

“D”

Public Comments

November 20, 2019

Charlene Gallina, Supervising Planner
Napa County Planning, Building & Environmental Services Department
1195 Third Street, Suite 210
Napa, California 94559

Sub: Public hearing Scheduled for Dec 4, 2019 re: Mathew Bruno Wines Tasting Room - Use Permit
Application No. P17-00387-UP

As the homeowner at 1163 Grape Lane, I am concerned with the proposed tasting room plans significantly increasing traffic on Grape Lane which could cause unsafe conditions. I believe the proposal understates the parking requirements and increases ingress/egress issues along the lane.

My comments refer to the October 31, 2019 Initial Study Checklist.

1. Page 2 Item 9 (Description of Project): the request for 10:00am to 6:00pm operating hours is outside of the hours operated by other tasting rooms in the immediate area and should be reduced.
 - A. Elizabeth Spencer Winery: 5:30pm closing
 - B. Beaulieu Vineyards: 5:00 closing
 - C. Round Pond: 4:30pm closing
 - D. Inglenook: 5:00pm closing
2. Page 24 Section XIII, section a/b: This section addresses noise from large events. As the homeowner of the property identified as "the nearest residence", I would like to understand how the outside guests will be restricted to the "eastern garden area" in order to "inhibit line of sight between the outdoor areas of the proposed project site and the nearest residence". I see no plans to keep guests from the rear (south) of the property which is direct line of sight to my residence.
3. Page 30 Section XVII, section d/e/f: This section addresses parking and uses Napa County Code 18.110.030 stating 1 parking stall per 120 sq feet. This calculation of 7 required spaces is based on the defined interior space of 684 square feet. However the total square feet of available space of indoor and outdoor wine tasting is 2500 sq ft as stated in Section VIII, section a (Page 18). What will restrict the use of outdoor space for this parking calculation? Any bi-monthly event of 30 people will in all likelihood use some of that outside space and require more parking spaces.

Additionally, the head-in parking as planned requires the destruction of trees and shrubs along the Grape Lane right of way and creates additional safety issues on the lane with backing out of those spaces.

4. Large event parking controls and other parking controls: I would like to understand how the outside guest parking will be restricted on the Grape Lane right of way. With the agreement of the Oliver family who owns vineyard land to the south of the subject property, large event parking will be on the vineyard land. There must be a condition in the permit that restricts the vehicle activity to that vineyard land and not use the right-of-way which would look convenient. In addition, the Bruno ownership must be responsible for wear and tear on the 350 ft right-of-way currently maintained by the residents which would be used by large event guests to access the vineyard land.

I am requesting your consideration for the following:

1. Reduce requested hours to be inline with other commercial tasting rooms in the immediate area.
2. Reduce the number of allowed visitors per day and restrict tasting areas to what can be accommodated by available parking.
3. Require parking on the property as previously implemented by the prior tenants so that egress can be head-on into Grape Lane. Do not allow the destruction of trees and vegetation on property not owned by Bruno.
4. Require documented use of Oliver property with approved plans for any large events to include management of traffic. Parking must not be allowed within the Grape Lane easement.

Lois Dimpfel

June 18, 2019

Via Email [Dana.Ayers@countyofnapa.org]

Dana Ayers, Planner III
County of Napa
Planning, Building & Environmental Services
1195 Third Street, Suite 210
Napa, CA 94559

Re: Mathew Bruno Wines Rutherford Project – Easement Over Grape Lane

Dear Ms. Ayers,

We represented M&B Bruno Family, L.P. in the action to quiet title to an easement for ingress, egress, and utilities over Grape Lane (Napa County Assessor's Parcel No. 030-160-019), which was filed in the Napa County Superior Court last year as case number 18CV000920. On November 30, 2018, we obtained a judgment quieting title to an easement over Grape Lane and that judgment was recorded with the Napa County Recorder's Office on December 5, 2018 as document number 2018-0023178. A true and correct copy of the recorded judgment is enclosed herewith. Pursuant to California law, the judgment relates back to the date we recorded our *lis pendens* on Grape Lane, which was recorded with the Napa County Recorder's Office on July 12, 2018 as document number 2018-0013725. (See Cal. Code Civ. Proc. § 405.24; see also *Mira Overseas Consulting Ltd. v. Muse Family Enterprises, Ltd.* (2015) 237 Cal. App. 4th 378.)

The purpose of this letter is to address the claims made in the May 22, 2019 letter from Randal Bryant to you – namely his claim that the “Grape Lane Association” owns Grape Lane. Mr. Bryant attached two quit claim deeds to his letter that he claims prove such ownership. However, you should not accept the quit claim deeds from the Brovelli heirs provided by Mr. Bryant as establishing ownership of Grape Lane, just as you did not accept our client's quit claim deed from the Olivers as establishing our client's ownership of Grape Lane.

As you are already aware, our client spent significant time and money to file a quiet title action and obtain a judgment for an easement over all of Grape Lane for all lawful uses pursuant to the County's request that our client prove its easement right over Grape Lane by means other than a quitclaim deed. Obtaining and recording that judgment was more than sufficient to establish our client's easement rights, and in fact it was all that was required by the PBES department as part of the permit process.

Additionally, Mr. Bryant's quit claim deeds were recorded on March 19, 2019, which is eight months after our client's judgment for an easement over Grape Lane was recorded. Thus, even if Mr. Bryant were able to prove that such deeds did in fact convey ownership of Grape

Dana Ayers
June 18, 2019
Page 2

Lane to the Grape Lane Association, the Association's title would still be subject to our client's easement as our client's judgment was recorded well before Mr. Bryant recorded his quit claim deeds. Any objection the Association might assert against our client's exercise of its easement rights is a private civil matter between neighbors and it should not affect the permit process.

Based on the above, we respectfully request that the County continue processing the use permit and related permits for Mathew Bruno Winery located on Rutherford Road.

If you have any further questions or comments regarding this matter, you can reach me at mbuck@dpf-law.com or by phone at (707) 752-7122. Thank you for your time.

Sincerely,

DICKENSON, PEATMAN & FOGARTY



Marissa Buck

Enclosure

Cc (by email): Client
Paul Carey
Jeff Redding
Patrick Ryan



2018-0023178

Recorded
Official Records
County of
Napa
JOHN TUTEUR
Assessor-Recorder-Co.

REC FEE 36.00
CC1-CONFORMED C 1.00
HOUSING TAX-2 150.00

09:06AM 05-Dec-2018

KD
Page 1 of 1

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

Paul G. Carey
Dickenson, Peatman & Fogarty, P.C.
1455 First Street, Suite 301
Napa, CA 94559

Superior Court of the State of California
County of Napa

CASE NO. 18CV000920

JUDGMENT QUIETING TITLE

1 PAUL G. CAREY, State Bar No. 105357
2 MARISSA E. BUCK, State Bar No. 293373
3 DICKENSON, PEATMAN & FOGARTY
4 A Professional Corporation
5 1455 First Street, Suite 301
6 Napa, California 94559
7 Telephone: (707) 252-7122
8 Facsimile: (707) 255-6876

9 Attorneys for Plaintiff
10 M&B Bruno Family, L.P.

FILED

NOV 30 2018

Clerk of the Napa Superior Court

By: *[Signature]*
Deputy

11 SUPERIOR COURT OF THE STATE OF CALIFORNIA
12 COUNTY OF NAPA

DICKENSON PEATMAN & FOGARTY

13 M&B BRUNO FAMILY, L.P.,

14 Plaintiff,

15 vs.

16 The Testate and Intestate Successors of
17 ADELINE L. VAN VLEET, also known as
18 ADALINE L. VAN VLEET, deceased, and
19 all persons claiming by, through, or under
20 such decedent; The Testate and Intestate
21 Successors of CARA B. VAN VLEET,
22 deceased, and all persons claiming by,
23 through, or under such decedent; The
24 Testate and Intestate Successors of EVAH
25 POSTON VAN VLEET, deceased, and all
26 persons claiming by, through, or under such
27 decedent; ROBERT MERCER; TERRI
28 MERCER; and all persons unknown,
claiming any legal or equitable right, title
estate, lien, or interest in the real property
described in the Complaint adverse to
Plaintiff's claim or title, or any cloud on
Plaintiff's title thereto; and Does 3 through
100, inclusive,

Defendants.

CASE NO. 18CV000920

~~PROPOSED~~ JUDGMENT QUIETING
TITLE

RECEIVED

NOV 19 2018

NAPA SUPERIOR COURT

~~PROPOSED~~ JUDGMENT
QUIETING TITLE

1 In the within cause, ADELINE L. VAN VLEET, also known as ADALINE L. VAN
2 VLEET, CARA B. VAN VLEET, and EVAH POSTON VAN VLEET, all of whom are believed
3 to be deceased and who are hereinafter collectively referred to as the "NAMED DECEASED
4 DEFENDANTS;" THE TESTATE AND INTESTATE SUCCESSORS OF THE NAMED
5 DECEASED DEFENDANTS AND ALL PERSONS CLAIMING BY, THROUGH, OR UNDER
6 SUCH PERSONS; ROBERT MERCER; TERRI MERCER; AND ANY AND ALL OTHER
7 PERSONS' UNKNOWN, CLAIMING ANY LEGAL OR EQUITABLE RIGHT, TITLE,
8 ESTATE, LIEN, OR INTEREST IN THE PROPERTY DESCRIBED IN THE COMPLAINT
9 ADVERSE TO PLAINTIFFS TITLE OR ANY CLOUD UPON PLAINTIFF'S TITLE
10 THERETO; and DOES 3 to 100, INCLUSIVE, have been properly served with summons and
11 have either failed to appear and answer Plaintiff's Complaint within the time allowed by law or
12 who, in the case of ROBERT AND TERRI MERCER have disclaimed any interest in the
13 property at issue herein and have stipulated to entry of judgment against them without costs, and
14 the default of said defendants who have failed to appear having been entered, and proof of
15 publication and service, including posting of the summons and compliant and recording of a
16 Notice of Pending Action as required by law, and proof of the allegations of the complaint,
17 having all been made to the satisfaction of the court,

18 IT IS HEREBY ORDERED, ADJUDGED and DECREED that:

19 1) As of January 19, 2018, Plaintiff M&B BRUNO FAMILY, L.P. was and is the owner
20 of an easement for ingress, egress, and utilities over all of that certain real property situated in the
21 County of Napa, State of California, commonly known as "Grape Lane," Napa County Assessor's
22 Parcel No. 030-160-019 and more specifically described in the attached Exhibit A (the "Subject
23 Property") for the benefit of and appurtenant to that certain real property situated in the County of
24 Napa, State of California, commonly known as 1151 Rutherford Road, Napa County Assessor's
25 Parcel No. 030-160-007 and more specifically described in the attached Exhibit B (hereinafter
26 "Plaintiff's Property."), for all lawful uses of Plaintiff's Property now and in the future.


27 2) The NAMED DECEASED DEFENDANTS; THE TESTATE AND INTESTATE
28 SUCCESSORS OF THE NAMED DECEASED DEFENDANTS AND ALL PERSONS

1 CLAIMING BY, THROUGH, OR UNDER SUCH PERSONS; ROBERT MERCER; TERRI
2 MERCER; AND ANY AND ALL OTHER PERSONS' UNKNOWN, CLAIMING ANY
3 LEGAL OR EQUITABLE RIGHT, TITLE, ESTATE, LIEN, OR INTEREST IN THE
4 PROPERTY DESCRIBED IN THE COMPLAINT ADVERSE TO PLAINTIFFS TITLE OR
5 ANY CLOUD UPON PLAINTIFF'S TITLE THERETO; and DOES 3 to 100, INCLUSIVE, have
6 no right, title, or interest in the Subject Property adverse to Plaintiff's easement and are forever
7 enjoined from asserting any claim adverse to Plaintiff's easement or from interfering with
8 Plaintiff's easement now or in the future.

9 3) Plaintiff shall bear its costs in this mater.

11 IT IS SO ORDERED.

13 DATED: November 30, 2018




Judge of the Superior Court

I hereby certify the document herein
to be a true and correct copy of the
original on file with this court.

Dated: **NOV 30 2018**

Clerk of the Napa Superior Court

BY: 



28

EXHIBIT A

LEGAL DESCRIPTION

For APN/Parcel ID(s): 030-160-019-000

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE UNINCORPORATED AREA, COUNTY OF NAPA, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

A STRIP OF LAND 50 FEET WIDE FROM THE MOST EASTERLY CORNER OF THE LOT SOLD BY E.J. VAN VLEET TO H.A. FORRESTER, BY DEED DATED JANUARY 3, 1901 AND RECORDED JANUARY 24, 1901 IN LIBER 67 OF DEEDS AT PAGE 336, NAPA COUNTY RECORDS; TO THE COUNTY ROAD LEADING TO CHILES VALLEY AND LYING BETWEEN LOTS OF R. BARUT AND H.A. FORRESTER ON ONE SIDE OF DELIA A. RICHIE, AND PORTION OF THE LANDS CONVEYED FROM LOTTIE T. CUCIELLO, ET AL TO JAMES B. CHRONISTER, ET UX, RECORDED JULY 6, 1920 IN BOOK 129 OF DEEDS, PAGE 228, NAPA COUNTY RECORDS, ON THE OTHER.

EXHIBIT B

END OF DOCUMENT

Legal Description

For APN/Parcel ID(s): 030-160-007-000

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE UNINCORPORATED AREA, COUNTY OF NAPA, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

PARCEL ONE:

COMMENCING ON THE SOUTHEASTERN LINE OF RUTHERFORD AVENUE, IN SAID TOWN OF RUTHERFORD, AT A POINT DISTANT NORTHEASTERLY 410 FEET FROM THE NORTHEASTERN LINE OF MAIN STREET OR STATE HIGHWAY LEADING FROM NAPA TO ST. HELENA; THENCE NORTHEASTERLY ALONG SAID LINE OF RUTHERFORD AVENUE, 50 FEET TO A STAKE; THENCE SOUTHEASTERLY PARALLEL WITH SAID STATE HIGHWAY, 150 FEET TO A STAKE; THENCE SOUTHWESTERLY PARALLEL WITH RUTHERFORD AVENUE, 50 FEET TO A STAKE; THENCE NORTHWESTERLY PARALLEL WITH SAID STATE HIGHWAY, 150 FEET TO THE PLACE OF BEGINNING.

BEING THE SAME PREMISES CONVEYED TO WM. GLOVER BY DEED RECORDED MARCH 1, 1887 IN BOOK 41 OF DEEDS AT PAGE 97, SAID NAPA COUNTY RECORDS.

PARCEL TWO:

COMMENCING ON THE SOUTHERN LINE OF RUTHERFORD AVENUE IN SAID TOWN OF RUTHERFORD, AT A POINT 350 FEET EASTERLY FROM THE INTERSECTION OF SAID AVENUE WITH THE EASTERN LINE OF THE MAIN STREET OR STATE HIGHWAY LEADING FROM NAPA TO ST. HELENA; RUNNING THENCE IN A SOUTHERLY DIRECTION AND PARALLEL WITH SAID STATE HIGHWAY, 150 FEET TO A STAKE; THENCE AT RIGHT ANGLES IN AN EASTERLY DIRECTION AND PARALLEL WITH RUTHERFORD AVENUE, 60 FEET TO A STAKE; THENCE AT RIGHT ANGLES IN A NORTHERLY DIRECTION AND PARALLEL WITH SAID STATE HIGHWAY, 150 FEET TO THE SOUTHERN LINE OF RUTHERFORD AVENUE; THENCE ALONG SAID LINE OF RUTHERFORD AVENUE IN A WESTERLY DIRECTION, 60 FEET TO THE PLACE OF COMMENCEMENT.



REB ENGINEERING, INC.

CIVIL AND STRUCTURAL ENGINEERING

SURVEYING AND LAND PLANNING

May 22, 2019

Dana Ayers
Napa County Planning Division
1195 Third Street, 2nd Floor
Napa, CA 94558

Subject: Grape Lane Association Ownership of Grape Lane

Dear Dana,

I am sending you attached the deeds granting title ownership of the Grape Lane property to the Grape Lane Association, executed by the Brovelli heirs who owned Grape Lane. As an owner of the Grape Lane Association I, and my fellow neighbors, strongly object to the proposed Matthew Bruno Tasting Room (**MBTR**) project, which is proposing to develop our Grape Lane Property for their commercial uses. The proposed commercial use of Grape Lane by **MBTR** will overburden the existing easement, and is not considered legal by myself, or the attorney for the Grape Lane Association. I have already sent you the letter from our traffic engineer that states the unsafe nature of the **MBTR** project, and would like a written response of your receipt of this information. Please make sure that the rights of the Grape Lane Association, as the property owners of Grape Lane, are upheld. And stop any approvals of unsafe, and commercial developments of Grape Lane by **MBTR**, who does not own the property.

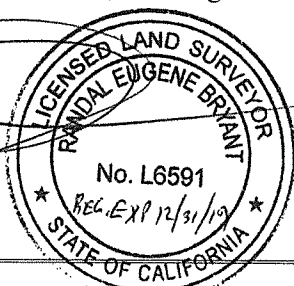
For your information I am providing the chain of title information below, which verifies the Grape Lane Association's claim of ownership:

E. J. Van Vleet obtains Rutherford Lands (101± Acres), 7/6/1880 (Doc #1002-0026443)
E. J. Van Vleet to H. A. Forester, 1/24/1901 (Doc #1002-0067336) land only APN 30-180-003
E.J. Van Vleet DCSD to Cara B. Van Vleet, et al., 12/2/1901 (Doc#1002-0071258)
Cara B. Van Vleet, et al. to H. A. Forester, 11/03/1902 (Doc#1002-0073198) title to Grape Lane
H. A. Forester to Angelo Borvelli, 4/22/1912 (Doc#1002-0107010) title to Grape Lane
Brovelli heirs to Grape Lane Association, 3/19/2019 (Doc#2019-0004381 & 0004382)

Angelo Brovelli's died in 1928, and his wife Maria died in 1958.
There were 3 children of Angelo & Maria; Edmond F. Brovelli Sr. - Lucy J. & Emily A.
Both Lucy & Emily died without children
Edmond F. Brovelli Sr. had two children; Edmond F. Brovelli Jr., and Angela Brovelli (Peatman)
The Grape Lane association obtained the deeds to Grape Lane from the two remaining Brovelli heirs of Grape Lane, Edmond F. Brovelli Jr., and Angela Peatman.

Sincerely,

Randal E. Bryant, P.E., P.L.S.
REB Engineering, Inc.





VISION THAT MOVES YOUR COMMUNITY

May 9, 2019

Randal E. Bryant, P.E., P.L.S.
Grape Lane Association
P.O. Box 20
Rutherford, CA 94574

Subject: Preliminary Traffic Analysis for Grape Lane in Rutherford, California

Dear Mr. Bryant:

TJKM has reviewed the development plans for the Matthew Bruno Wine Tasting Room (MBWTR), dated May 4, 2016 by CAB Consulting Engineers. The plan proposes all vehicular access for MBWTR to be from Grape Lane, along with inclusion of seven parking spaces that would be placed perpendicular to the Lane. Access to and from the parking spaces would essentially convert that portion of Grape Lane into a parking lot, also requiring the removal of two trees from Grape Lane.

Our preliminary review of the plans indicates that the combination of access and parking proposed for the MBWTR may result in unsafe conditions for the proposed users of the site, as well as the residents of Grape Lane. Cars trying to park or unpark at MBWTR will have to cross Grape Lane traffic including needing to back out into traffic to leave.

The proposed plans seem to have no provisions for the loading and unloading of merchandise for MBWTR. This could result in the need to load and unload deliveries on Rutherford Road, Highway 128. This is not a good idea. Nor does there appear to be a way for buses and limos to access the tasting room during events. This will present a problem for people using both Grape Lane and Highway 128. Also, there does not appear to be adequate sight distance for traffic using the Grape Lane/Highway 128 intersection.

The proposed development will potentially create safety issues for pedestrians walking on Grape Lane, since the plans essentially turn Grape Lane into a parking aisle and there is no designated walking area for residents and their families to reach Rutherford Road.

Depending on underlying ownership issues, the owners of the Grape Lane Association could also be liable for injury and damages associated with the MBWTR activities on Grape Lane. This should be reviewed by legal counsel.



VISION THAT MOVES YOUR COMMUNITY

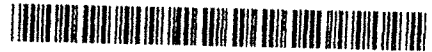
It is our recommendation that the MBWTR provide a driveway entrance directly onto Rutherford Road, at a different location to avoid risks to the public and the residents of Grape Lane.

I will be happy to answer questions on this matter.

Very truly yours,

A handwritten signature in black ink that reads "Chris D. Kinzel". The signature is written in a cursive style with a large, prominent initial "C".

Chris D. Kinzel, P.E.
Vice President



2019-0004382

Recorded
Official Records
County of
Napa
JOHN TUTEUR
Assessor-Recorder-Co.

REC FEE 21.00
CC1-CONFORMED C 1.00
HOUSING TAX 75.00

09:51AM 19-Mar-2019

EV
Page 1 of 3

**RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:**

Carrie Gallagher
Buchalter
A Professional Corporation
1230 Pine Street
St. Helena, CA 94574

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

QUITCLAIM DEED

Documentary Transfer Tax \$ 0
-- Computed on full value of Property Conveyed, or
-- Computed on full value less liens & encumbrances
remaining thereon at time of sale.

Signature of declarant or agent determining tax

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

James R. Rose, JD
1230 Pine Street
St. Helena, CA 94574

APN: 030-016-019

SPACE ABOVE FOR RECORDERS USE ONLY

QUITCLAIM DEED

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, ANGELA PEATMAN ("Transferor") does hereby remise, release and forever quitclaim to Grape Lane Association, all right, title, and interest Transferor Transferor has in all that perpetual right of way or roadway over that certain lot, piece or parcel of land, situate lying and being in the County of Napa and State of California, described as follows:

That certain right of way, 50 feet wide and three hundred feet in length, conveyed to said H. A. FORRESTER by CARA B. VANVLEET et al. by deed dated October 29, 1902, and recorded Nov. 3rd, 1902, in Liber 73 of Deeds page 198, records of Napa, CA.

Executed on Jan. 9, 2019 in Napa, State of California.


ANGELA PEATMAN

END OF DOCUMENT

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

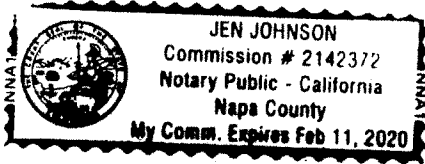
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of Napa)
On January 9, 2019 before me, Jen Johnson, Notary Public
Date Here Insert Name and Title of the Officer
personally appeared Angela Peatman
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature [Handwritten Signature]
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____
Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____

Signer's Name: _____
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____



2019-0004381

**RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:**

Carrie Gallagher
Buchalter
A Professional Corporation
1230 Pine Street
St. Helena, CA 94574

Recorded
Official Records
County of
Napa
JOHN TUTEUR
Assessor-Recorder-Co.

REC FEE 21.00
CCI-CONFORMED C 1.00
HOUSING TAX 75.00

09:51AM 19-Mar-2019

EV
Page 1 of 3

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

QUITCLAIM DEED

Documentary Transfer Tax \$ 0
-- Computed on full value of Property Conveyed, or
-- Computed on full value less liens & encumbrances
remaining thereon at time of sale.

Signature of declarant or agent determining tax

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

James R. Rose, JD
1230 Pine Street
St. Helena, CA 94574

APN 030-016-019

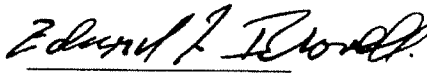
SPACE ABOVE FOR RECORDERS USE ONLY

QUITCLAIM DEED

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, EDMOND BROVELLI ("Transferor") does hereby remise, release and forever quitclaim to Grape Lane Association, all right, title, and interest Transferor has in all that perpetual right of way or roadway over that certain lot, piece or parcel of land, situate lying and being in the County of Napa and State of California, described as follows:

That certain right of way, 50 feet wide and three hundred feet in length, conveyed to said H. A. FORRESTER by CARA B. VANVLEET et al. by deed dated October 29, 1902, and recorded Nov. 3rd, 1902, in Liber 73 of Deeds page 198, records of Napa, CA.

Executed on JAN 9, 2019 in NAPA, State of California.



EDMOND BROVELLI

END OF DOCUMENT

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

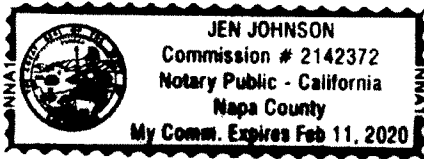
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of Napa)
On January 9, 2019 before me, Jen Johnson, Notary Public
Date Here Insert Name and Title of the Officer
personally appeared Edmond F. Brovelli
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature [Handwritten Signature]
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____
Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____ Signer's Name: _____
[] Corporate Officer -- Title(s): _____ [] Corporate Officer -- Title(s): _____
[] Partner -- [] Limited [] General [] Partner -- [] Limited [] General
[] Individual [] Attorney in Fact [] Individual [] Attorney in Fact
[] Trustee [] Guardian or Conservator [] Trustee [] Guardian or Conservator
[] Other: _____ [] Other: _____
Signer Is Representing: _____ Signer Is Representing: _____

Ms. Charley Antonio
Calco Property Investments LLC
P.O. Box 123
Rutherford, CA 94573

January 8, 2018

Dana Ayers
Napa County Planning Division
1195 Third Street
Napa, CA 94558

RECEIVED

MAR 18 2019

Napa County Planning, Building
& Environmental Services

RE: Bruno Tasting Room Project at 1151 Rutherford Road, Rutherford
Use Permit P17-00387

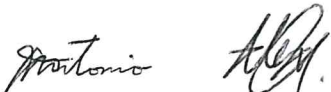
Dear Ms. Ayers:

I live at 1155 Grape Lane (APN 30-180-003), and I have seen the Bruno Tasting Room plan on the County website that is going in at the corner of Grape Lane and Highway 128. Our family purchased the house on Grape Lane the beginning of last year for a large sum of money, and I believe what is proposed by Bruno will diminish our property value, and make the entrance to our property unsightly. Not to mention the traffic problems we will have trying to leave home, with wine tasting cars backing out onto our road. We would have a very unsafe situation with all the cars, along with delays accessing the highway. So my family and I strongly object to any wine tasting traffic, or parking on Grape Lane.

During the peak summer season there is so much wine tasting traffic in Rutherford & on Highway 29, that driving in Rutherford can be impossible. Allowing the Bruno project to move forward as planned would exacerbate an already bad situation, especially with the amount of visits and events that they want.

We are working with legal counsel, and REB Engineering to assist us in keeping our home and Grape Lane access secure and safe. Please make sure that we do not have to suffer the results of bad planning for the Bruno Tasting room, that will severely, negatively, and permanently affect the neighborhood of Grape Lane and our quality of life. Impacts to our property would be disastrous, for which there could be no remedy.

Sincerely yours,



Charley Antonio & Family

STAR VINEYARDS

P.O. BOX 306
ST. HELENA, CA 94574
(707) 963-1231

RECEIVED

MAR - 7 2019

**Napa County Planning, Building
& Environmental Services**

October 22, 2018

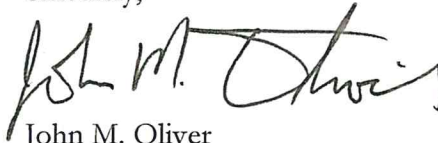
Anne Cottrell, Chair
Napa County Planning Commission
1195 Third Street, Suite 201
Napa, California 94559

Re: Mathew Bruno Tasting Room
1151 Rutherford Road, Rutherford

Dear Chairwoman Cottrell:

I am writing this letter in support of the Mathew Bruno Wines tasting room project located at 1151 Rutherford Road as currently proposed. As the General Manager representing the owner of Star Vineyard, which is located directly behind 1151 Rutherford Road, we are willing to work with the applicant, Mathew Bruno, to provide overflow parking for the two annual marketing events proposed in the applicant's Use Permit Application.

Sincerely,



John M. Oliver
General Manager
Star Vineyard



REB ENGINEERING, INC.

CIVIL AND STRUCTURAL ENGINEERING

SURVEYING AND LAND PLANNING

Dana Ayers
Napa County Planning Division
1195 Third Street
2nd Floor
Napa, CA 94558

RECEIVED

DEC 19 2018
(AD)
Napa County Planning, Building
& Environmental Services

December 14, 2018

Subject: Mathew Bruno Tasting Room, 1151 Rutherford Road, Napa, CA 94558

Dear Dana:

REB Engineering, Inc. is representing the following Property Owners of Grape Lane, who utilize Grape Lane as their only access to their property, and object to any Mathew Bruno Tasting Room plans that propose traffic related burdening of Grape Lane, the only public access to their properties.

Property Owner	APN	Address
Lois Ann Dimpfel	030-180-001	1163 Grape Lane
Carlton W Hendricks	030-180-002	1159 Rutherford Road
Calco Property Investments LLC	030-180-003	1155 Grape Lane
Dean & Laurie Gray	030-180-004	1153 Grape Lane
Randal & Deborah Bryant	030-180-005	1149 Grape Lane
Randal & Deborah Bryant Family LLC	030-180-006	1147 Grape Lane
Dilly Dilly Vineyards LLC	030-180-007	1143 Grape Lane

I personally own two of the properties on Grape Lane, and have lived there for 40 years. From my experience of living on Grape Lane, the Mathew Bruno Tasting Room plan as proposed, will be a major problem to all the Grape Lane residents, hindering their comings and goings to their residences. A public wine tasting room should have public access from a public road, and not a private lane such as Grape Lane. Upon seeing the plans proposed by the Mathew Bruno Tasting Room, it is obvious that no consideration of the Grape Lane neighbors as been made. As the proposed parking perpendicular to Grape Lane for the wine tasting room, will be burden to heavy to bear for all the residents listed above, along with their families & friends. The proposed parking layout will not be safe, and it will be detrimental to our economic well-being, property values, existing lifestyle, and detrimental to the comfort of living that we now enjoy, and that of future generations.

Dana Ayers
RE: Mathew Bruno Tasting Room
December 14, 2018
Page 2

I am hopeful that you will strongly support the Napa Valley citizens, and property owners of Grape Lane, by stopping the development of Grape Lane for public use by the Mathew Bruno Tasting Room. Approving the current plan would set an adverse precedence for the people of the Napa Valley, and would not be considering the ramifications to local residents for wine tasting activities.

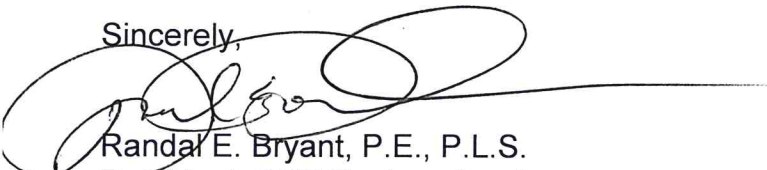
Allowing cars to back onto Grape Lane from tasting room parking spaces provides an ongoing safety risk to children, and pets that may be too small and unaccustomed to traffic to avoid getting run over by the cars as they back out. Especially the cars driven by people that are drinking wine.

There is also the issue of traffic congestion at the exit of Grape Lane onto HWY 128. There is not sufficient room & time for all the neighbors to leave Grape Lane in an emergency, when tasting room guest are trying to back up and leave also. Especially after the tasting room guests have drank a few glasses of wine.

Wineries and Tasting rooms that have access for public guests should make sure that people coming to their commercial facilities travel via public roads not a private lane. And for safety reasons, no one should be backing onto a road, but rather drive forward after looking both ways. Therefore, an entrance driveway and exit driveway should be provided on and off of HWY 128, not Grape Lane, for safe traveling of persons visiting the wine tasting room. This will help to avoid collisions with pedestrians, cars, bikes, strollers, walkers, skateboards, pets, etc., that travel up and down Grape Lane. The neighbors of Grape Lane have hired legal counsel to assist us in keeping Grape Lane safe for the future generations, and children that have traveled up and down Grape Lane for generations. We await a revised plan from Mathew Bruno Tasting Room to further comment on, which will be safe, and preserve our economic well being.

On behalf of all the neighbors of Grape Lane, I thank you for your support in this matter.

Sincerely,



Randal E. Bryant, P.E., P.L.S.
President, REB Engineering, Inc.
License No. 45115

From: [Lois Dimpfel](#)
To: [Ayers, Dana](#)
Subject: Permit Activity for Parcel 030-160-007-000
Date: Monday, October 15, 2018 9:00:32 PM

I have property adjacent to the subject property. My parcel number is 030-180-001-000.

As I understand it, the subject property has requested approval for a tasting room with use of Grape Lane for ingress/egress and parking for a significant number of vehicles and parking along Grape Lane. The Grape Lane parcel (030-160-019-000) is currently used by the homeowners on Grape Lane with rights for ingress/egress to Rutherford Rd (Rt. 128). This lane is self maintained by the property owners and is currently a 'single lane' with little ability to pass another car.

I am hoping that the county takes this small lane into consideration during their approval process. It would be very dangerous for a larger number of cars to go in and out of the subject property during the day, with no planning for two way traffic.

I appreciate your considering in this matter.

Lois Dimpfel
1163 Grape Lane
Rutherford, Ca 94573

(mailing address: PO Box 46, Rutherford, 94573

Bordona, Brian

From: Deborah Bryant <deborahanneb@gmail.com>
Sent: Monday, November 25, 2019 11:27 AM
To: joellgPC@gmail.com; Whitmer, David; anne.cottrell@lucene.com;
andrewmazotti@gmail.com; JeriGillPC@outlook.com
Cc: Morrison, David; Bordona, Brian
Subject: Re: Mathew Bruno Tasting Room 1151 Rutherford Road P17-00387

Dear Planning Commission,

I have heard back from Anne and Dave but the meeting today is yet to be confirmed. Please let me know if 4pm in Rutherford at the intersection of Grape Lane and Hwy 128 will work for you. Please let me know if any other Planning Commission members can attend, we would like to open it to as many as possible. Thank you for your attention to this, I appreciate it.

Sincerely,
Deborah Bryant

On Fri, Nov 22, 2019 at 11:00 AM Deborah Bryant <deborahanneb@gmail.com> wrote:

Dear Planning Commission,

We are concerned citizens that lives in the impact area of this proposed project. We would like to schedule a meeting with the Planning Commission to voice our concerns. We would appreciate the opportunity to meet with you before the scheduled Dec 4, 2019 hearing. We will make ourselves available at any time that works for you. Please respond as soon as possible so that we may get this on our calendar. We have many concerns that we feel you need to be aware of and have documents, photos and studies that you should see. I appreciate your attention to this concern of ours.

Respectfully,
Randy & Deborah Bryant

--
Deborah Bryant
PO Box 20
Rutherford, CA 94573
707-815-0902

Eph 3:19-21

--
Deborah Bryant
PO Box 20
Rutherford, CA 94573
707-815-0902

Gallina, Charlene

From: Cecilia Antonio <charleyantonio66@gmail.com>
Sent: Sunday, November 24, 2019 5:21 PM
To: Gallina, Charlene
Cc: randy@rebengineering.com; dean@riverainvineyards.com
Subject: Mathew Bruno Wines Tasting Room - Use Permit Application - request for modification

Dear Ms. Gallina,

My name is Charley Antonio, a resident of 1155 Grape Lane. My company, CALCORP Property Investments, LLC is the registered owner of said property. I would have wanted to attend the public hearing on Dec. 4. Unfortunately, I am currently out of the country and will not be returning to the US until January. Although I am a fairly new home owner, I am of the same sentiment as my neighbors in wanting to preserve the privacy and safety of our neighborhood. The peace and quiet and beautiful vineyard view of Grape Lane are what convinced me to invest in a home here. I am not against having another tasting room in the area. In fact, I feel it will add to the wine country charm of the place. However, in the spirit of being fair to all parties concerned, please weigh in all the valid points that my neighbors have brought to your attention and MODIFY Bruno Wines' permit to address our concerns. As a homeowner yourself, I am sure you understand how we feel.

I will email you a separate formal letter for county records.

Sincerely,
Maria Cecilia (Charley) Antonio

Gallina, Charlene

From: Cecilia Antonio <charleyantonio66@gmail.com>
Sent: Sunday, November 24, 2019 6:32 PM
To: Gallina, Charlene
Cc: randy@rebengineering.com; Dean Gray-Riverain
Subject: Bruno Wines Tasting Room - Use Permit Application

November 24, 2019

Ms. Charlene Gallina
Supervising Planner
Napa County Planning
Building & Environmental Services Dept.
1195 Third St., Suite 210
Napa, CA 94559

Subj: Mathew Bruno Wines Tasting Room - Use Permit Application
number P17-00387-UP

Dear Ms. Gallina,

I am writing as the owner of 1155 Grape Lane, and would like to voice out a few concerns regarding the operation of Mathew Bruno Wines Tasting Room, to wit:

1. The proposed tasting room plans will increase vehicular traffic on Grape Lane which, if left unchecked could lead to unsafe conditions for us residents.
2. Vehicles lining up to enter or exit the tasting room parking area would slow down/block the traffic into the street and may, in an emergency situation, prove fatal.
3. Due to the increased presence of visitor traffic, the security of the private homes on Grape Lane will be put at risk.
4. During large events, given the limited parking space inside the tasting room property, customers will most likely be parking in front of our homes, or worse, our driveways when we are not home.

In this regard, I would like to request that the following suggestions be considered in approving the permit:

1. Traffic must be managed during large events.
2. Large events must be limited to a fair and reasonable amount
3. Customers of the Tasting Room must NOT BE ALLOWED to park along the front and driveway of the homes along Grape Lane.
4. The planned flow of traffic, both in and out, of the tasting room must allow for vehicles like ambulance or fire trucks to enter and exit easily.
5. Security personnel or cameras to monitor and ensure the safety and security of the Grape Lane neighborhood would be appreciated
6. Reduce the operating hours of the tasting room to match those of neighboring existing wineries.

I will not be able to attend the meeting on December 4 as I am still out of the country, but please ensure that my voice is heard and my suggestions taken into consideration by your department when deliberating the tasting room's permit.

Since I am out of the country, I may only be reached through this email address: charleyantonio66@gmail.com.

Yours truly,
Maria Cecilia Antonio
CALCORP Property Investments, LLC

Gallina, Charlene

From: Carlton Hendricks <carlton@sportsantiques.com>
Sent: Monday, November 25, 2019 12:18 AM
To: Gallina, Charlene
Cc: 'Bryant Randy'; 'Lois Dimpfel'; charleyantonio66@gmail.com; dean@riverainvineyards.com; lamtc2@aol.com
Subject: Grape Lane Parking Letter
Attachments: 11_23_19 Grape Lane Letter to Napa County.pdf; Page 1 of two Grape Lane Use Stipulation Oct 29th 1902.jpg; Page 2 of two Grape Lane Use Stipulation Oct 29th 1902.jpg

Charlene Gallina,
Supervising Planner,
Napa County Planning,
Building & Environmental Services Department
1195 Third Street, Suite 210,
Napa, California 94558
PH 707.299.1355

Hello Ms. Gallina...
Carlton Hendricks here...homeowner on Grape Lane in Rutherford....

Please see the attached letter in the form of a PDF addressing my concerns about the recent developments affecting our lane. Also please see the two attached jpeg photos of the historical 1902 designation clarifying Grape Lane's purpose and use.

Please be so kind to include this letter as another voice of concern and complaint about what's been proposed with regard to the Bruno wine tasting concern.

If you would be so kind, please reply back to let me know this emailed PDF letter will be sufficient for inclusion in your records....or if a hard copy letter must be mailed....

Thank you so much...
Kindly –carlton
Cell 707.363.9047

Copy:
Randy Bryant
Lois Dimpfel
Charley Antonio
Dean Gray
Larry & Joni Moorefield

Carlton Hendricks

P.O. Box 415, Rutherford, Calif. 94573
PH 707.363.9047

11/24/19

Charlene Gallina,
Supervising Planner,
Napa County Planning,
Building & Environmental Services Department
1195 Third Street, Suite 210,
Napa, California 94558
PH 707.299.1355

Dear Ms. Gallina,

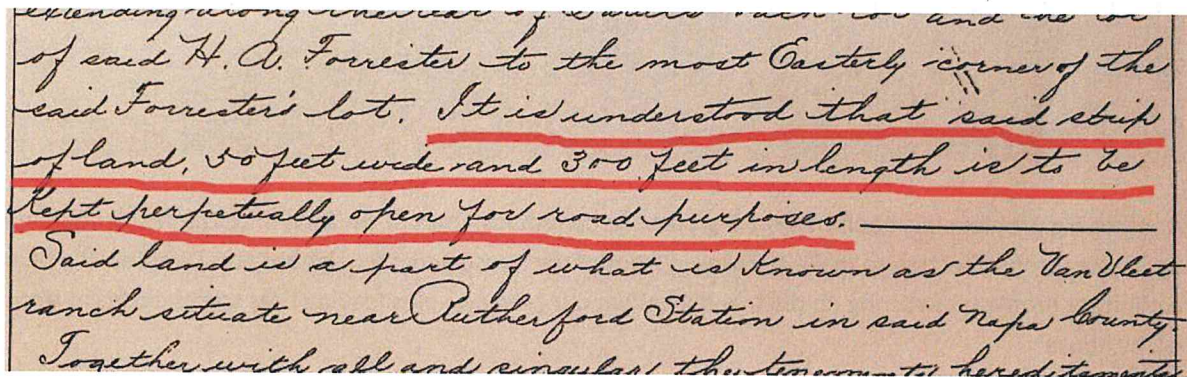
My name is Carlton Hendricks. I live at 1161 Grape Lane Rutherford Ca. I am the second house from Rutherford Road, between Lois Dimpfel's home and Charley Antonio's home.

This is regarding proposals to park cars on Grape Lane in Rutherford Ca. Please know The Van Vleet family, in 1902, provided very clear description of the purpose and use of Grape Lane, see attached full copy as a jpeg. This document was retrieved from the Napa County Recorder's office. The description is as follows:

Quote:

"It is understood that said strip of land, 50 feet wide and 300 feet in length is to be kept perpetually open for road purposes"

Unquote:



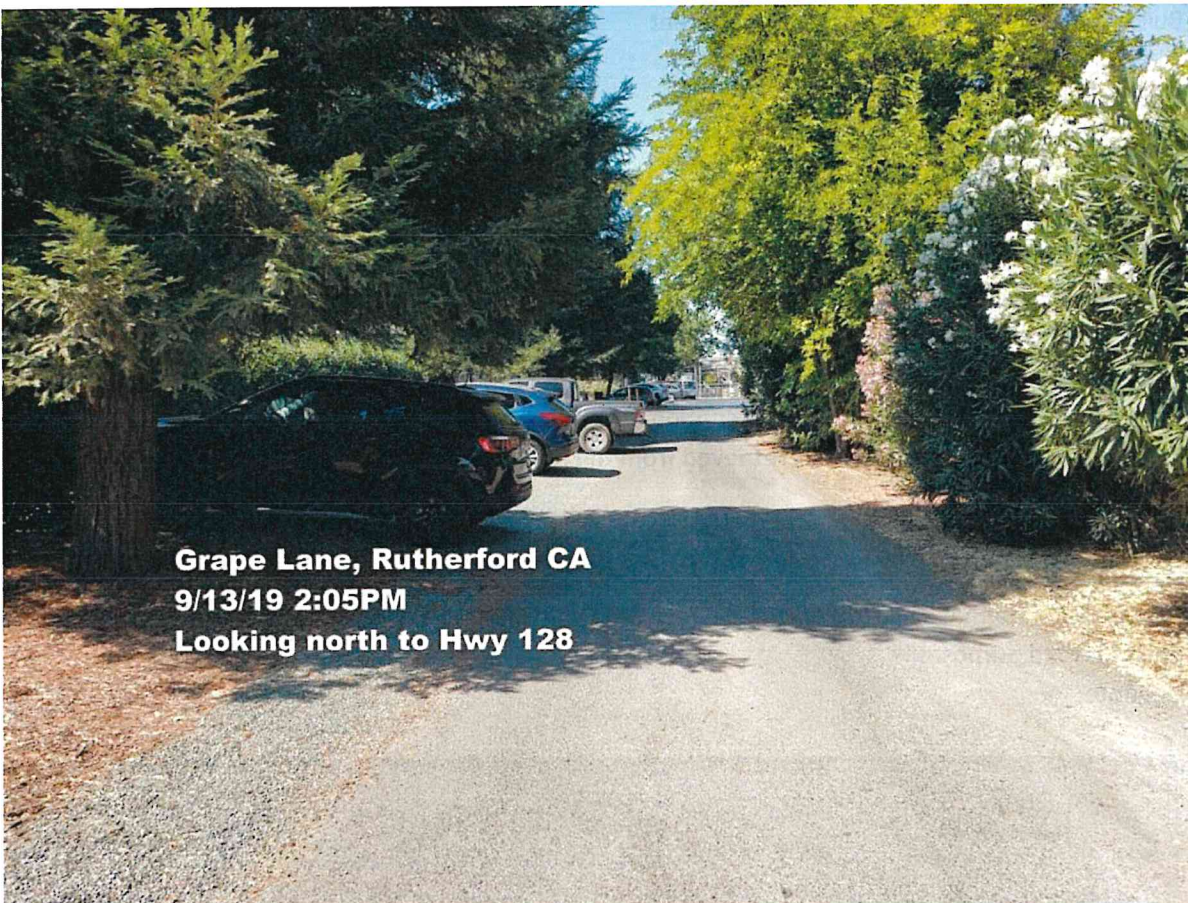
extending along the rear of the above described lot and the lot
of said H. A. Forrester to the most Easterly corner of the
said Forrester's lot. It is understood that said strip
of land, 50 feet wide and 300 feet in length is to be
kept perpetually open for road purposes.
Said land is a part of what is known as the Van Vleet
ranch situate near Rutherford Station in said Napa County.
Together with roll and circular, the same to hereditament

Excerpt of two page document, see attached

As you can see the wording is very clear..."is to be kept perpetually open for road purposes".

Moreover, please know that cars parking on Grape Lane have been a recent ongoing problem. The parked cars hinder our access to get in and out to highway 128. They could also block access by Emergency response vehicles in the event of a fire or medical emergency.

Please know this has already happened; not just a fear of what could happen. That is, parked cars have already been jeopardizing our safety in that they may hinder fire trucks other medical emergency vehicles from getting to our homes.



Another big problem has been cars driving past the commercial part of the lane onto the residential and agricultural zoned section to make U-Turns in front of my house and my neighbor Lois Dimpfel'. It's been a constant problem of stirring up dust, and invading our privacy,...plus leaving tires tracks circles in front of my house

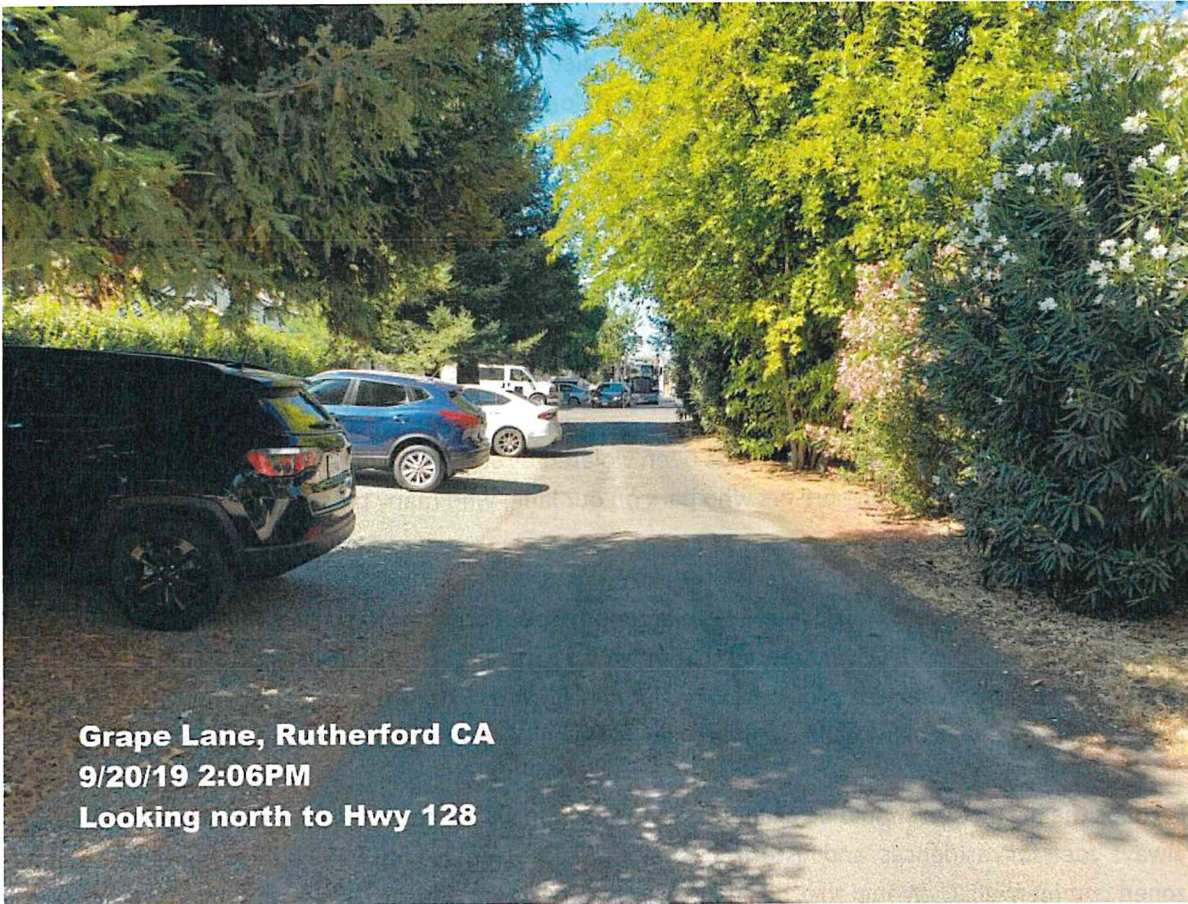
When I first moved to my home on Grape Lane over forty years ago in 1979, the Bruno property was owned by an elderly lady named Doris Jensen, who died in 2011. Around maybe fifteen years ago Reginald Oliver bought that house and fenced off the original entrance from Rutherford Road and put an entrance gate at the south west corner of the lot, opening onto Grape Lane. Before that, the only entrance to the Bruno property was from Rutherford Road, at the north-west corner. That was the entrance to their driveway. Essentially Olivier started using Grape lane as his driveway. At first he rented the house as a residence, and the traffic wasn't too much trouble. But then later he started renting it commercially as offices. That's when all the hassle with cars started. That is...parking in front of my house, cars continually making U-turns in front of my house, car alarms going off. Plus using noncommercial zoned land commercially.

Also our privacy, which I greatly value, has been violated by strangers coming up our lane who have no business there. Plus limousine drivers who park on our lane, who many times, I have asked to leave because it's not a public road.

As you know grape lane is cut up into different zoned uses...Part commercial, part residential, and part agriculture zones...Before Oliver created that entrance gate, Grape Lane was basically only used by the homes on the lane. When the problems with the cars started...I started looking into the zoning of the lane to see why it was being used commercially. I was quite surprised to learn of commercial zoning...

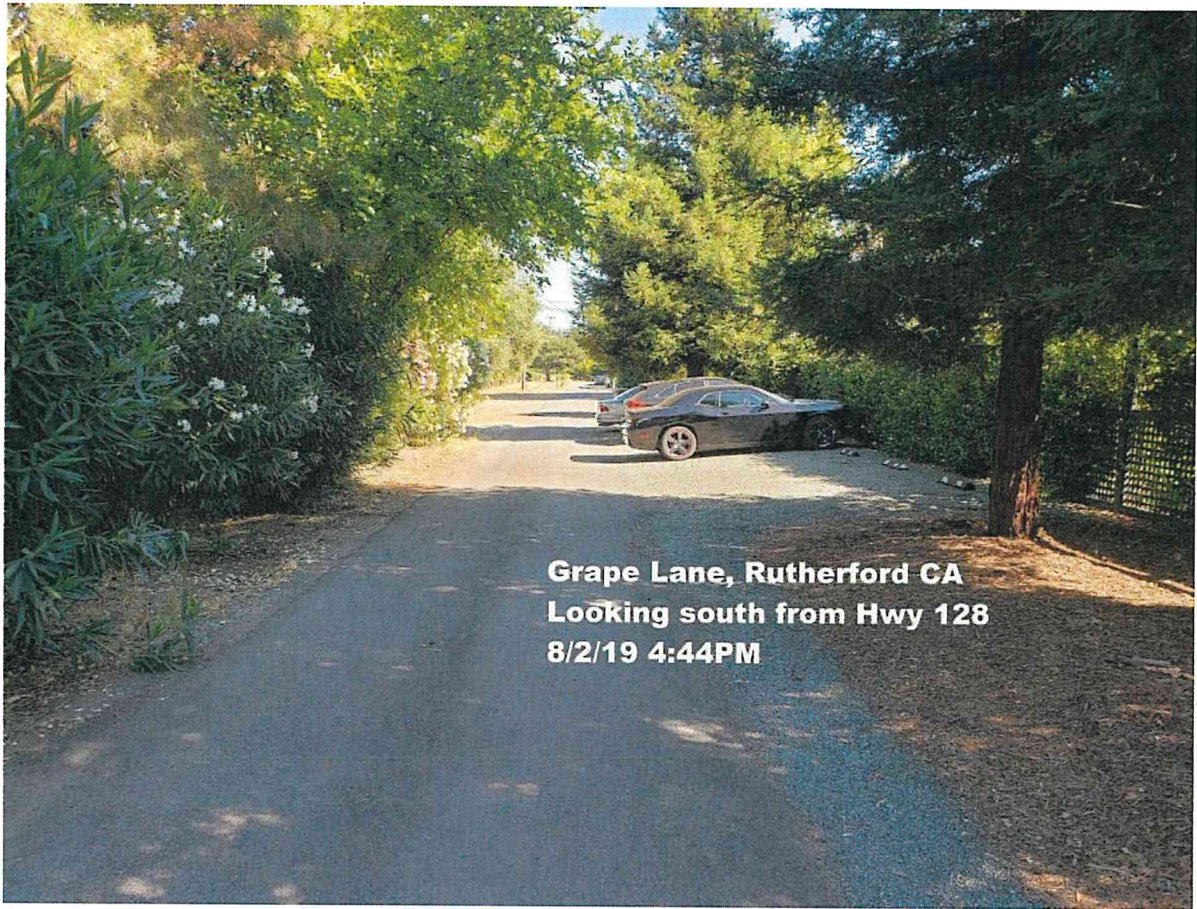
Perhaps the big picture should be examined...My question would be...if the lane's primary use has always been for residences, and historically that's what it's purpose has been....then why is part of it zoned commercial...Q. Would that be an historical oversight by Napa County from the 1902 era?...Was it designed that way intentionally?...or was it something that just got left undone, or never looked at. Because it seems like poor planning and has left open all these problems for the home owners along the lane...All because part of the lane is zoned commercial...and it was never used commercially since 1902 to my knowledge...until just recently.

The other issue that has caused these problems has been the ambiguity of the lanes ownership. We the homeowners of the land never had anyone to complain to because we didn't know where the owner was...and I understand the Washington judge who owned it didn't know he owned it...



Grape Lane, Rutherford CA
9/20/19 2:06PM
Looking north to Hwy 128

Regarding the traffic study Bruno submitted to the county for his wine tasting business. It was extremely detailed. But when I got to the part that said Grape lane was two ways, or something like that....that was all I needed to read, since it's not. From then on I fully understood its purpose.



As I understand it, the entrance to the Bruno property that was established by Oliver is now considered an "Easement of Subscription"Were the owner of the lane present that advantageous opportunity may not have existed as he may well not have allowed Oliver to drive over his property...and we wouldn't have the problems we're facing. It would seem that absentee owner element may need to be considered as a special circumstance. Especially given our safety and the value of our privacy.

-Carlton Hendricks

Caro B. Van Vleet, et al
To
H. A. Forrester.

This Indenture made the 27th day of October in the year of our Lord one thousand nine hundred and two (1902) Between Caro B. Van Vleet (un-married) Evah Boston Van Vleet and Frank H. Van Vleet, her husband, all of the County of Napa and State of California, the parties of the first part, and H. A. Forrester of the same County and State the party of the second part, Witnesseth: That the said parties of the first part, for and in consideration of the sum of One Dollar, in gold coin of the United States of America, to them in hand paid by the said party of the second part, at or before the executing and delivery of these presents, the receipt whereof is hereby acknowledged, Have granted, bargained, sold and conveyed and by these presents do grant, bargain, sell and convey unto the said party of the second part, and to his heirs and assigns forever All the perpetual right of way or roadway over that certain lot, piece or parcel of land, situate, lying and being in the County of Napa and State of California, and bounded and particularly described as follows, to wit:

Being a strip of land 50 feet wide lying between the lots of Raymond Barut and Delia A. Pichie and extending along the rear of Barut's back lot and the lot of said H. A. Forrester to the most Easterly corner of the said Forrester's lot. It is understood that said strip of land, 50 feet wide and 300 feet in length is to be kept perpetually open for road purposes.



Said land is a part of what is known as the Van Vleet ranch situate near Rutherford Station in said Napa County. Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainders and remainders, rents, issues and profits thereof.

And Also all the estate, right, title, interest, property, possession, claim and demand whatsoever, as well in law as in equity, of the said parties of the first part, of, in or to the above described premises and every part and parcel thereof, with the appurtenances.

To have and to hold, all and singular the above mentioned and described premises, together with the appurtenances, unto the said party of the second part, his

here and assigns, forever.

In Witness Whereof, the parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in the Presence of
 Cara B. Van Fleet 
 Mrs. Eva B. Van Fleet 
 Frank H. Van Fleet

State of California }
 County of Napa. } On this 29th day of October A. D. One
 thousand nine hundred and two (1902)
 before me, W. A. Mackinder a Notary Public
 in and for the said County of Napa, State of California,
 personally appeared Cara B. Van Fleet (unmarried) and
 Frank H. Van Fleet known to me to be the same persons
 whose names are subscribed to the within instrument,
 and they severally, duly acknowledged to me that they
 executed the same.

In Witness Whereof, I have hereunto set my hand
 and affixed my Official Seal, at my office in the
 said County of Napa, the day and year in this certificate
 first above written.

W. A. Mackinder Notary Public
 in and for Napa County, State of California

State of California }
 County of Alameda. } On this 30th day of October, in the
 year of our Lord One Thousand Nine
 Hundred and two, before me, Max Mar-
 cuse, a Notary Public in and for said County and State, resid-
 ing therein, duly commissioned and sworn, personally ap-
 peared Mrs. Eva B. Van Fleet (wife of Frank H. Van Fleet)
 known to me to be the person described in and whose
 name is subscribed to the within instrument, and her
 acknowledged to me that she executed the same.

In Witness Whereof, I have hereunto set my hand and
 affixed my Official Seal, at my office in the County and State
 aforesaid, the day and the year in this certificate first above written.

Max Marcuse Notary Public
 in and for said County of Alameda, State of California.

A true Copy of an Original recorded at request of The W. A. Mackinder Co. Inc. Nov. 24, 1902 at
 32 mins, part 1121, 70.

W. E. Demorse, Co. Recorder
 by R. S. Fay, Deputy.

Gallina, Charlene

From: dean@riverainvineyards.com
Sent: Sunday, November 24, 2019 8:32 AM
To: Gallina, Charlene
Cc: 'Debbie Bryant'; 'Randy Bryant'; 'Lois Dimpfel'; 'Antonio Charley'; 'Moorefield Larry & Joni'; 'Hendricks Carlton'; 'Dean Gray'; 'Laurie Gray'
Subject: Public Hearing December 4, 2019 - Bruno Tasting Room Use Permit Application - Requested Denial or Use Permit Modification
Attachments: Mathew Bruno Proposed Tasting Room.docx

Dear Ms. Gallina,

As a long time resident of Grape Lane in Rutherford, I have enclosed a detailed letter regarding my overall concern of the public hearing scheduled for Dec 4, 2019 regarding the Mathew Bruno Wines Tasting Room - Use Permit Application No. P17-00387-UP. Unfortunately due to family health issues, my wife and I will be unable to attend the meeting, but I want to ensure that our voices are heard.

Please ensure that my attached letter is shared with all county associates responsible for the potential approval of the proposed use permit. Not only is the protection of our 7-home residential community at stake, but more importantly the safety of our residents, guests, as well as the visitors to the proposed Mathew Bruno tasting room is at stake. Once you have had a chance to review the letter, please let me know if you have any questions, or need any addition information or further clarification.

Thanks for your attention to this important issue,

Dean & Laurie Gray
Residents of 1153 Grape Lane
Dean's Cell:714-307-8249
dean@riverainvineyards.com

Gallina, Charlene

From: Morrison, David
Sent: Friday, November 22, 2019 11:24 AM
To: Bordona, Brian; Gallina, Charlene
Subject: FW: Mathew Bruno Tasting Room 1151 Rutherford Road P17-00387

Follow Up Flag: Follow up
Flag Status: Flagged

From: Deborah Bryant <deborahanneb@gmail.com>
Sent: Friday, November 22, 2019 11:00 AM
To: joellgPC@gmail.com; Whitmer, David <Dave.Whitmer@countyofnapa.org>; anne.cottrell@lucene.com; andrewmazotti@gmail.com; JeriGillPC@outlook.com
Cc: Morrison, David <David.Morrison@countyofnapa.org>; Bordona, Brian <Brian.Bordona@countyofnapa.org>
Subject: Mathew Bruno Tasting Room 1151 Rutherford Road P17-00387

Dear Planning Commission,

We are concerned citizens that lives in the impact area of this proposed project. We would like to schedule a meeting with the Planning Commission to voice our concerns. We would appreciate the opportunity to meet with you before the scheduled Dec 4, 2019 hearing. We will make ourselves available at any time that works for you. Please respond as soon as possible so that we may get this on our calendar.

We have many concerns that we feel you need to be aware of and have documents, photos and studies that you should see. I appreciate your attention to this concern of ours.

Respectfully,
Randy & Deborah Bryant

--
Deborah Bryant
PO Box 20
Rutherford, CA 94573
707-815-0902

Eph 3:19-21

Gallina, Charlene

From: lamtc2@aol.com
Sent: Monday, November 25, 2019 10:22 AM
To: Gallina, Charlene; dean@riverainvineyards.com
Cc: DEBORAHANNEB@GMAIL.COM; randy@rebengineering.com; ldimpfel@cox.net; charleyantonio66@gmail.com; carlton@sportsantiques.com; laurie@riverainvineyards.com
Subject: Re: Public Hearing December 4, 2019 - Bruno Tasting Room Use Permit Application - Requested Denial or Use Permit Modification
Attachments: 1143 Grape Lane Letter 11 22 19.pdf

Dear Ms. Gallina,

Attached is a letter from Hal and Larry Moorefield dated November 22, 2019. We are the owners 11434 Grape Lane.

Thank You,

Hal and Larry Moorefield

-----Original Message-----

From: Gallina, Charlene <Charlene.Gallina@countyofnapa.org>
To: dean@riverainvineyards.com <dean@riverainvineyards.com>
Cc: 'Debbie Bryant' <DEBORAHANNEB@GMAIL.COM>; 'Randy Bryant' <randy@rebengineering.com>; 'Lois Dimpfel' <ldimpfel@cox.net>; 'Antonio Charley' <charleyantonio66@gmail.com>; 'Moorefield Larry & Joni' <lamtc2@aol.com>; 'Hendricks Carlton' <carlton@sportsantiques.com>; 'Laurie Gray' <laurie@riverainvineyards.com>
Sent: Mon, Nov 25, 2019 8:33 am
Subject: RE: Public Hearing December 4, 2019 - Bruno Tasting Room Use Permit Application - Requested Denial or Use Permit Modification

Hello Mr. Gray,

Thanks you for your comments. Staff will be incorporating them into our staff report.

Best Regards,

Charlene Gallina
Supervising Planner
Napa County Planning, Building, & Environmental Services Department
(707) 299-1355

From: dean@riverainvineyards.com <dean@riverainvineyards.com>
Sent: Sunday, November 24, 2019 8:32 AM
To: Gallina, Charlene <Charlene.Gallina@countyofnapa.org>
Cc: 'Debbie Bryant' <DEBORAHANNEB@GMAIL.COM>; 'Randy Bryant' <randy@rebengineering.com>; 'Lois Dimpfel' <ldimpfel@cox.net>; 'Antonio Charley' <charleyantonio66@gmail.com>; 'Moorefield Larry & Joni' <lamtc2@aol.com>; 'Hendricks Carlton' <carlton@sportsantiques.com>; 'Dean Gray' <dean@riverainvineyards.com>; 'Laurie Gray' <laurie@riverainvineyards.com>
Subject: Public Hearing December 4, 2019 - Bruno Tasting Room Use Permit Application - Requested Denial or Use Permit Modification

Dear Ms. Gallina,

As a long time resident of Grape Lane in Rutherford, I have enclosed a detailed letter regarding my overall concern of the public hearing scheduled for Dec 4, 2019 regarding the Mathew Bruno Wines Tasting Room - Use Permit Application No. P17-00387-UP. Unfortunately due to family health issues, my wife and I will be unable to attend the meeting, but I want to ensure that our voices are heard.

Please ensure that my attached letter is shared with all county associates responsible for the potential approval of the proposed use permit. Not only is the protection of our 7-home residential community at stake, but more importantly the safety of our residents, guests, as well as the visitors to the proposed Mathew Bruno tasting room is at stake. Once you have had a chance to review the letter, please let me know if you have any questions, or need any addition information or further clarification.

Thanks for your attention to this important issue,

Dean & Laurie Gray
Residents of 1153 Grape Lane
Dean's Cell: 714-307-8249
dean@riverainvineyards.com

HAL and LARRY MOORFIELD
4080 Truxel Road
Suite 200
Sacramento, California 95834

November 22, 2019

Napa County Planning Commission
c/o Charlene Gallina, Supervising Planner
Napa County Planning, Building & Environmental Services Dept.
1195 Third Street, Suite 210
Napa, CA 94558

Subject: Matthey Bruno Wine Tasting Room - Use Permit Application #P17-00387-UP

Dear Napa County Planning Commission,

Our two families purchased property in Rutherford at 1143 Grape Lane last year. Though the property was very expensive, it was the rural setting, and peaceful nature of the property on Grape Lane that made the decision to buy and become of part of the Rutherford neighborhood and community. After reviewing the Matthew Bruno use permit plans and applications, we are very upset over the fact that the initial study suggest that this project should be approved without any mitigation. From our experience, Grape Lane is unsafe for public travel and especially for wine tasting guests, due to the limited line of sight on Highway 128 when leaving Grape Lane. Cars that are parking on the South side of Highway 128 block views of oncoming traffic in the East and West directions, and make the Grape Lane/HWY 128 intersection a dangerous situation during the busy tourist season and during harvest. It is only because of our experience, living and visiting in the Rutherford area, that we are able to navigate and leave our property on Grape Lane without accident. However wine drinking visitors from the proposed Bruno Tasting Room would present a dangerous situation to the public and themselves when leaving Grape Lane. Also, the parking proposed by Bruno along Grape Lane will ruin our rural setting and open up a corridor for cars to park on our properties.

We were never notified about the easement that was to be granted by Judgment to the Matthew Bruno property, and it is our feeling that this was an underhanded legal tactic to get their wine tasting room approved. No cars should be allowed to park along Grape Lane, and then back into the only access for Grape Lane residents to and from our properties. This will clog up our only exit and entrance to our properties, and probably even reduce the effective response of emergency services to our homes. This will be especially true for the 250 person events that are planned twice a year. How do you expect us to get to and from our houses with hundreds of cars all entering and leaving Grape Lane at the same time? No events of this size should be granted, because there is no room to park in the already too busy Rutherford area. Is Bruno getting permission from BV Winery, La Luna, and the Rutherford Grill to use their parking lots for the events being planned? If there is no easement given for event parking then no events should be allowed that will create unsafe conditions for residents of Rutherford and Grape Lane.

HAL and LARRY MOORFIELD
4080 Truxel Road
Suite 200
Sacramento, California 95834

November 22, 2019
Page Two

Any approval of the Bruno tasting room should be closely evaluated, and their parking should be on their property such that no car is allowed to back out into Grape Lane and potential oncoming cars. Also a dangerous situation to pedestrians, and those on bicycles will be created by the Bruno traffic and parking. Sidewalks should be required as mitigation for the Bruno project, and a gate at our entrance should be mandated so wine tasting guests are not allowed to come onto our properties.

We are also concerned about how our property values will diminish due to the negative aspects of parking, traffic, and reduction of the rural views associated with the Bruno plans and their development. With portable toilets planned along Grape Lane, and the placement of their garbage and recycling area next to the lane too, it is obvious that no consideration of the neighbors, or their properties is being made by the Bruno Family in their application for a tasting room. The Bruno plan for their wine tasting room, should have a parking lot on the Bruno property, and the added traffic should not be allowed to block our only access to leave our homes on Grape Lane. We request that you do not approve the Bruno wine tasting room, and that the consideration of neighbors, the quality-of-life we currently enjoy, the rural setting, and friendly nature of Rutherford be respected, and that above all the safety of pedestrians, people, and traveling tourist, be protected in Rutherford. Please do not destroy our neighborhood and way of life by approving the Matthew Bruno Tasting Room Plan!

Sincerely,



Larry A. Moorefield
1143 Grape Lane
Rutherford, California 94573



Hal Moorefield
1143 Grape Lane
Rutherford, California 94573

Bordona, Brian

From: Randy Bryant <randy@rebengineering.com>
Sent: Friday, November 15, 2019 1:12 PM
To: Bordona, Brian
Cc: tcarey.law@gmail.com; Doss, Jeannette; Ayers, Dana; Kazmi, Syed Ahsan
Subject: Rutherford Wine Tasting Room for Matthew Bruno
Attachments: Grape Lane and HWY 128 current condition 2019 11 15.jpg; Pavement Section - Grape Lane intersection with HWY128.jpg; Pot Hole at HWY 128 and Grape Lane.jpg

Hi Brian,

I am not sure what category of the CEQA and comment items that this topic should be placed in, but there is a big problem at the entrance of Grape Lane at HWY 128.

It is my opinion that the illegal and unpermitted use of the Elizabeth Spencer parking at the Bruno property has deteriorated the pavement at HWY 128 and our entrance to Grape Lane. Upon inspection I found less there is less than 1" (one inch) of AC Pavement for the entrance part of the Grape Lane Road, and there is no sign of Class 2 base rock. This has been left out of the project review because the work proposed is merely to match the existing pavement at the edge of the CALTRANS right of way. The portion of Grape Lane that is within the CALTRANS right of way must be up graded to meet CALTRANS specifications so that further deterioration of the driveway does not occur from new uses and truck traffic by the Bruno Tasting Room project. Please let me know if you need a geotechnical evaluation of this from a soils engineer to further clarify why and how the Bruno project should not be allowed without an upgrade of the Grape Lane approach to HWY 128. An encroachment permit from CALTRANS is and should be required for the necessary improvements at the entrance to Grape Lane, which must be required of the Bruno project.

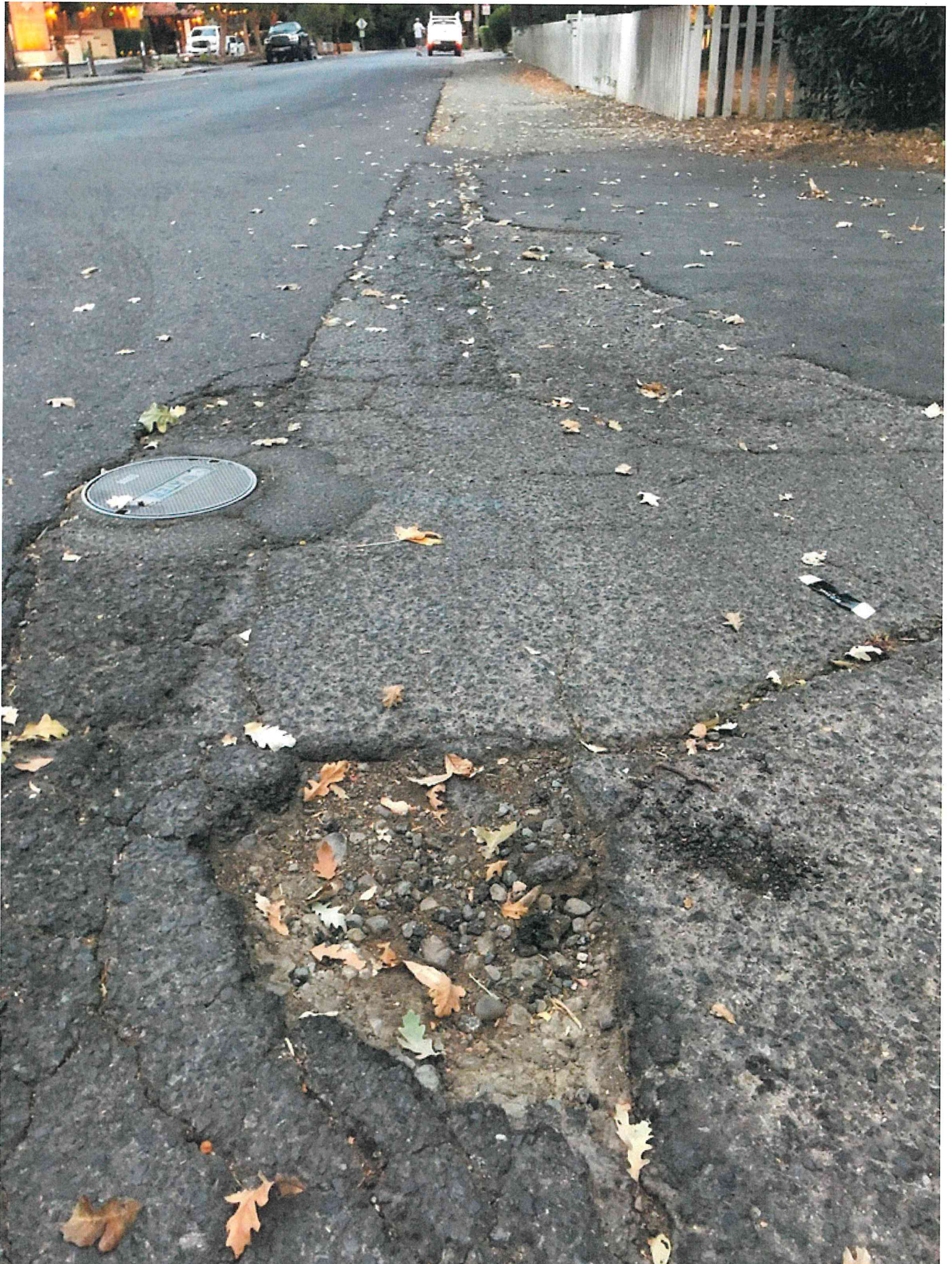
Also, we are starting a petition to have sidewalk installed along the frontage of the Bruno property for the proposed new Tasting Room. Currently this is the only section of downtown Rutherford that has no sidewalk, and if a sidewalk is not required as part of this project when would it ever be constructed. This should not be something that the tax payers should have to pay for, especially since the Bruno tasting room is planning to cater to pedestrian traffic in the town of Rutherford.

Sincerely,

Randal E. Bryant, P.E., P.L.S.
REB Engineering, Inc.
P.O. Box 113
Saint Helena, CA 94574
(707) 815-0975 Cell
(707) 963-8638 Office
(707) 963-2346 Fax
Randy@rebengineering.com







Bordona, Brian

From: Randy Bryant <randy@rebengineering.com>
Sent: Friday, November 15, 2019 1:27 PM
To: Bordona, Brian; Ayers, Dana
Cc: tcarey.law@gmail.com
Subject: FW: Photos for parking on Grape Lane in Rutherford
Attachments: August 3 - Grape Lane Evening.jpg; August 3 - Grape Lane Evening2.jpg; Elizabeth Spencer Ltr 2019 07 23.pdf; Grape Lane Traffic & Parking July 2019.pdf; Grape Lane - Early August 2019.docx; L050919.pdf

Hi Brian,

I regards to the complaint that I sent about the fact the Elizabeth Spencer Winery was parking without proper permitting, please see the email and attachments below.

I also discussed the matter with Dana Ayres in the Spring, and thought that she would have reported the violation also. All I find in the project description is a note about how there was no complaints filed, which is incorrect.

Please make sure that this is corrected for the commission hearing. Again, it is my opinion that an illegal and not permitted parking use should not be considered as a base line for a new project.

Thanks,

Randal E. Bryant, P.E., P.L.S.
REB Engineering, Inc.
P.O. Box 113
Saint Helena, CA 94574
(707) 815-0975 Cell
(707) 963-8638 Office
(707) 963-2346 Fax
Randy@rebengineering.com

From: Randy Bryant
Sent: Tuesday, August 06, 2019 3:02 PM
To: 'Ssenkumba, Joseph W.'
Cc: 'Ayers, Dana'; 'Doss, Jeannette'
Subject: Photos for parking on Grape Lane in Rutherford

Hello Joseph,

I appreciate your following up on this parking problem we are having with Elizabeth Spencer Winery. It is sad that the wineries generally do not care about their neighbors, and we are fearful that if the Matthew Bruno Wine Tasting Room gets approved on the other side of Grape Lane from the Elizabeth Spencer Winery, that we will have twice the problem we are having now in the access of getting in and out of our properties on Grape Lane.

Although the main problem we are having is with Elizabeth Spencer Winery parking on Grape Lane, I hope you can also look into the current commercial use of the Matthew Bruno property, across the street on Grape Lane, at 1151 Rutherford Road (APN 030-160-007). The Bruno property is currently being used by the Elizabeth Spencer Winery as an

office/accessory building for their winery, and this commercial use generates much in the way of vehicular traffic too. I don't think that all the necessary permits have been issued to Matthew Bruno or Elizabeth Spencer Winery to allow for the commercial use of 1151 Rutherford Road, nor for the permitted commercial traffic, and vehicular use that is occurring there. Our traffic engineer at TJKM says that the commercial use of Grape Lane for parking can potentially create unsafe issues, and I agree with him, see letter attached.

The attached photos and letter from Spencer Graham show the problem we are having at this time, now that Elizabeth Spencer Winery claims to have a right to park in Grape Lane. As a licensed land surveyor, I work with deeds and easements all the time. Based on my knowledge of the property the claim by Spencer Graham, of having a right to park in Grape Lane, is unfounded. The residents of Grape Lane have formed an association, "Grape Lane Association", and the Grape Lane Association has acquired title to Grape Lane. We are now the true owners. There is no legal easement or right that Elizabeth Spencer has to allow them parking on Grape Lane, and we will be contacting legal counsel to provide substantiation of our rights in keeping Grape Lane open, in order to provide the residents free access in and out of our properties.

Some of the pictures I am sending you show how traffic jams limit our access in and out of Grape Lane, and with this added burden of unauthorized parking by the Elizabeth Spencer Winery, the problem is quickly become unbearable. I am hopeful that you can assist us with our rights to have unencumbered access, and to keep our turnout free from parking so Grape Lane can be more safe. Please let me know if you need anything else to help us put an end to the winery encroachment into our street. I have previously discussed these matters with Dana Ayres, and Jeannette Doss, and I am hopeful that Napa County will not create a more difficult problem for us by approving the Matthew Bruno Wine Tasting Room.

Thanks again for all your help!

Sincerely,

Randal E. Bryant, P.E., P.L.S.
REB Engineering, Inc.
P.O. Box 113
Saint Helena, CA 94574
(707) 815-0975 Cell
(707) 963-8638 Office
(707) 963-2346 Fax
Randy@rebengineering.com

From: Ssenkumba, Joseph W. [mailto:Joseph.Ssenkumba@countyofnapa.org]

Sent: Monday, August 05, 2019 3:44 PM

To: Randy Bryant

Subject: Photos

Mr. Bryant,

It was nice talking with you on phone today and thanks for reaching out to the County regarding the improperly parked vehicles.

I wish to remind you about the photo as this will be very helpful in enforcing compliance.

Thanks

Joseph W. Ssenkumba
Code Compliance Officer
Planning, Building & Environmental Services
County of Napa | 1195 Third Street, Suite 210 | Napa, CA 94559

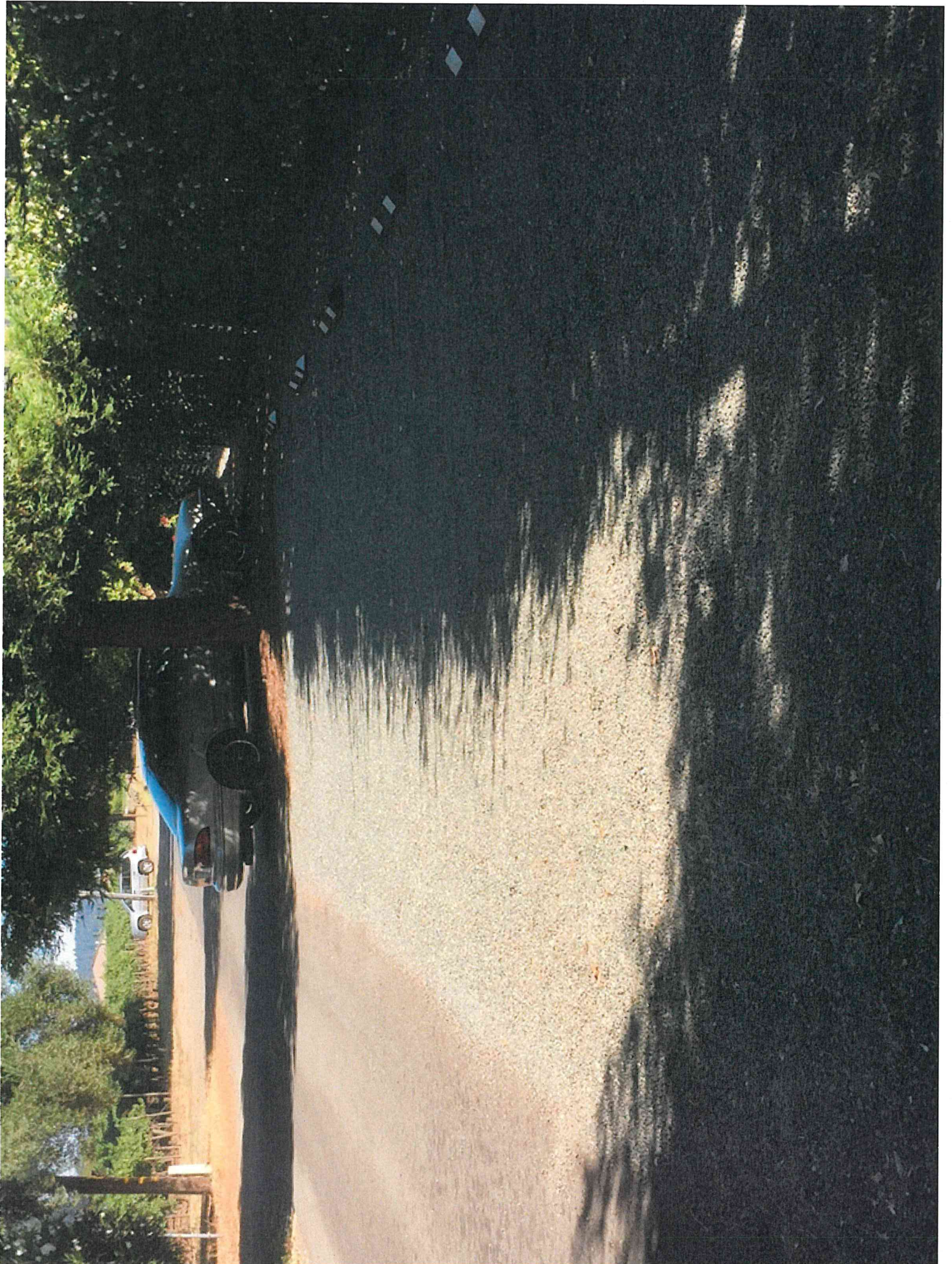
707-253-4018

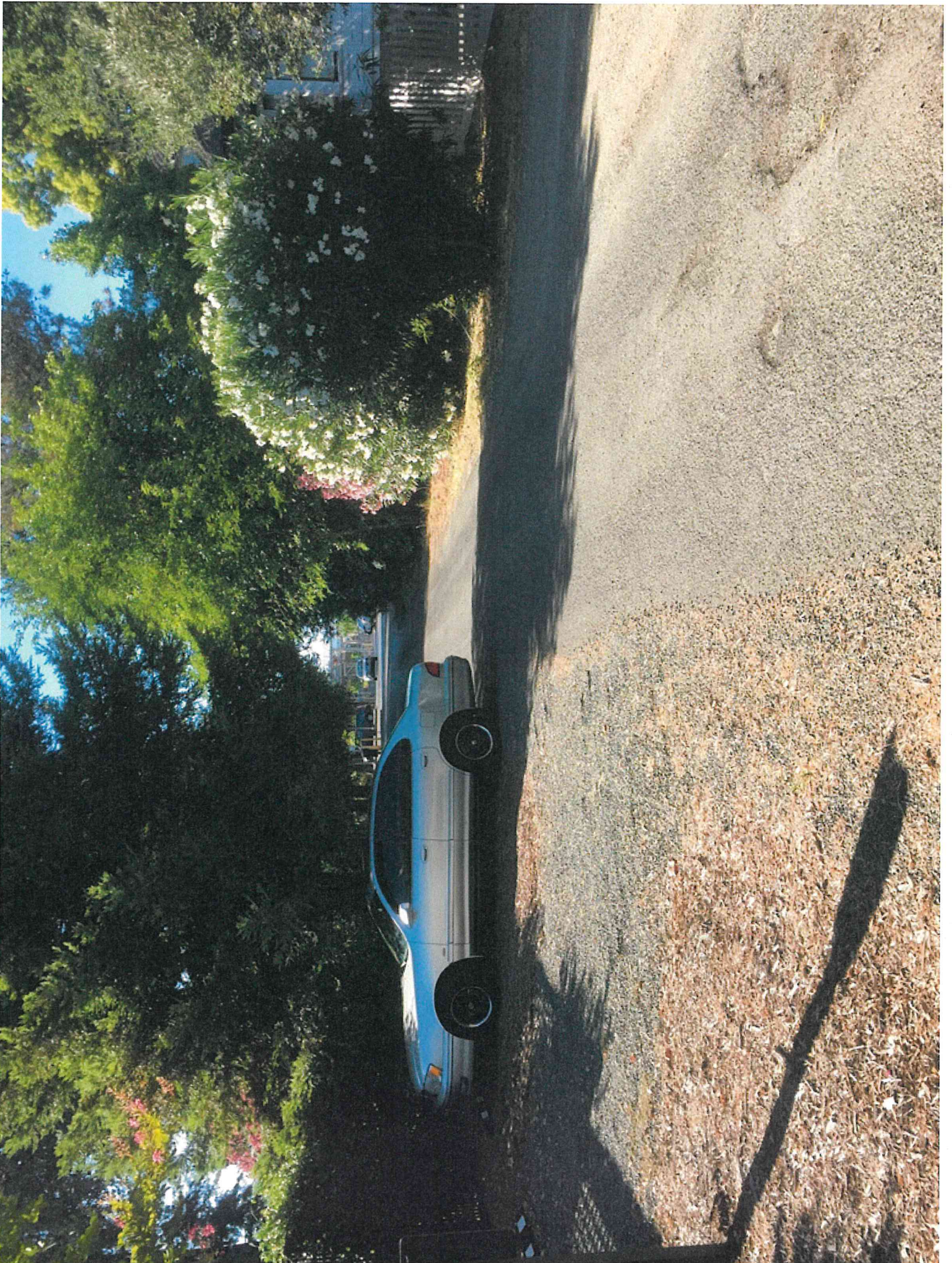
joseph.ssenkumba@countyofnapa.org



A Tradition of Stewardship
A Commitment to Service

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Elizabeth Spencer
BONDED WINERY EST. 1998

July 23, 2019

Re: Northern End of Grape Lane

To Whom This Concerns:

Thank you for your inquiry/comment regarding the winery's use of Grape Lane (Napa County, APN 030-160-020). The guests and employees of Elizabeth Spencer Winery are parking along the side of Grape Lane adjacent to the lane itself pursuant to a recorded easement agreement between one of the rightful owners of Grape Lane and the winery itself. As this use is permitted by the easement agreement and does not interfere with the ingress and egress provided by Grape Lane to those to the south on Grape Lane, this use is both permissible and legal. Furthermore, the winery will continue, as it has for many years, to maintain both Grape Lane and the property immediately adjacent to it in a clean and professional manner that benefits every user of Grape Lane. The easement and associated grant deeds are a matter of public record.

Should you have any questions, please feel free to address them to me at 707-963-4762. I am respectfully requesting that if you desire to speak with me, or Mark Feinberg, our General Manager, in person, that you schedule an appointment. Please do not visit our office at 1151 Rutherford Road or Tasting Room at 1165 Rutherford Road to discuss Grape Lane parking, we will make ourselves available at a scheduled meeting to review topics pertaining to this easement.

Cordially,

Spencer Graham



Photo Looking South onto Grape Lane from Hwy 128/Rutherford Road - Unauthorized Parking (7-23-2019)



Photo Looking North onto Hwy 128/Rutherford Road from Grape Lane - Unauthorized Parking (July 2019)

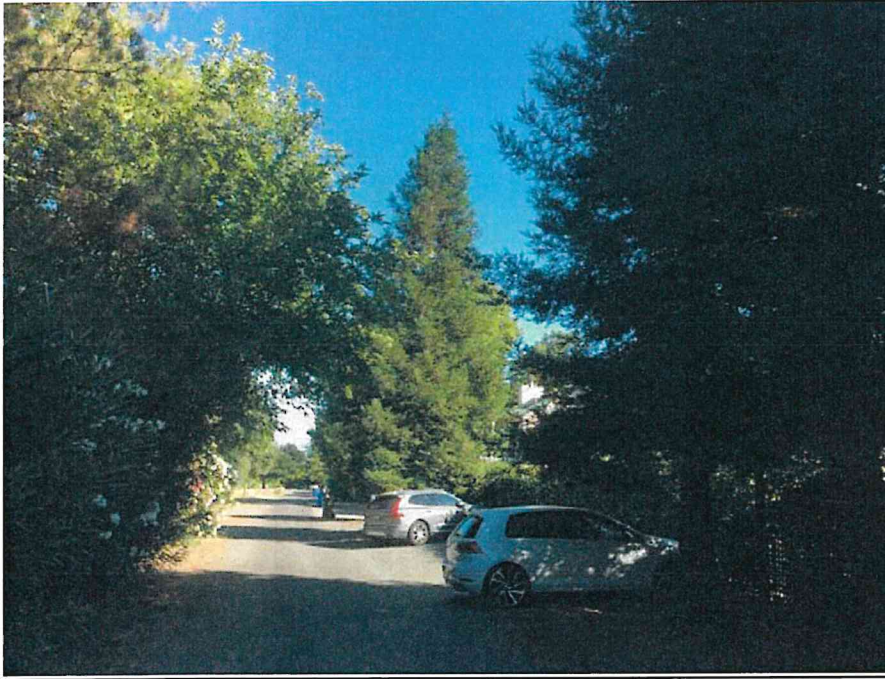
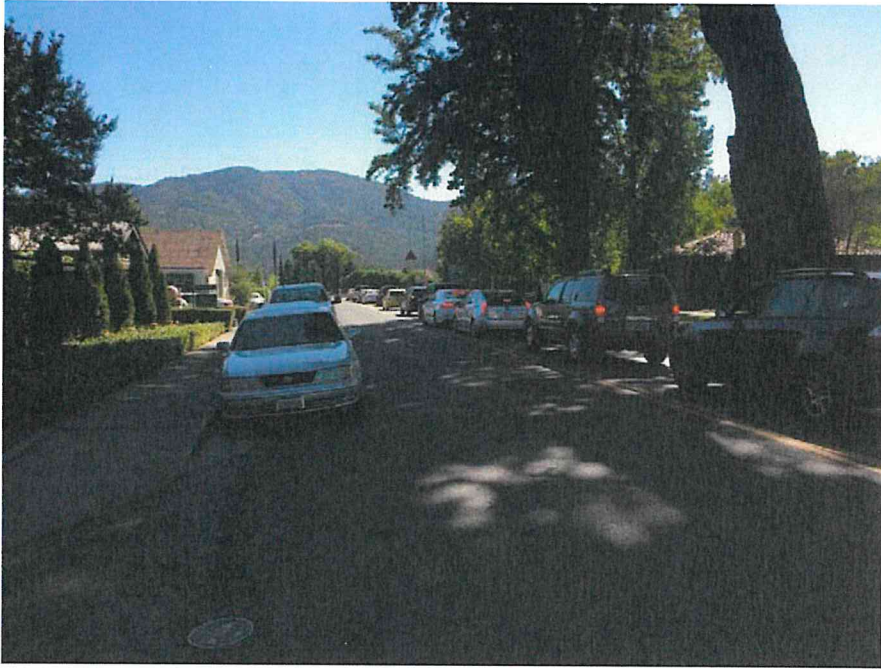


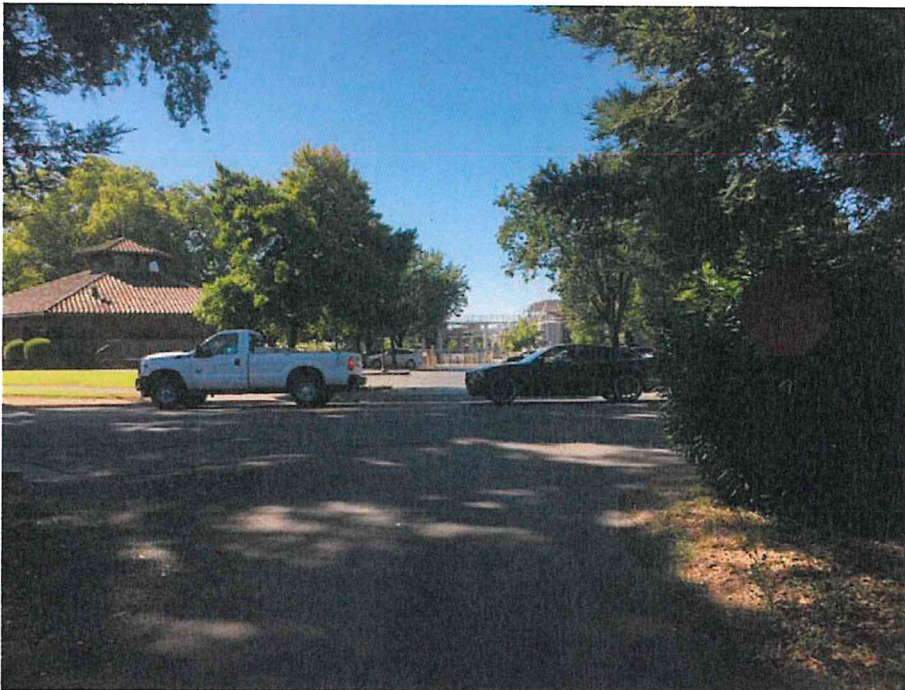
Photo Looking South onto Grape Lane from Hwy 128/Rutherford Road-Unauthorized Parking (July 2019)



Full Parking Lot at Elizabeth Spencer Winery (Overflow is going to Grape Lane by direction of Winery)



**Common Traffic Jam Blocking Exit onto Hwy 128/Rutherford Road from Grape Lane-Looking West
(7-12-2019)**



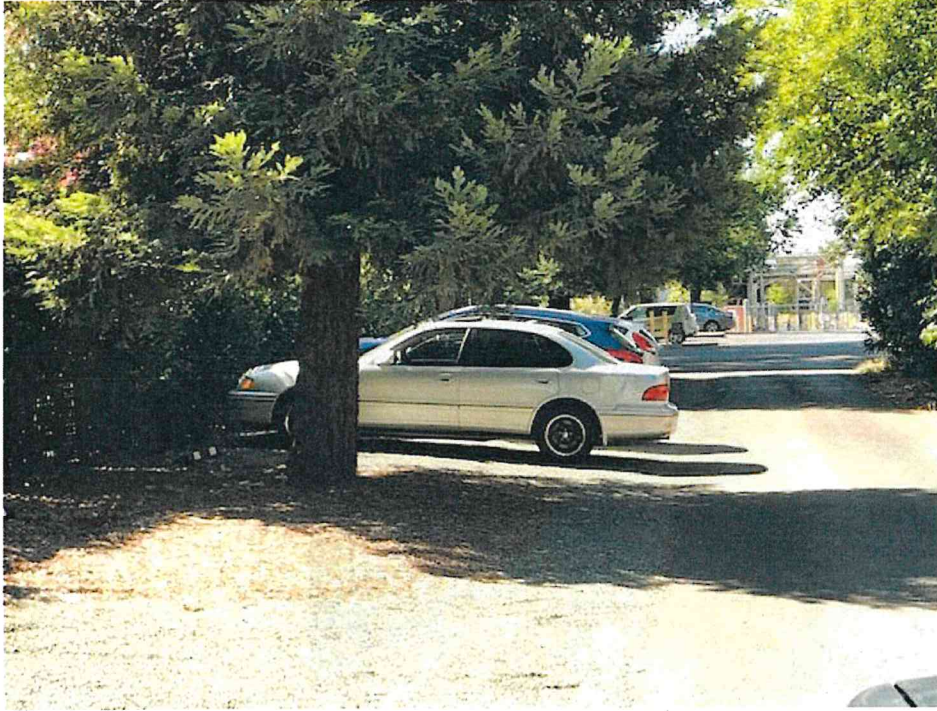
**Common Traffic Jam Blocking Exit onto Hwy 128/Rutherford Road from Grape Lane-Looking North
(7-12-2019)**



Grape Lane - August 6, 2019



Grape Lane - Early August 2019



Grape Lane - Early August 2019



Grape Lane - Early August 2019



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May 9, 2019

Randal E. Bryant, P.E., P.L.S.
Grape Lane Association
P.O. Box 20
Rutherford, CA 94574

Subject: Preliminary Traffic Analysis for Grape Lane in Rutherford, California

Dear Mr. Bryant:

TJKM has reviewed the development plans for the Matthew Bruno Wine Tasting Room (MBWTR), dated May 4, 2016 by CAB Consulting Engineers. The plan proposes all vehicular access for MBWTR to be from Grape Lane, along with inclusion of seven parking spaces that would be placed perpendicular to the Lane. Access to and from the parking spaces would essentially convert that portion of Grape Lane into a parking lot, also requiring the removal of two trees from Grape Lane.

Our preliminary review of the plans indicates that the combination of access and parking proposed for the MBWTR may result in unsafe conditions for the proposed users of the site, as well as the residents of Grape Lane. Cars trying to park or unpark at MBWTR will have to cross Grape Lane traffic including needing to back out into traffic to leave.

The proposed plans seem to have no provisions for the loading and unloading of merchandise for MBWTR. This could result in the need to load and unload deliveries on Rutherford Road, Highway 128. This is not a good idea. Nor does there appear to be a way for buses and limos to access the tasting room during events. This will present a problem for people using both Grape Lane and Highway 128. Also, there does not appear to be adequate sight distance for traffic using the Grape Lane/Highway 128 intersection.

The proposed development will potentially create safety issues for pedestrians walking on Grape Lane, since the plans essentially turn Grape Lane into a parking aisle and there is no designated walking area for residents and their families to reach Rutherford Road.

Depending on underlying ownership issues, the owners of the Grape Lane Association could also be liable for injury and damages associated with the MBWTR activities on Grape Lane. This should be reviewed by legal counsel.



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It is our recommendation that the MBWTR provide a driveway entrance directly onto Rutherford Road, at a different location to avoid risks to the public and the residents of Grape Lane.

I will be happy to answer questions on this matter.

Very truly yours,

A handwritten signature in black ink that reads "Chris D. Kinzel". The signature is written in a cursive, flowing style.

Chris D. Kinzel, P.E.
Vice President

November 20, 2019

Charlene Gallina, Supervising Planner
Napa County Planning, Building & Environmental Services Department
1195 Third Street, Suite 210
Napa, California 94559

Sub: Public hearing Scheduled for Dec 4, 2019 re: Mathew Bruno Wines Tasting Room - Use Permit
Application No. P17-00387-UP

As the homeowner at 1163 Grape Lane, I am concerned with the proposed tasting room plans significantly increasing traffic on Grape Lane which could cause unsafe conditions. I believe the proposal understates the parking requirements and increases ingress/egress issues along the lane.

My comments refer to the October 31, 2019 Initial Study Checklist.

1. Page 2 Item 9 (Description of Project): the request for 10:00am to 6:00pm operating hours is outside of the hours operated by other tasting rooms in the immediate area and should be reduced.
 - A. Elizabeth Spencer Winery: 5:30pm closing
 - B. Beaulieu Vineyards: 5:00 closing
 - C. Round Pond: 4:30pm closing
 - D. Inglenook: 5:00pm closing
2. Page 24 Section XIII, section a/b: This section addresses noise from large events. As the homeowner of the property identified as "the nearest residence", I would like to understand how the outside guests will be restricted to the "eastern garden area" in order to "inhibit line of sight between the outdoor areas of the proposed project site and the nearest residence". I see no plans to keep guests from the rear (south) of the property which is direct line of sight to my residence.
3. Page 30 Section XVII, section d/e/f: This section addresses parking and uses Napa County Code 18.110.030 stating 1 parking stall per 120 sq feet. This calculation of 7 required spaces is based on the defined interior space of 684 square feet. However the total square feet of available space of indoor and outdoor wine tasting is 2500 sq ft as stated in Section VIII, section a (Page 18). What will restrict the use of outdoor space for this parking calculation? Any bi-monthly event of 30 people will in all likelihood use some of that outside space and require more parking spaces.

Additionally, the head-in parking as planned requires the destruction of trees and shrubs along the Grape Lane right of way and creates additional safety issues on the lane with backing out of those spaces.

4. Large event parking controls and other parking controls: I would like to understand how the outside guest parking will be restricted on the Grape Lane right of way. With the agreement of the Oliver family who owns vineyard land to the south of the subject property, large event parking will be on the vineyard land. There must be a condition in the permit that restricts the vehicle activity to that vineyard land and not use the right-of-way which would look convenient. In addition, the Bruno ownership must be responsible for wear and tear on the 350 ft right-of-way currently maintained by the residents which would be used by large event guests to access the vineyard land.

I am requesting your consideration for the following:

1. Reduce requested hours to be inline with other commercial tasting rooms in the immediate area.
2. Reduce the number of allowed visitors per day and restrict tasting areas to what can be accommodated by available parking.
3. Require parking on the property as previously implemented by the prior tenants so that egress can be head-on into Grape Lane. Do not allow the destruction of trees and vegetation on property not owned by Bruno.
4. Require documented use of Oliver property with approved plans for any large events to include management of traffic. Parking must not be allowed within the Grape Lane easement.

Lois Dimpfel

Bordona, Brian

From: Randy Bryant <randy@rebengineering.com>
Sent: Friday, November 22, 2019 3:45 PM
To: Bordona, Brian
Cc: tcarey.law@gmail.com; Doss, Jeannette; Ayers, Dana; Kazmi, Syed Ahsan; Gallina, Charlene
Subject: RE: Rutherford Wine Tasting Room for Matthew Bruno
Attachments: TM 112219 Grape Lane.pdf

Hello Brian,

Please find the attached traffic report from TJKM which substantiates our findings about the unsafe aspects of the proposed Bruno Tasting Room Plan. I am hopeful that you can bring some sense to the table about this project and help us keep Rutherford and Grape Lane safe for residences and the public. Tom Carey is preparing a response for us to be included into the staff report, and please let me know what the status of the CALTRANS comments are.

Thanks,

Randal E. Bryant, P.E., P.L.S.
REB Engineering, Inc.
P.O. Box 113
Saint Helena, CA 94574
(707) 815-0975 Cell
(707) 963-8638 Office
(707) 963-2346 Fax
Randy@rebengineering.com

From: Randy Bryant
Sent: Friday, November 15, 2019 1:12 PM
To: 'Bordona, Brian'
Cc: 'tcarey.law@gmail.com'; 'Doss, Jeannette'; Ayers, Dana; 'ahsan.kazmi@countyofnapa.org'
Subject: Rutherford Wine Tasting Room for Matthew Bruno

Hi Brian,

I am not sure what category of the CEQA and comment items that this topic should be placed in, but there is a big problem at the entrance of Grape Lane at HWY 128.

It is my opinion that the illegal and unpermitted use of the Elizabeth Spencer parking at the Bruno property has deteriorated the pavement at HWY 128 and our entrance to Grape Lane. Upon inspection I found less there is less than 1" (one inch) of AC Pavement for the entrance part of the Grape Lane Road, and there is no sign of Class 2 base rock. This has been left out of the project review because the work proposed is merely to match the existing pavement at the edge of the CALTRANS right of way. The portion of Grape Lane that is within the CALTRANS right of way must be up graded to meet CALTRANS specifications so that further deterioration of the driveway does not occur from new uses and truck traffic by the Bruno Tasting Room project. Please let me know if you need a geotechnical evaluation of this from a soils engineer to further clarify why and how the Bruno project should not be allowed without an upgrade of the Grape Lane approach to HWY 128. An encroachment permit from CALTRANS is and should be required for the necessary improvements at the entrance to Grape Lane, which must be required of the Bruno project.

Also, we are starting a petition to have sidewalk installed along the frontage of the Bruno property for the proposed new Tasting Room. Currently this is the only section of downtown Rutherford that has no sidewalk, and if a sidewalk is not required as part of this project when would it ever be constructed. This should not be something that the tax payers should have to pay for, especially since the Bruno tasting room is planning to cater to pedestrian traffic in the town of Rutherford.

Sincerely,

Randal E. Bryant, P.E., P.L.S.
REB Engineering, Inc.
P.O. Box 113
Saint Helena, CA 94574
(707) 815-0975 Cell
(707) 963-8638 Office
(707) 963-2346 Fax
Randy@rebengineering.com



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TECHNICAL MEMORANDUM

Date: November 22, 2019

To: Randall Bryant, P.E.

From: Chris D. Kinzel, P.E.
Vice President

Subject: **Grape Lane Traffic Analysis in Rutherford**

At your request, TJKM Transportation Consultants has conducted an analysis of traffic and parking issues related to the pending application of the Matthew Bruno Wines Tasting Room to be located at the intersection of Rutherford Road and Grape Lane in the community of Rutherford. The application states the wine tasting will occur in an historic private residence at the subject location. The residence has been used recently as an office for employees of the Elizabeth Spencer Winery (ESW), a nearby winery with production, sales and tasting facilities. However, ESW no longer utilizes the Bruno property and it is currently vacant. The ESW previously employed seven office workers at the site, but this was an unpermitted use so its employees should not be considered when considering new traffic using the site. The new proposed Bruno tasting room proposes two employees and up to 56 tasting guests per day along with 24 events per year with higher customer counts.

The Bruno application to Napa County resulted in a comprehensive traffic study, "Focused Traffic Analysis for the Matthew Bruno Wines Tasting Room, County of Napa" prepared by GHD in June 2019.

The purpose of this document is to describe how the proposed application will affect the seven residents who are located along the west side of Grape Lane, an approximately 10 foot wide two-way street that extends southerly from Rutherford Road for a distance of about 700 feet. The tasting room lies alongside the northerly 150 feet of the east side of Grape Lane. We understand that the seven residents of Grape Lane own the private street.

TJKM has examined the following areas:

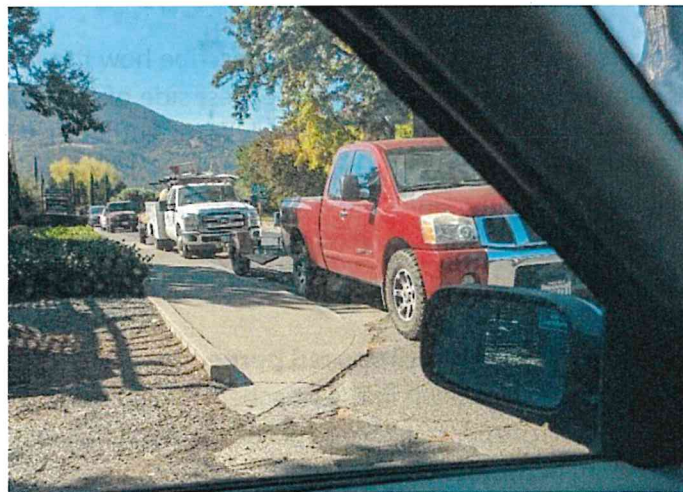
- 1. The impact of the proposed perpendicular parking upon safety and circulation for the residents.** As shown in the attached **TJKM Figure 1** (Figure 4 from the GHD report) the applicant proposes to construct seven parking spaces that use Grape Lane for circulation and maneuvering. This activity would completely block both directions of travel on Grape Lane. According to the traffic study, on a normal day the wine tasting is expected to



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accommodate 49 vehicular trips per day. This serves an expected attendance of 56 persons plus employees. Other larger events, up to 250 persons, are contemplated as well. While it is intended that larger events, with up to 197 daily trips, would utilize a TDM plan that would encourage vehicles to park somewhere off-site or even arrive by shuttle buses, these seven stalls would be everyone's first choice because of the proximity to the site. It can be anticipated that congestion along Grape Lane would be a common occurrence during the larger events. There is no mention of where shuttle buses or vans might park or even where they would drop off passengers. **TJKM Figure 2** illustrates how even parking cars can block the lane.

- 2. The need to provide off-street parking within the Matthew Bruno property so visitors can enter Grape Lane in a forward movement instead of using the proposed perpendicular parking along Grape Lane.** In the past, employees of the adjacent ESW who worked on site also parked on site. This situation should be the case for the new tasting room. The attached drawing, prepared for Grape Lane Associates shows how the site plan can be modified to allow all seven required parking stalls to occur on the property of the Bruno Tasting Room, which practice is the case throughout the County. This provides greater safety for both tasting room visitors and Grape Lane residents by allowing visitors to enter and leave the parking area in a forward direction, and not clog Grape Lane. Such a design is illustrated in the attached **TJKM Figure 3**.
- 3. Safety Issues for pedestrians walking along Grape Lane.** There is no indication on the site plan that any improvements are planned for Grape Lane itself. Grape Lane currently has about 10 feet of pavement with the rest of the roadway area unpaved. As a proposed parking lot, the area behind the perpendicular parking stalls should be paved. The new situation will have tasting room visitors backing into Grape Lane into the same area that existing vehicles and pedestrians are traveling.
- 4. The issue of restricted sight distance for northbound Grape Lane motorists at the intersection with Rutherford Road.** As shown in the **TJKM Figure 4** and these two photos, vehicles frequently park along Rutherford Road near Grape Lane. This photo is the view of a northbound driver looking to the west trying to enter Rutherford Road. Because of the various





attractions in the area, on street parking is common. The second photo shows how restricted the site distance to the east can be when vehicles park in front of the proposed Bruno tasting room on Rutherford Road. Increased use of Grape Lane suggests the need to have parking restricted along Rutherford Road both west of and east of the Grape Lane intersection.

- 5. The need for improvements at the intersection of Grape Lane and Rutherford Road including curb returns and pavement and drainage improvements.** The previous photos show that curb returns and pavement improvements are needed for the Grape Lane intersection. However, even though the proposed tasting room would increase traffic using the intersection, no such improvements are apparently planned. This should be a condition of approval. During the busy tourist season, westbound traffic on Rutherford Road frequently backs up to Grape Lane, resulting in congestion affecting outbound Grape Lane residents desiring to turn left. There is concern that with additional Grape Lane traffic, the ability for residents and others desiring to make a right turn and travel eastbound on Rutherford Lane will be frequently blocked by a left turner who can't move due to traffic blockage. Accordingly, enough pavement to accommodate a short northbound bypass lane for right turners should be included in the improvements required of the developer. This is illustrated in **TJKM Figure 5**.
- 6. The need for improvements along the Rutherford Road Matthew Bruno frontage in the form of curbs, gutters and sidewalks. New visitors to Matthew Bruno will be forced to walk in the state highway when cars are parked.** It is TJKM's understanding that neither the applicant nor the County are planning to have curb, gutter and sidewalk frontage improvements installed along Rutherford Road. On the south side of Rutherford Road, properties on both sides of the Matthew Bruno site have such improvements. In fact, there is a continuous distance of 500 feet of curb, gutter and sidewalk on the south side of Rutherford Road, except for the Bruno site. On the north side, there is a distance of 660 feet with curb, gutter and sidewalk, uninterrupted. The new use on this site will be attractive to pedestrians because of other existing tourist destinations in Rutherford.



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Perhaps more importantly, the Bruno site currently has a picket fence, apparently on the property line separating the state highway from the private property. The area between the fence and the street is usually occupied by parked vehicles, which will increasingly be the case with the tasting room in place. This means that pedestrians must walk in the street on the wrong side of parked cars. These sidewalk, curb and gutter improvements are very important from a safety standpoint and are also shown in **TJKM Figure 5**.

- 7. The increased potential liability for residents who own the private street because of safety issues related to the current blind intersection.** TJKM is not a legal firm, but it appears that the owners of the private street could bear increased liability due to potential traffic safety and parking issues described in this memo. In addition, we understand the residents have a legitimate concern that crowds of parkers could block access by emergency vehicles to and from the residential area during busy wine tasting periods.
- 8. A Gate restricting Bruno wine-tasting guests from encroaching on the Grape Lane residential area should be required.** **TJKM Figures 2 and 5** submitted by the Grape Lane residents include a gate and wall that would only allow emergency vehicles, residents and their guests to access the residential portion of Grape Lane. Such a gate is needed to prevent the inevitable encroachment on private property by Bruno wine-tasting guests. Such a gate should be installed by the applicant as a condition of approval.
- 9. TJKM Comments on Traffic Study.** The traffic study conducted for this site is very comprehensive and has apparently been accepted by the County. TJKM agrees with many of its findings and conclusions. However, there is no safe line of sight for vehicles exiting Grape Lane, though the traffic study suggests otherwise. Also, it appears none of the items included in this analysis have been addressed in the study.

TJKM will be happy to address any comments or questions on this matter.



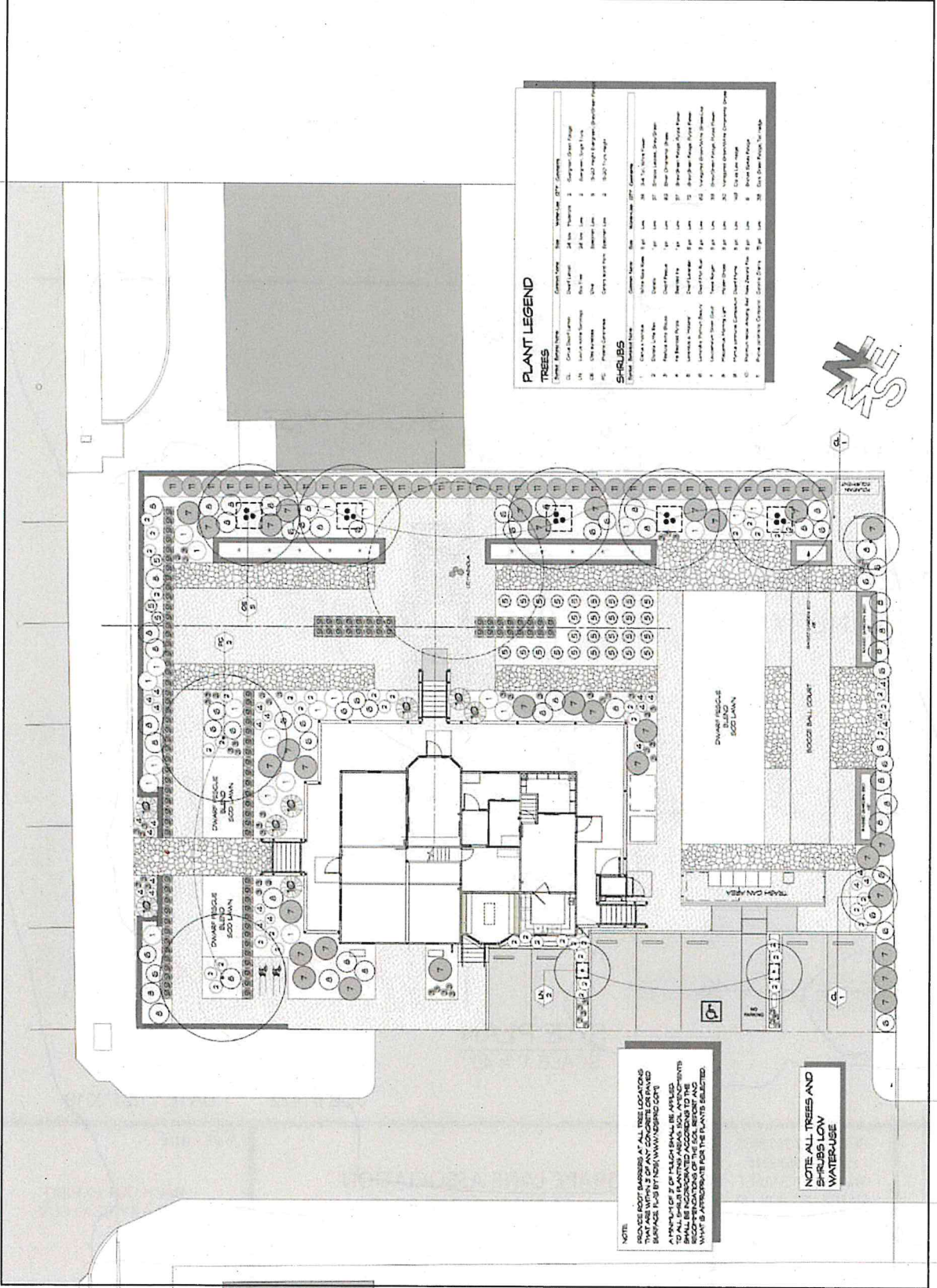


Project Site Plan

TJKM Figure 1



figure 4



NOTE:
 PROVIDE ROOT BARRIERS AT ALL TREE LOCATIONS
 AND AT ALL SHRUB LOCATIONS. PROVIDE ROOT
 BARRIERS FOR ALL SHRUBS IN THE PLANTING
 AREAS. PROVIDE 2" CP FLOOR FINISHES IN ALL
 SHRUB PLANTING AREAS. SOIL ADJUSTMENTS
 SHOULD BE MADE TO ALL SHRUBS UP AND
 DOWN TO THE ROOT ZONE. PROVIDE THE
 WHAT IS APPROPRIATE FOR THE PLANTS SELECTED.

NOTE: ALL TREES AND
 SHRUBS LOW
 WATERUSE

PLANT LEGEND

TREES	SHRUBS
1. Oak (Large)	1. Dwarf Nettle
2. Oak (Medium)	2. Dwarf Nettle
3. Oak (Small)	3. Dwarf Nettle
4. Oak (Very Small)	4. Dwarf Nettle
5. Oak (Very Small)	5. Dwarf Nettle
6. Oak (Very Small)	6. Dwarf Nettle
7. Oak (Very Small)	7. Dwarf Nettle
8. Oak (Very Small)	8. Dwarf Nettle
9. Oak (Very Small)	9. Dwarf Nettle
10. Oak (Very Small)	10. Dwarf Nettle
11. Oak (Very Small)	11. Dwarf Nettle
12. Oak (Very Small)	12. Dwarf Nettle
13. Oak (Very Small)	13. Dwarf Nettle
14. Oak (Very Small)	14. Dwarf Nettle
15. Oak (Very Small)	15. Dwarf Nettle
16. Oak (Very Small)	16. Dwarf Nettle
17. Oak (Very Small)	17. Dwarf Nettle
18. Oak (Very Small)	18. Dwarf Nettle
19. Oak (Very Small)	19. Dwarf Nettle
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21. Oak (Very Small)	21. Dwarf Nettle
22. Oak (Very Small)	22. Dwarf Nettle
23. Oak (Very Small)	23. Dwarf Nettle
24. Oak (Very Small)	24. Dwarf Nettle
25. Oak (Very Small)	25. Dwarf Nettle
26. Oak (Very Small)	26. Dwarf Nettle
27. Oak (Very Small)	27. Dwarf Nettle
28. Oak (Very Small)	28. Dwarf Nettle
29. Oak (Very Small)	29. Dwarf Nettle
30. Oak (Very Small)	30. Dwarf Nettle



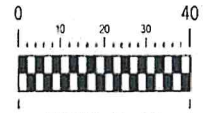
DATE: 10/15/11
 SCALE: 1/8" = 1'-0"
 SHEET: C-17
 OF: 20

MATHEW BRUNO WINES
 151 RUTHERFORD ROAD
 NAPA CA 94957
 PLANTING PLAN

WESTFALL
 DESIGN STUDIO

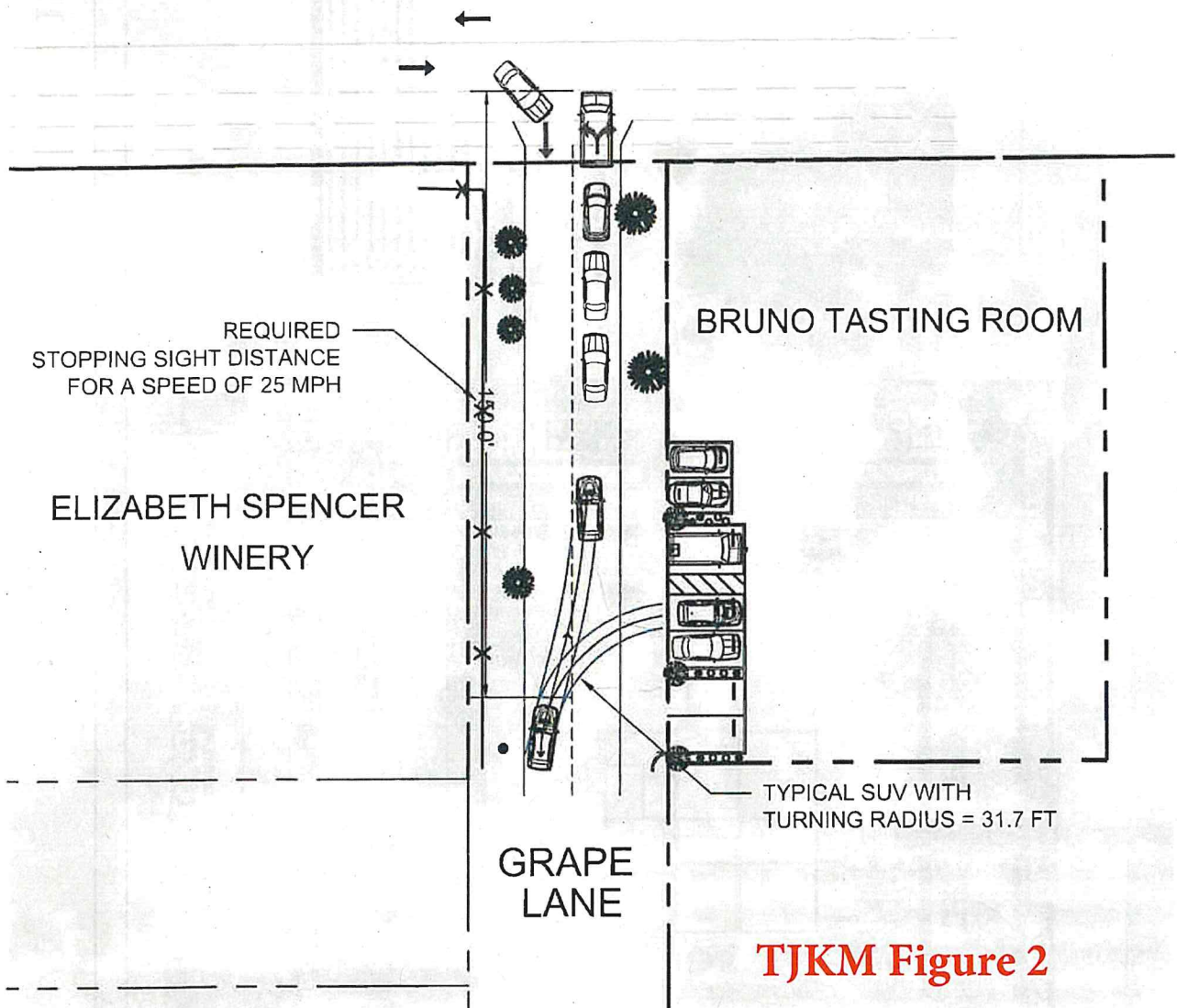
Kate Westfall
 Landscape Architect #112
 27 Oak Street
 Redwood City, CA 94063
 kwestfall@westfallstudio.com

NO.	DESCRIPTION
1	
2	
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SCALE: 1" = 40'

RUTHERFORD ROAD/ HWY 128



TJKM Figure 2

SITE PLAN
SCALE: 1" = 40'

JOB #1472

DATE 11/21/2019



PHONE: 707 963 8638
 FAX: 707 963 2346
 345 LA FATA STREET
 SUITE F - PO BOX 113
 ST HELENA, CA 94574
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 Engineering, Inc is prohibited

GRAPE LANE ASSOCIATION
 1151 RUTHERFORD ROAD
 RUTHERFORD, CA 94573
 A.P.N. 030-160-007

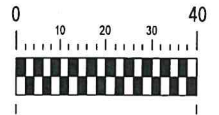
SHEET TITLE:

BACK OUT EXHIBIT
FOR A TYPICAL SUV

2 OF 3 SHEETS



NORTH



SCALE: 1" = 40'

RUTHERFORD ROAD/ HWY 128

ELIZABETH SPENCER WINERY

BRUNO TASTING ROOM

POSSIBLE 200% RESERVE AREA (800 SQ. FT.)

(E) DISPOSAL SYSTEM (400 SQ. FT.)

R25.0'

(P) ENTRY GATE AND WALL

GRAPE LANE

P-IP LS6393

SITE PLAN

SCALE: 1" = 40'

TJKM Figure 3

JOB #1472

DATE 11/20/2019



PHONE: 707 963 8638
FAX: 707 963 2346
345 LA FATA STREET
SUITE F - PO BOX 113
ST HELENA, CA 94574

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GRAPE LANE ASSOCIATES
1151 RUTHERFORD ROAD
RUTHERFORD, CA 94573
A.P.N. 030-160-007

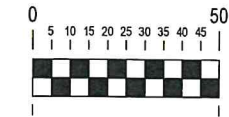
SHEET TITLE:

POTENTIAL LAYOUT OF ON-SITE PARKING FOR THE MATHEW BRUNO TASTING ROOM

1 OF 1 SHEETS



NORTH



SCALE: 1" = 50'

REB
CIVIL AND
STRUCTURAL
ENGINEERING,
SURVEYING AND
LAND PLANNING

PHONE: 707 963 8638
FAX: 707 963 2346
345 LA FATA STREET
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ST HELENA, CA 94574

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REV	MMDDYYYY	DRAFT	CHECK
△			
△			
△			
△			

GRAPE LANE ASSOCIATION
RUTHERFORD, CALIFORNIA
A.P.N. 030-160-019

DRAFTED BY:
ADE

DESIGNED BY:
REB

JOB:
#1472

ORIGINAL DATE:
11-20-2019

SHEET SIZE:
11X17

SCALE:
1" = 50'

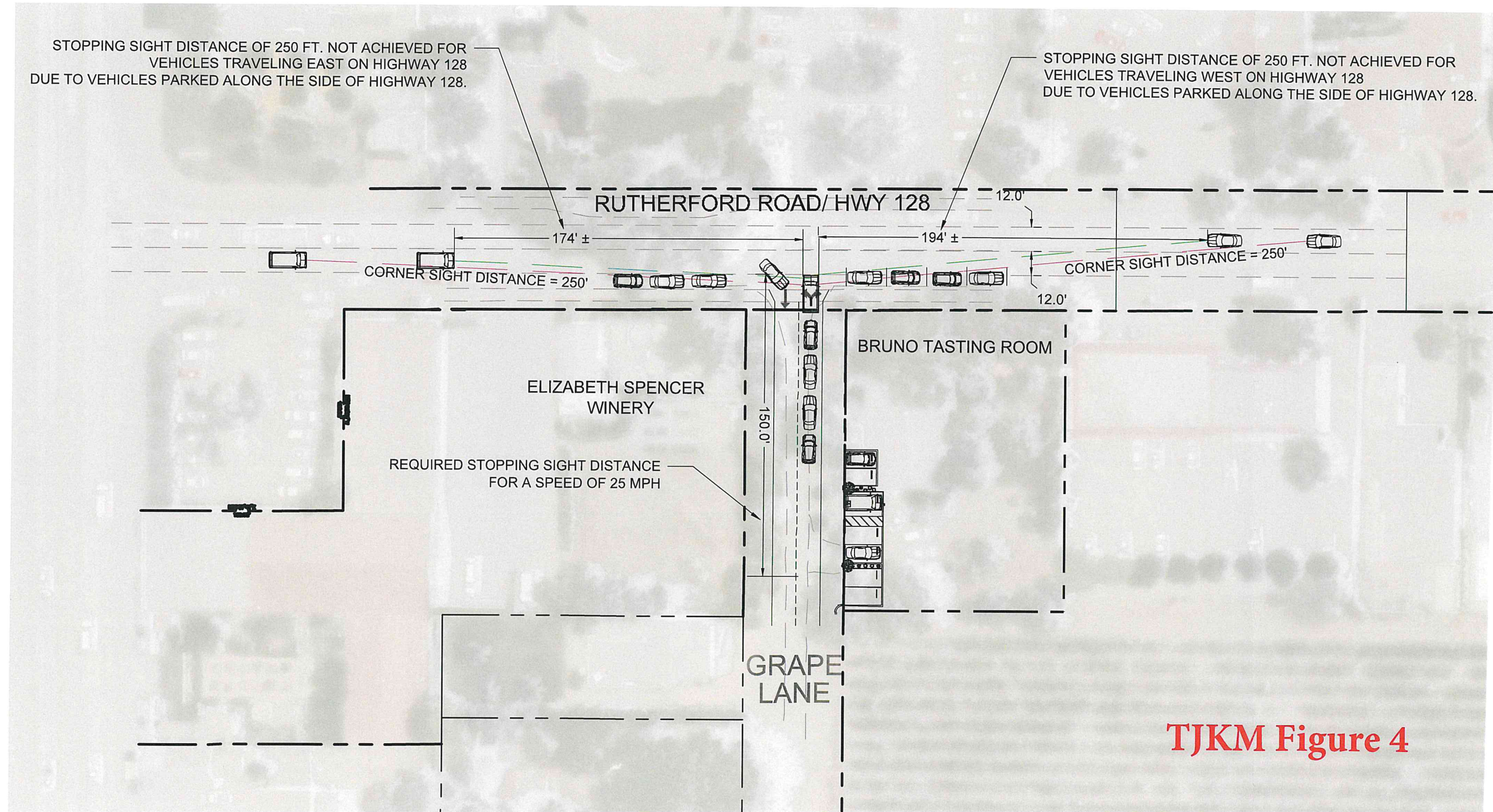
SHEET TITLE:
LINES OF SIGHT
IN & OUT OF
GRAPE LANE

SHEET:
1

OF 1 SHEETS

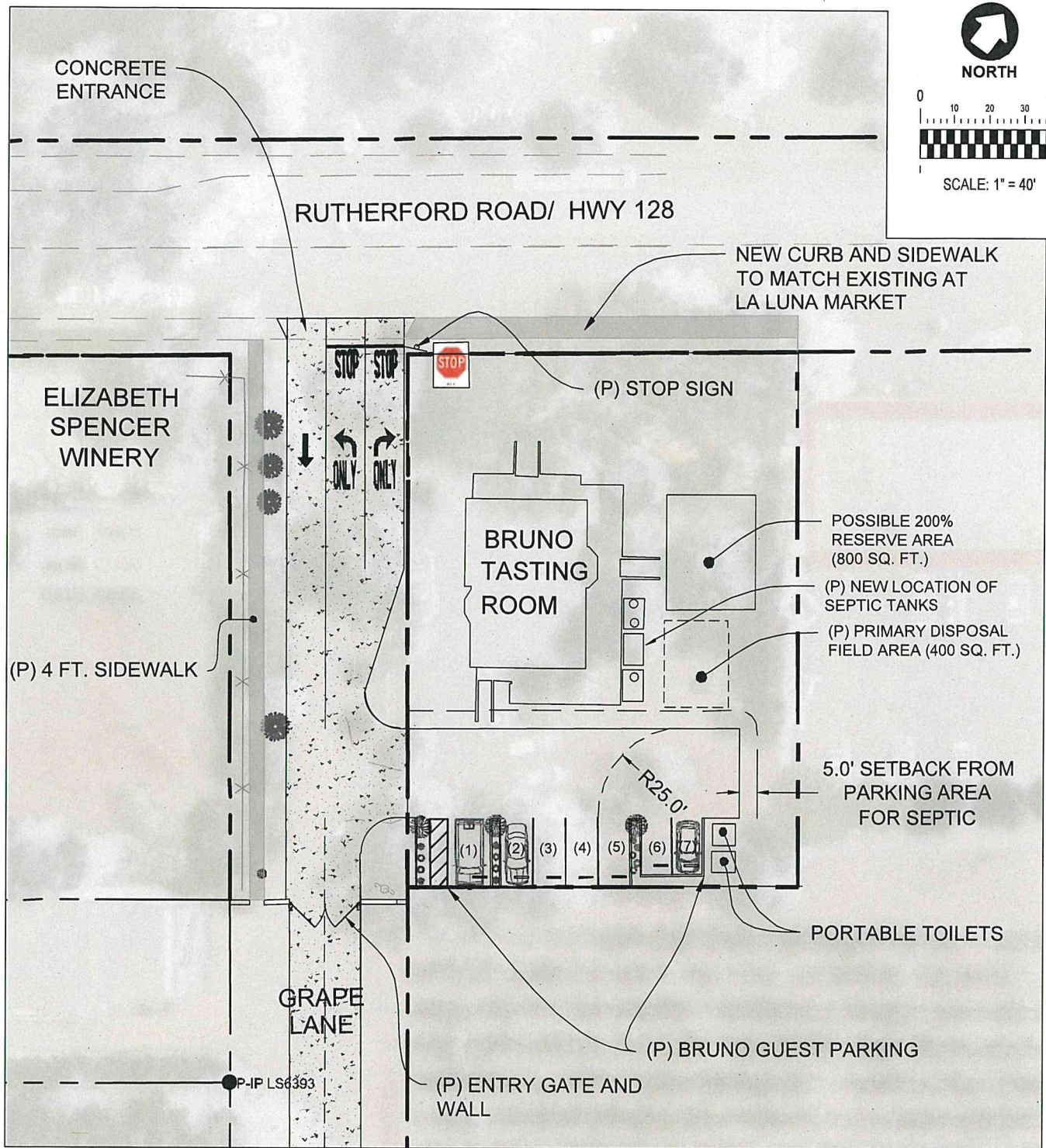
STOPPING SIGHT DISTANCE OF 250 FT. NOT ACHIEVED FOR
VEHICLES TRAVELING EAST ON HIGHWAY 128
DUE TO VEHICLES PARKED ALONG THE SIDE OF HIGHWAY 128.

STOPPING SIGHT DISTANCE OF 250 FT. NOT ACHIEVED FOR
VEHICLES TRAVELING WEST ON HIGHWAY 128
DUE TO VEHICLES PARKED ALONG THE SIDE OF HIGHWAY 128.



TJKM Figure 4

SITE PLAN
SCALE: 1" = 50'



SITE PLAN
SCALE: 1" = 40'

TJKM Figure 5

JOB #1472

DATE 11/21/2019



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GRAPE LANE ASSOCIATES
1151 RUTHERFORD ROAD
RUTHERFORD, CA 94573
A.P.N. 030-160-007

SHEET TITLE:

GRAPE LANE
IMPROVEMENT PLAN

1 OF 1 SHEETS

Bordona, Brian

From: Randy Bryant <randy@rebengineering.com>
Sent: Tuesday, November 12, 2019 4:29 PM
To: Bordona, Brian
Cc: Ayers, Dana; Kazmi, Syed Ahsan
Subject: RE: Mathew Bruno Tasting Bar/Room
Attachments: 1472_BRUNO PARKING n LINE OF SIGHT.pdf; Line of Sight Parking Obstructions 2019.pdf

Hi Brian & Dana,

I received the final traffic report that was sent to me today (thank you). Tomorrow I am meeting with our traffic engineer to respond to the false reporting about the safety issues for Grape Lane, and the line of sight availability at HWY 128 when leaving Grape Lane. When do you want our responses, so that they are included in your assessment of the project for the planning commission meeting?

The attached exhibit proves that there is not sufficient line of sight when cars are parking along HWY 128. Also, I have a number of people that have documented their near accidents when leaving Grape Lane, due to all the parking that occurs along HWY 128 and the limited available line of sight.

Since the Grape Lane Association is the owner of Grape Lane, it is unconscionable to think that Napa County would approve a hazardous situation for the public by allowing the general public to park off of Grape Lane, and then have to try to navigate onto HWY 128 in such a dangerous environment. I am including a couple of photos of typical problems with HWY 128 parking that occur (see attached), so you can also see the danger that is present when leaving Grape Lane. These pictures substantiate our signed and sealed engineering exhibit attached, which should be evidence in itself that what is being proposed is a hazard, and unsafe condition. I am hopeful that you understand our position, and agree that the general public should not be allowed to use Grape Lane until it is improved with no parking along HWY 128, and Grape Lane is widened to allow for two lanes of exiting (right and left turning), and an entrance lane into Grape Lane. It is our opinion that a left turn lane into Grape Lane from HWY 128 should also be provided for the proposed commercial Bruno Tasting room. Our legal counsel will be submitting his brief about how it appears that Napa County is planning to impose a hazardous and unsafe situation upon the owners of Grape Lane, who will ultimately carry the burden and legal responsibility associated with providing a safe entrance and exit for people using Grape Lane.

Also, I did report to code enforcement that Elizabeth Spencer did not have the proper permits to park at the Bruno Property, and I don't know why this is not showing up in your reported information for the Bruno project. Bruno should not be allowed to utilize an illegal use to substantiate their proposed traffic and parking for their project. Do you think I am wrong here?

Please let me know the best way to transmit this information to you for the public record so that we avoid having a dangerous situation at Grape Lane. I also want you to be fully aware of the truth about Grape Lane and the efforts of the Grape Lane Association to keep Grape Lane safe. It would be very embarrassing for you to say there is no problems with what is being proposed by the Bruno Tasting room when there is so much evidence to the otherwise. I am sure that Napa County does not want to give their blessing to support an unsafe traffic condition, and if there are other people that I need to discuss this with please let me know. Allowing Bruno Tasting room to proceed without mitigation of the existing traffic problems will only make matters worse for everyone in the Town of Rutherford, and for people traveling through the Napa Valley.

Thanks,

Randal E. Bryant, P.E., P.L.S.
REB Engineering, Inc.
P.O. Box 113
Saint Helena, CA 94574
(707) 815-0975 Cell
(707) 963-8638 Office
(707) 963-2346 Fax

From: Randy Bryant
Sent: Tuesday, November 12, 2019 9:29 AM
To: 'Bordona, Brian'
Subject: RE: Mathew Bruno Tasting Bar/Room

Hi Brian,

Can I come down to get a copy of the latest Bruno traffic report? I can bring a flash drive for an electronic copy which would be best for us. Or you can send a copy to my gmail at REB45115@gmail.com

I will be in Napa today so if you have already printed a hard copy I would be glad to pick that up also.

Thanks for all your help, and don't hesitate to call me to expedite receipt of this information. Our traffic engineer needs to have this report to respond to the still important safety issues associated with the Bruno project.

Sincerely,

Randal E. Bryant, P.E., P.L.S.
REB Engineering, Inc.
P.O. Box 113
Saint Helena, CA 94574
(707) 815-0975 Cell
(707) 963-8638 Office
(707) 963-2346 Fax
Randy@rebengineering.com

From: Bordona, Brian [mailto:Brian.Bordona@countyofnapa.org]
Sent: Friday, November 08, 2019 11:24 AM
To: Randy Bryant
Cc: Ayers, Dana
Subject: RE: Mathew Bruno Tasting Bar/Room

Hi Randy

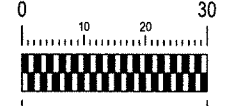
I tried sending you the traffic report, but it got kicked back because the file was too large. I would be happy to make a copy of the report for you and either mail it to you or place it at the front counter at will call. Please let me know your preference.

Brian









SCALE: 1" = 30'

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CIVIL AND
STRUCTURAL
ENGINEERING
SURVEYING AND
LAND PLANNING

PHONE: 707 963 8638
FAX: 707 963 2346
345 LA FATA STREET
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ST HELENA, CA 94574

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REV	MM/DD/YYYY	DRAFT	CHECK

GRAPE LANE ASSOCIATION
RUTHERFORD, CALIFORNIA
A.P.N. 030-160-019

DRAFTED BY:

DESIGNED BY:
REB

JOB:
#1472

ORIGINAL DATE:
2019-09-22

SHEET SIZE:
11X17

SCALE:
1" = 30'

SHEET TITLE:
GRAPE LANE
FUTURE
EXHIBIT
w/ BRUNO

SHEET:
1
OF 1 SHEETS

RUTHERFORD ROAD

HWY 128

250' SIGHT DISTANCE (NOT AVAILABLE)

250' SIGHT DISTANCE (NOT AVAILABLE)

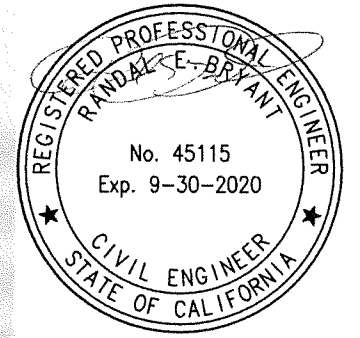
ELIZABETH SPENCER WINERY

BRUNO TASTING ROOM

GRAPE LANE

201
+ 177.86
C-CP

P-IP LS6393



SITE PLAN
SCALE: 1" = 30'

R
E
B

REB ENGINEERING, INC.

CIVIL AND STRUCTURAL ENGINEERING

SURVEYING AND LAND PLANNING

Hand Delivery

Napa County Planning Commission
c/o Charlene Gallina, Supervising Planner
Napa County Planning, Building & Environmental Services Dept.
1195 Third Street, Suite 210
Napa, CA 94558

November 22, 2019

Subject: Mathew Bruno Wine Tasting Room - Use Permit Application #P17-00387-UP

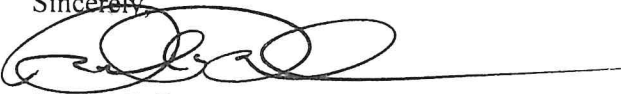
Dear Napa County Planning Commission,

Please find attached the information developed by the Grape Lane Association to stop the approval of the unsafe project for the Mathew Bruno Wine Tasting Room, the will have a negative impact upon all the residents of Grape Lane, and the peoples of Rutherford. The information provided is as follows:

TJKM Technical Memorandum - dated November 22, 2019
Appraisal Letter from Michael Jordan
REB Comment Response to Initial Study
Letters from residents and concerned citizens
Exhibits
Photos
Grape Lane Association Deed to Grape Lane
Grape Lane Intersection
Posting for Bruno Right of Way

Thank you for your assistance in reviewing this information, and don't hesitate to let me know if you have any further questions, or if you need additional information to verify why the Mathew Bruno Tasting Room Plans should not be approved.

Sincerely,



Randal E. Bryant, P.E.
President REB Engineering, Inc.

cc Tom Carey



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TECHNICAL MEMORANDUM

Date: November 22, 2019

To: Randall Bryant, P.E.

From: Chris D. Kinzel, P.E.
Vice President

Subject: ***Grape Lane Traffic Analysis in Rutherford***

At your request, TJKM Transportation Consultants has conducted an analysis of traffic and parking issues related to the pending application of the Matthew Bruno Wines Tasting Room to be located at the intersection of Rutherford Road and Grape Lane in the community of Rutherford. The application states the wine tasting will occur in an historic private residence at the subject location. The residence has been used recently as an office for employees of the Elizabeth Spencer Winery (ESW), a nearby winery with production, sales and tasting facilities. However, ESW no longer utilizes the Bruno property and it is currently vacant. The ESW previously employed seven office workers at the site, but this was an unpermitted use so its employees should not be considered when considering new traffic using the site. The new proposed Bruno tasting room proposes two employees and up to 56 tasting guests per day along with 24 events per year with higher customer counts.

The Bruno application to Napa County resulted in a comprehensive traffic study, "Focused Traffic Analysis for the Matthew Bruno Wines Tasting Room, County of Napa" prepared by GHD in June 2019.

The purpose of this document is to describe how the proposed application will affect the seven residents who are located along the west side of Grape Lane, an approximately 10 foot wide two-way street that extends southerly from Rutherford Road for a distance of about 700 feet. The tasting room lies alongside the northerly 150 feet of the east side of Grape Lane. We understand that the seven residents of Grape Lane own the private street.

TJKM has examined the following areas:

- 1. The impact of the proposed perpendicular parking upon safety and circulation for the residents.** As shown in the attached **TJKM Figure 1** (Figure 4 from the GHD report) the applicant proposes to construct seven parking spaces that use Grape Lane for circulation and maneuvering. This activity would completely block both directions of travel on Grape Lane. According to the traffic study, on a normal day the wine tasting is expected to



accommodate 49 vehicular trips per day. This serves an expected attendance of 56 persons plus employees. Other larger events, up to 250 persons, are contemplated as well. While it is intended that larger events, with up to 197 daily trips, would utilize a TDM plan that would encourage vehicles to park somewhere off-site or even arrive by shuttle buses, these seven stalls would be everyone's first choice because of the proximity to the site. It can be anticipated that congestion along Grape Lane would be a common occurrence during the larger events. There is no mention of where shuttle buses or vans might park or even where they would drop off passengers. **TJKM Figure 2** illustrates how even parking cars can block the lane.

2. **The need to provide off-street parking within the Matthew Bruno property so visitors can enter Grape Lane in a forward movement instead of using the proposed perpendicular parking along Grape Lane.** In the past, employees of the adjacent ESW who worked on site also parked on site. This situation should be the case for the new tasting room. The attached drawing, prepared for Grape Lane Associates shows how the site plan can be modified to allow all seven required parking stalls to occur on the property of the Bruno Tasting Room, which practice is the case throughout the County. This provides greater safety for both tasting room visitors and Grape Lane residents by allowing visitors to enter and leave the parking area in a forward direction, and not clog Grape Lane. Such a design is illustrated in the attached **TJKM Figure 3**.
3. **Safety Issues for pedestrians walking along Grape Lane.** There is no indication on the site plan that any improvements are planned for Grape Lane itself. Grape Lane currently has about 10 feet of pavement with the rest of the roadway area unpaved. As a proposed parking lot, the area behind the perpendicular parking stalls should be paved. The new situation will have tasting room visitors backing into Grape Lane into the same area that existing vehicles and pedestrians are traveling.
4. **The issue of restricted sight distance for northbound Grape Lane motorists at the intersection with Rutherford Road.** As shown in the **TJKM Figure 4** and these two photos, vehicles frequently park along Rutherford Road near Grape Lane. This photo is the view of a northbound driver looking to the west trying to enter Rutherford Road. Because of the various





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attractions in the area, on street parking is common. The second photo shows how restricted the site distance to the east can be when vehicles park in front of the proposed Bruno tasting room on Rutherford Road. Increased use of Grape Lane suggests the need to have parking restricted along Rutherford Road both west of and east of the Grape Lane intersection.

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6. **The need for improvements along the Rutherford Road Matthew Bruno frontage in the form of curbs, gutters and sidewalks. New visitors to Matthew Bruno will be forced to walk in the state highway when cars are parked.** It is TJKM's understanding that neither the applicant nor the County are planning to have curb, gutter and sidewalk frontage improvements installed along Rutherford Road. On the south side of Rutherford Road, properties on both sides of the Matthew Bruno site have such improvements. In fact, there is a continuous distance of 500 feet of curb, gutter and sidewalk on the south side of Rutherford Road, except for the Bruno site. On the north side, there is a distance of 660 feet with curb, gutter and sidewalk, uninterrupted. The new use on this site will be attractive to pedestrians because of other existing tourist destinations in Rutherford.

Perhaps more importantly, the Bruno site currently has a picket fence, apparently on the property line separating the state highway from the private property. The area between the fence and the street is usually occupied by parked vehicles, which will increasingly be the case with the tasting room in place. This means that pedestrians must walk in the street on the wrong side of parked cars. These sidewalk, curb and gutter improvements are very important from a safety standpoint and are also shown in **TJKM Figure 5**.

7. **The increased potential liability for residents who own the private street because of safety issues related to the current blind intersection.** TJKM is not a legal firm, but it appears that the owners of the private street could bear increased liability due to potential traffic safety and parking issues described in this memo. In addition, we understand the residents have a legitimate concern that crowds of parkers could block access by emergency vehicles to and from the residential area during busy wine tasting periods.
8. **A Gate restricting Bruno wine-tasting guests from encroaching on the Grape Lane residential area should be required.** **TJKM Figures 2 and 5** submitted by the Grape Lane residents include a gate and wall that would only allow emergency vehicles, residents and their guests to access the residential portion of Grape Lane. Such a gate is needed to prevent the inevitable encroachment on private property by Bruno wine-tasting guests. Such a gate should be installed by the applicant as a condition of approval.
9. **TJKM Comments on Traffic Study.** The traffic study conducted for this site is very comprehensive and has apparently been accepted by the County. TJKM agrees with many of its findings and conclusions. However, there is no safe line of sight for vehicles exiting Grape Lane, though the traffic study suggests otherwise. Also, it appears none of the items included in this analysis have been addressed in the study.

TJKM will be happy to address any comments or questions on this matter.



REVISION	DATE

Westfall
 720 Oak 1791
 Menlo Park, CA 94025
 Phone: (650) 327-8773
 www.westfalldesignstudio.com

WESTFALL
 DESIGN STUDIO

MATHEW BRUNO WINES
 151 RUTHERFORD ROAD
 NAPA CA 94553
 PLANTING PLAN

DRAWN BY: [Name]
 DATE: [Date]
 SCALE: [Scale]
 DRAWING NUMBER: [Number]
 PROJECT NUMBER: [Number]
 SHEET: [Number]
 OF SHEETS: [Number]

L-3

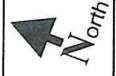
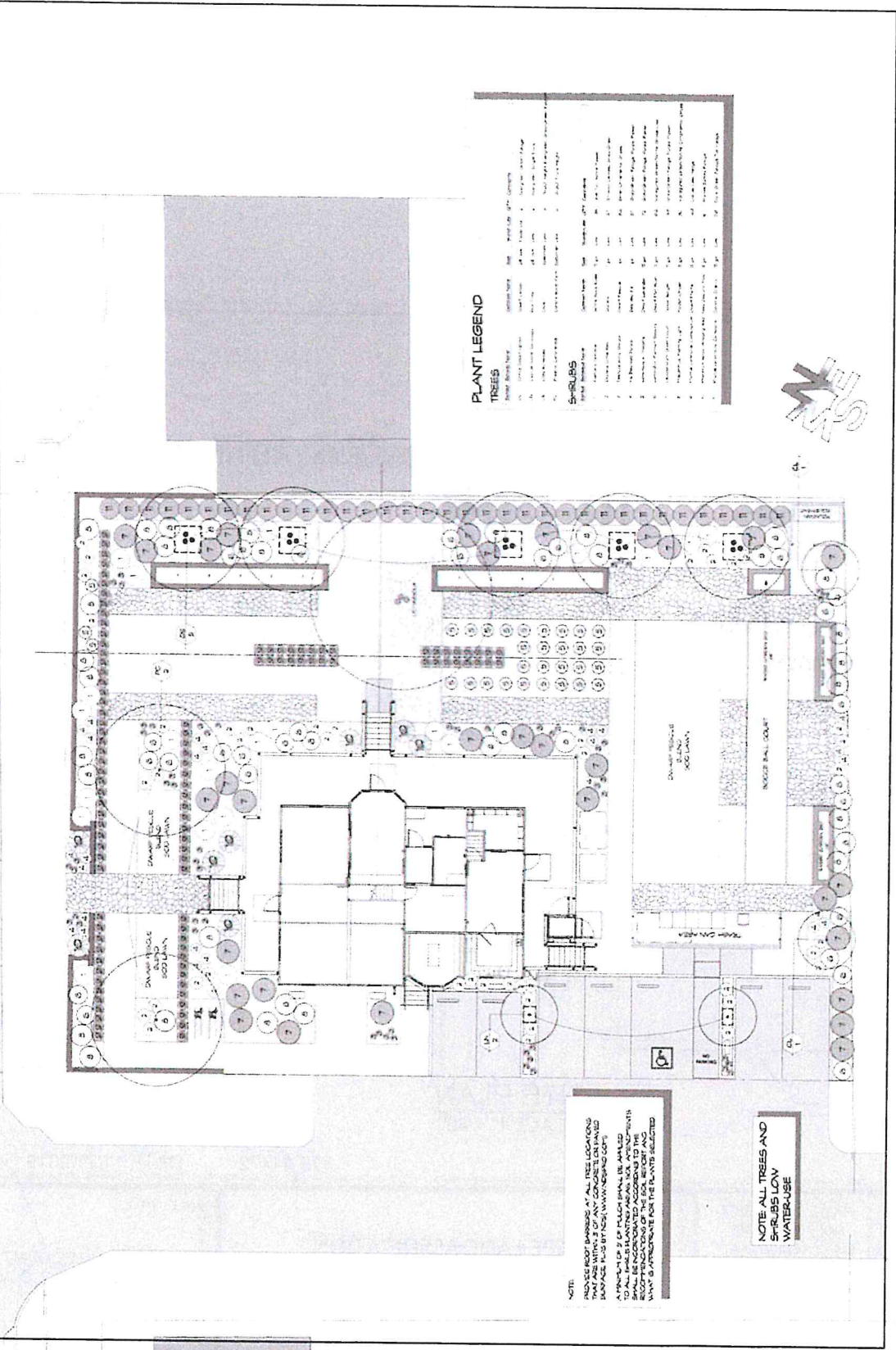


figure 4



TJKM

PLANT LEGEND

TREES

Symbol	Species	Size	Quantity
(1)
(2)
(3)
(4)
(5)
(6)
(7)
(8)
(9)
(10)
(11)
(12)
(13)
(14)
(15)
(16)
(17)
(18)
(19)
(20)
(21)
(22)
(23)
(24)
(25)
(26)
(27)
(28)
(29)
(30)

SHRUBS

Symbol	Species	Size	Quantity
(A)
(B)
(C)
(D)
(E)
(F)
(G)
(H)
(I)
(J)
(K)
(L)
(M)
(N)
(O)
(P)
(Q)
(R)
(S)
(T)
(U)
(V)
(W)
(X)
(Y)
(Z)

NOTE:
 PROVIDE ROOT BARRIERS AT ALL TREE LOCATIONS
 AND GRASSY MEADOWS. PROVIDE 18" WIDE CONCRETE
 DRIVEWAYS AND 18" WIDE CONCRETE WATERWAYS.
 A PERMANENT 3" OR 4" DEEP DRAINAGE SYSTEM
 SHALL BE INSTALLED UNDER ALL DRIVEWAYS AND
 WATERWAYS. DRAINAGE SHALL BE INSTALLED
 AT ALL TREE LOCATIONS AND AT ALL MEADOW
 LOCATIONS. DRAINAGE SHALL BE INSTALLED
 AT ALL TREE LOCATIONS AND AT ALL MEADOW
 LOCATIONS. DRAINAGE SHALL BE INSTALLED
 AT ALL TREE LOCATIONS AND AT ALL MEADOW
 LOCATIONS.

NOTE: ALL TREES AND
 SHRUBS LOW
 WATER USE

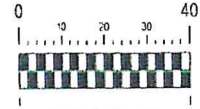
TJKM Figure 1

Project Site Plan



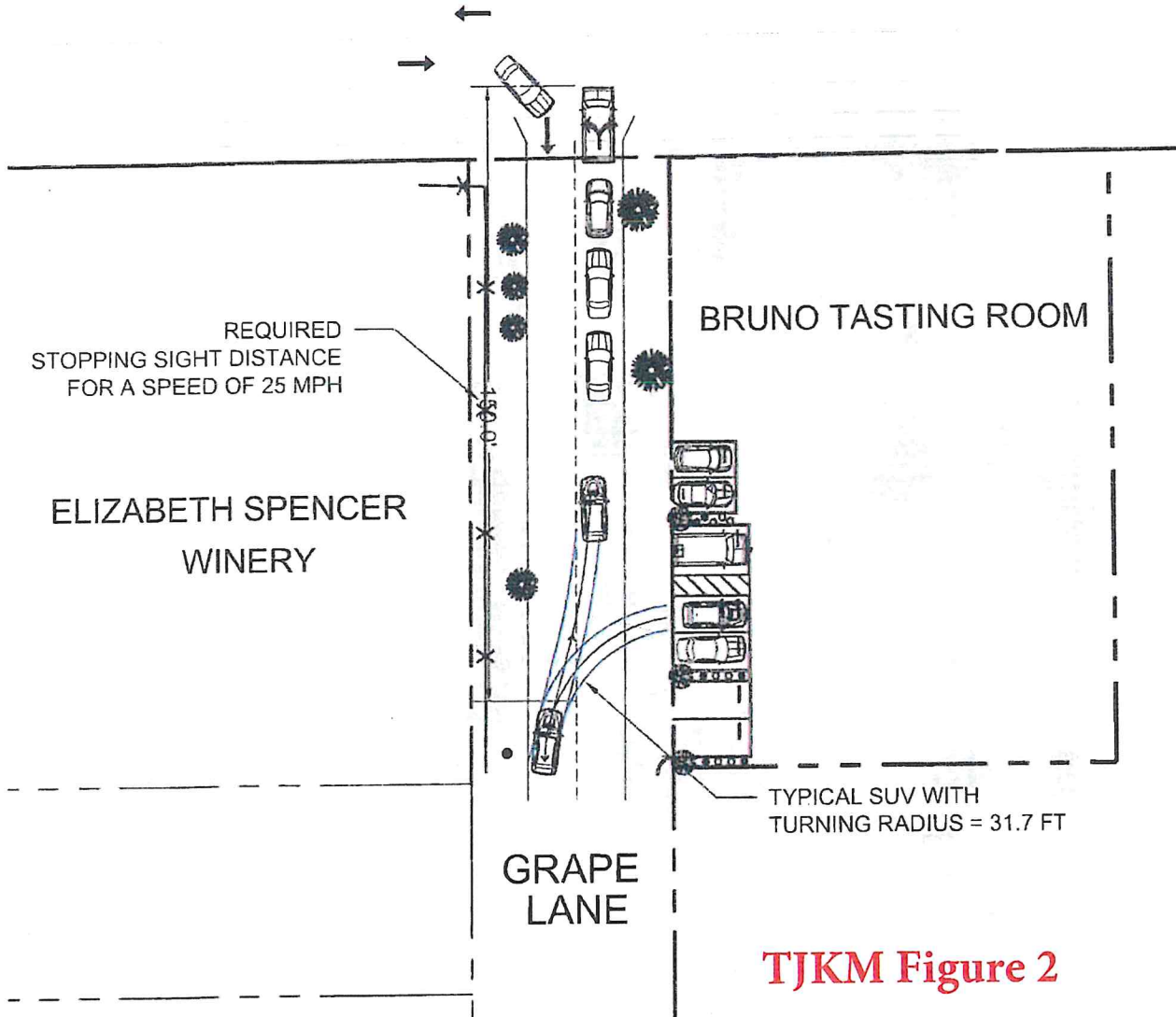


NORTH



SCALE: 1" = 40'

RUTHERFORD ROAD/ HWY 128



TJKM Figure 2

SITE PLAN
SCALE: 1" = 40'

JOB #1472

DATE 11/21/2019



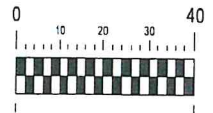
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 FAX: 707 963 2346
 345 LA FATA STREET
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GRAPE LANE ASSOCIATION
 1151 RUTHERFORD ROAD
 RUTHERFORD, CA 94573
 A.P.N. 030-160-007

SHEET TITLE:

BACK OUT EXHIBIT
FOR A TYPICAL SUV

2 of 3 SHEETS



SCALE: 1" = 40'

RUTHERFORD ROAD/ HWY 128

ELIZABETH SPENCER WINERY

BRUNO TASTING ROOM

POSSIBLE 200% RESERVE AREA (800 SQ. FT.)

(E) DISPOSAL SYSTEM (400 SQ. FT.)

R25.0'

GRAPE LANE

(P) ENTRY GATE AND WALL

P-IP LS6393

SITE PLAN
SCALE: 1" = 40'

TJKM Figure 3

JOB #1472

DATE 11/20/2019



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GRAPE LANE ASSOCIATES
1151 RUTHERFORD ROAD
RUTHERFORD, CA 94573
A.P.N. 030-160-007

SHEET TITLE:

POTENTIAL LAYOUT
OF ON-SITE PARKING
FOR THE
MATHEW BRUNO
TASTING ROOM

1 OF 1 SHEETS



REB
 RUTHERFORD, CALIFORNIA
 ENGINEERING, SURVEYING, AND
 LAND PLANNING
 PHONE 707 963 8638
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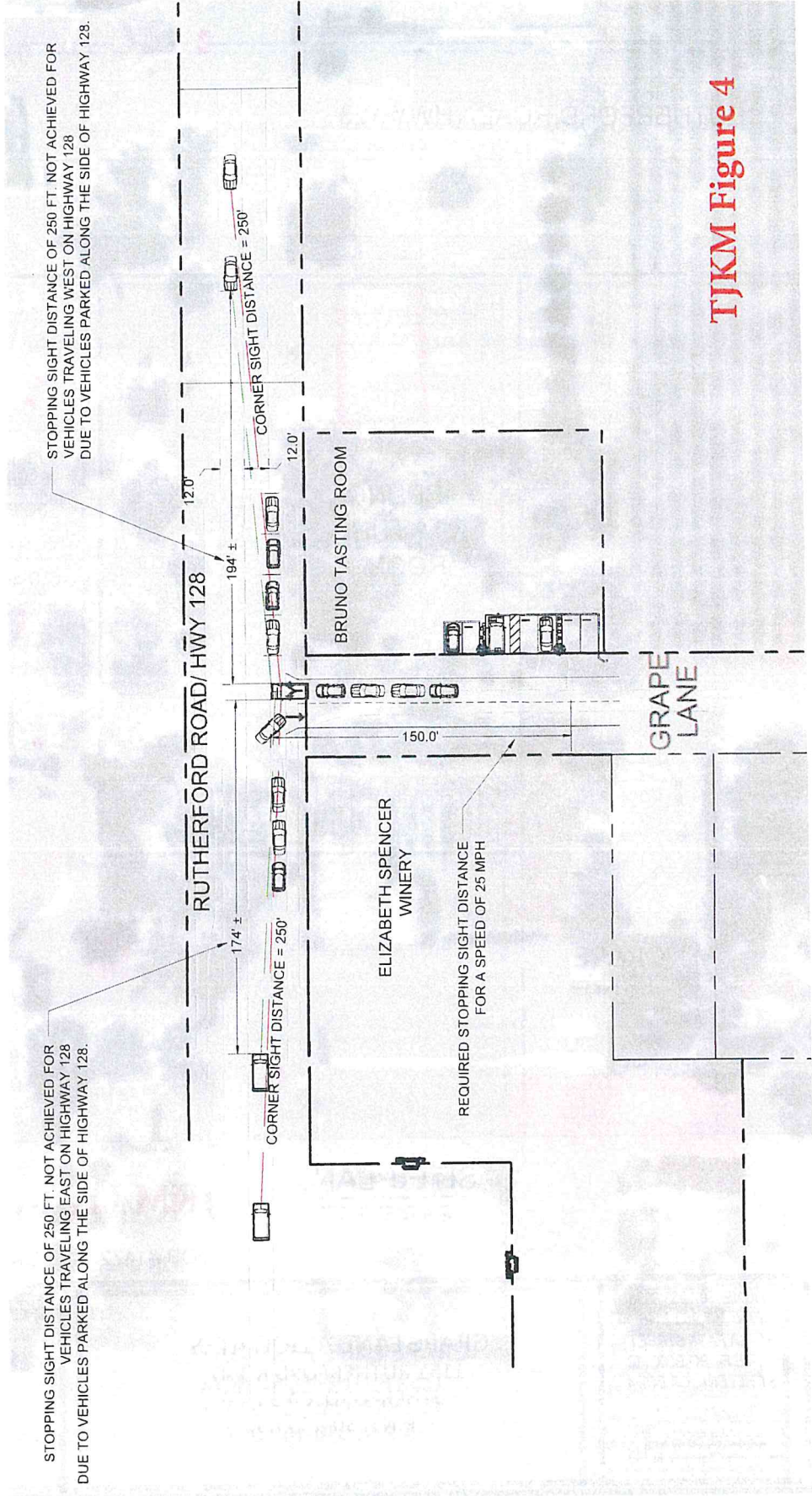
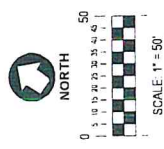
REV	DATE	DESCRIPTION

GRape LANE ASSOCIATION
 RUTHERFORD, CALIFORNIA
 A.P.N. 030-160-019

DRAFTED BY	AGE
DESIGNED BY	REB
JOB	#1472
ORIGINAL DATE	11-20-2019
SHEET SIZE	11X17
SCALE	1" = 50'

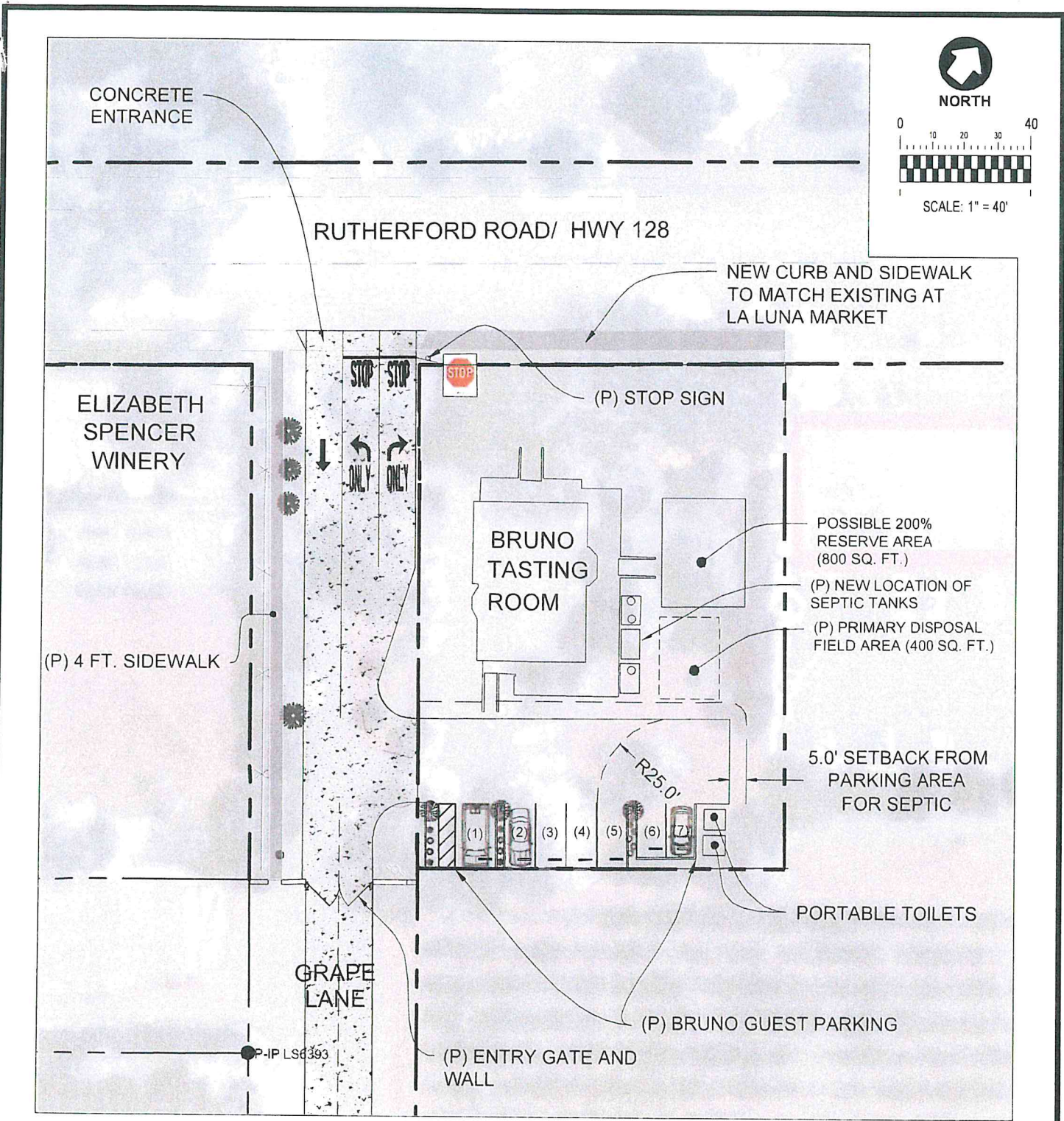
SHEET TITLE
 LINES OF SIGHT
 IN & OUT OF
 GRAPE LANE

SHEET: **1**
 OF 1 SHEETS



TJKM Figure 4

SITE PLAN
 SCALE: 1" = 50'



SITE PLAN
SCALE: 1" = 40'

TJKM Figure 5

JOB #1472 DATE 11/21/2019

REB
CIVIL AND STRUCTURAL ENGINEERING, SURVEYING AND LAND PLANNING

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GRAPE LANE ASSOCIATES
1151 RUTHERFORD ROAD
RUTHERFORD, CA 94573
A.P.N. 030-160-007

SHEET TITLE:
GRAPE LANE IMPROVEMENT PLAN

1 OF 1 SHEETS

**MICHAEL J. JORDAN
APPRAISALS INC.**

P.O. BOX 3714
Yountville, CA 94599
707-738-2679

MICHAEL JORDAN - REAL ESTATE APPRAISER
mike@napaappraisers.com

AG027677

November 19, 2019

Dear Mr. Bryant;

Thank you for contacting me regarding the pending tasting room project at 1151 Rutherford Road. After visiting the site today, I agree with your concerns with regard to the negative impact the project may have on the rural residences along Grape Lane and their associated property values. In the 21 years I have been doing rural appraisal work, I have become keenly aware how road noise and lack of privacy can negatively affect a residential setting and ultimately its market value. The proposed use of Grape Lane for the tasting room parking will certainly reduce the current level of privacy and have a negative effect on this small rural neighborhood.

Typically the most desirable rural home-sites have a combination of privacy / seclusion and some view potential. In their current state, the Grape Lane residences have some good views toward the eastern hills and a buffer from the Rutherford Cross Road due to the narrow access road and the heavy existing vegetation near the entrance to Grape Lane.

In its current condition, the narrow, one lane access road does offer a degree of privacy for the residences along the west side of Grape Lane. The existing heavy vegetation along the western boundary of the proposed tasting room also creates a buffer from road noise and the views of traffic on the busy Rutherford Cross Road.

Based on your description of the planned improvements, and a review of the proposed Mathew Bruno Tasting Room plan, it appears that the increased traffic from visitors to the site and the

clearing of the vegetation would create a much less desirable environment for the Grape Lane residents by exposing them to the existing traffic on the cross road and the new traffic created by the tasting room project.

It would be my hope that a revised Mathew Bruno Tasting Room development plan would be such that it keeps traffic, visitors, and noise away from the existing homes. Another issue would be the safety of persons traveling on Grape Lane and unrestricted access for rescue vehicles responding to emergencies.

Restricting parking for the new tasting room to its northern boundary, the Rutherford Cross Road, and not negatively impacting the residences on Grape Lane existing with the proposed improvements of the Mathew Bruno Tasting Room would appear to be a more equitable solution.

Michael J. Jordan



REB ENGINEERING, INC.

CIVIL AND STRUCTURAL ENGINEERING

SURVEYING AND LAND PLANNING

Via First Class Mail & Email

To Napa County Planning Commission
c/o Charlene Gallina

November 22, 2019

Subject: Matthew Bruno Tasting Room - Initial Study Comments

- 1) Property owner is actually : M & B Bruno Family, LP, A California Limited Partnership
- 2) No Comment
- 3) No Comment
- 4) No Comment
- 5) No Comment
- 6) No Comment
- 7) No Comment
- 8) a) The Bruno Building is currently vacant and unoccupied. There are not tenants nor is there any car traffic associated with the property.
b) Randal E. Bryant, P.E., P.L.S. of REB Engineering issued a complaint as to the parking and use associated with the past office tenancy at 1151 Rutherford Rd, to Joseph W. Ssenkumba at Napa County Code Enforcement on August, 6, 2019.
c) Randal E. Bryant, P.E., P.L.S. of REB Engineering has sent over a dozen emails since November 2018 to Dana Ayres and the Napa County Staff, explaining the issues and safety problems associated with the proposed Bruno Plan and the proposed parking along Grape Lane. Also, multiple meetings with planning staff at the Napa County offices were conducted with County Engineering and Planning staff, where exhibits were shown to provide evidence as to the unsafe conditions proposed by the Bruno Tasting Room for their parking and public access.
- 9) a) It is not true that there are no peak traffic times during the weekend. The large 250 person event to be scheduled on the weekends may be during the peak tourist hours when both HWY 128 and HWY 29 are bumper to bumper traffic jams. Also, there are holiday weekends when traffic on the highways is at a standstill, which is most certainly a peak traffic time. Guests and hours of operations should not be allowed past 5pm as is the custom with other wine tastings in the area.
b) Indoor guests plus outdoor seating equals 55 guests. If guest stay 2 hours each, it is more likely that there will be in the range of 200 daily guest persons coming to the Bruno tasting room property , and not merely 56 as proposed in their wastewater capacity. The design of the Bruno facilities should be based on only having a 56 person capacity for the

entire day as suggested by the wastewater feasibility report, which we be more like facilities accommodating 16 people at 2 hours each and 4 times per day.

c) It will be very unsightly to have a portable restroom that is visible from Grape Lane as proposed West of the Bruno Tasting Room. Any portable toilets should be placed on the Bruno property so that they are not seen by neighbors. Traffic on Grape Lane should not be disrupted by the placing and removal of portable toilet facilities.

d) None of the residential neighbors on Grape Lane want to see parking perpendicular to Grape Lane for the Bruno Tasting Room, and object to having the Bruno guest cars of wine tasting visitors backing into our private roadway, which then compromises safety for the people living on Grape Lane.

e) No exceptions should be granted for this project, and the Bruno Tasting Room should also be required to repair the entrance of Grape Lane at HWY 128 along with installation of a sidewalk along the HWY 128 street frontage to accommodate pedestrians.

10) a) Grape Lane is owned by the Grape Lane Association, and the Association should be included in discussions related to improvement on their property.

11) Caltrans should also be involved in the improvements to the entrance of Grape Lane, development of no parking areas to allow for safe line of sight, and for the improvements along the frontage of the Bruno Tasting Room at HWY 128 to complete the missing section of sidewalk between the existing sidewalks at La Luna & Elizabeth Spencer Winery.

12) No Comment

ENVIRONMENTAL IMPACTS AND BASIS OF CONCLUSIONS:

The understatement of the potential guests that may attend the Bruno Tasting Room, based on the proposed indoor & outdoor seating capacity of approximately 55 person, and the stated totals of a maximum 56 guests per day, can result a wastewater overflow which would impact the environment.

The cutting down of heritage tree in the front of the Bruno Tasting Room will also negatively impact the environment.

I) Aesthetics:

a) The proposed Bruno project parking will turn Grape Lane into a parking lot and adversely affect the scenic vista and aesthetics of the Grape Lane entrance from HWY 128. This will also affect the property values of residences on Grape Lane (see letter from Michael Jordan Appraisals).

b) The removal of the heritage tree in the front yard of the Bruno property will significantly change existing scenic resource in Rutherford.

c) The Bruno Tasting room with a proposed portable toilet on Grape Lane, and the parking on Grape Lane will degrade the visual character and quality of public views. Also, having the waste & recycling area next to Grape Lane, which will be visible to neighbors on Grape Lane and cars on HWY 128 is also going to negatively affect the quality of public views.

d) The removal of the heritage tree in the front yard of the Bruno property will create a new source of glare, and lighting from the proposed improvements will also adversely affect day and nighttime views in the area.

II) No Comment

III) No Comment

IV) No Comment

- V) No Comment
- VI) No Comment
- VII) No Comment
- VIII) No Comment
- IX) No Comment

X) Storm water from impervious improvements should be collected into rain gardens to improve water quality and meet state requirements.

Measures should be taken to reduce post storm water runoff increases leaving the property.

Currently there is no storm drain system for the property to tie into, and designs of the Bruno facilities should have on-site detention systems to reduce runoff onto neighboring properties. Including improvements made on site and for widening Grape Lane. Use of pervious pavers or pervious pavements should be utilized for the project.

XI) a) The proposed parking on Grape Lane will divide the established community, creating a parking lot nature to the residential road of Grape Lane.

b) No Comment

XII) No Comment

XIII) a) Both temporary and permanent increase of noise will occur for residents on Grape Lane as a result of the Bruno Project, and parking on Grape Lane. Also, allowing event parking in the vineyards next to the residences on Grape Lane will cause a major disruption of life in the residential community, and cause noise and traffic congestion.

XIV) The Bruno structure has been used as a residence and some mitigation for losing a residence in Rutherford should be made.

XV) a) A substantial impact will be created by the proposed parking, events, and the activities of the Bruno Tasting room due to their use of Grape Lane, which will reduce accessibility of Fire Trucks, Police Protection, and Emergency Vehicles coming to the residences on Grape Lane. Additionally, no provision is being made for fire truck access to the Bruno property that does not block access through Grape Lane. It is possible that during large events the traffic both into and out of Grape Lane will be slowed to a standstill, which will prevent the emergency services to be obtained in a timely manner by residences on Grape Lane.

No provisions for fire truck turnarounds are provided for access into the Bruno property, and the current plan will block emergency services to the residents on Grape Lane due to the parking on the Lane. This will be especially true during events when cars are leaving the Bruno property (see Technical Memorandum traffic report by TJKM).

Also, delivery trucks and busses will block access into and out of Grape Lane preventing quick access of emergency vehicles (see Back Out Exhibits for delivery truck, Ford, and SUV)

XVL) No Comments

XVII) (see TJKM Technical Memorandum)

a) The Bruno Plan will increase traffic on Grape Lane and restrict the effectiveness of existing bicycle & pedestrian access for Grape Lane residences to the Town of Rutherford. The level of service for Grape Lane will be diminished drastically by the parking that is currently proposed by the Bruno project.

b) The proposed use of Grape Lane is not in conformance with Caltrans requirements for a new commercial access onto Highway 128, and the parking proposed on Grape Lane will affect the safety of bicycle and pedestrian traffic traveling on Grape Lane to the residences on the Lane.

c) Bruno has not demonstrated the willingness of other businesses to share their parking for the benefit of the Bruno Tasting Room. Also, since Bruno is suggesting they will cater to pedestrians they should then install a pedestrian sidewalk along their frontage with HWY 128 to allow for safe pedestrian access (see TJKM Technical Memorandum). A side walk along Grape Lane should also be installed to mitigate the commercial use of Grape Lane. However, all Bruno parking should be located on their property in such a manner as to not cause blocking of access for the Grape Lane residences.

d) The Bruno plan is going to substantially increase hazards associated with traffic leaving & entering Grape Lane (see TJKM Technical Memorandum and exhibits attached showing unsafe line of sight and the congestion that will be created by the Bruno parking). A traffic plan should be required by Bruno for event parking that will not negatively impact the residences on Grape Lane. Also, any use should be eliminated that restricts emergencies for the residences on Grape Lane (e.g. traffic jams from events, parking obstructions due to cars backing out, car staking on Grape Lane due to a cars backed up on HWY 128)

e) Inadequate emergency access will result for the people on Grape Lane if the Bruno parking is approved allowing cars to back into Grape Lane (see TJKM Technical Memorandum and exhibits of related to Grape Lane traffic and parking).

f) Currently the Bruno Tasting Room plans will provide for more use of the property than can be supported by parking, roads, and on-site wastewater system facilities. (see TJKM Technical Memorandum which discuss how the Bruno project should be safely developed for parking and pedestrian access).

XVIII) No Comments

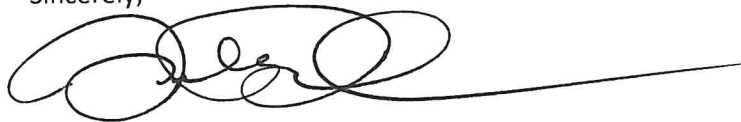
XIX)

c) Wastewater system proposed will not support the amount of visitors attending the Bruno Tasting Room. The available seating should be reduced to conform to the wastewater system capacity.

XX) No Comments

XXI) Other than the unsafe conditions that will be created for Residences on Grape Lane and the public, noise and disruption of the residential community of Rutherford and Grape Lane, and a reduction of emergency services to respond to the needs of people living on Grape Lane, we have no comments as to the impacts to the wildlife of the Rutherford area.

Sincerely,



Randal E. Bryant, P.E., P.L.S.
REB Engineering, Inc.
for the Grape Lane Associates



REB ENGINEERING, INC.

CIVIL AND STRUCTURAL ENGINEERING

SURVEYING AND LAND PLANNING

Hand Delivery & Email

November 22, 2019

Napa County Planning Commission
c/o Charlene Gallina, Supervising Planner
Napa County Planning, Building & Environmental Services Dept.
1195 Third Street, Suite 210
Napa, CA 94558

Subject: Mathew Bruno Wine Tasting Room - Use Permit Application #P17-00387-UP

Dear Napa County Planning Commission:

I am a resident of Rutherford, and live at 1149 Grape Lane. I have lived in Rutherford for over 40 years, and it was our neighbors and I that named Grape Lane, landscaped it, and planted the trees that line the entrance. I also represent the Grape Lane Association (GLA), who owns Grape Lane. The GLA is comprised of the 7 residents on Grape Lane, who like myself want to see Grape Lane kept safe and beautiful. Currently we enjoy a rural country setting found in Rutherford, and the properties on Grape Lane are peaceful, like the community we live in has always been. After reviewing the Mathew Bruno Wine Tasting Room (MBW) use permit plans and applications, both myself and the GLA are very upset over the fact that the initial study suggest that the project should be approved without any mitigation for the impact to the home owners on Grape Lane. We were never notified about the easement that was to be granted by Judgment to the MBW property, and we believe that the legal process was circumvented as a tactic to get the MBW approved.

As a Civil Engineer that has worked in the Napa Valley for over 40 years, I can truthfully say that Grape Lane is unsafe for public travel, and especially for wine tasting guests, due to the limited line of sight on Highway 128 when leaving Grape Lane. It is the increased amount of traffic over the last 40 years, along with the multitude of tourists visiting Rutherford that has created this situation, which is only getting worse. Cars that are parking on the South side of Highway 128 block views of oncoming traffic in the East and West directions, and make the Grape Lane/HWY 128 intersection a danger during tourist & harvest seasons. I have submitted information to Napa County planning staff and met with them numerous times over the last 12 months, discussing the negative impacts of MBW, and showing how the Bruno project is unsafe. And how it presents a hazard to the public and pedestrians. Planning staff has not considered our request to eliminate the parking from along Grape Lane, and to reduce the size of any events that will be allowed at the MBW. At a meeting with MBW I was told to leave the meeting because I did not agree with their plan. I am able to avoid accidents when leaving our property on Grape Lane, but wine tasting visitors from the MBW would not be so lucky, and your approval of the project will create a more dangerous situation than already exists. How can planning staff say that an unsafe situation can be approved for more use, thereby making it even more unsafe? Please review the TJKM Technical Memorandum, dated 11-22-2019 which discuss the unsafe nature of the MBW project, and mitigations that should be required to approve the project. Additionally, the letter from Appraiser Michael J. Jordan suggests that the negative impacts associated with the MBW project can reduce our quality of life and the unique rural nature of our properties. Since we have dueling experts, with contradictory opinions, an EIR is required to avoid making an unsafe and hasty decision that will create a hazard to the people living on Grape Lane and in Rutherford. Please do not approve the MBW project plans for all of our sakes.

Sincerely,

Randal E. Bryant, P.E.
President REB Engineering, Inc.



PHONE: 707.963.8638 FAX: 707.963.2346
P.O. BOX 113
SAINT HELENA, CALIFORNIA, 94574

November 22, 2019

Charlene Gallina

Supervising Planner

Napa County Planning, Building & Environmental Services Department

1195 Third Street – Suite 210

Napa, CA 94558

SUBJECT: Public hearing Scheduled for Dec 4, 2019 re: Mathew Bruno Wines Tasting Room - Use Permit Application No. P17-00387-UP

Grape Lane Access & The Proposed Mathew Bruno Tasting Room at 1151 Rutherford Road, Napa, CA 94573

Dear Ms. Gallina,

I am writing you as a resident of 1153 Grape Lane in Rutherford as well as a vintner owner myself. As you are aware, living in Napa Valley is truly amazing, and wineries and the wine industry are the lifeblood of the valley's long-term financial security. I personally love to see the development of new wineries and tasting rooms across the valley as part of the natural progression of or growth.

Therefore, I am in favor of the new tasting room that is being proposed at 1151 Rutherford Road by the Mathew Bruno winery. It will be good to see new business come to the Rutherford area and build the local economy.

What I am **NOT** in favor of, is the proposed public access and proposed parking for this new tasting room on my residential private road called Grape Lane. Grape Lane has been a small one lane private road with 7 homes on the street for over 50 years. Part of the reason I purchased my home here in 2010 was because of the safety and privacy that a private road offers its homeowners. With children and grandchildren running in the street, this is NO place to offer public tasting room parking. In fact, it is my opinion that both access and parking for the new proposed tasting room should only be offered via Rutherford Road. There is no logical reason why a private residential road that is owned by the homeowners should be used to park cars for a tasting room or any other business for that matter.

Mr. Randy Bryant as well as Ms. Lois Dimpfel who are my immediate neighbors on Grape lane have also provided traffic studies, property value assessments, and other key information which show a significant negative impact as well as safety concerns to the residents of Grape Lane if the Bruno use permit is approved.

In an effort to block this project or create significant access issues for the proposed Bruno project, it is my opinion that the residents of Grape Lane have the legal right to "gate" our private road allowing only access to family, friends, and approved visitors. Hopefully, this does not become necessary, as we would prefer that your offices make the correct decision and **DENY** the use of Grape Lane for any access or parking for the proposed tasting room based under the current use permit application. I do not think

too much detail is needed to understand why tasting room visitors who are consuming alcohol as part of their "experience" should then NOT be accessing their vehicles which are parked on a 7-home private road with young children and limited access. Clearly, not only is this a significant safety hazard, but as importantly it brings a significant change to the value of our homes as well as takes away from the quiet residential enclave.

There are significant legal issues, easement rights, and county ordinances regarding parking and emergency vehicle access that are violated with the proposed project, and it is my request that the permit be denied on the following grounds, or if approved it would require the following revisions to the use permit:

1. Require parking on the Bruno property and NOT on Grape Lane. The head-in parking as planned requires the destruction of trees and shrubs along the Grape Lane right of way and creates additional safety issues on the lane with backing out of those spaces with children, pets and residents accessing the same space.
2. Substantially reduce or eliminate the "large events" that are being proposed under the use permit which would then eliminate the need for the parking on Grape Lane.
3. If approved, ensure that Bruno would be required to maintain Grape Lane under County public access and road maintenance standards to include the entire street and not just the proposed easement area.
4. If approved, a residential electronic gate restricting Bruno winery visitors from encroaching on the Grape Lane residential area should be required, paid for, and maintained by the Mathew Bruno winery.
5. The traffic study submitted by Mr. Randy Bryant (from TKJM) clearly states that the proposed use permit represents a safety hazard for both residents and visitors as well as impedes the access of emergency vehicles and equipment for the residents of Grape Lane.
6. Reduce the operating hours of the Bruno tasting room to match those of existing wineries in the Rutherford area is a must. There should be no extended hours given Bruno.
7. Under no condition, should parking be allowed within the Grape Lane easement.

I will not be able to attend the meeting on December 4th due to some family health issues, but please ensure that my voice is heard, and this letter is taken into consideration by the planning and environmental services department.

Please feel free to call me with any questions, and thank you for your support,

Dean H. Gray (and Laurie A. Gray)

10 Year Resident – 1153 Grape Lane

Cell:714-307-8249

E-Mail: dean@riverainvineyards.com

CC: residents of Grape Lane; Lois Dimpfel, Charley Antonio, Larry & Joni Moorefield, Carleton Hendricks, Randy & Debbie Bryant, Dean & Laurie Gray

November 19, 2019

Napa County Planning, Building & Environmental Services
1195 Third Street
2nd Floor
Napa, CA 94559

RE: Grape Lane Line of Sight Issues

To whom it may concern,

This letter is my personal experience for driving in and out of Grape Lane and the line of sight issues that the residences face. Grape Lane is a small private road that serves some rural style residences in the town of Rutherford California. Throughout the day it suffers from the congested traffic and parking that occurs on Rutherford Road. When departing from Grape Lane you constantly have to look around cars that are parked on the side of the road in both directions before you can turn on to Rutherford Road. There are very few locations that you can see on coming traffic before departing from Grape Lane. Visibility is definitely a huge concern for the residents of Grape Lane and those who use the street especially during times of heavy traffic (both normal commuting traffic and harvest traffic).

Sincerely,

A handwritten signature in black ink, appearing to read "Michael A. Yoder", written over a horizontal line.

Michael A. Yoder E.I.T.
716 Sycamore Ln.
Davis, CA 95616

Nov 19,2019

Napa County Planning, Building & Environmental Services

1195 Third Street

2nd Floor

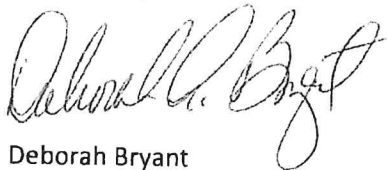
Napa, CA 94559

RE: Grape Lane Safety

I am a full-time resident of Rutherford CA and live on Grape Lane. I drive in and out of Grape Lane many times each day. It doesn't seem to matter what time of day I am approaching Hwy 128 from Grape Lane I encounter vehicles blocking my line of sight. I don't believe drivers of the vehicles realize how much they are creating a hazard because the entrance to Grape Lane looks like a small one lane driveway. There is nothing to indicate that it is a street with seven homes on it. I have encountered limousines blocking half of the entrance to the road making it barely passable, let alone being able to see oncoming traffic on Hwy 128 to be able to exit safely. I have seen large delivery trucks servicing the local restaurants and the market that completely block the line of site. During harvest it is much worse with congestion from grape trucks and vineyard workers parking wherever they can.

Tourism is on the rise in Rutherford with the already established wineries and restaurants. The Elizabeth Spencer Tasting Room hosts large events which already creates a parking nightmare. BV Winery is directly across the street as well as the Rutherford Grill Restaurant. When their parking is full, tourists park wherever they can. The La Luna Market and Taqueria is a very busy place especially around lunch time. The section of Hwy 128 in front of the proposed Matthew Bruno Winery is always completely full of parked cars from the existing business activity in Rutherford. I am completely opposed to adding more congestion to this already difficult traffic situation. Please consider the current difficult situation when you are proposing to add even more cars, parking, driving in and out, and the congestion and safety for traffic going to Hwy 29 via Hwy 128. I have lived here for almost 30 years and feel that my voice as a homeowner and taxpayer should be heard.

Respectfully,



Deborah Bryant

1149 Grape Lane

Rutherford, CA 94573

707-815-0902

City of Saint Helena
1480 Main Street, St. Helena, CA 94574

To Whom It may Concern

Dear Friends,

I, Mahesh L Maskey am writing you to inform the concern entity about the visibility issue within Grape Lane, Rutherford, CA. I noticed that the road is so narrow that it is very difficult to turn the car when you are in the corner of the road. Especially, during night time, incoming and out coming cars are not visible either due to big trees or lack of lighting system inside. Such situation is not only concerned with traffic but also for pedestrian. While I resided for almost three years (2006-2009), I was concerned about this. Till now, the situation has not yet been improved. Therefore, I personally request the concerned entities to take serious actions to install enough light poles and to widen the roadway with secured parking space.

Sincerely,



Mahesh L Maskey, Ph. D. Hydrologic Science
Concerned Citizen of USA
750 B Street Apt # 5, Davis CA 95616

To whom it may concern,

11-20-2019

I would like to bring to your attention how unsafe it is to turn out of grape lane, trying to get onto hwy 128. Its already hard to pull out onto hwy 128 when the businesses have to load/unload there trucks the winerys parking lots are full most of the time and then all the over flow ends up on our street. Wich makes auto accident/ possible theft/ unsafe diving conditions a very real problem for all of us who live on grape lane. Especially when its harvest season. I really hope you can resolve this A.S.A.P

Thank you for your time

A handwritten signature in black ink, appearing to read 'Sam F. Robinson'. The signature is stylized and cursive, with a large 'S' and 'R'.

Sam F. Robinson.

To Whom It May Concern:

As a resident of Grape Lane, I have on many occasions had many incidences regarding the safety of the intersection with Rutherford Road. There is a definitive issue regarding road visibility both entering Grape Lane and leaving onto Rutherford Road. When leaving Grape Lane visibility is consistently blocked by vehicles parked on the south side of Rutherford Road to the immediate East and West of the intersection of Grape Lane, causing the necessity to drive into the East bound traffic on Rutherford Road to exit Grape Lane, creating dangerous driving hazards that are furthermore increased by cross traffic that consistently speeding through this section of Rutherford Road disregarding speed limit signs. When entering Grape Lane the same visibility issues create similar driving hazards as it is difficult, if not impossible, to see vehicles or pedestrians.

A handwritten signature in cursive script, appearing to read 'Karl Lehmann', written in black ink. The signature is positioned above a horizontal line.

Karl Lehmann, Resident

1147 Grape Lane

November 21, 2019

Napa County Planning, Building, & Environmental Services

1195 Third Street

2nd Floor

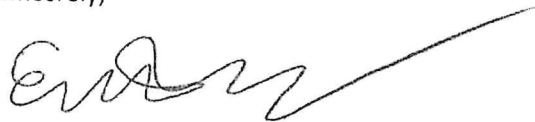
Napa, CA 94559

RE: Grape Lane Line of Sight & Safety Issues

To whom it may concern:

This letter is to describe my personal experiences with driving on Grape Lane. It has always been difficult to pull out into Rutherford Road. The layout of the road makes it so I have to pull way out to see if there is any oncoming traffic. If there are any cars parked at the end of the Grape Lane, this difficulty becomes compounded. It never feels safe to me and I feel sorry for those permanent residents of Grape Lane that deal with this every day.

Sincerely,

A handwritten signature in black ink, appearing to read 'Emiel Schaap', with a long, sweeping horizontal stroke extending to the right.

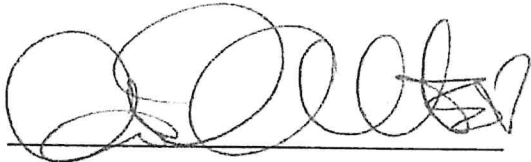
Emiel Schaap, P.E.

133 Adobe Lane

Napa, CA 94559

To Whom It May Concern:

As a resident of Grape Lane, I have on many occasions had many incidences regarding the safety of the intersection with Rutherford Road. There is a definitive issue regarding road visibility both entering Grape Lane and leaving onto Rutherford Road. When leaving Grape Lane visibility is consistently blocked by vehicles parked on the south side of Rutherford Road to the immediate East and West of the intersection of Grape Lane, causing the necessity to drive into the East bound traffic on Rutherford Road to exit Grape Lane, creating dangerous driving hazards that are furthermore increased by cross traffic that consistently speeding through this section of Rutherford Road disregarding speed limit signs. When entering Grape Lane the same visibility issues create similar driving hazards as it is difficult, if not impossible, to see vehicles or pedestrians.

A handwritten signature in black ink, consisting of several large, overlapping loops and a final flourish, positioned above a horizontal line.

Andrea Abbatte, Resident

1147 Grape Lane

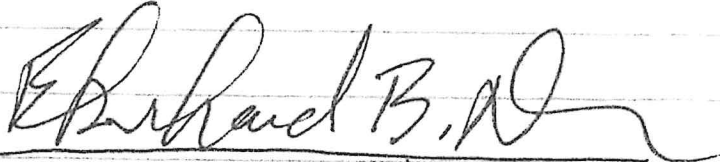
To: NAPA COUNTY

11/19/2019

Re: Grape Lane,
Rutherford, CA.

Dear NAPA COUNTY,

I just want to say that it is already difficult to exit GRAPE LANE onto Rutherford Rd - State Highway 128. I have driven down and up Grape Lane a few times this year and each time requires "extra" caution to exit - even more so when large vehicles used by the other established businesses are parked on Rutherford Road. Visibility is an issue - especially on busy weekends during the Harvest season.

Regards, 

Eberhard B. Neumann
4235 Jefferson St., NAPA, CA.

ATTN: NAPA COUNTY

RE: RUTHERFORD LANE SAFETY
RUTHERFORD, CA

November 21, 2019

To whom it may concern,

This letter is to bring in your kind attention the unsafe conditions that currently exist at the intersection of Grape Lane and Highway 128. From firsthand experience, visiting close friends who live on Grape Lane and encountering the same problems every time I'd like to express my concerns. First of all, there is no street sign or anything else signaling the public where the entrance to Grape Lane is; and cars parked along the side of the Highway near Grape Lane make it almost impossible to spot. Also, exiting Grape Lane is nearly impossible; the line of sight is terrible. Again, vehicles and delivery trucks parked along the side of Highway 128 from neighboring businesses make it difficult to see the approaching traffic from either side of Highway 128.

I hope that someone will take prompt and necessary action to this issue, and that a resolution is made before any vehicle accidents occur. I'm sure many citizens like I will be pleased with an improvement to visibility issues both approaching and leaving Grape Lane.

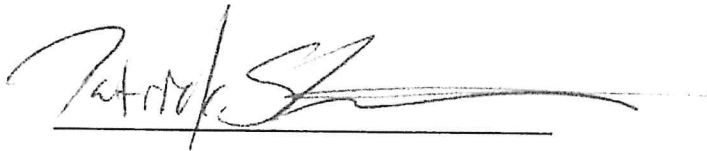
Sincerely,

A handwritten signature in black ink, appearing to read 'Alma De Haro', with a long horizontal line extending to the right.

Alma De Haro

To Whom It May Concern:

As a resident of Grape Lane, I have on many occasions had many incidences regarding the safety of the intersection with Rutherford Road. There is a definitive issue regarding road visibility both entering Grape Lane and leaving onto Rutherford Road. When leaving Grape Lane visibility is consistently blocked by vehicles parked on the south side of Rutherford Road to the immediate East and West of the intersection of Grape Lane, causing the necessity to drive into the East bound traffic on Rutherford Road to exit Grape Lane, creating dangerous driving hazards that are furthermore increased by cross traffic that consistently speeding through this section of Rutherford Road disregarding speed limit signs. When entering Grape Lane the same visibility issues create similar driving hazards as it is difficult, if not impossible, to see vehicles or pedestrians.

A handwritten signature in black ink, appearing to read 'Patrick Shannon', written over a horizontal line.

Patrick Shannon, Resident

1147 Grape Lane

November 19, 2019

ATTN: Napa County

RE: Grape Lane

Rutherford, CA

To whom it may concern,

I am writing this letter to bring to your attention the difficulty of exiting Grape Lane. Having to exit Grape Lane onto Rutherford Rd – State Highway 128 with large vehicles parked from surrounding businesses makes it very difficult and unsafe. In order to see if the roadway is safe to merge onto is nearly impossible.

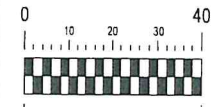
Thank you for your time,

A handwritten signature in cursive script that reads "Heather Graham". The signature is written in black ink and is positioned above the printed name.

Heather Graham



NORTH



SCALE: 1" = 40'

RUTHERFORD ROAD/ HWY 128



REQUIRED STOPPING SIGHT DISTANCE FOR A 25 MPH SPEED

ELIZABETH SPENCER WINERY

150.0'

BRUNO TASTING ROOM

TURNING RADIUS FOR A FORD TRUCK = 31.5'

GRAPE LANE

SITE PLAN SCALE: 1" = 40'

JOB #1472

DATE 11/21/2019

REB
CIVIL AND STRUCTURAL ENGINEERING, SURVEYING AND LAND PLANNING

PHONE: 707 963 8638
FAX: 707 963 2346
345 LA FATA STREET
SUITE F - PO BOX 113
ST HELENA, CA 94574
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GRAPE LANE ASSOCIATION
1151 RUTHERFORD ROAD
RUTHERFORD, CA 94573
A.P.N. 030-160-007

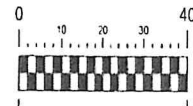
SHEET TITLE:

BACK OUT EXHIBIT FOR A FORD TRUCK

1 OF 3 SHEETS

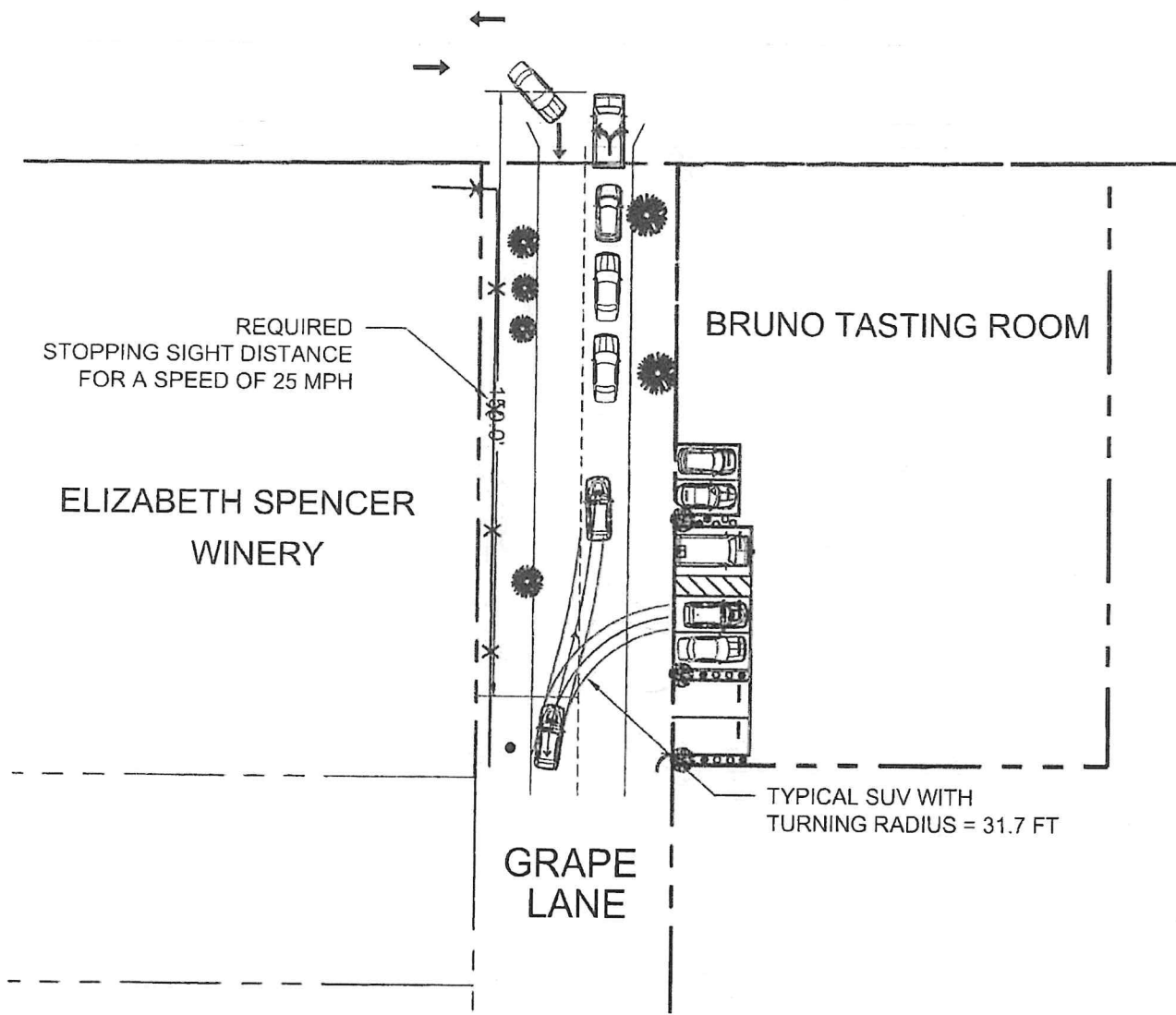


NORTH



SCALE: 1" = 40'

RUTHERFORD ROAD/ HWY 128



SITE PLAN

SCALE: 1" = 40'

JOB #1472

DATE 11/21/2019



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GRAPE LANE ASSOCIATION
 1151 RUTHERFORD ROAD
 RUTHERFORD, CA 94573
 A.P.N. 030-160-007

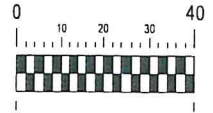
SHEET TITLE:

BACK OUT EXHIBIT
 FOR A TYPICAL SUV

2 of 3 SHEETS



NORTH



SCALE: 1" = 40'

RUTHERFORD ROAD/ HWY 128



BRUNO TASTING ROOM

REQUIRED
STOPPING SIGHT DISTANCE
FOR A 25 MPH SPEED

150.0'

ELIZABETH SPENCER WINERY

GRAPE LANE

TURNING RADIUS OF A 30 FT. LONG
DELIVERY TRUCK = 37.95 FT.

SITE PLAN

SCALE: 1" = 40'

JOB #1472

DATE 11/21/2019



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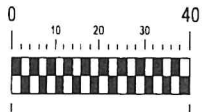
SHEET TITLE:

BACK OUT EXHIBIT
FOR A DELIVERY
TRUCK

3 OF 3 SHEETS



NORTH



SCALE: 1" = 40'

RUTHERFORD ROAD/ HWY 128

ELIZABETH SPENCER WINERY

BRUNO TASTING ROOM

POSSIBLE 200% RESERVE AREA (800 SQ. FT.)

(E) DISPOSAL SYSTEM (400 SQ. FT.)

R25.0'

GRAPE LANE

(P) ENTRY GATE AND WALL

P-IP LS6393

SITE PLAN

SCALE: 1" = 40'

JOB #1472

DATE 11/20/2019



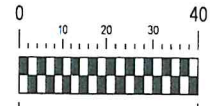
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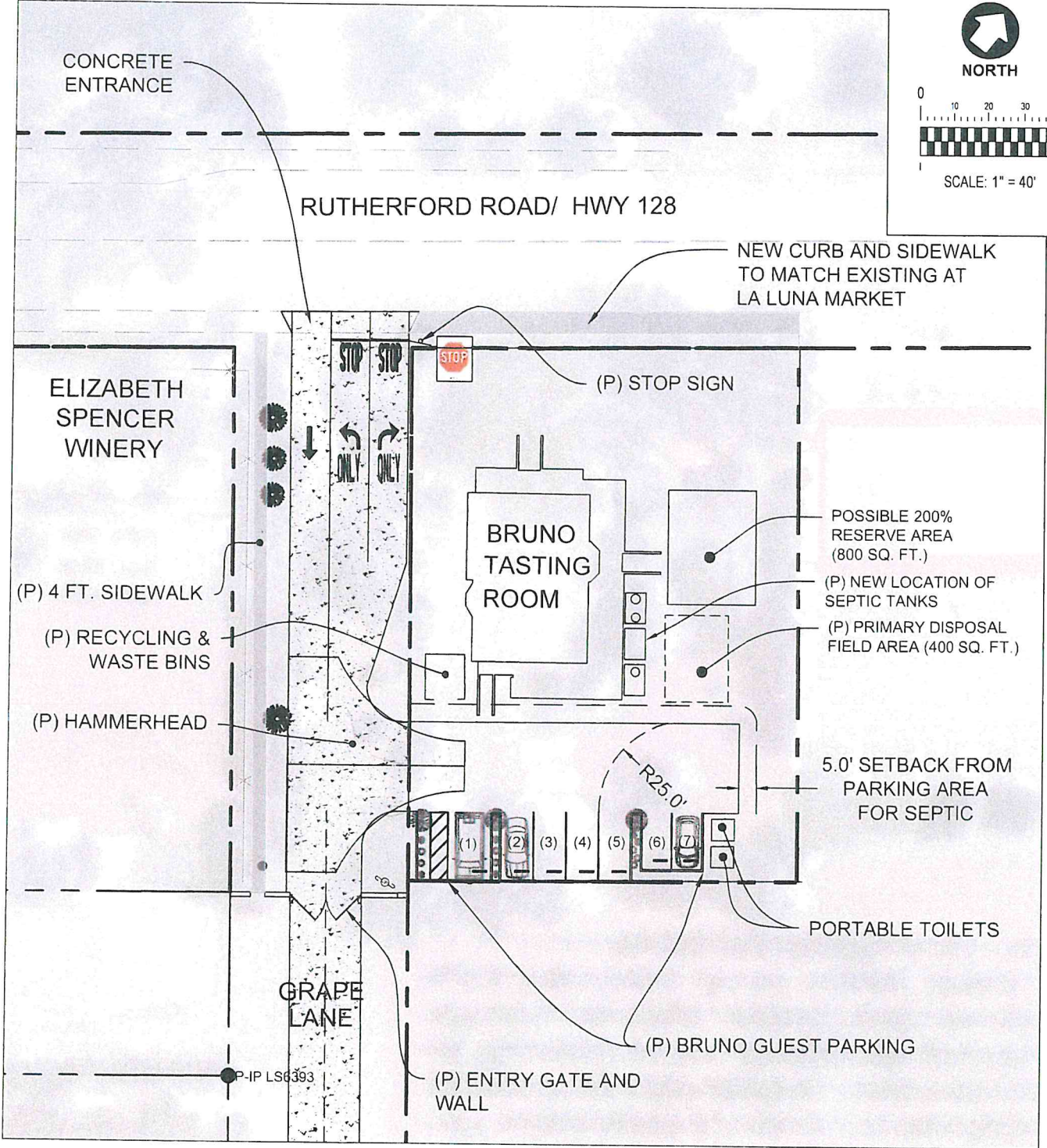
GRAPE LANE ASSOCIATES
1151 RUTHERFORD ROAD
RUTHERFORD, CA 94573
A.P.N. 030-160-007

SHEET TITLE:
POTENTIAL LAYOUT
OF ON-SITE PARKING
FOR THE
MATHEW BRUNO
TASTING ROOM

1 OF 1 SHEETS



SCALE: 1" = 40'



SITE PLAN
SCALE: 1" = 40'

JOB #1472 DATE 11/21/2019

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RUTHERFORD, CA 94573
A.P.N. 030-160-007

SHEET TITLE:

GRAPE LANE
IMPROVEMENT PLAN

N:\C3D PROJECTS\PROJECTS\1472 (GRAPE LANE EASEMENT (ALSO #484))\PLAN\Civil\EXHIBITS\1472_GRAPE LANE IMPROVEMENT PLAN with HAMMERHEAD Plotted: 11-22-19 10:17 AM BY: RANDY BRYANT



Photo Looking South onto Grape Lane from Hwy 128/Rutherford Road - Unauthorized Parking (7-23-2019)



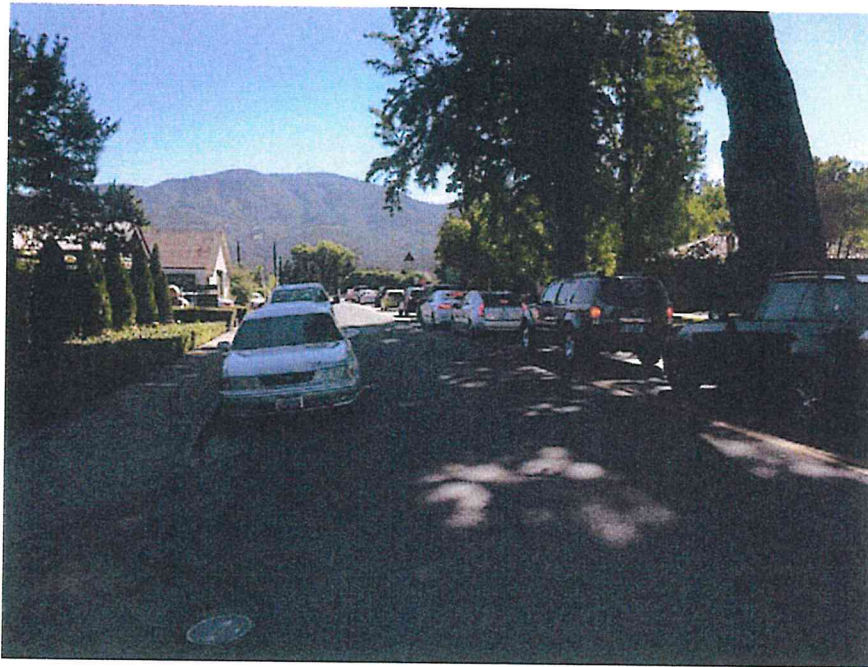
Photo Looking North onto Hwy 128/Rutherford Road from Grape Lane - Unauthorized Parking (July 2019)



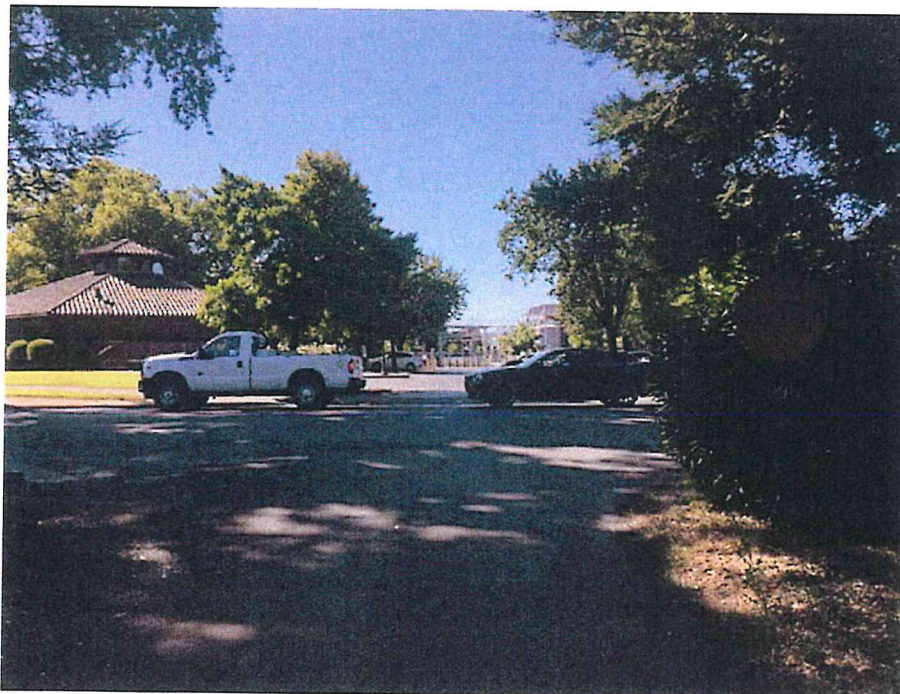
Photo Looking South onto Grape Lane from Hwy 128/Rutherford Road-Unauthorized Parking
(July 2019)



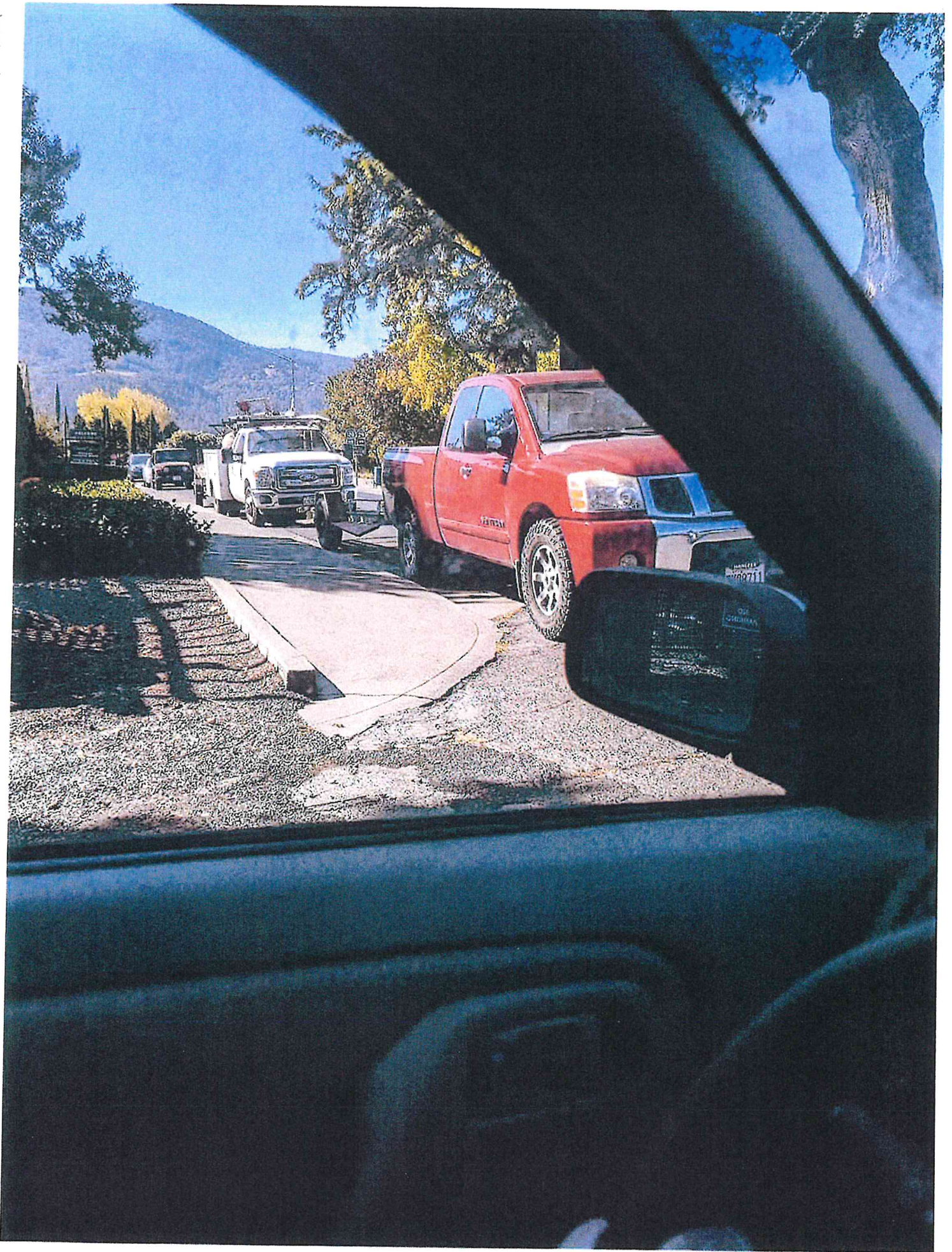
Full Parking Lot at Elizabeth Spencer Winery (Overflow is going to Grape Lane by direction of Winery)



**Common Traffic Jam Blocking Exit onto Hwy 128/Rutherford Road from Grape Lane-Looking West
(7-12-2019)**



**Common Traffic Jam Blocking Exit onto Hwy 128/Rutherford Road from Grape Lane-Looking North
(7-12-2019)**





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REV	DATE	DRAFT	CHECK
△			
△			
△			
△			

GRAPE LANE ASSOCIATION
 RUTHERFORD, CALIFORNIA
 A.P.N. 030-160-019

DRAFTED BY:
 ADE

DESIGNED BY:
 REB

JOB:
 #1472

ORIGINAL DATE:
 11-20-2019

SHEET SIZE:
 11X17

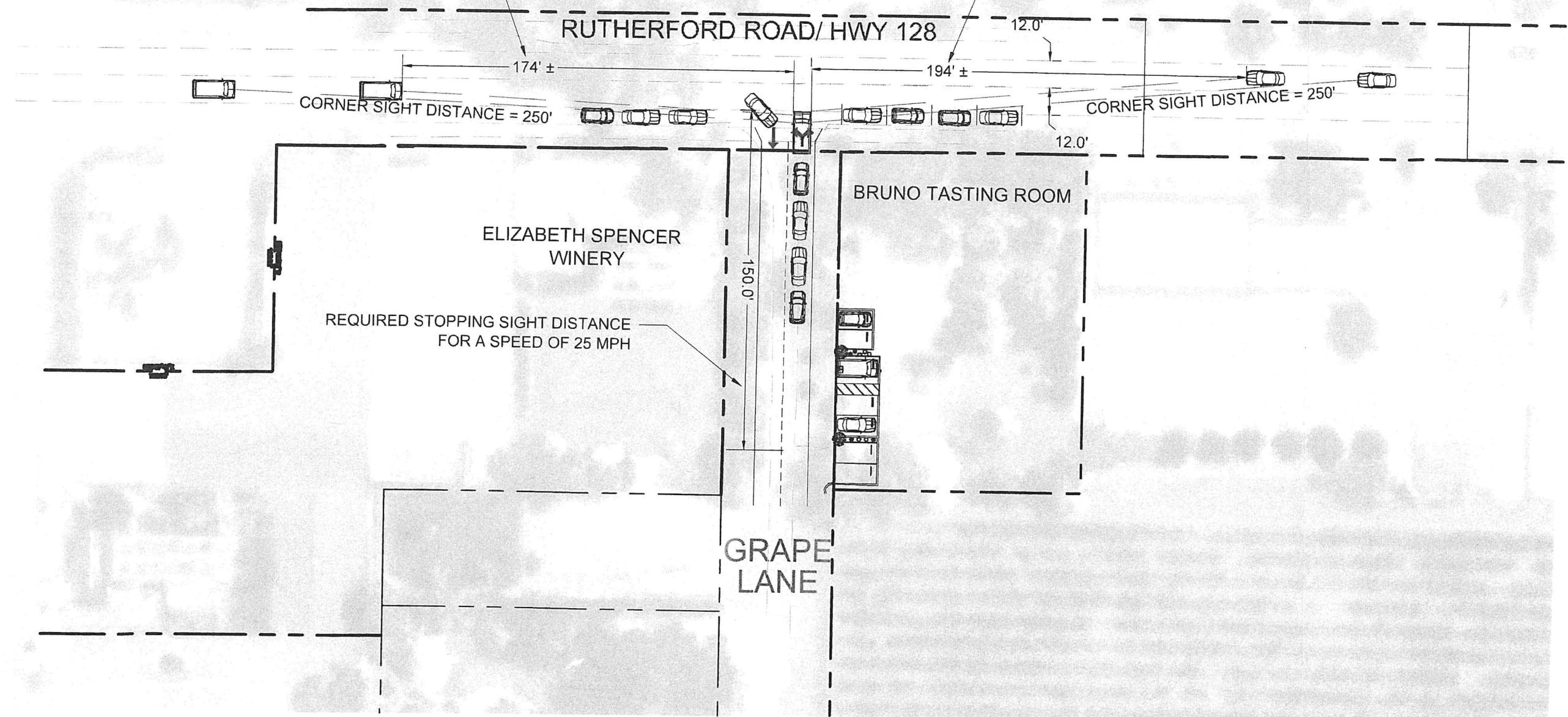
SCALE:
 1" = 50'

SHEET TITLE:
 LINES OF SIGHT
 IN & OUT OF
 GRAPE LANE

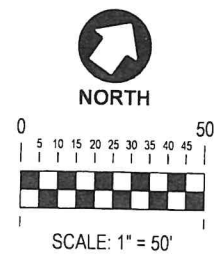
SHEET:
1
 OF 1 SHEETS

STOPPING SIGHT DISTANCE OF 250 FT. NOT ACHIEVED FOR
 VEHICLES TRAVELING EAST ON HIGHWAY 128
 DUE TO VEHICLES PARKED ALONG THE SIDE OF HIGHWAY 128.

STOPPING SIGHT DISTANCE OF 250 FT. NOT ACHIEVED FOR
 VEHICLES TRAVELING WEST ON HIGHWAY 128
 DUE TO VEHICLES PARKED ALONG THE SIDE OF HIGHWAY 128.



SITE PLAN
 SCALE: 1" = 50'



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REV	MM/DD/YYYY	DRAFT	CHECK

GRAPE LANE ASSOCIATION
 RUTHERFORD, CALIFORNIA
 A.P.N. 030-160-019

DRAFTED BY:
 ADE

DESIGNED BY:
 REB

JOB:
 #1472

ORIGINAL DATE:
 11-20-2019

SHEET SIZE:
 11X17

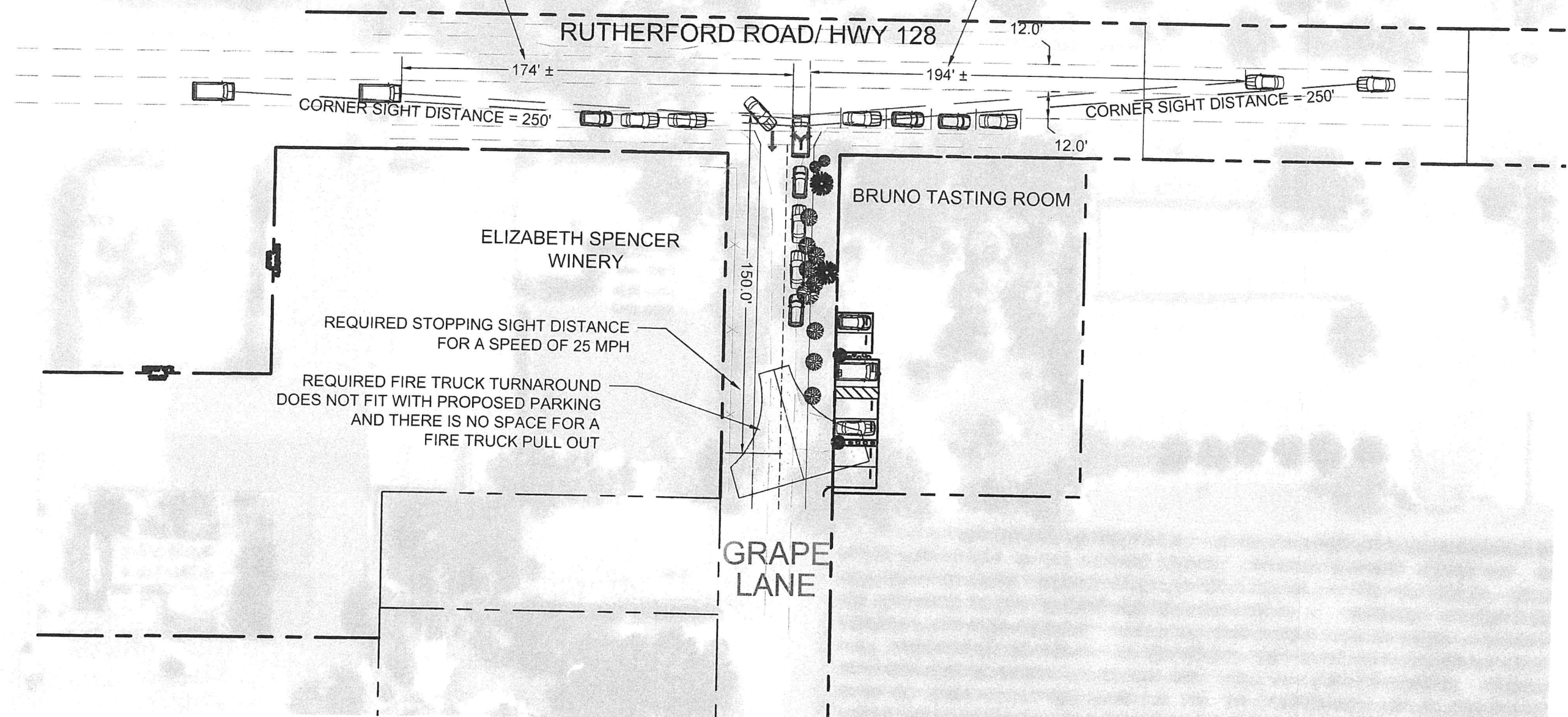
SCALE:
 1" = 50'

SHEET TITLE:
 LINES OF SIGHT
 IN & OUT OF
 GRAPE LANE

SHEET:
1
 OF 1 SHEETS

STOPPING SIGHT DISTANCE OF 250 FT. NOT ACHIEVED FOR
 VEHICLES TRAVELING EAST ON HIGHWAY 128
 DUE TO VEHICLES PARKED ALONG THE SIDE OF HIGHWAY 128.

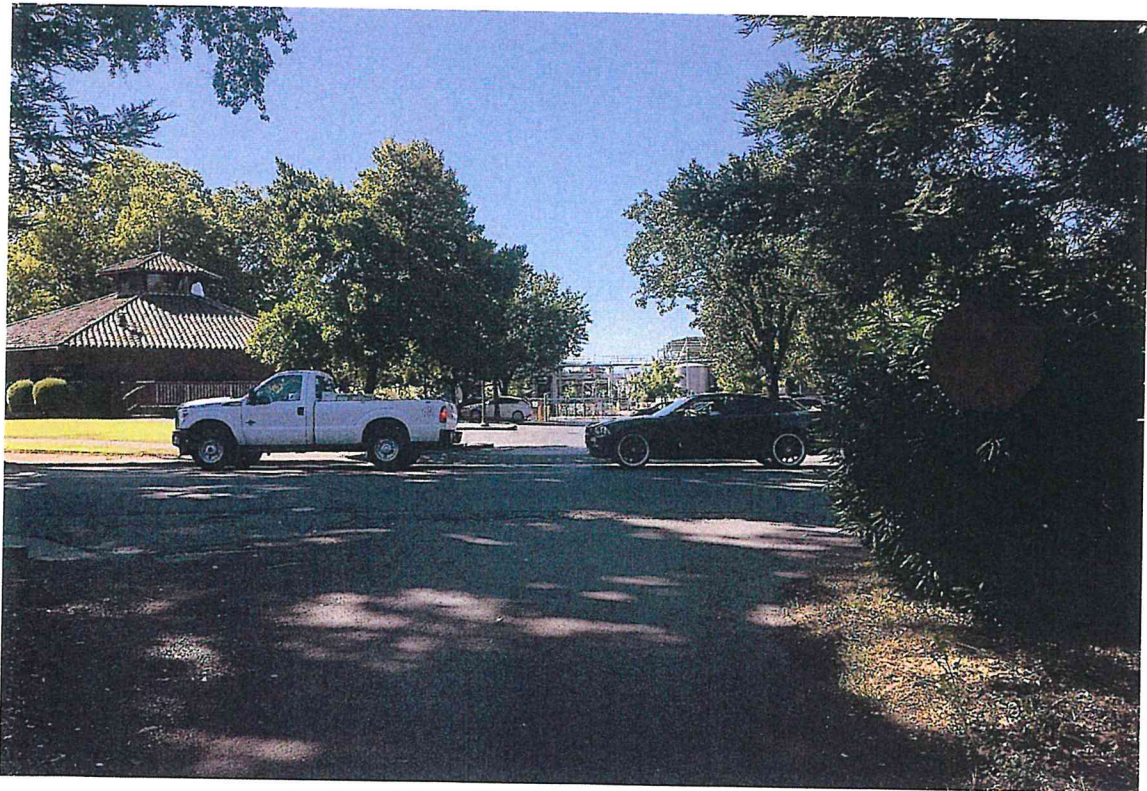
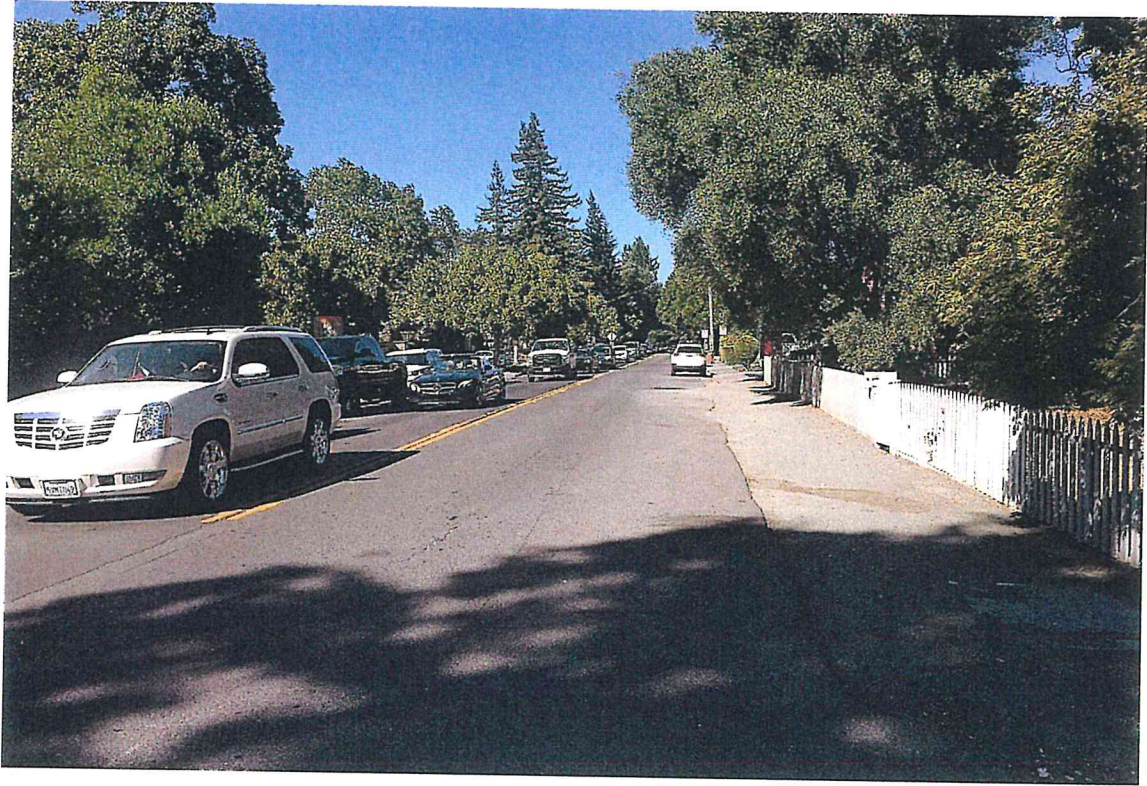
STOPPING SIGHT DISTANCE OF 250 FT. NOT ACHIEVED FOR
 VEHICLES TRAVELING WEST ON HIGHWAY 128
 DUE TO VEHICLES PARKED ALONG THE SIDE OF HIGHWAY 128.

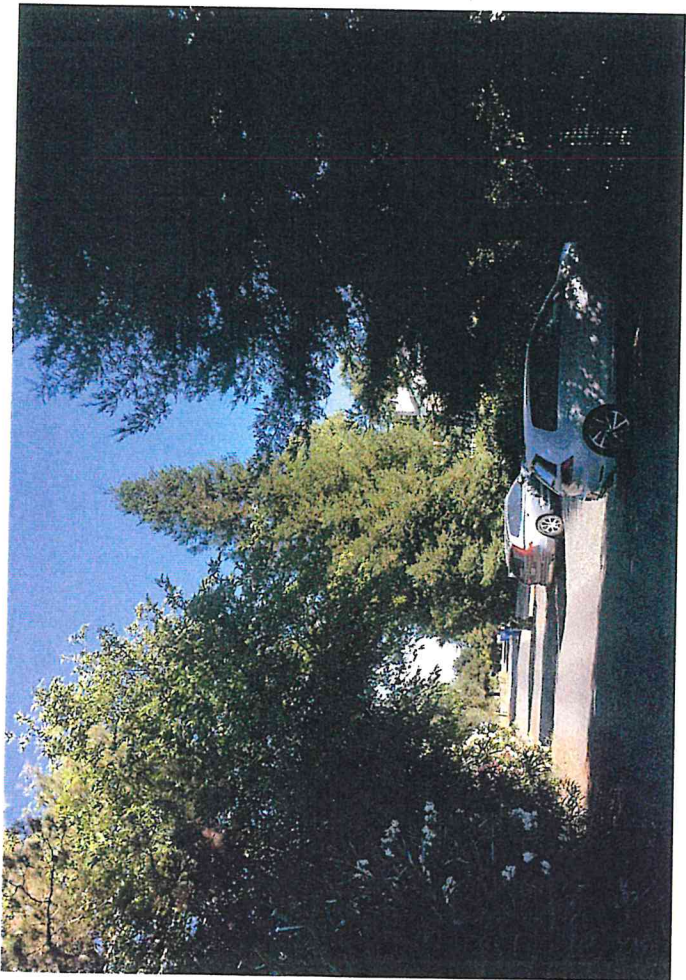
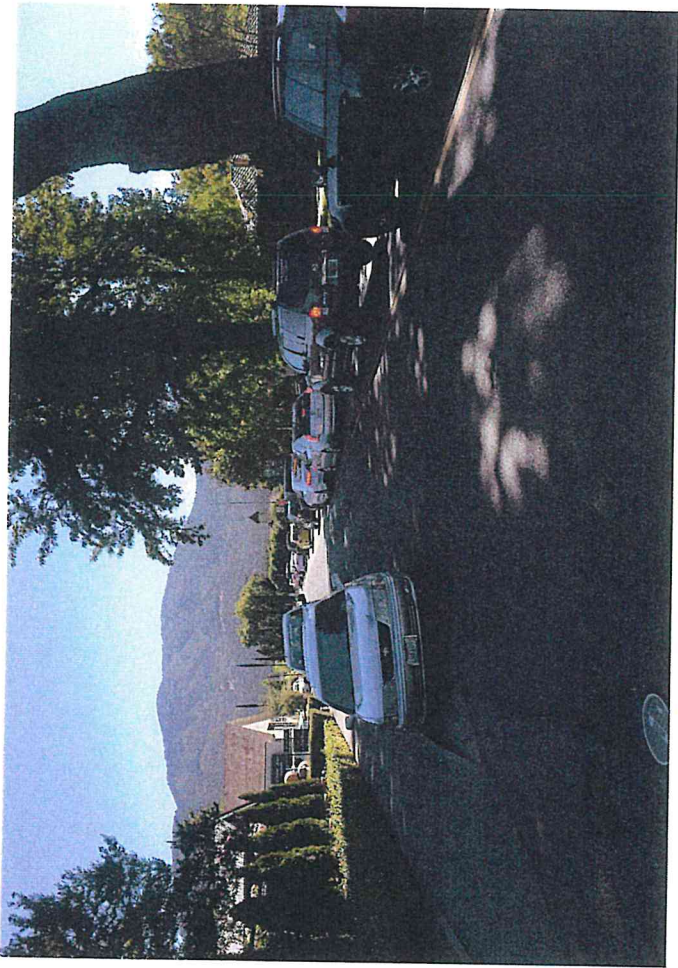
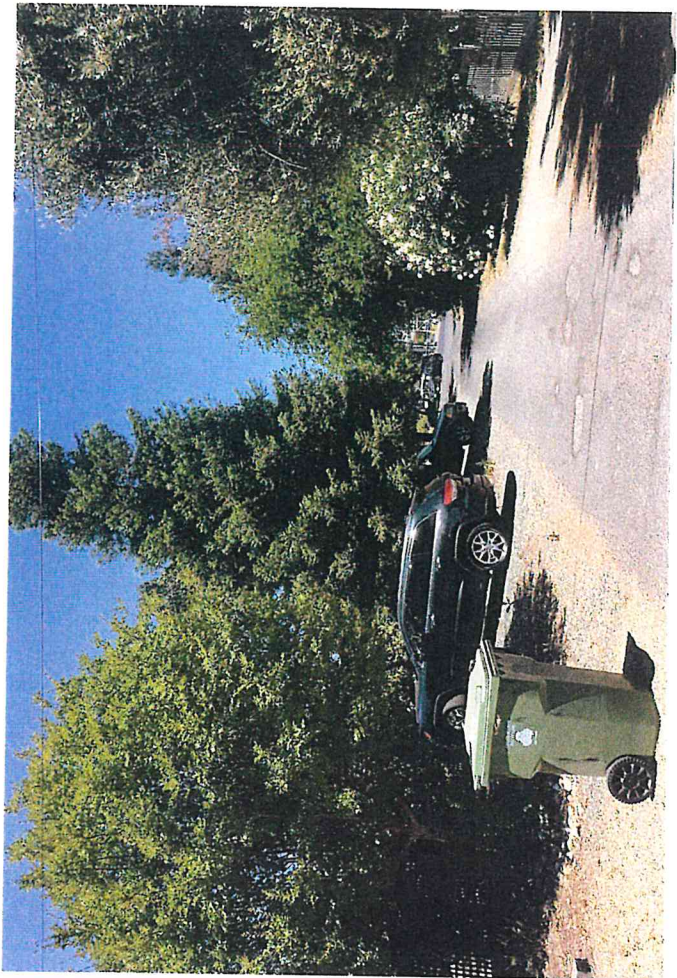
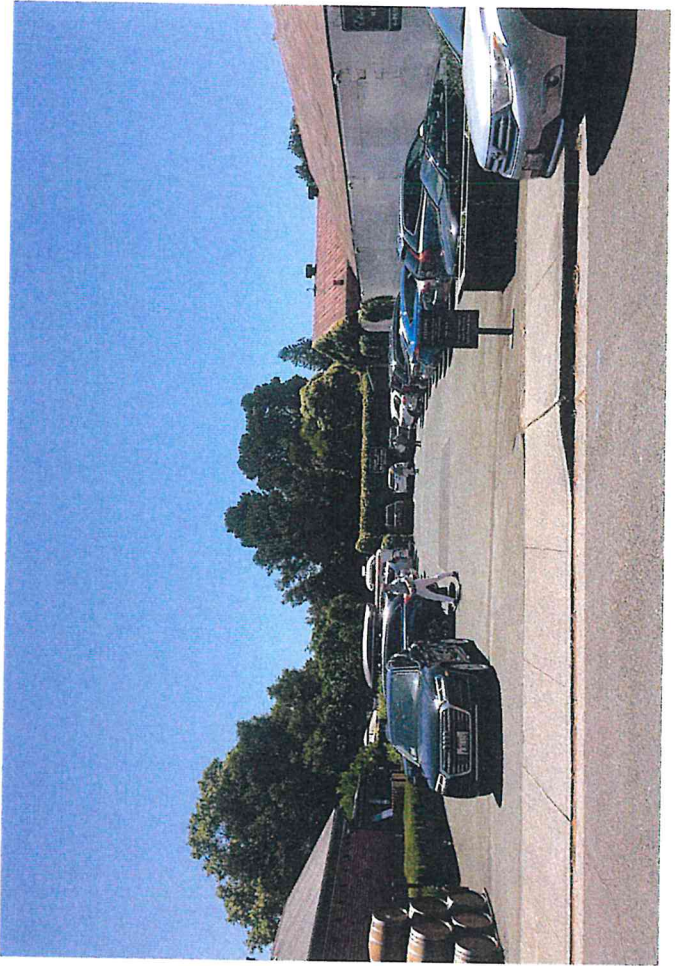


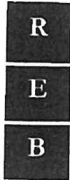
SITE PLAN
 SCALE: 1" = 50'











REB ENGINEERING, INC.

CIVIL AND STRUCTURAL ENGINEERING

SURVEYING AND LAND PLANNING

Dana Ayers
Napa County Planning Division
1195 Third Street
2nd Floor
Napa, CA 94558

December 14, 2018

Subject: Mathew Bruno Tasting Room, 1151 Rutherford Road, Napa, CA 94558

Dear Dana:

REB Engineering, Inc. is representing the following Property Owners of Grape Lane, who utilize Grape Lane as their only access to their property, and object to any Mathew Bruno Tasting Room plans that propose traffic related burdening of Grape Lane, the only public access to their properties.

Property Owner	APN	Address
Lois Ann Dimpfel	030-180-001	1163 Grape Lane
Carlton W Hendricks	030-180-002	1159 Rutherford Road
Calco Property Investments LLC	030-180-003	1155 Grape Lane
Dean & Laurie Gray	030-180-004	1153 Grape Lane
Randal & Deborah Bryant	030-180-005	1149 Grape Lane
Randal & Deborah Bryant Family LLC	030-180-006	1147 Grape Lane
Dilly Dilly Vineyards LLC	030-180-007	1143 Grape Lane

I personally own two of the properties on Grape Lane, and have lived there for 40 years. From my experience of living on Grape Lane, the Mathew Bruno Tasting Room plan as proposed, will be a major problem to all the Grape Lane residents, hindering their comings and goings to their residences. A public wine tasting room should have public access from a public road, and not a private lane such as Grape Lane. Upon seeing the plans proposed by the Mathew Bruno Tasting Room, it is obvious that no consideration of the Grape Lane neighbors as been made. As the proposed parking perpendicular to Grape Lane for the wine tasting room, will be burden to heavy to bear for all the residents listed above, along with their families & friends. The proposed parking layout will not be safe, and it will be detrimental to our economic well-being, property values, existing lifestyle, and detrimental to the comfort of living that we now enjoy, and that of future generations.

Dana Ayers
RE: Mathew Bruno Tasting Room
December 14, 2018
Page 2

I am hopeful that you will strongly support the Napa Valley citizens, and property owners of Grape Lane, by stopping the development of Grape Lane for public use by the Mathew Bruno Tasting Room. Approving the current plan would set an adverse precedence for the people of the Napa Valley, and would not be considering the ramifications to local residents for wine tasting activities.

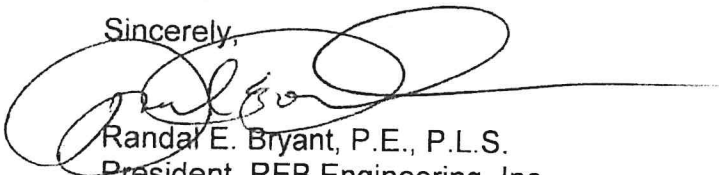
Allowing cars to back onto Grape Lane from tasting room parking spaces provides an ongoing safety risk to children, and pets that may be too small and unaccustomed to traffic to avoid getting run over by the cars as they back out. Especially the cars driven by people that are drinking wine.

There is also the issue of traffic congestion at the exit of Grape Lane onto HWY 128. There is not sufficient room & time for all the neighbors to leave Grape Lane in an emergency, when tasting room guest are trying to back up and leave also. Especially after the tasting room guests have drank a few glasses of wine.

Wineries and Tasting rooms that have access for public guests should make sure that people coming to their commercial facilities travel via public roads not a private lane. And for safety reasons, no one should be backing onto a road, but rather drive forward after looking both ways. Therefore, an entrance driveway and exit driveway should be provided on and off of HWY 128, not Grape Lane, for safe traveling of persons visiting the wine tasting room. This will help to avoid collisions with pedestrians, cars, bikes, strollers, walkers, skateboards, pets, etc., that travel up and down Grape Lane. The neighbors of Grape Lane have hired legal counsel to assist us in keeping Grape Lane safe for the future generations, and children that have traveled up and down Grape Lane for generations. We await a revised plan from Mathew Bruno Tasting Room to further comment on, which will be safe, and preserve our economic well being.

On behalf of all the neighbors of Grape Lane, I thank you for your support in this matter.

Sincerely,



Randal E. Bryant, P.E., P.L.S.
President, REB Engineering, Inc.
License No. 45115



REB ENGINEERING, INC.

CIVIL AND STRUCTURAL ENGINEERING

SURVEYING AND LAND PLANNING

May 22, 2019

Dana Ayers
Napa County Planning Division
1195 Third Street, 2nd Floor
Napa, CA 94558

Subject: Grape Lane Association Ownership of Grape Lane

Dear Dana,

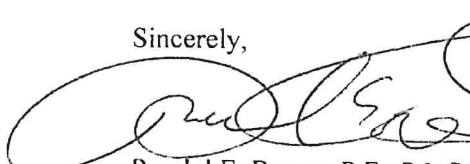
I am sending you attached the deeds granting title ownership of the Grape Lane property to the Grape Lane Association, executed by the Brovelli heirs who owned Grape Lane. As an owner of the Grape Lane Association I, and my fellow neighbors, strongly object to the proposed Matthew Bruno Tasting Room (**MBTR**) project, which is proposing to develop our Grape Lane Property for their commercial uses. The proposed commercial use of Grape Lane by **MBTR** will overburden the existing easement, and is not considered legal by myself, or the attorney for the Grape Lane Association. I have already sent you the letter from our traffic engineer that states the unsafe nature of the **MBTR** project, and would like a written response of your receipt of this information. Please make sure that the rights of the Grape Lane Association, as the property owners of Grape Lane, are upheld. And stop any approvals of unsafe, and commercial developments of Grape Lane by **MBTR**, who does not own the property.

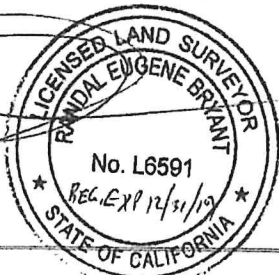
For your information I am providing the chain of title information below, which verifies the Grape Lane Association's claim of ownership:

E. J. Van Vleet obtains Rutherford Lands (101± Acres), 7/6/1880 (Doc #1002-0026443)
E. J. Van Vleet to H. A. Forester, 1/24/1901 (Doc #1002-0067336) land only APN 30-180-003
E.J. Van Vleet DCSD to Cara B. Van Vleet, et al., 12/2/1901 (Doc#1002-0071258)
Cara B. Van Vleet, et al. to H. A. Forester, 11/03/1902 (Doc#1002-0073198) title to Grape Lane
H. A. Forester to Angelo Brovelli, 4/22/1912 (Doc# 1002-0107010) title to Grape Lane
Brovelli heirs to Grape Lane Association, 3/19/2019 (Doc#2019-0004381 & 0004382)

Angelo Brovelli's died in 1928, and his wife Maria died in 1958.
There were 3 children of Angelo & Maria; Edmond F. Brovelli Sr. - Lucy J. & Emily A.
Both Lucy & Emily died without children
Edmond F. Brovelli Sr. had two children; Edmond F. Brovelli Jr., and Angela Brovelli (Peatman)
The Grape Lane association obtained the deeds to Grape Lane from the two remaining Brovelli heirs of Grape Lane, Edmond F. Brovelli Jr., and Angela Peatman.

Sincerely,


Randal E. Bryant, P.E., P.L.S.
REB Engineering, Inc.



PHONE: 707.963.8638 FAX: 707.963.2346
P.O. BOX 113
SAINT HELENA, CALIFORNIA, 94574



2019-0011591

Recorded
Official Records
County of
Napa
JOHN TUTEUR
Assessor-Recorder-Co.

REC FEE 18.00
PCOR FEE 20.00
HOUSING TAX 75.00

01:35PM 19-Jun-2019

MS
Page 1 of 2

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:
Buchalter
A Professional Corporation
1230 Pine Street
st. Helena CA 94574

APN: 030-016-019

SPACE ABOVE FOR RECORDERS USE ONLY

QUITCLAIM DEED

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, EDMOND BROVELLI ("Transferor") does hereby remise, release and forever quitclaim to Grape Lane Association, all right, title, and interest Transferor has in all that perpetual right of way or roadway, and that certain lot, piece or parcel of land, situate, lying, and being in the County of Napa and State of California, described as follows:

All the real property, road, and right of way, 50 feet wide and three hundred feet in length, conveyed to H. A. FORRESTER by CARA B. VAN VLEET et al. by deed dated October 29, 1902, and recorded Nov. 3rd, 1902, in Liber 73 of Deeds page 198, records of Napa, CA.

Executed on May 28, 2019 in Napa, State of California.

Edmond Brovelli
EDMOND BROVELLI

Documentary Transfer Tax \$ 0
-- Computed on full value of Property Conveyed, or
-- Computed on full value less liens & encumbrances
remaining thereon at time of sale.
per tax Under signed
Signature of declarant or agent determining tax

END OF DOCUMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

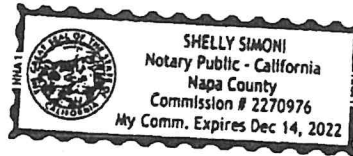
State of California)
County of Napa) ss.

On May 28, 2019 before me,
Shelly Simoni
Notary Public personally appeared Edmond Brovelli

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct. WITNESS my hand and official seal.

SIGNATURE Shelly Simoni





REB ENGINEERING, INC.

CIVIL AND STRUCTURAL ENGINEERING

SURVEYING AND LAND PLANNING

May 22, 2019

Dana Ayers
Napa County Planning Division
1195 Third Street, 2nd Floor
Napa, CA 94558

Subject: Grape Lane Association Ownership of Grape Lane

Dear Dana,

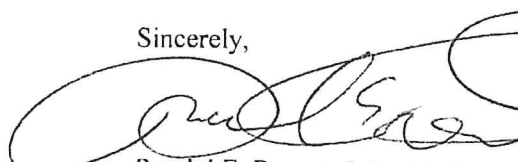
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For your information I am providing the chain of title information below, which verifies the Grape Lane Association's claim of ownership:

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The Grape Lane association obtained the deeds to Grape Lane from the two remaining Brovelli heirs of Grape Lane, Edmond F. Brovelli Jr., and Angela Peatman.

Sincerely,


Randal E. Bryant, P.E., P.L.S.
REB Engineering, Inc.

PHONE: 707.963.8638 FAX: 707.963.2346
P.O. BOX 113
SAINT HELENA, CALIFORNIA, 94574



2019-0011590

Recorded	REC FEE	18.00
Official Records	RCOR FEE	20.00
County of	HOUSING TAX	75.00
Napa		
JOHN TUTEUR		
Assessor-Recorder-Co.		
01:34PM 19-Jun-2019	MS	
	Page 1 of 2	

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

Buchalter
a Professional Corporation
1230 Pine Street
St. Helena CA 94574

APN: 030-016-019

SPACE ABOVE FOR RECORDERS USE ONLY

QUITCLAIM DEED

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, ANGELA PEATMAN ("Transferor") does hereby remise, release and forever quitclaim to Grape Lane Association, all right, title, and interest Transferor has in all that perpetual right of way or roadway, and that certain lot, piece or parcel of land, situate, lying, and being in the County of Napa and State of California, described as follows:

All the real property, road, and right of way, 50 feet wide and three hundred feet in length, conveyed to H. A. FORRESTER by CARA B. VAN VLEET et al. by deed dated October 29, 1902, and recorded Nov. 3rd, 1902, in Liber 73 of Deeds page 198, records of Napa, CA.

Executed on June 7, 2019 in Napa, State of California.

Angela Peatman

ANGELA PEATMAN

~~Declaratory Transfer Tax \$ _____~~

- Computed on full value of Property Conveyed, or
- Computed on full value less liens & encumbrances remaining thereon at time of sale.

Per the undersigned

Signature of declarant or agent determining tax

END OF DOCUMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

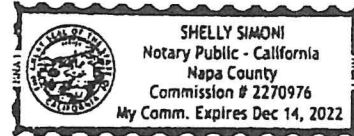
State of California)
County of Napa) ss.

On June 7, 2019 before me,
Shelly Simoni
Notary Public personally appeared Angela Peatman

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct. WITNESS my hand and official seal.

SIGNATURE Shelly Simoni







**SUMMONS
(CITACION JUDICIAL)**

SUM-100

NOTICE TO DEFENDANT: The Testate and Intestate Successors of Adeline L. Van Vleet, aka (AVISO AL DEMANDADO): Adeline L. Van Vleet, deceased and all person claiming by, through or under such decedent; The Testate and Intestate Successors of Cara B. Van Vleet, deceased and all person claiming by, through or under such decedent; The Testate and Intestate Successors of Ewah Poisen Van Vleet, deceased and all person claiming by, through or under such decedent; and all persons unknown, claiming any legal or equitable right, title estate, lien, or interest in the real property described in the Complaint adverse to Plaintiff's claim or title, or any cloud on Plaintiff's title thereto; and Does 1 through 100, inclusive

YOU ARE BEING SUED BY PLAINTIFF: M&B Bruno Family, L.P.
(LO ESTÁ DEMANDANDO EL DEMANDANTE).

REPLETION CASE

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

ENDORSED

JUL 12 2018

CLERK OF THE NAPA SUPERIOR COURT
BY B. LOPEZ
DEPUTY

NOTICE! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. (AVISO: Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.)

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quedó más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de solicitud de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. **AVISO:** Por ley, la corte tiene derecho a reclamar las cuotas y los costos arautos por imponer un gravamen sobre cualquier recuperación de \$10,000 o más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desahocar el caso.

The name and address of the court is:
(El nombre y dirección de la corte es):
Superior Court of California
825 Brown Street
Napa, CA 94559

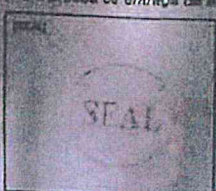
18CV000920

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:
(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):
Paul G. Carey SBN 105357; Marissa Buck SBN 1933 (707) 252-7122 (707) 255-6876
DICKINSON PEATMAN & FOGARTY, APC
1455 First Street, Suite 301
Napa, CA 94559

DATE: JUL 12 2018

Clerk by B. LOPEZ Deputy
(Secretario) (Aguente)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)
(Para prueba de entrega de esta citación use el Formulario Proof of Service of Summons (POS-010).)



NOTICE TO THE PERSON SERVED: You are served

- 1. as an individual defendant.
- 2. as the person sued under the fictitious name of (specify):
- 3. on behalf of (specify):

- under: CCP 418.10 (corporation)
- CCP 418.20 (foreign corporation)
- CCP 418.40 (association or partnership)
- other (specify):
- 4. as personal defendant on (specify):
- CCP 418.60 (minor)
- CCP 418.70 (conservatee)
- CCP 418.90 (authorized person)

Thomas F. Carey ■ Attorney at Law

433 Soscol Avenue, Suite A100 #4, Napa, California 94559 | 707-479-2856 | tcarey.law@gmail.com

RECEIVED

November 25, 2019

NOV 25 2019

VIA HAND DELIVERY

**Napa County Planning, Building
& Environmental Services**

Brian Bordona, Deputy Director
Napa County Department of Planning, Building and Environmental Services
1195 Third Street, Second Floor
Napa, CA 94559

**RE: Matthew Bruno Wines Tasting Room Use Permit P17-00387
1151 Rutherford Road/State Route 128, Rutherford, CA (APN 030-160-007)**

Dear Mr. Bordona,

I represent the Grape Lane Association (the "Association"), a group of residents on seven parcels using Grape Lane as primary access to Rutherford Road/State Route 128 (see Exhibit "A," attached) and neighbors to the proposed Matthew Bruno Wines Tasting Room project (the "Project").

The Association has grave concerns about the use of Grape Lane, as proposed, for public commercial vehicular access; the inadequate provisions for parking, loading and delivery, fire engine and shuttle bus maneuvers, the validity and extent of the right-of-way purported to benefit the Project, and the overall safety of pedestrian and vehicular ingress at the intersection of Grape Lane and Rutherford Road/State Route 128.

Please find enclosed a letter dated November 22, 2019, from REB Engineering, Inc., containing, among other things, a Technical Memorandum from TJKM Traffic Consultants (the "TJKM Memo"), REB's comment response to the draft environmental document, several exhibits prepared by REB (the "REB Exhibits") depicting and evaluating traffic safety issues, and numerous letters from residents and users of Grape Lane opposed to the proposed use of Grape Lane. Also please find enclosed as Exhibits "C" and "D" letters from two other residents of Grape Lane received after November 22.

The Association hereby requests a continuance of the public hearing scheduled on December 4, 2019, to be conducted by the Napa County Planning Commission, to correct serious defects in the Project application and draft Initial Study/Negative Declaration, particularly regarding transportation and traffic safety.

The continuance is justified to address the incomplete information in the record. The Project Application Simply Does Not Provide Sufficient Detail to Properly Determine the Environmental Impacts of the Project.

On or about October 30, 2019, members of the Association received a Notice of Planning Commission Hearing and Notice of Intent to Adopt a Negative Declaration (see attached Exhibit “B”). The Association conducted a careful review of the Project application, the associated site plans and materials, and the draft Initial Study and Negative Declaration (IS/DND) available in electronic format from the County website as of Friday, November 22, 2019.

Notably, two documents critical to the understanding of traffic safety issues, the “Bruno Tasting Room Site Plan” and the “Bruno Tasting Room Parking and Grape Lane Plan, prepared by CAB Engineers/Consulting and dated May 4, 2016, appear to be preliminary schematic plans. These documents are attached as Exhibit “E.” They simply do not contain the detail necessary for Napa County staff to make the determination in the IS/DND that the Project would have a “less than significant impact” under CEQA and therefore no mitigation is required.

Specifically, Page 27 of the IS/DND concludes that the Project would have a “less than significant impact” in connection with the following:

- Would the project substantially increase hazards due to a geometric design feature (e.g. sharp curves or dangerous intersections) or incompatible uses?
- Would the project result in inadequate emergency access?

The IS/DND simply recites the analysis from the Traffic Impact Study in reaching its conclusion that there is a less than significant impact and therefore no mitigation is required. There is no discussion of where delivery vehicle parking, shuttle bus loading/parking and the required emergency vehicle turnaround *will actually be installed on the Project site.*

As noted in the TJKM Memo and the REB Exhibit entitled “Lines of Sight in & Out of Grape Lane,” however, the existing parallel parking along Rutherford Road dramatically reduces the required sight distance to an unsafe level. The same REB Exhibit shows that it is not possible to install the required Fire Engine Standard Hammerhead Turnaround on Grape Lane under the proposed parking plan. Another REB Exhibit, “Back Out Exhibit (Ford Truck, Typical SUV, Delivery Vehicle),” demonstrates that the backing maneuver for the proposed perpendicular parking spaces creates an unsafe blockage for traffic using Grape Lane. In short, there is insufficient information on the plans submitted to support the environmental determination, much less to support consideration of the Project by the Commission.

The Association reserves the right to make further comments on the Project and draft IS/DND.

Please contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas F. Carey". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Thomas F. Carey, Attorney at Law

cc: Client
Laura Anderson, Deputy County Counsel
Hon. Commissioner Joelle Gallagher, Chair
Hon. Commissioner David Whitmer
Hon. Commissioner Anne Cottrell
Hon. Commissioner Jeri Hansen
Hon. Commissioner Andrew Mazotti
David Morrison, PBES Director (w/o enclosures)

Exhibit

A

nt Helena Hwy S

29

128

Rutherford Rd

Mark Bruno Site

Lois Dimpfel
1163

Carlton Hendrix
1159

1161

Charley Antonio/
Calco Prop invest LLC
1155

1151

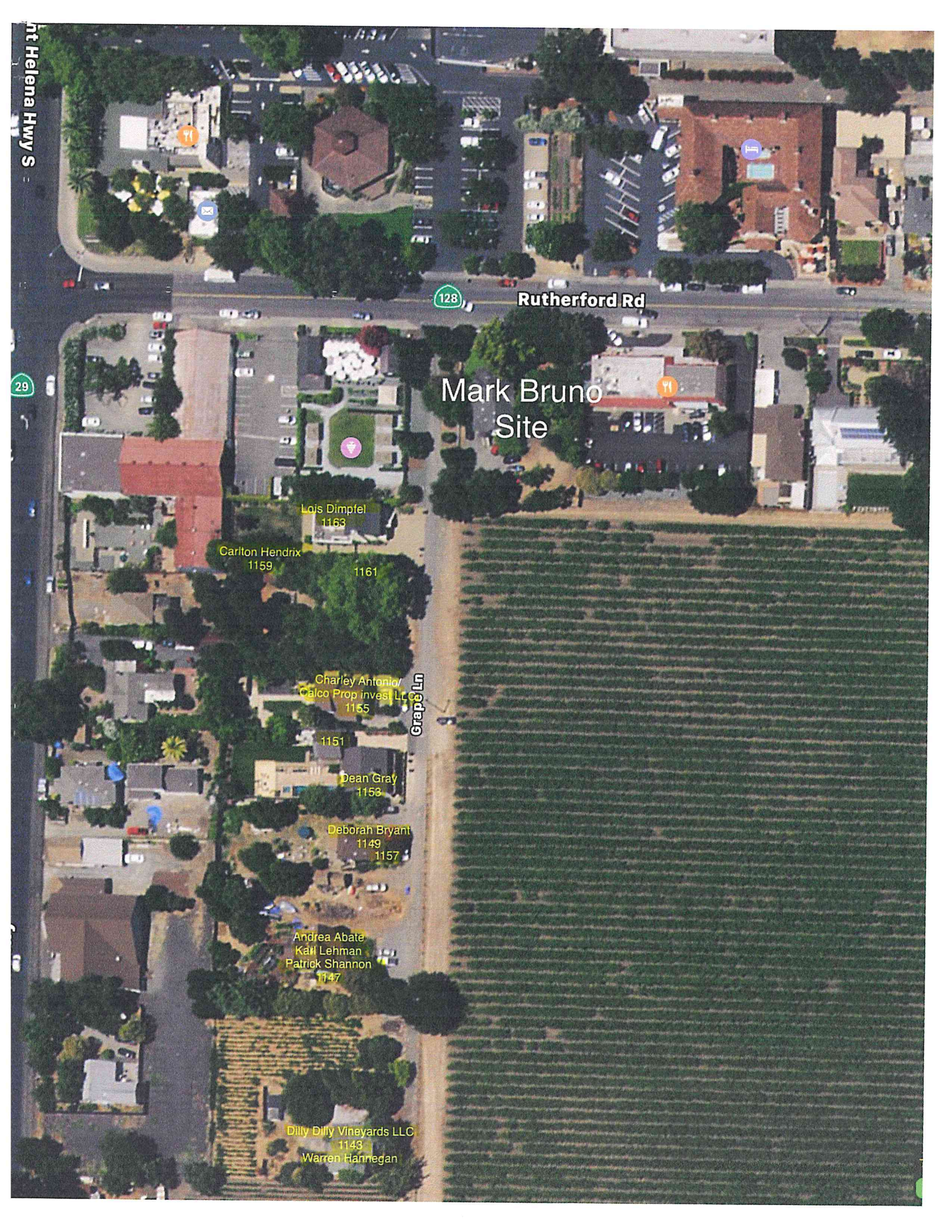
Dean Gray
1153

Deborah Bryant
1149
1157

Andrea Abate
Karl Lehman
Patrick Shannon
1147

Dilly Dilly Vineyards LLC
1143
Warren Hannegan

Graps Ln



Exhibit

B



A Tradition of Stewardship
A Commitment to Service

PUBLIC NOTICE

NOTICE OF PLANNING COMMISSION HEARING & NOTICE OF INTENT TO ADOPT A NEGATIVE DECLARATION

On Wednesday morning, the 4th day of December, 2019, at 9:00 a.m. at 1195 Third Street, Suite 305, Napa, California, a public hearing will be conducted by the Napa County Planning Commission regarding the project identified below. All interested persons are invited to attend the hearing and be heard.

Mathew Bruno Wines Tasting Room – Use Permit Application No. P17-00387-UP and Request for Exception to Napa County Road and Street Standards

CEQA Status: Consideration and possible adoption of a Negative Declaration. According to the proposed Negative Declaration, the proposed project would not have any potentially significant environmental impacts. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

Request: Approval of a Use Permit to allow a wine bar with wine storage, tasting, retail sales and marketing events on a re-purposed single-family residential property that is currently being utilized for administrative offices. In addition to renovation of the historic residential structure, on-site construction for the project would include planting of new landscaping; installation of seven paved, on-site parking stalls; installation of a new, on-site wastewater treatment system; and construction of a wraparound porch, also to be used for wine tasting. Off-site modifications would include widening of the asphalt-paved surface of the northern portion of Grape Lane immediately adjacent to the project site, and installation of a mid-block pedestrian crossing on Rutherford Road. The proposal also includes a request for a public road exception to the requirement under Napa County Road and Street Standards to install a left turn lane in the right-of-way of Rutherford Road at its intersection with Grape Lane. The proposed project site is a 0.38-acre parcel located at 1151 Rutherford Road, Napa (Assessor's Parcel No. 030-160-007), in the CL (Commercial Limited) zoning district.

The proposed Negative Declaration is available for inspection, along with copies of all documents which relate to the above described project, between the hours of 8:00 a.m. and 4:45 p.m. Monday through Friday, at the office of the Napa County Planning, Building, & Environmental Services Department, 1195 Third Street, Suite 210, Napa, California.

Written and verbal comments regarding the environmental effects of this project and the adequacy of the proposed Negative Declaration are solicited. Written comments must be presented during the public review period, which runs from November 1, 2019, through December 3, 2019. Comments should be directed to Charlene Gallina, Supervising Planner, Napa County Planning, Building & Environmental Services Department, 1195 Third Street, Suite 210, Napa, California; by phone at (707) 299-1355; or by email to charlene.gallina@countyofnapa.org and must be received before 4:45 p.m. on December 3, 2019.

Appeals to decisions of the Planning Commission must be filed in writing with the Clerk of the Board of Supervisors, 1195 Third Street, Suite 305, Napa, California, in accordance with the time lines and submittal requirements set forth in Chapter 2.88 of the County Code.

If you challenge the particular proceeding in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the public hearing.

DATED: October 30, 2019

David Morrison
Director of Planning, Building, & Environmental Services

Exhibit

C

Carlton Hendricks

P.O. Box 415, Rutherford, Calif. 94573

PH 707.363.9047

11/24/19

Charlene Gallina,
Supervising Planner,
Napa County Planning,
Building & Environmental Services Department
1195 Third Street, Suite 210,
Napa, California 94558
PH 707.299.1355

Dear Ms. Gallina,

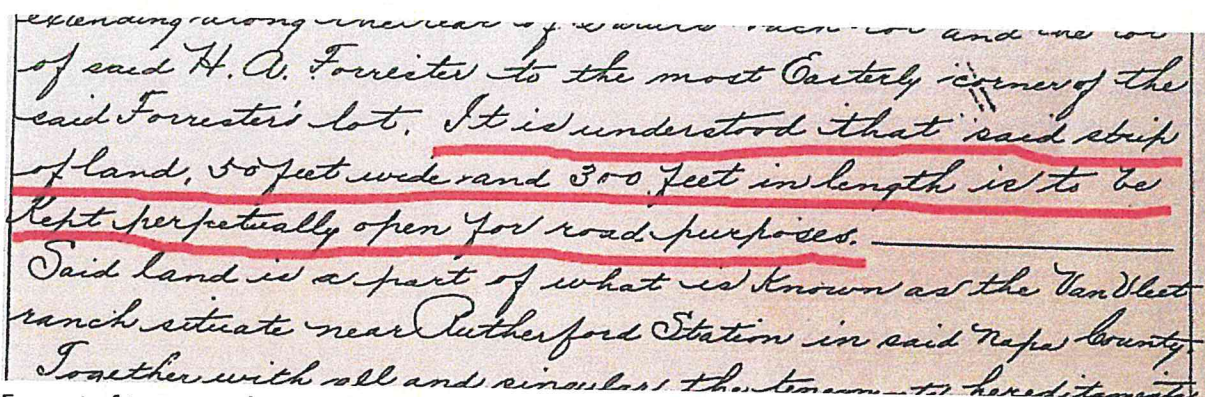
My name is Carlton Hendricks. I live at 1161 Grape Lane Rutherford Ca. I am the second house from Rutherford Road, between Lois Dimpfel's home and Charley Antonio's home.

This is regarding proposals to park cars on Grape Lane in Rutherford Ca. Please know The Van Vleet family, in 1902, provided very clear description of the purpose and use of Grape Lane, see attached full copy as a jpeg. This document was retrieved from the Napa County Recorder's office. The description is as follows:

Quote:

"It is understood that said strip of land, 50 feet wide and 300 feet in length is to be kept perpetually open for road purposes"

Unquote:



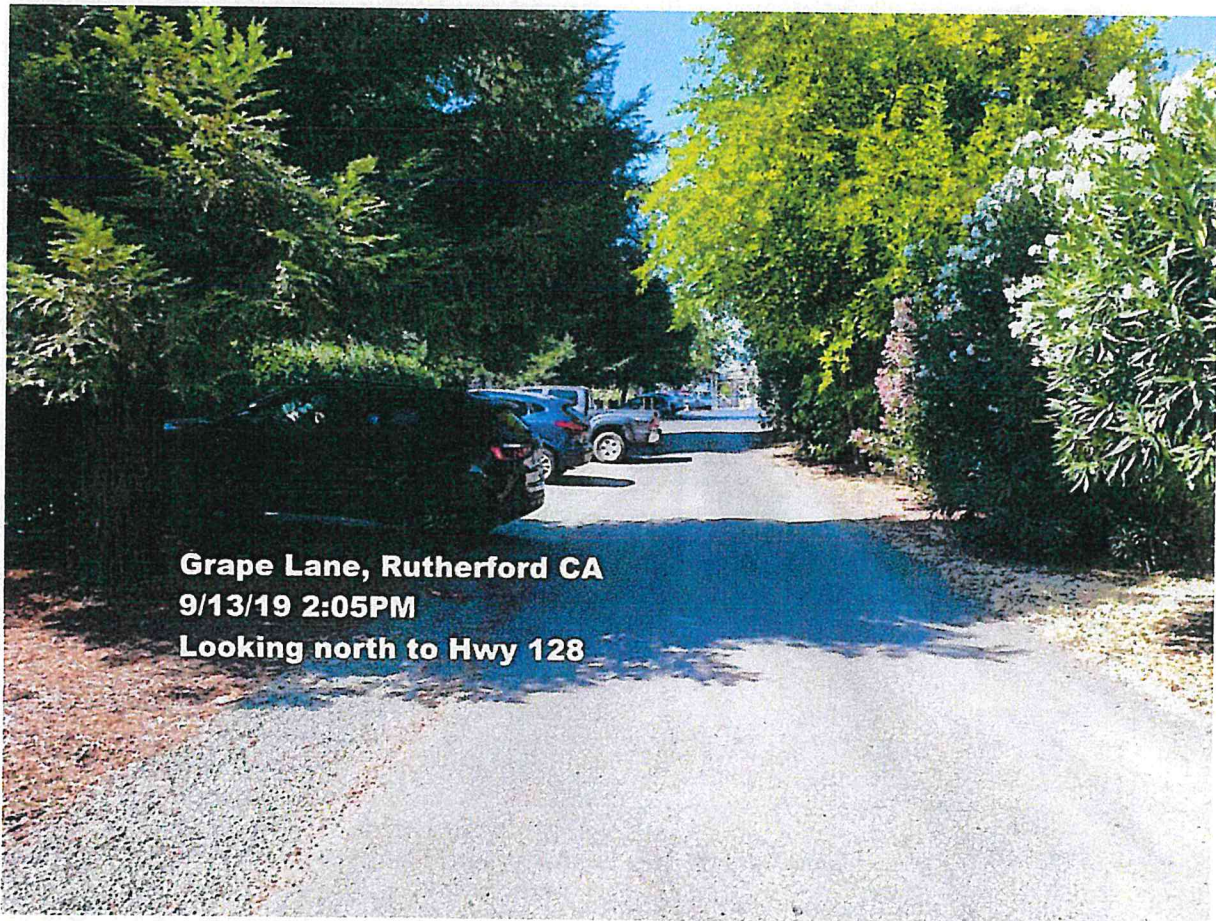
extending along the rear of ... and the ...
of said H. A. Forrester to the most Easterly corner of the
said Forrester's lot. It is understood that said strip
of land, 50 feet wide and 300 feet in length is to be
kept perpetually open for road purposes.
Said land is a part of what is known as the Van Vleet
ranch situate near Rutherford Station in said Napa County.
Together with all and singular the tenements and hereditaments

Excerpt of two page document, see attached

As you can see the wording is very clear..."is to be kept perpetually open for road purposes".

Moreover, please know that cars parking on Grape Lane have been a recent ongoing problem. The parked cars hinder our access to get in and out to highway 128. They could also block access by Emergency response vehicles in the event of a fire or medical emergency.

Please know this has already happened; not just a fear of what could happen. That is, parked cars have already been jeopardizing our safety in that they may hinder fire trucks other medical emergency vehicles from getting to our homes.



Another big problem has been cars driving past the commercial part of the lane onto the residential and agricultural zoned section to make U-Turns in front of my house and my neighbor Lois Dimpfel'. It's been a constant problem of stirring up dust, and invading our privacy,...plus leaving tires tracks circles in front of my house

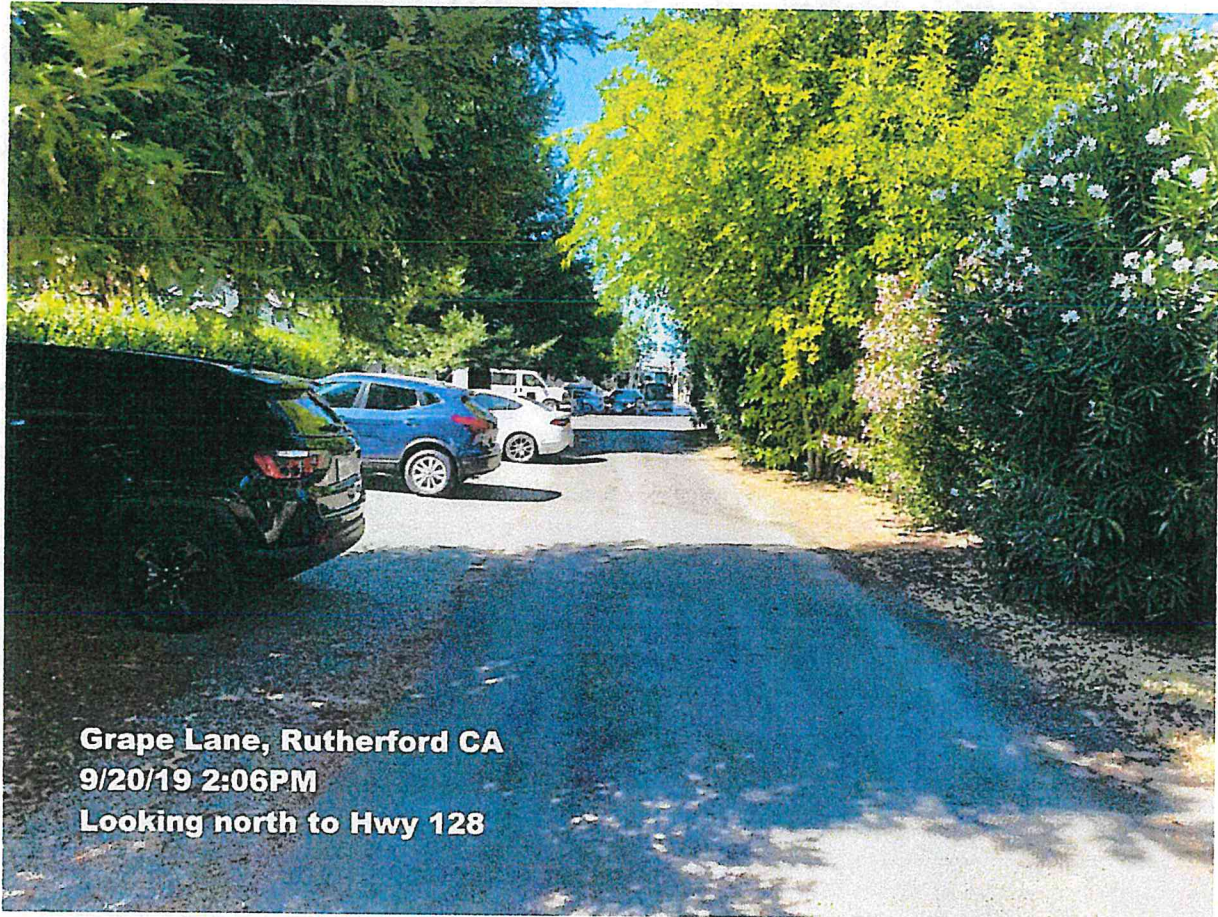
When I first moved to my home on Grape Lane over forty years ago in 1979, the Bruno property was owned by an elderly lady named Doris Jensen, who died in 2011. Around maybe fifteen years ago Reginald Oliver bought that house and fenced off the original entrance from Rutherford Road and put an entrance gate at the south west corner of the lot, opening onto Grape Lane. Before that, the only entrance to the Bruno property was from Rutherford Road, at the north-west corner. That was the entrance to their driveway. Essentially Olivier started using Grape lane as his driveway. At first he rented the house as a residence, and the traffic wasn't too much trouble. But then later he started renting it commercially as offices. That's when all the hassle with cars started. That is...parking in front of my house, cars continually making U-turns in front of my house, car alarms going off. Plus using noncommercial zoned land commercially.

Also our privacy, which I greatly value, has been violated by strangers coming up our lane who have no business there. Plus limousine drivers who park on our lane, who many times, I have asked to leave because it's not a public road.

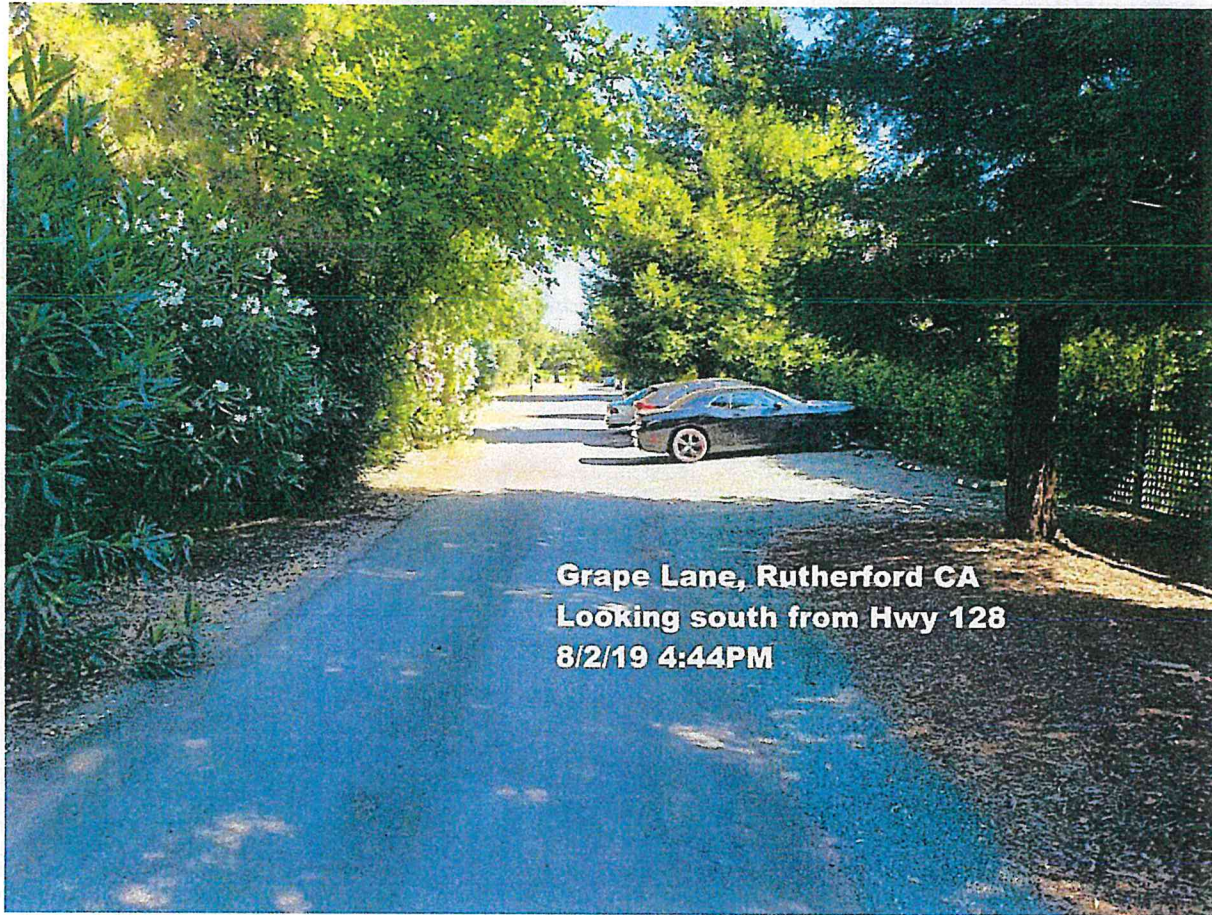
As you know grape lane is cut up into different zoned uses...Part commercial, part residential, and part agriculture zones...Before Oliver created that entrance gate, Grape Lane was basically only used by the homes on the lane. When the problems with the cars started...I started looking into the zoning of the lane to see why it was being used commercially. I was quite surprised to learn of commercial zoning...

Perhaps the big picture should be examined...My question would be...if the lane's primary use has always been for residences, and historically that's what it's purpose has been....then why is part of it zoned commercial...Q. Would that be an historical oversight by Napa County from the 1902 era?...Was it designed that way intentionally?...or was it something that just got left undone, or never looked at. Because it seems like poor planning and has left open all these problems for the home owners along the lane...All because part of the lane is zoned commercial...and it was never used commercially since 1902 to my knowledge...until just recently.

The other issue that has caused these problems has been the ambiguity of the lanes ownership. We the homeowners of the land never had anyone to complain to because we didn't know where the owner was...and I understand the Washington judge who owned it didn't know he owned it...



Regarding the traffic study Bruno submitted to the county for his wine tasting business. It was extremely detailed. But when I got to the part that said Grape lane was two ways, or something like that....that was all I needed to read, since it's not. From then on I fully understood its purpose.



As I understand it, the entrance to the Bruno property that was established by Oliver is now considered an "Easement of Subscription"Were the owner of the lane present that advantageous opportunity may not have existed as he may well not have allowed Oliver to drive over his property...and we wouldn't have the problems we're facing. It would seem that absentee owner element may need to be considered as a special circumstance. Especially given our safety and the value of our privacy.

-Carlton Hendricks

17.01.2017

Exhibit

D

7
C.R.O.
HAL and LARRY MOORFIELD
4080 Truxel Road
Suite 200
Sacramento, California 95834

November 22, 2019

Napa County Planning Commission
c/o Charlene Gallina, Supervising Planner
Napa County Planning, Building & Environmental Services Dept.
1195 Third Street, Suite 210
Napa, CA 94558

Subject: Matthey Bruno Wine Tasting Room - Use Permit Application #P17-00387-UP

Dear Napa County Planning Commission,

Our two families purchased property in Rutherford at 1143 Grape Lane last year. Though the property was very expensive, it was the rural setting, and peaceful nature of the property on Grape Lane that made the decision to buy and become of part of the Rutherford neighborhood and community. After reviewing the Matthew Bruno use permit plans and applications, we are very upset over the fact that the initial study suggest that this project should be approved without any mitigation. From our experience, Grape Lane is unsafe for public travel and especially for wine tasting guests, due to the limited line of sight on Highway 128 when leaving Grape Lane. Cars that are parking on the South side of Highway 128 block views of oncoming traffic in the East and West directions, and make the Grape Lane/HWY 128 intersection a dangerous situation during the busy tourist season and during harvest. It is only because of our experience, living and visiting in the Rutherford area, that we are able to navigate and leave our property on Grape Lane without accident. However wine drinking visitors from the proposed Bruno Tasting Room would present a dangerous situation to the public and themselves when leaving Grape Lane. Also, the parking proposed by Bruno along Grape Lane will ruin our rural setting and open up a corridor for cars to park on our properties.

We were never notified about the easement that was to be granted by Judgment to the Matthew Bruno property, and it is our feeling that this was an underhanded legal tactic to get their wine tasting room approved. No cars should be allowed to park along Grape Lane, and then back into the only access for Grape Lane residents to and from our properties. This will clog up our only exit and entrance to our properties, and probably even reduce the effective response of emergency services to our homes. This will be especially true for the 250 person events that are planned twice a year. How do you expect us to get to and from our houses with hundreds of cars all entering and leaving Grape Lane at the same time? No events of this size should be granted, because there is no room to park in the already too busy Rutherford area. Is Bruno getting permission from BV Winery, La Luna, and the Rutherford Grill to use their parking lots for the events being planned? If there is no easement given for event parking then no events should be allowed that will create unsafe conditions for residents of Rutherford and Grape Lane.

HAL and LARRY MOORFIELD
4080 Truxel Road
Suite 200
Sacramento, California 95834

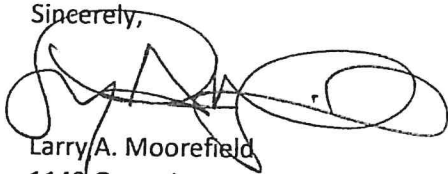
November 22, 2019

Page Two

Any approval of the Bruno tasting room should be closely evaluated, and their parking should be on their property such that no car is allowed to back out into Grape Lane and potential oncoming cars. Also a dangerous situation to pedestrians, and those on bicycles will be created by the Bruno traffic and parking. Sidewalks should be required as mitigation for the Bruno project, and a gate at our entrance should be mandated so wine tasting guests are not allowed to come onto our properties.

We are also concerned about how our property values will diminish due to the negative aspects of parking, traffic, and reduction of the rural views associated with the Bruno plans and their development. With portable toilets planned along Grape Lane, and the placement of their garbage and recycling area next to the lane too, it is obvious that no consideration of the neighbors, or their properties is being made by the Bruno Family in their application for a tasting room. The Bruno plan for their wine tasting room, should have a parking lot on the Bruno property, and the added traffic should not be allowed to block our only access to leave our homes on Grape Lane. We request that you do not approve the Bruno wine tasting room, and that the consideration of neighbors, the quality-of-life we currently enjoy, the rural setting, and friendly nature of Rutherford be respected, and that above all the safety of pedestrians, people, and traveling tourist, be protected in Rutherford. Please do not destroy our neighborhood and way of life by approving the Matthew Bruno Tasting Room Plan!

Sincerely,



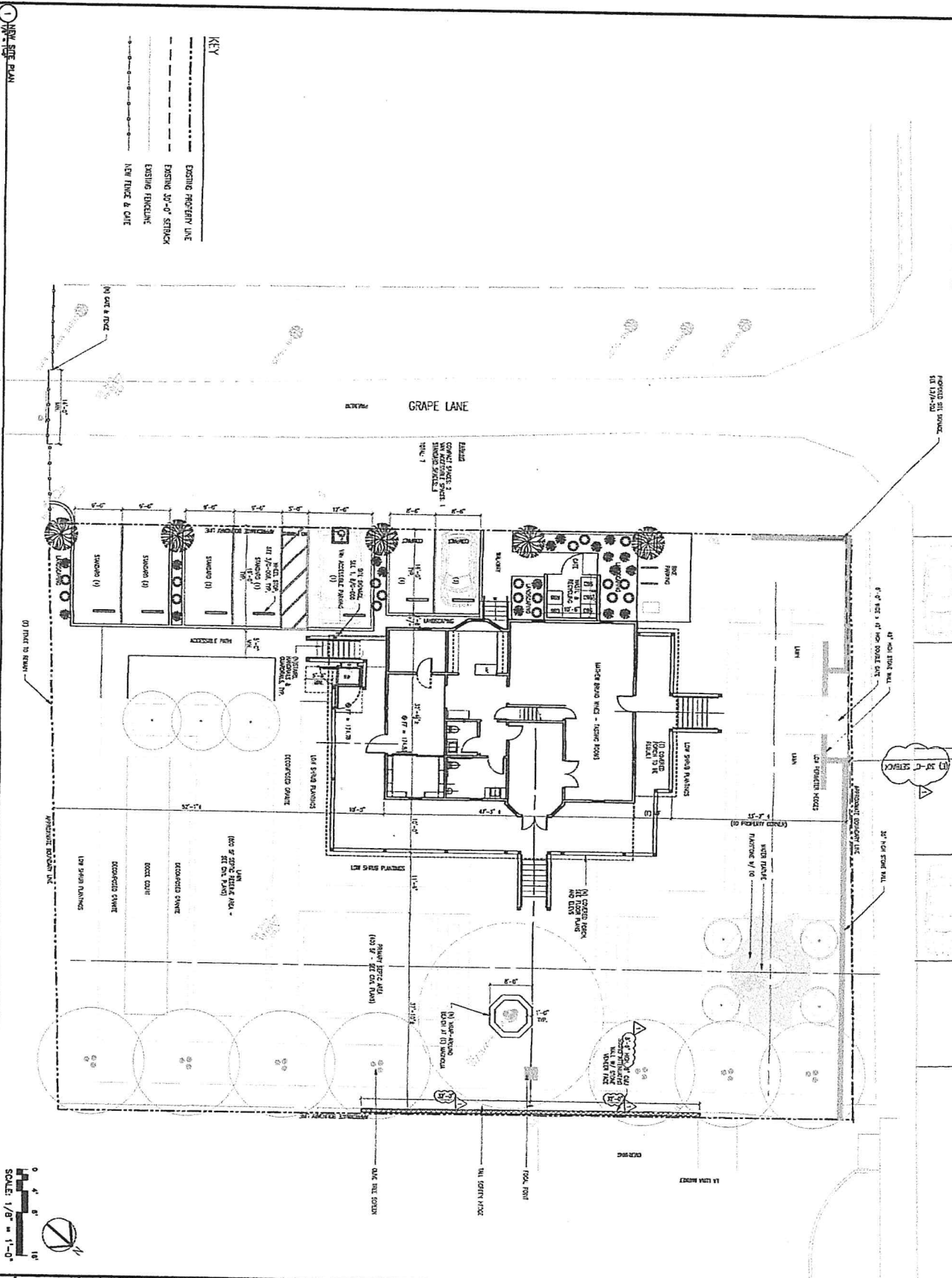
Larry A. Moorefield
1143 Grape Lane
Rutherford, California 94573



Hal Moorefield
1143 Grape Lane
Rutherford, California 94573

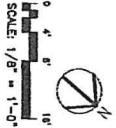
Exhibit

E



KEY

---	EXISTING PROPERTY LINE
---	EXISTING 30'-0" SETBACK
---	EXISTING FENCELINE
---	NEW TRUCK & CURB



MG+CO

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 * CO ARCHITECTS
 mgco.com
 601 4th Street
 Suite 210
 California 94107
 415.777.2101

MANHEW BRUNO WINES
 1151 RUTHERFORD ROAD
 NAPA, CALIFORNIA 94558
 MANHEWBRUNO
 P.O. BOX 510
 RUTHERFORD, California 9472

NEW SITE PLAN

PROJECT NO.	129
DATE	02/20/11
DESIGNER	MICHAEL GUTRIE
CLIENT	MANHEW BRUNO WINES
SCALE	1/8" = 1'-0"

A-200