



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

**APPLICATION FORM**

FOR OFFICE USE ONLY

ZONING DISTRICT: AW Date Submitted: 2/15/08  
 TYPE OF APPLICATION: USE PERMIT  
MAJOR MODIFICATION Date Published: \_\_\_\_\_  
 REQUEST: Addendum to previously certified Date Complete: \_\_\_\_\_  
mitigated neg. dec. to require left turn lane prior to issuance of  
building permit for winery operations and replace with "No Left Turn" sign  
Also change condition of approval for Historic structures and increase barn  
square footage by 10%.  
**TO BE COMPLETED BY APPLICANT**

(Please type or print legibly)

PROJECT NAME: V MADRONE CELLARS  
 Assessor's Parcel #: 022-080-025 Existing Parcel Size: 7.8 ACRES  
 Site Address/Location: 3199 ST. HELENA HWY N. ST. HELENA, CA 94574  
No. Street City State Zip  
 Property Owner's Name: CHRISTOPHER W. TILLEY PAULINE C. TILLEY  
 Mailing Address: 3169 St. Helena Hwy N. St. Helena Ca 94574  
No. Street City State Zip  
 Telephone #: (707) 963-3573 Fax #: (877) 994-6311 E-Mail: VMADRONE@SBCGLOBAL.NET  
 Applicant's Name: CHRISTOPHER W. TILLEY PAULINE CULLEN TILLEY  
 Mailing Address: 3169 ST. HELENA HWY N. ST. HELENA CA 94574  
No. Street City State Zip  
 Telephone #: (707) 963-3573 Fax #: (877) 994-6311 E-Mail: VMADRONE@SBCGLOBAL.NET  
 Status of Applicant's Interest in Property: OWNER  
 Representative Name: N/A  
 Mailing Address: 3169 ST. HELENA HWY N. ST. HELENA CA 94574  
No. Street City State Zip  
 Telephone #: (707) 963-3573 Fax #: (877) 994-6311 E-Mail: VMADRONE@SBCGLOBAL.NET

I certify that all the information contained in this application, including but not limited to the information sheet, water supply/waste disposal information sheet, site plan, floor plan, building elevations, water supply/waste disposal system site plan and toxic materials list, is complete and accurate to the best of my knowledge. I hereby authorize such investigations including access to County Assessor's Records as are deemed necessary by the County Planning Division for preparation of reports related to this application, including the right of access to the property involved.

Christopher W. Tilley 2-8-08 Pauline Tilley 2/8/08  
Signature of Property Owner Date Signature of Applicant Date  
CHRISTOPHER W. TILLEY PAULINE TILLEY  
Print Name Print Name

TO BE COMPLETED BY CONSERVATION, DEVELOPMENT AND PLANNING DEPARTMENT

\*Application Fee Deposit: \$ 8,260.00 Receipt No. 67220 Received by: TH Date: 2/15/08

**PROJECT STATEMENT OF REQUEST  
FOR  
VMADRONE CELLARS  
#P04-0541-UP  
APN 022-080-025  
February 8, 2008**

**Background:**

We received Use Permit # P04-0451-UP ("Use Permit") on September 21, 2005 granting us a 20,000 gallon per year use permit to reestablish a winery in an existing 19<sup>th</sup> century residence, cellar and barn that once was a pre-prohibition winery, subject to certain conditions.

**Accomplishments to Date:**

- Successful safe removal of two beehives from Barn to beekeeper for temporary safekeeping until hives can be returned to property in Spring of 2008.
- Obtained demo permit April 2007 and completed demolition of barn to prepare for rehabilitation.
- Submitted building plans for Barn rehabilitation to County in August 2007.
- Received Napa County Historic Landmarks Designation from the Napa County Development & Planning Commission for Pre-Prohibition Winery House, Cellar, and Barn on October 17, 2007.
- Received Encroachment Permit #0406-6MC2098 from the State of California Department of Transportation and Napa County Public Works' concurrence on "No Left Hand Turn Lane" signage and access road and Highway 29 improvements as alternative to Left Hand Turn Lane requirement.
- Satisfied Section 2 (a) of Conditions of Approval that required "Verification that the main house has been either listed or is eligible for listing on the California or National Historic Register." See letter dated September 21, 2005 from Juliana Inman, AIA stating that our property located at 3199 St. Helena Hwy. N. is eligible for inclusion in the California Register.

**Major Modification Request:**

We are requesting a Major Modification of Use Permit under Section 18.124.130 of the Napa County Zoning Ordinance ("Major Modification") to allow for two modifications.

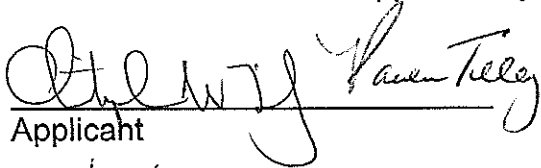
- (1) a 10% square footage increase in the footprint of the planned rehabilitation of the combined barn and associated outbuildings. The square footage of the barn and associated outbuildings is 1,359 sq.ft. The building plan for the renovated barn is 1,492 sq.ft., which is slightly less than a 10% increase vs. the existing square footage footprint and does not alter elevations and is consistent with Secretary of Interiors Guidelines for Historic Properties (see Juliana Inman's letter dated June 4, 2007)
- (2) improvements to State Highway 29 and the access road to the property and an associated "No Left Hand Turn" sign in lieu of the Left Hand Turn Lane condition of the Use Permit in accordance with the Encroachment Permit issued by Caltrans. Based on Caltrans' findings (see attached Caltrans' letter dated December 28, 2007 in response to Robert Peterson DPW letter) and input from Napa County Public Works and our engineer, Summit Engineering, access road improvements combined with no left turn signage and reduced property usage due to planned removal of two non-historical cottages mitigates the need for a left hand turn lane, since the approved property road access design impedes the possibility of a left turn into the property and preserves the integrity of the 19<sup>th</sup> century stone wall fronting the property which would have otherwise had to have been partially removed in violation of Mitigation Measure # 2 attached to the Use Permit (Historical Stone Walls).

## INDEMNIFICATION AGREEMENT

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

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

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

  
Applicant

1/28/05  
Date

\_\_\_\_\_  
Property Owner (if other than Applicant)

V Madrone Cellars Use Permit  
Project Identification

P04-0541-UP

APN 022-050025-