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Agenda Date: 11/16/2011

Agenda Placement: 9D

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: 2011 Amendments to the 1986 Airport Industrial Area Specific Plan

RECOMMENDATION

AMENDMENTS TO THE 1986 AIRPORT INDUSTRIAL AREA SPECIFIC PLAN:

(1) NAPA 34 COMMERCE CENTER / NAPA 34 HOLDINGS LLC, SPECIFIC PLAN AMENDMENT P11-00096-SP, USE PERMIT MAJOR MODIFICATION P11-00233-MOD & TENTATIVE PARCEL MAP P11-00235-PM

(2) GATEWAY COMMERCIAL CENTER / AIRPORT BLVD. REATLY LLC & LLC II, SPECIFIC PLAN AMENDMENT P11-00118-SP

(3) TULOCAY-MADE IN NAPA VALLEY / RICHARD LONG, SPECIFIC PLAN AMENDMENT P09-00209-SP

CEQA Status: Negative Declaration Prepared. According to the proposed Negative Declaration, the proposed project would have no potentially significant environmental impacts. The project sites are not on any of the lists of hazardous waste sites enumerated under Government Code sec. 65962.5.

Request: Amendment of the 1986 Airport Industrial Area Specific Plan to allow:

(1) NAPA 34 COMMERCE CENTER: Specific Plan Amendment, Use Permit Modification and Tentative Parcel Map for construction of a service station with convenience market/drive through coffee shop with approximately 3,521 sq. ft. of floor area, a 3,970 sq. ft. canopy over the pump islands and a 1,100 sq. ft. carwash replacing two previously approved, but not yet constructed commercial office buildings totaling approximately 15,000 sq. ft. This request also includes a tentative parcel map to create the 1.2 acre parcel for the service station. The project site is located at the southeast corner of the intersection of Airport Boulevard and Devlin Road, within an Industrial Park: Airport Compatibility (IP:AC) zoning district. (Assessor's Parcel: 057-210-056). No Current Address;

(2) GATEWAY COMMERCIAL CENTER: Specific Plan Amendment to allow an approximate 39,924 sq. ft. addition to an existing hotel increasing the number of rooms from 100 to 160 rooms with a concurrent reduction in the amount of other commercial space allowed on site, including approximately 12,983 sq. ft. of retail, 20,606 sq. ft. of office and 2,598 sq. ft. of restaurant. The proposal will result in a net reduction to the number of required on-site parking by 95 spaces. The project site is located on approximately 9.8 acres on the northwest corner of the intersection of State Highway 29 and Airport Boulevard, within an Industrial Park: Airport Compatibility (IP:AC) zoning district. (Assessor's Parcels: 057-200-017, 018, 019, 023, 024, 025, & 026). 101 Gateway Road East, Napa; and,

(3) TULOCAY-MADE IN NAPA VALLEY: Specific Plan Amendment to allow food manufacturing facilities to establish restaurants as an accessory use to the primary use of food manufacturing provided the meals include food

products made at the facility. This will initially clarify use of the existing cafe/restaurant at the Tulocay facility located on approximately 3.0-acres on the west side of Devlin Road, between Devlin Road and State Highway 29, approximately 310-feet north of Sheehy Court within an Industrial Park: Airport Compatibility (IP:AC) zoning district. APN: 057-250-035. 388 Devlin Road, Napa.

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

Staff Contact: Sean Trippi, (707) 299-1353, sean.trippi@countyofnapa.org

EXECUTIVE SUMMARY

Proposed Action:

That the Planning Commission recommends to the Board of Supervisors:

1. Adoption of the Negative Declaration for the 2011 Amendments to the 1986 Airport Industrial Area Specific Plan, based on findings 1-6 of Exhibit A;
2. Adoption the resolution amending the Airport Industrial Area Specific Plan;
3. Approval of Use Permit Modification (P11-00233-MOD) for the Napa 34 Commerce Center Gasoline Station, Convenience Mart and Carwash, based on findings 7-11 of Exhibit A, and subject to the conditions of approval; and,
4. Approval of Tentative Parcel Map (P11-00235-PM) for the Napa 34 Commerce Center Gasoline Station, Convenience Mart and Carwash, based on findings 12-18 of Exhibit A, and subject to the conditions of approval.

Discussion:

Currently the Airport Industrial Area Specific Plan (AIASP) limits the location (and therefore the number) of business-serving retail uses, gasoline stations, hotels and restaurants to one of two areas; the Gateway Commercial Center Node located on the north side of Airport Boulevard between State Highway 12/29 and Devlin Road and the Devlin Resort Development Node located on the west side of Devlin Road, northeast of the Airport. A hotel and office/bank building has been constructed in the Gateway node. There has been no construction in the Devlin Resort node.

The proposed AIASP amendments would allow a gasoline station/convenience mart and carwash outside the Gateway node; restaurants as an accessory use to a food manufacturing or food processing facility and expansion of the existing Marriot hotel located in the Gateway node.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

A negative declaration has been prepared and is attached. According to the project negative declaration, the project will not have a significant effect on the environment. The project site is not on any of the lists of hazardous waste sites enumerated under Government Code sec. 65962.5.

BACKGROUND AND DISCUSSION

The Airport Industrial Area Specific Plan

The 1986 Airport Industrial Area Specific Plan (AIASP) originally allowed business-serving retail uses, hotels and restaurants, provided they were components of industrial parks of 30 acres or more and that the retail/restaurant/hotel uses comprised no more than 20% of the total land area in the development plan.

In 2003, an MOU between the County and the City of Napa was adopted where both parties agreed to establish a multi-jurisdictional Airport Industrial Area (AIA) subcommittee to review amendments to the Airport Industrial Area Specific Plan (AIASP), General Plan amendments and other development issues in the AIA and "to limit land uses to industrial/corporate uses rather than tourism/community or regional retail unless mutually otherwise agreed to as part of a market strategy for the airport industrial area." The AIA subcommittee includes two members from the Board of Supervisors and two council members from the cities of Napa and American Canyon.

As a result of the 2003 MOU, the AIASP was amended in 2004 to limit the location and the number of business-serving retail uses, hotels and restaurants allowed by establishing two nodes where these uses are permitted. The two areas are the Gateway Node located on the north side of Airport Boulevard between State Highway 12/29 and Devlin Road and the Devlin Resort Commercial Node located on the west side of Devlin Road, northeast of the Airport. Currently, retail, gasoline station/convenience mart, banking and other professional or personal service and restaurants are allowed in the Gateway node. A hotel and office/bank building have been constructed in the Gateway node. Restaurant and retail uses ancillary to the approved Montalcino resort are also permitted in the Devlin Resort Development. There has been no construction in this node.

Background:

On April 26, 2011, The Napa County Board of Supervisors initiated review of three proposed amendments to the 1986 AIASP that would affect specific land uses on three individual sites. The proposed amendments include 1) a request to allow a gasoline station with an associated convenience mart, drive-through coffee service and carwash located at the southeast corner of Airport Boulevard and Devlin Road; 2) an increase in the number of hotel rooms for the existing Marriott hotel from 100 to 160 rooms located on the northwest corner of State route 29 and Airport Boulevard; and, 3) a request to expand the list of permitted uses for the Carnera Office complex located at the northeast corner of Devlin Road and Gateway Road east. However, the Carnera request has subsequently been withdrawn.

In 2009, at the request of County staff, the Board of Supervisors also initiated consideration of an amendment to the AIASP that would allow food manufacturing and food processing facilities to establish restaurants as an accessory use provided items sold included food items or ingredients produced at the respective facility. County staff's request included a stipulation that Tulocay/Made in Napa Valley assume the role of applicant and cover processing fees. Staff received a deposit earlier this year allowing this amendment to move forward with the remaining two requests initiated in April of this year.

Proposed Specific Plan Amendments:

(1) Napa 34 Commerce Center (P11-00096-SP)(P11-00233-MOD)(P11-00235-PM). This also includes a request

to modify the previously approved use permit and a tentative parcel map.

Owner: Napa 34 Holdings LLC

Applicant: Kristen Pigman

(2) Gateway Commercial Center (P11-00118-SP)

Owner: Airport Blvd Realty LLC & LLC II

Applicant: Bill Maston

(3) Tulocay/Made in Napa Valley (P09-00209-SP)

Owner/Applicant: Richard Long

Zoning: IP:AC - Industrial Park: Airport Compatibility (all sites)

General Plan Designation: Industrial (all sites)

Airport Compatibility: Zone D - Common Traffic Zone - area of routine overflight at low elevations. According to the Airport Land Use Compatibility Plan, warehousing, distribution, office and light industrial, small commercial, and most other non-residential uses are highly compatible with this zone. (all sites)

Airport Industrial Area Subcommittee:

As noted above, the AIA subcommittee is a multi-jurisdictional subcommittee that is charged with reviewing any amendments to the Airport Industrial Area Specific Plan (AIASP), General Plan amendments and other development issues in the Airport Industrial Area. The AIA subcommittee met on June 22, 2011, to discuss the proposed amendments to the AIASP. An increased demand for water was raised as an issue for both the gasoline station and hotel. The City of American Canyon has issued a will-serve letter for the gasoline station indicating they will supply to serve the use. No additional water allocation is expected for the hotel expansion due to the reduction of office, retail and restaurant uses on the site. A question was raised regarding the potential for fast food restaurants to co-locate with the gasoline station, the applicant indicated that there would not be a fast food restaurant, only a coffee shop in addition to the convenience mart. The committee also wanted assurance that any restaurant established as part of a food manufacturing or food processing facility was clearly accessory to the manufacturing or processing use. The committee expressed their support and their comments have been addressed or incorporated into each of the proposals.

Airport Land Use Commission:

Pursuant to State Aeronautics Law (Public Utilities Code 21676), the proposed amendments to the AIASP must be reviewed by Napa County's Airport Land Use Commission (ALUC) prior to consideration by the Board of Supervisors because the proposal involves changes to land use regulations within the influence areas of the Napa County airport. The Airport Land Use Commission held a public hearing on November 2, 2011, to determine if the proposed amendments to the AIASP are consistent with the Airport Land Use Compatibility Plan. The ALUC found that the three requests would not affect airport operations, flight patterns or create any obstructions. The ALUC did, however, recommend that accessory restaurant uses to food manufacturing or food processing facilities only be allowed in ALUCP Zone D. This recommendation has been incorporated in the proposed Board Resolution.

Discussion:

(1) Napa 34 Commerce Center - Napa 34 Holdings LLC submitted an application to amend the AIASP to allow a gasoline station with an associated convenience market, drive through coffee shop, and carwash that would be located at the southeast corner of Airport Boulevard and Devlin Road on approximately 1.2 acres of the 34 acre site. The floor area of the proposed convenience market/drive through coffee shop would total approximately 3,521

square feet, the canopy over the fuel pumps would be approximately 3,970 square feet and the carwash would be approximately 1,100 square feet. There is currently an approved use permit and tentative parcel map for the 34 acre site that includes approximately 490,500 square feet of floor area in eight buildings and 11 parcels, one for each of the eight buildings and 3 parcels for common area. Two single-story office buildings with a little more than 7,500 square feet of floor area each would be replaced by the proposed gasoline station. A gas station/convenience market was approved across the street within the Gateway Commercial Node located on the northeast corner of Airport Boulevard and Devlin Road in 1998, but has not been constructed. They have also submitted an application to modify the previously approved use permit and a tentative parcel map to create a parcel for the proposed gasoline station. The attached Board of Supervisors Resolution includes the proposed amendment to the AIASP

Specific Plan Amendment

The proposed specific plan amendment would amend Section 2, Allowable Uses - Light Industrial/Business Park Areas, of Chapter V, "Land Use Element" as described below in the **bold** text:

2. Such retail, banking, and other professional or personal service commercial uses shall be located in the following areas:

B. Except as provided for in Sections i.2.C., i.2.D. **and i.2.E.** below, commercial uses located outside the Gateway Commercial Node are not permitted except for uses legally established prior to July 1, 2004.

E. One service station with a drive through window for a coffee shop, one convenience market, and one carwash are permitted on the southeast corner of Airport Boulevard and Devlin Road. A fast food restaurant shall not be permitted.

Use Permit Modification

Setbacks:

North: Airport Boulevard - 55' average building setback required, 35' reserve landscape setback required, **project complies.**

South: Interior property line - 10' minimum landscaped building setback required, **project complies.**

East: Interior property line - 10' minimum landscaped building setback required, **project complies.**

West: Devlin Road - 40' average building setback required, 25' reserved landscape setback required, **project complies.**

Lot size: 1.2 acre portion of a 34 acre site.

Proposed building sizes: 3,521 sq. ft. convenience mart/coffee shop with drive-through service; 3,970 sq. ft. pump island canopy; 1,100 sq. ft. carwash

Number of employees: 10 or fewer.

Hours of operation: 24 hours a day/ 7 days a week

Building Design, Layout, and Materials: The original approval for the Napa 34 Commerce Center development included eight buildings. The northernmost five buildings are a mix of one and two story office structures fronting on Airport Boulevard and the proposed Devlin Road extension. To the south, three warehouse buildings were approved. The warehouses are oriented towards the center of the site, with upgraded elevations facing Highway 29 and the Devlin Road extension. The proposed gasoline station, convenience mart and carwash would replace two of the one-story office buildings totaling about 15,000 sq. ft. of floor area.

All of the previously approved buildings would be constructed of site-cast tilt-up concrete panels. The most publicly visible, or otherwise prominent, portions of the buildings would incorporate design elements intended to create architectural diversity and interest; these include: stone veneer, metal siding, aluminum accent panels, tinted glass in aluminum frames, architectural light shelves, painted steel architectural elements, and exposed stain-grade architectural glu-lam beams supporting standing seam metal roofs. The convenience mart building, and to a lesser extent the carwash, incorporate the design elements and materials of the previously approved buildings maintaining the original high architectural standard and level of design and detailing.

Parking: 28 off-street spaces are provided on the 1.2 acre lot for the proposed use. An additional 35 parking spaces are provided within the area defined by the two access drive aisles forming the eastern and southern boundaries of the lot that will be shared with other uses on the 34 acre site.

Parking requirements for a service station are 3 parking spaces per service bay, plus one space per employee on day-shift.

Parking requirements for retail uses are one parking space per 250 sq. ft. of floor area. This requirement would result in 14 on-site parking spaces for the convenience mart/coffee sales with a drive-through window if this ratio is applied to the entire building.

Parking requirements for restaurants with a counter and/or take out or drive-through services are one space per 120 sq. ft. of floor area plus one space for each 50 sq. ft. of those areas devoted to counter/take out service. This requirement would result in 29 on-site parking spaces for the convenience mart/coffee sales with a drive-through window if this ratio is applied to the entire building.

The proposal does not fit neatly into any of the categories listed above. Use of the proposed building is a mix of a retail store and a drive-through business. A definitive floor plan has not been developed at this stage, but it would appear that the proposed amount of parking provided on-site parking would be adequate and would generally comply with combined parking requirements listed above, exclusive of the parking requirements for a service station.

Access/Roadway Improvements: Access to the site would be provided via a full access driveway on Devlin Road and a right-in/right-out driveway on Airport Boulevard. Both driveways were approved with the original Napa 34 Commerce Center project approvals. The originally approved project included number of roadway improvements including but not limited to constructing the full width of the Devlin Road extension, road widening at Airport Boulevard to accommodate two southbound turn lanes onto the Devlin Road extension, and the widening of Devlin Road, beyond what had previously been envisioned by the Circulation Element of the AIASP, was likewise required to accommodate the additional lane of southbound turning traffic coming off of Airport Boulevard. This requirements are still in effect. In addition, a right-turn deceleration lane serving the right-in/right-out driveway on Airport Boulevard will be needed and is included as a condition of approval by the Public Works Department.

Signage: The plans submitted with the use permit modification application include preliminary wall and ground mounted signs. As the gasoline station site is part of a larger integrated master planned property, approval of a Comprehensive Sign Program will be required prior to the installation of any signage on the site. Generally the proposed signs are consistent with other signs approved in the business park area.

Tentative Parcel Map

The tentative parcel map would create a new 1.2 acre parcel for the proposed gasoline station/convenience mart/carwash. The previously approved tentative parcel map for the 34 acre property created 11 parcels ranging in size from 0.2 to 7.2 acres. One lot was created for each of the eight previously approved industrial park buildings, including all associated parking areas. Three parcels were dedicated to stormwater treatment and wetland

preservation. This proposal would combine two of the previously approved lots (Lots C and D shown on the attached "Previously Approved site Plan and tentative Parcel Map."). The proposal would also modify the western boundary of previously approved Parcel B.

Consistency with Standards:

All reviewing departments/agencies have found the use permit modification and tentative parcel map as proposed and conditioned to be consistent with their respective requirements and regulations. The project has will-serve letters from the City of American Canyon and Napa Sanitation District regarding the provision of, and connection to, municipal water and sewer services, respectively. Napa Sanitation District has also conditioned the project for compliance with applicable District requirements.

(2) Gateway Commercial Center - Airport Boulevard Realty LLC & LLC II submitted an application to amend the AIASP to allow an approximate 39,924 sq. ft. addition to an existing Marriott hotel increasing the number of rooms from 100 to 160 rooms with a concurrent reduction in the amount of other commercial space allowed on site, including approximately 12,983 sq. ft. of retail, 20,606 sq. ft. of office and 2,598 sq. ft. of restaurant. The proposed addition is expected to add approximately 5-10 full and part time employees. The proposal will result in a net reduction to the number of required on-site parking by 95 spaces. The Marriott hotel is located at the northwest corner of State Highway 12/29 and Airport Boulevard. The hotel is within the Gateway Commercial node and is currently limited to 100 rooms by the AIASP. The 100-room Spring Hill Suites by Marriott opened in 2009. Previous approvals within this node include approximately 122,178 square feet of retail, office and restaurant floor area contained within six buildings and a gasoline station with a convenience mart and two restaurants with drive through service. To date, only a 14,570 square foot office/bank building has been constructed on the southeast corner of Devlin Road and Gateway Road East and the 100-room hotel. Consistent with the 2004 AIASP amendment, the recently-opened Marriot hotel includes a kitchen and breakfast area for hotel guests as well as a catering area to provide meals for meetings/special events scheduled at the hotel. The recorded parcel map created nine parcels, one each for the hotel, gasoline station and office/bank building and the remaining six parcels for the balance of the approved development. If the proposed amendment is approved, a subsequent use permit modification application and lot line adjustment would be required to modify the previously approved site plan. The environmental document analyzed the proposed addition to the extent feasible and determined that there would be no new significant effects.

Specific Plan Amendment

The proposed specific plan amendment would amend Section 2, Allowable Uses - Light Industrial/Business Park Areas, of Chapter V, "Land Use Element" as described below in the bold text:

j. Hotels and motels, provided that:

1. One business-serving hotel is allowed only within the Gateway Commercial Node and shall meet the following design standards:

A. **Maximum 160 rooms.**

(3) Made in Napa Valley - In 2006 the County approved a use permit for the Made in Napa Valley (MINV) to manufacture food related products and offering tastings to the public for a fee. In September 2009, the Board of Supervisors initiated consideration of an amendment to the AIASP that would allow additional restaurant/food service uses in conjunction with food manufacturing and catering in the Airport Industrial area. This request was initiated by County staff to address a difference of opinion between staff and MINV regarding staff's belief that their operations more closely resembled a restaurant rather than a tasting bar and was in violation of its use permit conditions. The owner believed that his operations were consistent with the approved conditions. Staff

recommended that the Board initiate the amendment provided Made in Napa Valley assume the role of applicant, covering the costs of staff time and any necessary consultants. Staff received a deposit earlier this year from Made in Napa Valley allowing the proposed amendment to move forward. No new construction, site improvements or operational characteristics are associated with this proposal. This proposed amendment would consist of text changes only. The proposed amendment would also allow other food manufacturing facilities to establish restaurants provided the meals include food products made at the facility. Catering facilities have not been included in the proposed amendment as no interest was expressed by any existing catering company.

The Tulocay/Made in Napa Valley facility is located on the front half of a 5.35 acre property between Devlin Road and CA-29, approximately 310-feet north of Sheehy Court. A use permit and tentative parcel map were previously approved allowing the construction of three buildings totaling 72,499 square feet. Two buildings, with 47,011 square feet of floor area, house the Made in Napa Valley food manufacturing facility, including approximately 3,900 sq. ft. of floor area of restaurant/kitchen/storage; and one building, with 25,488 square feet of floor area, was constructed for speculative warehouse, light industrial and office use. The Made in Napa Valley facility includes manufacturing, distribution, warehousing, corporate offices, a test kitchen, tasting area, showroom/merchandise shop, and an interior courtyard for additional product demonstration. The approval also included on-site parking for 186 vehicles and a parcel map splitting the 5.35 acre lot into two parcels consisting of approximately 3.0 acres for the Made in Napa Valley facility and approximately 2.3 acres for the speculative light industrial building, and to further divide the speculative light industrial building into four airspace condominiums with associated common area. No new construction would be required as a result of this proposal nor would any operational changes occur. Under the proposed amendment to the AIASP, other food manufacturing facilities could also establish restaurants as an accessory to the manufacturing use provided they obtained approval of a use permit or use permit modification and associated environmental review. As noted above, the Airport Land Use Commission recommended that the proposed amendment apply to only those food manufacturing or food processing uses located in Airport Land Use Compatibility Zone D. No other applications have been filed associated with this component of the AIASP amendment applications.

Specific Plan Amendment

The proposed specific plan amendment would amend Section 2, Allowable Uses - Light Industrial/Business Park Areas, of Chapter V, "Land Use Element" as described below in the bold text:

- i. Ancillary retail, banking, and other professional or personal service commercial uses which are minor business park components, provided that:
 2. Such retail, banking, and other professional or personal service commercial uses shall be located in the following areas:
 - B. Except as provided for in Sections i.2.C., i.2.D. and i.2.E. below, commercial uses located outside the Gateway Commercial Node are not permitted except for uses legally established prior to July 1, 2004.
 - C. Retail sales as an accessory use to other allowed uses, such as contractor's showrooms, sales of products produced at wineries or food processing plants, may be allowed on a case-by-case basis through the project use permit on any Light Industrial/Business Park Area land. **Food manufacturing or food processing plants located in Airport Land Use Compatibility Zone D may sell products produced on-site and may also establish a restaurant as an accessory use to the manufacturing or processing facility, provided food items sold at the restaurant include products manufactured or processed on site. Any restaurant established under this provision is required to cease operation if the primary food manufacturing or processing facility ceases such food manufacturing or processing operations.**

SUPPORTING DOCUMENTS

- A . Board Resolution

- B . Napa 34 Findings
- C . Napa 34 Conditions of Approval
- D . Napa 34 Review Agency Comments
- E . AIASP Amendments Initial Study & Negative Declaration
- F . Gateway FEIR Mitigation Measures
- G . Napa 34 Mitigation Measures
- H . AIASP Amendments Traffic Analysis
- I . Napa 34 AIASP Amendment application materials
- J . Napa 34 Mod & Tent Map application materials
- K . Gateway Hotel AIASP Amendment application materials
- L . Napa 34 Graphics
- M . Gateway Hotel Graphics
- N . Made in Napa Valley Graphics

Napa County Planning Commission: Approve

Reviewed By: John McDowell