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Agenda Date: 7/18/2018

Agenda Placement: 7B

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.

Staff Contact: Sean Trippi (707) 299-1353, or sean.trippi@countyofnapa.org

Applicant Contact: Beth Painter (707) 337-3385, or beth@bpnapa.com

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:

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.

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.

BACKGROUND AND DISCUSSION

Owner: Nova Business Park, LLC., Attn: Ron Fedrick, PO Box 4050, Napa, CA 94558

Applicant/Representative: Beth Painter, Balanced Planning, 10 Canopy Lane, Napa, CA 94558

Zoning: IP:AC - Industrial Park: Airport Compatibility

General Plan Designation: Industrial**Application filed:** December 23, 2016**Resubmittal(s):** August 14, 2017, March 26, 2018, April 20, 2018**Application complete:** April 30, 2018**Parcel size:** 23.2 acre portion of two lots totaling 44.8 acres**Proposed building size:** 400,500 sq. ft. (including approximately 391,934 sq. ft. of warehouse and 8,566 sq. ft. of office floor area)**Number of employees:** 20 full-time & 20 part-time**Hours of operation:** 6:00 AM to 6:00 PM, five to seven days a week**Parking:** 241 off-street spaces**Airport Compatibility:** Zone C - Extended Approach/Departure Zone - an area where aircraft will be below 300 feet above ground level depending upon type of approach. Zone C is an area of moderate risk, substantial noise, and routine overflight at low elevations. Warehousing, office and light industrial uses are acceptable uses within this zone. There should also be no more than 50 people per acre inside structures and no more than 75 people per acre inside and outside. All aspects of the development have been designed to comply with these limitations.**Adjacent Zoning / Land Use:**

The adjacent zoning and land use is based on the 23.2 acre development area that will be created by the proposed lot line adjustment. All surrounding land is zoned IP:AC - Industrial Park, Airport Compatibility Combination District. Property north of Suscol Creek is zoned GI:AC - General Industrial, Airport Compatibility Combination District with the exception of the 6.57 acre vacant property noted below.

North: GI:AC - Across Suscol Creek to the north is an existing self-storage facility containing a mix of enclosed and outdoor storage spaces on 7.65 acres, and another 6.57 acre undeveloped property that is zoned IP:AC.

South: IP:AC - Southeast of the 21.9 acre portion of the site is a 1.41 acre site with a light industrial/warehouse building, a self-storage facility on a 3.41 acre site, and Nova Group Inc's., a general engineering contractor, home offices and fabrication facility on a 20.34 site under the same ownership as the project site.

East: IP:AC - To the east is a 1.0 acre property with a partially developed winery, a 1.64 acre property with a single-family home, and the 21.9 acre portion of the project site. The home is considered a pre-existing, legally established non-conforming use. Ultimately, the Specific Plan envisions redevelopment of the home site to industrial/business park use, but as a pre-existing legal non-conforming use, it is entitled to remain as a residence for as long as the property owners see fit.

West: IP:AC - Adjoining the west side of the project site are two properties totaling approximately 49.8 acres. The northerly property is planted in vines. The southerly property wraps around the southern end of the project site and is undeveloped.

Parcel History:

The site is currently vacant, has been previously graded/mowed and is located within a partially developed

industrial/business park. The site has been designated for industrial development for over 30 years. A portion of the northern boundary of the site adjoins Suscol Creek. The development area is relatively flat with gentle slopes ranging from 0-5 percent from northeast to southwest and includes non-native grasses, a smattering bushes, and a riparian area along Suscol Creek. There is also a gravel walking path traversing the project site which is accessed from an existing industrial facility to the southeast under the same ownership as the proposed project. A small barn and a shed on the easterly property were demolished in 2016, prior to submittal of the use permit application.

Code Compliance History:

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

Discussion Points:

1. Building Design, Layout & Materials – The building materials include tex-coat concrete tilt-up wall panels with a multi-color paint scheme and multiple score lines/reveals. The north, south and east elevations include glass storefront areas, with parapets raised above the rest of the building with metal canopies above the glass. The east elevation includes a depressed truck dock with 34 sectional overhead doors and four at-grade overhead doors. The depressed truck dock on the west elevation has 46 overhead doors and two at grade doors. The east building elevation generally faces Devlin Road, but is over 800 feet from the road. The finished floor is proposed at 56 feet above mean sea level. The grade elevations along Devlin are approximately 65 to 68 feet above mean sea level. elevation The overall design is equivalent to other similar more recent industrial projects approved and/or constructed within the NVBPSP boundaries, and meets the minimum design requirements for the NVBPSP industrial park area.

2. Access - 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. Two Eucalyptus trees as well as some small (less than 5-inch diameter trunk size) Oak trees will be removed to facilitate construction of the on-site driveway. The proposed driveway that would serve the project will be designed to comply with County standards and access to the building has been designed to accommodate fire apparatus and large trucks. The proposed driveway is also designed to provide access to the existing winery and residence east of the proposed project. The project has been reviewed by the County Fire Department and Engineering Services Division and found acceptable as conditioned.

3. Parking - The 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 site plan includes 241 parking spaces meeting the minimum parking requirements.

4. Building Setbacks/Landscaping - The NVBPSP requires a building setback with a 40-foot average, and a minimum of 25-feet, from Devlin Road. The 25-foot adjoining Devlin Road is required to be landscaped. The proposed project site resulting from the lot line adjustment will not have frontage on Devlin Road. However, 25-feet of landscaping is proposed along Devlin Road.

The NVBPSP also requires 10-foot building and landscaping setbacks from the side and rear property lines when the property lines do not adjoin a street. The building is setback approximately 220 to 259 feet from the north property line, which generally follows the centerline of Suscol Creek, approximately 68 to 164 feet from the south property line, approximately 164 feet from the west property line and 138 to 174 feet from the east property line. Parking, drive aisles, loading areas, and other improvements may be permitted in the required yard setbacks

provided there is 10-feet of landscaping adjoining the side property lines. The planters along the south, west and east property lines are a minimum of 20 to 35 feet in width. The parking areas and drive aisles along the north end of the property are proposed outside the 150-foot setback from Suscol Creek where no additional landscaping is required. There are, however, landscaped areas between the 150-foot setback line and the paved areas..

5. Suscol Creek - As noted above, the northerly property line of the site runs along the centerline of the creek. The NVBPSP established a natural resource protection policy and development standard to maintain a 150 ft. unobstructed setback corridor from the top of the bank of Suscol Creek. The purpose of the setback was to protect wetland and stream habitats in their natural state. Uses within the setback area are limited to habitat restoration/mitigation, landscaping, pedestrian/bicycle improvements, storm-water retention/detention facilities or similar uses that do not adversely affect habitat value, wildlife movement or flood water storage. In addition, encroachment into the stream corridor setback could be approved based upon provision of on-site wetland and/or stream restoration enhancement measurements that result in substantial environmental benefits as has occurred on the north side of the creek. Save for a drainage swale and rock outfall, consistent with the aforementioned allowed uses, no improvements or encroachments are proposed within the creek setback.

The NVBPSP also requires that a permanent conservation easement along the Suscol Creek corridor between the creek bank (at the outside dripline) and the edge of development be granted to the county or its designee as a permanent riparian conservation and enhancement corridor. The easement shall generally be kept clear except for periodic mowing to allow detection of infringement and controlled public access. This requirement is included as a condition of approval.

6. Lot Line Adjustment - The project site is comprised of two lots totaling 44.8 acres. The existing property line between the two lots is oriented in an east-west direction. A lot line line adjustment is proposed to create the development area. The new lot line will be oriented in a north-south direction. The easterly lot created by the lot line adjustment will remain undeveloped except for a driveway, that will provide access to the development area as well as signage and landscaping.

7. Greenhouse Gas Reduction Strategies - A Greenhouse Gases Emissions Impact Analysis was prepared by FirstCarbon Solutions, dated April 20, 2018, to evaluate the projects greenhouse gas emissions. 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 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, installation of sensors in all enclosed offices that detect if the office is occupied that will activate the HVAC and lighting; LED lights installed throughout; and, at least 20 percent of waste created on-site shall be recycled/composted.

In addition, the applicant has indicated that the project will incorporate the following voluntary best management practices: roof will be engineered to accommodate PV panels; bioswales and native plantings; build to CALGREEN Tier 2; a Transportation Demand Management plan which will include employee and bike riding

incentives; EV charging stations, energy conserving lighting; cool roof construction; installation of water efficient fixtures; low impact development; new vegetation/water efficient landscaping; and, onsite recycling. Additional items are included in the Voluntary Best Management Practices Checklist for Development Projects form included with the Use Permit Application. Greenhouse Gas Emission reductions from local programs and project level actions, such as application of the Cal Green Building Code, vehicle fuel efficiency standards, and the project-specific on-site programs identified above would combine to further reduce emissions below BAAQMD thresholds.

8. Public Utilities - Water services will be provided by the City of American Canyon and will be required to meet the City's Zero Water Footprint (ZWF) Policy, which may include contributing to the City's water conservation fund. Sewer services will be provided by Napa Sanitation District (NSD). The applicant will also connect to NSD's recycled water system for irrigation. Annexation to NSD will be required prior to the provision of services.

Consistency with Standards:

All reviewing departments/agencies have found the project as proposed and conditioned to be consistent with their respective requirements and regulations.

1. Zoning - The IP:AC (Industrial Park: Airport Compatibility) allows warehousing and offices with the approval of a use permit. Site layout, building design, coverage, parking, and landscape and building setbacks comply with all applicable NVBSP and zoning regulations.

2. Building/Fire Code - The project has been designed to comply with all applicable building and fire codes. Access to the buildings is excellent. It is anticipated that the applicant will submit for building permits shortly after receiving approval.

3. Engineering Services - Engineering Services finds the project, as conditioned, complies with industrial park development standards. An encroachment permit will be required for the new driveway. Engineering Services has included conditions addressing compliance with regulations regarding grading, drainage, stormwater control, erosion, access, and parking lot standards.

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

5. Airport Land Use Compatibility (ALUC) Plan - The application was reviewed by the County Airport Land Use Commission staff liaison. Staff determined that the project, with the incorporation of the proposed conditions of approval, complies with the ALUC Plan.

6. Other Agencies - The project has a will-serve letter from the City of American Canyon and a conditional will-serve Napa Sanitation District regarding the provision of and connecting to municipal water and sewer services, respectively. Napa Sanitation District has also conditioned the project for compliance with applicable District requirements and annexation to their district.

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 above 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 - Generally development in the business park area does not lend itself to a reduced project alternatives such as floor area reductions or restrictions on the number of employees, hours of operation or business operations.

Based on the administrative record as of the issuance of this staff report, there does not appear to be any evidence that suggests such limits on the proposed development of this industrial park-zoned property are warranted. 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.

Based on the administrative record as of the issuance of this staff report, there does not appear to be any evidence that suggests denial of the project is warranted.

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 . Use Permit Application Packet
- E . Trip Generation Analysis
- F . Biological Studies

G . Greenhouse Gas Emissions Analysis

H . Graphics

Napa County Planning Commission: Approve

Reviewed By: Vincent Smith