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Agenda Date: 10/1/2008

Agenda Placement: 9A

Napa County Planning Commission Board Agenda Letter

TO: Napa County Planning Commission
FROM: John McDowell for Hillary Gitelman - Director
Conservation, Development & Planning
REPORT BY: Sean Trippi, Principal Planner - 299-1353
SUBJECT: Busby Enterprises Industrial Condominiums

RECOMMENDATION

BUSBY ENTERPRISES INDUSTRIAL CONDOMINIUMS - USE PERMIT #P08-00221-UP & TENTATIVE PARCEL MAP #P08-00222-PM

CEQA Status: Mitigated Negative Declaration prepared. According to the Mitigated Negative Declaration, the proposed project would have, if mitigation measures are not included, a potentially significant environmental impact in the following areas: Biological Resources, Population and Housing, and Transportation.

Request: Approval of a use permit to construct a 27,677 square foot building for speculative warehouse and light industrial uses with ancillary office area, 62 on-site parking spaces, landscaping, and a freestanding monument sign. The request also includes approval of a tentative parcel map to subdivide the proposed building into 10 industrial airspace condominium units ranging in size from 2,409 to 2,540 square feet with the balance of the property being common area. The proposed project is located on a 2.4 acre parcel at the southwest corner of Devlin Road and Sheehy Court within an Industrial Park: Airport Compatibility (IP:AC) zoning district. APN: 057-250-037. Napa.

Staff Recommendation: Adopt the mitigated negative declaration and approve the use permit and tentative parcel map with the proposed conditions of approval.

Staff Contact: Sean Trippi 299-1353

EXECUTIVE SUMMARY

Proposed Action:

1. That the Planning Commission adopt the Mitigated Negative Declaration for the Busby Enterprises Industrial Condominiums, based on findings 1-6 of Exhibit A (attached);

2. That the Planning Commission approve Use Permit P08-00221 based on findings 7-11 of Exhibit A and subject to the conditions of approval (Exhibit B); and,
3. That the Planning Commission approve the Tentative Parcel Map P08-00222 based on findings 12-18 of Exhibit A attached.

Discussion:

This project consists of a speculative light industrial/warehouse building with ancillary office areas compatible in design and character with other projects that have located in the Airport industrial area. Prospective tenants are unknown at this time. The proposal includes a tentative parcel map to create airspace condominium units ranging in size from 2409 to 2540 square feet providing ownership opportunities for businesses seeking smaller light industrial/warehouse floor area. Each condominium owner will be a member of an owners association and will be expected to meet all obligations related to maintenance of the common area features such as landscaping and parking.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: Mitigated Negative Declaration prepared. According to the Mitigated Negative Declaration, the proposed project would have, if mitigation measures are not included, a potentially significant environmental impact in the following areas: Biological Resources, Population and Housing, and Transportation. This project site is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5.

BACKGROUND AND DISCUSSION

Owner: Napa Valley Gateway Limited

Applicant: Busby Enterprises, Inc. (David Busby)

General Plan Designation: Industrial - Airport Industrial Area Specific Plan, Industrial Park designation

Zoning: IP:AC - Industrial Park, Airport Compatibility Combination District

Filed: March 26, 2008 and July 23, 2008

Building Size: 27,677 square feet

Number of Employees: Unknown but estimated to be approximately 20.

Hours of Operation: Expected to be from 7 AM to 7 PM, 7 days a week.

Parking: 62 provided, 40 - 44 required by Code based on 15% -20% of the floor area used for office purposes. The

parking as proposed could accommodate approximately 50-55% of the floor area to be used for office purposes. A condition of approval has been included to allow deferring the construction of excess parking.

Airport Compatibility: Zone D - Common traffic Zone - area of routine overflight at low elevations. Warehousing and light industrial uses are highly compatible with this zone.

Adjacent Zoning / Land Use:

The lot adjoins Sheehy Court to the north, Devlin Road to the east and Sheehy Creek to the south. All surrounding land is zoned IP:AC - Industrial Park, Airport Compatibility Combination District.

North: IP:AC - Across Sheehy Court are two properties totaling 4.2 acres. The property on the northwest corner of Devlin/Sheehy is the recently approved Zapolski-Rudd winery that has not been built and adjacent to the west is an existing light industrial complex with tenant spaces similar to those proposed with this project.

South: IP:AC - Across Sheehy Creek is an existing light industrial/office complex on 3.15 acres.

East: IP:AC - Across Devlin Road is a 7.4 acre undeveloped property.

West: IP:AC - The adjoining 2.2 acre property to the west and the 5.9 acre property at the end of Sheehy Court are also undeveloped.

There are no current development applications pending on the surrounding vacant properties.

Property History:

The project site is currently vacant and has been previously disced/graded. Adjoining streets and public improvements have been completed, including street paving, curb, gutter, and public utilities, when improvements were installed for the Napa Valley Gateway Business Park.

A use permit application (P07-00516) was submitted in 2007 to establish a 21,162 sq. ft. church with Sunday school classrooms on the subject property. Prior to proceeding with the use permit application, the proposal was reviewed by the Airport Land Use Commission (P07-00655) for consistency with the Airport Land Use Compatibility Plan (ALUCP). The proposal was found to be inconsistent with the ALUCP largely due to providing classrooms at the facility which were found to constitute a school. Schools are normally not acceptable in Zone D. Consequently the use permit was withdrawn and the current proposal was submitted.

Discussion:

1. Building design, layout & materials - Exterior building materials include 25-foot high tex-coat concrete tilt-up wall panels, tile roofing, and glass storefronts. The rear elevation (south) includes 10 roll-up and man doors. The roll-up doors are generally perpendicular to Devlin Road and will be screened by existing and proposed landscaping.

The building is generally rectangular shaped with offset tenant spaces at both ends. The floor plan is designed to accommodate up to 10 tenants. The tenant storefronts face Sheehy Court (north elevation) with entry doors grouped in pairs except for the two end units. The entry features include tiled shed roofs at alternating heights on the building over the entry doors of each space. The shed roofs are supported by columns that extend out from the face of the building by approximately 3-4 feet. The tiled roofing extends above the parapet over every other tenant entry breaking the otherwise long continuous roofline. The storefront features are also included on the east and west elevations of the building. Each tenant space has the potential for a 400 sq. ft. mezzanine floor area which is included in the overall building floor area of 27,677 sq. ft. The Planning Commission does perform a design review function for development within the boundaries of the Airport Industrial Area Specific Plan, and staff is

recommending that the Commission approve the project architecture as submitted.

2. Access/Parking - Access to the building is proposed from two new driveways on Sheehy Court and a new driveway on Devlin Road. The driveway nearest the corner of Sheehy Court and Devlin Road will have to be shifted slightly to the west to meet Public Works standards. The parking area and drive aisle wrap around three sides of the building. The drive aisle provides access to the roll-up doors and trash enclosures at the rear of the building as well as emergency vehicle access to all areas of the building.

Until such time as specific tenants are identified and uses determined, the proportion of light industrial, warehouse and office use cannot be accurately determined. The site plan shows 62 parking spaces. The parking requirement for office uses is most restrictive at one space per 250 square feet of gross floor area. At that ratio, the building can accommodate up to 15,500 square feet of office space (approximately 55%). Prior to occupancy each prospective tenant will be reviewed for consistency with AIASP regulations including parking requirements.

3. Sheehy Creek - The southerly property line of the site runs along the centerline of the creek. In the late 1990's Sheehy Creek was realigned, enhanced and revegetated, including the portion of the creek adjoining the project site. A conservation easement, measured 35-feet from the centerline of the creek on both sides of the creek, was recorded to further protect the creek and the enhanced/created riparian areas. No development is permitted within the easement. The proposal is consistent with this requirement and includes landscaping and parking adjoining this easement. Conditions of approval are recommended that the proposed landscaping in this area is compatible with the existing plant materials within the easement.

4. Landscaping/Ground sign - The AIASP requires a minimum 25-foot landscape setback from Devlin Road and Sheehy Court. The project meets this requirement along Sheehy Court and exceeds this requirement along Devlin, where more than 40-foot is provided.

A minimum 10-foot landscape setback is required along the side and rear property lines. A 10-foot wide landscape area is provided along the side yard. However, landscaping along the rear property line, adjoining Sheehy Creek, varies between a few inches to 20-feet, similar to the existing development on the south side of the creek. The Planning Commission may approve an exception to the minimum landscape requirements. Staff believes an exception is warranted due to the site being bordered on three sides by streets and the creek and its irregular shape. Further, the existing vegetation along the creek provides screening and aesthetic value in excess of the minimum code requirement.

Consistency with Standards:

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

1. Zoning - The IP:AC (Industrial Park: Airport Compatibility) allows speculative industrial buildings with the approval of a use permit. Site layout, building design, coverage, and setbacks comply with all applicable Airport Industrial Area Specific Plan (AIASP) and zoning regulations. While future tenants generally will not be subject to subsequent use permit reviews, future tenants will be reviewed by the Department for consistency with the AIASP prior to occupancy.

2. Building/Fire Code - The project has been designed to comply with all applicable building and fire codes. Access to the building is excellent. It is anticipated that the applicant will submit for building permits shortly after receiving approval.

3. Public Works - Public Works finds the the project, as conditioned, complies with industrial park development standards. An encroachment permit will be required for the new driveways. Public Works has included conditions

addressing compliance with regulations addressing grading, drainage, stormwater control, erosion, access, and parking lot standards.

4. Environmental Management - Conditions are required that address businesses generating and/or storing hazardous materials, solid waste and recyclable materials.

5. Other Agencies - The project has will-serve letters from the City of American Canyon and Napa Sanitation District regarding the provision of and connecting to municipal water and sewer services, respectively. Napa Sanitation District has also conditioned the project for compliance with applicable District requirements.

SUPPORTING DOCUMENTS

- A . Findings
- B . Proposed Conditions of Approval
- C . Department and Agency Comments
- D . Draft Mitigated Negative Declaration/Initial Study/MMRP
- E . Initial Study Appendix - Biological Resources Evaluation
- F . Correspondence
- G . Application Materials
- H . Project Graphics

Napa County Planning Commission: Approve

Reviewed By: John McDowell