



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 11/6/2019

Agenda Placement: 7A

Napa County Planning Commission Board Agenda Letter

TO: Napa County Planning Commission

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

REPORT BY: Sean Trippi, Principal Planner - 299-1353

SUBJECT: Gateway East Winery

RECOMMENDATION

SCANNELL PROPERTIES / GATEWAY EAST WINERY / USE PERMIT # P18-00389-UP

CEQA Status: Consideration and possible adoption of a Mitigated Negative Declaration. According to the proposed Mitigated Negative Declaration, the proposed project would have potentially significant effects on Biological Resources 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: Approval of a Use Permit for a new 230,000 gallon per year winery to allow the following: (a) construction of a 86,393 sq. ft. one-story winery building for production, storage, office, and hospitality/retail sales areas; (b) on-site parking for 89 vehicles (the installation of 12 parking spaces will be deferred); (c) hours of operation seven days a week from 9:00 AM to 5:00 PM; (d) tours and tastings by appointment only (wine and food pairings) for a maximum of 30 visitors per day, 210 maximum per week; (e) establishing a marketing program to host 12 events per year for up to 100 guests at each event and one auction-related event per year with up to 100 guests (1,300 guests per year), all food for marketing events will be catered, marketing events would occur between 9:00 AM and 10:00 PM; (f) on-premises consumption of wines produced on site in the tasting room in accordance with Business and Professions Code Sections 23358, 23390 and 23396.5; (g) on-site process wastewater pre-treatment system; (h) a new driveway on Gateway Road East and utilization of an existing shared driveway with the property to the south; and, (i) signage, and landscape improvements. The project will connect to municipal water and sewer services provided by the City of American Canyon and the Napa Sanitation District (NSD), respectively. The project is proposed on a 5.52 acre site on the west side of Gateway Road East and the south side of Sheehy Creek, within Industrial Park: Airport Compatibility (IP:AC) zoning district. APN's: 057-210-039 & 040 (SFAP). Napa

Staff Recommendation: Adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and approve the Use Permit with the proposed conditions of approval.

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

Applicant : Matt Anderson, Scannell Properties (415) 845-9504, or matta@scannellproperties.com

Applicant Contact: George Monteverdai, Monteverdi Consulting, LLC (707) 760-2516, or geroge@monteverdiconsulting.com

EXECUTIVE SUMMARY

Proposed Actions:

That the Planning Commission:

1. Adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Gateway East Winery based on findings 1-6 of Attachment A; and
2. Approve Use Permit P18-00389-UP including based on findings 7-11 of Attachment A, and subject to the conditions of approval (Attachment B)

Discussion:

The project consists of a request to construct a 86,393 square foot building for a new winery with an annual production capacity of 230,000. The building includes areas for wine production, storage, office and retail sales/hospitality. The proposal includes visitation a marketing. Food served at marketing events would be catered. The site plan shows parking consistent with Code requirements with installation of some of the parking spaces deferred. Wineries within the Napa Valley Business Park Specific Plan (NVBPSP) are not subject to the Winery Definition Ordinance, but retail/tourist elements of uses within the business park must be clearly secondary and supportive of the primary wine production use. The project is compatible in design and operation with other projects located in the NVBPSP area and staff supports grant of the use permit modification, subject to the recommended conditions of approval.

FISCAL & STRATEGIC PLAN IMPACT

Is there a Fiscal Impact? No

County Strategic Plan pillar addressed:

ENVIRONMENTAL IMPACT

Consideration and possible adoption of a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program. According to the proposed Mitigated Negative Declaration, the proposed project would have potentially significant effects on Biological Resources unless mitigation measures are adopted. In accordance with Section 15073 of the California Environmental Quality Act (CEQA) Guidelines, Napa County submitted the initial proposed IS/MND to the State Clearinghouse for a 30-day review period beginning on October 4, 2019 and running through November 5, 2019. In addition, Napa County circulated a Notice of Intent to adopt the initial proposed IS/MND to interested agencies and individuals. The project is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

BACKGROUND AND DISCUSSION

Owner: Scannell Properties, Attn: Todd Berryhill, 3468 Mt. Diablo Blvd., Suite B115, Lafayette CA, 94549

Applicant: Scannell Properties, Attn: Matt Anderson, 3468 Mt. Diablo Blvd., Suite B115, Lafayette CA, 94549

Representative: George Monteverdi, Monteverdi Consulting, LLC, PO Box 6079, Napa CA 94581

Zoning: IP:AC (Industrial Park: Airport Compatibility Combination)

General Plan Designation: Industrial

Filed: October, 10, 2018; **Resubmittals:** March 9, 2019, May 8, 2019; **Application Complete:** June 14, 2019;
Additional Submittal: September 17, 2019

Parcel Size: 5.52 acres

Proposed Building Size: 86,393 s.f.

Proposed Production Capacity: 230,000 gallons per year

Number of Employees: The facility is expected to employ up to 20 full and/or part-time employees.

Proposed Visitation: Maximum of 30 visitors per day (210 maximum visitors per week). Tours and tastings may include wine and food pairings.

Proposed Marketing Program: Thirteen events per year for up to 100 guests at each event. All food for marketing events will be catered,

Hours of Operation: Seven days a week from 9:00 AM to 5:00 PM.

Proposed Parking: On-site parking for 89 vehicles (the installation of 12 parking spaces will be deferred).

Airport Compatibility: Zone D - Common Traffic Zone - area of routine overflight at low elevations. Wineries, warehousing, distribution, office and light industrial uses are highly compatible with this zone. There should also be no more than 100 people per acre inside structures and no more than 150 people per acre inside and outside. All aspects of the development have been designed to comply with these limitations.

Adjacent Zoning / Land Use:

North of the project site, across Sheehy Creek is an approved (and currently under construction) 105,099 s.f. multi-building self-storage facility on a 7.39 acre property. To the south is the recently constructed Portocork facility on a 2.49 acre property. East of the project site is an approved but not yet built 67,930 s.f. three story office building and west of the site is an approved 42,700 s.f. light industrial building on a 2.74 acre site which is also not yet built. Southwest of the site is an office complex with four multi-tenant buildings and southeast of the site are two recently approved light industrial buildings totaling 63,875 s.f.

North: IP:AC - Across Sheehy Creek to the north is an approved (and currently under construction) 105,099 s.f. multi-building self-storage facility on a 7.39 acre property.

South: IP:AC - Adjoining the project site to the south is the recently constructed Portocork facility on a 2.49 acre

property.

East: IP:AC - Adjoining the project site to the north is a 4.33 acre site, comprised of two properties under the same ownership, with an approved, but not yet constructed, 67,930 s.f. three story office building and two approved buildings totaling 63,875 s.f. on two lots totaling 4.36 acres, also under single ownership and not yet built.

West: IP:AC - Adjoining the project site to the west is an approved but not yet built is a 42,700 s.f. light industrial building on a 2.74 acre site.

Parcel History/Setting:

The site is vacant, and is relatively flat with gentle slopes ranging from 0-5 percent from northwest to southeast. Grade elevations on the site range from approximately 42 to 53 feet above mean seal level, from northwest to southeast. The northern boundary of the site adjoins Sheehy Creek. The site includes ruderal grasses, a smattering of bushes, and moderately dense riparian woodland areas along Sheehy Creek, which were planted as part of the creek restoration project. There is also a paved pathway located along the top of the bank of Sheehy Creek. Adjoining streets and public improvements have been completed, including street paving, curb, gutter, and public utilities, when improvements were installed for the NVBP.

Code Compliance History:

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

Wineries in Vicinity:

Attachment I provides of list of 20 wineries/production facilities operating, approved to operate, or pursuing approvals to operate within the NVBPSP Area.

Discussion Points:

1. Building Design, Layout & Materials – Exterior building materials include tex-coat concrete tilt-up wall panels with a multi-color paint scheme and multiple score lines/reveals. The east elevation (facing Gateway Road East) includes glass storefront for the main entry at the southeast corner of the building that wraps onto the south elevation. Glass storefronts are also proposed on the west elevation and at the northeast corner of the building. The west elevation includes five truck loading docks, with roll-up doors and three man-doors. There is also a covered outdoor work area/crush pad in front of the loading docks. The overall design is equivalent to other similar more recent industrial projects approved and/or constructed within the NVBPSP boundaries, and meets the minimum design requirements for the NVBPSP industrial park area.

2. Access - Access to the building is proposed from one new driveway on Gateway Road East and an existing shared driveway with the property to the south. 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 building. The project has been reviewed by the County Fire Department and Engineering Services Division and found acceptable as conditioned.

3. Parking - The NVBPSP requires one parking space per 1,000 s.f. for the first 20,000 s.f. of floor area and one parking space per 2,000 s.f. of floor area thereafter for storage/warehousing use. The Specific Plan also requires one parking space per 250 s.f. of floor area for office/retail/hospitality uses. Based on the preliminary floor plan of the proposed building, which includes approximately 76,287 s.f. of warehouse and 10,106 s.f. of office floor/retail/hospitality area area, 89 parking spaces are required. The site plan includes 77 parking spaces with an additional 12 deferred parking spaces consistent with Code requirements.

4. Building Setbacks/Landscaping - The NVBPSP requires a building setback with a 40-foot average, and a minimum of 25-feet (landscaped), from Gateway Road East and a 10-foot setback from property lines that do not adjoin a street. The building is generally setback 52 to 79 feet from Gateway Road East, 10-feet from the west property line and 43-feet from the south property line. Water quality detention and treatment basins, planted with water tolerant grasses, as well as shrubs and trees, are proposed along the street frontage within the landscape setback.
5. Sheehy Creek - As noted above, the northerly 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. There is an existing walking path along the south side of Sheehy Creek that was constructed as part of the creek restoration project that includes the planted riparian corridor. 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. Uses within the setback area are limited to habitat restoration/mitigation, landscaping, pedestrian/bicycle improvements, storm-water retention/detention facilities or similar uses that do not adversely affect habitat value, wildlife movement or flood water storage. The project proposes a drainage outfall into Sheehy Creek which would require a streambed alteration agreement from the California Department of Fish and Wildlife.
6. Zoning and Winery Definition Ordinance (WDO) – The site of the proposed winery is zoned IP:AC (Planned Industrial: Airport Compatibility) District. The intent of the IP District is to provide areas for modern, non-nuisance light industrial and office uses that are compatible both with each other and with adjoin nonindustrial areas. Wineries are conditionally permitted uses in the IP District, but should be operated in such a manner that does not compromise opportunities for light industrial and office development on proximate properties. Because the proposed winery would not operate within the County's AW (Agricultural Watershed) or AP (Agricultural Preserve) districts, the winery is not subject to the roadway setback, grape sourcing, and other requirements of County Code Sections 18.104.200 through 18.104.250 (WDO). It is noted, however, that the accessory uses related to the winery (consisting of the upstairs mezzanine, office and tasting room) aggregate to 10,106 square feet of floor area which is just over 13 percent of the total indoor production area of the winery and is consistent with the intent of the limitation on accessory uses as established in County Code Section 18.104.200.
7. Tours, Tastings and Marketing Events – Consistent with the definition of “marketing of wine” (County Code Section 18.08.370), the applicant has proposed to offer tours and tastings on a pre-arranged basis, by appointment only. Visitation is proposed to be limited to a maximum of 30 visitors per day and a maximum of 210 visitors per week. In addition to tours and tastings, the applicant has proposed a maximum of 13 marketing events to occur annually at the winery with up to 100 guests at each event. All marketing events would be catered by a catering company, as the facility as proposed does not include a commercial kitchen.
8. Public Utilities - Water services will be provided by the City of American Canyon and will be required to meet the City's Zero Water Footprint (ZWF) Policy, which may include contributing to the City's water conservation fund. Sewer services will be provided by Napa Sanitation District (NSD). The applicant will also connect to NSD's recycled water system for irrigation. Both agencies have indicated that there is capacity to serve the proposed winery and have issued new will-serve letters.
9. Greenhouse Gas Reduction Strategies - The County requires project applicants to consider methods to reduce Green House (GHG) emissions consistent with the Napa County General Plan Policy CON-65(e), which requires GHG review of discretionary projects. The applicant has completed the Department's Best Management Practices Checklist for Development Projects, which is attached to this report as Attachment D. The applicant intends to implement the following GHG reduction methods at the winery: generation of on-site renewable energy; habitat restoration or new vegetation; build to CALGREEN Tier 2; VMT reduction plan; exceed Title 24 energy efficiency standards; energy conserving lighting; bicycle incentives; energy star roof/living roof/cool roof; connection to recycled water; installation of water efficient fixtures; low-impact development (LID); water efficient landscape;

recycle 75 percent of all waste; planting of shade trees on the south side of the building; electric vehicle charging station installation; and limit the amount of grading on the site.

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 with Project Specific Conditions of Approval

This option would result in approval of the proposed 230,000 gallon per year winery. Staff recommends this option as the request is consistent with the Zoning Ordinance, applicable General Plan policies, and other County regulations. Furthermore, this option has been analyzed for its environmental impacts, which were found to be less than significant as mitigated.

Action Required – Follow the proposed action listed in the Executive Summary.

Option 2 – Reduced Project Alternative

Discussion - Although development in the business park area generally does not lend itself to reduced project alternatives such as floor area reductions, and/or restrictions on the number of employees, hours of operation or business operations, this option would reduce the scope of the project via reduced production, visitation and the marketing program.

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 Modification

Discussion - In the event the Commission determines that the project does not, or cannot meet the required findings for grant of a use permit or consistency with the General Plan, Commissioners should articulate what aspect(s) of the project is in conflict with required findings or General Plan, and either deny the request or continue the item to allow the applicant an opportunity to redesign the project.

Action Required – Commission should articulate the aspect(s) of the project in conflict with required findings or General Plan and either take action to deny the project or, if needed, remand the matter to staff for preparation of required findings to return to the Commission on specified date.

Option 4 - Continuance Option

Discussion - 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 . Initial Study/Mitigated Negative Declaration & MMRP
- D . Use Permit Application Packet

- E . Wastewater Feasibility Study
- F . Stormwater Control Plan
- G . Biological Study
- H . Graphics
- I . NVBPSP Area Wineries

Napa County Planning Commission: Approve

Reviewed By: Brian Bordona