

MEIBEYER LAW GROUP



"trusted counsel to the wine industry"

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April 24, 2009

Napa County Conservation,
Development & Planning Commission
1195 Third Street, Room 210
Napa, CA 94559-4336
Attn: Mary Doyle

Re: Use Permit # P06-01426

Dear Mary:

I am writing on behalf of my clients, Shane and Suzanne Pavitt, regarding the conditions of approval for the subject use permit application contained in the December 17, 2008 staff report. With minor exceptions noted below, we believe those conditions should be approved.

We have forwarded a traffic study prepared by an engineer to Public Works. As a result, we expect that the requirement contained in Public Works' December 7, 2006 Inter-Office Memorandum for a left turn lane on Silverado Trail will be eliminated.

In addition, when the use permit was originally prepared by Jon Webb, the form inadvertently listed Monday through Friday as the days that private tours and tastings would occur. The applicant had always intended private tours and tasting would occur seven (7) days per week with a maximum of ten (10) visitors per day.

We also oppose the restriction listed in condition number 1 which provides that "no expansion of the winery shall be permitted in the future, except for improvements meeting the 600 foot setback from Silverado Trail." This condition is not required under the approved variance so is not an appropriate condition for the use permit.

Finally, the Conditions of Approval should be corrected to show the square footage of this barn as 3,360 rather than the erroneous 3,915 square feet referred to in a portion of the conditions.

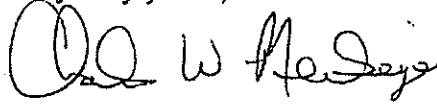
Notwithstanding the lengthy process regarding the grant of the variance for this project, the underlying fact is this is a very small (10,000 gallon) winery with a maximum of ten (10) visitors per day which is categorically exempt from CEQA. Under these circumstances the winery should be approved as a matter of course

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even though some neighbors oppose the establishment of a small winery in the AWOS zoning district.

If you have any questions or concerns regarding the traffic report or this minor revision to the use permit application, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read "C. W. Meibeyer". The signature is fluid and cursive, with the first name "C" being a large, stylized capital letter.

Charles W. Meibeyer

cc: Pavitt Family Vineyards

George W. Nickelson, P.E.

Traffic Engineering • Transportation Planning

April 22, 2009

Mr. Jon M. Webb, PLS
Albion Surveys, Inc.
1113 Hunt Avenue
St. Helena, CA 94574

Subject: *Focused Traffic Study for a Proposed Pavitt Family Winery at #4660 Silverado Trail in Napa County*

Dear Mr. Webb:

This letter report summarizes a focused traffic study for a proposed winery at #4660 Silverado Trail in Napa County. This study reflects my discussions with you and our recent experience in the project area. This letter report has identified the existing traffic conditions, calculated the added traffic due to the proposed winery and evaluated the effects of that traffic.

1. Existing Traffic Conditions

Silverado Trail is essentially a two-lane rural road in the area of the winery site. At the winery site Silverado Trail does not have a left turn lane.

Based on Napa County records, Silverado Trail has daily traffic volumes of 5,193 vehicles north of Dunaweal Lane.⁽¹⁾ These counts are very near the winery site and reflect the likely traffic volume at the site access.

2. Traffic Effects of the Proposed Winery

a. Project Description

The project site currently has a single family residence. That residence would remain with the development of the proposed winery project.

The proposed project would involve a new winery with an annual production of 10,000 gallons.⁽²⁾ It is expected that about 25-30 persons would visit the winery (by appointment only) weekly or about 4 persons during a typical weekday and on a typical Saturday or Sunday. The winery's employment is expected to include three persons (one full time and two part time) with only temporary picking crews on-site during the harvest season. Table 1 outlines the winery's expected daily traffic generation on a typical weekday (21 daily trips), a typical Saturday (21 daily trips) and a day during the harvest season (23 daily trips).

If it is conservatively assumed that 20% of the winery's daily trips are generated during a peak hour, the typical weekday or Saturday peak hour would experience 2-3 winery related vehicle trips. This level of traffic would be very low relative to the background traffic flows on Silverado Trail.

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Mr. Jon Webb
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b. Site Access Design Issues

The primary traffic design issue would be the need for a left-turn lane at the site access. Standards for left-turn lanes relate to the left-turn volume conflicting with the volume of opposing through traffic. Napa County has adopted a warrant methodology based on daily traffic volumes on the highway and daily traffic volumes on the access road or driveway.⁽³⁾ As noted in this report (based on Napa County counts), the daily volume on Silverado Trail is 5,193 vehicles north of Dunaweal Lane. Napa County standards for left-turn lanes indicate that the volume on Silverado Trail and the daily volumes in/out of the proposed winery would be below the levels at which a left-turn lane would be warranted (left turn lane graph is attached).

In addition to evaluating the left turn lane volume warrants, we have conducted a field review of the "sight distance" at the site driveway. The observed speeds along Silverado Trail were 45-55 mph in the vicinity of the site driveway. Caltrans standards indicate that these speeds would require about 400-500 feet of sight distance measured along Silverado Trail.⁽⁴⁾ Based on field measurements, the visibilities north and south on Silverado Trail are 1,450 feet and 620 feet respectively (see attached map)⁽⁵⁾. These distances would exceed the 400-500 foot sight distance requirement for the observed speeds.

3. Summary and Conclusions

As outlined in the report, the project's trips would add minimally to traffic flows on Silverado Trail. The combination of volumes on Silverado Trail and volumes in/out of the winery would be below Napa County thresholds for installation of a left-turn lane.

Based on a field review and actual measurements), the sight distance at the project driveway (measured along Silverado Trail) would exceed the Caltrans standard for the observed speeds.

I trust that this study responds to your needs and the requirements of Napa County. Please let me know if there are any questions or if further input is required.

Sincerely,

A handwritten signature in cursive script, reading "George W. Nickelson".

George W. Nickelson, P.E.

Attachments: Left Turn Warrant Graph
Sight Distance Map

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References:

- (1) Napa County Department of Public Works, traffic counts on Silverado Trail conducted October 2007.
- (2) Project information provided by Mr. Jon Webb, Albion Surveys, Inc., March 25, 2009.
- (3) Napa County Department of Public Works, *Adopted Road & Street Standards*, Revised August 31, 2004.
- (4) Caltrans, *Highway Design Manual – 5th Edition*, July 1, 2004.
- (5) Sight distance measurements provided by Mr. Jon Webb, Albion Surveys, Inc. April 22, 2009.

TABLE 1
TRIP GENERATION FOR
THE PROPOSED PAVITT FAMILY WINERY

Daily Traffic During a Typical Weekday:

| | | |
|--|---|----------------------|
| • One single family dwelling unit @ 10/D.U. ⁽¹⁾ | = | 10 daily trips |
| • 4 visitors/2.6 per vehicle x 2 one-way trips | = | 3 daily trips |
| • 3 employees x 2 one-way trips per employee | = | 6 daily trips |
| • 1 truck x 2 one-way trips per truck ⁽²⁾ | = | <u>2 daily trips</u> |
| | | 21 daily trips |

Daily Traffic During a Typical Saturday:

| | | |
|--|---|----------------------|
| • One single family dwelling unit @ 10/D.U. ⁽¹⁾ | = | 10 daily trips |
| • 4 visitors/2.8 per vehicle x 2 one-way trips | = | 3 daily trips |
| • 3 employees x 2 one-way trips per employee | = | 6 daily trips |
| • 1 truck x 2 one-way trips per truck ⁽²⁾ | = | <u>2 daily trips</u> |
| | | 21 daily trips |

Daily Traffic During Harvest Season (6 weeks):

| | | |
|--|---|----------------------|
| • One single family dwelling unit @ 10/D.U. ⁽¹⁾ | = | 10 daily trips |
| • 4 visitors/2.8 per vehicle x 2 one-way trips | = | 3 daily trips |
| • 3 employees x 2 one-way trips per employee | = | 6 daily trips |
| • 2 trucks x 2 one-way trips per truck ⁽³⁾ | = | <u>4 daily trips</u> |
| | | 23 daily trips |

(1) Institute of Transportation Engineers (ITE), *Trip Generation – 8th Edition*, 2008.

(2) During the 46-week non-harvest season, a maximum of 1 daily truck would be generated related to routine deliveries associated with the winery production (10,000 gallons/2.38 gallons per case = 4,201 cases).

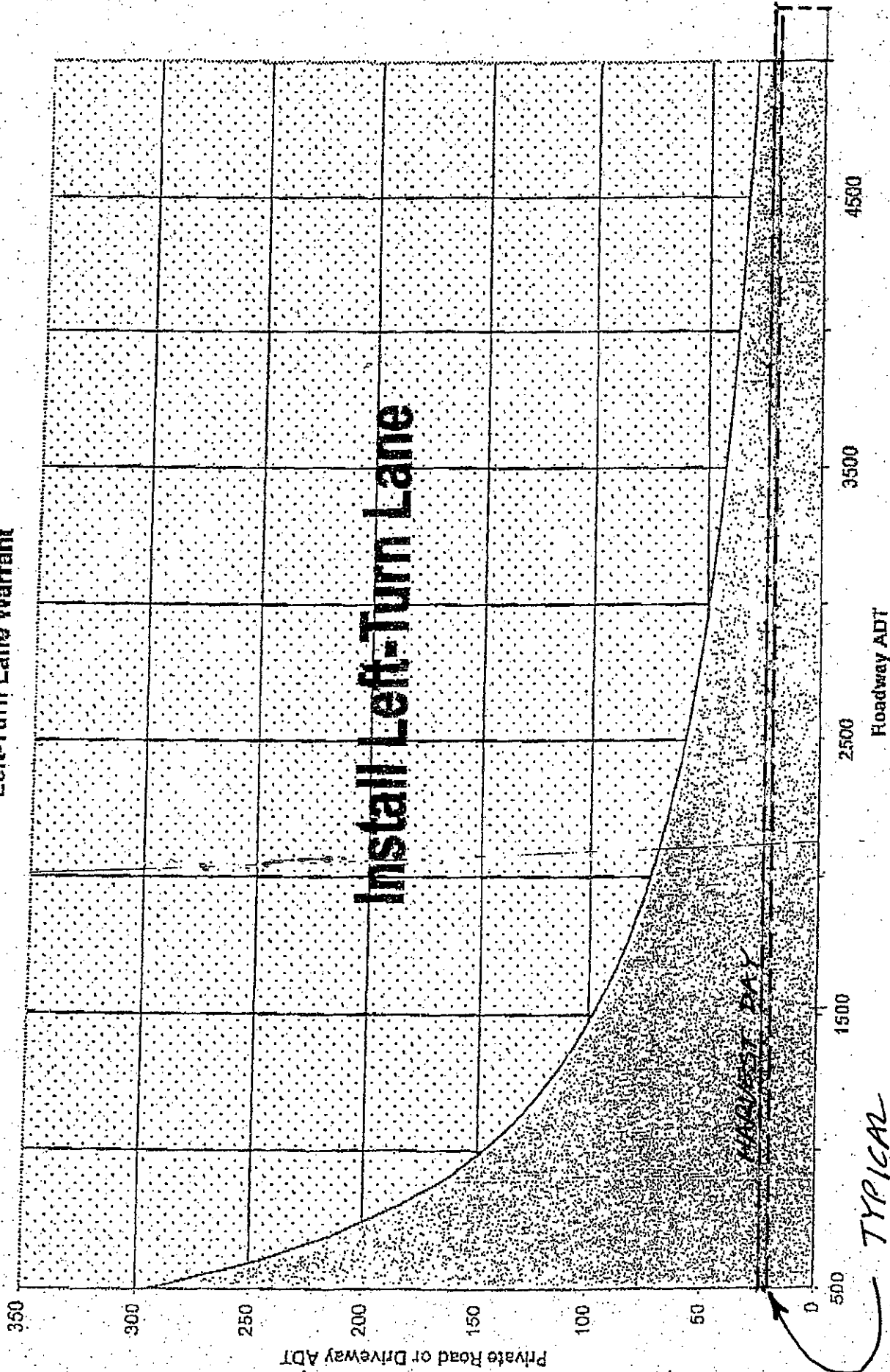
| | | |
|-------------------------------------|---|---------------------------------|
| • 4,201 cases/2,310 cases per truck | = | 2 glass delivery trucks |
| • 4,201 cases/1,232 cases per truck | = | 3 wine shipment trucks |
| • 4 miscellaneous weekly deliveries | = | <u>184 miscellaneous trucks</u> |
| | | 189 annual trucks |

189 trucks/46 weeks = 4 weekly trucks or a maximum of 1 truck per day.

(3) During the 6-week harvest season, there would be an increase of 1 daily grape delivery truck, calculated as follows:

- 51 tons of off-site grapes/10 tons per truck/6 weeks = 1 truck/week or a maximum of one truck per day.

Left-Turn Lane Warrant



☐ No Left-Turn Lane Necessary

SILVERADO TRAIL

PAVITT DRIVEWAY

