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Agenda Date: 9/17/2014

Agenda Placement: 9C

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: WYNTRESS BALCHER, Planner II - 707 299 1351
SUBJECT: The Shed/Country Store & BBQ (aka Stanly Lane Pumpkin Patch)

RECOMMENDATION

THE SHED/COUNTRY STORE & BBQ (AKA THE PUMPKIN PATCH DELI)/WILLIAM K. WILCOXSON - USE PERMIT APPLICATION, #P14-00110

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 Use Permit P14-00110 to allow the following: Phased improvements to an existing commercial development consisting of a 5,280 sq. ft. market (Stanly Lane Marketplace), seasonal pumpkin patch, seasonal Christmas tree lot, 59-space parking lot, two business signs, and a 5,280 sq. ft. cold storage building as indicated: Phase 1, (a) Add a delicatessen with prep-kitchen, indoor and outdoor seating, outdoor barbecue, and wine tasting bar within the existing 5,280 sq. ft. "Market Place" structure; (b) Install freestanding shade covers over the outdoor barbecue and picnic area; (c) Employ a maximum 11-24 employees; and Phase 2, (a) Expand the existing wastewater system; and, (b) Expand the 5,280 "cold storage building" to add one (1) 80± sq. ft. unisex restroom. The project is located on a 4.2-acre parcel on the south side of Golden Gate Drive, the west side of Stanly Lane, north of its intersection with State Highway 12/121 within the Agricultural Watershed: Agricultural Produce Stand (AW:PS) Zoning District, 3100 Golden Gate Dr., Napa, CA 94558; APN: 047-230-034.

Staff Recommendation: Adopt the Negative Declaration and approve the Use Permit, as conditioned.

Staff Contact: Wyntress Balcher; (707) 299-1351; wyntress.balcher@countyofnapa.org

Applicant Contact: William K. Wilcoxson; (707) 225-5082; wilcoxsonbill@gmail.com

EXECUTIVE SUMMARY**Proposed Actions:**

That the Planning Commission:

1. Adopt the Negative Declaration for The Shed/Country Store and BBQ (AKA The Pumpkin Patch) based on Findings 1-6 of Exhibit A; and,
2. Approve Use Permit P14-00110-UP based on Findings 7-11 of Exhibit A and subject to the recommended Conditions of Approval (Exhibit B).

Discussion:

The applicant is the owner of the property known as the "Pumpkin Patch", located at 3100 Golden Gate Drive. The applicant is requesting approval to expand the existing commercial activities in two phases as follows: 1) add a delicatessen including a prep-kitchen; add a total of 49 interior seats; and add a wine tasting bar within the 5,280 sq.ft. "Market Place" structure; 2) add a covered barbecue area to make sandwiches; 3) add a covered patio area with 12 picnic tables, approximately 72 seats, located on the on the south side of the "marketplace" building; 4) construct an 80± sq.ft. bathroom addition to the 5,280 sq.ft "Cold Storage" building, also located on the site; and, 5) expand the wastewater system to accommodate the 20 additional employees proposed in the second phase of the project. There is an existing 59-space parking lot and a loading area located between the two buildings on the site serving the existing market, grape stock cold storage, seasonal pumpkin patch, and seasonal christmas tree lot.

The project proposal is consistent with the Ordinance #08-01, approved by the voters on February 5, 2008 and declared approved by the Board of Supervisors on March 11, 2008. The project is also consistent with the applicable provisions of the Zoning Ordinance and County General Plan. Therefore, staff is recommending approval of the project, subject to the proposed conditions of approval.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

Negative Declaration Prepared. According to the draft Negative Declaration, the proposed project would have no potentially significant environmental impacts. This project site is not an any lists of hazardous waste enumerated under Government Code Section 65962.5.

BACKGROUND AND DISCUSSION

Owner: William K. Wilcoxson

Applicant / Representative: William K. Wilcoxson, (707) 225-5082, wilcoxsonbill@gmail.com

Application filed: April 9, 2014

Application complete: July 15, 2014

Zoning: Agricultural Watershed:Agricultural Produce Stand Zoning Combination District (AW:PS)

General Plan Designation: Agriculture, Watershed & Open Space (AWOS) Designation

Lot size: 4.2 acres

Building Sizes: Existing 5,280 sq. ft. "Market Place Building" and 5,280 sq. ft. "Cold Storage Building". Proposed 80+/- sq.ft. unisex restroom addition to "Cold Storage Building"; Free-Standing Shade Covers over Outdoor Barbecue and Picnic Area; Approximately a total of 121 seats (49 indoor seats and 12 outdoor picnic tables - 61+/- seats).

Number of employees: currently 3-4; Maximum 11-24 proposed

Hours of operation: currently 6:30am - 6:00pm; proposed 6:30am-9:00pm

Parking: currently 59 spaces; no change proposed.

Adjacent General Plan/ Zoning / Land Use:

North:

AWOS General Plan Designation, AW Zoning – Across Golden Gate Drive to the north are two large lot single family residences with vineyards on a total 21.85 acres. The closest residence is approximately 300 feet from project site.

South:

AWOS General Plan Designation, AW Zoning – Across State Highway 12/121 to the south is a planted vineyards on 143 acres.

East:

AWOS General Plan Designation, AW Zoning – Across Stanly Lane to the east is vacant California State Highway lands.

West:

AWOS General Plan Designation, AW Zoning – Adjoining the property site to the west is vacant California State Highway lands.

Property History:

The historical use on this lot has been: a Halloween pumpkin patch; a Christmas tree lot; cold storage building for grape rootstock; and a small store, the Stanly Lane Marketplace, selling agricultural produce, fruit, vegetables, coffee, beer, wine and other agriculture-related items. In addition, the property was also home to a farmer's market four days a week.

When the adoption of the Napa County's Agricultural Lands Preservation Initiative, known as Measure J approved by the voters on November 6, 1990, the redesignation of parcels classified as Agricultural Resource or Agriculture, Watershed, and Open Space (AWOS) to another use through the year 2020 was prohibited unless such designation was first approved by the voters.

The subject property is zoned AW and the activities on the property at that time were the seasonal pumpkin stand

and Christmas tree lot. When the property owner wanted to expand his business to include commercial retail sales of other agricultural products, he was unable to seek rezoning of his property without a vote of the voters. Thus, the property owner proposed the Stanly Lane Pumpkin Patch Initiative, also known as Measure Z. Measure Z was approved by the voters on November 5, 1996 and served to establish the Agricultural Produce Stand (:PS) Combination zoning district, Section 18.102 of the Zoning Ordinance. Section 18.102.020 of the Zoning Ordinance explicitly permits the following uses:

- A. In any district with which the :PS combination district is combined, all uses allowed without a use permit in the principal zoning district;
- B. Any use permitted upon grant of a use permit in the principal zoning district with which the :PS zoning district is combined;
- C. Sale by the owner of the parcel with which the :PS zoning district is combined of agricultural produce, fruits, vegetables, and Christmas trees, grown on or off premises, and items related thereto, and construction of buildings to accommodate such sales, as well as the recreational and educational use by children of animals, such as children's pony rides and petting zoos, and buildings necessary to house such animals.

The initiative rezoned the subject property from AW to AW:PS and permitted the establishment of a store, known as the Stanly Lane Marketplace. When the property owner decided to further expand the market operations to allow a delicatessen, outdoor barbecue, and wine tasting, the owner then proposed another initiative, the "Stanly Lane Deli Ordinance", which was approved by the voters on February 5, 2008. The vote on Ordinance No. 08-01, cited as the "Stanly Lane Deli Ordinance", was declared passed by the Board of Supervisors on March 11, 2008.

Ordinance No. 08-01 added a new section 18.102.040 of the Napa County Code which provided that the following uses may be permitted on a parcel within a :PS combination zoning district, when accessory to an agricultural produce stand lawfully existing thereon, upon grant of a use permit pursuant to Section 18.124.010: (A) Delicatessens with outdoor barbecue; (B) Wine tastings. The Ordinance states in the Purpose and Intent section that the ordinance would allow the owner to request a County use permit to open a deli on the property. This would allow salads and sandwiches to be made-to-order on-site and foods to be barbecued on an outdoor grill. It further states that the ordinance would also allow customers to taste the many local wines sold at the store, helping to promote Napa County's primary agricultural product. Further, the Ordinance only applied to parcel with the :PS zoning. The Stanly Lane Pumpkin Patch parcel is the only property in the County with this zoning.

Code Compliance History:

No cases. Previous code cases were resolved.

Discussion:

Setting: The 4.2 acre parcel is located on the south side of Golden State Drive, bounded on the east by Stanly Lane, and on the south by State Highway 12/121. Land use to the west and south is agriculture, with agriculture and large lot residential to the north. To the east, the land is vacant. The intersection of Stanly Lane with State Highway 12/121 is signalized and the buildings are visible to the state highway traffic. Two existing signs identify the business. The pumpkin patch location is on the south and east side of the property, adjacent to the state highway.

There is a residence on the subject property and two 5,280 sq. ft. buildings, the market and the cold storage building used to store grape stock. There is an existing parking lot with 59 parking spaces. There is a loading area between the two buildings. The market is currently closed for remodeling, but records indicate that historically agricultural produce, fruit, coffee, beer, wine and other agriculture-related items were sold at the store, with pre-packaged sandwiches and coffee available. The grape stock cold storage operations are still active. The applicant is currently preparing the Pumpkin Patch for the fall season, which will include rows of corn in addition to the pumpkin patch.

There was formerly a lawn on the southerly side of the buildings which has been removed to be replaced with gravel, picnic tables and the barbecue. Inside the market there will be the addition of new seating, a deli sandwich preparation kitchen and a wine tasting bar. There will be minimal land disturbance resulting from this project. The applicant proposes two phases and the second phase involves the construction of an additional restroom which will require the expansion of the wastewater system to support the increase in employees.

Traffic: The project is an expansion of an existing commercial operation, located with frontage on two public roads and bordered by a state highway. The access from Golden Gate Road to State Highway 12/121 via Stanly Road is on improved roads and there is a signalized intersection at the State Highway. As discussed in the initial study, current PM peak traffic Level of Service (LOS) at the Stanly Lane/State Highway 12-121 intersection is categorized as LOS A, based upon information presented in a traffic study, prepared by W-Trans, dated June 15, 2009, for the St. Regis Hotel development located within the Napa city limits. The proposed hotel is located on Stanly Lane, south of the project site and south of the Stanly Lane/State Highway 12/121 intersection. The traffic study projected that the Stanly Lane/State Highway 12/121 intersection would operate at a LOS B upon completion of the Hotel project during the weekend mid-day peak hour. With the projected increase in business at the subject project site, the additional traffic generated at the weekend mid-day peak hour would not be expected to impact the intersection to an unacceptable level, to beyond LOS B.

Water: The city of Napa currently provides water service to the property. The City has provided a "Will Serve" letter to the applicant stating that the City will continue to provide water to the property. Upon contact with the City, the City advised that with the removal of the lawn area at the market significantly reduced the water use on the property and advised that water will be provided for the commercial expansion and the residence. Written confirmation of the service to the commercial development from the City as discussed has been requested by staff.

Greenhouse Gas Reduction Strategies: The applicant team has completed the Department's Greenhouse Gas Emission Reduction Worksheet, which is attached to this report. The applicant proposes to incorporate or has implemented GHG reduction methods including: vehicle miles traveled reduction plan; bicycle incentives; installation of water efficient fixtures; water efficient landscaping; 75% recycling of all waste; south side shade tree plantings; accessibility to public transit; an existing site design that is oriented and designed to optimize conditions for natural heating, cooling and day lighting of interior spaces; use of recycled materials; use of locally grown food; and, education to staff and visitors on sustainable practices.

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 project is consistent with the AW:PS (Agricultural Watershed:Agricultural Produce Stand Combination District). The PS combination district classification is intended to be applied in Agricultural Watershed districts where the sale of of agricultural produce, fruits, vegetables, and Christmas trees, grown on or off premises, and items related thereto, as well as well as the recreational and educational use by children of animals, such as children's pony rides and petting zoos. Napa County Code Section Section 18.102.040 allows delicatessens with outdoor barbecue and wine tastings, upon grant of a use permit.

2. **Environmental Health Division** - Recommends approval with standard conditions in the attached Memorandum dated July 15, 2014.

3. **Engineering Services Division** - Recommends approval with standard conditions in the attached Memorandum dated July 31, 2014.

4. **Fire Department** - Recommend approval with standard conditions in the attached Inter-Office Memo dated April

24, 2014.

5. Other Agencies - The City of Napa has provided a "Will Serve" letter to the applicant stating that the City will continue to provide water to the property. Upon contact with the City, the City advised that the removal of the lawn area at the market significantly reduced the water use on the property and advised that water will continue to be provided for the market's expansion and for the residence. Written confirmation of continued service to the expanded commercial development from the City as discussed has been requested by staff.

SUPPORTING DOCUMENTS

- A . EXHIBIT A - FINDINGS
- B . EXHIBIT B - CONDITIONS
- C . DEPARTMENT CONDITIONS
- D . NEGATIVE DECLARATION
- E . APPLICATION PACKAGE
- F . MEASURE Z - ORD 96-3
- G . MEASURE K - ORD 08-01
- H . Board of Supervisor Measure K Section 9111 Report
- I . GRAPHICS

Napa County Planning Commission: Approve

Reviewed By: John McDowell