



INTER-OFFICE MEMO

TO: Hillary Gitelman
Conservation, Development, and Planning Department

FROM: Alicia Amaro, Fire Department

DATE: May 20, 2009

SUBJECT: J Cellars Investment Winery Use Permit Comments
Apn: 020-180-058 P09-00174

Site Address: 4455 Saint Helena Highway, Calistoga

The Napa County Fire Marshal staff has reviewed the Use Permit application to establish a 30,000 gallon per year winery within 4,702 square feet of above ground structures and 15,798 square feet of caves. Based on the use and occupancy of the cave as described in the use permit application we have classified this cave to be a Type III wine cave. We recommend that the following items shall be incorporated as project conditions or mitigation measures if the commission approves the project.

- 1. All construction and use of the facility shall comply with all applicable standards, regulations, codes and ordinances at time of building permit issuance.**
2. A Type III cave will be treated as a structure and will be subject to the requirements of the *2007 California Building Code (CBC)*, *2007 California Fire Code (CFC)* for exiting requirements. Number of exits, allowable travel distance to an exit, exit signage, emergency lighting and exit hardware shall be consistent with the code requirements.
3. An approved automatic fire sprinkler will be required for the cave. The fire sprinkler system shall be installed and maintained in accordance to the *National Fire Protection Standard (NFPA) #13 (Installation of Sprinkler System, 2002 edition)*
4. An approved automatic fire sprinkler system will be required for all proposed structures 3,600 feet or greater. The winery building will require an automatic fire sprinkler system installed and maintained in accordance with the *National Fire Protection Association Standard (NFPA) #13 (Installation of Automatic Sprinkler Systems 2002 edition)*. A minimum of 60 minutes of water storage to operate the sprinkler system will be required.

5. The minimum required fire flow for the protection of the proposed buildings is 300 gallons per minute for 60 minutes duration at 20 pounds residual water pressure with a storage volume of 9,000 gallons. This fire flow is based on the square footage of the cave and the type of building construction and has been reduced by 50% due to the automatic fire sprinkler system. The fire flow and storage volume in a sprinklered building is in addition to the water demand for the sprinkler system.
6. A fire pump may be required to meet the fire flow requirements. The fire pump shall be installed and maintained in accordance to the *National Fire Protection Standard #20 (Installation of Stationary Pumps for Fire Protection 2003 edition)*. Fire pumps are required to be listed and tested by an approved testing agency and are required to be either diesel driven or electric. Electric fire pumps also require a secondary power source.
7. The private fire service mains shall be installed and maintained in accordance with the *National Fire Protection Standard # 24 (Installation of Private Fire Service Mains and Their Appurtenances 2002 edition)*.
8. The location, number and type of fire hydrants connected to the water supply shall be in accordance with the *California Fire Code, 2007 edition*.
9. The Type III wine cave will require a manual and automatic fire alarm system throughout. All post indicator valves, control valves, waterflow devices and fire pumps will also require monitoring by an approved remote station or central alarm monitoring company. The fire alarm system shall be designed and installed in accordance with the *National Fire Protection Standard #72 (Fire Alarm Code, 2002 edition)*.
10. Fire apparatus access roads shall be provided to within 150 feet of all portions of the structures. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet at the building site and an unobstructed vertical clearance of not less than 15 feet.
11. Access roads from the public and/or private right-of- ways to the project/ building site shall comply with Napa County Road and Street Standards and shall be reviewed by the Napa County Public Works Department.
12. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with a surface so as to provide driving capabilities in all weather conditions. Said access shall be provided prior to any construction or storage of combustible materials on site.
13. The applicant shall be responsible for maintaining 10 feet of defensible space along each side of the roadway. This defensible space zone shall include the removal of

all dead fuel, dry grass mowed to less than four inches in height, the removal or cutting of all brush, the removal of small trees less than 8 inches in diameter and the removal of all ladder fuel on existing trees up to 8 feet in height, within 10 vertical feet of each side of the roadway.

14. A defensible space zone shall be created around all structures. This defensible space zone shall be 100' from all portions of a structure. Flammable vegetation shall be removed and/or modified in the defensible space zone to create a fuel break that will help protect the structures from an encroaching wildland fire and will protect the surrounding wildland areas from a structure fire originating on-site.
15. The request for beneficial occupancy will not be considered until all fire and life safety issues have been installed, tested and finalized.
16. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with a surface so as to provide driving capabilities in all weather conditions. Said access shall be provided prior to any construction or storage of combustible materials on site.
17. The approved address numbers shall be placed on the building by the applicant in such a position as to be plainly visible and legible from the street or streets fronting the property and shall be placed as to be seen from all entrances. Proposed address shall be indicated on the elevation drawings contained within the building plan submittal. The address numbers shall be a minimum of 4" in height for the building, contrasting in color with their background and shall be illuminated.
18. An approved project sign shall be placed at vehicle access points into the project during construction to assist emergency responders. The sign shall identify the project name and address. Such signs shall be clearly visible and legible from the street fronting the project.
19. The applicant shall properly identify all required fire lanes. Fire lanes shall be painted red with white letters to read "NO PARKING FIRE LANE CVC 22500.1, stenciled every 30 feet on top of the curb or on signs.
20. An approved access walkway shall be provided to all exterior doors and openings required by either the *California Fire Code* or the *California Building Code*. A concrete sidewalk or other approved hard surface will meet the intent of the access walkway requirement. Adequate space adjacent to the access walkway, vertically and horizontally, shall be provided to allow firefighters to access required building openings in order to effectively perform rescue operations, to allow for equipment maneuverability. Any landscaping adjacent to the access walkway shall be such that it does not obstruct the functional purpose of the walkway upon maturity.
21. Buildings with high piled storage exceeding 12 feet in height shall be equipped with smoke and heat vents and curtain boards in accordance with the *California Fire*

Code, Chapter 23, 2007 edition.

22. Firefighter access doors in high piled storage occupancies shall be installed every 100 linear feet per the *California Fire Code, Chapter 23, 2007 edition*.
23. Currently serviced and tagged fire extinguishers with a minimum rating of 2A10BC shall be provided within 75 feet of travel distance from any portion of the facility and shall be mounted 3 1/2 to 5 feet to the top of the extinguisher.
24. All exit doors shall be operable without the use of a key or any special knowledge or effort.
25. Illuminated exit signs and emergency back up lighting shall be installed throughout the building per the *California Building Code, section 1004, 2007 edition*.
26. A Knox cabinet will be required to allow emergency vehicle access to the site. Because an alarm system is required the Knox box/cabinet will require "tamper monitoring".
27. The Knox Cabinet shall have one or all of the following items placed in the Knox cabinet, dependent on requirements of this facility:
 - a. A minimum of 2 master keys to the structure(s) for emergency access.
 - b. 2 scaled site plans of the facility, identifying all buildings, hydrants, fire department access around the facility, and location of all water, electric, and gas shut-off valves.
 - c. 2 scaled floor plans of all structures showing doors, offices, etc.
 - d. Napa County Hazardous Materials Business including all MSDS forms, etc.
 - e. A digital file of the site and floor plans in a PDF format must be submitted at building final in addition to the hard copies listed above.**
28. When the Napa County Fire Department deems is necessary for Fire and Life Safety, the owner, agent or lessee shall put in writing the intended use of the cave areas; i.e. storage, processing of wine at a winery and/or assembly use areas. This information is based off the the use permit.
29. The applicant shall provide the Fire Department the ability to communicate between emergency personnel inside the cave.
30. A complete set of Building Plans shall be submitted to the Fire Department for review and approval for egress requirements.
31. Barricades shall be provided to protect any natural gas meter, fire hydrant, or other fire department control device, which may be subject to vehicular damage.

Approved signs may be required to identify the location of fire protection devices.

32. Technical assistance in the form of a fire protection engineer or consultant acceptable, and reporting directly, to the NCFD shall be provided by the applicant at **no** charge to the County for independent peer review of alternate methods and materials proposals.
33. Plans detailing compliance with the fire and life safety conditions-of-approval shall be submitted to the Napa County Fire Marshal's Office for review and approval prior to building permit issuance and /or as described above.
34. "Fire Plan Review and Inspection" fees shall be paid to the Fire Department for all applicable plan review and inspection work at the established hourly rate as adopted by the Napa County Board of Supervisors by resolution.

Please feel free to contact the Napa County Fire Marshal's Office at (707) 967-1425 to discuss any fire protection issues you may have regarding your project.

Alicia Amaro
Assistant Fire Marshal



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JUN 22 2009

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DEVELOPMENT & PLANNING DEPT.

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: June 18, 2009

Re: Use Permit Application for J Cellars
Investments LLC
Located at 4455 St. Helena Hwy.
Assessor Parcel # 020-180-058
File #P09-00174

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

1. 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 directly to the Department of Environmental Management with the appropriate plan review fee (if you are in a City jurisdiction, you must submit the plans to the city and obtain their departmental stamp on said plans prior to bringing them to this department). These plans must be reviewed and approved prior to issuance of any building clearance or building permit for said areas.

Upon completion of the work and prior to final by this department an annual food permit will also be required.

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.

Applicant shall be aware that all current water system requirements will have to be met and until the new well is drilled, storage and treatment requirements are unknown. Water system plans (including all chemical sampling) shall be submitted for review and approval prior to issuance of a building clearance.

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11. 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.

12. All diatomaceous earth and/or bentonite must be dried and disposed of as solid waste or in another appropriate manner. If the proposed septic system is either a special design sewage disposal system or a private sewage disposal system, the plan submitted for review and approval must address diatomaceous earth/ bentonite disposal.

cc: Ronald Gee, CDPD
Doug Calhoun, Environmental Health Supervisor
J Cellars Investments LLC, 4455 St. Helena Hwy., Calistoga, CA 94515

DEPARTMENT OF TRANSPORTATION

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July 15, 2009

NAP029862
NAP-29-35.75

Ms. Kirsty Shelton
Napa County Planning Department
1196 Third Street, Suite 210
Napa, CA 94559

Dear Ms. Shelton:

J. Cellars Winery – Use Permit Application (APN 020-180-058)

Thank you for including the California Department of Transportation (Department) in the environmental review process for the J. Cellars Winery project. The following comments are based on the Use Permit Application. As the lead agency, the County of Napa is responsible for all project mitigation, including any needed improvements to state highways. The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures. This information should also be presented in the Mitigation Monitoring and Reporting Plan of the environmental document. Required roadway improvements should be completed prior to issuance of the Certificate of Occupancy. Since an encroachment permit is required for work in the state right of way (ROW), and the Department will not issue a permit until our concerns are adequately addressed, we strongly recommend that the County work with both the applicant and the Department to ensure that our concerns are resolved during the environmental process, and in any case prior to submittal of a permit application. Further comments will be provided during the encroachment permit process; see the end of this letter for more information regarding encroachment permits.

Traffic Impact Fees

Please identify traffic impact fees. Development plans should require traffic impact fees based on projected traffic and/or based on associated cost estimates for public transportation facilities necessitated by development. Please refer to the California Office of Planning and Research (OPR) *2003 General Plan Guidelines*, page 163, which can be accessed on-line at the following website: <http://www.opr.ca.gov/index.php?a=planning/gpg.html>

Scheduling and costs associated with planned improvements on Departmental ROW should be listed, in addition to identifying viable funding sources correlated to the pace of improvements for roadway improvements, if any. Please refer to the state OPR's *2003 General Plan Guidelines*, page 106.

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Traffic Impact Study (TIS)

Please include the information detailed below in the TIS to ensure that project-related impacts to state roadway facilities are thoroughly assessed. We encourage the County to coordinate preparation of the study with our office, and we would appreciate the opportunity to review the scope of work. The Department's "*Guide for the Preparation of Traffic Impact Studies*" should be reviewed prior to initiating any traffic analysis for the project; it is available at the following website:

<http://www.dot.ca.gov/hq/traffops/developserv/operationalsystems/reports/tisguide.pdf>

The TIS should include:

1. Vicinity map, regional location map, and a site plan clearly showing project access in relation to nearby state roadways. Ingress and egress for all project components should be clearly identified. State ROW should be clearly identified.
2. The maps should also include project driveways, local roads and intersections, parking, and transit facilities.
3. Project-related trip generation, distribution, and assignment. The assumptions and methodologies used to develop this information should be detailed in the study, and should be supported with appropriate documentation.
4. Average Daily Traffic, AM and PM peak hour volumes and levels of service (LOS) on all significantly affected roadways, including crossroads and controlled intersections for existing, existing plus project, cumulative and cumulative plus project scenarios. Calculation of cumulative traffic volumes should consider all traffic-generating developments, both existing and future, that would affect study area roadways and intersections. *The analysis should clearly identify the project's contribution to area traffic and degradation to existing and cumulative levels of service. Lastly, the Department's LOS threshold, which is the transition between LOS C and D, and is explained in detail in the Guide for Traffic Studies, should be applied to all state facilities.*
5. Schematic illustration of traffic conditions including the project site and study area roadways, trip distribution percentages and volumes as well as intersection geometrics, i.e., lane configurations, for the scenarios described above.

We recommend using the Department's "*Guide for the Preparation of Traffic Impact Studies*" for determining which scenarios and methodologies to use in the analysis. The guide can be accessed from the following webpage:

<http://www.dot.ca.gov/hq/traffops/developserv/operationalsystems/reports/tisguide.pdf>

If the proposed project will not generate the amount of trips needed to meet the Department's trip generation thresholds, an explanation of how this conclusion was reached must be provided.

Cultural Resources

The project environmental document must include documentation of a current archaeological record search from the Northwest Information Center of the California Historical Resources Information System if construction activities are proposed within state ROW. Current record searches must be no more than five years old. The Department requires the records search, and if warranted, a cultural resource study by a qualified, professional archaeologist, to ensure compliance with CEQA, Section 5024.5 of the California Public Resources Code and Volume 2

of Caltrans' Standard Environmental Reference (<http://ser.dot.ca.gov>). These requirements, including applicable mitigation, must be fulfilled before an encroachment permit can be issued for project-related work in state ROW; these requirements also apply to NEPA documents when there is a federal action on a project. Work subject to these requirements includes, but is not limited to: lane widening, channelization, auxiliary lanes, and/or modification of existing features such as slopes, drainage features, curbs, sidewalks and driveways within or adjacent to state ROW.

Encroachment Permit

Please be advised that any work or traffic control that encroaches onto the state ROW requires an encroachment permit that is issued by the Department. To apply, a completed encroachment permit application, environmental documentation, and five (5) sets of plans clearly indicating state ROW must be sent to Michael Condie, District Office Chief, Office of Permits, California DOT, District 4, P.O. Box 23660, Oakland, Ca 94623-0660. Traffic-related mitigation measures should be incorporated into the construction plans during the encroachment permit process. See the website link below for more information.

<http://www.dot.ca.gov/hq/traffops/developserv/permits/>

Please forward at least one hard copy and one CD of the environmental document, along with the TIS, including Technical Appendices, complete plan set (full size), and staff report to the following address as soon as they are available: Sandra Finegan, Associate Transportation Planner, Community Planning Office, Mail Station 10D, California DOT, District 4, P.O. Box 23660, Oakland, CA 94623-0660.

Please feel free to call or email Sandra Finegan of my staff at (510) 622-1644 or sandra_finegan@dot.ca.gov with any questions regarding this letter.

Sincerely,



LISA CARBONI
District Branch Chief
Local Development – Intergovernmental Review

DEPARTMENT OF TRANSPORTATION

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September 3, 2009

SEP 11 2009

NAPA CO. CONSERVATION
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NAP029862
NAP-29-35.60

Ms. Kirsty Shelton
Napa County Planning Department
1196 Third Street, Suite 210
Napa, CA 94559

Dear Ms. Shelton:

J. Cellars Winery – Traffic Impact Study

Thank you for continuing to include the California Department of Transportation (Department) in the environmental review process for the J. Cellars Winery project. The following comments are based on the Traffic Impact Study (TIS).

Please confirm that the applicant proposes a left-turn lane at the State Route (SR) 29 and Quail Mountain Road intersection. This improvement should be fully detailed in the project's environmental document and civil drawings.

Encroachment Permit

Please be advised that any work or traffic control that encroaches onto the state right of way (ROW) requires an encroachment permit that is issued by the Department. To apply, a completed encroachment permit application, environmental documentation, and five (5) sets of plans clearly indicating state ROW must be sent to Michael Condie, District Office Chief, Office of Permits, California DOT, District 4, P.O. Box 23660, Oakland, Ca 94623-0660. Traffic-related mitigation measures should be incorporated into the construction plans during the encroachment permit process. See the website link below for more information.

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Ms. Kirsty Shelton/County of Napa

September 3, 2009

Page 2

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Sincerely,



LISA CARBONI

District Branch Chief

Local Development – Intergovernmental Review

DEPARTMENT OF TRANSPORTATION

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November 18, 2009

NAP029862
NAP-29-35.60

Ms. Kirsty Shelton
Napa County Planning Department
1196 Third Street, Suite 210
Napa, CA 94559

Dear Ms. Shelton:

J. Cellars Winery – Revised Traffic Impact Study

Thank you for continuing to include the California Department of Transportation (Department) in the environmental review process for the J. Cellars Winery project. The following comments are based on the Revised Traffic Impact Study (TIS). Our previous comments still apply and are incorporated here by reference.

Traffic Operations

1. The proposed left turn at the project's access on State Route (SR) 29 must be designed according to the Department's standard. Please refer to the Highway Design Manual (HDM), Index 405.2. <http://www.dot.ca.gov/hq/oppd/hdm/hdmtoc.htm>
2. Any impacts caused by the widening of SR 29 due to the left turn lane, such as removal of a tree, must be discussed and mitigated in the project's environmental document.

Encroachment Permit

Please be advised that any work or traffic control that encroaches onto the state right of way (ROW) requires an encroachment permit that is issued by the Department. To apply, a completed encroachment permit application, environmental documentation, and five (5) sets of plans clearly indicating state ROW must be sent to Michael Condie, District Office Chief, Office of Permits, California DOT, District 4, P.O. Box 23660, Oakland, Ca 94623-0660. Traffic-related mitigation measures should be incorporated into the construction plans during the encroachment permit process. See the website link below for more information.
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Please forward at least one hard copy and one CD of the environmental document, and a complete plan set (full size), and staff report to the following address as soon as they are available: Sandra Finegan, Associate Transportation Planner, Community Planning Office, Mail Station 10D, California DOT, District 4, P.O. Box 23660, Oakland, CA 94623-0660.

Please feel free to call or email Sandra Finegan of my staff at (510) 622-1644 or sandra_finegan@dot.ca.gov with any questions regarding this letter.

Sincerely,



LISA CARBONI
District Branch Chief
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