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Agenda Date: 2/4/2009

Agenda Placement: 8A

Napa County Planning Commission Board Agenda Letter

TO: Napa County Planning Commission

FROM: John McDowell for Gitelman, Hillary - Director
Conservation, Development & Planning

REPORT BY: RONALD GEE, PLANNER III - 707.253.4417

SUBJECT: Michael McLoughlin / Bin to Bottle, LLC Warehouse - Use Permit # P08-00435-UP

RECOMMENDATION

MICHAEL MCLOUGHLIN / BIN-TO-BOTTLE, LLC WAREHOUSE, USE PERMIT #P08-00435-UP

CEQA Status: Mitigated Negative Declaration prepared. According to the proposed Mitigated Negative Declaration, the project would have, if mitigation measures are not included, a potentially significant environmental impact in the following areas: Transportation and Utilities/Service Systems. This 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 to construct a 24,400 square foot warehouse structure in connection with an existing custom crush winery on an adjacent parcel with an Exception to the Lot Coverage design standard to increase the 50% maximum to 56%. The proposed project is located on a vacant, 1.05 acre property on the southeast side of Camino Dorado, approximately 170 feet southwest of North Kelly Road within a General Industrial : Airport Compatibility (GI:AC) zoning district. APN: 057-152-013. Napa.

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

Staff Contact: Ronald Gee, 299-1351, rgee@co.napa.ca.us

EXECUTIVE SUMMARY

Proposed Action:

1. That the Planning Commission adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Bin to Bottle Warehouse, based on findings 1-5 of Exhibit A (attached); and
2. That the Planning Commission approve the Bin to Bottle Warehouse Use Permit P08-00435 based on findings 6-10 of Exhibit A and subject to the attached conditions of approval (Exhibit B).

Discussion:

The Use Permit application would allow construction of a new 24,400 square foot warehouse building in conjunction with an existing custom crush winery on an adjacent property also owned by the applicant (110 Camino Oruga, APN 057-152-014). An exception to Napa County Airport Industrial Area Specific Plan Site Development Standards is required to increase the maximum 50% building lot coverage to 56% and to reduce required parking from 23 to 14 spaces. The 32-foot high metal structure will have 24,005 square feet of storage/warehouse area, 256 square feet of offices with 64 square feet of restroom and a 72 square foot entry. As stated by the applicant, the structure will be general warehouse and storage for wine barrels and case goods. The building incorporates green building measures addressing water and energy efficiency, materials and resources, and the indoor environment. These efforts complement the existing custom crush winery efforts as a CCOF, certified organic facility.

Although lot coverage will increase, required minimum building setbacks will be provided. With the limited number of employees and expected visitors, combined with the availability of shared parking facilities on the adjacent property, all required parking can be accommodated on both properties. All other Airport Industrial Area Specific Plan site development standards will be met. The two requested exceptions will provide a superior, overall aesthetic and economic benefit than the minimum development standards set forth in the Specific Plan.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

An Initial Study has been prepared for the project, which identified potential significant environmental impacts on traffic based on the information contained on the Napa County environmental resource maps and submitted information. To mitigate this potential impact, the project is required to limit PM peak traffic to the levels described in this initial study. With payment of the Traffic Mitigation Fee, the project does not have a potential to significantly contribute to local or regional traffic congestion. The proposal has been found to have no significant adverse effect on wildlife resources as defined in Section 711.2 of the Fish and Game Code. The project is not located within a stream setback area nor will it require any construction activity to take place within stream setback areas. The project will not result in significant environmental effects, either individually or cumulatively. A Mitigated Negative Declaration is recommended. (See attached copy)

BACKGROUND AND DISCUSSION

Owner/Applicant: Bin to Bottle, LLC / Michael McLoughlin

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

Zoning: GI:AC - General Industrial, Airport Compatibility Combination District

Filed: The use permit was filed June 24, 2008 with subsequent amendment in October 9, 2008.

Building Size: 24,397 sq. ft. (approximately 24,005 sq.ft. of warehouse, 256 sq. ft. of office, 64 sq. ft. of restroom)

and 72 sq. ft. entry).

Building Use: Warehouse for storage of wine barrels and bottled case goods.

Number of Employees: 4

Hours of Operation: 7:30 AM - 5:00 PM, Monday - Friday

Parking: 14 parking spaces are shown; 23 required by Code based on 24,000 sq. ft. of the floor area used for warehousing (22 spaces) and 256 sq. ft. of office space (one space).

Adjacent Zoning / Land Use:

North: Across Camino Dorado, General Industrial, Airport Combination District (GI:AC) are light industrial parcels, 1.08, 0.4 and 0.32 acres in size with existing warehouse/office buildings. Across North Kelly Road are Agricultural Watershed, Airport Combination District (AW:AC), agricultural parcels 161 and 10 acres in size.

South: General Industrial, Airport Combination District (GI:AC) light industrial parcels 1.29 and 0.71 acres in size with existing winery/warehouse/office buildings and outdoor storage. Across Camino Oruga, with the same zoning designation, are light industrial parcels with existing warehouse/office buildings; the rear of these buildings face Highway 29.

East: General Industrial, Airport Combination District (GI:AC) - Light industrial parcels 1.19 and 3.41 acres in size, with contractor equipment storage and light industrial uses with existing warehouse/office buildings. The adjacent Camino Dorado/North Kelly Road, corner site was granted Site Plan Approval # P07-00533 in July, 2008 for an 8,236 square foot vineyard management shop, office and associated improvements which are now under construction.

West: Adjacent parcels are General Industrial, Airport Combination District (GI:AC) - Light industrial parcels 1.19 and 3.41 acres in size, with contractor equipment storage and light industrial uses with existing warehouse/office buildings. Further west, across Camino Dorado, are three larger, 2.27, 2.77 and 0.91 acre sites that are Industrial Park, Airport Combination District (IP:AC) with existing warehouse facilities.

Property History:

Use Permit # 99206 was submitted in November, 1999 to construct one office and two warehouse buildings totalling 48,605 sq. ft. on two parcels with 2.31 acres; this application was later withdrawn. Site Plan Approval # 00082 and associated land use entitlements were approved by Napa County in September, 2000. This approval authorized construction of three buildings totalling 39,736 sq. ft. for warehouse and light manufacturing use with ancillary office space on two parcels (APN 057-152-003 and -011); this approval was never exercised. Lot Line Adjustment # LLA-1491 was recorded in December, 2006 to reduce the project site by approximately 1,981 square feet in size (from 1.12 acre to 1.06 acre). Transfer of a 12 feet x 165.06 feet section to the adjacent parcel was required to accommodate the setback for a roof overhang that screens part of the existing winery processing facility on the adjacent site, also owned by the applicant, APN 057-152-014.

Code Compliance History:

Based on a review of Department files, there are no records of code compliance issues on the property.

Discussion:

1. Proposal - The Use Permit application would allow construction of a new 24,400 square foot warehouse building in conjunction with an existing custom crush winery on an adjacent property also owned by the applicant (110 Camino Oruga, APN 057-152-014). An exception to *Napa County Airport Industrial Area Specific Plan* Site Development Standards is required to increase the maximum 50% building lot coverage to 56% and to reduce required parking from 23 to 14 spaces. The 32-feet high metal structure will have 24,005 square feet of storage/warehouse area, 256 square feet of offices with 64 square feet of restroom and a 72 square foot entry. As stated by the applicant, the structure will be general warehouse and storage for up to 9,000 wine barrels and case goods.

Access to the site will be from a new, two-way driveway at the north corner of the lot to Camino Dorado; there will be a new, shared driveway access with APN 057-152-014 at the south corner. The north corner will have two-way circulation along a 30-foot wide access driveway; the south corner will have a 30-foot wide, driveway and egress that will connect to an existing 30-foot wide right-of-way-access easement to Camino Oruga.

Since both adjacent properties have the same property owner, shared legal access and parking will be provided with a reciprocal license agreement rather than a right-of-way easement. The County Counsel has determined the license agreement to be an appropriate legal instrument for this purpose. Should the project site be sold as a separate property not related to the existing custom crush winery, a condition to abandon the license agreement prior to final sale and to ensure separate sanitary sewer service connection for the building is required (additional discussion follows below).

2. Lot Coverage - Lot Line Adjustment No. 1491, recorded January, 2007 reduced the project site by approximately 1,981 square feet in size (from 1.12 acre to 1.06 acre). Transfer of a 12 feet x 165.06 feet section to the adjacent parcel was required to accommodate the setback for a roof overhang that screens part of the existing winery processing facility, also owned by the applicant. This action reduced the project site's lot size although the original building design had met the 50% lot coverage requirement. Both properties, together, will be used as part of the Bin to Bottle winery operation.

3. Parking - The development plan shows 14 on-site parking including one handicap parking space; the applicant has designated three customer and 11 employee parking spaces with one additional loading dock area. Three standard parking and the one handicap space will be located near the entrance of the Camino Dorado driveway; the 10 remaining spaces will be located along the rear property line, set back 15-feet due to an existing storm drain easement. Bicycle storage racks are proposed within the building. For the warehouse use, the applicant proposes only three full-time employees in a single shift; additional shared parking on the adjacent parcel, also owned by the applicant, is available.

4. Building Design, Layout & Materials - The nearly 24,400 sq. ft., 32-feet tall, off-set rectangular metal building will have a green screen wall (planted, trumpet vine covered trellis) in the front. The front portion of the building will have bronze-painted, insulated metal panels with battens and a ledge stone wainscott; there will be a lighter-painted bronze metal panel hip roof over insulated metal roof panels. The balance of the structure will have insulated panel walls with a cornice. Except for the aluminum storefront entry to the office area, access to the building will be provided by five overhead, coiling doors (at grade) and eight, hollow, metal man doors.

The building incorporates green building measures, as detailed in an Attachment below, addressing water and energy efficiency, materials and resources, and the building's indoor environment. These efforts complement the existing custom crush winery efforts as a California Certified Organic Farmers (CCOF)-certified organic facility.

The building rear will have a 16 ft. x 24 ft. overhang for a covered storage area where the applicant plans to store pomace bins as part of winery operations. Both the outdoor storage area and warehouse building will have its drainage processed at the winery wastewater pre-treatment plant located on the adjacent property prior to discharge into the Napa Sanitation District system. The District has authorized the warehouse building to share

sanitary sewer service with the adjacent property to avoid duplication of sampler fixtures and flow meters. The district has required installation of sewer laterals for the new building to Camino Dorado frontage for later connection if the property is sold. Should the project site be sold and the new owner is not given access to the pre-treatment system, the connecting valve will be terminated at the shared property line. The processed waste would then be directed to an alternate pipe that connects directly with the District system on Camino Dorado.

The Planning Commission does perform a design review function for development within the boundaries of the AIASP and staff is recommending that the Commission approve the project architecture as submitted.

5. Landscaping/Screening - Landscape improvements will be installed along Camino Dorado property frontage in the minimum 20-foot wide strip consisting of a mix of groundcover, shrubs and trees consistent with AIASP Site Development Standards. Landscaping is not required along the interior side and rear property lines. However, a landscape strip will cover most of the 15-foot wide storm drain easement along most of the rear property line. The southwest side of the project site has existing landscape improvements between Bin to Bottles winery building and the new warehouse. Although no landscaping is proposed along the northeast side property line, the applicant has worked with the adjacent property owner, James Barbour, to complement their respective buildings. Existing and proposed development between the project site and North Kelly Road will effectively screen the warehouse. The east side of the building will be screened by existing mature trees bordering the United Rental building. Thye Bin to Bottle tank pad further encloses the building rear from Camino Oruga. The project will not be visible from Highway 29 which is over 600 ft. to the west, across Camino Oruga and existing development.

6. Airport Compatibility - The proposal complies with site's Airport Compatibility Zone D-Common Traffic Pattern designation in the *Napa County Airport Land Use Compatibility Plan*. These areas are routinely overflown by aircraft operating to and from the airport with frequent single-event noise intrusion. Maximum densities allowed in this zone are 100 people/acre in structures and a total of 150 people/acre total in and out of structures. Warehousing and low-intensity light industrial uses are considered normally acceptable, compatible land uses in this designation. These conditions are included in the attached recommended conditions of approval:

- a) Recordation of an Air Avigation Easement;
- b) Restrictions to prevent lighting that may affect flight operations; and

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 industrial buildings with the approval of a use permit. Site layout, building design and setbacks comply with all applicable Airport Industrial Area Specific Plan (AIASP) and zoning regulations, except as noted above for lot coverage and parking. Although lot coverage will increase, required minimum building setbacks will be provided. With the limited number of employees and expected visitors, combined with the availability of shared parking facilities on the adjacent property, all required parking can be accommodated on both properties. All other Airport Industrial Area Specific Plan (AIASP) site development standards will be met.

As stated in AIASP, Chapter V. Land Use Element, H. Site Development Standards Implementation Procedures, the Planning Commission may modify AIASP site development standards if the following site-specific findings can be met:

- a) The proposed modifications comply with the variation procedure requirements of Title 18 of the Napa County Code (Section 18.40.210, as applicable based on subject property zoning);

- b) The proposed modification, considered together with the site specific mitigation measures and restoration where necessary, will provide superior overall aesthetic, environmental, and/or economic benefit than the minimum development standards set forth in the Specific Plan; and
- c) The proposed modifications are consistent with applicable airport safety regulations.

As detailed in attached Findings, the proposed modifications comply with the variation procedure requirements of the GI (General Industrial) District. The two requested exceptions will provide a superior, overall aesthetic and economic benefit than the minimum development standards set forth in the AIASP and are consistent with applicable airport safety regulations.

2. Building/Fire Code - The project has been designed to comply with all applicable building and fire codes. Access to the building is excellent. The applicant has already submitted building permit applications.

3. Public Works - Public Works finds the project, as conditioned, complies with industrial park development standards. They have included conditions regarding compliance with regulations addressing grading, drainage, stormwater control, erosion, access, and parking lot standards.

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

5. Other Agencies - The project has a will-serve letter from the City of American Canyon regarding the provision of and connecting to municipal water services. A will-serve letter has also been issued by the Napa Sanitation District to provide municipal sewer service.

SUPPORTING DOCUMENTS

- A . Findings
- B . Conditions of Approval
- C . Department of Environmental Management Comments
- D . Fire Department Comments
- E . Napa Sanitation District Will-Serve Letter
- F . American Canyon Will-Serve Letter
- G . Initial Study/Mitigated Negative Declaration
- H . Mitigation Monitoring and Reporting Program
- I . Application
- J . Draft License Agreement
- K . Green Building Measures
- L . Graphics

Napa County Planning Commission: Approve

Reviewed By: John McDowell