



A Tradition of Stewardship  
A Commitment to Service

Agenda Date: 7/20/2016

Agenda Placement: 9B

## Napa County Planning Commission Board Agenda Letter

---

**TO:** Napa County Planning Commission

**FROM:** Charlene Gallina for David Morrison - Director  
Planning, Building and Environmental Services

**REPORT BY:** Wyntress Balcher, Planner II - 707 299-1351

**SUBJECT:** Napa Vault Use Permit #P14-00296 and Tentative Map #P15-000298

---

### **RECOMMENDATION**

#### **NAPA VAULT STORAGE FACILITY - BARNSTABLE LTD, LLC/STORAGE TECH, LLC - USE PERMIT P14-00296-UP & TENTATIVE MAP P15-00298-TM**

**CEQA Status:** Consideration and possible adoption of a Mitigated Negative Declaration. According to the proposed Mitigated Negative Declaration, the proposed project would have potentially significant effects on Biological Resources and Hydrology & Water Quality unless mitigation measures are adopted. The project site is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5.

**Request:** A request for approval of a use permit to allow the construction of 130 personal storage units and common area contained in 11 buildings, where 128 units are to be sold as individual storage condominiums. The request also includes approval a modification of Tentative Map #P09-00100-PM to create 128 condominium storage units, one owner's common area, and one storage unit. The building area in total will be 152,348 sq.ft, concrete tilt-up construction, 26-35.3 feet in height, with an earth-toned pallet and stone accents. Frontage improvements include landscaping featuring trees, native plants, boulders and a 10' wide multi-use trail. In addition, seven restrooms are proposed, 13 parking stalls, an on-site waste disposal system, a new well and water system, and one storage tank. The 63-foot wide aisles will allow parking in front of each storage unit. Total site coverage would be 309,465 sq.ft. The site will be operated and maintained by an owners association (OA) of 128 owners. No employees are proposed. There will be covenants, conditions, and restrictions recorded on the property and enforced by the OA. The project proposes to utilize the same setback from Suscol Creek as the originally approved project and requests consideration of the same approved development exception to allow the 75-foot setback from Suscol Creek instead of the required 150-feet, with environmental enhancement of the site area within 75-feet of the creek.

The project is located on a 10.32-acre parcel on the south side of Soscol Ferry Road, approximately 1400 feet west of its intersection with Napa-Vallejo Highway (State Route 12/29) within the Napa Valley Business Park Specific Plan (NVBPSP), and a GI:AC (General Industrial: Airport Compatibility) zoning district. APN: 057-170-018;1055

Soscol Ferry Rd., Napa, CA 94558.

**Staff Recommendation:** Adopt the Mitigated Negative Declaration and approve the Use Permit and Tentative Map with the proposed conditions of approval.

**Staff Contact:** Wynress Balcher (707) 299-1351 or [wynress.balcher@countyofnapa.org](mailto:wynress.balcher@countyofnapa.org)

**Applicant Contact:** Erik Bedford (707) 226-1458, [erik@cityvault.com](mailto:erik@cityvault.com) and Beth Painter (707) 337-3385 or [beth@bnapa.com](mailto:beth@bnapa.com)

## **EXECUTIVE SUMMARY**

### **Proposed Actions:**

That the Planning Commission

1. Adopt the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Plan for the Napa Vault Storage based on Findings 1-6 of Attachment A; and
2. Approve Use Permit P14-00296-UP based on Findings 7-15 of Attachment A and Tentative Map P15-00298-TM based on findings 16-22, subject to the conditions of approval (Attachment B);

### **Discussion:**

The project consists of a request for approval of a use permit to allow the construction of 130 industrial storage units and common area contained, where 128 units are to be sold as individual condominiums and approval of Tentative Map P15-000298-PM to subdivide the storage units into 129 condominium airspace parcels with covenants, conditions, and restrictions. The project also requests approval to utilize the same 75 foot setback from Suscol Creek originally approved by Use Permit #P05-0434 instead of the required 150-feet, to include the original environmental enhancements. The project is located in the Airport Compatibility Zones C & D-Common Traffic, where the maximum building height is 35 feet.

The project is compatible in design use with other projects located in the Napa Valley Business Park Specific Plan (NVBPSP) area and staff supports grant of the use permit, subject to the recommended conditions of approval and approval of the tentative map. Staff is recommending approval of the exemption to the 150 foot Suscol Creek setback to the proposed 75 ft. setback, since the project proposes to include the bike path through the front landscape area and since the project proposes to carry forward the stream restoration/maintenance committed to on the previous project. The creek maintenance is a good trade off because the 150 ft. setback standard doesn't require the property owner to maintain the area in its native state.

## **FISCAL IMPACT**

Is there a Fiscal Impact?                      No

## **ENVIRONMENTAL IMPACT**

Consideration and possible adoption of a Mitigated Negative Declaration. According to the proposed Mitigated

Negative Declaration, the project would have potentially significant effects on Biological Resources and Hydrology and Water Quality unless mitigation measures are adopted. The project site is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5.

Comments were received on the Initial Study/Mitigated Negative Declaration from the Department of Toxic Substances Control on July 5, 2016 stating that sufficient information was not provided in the Initial Study concerning the property's historic uses in order for the Department to determine whether or not hazardous substances had been released into the soil at the project site. In response, staff has revised the Initial Study/Mitigated Negative Declaration, specifically Section VIII Hazards and Hazardous Materials, to address their issue and augment the section with information. The site with the proposed project was found not to create a significant hazard to the public or the environment.

### **BACKGROUND AND DISCUSSION**

**Owner:** Barnstable LTD, LLC/Storage Tech, LLC

**Applicant:** Erik Bedford, (707) 226-1458, erik@cityvault.com

**Representative:** Beth Painter, Planning Consultant (707) 337-3385, beth@bnapa.com

**Zoning District:** General Industrial: Airport Compatibility (GI:AC)

**General Plan Designation:** Industrial

**Filed:** September 14, 2014; **Incomplete:** October 14, 2014; **Revised :** September 9, 2015; **Revised :** December 18, 2015; **Complete :** March 25, 2016

**Parcel Size:** 10.32 acres

**Existing Development:** Vacant land

**Proposed Building Size:** 152,348 sq.ft., 11 buildings with 3 storage unit types, 128 condominium storage units, one owners common space unit with restroom and storage unit for a total of 130 units, plus a common area. The proposed building height is 26' -35'-4 ½ ", but since the project is located within Airport Compatibility Zones C & D, the proposed buildings can be no greater than 35 feet in height.

**Number of Employees:** None. An owners association consisting of unit owners will be established for operation and maintenance.

**Hours of Operation:** Available 24 hours

**Parking:** Minimum 60 foot paved driveways between the units provide an area for parking in front of the 124 units, with 13 designated parking spaces.

**Airport Compatibility:** Zones C & D- Common Traffic Zone - area of routine overflight at low elevations. Warehousing, light manufacturing, and ancillary office space uses are compatible with this zone. Maximum building height 35 feet.

### **Adjacent Zoning / Land Use:**

North: Industrial Park: Airport Compatibility District (IP:AC) – Soscol Ferry road to the north is an undeveloped 13.23

acre parcel. Adjoining that site to the east is a wine barrel manufacturing facility (Demptos Napa Cooperage), on a 3.58 acre.

South: IP:AC - Adjoining the project site to the south is a 22.39 acre site planted in vineyard.

East: General Industrial: Airport Compatibility District (GI:AC) Adjoining the project site to the east is Napa Storage and RV, a mini-storage and RV storage facility on a 12.62 acre parcel.

West: GI:AC – Adjoining the project site to the west is an vacant, undeveloped 5.16 acre parcel.

### **Parcel History:**

The subject property is currently vacant. It is located within an area where water and sewer facilities are not available. The Napa Valley Business Park Specific Plan and EIR designate the Soscol Ferry Road area as difficult to sewer and that development should be limited to low intensity industrial uses which do not require common sewerage. Public improvements are limited to street paving.

May 3, 2006 - A previous mitigated negative declaration (MND) for development on this property was adopted by the Planning Commission on May 3, 2006, in conjunction with a Use Permit (P05-0434-UP). The previous MND addressed the potential impacts related to the construction of the 200,000 gallon per year winery within a 61,281 sq. ft. building, 36 parking spaces, 21 full and part time employees, tours and tasting for up to 70 visitors a week, and a marketing plan. The approved marketing plan included two weekly trade tastings for up to five persons per event and two weekly catered lunches or dinners with up to 20 persons per event. Approved hours of operation were from 8:00 AM to 5:00 PM, seven days a week. The previous approval also included an above ground wastewater treatment pond, associated improvements and modifications to the site development standards to allow the treatment pond, spray field and an access road within 75-feet of Suscol Creek instead of 150-feet, and environmental enhancement of the site area within 75-feet of the creek.

February 10, 2009 - A Very Minor Modification (P08-00618-VMM) to the original Use Permit was approved by the Director of Planning, Building, and Environmental Services on February 10, 2009. Approval of the modification allowed the installation of an enclosed on-site winery wastewater treatment system instead of the approved open treatment pond, relocation of the two project driveways, relocation of the on-site parking areas (but not changing the number of approved parking spaces), relocation of the location of the water storage tanks, mechanical equipment area, shop and storage area and other associated improvements. No changes to the previously approved operational characteristics or production capacity of the winery were modified by approval of the modification application.

June 17, 2009 - Use Permit Modification (File #P09-00101) & Tentative Map (File #P09-00100-PM) was approved by the Planning Commission on June 17, 2009, to modify Use Permit #P05-0434-UP and Use Permit Modification #P08-00618-MOD to (a) increase production capacity from 200,000 gallons per year to 600,000 gallons per year; (b) increase the floor area of the previously approved winery building from approximately 61,281 sq.ft. to approximately 66,338 sq. ft.; (c) construct approximately 7,500 sq.ft. of new floor area for a stand-alone wine-making/office building; (d) increase the number of full time employees from 13 to 25 and seasonal employees from 8 to 10; (e) increase average weekly visitors from 70 to 100 with the maximum on any given day increasing from 20 to 25 persons; (f) increase the number of on-site parking spaces from 36 to 55; (g) revise previously approved domestic and process wastewater systems; and (h) minor revisions to the covered winery process waste treatment area, covered solid waste storage area, water storage tanks and outdoor storage area. The request also included a tentative map to subdivide the proposed project into 19 industrial airspace condominium units; 17 units in the main winery building, one unit within the 5,000 sq.ft. stand-alone winery building and one unit for the process wastewater spray field. The balance of the property and hallways/walkways internal to the main winery building was designated as a common area. A subsequent mitigated negative declaration was adopted for

the modifications.

May 31, 2011 - Although the property is currently vacant, a Use Determination Request for the winery proposal was submitted to the PBES Department, and on May 31, 2011, the Department issued a determination that Use Permit #P09-00101 had been used and the entitlements of the approved use permit #P09-00101 are still valid.

2014 - The property was purchased by Barnstable LTD, LLC and the new owner has opted not to develop the property into a winery. Instead, they have submitted a use permit application for an ownership mini-storage facility.

#### **Code Compliance History:**

There are no open or pending code violations for the subject site.

#### **Discussion Points:**

Suscol Creek Setback -The Napa Valley Business Park Specific Plan established a natural resource protection policy and development standard to maintain a 150 ft. unobstructed setback corridor from the top of the bank of Suscol Creek. The purpose of the setback was to protect wetland and stream habitats in their natural state, but encroachment into the stream corridor setback could be approved based upon provision of on-site wetland and/or stream restoration enhancement measurements that result in substantial environmental benefits. The original use permits (P05-0434-UP and #P08-00618-MOD) were approved for an encroachment into the stream setback corridor to allow a 75 ft. setback corridor. In exchange for the encroachment, the permittee voluntarily proposed to enhance the habitat within the proposed corridor with the removal of non-native vegetation (primarily Himalayan blackberry) and promoting growth and maintenance of native species. A California Department of Fish and Wildlife (CDFW) Streambed Alteration Agreement (Agreement) was entered for the property which included a mitigation measure for the continued coordination with CDFW to ensure that aquatic populations were not adversely affected by the creek restoration activities.

Staff supports the proposed setback and findings can be made to support the modification to the site development standards for the setback reduction because of the stream enhancement/restoration proposal, the proposed bike path and the upgraded architecture will provide superior overall aesthetic and environmental benefits beyond the minimum development standards.

Building Design, Layout & Materials - The applicant describes the project as providing an amenity to the community with great features and appealing architecture. The proposed building construction will be tilt-up concrete, which will provide great durability to the project and minimum wear and tear despite vehicular traffic. The earth toned color palette fits into the surrounding areas, with stone accents throughout adding visual interest. Additionally, both ends of the site have a raised gabled roof feature to enhance the curb appeal of the project. Furthermore, the stone features of all buildings in the middle of the site are accentuated with gabled parapets to further articulate the street elevation. The plans indicate building heights between 26' -35' 4½". Conditions will be included that the structures shall be 35 feet or less in height.

The project also has extensive improvements along the frontage, including landscape features throughout the front with several trees as well as decorative boulders and native plants. There is also a 10' wide multi use trail along the frontage of the site as an amenity to the community. Additionally, metal trellises are provided within the middle buildings for ivy to grow on.

Due to the lack of municipal water connections at the site, the project will utilize groundwater and a water storage tank will be provided for fire protection and domestic use. In order to maintain the curb appeal along the site's frontage, the water tank is screened by a stone veneer covered wall with ivy as well as multiple surrounding trees. The proposed solution effectively screens the water tank while not distracting from the architectural features along

the rest of the site.

Access - Access to the building is proposed from two new driveways on Soscol Ferry Rd. On-site drive aisles are designed to County standards and wrap around the building providing Fire Department and emergency vehicle access to all areas of the buildings.

Parking - The NVBPSP requires one parking space per 1,000 square feet for the first 20,000 square feet of floor area and one parking space per 2,000 square feet of floor area thereafter for storage/warehousing use. The project proposes storage only, and based on the regulations, a total of 86 parking spaces will be required. The design of the facility includes paved areas, a minimum 60 feet in width, located between the buildings. Based upon the preliminary floor plans, this will allow allowing parking in front of 124 of the units. The 13 designated parking spaces distributed throughout the facility can be used for those more narrow units providing adequate parking for the owners of the units.

Building Coverage/Setbacks/Landscaping - The NVBPSP requires a 20 foot minimum building setback from all street right of ways, however, where a lot in the GI District adjoins or is across the street from one or more parcels in the IP (Industrial Park) District, a minimum building setback of sixty-five feet shall be required (NCC Section 18.44.60(B)(1)). If a street intervenes, this setback is reduced by 15 feet. The parcel to the north of the project parcel is located within the IP:AC district, therefore the 50 foot building setback proposed in the project plan is in compliance with the district regulations. There is no side yard setback, the project is limited on the rear by the Suscol Creek setback corridor. One tree per linear foot for a total of 20 trees is proposed. Thirteen designated parking spaces are proposed, and the project proposes 6 parking area trees in response to the one tree per three spaces required.

The project proposes landscaping within the front 25 feet of the property. Proposed landscaping treatment will include trees, shrubs and ground cover. In addition, a 10' wide multi-use path is proposed to be used as a bicycle trail. The side yards and portions of the rear yards will be landscaped with trees and non-irrigated seeded native grass and wildflowers which are incorporated into the bio-swale for stormwater control system. There are no proposed outdoor storage or work areas; therefore, no screening is proposed.

Tentative Map – The storage units will be used for personal storage use only, and that the 128 units will be privately owned. To allow for private ownership, the units will require the processing of a tentative map. Included with this map is the recordation of covenants, conditions and restrictions (CC&R's) which will outline the operations and management of the facility, and also will include limitations on the use of the personal storage units. The conditions of approval require that such limitation be outlined in the CC&R's, restricting any car repairs, commercial sales, or other uses not granted by this use permit.

Greenhouse Gas Reduction Strategies - The applicant team has completed the Best Management Practices Checklist for Development Projects, which is attached to this report as part of the application materials. The applicant proposes to incorporate GHG reduction methods including: habitat restoration or new vegetation; energy conserving lighting; energy star roof, light in color, but non-reflective due to proximity to airport; installation of the Class I bike path along the frontage; install water efficient fixtures; bio-retention is incorporated into the storm water design; water efficient landscaping; and will make recycling bins available to the owners. The facilities are proposed for personal storage and would not be expected to generate frequent trips to the facilities. There are no employees proposed at the project, therefore the generation of vehicle emissions would not be significant. The proposed project has been evaluated against the BAAQMD thresholds and determined that the project would not exceed the 1,100 MT/yr. of CO<sub>2</sub>e. For these reasons, project impacts related to GHG emissions are considered less than significant. GHG Emission reductions from local programs and project level actions, such as application of the CalGreen Building Code, tightened vehicle fuel efficiency standards, and more project-specific on-site programs including those features noted above would combine to further reduce emissions below the thresholds of significance. The project is in compliance with the County's efforts to reduce emissions as described above.

Public Comments - Public comments were received on the project from the California Department of Fish & Wildlife, the California Department of Toxic Substances Control, and Yocha Dehe Wintun Nation. The Department of Toxic Substances Control comments have been addressed under the Environmental Impact Section above and in the Initial Study/Mitigated Negative Declaration. Staff will provide an update at the meeting concerning the two remaining public comment letters.

**Consistency with Standards:**

All reviewing departments/agencies have found the project as proposed and conditioned to be consistent with their respective requirements and regulations.

Zoning - The GI:AC (General Industrial: Airport Compatibility) allows manufacturing, warehousing/distribution and office buildings with the approval of a use permit. Site layout, building design, coverage, and setbacks comply with all applicable NVBSP and zoning regulations.

Building/Fire Code - In their memorandum dated April 13, 2016, the Fire Department requires conditions regarding construction and use of the facility to ensure compliance with all applicable standards, regulations, codes and ordinances at time of building permit issuance and all Fire Department fire and life safety items installed, tested and finalized prior to occupancy.

Engineering Services - In their memorandum of March 22, 2016, Engineering Services finds the project, as conditioned, complies with industrial park development standards. An encroachment permit will be required for the new driveways. Engineering Services has included conditions addressing compliance with regulations regarding grading, drainage, stormwater control, erosion, access, and parking lot standards.

Environmental Health - Conditions included in memorandum dated May 27, 2016 are required that address sanitary wastewater/sewage treatment, water supply, solid waste, hazardous materials, and stormwater control.

Airport Land Use Compatibility (ALUC) Plan - The application was reviewed by the County Airport Land Use Commission (ALUC) staff liaison. Staff determined that the project, with the incorporation of the proposed conditions of approval, complies with the ALUC Plan.

Public Works Department - In their memorandum of September 15, 2015, the Department of Public Works state that street frontage improvements are required and payment of Traffic Mitigation Fees will be required.

**Decision Making Options:**

As noted in the Executive Summary Section above, Staff is recommending approval of the project with conditions of approval as described in Option 1 below. Decision making options including the following:

Option 1 – Approve Applicant's Proposal

This option would result in construction of 11 concrete tilt up storage units, a total 130 storage units, maximum 35 feet in height, for a total building area of 152,348 sq.ft., plus a common area; sale 128 units as individual condominium units and the recordation of a parcel map to create 130 condominium air space parcels. Building and landscape setbacks, on-site parking, and building design meet or exceed the requirements of the NVBSP. The exception request regarding the setback from Suscol Creek is not changed from the exception previously approved for the winery on the property. The proposal includes "green measures" noted above, and is a very low intensity use inasmuch as the storage facility will be privately owned. Staff recommends approval of the applicant's request as conditioned.

Action Required – Follow proposed action listed in Executive Summary. If conditions of approval are amended,

specify conditions to be amended at time motion is made.

#### Option 2 – Reduced Project Alternative

Generally development in the business park area does not lend itself to a reduced project alternatives such as floor area reductions or restrictions on the number of employees, hours of operation or business operations. The proposed storage buildings and site plan are designed for a specific business as opposed to a speculative building. The proposed structures for this project are limited in height by the type of structures, mini-storage units, in addition to the 35 ft. height restriction, although two-story storage units are possible. A reduction in overall project (building size) to comply with the 150 foot setback would result in an approximately 19% reduction in the number of units. The project conforms with the other standards of the NVBPSP such as building or landscape setback reductions or reductions to parking requirements. As noted above, the project proposal complies with building and landscaping setbacks and parking requirements. The project site is located in an area delineated in the Napa Valley Business Park Specific Plan as area difficult to provide water and sewer utilities and the recommended development is for low intensity in which the project proposal meets.

Based on the administrative record as of the issuance of this staff report, there does not appear to be any evidence that suggests such limits on the proposed development of this general industrial-zoned property are warranted. Development limitations as noted herein may impact viability of the business as proposed.

Action Required – Follow proposed action listed in Executive Summary and amend scope and project specific conditions of approval to place limits on development. If major revisions of the conditions of approval are required, item will need to be continued to a future date.

#### Option 3 – Deny Proposed Use Permit

In the event the Commission determines that the project does not, or cannot meet the required findings for grant of a use permit, Commissioners should articulate what aspect(s) of the project is in conflict with required findings, and either deny the request or continue the item to allow the applicant an opportunity to redesign the project. The applicant has chosen not to pursue the approved use permit for a winery on this project, which has been used and is a more intensive use.

Based on the administrative record as of the issuance of this staff report, there does not appear to be any evidence that suggests denial of the project is warranted.

Action Required – Commission would take tentative motion to deny project and remand the matter to staff for preparation of required finding to return to the Commission on specified date.

#### Continuance Option

The Commission may continue an item to a future hearing date at its own discretion.

### **SUPPORTING DOCUMENTS**

- A . Findings
- B . Proposed Conditions
- C . Agency Comments
- D . Prior Approval Documents
- E . Mitigated Negative Declaration
- F . Application Documents



- G . Water Study
- H . Wastewater Study
- I . Biological Report
- J . Traffic Study
- K . Public Comments
- L . Graphics

Napa County Planning Commission: Approve

Reviewed By: Charlene Gallina