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Agenda Date: 4/21/2010

Agenda Placement: 9C

Napa County Planning Commission Board Agenda Letter

TO: Napa County Planning Commission

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

REPORT BY: Chris Cahill, Planner - 707.253.4847

SUBJECT: Napa 34 Holdings Commerce Center Use Permit and Variation to Development Standards
Application No. P09-00329-UP and Tentative Parcel Map Application No. P09-00330-TPM

RECOMMENDATION

NAPA 34 HOLDINGS COMMERCE CENTER / BRIAN KAUFMAN / NAPA 34 HOLDINGS - USE PERMIT #P09-00329-UP & TENTATIVE PARCEL MAP #P09-00330-TPM.

CEQA Status: Mitigated Negative Declaration Prepared. According to the proposed mitigated negative declaration, if mitigation measures are not included, the proposed project would have potentially significant environmental impacts in the following areas: Air Quality, Biological Resources, Hydrology and Water Quality, Public Services, Transportation/Traffic, and Utilities and Service Systems. 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 to allow the construction and operation of an industrial park totaling 490,503 square feet of new development in eight buildings. Approximately 73% percent of the total development floor area would be dedicated to warehousing uses, while the remaining 27% would be utilized as office space. Access would be provided from three new driveways located off of an extension of Devlin Road and a single right-in right-out driveway off of Airport Boulevard. Roadway improvements and the preservation and enhancement of approximately 3 acres of existing on-site wetlands are also proposed. The project would connect to the City of American Canyon municipal water system and sewer service would be provided by the Napa Sanitation District. The following approvals are also requested: (1) Lot Line Adjustment to transfer 1.10 acres from the subject property (currently APN 057-210-056) to the property directly to the west (currently APN 057-210-055) to relocate the shared property line to the centerline of the extension of Devlin Road; (2) Tentative Parcel Map to allow the creation of eight industrial parcels ranging in size from 0.60 to 7.18 acres and three wetland/drainage parcels ranging in size from 0.23 to 5.35 acres. Dedication of the Devlin Road right-of-way is also proposed, as is the reduction of an existing utility easement at the abandoned Aviation Way right-of-way from 60' to 15' in width; (3) Use Permit Variation to Airport Industrial Area Specific Plan standards to allow driveway access onto Airport Boulevard and a reduced parking ratio at proposed parcel "F" (88 required, 78 proposed). The project is located in the Napa Airport Industrial Area on a 33.9 acre parcel located at the southwest corner of the intersection of State Route 29 and Airport Boulevard, within an IP:AC (Industrial Park: Airport Compatibility Zone D) zoning district. (Assessor's Parcel No.: 057-210-056). No Current Address, the Napa-Vallejo Highway, Napa, Calif. 94558

Staff Recommendation: Adopt the mitigated negative declaration and mitigation monitoring and reporting plan and approve the requested use permit and tentative parcel map as conditioned.

Staff Contact: Chris Cahill, 253-4847 or chris.cahill@countyofnapa.org

EXECUTIVE SUMMARY

Proposed Action:

That the Planning Commission:

1. Adopt the Mitigated Negative Declaration and Mitigation Monitoring Program for the Napa 34 Commerce Center, based on findings 1-6 of Exhibit A;
2. Approve Use Permit and Variation to Development Standards application No. P09-00329 based on findings 7-23 of Exhibit A and subject to the recommended conditions of approval (Exhibit B); and
3. Approve Tentative Parcel Map application P09-00330 based on findings 24-30 of Exhibit A and subject to the recommended conditions of approval (Exhibit B).

Discussion:

The applicant, Napa 34 Holdings, LLC, requests Planning Commission approval of a use permit, variations to Airport Industrial Area Specific Plan (AIASP) development standards, and a tentative parcel map to allow the construction of eight speculative office/light industrial/warehouse buildings and associated roadway, parking, landscape, and other improvements. The project is compatible in design and character with other developments located in the Airport Industrial Area and, in particular, with the recently-approved Greenwood Commerce Center development directly to its west. Prospective tenants are unknown at this time. The proposal also includes a tentative parcel map to create 11 parcels ranging in size from 0.2 to 7.2 acres. Each of the eight industrial park buildings would be located on a separate parcel and would include all associated parking areas. Three additional parcels would be dedicated to stormwater treatment and wetland preservation.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

Environmental Determination:

Mitigated Negative Declaration Prepared. According to the proposed mitigated negative declaration, if mitigation measures are not included, the proposed project would have potentially significant environmental impacts in the following areas: Air Quality, Biological Resources, Hydrology and Water Quality, Public Services, Transportation/Traffic, and Utilities and Service Systems. The project site is not on any of the lists of hazardous waste sites enumerated under Government Code section 65962.5.

Discussion:

Air Quality

The Napa 34 Commerce Center initial study finds that air pollutant emissions from the project could have a temporary negative affect on air quality due to dust generated during grading and exhaust emissions from construction-related equipment and vehicles. Mitigation measures are proposed which would implement Bay Area Air Quality Management District (BAAQMD) best practices as outlined at Table 2 of the BAAQMD's 1999 Guidelines.

Biological Resources

Numerous listed wildlife and plant species are known to occur in the region surrounding the project site, including White-tailed kite, Burrowing Owl, Swainson's hawk, Vernal Pool fairy shrimp, Conservancy fairy shrimp, California red-legged frog, Showy Indian clover, Sebastopol meadowfoam, Hayfield tarweed, Dwarf downingia, Contra Costa goldfields, Pappose tarplant, and Big-scale balsom-root. The project biological report indicates that none of the plant species which would potentially be present on the site were identified in 2008-2009 spring site surveys. Mitigation measures are proposed which would address (relatively unlikely) potential impacts to raptors, burrowing owls, fairy shrimp, and red-legged frogs. In addition, the Army Corps of Engineers has determined that there are 3.19 acres of jurisdictional wetland on the project site. The applicants propose to fill two wetland areas, totaling approximately 0.48 acres, located to the north and south of the central seasonal drainage. Mitigation measures addressing the proposed wetland conversion have also been included.

Hydrology and Water Quality

The applicants are proposing an integrated wetland preservation/ stormwater treatment and control system which would involve the pretreatment of stormwater and diversion to preserved on-site wetlands. If correctly designed and managed, this is a solution which would protect water quality and enhance the existing wetland ecosystem. However, the integrated system will require ongoing maintenance of the wetlands and the detention basins and buffer areas which surround them. A mitigation measure requiring ongoing wetland preservation and system maintenance has been incorporated.

Public Services

The Fire Marshall has advised that submitted plans do not include adequate fire hydrant details and a mitigation measure has been incorporated to address that shortcoming.

Transportation/Traffic

The project traffic study recommends specific mitigation measures designed to reduce traffic-related impacts to a less than significant level. The proposed mitigations address internal circulation and associated awkward parking locations, required capacity improvements at the Airport Boulevard/Devlin Road intersection, funding for potential future improvements at the Soscol Ferry Rd./ Devlin Road intersection, significant capacity improvements at Airport Boulevard, and driveway access to and from the property. In addition, the California Department of Transportation commented in a March 3 letter that turn lane extensions will be necessary on Highway 29. A mitigation measure designed to make the project compliant with Caltrans's March 3 requirements has also been incorporated.

Utilities and Service Systems

In order to mitigate potentially significant environmental impacts related to water systems and water supply, the applicant will be required to pay in-lieu fees to the City of American Canyon (the water provider) to allow the City to acquire additional long-term water resources and improve and develop its treatment and distribution system. In addition, the project will have to contribute to American Canyon's "water operations fund" which is designed to provide a funding source for potential future dry-year water purchases.

BACKGROUND AND DISCUSSION

Owner: Napa 34 Holdings, LLC

Applicant: Brian Kaufman, Member

Representative (Planner): Brad Shirhall, TLA Engineering and Planning, Roseville, Calif.

Zoning: IP:AC (Industrial Park: Airport Compatibility Zone D)

General Plan Designation: I (Industrial)

Filed: July 21, 2009 **Complete:** March 22, 2010

Airport Compatibility

Zone D, common traffic pattern- an area of low to moderate risk, frequent noise intrusion, and routine overflight at low elevations. According to the *Airport Land Use Compatibility Plan*, office, warehousing, and light industrial uses are normally compatible with Zone D.

Structural Development

Eight speculative industrial park buildings, totaling approximately 490,500 square feet (sf), and including:

Building A - 41,700 sf, two stories, offices (100%)

Building B - 41,700 sf, two stories, offices (100%)

Building C - 7,600 sf, one story, offices (90%) with ancillary warehouse space (10%)

Building D - 7,600 sf, one story, offices (90%) with ancillary warehouse space (10%)

Building E - 8,800 sf, one story, offices (90%) with ancillary warehouse space (10%)

Building F - 81,600 sf, one story, warehouse/distribution (87%) with ancillary office space (13%)

Building G - 152,600 sf, one story, warehouse/distribution (95%) with ancillary office space (5%)

Building H - 148,800 sf, one story, warehouse/distribution (94%) with ancillary office space (6%)

Parcelization

The existing parcel is approximately 40 acres. The tentative parcel map proposes:

Parcel A - 3.20 acres including Building A

Parcel B - 2.70 acres including Building B

Parcel C - 0.55 acres including Building C

Parcel D - 0.60 acres including Building D

Parcel E - 0.87 acres including Building E

Parcel F - 4.83 acres including Building F

Parcel G - 6.52 acres including Building G

Parcel H - 7.18 acres including Building H

Parcel J - 0.23 acres including a stormwater detention basin

Parcel K - 0.26 acres including a stormwater detention basin

Parcel L - 5.35 acres including preserved wetlands and buffer areas

Setbacks

East

Highway 29 - 55' average building setback required, 45' reserved landscape setback required, **project complies.**

West

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

North

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

South

No street frontage - 10' minimum landscaped building setback, **project complies.**

Parking

Parcel	Car			Bike		
	Required	Proposed	Compact	Required	Total Proposed	Covered
A	167	167	18.5%	10	10	4
B	167	168	32.7%	10	10	4
C	29	29	34.5%	10	10	4
D	28	28	17.9%	10	10	4
E	33	33	24.2%	10	10	4
F	88	78 (+10 deferred)	22.7%	10	10	4
G	121	121	28.1%	10	10	4
H	116	116	30.2%	10	10	4

Employment

Estimated at 600 full-time equivalents.

Hours of Operation

Expected to be from 8 AM to 10 PM, 5 to 6 days per week.

Tree Removal/Replacement

50 mature trees are proposed to be removed, including 46 Coast live oaks and 4 Blue gum eucalyptus. As required by the project mitigated negative declaration, replacement plantings for the native Coast live oaks will be in-like-kind, at a 2:1 ratio, and in at least a 24" box size. Alternately, the mitigation measure would allow tree replacement in-like-kind at a ratio of 3:1 and in at least a 15 gallon size.

Adjacent General Plan Designation/ Zoning / Land Use

North - IP (Industrial Park) zoning

Open space and industrial park uses; including the approved Gateway Plaza hotel and retail complex, of which only the hotel has been built to-date (Airport Boulevard Realty II).

South - IP (Industrial Park) zoning

Open space and industrial park uses; including open space/wetland parcels to the south (Barrel Ten Quarter Circle Land Co.) and the Bronco Winery to the southwest (Barrel Ten Quarter Circle Land Co.).

East - IP (Industrial Park) zoning

Transportation uses; including State Highway 29.

West - IP (Industrial Park) zoning

Open space; including the approved, but unbuilt, 375,000 square foot Greenwood Commerce Center industrial park project (WCHYP II Greenwood RT) and the planned Devlin Road extension

Property History

The project site has historically been used for cattle grazing, is currently vacant, and has been previously disced/graded. Except for Devlin Road, adjoining streets and public improvements have been completed, including street paving, curb, gutter, and public utilities. The full width of Devlin Road will be extended south from its current terminus at Airport Boulevard to an existing leg of Devlin at the south end of the site.

Code Compliance History

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

Discussion Points:

1. **Building Design, Layout, and Materials** - The Napa 34 Commerce Center development includes eight buildings. The northernmost five buildings would be 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 are proposed. The warehouses would be oriented towards the center of the site, with upgraded elevations facing Highway 29 and the Devlin Road extension.

All of the proposed 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. Perceived building heights (as measured from finished grade to the top of proposed parapet walls) would range from approximately 20 to 38 feet, and building footprints would range from approximately 8,000 to approximately 160,000 square feet. This proposed mix of heights and sizes will substantially differentiate building massing across the site and break up the monotonous development pattern which might otherwise be created by a development of this scale.

While it is axiomatic that Napa County does not "do" design review, the specific regulations of the Airport Industrial Area Specific Plan (AIASP) actually require the Planning Commission to engage in a quasi-design review when reviewing use permits for the industrial park. To that end, there are building elevations and renderings attached to this staff report and the applicant's architect has created excellent and highly realistic fly-through animations which he will present at the hearing. Staff is generally very pleased with the level of design and detailing being proposed on what is, without a doubt, an extremely prominent and important entryway to both the Airport Industrial Area and the county generally. As the question of design preference is a highly personal one, we defer to the Commission's feelings on the matter, but it is staff's opinion that the proposed buildings are of a high architectural standard and very much in keeping with the aesthetic goals of the AIASP.

2. **Roadway Improvements** - As conditioned by the Department of Public Works and as analyzed in the project traffic impact analysis and initial study, the Napa 34 Commerce Center project will incorporate significant improvements and expansions to the road system surrounding the parcel. We would refer the Commission to the project traffic study for a detailed technical analysis of the necessary improvements. However, in short, the project has been conditioned to build the full width of the Devlin Road extension located directly to its west (a condition which was also applied to the adjacent Greenwood Commerce Center project, meaning that whoever pulls permits to begin site improvements first will be responsible for building out the full width of the planned road, with

cost sharing between the two developers occurring after-the-fact). Environmental mitigation measures also require substantial improvements at the Airport Boulevard/ Devlin Road intersection, including road widening at Airport Boulevard to accommodate two southbound turn lanes onto the Devlin Road extension. The widening of Devlin Road, beyond what had previously been envisioned by the Circulation Element of the AIASP, is likewise proposed to accommodate the additional lane of southbound turning traffic coming off of Airport Boulevard.

3. Variations to Standards - The applicants are requesting two variations from AIASP development standards, which the Commission has the power to approve if it feels that the project, when viewed as a whole, meets or exceeds the requirements of the Specific Plan:

Driveway Access

Because the wetland which splits the subject property north from south restricts internal connections within the site, the applicants argue that it is necessary for them to have driveway access directly onto Airport Boulevard. This is despite the fact that the AIASP Circulation Element states at Section D-2 (*Internal Circulation System Layout*, p.90) that; "No direct access to local properties should be permitted from Airport Road (sic- Airport Boulevard). These properties should be accessed from new collector streets which intersect with Airport Road." The proposed driveway would be right-in, right-out only and the Department of Public Works has issued a memorandum in support of its construction (attached at Exhibit D.) Public Works' position, to which the Planning Division defers, is that the large wetland area represents a particular hardship for this site, that forbidding construction of a driveway on Airport Boulevard would substantially degrade traffic function at the other project driveways on an extended Devlin Road, that the proposed driveway would not impact potential future Caltrans interchange improvements at the intersection of Highway 29 and Airport Boulevard, and that constructing a bridge to create an interior connection between the two halves of the site would be infeasible.

Based on the attached Department of Public Works memo, Planning staff recommends approval of the requested variation.

Parking Ratios

The project includes includes a total of 740 automotive parking spaces, plus a further 80 bicycle spaces (of which 32 will be located in secure weatherproof bike lockers). The AIASP would require 750 parking spaces for a development of this scale, meaning that a waiver from parking requirements is technically required for the project. As is evident in the Parking table, above, the entirety of that 10 space shortfall occurs at Building/Parcel F, the 81,600 square foot warehouse building located closest to the Devlin Road extension. It is planning staff's long-held opinion that the AIASP requires over-ample parking for warehouse uses. Additionally, submitted site plans indicate where and how ten additional parking stalls could be created outside of required setbacks should they become necessary in the future. At 740 spaces, we believe that on-site parking will be more than adequate.

Planning staff recommends approval of the requested variation.

4. Landscaping - The AIASP requires a minimum 45 foot landscape buffer along Highway 29, a minimum 35 foot landscape buffer along Airport Boulevard, a minimum 25 foot landscape buffer along the Devlin Road extension, and a 10 foot landscaped building setback along the southern property line (adjacent to the Franzia wetland bank property.) Landscape setbacks, and the landscape plan more generally, have been a subject of some significant debate between planning staff and the applicants' team during the earlier phases of this application. We are very happy to report that those issues have now been fully resolved. The project currently before the Commission is fully consistent with both the letter and the spirit of the AIASP's landscape requirements.

5. Wetlands - An unnamed seasonal drainage runs east to west across the center of the property and ultimately drains into Sheehy Creek, approximately 1 mile to the northwest of the project site. A formal wetland delineation has been completed, and 3.19 acres of the site, including the central drainage and other scattered locations, have been determined to be jurisdictional wetlands by the United States Army Corps of Engineers. The applicants

propose to fill two wetland areas, totaling approximately 0.48 acres, located to the north and south of the central seasonal drainage. These limited wetland conversions will require permitting by the Army Corps, the San Francisco Bay Regional Water Quality Control Board (SFBRWQB), and the Department of Fish and Game and will likely result in off-site wetland preservation or other equivalent mitigation.

The main wetland, which bisects the parcel, is to be permanently preserved (along with more than two acres of buffer area) and enhanced as a component of the project's stormwater pollution prevention plan. The project incorporates an integrated approach to stormwater management and wetland preservation in which on-site stormwater flows are pretreated and then allowed to drain into the preserved on-site wetland in a manner which mimics natural hydrologic flows. The proposed system has been vetted by both the Department of Public Works and the SFBRWQB and both agencies have voiced initial support for the proposed system's somewhat novel (at least for Napa County) combined approach to stormwater management and wetland enhancement.

6. Signage - Submitted plans initially depicted a 32 foot tall metal and plastic wine glass at the property's northeast corner and a 10 foot tall stack of wine barrels at the northwest corner. Planning staff has taken the position that these proposed representational elements constitute signage in conflict with AIASP language restricting sign height and design. In response, the applicants have agreed to label the wine glass and barrels as simply illustrative of potential future signage or public art installations, which would be subject to County review at a later date.

Despite the fact that a similar oversized wine bottle was approved as part of the Greenwood Commerce Center project, planning staff is *strongly* opposed to anything bearing a resemblance to the illustrative 32 foot wine glass and the stack of "recycled" wine barrels shown on the plans. Given the prominence of the project site (it is at one of the main gateways to the Napa Valley for visitors coming from both the south and the east) it strikes us as extremely important that any signage and/or public art which may be installed in the future parallels the high aesthetic standards established by the Valley's wines and wineries. To staff's minds, the illustrative, "32' tall wine glass constructed from... square tube steel frames, painted white, each cold formed to wine glass profile, welded together, and faced with red translucent polycarbonate panels" (p. A01.3 of submitted plans, note 5) falls far short of that standard. We very much hope that the Commission agrees.

7. Green Building - The Napa 34 Commerce Center proposes greenhouse gas reduction methods and offsets including bicycle and pedestrian-friendly facilities and improvements, permanent preservation of extensive natural wetlands, high efficiency irrigation, recycled water use, low VOC materials, the planting of more than 300 new trees (of which nearly 100 will be native oaks), designs that take advantage of passive natural cooling and heating, and buildings which are designed to support the structural loads associated with roof-mounted solar arrays. The project applicants have not, however, committed to any form of LEED certification.

Consistency with Standards:

Zoning

The IP:AC (Industrial Park: Airport Compatibility) zoning district allows the development of speculative light industrial buildings with the approval of a use permit. Site layout, building design, coverage, and setbacks comply with Zoning Code requirements and, subject to the requested variations to standards, with applicable *Airport Industrial Area Specific Plan* (AIASP) requirements. While future tenants generally will not be subject to subsequent use permit reviews, future tenants and future tenant improvements will be administratively reviewed by the County for consistency with the AIASP prior to occupancy.

Building Division Requirements

The project has been designed to comply with all applicable building codes. Building Division recommendations were not available at the time of report printing; they will be made available to the Commission prior to the hearing. Staff expects that the Building Division will recommend approval with standard conditions.

Fire Department Requirements

Access to the building is excellent. The Fire Marshal will require changes to fire hydrant locations as identified in their memo and the project mitigated negative declaration, but the project is otherwise to-standards and they recommend approval with standard conditions. Please see their memos (attached).

Public Works Department Requirements

Public Works finds the the project, as conditioned, complies with industrial park development standards. An encroachment permit will be required for the construction of Devlin Road, the widening of Airport Boulevard, and the new driveways. Public Works has included conditions addressing compliance with regulations addressing grading, drainage, stormwater control, erosion, access, the Napa Airport sign, and parking lot standards. Please see their memo (attached).

Environmental Management Department Requirements

The Department of Environmental Management recommends approval with conditions that address businesses generating and/or storing hazardous materials, solid waste, and recyclable materials. Please see their memo (attached).

Other Agencies

The project has will-serve letters from the City of American Canyon and Napa Sanitation District regarding (respectively) municipal water and sewerage services. Both agencies have conditioned the project for compliance with applicable standards, and compliance with those conditions is required.

SUPPORTING DOCUMENTS

- A . Exhibit A - Findings
- B . Exhibit B - Conditions of Approval
- C . Public Works Conditions
- D . Public Works Memo Regarding Airport Boulevard Driveway Access
- E . Fire Conditions
- F . Environmental Management Conditions
- G . American Canyon Water Will-Serve
- H . Napa Sanitation Sewer Will-Serve
- I . Mitigated Negative Declaration (w/ Traffic and Bio Studies)
- J . Project Revision Statement & Mitigation Monitoring Program
- K . State & Federal Agency Comments
- L . Voluntary Greenhouse Gas Reduction Checklist
- M . Submitted Application Materials
- N . Presentation Graphics

Napa County Planning Commission: Approve

Reviewed By: John McDowell