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Agenda Date: 6/4/2014

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Napa County Planning Commission Board Agenda Letter

TO: Napa County Planning Commission

FROM: John McDowell for David Morrison - Director
Planning, Building and Environmental Services

REPORT BY: John McDowell, Deputy Planning Director - 299-1354

SUBJECT: Allied Clean Fuels Terminal Specific Plan Amendment and Use Permit

RECOMMENDATION

ALLIED CLEAN FUELS TERMINAL / TEADERMAN BUSINESS PARK, LLC. - SPECIFIC PLAN AMENDMENT & USE PERMIT (P13-00329-SPA & P13-00436-UP):

CEQA Status: Consideration and recommendation to the Board of Supervisors to adopt a Mitigated Negative Declaration. According to the Mitigated Negative Declaration, the proposed project would have, if mitigation measures are not included, potentially significant environmental impacts in the following areas: Biological Resources and Transportation/Traffic. This project site is not on any of the lists of hazardous waste sites enumerated under Government code section 65962.5

Request: Approval of a specific plan amendment and use permit to construct a fueling depot and approximately 3,400 sq. ft. convenience market on an approximately 3 acre portion of a 6.37 acre industrial property within the Napa Valley Business Park. In addition to gasoline and diesel fuel pumps, the facility will include pumps and/or stations for alternative fuels including electric vehicle chargers, compressed natural gas (CNG), liquefied natural gas (LNG), propane, and diesel emissions fuels (DEF). Site layout features two driveway connections to Devlin Road with retail fueling canopy and convenience market on the eastern portion of the site. The western portion of the site will contain a truck/vehicle card lock fueling terminal with canopy. Water is provided by the City of American Canyon and sewer is provided by Napa Sanitation District. The project is located on the west side of Devlin Road, approximately 2,350 ft. southeast of its intersection with Soscol Ferry Road within the IP:AC (Industrial Park:Airport Compatibility) zoning designation. (APN: 057-020-033) 221 Devlin Road, Napa.

Staff Recommendation: That the Planning Commission conduct a public hearing and forward a recommendation to the Board of Supervisors on the requested actions.

Staff Contact: John McDowell, (707) 299-1354, john.mcdowell@countyofnapa.org

EXECUTIVE SUMMARY**Proposed Actions:**

That the Planning Commission recommends to the Board of Supervisors:

1. Adoption of the Mitigated Negative Declaration prepared for the project;
2. Adoption of a resolution amending the Napa Valley Business Park Specific Plan; and
3. Adoption of the Allied Clean Fuels Terminal Use Permit (P13-00436-UP), based on the required Findings for approval, Exhibit A, and subject to the recommended Conditions of Approval (Exhibit B).

Discussion:

The Napa Valley Business Park Specific Plan (formerly Airport Industrial Area Specific Plan), was adopted by the Board of Supervisors on July 29, 1986, and has been amended through the years, most recently in September, 2013. Since the plan's adoption, there have been limitations on the type and extent of retail/commercial uses allowed. The current fueling facility proposal requires a specific plan amendment because the project includes a retail convenience market and retail gasoline/fuel sales. The business park-serving alternative fueling components of the project are otherwise consistent with the specific plan and could be processed by use permit.

The approximately three acre site will feature a canopy covered retail fueling area nearest Devlin Road with adjacent retail convenience market. Beyond will be a card lock fueling depot with canopy with a variety of alternative fueling types including diesel, compressed natural gas (CNG), liquified natural gas (LNG), propane, diesel emissions fuels (DEF), and electric vehicle chargers. Last year, this proposal was presented to and endorsed by the Airport Industrial Area Subcommittee, which is comprised of elected representatives from the County, American Canyon and Napa. The location, midway on the northern segment of Devlin Road, appears to be suitable for business park-serving retail (as opposed to drawing vehicles off the highway). Staff is recommending approval of the project with conditions. A revised driveway design was agreed to by Staff and the applicant, as well as a potential revision to the ultimate configuration of Devlin Road to change from a four-lane to three-lane collector street.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

Consideration and recommendation to the Board of Supervisors to adopt a Mitigated Negative Declaration. According to the Mitigated Negative Declaration, the proposed project would have, if mitigation measures are not included, potentially significant environmental impacts in the following areas: Biological Resources and Transportation/Traffic. This project site is not on any of the lists of hazardous waste sites enumerated under Government code section 65962.5.

BACKGROUND AND DISCUSSION

Specific Plan Amendment - The current fueling facility proposal requires a specific plan amendment because the project includes a retail convenience market and retail gasoline/fuel sales. The business park-serving alternative fueling components of the project are otherwise consistent with the specific plan and could be processed by use permit.

Specific plans provide for the systematic implementation of general plans in a given area, and their mandatory contents are prescribed by State statute (Government Code Section 65450 et seq.). Specific plan amendments are processed the same as general plan amendments (CGC Section 65453), except there is no limit on the number of specific plan amendments that can be processed in a single year, whereas general plans may be amended only four times per year. Napa County has adopted procedures for processing amendments of its General Plan (Board of Supervisors Resolution 05-173), and has historically applied the same procedures to amendments to the Specific Plan.

In keeping with Resolution 05-0173, this specific plan amendment was initiated by the Board of Supervisors last fall. Prior to the initiation, the project was presented to the "Airport Industrial Area Subcommittee" which is made up of two elected officials each from the County and the Cities of American Canyon and Napa. The purpose of this subcommittee is to review policy topics effecting the South County industrial areas, including all requests for amendment to the specific plan. The subcommittee unanimously endorsed the this proposal citing a general community need for alternative fueling opportunities.

This specific plan amendment will designate the project site as a commercial node allowing a convenience market and retail fuel sales. Except for the other commercial nodes located to the south at Airport Blvd./Devlin Road, no other portions of the specific plan area will be enabled for commercial use with this amendment. The specific plan limits commercial uses to only those areas designated as commercial nodes.

Project Location - The project site is located on Devlin Road roughly midway between its intersection with Airport Blvd. to the south and Soscol Ferry Road to the north. As such it is not well suited to serving retail customers pulled from Highway 29, which is consistent with the overarching provisions of the specific plan to avoid freeway serving uses. Although it is expected that some cross-county commuters may take advantage of this facility, it is likely that the majority of retail customers will also have some form of business need in the industrial park itself. It is also likely that many of the card lock customers using the truck terminal and alternative fuels will be based in the industrial park. This project will provide fueling opportunities for the trucking and vineyard support/management operations based out of the park. Some of these uses already use alternative fuels.

One reason this location was selected by the applicant is its proximity to an existing Pacific Gas and Electric pressured gas main. The project will tap directly into that line without the need for a costly branch line extension that likely would be necessary for other potential sites in the industrial park and vicinity.

Utilities - Like almost all uses in the industrial park, the City of American Canyon will be the water provider and waste water will be connected to Napa Sanitation District's system. Both agencies have provided 'will serve' letters indicating their willingness and ability to serve the project. The project is complying with American Canyon Zero Water Footprint Policy. As part of this project the property owner has agreed to, and is required to implement changes to the existing Allied Propane office and industrial building located on the northern portion of this subject property. By upgrading fixtures and the landscape/irrigation system on the existing developed portion of the site, the new development will not result in an overall increase in water service to the entire property. In addition, the project is required by Napa Sanitation District to install 'purple pipe' landscape irrigation infrastructure and connect to the recycled water line when it is extended to the project site, although no date for that extension has been set.

Road Widths - The specific plan mandates that Devlin Road will eventually be improved to a 4-lane collector street. Presently it is a two-lane undivided surface street. Specific Plan requirements call for individual developments to

widen and improve their street frontage to the ultimate width, with the traffic impact mitigation fee program reimbursing the developer for the two center lanes. Developments on the west side of the road widen the west side, and developments on the east side of the road widened the east side. Including the existing Allied Propane project, there are several developments on the western side of this portion of Devlin Road that have completed some semblance of the ultimate improvements required by the specific plan. However, these improvements have occurred over a 30 year period and have some consistency issues due to no established right-of-way planline for a 4 lane collector street. In addition, the eastern side of this section of Devlin Road abuts Caltrans right-of-way for Highway 29 and there is no potential that Caltrans will widen and improve that half of the road to the specific plan standards. Lastly, south of Allied Fuels is the approved but dormant Montalcino Resort development. This project was conditioned to improve the full length of Devlin Road to 4-lanes concurrent with resort construction, with the developer being entitled to reimbursement for the two middle lanes from the traffic impact fee program. These factors all play into Staff's recommendation that the Planning Commission and Board of Supervisors consider applying an alternative roadway configuration this section of Devlin Road as discussed below.

In evaluating the fueling station proposal, it was apparent that approximately 13 additional feet of right-of-way off of the existing Allied Propane site would need to be dedicated in order to comply with the 4-lane road width requirement of the specific plan. The two existing development immediately north of Allied would eventually need to dedicate similar right-of-way as well, which would consume much of their existing landscaped frontage. This raised the question whether a 4-lane road was the best design for this section of Devlin Road.

South of the Monalcino site Devlin is presently a 4-lane road, but it reduces to a 3-lane road south of Airport Blvd. all the way to its planned connection with Green Island Road. These roadway widths were assigned in the 1980's when the traffic modeling for the park was performed. The 3-lane road design features a continuous two-way center turning lane. The 4-lane design has no provisions for turn lanes which will result in vehicles making left turns slowing or stopping in the left travel lanes in order to turn into driveways on the opposite side of the street. Current traffic management practices suggest that converting this section of Devlin Road to a 3-lane design may be superior to a 4-lane configuration. However, moving forward with that specific plan design change needs to be undertaken in a broader scope than on an individual project review. Therefore, the project has been required to improve the road to current standards, but a project specific conditions has been included allowing installation of a 3-lane configuration contingent upon the County moving forward with a subsequent specific plan circulation element plan change.

In that regard, later this year the County will be putting forth a General Plan and Specific Plan Amendment to implement the State's mandate for "Complete Streets". The Complete Streets Program call for local agencies to address the needs of pedestrian, cyclists and alternative forms of transportation in circulation elements for General Plan and Specific Plans. The plan being developed for the industrial park will include provision of an off-street paved bikeway on the eastern side of Devlin Road. A 3-lane road configuration will provide sufficient right-of-way for this bikeway. In addition, reducing the width of the roadway section will reduce overall costs to the traffic impact fee program (paying for 1 lane instead of 2). It is anticipated that the Complete Streets Program will go before the Commission and Board this fall. Capacity of the road will need to be evaluated, but it is anticipated that the 3-lane design may actually be superior to the 4-lane design.

Driveway Configuration - The project site plans show two driveways accessing the fueling facility and a separate driveway accessing the existing Allied Propane development. These three driveways are in close proximity to each other and do not comply with the specific plan spacing requirements. Negotiations with the project engineer resulted in a revised two driveway design, attached. This design feature reconfiguration of the existing driveway and one new driveway on the southern edge of the site, which comply with the standard. The project has been conditioned to implement this design change.

Signage - Specific Plan signage requirements allow for a modest amount of building signage and one ground mounted monument sign not to exceed 4 ft. in height above the roadway. A full signage plan for the facility has yet

to be submitted, but the location of a monument sign and building signage areas are shown on the plans, and Staff and the applicant have discussed the signage requirements and the general prohibition on freeway oriented pylon signs. Proposed conditions of approval require the applicant to submit a Comprehensive Sign Plan to the Planning Division for review and approval. Any signage beyond that expressly enabled in the specific plan would be subject to review and approval by the Planning Commission.

Design - Unlike other areas of the County, the specific plan calls for the Planning Commission to conduct design review of the proposed buildings and site improvements. To that regard, the project site layout complies with the minimum setback and landscape requirements articulated in the plan, excepting that perimeter landscape areas have been reduced from 10 feet to 5 feet at the rear of the site. There is a provision in the specific plan that perimeter landscaping can be reduced to 5 ft. at the discretion of the Commission. Building and canopy elevations feature a variety of contemporary materials seen on many convenience markets and service stations. The elevations appears to have sufficient visual interest to comply with the objectives of the industrial park.

SUPPORTING DOCUMENTS

- A . Proposed Findings for Approval
- B . Proposed Conditions of Approval
- C . Department and Agency Conditions
- D . Mitigated Negative Declaration
- E . Application and Narrative
- F . Greenhouse Gas Checklist
- G . Biological Assessment
- H . Traffic Study
- I . Stormwater Pollution Prevention Plan
- J . Hazardous Materials Spill Prevention Plan
- K . General Plan and Zoning Graphics
- L . Site Plans, Floor Plans, Building Elevations
- M . Revised Driveway Design
- N . Colored Renderings

Napa County Planning Commission: Approve

Reviewed By: John McDowell