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Previous Project Conditions

William Cole Winery Use Permit Major Modification P19-00101-MOD
and Variance P19-00441-VAR
Planning Commission Hearing Date (May 1, 2024)



NAPA COUNTY

CONSERVATION • DEVELOPMENT and PLANNING DEPARTMENT

P-UP-DL
99286-UP
022-230-015

Jeffrey Redding
Director

1195 Third Street, Room 210 • Napa, California 94559-3092
Telephone 707/253-4416 FAX 707/253-4336

August 22, 2000

William Ballentine Jr.
2849 Quail Court
St. Helena, California 94574

Re: Use Permit Request #99286-UP and Variance Request #99287-VAR.
Assessor's Parcel No. 22-230-005.

015

Dear Mr. Ballentine:

Please be advised that on August 22, 2000, the Napa County Board of Supervisors denied your appeal of the June 7, 2000 decision by the Conservation, Development and Planning Commission denying your request to establish a 20,000 gallon/year winery with custom crush and limited tours and tasting on a 5.12 acre parcel located on the west side of State Highway 29, south of Lodi Lane, within an AW (Agricultural Watershed) zoning district. The denial was based upon the findings contained in the June 7, 2000 Commission staff report, incorporated by reference.

The June 7, 2000 decision of the Commission is now final.

Sincerely,


Jeffrey Redding
Director

CC: John Tuteur, County Assessor
Michael Miller, Deputy Planning Director
Gary Brewen, Building Codes Administrator



NAPA COUNTY

CONSERVATION • DEVELOPMENT and PLANNING DEPARTMENT

P-VAR-DL
99287-VAR
022-230-015

Jeffrey Redding
Director

1195 Third Street, Room 210 • Napa, California 94559-3092
Telephone 707/253-4416 FAX 707/253-4336

June 7, 2000

William Ballentine, Jr.
2849 Quail Ct.
St. Helena, California 94574

Re: Use Permit Request #99286-UP and Variance Request #99287-VAR.
Assessor's Parcel No. 22-230-005.

015

Dear Mr. Ballentine:

Please be advised that on June 7, 2000, the Napa County Conservation, Development and Planning Commission **denied** your request for approval to establish a 20,000 gallon/year winery with custom crush and limited tours and tasting on a parcel that does not meet the meet parcel size requirements established by Chapter 18.104.240[B] of the Napa County Code or the minimum winery setback requirements established by Chapter 18.104.230[A][2] of the Napa County Code. The project site is 5.12 acres located on the west side of State Highway 29, south of Lodi Lane, within an AW (Agricultural Watershed) zoning district. This denial was based upon findings contained in the June 7, 2000 staff report, incorporated by reference.

The decision of the Commission is final unless an appeal is filed with the Napa County Board of Supervisors pursuant to Chapter 2.88 of the Napa County Code within ten (10) working days form the date of this decision.

Should you have any questions on this matter, please call Michael Miller, Deputy Planning Director, at 253-4417 during normal business hours.

Sincerely,

Handwritten signature of Jeffrey Redding in black ink.
Jeffrey Redding
Director

CC: John Tuteur, County Assessor
Michael Miller, Deputy Planning Director
Gary Brewen, Building Codes Administrator

6-12-00



NAPA COUNTY

CONSERVATION, DEVELOPMENT and PLANNING DEPARTMENT

P-UP-APVL
02307-UP
022-230-015

Charles Wilson
Director

1195 Third Street, Room 210 • Napa, CA 94559-3092
Telephone 707/253-4416 FAX 707/253-4336

October 17, 2002

Mr. William Ballentine & Lorin Sorensen
2849 St. Helena Highway
St. Helena, CA 94574

RE: Request for Use Permit # 02307-UP, Establishment of new Winery at above address
APN: 22-230-005⁰¹⁵

Dear Sirs:

Please be advised that **Use Permit #02307-UP** was **APPROVED** by the Napa County, Development & Planning Commission on October 16, 2002 based on the attached conditions.

The Use Permit becomes effective ten (10) working days from the approval date unless appealed to the Napa County Board of Supervisors pursuant to Chapter 2.88 of the Napa County Code, including payment of applicable fees. You may appeal the conditions of approval. If an appeal is filed by another, you will be notified.

This Use Permit must be "used" pursuant to the requirements of Napa County Code Section 18.124.080 by October 16, 2004 or it will expire without further notification. No extensions may be applied for or granted.

You are hereby further notified, pursuant to Government Code Sec.66020(d)(1), that the 90-day period in which you would have to protest imposition of any fees, dedications, reservations, or other exactions that may have been attached as conditions of approval, has begun.

Very truly yours,

A handwritten signature in blue ink, appearing to read "St. E.", with a long horizontal flourish extending to the right.

Steven E. Lederer, P.E.
Deputy Planning Director

cc. John Tuteur, Assessor

CONDITIONS OF APPROVAL
William Cole Winery
02307-UP

1. **SCOPE:** The permit shall be limited to:

- Wine production of no more than 20,000 gallons per year
- Construction of a 5,400 square foot winery in the bottom floor of the existing main residence and a 4,000 square foot cave
- Custom production activities (crushing, fermenting, barrel aging, and bottling) for a maximum of 4 custom producers utilizing a maximum of 10,000 gallons of the winery's proposed 20,000 gallon per year capacity. Custom production will not include case goods storage, retail wine sales, offices, or distribution/shipping.
- Retail sales and tours and tasting by appointment only.
- Establishment of a marketing plan as discussed below
- Six parking spaces
- Construction of a new septic system
- Compliance with the one mitigation measure included in the Project Revision Statement

The winery shall be designed in substantial conformance with the submitted site plan, elevation drawings, and other submittal materials. Any expansion or changes in use shall be by the approved Use Permit modification process.

2. **MARKETING:** Marketing events shall be limited as follows:

- a. Private wine and food event:
Frequency: 4 times per year
Number of persons: 15 maximum
Time of Day: 11:00 AM to 10:00 PM
- b. Private wine and food event:
Frequency: 3 times per year
Number of persons: 25 maximum
Time of Day: 11:00 AM to 10:00 PM
- c. Private Harvest Event:
Frequency: 1 time per year
Number of persons: 50 maximum
Time of Day: 11:00 AM to 10:00 PM

Marketing events are limited to members of the wine trade, persons who have a pre-established business or personal relationships with the winery or its owners, or members of a particular group for which the activity is being conducted on a pre-arranged basis. All activity, including cleanup, shall cease by 10:00 PM. Start and finish time of activities shall be scheduled to minimize vehicles arriving or leaving between 4:00 PM and 5:30 PM.

3. **TOURS AND TASTING:**

Tours and tasting and retail sales shall be by appointment only and are limited to members of the wine trade, persons who have a pre-established business or personal relationships with the winery or its owners, or members of a particular group for which the activity is being conducted on a pre-arranged basis. Tours and tasting are limited to a maximum of 5 persons/day and 10/week and shall complete by 4:00 PM. Retail sale of wines shall complete by 4:30 PM and shall be limited to only those fermented and bottled on-site by the winery operator. A log book (or similar record) shall be maintained which documents the number of visitors to the winery, and the dates of their visit. This record of visitors shall be made available to the Department upon request.

4. **GRAPE SOURCE:**

CONDITIONS OF APPROVAL

William Cole Winery

02307-UP

At least 75% of the grapes used to make the winery's still wine shall be grown within the County of Napa. The applicant shall report to the Department on an annual basis by December 31 the source of grapes verifying that 75% of the approved production is from Napa County grapes. The report shall include the Assessor's Parcel Number and the grape tonnage. The report shall be proprietary and not available to the public. For the public record, the applicant shall annually submit to the Department for the file a statement regarding compliance with the sourcing requirement and indicating the percentage of Napa County grapes utilized.

5. SIGNS:

Prior to installation of any winery identification or directional signs, detailed plans, including elevations, materials, color, and lighting, shall be submitted to the Planning Department for administrative review and approval. Signs shall meet the design standards as set forth on Section 18.116 of the County Code. At least one sign must legibly say "Tours and Tasting by Appointment Only".

6. GATES/ENTRY STRUCTURES:

Any gate installed at the winery entrance shall be reviewed by both Planning and Public Works to assure that it is designed to allow a large vehicle such as a motorhome to turn around if the gate is closed without backing into the roadway. If the gate is part of an entry structure an additional permit shall be required.

7. LIGHTING:

All exterior lighting shall be shielded and directed downward, shall be located as low to the ground as possible, and shall be the minimum necessary for security, safety, or operations and shall incorporate the use of motion detection sensors to the greatest extent practical. No flood-lighting or sodium lighting of the building is permitted. Prior to issuance of any building permit for construction of the winery, a detailed lighting plan showing the location and specifications for all lighting fixtures to be installed on the property shall be submitted for Department review and approval.

8. LANDSCAPING/PARKING:

A detailed landscaping plan, including parking details, shall be submitted for review and approval prior to issuance of building permits. The plan shall indicate the names and locations of all plant materials to be used along with the method of maintenance. **Plant materials shall be purchased locally when practical. The Agricultural Commissioner's office shall be notified of all impending deliveries of live plants with points of origin outside of Napa County.**

The location of employee and visitor parking and truck loading zone areas shall be identified along with proposed circulation and traffic control signage (if any). Landscaping and parking shall be completed prior to occupancy, and shall be permanently maintained in accordance with the landscaping plan.

Evergreen screening shall be installed between the industrial portions of the operation (e.g. tanks, crushing area, parking area, etc.) and off-site residences that can view the structures. Parking shall be limited to approved parking spaces only and shall not occur along access roads. In no case shall parking impede emergency vehicle access or public roads.

9. OUTDOOR STORAGE/SCREENING:

All outdoor storage of winery equipment shall be screened from the view of adjacent properties by a visual barrier consisting of fencing or dense landscaping. No item in storage is to exceed the height of the screening. Water and fuel tanks, and similar structures, shall be screened to the extent practical so as to not be visible from public roads and adjacent parcels.

CONDITIONS OF APPROVAL
William Cole Winery
02307-UP

10. RENTAL/LEASING:

No winery facilities, nor portions thereof, including but not limited to offices, kitchens, barrel storage areas, and warehousing space, shall be rented, leased, nor used by entities other than the on-site winery itself, except as may be specifically authorized in this use permit or pursuant to the Temporary Events Ordinance (Section 5.36.010)

11. COMPLIANCE WITH OTHER DEPARTMENTS AND AGENCIES:

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

Department of Environmental Management as stated in their letter of Aug 29, 2002

Department of Public Works as stated in their letter of Sep 23, 2002

County Fire Department as stated in their letter of Jul 23, 2002

Building Division as stated in their letter of Jul 17, 2002

Caltrans as stated in their letter of Aug 6, 2002

12. MONITORING COSTS:

All staff costs associated with monitoring compliance with these conditions, the previous permit conditions and project revisions shall be borne by the applicant and/or property owner, other than those costs related to investigation of complaints of non-compliance which are determined to be unfounded. Costs shall be as established by Resolution #95-77 or as such Resolution may be amended from time to time.

13. SPOILS:

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

14. WELLS:

The applicant may be required (at the applicant's expense) to provide well monitoring data if it is judged that water usage at the winery is potentially affecting groundwater supplies or nearby wells. Data requested could include, among other items, water extraction volumes and static well levels. Water usage shall be minimized by use of best available control technology and best water management conservation practices.

15. NOISE:

Construction noise shall be minimized to the extent practical. Construction equipment muffling and hours of operation shall be in compliance with County Code Section 8.16. Construction equipment shall normally be staged, loaded, and unloaded on the project site. If project or access road terrain 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 shall only occur between the hours of 8 AM to 5 PM. Exterior winery equipment shall be enclosed or muffled and maintained so as not to create a noise disturbance in accordance with the Code. There shall be no amplified sound system or amplified music utilized outside of approved, enclosed winery buildings.

16. COLORS:

The colors used for the roof and exterior walls of the winery shall be limited to earth tones that will blend the facility into the colors of the surrounding vegetation and shall be reviewed and approved by the Department prior to the issuance of any building permits. Highly reflective surfaces shall be prohibited.

17. DUST CONTROL:

CONDITIONS OF APPROVAL

William Cole Winery

02307-UP

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.

18. ARCHEOLOGICAL:

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

PROJECT REVISION STATEMENT

William Cole Winery
02307-UP

I hereby revise my request to (description of changes required, mitigation measures, and any or all other requirements, amendments, etc., etc.), to include the measures specified below:

1. All site work, including rehabilitation, restoration, and re-use of the exterior of the historic structure shall comply with *The Secretary of Interiors Standards for the Treatment of Historic Properties and Guidelines for Preserving, Restoring, and Reconstructing Historic Buildings*. An independent, certified Historic Architect shall review and certify the plans prior to issue of building permits.

Method of Mitigation Monitoring: The project planner shall review the building and improvement plans to ensure they are consistent with the project as certified by the Architect described above. In the event that the plans are not consistent with the historic resource analysis prepared by the architect the project will be referred back to the applicant for redesign until compliance with *The Secretary of Interiors Standards for the Treatment of Historic Properties and Guidelines for Preserving, Restoring, and Reconstructing Historic Buildings* is achieved.

I understand and explicitly agree that with regards to all California Environmental Quality Act, Permit Streamlining Act, and Subdivision Map Act processing deadlines, this revised application will be treated as a new project, filed on the date this project revision statement is received by the Napa County Conservation, Development and Planning Department. For purposes of Section 66474.2 of the Subdivision Map Act, the date of application completeness shall remain the date this project was originally found complete.

W. H. V. Bell

9/25/02

Signature of Owner(s)

Print Name

Date

Project Name:

William Cole Winery

#02307-UP