



A Tradition of Stewardship
A Commitment to Service

Conservation Development and Planning

1195 Third Street, Suite 210
Napa, CA 94559
www.co.napa.ca.us

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

Hillary Gitelman
Director

May 6, 2010

Mr. Peter Kitchak
Kitchak Cellars Winery
1094 Hardman Ave.
Napa, CA 94558

Re: Use Permit Very Minor Modification: #P10-00151-MODVMIN
Kitchak Cellars Winery
1094 Hardman Avenue, Napa
Assessor's Parcel No.: 039-190-038

Dear Mr. Kitchak:

Please be advised that Use Permit Very Minor Modification Application #P10-00151-MODVMIN was **APPROVED** by the Director of Conservation, Development and Planning on May 6, 2010, to include the following:

- 1) Construction of a 260 square foot tasting room building attached to the north side of the existing, previously approved Kitchak Cellars Winery production building with an adjacent 140 square foot uncovered hospitality patio (replacing the 400 square foot previously approved uncovered hospitality patio); and,
- 2) Construction of a 640 square foot covered outdoor crush pad (replacing the 300 square foot previously approved uncovered outdoor crush pad) with no changes to the winery's production, visitation or marketing levels.

The approval is subject to the attached conditions of approval, attached Napa County departmental comments and all applicable Napa County regulations.

In approving the above application, the Director of Conservation, Development and Planning found the project **Categorically Exempt** pursuant to Section 15301 of the California Environmental Quality Act (Class 1 - Existing Facilities) and Appendix B, Class 1, Subsection 3, of Napa County's Local Procedures for Implementing the California Environmental Quality Act.

In addition, as required by Napa County Code Section 18.10.020(A.)(13.), the Zoning Administrator, in approving Very Minor Modification #P10-00151-MODVMIN, has made the required findings that the

project is a minor alteration to a previously approved winery project consistent with Napa County Code Section 18.124.030 (C.).

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 Section 18.124.080 of the Napa County Code, this very minor modification 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 minor modification permit.

EXPIRATION DATE: May 6, 2012

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.

Should you have any questions, please contact Patricia Hornisher, Project Planner at: (707) 299-1349 or e-mail at: Trish.Hornisher@countyofnapa.org.

Sincerely,



Patricia Hornisher
Planner III

cc: Application File
Ms. Mary Sikes, Architect
Napa County Building Inspection
Napa County Public Works
Napa County Environmental Management
Napa County Fire Marshall
Napa County Assessor
Chron File
Winery Database Staff

**NAPA COUNTY
CONSERVATION, DEVELOPMENT & PLANNING DEPARTMENT**

CONDITIONS OF APPROVAL

**Kitchak Cellars Winery Very Minor Modification
to Use Permit #P09-00148-UP
Tasting Room Addition and Enlargement of Crush Pad
APN: #039-190-038**

File # P10-00151-MODVMIN

1. **SCOPE:** This use permit modification (inclusive of Use Permit #P09-00148-UP and #P09-00149-VAR) shall be limited to the following:
 - Construction of a 260 square foot tasting room building attached to the north side of the existing, previously approved Kitchak Cellars Winery production building with an adjacent 140 square foot uncovered hospitality patio (replacing the 400 square foot previously approved uncovered hospitality patio); and,
 - Construction of a 640 square foot covered outdoor crush pad (replacing the 300 square foot previously approved uncovered outdoor crush pad) with no changes to the winery's production, visitation or marketing levels.

This approval does not include any changes to previous use permit approvals not explicitly amended above. **No construction activity, nor any other change in winery operation, is approved hereby.** As verified by the project architect on Monday, April 26th, 2010, the enlarged covered crush pad will not require additional grading and will not cause any earth disturbance extending into the adjacent creek setback which is protected under the Napa County Conservation Regulations. (See also Condition of Approval #5.) Any expansion or changes in use shall be in accordance with Napa County Code § 18.124.130 and may be subject to the Use Permit modification process.

2. **COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES:**

The permittee shall comply with all applicable building codes, zoning standards, and all requirements of County Departments and Agencies including but not limited to:

Napa County Building Inspection Division dated April 30, 2010.
Napa County Public Works comments dated April 27, 2010.
Napa County Fire Marshall comments dated May 6, 2010.

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. **LANDSCAPING:**

Two (2) copies of a detailed landscaping plan shall be submitted for review and approval prior to the final approval of associated building permit #B010-00170 for the winery installation. The plan shall indicate the names and locations of all plant materials to be used along with the method for continuous irrigation and maintenance. The plantings shall be evergreen and shall be installed between the industrial portions of the operation (e.g. tanks, crushing area, etc.) and adjacent parcels thereby screening all industrial portions. Plant materials shall be purchased locally when practical. The Agricultural Commissioner's office (707-253-4357) shall be notified of all impending deliveries of live plants with points of origin outside of Napa County.

4. **SPOILS:**

All spoils generated by construction of the project facilities shall be disposed of per Public Works direction. All spoils piles shall be removed prior to occupancy.

5. **STREAM SETBACKS:**

Final plans submitted for building permit issuance shall include a site plan prepared by a qualified professional showing all streams, stream setbacks, existing and proposed improvements and slopes. No new construction or earthmoving activities have been proposed or approved within established stream setbacks as part of this application unless specifically enumerated in Section 1 (Scope), above. As determined by the Director of Conservation, Development and Planning, temporary construction fencing shall be placed at the stream setback line to prevent unauthorized encroachments.

6. **INDEMNIFICATION:**

The indemnification agreement was signed by the property owner representative and returned to the County and shall be kept on file with this permit.

7. **PREVIOUS CONDITIONS:**

The permittee shall comply with all previous conditions of approval for Use Permits: #P09-00148-UP & #P09-00149-VAR except as modified by this action. To the extent there is a conflict between previous conditions of approval and these conditions of approval, these conditions shall control and supersede earlier ones.

8. **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.



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FILE #: P10-00151 Vmm
Conservation Development and Planning

1195 Third Street, Suite 210
Napa, CA 94559
www.countyofnapa.org

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

Hillary Gitelman
Director

**PERMIT APPLICATION AND INITIAL STUDY
REQUEST FOR COMMENTS**

TO: BUILDING INSPECTION

APPLICATION TITLE: KITCHAK WINERY MOD APN: 039-190-038

DESCRIPTION OF PROJECT: ADD A 260 SQ FT BUILDING ADDITION
TO NORTH SIDE OF EXISTING PRODUCTION BUILDING. PER USE ITS A
TASTING ROOM & RETAIL SALES IN ADJACENT 260 SQ FT UNCOVERED PATIO
AND ENLARGE & COVER AN OUTDOOR CUSH PAD FROM 300 SQ FT TO 600 SQ FT

RESPONSE REQUEST DATE: 4/27/10 RESPONSE RETURN DATE: 4/4/10

PLEASE RESPOND VIA E-MAIL TO: Trish.Hetherly@countyofnapa.org
OR FAX TO (707) 299- 1349

This application (see enclosed project description and 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.

1. Do you have any comments on this project? ☒ Yes ☐ No
2. Do you have jurisdiction by law over this project? ☒ Yes ☐ No
3. Attach your agencies comments, or list below: ☐ Comments attached
☐ Comments below.

The new tasting room shall be constructed
under a separate permit and shall comply
with all applicable codes & ordinances.
The tasting room shall be made accessible
to persons with disabilities in accordance
with the California Building Code chapter
11B.

Name of contact person: Darrell Mayes Telephone #: 259-8230

Email: _____
Title: Darrell Mayes - Bldg Codes Admin.
Date: 4/30/10



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FILE # 10-00151 VAM
Conservation Development and Planning

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Hillary Gitelman
Director

PERMIT APPLICATION AND INITIAL STUDY
REQUEST FOR COMMENTS

TO: PUB WKS

APPLICATION TITLE: KITCHAK WINERY MOD APN: C39-190-038

DESCRIPTION OF PROJECT: ADD A 266 SQ FT BUILDING ADDITION
ON NORTH SIDE OF EXISTING PRODUCTION BUILDING. PLEASE USE AS A
TASTING ROOM & RETAIL SALES IN ADJACENT 240 SQ FT UNIMPROVED PLOT
AND ENLARGE COVER AN OUTDOOR CRUSH PAD FROM 30 SQ FT TO 60 SQ FT

RESPONSE REQUEST DATE: 4/27/10 RESPONSE RETURN DATE: 4/4/10

PLEASE RESPOND VIA E-MAIL TO: Trish.Hornshoe@countyofnapa.org
OR FAX TO (707) 299- 1349

This application (see enclosed project description and 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.

1. Do you have any comments on this project? ☒ Yes ☐ No
2. Do you have jurisdiction by law over this project? ☒ Yes ☐ No
3. Attach your agencies comments, or list below: ☐ Comments attached
☒ Comments below.

Existing Winery Conditions Still apply.
No Additional P&I Comments are required.

Name of contact person: D. Lander

Telephone #: 707 253-4892

Email: drew.lander@countyofnapa.org
Title: Assistant Eng.
Date: 4/29/10



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Alicia Amaro
Napa County Fire
Asst. Fire Marshal
1199 Big Tree Road
St. Helena, CA 94574

alicia.amaro@fire.ca.gov

Main: (707) 967-1425
Fax: (707) 967-1474
Cell: (707) 486-5782

INTER-OFFICE MEMO

TO: Conservation, Development, and Planning Department

FROM: Alicia Amaro, Fire Department

DATE: May 6, 2010

SUBJECT: Kitchak Winery Minor Mod Comments
Apn: 020-450-014 P10-00151-VMM

Site Address: 1094 Hardman Avenue, Napa

The Napa County Fire Marshal staff has reviewed the application to add a 260 square foot tasting room attached to the north side of the approved winery building and reduce the 400 square foot hospitality patio to 140 square feet. There are no other proposed changes.

This application does not warrant additions to fire protection conditions submitted December 29, 2009 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.**

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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RECEIVED

MAY 03 2010

NAPA CO. CONSERVATION
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 Trish Hornisher, Planner	From: Napa County Environmental Management Department Kim Withrow, Sr. Env. Health Specialist
Date: April 29, 2010	Re: Use Permit Application for Kitchak Winery Mod. Located at 1094 Hardman Ave, Napa Assessor Parcel # 039-190-038 File #P10-00151

The submitted application has been reviewed and this Department has neither recommendations nor conditions of approval to be included if the project is approved.

Cc: Peter and Patricia Kitchak, 1094 Hardman Ave., Napa CA 94558