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Planning Commission Staff Report,  
January 22, 2020  
(without attachments; full report online  
at  
<http://services.countyofnapa.org/AgendaNet/GranicusMeetingDocuments.aspx?id=5980>)



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Agenda Date: 1/22/2020

Agenda Placement: 7C

## Napa County Planning Commission Board Agenda Letter

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**TO:** Napa County Planning Commission

**FROM:** Charlene Gallina for David Morrison - Director  
Planning, Building and Environmental Services

**REPORT BY:** Dana Ayers, Consultant - 925-688-2490

**SUBJECT:** Oak Knoll Hotel

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### **RECOMMENDATION**

#### **OAK KNOLL RESORT, LLC / OAK KNOLL HOTEL, USE PERMIT APPLICATION NO. P14-00215-UP**

**CEQA Status:** Consideration and possible certification of a Final Environmental Impact Report (FEIR). According to the FEIR, the proposed project would not have any significant environmental impacts after implementation of mitigation measures related to potential impacts to: a) Aesthetics; b) Biological Resources; c) Cultural and Tribal Cultural Resources; d) Noise; and e) Traffic and Transportation. 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 use permit that would encompass demolition of existing structures and construction of a 50-room hotel with indoor and outdoor guest amenities, a 100-seat restaurant and an approximately 1,280 square foot art gallery / retail tenant space on a 3.54-acre property located at 5091 Solano Avenue (Assessor's Parcel No. 035-031-009) in the CL (Commercial Limited) zoning district of unincorporated Napa County.

**Staff Recommendation:** Open the public hearing, accept testimony, and make tentative decisions about certification of the FEIR and the requested use permit. Staff will return at a future Planning Commission meeting with findings in accordance with the Commission's tentative action.

**Staff Contact:** Dana Ayers, Consultant Planner, phone number (925) 688-2490 or email address [dayers@trccompanies.com](mailto:dayers@trccompanies.com); Charlene Gallina, Supervising Planner, phone (707) 299-1355 or email [Charlene.Gallina@countyofnapa.org](mailto:Charlene.Gallina@countyofnapa.org)

**Applicant/Representative:** Brian Russell, phone (707) 294-2775 or email address [napalandlaw@gmail.com](mailto:napalandlaw@gmail.com)

### **EXECUTIVE SUMMARY**

**Proposed Actions:**

That the Planning Commission:

1. Make a tentative decision with regard to certification of the FEIR, and direct staff to draft findings in accordance with the tentative action; and
2. Make a tentative decision with regard to the use permit request, mitigation monitoring and reporting program, and general plan-consistency and direct staff to draft findings in accordance with the tentative action, and, as appropriate, modify the draft recommended conditions of approval.

**Discussion:**

The Napa County Planning Division received a request for a use permit to demolish existing structures and construct and operate a 50-room hotel with indoor and outdoor guest amenities, a 100-seat restaurant and an approximately 1,280 square foot retail tenant space at 5091 Solano Avenue. The subject property is developed with approximately 35,080 square feet of currently vacant buildings that previously housed a restaurant, retail stores and a hot air balloon launching business. The applicant proposes to demolish the existing buildings and paved surfaces on the property and to redevelop the site with the proposed new commercial development.

The hotel component of the proposed project consists of 50-guest rooms with guest amenities that include a spa, swimming pool, bocce court and fitness center. The restaurant component of the project would be in the same building as the hotel guest lounge area and would include a bar and 100 seats spread among an indoor dining room, an outdoor dining patio, and a casual dining cafe. Food service from the restaurant would be available to hotel guests, as well as to the general public, and the restaurant would be made available for private functions for up to 100 people. During private events, food service from the kitchen would still be made available to hotel guests, and the number of seats made available to non-event customers would be reduced by the number of guests at the event. The retail space would operate in a standalone building on the property; it would also accommodate walk-in customers but would generally retail hotel-branded products marketed toward guests of the hotel, or it would operate as an art gallery.

In addition to the proposed buildings, at-grade construction would include a 109-stall vehicle parking lot; a customer vehicle entry court; and site perimeter landscaping. Underground, proposed utilities infrastructure would include an on-site wastewater treatment system that would generate high-quality effluent, some of which would be stored in tanks underground so as to be recycled as surface landscape irrigation or plumbed to urinals and toilets onsite. Potable water is currently provided via two existing laterals from a City of Napa water main. The lateral was initially installed to accommodate water demands of the previous restaurant and retail uses; to accommodate the additional demand flows needed for the newly proposed hotel, the applicant proposes to install tanks for water storage under the on-site parking lot.

The use permit request is subject to review under the California Environmental Quality Act (CEQA, Public Resources Code Section 21000 et seq.), which requires permitting agencies to identify potential impacts to the environment that would occur as a result of implementation of a proposed project, prior to making a decision to approve or to deny a permit request. Staff of the Planning Division and the consulting firm of Ascent Environmental, Inc., completed a Draft Environmental Impact Report (DEIR) and an FEIR that includes responses to public comments on and revisions to the DEIR, in order to meet the requirements of CEQA. The FEIR encompasses the DEIR by reference and is available online at <https://www.countyofnapa.org/806/Oak-Knoll-Hotel>

Prior to approving the project request, the Planning Commission must certify the adequacy of the analysis in the FEIR. The Commission is requested at this meeting to make tentative decisions with respect to whether the FEIR should be certified and whether the project should be approved.

**FISCAL & STRATEGIC PLAN IMPACT**

Is there a Fiscal Impact? No

County Strategic Plan pillar addressed:

**ENVIRONMENTAL IMPACT**

Consideration and possible certification of an FEIR. According to the FEIR, the proposed project would have potentially significant environmental impacts requiring mitigation in the following resource areas: a) Aesthetics; b) Biological Resources; c) Cultural and Tribal Cultural Resources; d) Noise; and e) Traffic and Transportation. This project site is not on any of the lists of hazardous waste sites enumerated under Government Code Section 65962.5.

**BACKGROUND AND DISCUSSION**

**Property Owner:** Oak Knoll Resort, LLC

**Applicant/Representative:** Brian Russell, phone number (707) 294-2775 or email address napalandlaw@gmail.com

**Zoning:** CL (Commercial Limited) District

**General Plan Designation:** Agricultural Resource

**Application Filed:** June 20, 2014; revisions January 20, 2016, April 22, 2016, October 12, 2017

**Application Complete:** December 20, 2019

**Parcel Size:** 3.54 acres, of which approximately 0.5 acres is devoted to a road easement serving West Oak Knoll Avenue/Wurz Lane, a private road that connects Solano Avenue with the vineyards and residences in the vicinity of the project site

**Existing Building Size:** Approximately 35,080 square feet in seven commercial structures

**Proposed Building Size:** Approximately 36,200 square feet of indoor area, plus approximately 9,930 square feet of outdoor area of hotel room balconies and restaurant dining patio

**Maximum Allowable Building Height:** 35 feet

**Proposed Project Maximum Building Height:** Approximately 32 feet

**Maximum Main Building Coverage:** Not applicable; no maximum building coverage in CL District

**Proposed Project Building Coverage:** 23 percent

**Setbacks Required:** Not applicable; no minimum setbacks in CL District

**Proposed Project Building Setbacks:** 20 feet from front, side and rear property lines; 20 feet from edge of Oak Knoll Avenue/Wurz Lane right-of-way

**Parking Required:** 109 stalls  
Proposed Project Parking: 109 stalls

**Adjacent General Plan Designations, Zoning Districts and Land Uses:**

North: The private access easement of West Oak Knoll Avenue/Wurz Lane adjoins the northern property line of the site. There are two parcels immediately north of the site, approximately two and four acres in size, on the opposite side of West Oak Knoll Avenue/Wurz Lane. Both parcels have single-family residential land uses, are zoned AP (Agricultural Preserve) and have a General Plan land use designation of Agricultural Resource (AR). Other residential parcels ranging in size from 0.5 acres to three acres in size are also in the general vicinity north of the site.

West: The vineyards of the Laird Family Estate Winery, located on an approximately 40-acre parcel, adjoin the western property line of the site. Further to the west are other 10-acre or larger vineyard parcels, with and without single-family residences. These properties are zoned AP District and have an AR General Plan land use designation.

South: The vineyards of the Laird Family Estate Winery also adjoin the southern property line of the site. Beyond the Laird Winery parcel is another 40-acre parcel planted with grapevines. Both parcels are zoned AP District and have an AR General Plan land use designation.

East: The public right-of-way of Solano Avenue adjoins the eastern property line of the site. Beyond Solano Avenue are a drainage ditch and other rights-of-way of the Napa Valley Vine Trail, the Napa Valley Wine Train, and State Route 29. Beyond State Route 29 are two large (35- and 40-acre) vineyard parcels zoned AP District and with AR General Plan land use designation.

**Parcel History:**

The property has been previously developed, including pavement, trees, and seven structures totaling 35,080 square feet that were previously occupied by a hot air balloon company, a garden store, residential uses, an antique store, and a restaurant and bar. Commercial activities on the site predate the County's 1955 zoning ordinance. Multiple use permits and modifications have since been approved for the site over the last 60 years; the most recent businesses to occupy the site include the Red Hen antique store and restaurant. The Red Hen restaurant relocated in 2003, and another restaurant filled the space until 2007. The existing structures on-site have been vacant since 2007.

**Code Compliance:**

County Code Enforcement staff previously initiated a code compliance action due to lack of maintenance of the property, including overgrown vegetation and debris and dilapidated structures. Since initiation of the code case, the applicant has worked to resolve the enforcement issue by cleaning the property and securing the vacant buildings. There are no businesses operating at the site and therefore no code compliance issues related to land use on the property. The property owners have agreement per a settlement to maintain the property under such time as redevelopment occurs.

**Discussion Points:**

FEIR - An environmental impact report is an informational document that is used to inform public agency decision-makers and the general public of the potentially significant environmental effects of a project; to identify possible ways to mitigate or avoid those significant effects; and to describe a range of reasonable alternatives to the project

that could feasibly attain most of the basic objectives of the project while substantially lessening or avoiding any of the project's significant environmental impacts. Public agencies are required to consider the information presented in the environmental impact report when determining whether to approve a project.

Between June 22 and August 6, 2018, the County circulated for public and agency review a DEIR for the Oak Knoll Hotel project. The comment period included a Planning Commission public hearing on July 11, 2018, at which oral comments on the DEIR could be submitted. The FEIR for the Oak Knoll Hotel project encompasses the DEIR by reference, comments received on the DEIR, responses to those comments, and where necessary, revisions to the DEIR text. The FEIR describes the potentially significant adverse environmental effects of the proposed project, as well as, measures that would avoid or mitigate the significant adverse environmental effects that are anticipated to result from the construction and operation of the proposed project. According to the FEIR, the proposed project would have potentially significant environmental in the resources areas of: a) Aesthetics; b) Biological Resources; c) Cultural and Tribal Cultural Resources; d) Noise; and e) Traffic and Transportation. All of the potentially significant impacts identified in the FEIR could be reduced to a level of less than significant with mitigation.

In addition to an impact analysis of the proposed project, and in accordance with State CEQA Guidelines Section 15126.6, the FEIR analyzed alternative scenarios and compared the potential environmental effects of each alternative to those of the proposed project. The Oak Knoll Hotel Project FEIR evaluated four alternative scenarios to the proposed project. The first, the No Project Alternative, assumes that the project is not approved or implemented. The second alternative, the Existing Entitlements Alternative, includes two sub-scenarios wherein existing, entitled uses (hot air balloon company, retail and restaurant) are reactivated and re-established on the property. In the first sub-scenario, the existing buildings on the property are rehabilitated; and in the second sub-scenario, the existing buildings are demolished, and the site is redeveloped with new structures to house the entitled uses. The last alternative, the No Special Events with Amplified Sound Alternative, assumes the same physical elements of the project but precludes private events with amplified sound. Other alternatives considered but not evaluated in further depth in the DEIR included an off-site alternative and a reduced building height alternative without standalone retail. Each of the alternative scenarios to the project is discussed in further detail in Chapter 6 of the DEIR.

Because the No Project–No Development Alternative (described above in DEIR Section 6.3.1) would avoid all adverse impacts resulting from construction and operation of the Oak Knoll Hotel Project analyzed in DEIR Chapter 3, it is the environmentally superior alternative. However, the No Project–No Development Alternative would not meet the objectives of the project as presented above and in DEIR Section 6.2, and it would result in greater aesthetic impacts compared to the project. When the environmentally superior alternative is the No Project Alternative, the State CEQA Guidelines (Section 15126.6[d][2]) require selection of an environmentally superior alternative from among the other action alternatives evaluated. As illustrated in Table 6-2 of the DEIR, Alternative 3 (No Special Events with Amplified Sound) would be the environmentally superior action alternative among all other alternatives because this alternative would eliminate rather than reduce the special event noise impacts of the project with mitigation, and it would result in similar impacts for all other issue areas.

Setting - The project site at 5091 Solano Avenue is a 3.54-acre parcel located on the west side of Solano Avenue, west of State Route 29 and the Napa Valley Vine Trail, and south of West Oak Knoll Avenue/Wurz Lane. Approximately 0.5 acres of the site is within the West Oak Knoll Avenue/Wurz Lane private easement. The General Plan land use designation is Agricultural Resource, and the property is zoned CL District. The property has been previously developed with commercial uses, some of which predated the 1955 date of adoption of the Napa County zoning code. As described above, land uses surrounding the property include vineyards and the Laird Winery, and single-family houses.

Building and Site Improvements - Proposed physical changes to the property include demolition of existing commercial buildings and redevelopment of the property with a resort hotel use. The proposed hotel would include 50 rooms, each approximately 400 square feet, for a total of 20,000 sf of hotel room space. The rooms would be in

several individual buildings within the project site. A row of two-story structures housing 26 hotel rooms would be located along the western boundary of the site. Six rooms would be in a two-story structure along the southern boundary of the site, located between the western row of buildings and the proposed pool. The remaining 18 rooms would be in two, three-story structures located near the center of the site.

The hotel would also include 1,100 square feet for hotel reception and check-in; 1,280 square feet for hotel lobby/lounge; a 1,500-square foot fitness center; a 2,000-square foot spa area; 1,050 square feet for hotel administration; 1,180 square feet for laundry facilities, linen closets, and other hotel back-of-house uses; and 900 square feet for storage and maintenance. With the exception of the hotel lounge, these services and amenities would be housed in buildings near the center of the site. Outdoor amenities proposed to be included with the project include a swimming pool, a bocce court and an outdoor lounge area on the rooftop of the restaurant building.

The proposed 100-seat restaurant is proposed as a single-story building located near the southeastern corner of the property. The restaurant building would encompass 4,750 square feet, which would include space for the hotel and room service kitchen area, as well as, the hotel lobby/lounge area. The restaurant would include an indoor dining room, an approximately 1,500 square foot outdoor dining patio, and an approximately 540 square foot indoor casual café area, with a total of 100 seats divided between all three areas. The applicant proposes to have periodic events with attendance of up to 100 people per event at the restaurant facility. The project application includes a request for a use permit that would allow the use of amplified sound (music and noise) at events held at the restaurant.

The project includes one retail space with a floor area of 1,280 square feet to be located in the stand-alone single-story building generally centered on the Solano Avenue frontage. The retail space would be controlled and operated by the hotel and may be used as an art gallery.

The operations and maintenance of all elements of the project is expected to require up to 33 employees.

Other proposed modifications to the site include a 109-stall parking lot, a vehicle entry court, and new landscaping along the perimeter of the site; landscaping would include at least 15 new trees to replace the trees proposed to be removed as part of site demolition. Off-site, the applicant proposes to install a left-turn lane within the right-of-way of Solano Avenue; to construct a pedestrian bridge crossing over the drainage ditch between Solano Avenue and the Napa Valley Vine Trail; and to stripe a crosswalk between the pedestrian bridge and the site. An EIR mitigation measure incorporated into recommended conditions for Commission consideration would require the crosswalk to be striped at the intersection of Solano Avenue and West Oak Knoll Avenue/Wurz Lane, rather than mid-block as drawn on the proposed project plans (see Recommended Conditions Nos. 6.13(g)(I) and 6.13(g)(ii)).

No business identification signage for the project is proposed at this time. In accordance with Napa County Code Section 18.116.035, the permittee must obtain approval for a comprehensive sign program (CSP) prior to installing any business identification signage on the property. The CSP permit application would be subject to review and approval by the Planning Director, or by the Planning Commission if the CSP application accompanies an entitlement request requiring Commission review.

Traffic and Parking - Napa County Code Section 18.110.030 specifies off-street vehicular parking space requirements for various land uses. Resort hotel uses must provide at least one parking space per guest room; restaurant uses must provide at least one parking space per 120 square feet of building area; and retail uses must provide parking at a ratio of one space per 250 square feet of building area. Based on 50 hotel guest rooms, approximately 6,400 gross square feet of restaurant building area, and approximately 1,280 gross square feet of retail building area, the project must include at least 109 off-street, automobile parking stalls and racks for parking of at least 10 bicycles. The proposed project plans indicate 109 automobile parking stalls and five racks (each with

locking capacity for two bicycles), in accordance with the minimum requirements of County Code.

The project site fronts onto Solano Avenue, which has one northbound travel lane, one southbound travel lane, on-street bicycle lanes, and a posted speed limit of 40 miles per hour. There are no parking lanes on Solano Avenue. The northern boundary of the project development area adjoins West Oak Knoll Avenue/Wurz Lane, a private access road. Only emergency vehicle access would be provided via a locked and gated driveway from West Oak Knoll Avenue/Wurz Lane. Primary access to the project is proposed from Solano Avenue, from which vehicles would access the hotel's vehicle entry court. A second driveway on Solano Avenue is proposed for access for delivery trucks and trash pickup trucks. Due to the design of this access driveway requiring drivers to back vehicles out onto Solano Avenue at departure, staff recommends that the second driveway on Solano Avenue be eliminated (see Public Works Memorandum, recommended condition no. 6). This site revision may require relocation of the trash enclosure to a location that would facilitate forward movement by trucks out of the primary driveway. Other recommended conditions from Public Works staff would augment proposed pedestrian improvements and include construction of accessible ramps and on-site pedestrian paths from the proposed crosswalk on Solano Avenue.

Traffic analysis prepared by W-Trans Traffic Engineering, subconsultant to the County's EIR consultant, estimated that the proposed project would generate 695 new automobile trips per day, with 52 of those daily trips occurring on a weekday during the evening peak hour and 64 of those daily trips occurring on a weekend day during midday peak hour. These new daily trips were not projected to have a significant traffic impact on intersections in the project vicinity; modeling of selected intersections and road segments near the project site indicated that the roadway facilities would operate at levels of service of C or better, with and without the project. (General Plan Policy CIR-38 identifies level of service D or better as the preferred service levels.) Though no EIR mitigation is recommended for vehicular level of service impacts, the EIR does recommend mitigation for potentially significant pedestrian and transit impacts, as referenced in the discussion of Building and Site Improvements above, as well as, for potentially significant construction-related impacts (see Recommended Condition No. 6.13(i)).

Water Availability - The applicant's engineer estimated daily water demand for all elements of the project (retail, restaurant and hotel, including pool) at 10,495 gallons per day. Approximately 2,007 gallons of water is proposed to be treated on-site and plumbed back into toilet fixtures, reducing daily water demand to an estimated 8,258 gallons per day. Potable water to the property is provided from the City of Napa under a previously-executed water service and annexation agreement. The property has existing water lines from City mains in the Solano Avenue right-of-way; these two existing water connections are in the northeastern portion of the site, along the eastern boundary and are sized to accommodate the demands of the prior restaurant and retail uses of the property. In addition to this existing infrastructure, the applicant proposes to install a 48,000-gallon underground tank to store water on the property, ensuring flows to onsite fixtures remain adequate during peak times of day, generally in the mornings and evenings. Recommended conditions of approval from the Environmental Health Division would require ongoing monitoring of the quality of water stored in this tank. Should stored water quality not meet standards for potable water, on-site treatment and compliance with other measures applicable to the requirements of a small public water system would be required of the project (see Environmental Health Memorandum, Recommended Condition No. 15).

Wastewater Treatment - The project as proposed would include an on-site wastewater treatment system that would treat all wastewater generated on the project site. All effluent would be treated to meet Title 22 recycled water requirements, which allows limited reuse of treated wastewater and discharge to ground surface. This proposed system would be subject to permitting by the San Francisco Regional Water Quality Control Board.

Based on full occupancy of the proposed uses, the applicant's engineer estimated that the project would generate 10,035 gallons of wastewater per day; of the total wastewater generated, 2,007 gallons would be treated and reused for toilet flushing. Some of the treated effluent would be reused in landscaping irrigation. Treated effluent that is not used for landscape irrigation or sanitary fixtures would be dispersed via a percolation field under the parking area.



With the exception of an aboveground operator's shed, wastewater treatment equipment would be beneath the surface of the parking lot. Raw wastewater would flow from the buildings to a 20,000-gallon anaerobic reactor, then undergo three stages of filtration. Following the three stages of filtration, the effluent would be conveyed to a smaller, 2,500-gallon aerobic tank, then flow to a 10,000-gallon denitrification tank, and finally into a 10,000-gallon effluent pump tank. From there, water would be conveyed to a disinfection unit within the dispersion fields, and then to an advanced filtration unit. Once water has completed all stages of the treatment processes, it would be stored in three underground storage tanks (one 30,000-gallon tank and two 40,000-gallon tanks) from which the treated water would be drawn for fire suppression, as needed, and for on-site landscape irrigation in drier months. Unused water would be dispersed through subsurface lines, and from there, it would eventually percolate into the ground. There would be a total of 32 trenches in the percolation field, ranging from 45 feet to 100 feet in length. Most of the percolation lines would be located along the northern portion of the site, though some would be positioned along the western and southern site boundaries. It is noted that the discharge areas as proposed would not operate in a manner typical of leachfields that rely on soil for wastewater treatment, because wastewater would be treated on-site to a tertiary level, and the treated effluent would meet Title 22 water quality discharge standards.

Performance of the system relies on wastewater volumes not exceeding the maximum quantities of effluent specified in the applicant's engineer's analysis. To ensure the performance of the system within its design capacity and avoid system failure, staff recommends a condition that would establish parameters for determining estimated peak flows from the uses, as well as, assurance that the wastewater treatment system and other utilities are designed to accommodate maximum peak daily flows rather than average flows (see Recommended Project Specific Condition No. 4.12(a)).

Greenhouse Gas Reduction Strategies - The applicant identified in the use permit application and associated narrative several measures that are consistent with local efforts to manage greenhouse gas emissions from development projects. These measures include promotion of employee and guest carpooling, shuttling, and bicycling as a transportation alternative to single-occupant automobiles, taking advantage of proximity of the site to the Napa Valley Vine Trail; reuse of treated recycled water on-site; installation of an electric vehicle charging station; use of sustainable building materials and water-efficient landscaping; architectural design that utilizes south- and west-facing exposures for passive lighting, while including extended coverings over balconies for shading of interior guest room spaces in warmer months; stormwater quality measures that include on-site filtration of pollutants and permeable pavers in the guest entry court; and growing of crops on-site for use in food service of the restaurant (Napa County Greenhouse Gas Checklist, Best Management Practices Checklist Measures BMP-6, BMP-11, BMP-13, BMP-21, BMP-23 and BMP-29).

Public Comments - County staff has received comments from owners of residential and vineyard property proximate to the project site. Comments expressed concerns about the intensity of development on the site, as well as, increases in noise and parking demands as a result of the project. Comments also expressed support of the project and redevelopment of the property with new uses and buildings. Letters and correspondence from interested parties are attached to this staff report as Attachment C.

### **Decision-making Options:**

Option 1: Approve Applicant's Proposal with Conditions (Staff recommended option ).

This action would result in redevelopment of the property with resort hotel, restaurant and retail and/or gallery uses, on the subject property. The proposed project would include new, energy-efficient buildings; water-efficient landscaping; and a new, on-site wastewater treatment system facilitating reuse of treated effluent on-site in toilet fixtures and landscape irrigation. On-site vehicular and bicycle parking would be provided in accordance with minimum requirements of the zoning code. Daily vehicle trips to the property would increase by an estimated 695 trips per day, though the proximate roadway system would continue to perform at acceptable levels of service.

Along with EIR mitigation measures, conditions of approval recommended by staff would require revision of the site plan to remove the second driveway on Solano Avenue; limit hours of operation of the restaurant, and preclude restaurant operations from occurring on the hotel's rooftop lounge; and impose restrictions on the use of outside vendor amplification systems. Though it is not the environmentally superior alternative, the project as conditioned would not have potentially greater impacts than the environmentally superior Project with No Amplified Sound alternative because mitigation measures identified for the project would reduce amplified sound impacts to a level of less than significant.

Action Required – Direct staff to: 1) prepare findings for certification of the EIR and approval of the project; 2) assemble a mitigation monitoring program and conditions of approval; and 3) make amendments to select, recommended project-specific conditions as listed in Attachment A, as may be appropriate, at the time the motion of approval is made.

Option 2: Reduced Density Alternative.

This alternative would allow redevelopment of the site with restaurant and retail uses consistent with the proposed project but would reduce the number of guest rooms from 50 to 43 by eliminating the third story on the buildings central to the property. All mitigation measures identified in the EIR would be required of the project, as the EIR did not identify any intensity-related project impacts. While visual impacts of the project were found to be less than significant, and the 32-foot height of the buildings is below the 35-foot maximum height allowed for buildings in the CL District, this alternative would lower the height of structures otherwise proposed. Recommended traffic, site and rooftop lounge access, water system and restaurant operations conditions recommended for the project would be applied to this alternative. Traffic generated under this alternative would be less than traffic volumes generated by the proposed project, though, as with visual resources, traffic impacts of the proposed project were not found to be potentially significant in the EIR analysis.

Action Required – Direct staff to: 1) prepare findings for certification of the EIR and approval of the project; 2) assemble a mitigation monitoring program and conditions of approval; and 3) make amendments to select, recommended project-specific conditions listed in Attachment A to include a requirement that the permittee revise the architectural plans in accordance with the description of this alternative, at the time the motion of approval is made.

Option 3: Deny the Requested Use Permit.

As a result of this action, no hotel, restaurant or retail operations would occur under proposed conditions, though retail and restaurant uses could be re-established under existing, previously approved entitlements referenced above. This action could result in continued vacancy of the property until either: a) a new tenant was found for the existing buildings; b) a developer obtained approval of a request to redevelop the property in accordance with existing land use entitlements; or c) a use permit application for an alternative commercial use also consistent with the CL District was approved by the Planning Commission.

Action Required – In the event that the Commission determines that it cannot meet the required findings for grant of the requested Use Permit, Commissioners must articulate the basis of the conflict with the findings. The Commission would then make a tentative motion to deny the proposal and remand the matter to staff to draft the required findings of denial, based on the Commissioners' statements. Staff would return to the Commission with the findings of denial of the project on a specified date. Under this alternative, the FEIR would not be certified.

Option 4: Continuance Option.

The Commission may continue an item to a future hearing date without a tentative action at this meeting, at the Commission's discretion.

**SUPPORTING DOCUMENTS**

- A . Recommended Conditions of Approval & Final Agency Memos
- B . Draft and Final Environmental Impact Report - Online Link
- C . Public Comments
- D . Use Permit Application Packet
- E . Graphics

Napa County Planning Commission: Approve

Reviewed By: Charlene Gallina