



**Contra
Costa
County**

To: Board of Supervisors

From: John Kopchik, Director, Conservation & Development Department

Date: May 8, 2018

Subject: Panattoni Warehouse Project General Plan Amendment and Final Development Plan

RECOMMENDATION(S):

1. OPEN the public hearing on the General Plan Amendment and Final Development Plan for the Panattoni Warehouse Project RECEIVE testimony, and CLOSE the public hearing.
2. FIND that the mitigated negative declaration prepared for the Panattoni Warehouse Project adequately analyzes the Project's environmental impacts, that there is no substantial evidence that the Panattoni Warehouse Project will have a significant effect on the environment, and that the mitigated negative declaration reflects the County's independent judgment and analysis.
3. ADOPT the mitigated negative declaration prepared for the Project.
4. ADOPT the mitigation monitoring program for the Project.
5. ADOPT Resolution No. 2018/160, amending the General Plan to change the land designation at the Project site from Multiple Family Residential – Medium Density to Business Park (#GP14-0003).
6. APPROVE the Final Development Plan (#DP14-3041) for the Project.
7. APPROVE the findings in support of the Project.
8. APPROVE the Project conditions of approval, including Condition of Approval #10 (i) requiring the use of zero-emission technology forklifts for operations conducted at the Project site.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY

☐ RECOMMENDATION OF BOARD

ADMINISTRATOR

COMMITTEE

Action of Board On: **05/08/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor

Candace Andersen, District II
Supervisor

Diane Burgis, District III Supervisor

Karen Mitchoff, District IV
Supervisor

Federal D. Glover, District V
Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 8, 2018

David Twa, County Administrator and Clerk of the Board of Supervisors

By: June McHuen, Deputy

Contact: Francisco Avila, (925)
674-7801

cc:

9. DIRECT the Department of Conservation and Development to file a CEQA Notice of Determination with the County Clerk.

RECOMMENDATION(S): (CONT'D)

10. SPECIFY that the Department of Conservation and Development, located at 30 Muir Street, Martinez, California, is the custodian of the document and other material that constitutes the record of proceedings upon which the decision of the Board of Supervisors is based.

FISCAL IMPACT:

None. The applicant is responsible for the costs of processing this application.

BACKGROUND:

The Board of Supervisors previously approved a General Plan Amendment for this site changing the designation from Heavy Industrial to the current Multi-Family Residential-Medium Density (MM) land use category. The amendment (County File numbers SD10-9293 and DP10-3038) allowed for development of 240 residential units. However, those subdivision entitlements were not fully executed (rough grading only) due to changing market conditions. Therefore, the current property owner has put forth a new warehouse proposal to better align with current market demands and other light industrial uses in the immediate North Richmond area.

This new proposal is requesting a General Plan Amendment for the site from MM to Business Park. The project also includes a Development Plan permit (County File No. DP14-3041) for the construction of a 482,055-square-foot warehouse distribution facility. The Development Plan portion of the project was approved by the County Planning Commission (CPC) on March 14, 2018. The Business Park designation was chosen to align with the proposed light industrial uses and future development of a 1.3 acre portion of the site reserved for retail business uses such as a gas station and mini-mart. Other components of the project include: drainage improvements, off-street parking and frontage improvements necessary for ingress and egress. The CPC approval included a recommendation to the Board of Supervisors to approve the General Plan Amendment request.

In order to approve the General Plan Amendment request, a finding of “Community Benefit” must be made. In this case, the project includes the following Community Benefits: 1) reserving of potential retail space for an area historically underdeveloped with service orientated uses, 2) construction of off-site roadway improvements intended to reduce or eliminate semi-truck traffic within the residential portion of North Richmond, in addition to payment of balance of Area of Benefit fees, 3) dedication of a trail easement at the southern portion of the site which will allow the East Bay Regional Parks District to construct a Richmond Parkway over-crossing at some point in the future, and 4) paying a fair share contribution towards the cost of planning and/or constructing a Solar Project for the benefit of the North Richmond area. Therefore, based on these Community Benefits agreed to by the developer, the County Planning Commission recommended that the Board of Supervisors approve the General Plan Amendment

request, County File Number GP14-0003.

Since the CPC's approval of the Development Plan portion of the project on March 14, 2018, staff has been made aware of new forklift technology/regulations that can further reduce the project's operational emissions. New zero-emission technology forklifts (e.g., battery electric and hydrogen fuel cell) are currently available and their use can be easily incorporated into project approvals for new light industrial uses within the County. Staff is recommending that the Board of Supervisors add the following condition to the project's approval:

Within 30-days of occupancy, applicant/tenant shall demonstrate to the satisfaction of CDD staff, that zero-emission technology forklifts (e.g., battery electric and hydrogen fuel cell) are being used for all operations (both indoor and outdoor) on the subject property.

The applicant has reviewed the proposed condition language and has agreed to its addition to the project approval. This new condition will work in conjunction with already adopted mitigation measures aimed at reducing construction and operational emissions related to the project such as: 1) watering the construction site twice daily to limit dust, 2) covering all haul trucks which transport soil, 3) requiring the project to include a trucker's lounge to avoid unnecessary idling within warehouse yards, 4) electrifying all loading docks to accommodate future use of electric trucks and Transport Refrigeration Units, and 5) requiring the project sponsor to install sufficient solar panels at the site in order to generate power necessary to meet the warehouse tenant's electrical needs. No other changes to the project have occurred since the CPC's approval and recommendation that the Board of Supervisors approve the General Plan Amendment request.

CONSEQUENCE OF NEGATIVE ACTION:

If the Board does not approve the General Plan Amendment request, the applicant cannot construct the proposed project and the previous development approvals would remain in effect.

CLERK'S ADDENDUM

CLOSED the public hearing.; FOUND that the mitigated negative declaration prepared for the Panattoni Warehouse Project adequately analyzes the Project's environmental impacts, that there is no substantial evidence that the Panattoni Warehouse Project will have a significant effect on the environment, and that the mitigated negative declaration reflects the County's independent judgment and analysis; ADOPTED the mitigated negative declaration prepared for the Project; ADOPTED the mitigation monitoring program for the Project; ADOPTED Resolution No. 2018/160, amending the General Plan to change the land designation at the Project site from Multiple Family Residential – Medium Density to Business; APPROVED the Final Development Plan; APPROVED the findings in support of the Project; APPROVED the Project conditions of approval, including Condition of

Approval #10 (i) requiring the use of zero-emission technology forklifts for operations conducted at the Project site; DIRECTED the Department of Conservation and Development to file a CEQA Notice of Determination with the County Clerk; and SPECIFIED that the Department of Conservation and Development, located at 30 Muir Street, Martinez, California, is the custodian of the document and other material that constitutes the record of proceedings upon which the decision of the Board of Supervisors is based.

ATTACHMENTS

Resolution No. 2018/160

General Plan Map

Zoning Map

Aerial Map

CPC Staff Report

Findings and Conditions of Approval

Environmental Review

Mitigation Monitoring Program

General Plan Amendment Study

Notification List

Power Point Presentation

Plans