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Agenda Date: 4/1/2009

Agenda Placement: 8A

Napa County Planning Commission Board Agenda Letter

TO: Napa County Planning Commission

FROM: Melissa Gray for Hillary Gitelman - Director
Conservation, Development & Planning

REPORT BY: Chris Cahill, Planner - 707.253.4847

SUBJECT: Tower Road Winery Co-op Use Permit Modification and Variation to Development Standards
Application No. P08-00517-MOD

RECOMMENDATION

REFRIGERATED FACILITY DESIGN BUILD / TOWER ROAD WINERY CO-OP / TOWER ROAD CO-OP USE PERMIT MODIFICATION & VARIATION TO DEVELOPMENT STANDARDS APPLICATION No. P08-00517-MOD

CEQA Status: Categorically Exempt. CEQA Guidelines Section 15301 (Existing Facilities), CEQA Guidelines Section 15305 (Minor Alterations in Land Use Limitations), and Napa County's Local CEQA Implementing Procedures Class 1 (Minor Modifications to Existing Industrial Facilities).

Request: Approval to modify Use Permit No. U-338283, as previously modified, to allow a 13,307 square foot addition to an existing case goods wine storage facility. Variations to GI district Airport Industrial Area Specific Plan development standards are additionally requested for lot coverage, parking requirements, and east side yard setbacks. The project is located on a 9.66 acre parcel located on the south side of Tower Road, 200 yards west of its intersection with State Highway 29, within a GI:AC (General Industrial: Airport Compatibility) zoning district. (Assessor's Parcel No.: 057-110-028). 241 Tower Road, American Canyon, Calif.

Staff Recommendation: Find the project categorically exempt from CEQA and approve the use permit modification and variation to development standards application as conditioned.

Staff Contact: Chris Cahill, 253-4847 or ccahill@co.napa.ca.us

EXECUTIVE SUMMARY**Proposed Action:**

1. That the Planning Commission find the project categorically exempt from CEQA based on finding 1 of Exhibit A.
2. That the Planning Commission approve Use Permit Modification and Variation to Development Standards Application No. P08-00517, based on findings 2 - 9 of Exhibit A and subject to the recommended conditions of approval (Exhibit B).

Discussion:

The applicant requests Planning Commission approval of a 13,307 square foot addition to the existing Tower Road Winery Co-op case goods wine storage warehouse. The proposed addition would connect an existing 106,431 square foot warehouse building to a second 116,795 square foot warehouse building and would result in a single combined structure totalling 236,533 square feet. Variations to the Airport Industrial Area Specific Plan GI district development standards are requested to allow an increase in the allowed lot coverage ratio (50% allowed, 53% existing, 56% proposed), additional building area within the east sideyard setback (65 feet required, 20 feet existing, 20 feet proposed), and a reduction in the required number of parking spaces (128 spaces required, 21 existing, 21 proposed). The addition itself will not be visible from any public vantage point, but in exchange for the requested development standards variations, the applicant proposes additional landscape screening along the northern and southern edges of the property. Staff believes that required findings can be made to support the requested variations. We recommend approval.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT**Environmental Determination:**

Categorically Exempt. CEQA Guidelines Section 15301 (Existing Facilities), CEQA Guidelines Section 15305 (Minor Alterations in Land Use Limitations), and Napa County's Local CEQA Implementing Procedures Class 1 (Minor Modifications to Existing Industrial Facilities).

BACKGROUND AND DISCUSSION

Owner: Tower Road Winery Co-op

Applicant: T. Dennis Rutherford, General Manager

Representative (Contractor): John McCann, Refrigerated Facility Design Build, Inc.

Zoning: GI:AC (General Industrial:Airport Compatibility)

General Plan Designation: I (Industrial)

Filed: August 26, 2008 **Complete:** February 23, 2009

Existing Building Size: One 106,431 s.f. warehouse and a second 116,795 s.f. warehouse

Proposed Addition: 13,307 s.f.

Proposed Building Size: A single 236,533 s.f. warehouse building

Number of Employees: 11 existing, 11 proposed

Lot Coverage: 50% allowed, 53% existing, 56% proposed

Parking: 128 required, 21 existing, 21 proposed

Loading Bays: 7 required, 9 existing, 9 proposed

Setbacks: 55' front (20' required), 20' east side (65' required), 55' west side (0' required), and 99' rear (65' required)

Adjacent General Plan Designation/ Zoning / Land Use:

North

Industrial General Plan designation

GI:AC zoning

Industrial uses; including a 6 acre industrial parcel (Syar Industries) and a second 6 acre industrial parcel (Syar Industries).

South

Industrial General Plan designation

IP:AC zoning

Industrial uses; including a 9 acre warehouse parcel (Angam).

East

Industrial General Plan designation

IP:AC zoning

Industrial uses; including a 12 acre warehouse parcel (Skihawk).

West

Industrial General Plan designation

GI:AC zoning

Industrial uses; including a 10 acre industrial parcel (Owens Corning).

History and Evolution of this Application:

February 1981

The Zoning Administrator approves **use permit No. U-58081**, allowing a roofing business and an associated 3,200 square foot office and storage building on the property. The parcel was then owned by Mr. Bill Long.

May 1983

The Planning Commission approves **use permit No. U-338283**, allowing a 110,000 square foot case goods wine

storage warehouse.

March 1989

The Planning Commission approves **use permit major modification No. U-338283 Mod 1**, allowing the construction of a second 111,000 square foot case goods wine storage warehouse.

August 2008

John McCann, of refrigerated Facility Design Build Inc., submits **use permit major modification application No. P08-00517-MOD**, to construct an addition to the Tower Road Winery Co-op wine storage facility. The addition, which is designed to connect the two existing warehouses, is initially proposed at 12,500 square feet.

October 2008

Planning staff formally requests additional items and information, including parking and floor area calculations and a water and sewer will-serve letter from the City of American Canyon.

February 2009

The applicant submits revised plans, which now include a 13,307 square foot addition, and the required American Canyon will-serves for the enlarged facility. The item is scheduled for a hearing before the Planning Commission.

Code Compliance History:

Having toured the property and reviewed the Department's files, planning staff is unaware of any code compliance issues on the parcel.

Discussion Points:

The Tower Road Winery Co-op

The Tower Road Winery Co-op is a member-owned cooperative case goods wine storage facility. No wine is made on site and no barrel or other bulk storage occurs at the facility. Dennis Rutherford, the Tower Road Winery Co-op's General Manager, is representing the Co-op's governing seven member Board of Directors in the application process.

Use Permit Modification

Staff is fully supportive of the requested use permit modification. The proposed 13,307 square foot warehouse addition makes operational sense as the facility is currently segmented into two buildings. The proposed addition would connect the two existing warehouses and result in a single combined 236,533 square foot warehouse facility. The proposed addition represents slightly less than 6% of the parcel's existing building area and will not be visible from any public way. Eleven employees currently work at the facility and no additional on-site employment would result from this application.

Variations to Standards

The Land Use Element of Napa County's Airport Industrial Area Specific Plan (AIASP) includes standards for the development of industrially zoned land in the airport area, including setbacks, parking requirements, maximum building heights, and numerous other regulations. The AIASP also states that, "where appropriate, these guidelines may be modified... where the proposed modification... will provide superior overall aesthetic, environmental, and/or economic benefit (sic) than the minimum development standards." This application requires three variations from the AIASP standards: 1.) to maintain the existing 21 parking spaces where 128 are required; 2.) to allow lot coverage of 56% where 50% is allowed; and 3.) to maintain an existing 20 foot east side yard setback where 65 feet is required.

Parking

Staff has visited the site twice and passed by informally on many other occasions and has never seen the parking lot full. With 11 employees and abundant paved overflow parking, the existing 21 paved and striped parking spaces appear to be fully adequate.

Sideyard Setbacks

The required 65 foot side yard setback results from the fact that the Tower Road Winery Co-op property is zoned GI, while its neighbor to the east is zoned IP. In cases where the GI and IP zoning districts abut, the AIASP requires a 65 foot setback in place of what would normally be a 0 foot GI district sideyard setback. This is primarily because the heavier industrial uses allowed in the GI zone can create noise, vibration, odors, and other externalities which could negatively impact lighter uses on neighboring IP parcels. However, in the present case, the neighboring GI and IP parcels are developed to exactly the same use. There is no particular reason why the wine storage warehouse located in the GI zone (Tower Road Co-op) should be set back 65 feet from the IP zoned wine storage warehouse (Valley Wine Warehouse) located directly to its east. It is also worth noting that the northernmost of the two Co-op warehouses currently has a 20 foot sideyard setback and this application simply proposes an addition in-line with the existing structure.

Lot Coverage

The existing facility has a 53% lot coverage ratio, a figure which would increase to 56% should the proposed addition be built. In exchange for this additional development above the allowed 50% lot coverage maximum, staff asked the applicant to install additional trees and other landscaping at the rear of the facility (which has distant views to Devlin Road) and groundcover along the parcel's Tower Road frontage. Within the bounds of reason, and it is the position of this Department that the 6% variation proposed here is reasonable, each square foot of lot coverage allowed in the Airport Industrial Area is best seen as a square foot of prime agricultural land not converted to non-farm uses elsewhere in the County. This is particularly the case where, as here, case goods storage is relocated out of wineries and into a cooperative winery-owned facility in the airport area.

Planning staff recommends approval of the requested variations to the AIASP GI district development standards.

Consistency with Standards:

Zoning

As analyzed above, (please see "Discussion Points"), this project is consistent with GI:AC zoning district regulations and with the requirements of the Airport Industrial Area Specific Plan. Staff believes that findings in support of the requested variations to site development standards can be made.

Building Division Requirements

The Building Division recommends approval with standard conditions. Please see their December 14, 2008 note (attached).

Fire Department Requirements

The American Canyon Fire Protection District recommends approval with standard conditions. Please see Assistant Chief John Fitch's November 25, 2008 email (attached).

Public Works Department Requirements

The Department of Public Works recommends approval with standard conditions. Please see their March 18, 2009 memo (attached).

Environmental Management Department Requirements

The Department of Environmental Management recommends approval with standard conditions and subject to

connection to the City of American Canyon sewer and water systems. Please see the Department of Environmental Management's October 13, 2008 memo and the City of American Canyon's December 17, 2008 will-serve letter (both attached).

SUPPORTING DOCUMENTS

- A . Exhibit A - Findings
- B . Exhibit B - Conditions of Approval
- C . Environmental Management Comments
- D . Building Division Comments
- E . Public Works Comments
- F . American Canyon Fire Comments
- G . American Canyon Will-Serve Letter
- H . Submitted Application Materials
- I . Graphics

Napa County Planning Commission: Approve

Reviewed By: Melissa Gray