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Planning, Building & Environmental Services

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David Morrison
Director

MEMORANDUM

To: Planning Commission From: Shaveta Sharma, Planner

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 Appendix B of Napa County's Local Procedures for Implementing the California Environmental Quality Act includes Class 3, New Construction or Conversion of Small Wineries which meet the following criteria:

- a) Are less than 5,000 square feet in size excluding caves;
- b) Will produce less than 30,000 gallons of wine per year;
- c) Will generate less than 40 vehicle trips per day and 5 peak hour trips except on those days when marketing events are taking place;
- d) Will hold no more than 10 marketing events per year, each with no more than 30 attendees, except for one wine auction event with up to 100 persons in attendance; AND
- e) Will hold no temporary events.

Analysis:

- (a) are less than 5,000 square feet in size excluding caves;

Response: The project proposes to convert an existing 2,309 sq. ft. two-story barn to winery uses. The current structure has a barn/agricultural uses downstairs and a secondary residence on the second floor. The project proposes to convert the ground floor to wine production and the second floor to a winery tasting room. The applicant also proposes to construct a new 2,675 sq. ft. one-story production facility. Therefore, the ultimate proposal proposes to convert 2,309 sq. ft. and construct 2,675 sq. ft., for a total winery operational square footage of 4,984.

- (b) will produce 30,000 gallons or less per year;

Response: The applicant proposes to produce up to 10,000 gallons per year.

- (c) will generate less than 40 vehicle trips per day and 5 peak hour trips except on those days when marketing events are taking place;

Response: According to the June 10, 2014 Focused Traffic Analysis by Omni Means the proposed project's weekday and weekend peak hour and daily traffic volumes have been calculated to be 10 vehicle trips per day during the weekdays and weekends and 4 peak hour trips per day on weekdays and 5 peak hour trips per day on weekends. The study's methodology is based on recent winery research conducted by the Napa County Planning, Building, and Environmental Services Department. Based on a 10,000 gallon winery with one full-time employee, one part-time employee, and 37 weekly visitors, the proposed project would be expected to generate 10 weekday daily trips with four (4) weekday PM peak hour trips (1 in, 3 out). During a typical weekend (Saturday), the project would be expected to generate 10 daily trips with five (5) mid-day (afternoon) peak hour trips (3 in, 2 out). Therefore, the project visitation and employees are projected to generate no more than 10 vehicle trips per day, with no more than 5 peak hour trips, which is well below the threshold of 40 vehicle trips per day and 5 peak hour trips per day.

(d) will hold no more than 10 marketing events per year, each with no more than 30 attendees, except for one wine auction event with up to 100 persons in attendance.

Response: The proposed Melka winery requests a maximum of two (2) events per year with 30 persons maximum and 100 persons in attendance at the largest event associated with the Napa Valley Auction, which is well below the marketing threshold.

(e) will hold no temporary events.

Response: The project description of the project clearly states there will be no temporary events.

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.