MEMORANDUM

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| To: Planning Commission From: Shaveta Sharma, Planner |

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| Date: February 8, 2015 Re: Melka Winery Use Permit (P14-00208-UP) & Variance (P14-00209)  Categorical Exemption Determination  Assessor’s Parcel No. 021-352-041 |

Background

Pursuant to Section 303 of Napa County’s Local Procedures for Implementing the California Quality Act (CEQA), the Planning Department has prepared this environmental evaluation for the proposed Melka Winery Use Permit Major Modification (File No. P14-00208). The Melka Winery proposal would establish a new 10,000 gallons per year winery with daily tours and tastings for five persons maximum per weekday and seven persons maximum per weekend and a maximum of 30 persons per week by appointment only; conversion of an existing 2,309 square foot barn to winery uses; construction of a new 2,675 square foot building with a 500 square foot open breezeway; construction of a 875 square foot covered crush pad; on premise consumption of wines produced on site in accordance with AB 2004; two (2) 30 person marketing events annually; one (1) 100 person auction event annually; connection to an existing domestic wastewater treatment and disposal system; a hold and haul system for process wastewater; a 20,000 gallon water storage tank and pump house; a new 20 foot driveway access in accordance with Napa County Road and Street Standards; and construction of seven (7) parking spaces.A Variance is also requested to encroach 435 feet into the required 600 foot setback from Silverado Trail.

Because of the minimal construction and ongoing operations, the Planning Department finds the project to be categorically exempt from the California Environmental Quality Act (“CEQA”) under Section 15301 (existing facilities) and Section 15301 [See Class 1 (“Existing Facilities”)]; Section 15303 [See Class 3 (“New Construction or Conversion of Small Structures”)]; and Section 15304 [See Class 4 (“Minor Alterations to Land”)].

Class 1: Existing Facilities [State CEQA Guidelines §15301]

1. Existing roads, streets, highways, bicycle and pedestrian paths, and appurtenant facilities. Repair, maintenance, reconstruction, replacement and minor expansion including, but not limited to:

(a) Reconstructing, resurfacing and/or seal coating of pavement.

The proposed project takes advantage of an existing driveway that serves both a residence and the barn. The first 50 feet of the driveway is proposed to have a slurry seal over the existing road, the remainder 70 feet of driveway and existing associated parking will be reconstructed and repaved to comply with current road and street standards.

Class 3: New Construction or Conversion of Small Structures [State CEQA Guidelines §15303]

Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.

The proposed 17,000 gallon water storage tank and equipment shed for the fire water pump and winery water treatment system is proposed adjacent to the southeastern portion of the new production facility.

Class 4: Minor Alteration to Land [State CEQA Guidelines §15304]

1. New access roads and driveways (longer than 300 feet and resulting in less than 2,000 cubic yards of grading) that would:

(a) grading on land with slopes of less than 10%;and

(b) filling of earth onto previously excavated land.

The proposed project proposes to re-grade and repave an existing driveway and parking area, resulting in paving 18,135 square feet in total. The site grading proposes to displace 1,595 cubic yards of soils, primarily from the proposed landscape screening berms which will provide visual screening along Silverado Trail.

Under Section 15300.2 of the California Environmental Quality Act, a Class 3 (Section 15303) and a Class 4 (Section 15404) exemption cannot be used if environmental sensitivities exist at the site or if there will be cumulative impacts. The applicant submitted an Archeological Study prepared by Tom Origer and Associates dated December 20, 2013 which concluded the proposed project location was not likely to encounter or disturb any archeological specimens. In keeping with CEQA guidelines, if archeological remains are uncovered during construction, all work would be halted until a qualified archeologist could investigate the site. The applicant also submitted a Cultural Resources Survey prepared by Tom Origer and Associates dated October 24, 2013 which concluded that the project would not impact any cultural resources. There are no hazardous waste sites, nor historic resources identified on the site. The proposed visitation plan is minimal and do not create a cumulative traffic impact. Therefore these exemptions are appropriate and this proposal meets the Categorical Exemptions listed above.