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Agenda Date: 10/5/2016

Agenda Placement: 9A

Continued From: 7/20/16, 8/17/16, & 9/21/16

## Napa County Planning Commission Board Agenda Letter

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**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

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### **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 Revised Mitigated Negative Declaration. According to the proposed Revised 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 condominium units. 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, an RV dump station, 13 parking stalls, an on-site waste disposal system, a new well and water system, and one 191,000 gallon fire protection water storage tank are proposed. The 63-foot wide driveway 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 thereby 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 Revised 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)

**CONTINUED FROM THE JULY 20, 2016, AUGUST 17, 2016, AND SEPTEMBER 21, 2016 PLANNING COMMISSION MEETING.**

**EXECUTIVE SUMMARY**

**Proposed Actions:**

That the Planning Commission:

1. Adopt the Revised Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Plan for the Napa Vault Storage based on the Recommended Findings 1-6 (Attachment A); and
2. Approve Use Permit P14-00296-UP based on Recommended Findings 7-11 (Attachment A); Modification to Development Standards based on Findings 12-14; (Attachment A); and Tentative Map P15-00298-TM based on Recommended Findings 15-21 (Attachment A), subject to the Recommended 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 because the project proposes to carry forward the stream restoration/maintenance committed to on the previous project. The addition of these elements will provide for superior environmental benefits and overall aesthetic beyond the minimum development standards.

This item was scheduled to be heard by the Commission on July 20, 2016. The applicant requested that the item be continued to the August 17, 2016 meeting to provide sufficient time to respond to public/agency comments regarding the adequacy of the initial study (biological impacts and the proposed mitigation measures) and sewer annexation. The Commission unanimously voted to continue the item to August 17, 2016. On August 9, 2016, the applicant submitted a formal request to continue the hearing to the regular Commission meeting of September 21, 2016, which was granted. The applicant and staff were working together to respond to the comments raised

regarding the biological impacts, however, the applicant was not able to provide the additional biological information requested to allow time for staff to review and to amend the initial study. Staff and the applicant requested continuance to the October 5, 2016 Commission meeting. The Initial Study/Mitigated Negative Declaration has been amended to clarify the potential impacts to the foraging habitat of the Swainson's hawks and clarification of the proposed mitigation measures in order to respond to the California Department of Fish and Wildlife comments. The amendments served as clarification of the potential impacts and no recirculation of the environmental document was required.

This staff report replaces the staff report issued for July 20, 2016. The analysis within this report has been updated, as well as, substantial updates and augmentation of the administrative record contained within the attachments.

### **FISCAL IMPACT**

Is there a Fiscal Impact?                      No

### **ENVIRONMENTAL IMPACT**

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

The environmental document was circulated through the State Clearinghouse, and 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 to 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.

The Department of Fish and Wildlife made comments regarding referenced biological surveys and the analysis of and the proposed mitigation measures regarding the Swainson's hawk habitat. Additional information was submitted by the applicant and clarification of Section IV Biological Resources and proposed mitigation measures were made. The changes made to the Initial Study/Negative Declaration were clarifications and no change was made to the environmental determination; therefore no public re-circulation of the document was required.

### **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 and 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 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:**

Setting: The 10.32 acres property is site is vacant and relatively level featuring annual grasslands over rolling terrain at the 30-40 ft. MSL elevation. 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) and State Route 221. The property is bounded on the south side by Suscol Creek, a blue-line stream, with riparian vegetation and in the northwest corner, there is a large drainage/wetland feature which was determined in 2006-2007 to be a jurisdictional feature of the Army Corps of Engineers.

Project Summary: The project proposes to establish a personal storage facility for purchase, with the construction of 130 storage units and common area contained in 11 buildings, where 128 units are to be sold as individual storage condominium units. To create the 128 condominium storage units, one owner's common area, and one storage unit, the applicant has filed an application for a tentative parcel map. 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 is proposed to facilitate the Vine Trail. In addition, seven restrooms, an RV dump station, 13 parking stalls, an on-site waste disposal system, a new well and water system, and one 191,000 gallon fire protection water storage tank are proposed. The 63-foot wide driveway aisles will allow parking in front of 124 of the storage unit., with 13 designated parking spaces. 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.

Biological Resources - The mitigated negative declaration for the *prior* approved project on the project site evaluated three biological assessments of the property prepared by a qualified biologist. One of the three assessments specifically addressed Swainson's hawk, and concluded that the project site was not designated as Swainson's hawk habitat. However, also attached to this report was a letter from a local bird enthusiast who provided evidence of several Swainson's hawk sightings within two miles of the project site over the last 3 years (around 2003-2006) including a past nesting site near the corner of Devlin Road and Soscol Ferry Road, approximately 1/4 mile from the project site.

Although there was no formal confirmation of the presence of Swainson's hawk in the project vicinity, it was reasonable to conclude that the State-listed species may be present and, therefore, mitigation to ensure no impacts to the species was warranted. The mitigation measure required consultation with California Department of Fish and Wildlife (CDFW) prior to commencing construction of the project to 1) conclusively determine the presence or lack of presence of the species; 2) conclusively determine whether the project site is or is not suitable foraging habitat; and 3) based off of CDFW's final determination, implement compensating mitigation if determined necessary. Mitigation for the loss of foraging habitat included preservation of other suitable habitat at a ratio prescribed by CDFW. With this mitigation measure, potential for impacts to Swainson's hawk were considered less-than-significant.

An analysis of the biological mitigation measures that had been placed on the original project was prepared by LSA Associates, Inc. (dated August 28, 2015) and presented with this *current* project since the project involves environmental enhancement and stewardship of Suscol Creek to eliminate non-native flora. The updated analysis, conducted by LSA biologist Richard Nichols and Eric Lichtwardt, included a site visit on July 15, 2015. During the field survey, three Swainson's hawks were observed flying over the project site and perching on trees and power poles on the site. The report states that the applicant has agreed that no large trees suitable for raptor nesting habitat will be removed. The report concluded that all the originally identified potential biological impacts were valid and the mitigation measures that were applied to the original use permits still apply for the proposed project.

Studies conducted by LSA biologists confirmed that the previous mitigation measures are still applicable and that the proposed 75-foot setback with habitat restoration would be adequate to preserve the biological values of Suscol Creek. As with the 2006 modification, this setback is contingent on habitat restoration being conducted along Suscol Creek setback by removing the Himalayan blackberry and planting native trees, shrubs, grasses and forbs. LSA has verified that the Himalayan blackberry removal has been successfully implemented. The restoration area will be planted, monitored and maintained until success criteria are attained. The restoration will also help stabilize the eroding stream banks of Suscol Creek. Mitigation measures were proposed to: mitigate potential impacts due to the conversion of non-native grassland habitat; mitigate impact due to removal/disturbance of active raptor nests, specifically Swainson's hawk nesting habitat; ensure that the presumed presence of steelhead trout in the creek is not adversely affect by restoration activities; to mitigate impacts within the jurisdictional drainage swale; and, mitigate construction related impacts to downslope riparian areas.

The environmental document was submitted to the State Clearinghouse during the 30-day public review period. Comments were received from CDFW (July 13, 2016, attached) who requested clarification in the proposed negative declaration information presented regarding the habitat assessment conducted , the Swainson's hawk

habitat assessment, and the proposed mitigation measures. The applicant submitted an additional biological report prepared by FirstCarbon Solutions, "Napa Vault Swainson's Hawk Focused Assessment, Napa County, California", September 20, 2016, to address the concerns expressed by CDFW. The report concluded that "the range of the Swainson's hawk to access foraging habitat is extensive, up to an 18-mile radius; therefore, the loss of the small amount of non-native grassland on the project site is less than significant. No Swainson's hawk nesting habitat occurs within the development area on the project site, and foraging habitat on the site is limited, which is due to the less-than-optimal conditions and the availability of more optimal surrounding foraging habitat. Specifically, the on-site vegetation lacks potential to sustain rodent populations sufficient to support Swainson's hawk foraging compared with those in the surrounding habitats. Furthermore, this species is highly mobile, nesting in different locations from year to year. The report state that in the unlikely event that a nest is established on-site, additional measures will be taken to ensure that a local adequate buffer is established. As outlined in the project revision statement and required under Mitigation Measure IV.a.1, pre-construction surveys will be completed by a qualified Biologist to determine the presence or absence of Swainson's hawk on the project site. If nesting is determined, an adequate buffer zone around the active nest shall be established in consultation with CDFW. This mitigation will ensure that any unforeseen nest impacts occurring prior to construction will not result in net adverse effects on this species." The amendments to the initial study also included the incorporation of the term "protocol-level pre-construction survey" cited in the CDFW comment letter and also to amend the nesting period to March 1 to September 15 as discussed in the CDFW comment letter.

The revisions of the initial study/mitigated negative declaration were limited to clarifications and did not alter the level of significance of the potential impacts of the project stated in the original document, thus re-circulation of the environmental document is not required.

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 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 110,000 gallon 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. A sample of possible CC&R's was submitted to give insight on how the facility will operate. The sections regarding Uses and Restrictions, the maintenance of the improvements has been included in the staff report (Attachment F).

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 (discussed above), 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 Revised Initial Study/Mitigated Negative Declaration. The property owner next door submitted a letter (July 18, 2016) regarding the area, including traffic increases, lack of infrastructure (sewer and water), general changes in the area, the Vine Trail alignment, and Fire Protection. In conclusion, the neighbor requested clarification regarding traffic impacts and a left turn requirement; that the project be annex into the Napa Valley Sanitation District, and provide service to Soscol Ferry Road; require discussion regarding relocation of Vine Trail away from the road; ensure that all actions that can be taken to ensure that the "Soscol zone" has the ability to develop to the best standards and practices in Napa County in the future; have the applicant provide proposed CC&R to allow comment and count input into use of the condominiums; and fire protection from the Napa Water System. The neighbor's representative has been discussing sewer annexation issues with the applicant, who requested a continuance to October 19, 2016, expressing an anticipated resolution of the issues. A letter was received from Vine Trail Napa Valley expressing interest in an additional, optional route along Suscol Creek be approved through the subject property.

Water & Sewer - As noted above, the project site is located within an area where water and sewer facilities are not available. A Tier 1 Water analysis (RSA, December 18, 2015) for the proposed project to evaluate water use for the project and landscape irrigation. The proposed project is located on the floor of the Napa Valley in an area that has an established acceptable water use criteria of one acre-foot per acre per year. On a ±10.32 acre project site, the threshold for the property is 10.32 acre-foot per year (af/yr). The estimated water demand for this project is .63 acre-feet per year (af/yr), well below the threshold for the property.

The Napa Valley Business Park Specific Plan and EIR designate the Soscol Ferry Road area as difficult to provide sewer connection and that development should be limited to low intensity industrial uses which do not require common sewerage. The type of project proposed would not generate a significant demand for waste disposal. Drainage development standards in the GI district (Napa County Code Section 18.44.150) are as follows: "Connection to a public sewer shall be required prior to issuance of a certificate of occupancy or the commencement of a use not requiring a certificate of occupancy, except that if the director or director's designee determines that serving a lot is not feasible due to topography or location of the lot, and certifies that the proposed use will not produce a sewage flow of more than fifteen hundred gallons per day and that the proposed use will not be detrimental to the public health and/or safety, a private or individual sewage disposal system shall be permitted until such time as public sewer connection becomes feasible. The PBES Environmental Health Division has reviewed the proposed domestic and process wastewater systems and recommends approval as conditioned. The Director of Environmental Health found that a private sewage disposal system is appropriate for the proposed project due to the location of the parcel outside the Napa Sanitation District Boundary, is greater than 200 feet from the closest sewer main, will be sized for less than 1500 gallons per day, and will be designed, constructed and maintained so as not to be detrimental to the public health and/or safety. Therefore, the individual sewage disposal system is permitted until such time as a public sewer connection becomes feasible.

#### **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 NVBPSP. 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 . Recommended Findings
- B . Recommended Conditions of Approval and Final Agency Approval Memos
- C . Previous Project Conditions
- D . Initial Study/Mitigated Negative Declaration
- E . Public Comments
- F . Use Permit Application Packet
- G . Water Availability Analysis
- H . Wastewater Feasibility Study
- I . Traffic Study
- J . Biological Study
- K . Graphics

Napa County Planning Commission: Approve

Reviewed By: John McDowell