



FILE # PO9-00210-071  
PO9-00211-LATE more

**NAPA COUNTY CONSERVATION, DEVELOPMENT AND PLANNING DEPARTMENT**  
1195 Third Street, Suite 210 Napa, California 94559  
(707) 253-4417

**APPLICATION FOR TENTATIVE PARCEL MAP OR TENTATIVE SUBDIVISION MAP**

FOR OFFICE USE ONLY

ZONING DISTRICT: G1:AZ Date Submitted: 26 MAY 2009  
TYPE OF APPLICATION: TENT. PARCEL MAP & VARIANCE Date Published: \_\_\_\_\_  
REQUEST: USE PERMIT MAJOR MOD TO AIA SP SITE Date Complete: \_\_\_\_\_  
DEVELOPMENT STANDARDS (SETBACKS)

(Please type or print legibly)

PROJECT NAME: 152 Cumbre Overage  
Assessor's Parcel #: 057-152-006 000 Existing Parcel Size: 2.55 ACRES  
Site Address/Location: 152 CAMINO ORUGA NAPA CA 94559  
No. Street City State Zip  
Property Owner's Name: NUSTAD REVOCABLE TRUST  
Mailing Address: 4225 SOLANO AVE. #740 NAPA CA 94558  
No. Street City State Zip  
Telephone #: (707) 253-9086 Fax #: (707) 253-9519 E-Mail: PEDROT@CDSCORP.COM  
Applicant's Name: PROPERTY OWNER  
Mailing Address: SAME \_\_\_\_\_  
No. Street City State Zip  
Telephone #: ( ) - Fax #: ( ) - E-Mail: \_\_\_\_\_  
Status of Applicant's Interest in Property: OWNER  
Representative Name: PEDRO TEIXEIRA  
Mailing Address: 4225 SOLANO AVE. #740 NAPA CA 94558  
No. Street City State Zip  
Telephone #: (707) 253-9086 Fax #: (707) 253-9519 E-Mail: PEDROT@CDSCORP.COM  
Purpose for Division: SALE OF PROPERTY

Vesting Map? ☒ YES ☐ NO

I certify that all above statements are correct and that the information contained on the accompanying Parcel/Subdivision Map is accurate. I hereby authorize such investigations, including access to County Assessor's Records, as are deemed necessary by the County Planning Division for preparation of reports related to this application, including the right of access to the property involved.

Steven H. Schermer 4-2-2009  
Signature of Property Owner Date  
Steven H. Schermer  
Print Name

Steven Schermer 4-2-2009  
Signature of Applicant Date  
Steven Schermer  
Print Name

TO BE COMPLETED BY CONSERVATION DEVELOPMENT AND PLANNING DEPARTMENT

\*Application Fee Deposit: \$ 7,650.<sup>00</sup> Receipt No.: 74455 Received by: PA/MP Date: 26 MAY 2009

\*Total Fees will be based on actual time and materials

## WATER SUPPLY/WASTE DISPOSAL INFORMATION

### I. PROPOSED WATER SUPPLY

|  | <u>Domestic</u>  | <u>Emergency</u>   |
|--|--|--|
| A. Source of Water (eg. spring, well, mutual water company, city, district, etc):  | <u>CITY</u>  | <u>CITY</u>  |
| B. Name of Water Supplier (if water company, city, district:<br>Annexation needed? | <u>AM. CAN.</u><br><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <u>AM. CAN.</u><br><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| C. Water Availability (in gallons/minute):   | <u>STANDARD</u>  | <u>STANDARD</u>  |
| D. Capacity of Water Storage System (in gallons):                                  | <u>N/A</u>   | <u>N/A</u>   |
| E. Nature of Storage Facility (e.g., tank, reservoir, swimming pool, etc):         | <u>N/A</u>   | <u>N/A</u>   |

### II. PROPOSED LIQUID WASTE DISPOSAL

|  | <u>Domestic</u><br>(sewage)  | <u>Other</u><br>(please specify)                         |
|--|--|--|
| A. Disposal Method (e.g., on-site septic system, on-site ponds, community system, district, etc.): | <u>SEWER</u>   |  |
| B. Name of Disposal Agency (if sewage district, city, community system):<br>Annexation needed?     | <u>CITY OF NAPA</u><br><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <input type="checkbox"/> Yes <input type="checkbox"/> No |

## PARCEL MAP APPLICATION SUPPLEMENT

### DEFERRAL OF REQUIREMENT FOR PRELIMINARY GEOLOGIC/SOILS REPORT


Applicant: REVOCABLE NUSTAD ~~FAMILY~~ TRUST

Proposal: SUBDIVIDE ONE 2.55 ACRES PARCEL INTO THREE PARCELS  
( 0.80 ACRES , 0.93 ACRES AND 0.92 ACRES )

This acknowledges that a portion of the property proposed for division in this application is identified on the Napa County Environmental Sensitivity Maps as subject to soil and/or geologic instability.

No structures, roads or driveways, septic systems or other construction will be located in the areas of potential instability. The property owner expressly agrees that a statement will be recorded with the Final Map as follows:

**NOTICE:** The property divided herein is subject to soil and/or geologic instability in an "environmentally sensitive area" not disturbed as part of the land division. Prior to obtaining a permit for any structure or prior to constructing any road, driveway or septic system on any parcel created by this division, the owner must obtain a geologic/soil hazard report prepared by a qualified registered engineering geologist. Such report must be submitted to the Napa County Conservation, Development and Planning Department for review prior to application for building or grading permits.

  
Signature (property owner)

9-2-2009  
Date

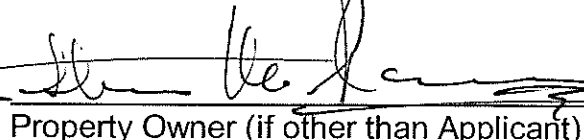
## INDEMNIFICATION AGREEMENT

Pursuant to Chapter 1.30 of the Napa County Code, as part of the application for a discretionary land use project approval for the project identified below, Applicant agrees to defend, indemnify, release and hold harmless Napa County, its agents, officers, attorneys, employees, departments, boards and commissions (hereafter collectively "County") from any claim, action or proceeding (hereafter collectively "proceeding") brought against County, the purpose of which is to attack, set aside, void or annul the discretionary project approval of the County, or an action relating to this project required by any such proceeding to be taken to comply with the California Environmental Quality Act by County, or both. This indemnification shall include, but not be limited to damages awarded against the County, if any, and cost of suit, attorneys' fees, and other liabilities and expenses incurred in connection with such proceeding that relate to this discretionary approval or an action related to this project taken to comply with CEQA whether incurred by the Applicant, the County, and/or the parties initiating or bringing such proceeding. Applicant further agrees to indemnify the County for all of County's costs, attorneys' fees, and damages, which the County incurs in enforcing this indemnification agreement.

Applicant further agrees, as a condition of project approval, to defend, indemnify and hold harmless the County for all costs incurred in additional investigation of or study of, or for supplementing, redrafting, revising, or amending any document (such as an EIR, negative declaration, specific plan, or general plan amendment) if made necessary by said proceeding and if the Applicant desires to pursue securing approvals which are conditioned on the approval of such documents.

In the event any such proceeding is brought, County shall promptly notify the Applicant of the proceeding, and County shall cooperate fully in the defense. If County fails to promptly notify the Applicant of the proceeding, or if County fails to cooperate fully in the defense, the Applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the County. The County shall retain the right to participate in the defense of the proceeding if it bears its own attorneys' fees and costs, and defends the action in good faith. The Applicant shall not be required to pay or perform any settlement unless the settlement is approved by the Applicant.

  
Applicant

  
Property Owner (if other than Applicant)

4-2-2009  
Date

152 Candace Overgate  
Project Identification

## REASONS FOR GRANTING A VARIANCE

1. Please describe what exceptional or extraordinary circumstances or conditions apply to your property (including the size, shape, topography, location or surroundings), which do not apply generally to other land, buildings, or use and because of which, the strict application of the zoning district regulations deprives your property of the privileges enjoyed by other property in the vicinity and under identical zoning classification.

THE NARROW LOT HAS ALLOWED FOR ADEQUATE CLEARANCE TO PULL A BUILDING PERMIT FOR 3 STRUCTURES. ALLOWING THE VARIANCE WILL FACILITATE THE LOT SPLIT WHICH ALLOWS THE APPLICANT TO ACHIEVE THE DENSITY OF NEIGHBORING PARCELS ON CAMINO ORGA, CAMINO DORADO AND EXECUTIVE CT.

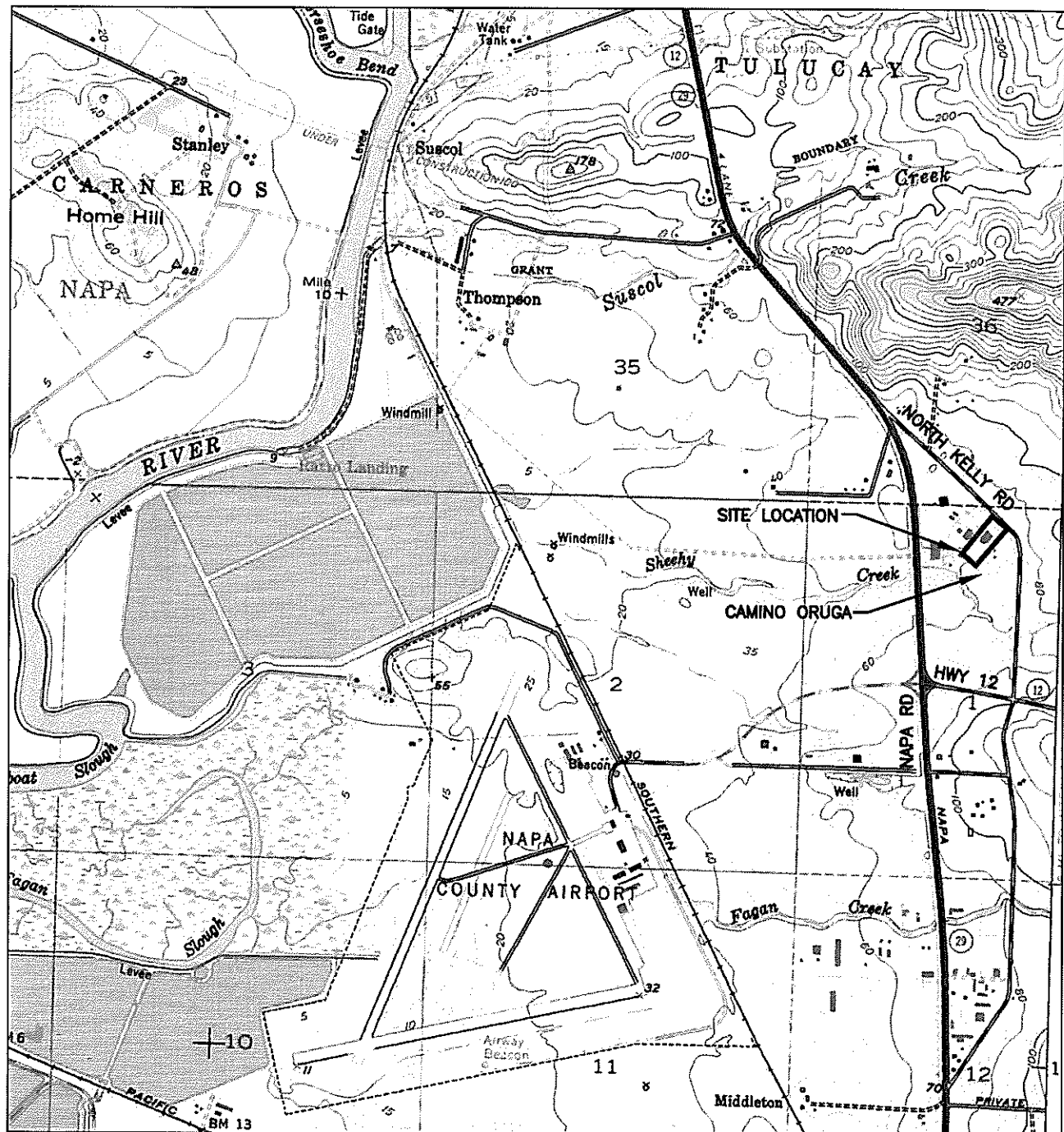
2. Please state why the granting of your variance request is necessary for the preservation and enjoyment of your substantial property rights.

GRANTING THE VARIANCE TO ALLOW A PARCEL DIVISION WILL ALLOW THE PROPERTY TO BE DEVELOPED TO ITS FULL POTENTIAL CONSISTENT WITH ITS ZONING DESIGNATION.

A VARIANCE IN THE SET BACK FOR PROPOSED PARCEL 2 & 3 WILL NOT NEGATIVELY IMPACT ANY ADJACENT PARCEL

3. Please state why the granting of your variance request will not adversely affect the health or safety of persons residing or working in the neighborhood of your property, and will not be materially detrimental to the public welfare or injurious to property or improvements in your neighborhood.

SINCE THE BUILDINGS ON THIS PARCEL ARE NEW CONSTRUCTION, BUILT UNDER A CURRENT APPROVED BUILDING PERMIT, THE EXISTING SET BACKS THROUGHOUT THE LENGTH OF THE PROPERTY HAVE BEEN APPROVED AS ADEQUATE FOR HEALTH AND SAFETY. THE DIVISION OF THE PROPERTY INTO 3 PARCELS WILL NOT CHANGE WIDTH OF ANY ACCESS ROUTE OF INGRESS OR EGRESS AND THIS WILL NOT ADVERSELY IMPACT HEALTH OR SAFETY.



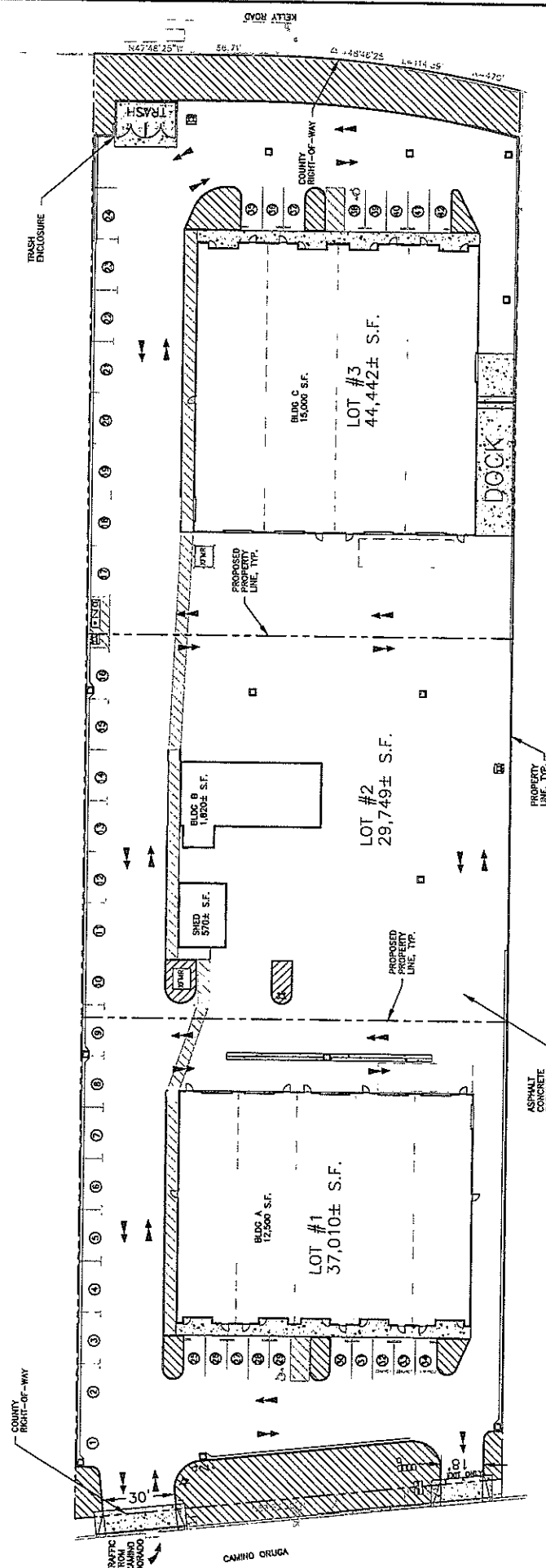
# CAMINO ORUGA WAREHOUSES SITE LOCATION MAP

MARCH 13, 2008

TULLY CONSULTING GROUP  
CIVIL ENGINEERING AND STORMWATER SOLUTIONS  
420 N. JACKSON ST., SUITE E  
DIXON, CA 95620  
(707) 693-1928  
(707) 471-0318 FAX





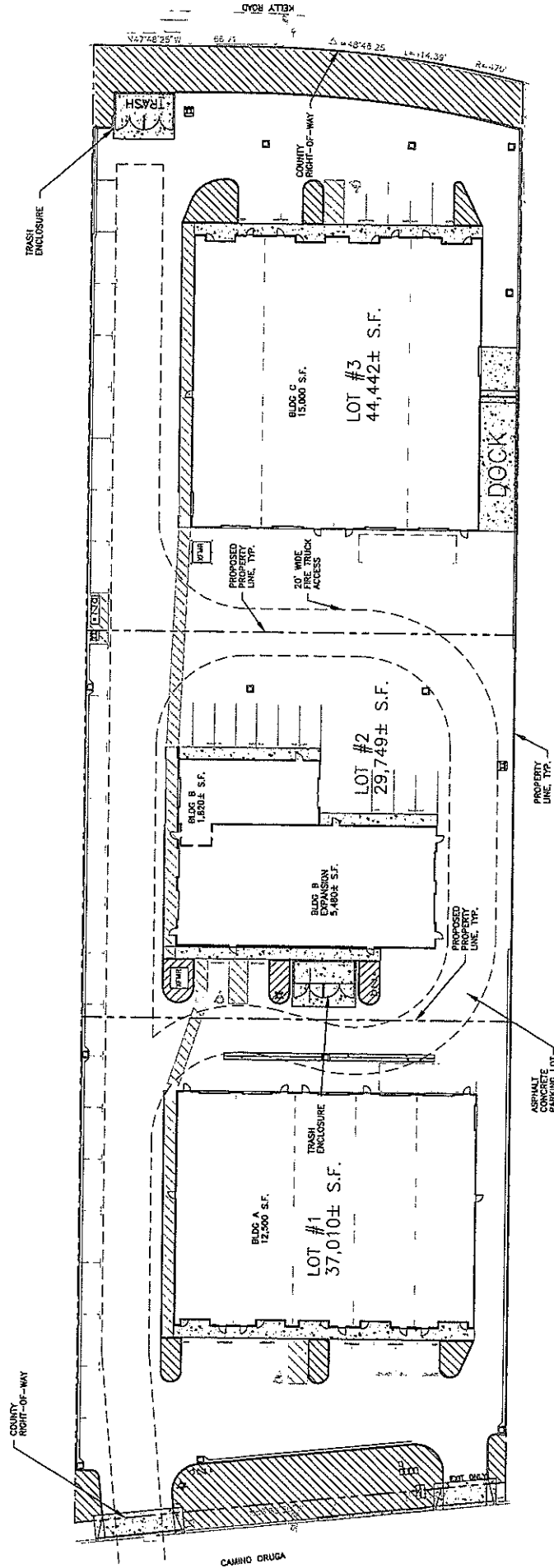


APN 057-152-006

|   |      |             |    |  |          |  |  |   |               |
|---|------|-------------|----|--|----------|--|--|---|---------------|
| RILY CONSULTING GROUP<br>CIVIL ENGINEERING AND SURVEYING SOLUTIONS<br>10000 CALIFORNIA STREET, SUITE 100<br>DUBLIN, CA 94568<br>(916) 437-1100 FAX (916) 437-1101 |      |             |    | R. TILLY<br>ENGINEER<br>SHEET 1 OF 1<br>RECORD |          | 152 CAMINO ORUGA WAREHOUSES - TENTATIVE PARCEL MAP EXHIBITS<br>TRAFFIC FLOW AND RIGHT-OF-WAY<br>NAPA COUNTY CALIFORNIA |  | DATE: FEBRUARY 19, 2009<br>SCALE: AS SHOWN<br>PROJECT NO.: 060701 | SHEET<br>FIG2 |
| REV   | DATE | DESCRIPTION | BY | DATE   | REVISION |  |  |   |               |







APN 057-152-006

|  |      |                           |        |
|--|------|---------------------------|--------|
| 152 CAMINO ORUGA WAREHOUSES - TENTATIVE PARCEL MAP EXHIBITS<br>FUTURE EXPANSION ON LOT #2  |      | MAPA COUNTY<br>CALIFORNIA |        |
| PREPARED BY<br>TCG   |      | DATE<br>FEBRUARY 18, 2009 |        |
| SCALE<br>AS SHOWN  |      | PROJECT NO.<br>000781     |        |
| SHEET<br>FIG4  |      | TOTAL SHEETS<br>06        |        |
| COUNTY<br>MAPA COUNTY  |      | CITY<br>CAMINO ORUGA      |        |
| ZONING<br>R. TILLY   |      | EXISTING<br>EXHIBIT       |        |
| PROPOSED<br>EXHIBIT  |      | EXISTING<br>EXHIBIT       |        |
| TCG<br>TERRY CONSULTING GROUP<br>CIVIL ENGINEERING AND SURVEYING<br>1000 N. GARDEN ST., SUITE 100<br>ANAHEIM, CA 92815<br>(714) 931-1928<br>(714) 931-1928 FAX |      | ELEV.<br>ADJUSTMENT       |        |
| REV.   | DATE | BY                        | APP'D. |
|  |      |                           |        |
|  |      |                           |        |
|  |      |                           |        |



EXHIBIT "A"



PROPOSED PARCEL 1



ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF NAPA, STATE OF CALIFORNIA, BEING A PORTION OF LOT 22, AS SHOWN ON THE MAP ENTITLED "FINAL MAP ON NAPA VALLEY BUSINESS PARK, UNIT 1", FILED OCTOBER 5, 1970, IN BOOK 9 OF MAPS, PAGE 73 AND 74, IN THE OFFICE OF THE COUNTY RECORDER OF NAPA COUNTY AND AS CORRECTED BY CERTIFICATE OF CORRECTION RECORDED JULY 9, 1999, AS SERIES NO. 1999-22154, OFFICIAL RECORDS OF NAPA COUNTY, MORE PARTICULARLY AS FOLLOWS:

BEGINNING AT THE MOST WESTERLY CORNER OF THE ABOVE DESCRIBED LOT 22; THENCE NORTH  $42^{\circ}13'10''$  EAST ALONG THE NORTHWESTERLY LINE OF SAID LOT 22 203.83 FEET; THENCE SOUTH  $47^{\circ}48'25''$  EAST 179.98 FEET TO THE SOUTHEASTERLY LINE OF SAID LOT 22; THENCE SOUTH  $42^{\circ}13'10''$  WEST ALONG SAID SOUTHEASTERLY LINE OF LOT 22 184.71 FEET; THENCE NORTH  $53^{\circ}52'15''$  WEST ALONG THE SOUTHWESTERLY LINE OF SAID LOT 22 181.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.80 ACRES MORE OR LESS.

ATTACHED HERETO IS A PLAT LABELED EXHIBIT "B" AND BY THIS REFERENCE MADE A PART HEREOF.

BEARINGS SHOWN HEREON ARE BASED UPON U.S. STATE PLANE NAD83 COORDINATE SYSTEM STATE PLANE COORDINATE ZONE 2, DETERMINED BY GPS OBSERVATIONS.

THIS DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECT  
SUPERVISION:

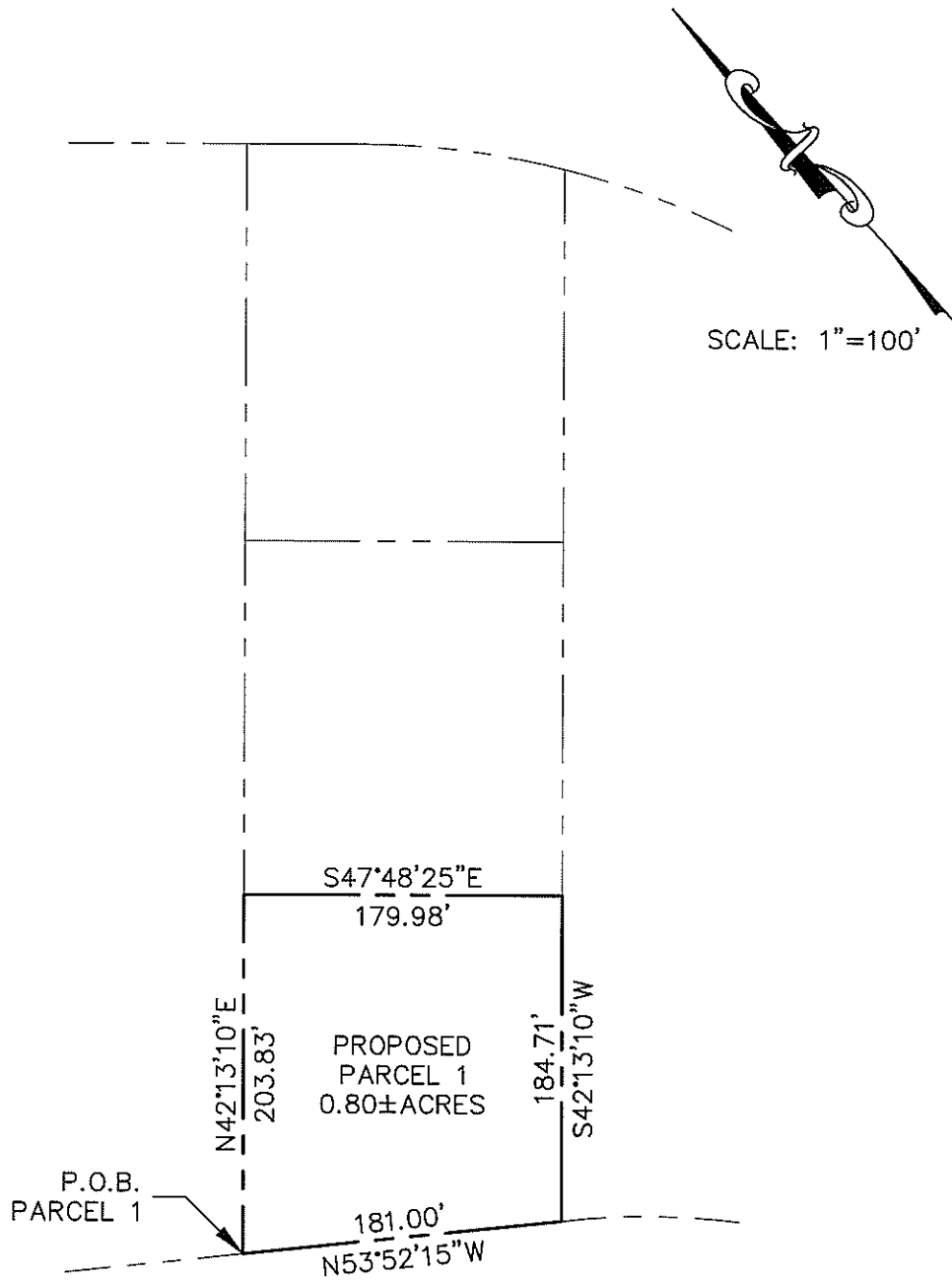
Signature

Date

Rick K. Hayes L.S. 7900  
Exp. 12/31/09



# EXHIBIT "B"



**H<sup>2</sup> WOOD**  
**Land Surveying Professionals**  
5164 Fry Road, Vacaville, CA 95687 Phone: (707) 448-7332 Fax: (707) 448-8190





EXHIBIT "A"



PROPOSED PARCEL 2



ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF NAPA, STATE OF CALIFORNIA, BEING A PORTION OF LOT 22, AS SHOWN ON THE MAP ENTITLED "FINAL MAP ON NAPA VALLEY BUSINESS PARK, UNIT 1", FILED OCTOBER 5, 1970, IN BOOK 9 OF MAPS, PAGE 73 AND 74, IN THE OFFICE OF THE COUNTY RECORDER OF NAPA COUNTY AND AS CORRECTED BY CERTIFICATE OF CORRECTION RECORDED JULY 9, 1999, AS SERIES NO. 1999-22154, OFFICIAL RECORDS OF NAPA COUNTY, MORE PARTICULARLY AS FOLLOWS:

COMMENCING AT THE MOST WESTERLY CORNER OF THE ABOVE DESCRIBED LOT 22; THENCE NORTH 42°13'10" EAST ALONG THE NORTHWESTERLY LINE OF SAID LOT 22 203.83 FEET TO THE POINT OF BEGINNING; THENCE FROM SAID POINT OF BEGINNING AND CONTINUING ALONG SAID NORTHWESTERLY LINE OF LOT 22 NORTH 42°13'10" EAST 200.89 FEET; THENCE SOUTH 47° 48'25" EAST 179.98 FEET TO THE SOUTHEASTERLY LINE OF SAID LOT 22; THENCE SOUTH 42°13'10" WEST ALONG SAID SOUTHEASTERLY LINE OF LOT 22 200.89 FEET; THENCE NORTH 47°48'25" WEST 179.98 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.83 ACRES MORE OR LESS.

TOGETHER WITH A 20 FOOT WIDE ACCESS EASEMENT THE CENTERLINE OF WHICH IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT FROM WHICH THE MOST WESTERLY CORNER OF THE ABOVE DESCRIBED LOT 22 BEARS NORTH 53°52'15" WEST 10.06 FEET; THENCE NORTH 42°13'10" EAST PARALLEL WITH AND 10 FEET SOUTHERLY OF THE NORTHWESTERLY LINE OF SAID LOT 22 202.76 FEET TO THE END OF THE HEREIN DESCRIBED LINE. THE SIDE LINES TO BE LENGTHENED OR SHORTENED SO AS TO COMMENCE ON THE SOUTHWESTERLY LINE OF SAID LOT 22 AND TO TERMINATE ON THE SOUTHWESTERLY LINE OF THE ABOVE DESCRIBED PROPOSED PARCEL 2.

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BEARINGS SHOWN HEREON ARE BASED UPON U.S. STATE PLANE NAD83  
COORDINATE SYSTEM STATE PLANE COORDINATE ZONE 2, DETERMINED  
BY GPS OBSERVATIONS.

THIS DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECT  
SUPERVISION:

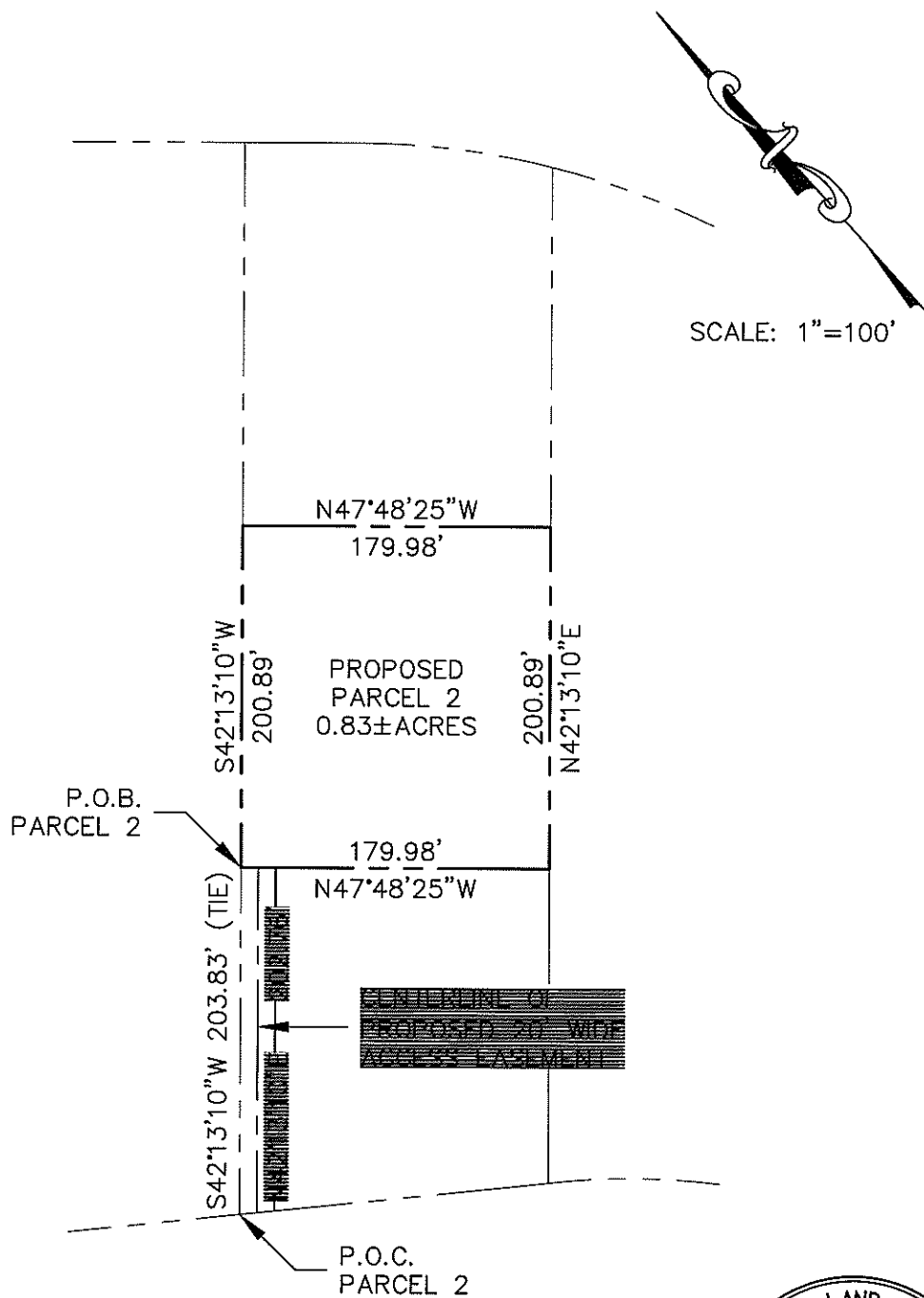
Signature

Date

Rick K. Hayes L.S. 7900  
Exp. 12/31/09



# EXHIBIT "B"



SCALE: 1"=100'

**H2 WOOD**  
**Land Surveying Professionals**  
 5164 Fry Road, Vacaville, CA 95687 Phone: (707) 446-7332 Fax: (707) 448-8190







EXHIBIT "A"



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COMMENCING AT THE MOST WESTERLY CORNER OF THE ABOVE DESCRIBED LOT 22; THENCE NORTH 42°13'10" EAST ALONG THE NORTHWESTERLY LINE OF SAID LOT 22 404.72 FEET TO THE POINT OF BEGINNING; THENCE FROM SAID POINT OF BEGINNING AND CONTINUING ALONG SAID NORTHWESTERLY LINE OF LOT 22 NORTH 42°13'10" EAST 225.56 FEET TO THE NORTHEASTERLY LINE OF SAID LOT 22; THENCE ALONG SAID NORTHEASTERLY LINE OF LOT 22 THE FOLLOWING TWO COURSES: SOUTH 47°46'50" EAST 66.71 FEET AND ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 470.00 FEET, A CENTRAL ANGLE OF 13°56'43", A DISTANCE OF 114.39 FEET TO THE SOUTHEASTERLY LINE OF SAID LOT 22; THENCE SOUTH 42°13'10" WEST ALONG SAID SOUTHEASTERLY LINE OF LOT 22 211.53 FEET; THENCE NORTH 47°48'25" WEST 179.98 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.92 ACRES MORE OR LESS.

TOGETHER WITH A 20 FOOT WIDE ACCESS EASEMENT THE CENTERLINE OF WHICH IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT FROM WHICH THE MOST WESTERLY CORNER OF THE ABOVE DESCRIBED LOT 22 BEARS NORTH 53°52'15" WEST 10.06 FEET; THENCE NORTH 42°13'10" EAST PARALLEL WITH AND 10 FEET SOUTHERLY OF THE NORTHWESTERLY LINE OF SAID LOT 22 403.66 FEET TO THE END OF THE HEREIN DESCRIBED LINE. THE SIDE LINES TO BE LENGTHENED OR SHORTENED SO AS TO COMMENCE ON THE SOUTHWESTERLY LINE OF SAID LOT 22 AND TO TERMINATE ON THE SOUTHWESTERLY LINE OF THE ABOVE DESCRIBED PROPOSED PARCEL 3.

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REFERENCE MADE A PART HEREOF.

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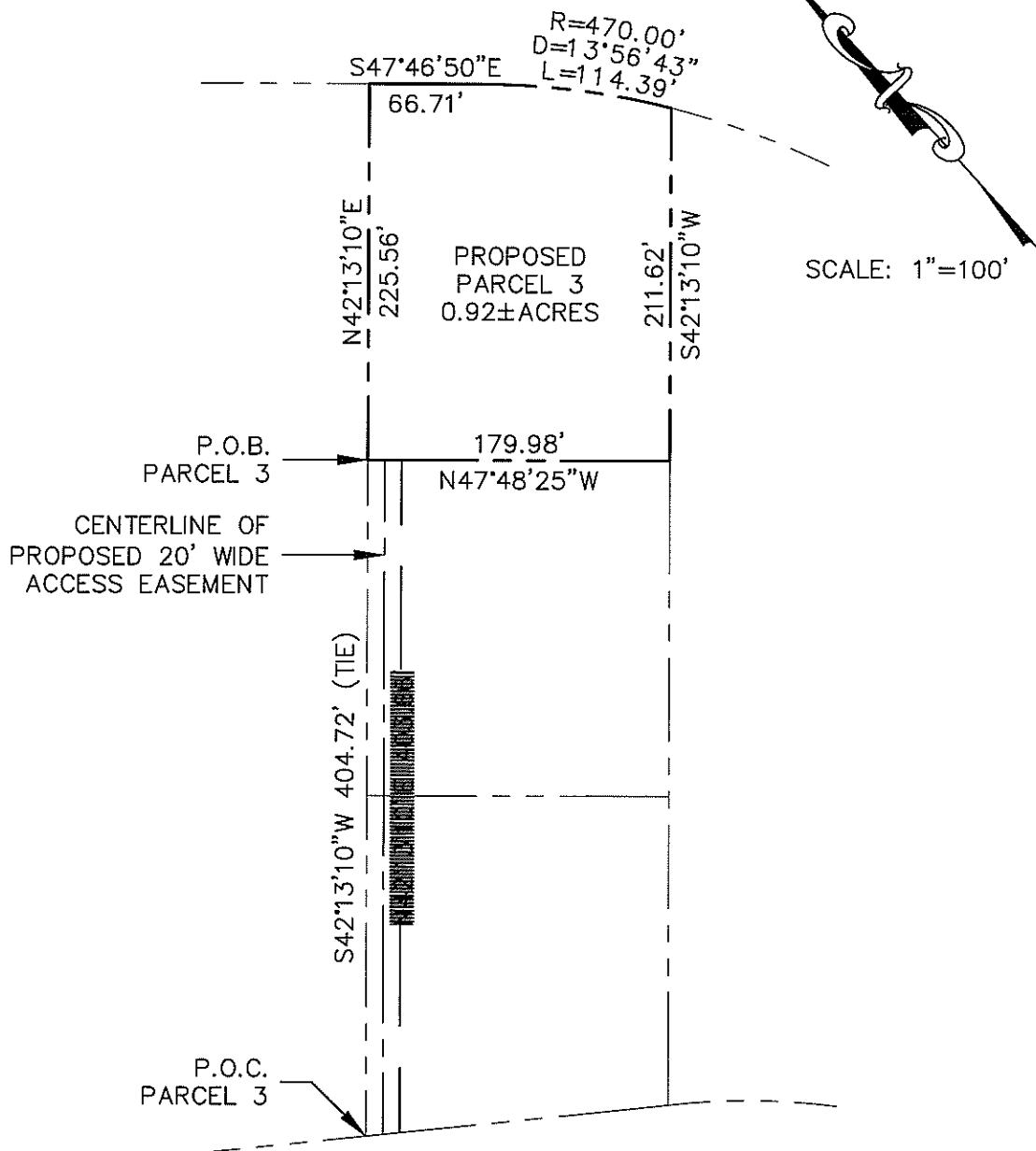
Signature

Date

Rick K. Hayes L.S. 7900  
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# EXHIBIT "B"



**H2 WOOD**  
**Land Surveying Professionals**  
 5164 Fry Road, Vacaville, CA 95687 Phone: (707) 448-7332 Fax: (707) 448-8190



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Applicant

Property Owner (if other than Applicant)

Date \_\_\_\_\_

## Project Identification