

State of California
REPORT ON APPLICATION FOR LICENSE

RECEIVED

Department of Alcoholic Beverage Control
 MAR 13 2015

RECEIVED

1. PENDING NUMBER
 02-548261
 Department of Alcoholic Beverage Control
 Northern Division

MAR 18 2015

2. DIVISION Northern	3. DISTRICT/BRANCH SANTA ROSA	4. DATE March 10, 2015
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5. APPLICANT NAME(S) RELIC WINE CELLARS, LLC	Hearing and Legal Unit Dept. of Alcoholic Beverage Control SACRAMENTO
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6. MAILING ADDRESS (Street number and name, city, zip code) (if different from premises address) PO BOX 327, SAINT HELENA, CA 94574-0327	7. <input type="checkbox"/> Temp <input checked="" type="checkbox"/> Perm
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8. DBA RELIC WINE CELLARS	9. CENSUS TRACT 2014.01
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10. PREMISES ADDRESS (Street number and name, city, zip code) 2400 SODA CANYON RD, NAPA, CA 94558	11. GEOGRAPHICAL CODE 2800
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12. LICENSES APPLIED FOR 02	13. TRANSACTION TYPE (if inter-county transfer, show transferor's county) Original
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14. TEMPORARY PERMIT ISSUED <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	15. LICENSES ALREADY HELD None	16. EFFECTIVE DATE/ESTD COMPLETION DATE Issuance
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17. COPIES MAILED DATE August 15, 2014	18. DATE PREMISES POSTED August 26, 2014	19. 23985.6 DATE N/A	20. DATE PREMISES INSPECTED September 4, 2014
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21. WHERE POSTED Fence on left side of entrance driveway.
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22. PUBLICATION DATE(S) N/A	23. PUBLISHER NAME N/A
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24. TRANSFEROR NAME N/A	25. TRANSFEROR LICENSE NUMBER N/A
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26. TRANSFEROR ADDRESS (If Prem-to-Prem or Double Transfer) N/A
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27. ALIEN VERIFICATION <input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A	28. DATE CLEARED N/A	29. FORM NUMBER/NOTATION N/A	30. LIMITED VERIFICATION DATE N/A
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31. PENDING DISCIPLINARY ACTION AGAINST TRANSFEROR
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32. TRANSFEROR'S LICENSE ORIGINALLY ISSUED DURING LAST 5 YEARS <input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A	33. MAIL LICENSE TO D. O. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	34. HEARING TIME N/A
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35. FORMER LICENSEE AT THESE PREMISES None	36. LICENSE NUMBER None
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37. ATTACHMENTS <input type="checkbox"/> Conditions <input checked="" type="checkbox"/> ABC-256 <input type="checkbox"/> ABC-243 <input type="checkbox"/> ABC-226 <input type="checkbox"/> ABC-231 <input type="checkbox"/> ABC-140 <input type="checkbox"/> ABC-253 <input checked="" type="checkbox"/> ABC-257 <input checked="" type="checkbox"/> Other:
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38. REMARKS There were 21 verified protests. Protest investigation report is attached. TTB #s = CA-W-21831 BWN-CA-21735
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39. RECOMMENDATION Approval	LICENSING REPRESENTATIVE/INVESTIGATOR Judy Barrett <i>Judy Barrett</i>	DATE March 10, 2015
	SUPERVISOR Lynda Parkerson	DATE
RECOMMENDATION <i>Approval</i>	DISTRICT ADMINISTRATOR Tony Carrancho <i>Tony Carrancho</i>	DATE 3/11/15
RECOMMENDATION " " " " <i>for</i>	ASSISTANT DIRECTOR <i>[Signature]</i>	DIVISION REVIEW <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
		DATE 3-17-15

SEE PAGE 2 FOR REPORT: 1. MORAL CHARACTER 2. PREMISES 3. FINANCIAL

Premises:

The premise is a winery that will have a tasting room and is located on approximately 10.33 acres which includes the underground structure as well as the land. The premises is located approximately 4 miles east on Soda Canyon Road. The driveway up to the winery is approximately ¼ mile long. The winery itself is in the cave and is approximately 4,000 square feet. The operation of the winery and all activities for the winery will be held inside the cave. The only exterior portion of the winery is the crush pad of approximately 200 square feet and 2 tanks. The exterior has paved parking at the entrance to the winery for 6 vehicles. There is an additional unpaved parking area for the owners and 2 full time employees. There is enough room in the unpaved parking area for 1 additional employee parking during harvest time. The interior of the cave contains the fermentation area, storage, tasting and event area. The remaining portion of the 10.33 acres is undeveloped.

Licensed History:

This location has no licensed history.

Section 23790 (Zoning):

Premises complies with local zoning requirements: Yes No

Conditional use permit required: Yes No

Premises is zoned AW (Agricultural Watershed). The intended use is approved, as verified on January 2, 2015 with Napa County Planner II Wyntress Balcher.

Conditional Use Permit #P10-00162-UP was approved August 18, 2010. Very minor use permit Modification #P14-00023-MOD was approved to allow for relocation of all six (6) parking spaces on May 14, 2014. Very minor use permit Modification #P14-00203 was allowed to again relocate the 6 allowed parking spaces was approved on October 15, 2014.

The Conditional Use Permit allows the following:

Marketing events shall be limited as follows:

- a. Marketing events allowing 12 people maximum may be held 4 times per year (and shall not be held at the same time of day as any other marketing event or tours and tastings appointment.)
Time of day: 12 noon to 10:00 P.M.
- b. Marketing events allowing 30 people maximum may be held 6 times per year (and shall not be held at the same time of day as any other marketing event or tours & tasting appointment.)
Time of Day: 12 noon to 10:00 P.M.
- c. Marketing event allowing 50 people maximum may be held 1 time per year (and shall not be held at the same time of day as any other marketing event or tours & tasting appointment.)
Time of day: 12 noon to 10:00 P.M.
- d. Participation in the annual Napa Valley Wine Auction is permitted as a Category 5 Temporary Event.

- e. Any single marketing event may include food that shall be catered and prepared in an off-site commercial kitchen in accordance with and as approved by Napa County Department of Environmental Management.
- f. A shuttle service shall be provided for a Marketing Event totaling 50 or more persons.

All activity, including cleanup, shall cease by 10:00 PM. Start and finish time of all activities shall be scheduled to minimize all vehicles arriving or leaving between 4:00 PM and 6:00 PM

Tours and Tasting:

- a. Tours and tastings shall be limited to a maximum of 20 visitors per day and a maximum of number of visitors per six day week as follows:
 - I. November 16 through February – 60 visitors per six day week;
 - II. March through August – 80 visitors per six day week;
 - III. September through October – 120 visitors per six day week;
 - IV. November 1 through November 15 – 80 visitors per six day week;
- b. Tours and tastings may include food service provided in accordance with Ordinance No. 1340 (BOS approved May 11, 2010) that shall be catered and prepared in an off-site commercial kitchen in accordance with and as approved by the Department of Environmental Management;
- c. Any By Appointment Tours and Tasting shall not be conducted at the same time of day as any other Marketing or Temporary Event.

Start and finish time of tours and tastings shall be scheduled to minimize vehicles arriving or leaving between 4:00 PM and 6:00 PM, and shall be limited to those wines set forth in Napa County Code Sec. 18.16030(G)(5)(c).

Section 23789 (Consideration Points):

N/A

Section 23958.4 (Undue Concentration/High-Crime Area): N/A

Census Tract Information:

Census tract: 2014.01

Undue concentration does not apply as this is a non-retail license.

Crime Statistics:

N/A

Law Enforcement Contact:

On January 26, 2015, I spoke with Sergeant Doug Pace of the Napa County Sheriff's Department. He stated the Sheriff's Department handles any problems in the Soda Canyon Road area and the Highway Patrol handles Soda Canyon Road itself. He has no concerns with the issuance of this license.

On January 26, 2015, I spoke with Sergeant Page of the California Highway Patrol Napa office #325. He verified the Highway Patrol handles Soda Canyon Road. He will speak with his commander to see if his commander thinks another winery will cause any problems. If so his commander will contact me. I received no contact.

On January 27, 2015 I spoke with Napa County Sheriff's Department Deputy Charlie Sarnik. He stated the Napa County Sheriff's Department has no issues or concerns with the issuance of this license.

Public Convenience or Necessity:

N/A

Investigation of Public Convenience or Necessity:

N/A

Rule 61.4 (Residents Within 100')

NONE

Non-Interference:

N/A

Protest Information:

Date application filed: August 15, 2014

Number of protests received: 22

Number of verified protests received: 21

All of the protestants live between .25 miles and 15.5 miles from the proposed winery.

The protestants are as follows:

1. Anthony G Arger protest issue #2, 3 & 4, located 2.14 miles from the proposed premises.
3030 Soda Canyon Rd
Napa CA 94558

2. Dorothy Basden protest issue #1, located .25 mile from the proposed
2440 Soda Canyon Rd
Napa CA 94558
3. Ashlie Benton protest issue #1 & 3, located 1.95 miles from the proposed premises.
3398 Soda Canyon Rd
Napa CA 94558
4. Roberta Benton protest issue #1, 2, and 3, located 1.95 miles from the proposed premises.
3398 Soda Canyon Rd
Napa CA 94558
5. Laurence Carr protest issue #1, 3 & 4, located 15.91 miles by road from the proposed premises.
16 Dogwood Ct
Napa CA 94558
6. Jamison Chandler protest issue #1 & 5, located 1.48 miles from the proposed premises.
3000 Soda Canyon Rd
Napa CA 94558
7. Kelly A Czap protest issue #1, 3 & 5, located .79 miles from the proposed premises.
2210 Soda Canyon Rd
Napa CA 94558
8. Juanita Doran protest issue #1, 3 & 5, located .36 miles from the proposed premises
2441 Soda Canyon Rd
Napa CA 94558
9. David John Hallett protest issue #1 & 4, located .34 miles from the proposed premises.
2444 Soda Canyon Rd
Napa CA 94558
10. Lynne M Hallett protest issue #1 & 4, located .34 miles from the proposed premises.
2444 Soda Canyon Rd
Napa CA 94558
11. David Heitzman protest issue #1 & 8, located 15.64 miles, by road, from the proposed premises.
23 Rockrose Ct
Napa CA 94558
12. Lisa Hirayama protest issue #1, 3 & 4, located 15.91 miles, by road, from the proposed
premises.
16 Dogwood Ct
Napa CA 94558

13. William Hocker protest issue #1, 2 & 3, located 2.17 miles from the proposed premises.
3460 Soda Canyon Rd
Napa CA 94558
14. Jessica Joy Martin protest issue #2, 3 & 5, located .25 miles from the proposed premises.
2354 Soda Canyon Rd
Napa CA 94558
15. Meah Muzquiz protest issue #1, 2, 3 & 4, located 1.92 miles from the proposed premises.
3354 Soda Canyon Rd
Napa CA 94558
16. Anne Palotas protest issue #1, 2 & 7, located 1.92 miles from the proposed premises.
3354 Soda Canyon Rd
Napa CA 94558
17. Glenn Schreuder protest issue # 2, 3 & 6, located 1.19 miles from the proposed premises.
2882 Soda Canyon Rd
Napa CA 94558
18. Alan Shepp protest issue # 2, 3 & 4, located 3.11 miles from the proposed premises
3580 Soda Canyon Rd
Napa CA 94558
19. Diane Shepp protest issue #2, 3 & 4, located 3.11 miles from the proposed premises.
3580 Soda Canyon Rd
Napa CA 94558
20. Nick Turkal protest issue # 2, 3, 4 5 & 7, located .77 miles from the proposed premises.
2255 Soda Canyon Rd
Napa CA 94558
21. Jim Wilson protest issue #1, located 15.91 miles, by road, from the proposed premises.
5000 Monticello Rd
Napa CA 94558

Protest Issues/Grounds:

1. The quiet enjoyment of this rural residential area would be adversely impacted by people, traffic and noise associated with the operation of the winery and wine tasting.
2. Increased traffic to and from the winery will cause further deterioration of a road already in poor condition.
3. Accidents will be caused by increased traffic, large trucks using the roadway and intoxicated drivers coming from the tasting room.
4. Fire danger will increase.
5. Pedestrians, runners, bicyclists and children on the road will be endangered by the increased number of cars and large trucks on the narrow winding road.
6. Roadway is ill-suited for tourism created by the winery and tasting room.
7. Adding another winery on Soda Canyon Road will cause a decrease in the quality of life for the nearby residents.
8. Proposed premises is not zoned for this type business.

Investigation of Protest Issues/Grounds:

Issue # 1. The quiet enjoyment of this rural residential area would be adversely impacted by people, traffic and noise associated with the operation of the winery and wine tasting.

Soda Canyon Road is approximately 7.5 miles long. There are 10 other licensed wineries and numerous vineyards in the general vicinity of the premises. The one winery location with tasting privileges consists of a Host winery with four (4) Alternating Proprietors, located at 2275 Soda Canyon Road. Several of the vineyards and or wineries separate the protestants from the premises in either direction of the road. The premises is properly zoned for a winery and is consistent with the general plan of Napa County.

Issue # 2. Increased traffic to and from the winery will cause further deterioration of a road already in poor condition.

Roadway issues are not under the jurisdiction of the Department of Alcoholic Beverage Control. The approved Conditional Use Permit from the County of Napa allows 6 parking spaces for public use and restricts the number of visitors, and operating hours, allowed for tasting each day and month of the year. Per the approved Conditional Use Permit shuttles will be provided for large groups of visitors.

Issue # 3. Accidents will be caused by increased traffic, large trucks using the roadway and intoxicated drivers coming from the tasting room.

There will be minimal impact on the roadway by large trucks at crush time. The grapes will be brought in mainly by pickup trucks owned by the applicant, with two or three larger trucks. The mobile bottling truck will only traverse the road twice a year, once to the location and once from the location. Finished wine will be transported from the winery by automobiles the applicant owns or pickup truck.

There are definite responsibilities that lay with the winery as well as for those who consume alcoholic beverages and drive. The Department is aware of the impact of drunken driving and makes every effort to reduce its effect on California communities. However, there is nothing to indicate the applicant will contribute to this kind of behavior.

Agent Christopher Vale, of the Department of Alcoholic Beverage Control, contacted both the Napa County Sheriff's Department and the California Highway Patrol. There have been no DUIs in the area of the one current tasting room located at 2275 Soda Canyon Road. This report covers from January 1, 2013 up to February 18, 2015.

Issue # 4. Protestants state fire danger will increase.

Although fire prevention is not under the jurisdiction of the Alcoholic beverage Control, I contacted Napa County acting Fire Marshall Barry Biermann on January 26, 2015. Fire Marshall Biermann stated he has no concerns with the issuance of the license and sees no reason to anticipate additional fire danger with the addition of another winery on Soda Canyon Road.

In addition I made several attempts to contact the Soda Canyon Volunteer Fire Department president Doug Christian, by telephone and E-Mail, to discuss any concerns with this new winery. At the time of this report I have had no response.

Issue # 5. Protestants state pedestrians, runners, bicyclists and children on the road will be endangered by the increased number of cars and trucks on the narrow winding road.

The Alcoholic Beverage has no jurisdiction over the roadway.

Soda Canyon Road is a rural two (2) lane road with no sidewalks and very little shoulder. It is very reasonable that there would be concern for public safety on this road. The approved Conditional Use Permit for the premises allows for no more than six (6) public parking spaces for the winery. Tasting, tours and marketing events are limited as well as the number of attendees on any given day and time. Shuttle service must be provided for large numbers of visitors, therefore tourist traffic to the winery itself shall be a minimal increase to the number of cars on the roadway.

Issue # 6. Protestants state roadway is ill suited for tourism created by the winery and tasting room.

The Alcoholic Beverage Control cannot dictate tourism throughout the State of California. The applicant has gone through an extensive Conditional Use Permit process prior to submitting application. The Napa County Planning Department has stated the winery with tasting privileges is an approved use for this area.

Issue # 7. Protestants state adding another winery on Soda Canyon Road will cause a decrease in the quality of life for the nearby residents.

The winery is an approved use by the County of Napa. At present there are ten (10) licensed wineries on Soda Canyon Road. Of these winery locations only one (1) location at 2275 Soda Canyon Road has tasting privileges which includes the host winery and four (4) Alternating Proprietors which operate under one (1) approved Conditional Use Permit. The other nine (9) wineries vary from production only, production with an office and storage and one (1) office only location. The area is zoned agricultural which allows for winery production. There are numerous other vineyards only located throughout the seven and one half (7.5) mile long Soda Canyon Road. The County of Napa has determined wineries with tasting privileges fits within the scope of the Napa County plan for this area. The Conditional Use Permit approved by the Napa County Planning Department restricts the number of events, the number of visitors and the times allowed for these events that would appear to take in to consideration the nearby residents and access arriving and leaving the winery. All winery events are held inside the cave which will limit the noise factor. In addition shuttles to and from events are required for larger events.

Issue # 8. Proposed premises is not zoned for this type business.

This premise is zoned Agricultural watershed and is an approved use.

Conclusion:

I recommend that the applied for license be approved. The winery is an approved use and is zoned correctly by the County of Napa.

To alleviate the concern of large trucks on this road, grapes will be brought in mostly by pickup trucks. The only residence visible from the premises is the third story of a residence over 1000 feet away. All wine making activities, tastings, tours and events will be held inside the cave.

To alleviate the concerns of additional traffic shuttle service will be provided to and from the winery when any event exceeds 50 people.

The California Highway Patrol and the Napa County Sheriff's Department reports reflect there have been no DUIs in the area of the one current tasting room at 2275 Soda Canyon Road. The reports cover from January 1, 2013 up to February 18, 2015.

No operating conditions have been recommended.

LICENSED PREMISES DIAGRAM (NON-RETAIL)

1. APPLICANT NAME (Last, first, middle) <i>Relic Wine Cellars, LLC</i>	2. LICENSE TYPE 02-WINEGROWER
3. PREMISES ADDRESS (Street number and name, city, zip code) 2400 SODA CANYON RD, NAPA CA 94558	4. NEAREST CROSS STREET SILVERADO TRAIL

The diagram below is a true and correct description of the entrances, exits, interior walls and exterior boundaries of the premises to be licensed, *including dimensions*.

DIAGRAM

See attached

It is hereby declared that the above-described boundaries, entrances and planned operation as indicated on the reverse side, will not be changed without first notifying and securing prior written approval of the Department of Alcoholic Beverage Control. I declare under penalty of perjury that the foregoing is true and correct.

APPLICANT SIGNATURE (Only one signature required)

JTB

DATE SIGNED

7/31/14

FOR ABC USE ONLY

CERTIFIED CORRECT (Signature)

Judy Barrett

PRINTED NAME

Judy Barrett

INSPECTION DATE

*9-4-14 and
2-19-15*

RELIC WINERY
2484 Soda Canyon Rd.
Napa, CA

NOT FOR CONSTRUCTION

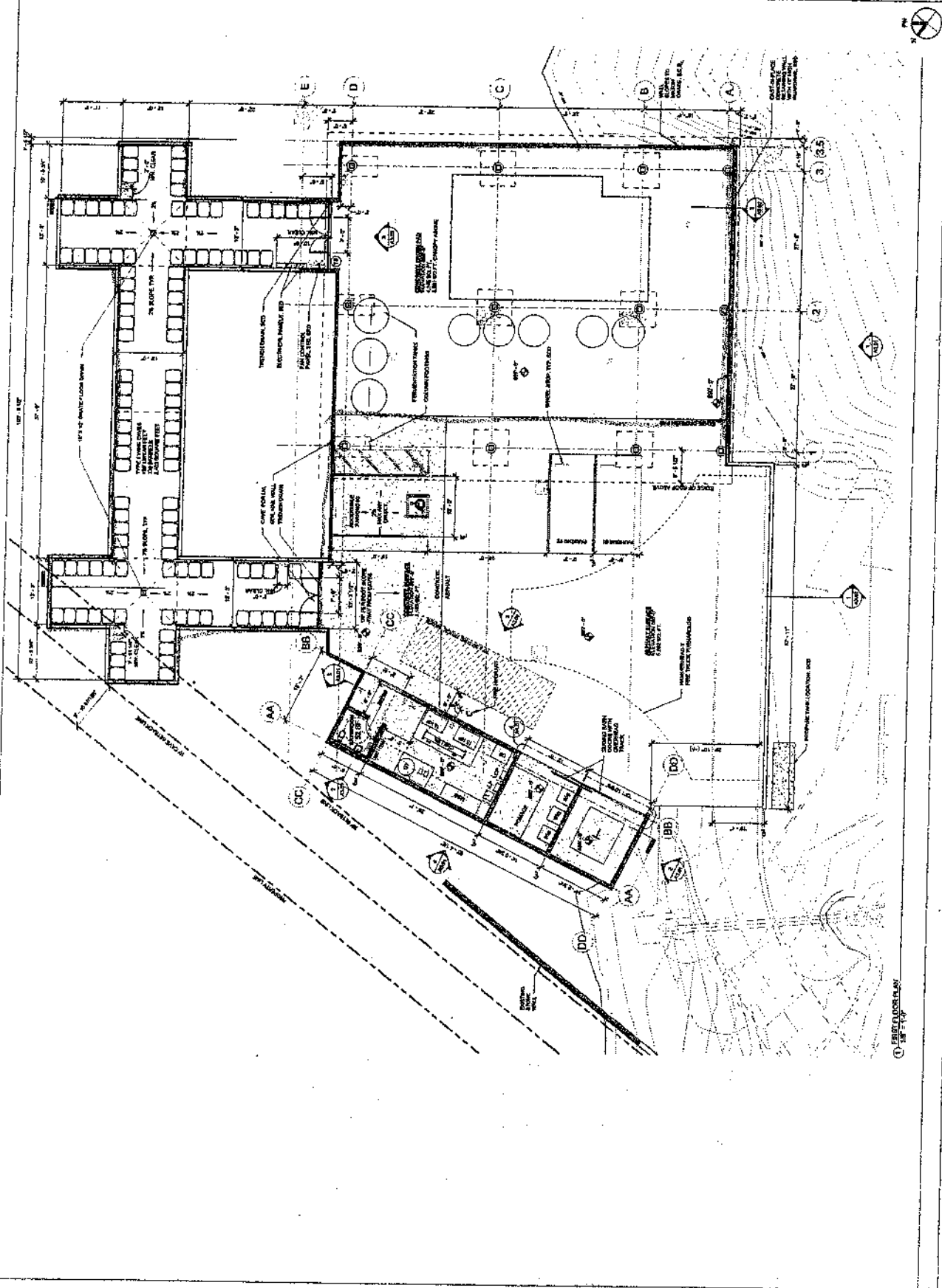
Project Description:
Type: Winery
Location: Napa, CA
Phase: Construction
Scale: 1/8" = 1'-0"

Project Date: 08/08/04
Sheet No.: A2.01
Scale: 1/8" = 1'-0"

FIRST FLOOR PLAN
A2.01



Handwritten signature and 'X' mark



1. LUBBERG ARCHITECTS
1000 STREET
NAPA, CA 94930
TEL: 707.251.1111

PLANNED OPERATION (NON-RETAIL)

1. APPLICANT NAME(S) (Last, first, middle) Relic Wine Cellars LLC 2. LICENSE TYPE(S) 02-WINEGROWER

3. PREMISES ADDRESS (Street number and name, city, zip code) 2400 SODA CANYON RD, NAPA CA 94558

4. PREMISES (Check all that apply)
 Office Warehouse Production Facility Alternating Proprietorship Tasting Room Joint Tasting Room
 Restaurant on Premises

5. MANUFACTURE
 Beer Wine Distilled Spirits IMPORT Beer Wine Distilled Spirits WHOLESALE (Distribute) Beer Wine Distilled Spirits

6. SELL TO
 Retailers Wholesalers Consumers Export out of California

7. OPERATING HOURS

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Opening Time		8:00	8:00	8:00	8:00	8:00	8:00
Closing Time		6:00	6:00	6:00	6:00	6:00	6:00

8. LIST ANY BRAND NAME(S) AND TYPE(S) OF ALCOHOL PRODUCT YOU WILL MANUFACTURE/IMPORT/DISTRIBUTE
RELIC WINE CELLARS - WINE

9. IF CONTRACTING WITH A MANUFACTURER TO MAKE A CUSTOM PRODUCT TO BE SOLD UNDER YOUR BRAND NAME LIST NAME AND LICENSE NUMBER OF MANUFACTURER.

10. LIST NAME(S) AND ADDRESS(ES) OF ALL SUPPLIERS OF ALCOHOLIC BEVERAGES (Street number and name, city, state, zip code)

11. ALCOHOLIC BEVERAGES WILL BE SHIPPED TO MY CUSTOMERS FROM (STREET NUMBER AND NAME, CITY, STATE, ZIP CODE)
 Applied-for premises
 Type 14 (Public Warehouse) ABC License Number 14-520565 Address 80 Technology Ct Ste 200 Napa
 Other (E.G. Duplicate 02) ABC License Number _____ Address _____

12. ALCOHOLIC BEVERAGES WILL BE STORED AT (Street number and name, city, state, zip code) 175 TOWER RD, NAPA CA 94558 13. BUSINESS RECORDS WILL BE MAINTAINED AT (Street number and name, city, state, zip code) 200 NEMO CT, ST. HELENA CA 94574

14. FEDERAL BASIC PERMIT REQUIRED FROM ALCOHOL AND TOBACCO TAX AND TRADE BUREAU (TTB)?
 Yes No APPLICATION DATE 6/24/14 pending 02-548274

15. IF APPLYING FOR TYPE 02 WINEGROWER LICENSE OR TYPE 22 WINEBLENDRER LICENSE, LIST BONDED WINERY PERMIT NUMBER ISSUED BY TTB (REQUIRED)
 BONDED WINERY PERMIT NUMBER 2014-BWNP-02275-0

16. REGISTRATION REQUIRED FROM STATE BOARD OF EQUALIZATION?
 Yes No REGISTRATION DATE _____

FOR ABC USE ONLY

INFORMATION PROVIDED	PROVIDED BY (Name)	DATE PROVIDED
<input type="checkbox"/> ABC-578 Instructions to Beer Suppliers & Out of State Beer Vendors		
<input type="checkbox"/> ABC-413 Instructions to Distilled Spirits Shipper		
<input type="checkbox"/> ABC-414 Distilled Spirits Shipper Agreement		

COMMENTS/ADDITIONAL INFORMATION