



2018 FEB -9 PM 4:46
RECEIVED
PLANNING DEPARTMENT

COMMUNITY DEVELOPMENT SERVICES PLANNING AND BUILDING DEPARTMENT

2850 Fairlane Court, Placerville, CA 95667
Phone: (530) 621-5355 www.edcgov.us/Planning/

REVISION TO
APPLICATION FOR: CONDITIONAL/MINOR USE PERMIT FILE # S04-0001-R
ASSESSOR'S PARCEL NO.(s) 095-080-56
PROJECT NAME/REQUEST: (Describe proposed use) Oakstone Winery Minor revision to SUP S04-0001-R to expand the existing approved uses of case production and days of operation.

APPLICANT/AGENT Elizabeth Ryan, Owner

Mailing Address PO Box 227 Somerset CA 95684
P.O. Box or Street City State & Zip

Phone (530) 919-0590 EMAIL: liz@oakstone-winery.com

PROPERTY OWNER Barrel Head Vineyards, LLC- Elizabeth and Stephen Ryan

Mailing Address PO Box 227 Somerset CA 95684
P.O. Box or Street City State & Zip

Phone (530) 919-0590 EMAIL: liz@oakstone-winery.com

LIST ADDITIONAL PROPERTY OWNERS ON SEPARATE SHEET IF APPLICABLE

ENGINEER/ARCHITECT N/A

Mailing Address _____
P.O. Box or Street City State & Zip

Phone () _____ EMAIL: _____

LOCATION: The property is located on the southwest side of Irish Acres Rd.
N / E / W / S street or road

0 feet/miles north of the intersection with Slug Gulch Rd.
N / E / W / S major street or road

in the Fair Play American Viticultural area. PROPERTY SIZE 20.8
acreage / square footage

X Elizabeth C. Ryan Date 2/5/18
signature of property owner or authorized agent

FOR OFFICE USE ONLY
Date 2/9/18 Fee \$ 1171 Receipt # 30803 Rec'd by MAUNT Census _____
Zoning LA-20 GPD mm-A Supervisor Dist 2 Sec 27 Twn 9N Rng 2E

ACTION BY _____
PLANNING COMMISSION
ZONING ADMINISTRATOR

ACTION BY BOARD OF SUPERVISORS

Hearing Date _____

Hearing Date _____

Approved _____ Denied _____
findings and/or conditions attached

Approved _____ Denied _____
findings and/or conditions attached

Executive Secretary _____

APPEAL:
Approved _____ Denied _____

Revised 11/2017

S 04-0001-R-2

RECEIPT #: 30803 01 1
DATE PAID: 02/09/2018 02 1

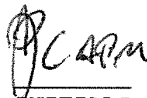
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RECEIVED FROM: BARREL HEAD WINES

CONDITIONAL USE PERM S -04-0001-R
CUP-MINOR REV CUR PLAN-PVL-FLAT 1,171.00

TOTAL \$ 1,171.00

FOR: OAKSTONE VINEYARDS
RECEIVED BY: AARON MOUNT



TOTAL: \$ 1,171.00

INITIALS CHECK# 1931 \$ 1,171.00
CASH \$ 0.00

PLCT1-02/09/18-13:25:03

FILE COPY

2018 FEB -9 PM 4: 46

Conditional/Minor Use Permit
Page 5



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Conditional/Minor Use Permit

REQUIRED SUBMITTAL INFORMATION

The following items 1 through 9 must be provided with all applications. The remaining items shall be required where applicable. **If all the required and applicable information is not provided, the application will be deemed incomplete and will not be accepted.** For your convenience, please use the check (✓) column on the left to be sure you have all the required and applicable information. **All plans and maps MUST be folded to 8½" x 11"**.

FORMS AND MAPS REQUIRED

Check (✓)
Applicant County

- | | | |
|---|-----|--|
| ✓ | 1) | Application form, completed and signed. |
| ✓ | 2) | Letter of authorization from all property owners authorizing agent to act as applicant, when applicable. |
| ✓ | 3) | Proof of ownership (Grant Deed), if the property has changed title since the last tax roll. |
| ✓ | 4) | A copy of official Assessor's map, showing the property outlined in red. In File |
| ✓ | 5) | An 8 ½ x 11" vicinity map showing the location of the project in relation to the distance to major roads, intersections, and town sites. In File |
| ✓ | 6) | Environmental Questionnaire form, completed and signed. |
| ✓ | 7) | Provide name, mailing address and phone number of all property owners and their agents. |
| ✓ | 8) | A record search for archaeological resources shall be conducted through the North Central Information Center located at CSU-Sacramento, 6000 J Street, Adams Bldg, #103, Sacramento, CA 95819-6100, phone number (916) 278-6217. If the record search identifies a need for a field survey, a survey shall be required. (A list of Archaeological Consultants and survey requirements is available at the Planning Department.) Archaeological surveys shall meet the "Guidelines for Cultural Resource Studies" approved by the Board of Supervisors, available at the Planning Department. In File |
| ✓ | 9) | A traffic impact determination shall be provided utilizing El Dorado County's "Transportation Impact Study (TIS) – Initial Determination Form, located on the Planning Services website under "Applications and Forms". In File |
| ✓ | 10) | If public sewer or water service is proposed, obtain and provide a Facilities Improvement Letter if the project is located within the EID service area, or a similar letter if located in another sewer/water district. N/A |

S 04-0001-R-2

FORMS AND MAPS REQUIRED

No changes to existing facility are being requested.

Check (✓)
Applicant County

- N/A _____ 11) If off-site sewer or water facilities are proposed to serve the project, provide four (4) copies of a map showing location and size of proposed facilities. If ground water is to be used for domestic water, submit a report noting well production data for adjacent parcels, or submit a hydrological report prepared by a geologist noting the potential for water based on the nature of project site geology. N/A
- N/A _____ 12) In an accompanying report, provide the following data for area on each proposed parcel that is to be used for sewage disposal:
a) Percolation rate and location of test on 4.5 acres or smaller
b) Depth of soil and location of test
c) Depth of groundwater and location of test
d) Direction and percent of slope of the ground
e) Location, if present, of rivers, streams, springs, areas subject to inundation, rock outcropping, lava caps, cuts, fills, and easements
f) Identify the area to be used for sewage disposal
g) Such additional data and information as may be required by the Division Director of Environmental Management to assess the source of potable water, the disposal of sewage and other liquid wastes, the disposal of solid wastes, drainage, and erosion control
- N/A _____ 13) Preceding parcel map, final map, or record of survey, if any exists.
- N/A _____ 14) Preliminary grading, drainage plan, and report. The plan should be of sufficient detail to identify the scope of grading, including quantities, depths of cut and fills (for roads and driveways where cuts/fills exceed 6 feet, and mass pad graded lots), location of existing drainage, proposed modifications, and impacts to downstream facilities. (See Section 110.14.240 of County Grading Ordinance for submittal detail)
- N/A _____ 15) If located within one of the five Ecological Preserve - EP overlay zones (Mitigation Area 0), rare plants may exist on-site. The State Department of Fish & Wildlife will require an on-site biological plant survey to determine the extent and location of rare plants on the project site. Such a survey can only occur from March 15 through August 15 when plants are readily visible. Therefore, if the State Department of Fish & Wildlife requires the plant survey, a substantial delay in the processing of your application could result. To avoid potential delays, you may choose to provide this survey with application submittal. (A list of possible Botanical Consultants is available at Planning Services.)
- N/A _____ 16) Name and address of Homeowner's Association, CSA 9 Zone of Benefit, or other road maintenance entity if it exists in the project area.
- N/A _____ 17) A site-specific wetland investigation shall be required on projects with identified wetlands as delineated on the applicable U.S.G.S. Quadrangle and/or by site visit, when proposed improvements will directly impact the wetland (reduce the size of the wetland area) or lie near the wetlands. (Available from Planning Services are the U.S. Corps of Engineers requirements for a wetlands delineation study. A list of qualified consultants is also available.)

- N/A _____ 18) An acoustical analysis shall be provided whenever a noise-sensitive land use (residences, hospitals, churches, libraries) are proposed adjacent to a major transportation source, or adjacent or near existing stationary noise sources. Such study shall define the existing and projected noise levels and define how the project will comply with standards set forth in the General Plan.
- N/A _____ 19) Where potential for special status plant and/or animal habitats are identified on the parcel(s), an on-site biological study shall be required to determine if the site contains special status plant or animal species or natural communities and habitats.
- N/A _____ 20) An air quality impact analysis shall be provided utilizing the El Dorado County Air Pollution Control District's "Guide to Air Quality Assessment."

OAK TREE/OAK WOODLAND REMOVAL

The following supplemental information shall be required if any Oak Woodlands, Individual Native Oak Trees, or Heritage Trees, as defined in Section 130.39.030 (Definitions) will be impacted by the project (i.e. cut down) consistent with Section 130.39.070 (Oak Tree and Oak Woodland Removal Permits – Discretionary Development Projects).

Check (✓)
Applicant County No changes are proposed

- N/A _____ 1) Oak Resources Code Compliance Certificate.
- N/A _____ 2) Oak Resources Technical Report prepared by a Qualified Professional consistent with Section 2.5 (Oak Resources Technical Reports) of the Oak Resources Management Plan.
- N/A _____ 3) Completed Oak Resources Technical Report Checklist, including supplemental data for impacted Individual Native Oak Trees within Oak Woodlands, as applicable.
- N/A _____ 4) Security deposit for on-site oak tree/oak woodland retention and/or replacement planting (if proposed as part of project mitigation) consistent with Section 130.39.070.F (Security Deposit for On-Site Oak Tree/Oak Woodland Retention and Section 130.30.070.G (Security Deposit for On-Site Oak Tree/Oak Woodland Replacement Planting).
- N/A _____ 5) Reason and objective for impact to oak trees and/or oak woodlands.

SITE PLAN REQUIREMENTS

Five (5) copies plus an electronic copy (CD-ROM or other medium) of the site plan detailing what exists on the site at time of application shall be submitted on 24" x 36" sheets or smaller, drawn to scale, and of sufficient size to clearly show all details and required data. **All plans MUST be folded to 8½" x 11", plus one 8½" x 11" reduction. NO ROLLED DRAWINGS WILL BE ACCEPTED.**

For your convenience, please check the Applicant column on the left to be sure you have all the required submittal information.

Check (✓)
Applicant County No changes to the site are being requested. All site plan information is in existing file for S04-0001-R

- _____ 1) Project name (if applicable).
- _____ 2) Name, address of applicant and designer (if applicable).

No changes to the site are being requested. All site plan information is in existing file for S04-0001-R

Conditional/Minor Use Permit
Page 8

- _____ 3) Date, north arrow, and scale.
- _____ 4) Entire parcel of land showing perimeter with dimensions.
- _____ 5) All roads, alleys, streets, and their names.
- _____ 6) Location of easements, their purpose and width.
- _____ 7) All existing and proposed uses (i.e. buildings, driveways, dwellings, utility transmission lines, etc.).
- _____ 8) Parking and loading stalls with dimensions (refer to Zoning Ordinance Chapter 130.35 and the Community Design Standards-Parking and Loading Standards).
- _____ 9) Trash and litter storage or collection areas, and propane tank location(s).
- _____ 10) Total gross square footage of proposed buildings.
- _____ 11) Proposed/existing fences or walls.
- _____ 12) Sign locations and sizes (if proposed) (refer to Zoning Ordinance Chapter 130.16).
- _____ 13) Pedestrian walkways, courtyards, etc. (if proposed).
- _____ 14) Exterior lighting plan (if proposed), along with a Photometric Study and fixture specifications (refer to Zoning Ordinance Chapter 130.34 and the Community Design Standards-Outdoor Lighting Standards).
- _____ 15) Existing/proposed water, sewer, septic systems, and wells (if applicable).
- _____ 16) Existing/proposed fire hydrants.
- _____ 17) Tentative subdivision or parcel map (if applicable).
- _____ 18) Public uses (schools, parks, etc.)
- _____ 19) The location, if present, of rock outcropping, lava caps, drainage courses, lakes, canals, reservoirs, rivers, streams, spring areas subject to inundation and wetlands. (Show respective 100-foot and 50-foot septic system setbacks when a septic system is proposed).
- _____ 20) Identify areas subject to a 100-year flood on perennial streams or creeks, and show high water level (100-year) on map. Where this data is not readily available, January 1997 flood level can be shown if known. (Refer to the Federal Emergency Management Agency (FEMA) website).
- _____ 21) Note any proposed trails within the project; and where applicable, connection to existing or proposed trail systems.

No changes to the existing landscape are being requested or proposed

Conditional/Minor Use Permit
Page 9

PRELIMINARY LANDSCAPE PLAN REQUIREMENTS

Required when parking facilities are proposed or otherwise at planner's discretion. (Refer to Zoning Ordinance Chapter 130.33 and the Community Design Standards – Landscaping and Irrigation Standards).

(Five (5) copies plus an electronic copy (CD-ROM or other medium), **folded to 8½" x 11", plus one 11" x 17" reduction**).

Check (✓)

Applicant County

- _____ 1) Location, quantity, and a gallon size of proposed plant material (See Zoning Ordinance Chapter 130.33 and the Community Design Standards – Landscaping and Irrigation Standards).
- _____ 2) Note quantity/type of trees to be removed.
- _____ 3) Location, general type (pine, oak, etc.) and size of all existing trees, in those areas that are subject to grading or otherwise may be removed/affected by proposed improvements. Note quantity of trees to be removed.
- _____ 4) List of both common and botanical names of plant material (use of drought tolerant species is highly recommended). A recommended list of drought-tolerant species is available at Planning Services.
- _____ 5) Location of irrigation proposed. (NOTE: The final Landscape Plan will ultimately be required to meet the County's Water Conserving Landscape Standards. Copies are available at Planning Services).

PRELIMINARY GRADING AND DRAINAGE PLAN

Required whenever any grading is proposed.

(Five (5) copies plus an electronic copy (CD-ROM or other medium), **folded to 8½" x 11", plus one 8.5" x 11" reduction**).

Check (✓)

Applicant County

No changes to existing grade are being requested or proposed

- _____ 1) Contours or slope data (pursuant to Chapter 110.14 of County Code Grading, Erosion, and Sediment Control Ordinance).
- _____ 2) Drainage improvements, culverts, drains, etc.
- _____ 3) Limits of cut and fill. _____

PLAN OF BUILDING ELEVATIONS

Required whenever a new structure or addition is proposed.

(Five (5) copies plus an electronic copy (CD-ROM or other medium), **folded to 8½" x 11", plus one 8.5" x 11" reduction**).

Check (✓)

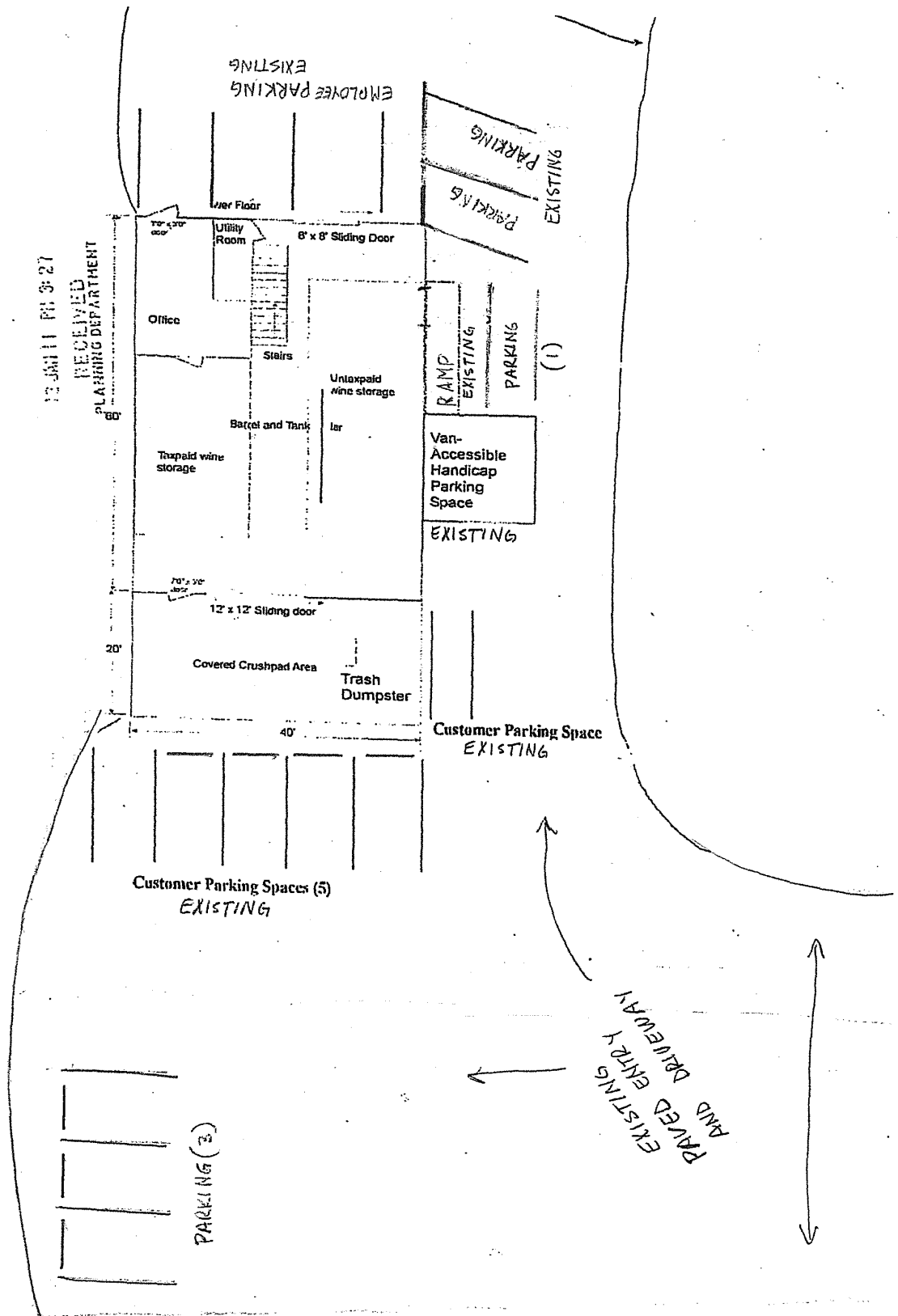
Applicant County

No new structure or addition is being requested or proposed

- _____ 1) Building design, elevations of all sides.
- _____ 2) Exterior materials, finishes, and colors.
- _____ 3) Existing/proposed signs showing location, height and dimensions. Include sign plan for project with multiple businesses.

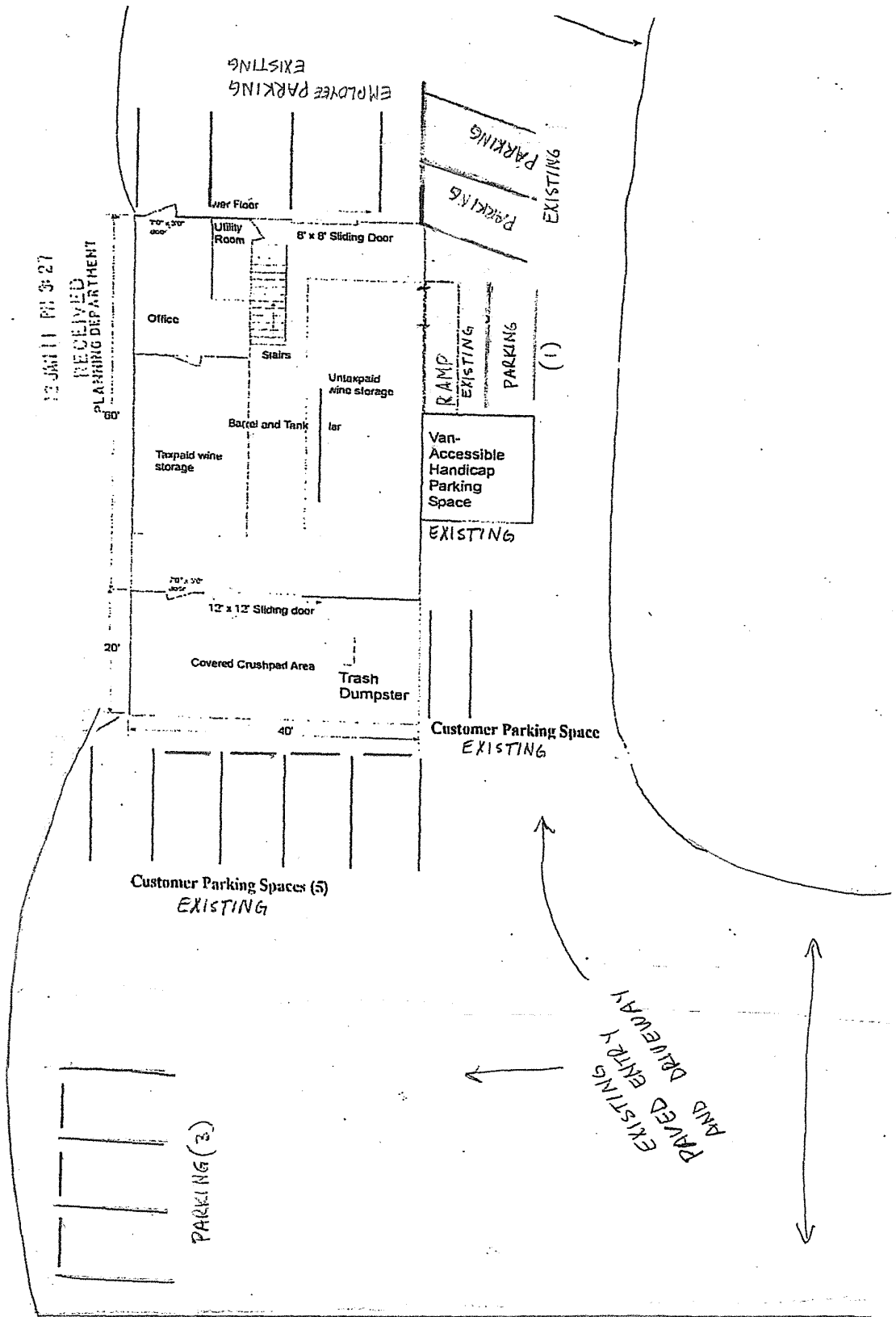
Planning Services reserves the right to require additional project information as provided by Section 15060 of the California Environment Quality Act, or as required by the General Plan development policies, when such is necessary to complete the environmental assessment.

NOTE: APPLICATION WILL BE ACCEPTED BY APPOINTMENT ONLY. MAKE YOUR APPOINTMENT IN ADVANCE BY CALLING (530) 621-5355.



S 04-0001-R-2

EXHIBIT K REVISED



S 04-0001-R-2

EXHIBIT K REVISED



COMMUNITY DEVELOPMENT SERVICES PLANNING AND BUILDING DEPARTMENT

2850 Fairlane Court, Placerville, CA 95667
Phone: (530) 621-5355 www.edcgov.us/Planning/

EL DORADO COUNTY PLANNING SERVICES ENVIRONMENTAL QUESTIONNAIRE

File Number _____

Date Filed _____

Project Title Oakstone Winery-Minor Revision to S04-0001-R Lead Agency _____
Name of Owner Barrel Head Vineyards, LLC Telephone 530-919-0590
Address 6470 Irish Acres Rd., Fair Play, CA 95684
Name of Applicant Elizabeth Ryan, Owner Telephone 530-919-0590
Address PO Box 227, Somerset CA 95684
Project Location 6470 Irish Acres Rd., Fair Play CA 95684
Assessor's Parcel Number(s) 095-080-56 Acreage 20.8 Zoning LA

Please answer all of the following questions as completely as possible. Subdivisions and other major projects will require a Technical Supplement to be filed together with this form.

1. Type of project and description:
Revision to S04-0001-R to remove limitation on annual case production, increase days of tasting room operation from 4 to 6, modify production hours to 8am to 5pm instead of 9am to 5pm and reconfigure existing parking space design for more efficiency and spaces.
2. What is the number of units/parcels proposed? no new units or parcels are proposed

GEOLOGY AND SOILS All geology and soils information is in existing file.

3. Identify the percentage of land in the following slope categories:
☐ 0 to 10% ☐ 11 to 15% ☐ 16 to 20% ☐ 21 to 29% ☐ over 30%
4. Have you observed any building or soil settlement, landslides, rock falls or avalanches on this property or in the nearby surrounding area? None
5. Could the project affect any existing agriculture uses or result in the loss of agricultural land? No

S 04-0001-R-2

DRAINAGE AND HYDROLOGY In existing file

6. Is the project located within the flood plain of any stream or river? _____
If so, which one? _____
7. What is the distance to the nearest body of water, river, stream or year-round drainage channel?
_____ Name of the water body? _____
8. Will the project result in the direct or indirect discharge of silt or any other particles in noticeable amount into any lakes, rivers or streams? _____
9. Will the project result in the physical alteration of a natural body of water or drainage way?
If so, in what way? _____
10. Does the project area contain any wet meadows, marshes or other perennially wet areas?

VEGETATION AND WILDLIFE In file

11. What is the predominant vegetative cover on the site (trees, brush, grass, etc.)? Estimate percentage of each:
12. How many trees of 6-inch diameter will be removed when this project is implemented?
None _____

FIRE PROTECTION In file

13. In what structural fire protection district (if any) is the project located? _____
14. What is the nearest emergency source of water for fire protection purposes (hydrant, pond, etc.)? _____
15. What is the distance to the nearest fire station? _____
16. Will the project create any dead-end roads greater than 500 feet in length? _____
17. Will the project involve the burning of any material including brush, trees and construction materials? _____

NOISE QUALITY No new project is being proposed

18. Is the project near an industrial area, freeway, major highway or airport? _____
If so, how far? _____
19. What types of noise would be created by the establishment of this land use, both during and after construction? _____

AIR QUALITY

20. Would any noticeable amounts of air pollution, such as smoke, dust or odors, be produced by this project? No

WATER QUALITY In file

21. Is the proposed water source ☐ public or ☐ private, ☐ treated or ☐ untreated?
22. What is the water use (residential, agricultural, industrial or commercial)? _____

AESTHETICS

23. Will the project obstruct scenic views from existing residential areas, public lands, and/or public bodies of water or roads? No changes to existing structure

ARCHAEOLOGY/HISTORY In file

24. Do you know of any archaeological or historical areas within the boundaries or adjacent to the project? (e.g., Indian burial grounds, gold mines, etc.) None

SEWAGE Existing, no changes

25. What is the proposed method of sewage disposal? ☒ septic system ☐ sanitation district
Name of district: _____
26. Would the project require a change in sewage disposal methods from those currently used in the vicinity? _____

TRANSPORTATION No changes, in file

27. Will the project create any traffic problems or change any existing roads, highways or existing traffic patterns? No
28. Will the project reduce or restrict access to public lands, parks or any public facilities?
No

GROWTH-INDUCING IMPACTS No changes to existing activities

29. Will the project result in the introduction of activities not currently found within the community?
No
30. Would the project serve to encourage development of presently undeveloped areas, or increases in development intensity of already developed areas (include the introduction of new or expanded public utilities, new industry, commercial facilities or recreation activities)? No

31. Will the project require the extension of existing public utility lines? No
If so, identify and give distances: _____

GENERAL There is no new project being requested or proposed

32. Does the project involve lands currently protected under the Williamson Act or an Open Space Agreement? _____
33. Will the project involve the application, use or disposal of potentially hazardous materials, including pesticides, herbicides, other toxic substances or radioactive material?

34. Will the proposed project result in the removal of a natural resource for commercial purposes (including rock, sand, gravel, trees, minerals or top soil)? _____
35. Could the project create new, or aggravate existing health problems (including, but not limited to, flies, mosquitoes, rodents and other disease vectors)? _____
36. Will the project displace any community residents? _____

DISCUSS ANY YES ANSWERS TO THE PREVIOUS QUESTIONS (attached additional sheets if necessary)

MITIGATION MEASURES (attached additional sheets if necessary)

Proposed mitigation measures for any of the above questions where there will be an adverse impact:

Form Completed by: Elizabeth Ryan Date: February 1, 2018

Revised 11/2017

2018 FEB -9 PM 4: 47

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PLANNING DEPARTMENT

February 7, 2018

Dear Mr. Chairman and Commissioners,

My name is Elizabeth Ryan, and my husband, Stephen Ryan and I own Oakstone Winery in Fair Play. Our winery is subject to Special Use Permit (SUP) S04-0001-R, the revision being granted in 2013 after a fire that destroyed the original Oakstone Winery building on Slug Gulch Rd. This revision allowed the conversion of what was Obscurity Cellars, located just across Slug Gulch Rd. on Irish Acres Rd., from a wine production facility to now operate as a tasting room with retail sales, marketing activities and picnic areas as defined in the El Dorado County Ordinance Code Section 17.14.200 part C.

When Stephen and I purchased Oakstone Winery from John Smith, we started out under the restrictions of the SUP fully expecting those restrictions to be lifted by the TGPA and ZOU, which would negate the need for the SUP as we would be zoned PA and a winery by right. This expectation was also stated in the Staff Report on page 4 of the Revision to S04-0001 dated January 24, 2013.

Going from AP to LA at the completion of the ZOU was a great shock to us, as we had been assured we would be PA, especially since the original Oakstone Winery site, directly across the street, was PA. To compound this negative result, LA lands were not allowed the same uses as PA lands, although their parameters are basically identical. This has kept us at a considerable competitive disadvantage to our neighboring Fair Play wineries, as they can operate at their full potential under their PA rights, and we are so limited in ours. With over 20 wineries to compete with now, compared to the 6 that were here when Oakstone first opened in 1997, it is critical that we reduce these limitations.

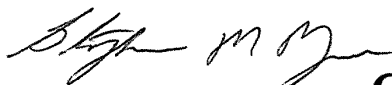
We have been operating our winery as successfully as possible in spite of these limitations, enjoying the customers who had frequented the original Oakstone Winery as well as new customers who have discovered us in their exploration of Fair Play and the surrounding wine areas. We enjoy a degree of popularity in Fair Play, but are running out of wine to sell due to our case production limit. The attached photo is of the wines we have available for sale as of February 7, and as you can see, we have less than 200 cases left to sell. We are bottling 1000 cases February 9, but those wines need to be bottle aged for at least 3 months, so what we have on hand has to last us until May when we can test some for release.

Our patrons and neighbors visit us because of the quality of our wine, and the pleasant experience tasting wines while enjoying the beautiful view of the surrounding area provided by our expanded (and fully permitted) deck. We have made other aesthetic improvements to the property, including a new paint job on the interior tasting room and exterior building, which our neighbors really appreciated, and we have also maintained the road pursuant to our agreement.

We are asking the Commission to remove the limitation on our case production, as per the original Staff Report with no limitation, and approve our request to be open for tasting and sales two more days per week to six days instead of four. We would like our production hours changed from 9am to 5pm to the more regular business hours of 8am to 5pm, and would like to restripe our parking area to be more efficient and add 4 more spaces. These requests will have no impact on our neighbors, who enjoy coming over to help with bottling and our small events in the cellar. We have two neighbors who now want to work for us and be on the payroll, and we would like to offer employment to them this spring. Two more days per week and an increase in case production would make this possible and make us more competitive with the other wineries without changing our overall scope of operations.

We are hopeful that the proposed cleanup of the TGPA-ZOU will rectify the issues are faced with after being zoned LA instead of PA, but respectfully ask that you grant our revision request in the meantime, as we have lost so much time and productivity awaiting a solution, and need to plan our harvest production accordingly by spring as well. Thank you for your consideration of our request, and please let us know if we can provide any further information.

Sincerely,



Elizabeth & Stephen Ryan

S 04-0001-R-2

Oakstone Winery S04-0001-R Revision February 7, 2018



Cases we have left as of February 7, 2018



View from deck across vineyards to Skinner Winery



View of building and deck from Piedras Grandes Charbono Vineyard

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PLANNING DEPARTMENT

BARRELHEAD VINEYARDS, LLC
DBA OAKSTONE WINERY

February 6, 2018

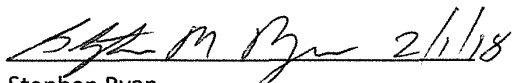
RE: Resolution authorizing Elizabeth Ryan to act as agent pertaining to all activities on behalf of the Barrel Head Vineyards, LLC

To Whom It May Concern,

Elizabeth Ryan has complete authorization to act as agent on behalf of Barrel Head Vineyards, LLC, including full signatory authorization for any and all documents required by the El Dorado County pertaining to the revision of S04-0001-R or any new processes required in the pursuit of this revision.

Thank you for your attention to this matter and please let us know if you require anything further.

Sincerely,

 2/1/18

Stephen Ryan
Managing Member, Owner
Barrel Head Vineyards, LLC
SOS# 2013-05710023

 2/1/18

Elizabeth Ryan
Member, Owner
Barrel Head Vineyards, LLC
SOS# 2013-05710023

6470 IRISH ACRES ROAD, FAIR PLAY CA 95684
(530) 620-5303 CELL 530-919-0590

S 04-0001-R-2

226673

201305710023

LLC-1

**Articles of Organization
of a Limited Liability Company (LLC)**

To form a limited liability company in California, you can fill out this form, and submit for filing along with:

- A \$70 filing fee.
- A separate, non-refundable \$15 service fee also must be included, if you drop off the completed form or document.

Important! LLCs in California may have to pay a minimum \$800 yearly tax to the California Franchise Tax Board. For more information, go to <https://www.ftb.ca.gov>.

LLCs may not provide "professional services," as defined by California Corporations Code sections 13401(a) and 13401.3.

Note: Before submitting the completed form, you should consult with a private attorney for advice about your specific business needs.

FILED
Secretary of State
State of California

FEB 25 2013

This Space For Office Use Only

For questions about this form, go to www.sos.ca.gov/business/be/filing-tips.htm.

LLC Name① Barrel Head Vineyards, LLC*Proposed LLC Name*

The name must end with: "LLC," "L.L.C.," "Limited Liability Company," "Limited Liability Co.," "Ltd. Liability Co." or "Ltd. Liability Company;" and may not include: "bank," "trust," "trustee," "incorporated," "inc.," "corporation," or "corp.," "insurer," or "insurance company." For general entity name requirements and restrictions, go to www.sos.ca.gov/business/be/name-availability.htm.

Purpose

- ② The purpose of the limited liability company is to engage in any lawful act or activity for which a limited liability company may be organized under the Beverly-Killea Limited Liability Company Act.

LLC Addresses

③ a. 6470 Irish Acres Rd. Fair Play CA 95684
Initial Street Address of LLC *City (no abbreviations)* *State* *Zip*

b. _____
Initial Mailing Address of LLC, if different from 3a *City (no abbreviations)* *State* *Zip*

Service of Process (List a California resident or an active 1505 corporation in California that agrees to be your initial agent to accept service of process in case your LLC is sued. You may list any adult who lives in California. You may not list an LLC as the agent. Do not list an address if the agent is a 1505 corporation.)

④ a. Stephen Ryan
Agent's Name

b. 5171 Rooster Ln. Somerset CA 95684
Agent's Street Address (if agent is not a corporation) *City (no abbreviations)* *State* *Zip*

Management (Check only one.)

- ⑤ The LLC will be managed by:
- ☐ One Manager ☐ More Than One Manager ☒ All Limited Liability Company Member(s)

This form must be signed by each organizer. If you need more space, attach extra pages that are 1-sided and on standard letter-sized paper (8 1/2" x 11"). All attachments are made part of these articles of organization.

► Elizabeth C. Ryan
Organizer - Sign here

Elizabeth C. Ryan
Print your name here

Make check/money order payable to: **Secretary of State**

Upon filing, we will return one (1) uncertified copy of your filed document for free, and will certify the copy upon request and payment of a \$5 certification fee.

By Mail

Secretary of State
Business Entities, P.O. Box 944228
Sacramento, CA 94244-2280

Drop-Off

Secretary of State
1500 11th Street., 3rd Floor
Sacramento, CA 95814

G. L. RAFFETY, CPA
Treasurer & Tax Collector

360 Fair Lane
 Placerville, CA 95667-4107
 (530) 621-5800

RETAIN THIS PORTION FOR YOUR RECORDS

CURRENT ASSESSEE(S) **034000**
 095-080-56-100
 BARREL HEAD VINEYARDS CA LLC
 PO BOX 227
 SOMERSET CA 95684-0227

EL DORADO COUNTY 2017-2018 SECURED PROPERTY TAX STATEMENT

For Fiscal Year Beginning July 1, 2017 and Ending June 30, 2018

SITUS	
6470 IRISH ACRES RD	
PROPERTY DESCRIPTION	
20.818 SEC 27 9 12	
LAND	IMPROVEMENTS
40,027	313,488
PERSONAL PROPERTY	
Assessee(s) of Record on January 1, 2017	
BARREL HEAD VINEYARDS CA LLC	
DEFAULT #	NUMBERS IN THIS SECTION INDICATE PRIOR YEAR(S) DELINQUENT TAXES

For your convenience...you may pay at edcgov.us/taxcollector

BILL #	PARCEL #	TAX RATE AREA	CORTAC #	FIRST INSTALLMENT	SECOND INSTALLMENT	TOTAL TAX DUE
061899	095-080-56-100	093-005		1,874.96	+	1,874.96 = 3,749.92
GROSS VALUE	LESS EXEMPTION	NET VALUE	GENERAL TAX RATE	GENERAL TAX	DIRECT CHARGES	
353,515	-	= 353,515	x 1.0294	= 3,639.08	+	110.84

QUESTIONS CONCERNING VALUE*	EXEMPTION 1	DESCRIPTION 1	EXEMPTION 2	DESCRIPTION 2
*Call Assessor (530) 621-5719				

DISTRIBUTION			
AGENCY	RATE	PHONE #	\$ AMOUNT
PROP 13: GENERAL TAX LEVY	1.0000	(530) 621-5470	3,535.17
EDUHS BOND-ELECTION 1997	.0038	(530) 621-5470	13.43
EDUHS BOND-ELECTION 2008	.0126	(530) 621-5470	44.54
LOS RIOS COLLEG BOND-2002	.0082	(916) 874-7431	28.98
LOS RIOS COLLEG BOND-2008	.0048	(916) 874-7431	16.96
TOTAL GENERAL TAX			3,639.08
601 PIONEER FIRE SPECL TAX		(530) 620-4444	85.84
685 CSA7 AMBULANCE W SLOPE		(530) 621-6505	25.00
TOTAL TAX AND DIRECT CHARGES			3,749.92

DISTRIBUTION			
AGENCY	RATE	PHONE #	\$ AMOUNT
<div style="text-align: center; font-size: 2em; transform: rotate(-15deg);"> # 1135 12/20/17 </div>			

RECORDING REQUESTED BY
Placer Title Company
Escrow Number: 201-43764-BK

AND WHEN RECORDED MAIL TO

BARREL HEAD VINEYARDS, LLC
P.O. BOX 227
SOMERSET, CA 95684



El Dorado, County Recorder
William Schultz Co Recorder Office
DOC- 2013-0015861-00

Acct 6-PLACER TITLE CO
Friday, MAR 29, 2013 14:31:37
Ttl Pd \$469.50 Rcpt # 0001511246
JLR/C1/1-4

A.P.N.: 095-080-56-100

SPACE ABOVE THIS LINE FOR RECORDER'S USE

GRANT DEED

The undersigned grantor(s) declare(s):

Documentary transfer tax is \$445.50 City Transfer Tax: \$0.00

(X) computed on full value of property conveyed, or

() computed on full value less value of liens and encumbrances remaining at time of sale.

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

JOHN LAUREN SPEER SMITH AND SUSAN LEE SMITH, AS TRUSTEES OF THE JOHN LAUREN SPEER SMITH AND SUSAN LEE SMITH FAMILY TRUST OF 1996

Hereby GRANT(S) to

BARREL HEAD VINEYARDS, LLC, a California Limited Liability Company

THE LAND DESCRIBED HEREIN IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF EL DORADO, UNINCORPORATED AREA, AND IS DESCRIBED AS FOLLOWS:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR FULL LEGAL DESCRIPTION

Dated: March 27, 2013

MAIL TAX STATEMENTS TO PARTY SHOWN ON FOLLOWING LINE; IF NO PARTY SHOWN, MAIL AS DIRECTED ABOVE

SAME AS ABOVE

Name

Street Address

City & State

Page 1

S 04-0001-R-2

slrpkd.doc

015861

THE JOHN LAUREN SPEER SMITH AND SUSAN LEE
SMITH FAMILY TRUST OF 1996

By: John Lauren Speer Smith
JOHN LAUREN SPEER SMITH, TRUSTEE

By: Susan Lee Smith
SUSAN LEE SMITH, TRUSTEE

STATE OF CALIFORNIA
COUNTY OF EL DORADO

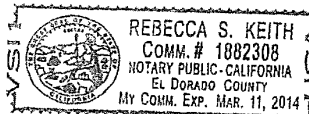
On 3-29-2013 before me, REBECCA S. KEITH, Notary Public,

personally appeared JOHN LAUREN SPEER SMITH AND SUSAN LEE SMITH, 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(s) 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: Rebecca S Keith
Commission Expiration Date: 3/11/2014



MAIL TAX STATEMENTS TO PARTY SHOWN ON FOLLOWING LINE; IF NO PARTY SHOWN, MAIL AS
DIRECTED ABOVE

SAME AS ABOVE

Name	Street Address	City & State
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015861

201-43764-BK

EXHIBIT "A"
LEGAL DESCRIPTION

THE LAND DESCRIBED HEREIN IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF EL DORADO, UNINCORPORATED AREA, AND IS DESCRIBED AS FOLLOWS:

PARCEL ONE:

ALL THAT PORTION OF SECTION 27, TOWNSHIP 9 NORTH, RANGE 12 EAST, M.D.B. & M., DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE CENTERLINE OF SLUG GULCH ROAD, FROM WHICH THE SOUTHWEST CORNER OF SAID SECTION 27, BEARS ALONG SAID ROAD CENTERLINE (2 COURSES) SOUTH 73 ° 16 ' 12 " WEST 170.26 FEET AND SOUTH 85 ° 09 ' 30 " WEST 209.04 FEET TO THE WEST LINE OF SAID SECTION 27, AND ALONG SAID WEST LINE SOUTH 01 ° 05 ' 25 " WEST 1306.36 FEET; THENCE FROM SAID POINT OF BEGINNING, LEAVING SAID ROAD CENTERLINE, NORTH 87 ° 05 ' 20 " WEST 164.14 FEET TO THE SOUTHWESTERLY CORNER OF THE REALTY HEREIN DESCRIBED; THENCE NORTH 00 ° 14 ' 30 " WEST 692.33 FEET; THENCE EAST 400.00 FEET; THENCE SOUTH 88 ° 29 ' EAST 332.20 FEET; THENCE NORTH 09 ° 05 ' 40 " WEST 255.70 FEET TO A POINT IN THE CENTERLINE OF A 60.00 FOOT IN WIDTH ROAD RIGHT OF WAY; THENCE ALONG SAID CENTERLINE (5 COURSES) SOUTH 77 ° 40 ' 35 " EAST 480.00 FEET, SOUTH 51 ° 49 ' 10 " EAST 144.56 FEET, SOUTH 39 ° 04 ' 50 " EAST 148.74 FEET, SOUTH 22 ° 08 ' 40 " EAST 111.32 FEET, AND SOUTH 08 ° 02 ' 10 " EAST 235.35 FEET TO A POINT IN THE CENTERLINE OF SLUG GULCH ROAD; THENCE ALONG SAID CENTERLINE (4 COURSES) SOUTH 69 ° 22 ' 50 " WEST 309.77 FEET, SOUTH 75 ° 50 ' WEST 87.00 FEET, SOUTH 83 ° 50 ' WEST 524.93 FEET, AND SOUTH 73 ° 16 ' 12 " WEST 396.63 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM ALL THAT PORTION OF SECTION 27, TOWNSHIP 9 NORTH, RANGE 12 EAST, M.D.B. & M., DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE REALTY HEREIN DESCRIBED, A POINT IN THE CENTERLINE OF SLUG GULCH ROAD, FROM WHICH THE SOUTHWEST CORNER OF SAID SECTION 27 BEARS AS FOLLOWS; ALONG SAID ROAD CENTERLINE (3 COURSES) SOUTH 83 ° 50 ' WEST 224.93 FEET, SOUTH 73 ° 16 ' 12 " WEST 566.89 FEET AND SOUTH 85 ° 09 ' 30 " WEST 209.04 FEET TO THE WEST LINE OF SAID SECTION 27, AND ALONG SAID WEST LINE SOUTH 01 ° 05 ' 25 " WEST 1306.36 FEET; THENCE FROM SAID POINT OF BEGINNING, LEAVING SAID ROAD CENTERLINE, NORTH 01 ° 29 ' 40 " WEST 375.91 FEET TO THE NORTHWESTERLY CORNER OF THE REALTY HEREIN DESCRIBED; THENCE NORTH 88 ° 15 ' EAST 649.75 FEET TO THE NORTHEASTERLY CORNER OF THE REALTY HEREIN DESCRIBED, A POINT IN THE CENTERLINE OF A 60.00 FOOT IN WIDTH ROAD RIGHT OF WAY; THENCE ALONG SAID CENTERLINE SOUTH 08 ° 02 ' 10 " EAST 235.35 FEET TO THE SOUTHEASTERLY CORNER OF THE REALTY HEREIN DESCRIBED, A POINT IN THE CENTERLINE OF SLUG GULCH ROAD; THENCE ALONG SAID CENTERLINE (3 COURSES) SOUTH 69 ° 22 ' 50 " WEST 309.77 FEET, SOUTH 75 ° 50 ' WEST 87.00 FEET, AND SOUTH 83 ° 50 ' WEST 300.00 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM ALL THAT PORTION OF SECTION 27, TOWNSHIP 9 NORTH, RANGE 12 EAST, M.D.B. & M., DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE REALTY HEREIN DESCRIBED, FROM WHICH THE SOUTHWEST CORNER OF SAID SECTION 27 BEARS AS FOLLOWS: SOUTH 01 ° 29 ' 40 " EAST 375.91 FEET TO A POINT IN THE CENTERLINE OF SLUG GULCH ROAD, ALONG SAID CENTERLINE (3 COURSES) SOUTH 83 ° 50 ' WEST 224.93 FEET, SOUTH 73 ° 16 ' 12 " WEST 566.89 FEET, AND SOUTH 85 ° 09 ' 30 " WEST 209.04 FEET TO THE WEST LINE OF SAID SECTION 27, AND ALONG SAID WEST LINE SOUTH 01 ° 05 ' 25 " WEST 1306.36 FEET; THENCE FROM SAID POINT OF BEGINNING NORTH 09 ° 05 ' 40 " WEST 435.70 FEET TO THE NORTHWESTERLY CORNER OF THE REALTY HEREIN DESCRIBED, A POINT IN THE CENTERLINE OF A 60.00 FOOT IN WIDTH ROAD RIGHT OF WAY; THENCE ALONG SAID CENTERLINE (4 COURSES) SOUTH 77 ° 40 ' 35 " EAST 480.00 FEET, SOUTH 51 ° 49 ' 10 " EAST 144.56 FEET, SOUTH 39 ° 04 ' 50 " EAST 148.74 FEET, AND SOUTH 22 ° 08 ' 40 " EAST 111.32 FEET TO THE MOST EASTERLY CORNER OF THE REALTY HEREIN DESCRIBED; THENCE LEAVING SAID CENTERLINE SOUTH 88 ° 15 ' WEST 649.75 FEET TO THE POINT OF BEGINNING.

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PARCEL TWO:

ALL THAT PORTION OF SECTION 27, TOWNSHIP 9 NORTH, RANGE 12 EAST, M.D.B. & M., DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE REALTY HEREIN DESCRIBED, FROM WHICH THE SOUTHWEST CORNER OF SAID SECTION BEARS AS FOLLOWS: SOUTH 1 DEGREE 29 MINUTES 40 SECONDS EAST 375.91 FEET TO A POINT IN THE CENTERLINE OF SLUG GULCH ROAD, ALONG SAID CENTERLINE (3 COURSES) SOUTH 83 DEGREES 50 MINUTES WEST 224.93 FEET, SOUTH 73 DEGREES 16 MINUTES 12 SECONDS WEST 566.89 FEET, AND SOUTH 85 DEGREES 09 MINUTES 30 SECONDS WEST 209.04 FEET TO THE WEST LINE OF SAID SECTION, AND ALONG SAID WEST LINE SOUTH 1 DEGREE 05 MINUTES 25 SECONDS WEST 1306.36 FEET; THENCE FROM SAID POINT OF BEGINNING NORTH 9 DEGREES 05 MINUTES 40 SECONDS WEST 435.70 FEET TO THE NORTHWESTERLY CORNER OF THE REALTY HEREIN DESCRIBED, A POINT IN THE CENTERLINE OF A 60.00 FOOT IN WIDTH ROAD RIGHT OF WAY; THENCE ALONG SAID CENTERLINE (4 COURSES) SOUTH 77 DEGREES 40 MINUTES 35 SECONDS EAST 480.00 FEET, SOUTH 51 DEGREES 49 MINUTES 10 SECONDS EAST 144.56 FEET, SOUTH 39 DEGREES 04 MINUTES 50 SECONDS EAST 148.74 FEET, AND SOUTH 22 DEGREES 08 MINUTES 40 SECONDS EAST 111.32 FEET TO THE MOST EASTERLY CORNER OF THE REALTY DESCRIBED; THENCE LEAVING SAID CENTERLINE SOUTH 88 DEGREES 15 MINUTES WEST 649.75 FEET TO THE POINT OF BEGINNING.

PARCEL THREE:

ALL THAT PORTION OF SECTION 27, TOWNSHIP 9 NORTH, RANGE 12 EAST, M.D.B.&M., DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE REALTY HEREIN DESCRIBED A POINT IN THE CENTERLINE OF SLUG GULCH ROAD, FROM WHICH THE SOUTHWEST CORNER OF SAID SECTION 27 BEARS AS FOLLOWS: ALONG SAID ROAD CENTERLINE (3 COURSES) SOUTH 83° 50' WEST 224.93 FEET, SOUTH 73° 16' 12" WEST 566.89 FEET AND SOUTH 85° 09' 30" WEST 209.04 FEET TO THE WEST LINE OF SAID SECTION 17 AND ALONG SAID WEST LINE SOUTH 1° 05' 25" WEST 1306.36 FEET; THENCE FROM SAID POINT OF BEGINNING LEAVING SAID ROAD CENTERLINE NORTH 1° 29' 40" WEST 375.91 FEET TO THE NORTHWESTERLY CORNER OF THE REALTY HEREIN DESCRIBED; THENCE NORTH 88° 15' EAST 649.75 FEET TO THE NORTHEASTERLY CORNER OF THE REALTY HEREIN DESCRIBED, A POINT IN THE CENTERLINE OF A 60.00 FOOT IN WIDTH RIGHT OF WAY; THENCE ALONG SAID CENTERLINE SOUTH 8° 02' 10" EAST 235.35 FEET TO THE SOUTHEASTERLY CORNER OF THE REALTY HEREIN DESCRIBED, A POINT IN THE CENTERLINE OF SLUG GULCH ROAD; THENCE ALONG SAID CENTERLINE (3 COURSES) SOUTH 69° 22' 50" WEST 309.77 FEET, SOUTH 75° 50' WEST 87.00 FEET AND SOUTH 83° 50' WEST 300.00 FEET TO THE POINT OF BEGINNING.

A.P.N. 095-080-56-100

03/29/2013, 20130015861

slrpkg.doc

S04-0001-R/Oakstone Winery – As approved by the Planning Commission on January 24, 2013

Findings

Based on the review and analysis of this project by staff and affected agencies, and supported by discussion in the staff report and evidence in the record, the Planning Commission makes the following findings:

1.0 CEQA FINDINGS

- 1.1 Pursuant to CEQA Guidelines Section 15162, no subsequent Mitigated Negative Declaration shall be prepared for the project as there has been no substantial change in the project, based on the whole record, that would cause a significant effect on the environment. There have been no significant environmental effects identified or substantial increase in the severity of previously identified significant effects with the proposed expanded use. The expanded use will not involve new significant effects not discussed in the previous mitigated negative declaration. The previously adopted mitigation measures for the project continue to be feasible for the expanded use.
- 1.2 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Development Services Department - Planning Services at 2850 Fairlane Court, Placerville, CA, 95667.

2.0 GENERAL PLAN FINDINGS

- 2.1 The Planning Commission finds the project is consistent with the following General Plan policies:
 - a. 2.2.5.21 (compatibility with surroundings) because as conditioned, it would be compatible with surrounding uses, have minimal impacts on visual resources, existing utilities, existing emergency response access and times, and will create noises at insignificant levels. There are adequate services to facilitate the site, such as water, power and telephone communication facilities.
 - b. 6.2.3.2 (adequate access) because DOT and the Pioneer Fire Protection District have found that the project has adequate access capability. The access road and encroachment have been recently paved and meet width requirements for County standards and fire safe regulations.
 - c. 6.5.1.7 (noise exposure) because no amplified voices or music are allowed outside the building and the project site has limited public capacity, no significant noise impacts are anticipated that will conflict with County standards listed in Table 6-2 in the General Plan that limits noise emission levels.

- d. 8.1.4.1 (agricultural compatibility) because the Agricultural Commission reviewed the project and determined that the tasting room and additional uses would be secondary and subordinate to the agricultural uses and will have no significant adverse effects on agricultural production on the subject or surrounding parcels.

3.0 ZONING FINDINGS

3.1 The proposed use is consistent with Title 17.

The project meets all applicable development standards contained within Section 17.36.340 of the County Code, including setbacks, landscaping, parking and architectural design.

4.0 SPECIAL USE PERMIT FINDINGS

4.1 The issuance of the permit is consistent with the General Plan.

The proposed project has been analyzed for consistency with General Plan Policies 2.2.1.5 (Building Intensities), 2.2.5.21 (Land Use Compatibility), 6.2.3.2 (Adequate Access) and 8.1.4.1 (agricultural compatibility) and has been found to be consistent with these policies as discussed in the General Plan findings section above and within the staff report.

4.2 The proposed use would not be detrimental to the public health, safety and welfare, or injurious to the neighborhood.

The use will not conflict with the adjacent uses as the use will not create hazards that would be detrimental to the public health, safety, and welfare, or injurious to the neighborhood based on the data and conclusions contained in the staff report. The traffic, emergency response and ingress/egress capabilities have been fully considered by DOT and the Pioneer Fire Protection District and were found to be adequate. The intermittent noise impacts have been considered and will not be significant as they will not be amplified.

4.3 The proposed use is specifically permitted by Special Use Permit.

The proposed use is permitted by Special Use Permit in the AP zone district pursuant to Section 17.36.330.J of the County Code. The AP zone district limits those uses otherwise allowed by right in the winery ordinance, Section 17.14.200, that are allowed in other agricultural zone districts. The winery ordinance allows a range of accessory uses to growing grapes, and the proposed uses are consistent with that allowed in Sections 17.14.200.C.2, 17.14.200.C.2.b, 17.14.200.C.2.c, 17.14.200.C.8, and 17.14.200.C.9.

Conditions of Approval

1. This Special Use Permit is based upon and limited to compliance with the project description, the following hearing exhibits, and conditions of approval set forth below:

Exhibit GSite Plan
Exhibit HSite Plan Detail
Exhibit IFloor Plan Lower Level
Exhibit JFloor Plan Upper Level
Exhibit KParking Plan

Any deviations from the project description, exhibits, or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

The project description is as follows:

Revision to a Special Use Permit to allow the following uses within an existing 20.8-acre parcel identified by Assessor's Parcel Number 095-080-56:

- a. ~~Winery, limited to producing 2,000 cases annually.~~
- b. Public tasting facilities.
- c. Retail sale of wine.
- d. Retail sales of merchandise, art, and prepackage food items.
- e. Marketing activities.
- f. Picnic areas.

The facility will be operated as a wine production facility from ~~9:00~~⁸ am to 5:00 pm from Monday through Sunday. The facility will be open for public tasting and wine sales from 11:00 am to 5:00 pm, ~~4~~²⁶ days per week. No more than 4 employees shall be allowed on the site at any one time.

Minor modifications to the Special Use Permit may be approved by the Planning Director. Major Modifications will require an amendment to the Special Use Permit

The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval hereto. All plans must be submitted for review and approval and shall be implemented as approved by the County.

Planning Services

2. Outdoor amplified music or amplified speech shall not be allowed on the project parcel.
3. All parking shall be on-site and parking shall not be allowed on Irish Acres Road
4. Any outdoor lighting utilized by the project shall comply with County Code Section 17.14.170, and be fully shielded pursuant to the Illumination Engineering Society of North America's (IESNA) full cut-off designation. Should any installed light be non-compliant with full shielding requirements, the applicant shall be responsible for the replacement and/or modification of said lighting to the satisfaction of Planning Services.
5. The property owners are responsible for complying with all conditions of approval contained in this Special Use Permit. Any zoning violations concerning the installation, operation, and/or abandonment of the facility are the responsibility of the property owners.
6. A \$50.00 administration fee is required by the County Recorder to file the Notice of Exemption. This fee shall be made payable to El Dorado County and shall be submitted to Planning Services immediately following the hearing project approval.
7. In the event of any legal action instituted by a third party challenging the validity of any provision of this approval, the developer and landowner agree to be responsible for the costs of defending such suit and shall hold County harmless from any legal fees or costs County may incur as a result of such action.

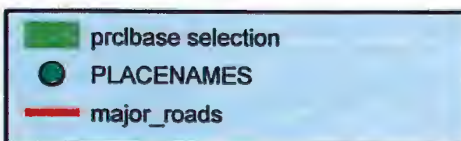
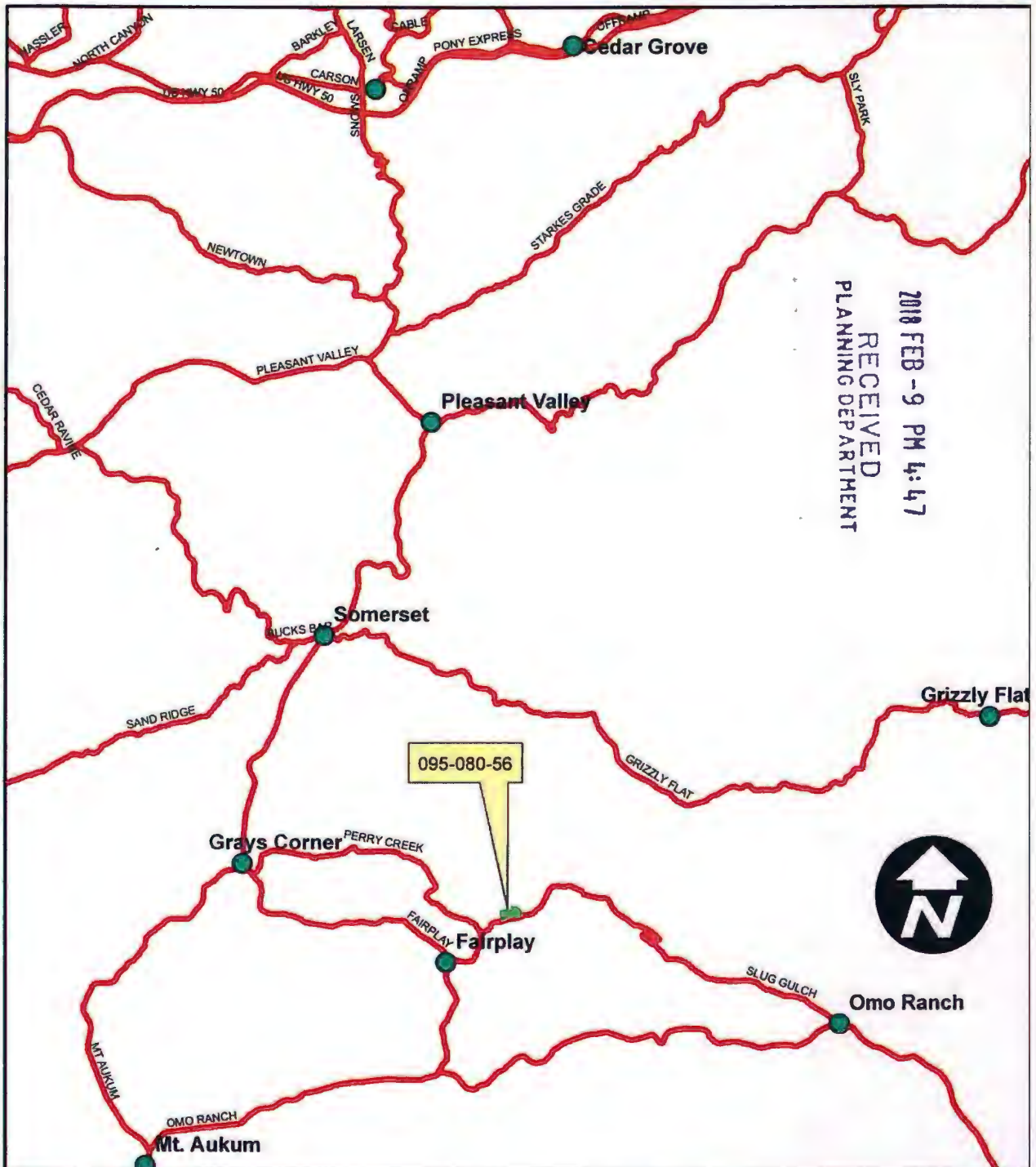
The developer and land owner shall defend, indemnify, and hold harmless El Dorado County and its agents, officers, and employees from any claim, action, or proceeding against El Dorado County or its agents, officers, or employees to attack, set aside, void, or annul an approval of El Dorado County concerning a Special Use Permit.

The County shall notify the applicant of any claim, action, or proceeding, and the County shall cooperate fully in the defense.

8. All structural, electrical and plumbing improvements associated with the conversion shall be subject to a building permit from the El Dorado County Building Department.
9. The proposed on-site septic disposal system shall be reviewed and permitted by the El Dorado County Environmental Management department.
10. The project shall be subject to the County's Traffic Impact Mitigation (TIM) fee programs. Said fees shall be due upon issuance of a building permit. If prior to the application for a building permit for said project revised fees are established, such revised amounts shall be paid.

11. "No Parking" signs shall be placed and maintained along Irish Acres Road between Slug Gulch Road and the second entrance to the winery.
12. A sign stating that Irish Acres Road is not a through road, a private road, and winery traffic is prohibited shall be installed west of the first entrance to the winery.
13. The operator of the winery shall maintain Irish Acres Road along the entire frontage of the subject property.

Exhibit A: Location Map



S04-0001-R
Prepared By Aaron Mount

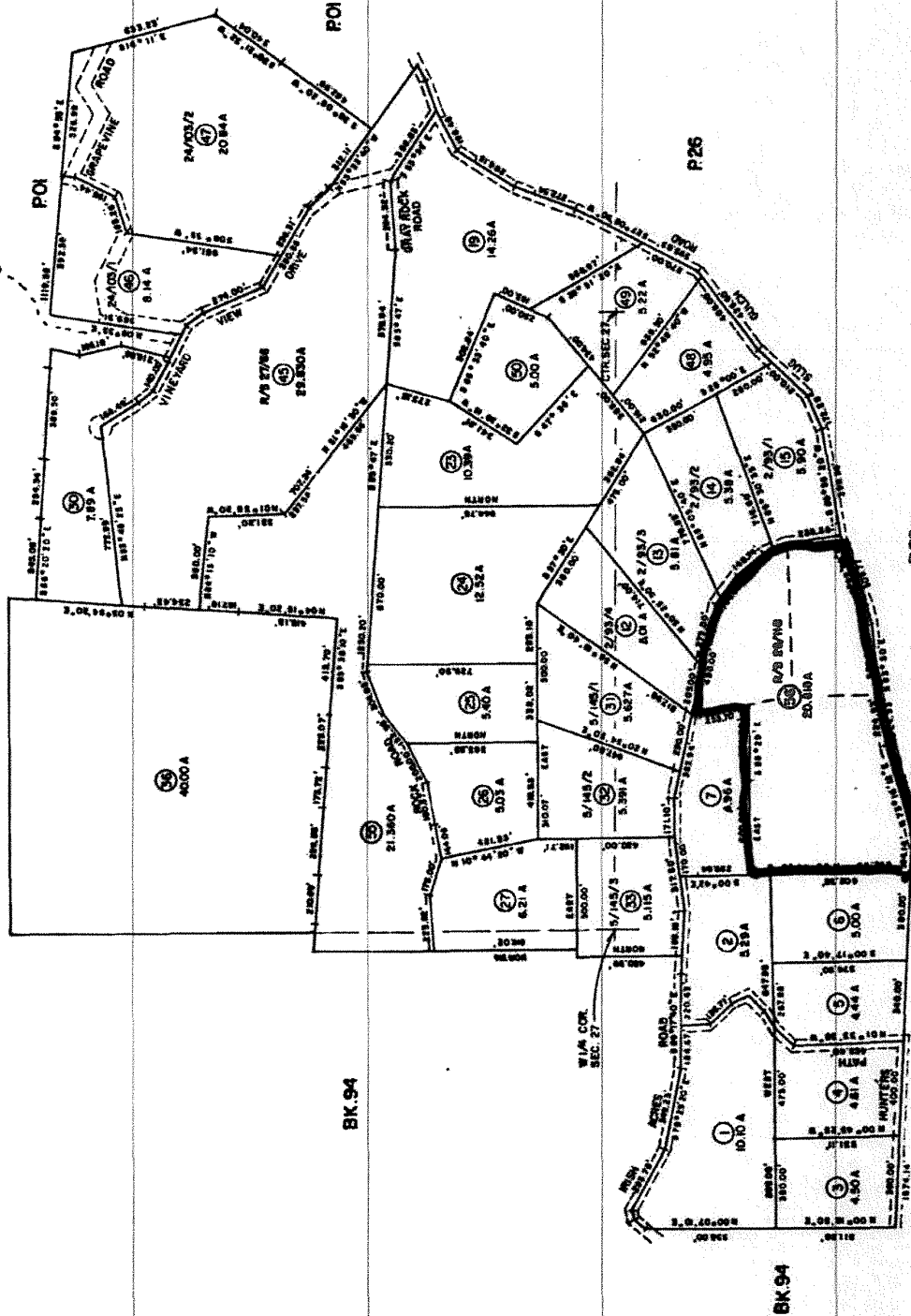
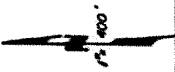
S 04-0001-R-2

95-08

Tax Area Code

POR. SECS. 27 & 28, T.9N., R.12E., MDM.

BK 93



Assessor's Map Bk. 95 - Pg. 08
County of El Dorado, California
OCT 9 8 2004

ACRES 100
1/2
1/4

NOTE - Assessor's Map Numbers Shown in Italic
Assessor's Parcel Number Shown in Circle

THIS MAP IS NOT A SURVEY, It is prepared by the El Dorado Co.
Assessor's Office for assessment purposes only.

BK 94

EXHIBIT B

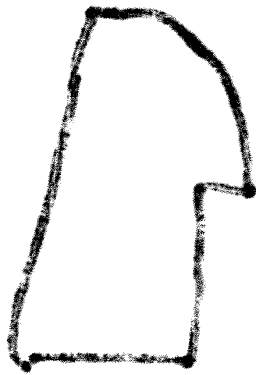


Exhibit C: General Plan Map

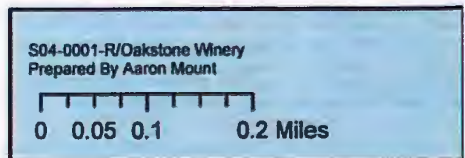
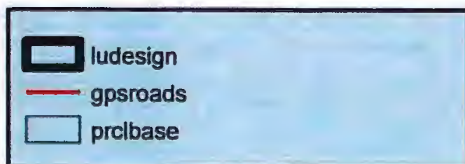
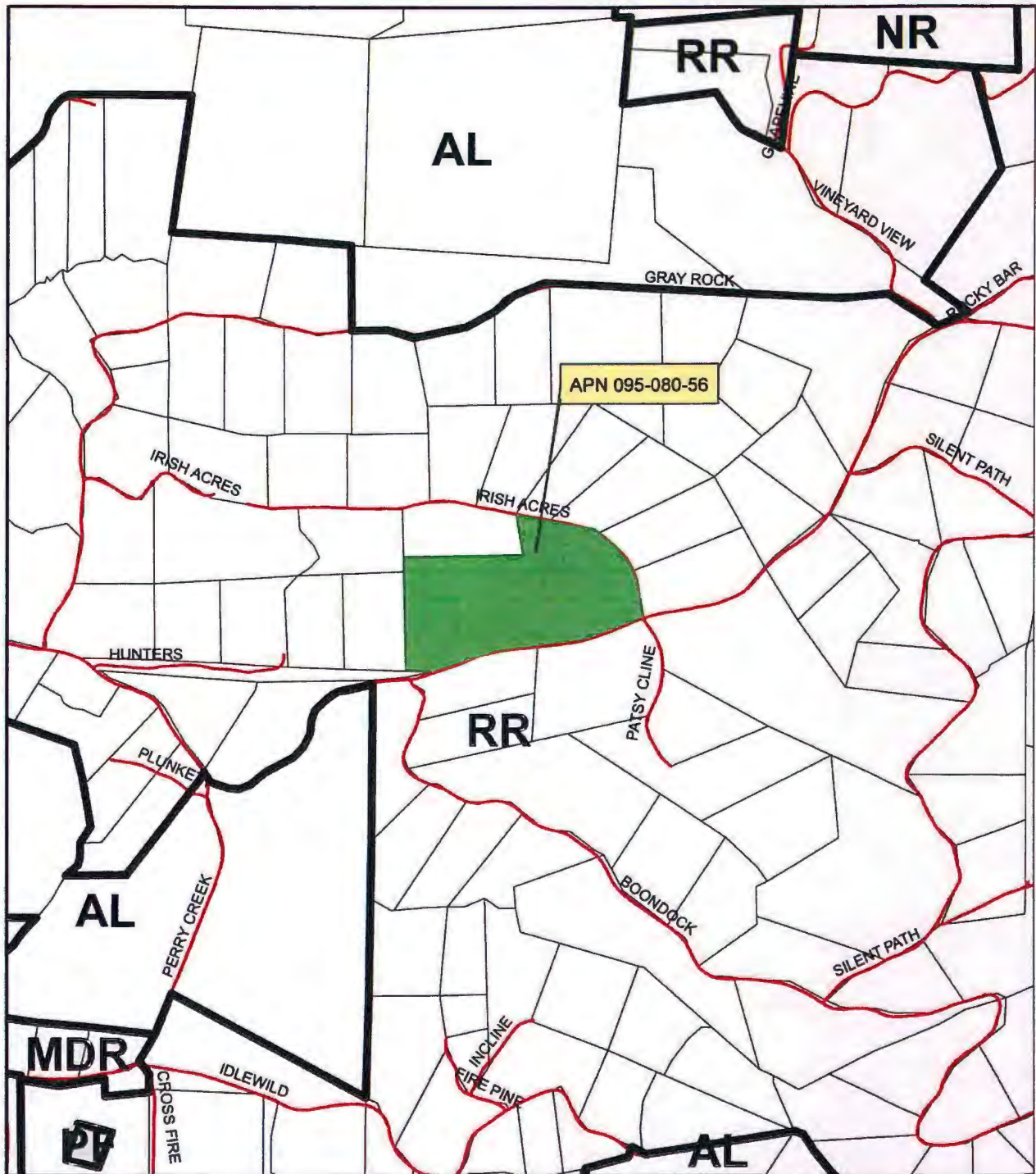
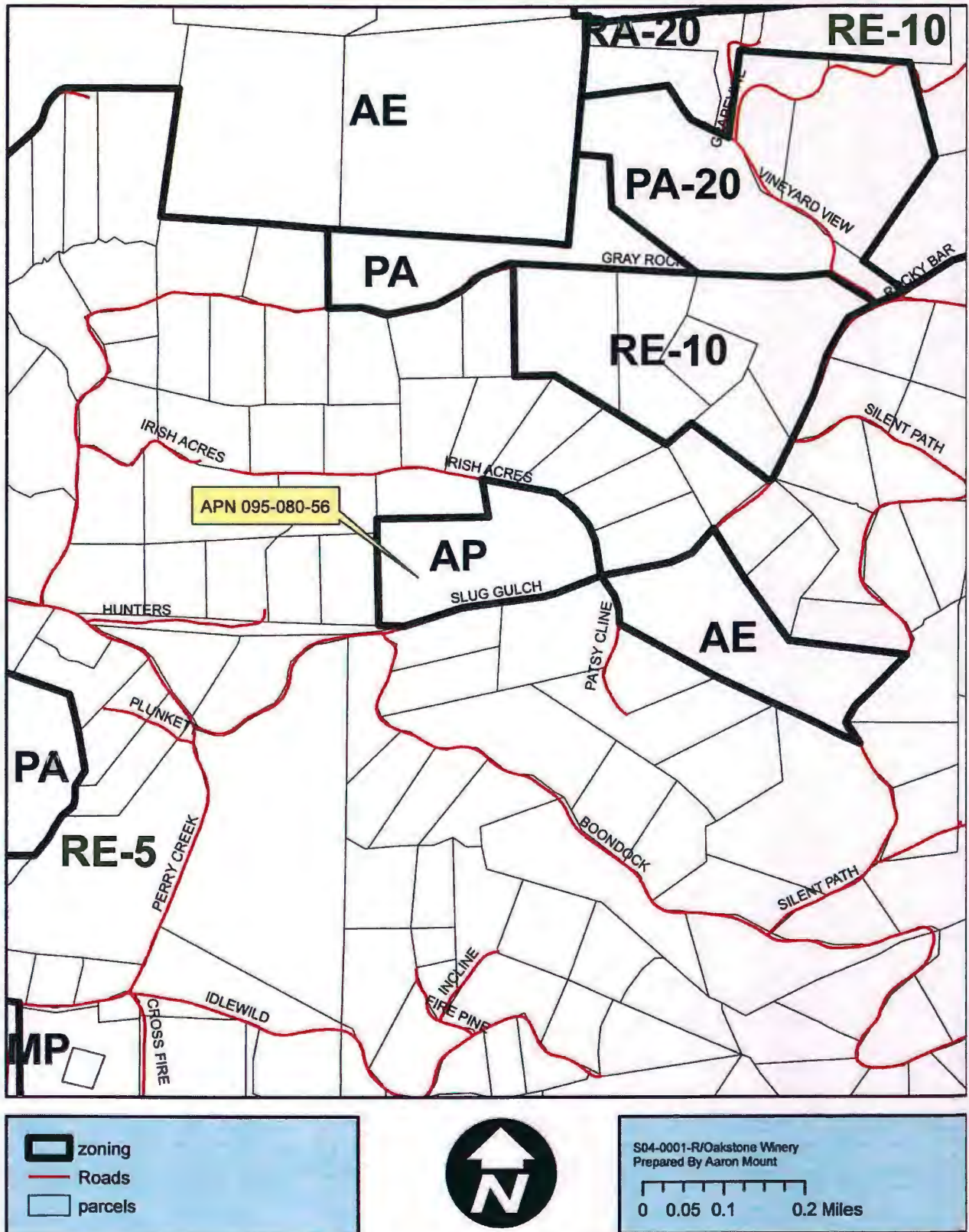
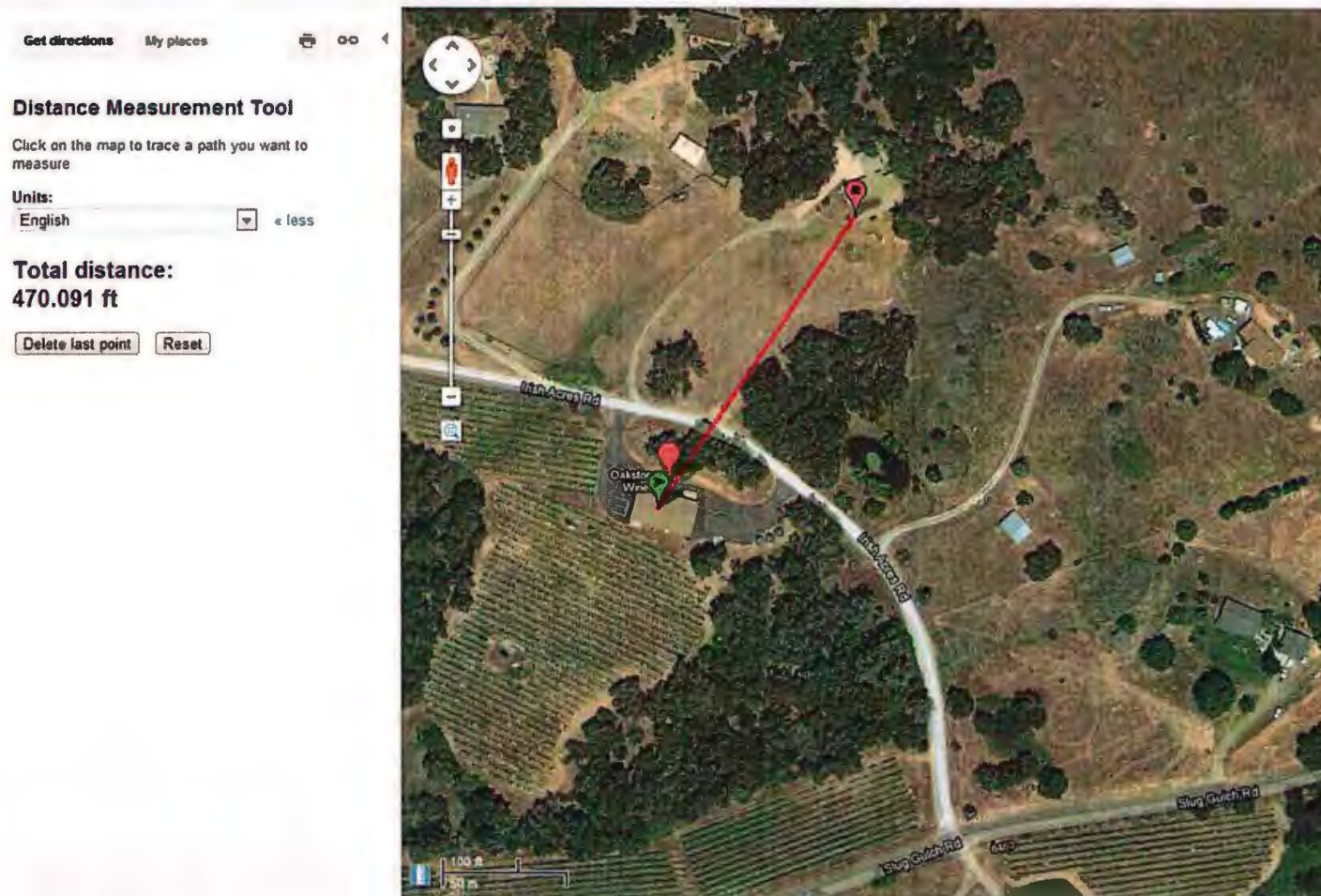


Exhibit D: Zone District Map





Project Description: Amendment to SUP S-04-01, Oakstone Winery Relocation

The project consists of an amendment to Special Use Permit S-04-01 to allow the relocation of Oakstone Winery from the previous premises at 6440 Slug Gulch Road, Fair Play, CA 95684 to 6470 Irish Acres, Fair Play, CA 95684 (the winery facility at the previous location was completely destroyed by fire on July 7, 2102). The property has a first entrance approximately 700 feet from the intersection with Slug Gulch Road and by a second entrance about 900 feet from the intersection with Slug Gulch Road. The winery building at the new location is permitted by the Federal Alcohol and Tobacco Tax and Trade Bureau as "non-contiguous premises" for Oakstone Winery under Basic Permit BW-CA-5941, and is licensed by the California Alcoholic Beverage Control as License 02-523941. It is on Parcel number 095-080-56-100, a 20.8-acre parcel zoned AP and covered by Williamson Act Contract WAC-03-02.

The property on which the new facility is located is shown on Exhibit 1, indicating the location of the winery building on the parcel. The building and other apparatus on the parcel are shown in the expanded view of a northeast portion of the parcel on Exhibit 2.

The facility is 60' x 40', with a first floor gross square footage of 2400 feet and a covered crush pad 20' x 40', as shown on Exhibit 3. The facility has a partial second floor with a 240 square foot tasting room, a 63 square foot handicap-access bathroom and a 10' x 14' foot deck as shown on Exhibit 4. The facility is fully ADA compliant, with a handicapped parking spot properly marked and ramp to the elevated front door, as indicated on Exhibit 5.

These additional permissions to S-04-01 are requested:

- a) Conduct public tastings at the facility, as defined in the El Dorado County Ordinance Code Section 17.14.200.C.2
- b) Sell wine on-site to the public as defined in 17.14.200.C.2.b.
- c) Conduct Marketing activities as defined in 17.14.200, section C.2.c.
- d) Picnic areas, as defined in 17.14.200.C.8.
- e) Retail sales, as defined in 17.14.200.C.9.

If approved, wine tasting will be conducted in the tasting room on the second floor, on the deck extending from the second floor as shown on Exhibit 4, and in the barrel and tank cellar as shown on Exhibit 3.

The facility will be operated as a wine production facility from 9:00 am to 5:00 pm from Monday through Sunday. The facility will be open for public tasting and wine sales from 11:00 am to 5:00 pm on Friday, Saturday, and Sunday.

We do not request authorization for any Special Events as that term is defined in the El Dorado County Ordinance Code Section 17.14.200.C.3, nor any change to the maximum number of 4 employees on-site at any one time.

There is no Homeowners' Association, CSA, Zone of Benefit, or other road maintenance entity in existence in the project area.

Site Plan, Amendment to SUP
S-04-01, Oakstone Winery
Relocation
July 30, 2012

Exhibit 1

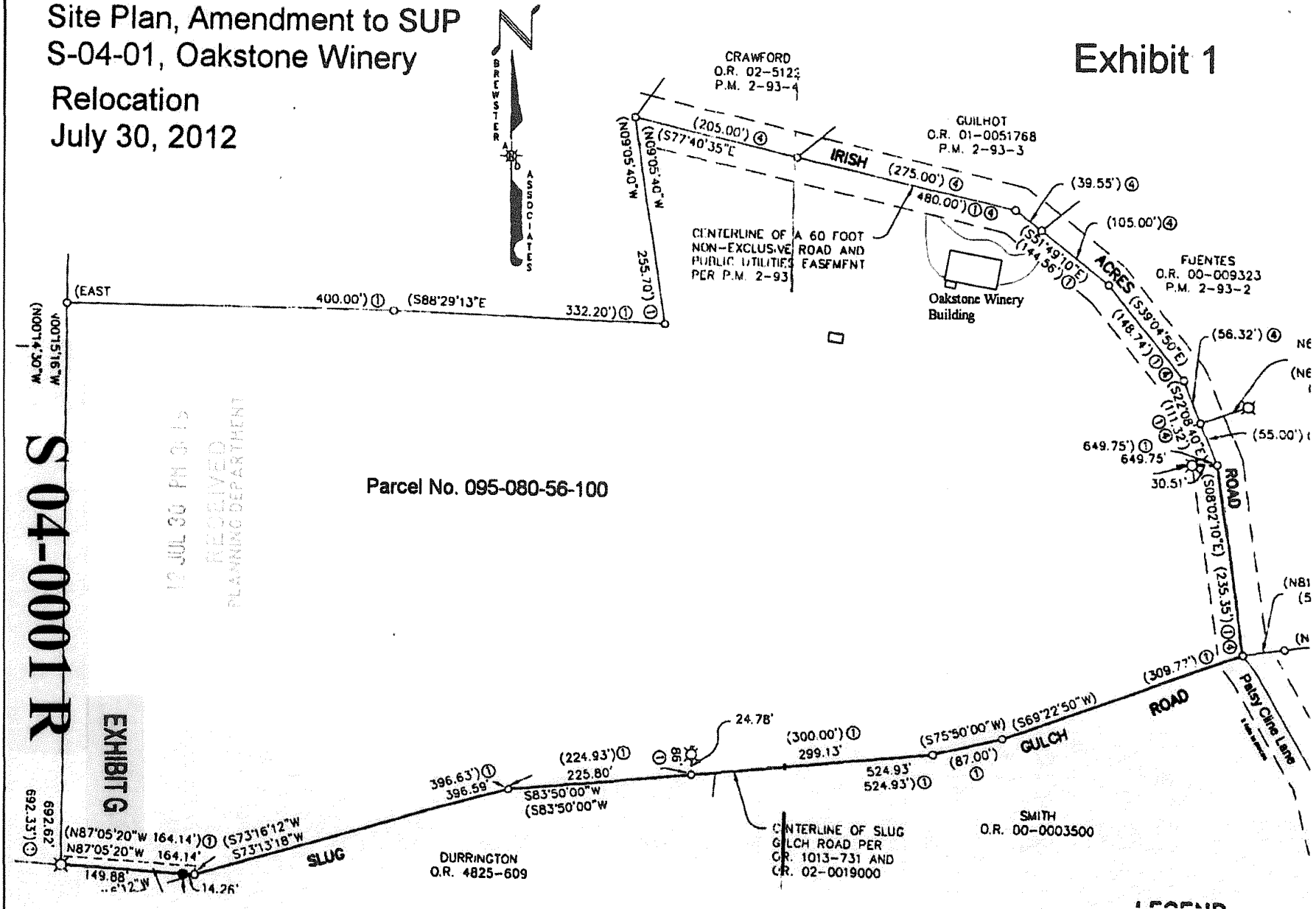


Exhibit 2

Amendment to S-04-01

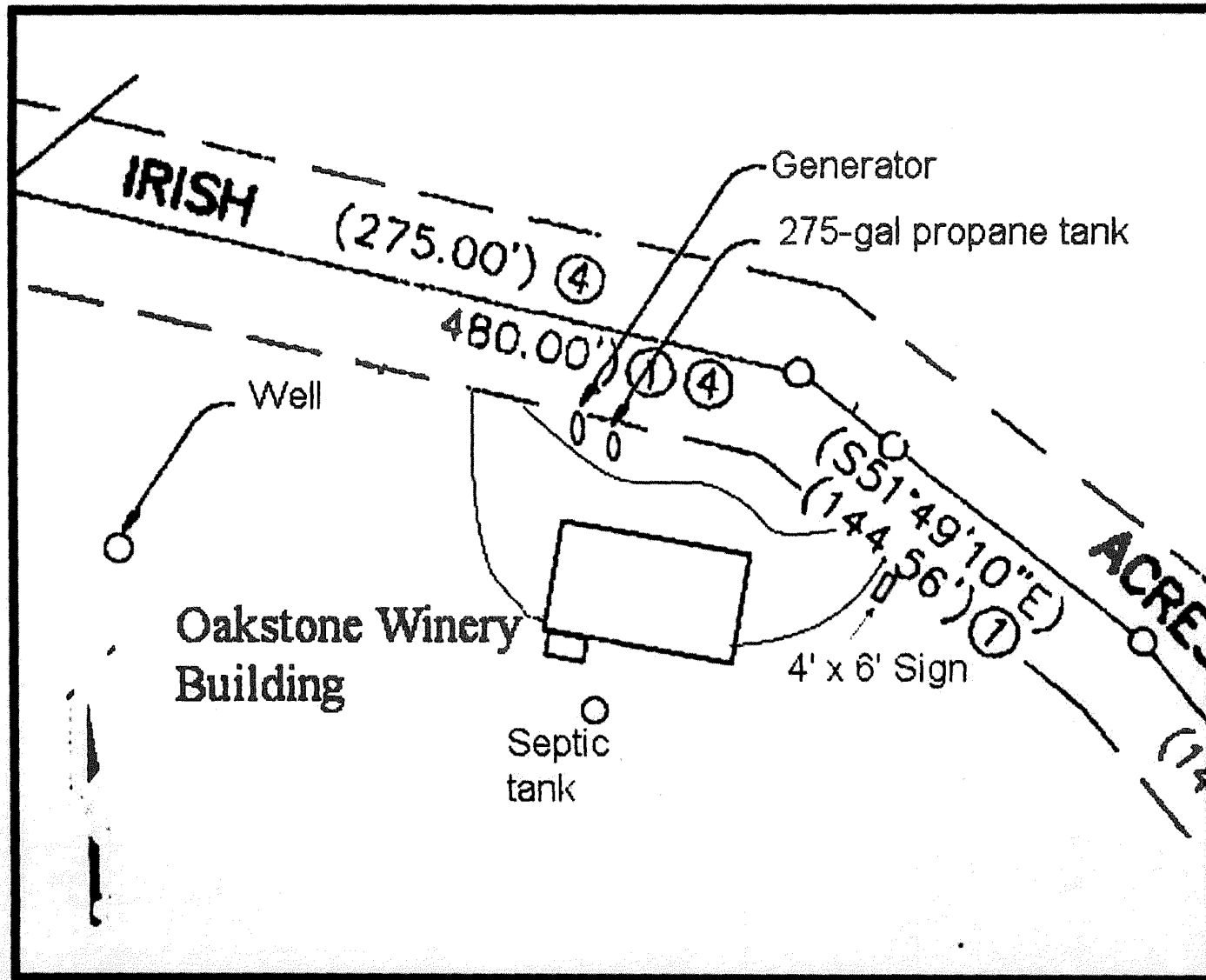


EXHIBIT H

Exhibit 3

Amendment to
S-04-01

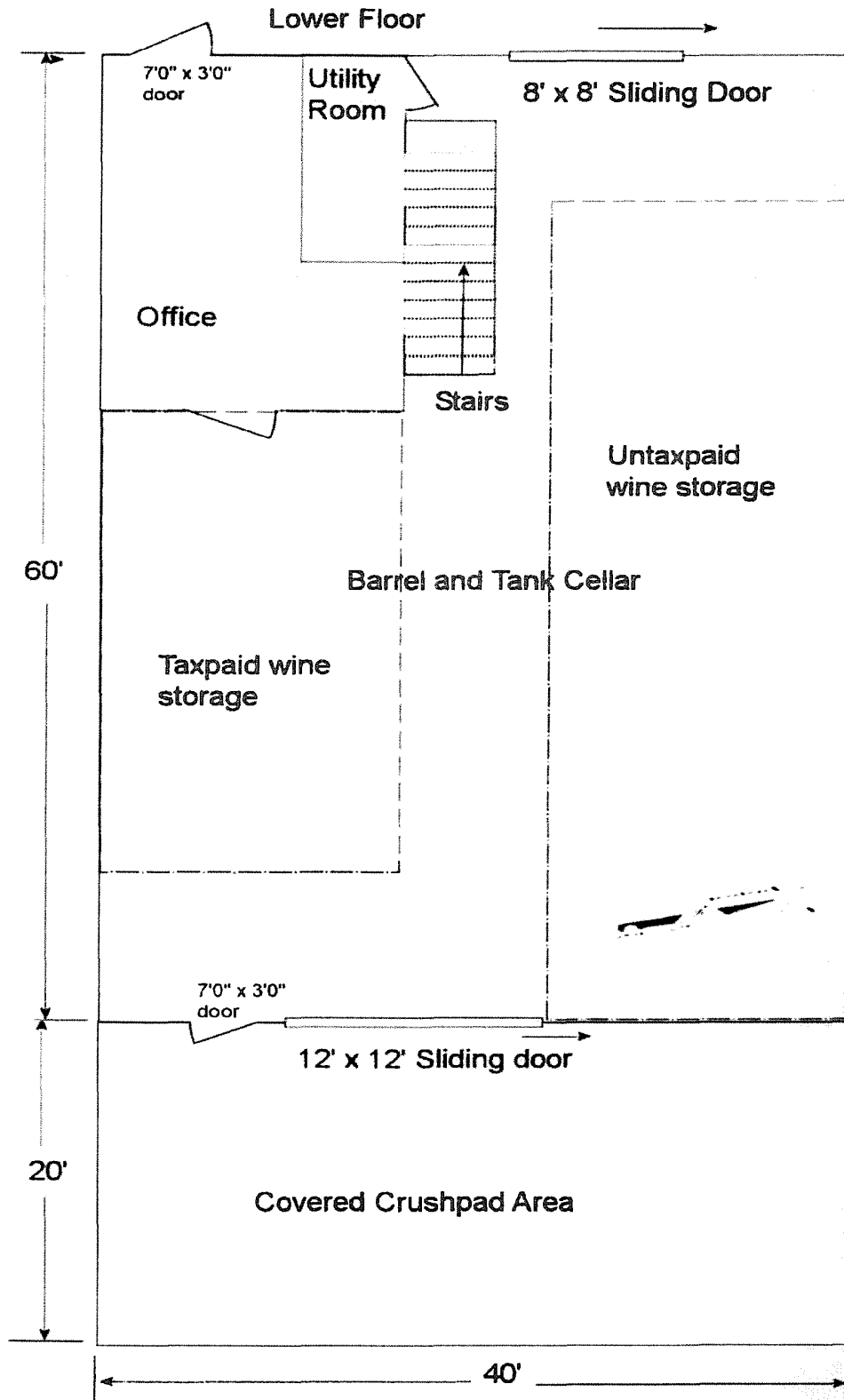


EXHIBIT I

Exhibit 4

Amendment to S-04-01

Second floor

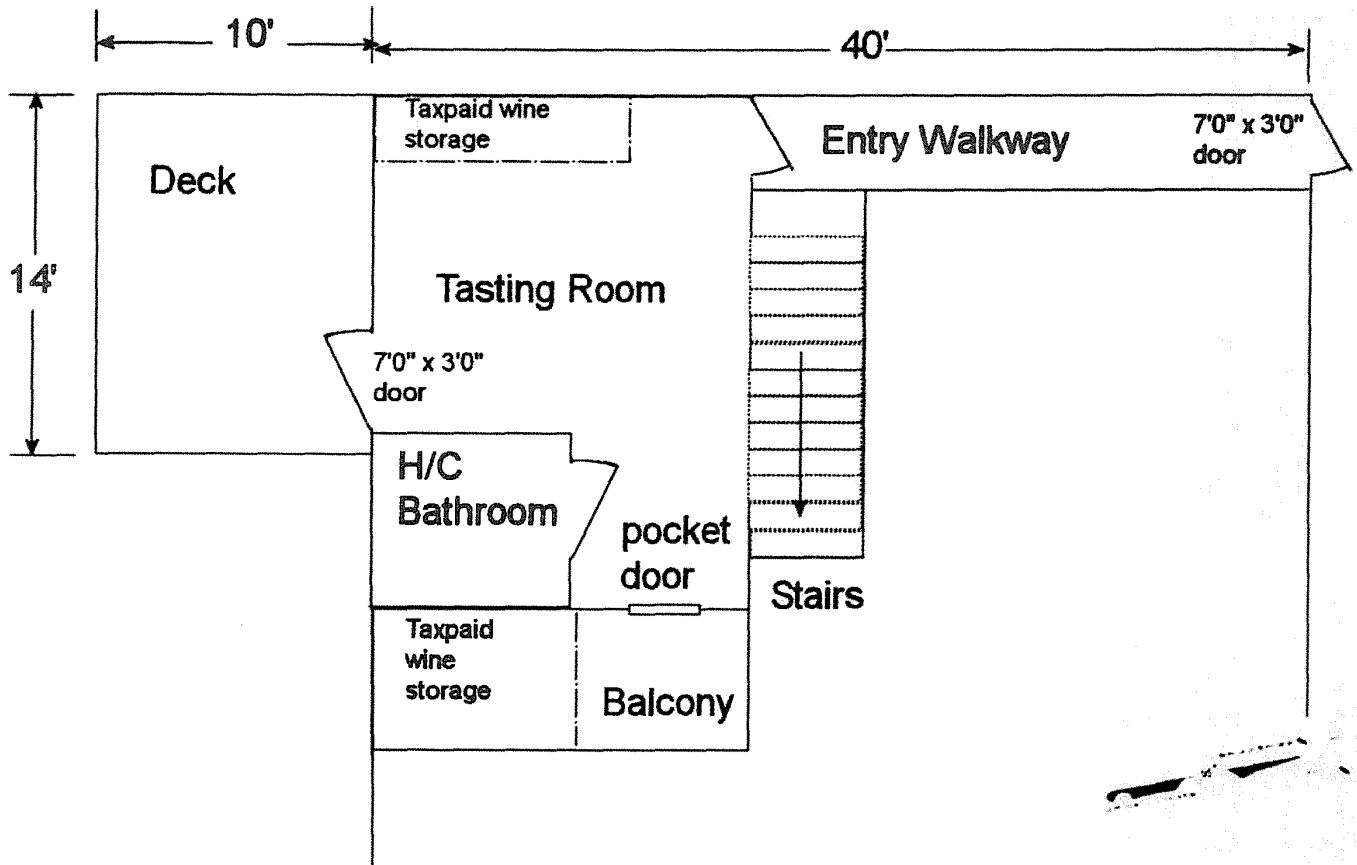


EXHIBIT J

Exhibit 5

Amendment to S-04-01

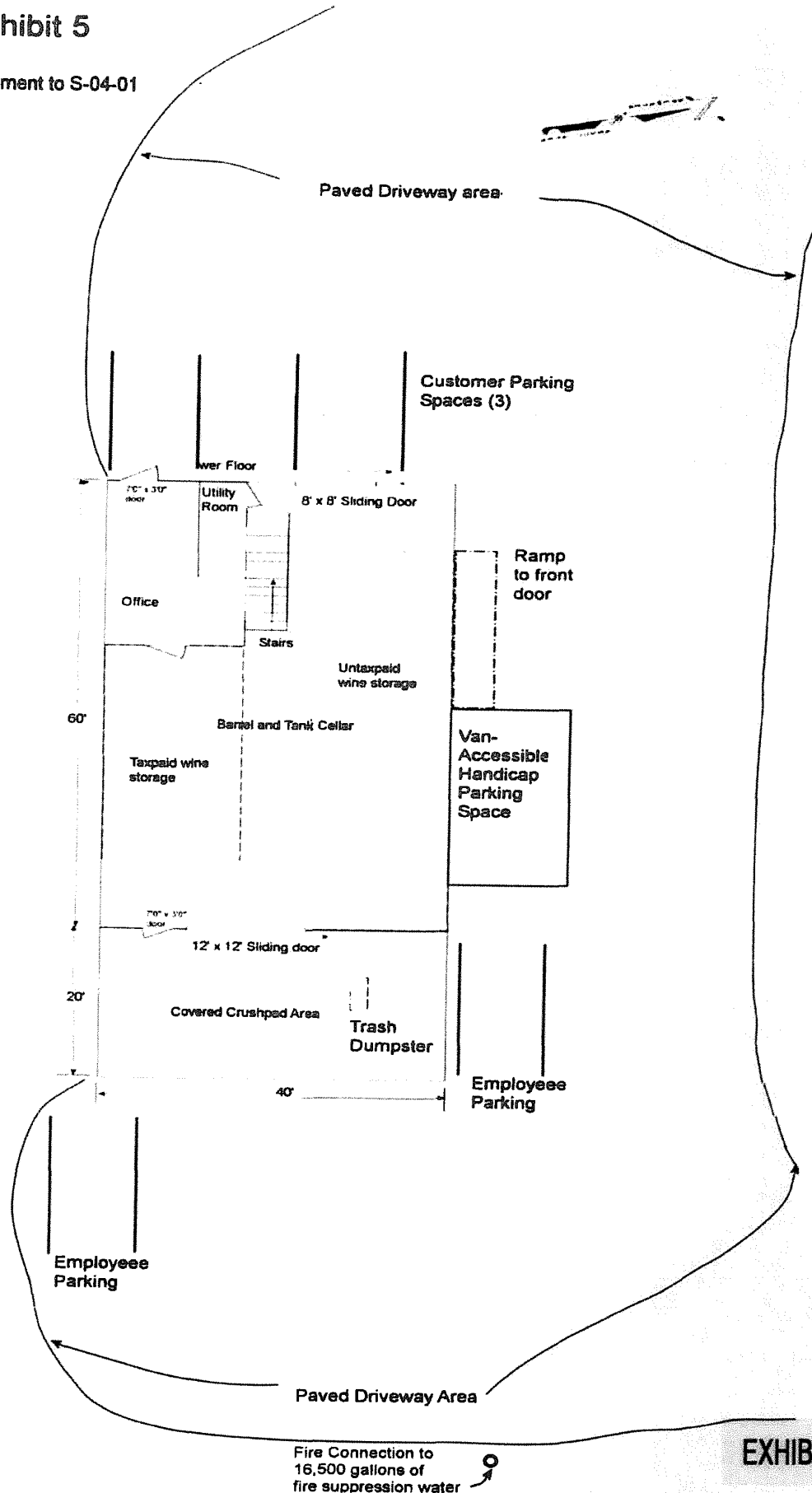


EXHIBIT K

October 30, 2012

OCT 30 PM 1:54
RECEIVED
PLANNING DEPARTMENT

County of El Dorado Planning Commission
311 Fair Lane
Placerville, CA 95667

To: Dave Pratt, Chair, District 2
Walter Mathews, First Vice-Chair, District 4
Tom Heflin, Second Vice-Chair, District 3
Lou Rain, District 1
Brian Shinault, District 5

CC: Ray Nutting, Chair, District 2, El Dorado County Board of Supervisors

RE: Special Use Permit Revision APN 095-080-56

Dear Chairman Pratt and Fellow Commissioners,

We are Karl and Charlotte Lindborg, owners of APN 095-080-15, a 5.9 acre, RE-5 zoned parcel at 6463 Slug Gulch Road in Fair Play since May, 1995. For 17 years we've lived on this property and raised our family. Our property is one of four corner parcels divided by the crossroads of Slug Gulch Road and Irish Acres/Patsy Cline Roads. (See map next page) Our parcel is bordered by Slug Gulch Road and Irish Acres Road. The other three corner parcels are currently owned by John and Susan Smith. APN 095-080-56 is adjacent to our property on the west side bordered by Irish Acres Road and Slug Gulch Road. APN 095-090-61 is catty-corner to our property to the southwest bordered by Slug Gulch Road and Patsy Cline Road. APN 095-260-65 is adjacent to our property on the south and is bordered by Patsy Cline Road and Slug Gulch Road. All parcels involved were RE-5 zoned when we purchased our property in 1995. Both of the parcels adjacent to our property were formed by regrouping through the Williamson Act, with the southern property re-zoned AE, and the western property re-zoned AP and both developed into vineyards and wineries since then by John and Susan Smith. The catty-corner parcel, zoned RE-5, is planted with vineyards, has a modular home housing vineyard workers and storage buildings for winery/vineyard equipment.

EXHIBIT L

Satellite Map property boundaries are drawn as approximations utilizing El Dorado County Assessor's maps.

Slug Gulch Road is shown going from left to right in the middle of the photo.

Irish Acres Road is shown going from the top left ¼ of the photo to the middle of the photo.

Patsy Cline Road is shown going from the middle of the photo to the bottom middle of the photo.

Light green is planted vineyards.



The purpose of our letter is to notify the El Dorado County Planning Commission of our concerns as neighbors and property owners regarding the recent Special Use Permit Revision request (S04-0001R) submitted to the El Dorado County Planning Commission on July 30, 2012 by John Smith for APN 095-080-56, west of our property, bordered by Irish Acres and Slug Gulch Roads. Currently there is a six month temporary use permit (TUP 12-0018) in place that was approved on August 10, 2012 for public wine tasting and sales at this location. The Special Use Permit Revision requests permanent public access for wine tasting, on-site wine sales, retail sales, picnicking, and marketing activities via Irish Acres Road, the non-county maintained road with an easement across our property used to access approximately eight private residences and the parcel of our focus owned by the Smiths. Thank you for the opportunity to address the commission.

To provide perspective, a historical account of agricultural/commercial development since 1995 of the three corner parcels owned by John and Susan Smith is briefly outlined as follows:

- March 1996, A Williamson Act Contract/Zoning Boundary Amendment was approved to combine APN 095-260-30 and a portion of APN 095-260-5. This created a 23.9 acre parcel that was re-zoned AE and renamed APN095-260-65. At the time, only 4 acres were planted in grapes. This parcel is adjacent to our property to the south and is bordered by Patsy Cline Road and Slug Gulch Road. It was the first corner of the three corners purchased and developed by the Smiths.
- March 1997, Oakstone Winery with a 6000 square foot building opened on the aforementioned parcel, APN095-260-65 growing to eventually produce between 6 -10,000 cases of wine per year.

- January 2000, the Smiths purchased a second corner parcel, 10.02 acres zoned RE-5, catty-corner and southwest to our property, bordered by Patsy Cline Road and Slug Gulch Road. This parcel was developed into vineyards to supply Oakstone Winery with estate grown grapes. This same parcel also includes a modular home providing housing for the vineyard workers and storage for winery/vineyard equipment.
- November 2002, three separate RE-5 zoned parcels, APN 095-080-8, APN 095-080-9 and APN 095-080-10 were purchased by the Smiths, merged under the Williamson Act and became APN 095-080-56. This created a 20.8 acre parcel to the west of our property along Slug Gulch and Irish Acres Roads becoming the third corner owned by the Smiths. (A long row of 100 year old black walnut trees planted in 1900's to shade children walking up the hill from school was sacrificed for this vineyard – certainly within the rights of the Smiths to remove the trees, but a hit for the RE-zoned properties in the neighborhood.)
- Fall/Spring 2003/2004, a smaller version of the Oakstone Winery building design was approved as a 3200 square foot agricultural storage building and constructed on the 20.8 acre AP zoned parcel APN 095-080-56 bordering our property along Slug Gulch and Irish Acres Roads.
- May 2004, a Zoning Administrator hearing for a Special Use Permit seeking to convert the existing agricultural storage building on Irish Acres Road into a winery was approved. John and Susan Smith invited a few neighbors to a small picnic to discuss their plans to convert this storage facility into a wine production facility and make specialty wine. The winery would be called Obscurity Cellars and tastings would be by appointment only, in groups no larger than 6 and sales would be limited to internet, mail or phone. No on-site sales or public tasting would be allowed as mandated by the county. John Smith assured us that because of county zoning laws, the winery would never be open to the public and would not have wine sales on-site and therefore, should not have much impact on us or the residents using Irish Acres Road. He stated that this would be his personal hobby winery.
- July 7, 2012, the original Oakstone Winery, on APN 095-260-65, burned in a tragic fire and was a total loss.
- July 2012, The Smiths decided not to rebuild Oakstone Winery, and instead, opted to move the business from its original location on APN 095-260-65, to Obscurity Cellars on APN 095-080-56, and re-name it Oakstone 2.0. John informed us that he would sell the original Oakstone pad to someone else who wants to rebuild there in the future.
- July 24, 2012, John Smith submitted a Temporary Use Permit application for public access to Oakstone 2.0 allowing public wine tasting, on-site wine sales, retail wine sales, picnicking, and marketing activities.
- July 30, 2012, Special Use Permit Revision Request (S04-0001R) requesting permanent public access for wine tasting, on-site wine sales, retail sales, picnicking, and marketing activities, was submitted by John Smith to the El Dorado County Planning Commission for APN 095-080-56, the new site for Oakstone 2.0, the parcel adjacent to our property and accessed via Irish Acres Road.

- August 10, 2012, TUP 12-0018 is approved for six months allowing all requested provisions including public access to Oakstone 2.0. The Smiths paved the non-county maintained dirt road, (Irish Acres Road), an easement across our property, up to the winery's first driveway. (Neighbors rejected paving to the second driveway as the traffic would interfere with their access to their home.)
- September 13, 2012 El Dorado County Agricultural Commission Meeting was held to publically discuss the agricultural impact of the Special Use Permit Revision application. (We were out of town and unable to attend.)
- October 12, 2012 we met with Steve and Liz Ryan, prospective new owners of Oakstone 2.0 to address our concerns about the public accessing the winery via the easement across our property, noise, traffic, fire risk, parking, etc. They were duly concerned.
- October 13, 2012 we met with John Smith to ask him to consider putting a driveway further down the county maintained Slug Gulch Road for public access to Oakstone 2.0 that cuts through the vineyard rather than over our property and pasture land along Irish Acres Road. John said a driveway would cost \$500,000 and was not feasible. We discussed other options including no parking signs, grass maintenance and a privacy fence. No agreement was reached.
- October 30, 2012 we submitted this letter to El Dorado County Planning Commission asking the commission to please address our concerns regarding the Special Use Permit Revision request as detailed below:

We truly are sorrowed by the events that occurred on July 7, 2012 when fire consumed and destroyed Oakstone Winery. That said, the current evolving situation with Oakstone Winery's transference of business and winemaking operations to the Obscurity Cellars facility on Irish Acres Road has created a problem for us. To enjoy the lifestyle we prefer, we pay hundreds of dollars each month for gasoline and spend hours driving to get away from the hubbub of commercial enterprise out to our home in South County. Our quality of life and our investment in our home is being adversely affected by Oakstone's new location. If the Special Use Permit Revision to be applied to Oakstone 2.0, formerly Obscurity Cellars, is approved, it would result in the situation of two commercially zoned open-to-the-public wineries along two sides of our property. This significantly diminishes both our quality of life and our property value.

We have given and continue to give much consideration to the additional present/future impact of Oakstone 2.0 on us and our property. Our foremost objection to the Special Use Permit Revision proposal is the use of the non-county maintained easement across our property for public access to the tasting room and retail sales. Our secondary objection is to the winery being open to the public versus its previous status of open by appointment only, mostly because of the increase in noise. We would much prefer it operated with the restrictions of its original permit. We would back down on our secondary objection if a solution were found for our foremost objection and if we could find some way to muffle the noise from the winery itself.

We are of the mind that a driveway significantly further downhill on Slug Gulch Road from Irish Acres Road allowing public access from the county maintained road rather than the non-county maintained easement across our property, is a workable solution. That driveway would diminish the fire risk by routing the public through the vineyard rather than through the dry grass. It would take the noise of the traffic further downhill and keep the comings and goings of the winery customers from being continually in our view.

There are three other properties that are directly exposed to the traffic and noise of the Oakstone 2.0 venture. One property is owned by a senior couple who are snowbirds. They are not in residence much of the year and do not travel out of the house often when they are in residence. They are happy to have Irish Acres paved to the bottom of their driveway. The risk of fire is the same for them as for us. We do not know about the impact of noise on them as they are usually inside their home. The next house on the road is owned by new residents from out of the area who occupy the home occasionally on weekends. Their driveway is beyond the first driveway of Oakstone 2.0. We are not sure what the noise impact on these neighbors is or if they have even had an opportunity to experience it yet. We do not know how much they know about the winery changes taking place. The third property owners are the ones who asked John not to pave up to the second driveway as they did not want to deal with the traffic when entering and exiting their driveway.

While we have rolled with many changes imposed by the Smiths via their business ventures (Vineyards, Oakstone Winery, and Obscurity Winery) to the quality of our chosen lifestyle over the years, and have made the very best of the situation (including good friendships with them, employment, and participation in winery events), the prospect of having two operating commercial wineries open to the public year round, each bordering a different side of our property, has tipped the scale for us. We cannot roll with this one. We cannot preserve what we value, (our reasons for living in Fair Play), our property's worth, and our sense of well-being with the added nuisance, fire risk, and noise that comes with the public accessing Oakstone 2.0 via Irish Acres Road, year round, particularly on weekends. We would prefer that the winery *not* be open to the public for tasting and retail sales at all, as prescribed in the original permit obtained for Obscurity Cellars. However, we are willing to learn to live with it being open to the public if the above mentioned driveway is installed by the Smiths as a compromise before the Special Use Permit Revision is approved or as a condition of the revision approval that it be installed before the TUP expires.

We are willing to tolerate the traffic for winery production, service vehicles, harvest tractors, couriers, bottling trucks, etc. on the easement. We are willing to work on solutions to dampen the additional noise of the public from the tasting room, picnic areas and parking lot of the winery itself. (We explained to the Smiths and the Ryans that the noise travels straight up the draw between Oakstone 2.0 and our house – the noise is significantly magnified. The building itself is not directly adjacent to our parcel, but it is a stone's throw away, within view, and amplified earshot.) We are not willing to learn to tolerate, on top of everything else, customers' cars driving in and out of Oakstone 2.0 via Irish Acres Road, the noise and visual nuisance, and the fire risk that comes with the alcohol consuming, often urban-oriented public who may be careless with catalytic converters, cigarette butts, and dry grass.

John Smith and the Ryans' argument that the winery will always be small, 2100 cases of production per year, that the Ryans want it that way, does not ensure that it will not grow. Business owners often seize opportunities to grow that they hadn't dreamed would ever arise. (Case in point, the current proposal for Oakstone 2.0 - the promise John Smith made that this facility would never be open to the public is already voided.) Currently, there is no legal restriction to prevent the winery from producing more wine and storing it off site. There is no legal restriction preventing anyone from adding 8,000 square feet on to the current building and creating more space for more production. Entrepreneurs from outside the area could easily buy and expand the winery, particularly with the purchase availability of Oakstone 1 pad as an attractant. An Amador County boutique winery, Karly Wines, was recently purchased by Napa based Turley Wine Cellars, (currently producing 6,000 cases per year in Napa), in an effort to expand its presence in our area. There are many ways Oakstone 2.0 and the previous Oakstone 1 site could be expanded in the near future. We believe the time is now to secure reasonable access for the public to the winery so we do not have an even bigger nuisance and problem down the road. We care not only about ourselves in this situation, but about future residents on our property and on Irish Acres Road.

It also is clear to us that the Ryans (and therefore the county) could benefit financially from a winery entrance from Slug Gulch Road which is county maintained. This would allow them to be open more than three days per week and participate in special events which greatly increases their chances of being successful winery owners in today's economy.

It saddens us deeply to be in this position of controversy. We consider the Smiths and the Ryans to be friends of many years and have no interest in interfering with anyone's dreams as has been demonstrated by our consistent support for the past 17 years. We have well established Napa Valley wineries in our family and are not opposed to wineries in general. We moved to Fair Play excited about the residential zoning and rural lifestyle. We are just trying to protect what remains of our own dreams. We have adjusted repeatedly until now and are prepared to adjust again within reason. We are not prepared to lean so far that we have nothing left of our vision. Our decision to ask for the alternative driveway is a way to meet somewhere in the middle - to support Oakstone 2.0 vision and preserve what is left of ours. We realize we are risking friendships. We hate that, but see no alternative. We usually keep our friends for life, so this is new territory for us.

We proposed the idea of a driveway from Slug Gulch Road to John Smith and his view was that it was cost prohibitive. We find the \$500,000 estimate he gave hard to imagine in today's economy when contractors are hungry. He also expressed concerns about the slope of the driveway. We can think of several wineries with driveways on significant slopes.

The other options we discussed with John Smith, of Oakstone 2.0 adding no parking signs, weed eating the easement, and perhaps adding a fence, are not going to sufficiently satisfy our concerns. We do believe the no parking signs will control the parking problem on the road. However, we realize after some thought, the signs will not control the traffic and idling cars while everyone tries to figure out how to turn around and exit if the parking lot is full. We are not convinced the cameras they use to monitor the grounds will provide the necessary picture to control the traffic on the road. We do not believe one person will be continuously attentive to the road to monitor cars if both employees are working

the tasting room. Additionally, because the neighbors on Irish Acres Road opposed the paving of the road to the second Oakstone 2.0 driveway, there is no circular flow of traffic in and out of the tasting room parking lot. That adds to traffic jam potential with idling cars using grassy shoulders and private driveways to turn around.

A fence is problematic for us. It may help with noise on the road and the visual aspect of the traffic, but only for a short stretch, as we still hear and see the traffic as it continues on past our neighbor's property to the winery driveway. It does nothing to help with fire risk. It is not likely to help with noise from the winery itself as the winery and our home are higher elevation than the road and where the fence would be. A fence requires maintenance. A fence also inhibits our ability to see what is happening on the road on the occasion when we need to see. Sometimes teenagers pull in late at night and set up camp. Sometimes there is loose livestock. Sometimes an emergency vehicle alerts us that we need to assist a neighbor. Sometimes our neighbors on Irish Acres visit our horse and dogs. Sometimes we visit with neighbors over the current field fence. Several neighbors use Irish Acres Road to walk their pets and exercise. This is all a part of the rural lifestyle we enjoy. We do not want a privacy fence, especially if there is likely to be public traffic adding potential problems on that road.

While having Oakstone 2.0 take on the responsibility for keeping the roadside grass short certainly helps with the additional burden we would have of doing so, this does not solve the problem of fire risk. A few feet from the short grass is six acres of pasture grass on our property and another 5 acres of pasture grass on the adjoining parcel along the easement road. We all have some idea how devastating fire can be. While John Smith and the Ryans have cut their lower end wines from production and thus believe their customers are a cut above the rowdy party crowd often drawn to wineries (and therefore do not pose a threat), we are not convinced that the risk presented by the alcohol consuming public is sufficiently lowered even if it is true that their customers are special. The amount of money one is willing to pay for a bottle of wine is no indicator of their character, their ability to control their drinking, or how country/fire savvy they are. The risk remains.

The fact that we already endure the fire risk, traffic, nuisance on one side of our property from the winery customers as well as from the locals traveling up and down Slug Gulch Road, makes it very disagreeable to add those risks to an additional side of our property. Public access to wine sales and tasting along Irish Acres Road is an increased risk to our safety, investment and lifestyle choice that we oppose taking. Again, we believe the time is now to secure reasonable, low risk, non-nuisance access for the public to the winery so we do not risk an even bigger problem down the road when the business expands or transfers ownership again.

Please help us maintain our RE-5 integrity and experience, not by denying Oakstone 2.0 its permit revision (we recognize Oakstone 2.0 is good for the county), but by postponing the approval of the Special Use Permit Revision until a driveway has been put in place further down Slug Gulch Road, or at the very least, by requiring the driveway be installed before the TUP expires as a condition of the permit revision approval.

While we would very much appreciate also a sound barrier on the winery property, our primary concern and request is the driveway.

Thank you for your time and consideration.

Respectfully,

Karl and Charlotte Lindborg