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Addendum to a Previously Adopted  
Mitigated Negative Declaration  
Sheehy Winery  
P19-00426-MOD



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## Planning, Building and Environmental Services

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**David Morrison**  
Director

## MEMORADUM

To:	Planning Commission	From:	Trevor Hawkes, Planner III
Date:	October 7, 2020	Re:	Sheehy Winery Use Permit Major Modification Application #P19-00426 Addendum to a Negative Declaration Assessor Parcel #057-210-037 & -038

**Project Title:** Sheehy Winery, Use Permit Major Modification, Application No. P19-00426-MOD

**Project Location:** a 2.74 acre site on the east side of Devlin Road, adjoining Sheehy Creek to the north. The project resides within the Industrial land use designation of the Napa County General Plan, is within the Industrial Park: Airport Compatibility (IP:AC) zoning district, as well as within the Napa Valley Business Park Specific Plan area. APN's: 057-210-037 & 038. Napa.

**Project Sponsor:** Rudd Properties, LLC., 68 Coombs, Suite D-10, Napa, CA 94559; phone number (707) 948-2688.

**Project Sponsor's Representative:** Summit Engineering, 463 Aviation Boulevard, Suite 200, Santa Rosa, CA 95404; phone number (707) 636-9166 or email demae@summit-sr.com.

**County Contact:** Trevor Hawkes, AICP, Planner III, 1195 3<sup>rd</sup> Street, Suite 210, Napa, CA 94559; phone number (707) 253-4388 or email trevor.hawkes@countyofnapa.org.

### **Background/Introduction:**

On December 5, 2018, the Planning Commission adopted a Mitigated Negative Declaration (MND) pursuant to the California Environmental Quality Act (CEQA, Public Resource Code Section 21000 et seq.) and approved a Use Permit application (P17-00274-UP) allowing construction of an approximately 40,085 square foot speculative light industrial building which included approximately 38,020 square feet of warehouse space and 2,065 square feet of office space. Primary access to the proposed project would be provided from a new driveway on Devlin Road while further access to the site would be achieved through a shared internal drive aisle, and existing access easement, with the adjoining property to the south of the project site. The project was designed with 58 vehicle parking stalls. The request also included a variation to the development regulations of the Napa Valley Business Park Specific Plan eliminating the required 10-foot landscape area along the south property line to accommodate the proposed shared drive aisle and reducing the required 10-foot landscape area along the east property line to a minimum of 5'-0" up to 7'-1". The project proposed and entered into agreements to connect to municipal water and wastewater services provided by the City of American Canyon and the Napa Sanitation District, respectively. The project was proposed on a 2.74 acre site on the east side of Devlin

Road, adjoining Sheehy Creek to the north, within the Industrial Park: Airport Compatibility (IP:AC) zoning district. APN's: 057-210-037 & 038.

Prior to the approval of P17-00274-UP and the adoption of the project's MND the applicant did not have an identified tenant for the building. In the intervening time between the prior Use Permit approval and the current Use Permit Major Modification, the applicant identified Sheehy Winery to occupy the prior approved industrial building. The modification proposes a 98,400-gallon per year winery production facility consisting of office space, grape processing, tanks, barrel and case storage. No visitation or marketing is included in this request. No changes to the prior approved building footprint, elevations, or site plan are proposed except for the inclusion of a 1,550 square foot canopy covering a portion of the drive aisle along the eastern portion of the project. The attached canopy extends 5 feet into the 10 foot required rear yard, requiring Planning Commission approval of a Variation to the Development Standards for the Napa Valley Business Park Specific Plan. The prior Use Permit included 43 full-time employees, and that number would be reduced to 10 full-time under the proposed modification, while maintaining the prior approved 58 parking stalls.

#### **Statutory Background:**

Under CEQA, an addendum to an adopted mitigated negative declaration (MND) is appropriate if minor technical changes or modifications to the proposed project occur (CEQA Guidelines Section 15164). An Addendum is appropriate only if these minor technical changes or modifications do not result in any new significant impacts nor a substantial increase in the level of significance of previously identified impacts. The addendum need not be circulated for public review (CEQA Guidelines Section 15164[c]); however, the decision-making body must consider the addendum along with the previously-adopted environmental document prior to making a decision on the project (CEQA Guidelines Section 15164[d]).

This addendum demonstrates that the environmental analysis and impacts identified in the previously-adopted MND remain substantially unchanged by the circumstances described herein and supports the finding that the proposed project does not raise any new issues and does not exceed the level of significance of impacts in the previously-adopted MND.

#### **Applicable Reports in Circulation:**

This addendum is prepared as an addition to the Sheehy Speculative Light Industrial Building MND (State Clearing House #2018112002) adopted by the Planning Commission on December 5, 2018. A copy of said document is available for review at the offices of the Napa County Planning, Building and Environmental Services Department, 1195 3<sup>rd</sup> Street, Second Floor, Napa, California, in the custody of the Planning Director.

#### **Project Description:**

The applicant requests approval of a Major Modification of the prior Use Permit approval (Use Permit P17-00274-UP) to specify the details of the previous 40,085 square foot speculative light industrial building approval for winery production use. Building footprints, elevations, and the project site plan would remain as approved prior to the current request with the exception of the addition of a 1,550 square foot attached canopy covering a portion of the drive aisle adjacent to the eastern boundary of

the property. As it was in the prior approval, the applicant still intends to connect to the City of American Canyon for water services and to the Napa Sanitation District for wastewater and irrigation services. The applicant also requests to modify the prior approved number of on-site employees from 43 full-time employees to 10 full-time employees. No visitation or marketing is included in this request.

**Discussion:**

- **Aesthetics** – The Sheehy Speculative Light Industrial Building MND found that the project would have less than significant impacts on aesthetics. The only physical change in the revised project is the addition of the 1,550 square foot attached canopy on the eastern side of the building which, given the location, will be significantly hidden from views from public right-of-way. No substantial change in the significance of impacts to aesthetics would occur with the revised project and the conclusions of the Sheehy Speculative Light Industrial Building MND would remain the same.
- **Agricultural and Forestry Resources** - The Sheehy Speculative Light Industrial Building MND found that the project would have no impact on agricultural and forestry resources. The revised project does not contain elements that would involve new impacts. No substantial change in the significance of impacts to agricultural and forestry resources would occur with the revised project and the conclusions of the Sheehy Speculative Light Industrial Building MND would remain the same.
- **Air Quality** - The Sheehy Speculative Light Industrial Building MND found that the project would have a less than significant impact on air quality. The revised project's construction footprint is almost unchanged from the prior approval and the 1,550 square foot canopy would have a negligible increase in the overall construction emissions associated with the project. The prior MND compared the project to screening criteria for light industrial and warehousing projects found within the Bay Area Air Quality Management District's (BAAQMD) 2017 CEQA Guidelines, and found the project below the construction and operational thresholds of significance. Air quality impacts generated from operations of a wine production facility would be similar to light industrial and warehousing operations, and the decrease in onsite full time employment would be beneficial to operational air quality impacts as well. No substantial change in the significance of impacts to air quality would occur with the revised project and the conclusions of the Sheehy Speculative Light Industrial Building MND would remain the same.
- **Biological Resources** - The Sheehy Speculative Light Industrial Building MND found that the project would have less than significant impacts on biological resources with the incorporation of mitigation measures. With the exception of the proposed 1,550 square foot attached canopy, which primarily covers an area of the project planned for development, the revised project does not change the building footprint or site plan under which a prior Biological Evaluation (Zentner and Zentner, April 2018) was conducted. For this reason no substantial change in the significance of impacts to biological resources would occur with the revised project and the conclusions of the Sheehy Speculative Light Industrial Building MND would remain the same. The mitigation measures adopted in the prior MND (Bio-1, BIO-2, BIO-3, BIO-4), remain necessary in order to reduce impacts on biological resources to less than significant.

- **Cultural Resources** - The Sheehy Speculative Light Industrial Building MND found that the project would have less than significant impacts on cultural resources. With the exception of the proposed 1,550 square foot attached canopy, the revised project does not change the building footprint or site plan that was approved in the prior project. For this reason no substantial change in the significance of impacts with respect to cultural resources would occur with the revised project and the conclusions of the Sheehy Speculative Light Industrial Building MND would remain the same.
- **Geology and Soils** - The Sheehy Speculative Light Industrial Building MND found that the project would have less than significant impacts on geological and soil resources. With the exception of the proposed 1,550 square foot attached canopy, which primarily covers an area of the project planned for development, the revised project does not change the building footprint or site plan. No substantial change in the significance of impacts to geology and soils would occur with the revised project and the conclusions of the Sheehy Speculative Light Industrial Building MND would remain the same.
- **Greenhouse Gas Emissions** - The Sheehy Speculative Light Industrial Building MND found that the project would have less than significant impacts on greenhouse gas emissions. The revised project's construction footprint is almost unchanged from the prior approval and the 1,550 square foot canopy would have a negligible increase in the overall construction emissions associated with the project. By requesting a decrease in the amount of full time employment onsite, from 43 to 10, the revised project would significantly decrease operational emissions, which the MND considered the primary source of GHG emissions for the project over the long term. No substantial change in the significance of impacts to greenhouse gas emissions would occur with the revised project and the conclusions of the Sheehy Speculative Light Industrial Building MND would remain the same.
- **Hazard and Hazardous Materials** - The Sheehy Speculative Light Industrial Building MND found that the project would have less than significant impacts on hazards and hazardous materials. Because there is relatively no change in the building footprint and site plan between the prior and revised project, conclusions related to hazardous materials used in construction of the structure remain unchanged. A wine production facility is not expected to involve the use of any hazardous materials above the levels that were considered in the prior MND. No substantial change in the significance of impacts to hazards and hazardous materials would occur with the revised project and the conclusions of the Sheehy Speculative Light Industrial Building MND would remain the same.
- **Hydrology and Water Quality** - The Sheehy Speculative Light Industrial Building MND found that the project would have less than significant impacts on hydrology and water quality. The project's physical footprint is almost unchanged from what was originally approved, and the inclusion of the 1,550 attached canopy would not substantial increase the impact to water runoff or drainage patterns. Approvals for the revised project to connect to the City of American Canyon for water services and Napa Sanitation District for wastewater and irrigation services remain unchanged. No substantial change in the significance of impacts to hydrology and water quality would occur with the revised project and the conclusions of the Sheehy Speculative Light Industrial Building MND would remain the same.

- **Land Use and Planning** - The Sheehy Speculative Light Industrial Building MND found that the project would have no impact on land use and planning. The revised project remains compliant with applicable land use regulations and the construction footprint remains unchanged. No substantial change in the significance of impacts to land use and planning would occur with the revised project and the conclusions of the Sheehy Speculative Light Industrial Building MND would remain the same.
- **Mineral Resources** - The Sheehy Speculative Light Industrial Building MND found that the project would have no impact on mineral resources. The revised project's construction footprint and location remain unchanged from the prior approval. No substantial change in the significance of impacts to mineral resources would occur with the revised project and the conclusions of the Sheehy Speculative Light Industrial Building MND would remain the same.
- **Noise** - The Sheehy Speculative Light Industrial Building MND found that the project would have less than significant impact on noise. The revised project's construction footprint remains relatively unchanged, except for the addition of the 1,550 square foot attached canopy, whose addition to the construction plans would not increase noise issues related to construction to a substantial level. There is not expected to be a substantial difference in operational noise levels between the prior analyzed warehouse and the proposed wine production facility. No substantial change in the significance of impacts to noise would occur with the revised project and the conclusions of the Sheehy Speculative Light Industrial Building MND would remain the same.
- **Population and Housing** - The Sheehy Speculative Light Industrial Building MND found that the project would have no impact on population and housing. The revised project does not contain elements that would involve new impacts. No substantial change in the significance of impacts to population and housing would occur with the revised project and the conclusions of the Sheehy Speculative Light Industrial Building MND would remain the same.
- **Public Services** - The Sheehy Speculative Light Industrial Building MND found that the project would have less than significant impact on public services. The revised project's construction footprint and site plan remain relatively unchanged and the county will continue to levy permit fees on construction to assist in funding continued public services. No substantial change in the significance of impacts to public services would occur with the revised project and the conclusions of the Sheehy Speculative Light Industrial Building MND would remain the same.
- **Recreation** - The Sheehy Speculative Light Industrial Building MND found that the project would have no impact on recreation. The revised project does not contain elements that would involve new impacts. No substantial change in the significance of impacts to recreation would occur with the revised project and the conclusions of the Sheehy Speculative Light Industrial Building MND would remain the same.
- **Transportation/Traffic** - The Sheehy Speculative Light Industrial Building MND found that the project would have less than significant impact on transportation and traffic. The revised project's internal circulation and access between the site and Devlin Road remains unchanged

from the prior approval. The prior MND analyzed the project's impact to traffic by comparing it to traffic generation rates for specific land uses found in the Institute of Traffic Engineer's (ITE), Trip Generation manual, 9<sup>th</sup> Edition, 2012. The analysis compared the prior project to manufacturing, warehousing, and light industrial uses of similar square footage and found that the expected daily vehicle trips and peak period vehicle trips would remain below 1% of traffic levels of local roadways, and thus was found to be a less than significant impact. A wine production facility would be expected to produce traffic similar to the land uses analyzed in the prior MND, and the reduction in employment would further decrease the project's impact to transportation and traffic. Subsequent to July 1<sup>st</sup>, 2020, and the requirement under SB 743 to utilize Vehicle Miles Traveled (VMT) when determining levels of significance to traffic impacts, we could expect a similar decrease in the project's VMT with the decrease in employment. No substantial change in the significance of impacts to transportation and traffic would occur with the revised project and the conclusions of the Sheehy Speculative Light Industrial Building MND would remain the same.

- **Tribal Cultural Resources** - The Sheehy Speculative Light Industrial Building MND found that the project would have no impact on tribal cultural resources. The revised project does not contain elements that would involve new impacts. No substantial change in the significance of impacts to tribal cultural resources would occur with the revised project and the conclusions of the Sheehy Speculative Light Industrial Building MND would remain the same.
- **Utilities and Service System** - The Sheehy Speculative Light Industrial Building MND found that the project would have a less than significant impact on utilities and service systems. The revised project has been reviewed by the relevant water and wastewater providers, who have provided will serve letters for the 98,400-gallon per year wine production facility. No other aspects of the revised project contain elements that would substantially increase the severity of previously identified significant effects. No substantial change in the significance of impacts to utilities and services systems would occur with the revised project and the conclusions of the Sheehy Speculative Light Industrial Building MND would remain the same.
- **Mandatory Findings of Significance** - The Sheehy Speculative Light Industrial Building MND found that the project would have a less than significant impact on mandatory findings of significance. The revised project is not substantially different from what was approved under the prior MND such that it would degrade the quality of the environment or generate a cumulative impact beyond what was already analyzed. No substantial change in the mandatory findings of significance would occur with the revised project and the conclusions of the Sheehy Speculative Light Industrial Building MND would remain the same.

### **Summary and Findings:**

Review of the project has concluded that the proposed project will not result in new impacts beyond those analyzed in the Sheehy Speculative Light Industrial Building MND adopted in 2018, as further explained in the discussion above. None of the conditions described in Section 15162 of the CEQA Guidelines calling for preparation of a subsequent negative declaration has occurred, and thus, an Addendum to the 2018 Sheehy Speculative Light Industrial Building MND is appropriate to satisfy CEQA requirements for the proposed project.

The following findings are provided in accordance with CEQA Section 15164(e) concerning the decision not to prepare a subsequent negative declaration pursuant to CEQA Guidelines Section 15162:

- 1) None of the following conditions calling for preparation of a subsequent negative declaration have occurred:
  - a) Substantial changes are proposed in the project which will require major revisions of the Sheehy Speculative Light Industrial Building MND due to the involvement of new significant environmental effects or a substantial increase in severity of previously identified significant effects;
  - b) Substantial changes occur with respect to the circumstances under which the project is being undertaken which will require major revisions of the ... Sheehy Speculative Light Industrial Building MND due to involvement of new significant environmental effects or a substantial increase in severity of previously identified significant effects; or
  - c) New information of substantial importance which was not known and could not have been known with the exercise of reasonable diligence at the time the... Sheehy Speculative Light Industrial Building Winery MND was adopted, shows the following:
    - i. The project will have one or more significant effects not discussed in the Sheehy Speculative Light Industrial Building MND;
    - ii. Significant effects previously examined will be substantially more severe than previously shown in the Sheehy Speculative Light Industrial Building MND;
    - iii. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
    - iv. Mitigation measures or alternatives which are considerably different from those analyzed in the Sheehy Speculative Light Industrial Building MND would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.
- 2) Only minor technical changes or additions are necessary to make the Sheehy Speculative Light Industrial Building MND under consideration adequate under CEQA.
- 3) The changes to the Sheehy Speculative Light Industrial Building MND made by this addendum do not raise important new issues about the significant effects on the environment.

This Addendum to the Sheehy Speculative Light Industrial Building MND finds that actions under the proposed project, as identified herein, will not result in any new significant environmental effects nor result in the substantial increase of any previously identified impacts in the previous MND.

The conclusions and recommendations contained herein are professional opinions derived in accordance with current standards of professional practice. They are based on a review of the Napa County Environmental Resource Maps, other sources of information listed in the file, and comments received; conversations with knowledgeable individuals; the preparer's personal knowledge of the area; and, where necessary a visit to the site.