

“D”

Agency Comments



A Tradition of Stewardship
A Commitment to Service

Department of Public Works

1195 Third Street, Suite 101
Napa, CA 94559-3092
www.countyofnapa.org/publicworks

Main: (707) 253-4351
Fax: (707) 253-4627

Steven Lederer
Director

MEMORANDUM

To: PBES Staff	From: Rick Marshall Deputy Director of Public Works
Date: July 25, 2016	Re: Frog's Leap Winery P14-00054

Thank you for the opportunity to review the subject permit application.

I have reviewed the information in the *Focused Traffic Analysis for the Proposed Frog's Leap Winery Modifications Project*, prepared by Omni Means and dated July 13, 2016 (revised). The analysis is acceptable and I concur with the assumptions made, the methods used in the evaluation, and the conclusions reached. The study adequately demonstrates that the proposed use in the proposed location will not result in any significant impacts, either project-specific or cumulative, on traffic circulation in the vicinity. Therefore, no mitigation measures are required with this project.

I offer the following comments from the Department of Public Works:

Left-Turn Lane required. The project as proposed meets the warrants for installation of a left-turn lane on SR 128 Conn Creek Road at the project access driveway. The improvements shall be constructed in compliance with the Napa County Road & Street Standards. Additional right-of-way shall be dedicated to the public as necessary to encompass the improvements.

The applicants have requested an exception to this requirement under the provisions of Paragraph 3(G) of the Napa County Road & Street Standards. Under their request, the applicants would construct alternative improvements on SR 128 Conn Creek Road, widening the shoulder on the east side of the road to provide a place for northbound traffic to carefully bypass a waiting left-turning vehicle, if necessary. The improvements would be constructed following recommendations provided by a registered consulting arborist to minimize potential harm to several significant trees in the vicinity.

This request has tentative approval from Public Works, as is the process for exception requests dealing with public road requirements. The decision will become final in conjunction with the decision on the Use Permit itself, as it relies on the project's environmental determination.

Encroachment Permit required. The proposed improvements on State Route 128, a Caltrans-maintained road, will require an encroachment permit from that agency.

Other. The Public Works Department has the following other concerns:

1. The *Focused Traffic Impact Analysis* indicates that marketing events will be held at times outside of peak traffic periods. It is also assumed that the winery will be closed to visitation the entire day of any 500-person marketing event, and closed to visitation when hosting a 150-person

event during normal visitation hours. The project should be conditioned to memorialize these assumptions:

- a. Marketing events shall not begin nor end during the hours of 3-6 p.m.
- b. The winery shall be closed to visitation the entire day of any 500-person marketing event.
- c. The winery shall be closed to visitation when any marketing event of 150 persons or greater is held during normal visitation hours. The closure shall apply from ½ hour before the start of the event until ½ hour after the conclusion of the event.

2. The *Focused Traffic Impact Analysis* indicates that sight lines from the proposed project driveway will meet standards assuming proposed landscaping is maintained in a manner which does not interfere with these sight lines. The project should be conditioned to memorialize this assumption – landscaping at the project driveway shall be maintained to not interfere with sight lines required for safe stopping distance on SR 128 Conn Creek Road.

Please contact me at Rick.Marshall@countyofnapa.org or call (707) 259-8381 if you have questions or need additional information.



A Tradition of Stewardship
A Commitment to Service

David Morrison
Director

MEMORANDUM

To: Shaveta Sharma, Project Planner	From: Kim Withrow, Environmental Health Supervisor
Date: December 29, 2014	Re: Frog's Leap Use Permit APN 030-090-033 File #P14-00054

This division has reviewed an application requesting approval to add visitation, increase number of employees and construct a commercial kitchen among other items detailed in application materials. This Division has no objection to approval of the application with the following conditions of approval:

Prior to building permit issuance:

1. Complete plans and specifications for the food preparation, service area(s), storage area(s) and the employee restrooms must be submitted for review and approval by this Division prior to issuance of any building permits for said areas. An annual food permit will be required.
2. A permit for processing canned foods and/or selling wholesale must be obtained from the State of California Department of Public Health, Food and Drug Branch.
3. The existing pressure distribution system may not be used since it is constructed under existing solar panels and does not meet setback requirements of Napa County Code. Plans for the proposed replacement pressure distribution wastewater treatment system shall be designed by a licensed Civil Engineer or Registered Environmental Health Specialist and be accompanied by complete design criteria based upon local conditions. No building clearance (or issuance of a building permit) for any structure that generates wastewater to be disposed of by this system will be approved until such plans are approved by this Division.
4. A permit to construct the replacement pressure distribution system must be secured from this Division prior to approval of a building clearance (or issuance of a building permit) for any structure that generates wastewater to be disposed of by this system.
5. The water supply and related components must comply with the California Safe Drinking Water Act and Related Laws. This will require plan review and approval to update the existing water system from a transient non-community to a non-transient non-community system prior to approval of building permits. The technical report must be completed by a licensed engineer with experience in designing water systems. The applicant must comply with all required monitoring and reporting.

6. Adequate area must be provided for collection of recyclables. The applicant must work with the franchised garbage hauler for the service area in which they are located, in order to determine the area and the access needed for the collection site. The garbage and recycling enclosure must meet the enclosure requirements provided during use permit process and be included on the building permit submittal.

During construction and/or prior to final occupancy being granted:

7. The owner must apply for and obtain an annual operating permit for the water system from this Division.
8. The owner must apply for and obtain an annual operating permit for the food facility from this Division.
9. An annual alternative sewage treatment system monitoring permit must be obtained for the alternative sewage treatment system /private sewage disposal system prior to issuance of a final on the project. The septic system monitoring, as required by this permit, must be fully complied with.
10. During the construction, demolition, or renovation period of the project the applicant must use the franchised garbage hauler for the service area in which they are located for all wastes generated during project development, unless applicant transports their own waste. If the applicant transports their own waste, they must use the appropriate landfill or solid waste transfer station for the service area in which the project is located.

Upon final occupancy and thereafter:

11. The applicant has proposed that food service for larger marketing events will be catered; therefore, all food must be prepared and served by a Napa County permitted caterer. If the caterer selected does not possess a valid Napa County Permit to operate, refer the business to this Division for assistance in obtaining the required permit prior to providing any food service.
12. Within 30 (thirty) days of initiation of the use or change of tenants, an updated Hazardous Materials Business Plan or a Business Activities Page shall be submitted and approved by this Division.
13. The use of the absorption field/drain field area shall be restricted to activities which will not contribute to compaction of the soil with subsequent reduction in soil aeration. Activities which must be avoided in the area of the septic system include equipment storage, traffic, parking, pavement, livestock, etc.
14. The applicant shall provide portable toilet facilities for guest use during events of 150 persons or more as indicated in the septic feasibility report/use permit application. The portable toilet facilities must be pumped by a Napa County permitted pumping company.
15. All solid waste shall be stored and disposed of in a manner to prevent nuisances or health threats from insects, vectors and odors.
16. All diatomaceous earth/bentonite must be disposed of in an approved manner. If the proposed septic system is an alternative sewage treatment system the plan submitted for review and approval must address bentonite disposal.



A Tradition of Stewardship
A Commitment to Service

Planning, Building & Environmental Services

1195 Third Street, Suite 210
Napa, CA 94559
www.countyofnapa.org

David Morrison
Director

MEMORANDUM

To: Shaveta Sharma, Planning	From: Nate Galambos, Engineering <i>NG</i>
Date: May 15, 2015	Re: Frog's Leap Ag. Processing Facility Use Permit : P14-00054 APN: 030-090-033

The Engineering Division reviewed use permit major modification P14-00054 for the Frog's Leap Agricultural Processing Facility which is generally requesting the following:

To approve the use of a new 2,902 square foot combined agricultural processing facility (APC) and tasting room with an attached restroom and porch. The facility will be used to process fruit not associated with wine production and serve an expanded marketing and visitation plan and an increase in employees. The proposed project is located at 8815 Conn Creek Road in the County of Napa.

After review of the Frog's Leap use permit major modification application package the Engineering Division provides the following conditions of approval:

Existing Conditions:

- The County of Napa parcel 030-090-033 is located at 8815 Conn Creek Road (State Hwy 128), Rutherford.
- The existing parcel is approximately 38.9 acres.
- Existing property is currently developed with an active commercial production winery with associated infrastructure and vineyards.
- The existing parcel's south-east corner section is encroached on by FEMA Special Flood Hazard Area (SFHA) - 100-year Floodplain Zone AE and 500-year Floodplain.

Recommended Conditions:

Site Improvements

This project shall be subject to the newly adopted Napa County Code Chapter 16.28 – 'Stormwater Management and Discharge Control' for all storm water management at the time of building permit

issuance. Therefore, the following conditions of approval for storm water management are based upon the new code.

1. All on site civil improvements proposed including but not limited to the excavation, fill, general grading, drainage, curb, gutter, surface drainage, storm drainage, parking, and drive isles, shall be constructed according to plans prepared by a registered civil engineer, which will be reviewed and approved by the Napa County PBES Department Engineering Division prior to the commencement of any on site land preparation or construction. Plans shall be wet signed and submitted with the building and/or grading permit documents at the time of permit application. A plan check fee will apply.
2. Proposed drainage for the development shall be shown on the improvement plans and shall be accomplished to avoid the diversion or concentration of storm water runoff onto adjacent properties. Plan shall also indicate the path and changes in runoff.
3. If excess material is generated that cannot be used onsite, the Owner shall furnish to the Napa County PBES Department Engineering Division evidence that the Owner has entered into agreements with the property owners of the site involved and has obtained the permits, licenses and clearances prior to commencing any off-hauling operations.

Storm Water Management

This project shall be subject to the newly adopted Napa County Code Chapter 16.28 - Stormwater Management and Discharge Control for all storm water management at the time of building permit issuance. Therefore, the following conditions of approval for storm water management are based upon the new code.

4. Prior to issuance of building permit, the applicant must determine whether their project is subject to the local or state erosion and sediment control requirements. Based on the implementation level as defined in the Napa County Erosion and Sediment Control Plan Guidance document, the applicant shall prepare the appropriate plans and documents for erosion and sediment controls as part of their building permit submittal (the latest version of the Napa County Erosion and Sediment Control Plan Guidance document is available for download on the Napa County public web site).
5. The proposed Agricultural Processing Facility is a regulated project as defined in the BASMAA Post-Construction Manual (the latest version of the BASMAA Post-Construction Manual (PCM) is available for download on the Napa County public web site). Prior to building permit issuance the applicant shall prepare a complete Stormwater Control Plan for the project in accordance with the low impact development requirements defined in the PCM.

Road and Street Standards

6. The applicant shall install a left turn lane on California State Highway 128 (Conn Creek Road) at the main entrance to their property. The left turn lane is required due to the proposed project increasing the average daily trips to a level that warrants a left turn lane per Section 17 of the Napa County Road and Street Standards (NCRSS). The warrant for this left turn lane is based upon existing and projected traffic impacts resulting from the proposed project and does not rely upon physical site constraints. Exceptions from design requirements for the left turn lane due to existing physical environmental constraints shall be obtained through the agency responsible for permitting such improvements.

Further Requirements

7. All previous Conditions of Approval associated with this winery shall remain in effect.
8. Applicant shall obtain all required permits and approvals for proposed improvements from the appropriate governing agencies having jurisdiction.

ANY CHANGES IN THIS USE PERMIT MAY NECESSITATE ADDITIONAL CONDITIONS OF APPROVAL.

If you have any questions regarding the above items please contact Nate Galambos from Napa County PBES Department Engineering Division at (707) 259-8371 or via e-mail at nate.galambos@countyofnapa.org.