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Agenda Date: 12/5/2018

Agenda Placement: 7C

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: Sheehy Speculative Light Industrial Building - Use Permit P17-00274

RECOMMENDATION

RUDD PROPERTIES, LLC (JOHN DOBROVICH) / SHEEHY SPECULATIVE LIGHT INDUSTRIAL BUILDING / USE PERMIT P17-00274-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: The project consists of a request to construct a new speculative light industrial building with approximately 40,085 square feet of floor area which includes approximately 38,020 sq. ft. of warehouse space and 2,065 sq. ft. of office space. Primary access would be provided from a new driveway on Devlin Road. Access would also be provided through the site to the south via a shared internal drive aisle. A shared easement agreement between the two properties is already in place. On-site parking for 58 vehicles and landscaping are also included with the proposal. The request also includes a variation to the development regulations of the Napa Valley Business Park Specific Plan eliminating the required 10-foot landscape area along the south property line to accommodate the proposed shared drive aisle and reducing the required 10-foot landscape area along the east property line to a minimum of 5'-0" up to 7'-1". The project will connect to municipal water and sewer services provided by the City of American Canyon and the Napa Sanitation District, respectively. The project is proposed on a 2.74 acre site on the east side of Devlin Road, adjoining Sheehy Creek to the north, within the Industrial Park: Airport Compatibility (IP:AC) zoning district. APN's: 057-210-037 (SFAP) & 038 (SFAP). Napa.

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

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

Applicant Contact: Josh Paradis, Ware Malcomb (925) 244-9620 x1420, or jparadis@waremalcomb.com

EXECUTIVE SUMMARY

Proposed Actions:

That the Planning Commission

1. Adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Sheehy Light Industrial Building based on Findings 1-6 of Attachment A; and
2. Approve Use Permit P17-00274, including a variation to development standards, based on Findings 7-14 of Attachment A and subject to the conditions of approval (Attachment B).

Discussion:

The project consists of a request to construct an approximately 40,085 square foot building with approximately 38,020 square feet of warehousing and 2,065 square feet of office. No tenants have been identified at this time. The request also includes a variation to the development regulations of the Napa Valley Business Park Specific Plan to eliminate landscaping along the south property line to accommodate a proposed shared drive aisle with the adjoining property and reducing the required 10-foot landscape planter along the east property line to a minimum of 5-feet up to 7-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 and variation to development standards, subject to the recommended conditions of approval.

FISCAL IMPACT

Is there a Fiscal Impact? No

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 November 2, 2018. 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: Rudd Properties, LLC., Attn: John Dobrovich, 2416 E.37th Street N., Wichita, KS 67219

Applicant/Representative: Josh Paradis, Ware Malcomb, 4683 Chabot Drive, Suite 300, Pleasanton, Ca 94588

Zoning: IP:AC - Industrial Park: Airport Compatibility

General Plan Designation: Industrial

Application filed: July 21, 2017

Resubmittal(s): December 21, 2017, January 23, 2018, February 14, 2018, and May 22, 2018

Application complete: July 5, 2018

Parcel size: Two lots totaling 2.74 acres split for assessment purposes

Proposed building size: 40,085 sq. ft. (including approximately 38,020 sq. ft. of warehouse and 2,065 sq. ft. of office floor area)

Number of employees: The proposed facility expects to employ up to 43 people

Hours of operation: Days and hours of operation have not been specified

Parking: 58 off-street spaces

Airport Compatibility: Zone D - Common Traffic Zone - area of routine overflight at low elevations. Warehousing, light manufacturing, and ancillary office space uses are compatible with this zone.

Adjacent Zoning / Land Use:

There are existing office/warehousing complexes to the west, across Devlin Road and bordering the site to the south. The property across Sheehy Creek has been approved for a self-storage facility. Properties bordering the site to the east are undeveloped, but include entitled projects and/or pending development applications. All surrounding land is zoned IP:AC - Industrial Park: Airport Compatibility Combination District.

North: IP:AC - Across Sheehy Creek to the north is an approved but not yet constructed self-storage facility on a 7.38 acre property.

South: IP:AC - Adjoining the project site to the south is the Carnera Corporate Center consisting of four buildings on a 3.2 acre site.

East: IP:AC - Adjoining the project site to the east are two undeveloped properties under one ownership totaling 5.52 acres with a pending application for a new winery building. Just south of this site is the recently approved Portocork facility which is nearing completion.

West: IP:AC - Across Devlin Road to the west is an office/warehousing complex with three buildings on a 9.3 acre site. North of this property is an 2.4 acre property with an approved but not yet constructed light industrial building.

Parcel History:

The site is currently vacant, has been previously graded/mowed and is located within a partially developed industrial/business park. The site has been designated for industrial development for over 30 years. The northern boundary of the site adjoins Sheehy Creek. The development area is relatively flat with gentle slopes ranging from 0-5 percent from east to west and includes ruderal grasses, an 8-10 foot high soil (fill) pile, two clumps of coyote bush shrub, and a planted riparian area along Sheehy Creek. 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. There is also a shared drive aisle that was constructed as part of the project south of the project site.

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.

Code Compliance History:

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

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 west elevation (facing Devlin Road) includes a glass storefront entry with a low-sloping roof utilizing a heavy timber structure and a concrete tile roof that extends along the majority of the building wall. The west elevation also includes decorative metal panels above the main entry and a portion of the sloped roof. All four elevations include clerestory windows. The north, south, and east elevations include a low-sloping roof utilizing a heavy timber structure with concrete tile roofing above several of the clerestory windows. The north elevation includes two depressed loading docks and two eight man-doors. The south and east elevations include two at-grade overhead roll-up doors and 2-3 man-doors. The north and south elevations each have four man-doors. 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 a new driveway located just south of Sheehy Creek on Devlin Road. 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 site also shares access with the property to the south. As noted above, the shared access aisle was constructed as part of the development to the south (Carnera). A shared access agreement was previously executed with the adjoining property owner. 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 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 Specific Plan also requires one parking space per 250 square feet of floor area for office use. Based on the preliminary floor plan of the proposed 40,085 sq. ft. building, which includes approximately 38,020 sq. ft. of warehouse and 2,065 sq. ft. of office floor area, 37 parking spaces are required. The site plan includes 58 parking spaces, more than meeting the minimum parking requirements.

4. Building Setbacks/Landscaping - The NVBPSP requires a building setback with a 40-foot average, and a minimum of 25-feet, from Devlin Road, with the 25 feet nearest the property line adjacent to the street reserved as landscaping. As proposed, the building is setback a minimum of 70-feet from Devlin Road, up to 115-feet, and provides a minimum 25-feet of landscaping measured from the property line, meeting the required minimum building setback and landscape requirements. 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 setbacks.

The NVBPSP also requires 10-foot building and landscaping setbacks from property lines that do not adjoin a street. The building is setback a minimum of approximately 21-feet from the south, 35-feet from the east, and 115-feet from the north property lines.

Parking, drive aisles, loading areas, and other improvements, may be permitted in the required yard setbacks provided there is a minimum 10-feet of landscaping adjoining the side and rear property lines. However, pursuant to the NVBPSP, the Planning Commission may reduce side and rear perimeter landscaping to 5-feet as part of the

use permit process. There will be no landscaping along the south property line where the existing on-site drive aisle is shared with the adjoining property. It should be noted that 5-8 feet of landscaping is proposed adjacent to the south side of the building along the shared drive aisle, with larger planted areas at the southwest and southeast corners of the property. Further, shared driveways and drive aisles are encouraged in the business park to reduce the number of driveways along the street and to allow shared access between properties.

In addition, the applicant is requesting a minimum 5-feet of landscaping along the rear (east) property line for a length of approximately 40-feet with approximately 7-feet of landscaping along the rest of the property line. There will be larger planted areas in the southeast and northeast corners of the site. There will also be additional plantings, including vegetated basins, along the Sheehy Creek conservation easement. It should be noted that the width of the landscape planter along the east property line of the adjoining property to the south is 5-feet. The request includes a variation to Napa Valley Business Park Specific Plan development regulations to eliminate the landscaping along the south property line to accommodate the shared drive aisle and to reduce the width of the landscape planter long the east property line to no less than 5-feet.

Staff believes a variation is warranted as the majority of the landscaping along the east property line will be blocked from view along Devlin Road by the proposed building and is compensated for by landscaping provided in more visually prominent areas of the site. Further, the existing vegetation along the creek provides screening and aesthetic value in excess of the minimum code requirement. Additionally, staff has encouraged maximizing floor area in the business park area, as land available for light industrial development within the park is diminishing. Staff believes the findings can be met to allow the requested reductions (see Attachment A).

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. In addition, encroachment into the stream corridor setback could be approved based upon provision of on-site wetland and/or stream restoration enhancement measures that result in substantial environmental benefits. Save for vegetated stormwater detention basins, consistent with the aforementioned allowed uses, no improvements or encroachments are proposed within the creek setback.

6. 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: employee carpool or van pool and bike riding incentives; bicycle route improvements; connection to recycled water; low impact development; water efficient landscaping; recycle 75% of waste; and composting. GHG Emission reductions from local programs and project level actions, such as application of the CalGreen Building Code, tightened vehicle fuel efficiency standards, and 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.

7. 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. Annexation to NSD will be required prior to the provision of services.

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 warehousing and offices with the approval of a use permit. Site layout, building design, coverage, parking, and landscape and building setbacks comply with all applicable NVBPSP and zoning regulations, provided the Commission approves the requested variation.

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

3. Engineering Services - Engineering Services finds the project, as conditioned, complies with industrial park development standards. An encroachment permit will be required for the new driveway. Engineering Services has included conditions addressing compliance with regulations regarding grading, drainage, stormwater control, erosion, access, and parking lot standards.

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

5. Airport Land Use Compatibility (ALUC) Plan - The application was reviewed by the County Airport Land Use Commission staff liaison. Staff determined that the project, with the incorporation of the proposed conditions of approval, complies with the ALUC Plan.

6. Other Agencies - The project has a will-serve letter from the City of American Canyon and a conditional will-serve 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 and annexation to their district.

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

Discussion - This option would result in construction of the proposed approximately 40,085 sq. ft. building. Building setbacks and building design generally meet or exceed the requirements of the NVBPSP. The request includes a variation to NVBPSP standards to allow for shared access with the property to the south and landscape reductions, as discussed above. The proposal includes "green measures" noted above and provides new floor area for warehousing/distribution uses. 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

Discussion - 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.

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 industrial park-zoned property are warranted. Development limitations as noted herein may impact viability of the intended use of the building.

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

Discussion - 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.

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.

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 . Stormwater Control Plan
- F . Biological Study
- G . Graphics

Napa County Planning Commission: Approve

Reviewed By: Vincent Smith