



Staff Report to the Zoning Administrator

Application Number: **101118**

Applicant: Northstar Properties LLC
Owner: Northstar Properties LLC
APN: 096-451-02

Agenda Date: August 5, 2011
Agenda Item #: 3
Time: After 10:00 a.m.

Project Description: Proposal to change the use of a second floor from Residential (single family dwelling) to Commercial (winery), to increase annual wine production from a maximum of 20,000 gallons to 50,000 gallons, and to allow private wine events with a maximum of 150 guests to take place at the winery. Requires an Amendment to Commercial Development Permits 05-0796 and 10-0059.

Location: Property located on the south side of Summit Road approximately 2600 feet north of Soquel San Jose Road (24040 Summit Road).

Supervisory District: 1st District (District Supervisor: Leopold)

Permits Required: Amendment to Commercial Development Permits 05-0796 & 10-0059

Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 101118, based on the attached findings and conditions.

Exhibits

- | | | |
|----|--|--|
| A. | Project plans | 10/15/10, prepared by Edward Pack and Associates, Inc. |
| B. | Findings | |
| C. | Conditions | I. Noise Study Addendum, dated 3/21/11, prepared by Edward Pack and Associates, Inc. |
| D. | Categorical Exemption (CEQA determination) | J. Valet Parking Plan, prepared by Precision Parking and Program Statement Addendum |
| E. | Assessor's, Location, Zoning and General Plan Maps | |
| F. | Comments & Correspondence | |
| G. | Conditions of Approval of Permit 10-0059 | |
| H. | Noise Study 10-0059, dated | |

Parcel Information

Parcel Size:	10.3 acres (448,623 sq.ft.)
Existing Land Use - Parcel:	Commercial Winery with single family dwelling and Vineyard
Existing Land Use - Surrounding:	Agriculture, Commercial and Residential
Project Access:	Via Summit Road
Planning Area:	Summit
Land Use Designation:	R-M (Mountain Residential)
Zone District:	A (Agriculture)
Coastal Zone:	<input type="checkbox"/> Inside <input checked="" type="checkbox"/> Outside
Appealable to Calif. Coastal Comm.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Environmental Information

See Exhibit G (10-0059)

Services Information

Urban/Rural Services Line:	<input type="checkbox"/> Inside <input checked="" type="checkbox"/> Outside
Water Supply:	Private well
Sewage Disposal:	Septic
Fire District:	Cal Fire
Drainage District:	None

History

In 2000, the County conducted a 'Special Environmental Analysis' on the subject property, at the property owners request, in order to determine buildability and to designate a feasible building envelope (00-0614).

In 2005, the property owner obtained approval from the County Zoning Administrator to construct a mixed use winery and residence on the subject property (05-0796). Two Amendments to Commercial Development Permit 05-0796 were granted prior to the property owner obtaining a final on their building permit: 07-0045 to construct a two car garage with storage, to redesign the exterior staircase, and to include an elevator; and 07-0645 to construct retaining walls, an entry gate and perimeter fencing. All building permits for the existing structures and associated site improvements were finalized by 2009.

In 2010, the property owner obtained approval (10-0059) to amend Commercial Development Permit 05-0796 to allow for public wine tasting to occur on Saturdays and Sundays, to recognize additional parking spaces, to increase the maximum number of attendees at private appointment-only tastings from 12 guests to 64 guests or 32 vehicles, and to allow one non-illuminated, 12 square foot entry sign.

Project Setting

The subject parcel, which is over 10 acres in size, is located on the south side of Summit Road. The Burrell School Winery and associated vineyard is located on the adjacent parcel to the east and a single family dwelling is located on the adjacent parcel to the west. The single family dwelling is located about 150 feet from the western property line of the subject parcel and about 450 feet from the wine tasting patio. There is a single family dwelling also located on the adjacent parcel to the north, across Summit Road within Santa Clara County, however, the portion of the parcel that is directly across from the subject parcel is not developed and the residence itself is about 450 feet southeast of the subject parcel's southern property line.

The subject parcel is zoned A (Agriculture) and is surrounded by the RA (Residential Agriculture) zone district to the west and SU (Special Use) zone district to the south.

Approximately 4.5 acres at the rear of the parcel are planted with vineyards. The front 2.5 acres are developed with a winery/residence, a detached garage with storage, and other site improvements.

Permit 05-0796 permitted 12 parking spaces on the property with a designated loading/pick-up/bottling truck space at the front of the structure. The existing structure is approximately 5,000 square feet with a winery on the first floor and a one bedroom dwelling unit on the second floor. The winery includes an outdoor tasting patio, an interior tasting bar, a wine production room for winemaking and storage, restrooms, and barrel storage.

Permit 10-0059 was approved by the Zoning Administrator on August 6, 2010 to permit public wine tasting to occur on Saturdays and Sundays, to recognize additional parking spaces, to allow an increase in the maximum number of attendees at private appointment-only tastings from 12 guests to 64 guests or 32 vehicles, and to allow one non-illuminated 12 square foot entry sign.

Project Analysis

Zoning & General Plan Consistency

The existing winery is consistent with the A (Agriculture) zone district and with the site's R-M (Mountain Residential) General Plan designation. No additional square footage is proposed as a part of the project.

Large Events

The following activities are currently permitted based on the approved 32 space parking plan in Permit 10-0059:

- Unlimited private wine tastings between the hours of 11:00 a.m. and 8:30 p.m. with a maximum of 64 guests or 32 vehicles, whichever is achieved first;
- Public wine tastings on Saturdays and Sundays between the hours of 11:00 a.m. and 8:30 p.m. with a maximum of 64 guests or 32 vehicles, whichever is achieved first.

In addition to the above events, the property owner is proposing to hold large private events at the winery for a maximum of 120 guests and to hold 4 private events per year with a maximum of 150 guests. Large events are typical uses that are ancillary to a commercial winery and, in this case, the primary concerns with the proposal are centered on noise impacts at the adjacent residence and parking capacity. A condition of approval of permit 10-0059 required the property owner to submit a noise study with measurements taken during a private or public tasting to confirm that noise levels were below the threshold set by the Noise Element in the County General Plan (Exhibit H). Measurements were conducted on November 13, 2010 during a concurrent public and private wine tasting event. Measurements were taken at the northeast property line adjacent to the neighboring single family dwelling and the study indicates that noise levels measured were primarily due to traffic along Summit Road. The study further estimates that noise levels generated by the winery were between 30 and 40 dBA, which is well below the County's maximum of 60dB DNL permitted for nearby residential uses. A noise study prepared by Edward Pack and Associates, Inc. submitted for the current proposal indicates that, based on the 2010 noise measurements, an increase in the number of guests from 64 to a maximum of 150 would increase sound levels by approximately 4 dB; therefore, the resulting noise generated by large events would not exceed General Plan limitations.

A valet plan, prepared by Precision Parking, indicates that with valet service, 66 vehicles can be safely accommodated on site while also providing a safe on-site passenger loading/vehicle drop-off area. Given the history of complaints generated by the subject use related to traffic, and the maximum parking capacity with valet service, staff recommends approval of 5 large events per each year with a maximum of 66 vehicles on site at any one time or 132 guests, whichever occurs first. The property owner must contract with a professional valet parking service to park vehicles at each large private event. Monitoring conditions of approval are also recommended which would require the property owner to maintain a log of all private events at the site to ensure that events are not occurring concurrently. The log shall indicate if the winery is closed to the public during private wine tasting appointments on Saturdays and Sundays and the number of guests and vehicles which entered the site. The monitoring log shall be required to be maintained for one year and shall be submitted to the Planning Department one year from the effective date of this permit or at the request of Planning Staff.

Conversion of Single Family Dwelling

The existing building is a two story structure with a commercial winery on the first floor and a single family dwelling of approximately 1000 square feet on the second floor. One element of the proposal is to allow for the conversion of the existing single family dwelling to commercial space associated with the existing winery. The second story dwelling currently includes a large bedroom, a kitchen, a bathroom and a balcony. The addition of commercial area (occupancy A-2) requires the addition of plumbing fixtures per the California Building Code; therefore, the property owner is requesting to convert the existing second story kitchen to create two restrooms, which would meet the building code plumbing requirements.

Increase of Wine Production

The property owner is proposing to increase wine production at the winery from the current

maximum of 20,000 gallons to 50,000 gallons annually. The proposal to increase wine production at the site does not require additional pick-ups, drop-offs, deliveries, bottling trucks, the addition of square footage, or an increase in hours of operation. The increase in wine production will not produce or increase off-site impacts and the operational conditions of the winery approved under permit 10-0059 shall remain in effect.

Conclusion

As proposed and conditioned, the project is consistent with all applicable codes and policies of the Zoning Ordinance and General Plan/LCP. Please see Exhibit "B" ("Findings") for a complete listing of findings and evidence related to the above discussion.

Staff Recommendation

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- **APPROVAL** of Application Number **101118**, based on the attached findings and conditions.

Supplementary reports and information referred to in this report are on file and available for viewing at the Santa Cruz County Planning Department, and are hereby made a part of the administrative record for the proposed project.

The County Code and General Plan, as well as hearing agendas and additional information are available online at: www.co.santa-cruz.ca.us

Report Prepared By: Samantha Haschert
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Phone Number: (831) 454-3214
E-mail: samantha.haschert@co.santa-cruz.ca.us

REV	DATE	DESCRIPTION
1	5-15-2011	Initial Set
2	10-24-11	Revised Set
3	10-28-11	Revised Set
4	11-14-11	Revised Set
5	11-14-11	Revised Set
6	11-14-11	Revised Set
7	11-14-11	Revised Set
8	11-14-11	Revised Set
9	11-14-11	Revised Set
10	11-14-11	Revised Set
11	11-14-11	Revised Set
12	11-14-11	Revised Set
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15	11-14-11	Revised Set
16	11-14-11	Revised Set
17	11-14-11	Revised Set
18	11-14-11	Revised Set
19	11-14-11	Revised Set
20	11-14-11	Revised Set

PROJECT DESCRIPTION:

SCHAADT FAMILY WINERY

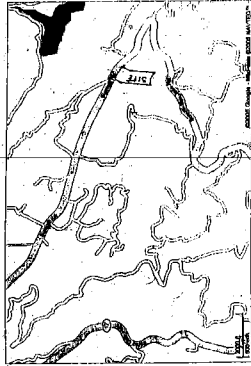
- Approved Plans for Final Bldg Permit (incl all Change Orders)
- Proposed Second Floor Occupancy Change
- Utilize Existing 2nd Flr Improvements

SHEET INDEX

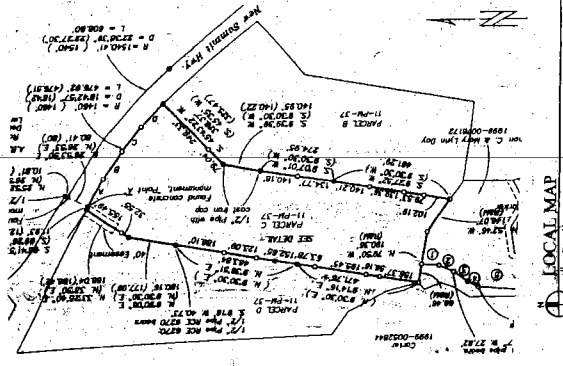
- T-1 Title Sheet
T-2 Site Plan
A-2 First Floor Plan
A-4 Second Floor Plan
S-9 Elevator Plans
AS-1 SPM & ADA Signage
AS-2 Accessible Details
B-5 Front and Right Elevations
B-6 Rear and Left Elevations

PROJECT DATA

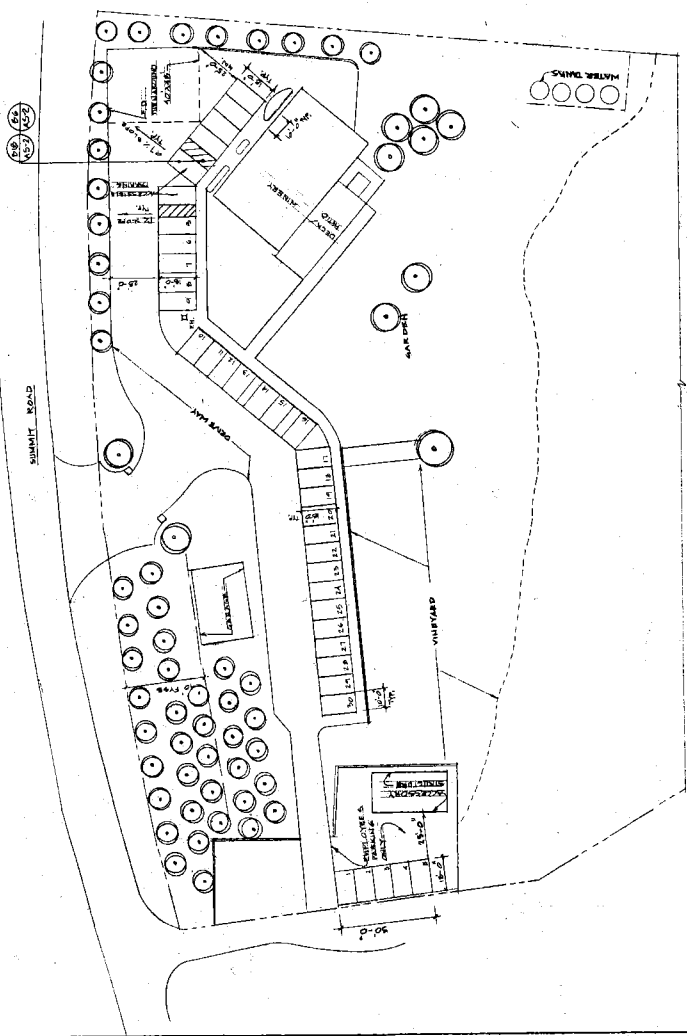
APN:	096-451-02
ZONING:	AG
OCCUPANCY:	AG
USE:	Residential
CONSTRUCTION TYPE:	V - B
OWNER:	Northern Properties, LLC
OWNER'S AGENT:	Mr. Larry Schmitt T: 408.315.8452 F: 408.395.7009
MAILING ADDRESS:	Northern Properties, LLC 10000 Wilshire Blvd. Los Gatos, CA 95031
PROJECT ADDRESS:	24040 Summit Road Los Gatos, CA 95031
LOT SIZE:	10+ acres
SQUARE FOOTAGE:	No Change



VICINITY MAP
N.T.S.



LOCAL MAP
1" = 200'



SITE PLAN
1"=50'-0"

REV	DATE
1	4-14-10
2	5-10
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T-2

Sheet

Job: 0249

Drawn: JN

Scale: AS SHD

Date: 2-5-10

REV

DATE

4-14-10

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SUMMERS & NOVICK

24040 Summit Road
Los Gatos, California
APN: 096-251-02

SITE PLAN

CHARTER

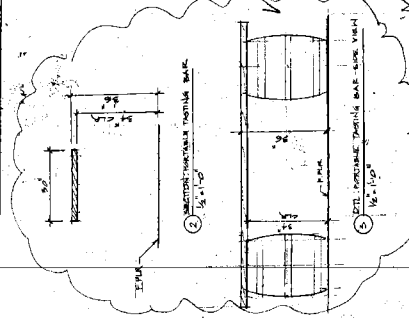
DATE: 12/15/11
DRAWN BY: JLN
CHECKED BY: JLN
DATE: 12/15/11



NO.	DATE	REVISION
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2	12/15/11	Revised
3	12/15/11	Revised
4	12/15/11	Revised
5	12/15/11	Revised
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96	12/15/11	Revised
97	12/15/11	Revised
98	12/15/11	Revised
99	12/15/11	Revised
100	12/15/11	Revised

A-2

- Sheets A-2 - 1st Flr:
- Alphabetical annotations on this sheet are a general reference to the plan. Dimensions are to rough framing only.
 - Dimensions are to rough framing only.
 - Floating rail to deck abut.
 - Column supports deck.
 - Concrete floating slab spans dimension as deck.
 - Second-floor overhang.
 - Not used.
 - Egress path.
 - Occupancy load signs at each exit.
 - Self-closing, 1-hour rated, locking door at bottom of stairwell.
 - No storage racks shall be used on this project.
 - All fire-making equipment is permitted (see sheet) and is relatively small (low order of 100,000 BTU) and is not used for cooking or heating.



Occupant Load: 42
 $(46 \times 95) - (65 \times 4) - (5 \times 8) - (4 \times 3) = 40$
 $(5 \times 10) - (12 \times 5) = 40$
 $40 + 2 \text{ rest rooms} = 42$
 TOTAL 42 occupants

EXTERIOR DOOR SCHEDULE

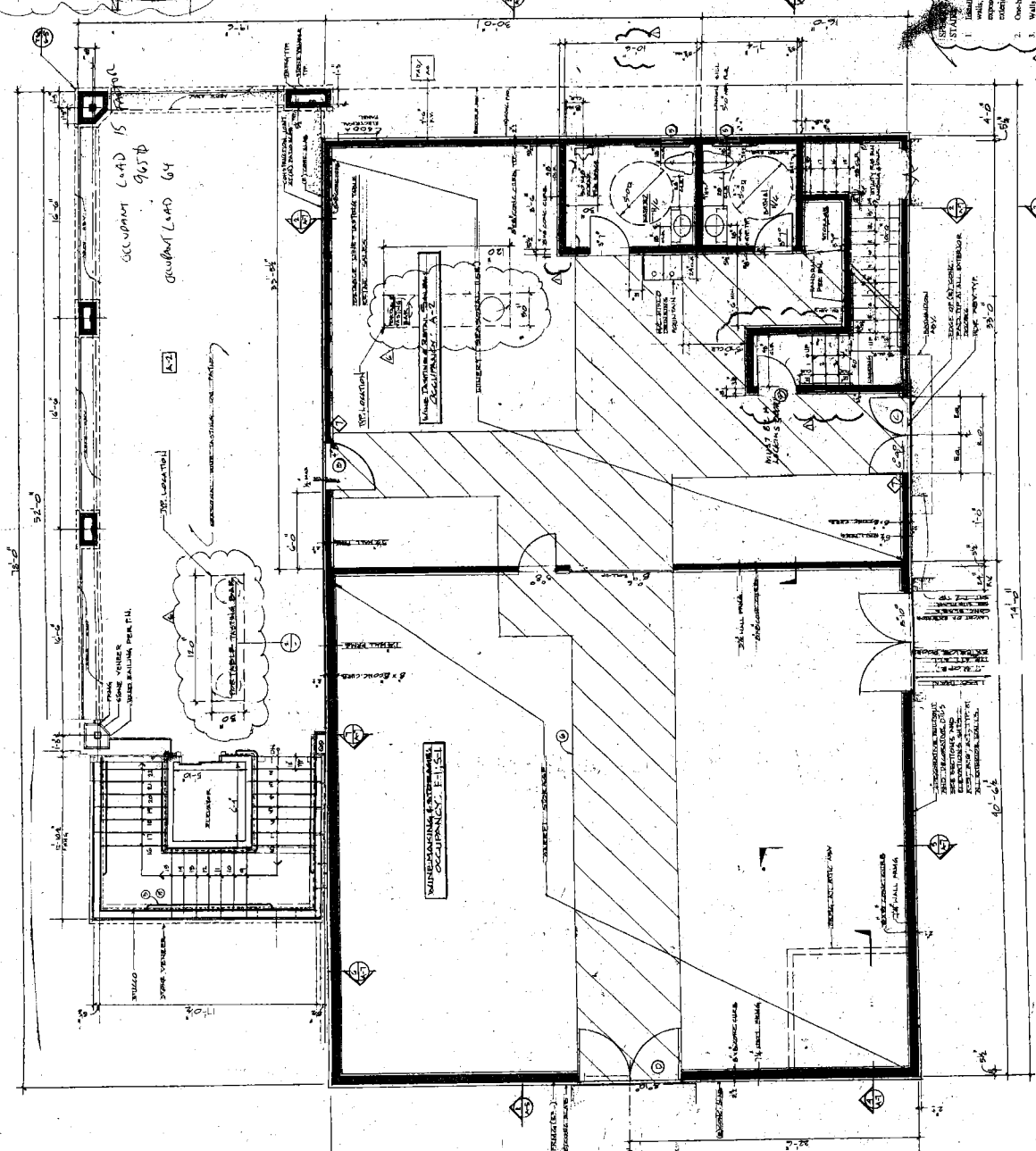
NO.	TYPE	FRAME	SWING	LOCATION	REMARKS
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85	6"	PRE-HUNG	IN	ENTRANCE	See Note 1
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91	6"	PRE-HUNG	IN	ENTRANCE	See Note 1
92	6"	PRE-HUNG	IN	ENTRANCE	See Note 1
93	6"	PRE-HUNG	IN	ENTRANCE	See Note 1
94	6"	PRE-HUNG	IN	ENTRANCE	See Note 1
95	6"	PRE-HUNG	IN	ENTRANCE	See Note 1
96	6"	PRE-HUNG	IN	ENTRANCE	See Note 1
97	6"	PRE-HUNG	IN	ENTRANCE	See Note 1
98	6"	PRE-HUNG	IN	ENTRANCE	See Note 1
99	6"	PRE-HUNG	IN	ENTRANCE	See Note 1
100	6"	PRE-HUNG	IN	ENTRANCE	See Note 1

Attention:

This project must comply with all applicable local, state and federal codes and all applicable County ordinances, and all applicable building codes.

APPROVED BY: JLN
12/15/11

- NOTES FOR ONE-HOUR ENCLOSURE:
1. All walls and partitions shall be constructed of 1/2" Type X gypsum board on both sides of interior walls and 5/8" Type X gypsum board on both sides of exterior walls. All walls and partitions shall be fire-rated and tested in accordance with ASTM E 119 and listed for one-hour fire resistance.
 2. One-hour fire-rated doors with self-closing devices.
 3. Walls shall be 2x6 balloon-framing, full height.
 4. No wall penetrations except doors.



APPROVED	SERIAL	DATE
<i>[Signature]</i>	A	10-20-97
<i>[Signature]</i>	A	10-20-97
<i>[Signature]</i>	A	3-15-2011

Approved _____

Date: _____

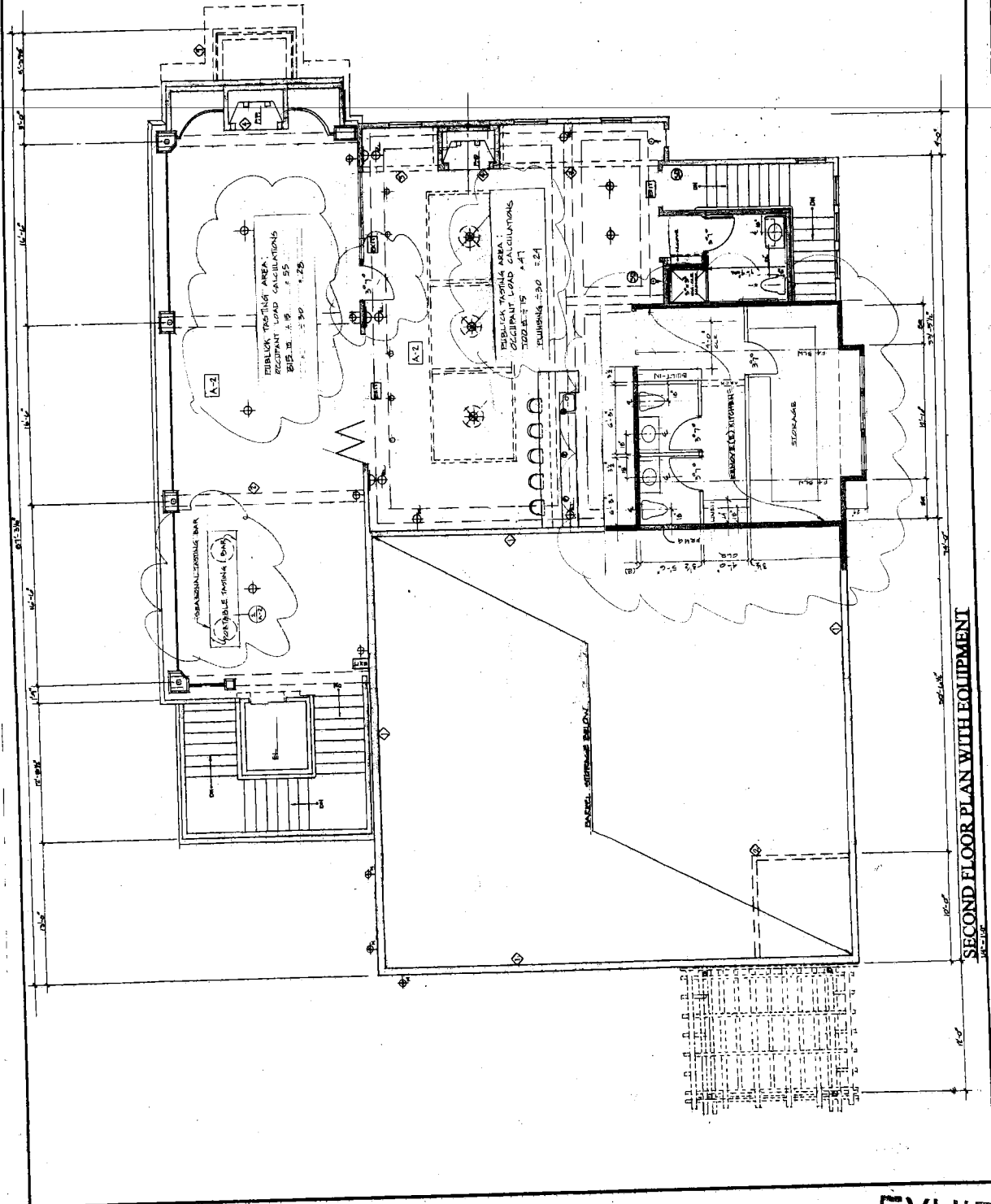
Scale: 1/4" = 1'-0"

Drawn: LBJ

Job: 9570

Sheet: A-4

APPROVED by _____
Building Plan Check

[illegible]

SECOND FLOOR PLAN WITH EQUIPMENT



All ideas and designs in the drawings are and shall remain the property of Summers & Morde. They are part of the full and complete agreement between Summers & Morde and the client. They were developed solely for the project. Summers & Morde retains all common law, statutory and other intellectual rights, including the right to sue. Clients may use the drawings only for information and reference in connection with the project. The drawings shall not be used by contractor or others in other projects, or for the purpose of changing the nature of the project or the results of this project by others without the written consent, in writing, and with appropriate compensation to Summers & Morde.

REV.	DATE
1	11-30-06
2	7-14-10
Approved:	
Date: 11-30-06	
Signed: [Signature]	
Drawn: L.S.	
Job: 5217	
Sheet: 1	

AS-1

CHANGE ORDER

NUMBER	ISSUED ECONOMIC NOTICE	DATE	STAGE
1	1	1	1
2	2	2	2
3	3	3	3
4	4	4	4
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100	100	100	100

Attention:

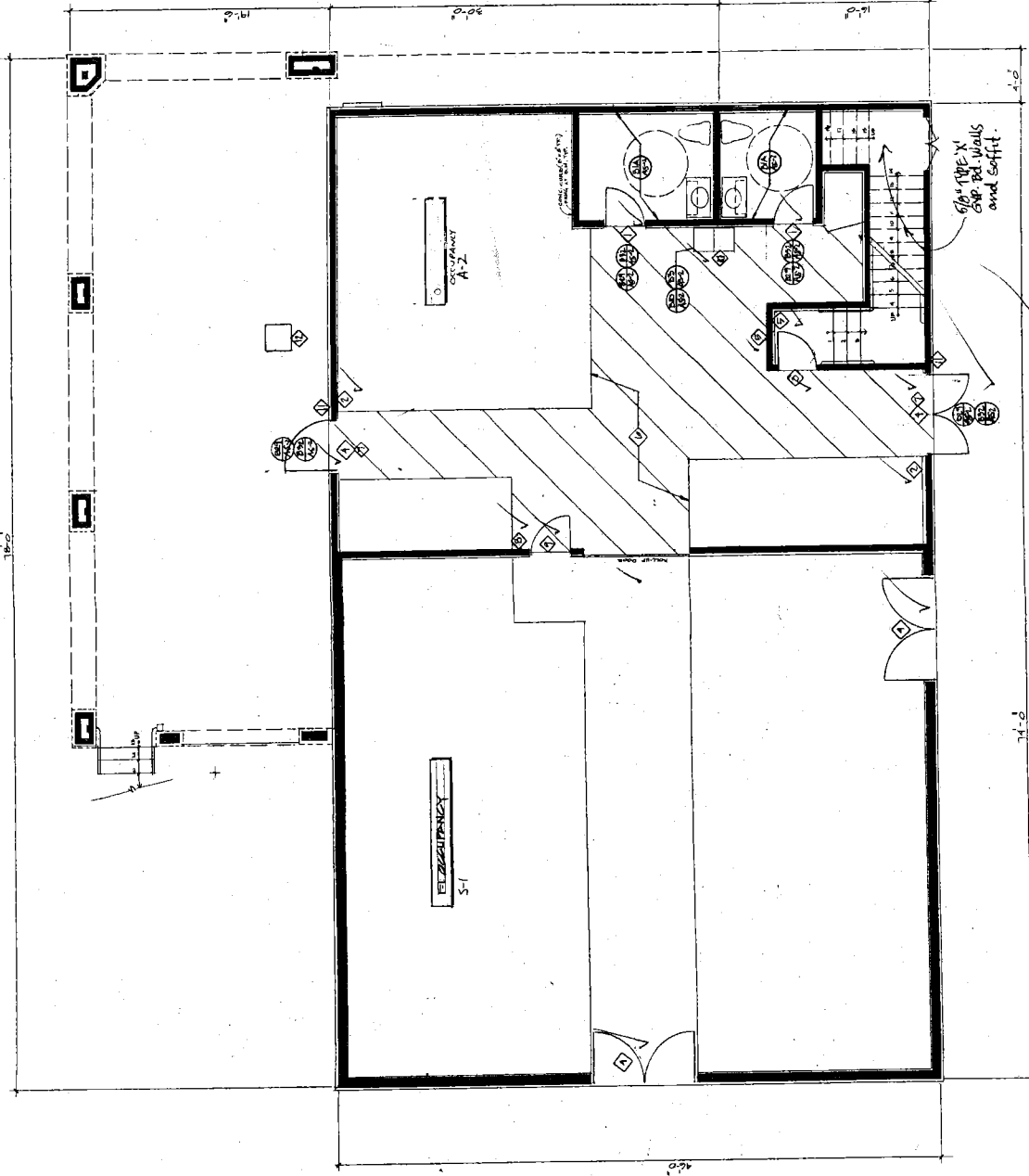
Attention: This project must comply with all discretionary permit conditions of approval and all recorded County declarations, affidavits, and restrictions.

05-0796

APPROVED BY [Signature]
Building Permit Clerk
11/3/07

**SHEETNOTES: INTERIOR SFM & ADA SIGNAGE,
FIXTURES, & HARDWARE:**

- At
- B. Alphabetic notes on this board are a general rule and
Numerical notes on this board are referenced in the
plan.
- C. For numeric keywords see Door T-4.
- D. **SYMBOLS OF DOORS:** Numbers indicate sign
position; letters indicate door location with handings.
E.g., "10L" = double doors at left end of hallway.
- E. ROOM CAPACITIES: Install a durable permanent
sign with black letters and white background, mounted
on wall or door, showing room capacity. Example:
"MAXIMUM OCCUPANT LOAD: 8".
- F. FIRE DOOR: Install a durable sign on door with
letters not less than one inch high, which reads,
"FIRE DOOR - DO NOT OBSTRUCT."
G. EXIT SIGNS: Install 58° Type A signs above exits
and lettering back-up signs where applicable. (Refer
HC-2, Detail D6).
- H. Install 58° Type A key on both sides of wall at
stairs.
- I. **ACCESSIBLE MEANS OF EGRESS:** Install
directional signs indicating the accessible
route to exterior doors.
- J. Accessible entrance: Door must be separable from
the hallway without the use of a key or any special
knowledge or effort.
- K. Sign with arrow pointing toward exit.
- L. Install durable permanent signs on door which
reads, "NOT AN EXIT."
- M. Acoustically interrupting flamm.
- N. Install durable permanent signs on door which
UNOCCUPIED WHENEVER THE BUILDING IS
OCCUPIED.
- O. Clock register (seasonal) with accessible counter.



FIRST FLOOR PLAN ✓
SFM & ADA SIGNAGE, FIXTURES & HARDWARE PLAN



REV	DATE	BY
1	4-14-10	AS
2	1-17-11	AS

APPROVED: _____
 DATE: 1-17-11
 SCALE: 1/8" = 1'-0"
 JOB: 24040
 SHEET: AS-2

CHANGE ORDER

SHEETNOTES FOR DETAILS

Typical details are noted "TYP" and as such are not to be modified without the written approval of the Designer. Any modification to the details shall be noted on the drawings and the Designer shall be notified.

APPROVED BY: _____
 DATE: 1-17-11
 NAME: _____
 TITLE: _____

63 HANDICAPPED TOILET

1. TOILET SEAT HEIGHT: 17" MIN. TO 19" MAX.
 2. TOILET BOWL HEIGHT: 16" MIN. TO 17" MAX.
 3. CLEARANCE UNDER TOILET: 6" MIN.
 4. CLEARANCE IN FRONT OF TOILET: 54" MIN. TO 60" MAX.
 5. CLEARANCE ON SIDES OF TOILET: 30" MIN. TO 36" MAX.
 6. CLEARANCE IN REAR OF TOILET: 30" MIN. TO 36" MAX.

64 HANDICAPPED SINK

1. SINK HEIGHT: 34" MIN. TO 38" MAX.
 2. CLEARANCE UNDER SINK: 6" MIN.
 3. CLEARANCE IN FRONT OF SINK: 54" MIN. TO 60" MAX.
 4. CLEARANCE ON SIDES OF SINK: 30" MIN. TO 36" MAX.

65 HANDICAPPED CLOSET & DRESSING

1. DOOR HEIGHT: 80" MIN. TO 84" MAX.
 2. CLEARANCE UNDER DOOR: 6" MIN.
 3. CLEARANCE IN FRONT OF DOOR: 54" MIN. TO 60" MAX.
 4. CLEARANCE ON SIDES OF DOOR: 30" MIN. TO 36" MAX.

66 HANDICAPPED BATHING

1. SHOWER SEAT HEIGHT: 17" MIN. TO 19" MAX.
 2. SHOWER BOWL HEIGHT: 16" MIN. TO 17" MAX.
 3. CLEARANCE UNDER SHOWER: 6" MIN.
 4. CLEARANCE IN FRONT OF SHOWER: 54" MIN. TO 60" MAX.
 5. CLEARANCE ON SIDES OF SHOWER: 30" MIN. TO 36" MAX.
 6. CLEARANCE IN REAR OF SHOWER: 30" MIN. TO 36" MAX.

67 HANDICAPPED ENTRY

1. RAMP SLOPE: 1:12 MAX.
 2. RAMP WIDTH: 36" MIN.
 3. RAMP HEIGHT: 4" MAX.
 4. DOOR HEIGHT: 80" MIN. TO 84" MAX.
 5. CLEARANCE UNDER DOOR: 6" MIN.
 6. CLEARANCE IN FRONT OF DOOR: 54" MIN. TO 60" MAX.
 7. CLEARANCE ON SIDES OF DOOR: 30" MIN. TO 36" MAX.

68 HANDICAPPED CLOSET & DRESSING

1. DOOR HEIGHT: 80" MIN. TO 84" MAX.
 2. CLEARANCE UNDER DOOR: 6" MIN.
 3. CLEARANCE IN FRONT OF DOOR: 54" MIN. TO 60" MAX.
 4. CLEARANCE ON SIDES OF DOOR: 30" MIN. TO 36" MAX.

69 HANDICAPPED ENTRY

1. RAMP SLOPE: 1:12 MAX.
 2. RAMP WIDTH: 36" MIN.
 3. RAMP HEIGHT: 4" MAX.
 4. DOOR HEIGHT: 80" MIN. TO 84" MAX.
 5. CLEARANCE UNDER DOOR: 6" MIN.
 6. CLEARANCE IN FRONT OF DOOR: 54" MIN. TO 60" MAX.
 7. CLEARANCE ON SIDES OF DOOR: 30" MIN. TO 36" MAX.

70 HANDICAPPED ENTRY

1. RAMP SLOPE: 1:12 MAX.
 2. RAMP WIDTH: 36" MIN.
 3. RAMP HEIGHT: 4" MAX.
 4. DOOR HEIGHT: 80" MIN. TO 84" MAX.
 5. CLEARANCE UNDER DOOR: 6" MIN.
 6. CLEARANCE IN FRONT OF DOOR: 54" MIN. TO 60" MAX.
 7. CLEARANCE ON SIDES OF DOOR: 30" MIN. TO 36" MAX.

71 HANDICAPPED ENTRY

1. RAMP SLOPE: 1:12 MAX.
 2. RAMP WIDTH: 36" MIN.
 3. RAMP HEIGHT: 4" MAX.
 4. DOOR HEIGHT: 80" MIN. TO 84" MAX.
 5. CLEARANCE UNDER DOOR: 6" MIN.
 6. CLEARANCE IN FRONT OF DOOR: 54" MIN. TO 60" MAX.
 7. CLEARANCE ON SIDES OF DOOR: 30" MIN. TO 36" MAX.

72 HANDICAPPED ENTRY

1. RAMP SLOPE: 1:12 MAX.
 2. RAMP WIDTH: 36" MIN.
 3. RAMP HEIGHT: 4" MAX.
 4. DOOR HEIGHT: 80" MIN. TO 84" MAX.
 5. CLEARANCE UNDER DOOR: 6" MIN.
 6. CLEARANCE IN FRONT OF DOOR: 54" MIN. TO 60" MAX.
 7. CLEARANCE ON SIDES OF DOOR: 30" MIN. TO 36" MAX.

73 HANDICAPPED ENTRY

1. RAMP SLOPE: 1:12 MAX.
 2. RAMP WIDTH: 36" MIN.
 3. RAMP HEIGHT: 4" MAX.
 4. DOOR HEIGHT: 80" MIN. TO 84" MAX.
 5. CLEARANCE UNDER DOOR: 6" MIN.
 6. CLEARANCE IN FRONT OF DOOR: 54" MIN. TO 60" MAX.
 7. CLEARANCE ON SIDES OF DOOR: 30" MIN. TO 36" MAX.

74 HANDICAPPED ENTRY

1. RAMP SLOPE: 1:12 MAX.
 2. RAMP WIDTH: 36" MIN.
 3. RAMP HEIGHT: 4" MAX.
 4. DOOR HEIGHT: 80" MIN. TO 84" MAX.
 5. CLEARANCE UNDER DOOR: 6" MIN.
 6. CLEARANCE IN FRONT OF DOOR: 54" MIN. TO 60" MAX.
 7. CLEARANCE ON SIDES OF DOOR: 30" MIN. TO 36" MAX.

75 HANDICAPPED ENTRY

1. RAMP SLOPE: 1:12 MAX.
 2. RAMP WIDTH: 36" MIN.
 3. RAMP HEIGHT: 4" MAX.
 4. DOOR HEIGHT: 80" MIN. TO 84" MAX.
 5. CLEARANCE UNDER DOOR: 6" MIN.
 6. CLEARANCE IN FRONT OF DOOR: 54" MIN. TO 60" MAX.
 7. CLEARANCE ON SIDES OF DOOR: 30" MIN. TO 36" MAX.

76 HANDICAPPED ENTRY

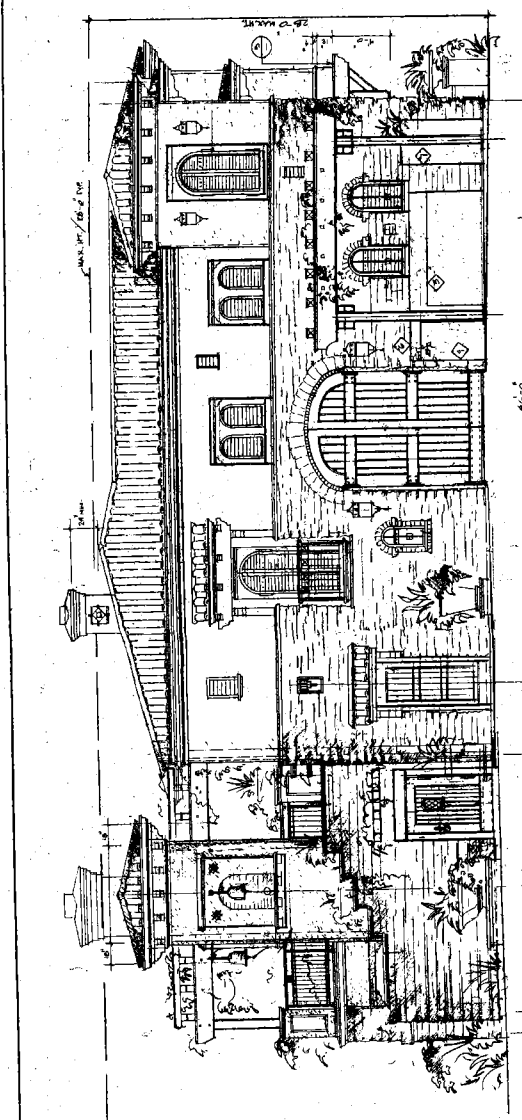
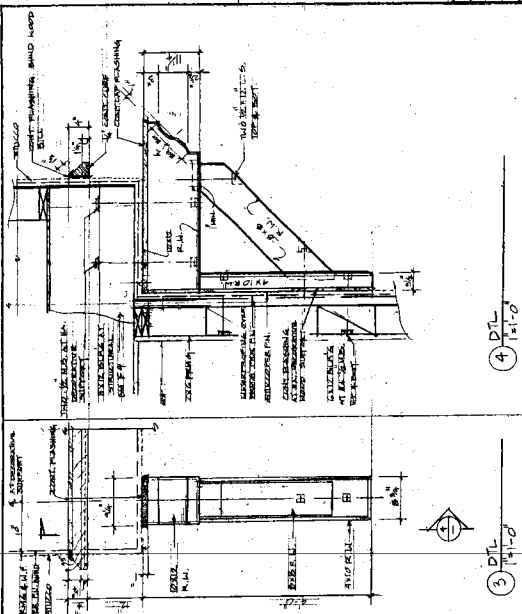
1. RAMP SLOPE: 1:12 MAX.
 2. RAMP WIDTH: 36" MIN.
 3. RAMP HEIGHT: 4" MAX.
 4. DOOR HEIGHT: 80" MIN. TO 84" MAX.
 5. CLEARANCE UNDER DOOR: 6" MIN.
 6. CLEARANCE IN FRONT OF DOOR: 54" MIN. TO 60" MAX.
 7. CLEARANCE ON SIDES OF DOOR: 30" MIN. TO 36" MAX.

77 HANDICAPPED ENTRY

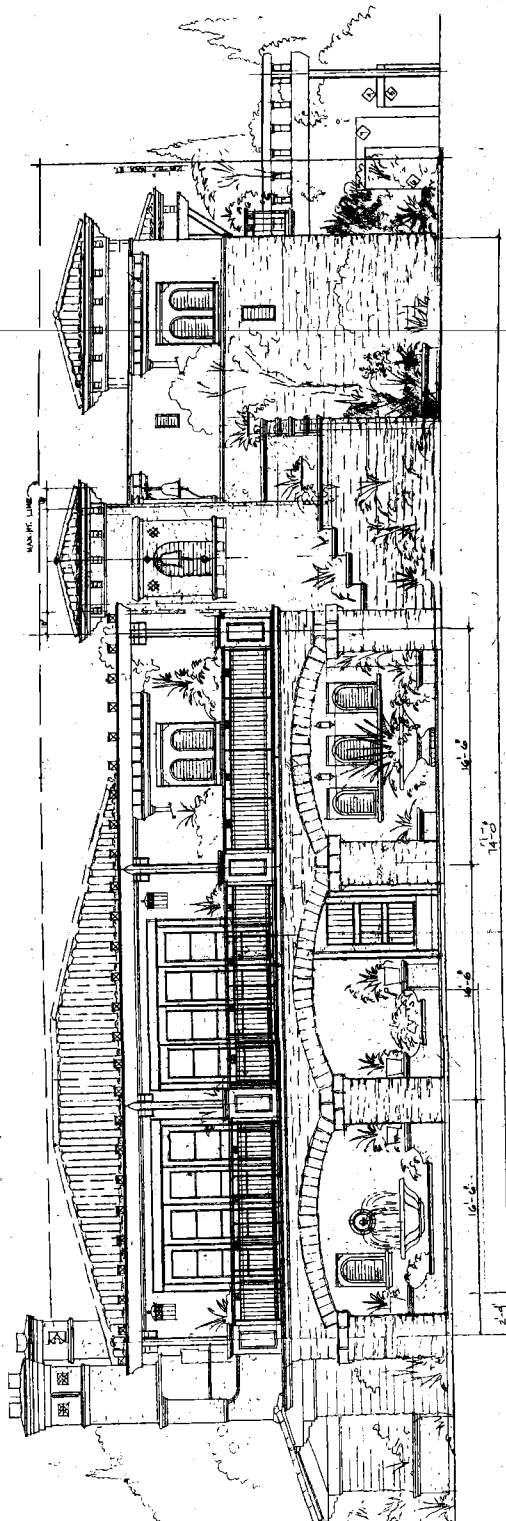
1. RAMP SLOPE: 1:12 MAX.
 2. RAMP WIDTH: 36" MIN.
 3. RAMP HEIGHT: 4" MAX.
 4. DOOR HEIGHT: 80" MIN. TO 84" MAX.
 5. CLEARANCE UNDER DOOR: 6" MIN.
 6. CLEARANCE IN FRONT OF DOOR: 54" MIN. TO 60" MAX.
 7. CLEARANCE ON SIDES OF DOOR: 30" MIN. TO 36" MAX.

2-B

REV	DATE	BY	CHKD	APP'D
1	10-1-0	...	...	...
2	10-1-0	...	...	...
3	10-1-0	...	...	...
4	10-1-0	...	...	...



① LEFT ELEVATION
10-1-0



② REAR ELEVATION
10-1-0

APN: 096-451-02
24040 Summit Road
Los Gatos, California

Summers & Novick

Development Permit Findings

1. That the proposed location of the project and the conditions under which it would be operated or maintained will not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or the general public, and will not result in inefficient or wasteful use of energy, and will not be materially injurious to properties or improvements in the vicinity.

The project is located in an area which allows for limited agricultural uses and is not encumbered by physical constraints to development. A winery is permitted within the A (Agriculture) zone district as per County Code section 13.10.312, Agricultural Uses Chart. The California Building Code allows for a total occupancy load of 243; therefore the proposal to increase the maximum number of guests at large events from 36 to 132 and to install two additional restrooms is supported by the Building Code exiting and plumbing requirements. The addition of 5 annual large events at the winery will not be detrimental to the health, safety or welfare of persons residing or working in the neighborhood or the general public, in that both parking capacity and noise were analyzed to determine event limitations which are set forth by conditions of approval.

A valet parking plan (Exhibit J) was prepared by a professional valet parking company which indicates that 66 vehicles can be safely accommodated within the existing parking lot of the subject property while still providing an adequate passenger loading/vehicle drop-off area at the front of the winery. Additionally, an acoustical analysis was submitted by the property owner (Exhibit I) to determine the increase in noise levels associated with large events at the north property line, adjacent to the closest neighboring single family dwelling. The analysis indicates that an estimation of resulting noise levels in the measured located would be below 40 dBA, which is less than the maximum of 60 dBA permitted by the County General Plan. Therefore, it is not anticipated that resulting noise will be detrimental to the public or surrounding residences and businesses.

The proposed increase in wine production and conversion of single family residence to winery will not increase the intensity of the operation. The winery is currently limited by operational standards provided as a part of permit 10-0059 and an additional requirement for monitoring logs will confirm compliance with those conditions; therefore, this finding can be made.

2. That the proposed location of the project and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the zone district in which the site is located.

County Code section 13.10.311 (Agricultural Districts) specifies the development standards and purposes for parcels zoned Agriculture and section 13.10.637 (Wineries) provides specific requirements for wineries in the areas of operations, services, and design. No new square footage is proposed for construction and the existing building currently meets the site standards for the A (Agriculture) zone districts. The winery use is a permitted use per permits 05-0796 and 10-0059 and an annual production of 50,000 gallons is permitted on parcels less than 10 acres in size with discretionary permit approval.

Public and private tastings are permitted on a limited basis, as established by permit 10-0059 and

the County Code allows for alternate tasting opportunities with a review of the individual merits of the parcel including location and surroundings. The addition of 5 large events with a maximum of 66 vehicles parked by a professional valet service on site, or 132 guests maximum, is supported by the submitted Parking plan (Exhibit J) and the acoustical analysis (Exhibit I). The parcel location and surroundings are found to be appropriate for large events given the primary access from Summit Road and surrounding rural density developments. Therefore, it can be found that the resulting structure will be one winery and the operation will be consistent with all pertinent County ordinances and the purpose of the A (Agriculture) zone district.

3. That the proposed use is consistent with all elements of the County General Plan and with any specific plan which has been adopted for the area.

This finding can be made in that the subject parcel is designated as R-M (Mountain Residential) in the County General Plan and the use of the parcel will continue to be a winery and vineyard, which was previously approved by permits 05-0796 and 10-0059. The additional large events allow for 66 vehicles to be parked on site with valet service, or 132 guests maximum, which encourages carpooling of at least two guests per vehicle. The resulting increase in wine production, conversion of residential area to winery area, and the additional of 5 large events per year will not impact the existing agriculture on the site and will not result in a noise environment that exceeds current noise standards in the County General Plan Noise Ordinance (Chapter 6) or the County Code Wineries Ordinance (13.10.637).

A specific plan has not been adopted for this portion of the County.

4. That the proposed use will not overload utilities and will not generate more than the acceptable level of traffic on the streets in the vicinity.

The proposed conversion of the second story single family residence to winery space will not overload utilities, in that no additional floor area is proposed and the existing kitchen will be converted to two restrooms. The existing winery currently has the capacity to produce 50,000 gallons of wine annually; however, the previous permit (10-0059) limited production to 20,000 gallons; therefore, no additional utilities or upgrades are required to increase production as proposed. The resulting winery will not generate more than the acceptable level of traffic on streets in the vicinity in that conditions of approval limit events at the winery to ensure that events do not take place concurrently (public tastings, private tastings, and large events). A maximum of 66 vehicles would be permitted at the site during large events which is an increase of only 34 vehicles beyond that which is currently permitted. The small increase in traffic associated with a 34 vehicle increase will not create traffic impacts on Summit Road and therefore, this finding can be made.

5. That the proposed project will complement and harmonize with the existing and proposed land uses in the vicinity and will be compatible with the physical design aspects, land use intensities, and dwelling unit densities of the neighborhood.

This finding can be made, in that the proposed structure is located in a mixed neighborhood that contains single family dwellings, commercial uses and agricultural uses and the existing winery was permitted by permits 05-0796 and 10-0059 as a use that is consistent and compatible with

Application #: 101118
APN: 096-451-02
Owner: Northstar Properties LLC

the surrounding land uses in the vicinity. The project noise study indicates that noise levels associated with large events will not create a negative impact on the adjacent single family residence to the north (Exhibit I) and conditions of approval require that the property owner contract with a professional valet parking company to control parking and traffic during large events.

6. The proposed development project is consistent with the Design Standards and Guidelines (sections 13.11.070 through 13.11.076), and any other applicable requirements of this chapter.

This finding can be made, in that the existing winery was approved by permits 05-0796 and 10-0059 as consistent with the Design Standards and Guidelines of County Code Chapters 13.11.070 through 13.11.076 and no new square footage or exterior improvements are currently proposed that would change the existing architectural design or mass of the structure.

Conditions of Approval

Exhibit A: Project Plans, 9 pages prepared by Summers and Novick, dated 4/14/10.

- I. This permit authorizes the subject winery (Regale winery) to hold a maximum of 5 annual private events at the winery in addition to the existing wine tastings currently permitted under permit 10-0059, to increase annual wine production from 20,000 gallons to 50,000 gallons, and to convert the existing second story single family dwelling to commercial space associated with the winery. This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property that are not specifically authorized by this permit. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
 - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof. All conditions of permit number 10-0059 are incorporated herein by reference and are also conditions of this approval.
 - B. Obtain a Demolition Permit from the Santa Cruz County Building Official, if required for the conversion of the second story kitchen.
 - C. Obtain a Building Permit from the Santa Cruz County Building Official.
 1. Any outstanding balance due to the Planning Department must be paid prior to making a Building Permit application. Applications for Building Permits will not be accepted or processed while there is an outstanding balance due.
 - D. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder) within 30 days from the effective date of this permit.
- II. Prior to issuance of a Building Permit the applicant/owner shall:
 - A. Submit final architectural plans for review and approval by the Planning Department. The final plans shall be in substantial compliance with the plans marked Exhibit "A" on file with the Planning Department. Any changes from the approved Exhibit "A" for this development permit on the plans submitted for the Building Permit must be clearly called out and labeled by standard architectural methods to indicate such changes. Any changes that are not properly called out and labeled will not be authorized by any Building Permit that is issued for the proposed development. The final plans shall include the following additional information:
 1. Details showing compliance with fire department requirements. The proposed structure(s) are located within the State Responsibility Area

(SRA) and the requirements of the Wildland-Urban Interface code (WUI), California Building Code Chapter 7A, shall apply.

- B. Submit four copies of the approved Discretionary Permit with the Conditions of Approval attached. The Conditions of Approval shall be recorded prior to submittal.
 - C. Obtain Environmental Health Clearance for this project and for the existing pizza oven from the County Department of Environmental Health Services.
 - D. Meet all requirements and pay any applicable plan check fee of the Cal Fire Protection District.
-
- E. Sign and record a Cancellation of Declaration of Restriction to cancel the existing declaration which limits the use of the second story single family dwelling (2006-0054792).
- III. All construction shall be performed according to the approved plans for the Building Permit. Prior to final building inspection, the applicant/owner must meet the following conditions:
- A. All improvements shown on the final approved Building Permit plans shall be installed.
 - B. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
- IV. Operational Conditions
- A. A maximum five (5) private events (known as "large events") may take place per year with the following requirements:
 - 1. The above described large events are permitted in addition to the existing private and public wine tasting events approved under permit 10-0059.
 - 2. Each large event is limited to a maximum of 66 vehicles or 132 guests (whichever occurs first) on-site at any one time.
 - 3. Events (public tastings, private appointments, or private large events) shall not occur at the same time.
 - 4. Large events shall be private and shall not be open to the public.
 - 5. The property owner shall contract with a professional valet parking company to park cars and direct traffic during large events. The owner shall provide a copy of the signed contract to the Planning Department upon request. Vehicles shall not stack up on Summit Road.

6. No additional signage is permitted other than the main entrance sign approved under permit 10-0059.
 7. Large events shall take place between the hours of 11:00 am and 8:30 p.m. All guests and caterers must be off of the premises by 8:30 p.m.
 8. All vehicles, including employee vehicles shall be parked entirely on-site.
- B. No more than 50,000 gallons of wine shall be produced per year.
- C. One year from the effective date of this permit, the property owner shall submit a monitoring log which indicates the event (private appointment, public tasting, large event), date, time, and number of guests and vehicles for planning staff review and approval.
- D. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation. A substantiated finding of non-compliance may result in a re-review of the permitted events at the winery by the Zoning Administrator.
- V. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, its officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.
- A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.
- B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
1. COUNTY bears its own attorney's fees and costs; and
 2. COUNTY defends the action in good faith.

- C. Settlement. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.
- D. Successors Bound. "Development Approval Holder" shall include the applicant and the successor(s) in interest, transferee(s), and assign(s) of the applicant.

Minor variations to this permit which do not affect the overall concept or density may be approved by the Planning Director at the request of the applicant or staff in accordance with Chapter 18.10 of the County Code.

Please note: This permit expires three years from the effective date listed below unless a building permit (or permits) is obtained for the primary structure described in the development permit (does not include demolition, temporary power pole or other site preparation permits, or accessory structures unless these are the primary subject of the development permit). Failure to exercise the building permit and to complete all of the construction under the building permit, resulting in the expiration of the building permit, will void the development permit, unless there are special circumstances as determined by the Planning Director.

Approval Date: _____

Effective Date: _____

Expiration Date: _____

Steven Guiney, AICP
Deputy Zoning Administrator

Samantha Haschert
Project Planner

Appeals: Any property owner, or other person aggrieved, or any other person whose interests are adversely affected by any act or determination of the Zoning Administrator, may appeal the act or determination to the Planning Commission in accordance with chapter 18.10 of the Santa Cruz County Code.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF EXEMPTION

The Santa Cruz County Planning Department has reviewed the project described below and has determined that it is exempt from the provisions of CEQA as specified in Sections 15061 - 15332 of CEQA for the reason(s) which have been specified in this document.

Application Number: 101118
Assessor Parcel Number: 096-451-02
Project Location: 24040 Summit Road

Project Description: Proposal to change a residential use to a commercial use, to increase annual wine production, and to allow private wine events at an existing winery.

Person or Agency Proposing Project: Northstar Properties LLC

Contact Phone Number: (408) 315-8452

- A. ☐ The proposed activity is not a project under CEQA Guidelines Section 15378.
B. ☐ The proposed activity is not subject to CEQA as specified under CEQA Guidelines Section 15060 (c).
C. ☐ **Ministerial Project** involving only the use of fixed standards or objective measurements without personal judgment.
D. ☐ **Statutory Exemption** other than a Ministerial Project (CEQA Guidelines Section 15260 to 15285).

Specify type:

E. ☒ **Categorical Exemption**

Specify type: Class 1 - Existing Facilities (Section 15301)

F. Reasons why the project is exempt:

Minor remodel, change of use, and expansion of activities at an existing winery.

In addition, none of the conditions described in Section 15300.2 apply to this project.

Samantha Haschert, Project Planner

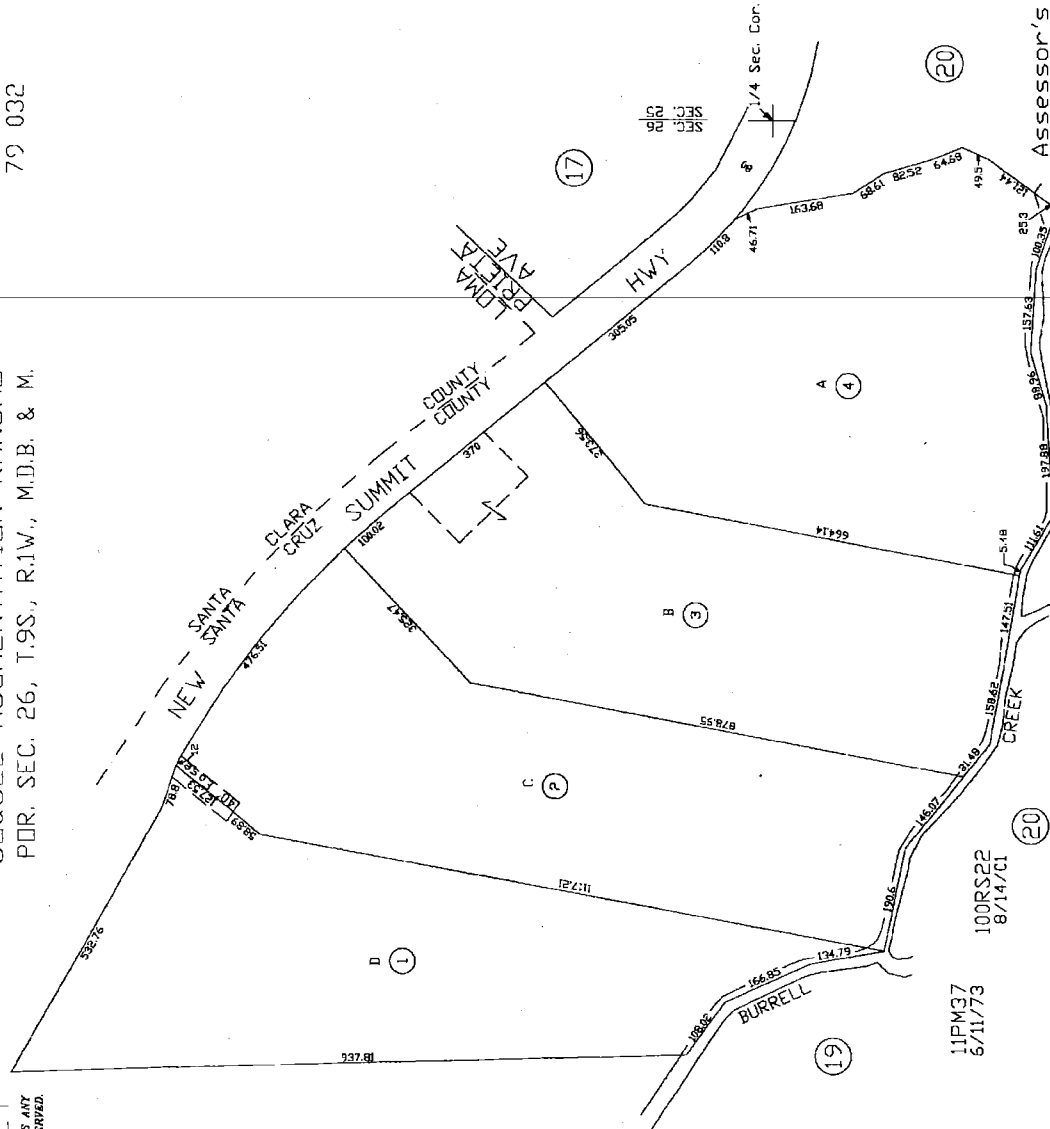
Date: _____

FOR TAX PURPOSES ONLY
 THE ASSESSOR MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY
 LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.
 © COPYRIGHT SANTA CRUZ COUNTY ASSESSOR 1999

SOQUEL AUGMENTATION RANCHO
 POR. SEC. 26, T.9S., R.1W., M.D.B. & M.

Tax Area Code
 79 032

96-45

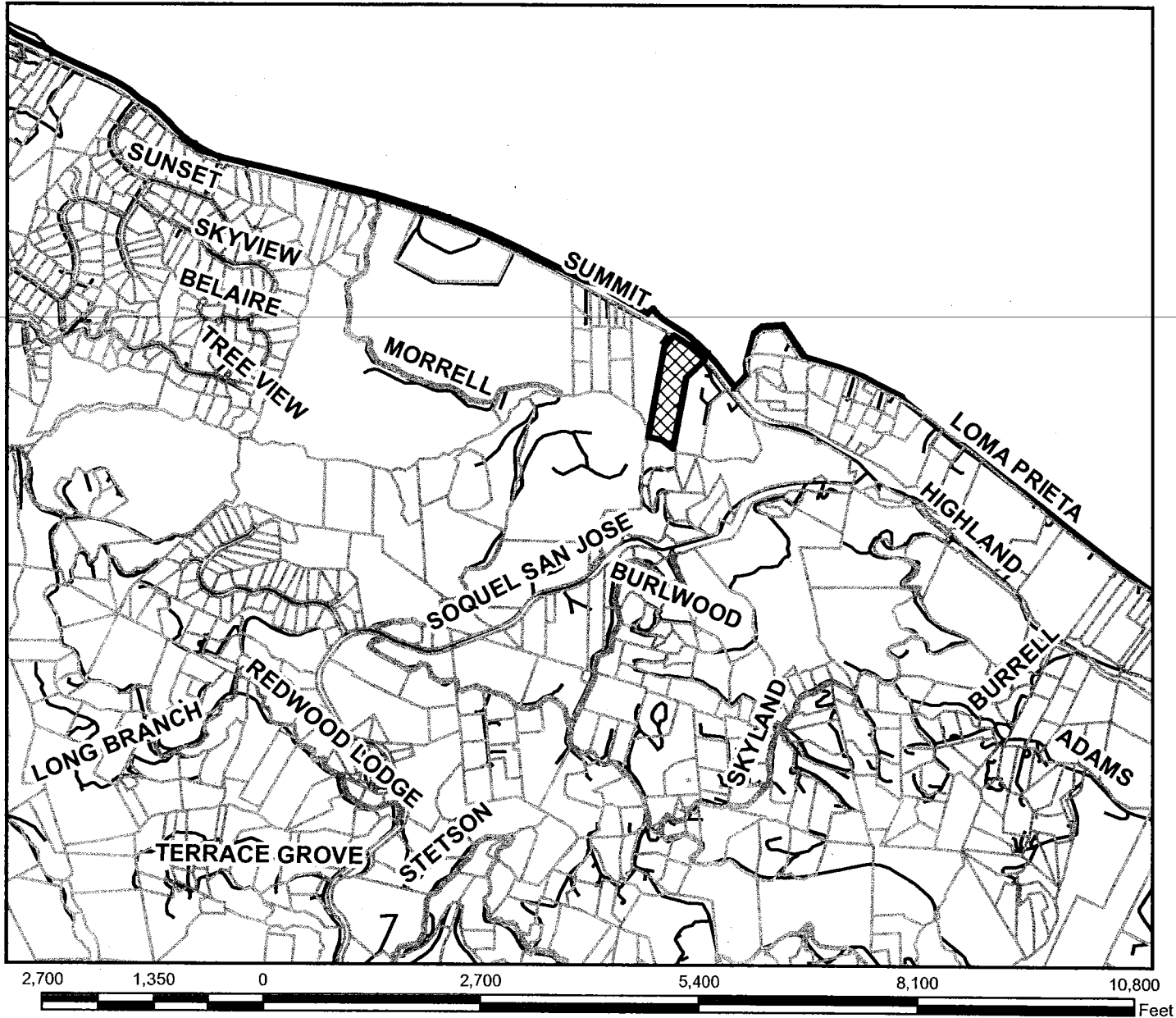


Note - Assessor's Parcel & Block
 Numbers Shown in Circles.





Assessor's Map No. 96-45
 County of Santa Cruz, Calif.
 Feb. 1999

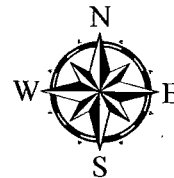


Location Map



LEGEND

-  APN: 096-451-02
-  Assessors Parcels
-  Streets
-  County Boundary

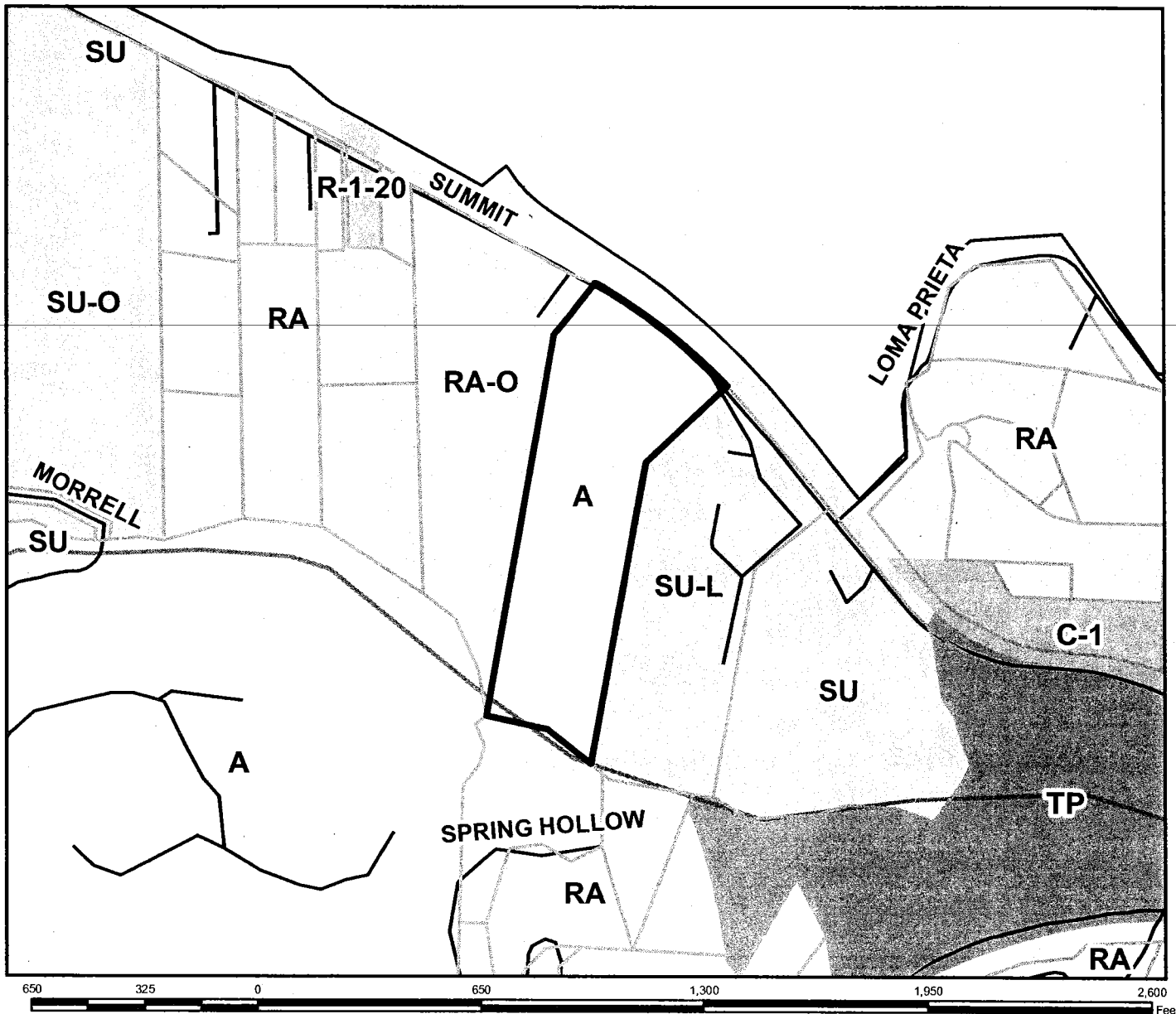


Map Created by
County of Santa Cruz
Planning Department
March 2010

EXHIBIT E



Zoning Map



LEGEND



APN: 096-451-02



Assessors Parcels



Streets

STREAMTYPE



PERENNIAL



County Boundary

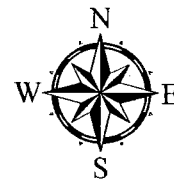
AGRICULTURE

AGRICULTURE RESIDENTIAL

SPECIAL USE

RESIDENTIAL-SINGLE FAMILY

TIMBER PRODUCTION

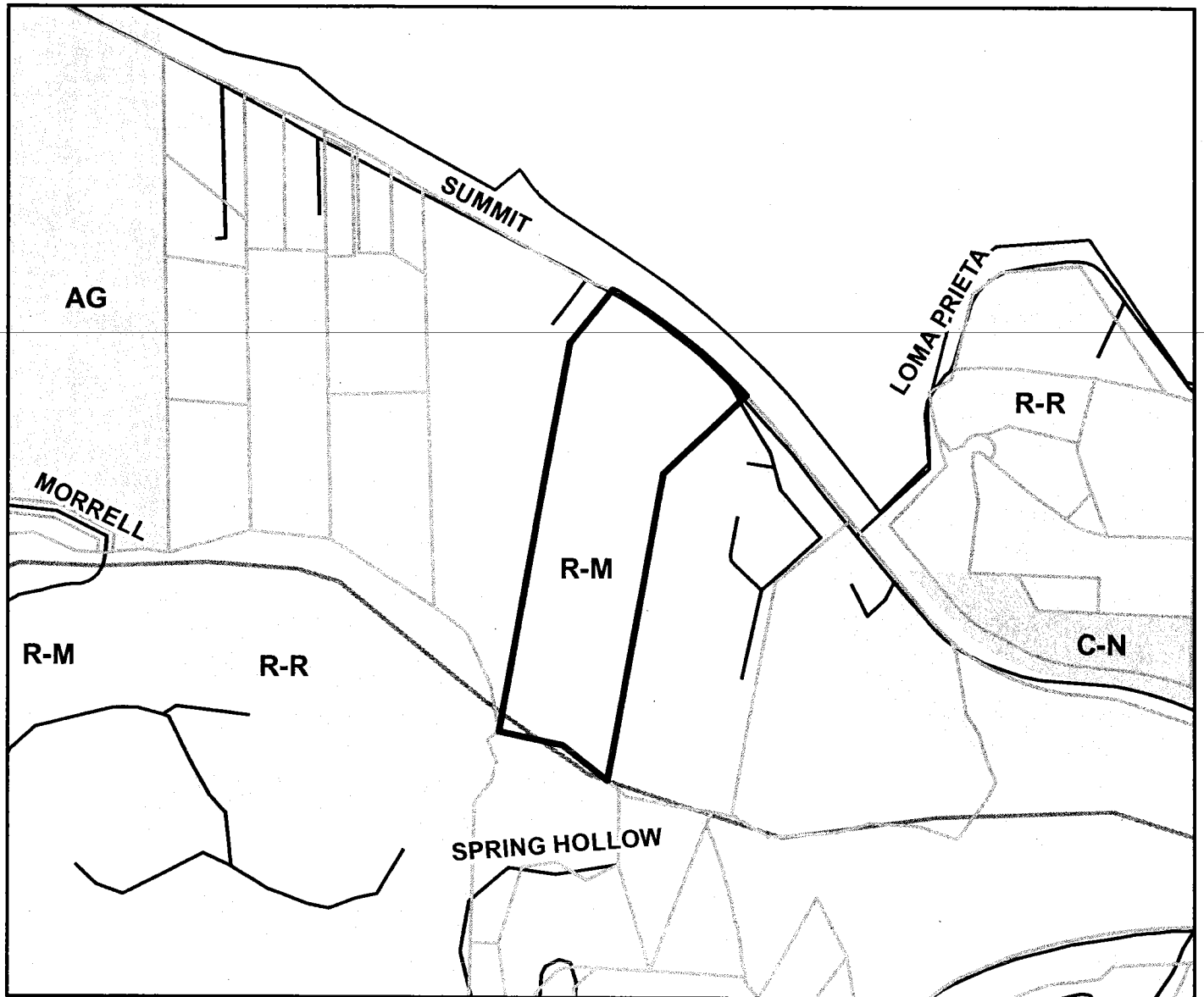


Map Created by
County of Santa Cruz
Planning Department
March 2010

EXHIBIT E

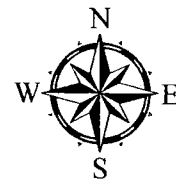


General Plan Designation Map



LEGEND

- | | |
|-------------------|-------------------------|
| APN: 096-451-02 | County Boundary |
| Assessors Parcels | Residential-Mountain |
| Streets | Residential-Rural |
| STREAMTYPE | Agriculture |
| PERENNIAL | Commercial-Neighborhood |



Map Created by
County of Santa Cruz
Planning Department
March 2010

EXHIBIT 11



County of Santa Cruz, PLANNING DEPARTMENT

Discretionary Application Comments 101118

APN 096-451-02

Accessibility Review

Routing No: 2 Review Date: 04/11/2011

JAMES HEANEY (JHEANEY) : Complete

2nd review 4/11/11: Development review application is complete for accessibility. Accessible tasting counter height and width will need to be addressed at building permit submittal.

If you have any questions regarding this comment, please call Jim Heaney between the hours of 8:00 am - 4:30 pm at 454-3166 or email pln645@co.santa-cruz.ca.us.

Environmental Health Review

Routing No: 2 Review Date: 04/11/2011

JIM SAFRANEK (JSafraneK) : Complete

If the owner intends to use the existing outdoor pizza oven to bake food to be consumed by the public, an EH permit will be required as part of the building permit phase.

Provide a list of all caterers that operate onsite.

EHS contact person for both issues: Andrew Strader, 454-2741.

Fire Review

Routing No: 1 Review Date: 12/16/2010

COLLEEN BAXTER (CBAXTER) : Complete

SANTA CRUZ COUNTY FIRE DEPARTMENT / *CALFIRE*

CAL FIRE

SAN MATEO-SANTA CRUZ UNIT

6059 HIGHWAY 9

P.O. DRAWER F-2

FELTON, CA 95018

Phone (831) 335-6748

Fax # (831) 335-4053

JOHN FERREIRA

FIRE CHIEF

Date: 12/16/10

Planning Department

County of Santa Cruz

Attention: SAMANTHA HASCHERT

701 Ocean Street

Santa Cruz, CA 95060

Subject: APN: 096-451-02 / Appl # 101118
24040 Summit Rd.

EXHIBIT F

Print Date: 06/27/2011

Page: 1



County of Santa Cruz, PLANNING DEPARTMENT

Discretionary Application Comments 101118

APN 096-451-02

Fire Review

Routing No: 1 Review Date: 12/16/2010

COLLEEN BAXTER (CBAXTER) : Complete

Dear PLANNER'S NAME:Samantha

The Santa Cruz County Fire Marshals Office has reviewed the plans for the above cited project, **APPROVAL IS DENIED**. We require the additional information listed below in order to complete our review.

Please add the appropriate NOTES, DETAILS and INFORMATION on your plans and **RESUBMIT with an annotated copy of this letter. All changes to drawings will require "clouding of the change"**.

NOTE on the plans "the job copies of the building and fire systems plans and permits must be on-site during inspections."

Note: As a condition of submittal of these plans, the submitter, designer and installer certify that these plans and details comply with applicable Specifications, Standards, Codes and Ordinances, agree that they are solely responsible for compliance with applicable Specifications, Standards, Codes and Ordinances, and further agree to correct any deficiencies noted by this review, subsequent review, inspection or other source, and, to hold harmless and without prejudice, the reviewer and reviewing agency.

Should you have any additional concerns, you may contact our office at (831) 335-6748.

To final this project, ALL residential features and appliances shall be removed from building. If a commercial kitchen is to be installed, permits must be applied for and approved from CALFIRE prior to installation.

Project Review

Routing No: 2 Review Date: 04/20/2011

SAMANTHA HASCHERT (SHASCHERT) : Incomplete

Discussed large event proposal with DPW road engineering. They did not want to see application because issues with site distance were resolved in a previous application. No additional actions would be required.

EXHIBIT F

Samantha Haschert

Subject: 101118 Regale
Entry Type: Phone call

Start: Mon 12/20/2010 10:35 AM
End: Mon 12/20/2010 10:35 AM
Duration: 0 hours

Phone call from neighbor in response to public notice.

Concerned with water usage associated with increased commercial use.

Told her that additional commercial floor area may trigger requirement for additional toilets. Environmental Health Services will be reviewing water yield.



2010-0003637 08/24/2010 11:32:02 AM

OFFICIAL RECORDS OF Santa Cruz County
Sean Saldavia Recorder
RECORDING FEE: \$42.00
COUNTY TAX: \$0.00
CITY TAX: \$0.00



NOTI
10 PGS
RCD135

Return recorded form to:

Planning Department
County of Santa Cruz
701 Ocean Street, 4th Floor

Attention: Samantha Haschert
Application #: 10-0059

Notice

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE FOR RECORDING INFORMATION
(CALIFORNIA GOVERNMENT CODE §27361.6)

Recording requested by:

COUNTY OF SANTA CRUZ

When recorded, return to:

Planning Department
Attn: Samantha Haschert
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

Conditions of Approval

Development Permit No. 10-0059

Property Owner: Northstar Properties, LLC

Assessor's Parcel No.: 096-451-02

Exhibit A: Project Plans, 1 sheet, prepared by Summers & Novick, dated 4-14-10.

- I. This permit authorizes public wine tasting at the existing winery, a winery sign, and an increase in the number of guests at private wine tastings, subject to the following conditions of approval which supersede Permit 05-0796. This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property that are not specifically authorized by this permit. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
 - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
 - B. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder) within 30 days from the effective date of this permit.
 - C. Obtain a special inspection to confirm that the residential kitchen does not contain commercial features.
- II. Operational Conditions
 - A. Annual Production Maximum: No more than 20,000 gallons of wine shall be produced per year.
 - B. Wine Storage Limit: Only wine made on-site shall be stored on-site. All storage must occur indoors and wine storage may not exceed 35,000 gallons.
 - C. Wine Sales: Only wine made on-site shall be sold from the winery. Direct sales are allowed only as a part of wine tastings.

- D. Single Family Residence: No portion of the single family residence shall be used for commercial purposes, including the kitchen. The single family dwelling shall be closed to the public during all public and private wine tastings.
- E. Marketing/Promotional Materials: All advertising and promotional materials and activities shall accurately reflect the limitations of this permit. Advertising and announcement of activities, uses, or hours that conflict with the conditions of this permit or that are outside of the scope of this permit are subject to County Code Compliance Section procedures.
- F. Tastings:
1. The winery may be open for public wine tasting only on Saturdays and Sundays between the hours of 11:00 a.m. and 8:30 p.m.
 2. An unlimited number of private, appointment-only tastings are permitted between the hours of 11:00 a.m. and 8:30 p.m.
 3. Reservations for private tastings must be made at least 12 hours in advance.
 4. All public and private wine tasting guests must be off the premises by 8:30 p.m.
 5. Private tastings and public tastings shall not occur at the same time.
 6. Private tastings and public tastings are restricted to a maximum of 32 vehicles or 64 guests on site at any one time, whichever is achieved first. When capacity is reached, the front gate shall be closed and additional visitors shall be turned away. Five (5) employees may park within the "employee only" parking spaces; however, any additional employees or employee vehicles over the five permitted shall count towards the maximum limit of 32 vehicles or 64 guests, whichever is achieved first.
- G. Food: The residential kitchen shall not be used to cook, prepare, or serve food to winery guests. Caterers are not permitted on-site in association with the winery on Passport Days, or during public wine tastings. Caterers provided by private parties for private wine tastings are permitted. Caterers must provide all materials associated with the service, may not utilize any portion of the residential kitchen at any time, and must be completely removed from the premises at 8:30 p.m.
- H. Passport Weekend: The winery may participate in no more than four (4) Passport weekend days per year.
1. Passport Day guests are limited to 32 vehicles or 64 guests, whichever is achieved first. When capacity is reached, the front gate shall be closed and additional visitors shall be turned away.

2. Passport Days shall not occur on the same days as private tastings.
- I. All vehicles associated with the winery and residence shall be parked entirely on site within the 32 approved parking areas as shown on the approved Exhibit A, with the exception of employees who may park in the five (5) "employee only" parking spaces. Additional employee vehicles beyond five (5) which are accommodated in the "employee only" parking area, shall count as guest vehicles towards the maximum allowed. The parking area and number of parking stalls shall not be expanded without prior approval of the Planning Department.
- J. Loading Zone: The loading zone, designated on Exhibit A, shall be utilized for loading, pick-ups, scheduled deliveries, and the bottling truck. Five (5) parking spaces are eliminated when the loading zone is in use, therefore, during crush, bottling, pick-ups and loading or whenever the loading zone is in use, the maximum number of guests on site at any one time shall be 27 vehicles or 54 guests. Additional employees beyond five (5) which are accommodated in the "employee-only" parking area, shall count as guest vehicles or guests towards the maximum allowed.
- K. Hours of Operation for Wine Production: Activities related to wine production such as bottling, harvesting, deliveries, pick-ups, etc. are limited to the hours between 7:00 a.m. and 5:00 p.m. except during Crush (September, October, and November) when activities may continue until 9:00 p.m. (the hours before 8:00 a.m. and after 7:00 p.m. shall to be used for set-up and clean-up only and are confined to activities that generate a minimal amount of noise).
- L. Noise: Amplified music is not permitted. All noise generated by the wine production operation, wine tastings, and Passport Events, shall be contained on-site to the maximum extent possible. The noise level from the winery operation and any associated activity shall not exceed 60 dB(1dn)(day/night average decibel reading) at the property lines with the following exceptions:
1. A maximum noise standard of 85 dba as measured at the property line for a cumulative period of 15 minutes in any hour.
 2. A maximum noise standard of 90 dba as measured at the property line for a cumulative period of 5 minutes in any hour.
 3. A maximum noise level of 100 dba as measured at the property line. Noise levels shall be reduced by 10 dba for the night period (10:00 p.m. to 7:00 a.m.)
- M. Noise Study: Within the three months of the effective date of this permit, the property owner shall submit to the Planning Department, a noise study prepared by a licensed acoustic engineer which reports measured noise levels at the north west property line (adjacent to the single family dwelling) during a private tasting and a public tasting. If the study finds that the tastings are not in compliance with the noise limitations in this permit, the permit may be amended by the Zoning Administrator. Prior to preparation of the noise study, the acoustic engineer shall submit a scope of work to the Planning Department for review and approval.

- N. Signage: One non-illuminated entry sign not larger than twelve (12) square feet is permitted. No additional signage shall be installed without prior Planning Department approval.
- O. Fruit Deliveries: Fruit for wine production may be delivered on a flatbed pick-up truck a maximum of seven (7) days per year. No semi-trucks are permitted at any time. All deliveries, except during Crush, must occur on weekdays between the hours of 8:30 a.m. and 3:00 p.m. See condition II.J. for parking requirements during deliveries.
- P. Pick-Up: Pick-ups of wine for off-site storage may occur up to five (5) times per year. No semi-trucks are permitted at any time. All pick-ups except during Crush must occur on weekdays between the hours of 8:30 a.m. and 3:00 p.m. See condition II.J. for parking requirements during pick-ups.
-
- Q. Access: All winery-related traffic must enter and exit via the eastern-most driveway. Access is not allowed via the right of way along the western property boundary.
- R. Wine Production: All activities associated with wine production (except for harvesting of grapes onsite, the bottling of wine within a bottling truck, grape crush, and deliveries and pick-ups) must occur indoors.
- S. Crush: Grape crush may occur seven (7) days per year.
- T. Bottling: Bottling shall occur either inside the winery structure or in a mobile bottling truck. Bottling may occur in a bottling truck up to five (5) days per year. See condition II.J. for parking requirements during bottling.
- U. Liquid Waste Disposal: All requirements of the County Health Department shall be met.
- V. Grape Residue Disposal: Grape residue shall be disposed in a manner consistent with the fly and vector control requirements of Environmental Health Services.
- W. Fertilization and Composting: Bulk fertilizers to be used for the vineyard aspect of the operation that are stockpiled must be located a minimum of 200 feet from any residentially zoned parcel. On-site composting is permitted on the property only if a disposal and vector control plan for the grape residue is approved by Environmental Health Services and implemented.
- X. Lighting: All outdoor lighting shall have the illumination directed downward or be shielded so that glare is not produced onto adjacent properties.
- Y. Outdoor Storage: All storage must be in compliance with 13.10.556 (Outdoor storage of personal property and materials).
- Z. In the event that future County inspections of the subject property disclose

noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.

- III. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, its officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.
- A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.
- B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
1. COUNTY bears its own attorney's fees and costs; and
 2. COUNTY defends the action in good faith.
- C. Settlement. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.
- D. Successors Bound. "Development Approval Holder" shall include the applicant and the successor(s) in interest, transferee(s), and assign(s) of the applicant.
-

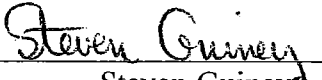
Minor variations to this permit which do not affect the overall concept or density may be approved by the Planning Director at the request of the applicant or staff in accordance with Chapter 18.10 of the County Code.

Please note: This permit expires three years from the effective date listed below unless the conditions of approval are complied with and the use commences before the expiration date.

Approval Date: August 6, 2010

Effective Date: August 20, 2010

Expiration Date: August 20, 2013


Steven Guiney
Deputy Zoning Administrator


Samantha Haschert
Project Planner

Appeals: Any property owner, or other person aggrieved, or any other person whose interests are adversely affected by any act or determination of the Zoning Administrator, may appeal the act or determination to the Planning Commission in accordance with chapter 18.10 of the Santa Cruz County Code.

By signing below, the owner agrees to accept the terms and conditions of approval of Application 10-0059 and to accept responsibility for payment of the County's cost for inspections and all other action related to noncompliance with the permit condition. The approval of Application 10-0059 is null and void in the absence of the owner's signature below.

Executed on 8/23, 2010.
(date)

Property Owner(s) signatures:

[Signature] President
(Signature) North Star Properties, LLC.

Larry E. Schadt
(Print Name)

(Signature)

(Print Name)

(Signature)

(Print Name)

**ALL SIGNATURES ARE TO BE ACKNOWLEDGED BEFORE A NOTARY PUBLIC.
IF A CORPORATION, THE CORPORATE FORM OF ACKNOWLEDGMENT
SHALL BE ATTACHED.**

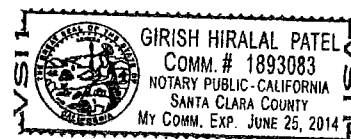
STATE OF CALIFORNIA, COUNTY OF SANTA CRUZ, SS

On Aug 23, 2010, before me, GIRISH HIRALAL PATEL, Notary Public, personally appeared Larry E. Schadt who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and official seal.

Signature [Signature]
(Signature of Notary Public)

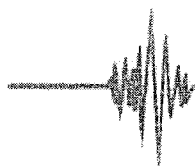


This form must be reviewed and approved by a County Planning Department staff person after notarization and prior to recordation.

Dated: 8/24/10

COUNTY OF SANTA CRUZ

By: [Signature]
Planning Department Staff



EDWARD L. PACK ASSOCIATES, INC.

1975 HAMILTON AVENUE
SUITE 26
SAN JOSE, CA 95125

Acoustical Consultants

TEL: 408-371-1195
FAX: 408-371-1196
www.packassociates.com

November 15, 2010
Project No. 42-040

Mr. Larry Schaadt
Regale Winery
24040 Summit Road
Los Gatos, CA 95033

Subject: Noise Assessment Study of Public and Private Wine Tasting Events.
Regale Winery, 24040 Summit Road, Santa Cruz County

Dear Mr. Schaadt:

This report presents the results of a noise assessment study of public and private wine tasting events at the Regale Winery at 24040 Summit Road in Santa Cruz County. The sound levels measured at the site were evaluated against the standards shown in the Conditions of Approval for Application Number 10-0059. The noise standards imposed on the winery are:

60 decibels Day-Night Level, (dB DNL), which is a 24-hour average;

85 dBA L_{25} – 15 min./hr.;

90 dBA L_8 – 5 min./hr.;

100 dBA L_{max} .

There are no nighttime operations or activities.

Both public and private wine tasting events took place concurrently on Saturday, November 13, 2010, representing a worst-case condition. The tastings occur indoors and outdoors, however, most the patrons were outdoors during the noise measurement period as the weather was warm and clear. There were approximately 40 people at the public tasting.

Sound level measurements were made at the northerly property line from 3:30 to 5:30 p.m. The noise levels were recorded and processed using a Larson Davis 812 Precision Integrating Sound Level Meter, which yields by direct readout, the L_{max} , L_8 and L_{25} . The meter also provides the L_{eq} , which is used to calculate the DNL. The measurement location, as shown on the following satellite image, was approximately 330 ft. from the wine tasting area. Table I provides the results of the sound level measurements.

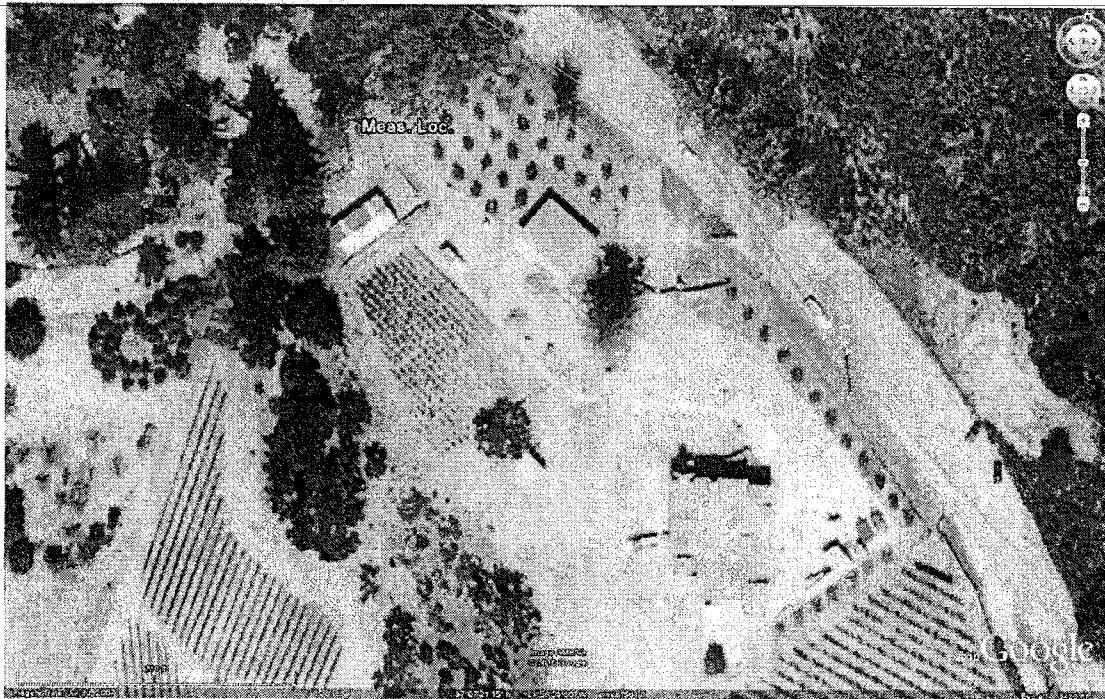


TABLE I				
Regale Winery Wine Tasting Event Noise Levels, dBA				
Time Period	L_{max} Limit = 100 dBA	L_8 Limit = 90 dBA	L_{25} Limit = 85 dBA	L_{eq}
3:30-4:00	66.9	56.3	53.1	52.3
4:00-5:00	67.9	55.5	52.5	51.4
5:00-5:30	65.2	54.7	51.7	50.7

The noise levels recorded at the north property line were due primarily to traffic on Summit Road as wine tasting activities at the winery were inaudible at the measurement location.

We can estimate at this point that the noise levels generated by the wine tasting events were in the mid-30's dBA range, as even the minimum sound levels captured were 37-39 dBA.

To exceed 60 dB DNL, it would be necessary to generate nine hours of 64 dBA L_{eq} during the daytime.

The sound levels generated by wine tasting events, both public and private, are within the noise limits prescribed in the Condition of Approval. Because of the large separation distance from the winery building to the property boundaries, increases in activity would be acceptable, such as the use of outdoor live or DJ music, provided that the type of music is limited.

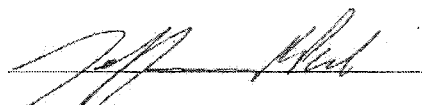
Jazz combos, chamber music, soloists and acoustic music would be acceptable, as these styles of music are typically played at low to moderate volumes, conducive to wine tasting and the general atmosphere of the venue.

Although the Conditions of Approval state that amplified music is not permitted, nearly all music needs to be amplified. The County should refrain from using this type of limitation as it does not guarantee low sound level. There are many non-amplified instruments that can generate higher sound levels than amplified instruments. The County should consider modifying this condition for technical accuracy.

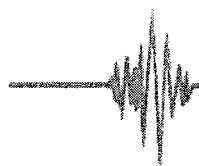
This report presents the results of a noise assessment study of public and private wine tasting events at the Regale Winery at 24040 Summit Road in Santa Cruz County. The study findings are based on field measurements and other data and are correct to the best of our knowledge. However, changes in the operational scenario, operational hours, noise regulations or other changes beyond our control may result in future noise levels different than those reported herein. If you have any questions or would like an elaboration on this report, please call me.

Sincerely

EDWARD L. PACK ASSOC., INC.

A handwritten signature in dark ink, appearing to read 'Jeff Pack', is written over a horizontal line.

Jeffrey K. Pack
President



EDWARD L. PACK ASSOCIATES, INC.

1975 HAMILTON AVENUE
SUITE 26
SAN JOSE, CA 95125

Acoustical Consultants

TEL: 408-371-1195
FAX: 408-371-1196
www.packassociates.com

March 21, 2011
Project No. 42-040-1

Mr. Larry Schaadt
Regale Winery
24040 Summit Road
Los Gatos, CA 95033

Subject: Guest Capacity Increase Noise Impacts, Regale Winery, 24040 Summit Road, Santa Cruz County

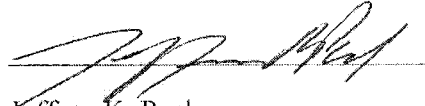
Dear Mr. Schaadt:

Per our conversation, increasing the number of guests from 62 to 150 increases the sound levels by about 4 dB. An increase from the existing capacity of 64 to the maximum building capacity of 240 people would increase the noise levels by about 6 dB. As the sound levels from a tasting event recently recorded and reported in November 2010 indicated that the sound levels were 25-30 dB below the imposed limits, full capacity events could take place without exceeding the County sound limits on the facility. Also, as stated in the previous report, live or DJ music could be played without concern of exceeding the sound limits, given certain controls on the level of music played, not whether the music is amplified or not.

If you have any questions, or if I can be of further assistance, please call me.

Sincerely

EDWARD L. PACK ASSOC., INC.


Jeffrey K. Pack
President

Samantha Haschert

From: Larry Schaadt [lschaadt@msn.com]
Sent: Monday, May 23, 2011 11:26 AM
To: Samantha Haschert
Subject: Regale Winery Application# 101118
Attachments: Addendum to Program Statemen1.docx; Precsion Parking.jpg; Valet Parking Plan.jpg

Hi Samantha,

Attached please find an Amendment to our Program Statement along with a Valet Parking proposal from a licensed valet company who does valet service throughout the Bay Area and for many local wineries.

Instead of doing many big fundraisers and other larger wine parties, I am just requesting that we be allowed to have larger private wine parties on a regular basis but still keep them on the small side at 120 guests or less. This size would be small given the size of the property but would allow us to compete with other wineries doing birthday and anniversary parties and corporate wine tasting events. Almost all of the requests that we get are for 50-100 or so guests. We would valet park on-site the cars and close the gates during the event. Very easy to do and no impact whatsoever on the property.

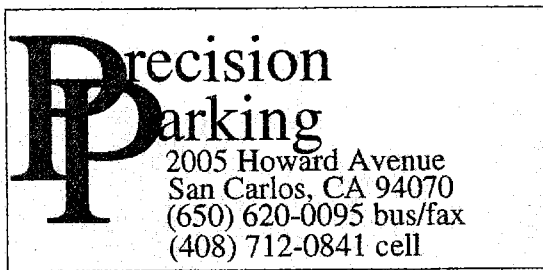
As for the bigger fundraisers, we will can just do a few choice ones and any other requests that we get we can just tell them that they have to remain small at under 120 guests with valet included. The four larger ones would have to shuttle from their place of origin.

Please let me know if you would like me to stop by and discuss any of this further as I would be more than happy to.

Thank you,

Larry

Larry E. Schaadt
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408-315-8452



Regale Winery and Vineyards

Precision Parking Valet Pricing

Valet Parking Estimates

Prices based on 4 hour event

Guests on Site	Attendants Needed	Hourly Rate	Cost
1-75	3	\$27	\$325
76-115	4	\$27	\$435
116-140	5	\$27	\$545

After reviewing the site, we have determined that we can easily park 66 cars on the upper portion of the winery parking area utilizing both the existing parking stalls and other surfaced open areas. We could actually park more but 66 represents a safe, comfortable number of parked cars with easy access for both the public and our valet staff (see attached parking plan). We valet for several other wineries in the Bay Area and estimate that you should allow 1 parked car for every two guests on average.

As we discussed, this proposal includes all directional signage for customer traffic flow and vehicle drop off/pick up. All valet staff will be in uniform and clearly visible.

Thank you for choosing Precision Parking. If you have any questions, please contact me at (408) 712-0841. I look forward to providing you with the excellent service you deserve.

A handwritten signature in black ink, appearing to read 'Derek Turner'.

Derek Turner
President, Precision Parking

Regale Winery Valet Parking Plan

