



CITY OF NAPA

ATTACHMENT 5

955 School Street
Napa, CA 94559
www.cityofnapa.org

Staff Reports

File #: 1827-2019, **Version:** 1

To: Honorable Mayor and Members of City Council

From: Vincent Smith, Community Development Director

Prepared By: Erin Morris, Planning Manager

TITLE:

Proposed Greenwood Mansion Café and Winery Project at 499 Devlin Road, in the Unincorporated South County Industrial Area

RECOMMENDED ACTION:

Authorize the City Manager to send a letter to the County of Napa to agree that the proposed development of the Greenwood Mansion Cafe and Winery Project at 499 Devlin Road, by the owner Vinum Cellars, Inc., is consistent with the terms of the Memorandum of Agreement between the City and the County Regarding Regional Housing Needs Allocations for Future Housing Element Planning Periods, dated August 25, 2015. The proposed development (as summarized in letters dated March 13, 2019, attached to this report) will include a Conditional Use Permit and Specific Plan Amendment to be issued by the County for the South County Industrial Area (Napa Valley Business Park).

DISCUSSION:

Background

In August 2015, the City of Napa and Napa County entered into a Memorandum of Agreement regarding Regional Housing Needs Allocation ("2015 RHNA Sharing Agreement") for future housing element planning periods. This agreement was one of six agreements that followed the 2013 Memorandum of Understanding and Agreement between the City and the County related to the development of the Napa Pipe site. The 2013 MOU documented the shared goals of the City and County to mitigate potential impacts of the Napa Pipe project, to address affordable housing obligations of the City and County, to expand the Rural Urban Limit Line (RUL) to include the Napa Pipe property with a corresponding tax sharing agreement and phased annexation of the property into City limits, and to provide community benefits including remediation of the contaminated Napa Pipe property, expanded access to the Napa River, and affordable housing.

Through the 2015 RHNA Sharing Agreement, the City agreed that the City would accept responsibility for 80% of the County's RHNA for future planning periods beginning in the next housing cycle provided that the County's Measure P remained in effect; and, in return for the City's commitment, the County agreed to limit development in the South County Industrial areas, including the Napa County Airport Industrial Area where the proposed restaurant would be located. Land uses in these areas would be limited to governmental uses or uses consistent with the applicable zoning in effect on October 8, 2013 unless changes to the zoning and specific plan are mutually agreed to by the City and the County. The broad purpose of the limitation was to ensure that land uses within the

unincorporated business park remained industrial in nature and that new tourist-focused urban uses would be concentrated within the City of Napa.

Project Description

The Applicant, Vinum Cellars, filed an application with the County of Napa for a Specific Plan Amendment and Conditional Use Permit to convert an existing office building (Greenwood Mansion) to a restaurant, wine tasting room, and wine production facility; office uses would also continue on the site. The 1.17 acre site, located on the northwest corner of Devlin Road and Airport Boulevard, is designated Industrial Park in the County's Napa Valley Business Park Specific Plan. While light manufacturing and office uses are allowed by right, the proposed establishment of a restaurant/wine tasting use would require a Specific Plan Amendment and Conditional Use Permit.

The project would consist of a 840 square foot restaurant in the lower floor of the existing office building, which would include approximately 20 seats inside the building and 25 outdoor seats accommodated on new outdoor decks. The wine tasting area would occupy approximately 920 square feet of the same floor with approximately 30 seats and would serve wine produced by Vinum Cellars. On-site wine production is proposed and would occur in a new 680 square foot building adjacent to the main building. The upper floor of the existing building would continue to be used exclusively as an office. Approximately 15,000 square feet of existing lawn adjacent to the building would be converted to vineyards. The restaurant and office use would operate Monday through Friday during normal business hours (8:00 AM to 6:00PM) and the restaurant would also be open on weekends. The wine tasting use would operate between 10:00AM and 6:00PM on weekends and on select weekdays with similar hours of operation.

Analysis

Under the 2015 RHNA Sharing Agreement, the County agreed to limit development in the South County industrial area to be consistent with 2013 planning requirements, unless the City agreed to a change in the planning requirements. The fundamental question is whether the proposed development is inconsistent with the overarching purpose of the 2015 RHNA Sharing Agreement to restrict land uses in the South County industrial area to ensure that new visitor/tourism oriented urban uses are focused within cities and not within the unincorporated County.

Staff has reviewed the project description provided by the Applicant and the materials provided by County of Napa and determined that the addition of a small restaurant and wine tasting use in this location could be found acceptable because of the limited size and the specific operational characteristics of the proposed use. The restaurant would serve workers within the surrounding industrial park. The wine tasting area adjacent to the restaurant would be ancillary to the wine production use, which is allowed under current County regulations

FINANCIAL IMPACTS:

No direct financial impacts to the City have been identified with this application.

CEQA:

The Community Development Director has determined that the Recommended Action described in this Agenda Report is not subject to CEQA, pursuant to CEQA Guidelines Division 15060(c).

File #: 1827-2019, **Version:** 1

DOCUMENTS ATTACHED:

ATCH 1 - Memorandum of Agreement Between the City of Napa and Napa County Regarding Regional Housing Needs Allocations for Future Housing Element Planning Periods

ATCH 2 - Letter from Napa County dated March 13, 2019

ATCH 3 - Letter from Applicant dated March 13, 2019

ATCH 4 - Project Description for the Greenwood Mansion Project dated March 2, 2017

ATCH 5 - Plans

NOTIFICATION:

None required.

**MEMORANDUM OF AGREEMENT
BETWEEN THE CITY OF NAPA AND NAPA COUNTY
REGARDING REGIONAL HOUSING NEEDS ALLOCATIONS FOR FUTURE
HOUSING ELEMENT PLANNING PERIODS**

This Memorandum of Agreement ("**Agreement**") between the City of Napa ("**City**") and Napa County ("**County**") is dated August 25, 2015, to reflect the first date upon which it is executed by both the City and the County, as shown by the signatures of their authorized representatives below, and, subject to the terms set forth herein, shall be binding upon the City and County from the date of its complete execution. The City and County each may be referred to herein as a "Party" and together may be referred to herein as the "Parties."

RECITALS

A. The City and County have entered into a Memorandum of Understanding ("**MOU**") regarding the future development of two parcels of land in unincorporated Napa County comprising approximately 154 acres and commonly referred to as the Napa Pipe site (APNs 046-400-030 and 046-412-005, as and hereafter, the "**Property**"). The Property is depicted in greater particularity on Exhibit A hereto.

B. The County Board of Supervisors has adopted various land use approvals for the development of the Property (the "**Project**"), which approvals include Resolution No. 2014-139, approved by the Board of Supervisors on November 25, 2014, approving a Tentative Map for the Project; Ordinance No. 1393, approved by the Board on December 16, 2014, approving a Development Plan for the Napa Pipe Zoning District portion of the Property; Ordinance No. 1394, approved by the Board on December 16, 2014, approving a Development Agreement for the Napa Pipe Zoning District portion of the Property; and Ordinance No. 1397, approved by the Board on February 10, 2015, approving the Design Guidelines for the Napa Pipe Zoning District portion of the Property.

C. The County desires to rely on housing proposed as part of the Project to meet certain affordable housing obligations imposed on the County by state law. Pursuant to Article 10.6 (the "**Housing Element Law**") (Government Code sections 65580 - 65589.8) of Chapter 3 of the Planning And Zoning Law, the Association of Bay Area Governments ("**ABAG**") periodically adopts a Regional Housing Needs Allocation ("**RHNA**") for each county and city in the greater San Francisco Bay Area, including Napa County and the City of Napa. Under the Housing Element Law, each city and county must periodically revise the housing element of its general plan utilizing the latest RHNA adopted by ABAG. The current revision to the housing elements of the City and County is designated as the fifth required revision by Government Code Section 65588, and is identified by ABAG as the 2014-2022 planning period.

D. The MOU between the City and County provides in Section 2.3(e) that the City and County may enter into a RHNA agreement as allowed under Government Code Section 65584.07 or any successor statute ("**Section 65584.07**") providing for the transfer to the City of eighty percent (80%) of the County's RHNA obligation for each housing element planning period commencing with the sixth and subsequent revisions (as defined in Government

Code 65588), during such time as the County's Measure P (as approved by the voters in November 2008, and as may be extended by subsequent voter approval) remains in effect, provided that certain requirements of the MOU are satisfied. This Agreement is intended by the County and the City to serve as the RHNA agreement contemplated by Section 2.3(e) of the MOU.

E. Approval of the Project and successful implementation of the MOU will allow the County to meet its RHNA for the 2014-2022 housing element planning period (fifth revision) and obtain a certified housing element. This Agreement provides for RHNA transfers from the County to the City in the sixth and subsequent housing element planning periods, so long as the County's Measure P remains in effect, for the benefit of both the City and the County and in furtherance of City and County policies to preserve agricultural lands in Napa County so as to maintain a viable agriculture-based economy, prevent urban sprawl, direct growth and development into existing cities, and promote infill and smart growth.

F. In addition to this Agreement, the City and County have entered into that certain Memorandum of Agreement Between the City of Napa and Napa County Regarding the City of Napa's Sphere of Influence and the Napa Pipe Property (the "**SOI Agreement**"), as provided by California Government Code Section 56428. As described in the SOI Agreement, the City Council has, by resolution dated July 21, 2015, authorized the City Manager to approve, subject to the satisfaction of certain conditions set forth in such resolution, the submittal of an application (the "**LAFCO Application**") to the Napa County Local Agency Formation Commission ("**LAFCO**") to (i) update the City's Sphere of Influence ("**SOI**") boundary to bring the Property within the City's SOI, (ii) extend City services, including water and other required municipal services in accordance with that certain Memorandum of Agreement Between the City of Napa and Napa County Regarding the Provision of Municipal Services for the Napa Pipe Development Project (the "**Municipal Services Agreement**") and that certain Annexation Consent, Protest Waiver and Water Service Agreement By and Between the City of Napa and Napa Redevelopment Partners (the "**Water Agreement**"), and (iii) annex the Property to the City in two steps in accordance with the SOI Agreement.

NOW, THEREFORE, in consideration of the mutual covenants, promises and agreements contained herein, the Parties hereto mutually agree as follows:

TERMS

1. The County has identified the specific portion of the Property zoned NP-MUR-W:AC (the "**Housing Site**"), as an available housing site in its fifth Housing Element revision, and intends to issue, upon application, residential building permits for construction of housing on the Housing Site during the 2014 -2022 housing element cycle, while the Housing Site remains in the County's jurisdiction, in order to satisfy the County's RHNA obligation for the fifth revision.

2. Starting with the sixth revision of the housing element (currently 2023-2030, or as that planning period may be adjusted by ABAG, the Department of Housing and Community Development, or statute) and for all subsequent revisions for the life of the County's Measure P (as approved by the voters in November 2008, and as may be extended by subsequent voter

approval), upon ABAG's adoption of a final RHNA, the County and City shall jointly apply to ABAG to reduce the County's RHNA allocation by 80% and to increase the City's RHNA allocation by 80% of the County's original allocation, as provided for and in conformance with the requirements of Government Code section 65584.07. Accordingly, upon ABAG's approval, the City's share of the RHNA will increase by 80% of the County's original allocation and the County's RHNA shall decrease by 80% of the County's original allocation, as allowed under Government Code section 65584.07.

3. ABAG may determine the City and County's RHNA for the sixth and subsequent revisions of the housing element in one of two ways. ABAG may make the determination based on its methodology adopted under Government Code Section 65584.04. Alternatively, the parties and other cities or counties may form a subregional entity under Government Code Section 65584.03 or any successor statute for purposes of allocating the RHNA among members of the subregional entity. If the parties are members of such a subregional entity, the RHNA prepared by the subregional entity and submitted to ABAG shall be made without reference to the contemplated 80% transfer. Upon ABAG's adoption of a final RHNA, the County and City shall jointly apply to ABAG to reduce the County's RHNA allocation by 80% and to increase the City's RHNA allocation by 80% of the County's original allocation as described in Paragraph 2 above.

4. At all times following the transfers of the County's RHNA allocations described in Sections 2 and 3 above, the County shall prioritize eighty (80%) of the County's Non-Residential Affordable Housing Impact Fees and other funds in the County's affordable housing fund generated County-wide to finance affordable housing projects within the City of Napa in recognition of the City's agreement to assume the County's ongoing RHNA obligation. Notwithstanding the foregoing, County's use of Non-Residential Affordable Housing Impact Fees and other funds in the County's affordable housing fund generated from the Project shall be used in accordance with Section 5.3 of the Affordable Housing Plan attached as Exhibit C to that certain Development Agreement entered into between the County and Napa Redevelopment Partners, LLC, dated as of January 13, 2015.

5. At all times while the modifications to the City's and the County's RHNA obligations described herein remain in effect, the County shall limit land uses to governmental uses or uses consistent with applicable zoning in effect on October 8, 2013, as provided in the MOU (unless changes to the zoning and Specific Plan are mutually agreed to by the City and the County) for all properties generally located south of the City of Napa and north of the City of American Canyon, as depicted in the South County Industrial Areas map attached as Exhibit B to the MOU (also attached hereto as Exhibit B), including (a) the Napa County Airport Industrial Area (b) all unincorporated land to the south of the City limits, including but not limited to the Syar Properties, and (c) unincorporated land north of the City of American Canyon generally on the east side of Highway 29 between South Kelly Road and Napa Junction.

6. All other provisions of this Agreement to the contrary notwithstanding, this Agreement shall have no force or effect unless and until all of the following conditions have been satisfied:

- a. the City and the NRP shall have executed the Water Agreement described in Recital F above;
- b. the County and NRP shall have executed an amendment to the Development Agreement consistent with the terms of the Water Agreement, as described in Recital F above;
- c. the Napa County LAFCO shall have approved the City's requests to (i) expand its SOI to include the Property, and (ii) extend municipal services to the Property, as set forth in the City's LAFCO Application described in Recital F above; and
- d. at all times since October 8, 2013, the County shall have fully and without exception enforced the limitation on land uses described in Section 5 above.

Provided that the preceding conditions have been satisfied, then upon the effective date of LAFCO's approval of the City's requests to expand its SOI and extend municipal services to the Property, as provided by Government Code section 56428(e), the City and County shall become unconditionally obligated to comply with the terms and conditions of this Agreement.

7. The City and County shall take all steps reasonably necessary to comply with the Government Code section 65584.07 and such other transfer statutes, as applicable, to implement this Agreement, including but not limited to, providing the appropriate documentation to ABAG or any other agency, as required. The parties agree to work together to obtain ABAG and any other approval where required to effectuate this Agreement. City further agrees that it will utilize the revised RHNA that includes the transfer of RHNA contemplated by this Agreement in preparing the City's sixth and subsequent housing element revisions, as applicable.

8. The County shall indemnify, defend, and hold the City and its respective elected and appointed councils, boards, commissions, officers, agents, employees, volunteers, and representatives, harmless from all loss, fines, penalties, forfeitures, costs, damages and other liabilities of any type (whether in contract, tort or strict liability), including but not limited to personal injury, death or property damage (including inverse condemnation) (collectively, "**Liabilities**"), and from any and all claims, demands and actions in law or equity (including attorneys' fees and litigation expenses) directly or indirectly arising out of or alleged to have arisen out of or in any way related to this Agreement (collectively, "**Claims**"), asserted against or incurred by the City to the extent arising from any action of the County or of any employees of the County in their performance of any of the terms, covenants or conditions of this Agreement during the term hereof. The City shall indemnify, defend, and hold the County and its respective elected and appointed councils, boards, commissions, officers, agents, employees, volunteers, and representatives, harmless from any and all Liabilities and Claims (as those terms are defined above) asserted against or incurred by the County to the extent arising from any action of the City or of any employees of the City in their performance of any of the terms, covenants or

ATTACHMENT 5
ATTACHMENT 1

conditions of this Agreement during the term hereof. The Parties shall cooperate in the defense of any third party legal action challenging this Agreement.

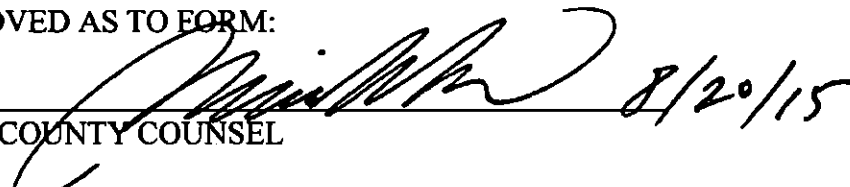
IN WITNESS WHEREOF, this Agreement has been entered into by, and shall be binding upon, the County and the City as of the date it has been executed by both Parties as shown by the signatures below.

COUNTY:
COUNTY OF NAPA

By: 
DIANE DILLON, CHAIR of the BOARD OF SUPERVISORS

On: August 25, 2015

APPROVED AS TO FORM:

By:  8/20/15
MINH TRAN, COUNTY COUNSEL

CITY:
CITY OF NAPA

By: 
CITY MANAGER

On: 8-11-15

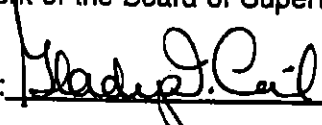
APPROVED AS TO FORM:


By: 
CITY ATTORNEY

ATTEST:

By: 
Deputy CITY CLERK Lisa Blackmon, Deputy City Clerk

ATTEST: GLADYS I. COIL
Clerk of the Board of Supervisors

By: 

APPROVED 8/25/15
BOARD OF SUPERVISORS
COUNTY OF NAPA
GLADYS I. COIL
CLERK OF THE BOARD
BY  Deputy

MOU re RHNA for Napa Pipe property

EXHIBIT A
(Property Description)

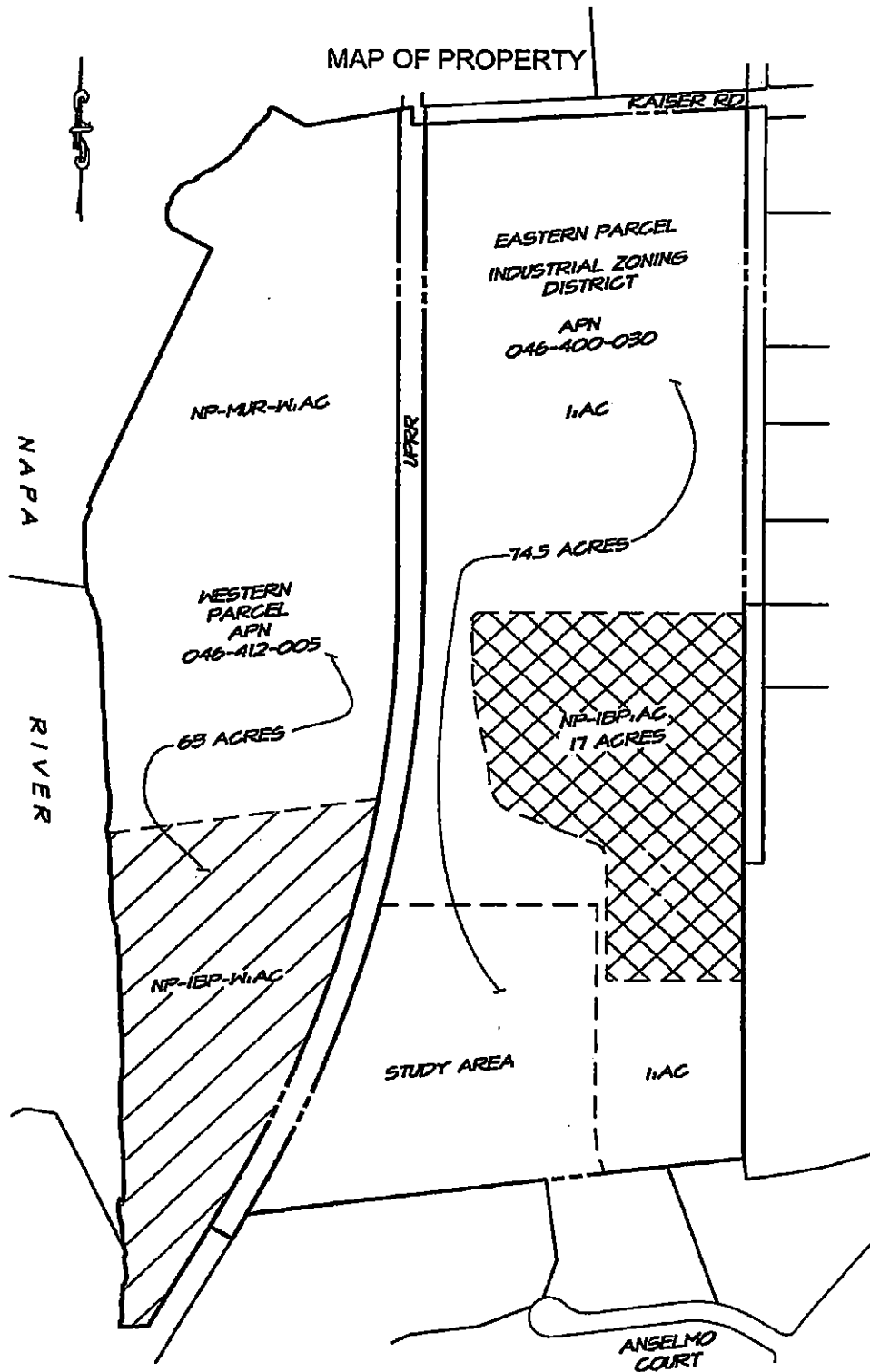
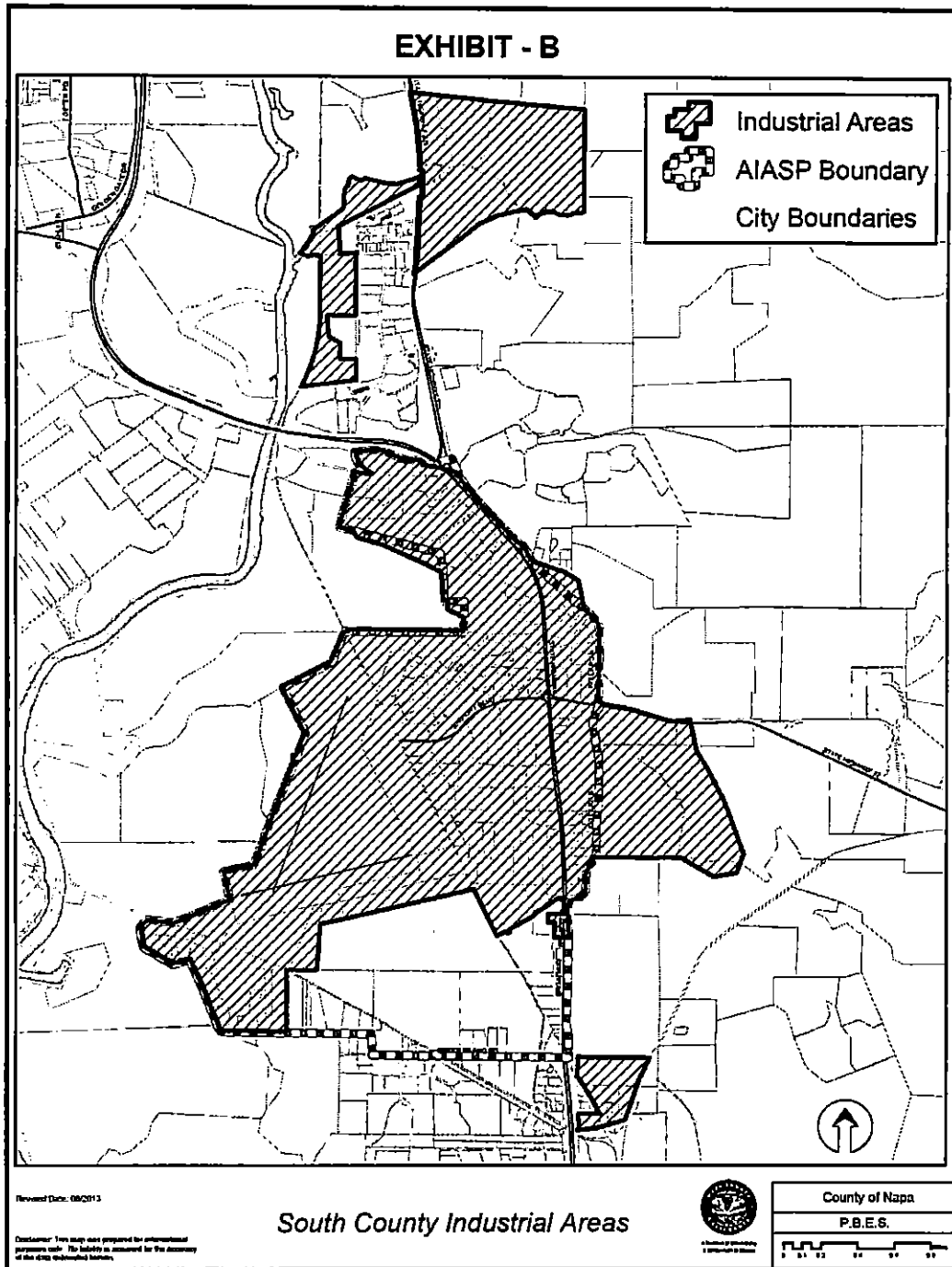


EXHIBIT B
(South County Industrial Areas Map)





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

March 13, 2019

Erin Morris, AICP
Planning and Code Enforcement Manager
City of Napa Community Development Department
1600 First Street
Napa, CA 94559

RECEIVED

MAR 13 2019

COMMUNITY DEVELOPMENT
DEPARTMENT

**Re: Vinum / Greenwood Mansion Café
Specific Plan Amendment P17-00019-SPA and Use Permit Modification P17-00099-MOD
499 Devlin Road; APN 057-200-028
Request for Napa City Council Review**

Dear Ms. Morris:

As you are aware, Napa County Planning, Building and Environmental Services has received a request convert the Greenwood Mansion office building located at 499 Devlin Road within Napa County's Napa Valley Business Park Specific Plan (NVBPSP) to a café, small winery with wine tasting, and office. The café component of the project requires amendment of the NVBPSP because the project site is not located within one of the specific plan's existing land use zones where restaurant uses are permitted. In accordance with the terms of the *Memorandum of Understanding and Agreement Between Napa County and the City of Napa Relating to the Development of the Napa Pipe Property* (Agreement 8027), Napa City Council review of the proposed specific plan amendment is required before the specific plan amendment can proceed to the County Planning Commission and Board of Supervisors.

Application processing is at the point where Planning Commission review can occur once the City of Napa and Airport Industrial Area Subcommittee have reviewed the project and forwarded their recommendations. With this letter, Napa County requests that this item be scheduled for review by the Napa City Council at your earliest convenience.

Agreement 8027 provision 2.3(e)(2) stipulates that the Napa County will limit land use entitlements within certain unincorporated non-agricultural areas located south of the City of Napa to land uses that are consistent with existing zoning and specific plan requirements, unless land use changes are mutually agreed to by the City of Napa. Under existing regulations, restaurant uses are confined to two specific commercial/retail use nodes. These nodes were established in cooperation with the Cities of Napa and American Canyon in 2004 (prior to establishment of these nodes commercial uses were conditionally permissible anywhere within NVBPSP). This project is located at the northwest

| | | | | |
|-------------------------------------|-------------------------------------|--|--|--------------------------------------|
| Planning Division (707) 253-4417 | Building Division (707) 253-4417 | Engineering & Conservation (707) 253-4417 | Environmental Health (707) 253-4471 | Parks & Open Space (707) 259-5933 |
|-------------------------------------|-------------------------------------|--|--|--------------------------------------|

P17-00017-SPA & P17-00099-MOD;
Vinum Greenwood Mansion
Page 2 of 2

corner of Airport Boulevard and Devlin Road adjacent to, but outside of, this central commercial/retail node which is located at the northeast corner of the same intersection. The requested specific plan amendment will adjust the boundaries of the adjacent commercial node to include this site.

The main building of this project is a Victorian-era farm house that was relocated to its present site and converted to an office use in the late 1980's as part of the first phase of development of the Gateway Industrial Park. It served as the sales office for the industrial park until several years ago. The current proposal involves converting the lower floor to an approximately 20 seat café, approximately 30 seat wine tasting area, and construction of a new outdoor deck with seating for approximately 25 café patrons. In addition, a 640 sq. ft. wine production building is proposed, with a modest annual production of 1,200 gallons.

Where allowed, restaurant uses within the NVBPSP are permitted as business-park serving establishments (as opposed to destination-oriented uses). The proposed café is intended to meet the needs of the business park. Details of the applicant's business plan are contained in the project narrative and plans provided to you by the applicant. Attached are draft project conditions of approval that will limit the scope of the restaurant to business-park serving use.

Winery uses, including accessory tasting and marketing activities, have been conditionally allowed within the business park since 1986. There are a numerous existing winery and wine production uses within the business park, with several facility permitted to conduct accessory wine tasting activities. The extent of accessory wine tasting activities at any given facility is determined by the Napa County Planning Commission through the use permit entitlement process. The attached draft conditions of approval detail the extent of wine production and visitation proposed.

After review by the Napa City Council, this project will be considered by the Airport Industrial Area Subcommittee comprised of two elected officials each from Napa, American Canyon and Napa County. The purpose of this subcommittee is to address potential inter-jurisdictional issues in advance of final consideration by the Board of Supervisors. Thank you for your attention to this matter. Please contact me at (707) 299-1354 or by e-mail at john.mcdowell@countyofnapa.org regarding scheduling of Napa City Council review, and if you have any questions, comments or additional information needs.

Sincerely,

John McDowell

John McDowell
Planning Division

cc: Supervisor Belia Ramos
Supervisor Alfredo Pedroza
Minh Tran, Napa County CEO
David Morrison, PBES Director
Applicant

RECEIVED**MAR 13 2019****PLANNING COMMISSION HEARING – (DATE)
CONDITIONS OF APPROVAL****COMMUNITY DEVELOPMENT
DEPARTMENT*****Greenwood Mansion / Vinum Cellars
Specific Plan Amendment P17-00019-SPA
Use Permit P17-00099-UP
499 Devlin Road
APN #057-200-028***

This Permit encompasses and shall be limited to the project commonly known as ***Greenwood Mansion – Vinum Cellars, located at 499 Devlin Road***. 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 replaces the terms of Use Permit U-89-55, U-90-11 and #98272-MOD with respect to the subject property and shall be limited to:

- 1.1 Convert existing 3,090 sq. ft. office building within 1880's farmhouse to café, winery with accessory wine tasting, and office including:
 - a. Convert 840 sq. ft. of the main building lower floor to a café including commercial kitchen and indoor food service seating area;
 - b. Convert remaining 920 sq. ft. of the main building lower floor to wine tasting room with tasting bar and indoor seating area;
 - c. Retain and upgrade existing 1,330 sq. ft. main building second story for office use including establishment of conference room and installation of 90 sq. ft. elevator shaft and small lobby area;
 - d. Construct new ancillary 680 sq. ft. carriage house on the north side of the main building for wine production;
 - e. Construct approximately 1,200 sq. ft. uncovered, unenclosed deck for use as outdoor café and wine tasting seating;
 - f. Add two (2) parking spaces for a total of 25 on-site parking spaces within a (231 space shared access parking lot serving APN's 057-200-028, -029, -030, -031, -032, and -033);
 - g. Annual maximum production of 1,200 gallons of wine;

- h. Replacement of approximately 15,000 sq. ft. of existing lawn area with vineyard;
- i. A maximum of 10 full-time employees, and 5 part-time employees
- j. Total café and wine tasting seating not to exceed 60 seats (inclusive of all indoor and outdoor seating)
- k. Hours of operation corresponding to the local business-serving needs of the Napa Valley Business Park Specific Park as set forth below in condition 4.13.

The cafe, winery and office use 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 [RESERVED]**4.2 [RESERVED]****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 and those shared spaces available in the shared access parking lot 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 [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.
- b. Environmental Health Division operational conditions as stated in their Memorandum.
- c. Building Division operational conditions as stated in their Memorandum.
- d. Department of Public Works operational conditions as stated in their Memorandum.

- e. Fire Department operational conditions as stated in their Inter-Office Memo.
- f. City of American Canyon operational conditions as stated in their "will serve" letter.
- g. Napa Sanitation District operational conditions as stated in their "will serve" letter.

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 [RESERVED]

4.13 OTHER CONDITIONS APPLICABLE TO THE OPERATIONAL ASPECTS OF THE PROJECT

a. TOURS AND TASTINGS/VISITATION

Tours and tastings shall be limited to the following:

- i) Frequency: 7 days per week, Monday through Sunday
- ii) Maximum number of persons per day Monday through Friday: 56
- iii) Maximum number of persons per day Saturday through Sunday: 160
- iv) Maximum number of persons per week: 600
- v) Hours of visitation: 10:00 a.m. to 6:00 p.m.

~~"Tours and tastings" means tours of the winery and/or tastings of wine where such tours and tastings are limited to persons who have made unsolicited prior appointments for tours or tastings. To the maximum extent feasible, scheduling of visitors shall not occur during peak travel times on weekdays between 4 p.m. to 6 p.m.~~

A log book (or similar record) shall be maintained to document the number of visitors to the winery (for either tours and tastings or marketing events), and the dates of the visits. This record of visitors shall be made available to the Planning, Building and Environmental Services (PBES) Department upon request.

b. CAFÉ OPERATION

Café hours of operation shall be:

- i) 7 days per week, Monday through Sunday
- ii) Hours of operation: 8:00 a.m. to 8:00 p.m.

4.14 MARKETING

Events are limited to the following:

- a. One (1) food and wine pairing per month with up to 60 guests at each event; 12:00 p.m. to 6:00 p.m.
- b. One (1) food and wine pairing per week (Friday's only) with up to 60 guests at each event; 4:00 p.m. to 8:00 p.m.
- c. Thirty-six (36) weekend food and wine events per year with up to 60 guests at each event; (Saturday and Sunday) 11:00 a.m. to 10:00 p.m. and Fridays 6:00 p.m. to 10:00 p.m..
- d. Events may include full meal service utilizing Vinum Cellar's permitted commercial kitchen and/or licensed caterers.
- e. Outdoor events shall conclude by 10:00 p.m., with quiet clean up extending up to an hour after the event.

"Marketing of wine" means any activity of a winery which is conducted at the winery on a prearranged basis for the education and development of customers and potential customers with respect to wine which can be sold at the winery on a retail basis pursuant to the County Code. Marketing of wine may include cultural and social events directly related to the education and development of customers and potential customers provided such events are clearly incidental, related and subordinate to the primary use of the winery. Marketing of wine may include food service, including food and wine pairings, where all such food service is provided without charge except to the extent of cost recovery.

Business events are similar to cultural and social events, in that they will only be considered as "marketing of wine" if they are directly related to the education and development of customers and potential customers of the winery and are part of a marketing plan approved as part of the winery's Use Permit. To be considered directly related to the education and development of customers or potential customers of the winery, business events must be conducted at no charge except to the extent of cost recovery, and any business content unrelated to wine must be limited.

Careful consideration shall be given to the intent of the event, the proportion of the business event's non-wine-related content, and the intensity of the overall marketing plan (County Code).

All event activity, excluding quiet clean-up, shall cease by 10:00 pm. If any event is held which will exceed the available on-site parking, the permittee shall prepare an event-specific parking plan which may include, but not be limited to, valet service or off-site parking and shuttle service to the winery.

Auction Napa Valley (ANV) events need not be included in a participating winery's marketing plan because they are covered by ANV's Category 5 Temporary Permit. The winery may utilize any ANV event authorized in this permit for another charitable event of similar size.

4.16 OTHER CONDITIONS APPLICABLE TO THE OPERATIONAL ASPECTS OF THE PROJECT**a. AMPLIFIED MUSIC**

Amplified sound system or amplified music utilized on the deck outside of approved, enclosed buildings shall be limited to 45 decibels Monday through Friday, 7:00 a.m. to 10:00 p.m. and 50 decibels Saturday through Sunday, 7:00 a.m. to 10:00 p.m.

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.
- b. Environmental Health Division plan review/construction/preoccupancy conditions as stated in their Memorandum.
- c. Building Division plan review/construction/preoccupancy conditions as stated in their Memorandum dated.
- d. Department of Public Works plan review/construction/preoccupancy conditions as stated in their Memorandum.

- e. Fire Department plan review/construction/preoccupancy conditions as stated in their Inter-Office Memo.
- f. City of American Canyon plan review/construction/preoccupancy conditions as stated in their "will serve" letter.
- h. Napa Sanitation District plan review/construction/preoccupancy conditions as stated in their letter.

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 [RESERVED]

6.14 [RESERVED]

6.15 [RESERVED]

6.16 [RESERVED]

6.17 [RESERVED]

6.18 [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 [RESERVED]

7.5 [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 (wine production) 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 [RESERVED]

9.6 [RESERVED]

9.7 GRADING SPOILS

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

9.8 [RESERVED]

9.9 [RESERVED]

RECEIVED

MAR 13 2019

March 13, 2019

**COMMUNITY DEVELOPMENT
DEPARTMENT**

Erin Morris, AICP
Planning and Code Enforcement Manager
City of Napa Community Development Department
1600 First Street
Napa, CA 94559

Re: Greenwood Mansion Project
499 Devlin Road, Napa County

Dear Ms. Morris:

The purpose of this correspondence is to submit an application to the City of Napa ("City") for the Greenwood Mansion Café and Winery project located at Devlin Road in the County of Napa ("Project"). This firm represents Vinum Cellars, Inc. ("Vinum"), the owner of 499 Devlin Road, Napa, California, located at the northwest corner of Devlin Road and Airport Boulevard ("Property"). Vinum is also the applicant for the Project. There is an existing two-story 3,090 sq. ft. historic farmhouse located on the site that has been modernized and used as office space since the early 1990s. Vinum is seeking approval of a Conditional Use Permit ("CUP") to renovate the existing farmhouse and surrounding grounds to be used as a café, a wine-tasting room, and an office, as well as a new wine production facility of approximately 680 square feet ("Project"). The Project supports the Napa County Airport Industrial Area ("AIA") and renovates an underutilized and notable resource; the Greenwood Mansion.

Background

It is Vinum's understanding that the City must take action on the Project and make specified findings that the Project satisfies the provisions in the Memorandum of Agreement Between the City of Napa and Napa County Regarding Regional Housing Needs Allocations for Future Housing Element Planning Periods ("RHNA Agreement"). The RHNA Agreement requires Napa County ("County") to limit land uses within the AIA to those uses that are consistent with the applicable zoning in effect on October 8, 2013, unless the land use changes are mutually agreed to by the City of Napa ("City") and the County. We believe that the Project is consistent with the RHNA Agreement, and Vinum respectfully requests the City to make its findings and support the Project.

Erin Morris
March 13, 2019
Page 2 of 2

Application Submittal

To assist the City in making its findings, Vinum is hereby submitting the following supporting documents for the City's consideration.

- March 13, 2019 cover letter from Mr. McDowell to the City;
- Project Application with Attachments;
- October 24, 2018 correspondence from Abbott & Kindermann to Mr. Tooker and Mr. McDowell;
- October 26, 2018 correspondence from Mr. Tooker to Abbott & Kindermann; and
- Project Conditions of Approval from Napa County.

Please note that the attached current Project Conditions of Approval reflect refinements made to the initial Project Description submitted to the County of Napa in 2017.

Conclusion

For the reasons set forth in the enclosed materials, we believe that the Project comports with the RHNA Agreement. Vinum appreciates the opportunity to submit this application to the City for its evaluation and ultimately for the City's findings.

Please let us know if you would like to discuss this matter with us or if you need additional materials. Otherwise we look forward to the City's response to Vinum's Application.

Sincerely,



Diane Kindermann Henderson

DKH/wj

Enclosures

cc: Client
Vincent Smith, City of Napa
John McDowell, Napa County


ABBOTT &
KINDERMANN, INC.
ATTORNEYS AT LAW

RECEIVED

MAR 13 2019

October 24, 2018

COMMUNITY DEVELOPMENT
DEPARTMENT

VIA EMAIL AND U.S. MAIL

Rick Tooker
Community Development Director
City of Napa
P.O. Box 660
Napa, CA 94559-0660
rtooker@cityofnapa.org

John McDowell
Napa County Planning Department
County of Napa
1195 Third Street, 2nd Floor
Napa, CA 94559
John.McDowell@countyofnapa.org

Re: Greenwood Mansion Project
Devlin Road, Napa County

Dear Mr. Tooker and Mr. McDowell:

As you are aware, our firm represents Vinum Cellars ("Vinum"), the owner of 499 Devlin Road, Napa, California, located at the northwest corner of Devlin Road and Airport Boulevard ("Property"). There is an existing two-story 3,090 sq. ft. historic farmhouse located on the site that has been used as office space since the early 1990s. Vinum is seeking approval of a Conditional Use Permit ("CUP") to renovate the existing farmhouse and surrounding grounds to be used as a café, a wine-tasting room, and an office, as well as a new wine production facility of approximately 680 square feet ("Project"). The Project provides natural support for the Napa County Airport Industrial Area ("AIA") and gives life to an underutilized historic resource; the Greenwood Mansion.

The Project's proposed uses as requested in the refined application are the result of consultations with the County and City staff to shape a noble project that functionally serves the AIA, features a beautiful historic resource and is consistent with the Gateway Commercial Node designation ("Node"). The Property is located with the Napa Valley Business Park Specific Plan ("Specific Plan"), and is designated Business/Industrial Park ("B/IP"), which authorizes the proposed uses with the approval of a CUP within those B/IP areas designated as the Node. Because the Property is not located within the Node, Vinum is also seeking approval of a modification to the Specific Plan to include the Property within the Node.

Rick Tooker
John McDowell
October 24, 2018
Page 2 of 4

As noted, the Property is also located within an area of Napa County ("County") known as the AIA. Properties located in the AIA are subject to the Memorandum of Agreement Between the City of Napa and Napa County Regarding Regional Housing Needs Allocations for Future Housing Element Planning Periods ("RHNA Agreement"). The RHNA Agreement requires the County to limit land uses within the AIA to those uses that are consistent with the applicable zoning in effect on October 8, 2013, unless the land use changes are mutually agreed to by the City of Napa ("City") and the County. For the reasons stated below, the Project is consistent with the intent of the RHNA Agreement, and Vinum respectfully requests the City to support the Project.

A. The Greenwood Mansion Project Is Designed To Serve The Needs of the AIA.

One of the stated purposes of the RHNA Agreement, which balances the allocation of 80% of the County's RHNA obligations to the City beginning in the 2022 Housing Element cycle with the County's willingness to preserve agricultural lands in the County, is to "prevent urban sprawl, direct growth and development into existing cities, and promote infill and smart growth." (RHNA Agreement, Recital E.) The Project is consistent with and in some cases even furthers the efforts to achieve these goals.

1. The Project Location Is a Natural Extension of the Existing, But Yet to be Realized Potential of the Gateway Commercial Node

The Specific Plan already recognizes that there is a need to allow for development of ancillary restaurant uses that are designed to serve the needs of the AIA. It contemplates the development of potentially several distinct restaurant uses of up to 6,500 square feet in size with up to 150 seats within the Node. But to date, only a Springhill Suites hotel (which does not include a restaurant) and a business services agency have located within the current Node boundaries. As the Project site is located adjacent to the western boundary of the Node, the extension of this boundary to include the Project site would allow for the Project to fulfill a need that was expected at this location in the Specific Plan, but has yet to see its first restaurant become operational. The Project café will be open as wine service is available, providing breakfast and lunch late into the afternoon, thereby supporting the tenants and visitors of the industrial park in the AIA.

Also, the Project applicant is considering the feasibility of bringing Jump Bikes to the AIA, with a station strategically placed at the Project and other locations throughout the AIA.

Furthermore, the Node already allows up to 35,000 square-feet of retail/service and restaurant commercial uses, with as much as 75,000 square-feet under specified circumstances, so long as they are "business park serving uses." Since the first "business-park-serving" retail/service and restaurant commercial use has not been built within the Node, the approval of

Rick Tooker
John McDowell
October 24, 2018
Page 3 of 4

the Project would not actually increase the total amount of these commercial uses that are already allowed within the Node.

2. The Project Furthers the Goal of Directing Growth Into Existing Cities

While this may seem counter-intuitive on the surface, the Project furthers the long-term goal of directing growth to the City of Napa. The Napa County Airport is a shared community resource that the City and the County affirmed as a desired location for industrial development in the RHNA Agreement. Thus, the County has a strong interest in the success of the AIA and is undoubtedly a part of the County's willingness to enter into this mutually beneficial agreement. Part of the AIA's success is to make it an attractive place for new businesses to locate and existing ones to expand. As this occurs, these businesses will need to entice high-quality talent that will be attracted to the idea that they can grab a quick bite to eat or drink, network with colleagues, or sit down with current or potential clients at a place that is conveniently located from work. The Project helps to fill that need by providing variety to the options that these employees will demand when choosing to accept an employment offer.

3. The Project Promotes Smart Growth and Reduces Sprawl

The principles of smart growth and the reduction of sprawl encourage the location of complementary uses near each other. The Project café will support this by serving the employees and visitors of the industrial park. The benefits also include the reduction of vehicle miles travelled ("VMT") due to the reduced need to use one's car to reach the destinations that fulfill those day-to-day needs, such as grabbing a bite to eat for breakfast or lunch, buying that item that was forgotten at home, or just a place to relax for a little while before heading back to the office. Consequently, reduced VMT leads to improved air quality and the reduction in greenhouse gas emissions; reduced local road congestion; improved health through increased walking and biking; and an increase in overall economic activity through passer-by retail sales.

The Project will promote these goals by spurring the development of ancillary beneficial uses within the AIA. As a service that would be well located adjacent to an already vibrant multi-tenant facility, the Project will provide a much-needed service that will improve the options for existing area users to remain within the AIA for lunch; rather than jump in their cars to find somewhere to eat. This will lead to additional similar uses locating within the Node, thereby creating the kind of smart growth environment envisioned in the Specific Plan.

Rick Tooker
John McDowell
October 24, 2018
Page 4 of 4

B. Conclusion

We appreciate the City and County's collaboration with us on this Project and the opportunity to discuss these points with you. Once again, based on the foregoing, the Project serves the needs of the AIA and is consistent with the principles of smart growth. Please let us know if there is any other information that we can provide and we look forward to presenting this matter to the City Council as soon as it can be placed on the calendar.

Very truly yours,


Diane G. Kindermann

DKH/wj

cc: Client

Wendy Jones

MAR 13 2019

From: Tooker, Rick <rtooker@cityofnapa.org> **COMMUNITY DEVELOPMENT DEPARTMENT**
Sent: Friday, October 26, 2018 5:42 PM
To: John.McDowell@countyofnapa.org; Diane Kindermann Henderson
Subject: RE: Vinum Cellars - Greenwood Mansion Project

Hi Diane and John – Thanks for the opportunity to review the revised letter. This represents a strong argument for what I believe, as the City of Napa's Community Development Director, was the basis for the City-County RHNA agreement.

From what I understand of the revised letter and the application (to date our review has been limited and at somewhat of a distance because we have not formally been asked to take any action yet), the restaurant will be full service intended to support customers within the park. While this cannot be controlled, and certainly guests may arrive from elsewhere, it is our understanding that wine service will be typical of a restaurant. However, tastes and retail sales will occur as an ancillary part of the winery separate and distinct from the restaurant. It is also the City's understanding that the restaurant is not an adjunct winery event space, and the office use will be restricted to office use only and will not be available as event space. The City also understands there are currently some parking issues to work through, so to the extent this information changes the use (parking is not an issue for our review), please let us know. Additionally, if any of the afore-referenced understandings are inaccurate, also please let us know.

It is our City interests to assist the County as best as we can when the County is prepared to move the permit through its process. Having the Napa City Council weigh in, as is understood to be required in the RHNA agreement, is anticipated when the County's staff report, plan amendment and permit are drafted. Applications are dynamic and changeable, as evidenced in this one as well. Moreover, conditions applied to permits can change a proposed land use. As a result, it is desirable that once the County's report, plan amendment and conditions are prepared to please let the City know and the City Council meeting will be quickly scheduled if required. If there are other approaches that you believe would be more helpful, please advise.

Again, as noted above, you appear to address many of the key issues of potential concern in the letter and latest application. No significant increase in employment will result from the amended zoning (particularly low wage jobs which are best provided near services), and customer visitation will be largely expected from other uses underlying the park understanding this is not entirely under the business' control. Broader land use issues may be a future City consideration in its role under the City-County RHNA Agreement, such as how the park could become a destination if other similar amendments are proposed in the future, but this does not appear to be contemplated. A restaurant alone is not my concern as a director, and tasting/retailing associated with the winery as an ancillary function of the industrial use (if this also is part of the change in the plan) are similar to our own City standards for its industrial park.

For future reference, please contact Lark Ferrell who will be serving as the City's Interim Community Development Director starting on November 1st and Erin Morris who is the City's Planning Manager. Both can assist the County through the process envisioned in the RHNA Agreement. Thanks. – Rick

Rick Tooker, Director

Community Development Department, City of Napa

1600 First Street, Napa, CA 94559

Phone (707) 257-9530

Email rtooker@cityofnapa.org

Website www.cityofnapa.org

Social www.facebook.com/CityOfNapa · @CityOfNapa

Project Description for the Greenwood Mansion Project

Submitted to:



Planning Division
1195 3rd St #210
Napa, CA 94559

Prepared For:

VINUM
CELLARS

135 Camino Dorado, Suite 6
Napa, CA 94558
(707) 254-8313

Prepared By:



135 Camino Dorado, Suite 11
Napa, CA 94558
(707) 253-1723

March 2, 2017

RECEIVED

MAR 13 2019

**COMMUNITY DEVELOPMENT
DEPARTMENT**

1.0 Project Summary

Vinum Cellars ("Applicant") seeks approval of Conditional Use Permit ("CUP"), a development permit as contemplated in the Permit Streamlining Act. The CUP would allow for the following uses: café, wine tasting, office and wine production in the County of Napa. The site is to be located on one improved parcel that totals 1.17 acres and has an existing two-story 3,090 SF farmhouse located near the center of the parcel.

The Greenwood Mansion ("Project") would establish a cafe, wine tasting room, and a small scale on-site wine production facility. Along with the proposed uses the applicant will continue to use the property as an office building. The café would service the local business community by providing casual dining and take-out food.

1.1 Project Location

The Project is located in an unincorporated area of Napa County, approximately 1/4 mile west of the intersection of Highway 12 and Highway 29. The Project is situated on the northwest corner of the intersection of Devlin Road and Airport Blvd., with frontage to both streets. The address is 499 Devlin Road, Napa, CA 94558 and is identified by the Napa County Assessor as APN 057-200-058. (See Figure 1)

1.2 Site History

The existing building is an 1880's farmhouse that was initially constructed and used as a residence for approximately 100 years at the site that is now used by the Doctors Company for their central offices. The farmhouse was relocated approximately ½ mile west onto the Project site in the early 90's. The farmhouse was used by the developers of the Napa Valley Business Park as their real estate office. Use Permit #U89-55 was approved by Napa County to allow the relocation of the farmhouse and use as an office at the new location.

1.3 Existing Land Uses

The existing site 1.17-acre Project site consists of a two-story 3,090 SF 1880's farmhouse with decking, 16 paved parking spaces, driveway, landscaping and walkways. The 3,090 SF farmhouse is configured to be utilized as an office building, however it is currently vacant.

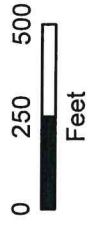
Land uses immediately surrounding the Project a mix of office buildings, warehouses, wine bottling facilities, vacant land and a hotel. Devlin Road fronts the Project site on the east side and Airport Road runs along the south side of the Project boundary. To the west is a wine bottling facility and a mix of light industrial uses. North of the site is used as offices and contractor warehouses. The land use in the immediate Project vicinity is shown on Figure 2.



GREENWOOD MANSION PROJECT LOCATION

Figure 1

- Project Parcel 057-200-028 (1.17 Acres)
- Assessor Parcels



1.4 Project Site General Plan Designation

The Project site is located on lands designated in the County of Napa General Plan as Industrial and within the limits of the Napa Valley Business Park Specific Plan. The Specific Plan was adopted in 1986 to set forth detailed land use and circulation standards, capital improvement requirements, associated financing, and improvement sequencing measures, as well as necessary supporting policies and regulatory procedures for the industrial area near Napa County Airport. The Specific Plan, as amended, implements the General Plan in the at the Project site and in the surrounding area.

1.5 Project Site Zoning

The Project site is located entirely on lands zoned by the County of Napa as Industrial Park (IP). The purpose of the IP zoning district is to provide areas exclusively for modern, non-nuisance light industrial and office uses which are compatible both with each other and with the adjoining nonindustrial areas including, but not limited to, the Napa County Airport, the Highway 29 corridor, and surrounding agricultural and open space areas, and which have no significant potential for major pollution, adverse visual impacts, or nuisance or hazard factors. The designation is intended to accommodate light industrial uses such as office research and development, light manufacturing, light assembly, warehousing and distribution, large administrative headquarters and other professional and administrative uses.

Development of a café, wine tasting facility and wine production is permitted in this zone with the approval of a Conditional Use Permit (CUP). Utilizing the property as an office is a use that is allowed by-right. No change to the existing zoning is proposed.

1.6 Project Site Specific Plan Area

The Project site is located entirely on lands identified in the Napa Valley Business Park Specific Plan as IP (Industrial Park). This designation is intended to provide exclusively for modern, well-planned, non-nuisance light industrial and business park uses which are compatible with each other, the airport, the S.R. 29 corridor, and surrounding open space areas. Land uses in these areas are subject to special development standards established in the plan to ensure a harmonious, optimal environment for industrial occupants. Allowable uses include research and development, light manufacturing, light assembly, warehousing and distribution, development, administrative headquarters, and other professional and administrative facilities. The Specific Plan was approved in 1986 and since then has been amended 10 times for a variety of Projects.

Development of a café, wine tasting facility is not permitted in areas of the Specific Plan that are designated IP. An amendment to the Specific Plan is proposed as part of this Project. To allow the proposed activities an amendment to the Napa Valley Business Park Specific Plan is required.

The applicant proposes that the plan be amended to include the 1.17-acre Project site into the Gateway Commercial Node. The site is currently identified in the Specific Plan as Business/Industrial Park, which allows use of the site as an office and wine production facility. Specifically, revisions to Figure S1 located on Page 16 and Figure 5 on page 46 would be required to along with revisions to Section V. Land Use; beginning on Page 49. Clean-up revisions would also be required to incorporate changes to any acreages or discuss on the commercial node that would be impacted by the proposed map and text changes. The following Specific Plan changes shown in strikethrough and underline are suggested:

A. Within the Gateway Commercial Node, consisting of 12 acres located at the northwest corner of State Routes 12 and 29, and Airport Boulevard. As well as a 1.2 acre parcel located on the northwest corner of Devlin Road and Airport Blvd. ~~and a~~ As shown on the Figure 5, provided that such commercial development and uses complies with the following standards:

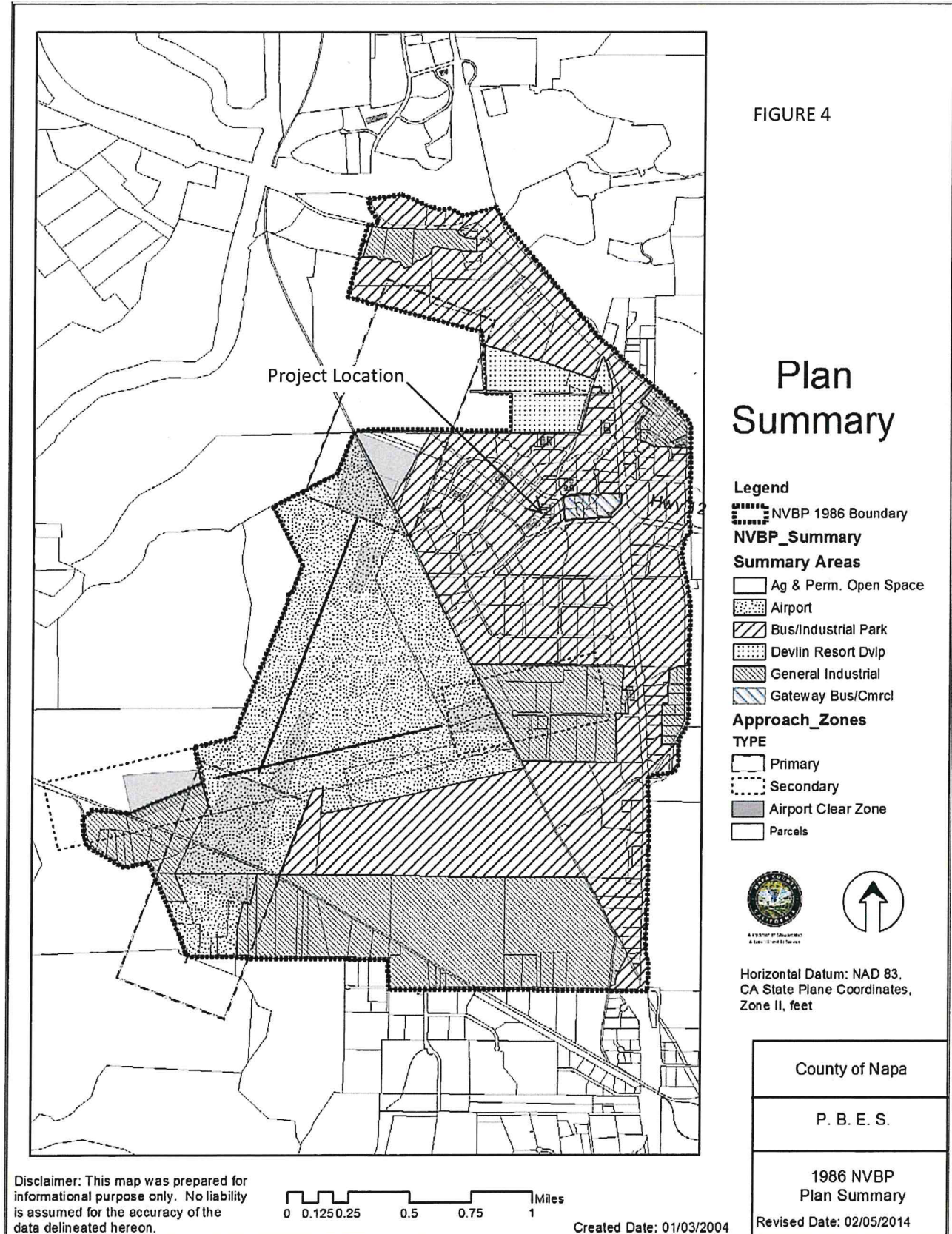
3. *Restaurant uses shall not exceed 25 seats and 3,000 sq. ft. in area, except that one restaurant is allowed with a maximum of 150 seats and 6,500 sq. ft. in area, and ~~one two~~ restaurants ~~is are~~ allowed with a maximum of 60 seats and 3,000 sq. ft. in area;*
7. *One wine tasting establishment shall be allowed; retail sales of wined produced off-site shall be allowed.*

The location of the Project in relation to the Napa Valley Specific Plan limits and overlay areas is shown on Figure 4. As shown on the figure the Project is located across Devlin Road from the existing Gateway Commercial Node ("Node") area shown on Figure 4. In addition to Node area shown on the figure there have also been recent expansions to include two other areas for gas stations; which are not shown on the figure.

1.7 Project Objectives

Project objectives include the following:

1. Develop the site to service the surrounding business community by establishing a café that will serve individuals within the Napa Valley Business Park and surrounding areas.
2. Establish a central office for Vinum Cellars in the Napa Valley Business Park.
3. Provide a direct to consumer sales opportunity for a established Napa Valley winemaker.



2.0 PROJECT OPERATIONS

2.1 Project Scope

The Project would modify a developed parcel into a multi-use parcel that will serve the surrounding business community. The Project will modify the site to create a café, wine tasting area and a wine production area. The cafe will have a combination of indoor and outdoor seating; offering casual dining to service the business community. Wine tasting will be offered as a component of the Project, which will provide a central meeting place for the business community as well as service patrons from outside the area. In addition to the proposed uses, the site will continue to be used as an office.

2.2 Project Property

The Project covers an area of 1.17 acres and is comprised of one Assessors Parcels (APN) that is owned by Gary VanDam. (See Figure 5) The applicant is in escrow on the property and intends on owning the site in-fee once escrow is closed.

2.3 Site Development

The site is fully developed and is currently operating as an office building under a Napa County use permit (U-89-55). The Project will enhance the developed parcel, however no new disturbance is anticipated as part of the Project.

2.4 Site Access

Primary access to the Project Site is from Devlin Road, a public roadway which intersects Airport Boulevard, approximately 200 feet south of the Project site entrance. The existing 25' wide entrance along Devlin Road along the eastern limits of the Project site provides ingress and egress to the site. A secondary driveway on Gateway Road, approximately 500' north of the Project limits provides emergency vehicles with multiple access points to the Project.

2.5 Project Components

Cafe:

The proposed cafe will be located on the northern half of the downstairs and will occupy roughly 840 SF of the farmhouse. The cafe will provide food options to serve the local business community. The cafe proposes to serve hot food prepared on-site, wine, beer, espresso and other items. The applicant currently has a Type 2 wine growers license from the ABC and would apply that license to this location as necessary. The cafe will have approximately 20 seats inside the building and 25 seasonal seats on the patio. ADA compliant restrooms would be constructed inside the existing building, adjacent to the cafe. ADA ramps on the exterior of the building and an elevator to access the second floor are proposed to be installed as well.

Wine Tasting Room:

The proposed wine tasting room would be located on the southern half of the downstairs and will occupy roughly 920 SF of the farmhouse. The tasting room would serve wine produced by Vinum Cellars, who has been making wine in the Napa Valley for over 20 years.

Carriage House (Wine Production Area):

In order to comply with ABC license requirements, the applicant must have on-site wine production in order to conduct all proposed activities. To comply with this requirement, a small detached Carriage House will be constructed on the northern side of the existing farmhouse to make small batches of wine. The Carriage House will be built to replicate the architecture of the existing farmhouse and will be approximately 680 SF. The location of the Carriage House is shown on Figure 5.

Wine production will be conducted entirely within the proposed 680 SF Carriage House. Annually the Project will produce approximately 1,200 gallons of wine. Wine production will vary year to year based off variations in the market and agricultural production. Wine crushing and bottling is proposed to occur off-site at the Napa Wine Company (BW-CA-6334) in Oakville, CA.

Office:

The upstairs of the farmhouse occupies approximately 1,330 SF and would be used as office space and conference room. The office will accommodate between 3 to 5 full-time employees and the conference room will be used as needed or rented hourly to businesses in the surrounding area for meetings or events. The Project site currently has an existing use permit (U89-55) for use of the property as an office with two (2) full-time employees and five (5) part-time employees. Use of the Project site for office purposes is has been previously analyzed and should be included as part of the baseline for the CEQA document. The configuration of the floor plan can be seen on Figure 6.

Vineyard:

Approximately 15,000 SF of lawn would be converted to vineyards. The vineyards would have similar appearance to the vineyards located in some of the common areas of the business park. Grapes from the vineyards would be harvested and used by the applicant for estate wine making. The location of the proposed vineyard can be seen on Figure 5.

2.6 Site Improvements

Operations at the site will require the following new construction/improvements:

1. 640 SF Carriage House
2. Remodel and Upgrade 3,090 SF Farmhouse for Proposed Uses
3. 1,200 SF of Deck and Ramps
4. 90 SF Elevator Shaft
5. 2 Parking Spaces, 350 SF
6. Plant approximately 15,000 SF of vineyards

2.7 Operating Hours

The site is proposed to be open approximately 350 days per year with the operational hours for each proposed use varying. In general the operating hours are shown below in Table 1.

Table 1 Proposed Hours of Operation

| | | |
|---------------------------|-----------|------------|
| Wine Tasting, Weekdays | M, Th & F | 11am - 6pm |
| Wine Tasting, Weekends | Sat & Sun | 10am - 6pm |
| Café Hours, Weekdays | M-F | 8am - 6pm |
| Café Hours, Weekends | Sat & Sun | 10am - 6pm |
| Office Hours of Operation | M-F | 10am - 6pm |

Occasional private events may be held on weekends and holidays until 10:00 PM.

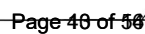
2.8 Employment

The Project would allow for the full-time employment of seven (7) employees. The table below provides a breakdown of the type of employees required for the proposed uses:

Table 2 Employees

| Proposed Use | Number of Full-Time Employees |
|--------------|-------------------------------|
| Cafe | 3 |
| Tasting Room | 1 |
| Office Staff | 3 |

Office staff is included in the table above, however the current Use Permit (U-55-89) provides for two (2) full-time employees and five (5) part-time employees.



| OWNER OF RECORD | APPLICANT | ARCHITECT | PLANNING CONSULTANT |
|---|--|--|--|
| Gary Van Dam 65 Camino Del Mar, Suite 100 San Marcos, CA 92069 (707) 226-2661 | Vivum Cellars Richard Bruno, Owner 10000 Highway 1 Napa, CA 94558 (707) 254-4013 | MCA+ Architecture & Design Michael Connel 1001 Red Hill Court San Francisco, CA 94111 (415) 640-4995 | Environics, Inc. Dianne Callford, Project Manager 1335 Camino Delmar, Suite 11 San Marcos, CA 92069 (707) 252-4723 |

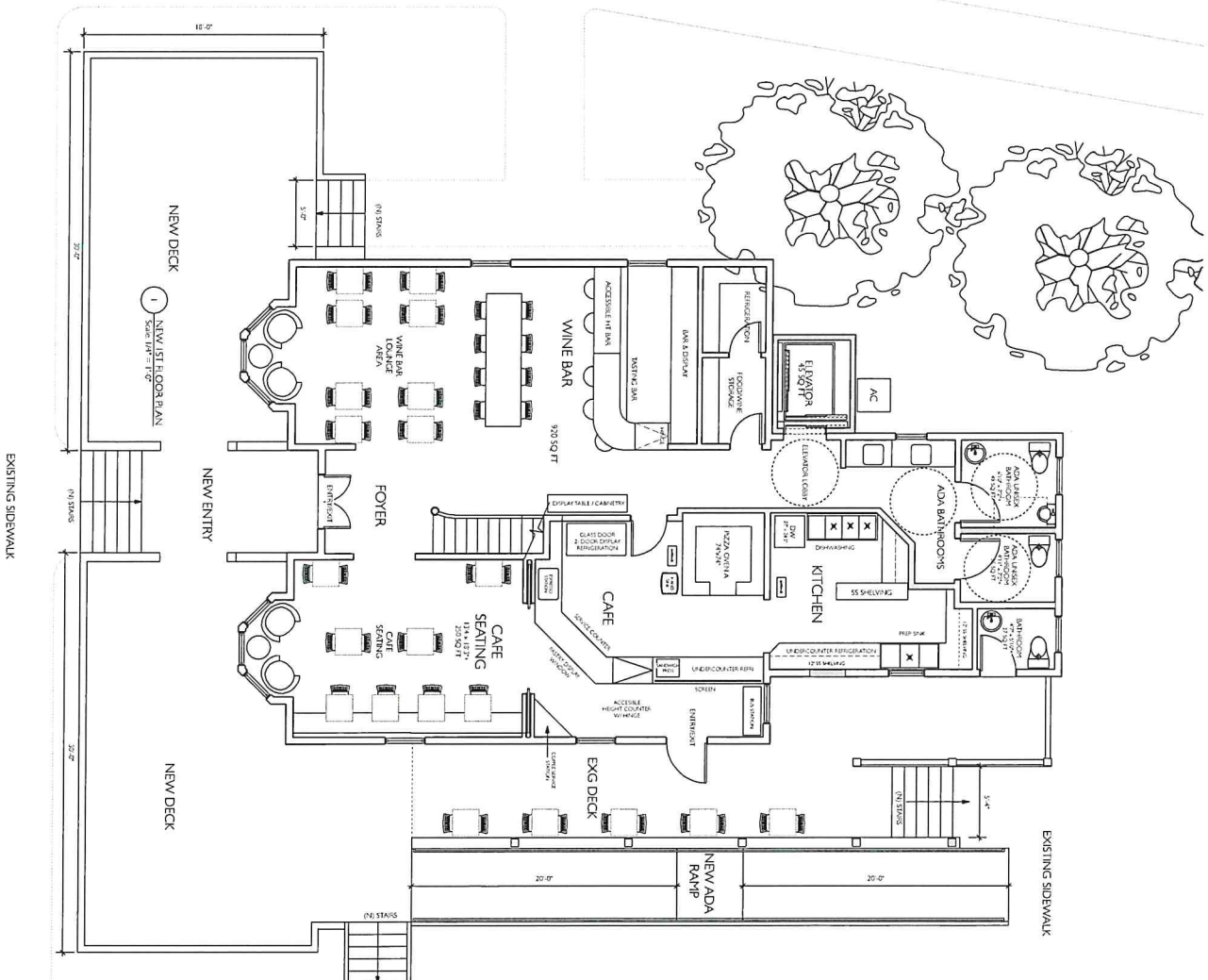
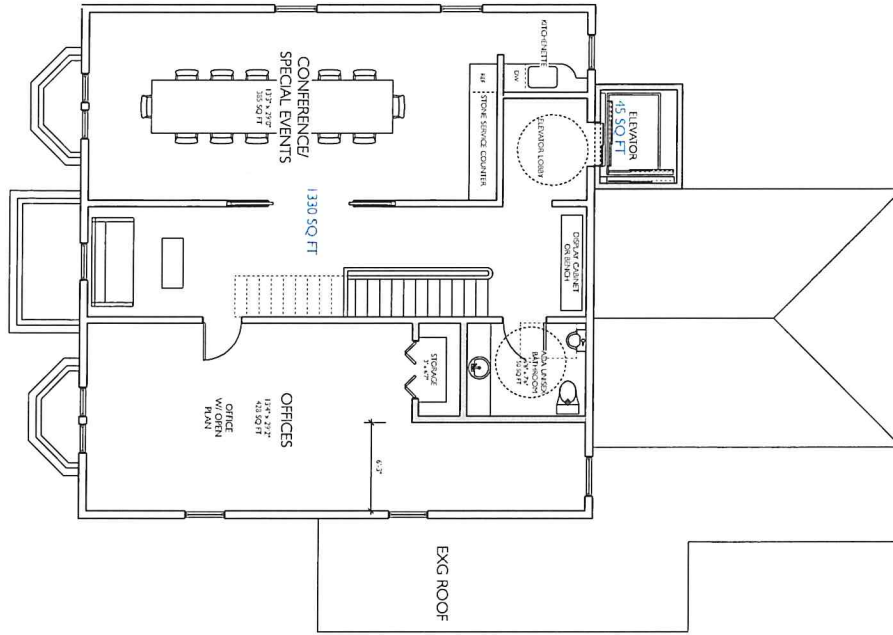
| OWNER OF RECORD | APPLICANT |
|--|--|
| Garry Van Dam 65 Camino Alto Vallejo, CA 94590 (707) 226-2661 | Vinum Cellars Richard Bruno, Owner 135 Camino Dorado Napa, CA 94558 (707) 254-0313 |

OWNER OF RECORD
Gary Van Dam
65 Camino Alto
Vallejo, CA 94590
(707) 226-2661


 Date: 3/2/17
 Parcel: Napa County
 Contour: Napa County 2002 DTM

Figure 6

2 EXISTING UPPER FLOOR PLAN
Scale: 1/4" = 1'-0"



2.9 Traffic

Traffic from proposed operations will primarily be generated from passenger cars, with an occasional delivery by truck. Of the traffic generated by the Project the majority will be from patrons visiting the cafe. The table below provides an overview of the average levels that are anticipated to be generated by the Project as well as levels described in the existing Use Permit.

Table 3 Traffic Generation

| Type | Existing Baseline Level Described in U-89-55 | Proposed Average Level Per Day |
|---------------------|---|-----------------------------------|
| Full-Time Employees | 2 | 7 |
| Part-Time Employees | 5 | 0 |
| Deliveries | 2 | 2 |
| Visitors | 8 | 170 |

It is anticipated that the majority of visitors to the cafe will be from the business community in the Napa Valley Business park and will stop by on their way to work or visit the cafe for lunch. Serving the local community is anticipated to have a net reduction in traffic miles traveled when analyzed on a cumulative.

2.10 Parking

On the Project parcel there are 16 existing parking spaces and two (2) parking spaces are proposed to meet the Napa County minimum parking requirements. County parking requirements by use for the Project are summarized below:

Table 4 parking Tabulation

| Area | SF | Spots/SF County Requirement | Parking Spots Required |
|---------------------------------|--------------|--------------------------------|---------------------------|
| Restaurant | 840 | 1 Per 120 SF | 7.00 |
| Wine Tasting (Retail) | 920 | 1 Per 250 SF | 3.68 |
| Office | 1,330 | 1 Per 250 SF | 5.32 |
| Wine Production (Manufacturing) | 680 | 1 Per 500 SF | 1.36 |
| Total | 3,770 | | 17.36 |

In addition to parking spaces on the Project parcel there are 198 parking spaces in the parking lot for the Napa Valley Gateway Condominiums, which is contiguous to the parking area at the Project Parcel. The Project parcel has rights to utilize the parking spaces in the Napa Valley Gateway Condominiums per the Reciprocal Easement Agreement that was recorded with the Napa County Assessor's office on August 13, 2010. Below is the language from the easement that discusses use of the parking areas:

2.2 Parking Area Easements: Declarant grants to each Owner nonexclusive easements in favor of the Owner's Condominium and the Ranch House Parcel as the dominant

tenements over the Parking Area as the servient tenement for each of the purposes set forth in this Section 2.2. The easements and rights described in this Section 2.2 are subject to the restrictions, conditions and Rules described in this REA. The easements are effective automatically on the date Declarant first transfers title to a Condominium or to the Ranch House Parcel to a third party purchaser.

2.2.1 Access Easement: *Vehicular and pedestrian ingress and egress over the entry way, drive aisles and walkways.*

2.2.2 Parking Easement: *The right to park vehicles within the parking spaces.*

The Project will be designed to have adequate parking spaces on the Project Parcel to satisfy the Napa County minimum parking standards. However, as shown in the above easement language the Project Parcel, referred to as the "Ranch Parcel" has the ability to utilize approximately an additional 200 adjacent spaces.

In addition to the proposed parking spaces a loading zone along the north west side of the farmhouse will be constructed. The area is currently occupied by landscaping and encompasses approximately 700 SF. Landscaping will be removed and replaced with concrete, asphalt or other hardscape surfacing that can support vehicle traffic.

2.11 Noise

Napa County noise limits at the property lines for industrially zoned properties are stated to be identified in below in table 5.

Table 5 Napa County Noise Standards

| Receiving Land Use Category | Time Period | Rural | Suburban | Urban |
|--------------------------------|------------------|-------|----------|-------|
| Residential | 10 p.m. — 7 a.m. | 45 | 45 | 50 |
| | 7 a.m. — 10 p.m. | 50 | 55 | 60 |
| Commercial | 10 p.m. — 7 a.m. | | 60 | 55 |
| | 7 a.m. — 10 p.m. | | 65 | 60 |
| Industrial, including wineries | Anytime | 75 | | |

Noise limits from the proposed Project are anticipated to be below the levels stated above.

2.12 Site Security and Safety

Public health and safety will be protected in accordance with local, state and federal standards. During the Project lifetime, public access will be controlled by locked doors.

2.13 Fire Protection

The existing farmhouse will be retrofitted with fire sprinklers as required by the current State and local regulations. The proposed carriage house will be equipped a fire sprinkler system that meets County and State requirements as well. An existing fire hydrant is located on the north side of the Project site, approximately 70' from the existing farmhouse. All fire systems will be designed and installed to the satisfaction of the County Fire Marshall. Fire access to the Project site is provided by two existing 25-foot wide driveways.

2.14 Utilities

U-89-55 included anticipated levels of service for each utility; below is a summary of the levels outlined in the existing permit.

Table 6 Baseline Utilities

| Utility Service | Service Entity | U-55-89 Level |
|----------------------|---------------------------------|-----------------------|
| Water Usage | City of American Canyon | 4,000 Gallons Per Day |
| Sewer | Napa County Sanitation District | 250 Gallons Per Day |
| Solid Waste Disposal | Napa County Sanitation District | Garbage Company |

Water Consumption

Water is required for the all proposed uses as well as the existing uses on the Project parcel. Water for the Project will be provided by the City of American Canyon through an existing waterline connection. Water for the proposed vineyard and all landscaping will be provided by recycled water provided by the Napa Snatiation District.

Table 7 Proposed Fixtures

| Fixture Type | Number |
|-----------------|--------|
| Bathroom Faucet | 5 |
| Kitchen Faucet | 3 |
| Toilet | 4 |
| Urinal | 1 |
| Dishwasher | 2 |

All fixtures installed will be high efficiency. The Project will obtain a will-serve letter from the City of American Canyon for the Project needs.

Sewage Disposal

The Project will utilize the existing connection to the Napa Sanitation District. The property has been utilized as an office building previously and any intensification of use will provide credit for the existing office use. The table below provides a summary of the types of uses proposed for the building and the SF per each use for the equivalent dwelling unit (EDU) calculation.

Table 8 EDU Calculation Inputs

| Use | SF | Area |
|----------------------------|-------|---|
| Office | 1,330 | Entire Upstairs |
| Food Service Establishment | 2,840 | Downstairs & Deck (Tasting Room & Café) |
| Industrial | 640 | Carriage House |

It is anticipated that the Project will have an increase in sewer disposal and will work with the Napa Sanitation District to purchase additional EDUs. No upgrades to the existing sewer infrastructure are anticipated.

Electricity & Natural Gas

The Project requires electrical power and natural gas provided by PG&E through an existing underground distribution line. No upgrades to the power line would be required to satisfy the needs of the Project.

Solid Waste & Recycling

The project will contract with Napa Recycling and Waste Service to collect waste as needed, weekly collection of refuse is anticipated. Waste will be separated into recyclable and non-recyclable dumpsters and stored until collected by Napa Recycling and Waste Service. A 12' by 16' trash enclosure will be constructed on the west side of the existing farmhouse in an area that is currently occupied by landscaping. In addition to the enclosure approximately 120 SF of concrete paving will be required to provide the garbage truck access to the enclosure. The landscaping will be removed to accommodate the trash enclosure and driveway.

Table 9 Project Summary

| General Site Information | |
|---|--|
| Applicant | Vinum Cellars |
| Property Owner | Gary VanDam |
| Site Address | 499 Devlin Road, Napa, CA 94558 |
| APN | 057-200-058 |
| Property Area | 1.17 Acres |
| Building Square Footage | Existing: Approximately 3,090 SF Proposed: Approximately 680 SF |
| Parking Spaces | Existing: 16 (1 Handicapped) Proposed: 2 |
| Elevation | 45' to 50' AMSL |
| General Plan Designation | IP - Industrial Park |
| Zoning | IP - Industrial Park |
| Specific Plan | Napa Valley Business Park (Business/Industrial Park) |
| Napa County Airport Land Use Compatibility Plan | Zone D |
| Current Land Use | Office Building, Use Permits #U89-55 |
| Water Service | City of American Canyon |
| Sewer | Napa Sanitation District |
| Project Details | |
| Proposed Use | Tasting Room, Café, On-site Wine Production |
| Desired Entitlements | Amend Specific Plan to Gateway Business/Commercial and Use Permit |
| Hours of Operation Weekdays (Tasting Room) | M, Th, F, 11am - 6pm |
| Hours of Operation Weekends (Tasting Room) | Sat, Sun, 10am - 6pm |
| Hours of Operation Weekdays (Cafe) | M-F, 8am - 6pm |
| Hours of Operation Weekends (Cafe) | Sat, Sun, 10am - 6pm |
| Hours of Operation (Office) | M-F 10am - 6pm |
| Employees (Total & # On Shift at One Time) | Office: 3 Café: 3 Tasting Room: 1 |
| Building Renovation Duration | 4-6 Months |
| Anticipated Daily Trips During Construction | Avg. 12 per week, Peak 20 per week |
| Landscaping | Convert 15,000 SF of Lawn to Vineyard |
| New Building Construction | Approx. 680 SF Detached Carriage House |
| New Paved Areas | Approx 1,000 SF |

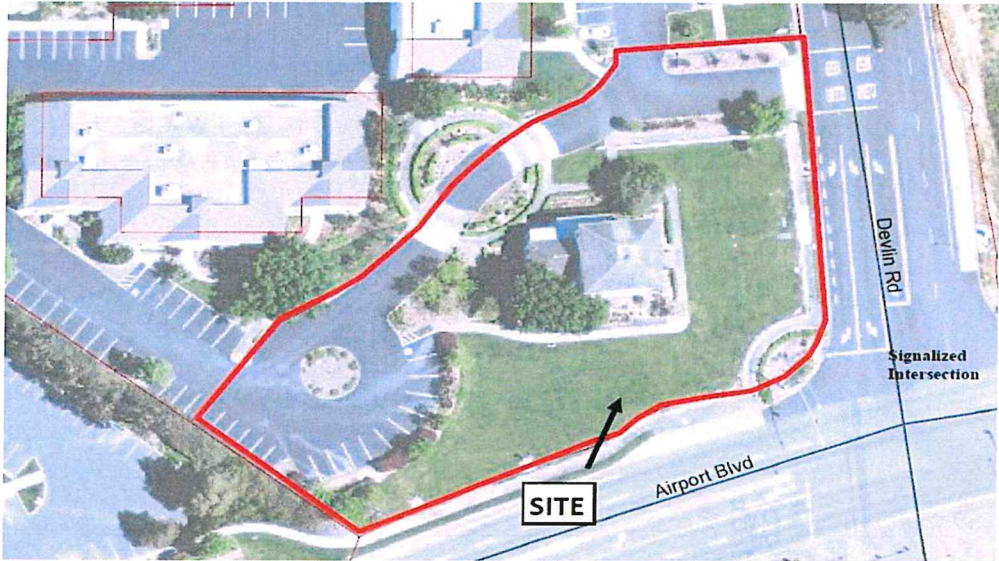
| CODES |
|--|
| ALL WORK SHALL CONFORM TO THE 2016 CALIFORNIA BUILDING CODE, 2016 CALIFORNIA ELECTRICAL CODE, 2016 CALIFORNIA PLUMBING CODE, 2016 CALIFORNIA MECHANICAL CODE, & ALL NAPA COUNTY CODE AMENDMENTS |

| ZONING |
|--|
| ZONING: IP:AC ASSESSORS PARCEL: 057-200-028-000 PARCEL SIZE: (51,000 SQ FT) 1.17 ACRES MAXIMUM LOT COVERAGE: 35% EXISTING: (2,520 SQ FT): 5% NEW BUILDING: (680 SQ FT) 1% NEW DECKS & RAMP: (1,500) 3% TOTAL COVERAGE: (4,520 FT) 9% REQUIRED FRONT SETBACK: 25' MIN/40' AVERAGE SIDE/REAR SETBACKS: 10' PROPOSED SIDE SETBACK: 39'+/- BUILDING SIZE: 3,100 SQ. FT. YEAR BUILT: 1880 |

| OCCUPANCY CALCULATIONS |
|--|
| OCCUPANCIES: A ASSEMBLY; B OFFICE; F WINE PRODUCTION OCCUPANCY LOAD, "MANSION" 1ST FLOOR, A (CAFE/WINE BAR): 770 SQ FT = 52 OCCUPANTS KITCHEN: 260 SQ FT = 2 OCCUPANTS 2ND FLOOR, B (OFFICES): 890 SQ FT = 9 OCCUPANTS OCCUPANCY LOAD, "CARRIAGE HOUSE" 1ST FL. F (PRODUCTION/STORAGE): 270 SQ FT = 3 OCCUPANTS 2ND FL. A (ASSEMBLY): 575 SQ FT = 39 OCCUPANTS RESTROOM FIXTURE REQUIREMENTS: MANSION DOWNSTAIRS: 1 WATER CLOSET, 1 LAVATORY, MANSION UPSTAIRS: 1 WATER CLOSET, 1 LAVATORY CARRIAGE HOUSE: 1 WATER CLOSET, 1 LAVATORY |

| SCOPE OF WORK |
|--|
| CONVERT EXISTING 2-STORY OFFICE BUILDING TO MIXED USE INCLUDING OFFICES, AND WINE TASTING AREA. ADD NEW DECKS, AND NEW TWO STORY, 22'0" x 31'0" BUILDING FOR USE AS WINE PRODUCTION, STORAGE, AND CAFE SEATING. ADD NEW ELEVATOR, BATHROOMS, AND RAMPS FOR ADA COMPLIANT ACCESSIBILITY. |

| INDEX |
|--|
| 0.1 SITE PHOTOS & NOTES 5.1 EXG SITE PLAN 5.2 NEW SITE PLAN 5.3 NEW LANDSCAPE PLANS 1.1 EXISTING FLOOR PLANS 2.1 NEW LOWER FLOOR PLANS 2.2 NEW UPPER FLOOR PLANS 3.1 NEW LOWER FL ELECTRICAL PLANS 3.2 NEW UPPER FL ELECTRICAL PLANS 4.1 EAST (FRONT) ELEVATIONS 4.2 NORTH (SIDE) ELEVATIONS 4.3 WEST (REAR) ELEVATIONS 4.4 SOUTH (SIDE) ELEVATIONS 4.5 NORTH & SOUTH CARRIAGE HOUSE 4.6 TRASH ENCLOSURE 5.1 CAFE & WINE BAR INTERIORS 5.2 CARRIAGE HOUSE SECTIONS/INTERIORS 5.3 CARRIAGE HOUSE SECTIONS/INTERIORS 5.4 DOWNSTAIRS BATHROOM INTERIORS 5.5 UPSTAIRS BATHROOM INTERIORS 6.1 RAMP, DECK & GUARDRAIL DETAILS 6.2 STAIR DETAILS 6.3 CARRIAGE HOUSE DETAILS 7.1 SPECIFICATIONS |
| M1 GREEN BUILDING CHECKLIST M2 GREEN BUILDING CHECKLIST M3 MANDATORY ENERGY (NOT IN SET) M4 ENERGY CALCULATIONS (*) M5 ENERGY CALCULATIONS (*) M6 ENERGY CALCULATIONS (*) M7 ENERGY CALCULATIONS (*) S1.0 STRUCTURAL NOTES S1.1 TYPICAL DETAILS S1.2 TYPICAL DETAILS S1.3 TYPICAL DETAILS S2.0 FOUNDATION S2.1 GROUND FLOOR FRAMING PLAN S2.2 UPPER FLOOR FRAMING PLAN S2.3 ROOF FRAMING PLAN S3.0 SECTIONS & DETAILS S3.1 SECTIONS & DETAILS |



SITE



499 DEVLIN ROAD

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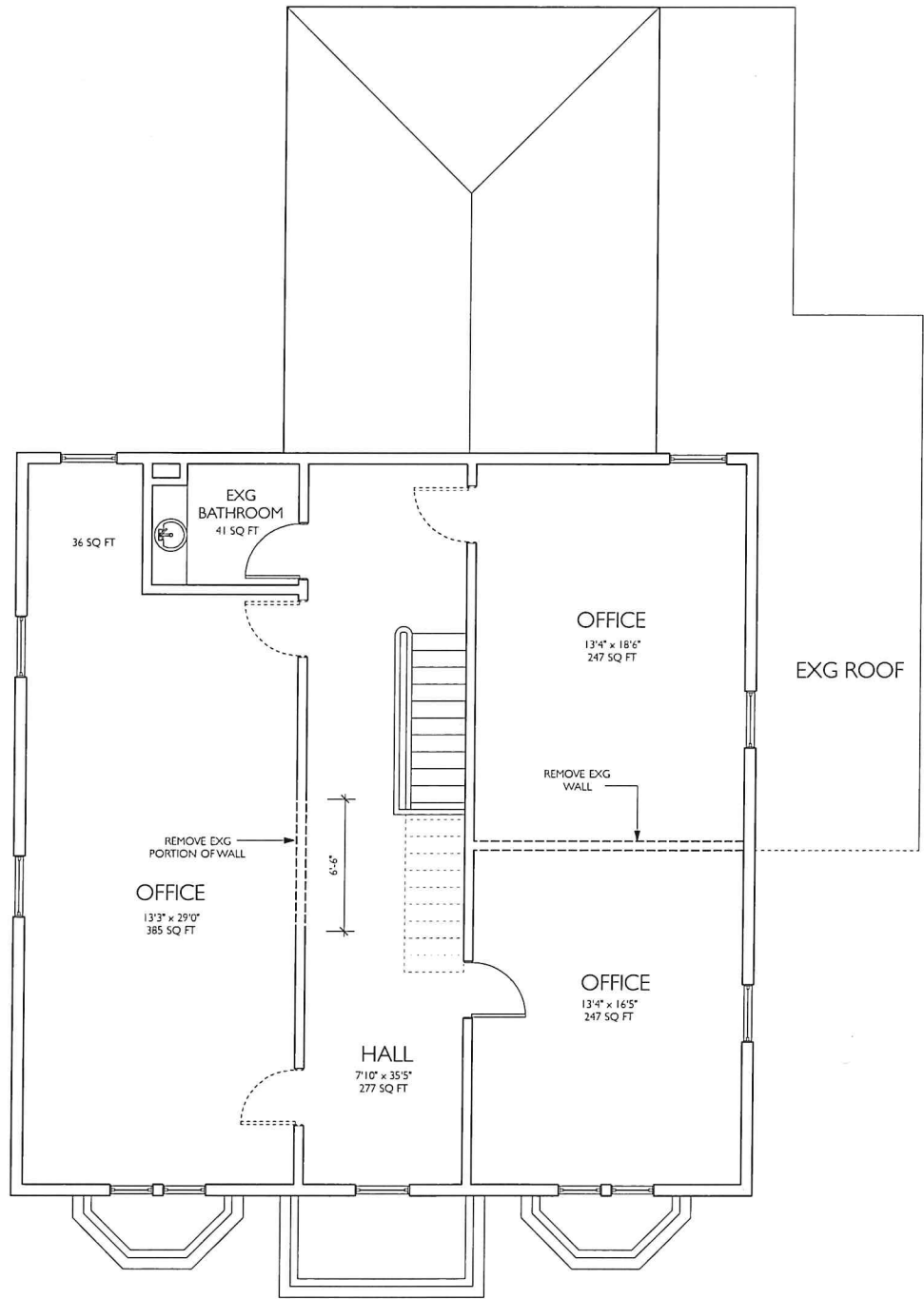
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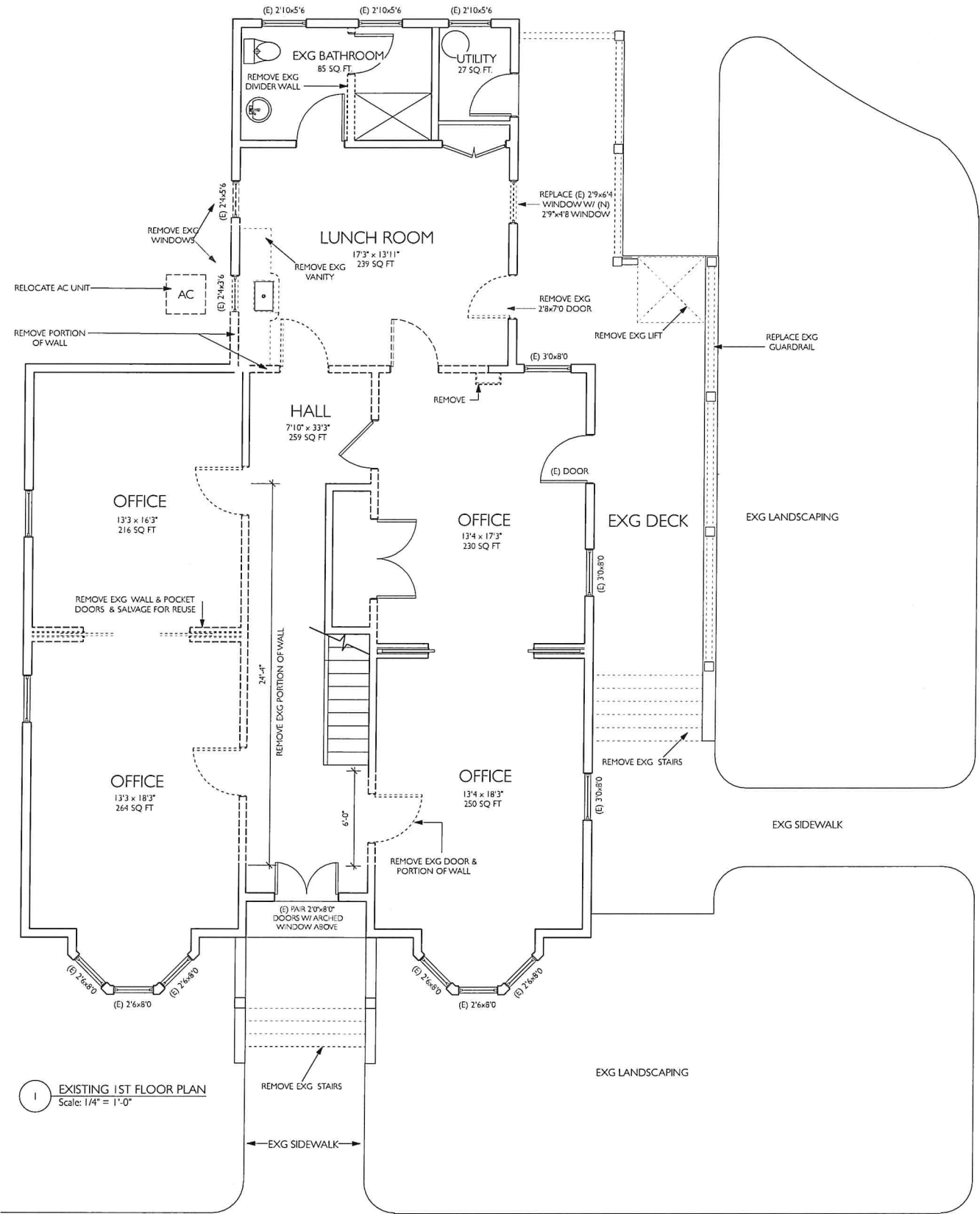
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Site Photo & Index

0.1
12.18.17



2 EXISTING UPPER FLOOR PLAN
Scale: 1/4" = 1'-0"



1 EXISTING 1ST FLOOR PLAN
Scale: 1/4" = 1'-0"

DRAWN: AIMC

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EXISTING FLOOR PLANS

Scale: 1/4" = 1'-0"



