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Agenda Date: 5/1/2019
Agenda Placement: 7A
Continued From: July 18, 2018

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: Nova Wine Warehousing - Use Permit P16-00456

RECOMMENDATION

NOVA BUSINESS PARK, LLC (RONALD FEDREICK) / NOVA WINE WAREHOUSE / USE PERMIT P16-00456-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 and Cultural 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 to allow the construction of a new light industrial building with approximately 400,500 sq. ft. of floor area which includes approximately 391,934 sq. ft. of warehouse space and 8,566 sq. ft. of office space. No tenants have been identified, however the warehouse is intended for wine storage. On-site parking for 241 vehicles, 22 truck/trailer spaces, landscaping, and signage are also included with the proposal. Exterior building materials include tex-coat concrete tilt-up wall panels with a multi-color paint scheme and multiple score lines/reveals and glass storefronts. A lot line adjustment is also proposed to create the proposed 23.2 acre development area with a 21.9 acre property to the east resulting from the lot reconfiguration. The project site does not have direct access from or frontage on Devlin Road but will be accessed via a new driveway on Devlin Road within an easement across the 21.9 acre property. Other than the driveway, no development is proposed on the easterly property. A two-way left turn lane on Devlin Road will be constructed along the project frontage. The project will connect to municipal water and sewer services provided by the City of American Canyon and the Napa Sanitation District (NSD), respectively. Annexation to NSD will be required prior to the provision of services. The project is proposed on a 23.2 acre portion of two lots totaling 44.8 on the west side of Devlin Road, adjoining Suscol Creek, within the Industrial Park: Airport Compatibility (IP:AC) zoning district. APN's: 057-170-008 & 019. Napa.

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

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ITEM CONTINUED FROM THE JULY 18, 2018, PLANNING COMMISSION MEETING

EXECUTIVE SUMMARY

Proposed Actions:

That the Planning Commission

1. Adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Nova Wine Warehouse based on Findings 1-6 of Attachment A; and
2. Approve Use Permit P16-00456, based on Findings 7-11 of Attachment A and subject to the conditions of approval (Attachment B).

Discussion:

This item was originally scheduled for hearing before the Commission on July 18, 2018. On July 16 and 17, 2018, lengthy comment letters were submitted on behalf of the Laborers International Union of North America, Local 324 ("LIUNA"), represented by Rebecca L. Davis of Lozeau, Drury, LLP. The letters raised concerns about the adequacy of the proposed environmental document. After considering public comment, the item was continued to a date uncertain to allow the applicant and staff time to address questions and concerns raised in the comment letters.

The project consists of a request to construct an approximately 400,500 square foot building intended for wine warehousing. No wine production, processing, tours, tastings, or marketing events are included in the request. The project is compatible in design with other projects located in the Napa Valley Business Park Specific Plan (NVBPSP) area and staff supports grant of the use permit, subject to the recommended conditions of approval. The proposal is described in detail in the July 18, 2018 staff report (Attachment D - and at the following link: <http://services.countyofnapa.org/AgendaNet/GranicusMeetingDocuments.aspx?id=5359>).

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 and Cultural 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 June 15, 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.

Pursuant to State CEQA Guidelines Section 15072, the public review period for the notice of intent to adopt a Negative Declaration ran from June 15, 2018 to July 17, 2018. Pursuant to Section 15073.5 Recirculation of a Negative Declaration Prior to Adoption, the following provisions apply: (A) a lead agency is required to recirculate a negative declaration when the document must be substantially revised after public notice of its availability has previously been given pursuant to Section 15072, but prior to its adoption. Notice of recirculation shall comply with Sections 15072 and 15073. (B) A "substantial revision" of the negative declaration shall mean: (1) A new, avoidable significant effect is identified and mitigation measures or project revisions must be added in order to reduce the effect to insignificance, or (2) The lead agency determines that the proposed mitigation measures or project revisions will not reduce potential effects to less than significance and new measures or revisions must be required. (C) Recirculation is not required under the following circumstances: (1) Mitigation measures are replaced with equal or more effective measures pursuant to Section 15074.1, (2) New project revisions are added in response to written or verbal comments on the projects effects identified in the proposed negative declaration which are not new avoidable significant effects, (3) Measures or conditions of project approval are added after circulation of the negative declaration which are not required by CEQA, which do not create new significant environmental effects and are not necessary to mitigate an avoidable significant effect and (4) New information is added to the negative declaration which merely clarifies, amplifies, or makes insignificant modifications to the negative declaration.

Analysis: There were no new avoidable significant effects identified and no mitigation measures or project revisions added to the mitigated negative declaration in order to reduce the effect to less than significant. No mitigation measures are being replaced with equal or more effective measures pursuant to Section 15074.1. The Biological and Cultural Resources sections of the initial study found that approval of the project, as mitigated would not result in an adverse significant impact on the environment. Subsequent Greenhouse Gas (GHG) Emissions modeling concluded that the increase in GHG emissions from the revised modeling is still below threshold and does not warrant revisions to the project or environmental document. Stormwater control measures required by current County regulation will be required as a condition of approval, avoiding any potential adverse hydrological impacts. Review of the applicant's responses has concluded that the environmental analysis and impacts identified in Mitigated Negative Declaration (MND) remain substantively unchanged and supports the finding that the applicant's responses and additional information do not raise any new issues and do not exceed the level of impacts identified in the previously prepared Mitigated Negative Declaration. See the Background Section for a summary of the applicant's and staff responses to the LIUNA comment letters. This proposal does not require a substantial revision of the Mitigated Negative Declaration.

BACKGROUND AND DISCUSSION

On July 18, 2018, the Planning Commission held a public hearing to consider the proposal for a new light industrial building with approximately 400,500 sq. ft. of floor area which includes approximately 391,934 sq. ft. of warehouse space and 8,566 sq. ft. of office space. No tenants have been identified, however the warehouse is intended for wine storage. On-site parking for 241 vehicles, 22 truck/trailer spaces, landscaping, and signage are also included with the proposal. After considering public comment, the item was continued to a date uncertain to allow ample time to address questions and concerns raised at the hearing, which are addressed below.

During the public review period, a lengthy comment letter and follow-up letter, dated July 16 and 17, 2018, respectively, were submitted on behalf of the Laborers International Union of North America, Local 324 ("LIUNA" - Attachment F) expressing concerns with the project, as well as, a comment letter from Caltrans, dated July 16, 2018 (Attachment G.) Subsequent to the preparation of the initial IS/MND, the applicant submitted additional information in their letters dated December 4, 2018, February 21 and 22, 2019, addressing the concerns related to green house gas emissions and potential impacts to biological resources raised in the LIUNA comment letters.

As noted above, review of the applicant's responses has concluded that the environmental analysis and impacts identified in Mitigated Negative Declaration (MND) remain substantively unchanged and supports the finding that the applicant's responses and additional information do not raise any new issues and do not exceed the level of impacts identified in the previously prepared Mitigated Negative Declaration. These responses to the LIUNA comment letters and in support of the MND are provided in Attachment E, and are summarized below.

Biological Resources

Numerous listed wildlife and plant species are known to occur in the region surrounding the project site. The project biological report indicates that none of the plant species which would potentially be present on the site were identified during the site surveys. Mitigation measures are proposed which would address (relatively unlikely) potential impacts to raptors, burrowing owls, fairy shrimp, and red-legged frogs.

A Biological Evaluation of the project area, dated June 2016, was prepared by Zentner and Zentner, including botanical surveys. The analysis identified special status species, habitats and other biological resources within the project site as well as potential project impacts, if any, to biological resources and recommended mitigation measures as needed. Site surveys were conducted on April 26, May 6, May 17, and June 2, 2016. A follow-up site visit was conducted on July 5, 2016, during the blooming period of the pappose tarplant. As noted in the MND, no special plant species were observed on the site, including the pappose tarplant, nor were any special-status animal species observed on the site or within the project's vicinity during the field surveys except for a Swainson's hawk spotted flying over the riparian woodland area along Suscol creek.

The LIUNA comment letter states, in general, that protocol level surveys were not conducted, the duration of the site surveys were not stated, potential impacts to several protected species are not adequately addressed, and the proposed mitigation measures are inadequate. The project Biologist, Zentner and Zentner, provided responses to the questions and points raised in the LIUNA comment letter, dated October 2, 2018, which are included in Attachment E.

As noted above, the project biologist conducted five site surveys between April 26 and July 5, 2016. The project biologist conducted an initial site review on April 26 for approximately two hours. Subsequent surveys were conducted to assess special habitats and species on May 6 for approximately seven hours, riparian habitats and species on May 17 for approximately two and a half hours, a focused bird survey on June 2 for approximately two and a half hours, and the aforementioned survey for pappose tarplant on July 5 for approximately two hours. As noted in the MND, no special-status plant or animal species were observed on the site or within the project's vicinity during the field surveys except for a Swainson's hawk spotted flying over the riparian woodland area adjacent to the site during the June survey. The project biologist indicates that not every site requires protocol-level surveys for every species that could potentially occur on a given site. There should be some indication that a site provides suitable habitat before those intensive surveys are undertaken. The Zentner letter states that, "in order for a biologist to make a proper analysis of the project and its potential impacts, it is absolutely critical for the biologist to view and understand the existing conditions of that site."

As summarized in the MND, the majority of the special-status animal species occurring within the region are highly unlikely to occur on the project site because the site is not within their range, lacks suitable habitat or local occurrences, or they were not observed on the project site. The report notes that although not seen on the site, several species have at least some potential to occur on the site. However, the project biologist recommends pre-construction surveys to ensure that there are no special status species or nesting birds are in the project vicinity when work commences. Zentner's letter indicates that pre-construction surveys are part of standard mitigation practices to ensure that species, which are not likely to be found on the site, are not on the project site prior to construction activities so that a taking does not occur. Pre-construction surveys have been applied to other similar projects within the business park area. (see Mitigation Measures BIO-1 and BIO-2 and Conditions of Approval 6.15

(a)(b) and 7.4(a)(b))

Hydrology

Project approval will require incorporation of best management practices and will be subject to the Napa County Stormwater Ordinance which addresses sediment and erosion control measures and dust control, as applicable, to ensure that development does not impact adjoining properties, drainages, and roadways.

The LIUNA comment letter, in general, states that the initial study does not disclose how compliance with the Napa County's Stormwater Management and Discharge Control Ordinance for Post-Construction Runoff Management will be achieved. Following are the Engineering Divisions responses.

Napa County requires Erosion and Sediment Control Plans (ESCP) to be developed prior to construction and ground disturbing activities. The ESCP is submitted for review and approval by the enforcement official at the time development permits are submitted for plan review. Napa County's Stormwater Management and Discharge Control Ordinance, specifically, Napa County Code Section 16.28.100, states that any person engaging in activities which may result in pollutants entering stormwater conveyance systems shall, to the maximum extent practical, undertake the measures to reduce the risk of illicit discharge and/or pollutant discharge. The applicant's engineer of record, RSA+, submitted a Stormwater Control Plan (SCP), dated August 11, 2017, which demonstrates compliance to Napa County's Stormwater Management and Discharge Control Ordinance for Post Construction Runoff Management including but not limited to Low Impact Development, Source Control, Stormwater Treatment and hydromodification. (see Conditions of Approval 6.1(a) and 7.1(d))

Greenhouse Gas Emissions

A Greenhouse Gases Emissions Impact Analysis was prepared by FirstCarbon Solutions, dated April 20, 2018, to evaluate the projects greenhouse gas emissions. The California Emissions Estimator Model (CalEEMod), version 2016.3.2, was utilized to estimate project emissions. The Bay Area Air Quality Management District (BAAQMD) identifies sources of information on potential thresholds of significance and mitigation strategies for operational GHG emissions from land-use development projects in its CEQA Air Quality Guidelines (May 2017.) The BAAQMD significance criterion applicable to the project is whether the project would result in annual GHG emissions greater than 1,100 metric tons per year (MT/yr) of carbon dioxide and carbon dioxide equivalents (CO₂e). Although BAAQMD has not developed specific construction GHG thresholds, the operational threshold of significance is also being used to evaluate the projects construction emissions.

The project would generate GHG emissions during construction activities including site preparation, use of heavy construction vehicles and equipment, material deliveries, and trips associated with construction workers. The project is expected to be constructed over a two-year period. The report indicated that the first year of construction, which includes site preparation, grading and construction of the building, would generate approximately 623 MT CO₂e. The second year, which would include completion of the building, paving and architectural coatings, would generate approximately 493 MT CO₂e. Operational GHG emissions are associated with area sources (landscape and building maintenance), energy use, mobile sources (motor vehicle trips), water use, and wastewater treatment. The applicant provided FirstCarbon Solutions with an estimated average monthly electricity usage of 52,000 KWh, which would account for refrigerated warehouse area, as well as daily trip generation for the facility based on the total number of employees. The report indicates that the project is expected to generate approximately 974 MT CO₂e per year. Construction and operational emissions would therefore not exceed the threshold. The study assumed GHG reduction design features that will be part of the project and required as conditions of approval, as follows: require that the project complies with CalGreen 2016 Title 24 energy standards, as may be amended or updated, including, but not limited to: the installation of sensors in all enclosed offices that detect if the office is occupied that will activate the HVAC and lighting and the installation of LED lights throughout; and, recycle/compost at least 20 percent of waste created on-site.

The LIUNA comment letter, in general states that the project's air quality and greenhouse gas emissions were estimated assuming that the project's warehouse land use will be exclusively unrefrigerated warehouse, that vehicle trip estimates are incorrect, the project will have a significant greenhouse gas impact, and consistency with long-term Statewide greenhouse reduction goals have not been addressed. The applicant's consultant, FirstCarbon Solutions, provided responses to the comments, dated October 15, 2018 which are included as Attachment E.

The applicant's responses to these comments indicate that LIUNA's consultant generally relied on CalEEMod, version 2016.3.2, default values for electricity and trip generation which would lead to a conclusion that the project would emit 2,687 MT CO₂e per year which would represent a significant impact. However, CalEEMod allows the user to update the default values based on more detailed and project specific information. As noted above, the applicant provided more specific energy use estimates and trip generation rates that were used instead of the default values. The LIUNA letter pointed out that the April 20, 2018, evaluation prepared by FirstCarbon Solutions used 180 daily trips instead of 202 daily trips identified in the W-Trans memo (see discussion below). FirstCarbon did revise the project greenhouse emissions accordingly resulting in emissions of approximately 994 MT CO₂e per year, which is an increase of 20 MT CO₂e per year. While emissions would increase as a result of the revised GHG analysis, they are still below the threshold of 1,100 MT CO₂e established by the BAAQMD. According to FirstCarbon Solutions the GHG analysis was developed using the most recently available BAAQMD CEQA Guidelines and thresholds of significance. To address consistency with Statewide goals, the GHG analysis for the proposal evaluated consistency with the policies and measures in the AB 32 scoping plan. In addition, Standard Condition of Approval 4.5 requires administrative review and approval of any change of tenancy would include an evaluation of GHG emissions if use of the building changes, i.e. more energy consumption, or employee counts increase.

Transportation/Traffic

The applicant has indicated that the facility will be run by up to 20 full-time and 20 part-time employees. The application submittal included a memo from W-Trans, dated April 10, 2018, that addressed trip generation rates for the proposed project. Trip generation rates were based on the Trip Generation Manual, 10th Edition, 2017, by the Institute of Traffic Engineers (ITE) for warehousing uses which provides trip generation rates based on employees as well as gross floor area. According to the memo, consideration was given to evaluating the project based on the floor area, as is common for many land uses. However, a review of standard rates for warehousing uses and a comparison of those based on area versus those based on employees indicate that the average ratio between employees and floor space is about 2,900 square feet per employee which would result in a workforce of approximately 138 employees. As noted in the project description, the facility is expected to have 20 full-time and 20 part-time employees. Application of the rates with the number of employees as the independent variable would result in 202 trips per day during typical operation with 24 trips during the morning peak hour and 26 trips during the evening peak hour. Given that the operation would require 20 full-time employees and 20 part-time employees, use of the rates based on employees appears reasonable. It is noted that as is the case with standard trip generation rates, all trips generated by the use are included, so while the independent variable is employees, trips associated with trucks making deliveries or picking up case goods, visitors and other non-employees are reflected in the rate and resulting trip estimates.

The LIUNA comment letter notes that because the project includes 241 parking spaces, 80 loading docks and 22 trailer parking spaces trip generation is underestimated based on the disparity between the number of employees and the amount of parking provided.

The Napa Valley Business Park Specific Plan (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 400,500 sq. ft. building, which includes

approximately 391,934 sq. ft. of warehouse and 8,566 sq. ft. of office floor area, 241 parking spaces are required. The parking as shown on the site plan is provided to demonstrate that the proposal can meet code requirements and is not indicative of an anticipated work force. The applicant has also suggested constructing 80 parking spaces instead of the 241 shown on the site plan, which has been added as a condition of approval (see Condition of Approval 4.13(c).) Since the applicant has demonstrated that the site can accommodate parking required by code, a variation to the parking standard of the specific plan is not necessary. Further, standard condition of approval 4.5.(b) allows the applicant to defer the installation of parking until such time as building tenancy requires. As noted above, if tenancy changes or employee numbers increase, additional review and approval will be required pursuant to Standard Condition of Approval 4.5.

A comment letter from Caltrans, dated July 16, 2018, included comments regarding impacts to State routes, multimodal planning, vehicle trip reduction, and cultural resources. Following are staff's responses.

Impacts to State Routes:

Major improvements to both Highway 29 and Highway 12 are necessary to address existing and cumulative regional traffic congestion. The Regional Transportation Plan (RTP) and the Napa County General Plan 2008 update identify roadway improvements in South Napa County to address potential cumulative impacts. These improvements include construction of a flyover ramp at SR 12/29/221 intersection, construction of a new interchange at SR 12/Airport Blvd/SR 29 intersection, widening Jamieson Canyon (SR 12) to four lanes (recently completed), widening SR 29 to six lanes between south Airport Blvd and the south County line (in coordination with the City of American Canyon), and extending Devlin Road south to Green Island Road. These improvements are not yet fully funded, except as noted above, but are expected to be in place by 2030 addressing potential cumulative impacts in the southern part of the County. Note, Caltrans is considering a roundabout instead of a flyover ramp at the SR 12/29/221 intersection. No work is proposed within the Caltrans right-of-way. Caltrans has requested that the construction and operation of the Nova Wine Warehouse be conditioned to coordinate with Caltrans to minimize conflicts with the construction of the Roundabout Project which has been added as a condition of approval.

Caltrans also noted in their letter that traffic volumes utilized in the MND were based on counts taken in 2014, whereas more recent counts should have been used in the analysis. According to information from the California Department of Transportation traffic counts taken in 2014 indicate the traffic volume at the State Highway 12/29 intersection was approximately 43,500 to 62,000 average annual daily vehicle trips. Peak hour trips were approximately 3,550 to 5,100 vehicles. Traffic counts taken in 2017 increased to 44,000 to 65,000 and 3,800 to 6,400 average annual daily vehicle trips and peak hour trips, respectively, over the aforementioned traffic counts taken in 2014. As noted in the project description, the facility is expected to have 20 full-time and 20 part-time employees resulting in 202 trips per day during typical operation with 24 trips during the morning peak hour and 26 trips during the evening peak hour. The updated traffic counts do not change the conclusions in the MND.

As mandated by Napa County, projects within the NVBPSP area are responsible for paying "fair share" costs for the construction of improvements to impacted roadways within the NVBPSP. Since 1990, the County has imposed and collected traffic mitigation fees on all development projects within the NVBPSP area. A developer's "fair share" fee goes toward funding roadway improvements within the NVBPSP area including improvements designed to relieve traffic on State Highways. For this project, a traffic mitigation fee based on PM peak hour vehicle trips will be imposed and collected prior to issuance of a building permit as determined by the Director of Public Works. Payment of the traffic mitigation fee reduces potential traffic impacts related to the project to less-than-significant levels, including cumulative impacts.

Multimodal Planning, and Vehicle Trip Reduction:

Devlin Road currently provides Class II bike paths on both sides of the street. A Class II bike lane provides a

striped lane for one-way bike travel on a street or highway. There will also be a Class 1 bike path on the east side of Devlin Road. A Class 1 multi use path provides a completely separated right of way for the exclusive use of bicycles and pedestrians with cross-flow minimized. The Class 1 path will be part of the Vine Trail and will ultimately connect to the San Francisco Bay Trail. The bike paths would provide access to the business park from both the City's of Napa and American Canyon. There is also a bus turnout on the east side of Devlin Road, just north of Airport Boulevard, providing riders access to the business park as well. In addition, the applicant proposes to reduce vehicle miles traveled (VMT) through a Transportation Demand Management Plan that would include employee and bicycle incentives which has been memorialized in Condition of Approval 4.13(d).

Cultural Resources:

As noted in Section XVII - Tribal Cultural Resources of the MND, invitation for tribal consultation was initiated and completed pursuant to Public Resources Code section 21080.3.1. One response was received from the Middletown Rancheria dated August 31, 2017. The letter indicates that while the Middletown Rancheria has no comments, they would like to be notified should any resources be found. If any resources are found during earth disturbing activities, construction of the project would be required to cease and the appropriate individuals contacted in accordance with standard conditions of approval and Mitigation Measure CULT 1, as noted in Section V - Cultural Resources of the MND.

As noted in the MND, Tom Origer & Associates conducted an archaeological resources study for the Nova project in compliance with the California Environmental Quality Act. A small portion of an archaeological site, first recorded in 1946, falls within the development area of the Nova project. Several updates to the records have been completed since the original discovery, some of which resulted in the redrawing of the archaeological site's boundaries. In addition, a resource known as the Suscol House has been subsumed under the same recorded number as the archaeological site. The Suscol House has been determined eligible for listing in the National Register. However, the Suscol House is not within the development area of the Nova project. Archaeological site location information and additional details were not disclosed in the MND as they should be kept confidential to protect archaeological sites and resources from damage by vandals and collectors.

The Origer report presents the results of data recovery in a portion of the recorded archaeological site. Origer's work serves to mitigate potential impacts that may occur during construction within the small portion of the archaeological site that occurs within the development area of the Nova project. Based on the results of field investigations, no further work was recommended. A recommendation was made for a training workshop for construction personnel prior to commencement of work which is included as Mitigation Measure CULT 1, as noted in Section V - Cultural Resources of the MND. (see Conditions of Approval 6.15(c) and 7.4(c))

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 warehouse. Building and landscape setbacks, on-site parking, and building design meet or exceed the requirements of the NVBPSP. No exceptions or variations to the development standards of the NVBPSP have been requested. The proposal includes "green measures" noted in the original staff report and submittal information and is intended to provide storage services to the wine industry. 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 - This option would reduce the scope of the project such as floor area reductions or restrictions on the number of employees, hours of operation or business operations. 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 . July 18, 2018 Staff Report
- E . Applicant's Letters
- F . LIUNA Letters
- G . CalTrans Letter
- H . Public Comments
- I . Use Permit Application Packet
- J . Trip Generation Analysis
- K . Biological Analysis
- L . Greenhouse Gas Emissions Analysis
- M . Stormwater Control Plan
- N . Graphics

Reviewed By: Charlene Gallina