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Agenda Date: 8/5/2009
Agenda Placement: 9B

Napa County Planning Commission Board Agenda Letter

TO: Napa County Planning Commission

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

REPORT BY: RONALD GEE, PLANNER III - 707.253.4417

SUBJECT: NUSTAD REVOCABLE TRUST / STEVEN SCHERNER - TENTATIVE PARCEL MAP P09-00210-PM and USE PERMIT P09-00211-MODMAJ

RECOMMENDATION

NUSTAD REVOCABLE TRUST / STEVEN SCHERNER - TENTATIVE PARCEL MAP P09-00210-PM and MAJOR MODIFICATION P09-00211-MOD

CEQA Status: A Mitigated Negative Declaration was previously adopted for the project site in conjunction with the approval of Use Permit Major Modification # P05-0382-MOD on October 4, 2006. The site is presently developed with two office/industrial buildings and has an entitlement for the construction a third, replacement building. The proposed tentative map and modification of site development standards do not result in any new physical changes to the developed and entitled site, and therefore the requested actions are within the scope of the previously adopted Mitigated Negative Declaration, since no changes to the physical environment will result from the creation of new property lines. No new potential environmental effects have been identified that were not previously addressed in the Mitigated Negative Declaration, and therefore no further environmental documentation is necessary pursuant to State CEQA Guidelines Section 15162. This project site is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5.

Request: Approval of a Tentative Parcel Map to subdivide a developed general industrial parcel into three parcels of approximately 0.80 acre, 0.83 acre and 0.92 acre in size and a Use Permit Major Modification to grant variations from Airport Industrial Area Specific Plan site development standards to reduce required setbacks to facilitate the parcel subdivision. The project is located on an approximately 2.55 acre parcel on the northeast side of Camino Oruga, within the GI:AC (General Industrial, Airport Compatibility) zoning district and the General Industrial area of the Napa County Airport Industrial Area Specific Plan. (Assessor's Parcel # 057-152-006). 152 Camino Oruga, Napa

Staff Recommendation: Find the project within the scope of the previously adopted Mitigated Negative Declaration and approve both the Tentative Map and Use Permit Major Modification subject to conditions of approval.

Staff Contact: Ronald Gee, 707-299-1351, rgee@co.napa.ca.us co.napa.ca.us

EXECUTIVE SUMMARY

Proposed Action:

1. That the Planning Commission find the project does not result in any physical changes to the developed site and therefore is within the scope of the previously adopted Mitigated Negative Declaration for Use Permit # P05-00382-MOD based on findings 1-6 of attached Exhibit A.
2. That the Planning Commission approve Tentative Parcel Map # P09-00210-PM and Use Permit Major Modification # P09-00211-MOD based on findings 7-18 of attached Exhibit A.

Discussion:

The project consists of two parts: 1) to subdivide a developed general industrial parcel into three parcels of approximately 0.80 acre, 0.83 acre and 0.92 acre in size and 2) a Use Permit Major Modification to grant variations from Airport Industrial Area Specific Plan (AIASP) site development standards to reduce required setbacks to facilitate parcel subdivision. The project is located on the northeast side of Camino Oruga, within the GI:AC (General Industrial, Airport Compatibility) zoning district and the General Industrial area of the *Napa County Airport Industrial Area Specific Plan (AIASP)*.

No changes to existing development, consisting of two new industrial buildings located on proposed Parcels 1 and 3 and an existing structure and shed on proposed Parcel 2, would occur except for creation of new property lines. The minimum lot size for new parcels in the General Industrial area of the AIASP is 20,000 square feet. Except for the requested front yard setback modifications to AIASP Site Development Standards for Industrial Areas, the proposed subdivision complies with all other design requirements of the Napa County Subdivision Ordinance and AIASP.

Staff is recommending approval of the proposed Tentative Parcel Map and Use Permit Major Modification to facilitate parcel subdivision.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: A Mitigated Negative Declaration was previously adopted for the project site in conjunction with the approval of Use Permit Major Modification # P05-0382-MOD on October 4, 2006. The site is presently developed with two office/industrial buildings and has an entitlement for the construction a third, replacement building. The proposed tentative map and modification of site development standards do not result in any new physical changes to the developed and entitled site, and therefore, the requested actions are within the scope of the previously adopted Mitigated Negative Declaration since no changes to to the physical environment will result from the creation of new property lines. No new potential environmental effects have been identified that were not previously addressed in the Mitigated Negative Declaration, and therefore, no further environmental documentation is necessary pursuant to State CEQA Guidelines Section 15162. This project site is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5.

BACKGROUND AND DISCUSSION

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Owner: Nustad Revocable Trust / Steven Scherner

Applicant: Nustad Revocable Trust

Representative: Pedro Teixeira

General Plan Designation: General Industrial under the *1986 Napa County Airport Industrial Area Specific Plan (AIASP), amended April 4, 2004; Airport Compatibility Zone D, Common Traffic Pattern, Napa County Airport Land Use Compatibility Plan, Revised December 15, 1999.*

Zoning: GI:AC (General Industrial, Airport Compatibility Combination) District

Filed: May 26, 2009

Building Size: No buildings are proposed as part of this application.

Adjacent Zoning / Land Uses:

The AIASP allows up to 50% floor area ratios (FAR) if office uses do not exceed 5% of total floor area. In this case, the FARs will be 35%, 27% and 37% for Parcels 1, 2 and 3 respectively.

North	Industrial, warehouse, office	GI:AC	8.56 acres
South	Industrial, warehouse (condominium)	GI:AC and IP:AC	14.39 acres
East	Agricultural	AW:AC	161.00 acres
West	Industrial, warehouse, office	GI:AC	9.67 acres

Property History:

On August 3, 1971 Conditional Use Permit #UP-27172 was approved to allow, “. . . construction of industrial buildings for the operation, maintenance, sales and service of heavy equipment” on this project site and on adjacent properties. A 1,608 square foot paint shop and office space on the project site was completed on February 17, 1972. A Major Modification to Use Permit # UP-27172 was approved on October 4, 2006 to allow replacement and expansion of the existing building and construction of two new, free-standing office/industrial warehouse buildings of 15,200 square feet, 8,775 square feet and 12,500 square feet in size (36,475 square feet total) with 42 on-site parking spaces. The two larger buildings have been built. Although a building permit has been issued for the replacement of the original structure on proposed Parcel 2, no construction has taken place. Landscape improvements for the development are in the process of being revised and will be installed as part of the current request.

Discussion:

1. The proposal will subdivide a ± 2.55-acre site into three parcels of approximately 0.80 acre (Parcel 1), 0.83

acre (Parcel 2) and 0.92 acre (Parcel 3). The project site is one legal parcel that is currently developed with three industrial buildings, two just recently constructed on proposed Parcels 1 and 3; the existing 1972 structure and shed to be demolished and reconstructed is located on proposed Parcel 2.

2. The 2006 use permit modification contemplated the property would be developed as a single project with 42 shared parking spaces. The subdivision proposal is a change which requires creation of shared easements for utilities, right-of-way access, circulation and parking. With the creation of new property lines, minor relaxation of required internal setbacks for the existing and proposed buildings is required.

According to AIASP Chapter V(H), Land Use Element, Site Development Standards Implementation Procedures, a major modification of the existing use permit is required to facilitate this setback reduction. No changes to the existing site development plan will occur, only creation of new property lines. No proposal for additional industrial development or building expansion is proposed as part of the subdivision request.

3. Details of the proposal are contained in the attached application and accompanying materials.

4. Comments and recommendations from various County departments are attached.

Consistency with Standards:

All reviewing departments/agencies have found the project as proposed and conditioned to be consistent with their respective requirements and regulations. The proposed project is consistent with applicable standards as set forth below.

1. Zoning/General Plan - The minimum lot size for parcels in the GI:AC (General Industrial, Airport Compatibility Combination) District and General Industrial land use designation of the AIASP is 20,000 square feet for existing parcels less than 20 acres in area. Parcels 1, 2 and 3 are approximately 34,848 square feet, 36,155 square feet and 40,075 square feet in size, respectively, and comply with this requirement. A minimum 20-foot front yard setback is required from all street right-of-way lines; no side or rear yard setbacks are required. Parcel 1 will have a 65-foot Camino Oruga front yard setback and new 20-foot street side yard; Parcel 2 would have a 10-foot setback from the proposed new right-of-way and Parcel 3 would maintain a 15-foot setback from the proposed new right-of-way. A total of 35 parking spaces are required for the size of the three industrial buildings; 42 spaces are currently provided on-site. The parking calculation is based upon combined warehouse and office space requirements. The AIASP allows up to 50% floor area ratios (FAR) if office uses do not exceed 5% of total floor area and lot coverage is limited to a maximum 50%. In this case, the FARs will be 35%, 27% and 37% for Parcels 1, 2 and 3 respectively; these figures also apply to lot coverages. In addition, a minimum 100 feet lot width for new parcels is required and all three lots will have a minimum 159.98 feet net width with the proposed 20 feet wide right-of-way access and utility easement. Appropriate findings for modification of AIASP Site Development Standards and parcel subdivision are included in attached Exhibit A.

2. Airport Land Use Compatibility Plan - The Airport Compatibility Zone D, Common Traffic Pattern, allows warehousing and low-intensity light industrial uses as compatible land uses. Subdivision of the project site does not change earlier approvals for industrial development of this site.

3. Building/Fire Code - The project as proposed does not include any requests for new building. Any future development must comply with the California Building Code and will need to comply with applicable standards, regulations, codes such as Fire Code requirements; this will include but is not limited to emergency water supply, fire protection systems, and proper addressing.

4. Public Works - Standard conditions of approval are outlined in the attached June 15 and July 14, 2009 Public Works Department memorandums addressing site improvements, airport-specific conditions, stormwater and

post-construction runoff management requirements.

5. Utility Services - The site has existing connections to the Napa Sanitation District and City of American Canyon for water service. New will-serve letters for the development have been provided for each lot and building in the subdivision.

SUPPORTING DOCUMENTS

- A . Exhibit A - Findings
- B . Exhibit B - Conditions of Approval
- C . Will-Serve Letters
- D . Public Works Department Comments
- E . Fire Department Comments
- F . Adopted Mitigated Negative Declaration
- G . Application Submittal
- H . Graphics

Napa County Planning Commission: Approve

Reviewed By: John McDowell