



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

January 22, 2001

PHILLIP L. SMITH
318 DIABLO RD., SUITE 260
DANVILLE. CA 94526

RE: Request for Use Permit #99077-UP and
Zoning Ordinance Text Amendment #00249-ORD and
Rezoning #00255-RZG (Inglewood Village Commercial Development)
APNs 027-120-040 and -050

Dear Mr. Smith:

Please be advised that the above-referenced **Use Permit Application** has been **APPROVED** by the Napa County, Development & Planning Commission on January 17, 2001 based on the attached conditions. At the same meeting, the Commission recommended to the Board of Supervisors the approval of the above-referenced zoning ordinance text change and rezoning of the property in question from "Commercial Limited" to "Commercial Neighborhood." Note that Condition #2 of the permit makes the Use Permit effective only upon approval of the zoning text change and rezoning.

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. You may appeal the conditions of approval. If an appeal is filed by another, you will be notified. The zoning matters will be scheduled for hearing and action by the Board of Supervisors on February 20, 2001.

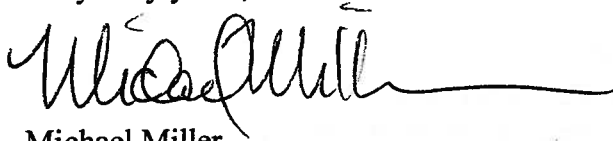
Pursuant to Section 18.124.080 of the Napa County Code, the use permit must be activated within one year and ten calendar days from the approval date, or it shall automatically expire and become void. Because the requirements for extension of the permit would include that the property is in the same zoning district as at the time of initial approval, and the permit itself contemplates rezoning, this one-year-plus period shall not commence until the **effective date** of the permit pursuant to Condition #2.

An extension of time in which to activate the use permit may be granted for a maximum of 12 months, upon application not prior to 30 days before 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 these permissions.

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,

A handwritten signature in black ink, appearing to read "Michael Miller", with a long horizontal flourish extending to the right.

Michael Miller
Deputy Planning Director

cc. John Tuteur, Assessor
Jeffrey Redding, Director of Conservation Development & Planning
Gary Brewen, Building Codes Administrator
Mary Jean McLaughlin, Clerk of the Board of Supervisors

CONDITIONS OF APPROVAL
Inglewood Village Commercial Development (#99077-UP)

1. The permit is limited to:
 - a. The establishment of a commercial office complex for general business offices, including professional, executive, financial, real estate, and insurance offices; as delineated on the attached approved site plan, and consistent with the application forms.
 - b. The establishment of a retail nursery and garden center, including a maximum 43,300 ft² of outdoor garden display area.
 - c. The construction of three commercial structures, as delineated on the approved site plan: Building "A", single-story 3,575 ft² in area; Building "B", single-story, 4,030 ft² in area; and Building "C", two story, 15,384 ft² in area. Colors of said structures shall comply with the attached approved elevation drawings.
 - d. The construction of a 6-foot, solid masonry wall along the west property line between parcels 027-120-040 and 027-120-025, as delineated on the approved site plan.
- 063
2. Use Permit #99077-UP shall not be effective before the effect date of the Commercial Neighborhood Zoning Ordinance Text Amendment (Application File #00249-ORD or #99079-ORD) and the effective date of the Commercial Neighborhood rezoning (Application File #00255-RZG) of the property.
3. The permittee shall submit four copies of a detailed landscaping, fencing, and parking plan to the Department for review and approval indicating names and locations of plant materials, method of maintenance and location of off-street parking spaces (please number). Said plan is to be submitted prior to issuance of the building permits. Landscaping, fencing, and parking to be completed prior to final occupancy. Landscaping shall be permanently maintained in accordance with the approved landscape plan.
4. The permittee shall provide 126 off-street parking spaces on a dust-free all-weather surface approved by the Public Works Department. All employee parking shall be accommodated on-site.
5. All outdoor storage shall be screened from view of Inglewood Avenue, State Highway 29 and adjacent properties by a visual barrier consisting of fencing and/or dense landscaping. No open storage is to exceed the height of the screening.
6. The permittee shall comply with all applicable building codes, zoning standards, and requirements of County Departments and agencies, including but not limited to:

The Department of Environmental Management as stated in their letter of August 30, 1999.
The Department of Public Works as stated in their letter of September 21, 1999.
The County Fire Department as stated in their memo of September 21, 1999.
The Building Division as state in their memo of August 24, 1999.
7. The permittee shall comply with 12 Mitigation Measures described in the *Inglewood Village Office Park Environmental Impact Report*, dated April, 2000 (Impacts #4.1-5; #4.2-1; #4.2-3; #4.2-6; #4.3-4, #4.4-4, #4.5-1, #4.6-4, #4.7-1, #4.8-1, #4.8-2 and #4.8-5) and attached to these conditions of approval.

8. 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.
9. All exterior 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, incorporating the use of motion detection lighting to the greatest extent possible. No floodlighting of the building is permitted. Prior to issuance of any building permit, a detailed Lighting Plan showing the location and specifications for all lighting fixtures to be installed on the property shall be submitted for review and approval by the Department.
10. Prior to issuance of the certificate of occupancy, the two-way left turn lane on State Highway 29, as required by mitigation measure #4.2-3 or an alternative turning pattern acceptable to CalTrans, shall have been constructed. In addition, the applicant shall submit to the Department evidence of compliance with mitigation measures 4.2-1 and 4.2-6, regarding the contribution of proportional share of the traffic improvements on State Highway 29.



COUNTY of NAPA

OFFICE OF CONSERVATION, DEVELOPMENT & PLANNING

PLANNING COMMISSION

January 19, 2005

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District #1

Commissioner
JIM KING
District #2

Vice-Chairperson
BOB FIDDAMAN
District #3

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PATRICK LYNCH, AICP
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Director

GARY BREWEN
Building Codes
Administrator

STEVEN LEDERER
Deputy Director
Planning

R. PATRICK LOWE
Deputy Director
Conservation

LAURA ANDERSON
Commission Counsel

MICHELLE PRICE
Commission Clerk

Mr. Phillip L. Smith
The Phillip L. Smith Company. Ltd.
P.O. Box 98
Acampo, CA 95220

Re: INGLEWOOD VILLAGE BUSINESS PARK
Use Permit Modification#P04-0428-MOD
APN: 027-120-063, 1275 Inglewood Avenue, St. Helena
590-001

Dear Mr. Smith,

Please be advised that Use Permit Modification#P04-0428-MOD has been **APPROVED** by the Napa County Planning Commission on December 15, 2004, based on the attached conditions of approval, the Napa County departments comments, and applicable County regulations.

MODIFICATION EXPIRATION DATE: December 15, 2006

Please note that the original Use Permit will expire February 20, 2005 if it is not "used" by that date. The above referenced expiration date is for the modification only and does not extend the period of time for the original use permit.

Pursuant to Section 18.124.080 of the Napa County Code, the use permit must be activated within two (2) years from the approval date, or it shall automatically expire and become void. This letter serves as the only notice you will receive regarding the expiration date of your 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. Please note that additional fees will be assessed if a landscape plan or erosion control plan is required by this approval.

Should you have any questions, please contact Sean Trippi at (707) 299-1353 or by e-mail: strippi@co.napa.ca.us.

Sincerely,

Steven Lederer, Deputy Director
Napa County Conservation, Development and Planning Department

1195 THIRD STREET
SUITE 210



NAPA, CALIFORNIA
94559



TELEPHONE:
707-253-4417



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707-253-4336



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**NAPA COUNTY CONSERVATION, DEVELOPMENT AND PLANNING DEPARTMENT
CONSERVATION & DEVELOPMENT PLANNING COMMISSION
USE PERMIT MODIFICATION #P04-0428-MOD**

**INGLEWOOD VILLAGE BUSINESS PARK
CONDITIONS OF APPROVAL
December 15, 2004**

1. This approval is limited to modification of Use Permit #99077-UP as follows:
 - a. replacing the garden center building and nursery with a 4,030 sq. ft. office building and vineyard as shown on the site plan dated November 8, 2004.
 - b. constructing the project in three phases -
 - Phase 1 consists of Building A, a one-story 4,030 sq. ft. office building, parking for 33 vehicles, curb, gutter, and landscaping along Inglewood Avenue, vineyard, drainage improvements, and a 6-foot high masonry screen wall along the west property line.
 - Phase 2 consists of Building B, a one-story 4,030 sq. ft. office building, associated parking, landscaping, and site improvements.
 - Phase 3 consists of Building C, a two-story 15,384 sq. ft. office building, associated parking, landscaping and site improvements.
2. Landscaping shall be installed along Highway 29 within 24 months of completion of Phase 1. The permittee shall enter into a deferred improvement agreement with Napa County and post with the Planning Director adequate securities to ensure that the landscaping along Highway 29 will be installed within the prescribed period of time. Final landscape plans shall be subject to review and approval by the Planning Director.
3. All unimproved portions of the project site shall be kept free of weeds and debris.
4. The site shall be graded such that storm water from the project is discharged from the site into an approved drainage facility. Stormwater runoff shall be directed toward the southwest corner of the property. No increase in runoff will be allowed from this project onto adjacent properties unless adequate private easements have been established. Each phase of development shall include drainage improvements to ensure that additional runoff is not directed to Inglewood Avenue or surrounding properties unless otherwise allowed through aforementioned easements. All on-site drainage facilities shall be maintained by the permittee in proper working condition.
5. The applicant shall comply with all applicable building codes and the requirements of various County departments and agencies including:
 - Public Works comments dated October 12, 2004.
 - Environmental Management comments dated September 28, 2004.
 - Building Department comments dated September 14, 2004.
 - County Fire Department comments dated September 22, 2004.
6. The activities permitted on the site are limited to those shown on the plans submitted with the Modification application. Any substantial change in use is subject to review and approval as determined by the Planning Director in accordance with the Zoning Ordinance.

7. 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.
8. Final exterior building materials and colors are subject to review and approval by the Planning Director.
9. All conditions of approval from Use Permit #99077-UP, including mitigation measures imposed on Use Permit #99077-UP shall remain in effect to the extent they are not in conflict with these conditions.
10. Roof mounted equipment shall be screened by a parapet wall of equal or greater height than the highest piece of roof mounted equipment or vent. Equipment may be screened by a separate roof screen that is architecturally integrated with the building, and when screening by a parapet wall is not feasible or is architecturally undesirable. When separate roof screens are used, roof equipment should be organized into major groups screening a smaller number of units rather than multiple areas. All screening is subject to review and approval by the Planning Director.
11. Ground mounted equipment shall be screened by walls or landscaping to the satisfaction of the Planning Director.
12. All trash bins shall be stored within approved trash enclosures. The location and construction details of any new trash enclosures are subject to review and approval by the Planning Director. The trash enclosure shown on the site plan adjoining the vineyard shall be relocated so as not to impact adjoining residential uses. All new trash enclosures must be covered and protected from rain, roof, and surface drainage.
13. An indemnification agreement, signed by the owner is included as part of the attached staff report.
14. No parking signs shall be provided on Inglewood Avenue, along the project frontage, as determined by the Director of Public Works subject to review and approval by the Board of Supervisors.
15. The permittee shall construct curb and gutter on Inglewood Avenue, along the project frontage and install landscaping between the curb and project site in lieu of a sidewalk. Final landscape plans are subject to review and approval by the Planning Director.
16. A minimum 6-foot high evergreen landscape screen shall be extended from the termination of the proposed wall shown on the site plan to Inglewood Avenue to replace the row of Poplar and Cherry trees that were removed subsequent to approval of the original site plan. The height of landscape screening shall not exceed 42-inches within 30-feet of the edge of Inglewood Avenue.
17. Hours of operation for customers conducting business on the site are between 7:00 A.M. and 8:00 P.M. Monday through Friday and between 9:00 A.M. and 6:00 P.M. Saturday and Sunday, exclusive of automated teller machines or other automated conveniences as may be approved by the Planning Director. Business hours shall not preclude owners/employees from access to their offices outside the hours of operation for non-customer related work.

18. The permittee may be required (at the permittee's expense) to provide well monitoring data if the Director of Environmental Management determines that water usage at the project site is affecting, or would potentially affect groundwater supplies or nearby wells. Data requested could include, but may not be limited to, water extraction volumes and static well levels. If applicant is unable to secure monitoring access to neighboring wells, on-site monitoring wells may need to be established to gage potential impacts on the groundwater resource utilized for the project proposed. Water usage shall be minimized by use of best available control technology and best water management conservation practices. In the event that changed circumstances or significant new information provide substantial evidence that the groundwater system referenced in the modification application would significantly affect the groundwater basin, the director of environmental management shall be authorized to recommend additional reasonable conditions on the permittee, or revocation of this permit, as necessary to meet the requirements of the Napa County Groundwater Ordinance and protect public health, safety, and welfare. That recommendation shall not become final unless and until the director has provided notice and the opportunity for hearing in compliance with the County Code Section 13.15.070.G-K.
19. All staff costs associated with monitoring compliance with these conditions, previous permit conditions and project revisions shall be borne by the applicant and/or property owner. Generally costs associated with planning review for building plan clearance and certification of occupancy are not to be charged per this condition. However, costs associated with conditions and mitigation measures that require monitoring outside of those two processes, 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 Resolution #95-77 or as such Resolution may be amended from time to time, or in accordance with the hourly consulting rate established by the Department at the time of the monitoring (\$116.00/hour as of January, 2004). Violations of conditions of approval or mitigations measures caused by the applicant's contractors, employees, and guests are the responsibility of the applicant.