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Agenda Date: 5/6/2020

Agenda Placement: 7B

## Napa County Planning Commission Board Agenda Letter

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**TO:** Napa County Planning Commission

**FROM:** Brian Bordona for David Morrison - Director  
Planning, Building and Environmental Services

**REPORT BY:** John McDowell, Supervising Planner - 299-1354

**SUBJECT:** Greenwood Mansion Cafe / Vinum Cellars Specific Plan Amendment and Use Permit

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### **RECOMMENDATION**

#### **GREENWOOD MANSION CAFÉ / VINUM CELLARS – SPECIFIC PLAN AMENDMENT P17-00019-SPA & USE PERMIT P17-00099-UP**

**CEQA Status:** Consideration and possible adoption of a Negative Declaration. According to the proposed Negative Declaration, the proposed project would not have any potentially significant environmental impacts. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

**Request:** Approval of a Specific Plan Amendment and Use Permit to replace the terms of Use Permit U-89-55, U-90-11 and #98272-MOD with respect to the subject property and converting an existing 3,090 sq. ft. office building within a 1880's farmhouse to a café, winery with wine tasting, and office including: Convert 840 sq. ft. of the main building lower floor to a café including commercial kitchen and indoor food service seating area; convert remaining 920 sq. ft. of the main building lower floor to wine tasting room with tasting bar and indoor seating area; retain and upgrade existing 1,330 sq. ft. main building second story for office use including establishment of conference room and installation of 90 sq. ft. elevator shaft and small lobby area; construct new ancillary 680 sq. ft. carriage house on the north side of the main building for wine production; construct approximately 1,200 sq. ft. uncovered, unenclosed deck for use as outdoor café and wine tasting seating; reconfigure and add parking spaces for a total of 32 on-site parking spaces (within a 231 space shared access parking lot serving APN's 057-200-028, -029, -030, -031, -032, and -033); annual maximum production of 1,200 gallons of wine; replacement of approximately 15,000 sq. ft. of existing lawn area with vineyard; a maximum of 10 full-time employees, and 5 part-time employees; total café and wine tasting seating not to exceed 60 seats (inclusive of all indoor and outdoor seating). The project is located on an approximately 1.17 acre site within the IP:AC (Industrial Park: Airport Compatibility) zoning district and a General Plan designation of Industrial at the northwest corner of Airport Boulevard and Devlin Road, 499 Devlin Road, Napa (Assessor's Parcel Number 057-200-028).

**Staff Recommendation:** That the Planning Commission conduct a public hearing and forward a recommendation

to the Board of Supervisors to approve the project.

**Staff Contact:** John McDowell, (707) 299-1354, [john.mcdowell@countyofnapa.org](mailto:john.mcdowell@countyofnapa.org)

**Applicant:** Richard Bruno, Vinum Cellars, (415) 260-6648, [richard@vinumcellars.com](mailto:richard@vinumcellars.com)

**Applicant Representative:** Diane G. Kindermann, Abbott & Kindermann, Inc. Attorneys at Law, (916) 456-9595

## **EXECUTIVE SUMMARY**

### **Proposed Actions:**

That the Planning Commission recommends to the Board of Supervisors:

1. Adoption of the Negative Declaration prepared for the project;
2. Adoption of a resolution amending the Napa Valley Business Park Specific Plan; and
3. Adoption of the Greenwood Mansion Café Vinum Cellars Use Permit (P17-00099-UP), based on the required Findings for approval contained in Attachment A, and subject to the recommended Conditions of Approval, Attachment B.

### **Discussion:**

Consistent with the Board of Supervisors Resolution 05-173 related to processing of Specific Plan Amendments, this project was brought before the Board of Supervisors for preliminary review at their regular meeting of February 7, 2017. Processing of Specific Plan Amendments (as well as General Plan Amendments) is a three step process commencing with Board of Supervisors review to consider initiation of the project, followed by Planning Commission review and recommendation, and concluding with final review by the Board of Supervisors. At their February 7, 2017 meeting the Board of Supervisors provided direction to staff to initiate concurrent processing of the project's Specific Plan Amendment and Use Permit applications. For this hearing the Planning Commission is being asked to conduct a public hearing, and forward its recommendation to the Board of Supervisors.

The Napa Valley Business Park Specific Plan (hereafter "Specific Plan" and formerly referred to as the Airport Industrial Area Specific Plan), was adopted by the Board of Supervisors on July 29, 1986, and has been amended through the years, most recently in February, 2019. The Specific Plan, which is gear primarily toward industrial and business park uses, allows limited amounts of business serving retail uses within certain areas described in the plan as commercial nodes. The current proposal involves conversion of an office building to a café, wine tasting room with limited wine production, and office. The café element of the project is a commercial use, and the project site is adjacent to, but outside of, one of the commercial nodes and, therefore, cannot be approved unless the Specific Plan is amended to include the site within the commercial node. Staff is recommending that the Specific Plan amendment occur because the existing office building, which is a previously converted Victorian-era residence, is well suited to the café and wine tasting use. Another factor supporting amendment of the Specific Plan is that planned business park serving restaurant uses which were to be located in the adjacent commercial node across Devlin Road are now not likely to occur because the property is developing with an large office building.

**FISCAL & STRATEGIC PLAN IMPACT**

Is there a Fiscal Impact? No

County Strategic Plan pillar addressed:

**ENVIRONMENTAL IMPACT**

Consideration and possible adoption of a Negative Declaration. According to the proposed Negative Declaration, the proposed project would not have any potentially significant environmental impacts. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

**BACKGROUND AND DISCUSSION**

**Owner:** Vinum Cellars - Richard Bruno (415) 260-6648, [richard@vinumcellars.com](mailto:richard@vinumcellars.com)

**Applicant Representative:** Diane G. Kindermann, Abbott & Kindermann, Inc. Attorneys at Law, (916) 456-9595

**Zoning:** IP:AC – Industrial Park: Airport Compatibility

**General Plan Designation:** Industrial

**Parcel size:** 1.17-acres

**Number of employees:** 10 full-time, 5 part-time

**Hours of operation:** café 6 a.m. to 8 p.m., Monday through Friday; wine tasting 10 a.m. to 6 p.m., 7 days a week

**Adjacent Zoning / Land Use:**

The 1.17-acre site is centrally located within the Napa Valley Business Park, or more specifically within the Gateway Business Park subdivision portion, and at the northwest corner of Devlin Road and Airport Boulevard.

North: IP:AC – North of the site is a multi-building office/light industrial development which shares parking and access with the project site.

South: IP:AC - South of the project site across Airport Boulevard is a multi-building warehouse development.

East: IP:AC - To the east across Devlin Road is the Gateway Commercial Node portion of the Business Park, which was planned for commercial uses and contains a bank and hotel, but the remainder of the site will be developed with the Redwood Credit Union office project that is anticipated to commence construction in 2020.

West: IP:AC – To the west is a multi-building wine-related office and warehouse development.

**Parcel History:**

The subject property was created as the sales office location for the first phase of the Gateway Business Park which was subdivided for industrial/business park development in the late 1980's. The structure on the property is the original Greenwood Ranch residence, which was relocated to the site with the initial phase of the Gateway development. The house was converted and used as the real estate sales office for the business park until several years ago when real estate sales concluded. The site was purchased in 2018 by the project applicant and is use

of the offices for Vinum Cellars.

**Code Compliance History:**

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

**Discussion Points:**

Specific Plan Amendment - The proposed café component of the project is a commercial use. A specific plan amendment is triggered because commercial uses are only allowed within designated commercial nodes, and this project site is located outside of, but adjacent to one of the commercial nodes. The wine tasting use is permissible as part of a wine production operation, but the wine tasting component of this project could also be considered a commercial use because the wine making component of this project is limited to 1,200 gallons annually and does not involve crushing of grapes on site. Therefore the tasting element can be viewed more as a commercial use (within a commercial zoning district) than what would typically be considered accessory to wine production.

Specific plans provide for the systematic implementation of general plans in a given area, and their contents are prescribed by Government Code Section 65450 et seq. Specific plan amendments are processed in the same manner as general plan amendments (CGC Section 65453), except there is no limit on the number of specific plan amendments that can be processed in a single year, whereas general plans may be amended only four times per year. Napa County has adopted procedures for processing amendments of its General Plan (Board of Supervisors Resolution 05-173), and has historically applied the same procedures to amendments to the Specific Plan. In keeping with Resolution 05-0173, this amendment was initiated by the Board of Supervisors in February 2017. The project was also reviewed and consented to by the Cities of American Canyon and Napa. The City of American Canyon issued a water service 'will serve' letter, and the City of Napa issued a letter of endorsement for the specific plan amendment, both attached.

This amendment will include the project site within the Specific Plan's main commercial node located west of the intersection of State Routes 12, 29, and Airport Boulevard. This node is centrally located within the park, and a suitable location for commercial uses supporting the industrial park. Presently there is a bank and hotel within this node. A convenience market and fueling station will be commencing construction soon within the node. However, other restaurant and retail uses called for in this node are likely to happen because Redwood Credit Union is currently developing an office building on the majority of the remaining vacant land within the node. Therefore, expansion of the commercial node seems warranted for this café project because food establishments are an underfilled need within the business park and not likely to occur in the areas where they were previously planned.

Operations – Café operations will be on weekdays between 6 a.m. and 8 p.m. These hours correspond to times when the greater number of employees are on shift within the surrounding business park. Sixty seats are proposed for the café, which will be interchangeable seasonally between indoor and outdoor use. The applicant envisions background music indoors and outdoors on the deck for café patrons. Live music is also occasionally envisioned. Proposed conditions of approval would limit outdoor noise levels to 45 decibels as measured at the property line, and music would need to cease by 6 p.m.

Wine tastings will occur in a separate area next to the café, and are proposed for seven days a week between 10 a.m. and 6 p.m., with a maximum of 56 visitors per day on weekdays and 120 visitors per day on weekends not to exceed 600 visitors per week. The project originally included wine-related marketing events, but those events were eliminated to address concerns raised by the City of Napa. Drop-in visitation is proposed, but it is anticipated that the vast majority of wine tasting visitors will have a prior appointment given the project's industrial park location. Drop-in visitation is permissible within the industrial park because the Winery Definition Ordinance does not apply outside of agriculturally zoned areas. Vinum cellars will make up to 1,200 gallons of wine on-site in the adjoining

carriage house, but makes the vast majority of both their Napa County and other California wines at another location. This site will serve as the tasting room and office for the brand.

Utilities - Like almost all uses in the industrial park, the City of American Canyon will be the water provider and waste water will be connected to Napa Sanitation District's system. Both agencies have provided 'will serve' letters indicating their willingness and ability to serve the project. The project is complying with American Canyon Zero Water Footprint Policy. As part of this project the property owner is proposing to remove lawn areas and replace with vines, which will greatly reduce irrigation needs. In addition, the project is required to install 'purple pipe' landscape irrigation infrastructure for connection to the Napa Sanitation District recycled water line serving the area.

Signage - Specific Plan signage requirements allow for a modest amount of building signage and one ground mounted monument sign not to exceed 4 ft. in height above the roadway. A sign permit was previously approved for the project when Vinum Cellars occupied the site with their office use. That sign has not been constructed yet. It will be located at the corner of Devlin Road and Airport Boulevard and the design will match the design of the existing ground mounted sign for the industrial complex recently constructed at the southwest corner of Devlin Road and Airport Boulevard.

Building Design - The applicant is proposing to construct an attached uncovered deck in front of the building facing Devlin Road for seasonal outdoor seating. The deck is compatible with the architecture of the main building. Just to the north of the main building a 680 sq. ft., two story wine production and storage building is proposed, which has been designed to look like a carriage house consistent with the architecture of the main building. Neighboring business/property owners who share access and parking with the project site have objected to placement of carriage house near the shared driveway. The applicant and neighbors do not appear to have reached an agreement on its design. The structure complies with the 10 ft. side yard setback from property line, as well as Engineering Division and Fire Department requirements.

Parking – The subject property shares access and parking with several properties located north of the site. Those neighboring business/property owners have expressed concerns that the project conflicts with the existing shared parking and access agreement because the the café and wine tasting aspects of the project have a greater parking and access demand than the pure office use that existed at the time the agreement was exercised. The County is not a party to that agreement, and it is not a factor in the County's review. The Specific Plan encourages, but does not require, sharing of parking and access by allowing reductions to interior property line setbacks and landscape buffers as part of an overall unified design. Shared parking facilities have greater efficiency than scenarios where each property meets parking requirements and landscape setbacks individually.

The applicant has attempted to work with the neighbors on resolving the parking dispute, but as of the writing of this staff report it appears that the dispute has not be resolved. The applicant is proposed to add 15 spaces on the project site in response to concerns, which results in a total of 32 spaces on the project site. The Specific Plan and zoning requires one parking space per 250 sq. ft. of office floor area, one space per 500 sq. ft. of manufacturing area, one space per 1,000 sq. ft. of warehousing/storage, and one parking space per four restaurant seats. There is no set parking standard for wine tasting uses, but in this case the one per four seats standard would be an appropriate measure. Based on these parking standards, the project provides 9 spaces more than what is required on site, and without consideration of shared parking on adjoining properties.

5.3 - Spaces 1,330 sq. ft. Office at 1 space / 250 sq. ft.

1.4 - Spaces 680 sq. ft. Manufacturing/Storage at 1 space / 500 sq. ft.

15 - Spaces 60 seats Restaurant/Wine Tasting at 1 space / 4 seats

23 Total Spaces Required

32 Total Spaces Provided

Attached to this report is a parking study of the overall shared parking lot that the applicant had prepared during discussions with neighbors. It indicates that many of the existing shared parking spaces are available. This study was not a factor in staff's evaluation of the parking demand for this project. As shown above, the project complies with parking standards without reliance of any shared parking rights they may have on the adjoining lots.

Structure Ineligible as Historic Resource – As noted in the Initial Study/Draft Negative Declaration, the Victorian-era house is not listed as a historic resource, and is ineligible for listing due to its relocation in the late 1980's. It is not a significant historic resource under CEQA. The house was moved from its original location where the Doctor's Company office building now stands to its present location for use as the sales office for the industrial park. The applicant purchased the property after the real estate office completed sales of the surrounding industrial park properties. Its long term viability as an office building may be questionable, and revitalizing it as a café and wine related operations appears to be a fitting upgrade to the site.

### **SUPPORTING DOCUMENTS**

- A . Draft Resolution
- B . Draft Conditions of Approval
- C . Initial Study / Draft Negative Declaration
- D . Utilities and Correspondence Letters
- E . Application Materials
- F . Parking and Traffic Studies
- G . Graphics
- H . Winery Uses Comparison Chart

Napa County Planning Commission: Approve

Reviewed By: Brian Bordona