

“C”

Previous Conditions of Approval



NAPA COUNTY

CONSERVATION -- DEVELOPMENT AND PLANNING DEPARTMENT

JEFFREY REDDING

Director

1195 THIRD STREET, ROOM 210 • NAPA, CALIFORNIA 94559-3092
AREA CODE 707/253-4416

July 7, 1994

Assessor's Parcels # 57-220-05 thru -08

M.J. Hansen, C.E.O.
Santen Inc.
2055 E. El Macero Blvd.
El Macero, CA 95618

Dear Mr. Hansen:

Please be advised that Use Permit Application Number 93466-UP has been approved by the Napa County Conservation, Development and Planning Commission based upon the following conditions. (SEE ATTACHED LIST OF CONDITIONS OF APPROVAL)

APPROVAL DATE: July ⁶/₂, 1994

EXPIRATION DATE: July ¹⁶/₁₂, 1995

The use permit becomes effective ten (10) working days from the approval date unless an appeal is filed with the Napa County Board of Supervisors pursuant to Title XIII of the Napa County Code. You may appeal the conditions of approval. In the event an appeal is made to the Board by another, you will be notified.

Pursuant to Section 12806 of the Napa County Code, the use permit must be activated within one (1) year and ten (10) calendar days from the approval date or the use permit shall automatically expire and become void. A one-year extension of time in which to activate the use permit may be granted by the County provided that such extension request is made thirty (30) days prior to the expiration date and provided that any modification of the permit has become final. A request for an extension of time is subject to payment of a \$385.00 filing fee.

This letter serves as the only notice you will receive regarding the expiration date of your permit or procedures for extensions. Please note that additional fees will be assessed if a landscape plan or erosion control plan is required by this approval.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Michael Miller", with a long horizontal line extending to the right.

MICHAEL MILLER

Deputy Planning Director

cc: John Tuteur, County Assessor
Gary Brewen, Building Codes Administrator
Charles Slutzkin, Napa Valley Gateway, 499 Devlin Rd., Napa 94558

CONDITIONS OF APPROVAL
Use Permit # 93466-UP (Santen, Inc.)

1. The permit is limited to approval to establish a 140,000 square foot office, warehouse, manufacturing and research/development facility for ophthalmic (eye care) pharmaceuticals in four phases as indicated in the application and shown on the approved site plan, floor plan, and elevations (except as modified by the conditions herein). Any expansion or changes in use are subject to further County approval.
2. Prior to the issuance of any building permit, the four parcels comprising the project site shall be merged into a single parcel in the manner set forth by Section 11693 of the County Subdivision Ordinance.
3. Landscaping, parking, walkway, and bicycle parking areas may be constructed in phases consistent with the Industrial Park zoning district requirements for each phase of development, and subject to the approval of an improvement phasing plan by the Planning Department.
4. Plans for any outdoor signs shall be submitted to the Planning Department for approval, and shall be consistent with the standards in Section 12278.11 of the County Code.
5. No products or equipment shall be stored outdoors.
6. Prior to the issuance of a building permit for each phase of development, a revised landscaping plan and an irrigation plan shall be submitted for approval that meets all requirements of Section 12278.10 of the Industrial Park zoning standards including provision of a 25-foot landscaping strip along all minor streets, berming (if necessary), and street level screening of parking (if necessary). A registered landscape architect shall verify in writing that the trees selected will not exceed 35 feet in height.
7. Bicycle parking areas shall be provided at a ratio of one bicycle parking space for every 25 employees.
8. Pursuant to the requirements of County Ordinance No. 1049 (as amended by Ordinance No. 1066), the applicant shall submit a Trip Reduction Program to the Napa County Public Works Department consistent with the requirements of Bay Area Air Quality Management District Regulation #13 at the point the company attains 100 employees.
9. The applicant shall comply with all requirements of the Napa Sanitation District to provide for the future use of reclaimed water, including the installation of reclaimed water irrigation lines.
10. The applicant shall comply with all applicable conditions of the Unit Two Tentative Subdivision Map.
11. The applicant shall comply with all building codes, zoning standards and requirements of various County Departments and other Agencies including but not limited to the following:
 - a. County Public Works Department written comments of May 3, 1994.
 - b. County Environmental Management Department written comments of May 11, 1994.
 - c. Napa Sanitation District written comments of April 27, 1994.



NAPA COUNTY

DEPARTMENT OF PUBLIC WORKS

1195 THIRD STREET • ROOM 201 • NAPA, CALIFORNIA 94559-3092
AREA CODE 707/253-4351

WILLIAM E. BICKELL
Director of Public Works
County Surveyor—County Engineer
Road Commissioner

RECEIVED

May 3, 1994

Napa County Department of
Conservation, Development and
Planning
1195 Third Street - Room 210
Napa, California 94559

MAY 04 1994

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

RE: Gateway Drive
Use Permit #93466
Santen Inc.
APN: 57-220-005, 06, 07 & 08

Commissioners:

This use permit will allow Santen Inc. to construct a 20,000 sq. ft. storage/warehouse, a 40,000 sq. ft. office building, a 40,000 sq. ft. manufacturing facility, and a 40,000 sq. ft. research facility on Gateway Drive. The following conditions have been provided by the Napa County Public Works Department in order to help the applicant meet applicable County ordinances and standards.

1. The applicant shall pay the applicable Airport Area Road Improvement Fee prior to receiving a building permit for each phase of the project. Upon approval of this use permit, the applicant shall contact our office to obtain information regarding the determination of this fee.
2. Proposed parking facilities shall have a minimum structural section equivalent to 2 inches of asphalt concrete surface on five inches of Class II aggregate base.
3. Parking lot improvements and drainage facilities shall be constructed according to plans prepared by a registered civil engineer and reviewed and approved by this office. A 3% engineering and inspection fee based on an engineer's estimate shall be paid to Napa County Public Works prior to approval of these plans.
4. The applicant shall obtain an encroachment permit for any work performed within the county right of way.
5. All construction related to the above mentioned public works improvements shall comply to the latest adopted "Napa County Road and Street Standards" and "Airport Area Specific Plan."

The above requirements shall become conditions of this use permit upon County approval of this application. If you have any questions regarding any of the above items, please do not hesitate to contact our office.

Very truly yours,

WILLIAM E. BICKELL
Director of Public Works

by 
DENNIS FONG
Associate Civil Engineer

cc: Santen Inc., 477 Devlin Road, Napa 94558



**NAPA COUNTY
RECEIVED**

**DIVISION OF
ENVIRONMENTAL HEALTH**

MAY 12 1994

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

MEMORANDUM

**NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.**

**1195 THIRD STREET, ROOM 101 • NAPA, CALIFORNIA 94559-3082
AREA CODE 707/253-4471 • FAX 707/253-4545**

TO: Napa County Planning Dept. - Jeffrey Redding, Director
FROM: Department of Environmental Management- Peggy Britz, R.E.H.S. (PB)
SUBJECT: Use Permit Application for Santen Inc.
DATE: May 11, 1994

APN 57-220-05,06,07,08

FILE # 93466-UP

Located at Gateway Dr.

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

1. A Hazardous Materials Business Plan or Negative Declaration Response Form must be submitted and approved by the Hazardous Materials Section of the Napa County Department of Environmental Management. This must be submitted within 60 days of receiving the use permit unless the applicant submits a letter stating the hazardous materials will not be brought on site until a specified future date. In this case, the Business Plan or Negative Declaration must be submitted within 30 days of bringing the Hazardous Materials on site.
2. That all waste water lines at the proposed development be connected to the Napa Sanitation sewer district.
3. That all solid waste be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.
4. During the construction/demolition/renovation period of the project the applicant must use the franchised garbage hauler for the service area in which they are located for all wastes generated during project development; unless applicant transports their own waste. If the applicant transports their own waste, they must use the appropriate landfill for the service area in which the project is located.
5. 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.
6. That the proposed project be connected to the City of American Canyon water system.

cc: Santen Inc., 477 Devlin Rd., Napa 94558

planning/COUNTY/8139

34



NAPA COUNTY

CONSERVATION — DEVELOPMENT AND PLANNING DEPARTMENT

JEFFREY R. REDDING
Director

1195 THIRD STREET, ROOM 210 • NAPA, CALIFORNIA 94559-3092
AREA CODE 707/253-4416

RECEIVED

PERMIT APPLICATION AND INITIAL STUDY REQUEST FOR COMMENTS

MAY - 2 1994

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEP

TO: Airport Department

APPLICATION TITLE: Sancton Use Permit FILE #: 93466-UP

RESPONSE REQUEST DATE: 4-27-94 RESPONSE RETURN DATE: 5-11-94
FINAL REQUEST DATE: _____ FINAL RESPONSE DATE: _____

This application (see enclosed project description and/or 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.

Please advise us as to which of your permits is required, your environmental concerns, and whether you recommend that a Negative Declaration or an Environmental Impact Report be prepared on this project. Due to the provisions of AB 884, it is essential that we receive your comments within the next 10 days.

1. Do you have jurisdiction by law over this project ☐ Yes ☒ No
If yes, indicate required permits: _____
2. Indicate areas of environmental concern and availability of appropriate technical data: _____
A aviation overflight easement has been received from Napa Valley Gateway for parcel APN: 057-006-049 in March 1991.
3. Do you recommend: ☐ Negative Declaration ☐ Environmental Impact Report
4. If the project is approved, recommend conditions-of-approval (use additional page if needed): _____

5. Have you previously reviewed an application on any portion of this project?
☐ Yes ☒ No
6. Name of contact person: Leonard Peterson Telephone: (707) 253-4300

Response Prepared by: L. Peterson, Sectry
Title: Airport Adv Comm.
Date: April 29, 1994



NAPA COUNTY

CONSERVATION — DEVELOPMENT AND PLANNING DEPARTMENT

JEFFREY R. REDDING
Director

1195 THIRD STREET, ROOM 210 • NAPA, CALIFORNIA 94559-3092
AREA CODE 707/253-4416

RECEIVED

MAY 9 - 1994

PERMIT APPLICATION AND INITIAL STUDY REQUEST FOR COMMENTS

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

TO:

Napa Sanitation District

APPLICATION TITLE: Saniten Use Permit FILE #: 93466-UP

RESPONSE REQUEST DATE:

4-27-94

RESPONSE RETURN DATE: 5-11-94

FINAL REQUEST DATE:

FINAL RESPONSE DATE:

This application (see enclosed project description and/or 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.

Please advise us as to which of your permits is required, your environmental concerns, and whether you recommend that a Negative Declaration or an Environmental Impact Report be prepared on this project. Due to the provisions of AB 884, it is essential that we receive your comments within the next 10 days.

1. Do you have jurisdiction by law over this project ☒ Yes ☐ No
If yes, indicate required permits: INDUSTRIAL WASTE DISCHARGE PERMIT & CONNECTION PERMIT. (APPLICANT SHOULD CONTACT NSD REGARDING CONNECTION FEES.)
2. Indicate areas of environmental concern and availability of appropriate technical data: _____

3. Do you recommend: ☐ Negative Declaration ☐ Environmental Impact Report
4. If the project is approved, recommend conditions-of-approval (use additional page if needed):
1) WASTE PRETREATMENT AND/OR FLOW EVALUATION MAY BE REQUIRED.
2) PROCESS WASTE TO GO THROUGH A MONITORING M.H. & SAMPLER.
3) ~~ALL~~ LANDSCAPING SHALL BE IRRIGATED WITH RECLAIMED WATER.
5. Have you previously reviewed an application on any portion of this project?
☐ Yes ☒ No
6. Name of contact person: TODD HERRICK Telephone: 258-6000

Response Prepared by: Goldsmith

Title: ENGINEERING TECHNICIAN

Date: 5/6/94

DEPARTMENT OF TRANSPORTATION

BOX 23660
OAKLAND, CA 94623-0660
(510) 286-4444
TDD (510) 286-4454



RECEIVED

MAY 10 1994

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

May 5, 1994

NAP-029-4.71
NAP029348

Mr. Jeffrey Redding, Director
County of Napa
Conservation - Development and Planning Department
1195 Third Street, Room 210
Napa, CA 94559-3092

RE: Permit Application and Initial Study for the **SANTEN USE PERMIT**.
Proposed establishment of a 140,000 square foot office, warehouse, and
research/development facility for ophthalmic pharmaceuticals in four
phases. The project site fronts Gateway Drive, is west of State Route (SR) 29
and is within the confines of the Napa County Airport Industrial Specific
Plan Area.

Dear Mr. Redding:

The California Department of Transportation (Caltrans) has reviewed the
above referenced document and forwards the following comments:

The proposed project, by itself, may have a significant impact on SR 29,
however cumulative traffic impacts are of a greater concern. We are aware that
there exists a Road Improvement Program and Development Fee Schedule to
identify road improvement projects that will need to be constructed in order to
serve future development in the Napa County Airport Industrial Area Specific Plan
Area.

TRAFFIC ANALYSIS

In order to be sure that intersection improvements and timing of cumulative
developments coincide to assure that traffic impacts are mitigated in compliance
with the above referenced fee schedule, traffic and circulation impacts should be
addressed in terms of the following:

- a) Traffic impact analysis for State Routes and all significantly affected streets, crossroads and controlling intersections in the project vicinity, especially at the intersection of SR 29 and SR 12. This should include trip generation, distribution and assignment. The methodologies used in compiling the information should be explained.
- b) Average Daily Traffic, and AM and PM peak hour volumes for the following traffic conditions: 1) existing, 2) existing plus project, and 3) cumulative for all facilities examined. Coverage should include all traffic that affect facilities evaluated, and should not be limited to projects under the jurisdiction of the lead agency. Please include diagrams illustrating traffic data and an accurate vicinity map showing the locations of approved projects in the area.
- c) Mitigations that consider highway and non-highway improvements and services. Special attention should be given to the development of alternative solutions to circulation problems which do not rely on increased highway construction. For example, include methods of traffic demand management, public transit development, and traffic reduction. Methods such as ride-sharing, parking strategies, and park-and-ride facilities should be considered.
- d) All mitigation proposed should be fully discussed. These discussions should include, but not be limited to, the following areas:
 - financing
 - implementation responsibilities
 - scheduling
 - lead agency monitoring

Trucks

In addition to detailing the number of vehicles, traffic volumes and movements, the following information should be included when truck traffic is involved:

- a) The expected repetitive dynamic impacts of loaded trucks, in terms of ESAL (Equivalent Single Axle Load) totals.
- b) TIs (traffic indices) on all significantly affected streets and roads.
- c) The time of day the trucks are expected to travel.

Redding/NAP029348
May 5, 1994
Page 3

We look forward to reviewing the requested information. Please send two copies to this agency at the following address:

Timothy C. Sable
North Bay CEQA Coordinator
Transportation Planning Branch
Caltrans District 4
P.O. Box 23660
Oakland, CA 94623-0660

We appreciate the opportunity to work with you on this project and wish to continue close correspondence on its development. Should you have any questions regarding these comments, please feel free to contact Joe Aguilar of my staff at (510) 286-5591.

Sincerely,

JOE BROWNE
District Director

by *Timothy C. Sable*

TIMOTHY C. SABLE
North Bay CEQA Coordinator

cc: Craig Goldblatt, MTC
Patricia Perry, ABAG

DEPARTMENT OF TRANSPORTATION

BOX 23660

OAKLAND, CA 94623-0660

(510) 286-4444

TDD (510) 286-4454

RECEIVED



JUN 22 1994

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

June 20, 1994

NAP-029-4.71
NAP029348

Mr. Kevin Eberle, Planner III
County of Napa
Conservation - Development and Planning Department
1195 Third Street, Room 210
Napa, CA 94559-3092

RE: June 6, 1994 Letter from Kevin Eberle to Timothy C. Sable
responding to Caltrans comments on a Permit Application and Initial
Study for the SANTEN USE PERMIT. Proposed establishment of a
140,000 square foot office, warehouse and research/development
facility for ophthalmic pharmaceuticals in four phases. The project
site fronts Gateway Drive, is west of State Route (SR) 29 and is within
the confines of the Napa County Airport Industrial Specific Plan Area.

Dear Mr. Eberle:

The California Department of Transportation (Caltrans) has reviewed
the above referenced document and forwards the following comments:

At the present time, we concur that the DKS report prepared for the
Napa Valley Gateway Unit Two Subdivision in conjunction with the other
traffic analysis referenced, satisfactorily address our comments of May 5,
1994. However, if there is a significant change in the type of development
currently approved for the Airport Industrial Specific Plan Area in the
future, the three levels of traffic analysis prepared will need to be updated
to reflect these changes. The proximity of the Airport Industrial Specific
Plan Area to SR 29 and SR 12, will increase the potential cumulative effect
of traffic and circulation impacts not currently anticipated.

Eberle/NAP029348
June 20, 1994
Page 2

We appreciate the opportunity to work with you on this project and wish to continue close correspondence on its development. Should you have any questions regarding these comments, please feel free to contact Joe Aguilar of my staff at (510) 286-5591.

Sincerely,

JOE BROWNE
District Director

By: 

PHILLIP BADAL
North Bay CEQA Coordinator

cc: Craig Goldblatt, MTC
Patricia Perry, ABAG

PROJECT REVISION STATEMENT

Use Permit #93466-UP (Napa Valley Gateway)

I hereby revise my proposal to establish a 140,000 square foot office, warehouse, manufacturing and research/ development facility for ophthalmic pharmaceuticals in four phases, located on four parcels totalling 12.93 acres (Assessor's Parcel No. 57-220-05, 06, 07, and 08) to include the environmental mitigation measures specified below:

Geology (Geologic Hazards)

1. All future construction, grading and site improvements shall comply with the recommendations contained in the April 14, 1988 geotechnical report prepared by Donald Herzog and Associates, which is on file with the Napa County Conservation, Development and Planning Department. All improvement plans shall be submitted for approval by said engineers, and their approval shall be evidenced by signed certification on such plans.

Hydrology (Temporary Erosion Increases)

2. No grading shall occur between October 15 and April 15 other than in strict compliance with an erosion control plan for winter grading processed and approved under the County's Conservation Regulations prior to October 1 of the year within which winter grading is proposed.
3. All undeveloped and non-landscaped areas disturbed by project construction shall be reseeded with rye or equivalent grass acceptable to the Napa County Planning Department prior to October 15 of the first year in which the construction was undertaken and each year thereafter until the project is completed.
4. No spoils generated by construction of the proposed project shall be deposited within 50 feet of the tops of the banks of Sheehy Creek.

Air Quality (Dust)

5. Water and/ or dust palliatives shall be applied in sufficient quantities during grading and construction operations to limit the amount of dust produced on the site to the minimum possible. In order to conserve water, preference shall be given to the use of non-water palliatives or reclaimed water for dust control.

Ecosystems (Unique Biological Areas)

6. The filling of the existing drainage on the property shall be mitigated by an equitable amount of riparian enhancement to Sheehy Creek. The location, type and timing of enhancement to Sheehy Creek shall be as set forth by the regional office of the California Department of Fish and Game.

Aesthetics (Visual Degradation)

7. The exterior color of all buildings shall be subject to the approval of the Conservation, Development and Planning Department with the intent of limiting the visual obtrusiveness of the structures.

Aesthetics (Light and Glare)

8. Any exterior lighting shall be minimized for operational and security needs only, and shall not glare onto adjacent roadways.

Cultural (Archaeological Resources)

9. In the event that concentrated amounts of either historic or prehistoric materials are encountered during excavation, grading or construction activities, all work within a 30 foot radius shall cease until a qualified archaeologist has examined the find and recommended mitigation measures. A report shall be filed with the Conservation, Development and Planning Department, and the mitigation measures shall be implemented.

Project Revision Statement
Use Permit #93466-UP (Napa Valley Gateway)
Page 3

I further commit myself and my successors-in-interest to communicate the above specified requirements in writing to any future purchasers of the property prior to transfer of title.

I understand and explicitly agree that with regards to all CEQA and Permit Streamlining Act processing deadlines, this revised application will be treated as a new project. The new date on which said application will be considered complete is the date this project revision statement is received by the Napa County Conservation, Development and Planning Department.

Charles Slutzkin
Charles Slutzkin, Project Manager
for Napa Valley Gateway (Owner)

June 10, 1994
Date

M. J. Hansen
M. J. Hansen, Chief Executive Officer
for Santen, Inc. (Applicant)

June 10, 1994
Date

h06:santen.com



A Tradition of Stewardship
A Commitment to Service

Planning, Building, and Environmental Services

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

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

David Morrison
Director

January 10, 2017

Gateway Partners 1, LLC
Mark Funseth
1850 Soscol Avenue, #207
Napa, CA 94559

**Re: Gateway Partners 1, LLC Use Permit Minor Modification (# P16-00213MOD);
555 Gateway Drive; Napa, CA 94558; APN 057-220-020**

Dear Mr. Funseth:

Please be advised that Use Permit Application No. P16-00213 has been approved by the Zoning Administrator subject to the conditions of approval enclosed as **Exhibit A**. Use Permit #93466-UP was approved on July 6, 1994 and authorized the phased development of four buildings totaling 140,000 square feet.

The project is a request for Minor Modification application #P16-00213 to the approved Use Permit #93466-UP to:

- a) Merge previously approved Phase 2 and Phase 3 buildings into a single warehouse building of approximately 100,306 square feet;
- b) Permit one of two options to reconfigure the previously approved Phase 4 building: either as a 23,667 square foot research and development building (Option 1); or as a 25,438 research and development building (Option 2);
- c) Provision of 447 parking spaces (Option 1) or 435 parking spaces (Option 2);
- d) Reconfiguration of the parking lot; and
- e) Additional landscaping.

The proposed project is Categorically Exempt from the provisions of CEQA, the California Environmental Quality Act, pursuant to Appendix B, Class 1(3) (Minor modifications of existing use permits in conformance with Section 18.124.130 of the Napa County Code) of Napa County's Local Procedures for implementing the California Environmental Quality Act.

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.

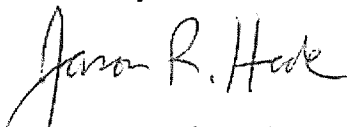
EXPIRATION DATE: January 10, 2019

Pursuant to Government Code §66020(d)(1), you are hereby further notified that the ninety day period in which to protest the imposition of any fees, dedications, reservations, or other exactions which may have been adopted as conditions of approval has begun.

Pursuant to Napa County Code §18.124.080, the modification must be activated within two (2) years of the approval date, or it will automatically expire and become void. This letter serves as the only notice you will receive regarding the expiration date of your permit. Prior to commencing construction, Building Permits must first be obtained.

If you have any questions about this letter, please feel free to contact me at 707.259-8757 or via email at jason.hade@countyofnapa.org.

Sincerely,



Jason R. Hade, AICP
Planner III

Enclosure

cc: Rob Anglin
1455 First Street, Suite 217
Napa, CA 94559

Napa County Dept. – Engineering Services, Environmental Health, Building, Fire, J. Tuteur
(Assessor), Matt Lamborn

Project File

“A”

Exhibit A – Conditions of Approval and Final Agency Approval Memos

JANUARY 10, 2017
EXHIBIT A – CONDITIONS OF APPROVAL

**GATEWAY PARTNERS 1, LLC MINOR
MODIFICATION (#P16-00213)
555 GATEWAY DRIVE, NAPA, CALIFORNIA
APN 057-220-020**

1.0 SCOPE

This permit encompasses and shall be limited to:

- 1.1 Approval of a minor modification to an approved Use Permit #93466-UP to allow the following:
 - a. Merge previously approved Phase 2 and Phase 3 buildings into a single warehouse building of approximately 100,306 square feet;
 - b. Permit two options to reconfigure the previously approved Phase 4 building as a 23,667 square foot research and development building (Option 1) or as a 25,438 research and development building (Option 2);
 - c. Provision of 447 parking spaces (Option 1) or 435 parking spaces (Option 2);
 - d. Reconfiguration of the parking lot; and
 - e. Additional landscaping.

The buildings and site improvements shall be designed in substantial conformance with the submitted site plan, floor plan, elevation drawings, and other submittal materials and shall comply with all requirements of the Napa Valley Business Park Specific Plan and Napa County Code (County Code). It is the responsibility of the applicant to communicate the requirements of these conditions and mitigations (if any) to all designers, contractors, employees, and the general public to ensure compliance is achieved. Any expansion or changes in use shall be approved in accordance with County Code Section 18.124.130 Code and may be subject to the Use Permit modification process.

2.0 PREVIOUS CONDITIONS

As applicable, the permittee shall comply with any previous conditions of approval for the warehouse and research and development use, such as those identified under Use Permit #93466-UP, except as they may be explicitly 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.

3.0 COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES

Project conditions of approval include all of the following County, Divisions, Departments and Agency(ies) requirements. The permittee shall comply with all applicable building codes, zoning standards, and requirements of County Divisions, Departments and Agencies at the time of submittal and may be subject to change. Without limiting the force of those other requirements which may be applicable, the following are incorporated by reference as enumerated herein:

- 3.1 Building Division as stated in their Memorandum dated June 14, 2016.

- 3.2 Engineering Services Division as stated in their Memorandum dated November 22, 2016.
- 3.3 Environmental Health Division as stated in their Memorandum dated January 5, 2017.
- 3.4 Public Works Department as stated in their Memorandum dated June 9, 2016.
- 3.5 Fire Department as stated in their Memorandum dated December 7, 2016.
- 3.6 City of American Canyon as stated in their "Will-Serve" letter and Water Supply Report dated October 28, 2016.
- 3.7 Napa Sanitation District as stated in their Comment letter dated June 16, 2016.

The determination as to whether or not the permittee has substantially complied with the requirements of other County Divisions, Departments and Agencies shall be determined by those Divisions, Departments or Agencies. The inability to substantially comply with the requirements of other County Divisions, Departments and Agencies may result in the need to modify the approved use permit.

4.0 TENANCY CHANGE

Any future change of tenancy within the structures shall require review and approval by the PBES Department prior to occupancy. The permittee shall provide the PBES Department with a written profile of the proposed tenant, including name, present address, phone number, description of proposed use, employees, a list of any hazardous materials, and any other information deemed necessary by the PBES Department. The permittee shall also provide a detailed floor plan of the entire structure identifying the location and square footage of all uses within the structure prior to any new tenancy. A Use Permit modification may be triggered dependent upon the scope of the proposed changes.

Parking shall be provided in accordance with the NVBPSP upon any change of use and/or tenancy, subject to review and approval by the PBES Director. The installation of parking may be deferred until such time as building tenancy requires, subject to review and approval by the PBES Director.

5.0 SIGNS

Prior to installation of any signage, detailed plans for monument (ground mounted), directional and building mounted signage shall be submitted to the PBES Director for administrative review and approval. Building or ground mounted signs may be externally illuminated only. All lighting for wall or ground mounted signs shall be shielded or placed such that it does not shine directly on any adjoining properties, impact aircraft overflight, or impact vehicles on adjacent streets.

6.0 LIGHTING

All exterior lighting, including landscape lighting, shall be shielded and directed downward, shall be located as low to the ground as possible, shall be the minimum necessary for security, safety, or operations, shall be on timers, and shall incorporate the use of motion detection sensors to the greatest extent practical. All lighting shall be shielded or placed such that it does not shine directly on any adjoining properties, impact

aircraft overflight, or impact vehicles on adjacent streets. No flood-lighting or sodium lighting of the building is permitted, including architectural highlighting and spotting.

Prior to issuance of any building permit pursuant to this approval, two (2) copies of a detailed lighting plan showing the location and specifications for all lighting fixtures to be installed on the property shall be submitted for Planning Division review and approval. All lighting shall comply with the California Building Code.

7.0 LANDSCAPING

Two (2) copies of a detailed final landscaping and irrigation plan, including parking details, shall be submitted with the building permit application package for the Planning Division's review and approval prior to the issuance of any building permit associated with this approval. The plan shall be prepared pursuant to the Water Efficient Landscape Ordinance (WELO) requirements in affect at the time of building permit submittal and the Napa Valley Business Park Specific Plan. The required landscape plan shall indicate plant location, species, size at planting, quantity of each, method of planting, underground automatic sprinkler system, and similar landscape design information. The minimum size of shrubs shall be five (5) gallons. The minimum tree size shall be fifteen (15) gallons (3/4" to 1" trunk caliper).

Plant materials shall be purchased locally when practical. The Agricultural Commissioner's office shall be notified of all impending deliveries of live plants with points of origin outside of Napa County.

No trees greater than 6" diameter at breast height shall be removed, except for those identified on the submitted site plan. Trees to be retained shall be protected during construction by fencing securely installed at the outer most dripline of the tree or trees. Such fencing shall be maintained throughout the duration of the work undertaken in connection with project development/construction. In no case shall construction material, debris or vehicles be stored in the fenced tree protection area.

All landscaped areas and sidewalks shall be separated from parking and drive aisle areas by a minimum 6 inch raised concrete curb. Two feet of required parking stall depth may overhang into non-required landscape planters and sidewalks. Standard sized parking stalls are required to have a minimum depth of 19 feet and compact stalls may be 16 feet. A maximum of 35% of the parking stalls may be compact.

The irrigation system shall utilize reclaimed water when it is made available in the vicinity. Any undeveloped portion of the property shall be hydro-seeded or an approved equivalent and permanently maintained.

Landscaping shall be completed prior to issuance of a Final Certificate of Occupancy, and shall be permanently maintained in accordance with the landscaping plan.

8.0 OUTDOOR STORAGE/SCREENING/UTILITIES

No outdoor storage is permitted as part of this action. Any proposal for outdoor storage and screening is subject to separate review and approval by the PBES Department. New utilities required for this project shall be placed underground.

9.0 BICYCLE PARKING

Bicycle parking areas shall be provided at a ratio of one bicycle parking space for every 25 employees, as applicable. At least one bicycle parking space shall be provided.

10.0 MECHANICAL EQUIPMENT

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. The PBES Director may approve exceptions for solar equipment. All screening is subject to review and approval by the PBES Director. Any skylights will be subject to review and approval by the PBES Director prior to the issuance of building permits.

The term "equipment" includes roof mounted equipment or vents, electrical equipment, gas meter, communication antennas, irrigation valves, storage tanks, or other mechanical equipment. The manner of screening shall be as follows: Communications equipment, including microwave equipment, may remain unscreened if visually integrated with the building design through color, location, and construction; all building mounted equipment, including but not limited to louvers, pipes, overhead doors or service doors, access ladders, downspouts, conduit, and electrical/service boxes, shall be painted consistent with the color scheme of the building.

Ground mounted equipment shall be screened by walls or landscaping to the satisfaction of the PBES Director.

11.0 TRASH ENCLOSURES

The developer shall provide one or more trash enclosures (decorative masonry or equivalent), the design of which shall be compatible with the architecture of the project. The enclosure shall be reasonably accessible to employees. A minimum 8' x 10' thickened paving section shall be provided in front of each enclosure. The PBES Director shall approve the design and location of each enclosure. All trash bins shall be stored within approved trash enclosures. The enclosure shall also include a separate pedestrian walk-in access.

The developer shall provide adequate, accessible, and convenient areas for the collection and loading of recyclable materials. Collection and loading areas shall be located adjacent to trash enclosures when practical and shall contain adequate area to accommodate the recyclable waste generated by the development. All recyclable materials areas shall be accessible by collection vehicles. The PBES Director shall approve the design and location of each collection and loading area.

12.0 MISCELLANEOUS

Any crane used in the construction of the phases shall be lighted and have flags for improved visibility from aircraft; no crane shall exceed 80 feet in height without first obtaining the FAA's express approval.

13.0 AIRCRAFT OVERFLIGHT EASEMENT

Prior to issuance of building permits, the permittee shall submit verification that an aircraft overflight easement has been recorded on the property that provides for the right of aircraft operation, overflight and related noises, and for the regulation of light

emissions, electrical emissions, or the release of substances such as steam or smoke which could interfere with aircraft operations.

14.0 COLORS

Exterior finishes and colors of the building, roof, parking lot and walkways shall be subject to approval by the PBES Department, prior to the issuance of a Building Permit. Highly reflective surfaces and materials will not be permitted.

15.0 SITE IMPROVEMENT CONDITIONS

Please contact Engineering Services with any questions regarding the following:

15.1 GRADING AND SPOILS

All grading and spoils generated by construction of the project facilities shall be managed per Engineering Services direction. All spoils piles shall be removed prior to issuance of a Final Certificate of Occupancy.

15.2 TRAFFIC

Reoccurring and scheduled vehicle trips to and from the site for employees, deliveries, and visitors shall not occur during peak (4-6 p.m.) travel times to the maximum extent possible. All road improvements on private property required per Engineering Services shall be maintained in good working condition and in accordance with the Napa County Roads and Streets Standards.

15.3 DUST CONTROL

Water and/or dust palliatives shall be applied in sufficient quantities during grading and other ground disturbing activities on-site to minimize the amount of dust produced. Outdoor construction activities shall not occur when average wind speeds exceed 20 mph.

15.4 AIR QUALITY

During all construction activities the permittee shall comply with the Bay Area Air Quality Management District Basic Construction Best Management Practices, as provided in Table 8-1, May 2011 Updated CEQA Guidelines:

- a. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. The Air District's phone number shall also be visible.
- b. All exposed surfaces (e.g., parking areas, staging areas, soil piles, grading areas, and unpaved access roads) shall be watered two times per day.
- c. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- d. All visible mud or dirt tracked out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- e. All vehicle speeds on unpaved roads shall be limited to 15 mph.

- f. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- g. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five (5) minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations (CCR)). Clear signage shall be provided for construction workers at all access points.
- h. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.

15.5 STORM WATER CONTROL

The permittee shall comply with all construction and post-construction storm water pollution prevention protocols as required by the County Engineering Services Division, and the State Regional Water Quality Control Board (SRWQCB).

15.6 PARKING

All parking, driveways, and internal roadways shall comply with the Napa County Road and Street standards. Parking shall be limited to approved parking spaces only and shall not occur along public roads or in other locations. In no case shall parking impede emergency vehicle access or public roads.

15.7 GATES/ENTRY STRUCTURES

Any gate installed at the entrance shall be reviewed by the PBES Department and the Napa County Fire Department to assure that it is designed to allow large vehicles to turn around if the gate is closed without backing into the public roadway, and that fire suppression access is available at all times. If the gate is part of an entry structure an additional permit shall be required according to the County Code and in accordance with the Napa County Roads and Street Standards. A separate entry structure permit is not required if the entry structure is consistent with entry structure plans submitted, reviewed, and approved as part of this use permit approval.

16.0 ENVIRONMENTAL HEALTH-SPECIFIC CONDITIONS

Please contact Environmental Health with any questions regarding the following:

16.1 NOISE

Construction noise shall be minimized to the greatest extent practical and allowable under State and local safety laws. Construction equipment muffling and hours of operation shall be in compliance with County Code Chapter 8.16. Equipment shall be shut down when not in use. Construction equipment shall normally be staged, loaded, and unloaded on the project site. If project terrain or access road conditions require construction equipment to be staged, loaded, or unloaded off the project site such activities shall only occur between the hours of 8 AM to 5 PM. All activities associated with this project shall be in compliance with Section 18.40.200(D) for sound.

17.0 ARCHEOLOGICAL FINDING

In the event that archeological artifacts or human remains are discovered during construction, work shall cease in a 50-foot radius surrounding the area of discovery. The permittee shall contact the PBES Department for further guidance, which will likely include the requirement for the permittee to hire a qualified professional to analyze the artifacts encountered and to determine if additional measures are required.

If human remains are encountered during the development, all work in the vicinity must be, by law, halted, and the Napa County Coroner informed, so that the Coroner can determine if an investigation of the cause of death is required, and if the remains are of Native American origin. If the remains are of Native American origin, the nearest tribal relatives as determined by the State Native American Heritage Commission shall be contacted by the permittee to obtain recommendations for treating or removal of such remains, including grave goods, with appropriate dignity, as required under Public Resources Code Section 5097.98.

18.0 ADDRESSING

All project site addresses shall be determined by the PBES Director, and be reviewed and approved by the United States Post Office, prior to issuance of any building permit. The PBES Director reserves the right to issue or re-issue an appropriate situs address at the time of issuance of any building permit to ensure proper identification and sequencing of numbers. For multi-tenant or multiple structure projects, this includes building permits for later building modifications or tenant improvements.

19.0 INDEMNIFICATION

If an indemnification agreement has not already been signed and submitted, one shall be signed and returned to the County within twenty (20) days of the granting of this approval using the PBES Department's standard form.

20.0 AFFORDABLE HOUSING MITIGATION

Prior to County issuance of a building permit, the applicant shall pay the Napa County Affordable Housing Mitigation Fee in accordance with the requirements of County Code Chapter 18.107.

21.0 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 to the owner. Costs shall be as established by resolution of the Board of Supervisors in accordance with the hourly consulting rate established at the time of the monitoring and shall include maintenance of a \$500 deposit for construction compliance monitoring that shall be retained until grant of Final Certificate of Occupancy. Violations of conditions of approval or mitigation measures caused by the permittee's contractors, employees, and/or 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 Commission at some time in the future, the 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 so warranted, to commence revocation hearings in accordance with County Code Section 18.124.120.

22.0 TEMPORARY AND FINAL OCCUPANCY

All project improvements, including compliance with applicable codes, conditions, and requirements of all departments and agencies with jurisdiction over the project, shall be completed prior to granting of a Final Certificate of Occupancy by the County Building Official, which, upon granting, authorizes all use permit activities to commence. However, a Temporary Certificate of Occupancy may be granted pursuant to County Code Section 15.08.070(B) to allow specified limited use of the project prior to completion of all project improvements. In special circumstances, departments and/or agencies with jurisdiction over the project are authorized as part of the Temporary Certificate of Occupancy process to require a security deposit or other financial instrument to guarantee completion of unfinished improvements.

23.0 STATUTORY AND CODE SECTION REFERENCES

All references to statutes and code sections shall refer to their successor as those sections or statutes may be subsequently amended from time to time.

24.0 PAYMENT OF FEES AS PREREQUISITE FOR ISSUANCE OF PERMITS

No building, grading or sewage disposal permits shall be issued or other permits authorized until all accrued planning permit processing fees have been paid in full.

MEMORANDUM

To: Jason Hade	From: Gary J. West, Chief Building Official
Date: June 14, 2016	Re: Gateway Partners 1, LLC Minor Mod P16-00213

Building Inspection Division Planning Use Permit Review Comments

Address: 555 Gateway Dr., Napa CA 94558

APN: 057-220-020-000

Project: Gateway Partners 1 LLC Minor Mod P16-00213

Owner: Gateway Partners 1 LLC

Contact: Gateway Partners 1 LLC

Description: Application for a Use Permit Minor Modification to: a) merge the previously approved Phase 2 and 3 buildings into a single warehouse structure of approximately 100,306 square feet; and b) allow two options to reconfigure the Phase 4 building as shown on the proposed site plan.

Comments: The Building Division is not reviewing this project for compliance with the California Building Standards Codes at this time; the Building Division is reviewing the proposed Planning entitlements only. The Building Division has no issues or concerns with the approval of the Use Permit P16-00213 MM; it is a Planning entitlement and does not in itself authorize any construction activities. Separate building permits shall be required.

The plans provided for Use Permit application P16-00213 MM do not provide enough information in sufficient detail to determine all code requirements. A complete and thorough plan review will be performed at the time an application is made for the required building, plumbing, mechanical, and electrical and any other construction permits required by other Napa County Agencies. The following comments are provided to make the applicant aware of what codes the applicant will be required to comply with, as well as issues that may need to be addressed prior/during the building permit application and review process.

1. In accordance with the California Building Code, Chapter 1, Division 1, Section 1.1.9, which states, "only those standards approved by the California Building Standards Commission that are effective at the time of application for a building permit is submitted shall apply to the plans and specifications for, and to the construction under that permit". The codes adopted at this time are 2013 California Building

Standards Codes, Title 24, part 2, Building volumes 1 & 2, part 3 Electrical, part 4 Mechanical, part 5 Plumbing, part 6 Energy, part 9 Fire, and part 11 Green Buildings.

2. If there are any existing structures and/or buildings on the property that will need to be removed to accommodate construction activities a separate demolition permit will be required from the Napa County Building Division prior to the removal. Please note the applicant will be required to provide a "J" number from the Bay Area Quality Management District at the time the applicant applies for a demolition permit if applicable.
3. The site and associated buildings are required to be accessible to persons with disabilities. This includes, but not limited to, a van accessible parking stall, accessible path of travel from the parking stall to all buildings and areas on the site that are available to employees and the public.
4. All cooking equipment in occupancies other than residential shall be commercial grade. Commercial kitchens are required to comply with the California Mechanical Code. Cooking equipment used in processes producing steam, smoke or grease-laden vapors shall be equipped with an exhaust system that complies with all the equipment and performance requirements of the Mechanical Code, and all such equipment and performance shall be maintained per the Mechanical Code during all periods of operation of the cooking equipment. Specifically, the following equipment shall be kept in good working condition: A. Cooking Equipment. B. Hoods. C. Ducts. D Fans. E. Fire suppression systems. F. Special effluent or energy control equipment. All airflows shall be maintained. Maintenance and repairs shall be performed on all components at intervals necessary to maintain working conditions. If there is not a kitchen proposed for this winery disregard this comment.
5. In accordance with the California Building Code no change shall be made in the use or occupancy of an existing building unless the building is made to comply with the requirements of the California Building Code as for a new building.

Issues of compliance with the California Building Code, Title 24, will be addressed during the building permit application, review and approval process. If the applicant has any questions please have the applicant give me a call at (707)259-8230.

All plans and documents for commercial projects are required by California Law to be prepared and coordinated under the direction of a California Licensed Design Professional, such as an Architect and/or Engineer in accordance with California Business and Professions Code Chapter 3, and the California Building Code, Chapter 1.



GARY J. WEST
CHIEF BUILDING OFFICIAL
NAPA COUNTY BUILDING DIVISION
1195 THIRD STREET
NAPA CA 94559
(707)259-8230
gary.west@countyofnapa.org



A Tradition of Stewardship
A Commitment to Service

Planning, Building & Environmental Services

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

David Morrison
Director

MEMORANDUM

To: Jason Hade, Planning Division	From: Jeannette Doss, Engineering and Conservation Division <i>JD</i>
Date: November 22, 2016	Re: Gateway Partners 1, LLC Use Permit Minor Mod - Engineering CoA 555 Gateway Drive, Napa, CA P16-00213 APN 057-220-020

The Engineering and Conservation Division (Engineering) received and reviewed the updated submittal package for the above proposed project, generally requesting the following:

To merge the previously approved Phase 2 and 3 buildings into a single warehouse structure of approximately 100,306 square feet; and to allow two options to reconfigure the Phase 4 building as shown on the applicant's site plan.

After careful review of the submittal package the Engineering Division recommends approval of the project with the following recommended conditions:

EXISTING CONDITIONS:

1. Napa County parcel 057-220-020 is an approximately 13.1 acre parcel on the northwest corner of Gateway Drive and Airport Boulevard in Napa.
2. Parcel is within the boundaries of the Napa County Airport Industrial Area.
3. Site is currently developed with an existing 40,000 square foot building and an approximately 158 space parking lot.

RECOMMENDED CONDITIONS:

NEW PRIVATE ACCESS ROADS, DRIVEWAYS, AND PARKING AREAS:

1. Any roadway, access driveway, and parking areas, proposed new or reconstructed shall meet the requirements as outlined in the latest edition of the Napa County Road & Street Standards for commercial development at the time of use permit approval.

2. All roadway, access driveway, and parking area improvements shall be completed prior to execution of any new entitlements approved under this use permit modification.
3. The applicant must obtain an encroachment permit from the Napa County Department of Public Works prior to any work performed within the Napa County Right-of-Way.

SITE IMPROVEMENTS:

4. All on site civil improvements including but not limited to the excavation, fill, general grading, drainage, curb, gutter, surface drainage, storm drainage, parking and drive isles, shall be constructed according to plans prepared by a registered civil engineer, which will be reviewed and approved by the Engineering Division of the Napa County Planning, Building, and Environmental Services Department (PBES) prior to the commencement of any on site land preparation or construction. Plans shall be wet signed and submitted with the building and/or grading permit documents at the time of permit application. A plan check fee will apply.
5. Grading and drainage improvements shall be constructed according to the current Napa County Road and Street Standards, Chapter 16.28 & Chapter 18.108.027 of the Napa County Code, and Appendix J of the California Building Code.
6. Prior to issuance of a building and/or grading permit the owner shall submit the necessary documents for erosion control as determined by the area of disturbance of the proposed development in accordance with the Napa Countywide Stormwater Pollution Prevention program Erosion and Sediment Control Plan Guidance for Applicant and Review Staff dated December 2014.
7. If excess material is generated that cannot be used onsite, the Owner shall furnish to the Napa County Planning, Building and Environmental Services Department evidence that the Owner has entered into agreements with the property owners of the site involved and has obtained the permits, licenses and clearances prior to commencing any off-hauling operations.

OTHER RECOMMENDATIONS:

8. Prior to the issuance of any grading or building permit, or the signing of improvement plans, the permittee and County shall survey and document the condition of the nearest County roads before construction begins, and then reevaluate conditions at the end of construction. Prior to occupancy of any buildings or commencement of any use, the permittee shall be responsible for repair of any pavement degraded due to its construction vehicles.
9. The Applicant must comply with all associated requirements and exhibits relating to water conditions to be imposed on all parcels as described in Napa County Agreement No. 7070, between the County of Napa and the City of American Canyon. This agreement and all its parts shall be effective as of July 3rd, 2008. (See Attached Exhibits E,F,G,H)

AIRPORT SPECIFIC CONDITIONS

10. Applicant will pay the applicable Napa County Airport Industrial Area Traffic Mitigation Fees prior to receiving any building permits for this project. The applicant should contact the Napa County Public Works Department to obtain information regarding the determination of this fee.
11. All Public Works and civil site related improvements shall conform to the latest Napa County Road and Street Standards and the latest Napa County Airport Industrial Area Specific Plan and EIR (AIASP) at the time of use permit approval.
12. Any necessary storm drainage improvements shall conform to the latest "Napa County Road and Street Standards" at the time of use permit approval.

POST-CONSTRUCTION RUNOFF MANAGEMENT REQUIREMENTS:

13. Prior to issuance of a building permit the owner shall prepare a Regulated Project Stormwater Control Plan (SCP) in accordance with the latest edition of the BASMAA Post-Construction Manual for review and approval by the Engineering Division in PBES.
14. Prior to issuance of a building permit, an Operation and Maintenance Plan shall be submitted and tentatively approved by the Engineering Division in PBES. Before final occupancy the property owner must legally record the "Operation and Maintenance Agreement", approved by the Engineering Division in PBES.

Any changes in use may necessitate additional conditions for approval.

If you have any questions regarding the above items please contact Jeannette Doss with the Engineering Division in the Napa County Planning, Building, and Environmental Services Department (PBES) at (707) 259-8179 or via email at Jeannette.Doss@countyofnapa.org

EXHIBIT E

Water Conditions To Be Imposed On All Parcels (City Customers and Outside Customers) For Which New Water Service is Requested

The City of American Canyon ("City") may impose the conditions listed below on new water services for Outside Customers by including these conditions in the "will-serve" letters that the City provides to such Outside Customers, but only if the City also imposes the same conditions on all new water services for parcels with similar uses within the City's limits. The County shall include these same conditions in all new land use development permits for parcels within the Airport Industrial Area Specific Plan area.

1. **City Capacity Fees and Conditions of Approval for Water Service.** Capacity Fees charged for parcels within the City's Water Service Area shall be established by the City and will be periodically reviewed and updated. Capacity Fees (also known as Connection Fees) will be uniform throughout the Water Service Area, regardless of whether the parcel to which the fee applies is inside or outside the City's Limits. The Capacity Fee and any conditions on new water service will be determined based on the Water Supply Report, which shall contain the analysis described in Part II.C. of Exhibit "F" of this Agreement, and which will be consistent with the City's Zero Water Footprint Policy, adopted by the City on October 23, 2007.
2. **Cost of Water Service.** The cost of new water service shall be imposed through the capacity fees in the City's Ordinance 2007-09 or through new capacity fees approved by the County and enacted in a new City ordinance. However, if the Water Supply Report finds, consistent with the City's Zero Water Footprint Policy (see Exhibit F), that the City will have to obtain additional water supplies to meet "dry year" shortfalls, then the cost of water to meet such "dry year" shortfalls will be the sole responsibility of the Applicant. In determining whether or not such "dry year" shortfalls will occur, the City shall include in the base supplies available to the City during "dry years" the new water supplies that have been or will be included in the calculations used to set the City's Capacity Fees and water rates. The City will conclude that "dry year" shortfalls will occur only if such base supplies will not be adequate to meet anticipated "dry year" demands. The City may not impose any costs on the Applicant under this section to reimburse the City for any capital or operating costs that have been or will be included in the calculations used to set the City's Capacity Fees or water rates. The City may impose the additional costs described in the preceding sentence on Outside Customers only if the City also imposes such additional costs uniformly on City Customers.
3. **Maximum Allowable Water Use.** Water received from the City for use on parcels within the Airport Industrial Area Specific Plan area and on parcels with similar uses within the City's limits shall be limited to an average of 650 gallons of water per day per acre (measured monthly), and Applicants for new or increased City water service for all such parcels shall be required to demonstrate to the City while the City is preparing the Water Supply Report for the Applicant the maximum extent to which the Applicant can further reduce its water consumption by applying the following best management practices:

- **No Flow or Low Flow Fixtures.** These Applicants shall be required to install no flow or low flow water fixtures, and to implement other reasonable water conservation measures that are described in the City's Water Conservation Guidelines adopted in the City's Resolution No. 2008-08 or in new City water conservation guidelines approved by the County and adopted in a new City ordinance or resolution.
- **Drought Tolerant Landscape & Irrigation with Recycled Water.** These Applicants shall be required to use only drought tolerant landscaping, and they may only irrigate landscaped areas with recycled water, when it is available.
- **Purple Pipe.** These Applicants shall be required to dual plumb their buildings and install "purple pipe" in all landscape areas in anticipation of the availability of recycled water and shall use the recycled water when available.
- These Applicants shall follow the water conservation methods that are described in the Water Conservation Guidelines adopted in the City's Resolution No. 2008-08 or in new City water conservation guidelines approved by the County and adopted in a new City ordinance or resolution.

The City may apply the provisions of this Paragraph 3 to Applicants for new or increased City water service for parcels within the Airport Industrial Area Specific Plan area only if the City also uniformly applies these provisions to all Applicants for new or increased City water service for parcels with similar uses within the City's limits.

4. **Water Offsets.** Applicants for City water service for parcels within the Airport Industrial Area Specific Plan area and for parcels with similar uses within the City's limits that wish to use more than an average of 650 gallons of water per day per acre (measured monthly) shall offset the proposed water use over 650 gallons per day per acre (measured monthly) through the use of one or more options that are made available by the City to the Applicants. These options include, but are not limited to, retrofitting of existing residences with low flow fixtures, purchase of otherwise developable land as permanent open space, or acquisition of other water supply resources as provided for by a water supply analysis that follows the Zero Water Footprint Methodology described in Exhibit F. The City shall make all such options available uniformly to Applicant for City water service for parcels within the Airport Industrial Area Specific Plan area and for parcels with similar uses within the City's limits, and that seek such offsets.

5. **Drought Restrictions.** To the extent permitted by law, the City may curtail or ration the use of water provided by the City below the limit of 650 gallons per day per acre (measured monthly) in dry years through the imposition of drought restrictions that are uniformly applied throughout the City's Water Service Area.

EXHIBIT F

Zero Water Footprint and Water Supply Report Methodology

I. PURPOSE

To implement the Zero Water Footprint Policy adopted by the City Council on October 23, 2007. In this policy, "Zero Water Footprint" is defined as:

"No loss in reliability or increase in water rates for existing water service customers due to requested increased demand for water within the City's Water Service Area."

II. PROCEDURES

- A) Initial Request.** Applicants for all projects requiring additional water supplies from the City of American Canyon, either inside City limits or in the City's Water Service Area but outside of City limits, shall complete a water supply worksheet estimating average and peak use for indoor and outdoor uses and provide the completed worksheet to the City's Engineering Division.
- B) Evaluation of Water Footprint.** The Engineering Division shall evaluate the water footprint of the project, using the water supply worksheet provided by the Applicant, to determine whether a Water Supply Report is required. A Water Supply Report will not be required if the project meets the adopted Zero Water Footprint definition. This can be accomplished by projects with no additional water demand or by projects which offset increased water demand by off-site conservation measures.
- C) Water Supply Report.** A Water Supply Report shall be prepared for all projects that do not meet the adopted Zero Water Footprint definition. The Water Supply Report shall be prepared by the City of American Canyon at the cost of the project applicant. The Water Supply Report shall be substantially in the form of the report approved in the City's Resolution No. 2008-02, or in a new form approved by the County and approved by the City in a new resolution and shall include the following analysis:
 - 1) Water service request
 - a) Description of project
 - b) Water service request
 - (i) Average Daily Demand
 - (ii) Peak Day Demand
 - c) Conservation Measures Included in Project
 - 2) Consistency
 - a) Urban Water Management Plan
 - b) Recycled Water Facilities Plan
 - c) Water Conservation Implementation Guidelines
 - 3) Water footprint
 - a) Zero Water Footprint Definition
 - b) Project's impact on reliability
 - c) Project's impact on rates

- d) Project's water footprint
 - 4) Project's contribution
 - a) Capacity fee
 - b) Reimbursable improvements
 - 5) Capital program status
 - a) Summary
 - b) System planning status
 - c) Water supply
 - (i) Water supply implementation status
 - (ii) Water supply alternatives
 - d) Water treatment
 - (i) Water treatment implementation status
 - (ii) Water treatment alternatives
 - e) Water storage, transmission, and distribution status
 - f) Water capital program financial status
 - 6) Vineyards analysis
 - a) Vineyards decision
 - b) Facts with respect to solutions to water supply problems
 - c) Water supply over the life of the project
 - d) Impacts of likely future water sources
 - e) Possible replacement sources and their impacts
 - 7) Recommended mitigations
 - a) Long term water mitigations
 - b) Short term water mitigations
 - 8) Opportunities to reduce project's water footprint
 - a) On-site conservation opportunities
 - b) Off-site conservation opportunities
- D) Applicant Review of Water Supply Report.** The Water Supply Report, once approved by the City, will be furnished to the project applicant. If the applicant elects to revise the project to reduce the water footprint, the Water Supply Report may be revised at the applicant's cost.
- E) Water Will Serve Letter.** Water will-serve letters are required for projects outside of the Napa Valley Gateway project limits that are requesting increased water services from the City. The Napa Valley Gateway project is subject to the terms and conditions of a will-serve letter for the entire project agreed upon between the City of American Canyon and Charles Slutzkin of Napa Valley Gateway Limited in a will-serve letter agreement dated December 13, 2002. So long as the terms and conditions of that will-serve letter agreement are complied with, developments of parcels within the Napa Valley Gateway project limits will not require any Water Supply Report or additional will-serve letters.

EXHIBIT C

Appeal Procedure: Zero Water Footprint Methodology

1. **Grounds for Appeal- Conditions of Approval.** If the water service application is for a parcel outside the City's limits, then the City shall, within 30 days of receipt of such application, provide to the Applicant and the County any conditions of approval that the City proposes to impose on the parcel at least 90 days before imposing the conditions of approval.

Conditions of approval that result from the Water Supply Report and that the City proposes to include in a water service will-serve letter that will be issued by the City for a parcel outside of the City's limits may be appealed by an Applicant under the process described in Section 3 below.

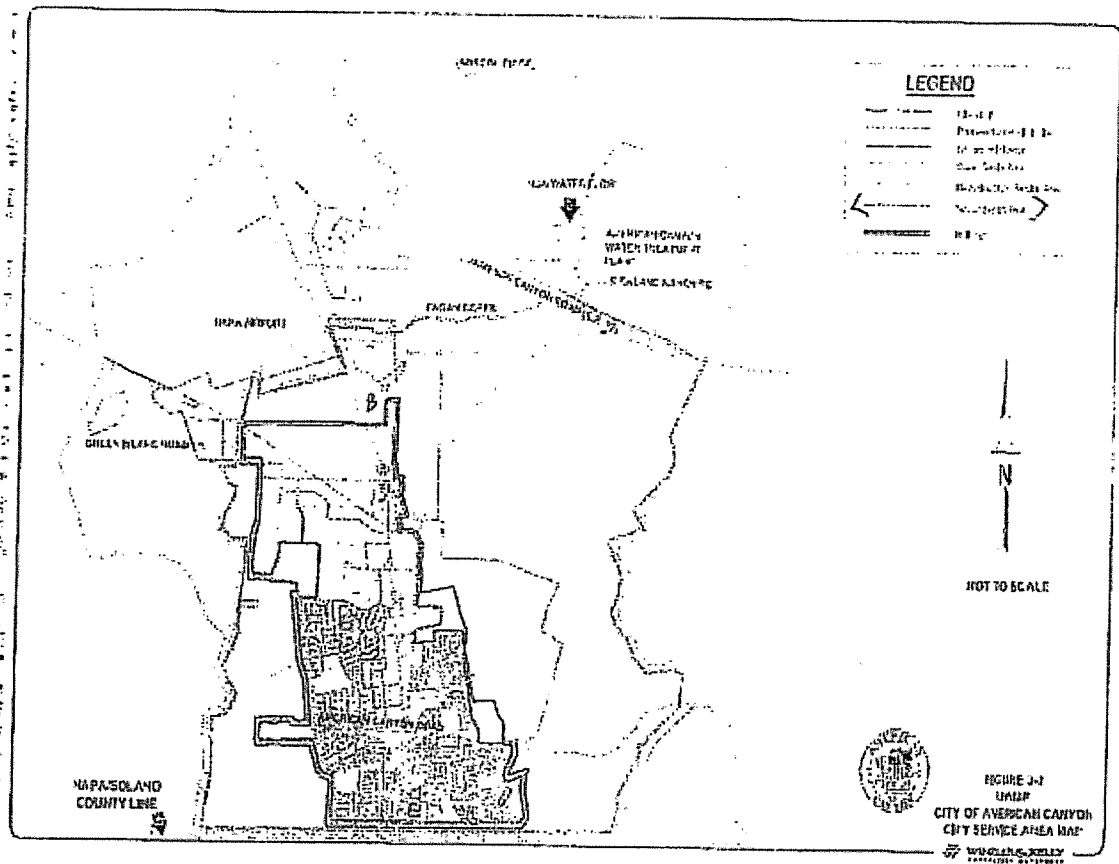
2. **Exceptions:** An appeal may not challenge water rates imposed by the City that are consistent with *Hansen v. City of San Buenaventura* (1986) 42 Cal.3d 1172, and the City's Ordinance 2007-13. An appeal also may not challenge Capacity Fees that are set pursuant to the City's Ordinance 2007-09, or new capacity fees approved by the County and enacted in a new City ordinance.

3. **Appeal Process and Appeal Panel.** An appeal of water service conditions of approval that the City proposes for a parcel outside the City's limits may be filed within ninety (90) days after the proposed conditions are forwarded to the Applicant and the County for inclusion in a development permit. The appeal will be heard by the panel described in the following paragraph, and this panel will determine whether any of the conditions under appeal is inconsistent with any provision of this Agreement.

The Appeal Panel will be made up of one member selected by the County Executive Officer, one member selected by the City Manager and one member selected by the two appointed members. If the two appointed members cannot agree on the third member, the name of each candidate shall be placed in a hat to be drawn for selection. The decision of the Appeal Panel will be final, but subject to judicial review pursuant to Code of Civil Procedure section 1094.5. The reasonable cost of the Appeal Panel shall be borne by the Applicant.

EXHIBIT H

City's Water Service Area





A Tradition of Stewardship
A Commitment to Service

Planning, Building & Environmental Services

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

David Morrison
Director

MEMORANDUM

To: Jason Hade, Project Planner	From: Kim Withrow, Environmental Health Supervisor
Date: January 5, 2017	Re: Gateway Partners 1 LLC 555 Gateway Drive Assessor Parcel #057-220-020 File # P16-00213

The application requesting approval to modify an approved use permit by merging phase 2 and 3 buildings into a single building and reconfiguring phase 4 building as identified in application materials has been reviewed. Please include the following conditions if the project is approved:

Prior to building permit issuance:

1. All waste water lines of the proposed development must be connected to the Napa Sanitation District. Proof of connection must be provided prior to approval of any building permit.
2. If any food or beverage facilities are included in the project, plan review and approval shall be obtained from this Division prior to issuance of any building permits. An annual food permit will be required.
3. The proposed development must be connected to the City of American Canyon water system. Proof of connection must be provided prior to approval of any building permit.
4. Adequate area must be provided for collection of recyclables. The applicant must work with 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. The garbage and recycling enclosure must meet the enclosure requirements provided during use permit process and be included on the building permit submittal.

During construction and/or prior to final occupancy being granted:

5. During the construction, demolition, or renovation period of the project the applicant must use the franchised garbage hauler for the service area in which they are located for all wastes

generated during project development, unless applicant transports their own waste. If the applicant transports their own waste, they must use the appropriate landfill or solid waste transfer station for the service area in which the project is located.

Upon final occupancy and thereafter:

6. Pursuant to Chapter 6.95 of the California Health and Safety Code, businesses that store hazardous materials above threshold planning quantities (55 gallons liquid, 200 cubic feet compressed gas, or 500 pounds of solids) shall obtain a permit, file an approved Hazardous Materials Business Plan to <http://cers.calepa.ca.gov/>, and be approved by this Division within 30 days of said activities.
7. Any hazardous waste produced on site must be stored and disposed of in a manner consistent with Chapter 6.5, Division 20 of the California Health and Safety Code and with Title 22, Division 4.5 of the California Code of Regulations. Additionally, a Hazardous Waste Generator Permit must be obtained from this Division.
8. All solid waste shall be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.



A Tradition of Stewardship
A Commitment to Service

Department of Public Works

1195 Third Street, Suite 101
Napa, CA 94559-3092
www.countyofnapa.org/publicworks

Main: (707) 253-4351
Fax: (707) 253-4627

Steven Lederer
Director

MEMORANDUM

To: PBES Staff	From: Rick Marshall Deputy Director of Public Works
Date: June 9, 2016	Re: Gateway Partners 1 LLC P16-00213

Thank you for the opportunity to review the subject permit application. I offer the following comments from the Department of Public Works:

Street frontage improvements required. The project shall construct improvements along Airport Boulevard, Gateway Drive, Technology Way and Alexis Court fronting the property, consistent with the Airport Industrial Area Specific Plan (AIASP) design standards as follows:

- Airport Boulevard: Arterial standard, the full length of the frontage, to include a five-foot pedestrian path (sidewalk)
- Gateway, Technology, Alexis: Minor street standard, the full length of each frontage, to include a four-foot pedestrian path (sidewalk)

The improvements shall be constructed in compliance with the AIASP and the Napa County Road & Street Standards. Additional right-of-way shall be dedicated to the public as necessary to encompass the improvements. An encroachment permit will be required for these improvements during the building permit phase. Please contact the Roads office at (707) 944-0196 to initiate the encroachment permit process.

Traffic Mitigation Fees required. All new development in the Airport Industrial Area is required to pay a Traffic Mitigation Fee. The fees will be calculated based on a warehouse rate for proposed Building A, and on the business park rate for proposed Building B. The fees collected are used to fund the construction of new roads and intersection improvements in the area.

More information on these is available at our website:
<http://www.countyofnapa.org/publicworks/roads/>

Please contact me at Rick.Marshall@countyofnapa.org or call (707) 259-8381 if you have questions or need additional information.



A Tradition of Stewardship
A Commitment to Service

Napa County Fire Department
Fire Marshal's Office
2721 Napa Valley Corporate Drive
Napa, CA 94558

Office: (707) 299-1464
Direct: (707) 299-1461

Joe Petersen
Fire Marshal

MEMORANDUM

TO: Jason Hade Planning Division	DATE: December 7, 2016
FROM: Joe Petersen Fire Department	
SUBJECT: P16-00213 Gateway Partners	APN: 057-220-020

The Napa County Fire Marshal's Office has reviewed the application package for Gateway Partners Minor Modification application. The Fire Marshal approves as submitted and requires the following conditions to be incorporated as part of permit issuance.

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. Beneficial occupancy will not be granted until all fire department fire and life safety items have been installed, tested and finalized.
3. All buildings, facilities, and developments shall be accessible to fire department apparatus by way of approved access roadways that comply with the requirements of the Napa County Road & Street Standards.
4. Developments in excess of 10,000 square feet require looped fire mains of a minimum of ten (10) inch diameter to supply fire hydrants spaced at a maximum of 300-foot intervals. This on-site fire main shall be connected to the municipal water main at not less than two (2) points.
5. All new buildings shall have approved radio coverage for emergency responders within the building based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building.

Please note that the comments noted above are based on a Fire Marshal review only. There may be additional comments or information requested from other County Departments or Divisions reviewing this application submittal package. Should you have any questions of me, contact me at (707)299-1461 or email at joe.petersen@fire.ca.gov.



October 28, 2016

Mark Funseth
Gateway Partners 1, LLC
1850 Soscol Avenue
Napa, CA 94503

SUBJECT: Request for Water Service "Will-Serve" Letter
555 Gateway Drive, Napa, CA
(APN 057-220-020)

Dear Mr. Funseth:

The City of American Canyon has received your request for a Will-Serve Letter for water service to the property located at 555 Gateway Drive (Assessor's Parcel Number: 057-220-020; referred to herein as the "Property"). The City has also received a copy of a Use Permit Minor Modification (P1600213-MM) from the Napa County Planning, Building & Environmental Services Department to reconfigure the size and development phasing of the approved Use Permit (#93466). The work proposed under P1600213-MM is hereinafter referred to as the "Project." The Property was included in a Will-Serve Letter provided by the American Canyon County Water District dated October 26, 1988, which was issued to Napa Valley Gateway Unit 2, Phase 2 development (8 lots), however a specific demand for this lot or any other lot was not provided.

It is the City's understanding that the Property is located within its Extraterritorial Water Service Area¹ and that a Will-Serve Letter for water service to the Property is required prior to the County's approval of a Use Permit Minor Modification. In general, the City reviews the impacts of such requests for service taking into account the overall demand within the system and known supplies available to meet this demand.

The City's understanding of the current request for water service for 555 Gateway Drive is based on water demand estimates attached to the Will-Serve Application dated August 11, 2016. At present, the subject Property at 555 Gateway Drive, a

¹ As defined by Napa County Local Agency Formation Commission Policy 07-27.

13.1 acre parcel, has one existing office building that totals 40,000 square feet and the applicant is proposing up to 128,191 square feet that will be comprised two new buildings: a 100,306 square foot warehouse and a 27,885 square foot flex building.

As Table 1 below shows, the Property's new requested Annual Average Daily Demand (AADD) is 1,942 gal/day. The established existing demand for the Property is 442 gal/day, and the estimated new demand for the two additional buildings is 1,500 gal/day. Table 2 details the requested Maximum Daily Demand (MDD) of 2,913² gal/day for the Property.

Table 1 – Requested Average Day Demand

<u>Annual Average Daily Water Demand (AADD) in gallons per day:</u>	
Domestic:	1,942 gpd
Irrigation:	0 ³ gpd
Industrial:	0 gpd
Total:	1,942 gpd

Table 2 – Requested Maximum Day Demand

<u>Maximum Daily Water Demand (MDD) in gallons per day:</u>	
Domestic:	2,913 gpd
Irrigation:	0 ² gpd
Industrial:	0 gpd
Total:	2,913 gpd

The City's Zero Water Footprint (ZWF) Policy requires new development to offset all of its water demands in order to prevent reduction in the reliability of existing water supplies or increases in water rates to existing customers. In light of the information submitted in the Application the City has determined that the Property will not have a Zero Water Footprint. Because the Owner is requesting service greater than the established baseline demand, the Property will potentially reduce the reliability of existing water supplies and increase costs to existing customers. In accordance with this Policy, because the Property has been determined to not

² MDD -1,500 gal/day time 1.5 peaking factor = 2,250. Existing MDD – 442 x 1.5 = 663 gal/day.
Total new MDD equates to: 2,250 + 663 = 2,913 gal/day.

³ The project site is located within the Napa Sanitation District's (NSD) recycled water service area. Recycled water is available to the site and all irrigation demands will be served with recycled water.

have a Zero Water Footprint, a more detailed Water Supply Report has been prepared, and is attached hereto and made a part of this "Will-Serve" Letter. In order to comply with the ZWF Policy and offset the Property's demand, the applicant shall contribute to the City's ZWF Mitigation Fund whereby the City will continue to undertake water conservation efforts to offset the requested ADD increase of 1,500 gpd. Such efforts will result in this Property achieving a net zero impact to the City's water system, therefore adhering to the ZWF Policy.

This Will-Serve Letter supersedes any other purported service commitments to the Property for any use. By way of this Will-Serve Letter, the City is offering to meet the water service demands shown Tables 1 & 2 above. The City's offer is contingent upon the occurrence and/or satisfaction of the following conditions and the continued existence of the following described conditions:

1. Owner shall be subject to all City's rules and regulations, including all fees and charges.
2. At no cost to the City, the Owner shall construct all facilities necessary to serve the Property in accordance with all City standards.
3. Prior to the City's commencement of improvement plan review, the Owner shall submit a deposit in an amount deemed sufficient by the City to fully recover the cost of its plan check and inspection services. Should this initial deposit be insufficient, the Owner agrees to make additional deposits as necessary for the City to complete its review and inspection. Any unused deposit funds will be returned to the Owner after the Notice of Completion is recorded.
4. The City has experienced potential reduction and/or curtailment of its primary sources of water supply during times of drought. When these reductions occur, the City's demands may exceed available supplies. In an effort to reduce this undesirable imbalance, the City is taking steps to reduce customer demands while also seeking to acquire additional supplies. The cost of these additional supplies is unknown at this time, and is not included in the current City water rates. The City is considering implementing potential changes to its rate structure which would be applied in a uniform manner in order to acquire such supplies. The Owner agrees to waive any protest to changes to current City water rates necessary to acquire additional water supplies during their formulation, implementation and review under the California Environmental Quality Act, Public Resources Code section 21000 et seq. ("CEQA") as long as such changes are initiated during the term of this Will Serve Water Supply Agreement or any extension thereof. Moreover, the Owner acknowledges that the City, during dry years, may be unable to meet the Property's water service demands and that its water service may be uniformly reduced and/or curtailed entirely. Owner further agrees to indemnify, defend and hold harmless the City, its elected officials, officers, attorneys, employees or agents for any and all damages or claims of damages stemming from such uniform reductions or

curtailments that may occur as long as they are directly related to the City's provision for water to the Property.

5. As a result of *Vineyard Area Citizens for Responsible Growth v. Rancho Cordova* (2007) 40 Cal.4th 412, the County, as lead agency pursuant to CEQA, prior to approval of the Project must, at a minimum during its environmental review:
 - a. Present sufficient facts to evaluate the pros and cons of supplying the water that the Project will need; and
 - b. Present analysis that assumes that all phases of the Project will be built and will need water, and includes an analysis to the extent reasonably possible of the consequences of the impacts of providing water to the entire project; and
 - c. Where it is impossible to determine that anticipated future water sources will be available, some discussion of possible replacement sources or alternatives to use of anticipated water and of the environmental consequences of those impacts must be presented.
6. The Owner agrees its financial obligation for water service is as follows:
 - a. Monthly water service charges will be billed at the current rate (Outside City Rate, currently \$5.13 per 100 cubic feet) in effect at the time of service and are subject to change. Additionally, a \$2.00/unit rate surcharge, and meter fee will be included in monthly service charges.
 - b. The water capacity fee for the Property will be \$46,237.50⁴ based on an increased MDD of 2,250 gpd.
 - c. The ZWF Mitigation (offset) cost for the Property is \$13,846.15⁵ [CS1][RH2] in order to achieve compliance with the ZWF Policy. Such mitigation funds are due and payable prior to issuance of a building permit.
7. The City reserves the right to audit the site's water demand as deemed necessary in order to verify that the Owner's water use is in accordance with this Will-Serve letter.
8. The Property shall incorporate the following water conservation Best Management Practices:
 - Ultra-low flow toilets in restrooms
 - Waterless urinals (optional)
 - Retrofit faucets with aerators rated at 0.5 gallon per minute or less
 - Recycled water for landscaping

⁴ Calculation: 2,250 gpd x \$20.55 = \$46,237.50

⁵ Calculation: 1,500 gpd/65 gpd x \$600 = \$13,846.15

- Education of employees regarding water conservation (offered in both English and Spanish)
 - On demand (Instahot) hot water heaters for individual restrooms or the plumbing of hot water return lines with an integral pump if using a centralized tank or tankless unit
9. The Property shall not be allowed to use potable water for landscape irrigation purposes. The Property shall install the necessary facilities to utilize recycled water for all landscape irrigation demands.
10. Prior to issuance of the first building permit for either of the proposed buildings, the Owner shall hire a licensed Plumbing Contractor (C-36) to replace all plumbing fixtures within the existing building that do not currently meet the standards set forth in the 2013 CALGreen Code. Once this work is complete, the Plumber shall provide a report to the City indicating compliance with such code and that there are no leaks associated with the building's domestic water service. If toilets need to be replaced to comply with the CALGreen Code, proof of a building permit obtained from Napa County must be submitted to the City.
11. Owner agrees to upsize the existing water meter and water service if necessary to accommodate the two new buildings. Alternatively, the Owner may provide two new services to the property including the payment of connection fees for these additional services.
12. Future changes to the Project with respect to the change in use or water demands shall require that a new Will-Serve Letter be issued.

The City's offer expires on October 28, 2018 unless actual water demands are established that are consistent with those uses identified in the Questionnaire, Table 1 above, and approved by the Building Permit. If, after October 28, 2018, no such actual water demands are established, then the Owner agrees that the approved water demand for the Property is 442 gpd. The City reserves the right to further condition and/or deny the extension of water service if the Project is different from that which presently proposed and authorized or if events out the City's control impact the City's ability to furnish water.

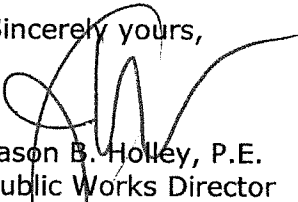
Except to the extent set forth, this letter does not create a liability or responsibility to the Owner or to any third party on behalf of the City. The City does not make a determination as to land use entitlements required for the proposed project, and the issuance of this Will Serve letter shall not be construed to be an expression of the City of a position regarding the use or intensity of use of the development Property or that the County has complied with applicable law in assessing the proposed project under CEQA.

This Will Serve letter becomes effective only upon the express acknowledgement and acceptance of the conditions set forth herein as demonstrated by the execution

Letter to Mark Funseth
555 Gateway Drive
October 28, 2016
Page 6

of the acceptance provision set forth below and the transmittal of the executed acceptance to the City.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'J. Holley', with a long, sweeping horizontal line extending to the right.

Jason B. Holley, P.E.
Public Works Director

cc: Dana Shigley, City Manager
William Ross, City Attorney
Sean Trippi, Napa County Planning Department
Greg Baer, Development Services Engineer
Susan Presto, Finance Manager
Utility Billing

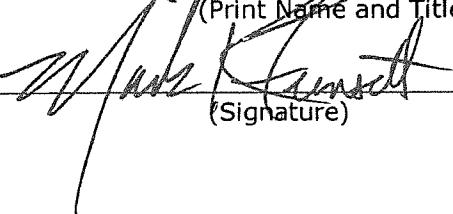
Letter to Mark Funseth
555 Gateway Drive
October 28, 2016
Page 7

**ACCEPTANCE
of
City's Conditional Offer of Water Service for
Gateway Partners 1, LLC**

**555 Gateway Drive, Napa, CA
Napa County Assessor's Parcel Number 057-220-020**

I, MARK R. FUNSETH, accept the conditions set
forth in this communication.

By: Gateway Partners 1, LLC
Legal Owner

MARK R. FUNSETH, AUTHORIZED AGENT
(Print Name and Title)

(Signature) Date: 11/4/16

CITY OF
**AMERICAN
CANYON**



PUBLIC WORKS DEPARTMENT

4381 BROADWAY, SUITE 201
AMERICAN CANYON, CA 94503

WATER SUPPLY REPORT

FOR

Gateway Partners 1, LLC

555 Gateway Drive, Napa, CA
Napa County Assessor's Parcel Numbers 057-220-020

Prepared by:

Greg Baer
Development Services Engineer

Approved by:



Jason B. Holley, P.E.
Public Works Director

October 28, 2016

Date

TABLE OF CONTENTS

PREFACE.....	2
SECTION 1.0 - REQUEST FOR SERVICE	3
SECTION 2.0 - PROJECT WATER FOOTPRINT	5
SECTION 3.0 – CAPACITY FEES AND SERVICE CHARGES	7
SECTION 4.0 - <i>VINEYARDS</i> ANALYSIS	8
ACKNOWLEDGEMENT OF WATER SUPPLY ANALYSIS	10

PREFACE

This Water Supply Report (WSR) is prepared in response to a request received by the City of American Canyon for a new water service(s) and/or an expansion of existing water service(s). The intent of the WSR is to help inform the discretionary approval process undertaken in conjunction with the request. Chief among its purpose is to:

- Determine if the request is consistent with City ordinances, policies, and practices;
- Determine whether the City's water supply is sufficient to grant the request when compared to existing and other planned future uses, including agricultural and manufacturing uses; and
- To establish a water allocation for the property.

On October 23, 2007, the American Canyon City Council adopted the following definition as the basis for its Zero Water Footprint (ZWF) Policy:

Zero Water Footprint – No loss of water service reliability or increase in water rates to the City of American Canyon's existing water service customers due to requested increase demand for water within the City's water service area.

The overarching intent of the ZWF Policy is to require all new development (residential or non-residential), or the expansion of existing commercial and industrial development, to mitigate all new water demands with "wet-water" offsets by one or more of the following options:

- Reducing existing potable water demands on-site
- Funding programs or constructing projects that would conserve an equivalent amount of water elsewhere within the water service area
- Funding of and/or constructing projects that would increase an equivalent amount of recycled water use elsewhere within the water service area where potable water is currently used.
- Purchase new water supplies from other water providers

SECTION 1.0 - REQUEST FOR SERVICE

1.1 - Property Description

The property is located at 555 Gateway Drive (Assessor's Parcel Number: 057-220-020-012) and has one existing building on approximately 13.1 acres; referred to herein as the "Property." The Property is zoned Industrial Park/Airport Compatibility (IP:AC) and is located within the City's Extraterritorial Water Service Area (ETSA)¹.

1.2 - Project Description

The Project includes the addition of up to 128,191 square feet of building area adjacent to an existing 40,000 (+/-) square foot building on a 13.1 acre site to be used for office space, storage, light assembly and research and development uses by Gateway Partners, LLC. Entitlements required include a Use Permit Minor Modification from Napa County to reconfigure the size and development phasing of the approved Use Permit (#93466) and thus Will-Serve Letters from the City (for potable water service – domestic and fire service) and Napa Sanitation District (for sewer and recycled water service)²:

The project incorporates the following water conservation best management practices:

- Ultra-low flow toilets in restrooms
- Waterless urinals (optional)
- Retrofit faucets with aerators rated at 0.5 gallon per minute or less
- Recycled water for landscaping
- Education of employees regarding water conservation (offered in both English and Spanish)
- On demand (Instahot) hot water heaters for individual restrooms or the plumbing of hot water return lines with an integral pump if using a centralized tank or tankless unit

1.3 - Status of Existing Services

The Property was included in a Will-Serve Letter provided by the American Canyon County Water District dated October 26, 1988, which was issued to Napa Valley Gateway Unit 2, Phase 2 development (8 lots), however a

¹ As defined by Napa County Local Agency Formation Commission Policy 07-27.

² The project site is located within the Napa Sanitation District's (NSD) recycled water service area. Recycled water is available to the site and all irrigation demands will be served with recycled water.

specific demand for this lot or any other lot was not provided. The City has been providing water service to this property since 1994.

1.4 - Will Serve Application

A Will-Serve Application dated August 11, 2016 was submitted by the Owner of Gateway Partners 1, LLC. The application submitted (see attached) details the anticipated and existing water demands for the project. Staff has reviewed the provided application and finds the estimate to be consistent with industry standards for similar uses.

1.5 - Annualized "Average-Day" Demand (AADD)

The anticipated water demand increase for the Property is 1,500 gallons per day (gpd). The established existing demand is 442 gpd. As shown on Table 1, based on a 6-day work week for the buildings, the Annualized "Average-Day" Demand (AADD) is 1,942 gpd (1,500 + 442).

Table 1 – Property AADD			
Domestic (gpd)	Industrial (gpd)	Irrigation (gpd)	Total (gpd)
1,942	0	0	1,942

1.6 - Maximum Day Demand (MDD)

As shown in Table 2, the anticipated new Maximum Demand (MDD) for the Property is 2,913³ gpd. The demands were calculated assuming a peaking factor of 1.5 for the domestic uses for both the existing and proposed demands.

Table 2 – Property MDD			
Domestic (gpd)	Industrial (gpd)	Irrigation (gpd)	Total (gpd)
2,913	0	0	2,913

³ MDD -1,500 gal/day time 1.5 peaking factor = 2,250. Existing MDD – 442 x 1.5 = 663 gal/day. Total new MDD equates to: 2,250 + 663 = 2,913 gal/day.

SECTION 2.0 - PROJECT WATER FOOTPRINT

2.1 – Project Demand Consistency with UWMP and APMC 13.10

The City's 2015 Urban Water Management Plan (UWMP) was adopted on June 21, 2016, and assumes commercial and industrially zoned properties will have an increased demand of approximately 451 AFY at build-out (2040). The City will continue to perform annual demand audits by use type to ensure congruency with the UWMP. This project is proposing to increase their demand by 1.68 AFY, well within the UWMP's projection.

American Canyon Municipal Code Section 13.10 limits industrially zoned property within City limits and the broader City ETSA up to a maximum AADD of 650 gpd per acre. As shown in Table 3 below, the Property's estimated AADD (148 gpd per acre) is less than the maximum allowed by the APMC 13.10 (650 gpd per acre):

Parcel Size (acres)	APMC 13.10 (gpd)	Property AADD (gpd/acre)
13.1	8,515	148

2.2 – Baseline Water Footprint

The Property's Baseline Water Footprint is determined as one of the following: a) the approved demand amount specific in a current, (unexpired) Will-Serve Letter, Water Supply Report and/or Water Service Agreement; b) the water demand calculated from an audit of three-years of water use; or c) absent other information, the water demand in 2007. As shown in Table 4 below, the Property's baseline water footprint is 442 gpd. This baseline was determined by evaluating the property's demand in 2007, as this time period was most representative of the occupancy expected for the approved use.

Table 4 – Baseline Water Footprint			
Approved Demand (gpd)	Audited Demand (gpd)	Historical Demand (gpd)	Baseline Water Footprint
N/A	-	442	442

2.3 – Zero Water Footprint Determination

Because the Property's AADD increase, (1,500 gpd) exceeds the Property's Baseline Water Footprint, the Property does not have a Zero Water Footprint (ZWF). Because the Property does not have a ZWF, the new demand(s) on

the City's water system could potentially result in a loss in water service reliability or increase in water rates to the City's existing customers.

2.4 - Demand Offset

The City has an established various programs intended offset new demand(s) on its water system. The Property has agreed to participate in one such program whereby old plumbing fixtures in existing residences (such as toilets, showers and faucets) are replaced with high-efficiency fixtures. On average the cost to replace the fixtures in a single family dwelling unit is \$600 and results in an on-going savings of 65 gpd. By facilitating the replacement of these fixtures city-wide, the Property's new demand is offset by water which is saved elsewhere. The Property has agreed to contribute \$13,846.15⁴ to the City's Zero Water Footprint Mitigation Fund. Monies in the Fund are used to pay for replacement of plumbing fixtures. The amount paid will result in equivalent savings of 1,500 gpd, thereby offsetting the Property's new AADD.

2.5 - Project Impact on Reliability & Rates

The City's water treatment, delivery and storage system is reliable to serve demands of existing development that existed at the time of ZWF Policy implementation in 2007. New or increased demands to the City's system after the implementation of the ZWF Policy are determined to potentially have a negative impact on the City's water system reliability which could result in an increase in water rates of existing customers. By facilitating the replacement of inefficient plumbing fixtures through the monetary contribution to the City's ZWF Mitigation Fund, the Property has offset its new demand and thus, it is reasonable to conclude that it will have no impact on reliability or rates.

2.6 - Short term mitigations

The water impacts of the Property will be fully mitigated by the financial contribution it will make to the water capacity fee program in addition to the ZWF Mitigation fee to mitigate 100% of the Property's new water demand.

2.7 - Long term mitigations

The City's Water Shortage Emergency Plan authorizes the City Council to declare a water shortage emergency⁵. Emergencies are declared in four

⁴ 1,500 gpd/65 gpd x \$600 = \$13,846.15

⁵ ACMC §13.14.070

stages with specific reduction methods used for each stage. In the event the City experiences short term water shortages and determines it is necessary to purchase dry year water the Owner shall provide funds to the City of American Canyon to purchase dry-year water. Upon demand of the Public Works Director, when a water shortage has been declared by the City Council, the project may have to contribute a reasonably determined and reasonably allocated non-refundable payment to the water operations fund to allow the City to acquire dry-year water, if reasonably necessary. The projects contribution shall be equal to the properties reasonably allocated annual demand (AFY) times the City's reasonable cost of a one-year transfer. The annual demand will be implemented uniformly to all City water uses, determined by a City water audit of all City water uses for the previous water year and the analysis in reasonable detail made available to the Owner for reasonable review and comment prior to implementation. The contribution shall be recalculated and made on an annual basis, as reasonably necessary.

SECTION 3.0 – CAPACITY FEES AND SERVICE CHARGES

3.1 - Capacity Fee

Based on the American Canyon Water Capacity Fee Ordinance⁶, the Project shall pay a Water Capacity Fee is \$46,237.50. This amount one-time fee is based on the rate of \$20.55 per gallon x MDD (2,250 gpd).

3.2 – Service Charge

The Property is located outside the City's corporate boundary but within the City's Extraterritorial Water Service Area as defined by LAFCO. Based on the American Canyon Water Capacity Fee Ordinance⁷, the Property shall a monthly service charge in the amount of \$5.13/100 cubic feet, plus any drought surcharges and monthly meter fees. Based on the AADD, drought surcharge of \$2.00/unit, and meter fee of \$45.28 per month, the estimated water service charge is approximately \$601 per month.

3.3 - Reimbursable Improvements

The Property proposes no improvement that would be eligible for reimbursement.

⁶ ACMC §13.06.090

⁷ ACMC §13.06.040

SECTION 4.0 - VINEYARDS ANALYSIS

4.1 – Vineyards Decision

The California Supreme Court decision "*Vineyard Area Citizens for Responsible Growth v. City of Rancho Cordova and Sunrise Douglas Property Owners Association, et al.*" sets forth guidelines for evaluating the water supply of a project under the California Environmental Quality Act (CEQA). It requires that water supplies not be illusory or intangible, that water supply over the entire length of the project be evaluated, and that environmental impacts of likely future water sources, as well as alternate sources, be summarized.

4.2 - Facts With Respect to Existing Water Supply and Demand

The City's 2015 Urban Water Management Plan (UWMP) analyzed existing demands and anticipated future demand growth. The 2015 UWMP also quantified the amounts and reliability of its water supplies in various planning horizon scenarios.

The City has entered into enforceable long-term contracts for its supply of potable water. The suppliers are the State Department of Water Resources (DWR) and City of Vallejo. The DWR supplies are provided by the State Water Project (SWP) and they vary each year up to a maximum of 5,200 acre-feet. The Vallejo supplies are 500 acre-feet of raw water as needed and up to 2,640 acre-feet of treated water may be purchased as a retail customer.

City customers consumed 2,976 acre-feet of SWP water in 2015. The 2015 UWMP determined adequate supplies exist for all planning horizons and supply scenarios, except for the "2030 single-dry scenario".

New water demand from the Project and reduced per capita consumption (facilitated by the City's Water Conservation Program) was anticipated as part of the assumed future demand growth in all planning horizons and supply scenarios in the 2015 UWMP. If the total AADD or MDD exceed the totals shown in this report, the applicant will be subject to penalties in-place at the time and has agreed to take the necessary measures to reduce demand to comply with this report.

4.3 – Anticipated Water Supplies over the Life of the Project

The City has developed a capacity fee capital program and water conservation program which, when implemented, will reasonably ensure an

adequate supply of potable water and recycled water to meet demands under normal years, multiple-dry-years, and single-dry-years.

By fully complying with the City's ZWF Policy, the project will offset its new demand by paying an in-lieu fee that will be used by the City to implement its water conservation efforts to reduce potable water demands throughout its Water Service Area. Given the City's efforts to expand its water portfolio in terms of supply, storage, and conservation, and the fact that this project will not result in an increased demand on the existing system, it is reasonable to project there is sufficient water supply over the life of the project.

4.4 – Environmental Impacts of Likely Future Water Sources

According to the 2015 UWMP, adequate long-term supplies exist for all planning horizons and supply scenarios, except for the "2030 single-dry scenario". The Project will offset its new demand by facilitating landscape improvements at 150 Camino Dorado and paying a ZWF Mitigation fee that will be used by the City to further its water conservation efforts to reduce potable water demands throughout its Water Service Area. These efforts will have no significant impacts to the physical environment.

Moreover, it is unlikely that additional long-term supplies will need to be developed to meet the new demands attributable to the Project and it would be unnecessarily speculative to analyze the potential impact of such an unlikely activity.

Lastly, the City Council adopted a Mitigated Negative Declaration in November 2003 in conjunction with the adoption of the Recycled Water Facilities Plan. That plan identifies a series of projects which in conjunction with the water conservation program will reduce potable water demands throughout its Water Service Area. Impacts caused by implementation Recycled Water Facilities Plan are less than significant because the new recycled water distribution pipelines were to be located in existing paved public rights of way.

ACKNOWLEDGEMENT OF WATER SUPPLY ANALYSIS

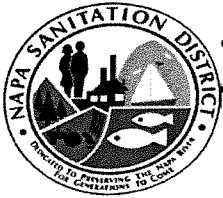
Gateway Partners 1, LLC

555 Gateway Drive, Napa, CA
Napa County Assessor's Parcel Number 057-220-020

I, MARK R. FUNSETH, acknowledge and accept
the water supply analysis as set forth in this Water Supply Report dated
October 28, 2016.

Mark R. Funseth, AUTHORIZED AGENT
(Print Name and Title)

Date: 11/4/16



Dedicated to Preserving the Napa River for Generations to Come

June 16, 2016

Planning, Building & Environmental Services
County of Napa
1195 Third Street, Suite 210
Napa, CA 94559

SUBJECT: 16-00213 GATEWAY PARTNERS 1, LLC MINOR MOD, REFL-000593, Rob
Anglin, 555 GATEWAY DR (Hade)

The Napa Sanitation District has reviewed the above-named application. The following are the conditions of approval for the project.

The owner shall pay to the District the prevailing fees and charges in effect as established by Resolutions and Ordinances before the issuance of a County Building Permit, and shall adhere to the rules and regulations as they apply to the application.

The District has identified the following comments based on the current application. The District reserves the right to modify the following conditions/comments based on changes to future applications or changes to the project site plan. The proposed project shall be subject to the following conditions of approval:

The proposed project shall be subject to the following conditions of approval:

1. A plan showing the required sanitary sewer improvements shall be prepared by a registered civil engineer conforming to NSD standards, and shall be submitted to the District for approval.
2. Each parcel shall be served by a separate sanitary sewer lateral.
3. A grease interceptor will be required for any restaurant or food service type of uses.
4. Sanitary sewer facilities are required to have a minimum of 24" of cover at all points within the public right of way. The proposed sanitary sewer facilities shall be designed to meet this requirement.
5. The owner/developer shall enter into a Private Main Agreement and an Improvement Agreement with the District if a shared private sanitary sewer main is proposed, and post the appropriate bonds covering the sanitary sewer work
6. No floor drains are allowed in the building except in the restroom and food service areas. Any existing floor drains shall be permanently abandoned.
7. The subject parcel shall use recycled water for landscape irrigation.
8. The development shall install private 4-inch recycled water improvements consistent with the

Gateway Recycled Water Master Plan. Contact the District for additional information.

9. The proposed development would be subject to the following fees, based on the rates in effect at the time they are paid:
 - a. Agreement Fees
 - b. Plan Check Fees
 - c. Inspection Fees
 - d. Capacity Charges (per each commercial unit / tenant space, located within the proposed buildings, based on use. The owner shall contact the District for additional information.)
 - e. Capacity Charges for any process waste stream shall be calculated per District Code. The owner shall contact the District for additional information.
10. If the owner desires to discharge process wastewater to the District in the future, the owner would be required to pay capacity charges to the District based on the rates in effect at the time and would be subject to the rules and regulations in effect at that time. At a minimum the facility would be subject to the following:
 - a. Installation of a flow meter and sampler on the process waste line
 - b. Ensure that the discharge conforms with the District's Local Limits
 - c. Provide the District with a wastewater treatment plan
 - d. Obtain an Industrial Waste Discharge Permit from the District for the operation. Permit conditions would be established by the District at the time an application is made by the owner.
11. The District has updated sanitary sewer and recycled water standard specifications and details. The updated specifications and details are available online at the District's website (www.NapaSan.com). The District may revise the standard specifications and details at any time. It is the responsibility of the engineer, contractor, and developer to verify that they are in possession of the current version of the standards prior to design and construction of sanitary sewer and recycled water improvements.

Please include this information as a part of your consideration of the application.

The capacity charge for a single-family dwelling currently is \$8,950 and will increase by the Consumer Price Index (CPI) annually in July. Commercial capacity charges are determined per District Ordinance

101. Projects with plans that have been deemed complete by the engineering staff shall pay the capacity charge in effect at the time the plans were deemed complete. This program expires on December 31, 2016. Contact District Staff for additional information regarding capacity charges.

Sincerely,

Timothy B. Healy, P.E.
General Manager / District Engineer

by: Kyle Broughton, P.E.
Associate Engineer



A Tradition of Stewardship
A Commitment to Service

Planning, Building, and Environmental Services

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

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

David Morrison
Director

October 4, 2017

"BUILDING B"

Gateway Partners 1, LLC
Mark Funseth
1850 Soscol Avenue, #207
Napa, CA 94559

Re: Gateway Partners 1, LLC Use Permit Minor Modification (# P17-00305MOD);
555 Gateway Drive; Napa, CA 94558; APN 057-220-020

Dear Mr. Funseth:

Please be advised that Use Permit Application No. P17-00305 has been approved by the Zoning Administrator subject to the conditions of approval enclosed as **Exhibit A**. Use Permit #93466-UP was approved on July 6, 1994 and authorized the phased development of four buildings totaling 140,000 square feet.

The project is a request for Minor Modification application #P17-00305 to the approved Use Permit #93466-UP to increase the size of the previously approved Phase 4 building to 28,535 square feet.

The proposed project is Categorically Exempt from the provisions of CEQA, the California Environmental Quality Act, pursuant to Appendix B, Class 1(3) (Minor modifications of existing use permits in conformance with Section 18.124.130 of the Napa County Code) of Napa County's Local Procedures for implementing the California Environmental Quality Act.

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.

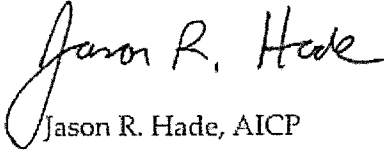
EXPIRATION DATE: October 4, 2019

Pursuant to Government Code §66020(d)(1), you are hereby further notified that the ninety day period in which to protest the imposition of any fees, dedications, reservations, or other exactions which may have been adopted as conditions of approval has begun.

Pursuant to Napa County Code §18.124.080, the modification must be activated within two (2) years of the approval date, or it will automatically expire and become void. This letter serves as the only notice you will receive regarding the expiration date of your permit. Prior to commencing construction, Building Permits must first be obtained.

If you have any questions about this letter, please feel free to contact me at 707.259-8757 or via email at jason.hade@countyofnapa.org.

Sincerely,

A handwritten signature in black ink that reads "Jason R. Hade". The signature is fluid and cursive, with the first letters of each word being capitalized and prominent.

Jason R. Hade, AICP
Planner III

Enclosure

cc: Rob Anglin
1455 First Street, Suite 217
Napa, CA 94559

Napa County Dept. – Engineering Services, Environmental Health, Building, Fire, J. Tuteur
(Assessor), Matt Lamborn

Project File

OCTOBER 4, 2017
EXHIBIT A - CONDITIONS OF APPROVAL

Gateway Partners 1, LLC
Minor Modification P17-00305
555 Gateway Drive, Napa
APN #057-220-020

This Permit encompasses and shall be limited to the project commonly known as Gateway Partners 1, LLC Minor Modification, located at 555 Gateway Drive. Part I encompasses the Project Scope and general conditions pertaining to statutory and local code references, project monitoring and the process for any future changes or activities. Part II encompasses the ongoing conditions relevant to the operation of the project. Part III encompasses the conditions relevant to construction and the prerequisites for a Final Certificate of Occupancy. It is the responsibility of the permittee to communicate the requirements of these conditions and mitigations (if any) to all designers, contractors, employees, and the general public to ensure compliance is achieved.

Where conditions are not applicable or relevant to this project, they shall be noted as "Reserved" and, therefore, have been removed.

When modifying a legally established entitlement related to this project, these conditions are not intended to be retroactive or to have any effect on existing vested rights except where specifically indicated.

PART I

1.0 PROJECT SCOPE

This Permit encompasses and shall be limited to:

- 1.1 Approval of a minor modification to an approved Use Permit #93466-UP to allow the following:
 - a. Increase the size of the previously approved Phase 4 building to 28,535 square feet.

The Phase 4 building shall be designed in substantial conformance with the submitted site plan, elevation drawings, and other submittal materials and shall comply with all requirements of the Napa Valley Business Park Specific Plan and Napa County Code (County Code). It is the responsibility of the permittee to communicate the requirements of these conditions and mitigations (if any) to all designers, contractors, employees, and the general public to ensure compliance is achieved. Any expansion of or change in use or alternative locations for fire suppression or other types of water tanks shall be approved in accordance with the County Code and may be subject to the permit modification process.

2.0 STATUTORY AND CODE SECTION REFERENCES

All references to statutes and code sections shall refer to their successor as those sections or statutes may be subsequently amended from time to time.

3.0 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 of approval 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 to the property owner or permittee. Costs shall be as established by resolution of the Board of Supervisors in accordance with the hourly consulting rate established at the time of the monitoring and shall include maintenance of a \$500 deposit for construction compliance monitoring that shall be retained until issuance of a Final Certificate of Occupancy. Violations of conditions of approval or mitigation measures caused by the permittee's contractors, employees, and/or guests are the responsibility of the permittee.

The Planning Commission may implement an audit program if compliance deficiencies are noted. If evidence of a compliance deficiency is found to exist by the Planning Commission at some time in the future, the Planning Commission may institute the program at the permittee'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 so warranted, to commence revocation proceedings in accordance with the County Code.

PART II

4.0 OPERATIONAL CHARACTERISTICS OF THE PROJECT

Permittee shall comply with the following during operation of the project:

4.1 GROUND WATER MANAGEMENT – WELLS [RESERVED]

4.2 AMPLIFIED MUSIC

There shall be no amplified sound system or amplified music utilized outside of approved, enclosed, buildings.

4.3 TRAFFIC

To the maximum extent feasible, scheduling of reoccurring vehicle trips to and from the site for employees and deliveries shall not occur during peak travel times (4:00 – 6:00pm). All road improvements on private property required per Engineering Services shall be maintained in good working condition and in accordance with the Napa County Roads and Streets Standards.

4.4 PARKING

All parking, driveways, and internal roadways shall comply with the Napa County Road and Street Standards. Parking shall be limited to approved parking spaces only and shall not occur along access or public roads or in other locations. In no case shall parking impede emergency vehicle access or public roads.

4.5 TENANCY CHANGE

- a. Any future change of tenancy within the structure shall require administrative review and approval by the PBES Department prior to occupancy. The permittee shall provide the PBES Department with a written profile of the proposed tenant, including name, present address,

phone number, description of proposed use, employees, a list of any hazardous materials, and any other information deemed necessary by the PBES Department. The permittee shall also provide a detailed floor plan of the entire structure identifying the location and square footage of all uses within the structure prior to any new tenancy.

- b. Parking based on the use of the tenant/building shall be provided in compliance with the Napa Valley Business Park (NVBP) prior to issuance of a Final Certificate of Occupancy. Parking shall be provided in accordance with the NVBP upon any change of use and/or tenancy, subject to review and approval by the PBES Director. The installation of parking may be deferred until such time as building tenancy requires, subject to review and approval by the PBES Director. Additional landscaping shall be provided in place of any deferred parking spaces.

4.6 BUILDING DIVISION – USE OR OCCUPANCY CHANGES

Please contact the Building Division with any questions regarding the following:

In accordance with the California Building Code (CBC), no change shall be made in the use or occupancy of an existing building unless the building is made to comply with requirements of the current CBC as for a new building.

4.7 FIRE DEPARTMENT – TEMPORARY STRUCTURES

Please contact the Fire Department with any questions regarding the following:

The permittee and/or designee shall obtain a tent permit from the Fire Department for any temporary structures utilized for authorized events allowed per COA No. 1.0 above.

4.8 NAPA COUNTY MOSQUITO ABATEMENT PROGRAM **[RESERVED]**

4.9 GENERAL PROPERTY MAINTENANCE – LIGHTING, LANDSCAPING, PAINTING, OUTDOOR EQUIPMENT STORAGE, MECHANICAL EQUIPMENT, AND TRASH ENCLOSURE AREAS

- a. All lighting shall be permanently maintained in accordance with the lighting and building plans approved by the County.
- b. All landscaping shall be permanently maintained in accordance with the landscaping approved by the County.
- c. All outdoor screening, storage, mechanical equipment and utility structures shall be permanently maintained in accordance with the landscaping and building plans approved by the County. No stored items shall exceed the height of the screening. Exterior equipment shall be maintained so as to not create a noise disturbance or exceed noise thresholds in the County Code.
- d. The colors used for the roof, exterior walls and built landscaping features of the project shall be limited to earth tones that will blend the facility into the colors of the surrounding site specific vegetation. The permittee shall

obtain the written approval of the Planning Division prior to any change in paint color that differs from the approved building permit. Highly reflective surfaces are prohibited.

- e. Designated trash enclosure areas shall be made available and properly maintained for intended use.

4.10 NO TEMPORARY SIGNS

Temporary off-site signage, such as "A-Frame" signs are prohibited.

4.11 COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES -
OPERATIONAL CONDITIONS

The attached project conditions of approval include all of the following County Divisions, Departments and Agencies' requirements. Without limiting the force of those other requirements which may be applicable, the following are incorporated by reference as enumerated herein:

- a. Engineering Services Division operational conditions as stated in their Memorandum dated September 11, 2017.
- b. Environmental Health Division operational conditions as stated in their Memorandum dated January 5, 2017.
- c. Building Division operational conditions as stated in their Memorandum dated September 1, 2017.
- d. Department of Public Works operational conditions as stated in their Memorandum dated June 9, 2016.
- e. Fire Department operational conditions as stated in their Inter-Office Memo dated March 2, 2017.
- f. Napa Sanitation District operational conditions as stated in their "will serve" letter dated June 16, 2016.

The determination as to whether or not the permittee has substantially complied with the requirements of other County Divisions, Departments and Agencies shall be determined by those County Divisions, Departments or Agencies. The inability to substantially comply with the requirements of other County Divisions, Departments and Agencies may result in the need to modify this permit.

4.12 OPERATIONAL MITIGATION MEASURES **[RESERVED]**

4.13 OTHER CONDITIONS APPLICABLE TO THE OPERATIONAL ASPECTS OF
THE PROJECT **[RESERVED]**

4.14 PREVIOUS CONDITIONS **[RESERVED]**

PART III

5.0 PREREQUISITE FOR ISSUANCE OF PERMITS

5.1 PAYMENT OF FEES

No building, grading or sewage disposal permits shall be issued or other permits authorized until all accrued planning permit processing fees have been paid in full. This includes all fees associated with plan check and building inspections, associated development impact fees established by County Ordinance or Resolution, and the Napa County Affordable Housing Mitigation Fee in accordance with County Code.

6.0 GRADING/DEMOLITION/ENVIRONMENTAL/BUILDING PERMIT/OTHER PERMIT PREREQUISITES

Permittee shall comply with the following with the submittal of a grading, demolition environmental, building and/or other applicable permit applications:

6.1 COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES - PLAN REVIEW, CONSTRUCTION AND PREOCCUPANCY CONDITIONS

The attached project conditions of approval include all of the following County Divisions, Departments and Agencies' requirements. The permittee shall comply with all applicable building codes, zoning standards, and requirements of County Divisions, Departments and Agencies at the time of submittal and may be subject to change. Without limiting the force of those other requirements which may be applicable, the following are incorporated by reference as enumerated herein:

- a. Engineering Services Division plan review/construction/preoccupancy conditions as stated in their Memorandum dated September 11, 2017.
- b. Environmental Health Division plan review/construction/preoccupancy conditions as stated in their Memorandum dated January 5, 2017.
- c. Building Division plan review/construction/preoccupancy conditions as stated in their Memorandum dated September 1, 2017.
- d. Department of Public Works plan review/construction/preoccupancy conditions as stated in their Memorandum dated June 9, 2016.
- e. Fire Department plan review/construction/preoccupancy conditions as stated in their Inter-Office Memo dated March 2, 2017.
- f. Napa Sanitation District plan review/construction/preoccupancy conditions as stated in their letter dated June 16, 2016.

The determination as to whether or not the permittee has substantially complied with the requirements of other County Divisions, Departments and Agencies shall be determined by those County Divisions, Departments or Agencies. The inability to substantially comply with the requirements of other County Divisions, Departments and Agencies may result in the need to modify the permit.

6.2 BUILDING DIVISION – GENERAL CONDITIONS

Please contact the Building Division with any questions regarding the following:

- a. A building permit shall be obtained for all construction occurring on the site not otherwise exempt by the CBC or any State or local amendment adopted thereto
- b. If there are any existing structures and/or buildings on the property that will need to be removed to accommodate construction activities, a separate demolition permit shall be required from the Building Division prior to removal. The permittee shall provide a "J" number from the Bay Area Air Quality Management District (BAAQMD) at the time the permittee applies for a demolition permit if applicable.
- c. All areas of newly designed and newly constructed buildings, facilities and or site improvements shall comply with the CBC accessibility requirements, as well as, American with Disabilities Act requirements when applicable. When alterations or additions are made to existing buildings or facilities, an accessible path of travel to the specific area of alteration or addition shall be provided, as required per the CBC.

6.3 LIGHTING – PLAN SUBMITTAL

- a. Two (2) copies of a detailed lighting plan showing the location and specifications for all lighting fixtures to be installed on the property shall be submitted for Planning Division review and approval. All lighting shall comply with the CBC.
- b. All exterior lighting, including landscape lighting, shall be shielded and directed downward; located as low to the ground as possible; the minimum necessary for security, safety, or operations; on timers; and shall incorporate the use of motion detection sensors to the greatest extent practical. All lighting shall be shielded or placed such that it does not shine directly on adjacent properties or impact vehicles on adjacent streets. No flood-lighting or sodium lighting of the building is permitted, including architectural highlighting and spotting. Low-level lighting shall be utilized in parking areas as opposed to elevated high-intensity light standards.

6.4 LANDSCAPING – PLAN SUBMITTAL

- a. Two (2) copies of a detailed final landscaping and irrigation plan, including parking details, shall be submitted with the building permit application package for the Planning Division's review and approval prior to the issuance of any building permit associated with this permit. The plan shall be prepared pursuant to the Water Efficient Landscape Ordinance (Chapter 18.118 of the County Code) requirements in effect at the time of building permit application submittal, as applicable, and shall indicate the names and locations of all plant materials to be used along with their method of maintenance.
- b. Plant materials shall be purchased locally when practical, and, to the greatest extent possible, the plant materials shall be the same native plants found in Napa County. The Agricultural Commissioner's office shall

be notified of all impending deliveries of live plants with points of origin outside of Napa County.

- c. No trees greater than 6" diameter at breast height shall be removed, except for those identified on the submitted site plan. Trees to be retained shall be protected during construction by fencing securely installed at the outer most dripline of the tree or trees. Such fencing shall be maintained throughout the duration of the work undertaken in connection with development/construction. In no case shall construction material, debris or vehicles be stored in the fenced tree protection area.
- d. All landscaped areas and sidewalks shall be separated from parking and drive aisle areas by a minimum 6 inch raised concrete curb. The irrigation system shall utilize reclaimed water. Two feet of required parking stall depth may overhang into non-required landscape planters and sidewalks. Standard sized parking stalls are required to have a minimum depth of 19 feet, and compact stalls may be 16 feet. A maximum of 35% of the parking stalls may be compact.
- e. The irrigation system shall utilize reclaimed water when it is made available in the vicinity. Any undeveloped portion of the property shall be hydro-seeded or an approved equivalent and permanently maintained.

6.5 COLORS

Exterior finishes and colors of the building, roof, parking lot and walkways shall be subject to approval by the Planning Division in conjunction with building permit review and/or prior to painting. Highly reflective surfaces are prohibited.

6.6 OUTDOOR STORAGE/SCREENING/UTILITIES

Details of outdoor storage areas and structures shall be included on the building and landscape plans. No outdoor storage is permitted as part of this action. Any proposal for outdoor storage and proposed screening is subject to separate review and approval by the PBES Department. New utility lines required for this project shall be placed underground.

6.7 MECHANICAL EQUIPMENT

- a. 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 if 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. The PBES Director may approve exceptions for solar equipment. All screening is subject to review and approval by the PBES Director. Any skylights shall be subject to review and approval by the PBES Director prior to the issuance of building permits.
- b. The term "equipment" includes roof mounted equipment or vents, electrical equipment, gas meter, communication antennas, irrigation valves, storage tanks, or other mechanical equipment. The manner of

screening shall be as follows: Communications equipment, including microwave equipment, may remain unscreened if visually integrated with the building design through color, location, and construction; all building mounted equipment, including but not limited to louvers, pipes, overhead doors or service doors, access ladders, downspouts, conduit, and electrical/service boxes, shall be painted consistent with the color scheme of the building.

- c. Ground mounted equipment shall be screened by walls or landscaping to the satisfaction of the PBES Director.
- d. Exterior equipment shall be located, enclosed or muffled so as not to exceed noise thresholds in the County Code.

6.8 TRASH ENCLOSURES

- a. The permittee shall provide one or more trash enclosures (decorative masonry or equivalent), the design of which shall be compatible with the architecture of the project. The enclosure shall be reasonably accessible to employees. A minimum 8' x 10' thickened paving section shall be provided in front of each enclosure. The PBES Director shall approve the design and location of each enclosure. All trash bins shall be stored within approved trash enclosures. The enclosure shall also include a separate pedestrian walk-in access.
- b. The permittee shall provide adequate, accessible, and convenient areas for the collection and loading of recyclable materials generated by the development. These areas shall be located adjacent to trash enclosures when practical. All recyclable materials areas shall be accessible by collection vehicles. The PBES Director shall approve the design and location of each collection and loading area.

6.9 BICYCLE PARKING

Bicycle parking areas shall be provided at a ratio of one bicycle parking space for every 25 employees, as applicable. At least one bicycle parking space shall be provided.

6.10 CONSTRUCTION CRANES

Any crane used in the construction of the phases shall be lighted and have flags for improved visibility from aircraft; no crane shall exceed 80 feet in height without first obtaining the Federal Aviation Administration's express approval.

6.11 AIRCRAFT OVERFLIGHT EASEMENT

Upon building permit submittal, the permittee shall submit verification that an aircraft overflight easement has been recorded on the property that provides for the right of aircraft operation, overflight and related noises, and for the regulation of light emissions, electrical emissions, or the release of substances such as steam or smoke which could interfere with aircraft operations.

6.12 ADDRESSING

All project site addresses shall be determined by the PBES Director, and be reviewed and approved by the United States Post Office. The PBES Director

reserves the right to issue or re-issue an appropriate situs address at the time of issuance of any building permit to ensure proper identification and sequencing of numbers. For multi-tenant or multiple structure projects, this includes building permits for later building modifications or tenant improvements.

6.13 HISTORIC RESOURCES **[RESERVED]**

All permitted work performed on any historic resources shall follow the latest edition of the Secretary of Interior's Standards for Historic Preservation and Guidelines for Treatment of Historic Properties (Standards). Written verification that such work meets the Standards shall be submitted by a qualified historic architect for review and approval by the PBES Department prior to issuance of any grading or building permit.

6.14 DEMOLITION ACTIVITIES **[RESERVED]**

6.15 PREREQUISITE MITIGATION MEASURES **[RESERVED]**

6.16 PARCEL CHANGE REQUIREMENTS **[RESERVED]**

6.17 FINAL MAPS **[RESERVED]**

6.18 OTHER CONDITIONS APPLICABLE TO THE PROJECT PERMITTING PROCESS **[RESERVED]**

7.0 PROJECT CONSTRUCTION

Permittee shall comply with the following during project construction:

7.1 SITE IMPROVEMENT

Please contact Engineering Services with any questions regarding the following:

a. GRADING & SPOILS

All grading and spoils generated by construction of the project facilities shall be managed per Engineering Services direction. Alternative locations for spoils are permitted, subject to review and approval by the PBES Director, when such alternative locations do not change the overall concept, and do not conflict with any environmental mitigation measures or conditions of approval.

b. DUST CONTROL

Water and/or dust palliatives shall be applied in sufficient quantities during grading and other ground disturbing activities on-site to minimize the amount of dust produced. Outdoor construction activities shall not occur when average wind speeds exceed 20 mph.

c. AIR QUALITY

During all construction activities the permittee shall comply with the most current version of BAAQMD Basic Construction Best Management Practices including but not limited to the following, as applicable:

1. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. The BAAQMD's phone number shall also be visible.
 2. Water all exposed surfaces (e.g., parking areas, staging areas, soil piles, grading areas, and unpaved access roads) two times per day.
 3. Cover all haul trucks transporting soil, sand, or other loose material off-site.
 4. Remove all visible mud or dirt tracked onto adjacent public roads by using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
 5. All vehicle speeds on unpaved roads shall be limited to 15 mph.
 6. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
 7. Idling times shall be minimized either by shutting off equipment when not in use or reducing the maximum idling time to five (5) minutes (as required State Regulations). Clear signage shall be provided for construction workers at all access points.
 8. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator. Any portable engines greater than 50 horsepower or associated equipment operated within the BAAQMD's jurisdiction shall have either a California Air Resources Board (ARB) registration Portable Equipment Registration Program (PERP) or a BAAQMD permit. For general information regarding the certified visible emissions evaluator or the registration program, visit the ARB FAQ http://www.arb.ca.gov/portable/perp/perpfaq_04-16-15.pdf or the PERP website <http://www.arb.ca.gov/portable/portable.htm>.
- d. **STORM WATER CONTROL**
The permittee shall comply with all construction and post-construction storm water pollution prevention protocols as required by the County Engineering Services Division, and the State Regional Water Quality Control Board.

7.2 ARCHEOLOGICAL FINDING

In the event that archeological artifacts or human remains are discovered during construction, work shall cease in a 50-foot radius surrounding the area of discovery. The permittee shall contact the PBES Department for further guidance, which will likely include the requirement for the permittee to hire a

qualified professional to analyze the artifacts encountered and to determine if additional measures are required.

If human remains are encountered during project development, all work in the vicinity must be halted, and the Napa County Coroner informed, so that the Coroner can determine if an investigation of the cause of death is required, and if the remains are of Native American origin. If the remains are of Native American origin, the permittee shall comply with the requirements of Public Resources Code Section 5097.98.

7.3 CONSTRUCTION NOISE

Construction noise shall be minimized to the greatest extent practical and feasible under State and local safety laws, consistent with construction noise levels permitted by the General Plan Community Character Element and the County Noise Ordinance. Construction equipment muffling and hours of operation shall be in compliance with the County Code. Equipment shall be shut down when not in use. Construction equipment shall be staged, loaded, and unloaded on the project site, if at all practicable. If project terrain or access road conditions require construction equipment to be staged, loaded, or unloaded off the project site (such as on a neighboring road or at the base of a hill), such activities only shall occur daily between the hours of 8:00 AM to 5:00 PM.

7.4 CONSTRUCTION MITIGATION MEASURES [RESERVED]

7.5 OTHER CONSTRUCTION CONDITIONS APPLICABLE TO THE PROJECT PROPOSAL [RESERVED]

8.0 TEMPORARY CERTIFICATE OF OCCUPANCY – PREREQUISITES

A Temporary Certificate of Occupancy (TCO) may be granted pursuant to the County Code to allow specific limited use of the project prior to completion of all project improvements. Permittee shall comply with the following before a TCO is granted:

8.1 TEMPORARY OCCUPANCY

All life and safety conditions shall be addressed prior to issuance of a TCO by the County Building Official. TCOs shall not be used for general public occupancy of buildings and shall not exceed the maximum time allowed by the County Code which is 180 days. In special circumstances, Departments and/or Agencies with jurisdiction over the project are authorized as part of the TCO process to require a security deposit or other financial instrument to guarantee completion of unfinished improvements.

9.0 FINAL CERTIFICATE OF OCCUPANCY – PREREQUISITES

Permittee shall comply with the following before a Final Certificate of Occupancy is granted by the County Building Official, which upon granting, authorizes all use permit activities to commence:

9.1 FINAL OCCUPANCY

All project improvements, including compliance with applicable codes, conditions, and requirements of all Departments and Agencies with jurisdiction over the project, shall be completed.

9.2 SIGNS

Detailed plans, including elevations, materials, color, and lighting for any project identification or directional signs shall be submitted to the Department for administrative review and approval prior to installation. Administrative review and approval is not required if the signage to be installed is consistent with signage plans submitted, reviewed and approved as part of this permit approval. All signs shall meet the design standards as set forth in the County Code. Any off-site signs allowed shall be in conformance with the County Code.

9.3 GATE/ENTRY STRUCTURES

Any gate installed at the project entrance shall be reviewed by the PBES Department and the Fire Department to assure that the design allows large vehicles, such as motorhomes, to turn around if the gate is closed without backing into the public roadway, and that fire suppression access is available at all times. If the gate is part of an entry structure an additional permit shall be required pursuant to the County Code and in accordance with the Napa County Roads and Street Standards. A separate entry structure permit is not required if the entry structure is consistent with entry structure plans submitted, reviewed, and approved as part of this permit approval.

9.4 LANDSCAPING

Landscaping shall be installed in accordance with the approved landscape plan.

9.5 ROAD OR TRAFFIC IMPROVEMENT REQUIREMENTS **[RESERVED]**

9.6 DEMOLITION ACTIVITIES **[RESERVED]**

9.7 GRADING SPOILS

All spoils piles shall be removed in accordance with the approved grading permit and/or building permit.

9.8 MITIGATION MEASURES APPLICABLE PRIOR TO ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY **[RESERVED]**

9.9 OTHER CONDITIONS APPLICABLE PRIOR TO ISSUANCE OF A FINAL CERTIFICATE OF OCCUPANCY **[RESERVED]**



A Tradition of Stewardship
A Commitment to Service

Planning, Building & Environmental Services

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

David Morrison
Director

MEMORANDUM

To: Jason Hade, Planning Division	From: Jeannette Doss, Engineering and Conservation Division <i>JD</i>
Date: September 11, 2017	Re: Gateway Partners 1, LLC Use Permit Minor Mod - Engineering CoA 555 Gateway Drive, Napa, CA P17-00305 APN 057-220-020

The Engineering and Conservation Division (Engineering) received and reviewed the updated submittal package for the above proposed project, generally requesting the following:

To increase the square footage of the previously approved "Building B". No other changes are proposed.

After careful review of the submittal package the Engineering Division recommends approval of the project with the following recommended conditions:

EXISTING CONDITIONS:

1. Napa County parcel 057-220-020 is an approximately 13.1 acre parcel on the northwest corner of Gateway Drive and Airport Boulevard in Napa.
2. Parcel is within the boundaries of the Napa County Airport Industrial Area.
3. Site is currently developed with an existing 40,000 square foot building and an approximately 158 space parking lot.

RECOMMENDED CONDITIONS:

NEW PRIVATE ACCESS ROADS, DRIVEWAYS, AND PARKING AREAS:

1. Any roadway, access driveway, and parking areas, proposed new or reconstructed shall meet the requirements as outlined in the latest edition of the Napa County Road & Street Standards for commercial development at the time of use permit approval.
2. All roadway, access driveway, and parking area improvements shall be completed prior to execution of any new entitlements approved under this use permit modification.

3. The applicant must obtain an encroachment permit from the Napa County Department of Public Works prior to any work performed within the Napa County Right-of-Way.

SITE IMPROVEMENTS:

4. All on site civil improvements including but not limited to the excavation, fill, general grading, drainage, curb, gutter, surface drainage, storm drainage, parking and drive isles, shall be constructed according to plans prepared by a registered civil engineer, which will be reviewed and approved by the Engineering Division of the Napa County Planning, Building, and Environmental Services Department (PBES) prior to the commencement of any on site land preparation or construction. Plans shall be wet signed and submitted with the building and/or grading permit documents at the time of permit application. A plan check fee will apply.
5. Grading and drainage improvements shall be constructed according to the current Napa County Road and Street Standards, Chapter 16.28 & Chapter 18.108.027 of the Napa County Code, and Appendix J of the California Building Code.
6. Prior to issuance of a building and/or grading permit the owner shall submit the necessary documents for erosion control as determined by the area of disturbance of the proposed development in accordance with the Napa Countywide Stormwater Pollution Prevention program Erosion and Sediment Control Plan Guidance for Applicant and Review Staff dated December 2014.
7. If excess material is generated that cannot be used onsite, the Owner shall furnish to the Napa County Planning, Building and Environmental Services Department evidence that the Owner has entered into agreements with the property owners of the site involved and has obtained the permits, licenses and clearances prior to commencing any off-hauling operations.

OTHER RECOMMENDATIONS:

8. Prior to the issuance of any grading or building permit, or the signing of improvement plans, the permittee and County shall survey and document the condition of the nearest County roads before construction begins, and then reevaluate conditions at the end of construction. Prior to occupancy of any buildings or commencement of any use, the permittee shall be responsible for repair of any pavement degraded due to its construction vehicles.
9. The Applicant must comply with all associated requirements and exhibits relating to water conditions to be imposed on all parcels as described in Napa County Agreement No. 7070, between the County of Napa and the City of American Canyon. This agreement and all its parts shall be effective as of July 3rd, 2008. (See Attached Exhibits E,F,G,H)

AIRPORT SPECIFIC CONDITIONS

10. Applicant will pay the applicable Napa County Airport Industrial Area Traffic Mitigation Fees prior to receiving any building permits for this project. The applicant should contact the Napa County Public Works Department to obtain information regarding the determination of this fee.
11. All Public Works and civil site related improvements shall conform to the latest Napa County Road and Street Standards and the latest Napa County Airport Industrial Area Specific Plan and EIR (AIASP) at the time of use permit approval.
12. Any necessary storm drainage improvements shall conform to the latest "Napa County Road and Street Standards" at the time of use permit approval.

POST-CONSTRUCTION RUNOFF MANAGEMENT REQUIREMENTS:

13. **Prior to issuance of a building permit** the owner shall prepare a Regulated Project Stormwater Control Plan (SCP) in accordance with the latest edition of the BASMAA Post-Construction Manual for review and approval by the Engineering Division in PBES.
14. **Prior to issuance of a building permit**, an Operation and Maintenance Plan shall be submitted and tentatively approved by the Engineering Division in PBES. Before final occupancy the property owner must legally record the "Operation and Maintenance Agreement", approved by the Engineering Division in PBES.

Any changes in use may necessitate additional conditions for approval.

If you have any questions regarding the above items please contact Jeannette Doss with the Engineering Division in the Napa County Planning, Building, and Environmental Services Department (PBES) at (707) 259-8179 or via email at Jeannette.Doss@countyofnapa.org



A Tradition of Stewardship
A Commitment to Service

Planning, Building & Environmental Services

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

David Morrison
Director

MEMORANDUM

To: Jason Hade, Project Planner	From: Kim Withrow, Environmental Health Supervisor
Date: January 5, 2017	Re: Gateway Partners 1 LLC 555 Gateway Drive Assessor Parcel #057-220-020 File # P16-00213

The application requesting approval to modify an approved use permit by merging phase 2 and 3 buildings into a single building and reconfiguring phase 4 building as identified in application materials has been reviewed. Please include the following conditions if the project is approved:

Prior to building permit issuance:

1. All waste water lines of the proposed development must be connected to the Napa Sanitation District. Proof of connection must be provided prior to approval of any building permit.
2. If any food or beverage facilities are included in the project, plan review and approval shall be obtained from this Division prior to issuance of any building permits. An annual food permit will be required.
3. The proposed development must be connected to the City of American Canyon water system. Proof of connection must be provided prior to approval of any building permit.
4. Adequate area must be provided for collection of recyclables. The applicant must work with 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. The garbage and recycling enclosure must meet the enclosure requirements provided during use permit process and be included on the building permit submittal.

During construction and/or prior to final occupancy being granted:

5. During the construction, demolition, or renovation period of the project the applicant must use the franchised garbage hauler for the service area in which they are located for all wastes

generated during project development, unless applicant transports their own waste. If the applicant transports their own waste, they must use the appropriate landfill or solid waste transfer station for the service area in which the project is located.

Upon final occupancy and thereafter:

6. Pursuant to Chapter 6.95 of the California Health and Safety Code, businesses that store hazardous materials above threshold planning quantities (55 gallons liquid, 200 cubic feet compressed gas, or 500 pounds of solids) shall obtain a permit, file an approved Hazardous Materials Business Plan to <http://cers.calepa.ca.gov/>, and be approved by this Division within 30 days of said activities.
7. Any hazardous waste produced on site must be stored and disposed of in a manner consistent with Chapter 6.5, Division 20 of the California Health and Safety Code and with Title 22, Division 4.5 of the California Code of Regulations. Additionally, a Hazardous Waste Generator Permit must be obtained from this Division.
8. All solid waste shall be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.



A Tradition of Stewardship
A Commitment to Service

Planning, Building, & Environmental Services

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

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

David Morrison
Director

To:	Jason Hade, Project Planner	From:	Marie Taylor, Building Inspector
Date:	September 1, 2017	Re:	Use Permit – Gateway Drive File # P17-00305 Address: 555 Gateway Drive Napa, Ca. 94558 APN: 057-220-020

Building Inspection Division; Planning Use Permit Review Comments

The plans provided for the Use Permit application P17-00305 do not provide enough information in sufficient detail to determine code requirements. A complete plan check will be performed at the time of application and plan submittal to the building division for required permits. The following are provided to prepare the applicant for some standard submittal requirements for the plan review of the building permit process.

Any existing structures and/or buildings on the property that will be demolished require a separate demolition permit issued by The Napa County Building Division prior to demolition. The applicant will be required to provide a J number form Bay Area Air Quality Management District at the time of application for the permit.

The site and associated buildings are required to be accessible to persons with disabilities. This includes but not limited to, parking, accessible path of travel from parking to all buildings and areas on site that are available to employees and the public. Plans must also include all accessibility features for the interior work. An Accessible Upgrade Worksheet must be submitted with plans as a part of the permit process.

Occupant load will determine occupancy types, exiting requirements, and restroom facilities.

Any change in occupancy or use will require building to comply with the requirements of the California Building Code for a new occupancy or use.

Should you have any questions, please contact Marie Taylor at (707) 299-1359



A Tradition of Stewardship
A Commitment to Service

Department of Public Works

1195 Third Street, Suite 101
Napa, CA 94559-3092
www.countyofnapa.org/publicworks

Main: (707) 253-4351
Fax: (707) 253-4627

Steven Lederer
Director

MEMORANDUM

To: PBES Staff	From: Rick Marshall Deputy Director of Public Works
Date: June 9, 2016	Re: Gateway Partners 1 LLC P16-00213

Thank you for the opportunity to review the subject permit application. I offer the following comments from the Department of Public Works:

Street frontage improvements required. The project shall construct improvements along Airport Boulevard, Gateway Drive, Technology Way and Alexis Court fronting the property, consistent with the Airport Industrial Area Specific Plan (AIASP) design standards as follows:

- Airport Boulevard: Arterial standard, the full length of the frontage, to include a five-foot pedestrian path (sidewalk)
- Gateway, Technology, Alexis: Minor street standard, the full length of each frontage, to include a four-foot pedestrian path (sidewalk)

The improvements shall be constructed in compliance with the AIASP and the Napa County Road & Street Standards. Additional right-of-way shall be dedicated to the public as necessary to encompass the improvements. An encroachment permit will be required for these improvements during the building permit phase. Please contact the Roads office at (707) 944-0196 to initiate the encroachment permit process.

Traffic Mitigation Fees required. All new development in the Airport Industrial Area is required to pay a Traffic Mitigation Fee. The fees will be calculated based on a warehouse rate for proposed Building A, and on the business park rate for proposed Building B. The fees collected are used to fund the construction of new roads and intersection improvements in the area.

More information on these is available at our website:
<http://www.countyofnapa.org/publicworks/roads/>

Please contact me at Rick.Marshall@countyofnapa.org or call (707) 259-8381 if you have questions or need additional information.



A Tradition of Stewardship
A Commitment to Service

Napa County Fire Department
Fire Marshal's Office
1125 Third Street
Napa, CA 94558

Office: (707) 299-1461
Direct: (707) 299-7645

Garrett Veyna
Fire Marshal

MEMORANDUM

TO: Jason Hade Planning Division	DATE: March 2, 2017
FROM: Garrett Veyna Fire Department	
SUBJECT: P17-00305	APN: 057-220-020

The Napa County Fire Marshal's Office has reviewed the submittal package for the above proposed project. The Fire Marshal approves as submitted and requires the following conditions to be incorporated as part of permit issuance.

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. Beneficial occupancy will not be granted until all fire department fire and life safety items have been installed, tested and finalized.
3. The permittee and/or designee shall obtain a permit from the Fire Department for any temporary structures/canopies/tents utilized for authorized events.
4. Projects shall have an approved water supply for fire protection be made available as soon as combustible material arrives on the site. All underground fire lines, pump and tank plans are required to be a separate submittal from the building or civil plans.
5. Separate submittals required for Underground Fire Lines, Fire Pump, Automatic Fire Sprinklers, Fire Alarm Systems, Kitchen Hood Extinguishing Systems, High Piled Storage (any combustible stored over 12 feet in height).
6. All buildings, facilities, and developments shall be accessible to fire department apparatus by way of approved access roadways and/or driveways. The fire access road shall comply with the requirements of the Napa County Road & Street Standards.
7. Access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities. Provide an engineered analysis of the proposed roadway noting its ability to support apparatus weighing 75,000 lbs.



A Tradition of Stewardship
A Commitment to Service

Napa County Fire Department
Fire Marshal's Office
1125 Third Street
Napa, CA 94558

Office: (707) 299-1461
Direct: (707) 299-7645

Garrett Veyna
Fire Marshal

MEMORANDUM

8. Roadways shall be a minimum of 20 feet in width with a 2 foot shoulder and 15 foot vertical clearance.
9. Roadway radius shall not have an inside radius of less than 50 feet. And additional surface width of 4 feet shall be added to curves of 50-100 feet radius and 2 feet to curves of 100-200 feet radius.
10. Commercial - Approved steamer hydrants shall be installed within 250 feet of any exterior portion of the building as measured along vehicular access roads. Private fire service mains shall be installed, tested and maintained per NFPA 24 2013 edition.
11. Commercial - Fire Department Connections (FDC) for automatic sprinkler systems shall be located fully visible and recognizable from the street or fire apparatus access roads. FDC shall be located within 50 feet of an approved fire hydrant.
12. Commercial - The minimum main size of all fire hydrants shall be 6 inches in diameter. Piping shall be installed with C-900 class 200 piping or ductile iron or equivalent per NFPA 24, 2013 edition for the installation of Underground Fire Protection Mains
13. Commercial - Developments in excess of 10,000 square feet require looped fire mains of a minimum of ten (10) inch diameter to supply fire hydrants spaced at a maximum of 300-foot intervals.
14. An automatic fire sprinkler system shall be installed in accordance with provisions set forth in the California Fire Code as amended by the County of Napa and the applicable National Fire Protection Association Standard. Automatic fire sprinkler systems shall be designed by a fire protection engineer or C-16 licensed contractor.
15. All buildings shall comply with California Fire Code, Chapter 10 Means of Egress requirements. Including but not limited to; exit signs, exit doors, exit hardware and exit illumination.

Please note that the comments noted above are based on a Fire Marshal review only. There may be additional comments or information requested from other County Departments or Divisions reviewing this application submittal package. Napa County Fire Marshal's Office Development Guidelines can be found @ www.countyofnapa.org/firemarshal. Should you have any questions of me, contact me at (707)299-1463 or email at garrett.veyna@fire.ca.gov.



Dedicated to Preserving the Napa River for Generations to Come

June 16, 2016

Planning, Building & Environmental Services
County of Napa
1195 Third Street, Suite 210
Napa, CA 94559

SUBJECT: 16-00213 GATEWAY PARTNERS 1, LLC MINOR MOD, REFRL-000593, Rob
Anglin, 555 GATEWAY DR (Hade)

The Napa Sanitation District has reviewed the above-named application. The following are the conditions of approval for the project.

The owner shall pay to the District the prevailing fees and charges in effect as established by Resolutions and Ordinances before the issuance of a County Building Permit, and shall adhere to the rules and regulations as they apply to the application.

The District has identified the following comments based on the current application. The District reserves the right to modify the following conditions/comments based on changes to future applications or changes to the project site plan. The proposed project shall be subject to the following conditions of approval:

The proposed project shall be subject to the following conditions of approval:

1. A plan showing the required sanitary sewer improvements shall be prepared by a registered civil engineer conforming to NSD standards, and shall be submitted to the District for approval.
2. Each parcel shall be served by a separate sanitary sewer lateral.
3. A grease interceptor will be required for any restaurant or food service type of uses.
4. Sanitary sewer facilities are required to have a minimum of 24" of cover at all points within the public right of way. The proposed sanitary sewer facilities shall be designed to meet this requirement.
5. The owner/developer shall enter into a Private Main Agreement and an Improvement Agreement with the District if a shared private sanitary sewer main is proposed, and post the appropriate bonds covering the sanitary sewer work
6. No floor drains are allowed in the building except in the restroom and food service areas. Any existing floor drains shall be permanently abandoned.
7. The subject parcel shall use recycled water for landscape irrigation.
8. The development shall install private 4-inch recycled water improvements consistent with the

Gateway Recycled Water Master Plan. Contact the District for additional information.

9. The proposed development would be subject to the following fees, based on the rates in effect at the time they are paid:

- a. Agreement Fees
- b. Plan Check Fees
- c. Inspection Fees
- d. Capacity Charges (per each commercial unit / tenant space, located within the proposed buildings, based on use. The owner shall contact the District for additional information.)
- e. Capacity Charges for any process waste stream shall be calculated per District Code. The owner shall contact the District for additional information.

10. If the owner desires to discharge process wastewater to the District in the future, the owner would be required to pay capacity charges to the District based on the rates in effect at the time and would be subject to the rules and regulations in effect at that time. At a minimum the facility would be subject to the following:

- a. Installation of a flow meter and sampler on the process waste line
- b. Ensure that the discharge conforms with the District's Local Limits
- c. Provide the District with a wastewater treatment plan
- d. Obtain an Industrial Waste Discharge Permit from the District for the operation. Permit conditions would be established by the District at the time an application is made by the owner.

11. The District has updated sanitary sewer and recycled water standard specifications and details. The updated specifications and details are available online at the District's website (www.NapaSan.com). The District may revise the standard specifications and details at any time. It is the responsibility of the engineer, contractor, and developer to verify that they are in possession of the current version of the standards prior to design and construction of sanitary sewer and recycled water improvements.

Please include this information as a part of your consideration of the application.

The capacity charge for a single-family dwelling currently is \$8,950 and will increase by the Consumer Price Index (CPI) annually in July. Commercial capacity charges are determined per District Ordinance

101. Projects with plans that have been deemed complete by the engineering staff shall pay the capacity charge in effect at the time the plans were deemed complete. This program expires on December 31, 2016. Contact District Staff for additional information regarding capacity charges.

Sincerely,

Timothy B. Healy, P.E.
General Manager / District Engineer

by: Kyle Broughton, P.E.
Associate Engineer

