winery which is conducted at the winery on a prearranged basis for the education and development of customers and potential customers with respect to wine which can be sold at the winery on a retail basis pursuant to Chapters 18.16 and 18.20 of the Napa County Code. Marketing of wine may include cultural and social events directly related to the education and development of customers and potential customers provided such events are clearly incidental, related and subordinate to the primary use of the winery.

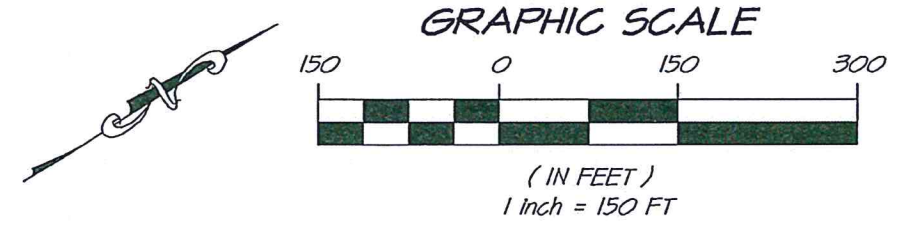
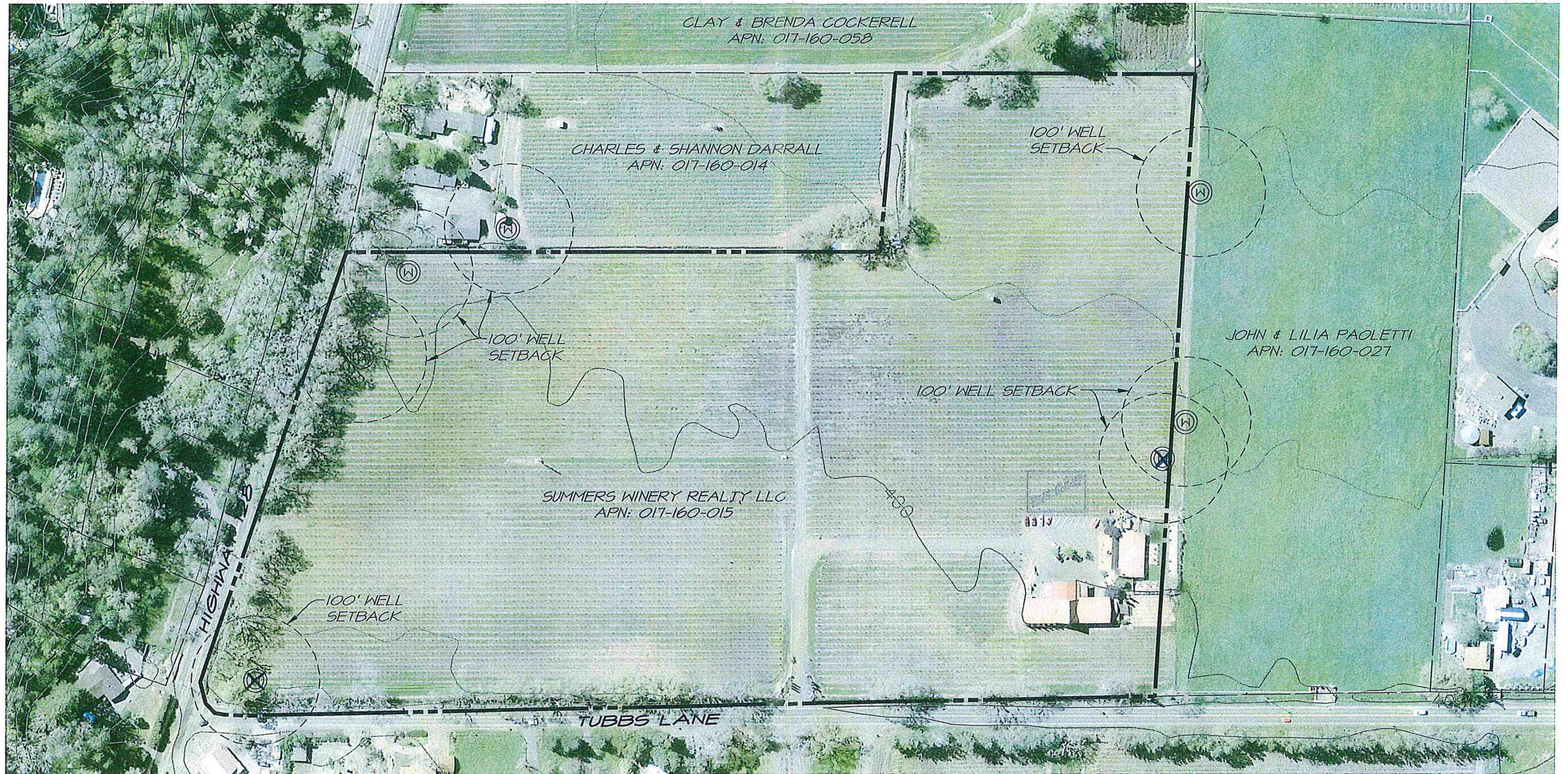
NOTE 6: For your information and consideration, the following items are excerpts from the standard use permit/mod Condition of Approval regarding AB 2004 on-site consumption & ABC/TTB licenses that should be consistent:

- Evans Consumption (AB 2004)

Consistent with Assembly Bill 2004 (Evans) and the Planning, Building, and Environmental Services Director's July 17, 2008 memo, "Assembly Bill 2004 (Evans) & the Sale of Wine for Consumption On-Premises," on-premise consumption may occur solely in ... (identify location).... Any and all visitation associated with on-premise consumption shall be subject to the ... (identify number)... person maximum daily tours and tastings visitation limitation and/or applicable limitations of permittee's marketing plan.

Permittee shall obtain and maintain all permits and licenses from the California Department of Alcoholic Beverage Control (ABC) and United States Tax and Trade Bureau (TTB) required to produce and sell wine, including minimum levels of crush and fermentation.

SUMMERS WINERY WELL EXHIBIT



RSA+

1515 FOURTH STREET
NAPA, CALIF. 94559
OFFICE | 707 | 252.3301
+ www.RSAcivil.com +

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