



ACKNOWLEDGEMENT OF APPROVAL CONDITIONS CORNER RESTAURANT OUTDOOR DINING #15-0168- AP

I, Trevor Sheehan, have read, understand and agree to comply with the Conditions of Approval contained in the attached Approval Letter. The Corner Restaurant Outdoor Dining was approved by Staff on the 12th day of April, 2016.

The referenced Staff approval will become effective, provided no appeals are received by the 21st day of April 2016 and upon return receipt of this signed and dated Acknowledgement of Approval Conditions.

I acknowledge receipt of and agreement with the above referenced Resolution.

 _____ Trevor Sheehan – Applicant	 _____ Date
 _____ Regatta Holdings, Inc. – Property Owner	 _____ Date

Return signed form to:
Community Development Department
Attn: Michael Allen
Planning Division
P.O. Box 660, Napa, CA 94559



Community Development

April 12, 2016

Trevor Sheehan
660 Main Street
Napa, CA 94559

RE: PL15-0168 - CORNER RESTAURANT OUTDOOR DINING PERMIT - 660 MAIN STREET (APN: 003-053-017)

Dear Mr. Sheehan,

This letter is to advise you that on April 12, 2016, staff determined that your application for an Administrative Permit is complete, exempt from CEQA, and is consistent with the General Plan and Zoning Ordinance. As such, the Project Evaluation and Review Committee (PERC) has approved your plans for outdoor dining at 660 Main Street, subject to the following conditions:

Community Development Department - Planning Division:

1. The permit authorizes an outdoor dining area for the restaurant at 660 Main Street. A maximum of one table with two chairs, one table with four chairs, two chairs without a table, three bench seats, three fire pits and a table and three planter boxes.
2. Due to the required minimum 20 foot wide unobstructed area through the Public Access Easement no other outdoor dining will be permitted at the suites across the breezeway from 660 Main Street.
3. As the project is located within a Public Access Easement, no furniture, equipment or appliance shall be permanently affixed to the ground. The fire pits have been approved not with permanent plumbing hard mounted through the walkway floor. A portable/self-contained fire pit unit must be utilized.
4. Unless otherwise specifically provided, each condition of this approval shall be satisfied prior the commencement of the approved use.

5. Exterior signage is subject to separate review and approval. Consistent with the City's Sign Ordinance, no portable (e.g. A-frames) signs, flags, banners, balloon signs, and other unauthorized signs are permitted.
6. Outdoor speakers are not permitted as a part of this approval.
7. Approval of this project shall be subject to the requirements of (and all improvements shall be constructed in accordance with) the Napa Municipal Code, the Public Works Department Standard Specifications and Standard Plans.
8. This Administrative Permit approval is valid through April 12, 2016. PERC may extend the permit for additional periods and may add or revise the conditions placed on the approval. A new permit fee will be required each year.

Public Works Department:

9. Approval of this project shall be subject to the requirements of the Napa Municipal Code Chapter 12.64 - Outdoor Dining in Public Rights-of-Way, including the 5 foot separation between outdoor stanchions, furniture, etc. and any existing facilities including, but not limited to: refuse receptacles, street light poles, street signs, and street trees.
10. Permitted area shall be restricted to maintain a minimum of 20-foot clearance through the existing 30-foot wide pedestrian easement area.
11. No structures, plumbing or conduits (including tables, chairs, umbrellas, planters, fire pits, etc.) shall be permanently installed within the project area. All temporary objects to be placed within subject area (i.e. dining tables, chairs, planters, heaters, etc.) shall be moved by property owner within 48 hours of notice for scheduled inspection or maintenance and shall be moved immediately upon notice in case of emergency at no cost to the City.
12. All railings, gates, etc. shall be secured with underground sleeves that have no above ground protrusions when removed, or other attachment method that allows quick removal.
13. Applicant shall be responsible for maintaining the cleanliness of the outdoor dining area including disposal of litter, garbage and pavement cleaning.
14. Applicant shall place no garbage generated by the outdoor dining area into public trash cans.
15. Applicant shall clean up any spills promptly.
16. Applicant shall steam clean or pressure wash concrete in the outdoor dining area at least once a month or more often as needed to remove stains. Storm Drains and curb and gutter drain directly to the Napa River, a water of the State of California. It is unlawful to pollute water flowing to the Napa River with any substance or materials deleterious to fish, plant life or bird life. The Applicant shall conduct their outdoor dining operations in such a manner as to avoid water pollution. The Applicant shall take particular care when conducting outside cleaning. Note that coordination with the Napa

Sanitation District is required prior to disposing surface cleaning discharge into sanitary sewers.

17. Applicant shall be responsible to protect adjacent public trees and landscape from damage as a result of the dining operation.
18. Applicant to complete Extended Use Permit (Encroachment Permit) from the Public Works Department.
19. The term of said permit will be on an annual basis but will be renewable so long as the terms of the permit and these conditions of approval are observed throughout the preceding term.
20. Said permit will have a termination clause that allows the City to terminate if the restaurant ceases to operate or violates the terms of said permit, including for cleanliness or safety concerns, or needs the space for a public purpose.
21. Applicant to complete Hold Harmless Agreement with the City of Napa.

Police Department:

22. All Persons engaged in or assisting with the sales or service of alcoholic beverages shall complete an approved course on Responsible Beverage Service (RBS) or LEAD (ABC certified) prior to engaging in or assisting in the sales of alcohol.
23. Establishments with outdoor seating shall have adequate, uninterrupted separation barrier separating the public area from the private areas where alcohol is being served. Barrier should be designed in a manner that will minimize the potential for alcohol being passed to public areas from patio or outdoor seating area and prevent unauthorized patron access. Applicable building codes shall be followed for emergency egress and ADA compliance. Exit points shall be posted with signs, "No Alcohol Beyond This Point"

General Conditions:

24. Building permit issuance shall be subject to all other department and/or agency requirements and standards, including, but not limited to: the Building Division, Public Works Department, Development Engineering Division, Fire Prevention Division, Water Division, Napa Sanitation District, the Napa Housing Authority, the Napa Valley Unified School District, Napa Community Resources, and Napa County Environmental Management.
25. Construction activities shall be limited to specific times pursuant to NMC 8.08.025 which limits construction activities to 7:00 a.m. to 7:00 p.m., Monday through Friday and 8:00 a.m. to 4:00 p.m. on weekends or legal holidays, unless a permit is first secured from the City Manager (or his/her designee) for additional hours. The ordinance further states that there will be: no start up of machines or equipment prior to 8:00 a.m., Monday through Friday; no delivery of materials or equipment prior to 7:30 a.m. or equipment past 6:00 p.m., Monday through Friday; no servicing of equipment past 6:45 p.m., Monday through Friday.

26. The authorized project is limited to the project as described in Applicant's application, correspondence and final submitted plans and specifications and in accordance with the Applicant's representations and agreements made at the public hearing(s) on the project. All project development, including the design and construction of improvements, shall be consistent with the same. Any future additions, expansions, remodeling, including changes in style, size, height, color, bulk, shall be subject to future review by City.
 27. Applicant shall design and construct all improvements and facilities shown on any approved tentative map, site plan, or other documents submitted for permit approval, all representations made by the Applicant, and with the plans and specifications submitted to and approved by City, to comply with the General Plan, any applicable Specific Plan, the Napa Municipal Code (NMC), City ordinances and resolutions, the "Standard Specifications" of the Public Works and Fire Departments, as well as any approved tentative map, site plan or other documents submitted for permit approval, all representations made by the Applicant, and with the plans and specifications submitted to and approved by City.
 28. The time limit within which to commence any lawsuit or legal challenge to any quasi-adjudicative decision made by the City is governed by Section 1094.6 of the Code of Civil Procedure, unless a shorter limitations period is specified by any other provision. Under Section 1094.6, any lawsuit or legal challenge to any quasi-adjudicative decision made by the City must be filed no later than the 90th day following the date on which such decision becomes final. Any lawsuit or legal challenge, which is not filed within that 90-day period, will be barred.
 29. To the full extent permitted by law, the Applicant shall indemnify, defend, release and hold City, its agents, officers, and employees from and against any claims, suits, liabilities, actions, damages, penalties or causes of action by any person, including the Applicant, for any injury (including death) or damage to person or property or to set aside, attack, void or annul any actions of City, its agents, officers and employees, from any cause whatsoever in whole or in part arising out of or in connection with (1) the processing, conditioning or approval of the subject property; (2) any failure to comply with all applicable laws and regulations; or (3) the design, installation or operation of project improvements and regardless whether the actions or omissions are alleged to be caused by City or Applicant so long as City promptly notifies Applicant of any such claim, etc., and the City cooperates in the defense of same.
 30. The Permit Holder shall pay all City staff development fees, which are or may become due to City pursuant to Napa Municipal Code Section 2-204, et seq.
 31. The conditions of project approval set forth herein include certain fees, dedication requirements, reservation requirements and other exactions. Pursuant to Government Code Section 66020(d)(1), these conditions constitute written notice of the statement of the amount of such fees and a description of the dedications, reservations, and other exactions. You are hereby notified that the 90-day period in which you may protest those fees, the amount of which has been identified herein, dedications, reservations and other exactions has begun. If you fail to file a protest complying with all the requirements of Section 66020, you will be legally barred from later challenging such exaction.
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32. Violation of any term, condition, or project description relating to this approval is unlawful, prohibited and a violation of the Napa Municipal Code and can result in revocation or modification of this approval and/or the institution of civil and/or criminal enforcement and/or abatement proceedings.
33. Project approval would not have been granted but for the applicability and validity of each and every one of the specified conditions, and if any one or more of such conditions is found to be invalid by a court of law, this project approval would not have been granted without requiring other valid conditions and/or mitigations consistent with achieving the purpose and intent of such approval.
34. This Administrative Permit approval shall expire 2 years from the effective date of approval, unless the use has commenced before the expiration date or an extension is secured by the Planning Department prior to the expiration date.
35. Approval of this permit will be effective, provided no appeals are received within 10 calendar days of this Administrative Approval and that the applicant and property owner's signatures are obtained affirming that they have read, understand and agree to comply with the Conditions of Approval for Administrative Outdoor Dining Permit Application #15-0168; Corner Restaurant Outdoor Dining at 660 Main Street, (APN: 003-320-005).
36. Also, please be aware that the signed Acknowledgment of Approval Conditions form must be returned to the Planning Division before additional entitlements (i.e. Building Permits, Grading Plans, etc.) can be processed through the Community Development Department.
37. This action is subject to all other City requirements. Appeals must be filed prior to 5:00 p.m. on April 21, 2016. If you have any questions regarding this action, or need any additional information, please contact me at (707) 257-9530.

Sincerely,



Michael Allen
Associate Planner



www.cityofnapa.org

MEMORANDUM

PUBLIC WORKS DEPARTMENT

Pollution Prevention for Restaurants & Food Handling Facilities

Best Management Practices
to Protect Water Quality



Napa Countywide Stormwater
Pollution Prevention Program



Only Rain Down the Drain

In Napa County, all storm drains (the drains in streets) flow directly to creeks or other waterways with no treatment!



In response to federal and state regulations and requirements, the municipalities in Napa County have joined to form the:

Napa Countywide Stormwater Pollution Prevention Program (NCSPPP)

In addition to reviewing their own practices that may harm water quality, the NCSPPP agencies have launched a public education campaign and inspection program to raise public awareness about stormwater pollution and to reduce the amount of pollutants discharged from residential and commercial sources.

For more information, call the NCSPPP Stormwater Program Manager at (707) 253-4823 or visit

www.countyofnapa.org/Stormwater



To report stormwater pollution violations, contact your local Coordinator or any of the following:

You may call the Stormwater Hotline for the local jurisdiction to report an illicit discharge or a potential illicit discharge. Please provide a detailed account of the incident (i.e., date, time, location, responsible party, nature of the incident) when you call to report an illicit discharge.

American Canyon (707) 647-4550
Napa (707) 257-9600
Yountville (707) 944-8851 or
944-2988 after hours
St. Helena (707) 968-2658 or
967-2850 after hours
Calistoga (707) 942-2828
Napa County
(unincorporated) (707) 299-1799

California Department of Fish & Game
(888) 334-2258

**California Regional Water Quality
Control Board - San Francisco Bay Region**
(510) 622-2300

**Contact your local Fire or Police (911) if there
is a hazardous spill or emergency to report.**

Napa County Stormwater Pollution Prevention
Program Members:





www.cityofnapa.org

MEMORANDUM

PUBLIC WORKS DEPARTMENT

Best Management Practices for RESTAURANTS AND FOOD HANDLING FACILITIES

Below are maintenance practices approved by the NCSPRP to avoid or minimize pollutants discharged to waterways. By following them you can help protect water quality in our streams and comply with local, state and Federal regulations.



Dispose of grease and oil safely

Maintain, pump, and use grease traps and interceptors regularly to prevent overflows. Keep grease bins covered and contained. Recycle grease and oil. Reduce the amount of grease washed down the drain by scraping off trays, grills, and pans into a grease can. Do not pour grease and oil into sinks, floor drains, parking lots or streets. For removal of waste grease, force in the yellow pages under "greases."



Clean spills

For small spills or drips, put absorbent material like kitty litter on the spill to contain it. Sweep up the used absorbent, place in a secure bag, and deposit in a secure trash bin. For larger spills that could reach storm drains, call (707) 253-4873. If a spill threatens public health, call 911.



Maintain garbage dumpsters

Keep garbage dumpsters closed to keep rain and odors out and to prevent illegal dumping. Keep the front of accumulating and/or dark by providing front receptacles and instructing employees to use them. Never dispose of liquids in the dumpster. Inspect for leaks on a regular basis and have them replaced when necessary.



Use mop buckets and sinks

Never empty a mop bucket outside or where it can drain into a storm drain. Always dump mop water into a janitorial or mop sink, not where food prep is done. Keep the mop sink accessible. Don't use it to store materials or equipment.



Clean mats, equipment and sidewalks

Clean floor mats, garbage cans, and other vehicles regularly. Use a high-pressure water hose to clean mats and equipment at a high-pressure water hose. Use a broom to clean sidewalks. If this isn't possible, wash water should be recycled to a landscaped area. It needs to be diverted slowly so it can penetrate the soil. Do NOT allow washwater to runoff into the street, gutter or storm drain. Storm drains flow directly to local waterways. You can prevent pollution of our creeks and Bay by keeping food, grease, and other pollutants off streets and sidewalks, and away from storm drains.



Photo courtesy of Napa County Public Works Department, courtesy of Napa County

Napa County Stormwater Pollution Prevention Program (NCSPRP)

www.cityofnapa.org/Stormwater
(707) 253-4873

To safely dispose of hazardous waste, call the
Napa County Department of
Environmental Management at 253-4473.