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Agenda Date: 5/20/2020

Agenda Placement: 8A

## Airport Land Use Commission Board Agenda Letter

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**TO:** Airport Land Use Commission

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

**REPORT BY:** Joan Gargiulo, PLANNER II - (707) 299-1361

**SUBJECT:** Greenwood Mansion/Vinum Cellars Specific Plan Amendment (File No. P17-00019-SPA-ALUC)

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### **RECOMMENDATION**

#### **RICHARD BRUNO - GREENWOOD MANSION/VINUM CELLARS PROJECT - AIRPORT LAND USE CONSISTENCY DETERMINATION #P20-00096-ALUC**

**Request:** Airport Land Use Compatibility Consistency Determination for the proposed Greenwood Mansion/Vinum Cellars Specific Plan Amendment which would allow for the development of a café, tasting room, and office space within the existing Greenwood Mansion as well as an outdoor seating area located at 499 Devlin Road (APN 057-200-028). The project also includes the construction of a 680 sq. ft. carriage house for wine production. The parcel lies within the Napa County Airport Influence Area, subject to aviation criteria set forth within the Napa County Airport Land Use Compatibility Plan, Compatibility Zone D.

**Staff Recommendation:** That the Commission find the project consistent with the Airport Land Use Compatibility Plan.

**Staff Contact:** Joan E. Gargiulo, (707) 299-1361, [joan.gargiulo@countyofnapa.org](mailto:joan.gargiulo@countyofnapa.org)

**Applicant:** Richard Bruno, Vinum Cellars, (415) 260-6648, [richard@vinumcellars.com](mailto:richard@vinumcellars.com)

**Applicant Representative:** Diane G. Kindermann, Abbott & Kindermann, Inc. Attorneys at Law, (916) 456-9595

### **EXECUTIVE SUMMARY**

#### **Proposed Action:**

1. That the Airport Land Use Commission finds the Greenwood Mansion/Vinum Cellars Cafe Project (# P20-

00096) consistent with the Napa County Airport Land Use Compatibility Plan.

**Discussion:**

Napa County’s Napa Valley Business Park Specific Plan was originally adopted in 1986 and encompasses roughly one half of the land area within Zones A through D of the Airport Influence Area for the Napa County Airport. Since the adoption of the Airport Land Use Compatibility Plan (ALUCP) in 1991, the specific plan has been evaluated for aviation compatibility on at least three occasions. The last comprehensive consistency evaluation occurred in 2004 at which time the County was amending the Specific Plan to limit the areas where retail and resort uses could be placed. The 2004 plan was found by the ALUC to be consistent with the ALUCP.

The Current proposal for a café, winery, tasting room, and office is before the ALUC because a specific plan amendment is necessary to implement the project at the proposed location. The location, 499 Devlin Road, is outside areas where retail uses are presently permitted in the specific plan. The site is currently identified in the Specific Plan as Business/Industrial Park, which allows use of the site as an office and wine production facility. To allow the café, winery, tasting room, and office at this location, the specific plan must be amended. Pursuant to State Aeronautic Act Provisions, an ALUC consistency review is required any time a local agency (in this instance, the County of Napa) amends their general plan, specific plan, or zoning / building regulations within an Airport Influence Area.

ALUC staff are recommending that the project be found consistent with the ALUCP. The project is located within Zone D, approximately 0.8 miles east of the centerline of Runway 1L/19R (previous designation 18L/36R) which is a sideline area of less common overflight. The most common overflights of this site occur from smaller aircraft circling to land on the secondary prevailing wind runway (Runway 1R/19L). Potential for an off-airport aircraft incident is quite low at this site, therefore the project is in a suitable location for retail use. Project densities will be well below ALUCP thresholds.

**FISCAL & STRATEGIC PLAN IMPACT**

Is there a Fiscal Impact? No

County Strategic Plan pillar addressed:

**ENVIRONMENTAL IMPACT**

The ALUC's Consistency Determination does not meet the definition of a "project" as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and, therefore, CEQA is not applicable. The ALUC is only making a finding of consistency with respect to airport compatibility regulations and is not responsible for approving or undertaking the project. The County of Napa is the Lead Agency responsible for carrying out the project under CEQA, and has prepared an Initial Study.

**BACKGROUND AND DISCUSSION**

**Airport Land Use Compatibility Factors:**

**1. Location** – The proposed café and winery is located approximately 0.8 miles to the east of the centerline of Runway 1L/19R within Zone D of the ALUCP. Typical overflights occur from aircraft circling to approach the

secondary runway, Runway 1R/19L. These are generally single engine propeller driven aircraft. This location has a low probability for an off-airport aircraft incursion. The site is also in close proximity to Devlin Road and State Highway 29 which both present some opportunities for safe haven to a distressed aircraft in this location. ALUC staff believe that this is a suitable location for the use.

**2. Concentration of People & Land Use** – This proposal is before the ALUC due to the specific plan amendment to enable commercial uses at this location. However, the ALUC is obligated to evaluate the entire project. Since commercial uses have already been evaluated for other areas of the specific plan located within Compatibility Zone D, and found to be consistent, the addition of commercial uses at this project site within Compatibility Zone D presents no land use issue. Zone D allows most non-residential uses. As noted in #1 above, ALUC staff believe that the project's location is well suited for the proposed use. The proposed land use is consistent with the requirements of Compatibility Zone D.

Zone D allows 100 persons per acre within building(s) and 150 persons per acre on site. The project proposes a maximum of 10 full-time employees and 5 part-time employees with total café and wine tasting seating not to exceed 60 seats (inclusive of all indoor and outdoor seating), which results in approximately 75 persons on site at maximum occupancy. As the project site is 1.17 acres, the proposed concentration of people is well below the allowable density in the Zone. The overall density of the Industrial Park is also well below the allowed 100 persons per acre.

**3. Structure Height** – ALUCP Policy 3.3.3 restricts building height to 35 ft. or as similarly provided by local ordinance. Finished floor elevation of the project is 52 ft. above Mean Sea Level (MSL). The highest point of the building is 35 ft. above floor height, or 87 ft. above MSL. The project is located under the Horizon Surface of the FAA's airspace protection zones, which defines navigable airspace at 150 ft. above runway height, or 183 ft. above MSL. The tallest point of the proposed project (the existing Greenwood Mansion) is 96 ft. below the Horizon Surface, and thus is well within ALUCP height limits.

**4. Building Materials** – No changes to the existing building materials are proposed, which consist of composition roofing and wood siding paint grey. A small carriage house is proposed with match building materials. Building materials pose no hazard to pilots or aircraft.

**5. Lighting and Glare** – Conversion of the office building to a café, wine tasting lounge and office may result in minor changes in the nighttime lighting. In accordance with County standards, all exterior lighting will be the minimum necessary for operational and security needs. Light fixtures will be kept as low to the ground as possible and include shields to deflect light downward. Avoidance of highly reflective surfaces will be required, as well as standard County conditions of approval to prevent light from being cast skyward. The subject parcel is located in an area routinely overflown by low flying aircraft which necessitates strong controls on skyward nighttime lighting. As designed, and as subject to the standard conditions of approval, the project will not have a significant impact resulting from new sources of outside lighting.

**6. Communications** – The café and winery project will have no special communications equipment, nor any improvements that have the potential to interfere with aviation related communications.

**7. Noise** – The project site is located outside of the cumulative noise equivalent contours. Site occupants will be exposed to vehicle noise from streets adjacent to the project. Overflight noise will be audible primarily outside of buildings, and comparable to road noise and other sound generation common in an urban environment. Interior noise levels will be reduced through standard construction measures. No special noise attenuation measures are required to reduce noise from overflights.

**8. Overflight Easement** – The property has an existing Avigation Easement accepted by the County when the farmhouse building was relocated to its present location (Use Permit No. U89-55). No changes to the document

are required for this project.

**9. Caltrans Aeronautics** – Caltrans Division of Aeronautics staff has been sent copies of attached background information. No comments have been received regarding the project.

**10. Processing** – ALUCP Policy 2.1.8 states, “The ALUC shall not accept any plan, ordinance, or regulation for review until the referring local agency has held at least one substantive local hearing or other public meeting on the proposed matter...” and prior to the local agency’s final action. Staff believe the reason for this policy is two-fold: 1) to avoid ALUC having to respond to land use issues outside of the jurisdiction of the ALUC which may occur if the project is reviewed too early in the process, before the local agency has commenced public review; and 2) to ensure that the ALUC can review the final design so that re-referral to the ALUC does not occur as a result of project design changes during the local agency public hearings. The County has complied with the policy. The County Planning Commission is hearing the item on March 18th prior to the ALUC hearing, and the project will be forwarded to the Board of Supervisors after the ALUC has acted, which is anticipated to occur in April.

### **Airport Land Use Compatibility Plan Consistency Analysis Summary:**

#### **Noise**

Finding: Consistent – The project will not result in exposure of persons on the ground to significant levels of aircraft noise, and the proposed uses are not sensitive receptors to single event noise intrusion.

#### **Safety**

Finding: Consistent – The project site is located well outside the off-airport areas where higher levels of risk or hazard are present. The project meets density limits. There are open areas on and near the site where off-airport emergency touch downs could be attempted. Persons on the ground will not be exposed to a significantly higher safety risk.

#### **Airspace Protection**

Finding: Consistent – There are no changes in maximum building height which was previously found to have no potential to obstruct navigable airspace, and is well below the height of other natural and man-made features in the general proximity. The project does not include any design features that would cause a hazard to flight.

#### **Overflight**

Finding: Consistent – Recordation of an overflight easement as mandated by the ALUCP and County ordinance has been previously recorded as required, which is the prescribed measure for addressing potential overflight annoyance for non-residential uses.

### **SUPPORTING DOCUMENTS**

- A . Vinum Application Materials
- B . Vinum ALUC Graphics

Airport Land Use Commission: Approve

Reviewed By: Charlene Gallina