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Previous Conditions



NAPA COUNTY

P-UP-APVL
98400
031-010-003

CONSERVATION, DEVELOPMENT and
PLANNING DEPARTMENT

Jeffrey Redding
Director

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

August 20, 1999

Dirk Hampson
NICKEL & NICKEL, LLC
P.O. BOX 327
Oakville, CA 94562

RE: Request for Use Permit #98400-UP & #98403-VAR (Nickel & Nickel Winery)
Assessor's Parcel Number: 31-010-003

Dear Mr. Hampson:

Please be advised that **Variance Application #98403-VAR and Use Permit Application #98400-UP** has been **APPROVED** by the Napa County, Development & Planning Commission on August 18, 1999 based on the attached conditions.

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

Pursuant to Section 18.124.080 of the Napa County Code, the use permit must be activated within one year and ten calendar days from the approval date, or it shall automatically expire and become void.

EXPIRATION DATE: September 1, 2000

An extension of time in which to activate the use permit may be granted for a maximum of 12 months, upon application at least 30 days prior to expiration, and payment of fees in effect at the time of application, **and** provided that any approved modification of the permit has become final. This letter is your only notice regarding expiration and procedures for extension of this permit.

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

Very truly yours,

Sylvia G. Tath
for:

Jeffrey R. Redding
Director

cc. John Tuteur, Assessor
Gary Brewen, Building Codes Administrator
Michael Miller, Deputy Planning Director

CONDITIONS OF APPROVAL

Nickel & Nickel Winery

Variance Request #98403-VAR

Use Permit #98400-UP

Meeting Date: August 18, 1999

1. This Use Permit shall be limited to the following:
 - A. A ±53,936 square foot winery, as indicated in B & C below, with a maximum production capacity of 125,000 gallons per year; private tours, tastings and retail sales by prior appointment only; and marketing activities.
 - B. Conversion of the following existing historic farmstead structures for winery-related use:
 - (a) the ±2,356 square foot main residence for tasting, marketing and 981 square feet of office space;
 - (b) the ±1,806 square foot shed for winery-related storage; and
 - (c) the ±1,846 square foot barn into office and sales space.
 - C. Construction of a new 47,928 square foot wine production facility containing:
 - (a) ±17,517 square feet of production area;
 - (b) ±27,976 square feet of barrel storage area; and
 - (c) ±2,435 square feet of storage space.
 - D. Permission for one (1) custom production client for up to 12,000 gallons of the annual winery production, including crushing, fermentation, aging, bottling, storage, retail sales and tastings.
 - E. Installation of one entry structure consisting of two ±5-foot high "split-rail" gates (each with an 8-foot high support post and crossbeam) attached to ±6-foot high columns. A sign shall be installed on or near the entry structure that indicates tours and tastings are by appointment only. Detailed plans and elevations for the entry structure and any sign(s), including materials, colors and lighting, shall be submitted for review and approval by the Conservation, Development and Planning Department prior to construction.

The location and use of existing and proposed structures and facilities shall substantially conform to the site plans, elevations, floor plans and application materials received by Napa County on February 24, 1999. Any expansion of or changes to the uses described above shall be made by separate use permit submitted for further approval by the County.

**Conditions of Approval
Nickel & Nickel Winery (98400-UP/98403-VAR)**

Page 2

2. The applicant shall comply with the 18 Mitigation Measures contained in the signed Project Revision Statement.
3. Wine production shall average no more than 125,000 gallons per year over any consecutive three (3) year period and shall not exceed 150,000 gallons in any given year. The winery owner shall report to the Planning Department by December 31st of each year the number of gallons of wine produced at the winery during the preceding year.
4. Seventy-five percent (75%) of the wine produced at the winery, including wine produced by any custom producers operating at the site, shall be made from Napa County grapes. The winery owner shall report to the Planning Department by December 31st of each year the source of grapes for the previous calendar year. Said report shall list the tons of grapes obtained from each Assessor's Parcel within the County, along with the total tons of grapes utilized. This report is proprietary and shall not be made available to the public. A separate statement for the public record indicating the overall percentage of Napa County grapes utilized shall be provided with the report.
5. Private tours and tastings for members of the wine trade and/or consumers shall be by prior appointment only. Tours and tastings shall be conducted between the hours of 10 a.m. and 3 p.m. on weekdays, and 10 a.m. and 2 p.m. on weekends. Tasting of wines shall be limited to only those produced by the winery operator.
6. Retail sale of wines shall be conducted by prior appointment only and shall be limited to wines fermented and bottled on-site by the winery operator. Retail sales shall be conducted between the hours of 10 a.m. and 3 p.m. on weekdays, 10 a.m. and 2 p.m. on weekends, or during an approved marketing event.
7. Marketing events, with the attending persons meeting the criteria in the definition in Section 18.08.370, shall be limited as follows:

Those attending shall be limited to members of the wine trade, persons who have pre-established business or personal relationships with the winery or its owners, or members of a particular group for which the activity is being conducted on a pre-arranged basis;

The activity shall be limited to the education and development of the persons or groups listed above; and,

Shall not include cultural or social events unrelated to such education and development.

- (1) Small private promotional events (including luncheons and dinners)

Frequency:	3 per week
Number of Persons:	25 maximum
Time of Day:	10 a.m. to 3 p.m., 6:30 p.m. to 11 p.m. (weekdays) 10 a.m. to 2 p.m., 4:30 p.m. to 11 p.m. (weekends)

- (2) Large marketing events (including luncheons and dinners)
Frequency: 4 per year
Number of Persons: 100 maximum
Time of Day: 10 a.m. to 3 p.m., 6:30 p.m. to 11 p.m. (weekdays)
10 a.m. to 2 p.m., 4:30 p.m. to 11 p.m. (weekends)
- (3) Wine Auction Event (including related events such as barrel tasting, luncheons or dinners)
Frequency: 1 per year
Number of Persons: 250 maximum
Time of Day: 10 a.m. to 3 p.m., or 6:30 p.m. to 11 p.m. (weekday)
10 a.m. to 2 p.m., or 4:30 p.m. to 11 p.m. (weekend)

Marketing activities shall occur within the historic house or in the outdoor courtyard area between the historic house and fermentation barns. Music (live or recorded) shall be limited to the hours between 10 a.m. and 9 p.m. Sunday through Thursday, and between the hours of 10 a.m. and 11 p.m. on Friday and Saturday. Amplified music shall be kept at an acceptable level (55 dBA) as measured from the nearest off-site residence.

8. Except as permitted by the approved Marketing Plan or by County Ordinance, no outside social activities, including picnicking, outside dining, outside wine tasting, live music, outdoor festivals, or other activity of a similar nature shall occur.
9. No winery facilities, nor portions thereof, shall be rented, leased or used by entities other than the on-site winery itself, except as may be specifically authorized pursuant to the Temporary Events Ordinance (Section 5.36.010 of the Napa County Code).
10. All existing structures that are eligible for listing on the National Register of Historic Places shall be preserved and maintained in their current location.
11. The mechanical room being proposed at the location of the existing dilapidated second dwelling unit shall be relocated so to be no closer than 210 feet from the State Highway 29 right-of-way.
12. Restoration of the blue-line stream located in the northeast portion of the property shall be completed in conformance with Mitigation Measure #10 in the signed Project Revision Statement prior to issuance of building permits for Phase II construction or by the year 2005, whichever occurs first.
13. Prior to installation of any winery identification or directional signage, plans shall be submitted to the Planning Department for administrative review and approval.

Conditions of Approval

Nickel & Nickel Winery (98400-UP/98403-VAR)

Page 4

14. Prior to issuance of any building permit for construction of the winery, a final landscape and parking plan shall be submitted to the Conservation, Development and Planning Department for review and approval. The plan shall indicate the names and locations of all plant materials to be planted along with the method of maintenance, and identify on-site vehicle and truck circulation, specifically including: the location of all employee and visitor parking spaces, the location of all truck loading zone areas, and traffic control signage (if any). Landscaping shall be completed prior to final occupancy, and shall be permanently maintained in accordance with the approved landscaping plan.
15. No new residential structure shall be constructed on the subject property.
16. If for some reason the existing historic structures are not utilized under this use permit, the variance shall be null and void.
17. All applicable building codes, zoning standards, and requirements of various County departments and other local, state and federal agencies that are not in conflict with these conditions shall be fully complied with. Said requirements shall include, without limitation, those requirements contained in the following documents:
 - (a) Napa County Building Department comments dated March 8, 1999.
 - (b) Napa County Department of Environmental Management comments dated March 18, 1999.
 - (c) Napa County Fire Department comments dated March 30, 1999.
 - (d) Napa County Public Works Department comments dated March 16, 1999.
18. All staff costs associated with monitoring compliance with these conditions and project revisions shall be borne by the applicant and/or property owner, other than those costs related to investigation of complaints of non-compliance which are determined to be unfounded. Costs shall be as established by Resolution #95-77 or as such Resolution may be amended from time to time.

PROJECT REVISION STATEMENT
NICKEL & NICKEL WINERY
(Use Permit #98400-UP/ Variance #98403-VAR)

August 18, 1999

I hereby revise Nickel & Nickel's above referenced proposal to establish: (1) a new winery of 53,963 square feet with an annual production capacity of 125,000 gallons per year (with up to 12,000 gallons per year produced by one custom production operation involving crushing, fermentation, aging, bottling, storage, tasting and retail sales); (2) retail sales and tours and tastings by prior appointment only during off-peak traffic periods; (3) a marketing plan consisting of three marketing events (25 person maximum per event) per week and 5 large marketing events per year for up to 250 persons per event, all to be held during off-peak traffic periods; and (4) request for a variance to allow establishment of winery-related uses in existing historic structures located within the required 300-foot setback for historic structures and 600-foot road setback and to construct new winery-related structures within the required 300-foot setback for historic structures and 600-foot road setback on a ±30.05 acre parcel located on the east side of State Highway 29 approximately 3/4 of a mile north of Oakville (APN 031-010-003) to include the 18 measures listed below:

Water Quality (Streams – Napa River and Un-Named Tributary)

1. If any excavated materials are still being stockpiled on site during the rainy season (October 15 to April 1) the owner shall cover the stockpiled spoils with tarps and install temporary erosion and sediment control measures around the outer perimeter of the stockpile area. Measures shall consist of standard temporary erosion and sediment control measures as outlined in the Napa County Conservation Regulations.
2. Prior to removal of excavated materials from the subject property, the property owner and/or their agent shall provide evidence to the Planning Department documenting that the site where excavated materials are being moved to has been reviewed and approved by the Department of Public Works.

Air Quality (Dust)

3. Water and/or dust pallatives shall be applied in sufficient quantities to excavated and/or exposed soils during grading and construction operations to limit the amount of dust produced on the site to the minimum possible. In order to conserve water, preference shall be given to the use of non-water pallatives or reclaimed water.

Noise (Construction Noise)

4. Noise producing construction activities shall be limited to weekdays between the hours of 7:00 a.m. and 7:00 p.m.

Project Revision Statement

Nickel & Nickel Winery (98400-UP/98403-VAR)

Page 2

5. All noisy, stationary construction equipment such as air compressors and concrete pumps shall be placed at least 500 feet away from the residential uses located immediately south of the site, or acoustical shielding shall be installed that is sufficient to reduce the exterior noise levels produced.
6. The name and phone number of the person responsible for noise control shall appear on all building plans submitted.

Noise (Operational Noise)

7. Except during a 60-day crush period, no outdoor noise-producing production activities shall take place at the winery between the hours of 10 p.m. and 7 a.m. except at locations where structures or landscaping shield the activities and equipment involved completely from the line-of-sight view from the inhabited portions of the residence located immediately south of the site.
8. Noisy stationary outdoor equipment such as air conditioning units, compressors, and pumps shall be located out of direct line-of-sight from the residence immediately south of the site, or acoustical shielding shall be installed that is sufficient to reduce exterior noise to an acceptable level (60 dBA).
9. Landscaping shall be installed along the southern perimeter of the courtyard area (between the proposed fermentation barn and existing main farm house) to provide acoustical shielding between the courtyard area and existing residence south of the subject site.

Ecosystem (Stream Enhancement)

10. Prior to commencing restoration work on the un-named blue-line tributary stream located in the northeast portion of the subject site, a stream restoration plan shall be submitted to the Planning Department and California Department of Fish & Game for review and approval. The objectives of the restoration plan shall be based on the two primary goals identified in the Biological Assessment prepared by Brady, LSA on March 8, 1999, and shall include all of the specific recommendations (as modified by the California Department of Fish and Game in their letter dated July 27, 1999) contained therein.

Aesthetics (View Degredation)

11. The mature heritage oak trees located between the existing farmstead structures and the State Highway 29 right-of-way shall be preserved and maintained.
12. Fencing shall be installed around each of the existing heritage oak trees for protection during construction activities. The protective fencing shall include as much of the area underneath the tree canopy ("drip-line" area) as possible.

Prior to the commencement of construction and/or renovation activities, the installed protective fencing shall be inspected and approved by the Planning Department.

Aesthetics (Glare and Light)

13. The only outdoor lighting present after dark, except during crush, shall be low-level lighting for safety and security. Shields shall be included on all new lights installed to direct the illumination produced downward and away from the residences located immediately south of the site.

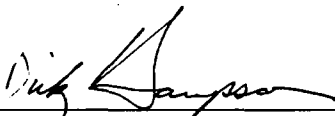
Cultural (Historic Structures)

14. All site work, including rehabilitation, restoration and re-use of the exterior of the historic farmstead structures (excluding the dilapidated second dwelling unit) shall comply with *The Secretary of the Interior's Standards for Treatment of Historic Properties and Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings*.
15. Prior to issuance of any building permit, a letter from an independent historic architect shall be provided to the Planning Department verifying that the proposed improvement is in compliance with *The Secretary of the Interior's Standards for Treatment of Historic Properties and Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings*. Professional services for review of proposed improvement plans shall be contracted by the Napa County Conservation, Development and Planning Department at the permittees expense.

Traffic (Traffic Safety and Congestion Increases)

16. Deliveries and shipments (other than those made by delivery service vehicles already on State Highway 29) shall not be scheduled after 2:00 p.m. during weekdays.
17. Left and right turning lanes shall be provided where the driveway exits onto State Highway 29 for vehicles leaving the property.
18. Easily readable signage indicating that tours and tastings are by appointment only shall be posted at the entrance to the site.

I further commit myself and, by recording this document, all successor's-in-interest to communicate prior to signature of any deeds or contracts the above-specified requirements in writing to any future purchasers or renters of the property or custom producers housed thereat.



Dirk Hampson
Nickel & Nickel Winery

DATE: Aug 13th, 1999



NAPA COUNTY
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CONSERVATION — DEVELOPMENT
AND PLANNING DEPARTMENT

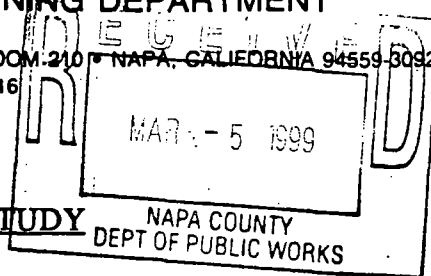
JEFFREY R. REDDING
Director

MAR 16 1999

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

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

PERMIT APPLICATION AND INITIAL STUDY
REQUEST FOR COMMENTS



TO: Public Works

APPLICATION TITLE: NICKEL & NICKEL WINERY FILE #: 98400-UP
98403-VAR

RESPONSE REQUEST DATE: 3.5.99 RESPONSE RETURN DATE: 3.19.99
FINAL REQUEST DATE: _____ FINAL RESPONSE DATE: _____

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

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

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

1. Do you have jurisdiction by law over this project Yes No
If yes, indicate required permits: SEE MEMO DATED 3/16/99

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

3. Do you recommend: Negative Declaration Environmental Impact Report
4. If the project is approved, recommend conditions-of-approval (use additional page if needed): SEE MEMO DATED 3/16/99

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

6. Name of contact person: Russ Bergholz Telephone: 253-4351
Response Prepared by: Russ Bergholz
Title: ASSISTANT ENGINEER
Date: 3-16-99

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MAR 16 1999

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

**PUBLIC WORKS DEPARTMENT
INTER-OFFICE MEMO**



March 16, 1999

TO: Conservation Development and Planning Department

FROM: Russ Bergholz, Assistant Engineer

SUBJECT: Nickel & Nickel Winery, File # 98400-UP, # 98403-VAR
8164 St. Helena Hwy, APN #031-010-003

This use permit modification application will allow the applicant to establish a 53,963 sqft winery with an annual production capacity of 125,000 gallons per year and with 1 custom producer for up to 12,000 gallons of the annual production on a 30.05 acre parcel located within an AP zone. Variance will allow use of existing historic structures within the 600-foot road setback.

EXISTING CONDITIONS:

1. Left-turn lane has been constructed on HWY 29 for Southbound traffic to enter property.
2. Proposed driveway and parking areas are dirt and gravel.
3. The Average Daily Traffic count for State Highway 29 at its junction with Oakville Grade Road is 22,000 and at its junction with Rutherford, Jct. Rte. 128 East is 20,500. (1997 traffic volumes on California state highways)

RECOMMENDED CONDITIONS:

1. Any additional parking proposed by the applicant or required by the Planning Commission as a condition of this use permit must have a minimum structural section of 5 inches of Class II Aggregate Base plus a double chip seal coat or equivalent.
2. Proposed driveway shall be a minimum of 20 feet in width with a 4 foot shoulder. Minimum structural section shall be 5 inches of Class II Aggregate Base plus a double chip seal coat or equivalent.
3. The applicant shall obtain an encroachment permit from Caltrans for any work performed within the State Highway 29 right-of-way. Applicant shall obtain an encroachment from Caltrans for work in the State right-of-way.
4. On site grading shall be accomplished so as to avoid the diversion or concentration of storm water runoff onto adjacent properties.

5. Grading, drainage and parking improvements shall be constructed according to the latest "Napa County Road and Street Standards".
6. Improvements shall be constructed according to plans prepared by a registered civil engineer which will be reviewed and approved by this office. A plan check fee in the amount of 3% of the estimated cost of the proposed construction will be paid to Napa County Public Works prior to approval of these plans.
7. The traffic impact report submitted by the Crane Transportation Group represents standard engineering methods of analysis. Recommendations stated in the report (page#4) should be included as part of the requirements of this use permit. To ensure minimal traffic impacts and validity of the report, the proposed Nickel & Nickel Winery Operating Characteristics Table (Table #1) should be adhered to by the applicant.

If you have any questions regarding the above items at this time please contact Russ Bergholz or Larry Bogner of this office.

cc: Nickel & Nickel, LLC, PO Box 327, Oakville, CA 94562



INTER-OFFICE MEMO

TO: Jeffery Redding, Director
Conservation – Development and Planning Department

FROM: Barbara Easter, Fire Department

DATE: March 30, 1999

SUBJECT: Nickel & Nickel Winery Use Permit
Apn: 031-010-003 98400-UP 98403-VAR

7660 Recommended Fire Safety Standards
9200 Fire Protection Engineer
8164 St. Helena Hwy

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APR 9 - 1999
NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

The Fire Department (NCFD) has reviewed the Nickel & Nickel Winery use permit/variance to establish a 53,963 square foot winery with an annual production capacity of 125,000 gallons per year. The following items to be incorporated as project conditions or mitigation measures if the commission approves the project.

1. All construction and use of the facility shall comply with applicable standards, regulations, and codes in effect at the time of building permit issuance including (as a minimum): Napa County Fire Protection Standards (County FPS); Napa County Road and Street Standards (R&SS); California Fire Code (CFC with State amendments); and appropriate fire protection system standards (e.g. NFPA 13, 20, 24, 72, etc.).
2. All buildings undergoing construction, alteration or demolition shall be in accordance with California Fire Code article 87 and specifically:
 - a. Fire department access roads shall be established and maintained in accordance with CFC section 902.
 - b. Water mains and hydrants shall be installed and operational in accordance with CFC section 903
 - c. Combustible debris shall not be accumulated within buildings. Combustible debris, rubbish and waste material shall be removed from buildings as often as practical.

- d. Access to the building for the purpose of firefighting shall be provided. Construction material shall not block access to buildings, hydrants or fire appliances.
3. Fire department access shall be provide by compliance with County FPS section IV.9, State FSR Article 2, California Fire Code section 902 and specifically:
 - a. Installation of fire department/sheriff office "Rapid Entry System" key switches or padlocks for access through locked gates.
 - b. Fire apparatus access roads shall be provided in accordance with section 901 and 902.2 for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction when any portion of the facility or any portion of an exterior wall of the first story of the building is located more than 150 feet form fire apparatus access as measured by an approved route around the exterior of the building or facility.
 - c. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet.
 4. Water supplies and hydrants for fire protection shall be in accordance with County FPS section IV and the California Fire Code section 903 and specifically:
 - a. Required fire flow in accordance with County FPS section IV .3-6 is estimated at 4725 to 2155 gallons per minute.
 - b. number and spacing of fire hydrants in accordance with CFC appendix III-B (County FPS section IV.5)
 - c. Water storage capacity for fire protection in accordance with County FPS section IV .3-6 is estimated at 283,500 to 129,240 gallons in addition to other needs.
 5. Built-in fire protection shall consist of that required by applicable codes and the following:
 - a. An automatic sprinkler system with alarm supervision by an approved central, or remote station installed and maintained to appropriate NFPA standards;
 - b. An automatic fire alarm system with alarm supervision by an approved central or remote station installed an maintained to appropriate NFPA standards.
 - c. If a fire pump is required to pressurize the fire protection system it shall be installed a maintained to appropriate NFPA standards.
 6. Fire fighter safety and operations measures shall be provided by the following:
 - a. A "Knox" data storage cabinet (model series #1220 or 1300) in accordance with NCFD specifications for on-site storage of building access keys, and hazardous contents information.

7. Plans detailing compliance with the fire and life safety conditions-of-approval shall be submitted to the Fire Department and appropriate authorities having jurisdiction (e.g. State Fire Marshal) for review and approval prior to building permit issuance and /or as described above.
8. "Fire Plan Review and Inspection" fees shall be paid to the Fire Department for all applicable plan review and inspection work at the established deposit basis plus project consultation time at the hourly rate of \$59 per hour (Napa County Resolution 92-65).

Discussion

Large facilities such as proposed in this project can have emergency incidents which would significantly impact fire fighter safety and the ability of the Fire Department to provide emergency services. Incorporation of the above condition of approval in the use permit will reduce the maximum extent reasonable labor, time and resources required for the Fire Department to manage emergency incidents at the facility. A building expansion is an appropriate time to ensure that fire and life safety requirements are clear and implemented.

If there are any question please do not hesitate to contact Barbara Easter at Napa County Fire Department Headquarters (707) 963-3601 ext. 129.

Byron J. Carniglia
Fire Chief



By: Barbara Easter
County Fire Inspector

CC: Applicant, Loveless, B1414,
NCFD/CFM File, Chron



NAPA COUNTY

CONSERVATION — DEVELOPMENT AND PLANNING DEPARTMENT

JEFFREY R. REDDING
Director

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

KIM

PERMIT APPLICATION AND INITIAL STUDY REQUEST FOR COMMENTS

TO: Building Inspection Division

APPLICATION TITLE: NICKEL & NICKEL WINERY FILE #: 98400-UP
98403-VAR

RESPONSE REQUEST DATE: 3.5.99 RESPONSE RETURN DATE: 3.19.99
FINAL REQUEST DATE: _____ FINAL RESPONSE DATE: _____

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

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

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

1. Do you have jurisdiction by law over this project Yes No
If yes, indicate required permits: GRADING; BUILDING; PLUMBING; MECHANICAL
ELECTRICAL

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

3. Do you recommend: Negative Declaration Environmental Impact Report

4. If the project is approved, recommend conditions-of-approval (use additional page if needed):
1. SECURE PERMITS AS NOTED IN ITEM No. 1
2. CLEARANCE FROM DRY AREA AIR QUALITY MANAGEMENT DISTRICT
REQUIRED PRIOR TO PERMIT ISSUANCE

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

6. Name of contact person: [Signature] Telephone: 253-4416
Response Prepared by: CHRIS W. BRENNEN
Title: BUILDING CODES ADMIN.
Date: 3-8-99



MEMORANDUM

March 18, 1999

TO: Napa County Planning Department, Jeff Redding, Director

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

SUBJECT: Use Permit Application for Nickel and Nickel Winery
Located at 8164 St. Helena Hwy.
Assessor Parcel #31-010-03
File # 98400-UP, 98403-VAR

RECEIVED
MAR 19 1999
NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

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

1. If the well located east of the proposed process waste water ponds is less than 100 feet to the interior berm (water surface), said well must be destroyed under permit with this department.
2. That the water supply system comply with the California Safe Drinking Water Act and Related Laws. This will require a plan review and an annual operating permit from the Department of Environmental Management.
3. That prior to issuance of any building permits, complete plans containing equipment layout, finish schedule and plumbing plans for the food and beverage facilities and employee restrooms, be submitted for review and approval by the County Department of Environmental Management. An annual food permit will also be required
4. A Hazardous Materials Business Plan or Negative Declaration Response Form must be submitted and approved by the Hazardous Materials Section of the Napa County Department of Environmental Management. This must be submitted within 60 days of receiving the use permit unless the applicant submits a letter stating the hazardous materials will not be brought on site until a specified future date. In this case, the Business Plan or Negative Declaration must be submitted within 30 days of bringing the Hazardous Materials on site.
5. That if any uncovered outdoor crush or process areas are a part of the project, the applicant must submit a letter from their engineer which addresses proper diversion of storm water and process waste water. If a diversion valve (or equivalent) is needed, a detail on same must be submitted. This letter and detail must be received prior to issuance of sewage permits.
6. That a permit for the installation of the sanitary waste water system and process waste water ponds be secured from the Department of Environmental Management prior to issuance of a building permit.
7. That the use of the drain field area be restricted to activities which will not contribute to compaction of the soil with consequent reduction in soil aeration. This includes equipment storage, traffic, parking, livestock, etc., over the system.

8. Plans for the proposed special designed sewage disposal system and/or private sewage disposal system shall be designed by a licensed Civil Engineer or Registered Environmental Health Specialist and be accompanied by complete design criteria based upon local conditions and shall be subject to approval by the Department of Environmental Management prior to issuance of any permits.
9. The applicant shall maintain regular monitoring of the above ground waste water system as required by the Department of Environmental Management and submit quarterly reports. An annual operating permit is required for the waste water system.
10. That an annual sewage permit be obtained and that the septic system monitoring requirements be fully complied with as required.
11. Prior to issuance of sewage permits, a soils engineer must investigate and certify the compaction of the existing pond. Any necessary repairs must be overseen and certified by a soils engineer.
12. That all solid waste be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.
13. During the construction/demolition/renovation period of the project the applicant must use the franchised garbage hauler for the service area in which they are located for all wastes generated during project development; unless applicant transports their own waste. If the applicant transports their own waste, they must use the appropriate landfill or solid waste transfer station for the service area in which the project is located.
14. Adequate area must be provided for collection of recyclables. The applicant must contact the franchised garbage hauler for the service area in which they are located, in order to determine the area and the access needed for the collection site
15. All diatomaceous earth/bentonite must be disposed of in an approved manner.

cc: Nickel & Nickel, LLC, P O Box 327, Oakville, CA 94562



NAPA COUNTY

CONSERVATION, DEVELOPMENT and PLANNING DEPARTMENT

Jeffrey Redding
Director

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

December 29, 2000

NICKEL & NICKEL LLC
C/O DONNA OLDFORD
2620 PINOT WAY
ST. HELENA, CA 94574

RE: Request for Minor Use Permit Modification #00195-MOD
Revised Site Layout and Construction at Nickel & Nickel Winery
APN 031-010-003

Dear Ms. Oldford:

The above request came before the Zoning Administrator for action on December 29, 2000. The modification would alter the winery project approved by File#98400-UP, which allowed construction of a 53,936 sq.ft. winery complex with a permitted annual level of wine production of 125,000 gallons.

The request for permit modification contains five separate items as follows:

- (a) Increase the area of the new fermentation and barrel storage buildings, and alter the elevation of the new fermentation building.
- (b) Relocate and increase the size of the mechanical building
- (c) Relocate and increase the size of the breezeway between new and future fermentation buildings.
- (d) Add a mechanical enclosure and underground water tanks.
- (e) Reduce the size of the crush area cover.

The Zoning Administrator **APPROVED** the requested modification with the attached conditions. The conditions may be appealed to the Board of Supervisors by 5 PM on January 16, 2001 in accordance with the procedures in Chapter 2.88 of the Napa County Code. The appeal fee in this matter is \$125.00.

The use permit being modified (#98400-UP) has already been "used," but has not been approved for final occupancy. I am consequently deeming this modification to be a separate use permit that must be "used" within one year of approval.
The expiration date is **January 8, 2002**.

Please contact Robert Tiernan, Project Planner, if you have any further questions.



Michael Miller
Zoning Administrator

attachments

cc. John Tuteur, Assessor
Gary Brewen, Building Codes Administrator
Larry Bogner
Christine Secheli
Barbara Easter

**CONDITIONS OF APPROVAL
USE PERMIT MODIFICATION #00195-MOD
NICKEL & NICKEL WINERY**

1. This Use Permit shall be limited to approval of the following:
 - a) Mechanical Building – relocated to the northeast corner of the Fermentation Building parking area and expanded 177 square feet on the first level and a new basement level with 1,017 square feet for a net total increase of 1,194 square feet;
 - b) Mechanical Equipment/Transformer Yard and Water Tanks – a new uncovered, enclosure totaling 1,625 square feet and two new underground water storage tanks (located adjacent to the Mechanical Building on the north side);
 - c) Fermentation Building Ground Level Expansions – Phase 1 building an additional 11 square feet, Phase 2 building an additional 401 square feet for a net total increase of 413 square feet;
 - d) Fermentation Building Basement – expanded by 680 square feet on the main level, 46 square feet at the barrel entry/storage area at the south end, 342 square feet the southwest corner storage area, the addition of a new 768 square foot Storage Area #4 adjacent to the Mechanical Room on the west side for a net total increase of 1,836 square feet;
 - e) Fermentation Building Dimension Reconfigurations – the distance and offset between the Phase 1 and 2 buildings (breezeway area) are modified from 26 feet to 23.5 feet and from 8 feet to 12 feet, respectively; the crush area covering from 2,650 square feet to 1,836 square feet; and the breezeway covering has been eliminated;
 - f) Two new dormer windows (one per east and west elevations) and two roof ventilators added to the fermentation building.

The location and use of the facilities shall conform to the site plans and application materials approved by the Napa County Building Division on August 10, 2000. Any expansion of or changes to the uses described above shall be made by separate use permit submitted for Commission or Zoning Administrator consideration.

2. The applicant shall comply with all applicable conditions of Use Permit #98403-UP and the 18 Mitigation Measures contained in the signed Project Revision Statement, except as modified herein.

3. All applicable building codes, zoning standards, and requirements of various County departments and other local, state and federal agencies that are not in conflict with these conditions shall be fully complied with. Said requirements shall include, without limitation, those requirements contained in the following documents:
 - a) Napa County Public Works comments dated November 1, 2000, items 1 and 4.
 - b) Napa County Department of Environmental Management comments dated November 17, 2000, items 1 through 3.
 - c) Napa County Fire Department comments dated November 30, 2000, items 1 through 21.
 - d) Napa County Building Division comments dated October 31, 2000, items 1 and 4.

4. All staff costs associated with monitoring compliance with these conditions and project revisions shall be borne by the applicant and/or property owner, other than those costs related to investigation of complaints of non-compliance which are determined to be unfounded. Costs shall be as established by Resolution #95-77 or as such Resolution may be amended from time to time.



NAPA COUNTY

P-MOD-APVL
02126
031-010-003
CONSERVATION, DEVELOPMENT and
PLANNING DEPARTMENT

Charles Wilson
Director

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

July 5, 2002

Nickel & Nickel Winery
P.O. Box 327
Oakville, Ca 94562

Re: APN # 031-010-003,
Use Permit Modification # 02126-MOD

Please be advised that the **Use Permit Application #02126-MOD** has been approved by the Napa County Conservation, Development and Planning Commission based upon the following conditions. (SEE ATTACHED LIST OF CONDITIONS OF APPROVAL)

APPROVAL DATE: July 3, 2002

EXPIRATION DATE: July 13, 2003

The use permit becomes effective ten (10) working days from the approval date unless an appeal is filed with the Napa County Board of Supervisors pursuant to Chapter 2.88 of the Napa County Code. You may appeal the conditions of approval. In the event an appeal is made to the Board by another, you will be noticed.

Pursuant to Section 18.124.080 of the Napa County Code, the use permit must be activated within one (1) year and ten (10) calendar days from the approval date or the use permit shall automatically expire and become void. A one year extension of time in which to activate the use permit may be granted by the county provided that such extension request is made thirty (30) days prior to the expiration date and provided that any modification of the permit has become final. A request for an extension of time is subject to payment of the required filing fee in effect at the time the request for extension is made.

This letter serves as the only notice you will receive regarding the expiration date of your permit or procedures for extensions. Please note that additional fees will be assessed if a landscape plan or erosion control plan is required by this approval.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles Wilson".

Charles Wilson
Director

Napa County Conservation, Development and Planning Department

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

NAPA COUNTY
CONSERVATION, DEVELOPMENT & PLANNING DEPARTMENT

CONDITIONS OF APPROVAL

CDPC Meeting Date July 3, 2002

#02126-MOD (Nickel & Nickel LLC.)

1. SCOPE: The permit shall be limited to:

- "Sullenger" House: (1) Addition of a $\pm 2,663$ sq.ft. basement to be used for marketing and hospitality purposes. (2) Construction of a rear porch, expansion of the front porch, and installation of an ADA-access ramp.
- Administration building: Addition of a ± 898 sq.ft. second floor and 475 sq.ft. mezzanine to be used as office and storage space. No change in the building footprint is included in this approval.
- Site Plan: Changes in the locations of the access drive and parking spaces consistent with the site plan prepared by Carlile and Macy, dated March 28, 2002.
- Sullenger Shed: Relocation approximately 15 ft to the east, as shown in the site plan prepared by Carlile and Macy, dated March 28, 2002.
- Irrigation Pond: Installation of an irrigation pond with a surface area of approximately $\pm 42,000$ sq.ft. to be used solely for vineyard irrigation and frost protection. Winery use of the pond is not included in this approval. The low point of the berm must meet the required 20 ft. side yard setback.
- Water Tanks: The addition of two 10,500 gallon water tanks and a 20' x 20' concrete pad to be located above grade, adjacent to the processed wastewater pond. The tanks are to be used for the storage of the domestic water supply to be used by the winery.
- Equipment Shed: Construction of a 96 sq.ft. equipment shed to be located adjacent to the north face of the Administration Building.

The winery shall be designed in substantial conformance with the submitted site plan, elevation drawings, and other submittal materials. Any expansion or changes in use shall be by the approved Use Permit modification process.

3. MITIGATION MEASURES: The permittee shall comply with the two (2) mitigation measures described in the signed Project Revision Statement and below:

4. COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES: The permittee shall comply with all applicable building codes, zoning standards, and requirements of County Departments and Agencies, including but not limited to:

- Department of Environmental Management as stated in their letter of April 26, 2002
- County Fire Department as stated in their letter of April 18, 2002
- Building Division as stated in their letter of April 8, 2002

5. PREVIOUS CONDITIONS: The permittee shall comply with all applicable conditions which were included in previously approved permits #98400-UP, #98403-VAR, and #00195-MOD and the mitigation measures described in the project revision statement signed by Dirk Hampson, dated August 13th 1999. Any conditions that are in conflict with the requirements of this permit shall be null and void.
6. PRODUCTION INCREASES: Any increase in production in the future shall be subject to the requirement that 75% of the grapes shall be grown in Napa County. Any increases in production will require approval through the use permit modification process.
7. MONITORING COSTS: All staff costs associated with monitoring compliance with these conditions, the previous permit conditions and project revisions shall be borne by the permittee and/or property owner, other than those costs related to investigation of complaints of non-compliance which are determined to be unfounded. Costs shall be as established by Resolution #95-77 or as such Resolution may be amended from time to time.

PROJECT REVISION STATEMENT

Nickel & Nickel LLC
02126-MOD

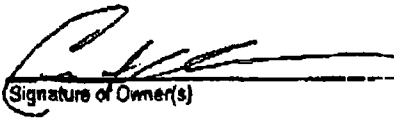
I hereby revise my request to REQUEST TO MODIFY USE PERMIT 98400-UP TO: (1) ADD A 2663 SQ.FT BASEMENT TO THE HISTORIC STRUCTURE TO BE USED AS FOR MARKETING AND HOSPITALITY PURPOSES, (2) ADD A 2,866 SQ.FT. SECOND FLOOR AND MEZZANINE TO THE ADMINISTRATION BUILDING, (3) RECOGNIZE AN IRRIGATION POND WITH A SURFACE AREA OF 42,000 SQ.FT. FOR IRRIGATION AND FROST PROTECTION, (4) ALLOW FOR MISCELLANEOUS CHANGES IN PARKING AND DRIVEWAY LOCATIONS, (5) ALLOW FOR ADDITIONS OF DECK AND ADA-ASSOCIATED IMPROVEMENTS TO THE HISTORIC STRUCTURE, AND (6) ADD TWO 10,500 GALLON WATER TANKS AND A 20' X 20' CONCRETE PAD. to include the measures specified below:


- 1. The landscaping plan approved as part of Use Permit #98400-UP will be amended to include screening of the two water tanks that are to be placed near the wastewater pond. The landscaping plan shall be submitted to the Napa County Planning Department for review and approval prior to the issuance of building permits. The plan shall indicate the names and locations of all plant materials to be used along with the method of maintenance. Prior to commencing landscaping activities the permittee shall contact the Agricultural Commissioner's Office to ensure all requirements associated with the Glassy Winged Sharpshooter are met. Landscaping shall be completed prior to occupancy, and shall be permanently maintained in accordance with the landscaping plan.

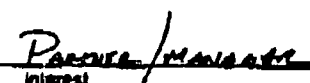
Method of Mitigation Monitoring: Prior to the issuance of building permits, the project planner will review the landscaping plan to ensure adequate visual screening will be achieved. Prior to the granting of occupancy, the project planner will conduct a site visit to verify landscaping has been installed per approved plan.

- 2. All site work, including rehabilitation, restoration, and re-use of the exterior of the historic farmstead structures shall comply with *The Secretary of Interiors Standards for the Treatment of Historic Properties and Guidelines for Preserving, Restoring, and Reconstructing Historic Buildings.*
Method of Mitigation Monitoring: The project planner shall review the building and improvement plans to ensure they are consistent with those plans reviewed and recommended for approval by Napa County Landmarks. In the event that the plans are not consistent with Napa County Landmarks recommendation for approval the project will be referred back to Napa County Landmarks or another independent historic architect, at the project sponsors expense, to review for compliance with *The Secretary of Interiors Standards for the Treatment of Historic Properties and Guidelines for Preserving, Restoring, and Reconstructing Historic Buildings.*

I understand and explicitly agree that with regards to all California Environmental Quality Act, Permit Streamlining Act, and Subdivision Map Act processing deadlines, this revised application will be treated as a new project filed on the date this project revision statement is received by the Napa County Conservation, Development, and Planning Department. For purposes of Section 86474.2 of the Subdivision Map Act, the date of application completeness shall remain the date this project was originally found complete.


 (Signature of Owner(s))


 First Name


 Interest

Project Name: Nickel and Nickel LLC Use Permit Modification #02126-MOD July 3, 2007 APN 031-010-003



NAPA COUNTY

CONSERVATION — DEVELOPMENT
AND PLANNING DEPARTMENT

Charles Wilson
Director

1195 THIRD STREET, ROOM 210 • NAPA, CALIFORNIA 9455
AREA CODE 707/253-4416

RECEIVED

PERMIT APPLICATION AND INITIAL STUDY
REQUEST FOR COMMENTS

APR 10 2002

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

TO: Building Inspection Division
APPLICATION TITLE: NICKEL & NICKEL WINERY FILE #: 02126-MOD
RESPONSE REQUEST DATE: 4/8/02 RESPONSE RETURN DATE: 4/23/02
FINAL REQUEST DATE: _____ FINAL RESPONSE DATE: _____

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

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

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

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

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

3. Do you recommend: Negative Declaration Environmental Impact Report

4. If the project is approved, recommend conditions-of-approval (use additional page if needed): _____

1. Apply for and secure permits as noted in Item No. 1 above

5. Have you previously reviewed an application on any portion of this project?

Yes No

6. Name of contact person: [Signature] Telephone: 253-4417
Response Prepared by: Gary W. Brewen
Title: Building Codes Admin.
Date: 4-8-02

INTER-OFFICE MEMO



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

FROM: Barbara Easter, Fire Department

DATE: April 18, 2002

SUBJECT: Nickel & Nickel Winery Modification Comments
Apn: 031-010--003 02126-Mod

RECEIVED

APR 19 2002

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

Site Address: 8164 St. Helena Hwy, Oakville

The Napa County Fire Marshal staff has reviewed the Nickel & Nickel major modification application to use permit 98400. The modification is requesting to add a basement to the historic house, add irrigation pond, add water tanks, and modify the admin. Building. We recommend that the following items shall be incorporated as project conditions or mitigation measures if the commission approves the project.

1. This modification shall comply with the fire department written comments dated March 30, 1999 that were address an approved on August 18, 1999 for use permit 98400-UP.
2. In addition this application shall comply with the letter date March 23, 2000 from Hughes Associates, Inc. regarding site access and fire protection water supply.

If there are any questions please feel free to contact Barbara Easter at (707) 963-3601 ext. 129 (Monday thru Thursday).

BYRON J. CARNIGLIA
Fire Chief

By: *Barbara Easter*

Barbara Easter
County Fire Inspector

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



MEMORANDUM

April 26, 2002

TO: Napa County Planning Department, Charley Wilson, Director

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

SUBJECT: Use Permit Application for Nickel and Nickel Winery
Located at 8164 St. Helena Hwy.
Assessor Parcel # 31-010-03
File # 02126-MOD

APR 29 2002

We have reviewed the revised proposal and recommend approval of the application

1. If the well located east of the proposed wastewater pond is less than 100 feet to the interior berm (water surface) said well must be destroyed under permit with this department.
2. The water supply system must comply with the California Safe Drinking Water Act and Related Laws. This will require plan review and approval prior to issuance of building permits. Prior to occupancy, the owner must apply for and obtain an annual operating permit for the water system from the Department of Environmental Management. All required monitoring and reporting must be complied with.
3. Complete plans and specifications containing equipment layout, finish schedule and plumbing plans for the food and/or beverage facilities and employee restrooms, must be submitted for review and approval by the County Department of Environmental Management prior to issuance of any building permits for said areas. An annual food permit will also be required.
4. Any hazardous waste produced on the site must be stored and disposed of in a manner consistent with Division 20, Chapter 6.5 of the California Health and Safety Code and with Title 22, Division 4, Chapter 30 of the California Code of Regulations.
5. Pursuant to Chapter 6.95 of the California Health and Safety Code, businesses that generate hazardous waste and/or store hazardous materials above threshold amounts shall obtain a permit and file an approved plan with the Department of Environmental Management within 30 days of said activities. If your business does not generate hazardous waste and/or store hazardous materials above threshold quantities, a Hazardous Materials Negative Declaration shall be filed.
6. The applicant must submit a letter from their engineer which addresses proper diversion of storm water and process waste water from any uncovered outdoor crush or processing area that is a part of the project. This letter and a detail on the diversion valve (or equivalent) must be provided prior to this department prior to issuance of sewage permits.

7. A permit for the installation of the sanitary wastewater system and process wastewater ponds must be secured from the Department of Environmental Management prior to issuance of a building permit.
8. The use of the drain field area shall be restricted to activities which will not contribute to compaction of the soil with consequent reduction in soil aeration. Activities which must be avoided in the area of the septic system include equipment storage, traffic, parking, pavement, livestock, etc., over the system.
9. The applicant shall maintain regular monitoring of the above ground waste water system as required by the Department of Environmental Management and submit quarterly reports. An annual operating permit is required for the waste water system.
10. An annual sewage permit must be obtained for the engineered subsurface sewage disposal system prior to issuance of a final on the project. The septic system monitoring, as required by this permit must be fully complied with.
11. Plans for the proposed special designed sewage disposal system and or private sewage disposal system shall be designed by a licensed Civil Engineer or Registered Environmental Health Specialist and be accompanied by complete design criteria based upon local conditions. These plans are subject to approval by the Department of Environmental Management prior to issuance of any permits.
12. A soils engineer must investigate and certify that the compaction of the existing pond meets the current permeability requirement for wastewater ponds. This information must be included with the design submittal for the private sewage disposal system and must be approved prior to issuance of sewage permits. Any necessary repairs to the pond must be addressed in the design submittal and be overseen and certified by a soils engineer.
13. All solid waste shall be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.
14. During the construction, demolition, or renovation period of the project the applicant must use the franchised garbage hauler for the service area in which they are located for all wastes generated during project development, unless applicant transports their own waste. If the applicant transports their own waste, they must use the appropriate landfill or solid waste transfer station for the service area in which the project is located.
15. Adequate area must be provided for collection of recyclables. The applicant must contact the franchised garbage hauler for the service area in which they are located, in order to determine the area and the access needed for the collection site.
16. All diatomaceous earth/bentonite must be disposed of in an approved manner.

cc: Nickel & Nickel LLC, P.O. Box 327, Oakville, CA 94562

BH

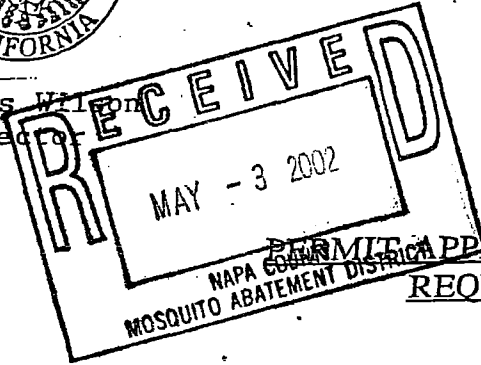


NAPA COUNTY

CONSERVATION — DEVELOPMENT AND PLANNING DEPARTMENT

Charles Wilson
Director

1195 THIRD STREET, ROOM 210 • NAPA, CALIFORNIA 94559-4
AREA CODE 707/253-4416



RECEIVED

MAY 6 2002

PERMITS APPLICATION AND INITIAL STUDY REQUEST FOR COMMENTS

THE OFFICE OF CONSERVATION
DEVELOPMENT & PLANNING DEPT

TO: Mosquito Abatement District

APPLICATION TITLE: NICKEL & NICKEL WINERY FILE #: 02126-MOD

RESPONSE REQUEST DATE: 4/8/02 RESPONSE RETURN DATE: 4/23/02
FINAL REQUEST DATE: _____ FINAL RESPONSE DATE: _____

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

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

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

1. Do you have jurisdiction by law over this project Yes No
If yes, indicate required permits: _____

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

3. Do you recommend: Negative Declaration Environmental Impact Report

4. If the project is approved, recommend conditions-of-approval (use additional page if needed):
- Adequate Access to Irrigation pond, All weather roads around ponds that are 12 feet wide.
- Adequate vegetation management, water management to minimize mosquito breeding in ponds

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

6. Name of contact person: Wesley A. Maffei Telephone: (707) 553-9610
Response Prepared by: Wesley A. Maffei

Title: Manager
Date: 6 May 02

jcmas2/comments2

**PUBLIC WORKS DEPARTMENT
INTER-OFFICE MEMO**



DATE: April 10, 2002
TO: Conservation, Development and Planning Department
FROM: Annamaria Martinez, Assistant Engineer *AM*
SUBJECT: Nickel & Nickel Winery, File # 02126-MOD
St. Helena Highway, APN 031-010-003

RECEIVED

APR 15 2002

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

The applicant proposes a major modification to an existing use permit. The modification involves the addition of a basement to an historic house, the addition of an irrigation pond, the addition of water tanks and modifications to the administration office and parking configuration.

The previous conditions of approval for the project, dated March 16, 1999, are still valid and applicable for this modification. No further conditions will be added at this time.

Should you have any questions, please call me at 259-8378.

PREVIOUSLY APPROVED CONDITIONS

CONDITIONS OF APPROVAL
Nickel & Nickel Winery

Variance Request #98403-VAR
Use Permit #98400-UP

Meeting Date: August 18, 1999

1. This Use Permit shall be limited to the following:
 - A. A $\pm 53,936$ square foot winery, as indicated in B & C below, with a maximum production capacity of 125,000 gallons per year; private tours, tastings and retail sales by prior appointment only; and marketing activities.
 - B. Conversion of the following existing historic farmstead structures for winery-related use:
 - (a) the $\pm 2,356$ square foot main residence for tasting, marketing and 981 square feet of office space;
 - (b) the $\pm 1,806$ square foot shed for winery-related storage; and
 - (c) the $\pm 1,846$ square foot barn into office and sales space.
 - C. Construction of a new 47,928 square foot wine production facility containing:
 - (a) $\pm 17,517$ square feet of production area;
 - (b) $\pm 27,976$ square feet of barrel storage area; and
 - (c) $\pm 2,435$ square feet of storage space.
 - D. Permission for one (1) custom production client for up to 12,000 gallons of the annual winery production, including crushing, fermentation, aging, bottling, storage, retail sales and tastings.
 - E. Installation of one entry structure consisting of two ± 5 -foot high "split-rail" gates (each with an 8-foot high support post and crossbeam) attached to ± 6 -foot high columns. A sign shall be installed on or near the entry structure that indicates tours and tastings are by appointment only. Detailed plans and elevations for the entry structure and any sign(s), including materials, colors and lighting, shall be submitted for review and approval by the Conservation, Development and Planning Department prior to construction.

The location and use of existing and proposed structures and facilities shall substantially conform to the site plans, elevations, floor plans and application materials received by Napa County on February 24, 1999. Any expansion of or changes to the uses described above shall be made by separate use permit submitted for further approval by the County.

- (2) Large marketing events (including luncheons and dinners)
Frequency: 4 per year
Number of Persons: 100 maximum
Time of Day: 10 a.m. to 3 p.m., 6:30 p.m. to 11 p.m. (weekdays)
10 a.m. to 2 p.m., 4:30 p.m. to 11 p.m. (weekends)
- (3) Wine Auction Event (including related events such as barrel tasting, luncheons or dinners)
Frequency: 1 per year
Number of Persons: 250 maximum
Time of Day: 10 a.m. to 3 p.m., or 6:30 p.m. to 11 p.m. (weekday)
10 a.m. to 2 p.m., or 4:30 p.m. to 11 p.m. (weekend)

Marketing activities shall occur within the historic house or in the outdoor courtyard area between the historic house and fermentation barns. Music (live or recorded) shall be limited to the hours between 10 a.m. and 9 p.m. Sunday through Thursday, and between the hours of 10 a.m. and 11 p.m. on Friday and Saturday. Amplified music shall be kept at an acceptable level (55 dBA) as measured from the nearest off-site residence.

8. Except as permitted by the approved Marketing Plan or by County Ordinance, no outside social activities, including picnicking, outside dining, outside wine tasting, live music, outdoor festivals, or other activity of a similar nature shall occur.
9. No winery facilities, nor portions thereof, shall be rented, leased or used by entities other than the on-site winery itself, except as may be specifically authorized pursuant to the Temporary Events Ordinance (Section 5.36.010 of the Napa County Code).
10. All existing structures that are eligible for listing on the National Register of Historic Places shall be preserved and maintained in their current location.
11. The mechanical room being proposed at the location of the existing dilapidated second dwelling unit shall be relocated so to be no closer than 210 feet from the State Highway 29 right-of-way.
12. Restoration of the blue-line stream located in the northeast portion of the property shall be completed in conformance with Mitigation Measure #10 in the signed Project Revision Statement prior to issuance of building permits for Phase II construction or by the year 2005, whichever occurs first.
13. Prior to installation of any winery identification or directional signage, plans shall be submitted to the Planning Department for administrative review and approval.

Conditions of Approval
Nickel & Nickel Winery (98400-UP/98403-VAR)
Page 2

2. The applicant shall comply with the 18 Mitigation Measures contained in the signed Project Revision Statement.
3. Wine production shall average no more than 125,000 gallons per year over any consecutive three (3) year period and shall not exceed 150,000 gallons in any given year. The winery owner shall report to the Planning Department by December 31st of each year the number of gallons of wine produced at the winery during the preceding year.
4. Seventy-five percent (75%) of the wine produced at the winery, including wine produced by any custom producers operating at the site, shall be made from Napa County grapes. The winery owner shall report to the Planning Department by December 31st of each year the source of grapes for the previous calendar year. Said report shall list the tons of grapes obtained from each Assessor's Parcel within the County, along with the total tons of grapes utilized. This report is proprietary and shall not be made available to the public. A separate statement for the public record indicating the overall percentage of Napa County grapes utilized shall be provided with the report.
5. Private tours and tastings for members of the wine trade and/or consumers shall be by prior appointment only. Tours and tastings shall be conducted between the hours of 10 a.m. and 3 p.m. on weekdays, and 10 a.m. and 2 p.m. on weekends. Tasting of wines shall be limited to only those produced by the winery operator.
6. Retail sale of wines shall be conducted by prior appointment only and shall be limited to wines fermented and bottled on-site by the winery operator. Retail sales shall be conducted between the hours of 10 a.m. and 3 p.m. on weekdays, 10 a.m. and 2 p.m. on weekends, or during an approved marketing event.
7. Marketing events, with the attending persons meeting the criteria in the definition in Section 18.08.370, shall be limited as follows:

Those attending shall be limited to members of the wine trade, persons who have pre-established business or personal relationships with the winery or its owners, or members of a particular group for which the activity is being conducted on a pre-arranged basis;

The activity shall be limited to the education and development of the persons or groups listed above; and,

Shall not include cultural or social events unrelated to such education and development.

(1) Small private promotional events (including luncheons and dinners)

Frequency: 3 per week

Number of Persons: 25 maximum

Time of Day: 10 a.m. to 3 p.m., 6:30 p.m. to 11 p.m. (weekdays)

10 a.m. to 2 p.m., 4:30 p.m. to 11 p.m. (weekends)

Conditions of Approval

Nickel & Nickel Winery (98400-UP/98403-VAR)

Page 4

14. Prior to issuance of any building permit for construction of the winery, a final landscape and parking plan shall be submitted to the Conservation, Development and Planning Department for review and approval. The plan shall indicate the names and locations of all plant materials to be planted along with the method of maintenance, and identify on-site vehicle and truck circulation, specifically including: the location of all employee and visitor parking spaces, the location of all truck loading zone areas, and traffic control signage (if any). Landscaping shall be completed prior to final occupancy, and shall be permanently maintained in accordance with the approved landscaping plan.
15. No new residential structure shall be constructed on the subject property.
16. If for some reason the existing historic structures are not utilized under this use permit, the variance shall be null and void.
17. All applicable building codes, zoning standards, and requirements of various County departments and other local, state and federal agencies that are not in conflict with these conditions shall be fully complied with. Said requirements shall include, without limitation, those requirements contained in the following documents:
 - (a) Napa County Building Department comments dated March 8, 1999.
 - (b) Napa County Department of Environmental Management comments dated March 18, 1999.
 - (c) Napa County Fire Department comments dated March 30, 1999.
 - (d) Napa County Public Works Department comments dated March 16, 1999.
18. All staff costs associated with monitoring compliance with these conditions and project revisions shall be borne by the applicant and/or property owner, other than those costs related to investigation of complaints of non-compliance which are determined to be unfounded. Costs shall be as established by Resolution #95-77 or as such Resolution may be amended from time to time.

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PROJECT REVISION STATEMENT
NICKEL & NICKEL WINERY
(Use Permit #98400-UP/ Variance #98403-VAR)

August 18, 1999

I hereby revise Nickel & Nickel's above referenced proposal to establish: (1) a new winery of 53,963 square feet with an annual production capacity of 125,000 gallons per year (with up to 12,000 gallons per year produced by one custom production operation involving crushing, fermentation, aging, bottling, storage, tasting and retail sales); (2) retail sales and tours and tastings by prior appointment only during off-peak traffic periods; (3) a marketing plan consisting of three marketing events (25 person maximum per event) per week and 5 large marketing events per year for up to 250 persons per event, all to be held during off-peak traffic periods; and (4) request for a variance to allow establishment of winery-related uses in existing historic structures located within the required 300-foot setback for historic structures and 600-foot road setback and to construct new winery-related structures within the required 300-foot setback for historic structures and 600-foot road setback on a ±30.05 acre parcel located on the east side of State Highway 29 approximately 3/4 of a mile north of Oakville (APN 031-010-003) to include the 18 measures listed below:

Water Quality (Streams – Napa River and Un-Named Tributary)

1. If any excavated materials are still being stockpiled on site during the rainy season (October 15 to April 1) the owner shall cover the stockpiled spoils with tarps and install temporary erosion and sediment control measures around the outer perimeter of the stockpile area. Measures shall consist of standard temporary erosion and sediment control measures as outlined in the Napa County Conservation Regulations.
2. Prior to removal of excavated materials from the subject property, the property owner and/or their agent shall provide evidence to the Planning Department documenting that the site where excavated materials are being moved to has been reviewed and approved by the Department of Public Works.

Air Quality (Dust)

3. Water and/or dust pallatives shall be applied in sufficient quantities to excavated and/or exposed soils during grading and construction operations to limit the amount of dust produced on the site to the minimum possible. In order to conserve water, preference shall be given to the use of non-water pallatives or reclaimed water.

Noise (Construction Noise)

4. Noise producing construction activities shall be limited to weekdays between the hours of 7:00 a.m. and 7:00 p.m.

Prior to the commencement of construction and/or renovation activities, the installed protective fencing shall be inspected and approved by the Planning Department.

Aesthetics (Glare and Light)

13. The only outdoor lighting present after dark, except during crush, shall be low-level lighting for safety and security. Shields shall be included on all new lights installed to direct the illumination produced downward and away from the residences located immediately south of the site.

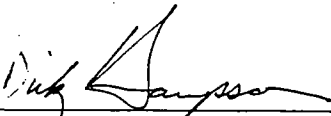
Cultural (Historic Structures)

14. All site work, including rehabilitation, restoration and re-use of the exterior of the historic farmstead structures (excluding the dilapidated second dwelling unit) shall comply with *The Secretary of the Interior's Standards for Treatment of Historic Properties and Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings*.
15. Prior to issuance of any building permit, a letter from an independent historic architect shall be provided to the Planning Department verifying that the proposed improvement is in compliance with *The Secretary of the Interior's Standards for Treatment of Historic Properties and Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings*. Professional services for review of proposed improvement plans shall be contracted by the Napa County Conservation, Development and Planning Department at the permittees expense.

Traffic (Traffic Safety and Congestion Increases)

16. Deliveries and shipments (other than those made by delivery service vehicles already on State Highway 29) shall not be scheduled after 2:00 p.m. during weekdays.
17. Left and right turning lanes shall be provided where the driveway exits onto State Highway 29 for vehicles leaving the property.
18. Easily readable signage indicating that tours and tastings are by appointment only shall be posted at the entrance to the site.

I further commit myself and, by recording this document, all successor's-in-interest to communicate prior to signature of any deeds or contracts the above-specified requirements in writing to any future purchasers or renters of the property or custom producers housed thereat.



Dirk Hampson
Nickel & Nickel Winery

DATE: Aug 13th, 1999

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5. All noisy, stationary construction equipment such as air compressors and concrete pumps shall be placed at least 500 feet away from the residential uses located immediately south of the site, or acoustical shielding shall be installed that is sufficient to reduce the exterior noise levels produced.
6. The name and phone number of the person responsible for noise control shall appear on all building plans submitted.

Noise (Operational Noise)

7. Except during a 60-day crush period, no outdoor noise-producing production activities shall take place at the winery between the hours of 10 p.m. and 7 a.m. except at locations where structures or landscaping shield the activities and equipment involved completely from the line-of-sight view from the inhabited portions of the residence located immediately south of the site.
8. Noisy stationary outdoor equipment such as air conditioning units, compressors, and pumps shall be located out of direct line-of-sight from the residence immediately south of the site, or acoustical shielding shall be installed that is sufficient to reduce exterior noise to an acceptable level (60 dBA).
9. Landscaping shall be installed along the southern perimeter of the courtyard area (between the proposed fermentation barn and existing main farm house) to provide acoustical shielding between the courtyard area and existing residence south of the subject site.

Ecosystem (Stream Enhancement)

10. Prior to commencing restoration work on the un-named blue-line tributary stream located in the northeast portion of the subject site, a stream restoration plan shall be submitted to the Planning Department and California Department of Fish & Game for review and approval. The objectives of the restoration plan shall be based on the two primary goals identified in the Biological Assessment prepared by Brady, LSA on March 8, 1999, and shall include all of the specific recommendations (as modified by the California Department of Fish and Game in their letter dated July 27, 1999) contained therein.

Aesthetics (View Degredation)

11. The mature heritage oak trees located between the existing farmstead structures and the State Highway 29 right-of-way shall be preserved and maintained.
12. Fencing shall be installed around each of the existing heritage oak trees for protection during construction activities. The protective fencing shall include as much of the area underneath the tree canopy ("drip-line" area) as possible.



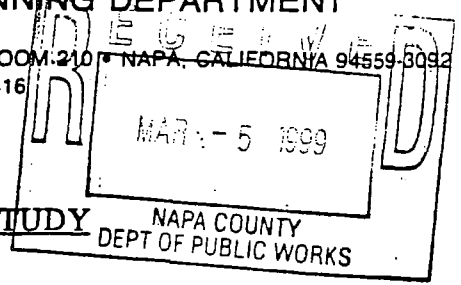
NAPA COUNTY RECEIVED

CONSERVATION — DEVELOPMENT AND PLANNING DEPARTMENT

JEFFREY R. REDDING
Director

MAR 16 1999

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



NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

PERMIT APPLICATION AND INITIAL STUDY REQUEST FOR COMMENTS

TO: Public Works

APPLICATION TITLE: NICKEL & NICKEL WINERY FILE #: 98400-UP
98403-VAR

RESPONSE REQUEST DATE: 3.5.99
FINAL REQUEST DATE: _____

RESPONSE RETURN DATE: 3.19.99
FINAL RESPONSE DATE: _____

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

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

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

1. Do you have jurisdiction by law over this project Yes No
If yes, indicate required permits: SEE MEMO DATED 3/16/99

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

3. Do you recommend: Negative Declaration Environmental Impact Report

4. If the project is approved, recommend conditions-of-approval (use additional page if needed): SEE MEMO DATED 3/16/99

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

6. Name of contact person: Russ Bergholz Telephone: 253-4351
Response Prepared by: Russ Bergholz
Title: ASSISTANT ENGINEER
Date: 3-16-99

:jemas2/comments2

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MAR 16 1999

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

**PUBLIC WORKS DEPARTMENT
INTER-OFFICE MEMO**



March 16, 1999

TO: Conservation Development and Planning Department
FROM: Russ Bergholz, Assistant Engineer
SUBJECT: Nickel & Nickel Winery, File # 98400-UP, # 98403-VAR
8164 St. Helena Hwy, APN #031-010-003

This use permit modification application will allow the applicant to establish a 53,963 sqft winery with an annual production capacity of 125,000 gallons per year and with 1 custom producer for up to 12,000 gallons of the annual production on a 30.05 acre parcel located within an AP zone. Variance will allow use of existing historic structures within the 600-foot road setback.

EXISTING CONDITIONS:

1. Left-turn lane has been constructed on HWY 29 for Southbound traffic to enter property.
2. Proposed driveway and parking areas are dirt and gravel.
3. The Average Daily Traffic count for State Highway 29 at its junction with Oakville Grade Road is 22,000 and at its junction with Rutherford, Jct. Rte. 128 East is 20,500. (1997 traffic volumes on California state highways)

RECOMMENDED CONDITIONS:

1. Any additional parking proposed by the applicant or required by the Planning Commission as a condition of this use permit must have a minimum structural section of 5 inches of Class II Aggregate Base plus a double chip seal coat or equivalent.
2. Proposed driveway shall be a minimum of 20 feet in width with a 4 foot shoulder. Minimum structural section shall be 5 inches of Class II Aggregate Base plus a double chip seal coat or equivalent.
3. The applicant shall obtain an encroachment permit from Caltrans for any work performed within the State Highway 29 right-of-way. Applicant shall obtain an encroachment from Caltrans for work in the State right-of-way.
4. On site grading shall be accomplished so as to avoid the diversion or concentration of storm water runoff onto adjacent properties.

5. Grading, drainage and parking improvements shall be constructed according to the latest "Napa County Road and Street Standards".
6. Improvements shall be constructed according to plans prepared by a registered civil engineer which will be reviewed and approved by this office. A plan check fee in the amount of 3% of the estimated cost of the proposed construction will be paid to Napa County Public Works prior to approval of these plans.
7. The traffic impact report submitted by the Crane Transportation Group represents standard engineering methods of analysis. Recommendations stated in the report (page#4) should be included as part of the requirements of this use permit. To ensure minimal traffic impacts and validity of the report, the proposed Nickel & Nickel Winery Operating Characteristics Table (Table #1) should be adhered to by the applicant.

If you have any questions regarding the above items at this time please contact Russ Bergholz or Larry Bogner of this office.

cc: Nickel & Nickel, LLC, PO Box 327, Oakville, CA 94562



INTER-OFFICE MEMO

TO: Jeffery Redding, Director
Conservation – Development and Planning Department

FROM: Barbara Easter, Fire Department

DATE: March 30, 1999

SUBJECT: Nickel & Nickel Winery Use Permit
Apn: 031-010-003 98400-UP 98403-VAR

7660 Recommended Fire Safety Standards
9200 Fire Protection Engineer
8164 St. Helena Hwy

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APR 9 - 1999

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

The Fire Department (NCFD) has reviewed the Nickel & Nickel Winery use permit/variance to establish a 53,963 square foot winery with an annual production capacity of 125,000 gallons per year. The following items to be incorporated as project conditions or mitigation measures if the commission approves the project.

1. All construction and use of the facility shall comply with applicable standards, regulations, and codes in effect at the time of building permit issuance including (as a minimum): Napa County Fire Protection Standards (County FPS); Napa County Road and Street Standards (R&SS); California Fire Code (CFC with State amendments); and appropriate fire protection system standards (e.g. NFPA 13, 20, 24, 72, etc.).
2. All buildings undergoing construction, alteration or demolition shall be in accordance with California Fire Code article 87 and specifically:
 - a. Fire department access roads shall be established and maintained in accordance with CFC section 902.
 - b. Water mains and hydrants shall be installed and operational in accordance with CFC section 903
 - c. Combustible debris shall not be accumulated within buildings. Combustible debris, rubbish and waste material shall be removed from buildings as often as practical.

- d. Access to the building for the purpose of firefighting shall be provided. Construction material shall not block access to buildings, hydrants or fire appliances.
3. Fire department access shall be provide by compliance with County FPS section IV.9, State FSR Article 2, California Fire Code section 902 and specifically:
 - a. Installation of fire department/sheriff office "Rapid Entry System" key switches or padlocks for access through locked gates.
 - b. Fire apparatus access roads shall be provided in accordance with section 901 and 902.2 for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction when any portion of the facility or any portion of an exterior wall of the first story of the building is located more than 150 feet form fire apparatus access as measured by an approved route around the exterior of the building or facility.
 - c. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet.
 4. Water supplies and hydrants for fire protection shall be in accordance with County FPS section IV and the California Fire Code section 903 and specifically:
 - a. Required fire flow in accordance with County FPS section IV .3-6 is estimated at 4725 to 2155 gallons per minute.
 - b. number and spacing of fire hydrants in accordance with CFC appendix III-B (County FPS section IV.5)
 - c. Water storage capacity for fire protection in accordance with County FPS section IV .3-6 is estimated at 283,500 to 129,240 gallons in addition to other needs.
 5. Built-in fire protection shall consist of that required by applicable codes and the following:
 - a. An automatic sprinkler system with alarm supervision by an approved central, or remote station installed and maintained to appropriate NFPA standards;
 - b. An automatic fire alarm system with alarm supervision by an approved central or remote station installed an maintained to appropriate NFPA standards.
 - c. If a fire pump is required to pressurize the fire protection system it shall be installed a maintained to appropriate NFPA standards.
 6. Fire fighter safety and operations measures shall be provided by the following:
 - a. A "Knox" data storage cabinet (model series #1220 or 1300) in accordance with NCFD specifications for on-site storage of building access keys, and hazardous contents information.

7. Plans detailing compliance with the fire and life safety conditions-of-approval shall be submitted to the Fire Department and appropriate authorities having jurisdiction (e.g. State Fire Marshal) for review and approval prior to building permit issuance and /or as described above.
8. "Fire Plan Review and Inspection" fees shall be paid to the Fire Department for all applicable plan review and inspection work at the established deposit basis plus project consultation time at the hourly rate of \$59 per hour (Napa County Resolution 92-65).

Discussion

Large facilities such as proposed in this project can have emergency incidents which would significantly impact fire fighter safety and the ability of the Fire Department to provide emergency services. Incorporation of the above condition of approval in the use permit will reduce the maximum extent reasonable labor, time and resources required for the Fire Department to manage emergency incidents at the facility. A building expansion is an appropriate time to ensure that fire and life safety requirements are clear and implemented.

If there are any question please do not hesitate to contact Barbara Easter at Napa County Fire Department Headquarters (707) 963-3601 ext. 129.

Byron J. Carniglia
Fire Chief

By: Barbara Easter
County Fire Inspector

CC: Applicant, Loveless, B1414,
NCFD/CFM File, Chron



NAPA COUNTY

CONSERVATION — DEVELOPMENT AND PLANNING DEPARTMENT

JEFFREY R. REDDING
Director

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

KIM

PERMIT APPLICATION AND INITIAL STUDY REQUEST FOR COMMENTS

TO: Building Inspection Division

APPLICATION TITLE: NICKEL & NICKEL WINERY FILE #: 98400-UP
98403-VAR

RESPONSE REQUEST DATE: 3.5.99 RESPONSE RETURN DATE: 3.19.99
FINAL REQUEST DATE: _____ FINAL RESPONSE DATE: _____

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

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

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

1. Do you have jurisdiction by law over this project Yes No
If yes, indicate required permits: GRADING; BUILDING; PLUMBING; MECHANICAL
ELECTRICAL

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

3. Do you recommend: Negative Declaration Environmental Impact Report

4. If the project is approved, recommend conditions-of-approval (use additional page if needed):
1. SECURE PERMITS AS NOTED IN ITEM No. 1
2. CLEARANCE FROM DAY AREA AIR QUALITY MANAGEMENT DISTRICT
REQUIRED PRIOR TO PERMIT ISSUANCE

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

6. Name of contact person: [Signature] Telephone: 253-4416
Response Prepared by: CHRIS W. BREVEN
Title: BUILDING CODES ADMIN.
Date: 3-8-99

:jcm2/comments2



MEMORANDUM

March 18, 1999

TO: Napa County Planning Department, Jeff Redding, Director

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

SUBJECT: Use Permit Application for Nickel and Nickel Winery
Located at 8164 St. Helena Hwy.
Assessor Parcel #31-010-03
File # 98400-UP, 98403-VAR

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MAR 19 1999

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

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

1. If the well located east of the proposed process waste water ponds is less than 100 feet to the interior berm (water surface), said well must be destroyed under permit with this department.
2. That the water supply system comply with the California Safe Drinking Water Act and Related Laws. This will require a plan review and an annual operating permit from the Department of Environmental Management.
3. That prior to issuance of any building permits, complete plans containing equipment layout, finish schedule and plumbing plans for the food and beverage facilities and employee restrooms, be submitted for review and approval by the County Department of Environmental Management. An annual food permit will also be required
4. A Hazardous Materials Business Plan or Negative Declaration Response Form must be submitted and approved by the Hazardous Materials Section of the Napa County Department of Environmental Management. This must be submitted within 60 days of receiving the use permit unless the applicant submits a letter stating the hazardous materials will not be brought on site until a specified future date. In this case, the Business Plan or Negative Declaration must be submitted within 30 days of bringing the Hazardous Materials on site.
5. That if any uncovered outdoor crush or process areas are a part of the project, the applicant must submit a letter from their engineer which addresses proper diversion of storm water and process waste water. If a diversion valve (or equivalent) is needed, a detail on same must be submitted. This letter and detail must be received prior to issuance of sewage permits.
6. That a permit for the installation of the sanitary waste water system and process waste water ponds be secured from the Department of Environmental Management prior to issuance of a building permit.
7. That the use of the drain field area be restricted to activities which will not contribute to compaction of the soil with consequent reduction in soil aeration. This includes equipment storage, traffic, parking, livestock, etc., over the system.

8. Plans for the proposed special designed sewage disposal system and/or private sewage disposal system shall be designed by a licensed Civil Engineer or Registered Environmental Health Specialist and be accompanied by complete design criteria based upon local conditions and shall be subject to approval by the Department of Environmental Management prior to issuance of any permits.
9. The applicant shall maintain regular monitoring of the above ground waste water system as required by the Department of Environmental Management and submit quarterly reports. An annual operating permit is required for the waste water system.
10. That an annual sewage permit be obtained and that the septic system monitoring requirements be fully complied with as required.
11. Prior to issuance of sewage permits, a soils engineer must investigate and certify the compaction of the existing pond. Any necessary repairs must be overseen and certified by a soils engineer.
12. That all solid waste be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.
13. During the construction/demolition/renovation period of the project the applicant must use the franchised garbage hauler for the service area in which they are located for all wastes generated during project development; unless applicant transports their own waste. If the applicant transports their own waste, they must use the appropriate landfill or solid waste transfer station for the service area in which the project is located.
14. Adequate area must be provided for collection of recyclables. The applicant must contact the franchised garbage hauler for the service area in which they are located, in order to determine the area and the access needed for the collection site
15. All diatomaceous earth/bentonite must be disposed of in an approved manner.

cc: Nickel & Nickel, LLC, P O Box 327, Oakville, CA 94562

**CONDITIONS OF APPROVAL
USE PERMIT MODIFICATION #00195-MOD
NICKEL & NICKEL WINERY**

1. This Use Permit shall be limited to approval of the following:
 - a) Mechanical Building – relocated to the northeast corner of the Fermentation Building parking area and expanded 177 square feet on the first level and a new basement level with 1,017 square feet for a net total increase of 1,194 square feet;
 - b) Mechanical Equipment/Transformer Yard and Water Tanks – a new uncovered, enclosure totaling 1,625 square feet and two new underground water storage tanks (located adjacent to the Mechanical Building on the north side);
 - c) Fermentation Building Ground Level Expansions – Phase 1 building an additional 11 square feet, Phase 2 building an additional 401 square feet for a net total increase of 413 square feet;
 - d) Fermentation Building Basement – expanded by 680 square feet on the main level, 46 square feet at the barrel entry/storage area at the south end, 342 square feet the southwest corner storage area, the addition of a new 768 square foot Storage Area #4 adjacent to the Mechanical Room on the west side for a net total increase of 1,836 square feet;
 - e) Fermentation Building Dimension Reconfigurations – the distance and offset between the Phase 1 and 2 buildings (breezeway area) are modified from 26 feet to 23.5 feet and from 8 feet to 12 feet, respectively; the crush area covering from 2,650 square feet to 1,836 square feet; and the breezeway covering has been eliminated;
 - f) Two new dormer windows (one per east and west elevations) and two roof ventilators added to the fermentation building.

The location and use of the facilities shall conform to the site plans and application materials approved by the Napa County Building Division on August 10, 2000. Any expansion of or changes to the uses described above shall be made by separate use permit submitted for Commission or Zoning Administrator consideration.

2. The applicant shall comply with all applicable conditions of Use Permit #98403-UP and the 18 Mitigation Measures contained in the signed Project Revision Statement, except as modified herein.

3. All applicable building codes, zoning standards, and requirements of various County departments and other local, state and federal agencies that are not in conflict with these conditions shall be fully complied with. Said requirements shall include, without limitation, those requirements contained in the following documents:
 - a) Napa County Public Works comments dated November 1, 2000, items 1 and 4.
 - b) Napa County Department of Environmental Management comments dated November 17, 2000, items 1 through 3.
 - c) Napa County Fire Department comments dated November 30, 2000, items 1 through 21.
 - d) Napa County Building Division comments dated October 31, 2000, items 1 and 4.

4. All staff costs associated with monitoring compliance with these conditions and project revisions shall be borne by the applicant and/or property owner, other than those costs related to investigation of complaints of non-compliance which are determined to be unfounded. Costs shall be as established by Resolution #95-77 or as such Resolution may be amended from time to time.



NAPA COUNTY

CONSERVATION • DEVELOPMENT and PLANNING DEPARTMENT

Charles Wilson
Director

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

May 28, 2003

Nickel and Nickel, LLC
P.O. Box 327
Oakville, CA 94562

Re: Request for Use Permit Modification (#03128-MOD) to allow for minor changes to approved site plan and phasing plan for Nickel & Nickel Winery (APN 31-010-003)

Dear Mr. Nickels:

Please be advised that your request to modify Use Permit #98400-UP for Nickel & Nickel Winery has been administratively **APPROVED** (see attachment).

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

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

This approval applies only to the modifications proposed in your application submitted May 2, 2003. All applicable building permits must be applied for and obtained prior to construction. Additionally, approval from the Fire Department, Public Works, and Environmental Management must be obtained and all conditions must be complied with as part of the Building Permit process. All conditions required by the original Use Permit, except as modified herein, remain in full effect.

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

Sincerely,

A handwritten signature in cursive script, appearing to read "St. Lederer".

Steven E. Lederer
Assistant Deputy Director

Cc: file
Bob Nelson, Supervising Planner
John Tuteur, Assessor
Barbara Easter, County Fire Department
Christine Secheli, Environmental Management Department

NICKEL & NICKEL WINERY
#03128-MOD
APN: 31-010-003

1. **SCOPE:** The approval allows modification of Use Permit #98400-UP, #00126-MOD, and #02126-MOD and is limited to the following:

- Minor changes to approved site plan as proposed in your letter dated May 1, 2003;
- Relocate 8 parking spaces and 1 ADA parking space as denoted on site plan dated April 2003;
- Relocate existing entry gate and add an entry gate as denoted on site plan date April 2003;
- Revise existing phasing plan as discussed below:

Phase 1A:

6,017 sq. ft. North Fermentation Building and 1,836 sq. ft. covered work area
3,219 sq. ft. Administration and Hospitality Building
2,069 sq. ft. Mechanical Building
Two (2) 10,500 gallon water storage tanks with a 20'x20' pad
120 sq. ft. refuse receptacle enclosure (5 feet high)
32,272 sq. ft. Basement (below North and South Fermentation Bldgs.)
39,819 sq. ft. Reservoir

Phase 1B:

5,291 sq. ft. Sullenger House (marketing/administration)
927 sq. ft. ramp and porch areas

Phase 2:

1,846 sq. ft. Sullenger Barn
1,806 sq. ft. Sullenger Shed
Truck ramp and 1,728 sq. ft. truck dock

Phase 3:

6,017 sq. ft. South Fermentation Building

- The above project shall be consistent with the approved application materials. Any other changes will require review and approval of a use permit modification by the County.

2. **REFERRALS:** The permittee shall comply with all building codes, zoning standards and requirements of County Departments and agencies at the time of use of this use permit, including but not limited to comments by:

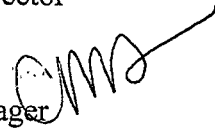
- a. Napa County Environmental Management Department, dated May 22, 2003;
- b. Napa County Fire Department, dated May 12, 2003;
- c. Napa County Building Inspection Division, dated May 12, 2003;



MEMORANDUM

May 22, 2003

TO: Napa County Planning Department, Charles Wilson, Director

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

SUBJECT: Application for Nickel & Nickel Winery
Located at Highway 29
Assessor Parcel 31-010-03
File # 03128-MOD

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

1. Prior to this department granting approval for occupancy of the proposed Phase I project, the following components must be completed and permitted by this department:
 - process wastewater system
 - sanitary wastewater system
 - kitchen
 - water system

2. The sanitary wastewater system is proposed to be relocated closer to Highway 29. This area of this system must be restricted to activities which will not contribute to compaction of the soil with consequent reduction in soil aeration. Activities which must be avoided in the area of the septic system include equipment storage, traffic, parking, pavement, livestock, etc., over the system.

cc: Donna Oldford, Planning Consultant, 2620 Pinot Way

INTER-OFFICE MEMO



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MAY 20 2003

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

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

FROM: Barbara Easter, Fire Department

DATE: May 12, 2003

SUBJECT: Nickel & Nickel Winery Modification Comments
Apn: 031-010-003 03128-MOD

Site Address: 8164 St. Helena Highway

The Napa County Fire Marshal staff has reviewed the above modification to increase production from 20,000 gallons to 50,000 gallons annually. We recommend that the following items shall be incorporated as project conditions or mitigation measures if the commission approves the project.

1. This modification shall need to comply with the fire department written comments dated March 30, 1999 that were address by the planning commission for use permit 98400.

If there are any questions please feel free to contact Barbara Easter at (707) 967-1429 Monday thru Thursday.

BYRON J. CARNIGLIA
Fire Chief

By: *Barbara Easter*

Barbara Easter
County Fire Inspector

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



NAPA COUNTY

CONSERVATION • DEVELOPMENT and PLANNING DEPARTMENT

Charles Wilson
Director

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

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PERMIT APPLICATION AND INITIAL STUDY REQUEST FOR COMMENTS

MAY 12 2003

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

TO: Building Inspection Division

APPLICATION TITLE: Nickel & Nickel Winery FILE #: 03/28-MOD

RESPONSE REQUEST DATE: (031-010-003) 05/06/03 RESPONSE RETURN DATE: - Use permit minor mod. 05/21/03

FINAL REQUEST DATE: _____ FINAL RESPONSE DATE: _____

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

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

FOR QUESTIONS ON THIS REQUEST PLEASE CONTACT: _____

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

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

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

1. Do you have jurisdiction by law over this project Yes No
If yes, indicate required permits: BUILDING ; ELECTRICAL

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

3. Do you recommend: Negative Declaration Environmental Impact Report

4. If the project is approved, recommend conditions-of-approval (use additional page if needed):
1. APPLY FOR AND SECURE PERMITS AS NOTED IN ITEM No. 1 ABOVE

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

6. Name of contact person: [Signature] Telephone: 253-4417
Response Prepared by: GARY W BREWEN
Title: BUILDING CODES ADMIN.
Date: 5-12-03



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Conservation, Development and Planning

1195 Third Street, Suite 210
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www.co.napa.ca.us

Main: (707) 253-4417
Fax: (707) 253-4336

Hillary Gitelman
Director

July 22, 2009

Nickel & Nickel LLC
PO Box 327
Oakville Ca 94562

Re: Nickel & Nickel Winery; APN 031-010-003; Use Permit Application No P09-00154

Dear Donna,

Your application for a Very Minor Modification No P09-00154 to the previous use permits, has been considered by the Zoning Administrator on June 24, 2009. The request includes the development of an outdoor terrace area and a new landscape plan. Please be advised that your request has been **APPROVED** by the Zoning Administrator subject to the conditions of approval attached as Exhibit A, and as follows.

The Zoning Administrator found the project to be categorically exempt from the California Environmental Quality Act. [See Class 1(a) (Existing Facilities & Class 4 (Alteration of Land) which may be found in the guidelines for the implementation of the California Environmental Quality Act at 14 CCR § 15301 & 15304.

This permit becomes effective immediately unless an appeal is filed with the Napa County Board of Supervisors pursuant to Chapter 2.88 of the Napa County Code, including payment of applicable fees. You have the right to appeal the conditions of approval and you will be notified should an appeal be filed by another.

Pursuant to Government Code §66020(d)(1), you are hereby further notified that the ninety day period in which to protest the imposition of any fees, dedications, reservations, or other exactions which may have been adopted as conditions of approval has begun.

Pursuant to Napa County Code §18.124.080, the modification must be activated within two (2) years of the approval date, or it will automatically expire and become void. This letter serves as the only notice you will receive regarding the expiration date of your permit.

If you have any questions about this letter please feel free to contact me at 707.299.1334 or via email at sgambill@co.napa.ca.us

Sincerely,

A handwritten signature in cursive script that reads "Suzie Ginder-Gambill for John McDowell".

John McDowell, Zoning Administrator
Napa County Conservation, Development and Planning Department

**CONDITIONS OF APPROVAL
NICKEL & NICKEL WINERY
USE PERMIT MODIFICATION -FILE #P09-00154-VMOD
(APN 031-010-003)**

1. SCOPE:

- This permit shall be limited to develop a 23,250 square foot outdoor terrace area to support the approved marketing events;
- Allow marketing events to occur on the new outdoor terrace area;
- Tent/canopy coverage over the outdoor terrace area is limited to 24 hours prior to any event and 24 hours after; and
- A new landscape plan including water features for the existing courtyard.

- The site improvements shall be designed in substantial conformance with the submitted site plan, except as modified by these conditions of approval. It is the responsibility of the applicant to communicate the requirements of these conditions to all designers, contractors, and employees to ensure compliance is achieved. Any expansion or change in use, or project changes, which are necessitated by the requirements of other department or agencies, are subject to further County approval.

The activities permitted on the site are limited to those shown on the plans and information submitted with the Modification Application. Any substantial change in use is subject to review and approval as determined by the CDPD Director in accordance with the Zoning Ordinance.

Plans submitted for building permits shall be in substantial compliance with the plans approved with this action, except as modified by these conditions of approval.

2. COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES:

The applicant shall comply with applicable development standards, the zoning regulations and all other applicable building codes, zoning standards and requirements of various County departments and other agencies including the following:

- a) Department of Environmental Management memo dated May 12, 2009.
- b) Department of Public Works memo dated June 24, 2009.
- c) Napa County Fire Department's memo dated May 15, 2009.
- d) Napa County Building Department's memo dated June 24, 2009.

The determination as to whether or not the permittee has substantially complied with the requirements of other County Departments and Agencies shall be determined by those Departments or Agencies. The inability to substantially comply with the requirements of other County Departments and Agencies may result in the need to modify the approved use permit.

3. LIGHTING:

All exterior lighting, including landscape lighting, shall be shielded and directed downward, shall be located as low to the ground as possible, and shall be the minimum necessary for security, safety, or operations and shall incorporate the use of motion detection sensors to the greatest extent practical. No flood-lighting or sodium lighting of the building is permitted, including architectural highlighting and spotting.

Low-level lighting shall be utilized in parking areas as opposed to elevated high-intensity light standards. Prior to issuance of any building permit for construction of the winery, two (2) copies of a detailed lighting plan showing the location and specifications for all lighting fixtures to be installed on the property shall be submitted for CDPD review and approval. All lighting shall comply with the Uniform Building Code (UBC).

4. **NOISE:**

Construction noise shall be minimized to the maximum extent practical and allowable under State and local safety laws. Construction equipment muffling and hours of operation shall be in compliance with County Code Chapter 8.16. Equipment shall be shut down when not in use. Construction equipment shall normally be staged, loaded, and unloaded on the project site. If project terrain or access road condition require construction equipment to be staged, loaded, or unloaded off the project site (such as on a neighboring road or at the base of a hill), such activities shall only occur between the hours of 8 AM to 5 PM. Exterior winery equipment shall be enclosed or muffled and maintained so as not to create a noise disturbance in accordance with the Code.

5. **PREVIOUS CONDITIONS/MITIGATION MEASURES:**

The permittee shall comply with all applicable conditions of approval and mitigation measures which were included in the previously approved use permits and use permit modifications. To the extent there is a conflict between this modification and any prior use permit or modification, this modification and these conditions of approval shall control.

6. **MONITORING COSTS:**

All staff costs associated with monitoring compliance with these conditions, previous permit conditions and project revisions shall be borne by the permittee and/or property owner. Costs associated with conditions and mitigation measures that require monitoring, including investigation of complaints, other than those costs related to investigation of complaints of non-compliance that are determined to be unfounded, shall be charged. Costs shall be as established by Board Resolution in accordance with the hourly consulting rate established at the time of the monitoring. Violations of conditions of approval or mitigations measures caused by the permittee's contractors, employees, and guests are the responsibility of the permittee.

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

5021



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Environmental Management

1195 Third Street, Suite 101
Napa, CA 94559
www.co.napa.ca.us

Main: (707) 253-4471
Fax: (707) 253-4545

Steven Lederer
Director

MEMORANDUM

To: Napa County Planning Department Hillary Gitelman, Planning Director	From: Napa County Environmental Management Department Christine Secheli, Assistant Director
Date: May 12, 2009	Re: Use Permit Modification Application for Fulton Family Winery Located at 263 Petrified Forest Road Assessor Parcel # 020-430-006 File #P09-00139

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

1. We have no recommendations or conditions of approval to be included if the project is approved.

cc: Suzanne Gambill, CDPD
 Fulton Family Winery Inc., 2044 Columbus Parkway, Benicia, CA 94510
 Thomas Carey, Dickenson, Peatman & Fogarty, 809 Coombs St., Napa, CA 94559

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MAY 14 2009

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DEVELOPMENT & PLANNING DEPT.

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Department of Public Works

1195 Third Street, Suite 201
Napa, CA 94559-3092
www.co.napa.ca.us/publicworks

Main: (707) 253-4351
Fax: (707) 253-4627

Donald G. Ridenhour, P.E.
Director of Public Works

DATE: June 24th, 2009

TO: Suzie Gambill, Conservation Development and Planning Department

FROM: Jeannette Doss, Assistant Engineer

SUBJECT: Nickel & Nickel Winery, APN 031-010-003, P09-00154

The application will allow the applicant to increase the landscaping in order to accommodate their larger marketing events. The project proposes an increase of 9,684 sq ft of impervious area. The project is located on Hwy 29 in Napa.

EXISTING CONDITIONS:

1. Existing access road meets County Road and Street standards for the intended use.
2. There are 45 finished and paved parking stalls currently serving this facility. This application does not propose any increase in parking.

RECOMMENDED CONDITIONS:

GROUNDWATER

1. The phase one water analysis has been reviewed and it has been determined that the proposed project will not have a significant impact on static ground water levels. See attached groundwater comments dated May 28th, 2009.

SITE IMPROVEMENTS:

2. All on site civil improvements including but not limited to the excavation, fill, general grading, drainage, curb, gutter, surface drainage, and storm drainage, shall be constructed according to plans prepared by a registered civil engineer, which will be reviewed and approved by this office prior to the commencement of any on site land preparation or construction. Plans shall be submitted with the building permit documents at the time of building permit application. A plan check fee will apply.

10. Trash storage areas shall be paved with an impervious surface, designed not to allow run-on from adjoining areas, and screened or walled to prevent off-site transport of trash. Trash storage areas must contain a roof or awning to minimize direct precipitation or contain attached lids on all trash containers that exclude rain.

Any changes in use may necessitate additional conditions for approval.

If you have any questions regarding the above items please contact Jeannette Doss or Erich Kroll at 253-4351. For groundwater questions, please contact Anna Maria Martinez.



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Department of Public Works

1195 Third Street, Suite 201
Napa, CA 94559-3092
www.co.napa.ca.us/publicworks

Main: (707) 253-4351
Fax: (707) 253-4627

Robert J. Peterson, P.E.
Director of Public Works

GROUNDWATER MEMORANDUM

DATE: May 28, 2009

TO: Suzie Gambill, Conservation Development and Planning Department

FROM: Jeannette Doss, Assistant Engineer *JD*
Phone: 707-259-8179
Email: jdoss@co.napa.ca.us

SUBJECT: Nickel & Nickel Winery, APN# 031-010-0003, File # P09-00154

The application will allow the applicant to increase the landscaping in order to accommodate the larger marketing events. The project is located on Hwy 29 in Napa.

EXISTING CONDITIONS:

1. Parcel is located in the Valley Floor groundwater region.
2. Existing usage is 14.56 AF/Year.

RECOMMENDED CONDITIONS:

1. We have reviewed the phase one, water availability analysis for the proposed project. The 32.19 acre parcel is located in the valley floor area, with an extraction threshold of 1.0 AF/Acre, resulting in a total parcel threshold of 32.19 AF/Year. The estimated water demand of 14.47 AF/Year is below the established threshold for the property. Therefore, the projected water use for this project should not have a significant impact on static water levels of neighboring wells. No further analysis is necessary.

INTER-OFFICE MEMO



TO: Hillary Gitelman, Director
Conservation, Development, and Planning Department

FROM: Alicia Amaro, Fire Department

DATE: May 15, 2009

SUBJECT: Nickel & Nickel Use Permit Minor Mod Comments
Apn: 031-010-003 P09-00154

Site Address: 8164 St. Helena Highway, Oakville

The Napa County Fire Marshal staff has reviewed the application for a minor modification to the existing use permit at the above referenced address.

This application for modification to utilize 23,250 square feet of outdoor area for large marketing events and a new landscape plan does not warrant additional fire protection conditions, as long as **all construction and use of the facility complies with all applicable standards, regulations, codes and ordinances at the time of building permit issuance, including fire department access around the building.**

If there are any questions please feel free to contact the Napa County Fire Marshal's Office at (707) 967-1425 to discuss any other fire protection issue you may have regarding your project.

Alicia Amaro
Assistant Fire Marshal



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Conservation, Development and Planning

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Napa, CA 94559
www.co.napa.ca.us

Main: (707) 253-4417
Fax: (707) 253-4336

Hillary Gitelman
Director

6-24-09

Building Inspection Department review comments for inclusion with:

Planning Department permit: P09-00154 Use Permit Very Minor Mod

Status of Building Department review of this Permit: Approved

At parcels: 031-010-003-000 & 031-010-009
Technology Way, Napa, CA

Owner: Nickel & Nickel Winery

Description of permit: Application to 1. Convert an 896 sq. ft. residence located on 031-010-009 (the adjoining property of the winery, also owned by Nickel & Nickel) as a viticulture office for the winery. 2. Proposed landscaping plan behind the Sullenger House that includes palms, grass, 2 water features and impervious walkways linking the existing winery structures. 3. The creation of a new landscape terrace of 23,250 SF. (125 x 186 feet) the will be pervious surface in the form of decomposed granite, to accommodate the larger marketing events for the winery.

Comments:

Conversion of the existing 896 SF residence to commercial use for the winery involves a change in building occupancy classification. Improvements and revisions to the existing building almost certainly will be required. The Building Department is unable to give much guidance at this time since no plans or information regarding this building was submitted with the use permit application. The residence will invariably need improvements to comply with the egress and accessibility requirements for commercial occupancies. These and other issues will be dealt with during future building permit application and review process. Building Department approval of this Use Permit Very Minor Mod doesn't imply that the existing facilities are fully acceptable for the proposed future winery use without some future alterations being required to meet California Building Standards Code requirements.

All plans and documents for commercial projects are required by State Law to be prepared and coordinated under the direction of a California Licensed Architect, or other allowable properly CA-Licensed Design Professional in Responsible Charge (Business and Professions Code, Chapter 3, Division 3 & California Building Code, Appendix Chapter 1).

Prior to any future construction work, or change in occupancy, applicable building permits for the work must first be obtained; all work must comply with all applicable code requirements, including accessibility requirements of CBC Chapter 11B. Submit complete & appropriate plans, specifications, energy compliance and engineering, etc. when applying for permits.

The Building Department has no issues or concerns with the approval of the Use Permit Very Minor Mod. No significant California Building Standards Code issues can be foreseen at this time based on the information presented. Any such issues will be dealt with during future building permit application and review processes. Since there are two different parcels where work is proposed there will have to be at least two different building permit applications, one for the work at each parcel.

Eric Banvard

Plans & Permit Supervisor
Conservation Development & Planning
Napa County, CA 94559