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Previous Project Conditions



NAPA COUNTY

CONSERVATION, DEVELOPMENT and PLANNING COMMISSION

Charles Wilson
Secretary-Director

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

May 23, 2003

Robert and Wendy Biale
Biale Estate Winery
2040 Brown Street
Napa, CA 94559

RE: Request for Use Permit # 03088-UP (Assessor Parcel No. 36-190-007)

Dear Mr. and Mrs. Biale:

Please be advised that **Use Permit Application #03088-UP** has been **APPROVED** by the Napa County Conservation, Development and Planning Commission on May 21, 2003 based on the attached conditions.

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. You may appeal the conditions of approval. If another files an appeal, you will be notified.

EXPIRATION DATE: May 21, 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.

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

Very truly yours,

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

Steven Lederer
Deputy Planning Director

cc. John Tuteur, Assessor
Gary Brewen, Building Codes Administrator
Barbara Easter, Napa County Fire
Larry Bogner, Public Works
Christine Secheli, Environmental Management

**CONDITIONS OF APPROVAL
BIALE ESTATE WINERY #03088-UP
APN: 36-190-007**

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

- Wine production of no more than 40,000 gallons per year;
- Construction of a 15,412 square foot winery structure; — 10,120 sq ft. MOD 03447
- Construction of 5,849 square feet of covered work area; — 9,586 sq. ft.
- Retail sales and tours and tasting by prior appointment only;
- Establish a Marketing plan as discussed below;
- Construction of an entry structure, including the 10" lettering of the winery identification sign as delineated on the site plan and elevations in the file;
- Construction of a 10,000 gallon water tank.

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.

2. **MARKETING:** Marketing events shall be limited as follows:

- a. Private promotional tasting with meals:
Frequency: 2 times per year
Number of persons: 100 maximum
Time of Day: 11:00 AM to 10:00 PM

"Marketing of wine" means any activity of a winery identified in this paragraph which is conducted at the winery and is 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. (Ord. 1104 § 11, 1996; Ord. 947 § 9 (part), 1990; prior code § 12071). All activity, including cleanup, shall cease by 10:00 PM. Start and finish time of activities shall be scheduled to minimize vehicles arriving or leaving between 4:00 PM and 5:30 PM.

3. **TOURS AND TASTING:** Tours and tasting and retail sales shall be by appointment only and are limited to members of the wine trade, persons who have a 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 pre-arranged basis. Tours and tasting shall complete by 4:00 PM. Retail sale of wines shall complete by 4:30 PM and shall be limited to only those fermented and bottled on-site by the winery operator. A log book (or similar record) shall be maintained which documents the number of visitors to the winery, and the dates of their visit. This record of visitors shall be made available to the Department upon request.

4. **GRAPE SOURCE:** At least 75% of the grapes used to make the winery's still wine shall be grown within the County of Napa. The applicant shall report to the Department on an annual basis by December 31 the source of grapes verifying that 75% of the approved production is from Napa County grapes. The report shall include the Assessor's Parcel Number and the grape tonnage. The report shall be proprietary and not available to the public. For the public record, the applicant shall annually submit to the Department for the file a statement regarding compliance with the sourcing requirement and indicating the percentage of Napa County grapes utilized.
5. **SIGNS:** Prior to installation of any winery identification or directional signs, detailed plans, including elevations, materials, color, and lighting, shall be submitted to the Planning Department for administrative review and approval. All signs shall meet the design standards as set forth on Section 18.116 of the County Code. **The sign identifying the winery and located on the entry structure must legibly include wording stating "Tours and Tasting by Prior Appointment Only".**
6. **GATES/ENTRY STRUCTURES:** Any gate installed at the winery entrance shall be reviewed by the Planning and Public Works Departments and the Napa County Fire Department to assure that it is designed to allow a large vehicles such as motorhomes to turn around if the gate is closed without backing into the public roadway and that fire suppression access is available at all times. If the gate is part of an entry structure an additional permit shall be required according to the County Code.
7. **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.**
8. **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 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.**

9. **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.
10. **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)
11. **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 May 2, 2003
 - Department of Public Works as stated in their letter of April 22, 2003
 - County Fire Department as stated in their letter of April 22, 2003
 - Building Division as stated in their letter of April 22, 2003

12. **MONITORING COSTS:** All staff costs associated with monitoring compliance with these conditions, previous permit conditions and project revisions shall be borne by the applicant 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 applicant's contractors, employees, and guests are the responsibility of the applicant.
13. **SPOILS:** All spoils generated by construction of the project facilities, including cave spoils, shall be disposed of per Public Works direction. All spoils piles shall be removed prior to occupancy.
14. **WELLS:** The applicant may be required (at the applicant's expense) to provide well monitoring data if it is judged that water usage at the winery is, or would potentially affect groundwater or 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.
15. **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 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 unless a special permit to that effect has been secured through the County.
16. **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.

17. **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.
18. **ARCHAEOLOGICAL 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.
19. **TRAFFIC:** Reoccurring and scheduled vehicle trips to and from the site for employees, deliveries, and visitors shall not occur during peak (4-6 PM) travel times to the maximum extent possible.
20. **STORM WATER CONTROL:** For any construction activity that results in disturbance of greater than five acres (or one acre following the upcoming change in State regulations) of total land area, applicant shall file a Notice of Intent with the California Regional 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 applicant 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.

MAY 01 2001

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.PROJECT REVISION STATEMENT

April 10, 2001

Mitigation Measures for Biale Estate Winery

I hereby revise my proposal to establish a 40,000 gallon/year winery with marketing activities, retail wine sales by appointment only, and the construction of a 15,412 ft² winery structure; and, b. Approval to construct the proposed winery structure within 300 feet of an existing private road on a 10.84 acre parcel (APN: 036-190-007), located at 4024 Big Ranch Road, Napa, the east side of Big Ranch Road, at its intersection with Salvador Avenue (Use Permit request # 00271-UP and Variance #00272-VAR) to include the measures specified below:

AESTHETICS (increased nighttime light)

1. All exterior 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, incorporating the use of motion detection lighting to the greatest extent possible.

NOISE (construction and operational)

2. All construction activities which would utilize vehicles and motorized equipment shall be limited to the hours of 7:30 AM and 5:00 PM, unless written waiver of this requirement by the inhabitants of every residence within 1300 feet shall be submitted to the Napa County Conservation, Development and Planning Department.
3. All construction equipment shall be properly and adequately muffled or acoustically shielded at all times. All noisy stationary construction equipment shall be placed as distant as possible from nearby residences.
4. All activities around the south loading/service area which would utilized motorized equipment shall be limited to the hours of 7:30 AM and 6:00 PM, unless written waiver of this requirement by the inhabitants of every residence within 1300 feet shall be submitted to the Napa County Conservation, Development and Planning Department. Truck traffic shall be scheduled on weekdays and daytime hours whenever possible. During crush, such activities will be limited to the hours 6:00 AM to 10:00PM.

I further commit myself and, by recording this document, my successors-in-interest to communicate the above-specified requirements in writing to any future purchasers of the parcels subject to this application prior to transfer of title.

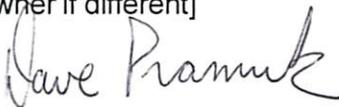


Robert Biale

4/27/01

Date

[owner if different]



04/19/01

Dave Pramuk
Partner, Robert Biale Vineyards



MEMORANDUM

May 2, 2003

TO: Napa County Planning Department

FROM: Napa County Environmental Management Department,
Christine Secheli, R.E.H.S., Environmental Health Manager

Application for Robert Biale Vineyards Winery
Located at 4024 Big Ranch Road
Assessor Parcel # 36-190-07
File # 03088-UP

RECEIVED

MAY 05 2003

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

We have reviewed the above proposal and recommend approval of the application providing the following are included as conditions of approval:

1. That a permit for the installation of the sewage disposal system be secured from the Department of Environmental Management prior to issuance of a building permit.
2. If the pressure distribution option is chosen, plans for the proposed special designed sewage disposal system shall be designed by a licensed Civil Engineer or Registered Environmental Health Specialist and be accompanied by complete design criteria based upon local conditions and shall be subject to approval by the Department of Environmental Management prior to issuance of any permits. If the standard system is chosen, an engineered layout must be designed and submitted as noted above.
3. That the use of the drain field area be restricted to activities which will not contribute to compaction of the soil with consequent reduction in soil aeration. This includes equipment storage, traffic, parking, livestock, etc., over the system.
4. That if any uncovered outdoor crush or process areas are a part of the project, the applicant must submit a letter from their engineer which addresses proper diversion of storm water and process waste water. If a diversion valve (or equivalent) is needed, a detail on same must be submitted. This letter and detail must be received prior to issuance of sewage permits.
5. Pursuant to Chapter 6.95 of the California Health and Safety Code, businesses who generate hazardous waste and/or store hazardous materials above threshold amounts shall obtain a permit and file an approved plan with the Department of Environmental Management within 30 days of said activities. If the business does not generate hazardous waste and/or store hazardous materials above threshold quantities, a Hazardous Materials Negative Declaration shall be filed.
6. The proposed water system to serve this project is not currently required to be regulated by this Department under California Code of Regulations, Title 22, or Napa County Code. Therefore, we have no comment as to its adequacy. The applicant may wish to retain the services of a consultant in this matter.

7. That all solid waste be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.
8. During the construction/demolition/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.
9. Adequate area must be provided for collection of recyclables. The applicant must contact 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.
10. All diatomaceous earth/bentonite must be disposed of in an approved manner.
11. Complete plans and specifications containing equipment layout, finish schedule and plumbing plans for the food and/or beverage facilities and employee restrooms, must be submitted for review and approval by the County Department of Environmental Management prior to issuance of any building permits for said areas. An annual food permit will also be required.

cc: The Biale Estate, 2040 Brown Street, Napa, CA 94559
Cathy Roche, 809 Coombs Street, Napa, CA 94559

INTER-OFFICE MEMO



TO: Charles Wilson, Director
Conservation, Development, and Planning Department

FROM: Barbara Easter, Fire Department

DATE: April 22, 2003

SUBJECT: Biale Vineyard & Winery Use Permit Comments (Revised)
Apr: 036-190-007 03088-UP

Site Address: 4024 Big Ranch Road, Napa

The Napa County Fire Marshal staff has reviewed the Use Permit application to establish a 40,000-gallon/year winery, construct a winery building totaling 15,412 square feet. We recommend that the following items shall be incorporated as project conditions or mitigation measures if the commission approves the project.

1. All construction and use of the facility shall comply with all applicable standards, regulations, codes and ordinances.
2. Fire apparatus access roads shall be provided to within 150 feet of all structures. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet at the building site and an unobstructed vertical clearance of not less than 15 feet.
3. Access roads from the public and/or private right-of- ways to the project/ building site shall comply with Napa County Road and Street Standards and shall be reviewed by the Napa County Public Works Department.
4. The request for beneficial occupancy will not be consider until all fire and life safety issues have been installed, tested and final.
5. This project has no significant additional impact to wildfire risk over and above any other comparable project approved by the County.
6. An approved access walkway shall be provided to all exterior doors and openings required by either the California Fire Code or the California Building Code. A concrete sidewalk or other

approved hard surface will meet the intent of the access walkway requirement. Adequate space adjacent to the access walkway, vertically and horizontally, shall be provided to allow firefighters to access required building openings in order to effectively perform rescue operations, to allow for equipment maneuverability. Any landscaping adjacent to the access walkway shall be such that it does not obstruct the functional purpose of the walkway upon maturity.

7. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with a surface so as to provide driving capabilities in all weather conditions. Said access shall be provided prior to any construction or storage of combustible materials on site.
8. The approved address numbers shall be placed on each building by the applicant in such a position as to be plainly visible and legible from the street fronting the property and shall be placed as to be seen from all entrances. Proposed address shall be indicated on the elevation drawings contained within the building plan submittal. The address numbers shall be a minimum of 10" in height, contrasting in color with their background and shall be illuminated.
9. An approved project sign shall be placed at vehicle access points into the project during construction to assist emergency responders. The sign shall identify the project name and address. Such signs shall be clearly visible and legible from the street fronting the project.
10. The applicant shall properly identify all required fire lanes. Fire lanes shall be painted red with white letters to read "NO PARKING FIRE LANE CVC 22500.1, stenciled every 30 feet on top of the curb.
11. The minimum required fire flow for the protection of the proposed project is 400 gallons per minute for 60 minutes duration at 20 pounds residual water pressure with a water storage volume of 24,000 gallons. This flow is based on the premise that the structure will be of Type V-N rated construction. Any change in any of the conditions may increase the required fire flow. The fire flow and storage volume in a sprinkler building is in addition to the water demand for the sprinkler system.
12. A fire pump may be required to meet the fire flow requirements. The fire pump shall be installed and maintain in accordance to the *National Fire Protection Standard #20 (Installation of Stationary Pumps for Fire Protection 1999 edition)*.
13. The private fire service mains shall be installed and maintain in accordance to the *National Fire Protection Standard # 24 (Installation of Private Fire Service Mains and Their Appurtenances 1999 edition)*.

14. The location, number and type of fire hydrants connected to the water supply shall be in accordance with the *California Fire Code, 2001 edition*.
15. An approved automatic fire sprinkler system shall be provided for the proposed project where the total fire area is 3,600 square feet or greater, as require by the Napa County Fire Code. The fire sprinkler system shall be installed and maintain in accordance to the *National Fire Protection Standard #13 (Installation of Sprinkler System, 1999 edition)*.
16. All post indicator valves, control valves, waterflow devices shall be monitored by an approved remote station or central alarm monitoring company. Digital alarm communicator system panel shall be installed and maintained accordance with the *National Fire Protection Standard #72 (Fire Alarm Code, 1999 edition)*.
17. A Knox box or a Knox Cabinet shall be installed at approved location by the Napa County Fire Marshal's Office. If the building/suites are protected by a fire or burglar alarm system, the boxes will require "tamper" monitoring.
18. The Knox rapid entry system shall have one or all of the following items placed in the Knox box or Knox cabinet, dependant on requirements of this facility:
 1. A minimum of 2 master keys to the building(s) for emergency access.
 2. Scaled site plan of the facility, identifying all buildings, hydrants, fire department access around the facility, and location of all water, electric, and gas shut-off valves.
 3. Scaled floor plans of all buildings showing doors, offices, etc.
 4. Napa County Hazardous Materials Business including all MSDS forms, etc.
19. A complete set of Building Plans shall be submitted to the Fire Department for review and approval for egress requirements.
20. Barricades shall be provided to protect any natural gas meter, fire hydrant, or other fire department control device, which may be subject to vehicular damage. Approved signs may be required to identify the location of fire protection devices.
21. Technical assistance in the form of a fire protection engineer or consultant acceptable, and reporting directly, to the NCFD shall be provided by the applicant at **no** charge to the County (California Fire Code section 103.1.1) for the following circumstances:
 - a. Independent peer review of alternate methods proposals.
22. 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.

23. "Fire Plan Review and Inspection" fees shall be paid to the Fire Department for all applicable plan review and inspection work at the established deposit basis plus project consultation time at the hourly rate of \$59 per hour (Napa County Resolution 92-65).

BYRON J. CARNIGLIA
Fire Chief

By: *Barbara Easter*

Barbara Easter
Fire Inspector

BJC/be/be
cc: Applicant, CFM Files, Chron

name



NAPA COUNTY

CONSERVATION • DEVELOPMENT and PLANNING DEPARTMENT

Charles Wilson
Director

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

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PERMIT APPLICATION AND INITIAL STUDY REQUEST FOR COMMENTS

APR 23 2003

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

TO: Public Works

APPLICATION TITLE: Biale Vineyards + Winery FILE #: 03088-4P

RESPONSE REQUEST DATE: 4/18/03 (036-190-007) RESPONSE RETURN DATE: 5/3/03

FINAL REQUEST DATE: _____ FINAL RESPONSE DATE: _____

PLEASE RESPOND VIA E-MAIL TO: _____ @co.napa.ca.us

OR DIRECT FAX TO: _____ (707) 299-_____

FOR QUESTIONS ON THIS REQUEST PLEASE CONTACT: _____

This application (see enclosed project description and/or maps) is being sent to you for your review and comment.

With respect to environmental analysis, the County is assuming Lead Agency status for the project and will be preparing the necessary environmental documents.

Please advise us as to which of your permits is required, your environmental concerns, and whether you recommend that a Negative Declaration or an Environmental Impact Report be prepared on this project. Due to the provisions of AB 884, it is essential that we receive your comments within the next 10 days.

1. Do you have jurisdiction by law over this project Yes No

If yes, indicate required permits: IMPROVEMENT PLAN APPROVAL / ENCROACHMENT PERMIT

2. Indicate areas of environmental concern and availability of appropriate technical data: NA

3. Do you recommend: Negative Declaration Environmental Impact Report

4. If the project is approved, recommend conditions-of-approval (use additional page if needed): SEE MEMO OF 4/22/2003

5. Have you previously reviewed an application on any portion of this project? Yes No

6. Name of contact person: LARRY BOGNER Telephone: 253-4351
Response Prepared by: LARRY BOGNER
Title: CIVIL ENGINEER
Date: 4/22/2003

**PUBLIC WORKS DEPARTMENT
INTER-OFFICE MEMO**



April 22, 2003

TO: Conservation Development and Planning Department

FROM: Larry Bogner, Civil Engineer

Larry Bogner

SUBJECT: Biale Vineyards and Winery, 4024 Big Ranch Road
APN# 036-190-007, File #03088-UP

This application will allow the applicant to establish a winery with a production capacity of 40,000 gal/yr; 4 full time and 3 part time employees; construct a 10- space parking lot; and 15,412 sqft of new building.

EXISTING CONDITIONS:

1. Existing access road is 10 feet wide at the connection with Big Ranch Road and lines up with the westbound lane of Salvador Avenue. The access road has a chip sealed surface.
2. Parking surface is currently unimproved.
3. The traffic count for Big Ranch Road was 7918 just north of Trancas Street taken on 6/21/1999, and was 3389 just south of Oak Knoll Avenue taken on 8/12/1999.

RECOMMENDED CONDITIONS:

GROUNDWATER

1. We have reviewed the phase one, water availability analysis for the proposed project. The 10.84-acre parcel is located in the "valley floor" area, with an extraction threshold of 1.0 AF/Acre, resulting in a total parcel volume of 10.84 AF/Year. The estimated water demand of 4.98 AF/Year (.5 AF Residential, .86 AF Winery, and 3.42 AF Vineyard) is below the established threshold for the property. Therefore, the projected water use for the project should not have a significant impact on static water levels of neighboring wells. No further analysis is necessary.

NEW DRIVEWAY:

2. Access drive shall be a minimum of 18 feet wide with 2 feet of shoulder from the nearest County maintained road to the project site. Structural section shall be a minimum 5 inches of Class II Aggregate Base plus a double chip seal coat or equivalent. (County Road and Street Standards, Page 9, Par. 12)

PARKING:

3. Any parking proposed by the applicant or required by the Planning Commission as a condition of this use permit must have a minimum structural section of 5 inches of Class II Aggregate Base plus a double chip seal coat or equivalent.

4. Parking lot details shall conform to the requirements of the latest edition of the Napa County Road and Street Standards.

FRONTAGE:

5. The estimated annual daily traffic count on Big Ranch Road combined with the estimated daily traffic to be generated by this winery indicate that a left turn lane on Big Ranch Road is not required. (County Road and Street Standards, Page 15, Sec. 16 and Page 16-A)

SITE IMPROVEMENTS:

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. Plan shall also indicate the path and changes in runoff.
7. The pre-development and the post-development flow for a 100-year event shall be provided with improvement plans. Improvement plans shall address the attenuation of peak flow due to the additional runoff resulting from this development
8. Any necessary storm drainage improvements shall conform to the latest "Napa County Road and Street Standards.

OTHER RECOMMENDATIONS:

9. The applicant must obtain an encroachment permit for any work performed within the Napa County Right-of-Way.
10. All Public Works related improvements shall conform to the latest Napa County Road and Street Standards.

STD COMMENTS

11. Improvements shall be constructed according to plans prepared by a registered civil engineer, which will be reviewed and approved by this office. A plan check fee in the amount of 3% of the estimated cost of the proposed construction will be paid to Napa County Public Works prior to approval of these plans.
12. 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.

Any changes in use may necessitate additional conditions for approval.

If there are any questions regarding the above items please contact Larry Bogner at 253-4351.

cc: Robert & Wendy Biale
Cathy Roche



NAPA COUNTY

CONSERVATION • DEVELOPMENT and PLANNING DEPARTMENT

Charles Wilson
Director

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

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APR 22 2003

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

PERMIT APPLICATION AND INITIAL STUDY REQUEST FOR COMMENTS

TO: Building Inspection Division

APPLICATION TITLE: Biale Vineyards + Winery FILE #: 03088-UP

RESPONSE REQUEST DATE: 4/18/03 (036-190-007) RESPONSE RETURN DATE: 5/3/03

FINAL REQUEST DATE: _____ FINAL RESPONSE DATE: _____

PLEASE RESPOND VIA E-MAIL TO: _____ @co.napa.ca.us

OR DIRECT FAX TO: _____ (707) 299-_____

FOR QUESTIONS ON THIS REQUEST PLEASE CONTACT: _____

This application (see enclosed project description and/or maps) is being sent to you for your review and comment.

With respect to environmental analysis, the County is assuming Lead Agency status for the project and will be preparing the necessary environmental documents.

Please advise us as to which of your permits is required, your environmental concerns, and whether you recommend that a Negative Declaration or an Environmental Impact Report be prepared on this project. Due to the provisions of AB 884, it is essential that we receive your comments within the next 10 days.

1. Do you have jurisdiction by law over this project Yes No
If yes, indicate required permits: Grading; Building; Plumbing; Mechanical
Electrical

2. Indicate areas of environmental concern and availability of appropriate technical data: None

3. Do you recommend: Negative Declaration Environmental Impact Report

4. If the project is approved, recommend conditions-of-approval (use additional page if needed):
1. Apply for and secure permits as noted in item No. 1 above.

5. Have you previously reviewed an application on any portion of this project? Yes No

6. Name of contact person: [Signature] Telephone: 253-4417
Response Prepared by: Gary W. Brewer
Title: Building Code Admin
Date: 4-22-03

**COUNTY of NAPA****CONSERVATION, DEVELOPMENT
AND PLANNING DEPARTMENT**

Charles Wilson
Director

Patrick Lynch
Assistant Director

December 18, 2003

Wendy and Robert Biale
2040 Brown Street
Napa, CA 94558

Re: Request for Use Permit Modification #03447-MOD

Dear Mr. and Mrs. Biale:

Please be advised that your request to modify Use Permit #03088-UP for Biale Winery has been administratively **APPROVED** (see attachment).

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 others file an appeal, you will be notified.

Pursuant to Section 18.124.080 of the Napa County Code, this approval must be activated within two years from the approval date, or it shall automatically expire and become void. No extensions are possible. This letter is your only notice regarding expiration.

This approval applies only to the modifications proposed in your letter and submitted on October 31, 2003. All applicable building permits must be applied for and obtained prior to construction. Additionally, approval from the Fire Department, Public Works, and Environmental Management must be obtained and all conditions must be complied with as part of the Building Permit process. All conditions required by the original Use Permit, except as modified herein, remain in full effect.

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

Sincerely,

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

Steven E. Lederer
Assistant Deputy Director

Cc: file
Bob Nelson, Supervising Planner



NAPA COUNTY
CONSERVATION, DEVELOPMENT & PLANNING COMMISSION
1195 Third Street, Suite 210, Napa, California 94559 • (707) 253-4416

APPLICATION FOR USE PERMIT MINOR MODIFICATION

THIS IS AN APPLICATION FOR A DEVELOPMENT PERMIT

FOR OFFICE USE ONLY

ZONING DISTRICT: AP FILE NO: # 03447-MOD

REQUEST: Reduce approved square footage of winery Date Submitted: _____

Date Complete: 12-18-03

Date Published: NIA

_____ ZA CDPC BS APPEAL

_____ Hearing _____

_____ Action _____

TO BE COMPLETED BY APPLICANT
(please type or print legibly)

Applicant's Name: Robert & Wendy Biale

Telephone #: (707) 257-7555 Fax#: (707) 257-0105 E-Mail: info@robertbialevineyards.com

Mailing Address: 2040 Brown Street Napa CA 94559
No Street City State Zip

Status of Applicant's Interest in Property: owner

Representative's Property Owner's Name: Cathy Roche

Telephone #: (707) 252-7122 Fax#: (707) 255-6876 E-Mail: roche@dpfnapa.com

Mailing Address: 809 Coombs Street Napa CA 94559
No Street City State Zip

Site Address/Location: 4024 Big Ranch Road Napa CA 94558
No Street City State Zip

Assessor's Parcel #(s): 036-190-007 Existing Parcel Size: 10.84 acres

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, plot plan, floor plan, building elevations, water supply/waste disposal system plot 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.

By: [Signature] Signature of Applicant Date _____

By: [Signature] Signature of Property Owner Date _____

ROBERT BIALE PRINT NAME ROBERT BIALE PRINT NAME

**PROJECT STATEMENT
 MINOR USE PERMIT MODIFICATION APPLICATION
 BIALE VINEYARDS WINERY
 #03088-UP
 4024 BIG RANCH ROAD, NAPA**

APPLICANT AND PROPERTY OWNER:

Wendy & Robert Biale
 2040 Brown Street
 Napa, California 94558
 257-7555

APPLICANT'S REPRESENTATIVE:

Dickenson, Peatman & Fogarty
 Attention: Cathy Roche
 809 Coombs Street
 Napa, California 94559
 252-7122

APN: 36-190-007

ACREAGE: 10.87 acres

GENERAL PLAN & ZONING DESIGNATION:

Agricultural Resource (AR)
 Agricultural Preserve (AP)

PROJECT DESCRIPTION:

The purpose of this application is to obtain approval of some minor changes to the site plan, floor plan and elevations of an approved but not constructed winery. The approved project proposed a total floor area of 13,998 sq.ft., with outdoor work areas (covered and uncovered) of 10,120 sq ft. This modification proposes a reduction of enclosed floor area to 10,120 sq ft, and a reduction in outdoor work areas to 9,586 sq ft. The proposed improvements are as follows:

Enclosed Floor Areas

First Floor

Barrel & case storage rooms	5925
Office, lab, bath, storage,	1945
Mechanical	<u>480</u>

Total First Floor	8350
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Second Floor

Offices	1770
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Total Floor area	10,120
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Covered Areas

Crush pad	8300
Decks	<u>1286</u>

Total covered areas	9586
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Total lot coverage, building	17936
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COUNTY of NAPA

CONSERVATION, DEVELOPMENT
AND PLANNING DEPARTMENT

Charles Wilson
Director

Patrick Lynch
Assistant Director

June 23, 2004

Biale Estate Winery
Attn: Albert Perry
2040 Brown Street
Napa, CA 94559

Re: Request for Use Permit Modification #P04-0260 MOD, APN:36-190-007

Dear Mr. Perry:

Please be advised that your request to modify Use Permit #03088-UP and #03447-MOD for Biale Winery has been administratively **APPROVED** (see attached comments).

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 others file an appeal, you will be notified.

Pursuant to Section 18.124.080 of the Napa County Code, this approval must be activated within two years from the approval date, or it shall automatically expire and become void. No extensions are possible. This letter is your only notice regarding expiration.

This approval applies only to the modifications proposed in your application submitted on June 2, 2004. All conditions required by the original Use Permit, except as modified herein, remain in full effect.

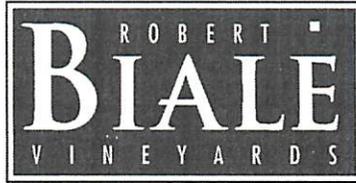
Should you have any questions, please contact Naomi Beattie at nbeattie@co.napa.ca.us or a (707) 253-4416

Sincerely,

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

Steven E. Lederer
Assistant Deputy Director

Cc: file



Napa County Conservation, Development and Planning Commission
1195 Third Street, Suite 210
Napa, Ca, 94559

This letter is in regard to the Biale Estate Winery, 4038 Big Ranch Rd.
Use Permit # 03088-UP, Assessors Parcel # 36-190-077

Our request is to be able to custom crush 15,000 gallons per year with no more than four custom producers. The 15,000 gallons will fall within our approved wine production of 40,000 gallons. There are no modifications in our Plot plans, Floor plans or Building Elevations. There will be no additional employees and no increase in Market activities.

Thank you for your time, attention and consideration,

Sincerely, Al Perry Winemaker/Partner

A handwritten signature in blue ink that reads "Al Perry". The signature is fluid and cursive, with the first letters of "Al" and "Perry" being capitalized and prominent.

Robert Biale Vineyards
2040 Brown St.
Napa, Ca, 94559

NAPA COUNTY
CONSERVATION, DEVELOPMENT & PLANNING COMMISSION
 1195 Third Street, Room 210 Napa, California, 94559 • (707) 253-4416

RECEIVED

APPLICATION FOR USE PERMIT

DEC 22 2000

THIS IS AN APPLICATION FOR A DEVELOPMENT PERMIT

NAPA CO. CONSERVATION

FOR OFFICE USE ONLY

DEVELOPMENT & PLANNING DEPT.

ZONING DISTRICT: AP FILE NO: 00271-UP

REQUEST: Establish a 40,000 gallon/year winery Date Submitted: December 22, 2000
and the construction of a 15,412 sq ft winery Date Complete: _____
production facility, a marketing plan with Date Published: _____
2 events,

ZA CDPC BS APPEAL

Hearing _____

Action _____

TO BE COMPLETED BY APPLICANT
 (please print or type)

Applicant's Name: The Biale Estate (dba Robert Biale Vineyards) Telephone #: (707) 257-7555

Site Address: 4024 Big Ranch Road Napa CA 94558
No Street City State Zip

Mailing Address: 2040 Brown Street Napa CA 94559
No Street City State Zip

Status of Applicant's Interest in Property: Owners

Representative's-
 Property Owner's Name: Cathy Roche Telephone #: (707) 252-7122

Mailing Address: 809 Coombs Street Napa CA 94559
No Street City State Zip

Assessor's Parcel #(s): 36-190-007 Existing Parcel Size: 10.84 acres

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, plot plan, floor plan, building elevations, water supply/waste disposal system plot 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.

Robert A. Biale 12/7/00 Robert A. Biale 12/7/00
 Signature of Applicant Date Signature of Property Owner Date

 PRINT NAME PRINT NAME

TO BE COMPLETED BY CONSERVATION, DEVELOPMENT AND PLANNING DEPARTMENT

Total Fee: \$2,350.00 Receipt Nos. 99718 Received by: Wynne's Chetman Balchen Date: 12/22/00
99559

**PROJECT STATEMENT
USE PERMIT APPLICATION
BIALE VINEYARDS WINERY
4024 BIG RANCH ROAD, NAPA**

APPLICANT AND PROPERTY OWNER:

The Biale Estate
dba Robert Biale Vineyards
2040 Brown Street
Napa, California 94558
257-7555

APPLICANT'S REPRESENTATIVE:

Dickenson, Peatman & Fogarty
Attention: Cathy Roche
809 Coombs Street
Napa, California 94559
252-7122

RECEIVED
DEC 22 2000
NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

APN: 36-190-007**ACREAGE:** 10.87 acres**GENERAL PLAN & ZONING DESIGNATION:**

Agricultural Resource (AR)
Agricultural Preserve (AP)

GENERAL PROJECT DESCRIPTION:

The purpose of this application is to obtain approval to construct a new winery building with a production capacity of 40,000 gallons. The following information is provided to describe the background, intentions and goals of Robert Biale Vineyards:

The Biale family has been dedicated to growing Zinfandel grapes ever since Pietro Biale, an immigrant from near Genoa, Italy, first planted vineyards in north Napa on El Centro Avenue in 1937. In time, his son Aldo Biale, took over the family farm which produced not only grapes but chickens, eggs, walnuts, prunes, fruit and vegetables. The grapes were sold under contract to large wineries for decades thereafter.

As a young man, Aldo traveled to Italy where he met and married his life companion, Clementina. Over the ensuing years they raised a daughter and three sons, educating them at St. Apollinaris and Justin Sienna High School while involving them in all aspects of the day to day work on the ranch. During this period, along with operating the ranch and vineyards, Aldo additionally worked for 30 years as a full-time employee of the City of Napa Public Works Department, eventually retiring in 1985.

In 1984, Aldo and Clementina's eldest son, Robert, upon receiving the sad news of his younger brother's unexpected death due to asthma, returned to Napa from New Guinea where he had been working for three years as a lay missionary. Robert went to work for Dominican College. Then in 1989 he was hired in wine production at Beringer Vineyards where he worked for 10 years along with raising his own family and operating the new winery.

In 1991, Robert initiated a partnership involving his father and long time Napa Valley winery

professionals, Al Perry and Dave Pramuk. Pramuk is a Napa native whose father was a physician at Napa State Hospital for 30 years. He is married, lives in Napa with his wife Robin and three children. After 18 years in Sales and Public Relations he now works part-time for the Cardinale Winery. Al Perry is a well respected and long-time winemaker in the Napa Valley having made wines at Stonegate, Sterling, Opus One, Beringer, Stags' Leap Winery, Voss and currently Ehlers Grove.

With the first crush of five tons of grapes from their oldest vineyard, the family realized a dream of producing a wine in the family name. During its nine years of operation, Robert Biale Vineyards has established a national and international reputation for producing among the very finest Zinfandels in California. The small lots from historic and small family vineyards incorporate each vineyard's unique story into the wine.

With the purchase of the Upton property on 4024 Big Ranch Road, it is the winery's intent to fulfill its long-term plan of establishing a small winery facility with a 40,000 gallon capacity. The winery will produce small lots of the highest quality wines from the family's vineyards and other vineyards under contract. The size and architectural style of the buildings would be consistent with and sensitive to the surrounding area and agricultural history of Napa. Marketing activities will be limited to two events per year with an average of 70 invited guests.

SUMMARY OF WINERY BUILDING

Enclosed Floor Areas

First Floor

B:	Tank room	5,722 s.f.
A:	Barrel & case storage rooms	4,892 s.f.
C & D:	Office, lab, bath, storage, hall	3,384 s.f.
	Total First Floor	13,998 s.f.

Second Floor

J & K:	Office and Storage	1,414 s.f.
	Total Floor Area	15,412 s.f.

Covered Areas

F & G	Crush pad	4,752 s.f.
E:	Porch	1,097 s.f.
	Total covered areas	5,849 s.f.

Uncovered Work Areas

H & I	Uncovered work areas	4,900 s.f.
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Total lot coverage, building	13,998 s.f.
Total lot coverage, covered paved areas	5,849 s.f.
Total lot coverage, uncovered work area	4,900 s.f.

Salvador Ave

Big Ranch Road

600'

easement

house



barn



winery buildable area

20'

300'

approximate location
100 year flood plain

