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Agenda Date: 12/16/2014

Agenda Placement: 6X

## NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

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**TO:** Board of Supervisors

**FROM:** Lawrance Florin - Director  
Housing and Intergovernmental Affairs

**REPORT BY:** Lawrance Florin, DIR HOUSING AND INTERGOVERNMENTAL AFFAIRS - 253-4621

**SUBJECT:** Second Reading and Adoption of Napa Pipe Development Ordinances

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### **RECOMMENDATION**

Second reading and adoption of: 1) an ordinance approving the Development Agreement; and 2) an ordinance approving the Development Plan for the Napa Pipe Project associated with development of the following ("the Napa Pipe Project" or "the Project"): (1) 700 dwelling units (up to 945 units with State required density bonus); (2) a 150-unit continuing care retirement center for seniors; (3) 40,000 square feet of neighborhood serving retail uses; (4) 10,000 square feet of office; (5) a 150-room hotel with supporting uses; (6) a 154,000 square foot membership warehouse store (such as a Costco) with a gas station; (7) publicly accessible and privately-maintained parks and open space; (8) community facilities/farm; (9) publicly accessible and privately-maintained roads; and (10) infrastructure. The Napa Pipe Project is proposed on a 154 acre site located at 1025 Kaiser Road, Napa, approximately ¼ mile west of State Highway 121 and ¼ mile north of State Highway 29 (APN's: 046-400-030 & 046-412-005). The Napa River adjoins the west side of the site. The site is bisected by railroad tracks running north-south.

**ENVIRONMENTAL DETERMINATION:** A Final Environmental Impact Report ("EIR") was prepared for the Napa Pipe Project and certified by the Board of Supervisors on January 14, 2013. An Initial Study/Addendum ("Addendum") to the County's EIR was prepared by the City of Napa and adopted by the City of Napa City Council on July 22, 2014, concluding that the County's EIR for the Napa Pipe Project adequately identified and analyzed the potential environmental effects of the City providing municipal services to and potential annexation of the Napa Pipe Project site. Prior to taking action to recommend Board of Supervisors adoption of ordinances and resolutions regarding the actions requested below, the Planning Commission has made recommended CEQA findings to document the reasons why the County has determined that the EIR and Addendum provide coverage for the proposed actions and that additional environmental review, in the form of a subsequent or supplemental EIR, is unnecessary prior to Board approval of the Development Agreement and Development Plan.

### **EXECUTIVE SUMMARY**

Napa Redevelopment Partners, LLC, ("NRP") has submitted a Development Plan for the proposed mixed-use development on the 63 acre western portion of the site and a membership warehouse store (such as a Costco) on approximately 17 acres on the eastern portion of the site. The Development Plan will guide development of the Napa Pipe project site. The Development Plan provides a detailed site plan with associated land uses and improvements of the public realm (open space, streets, etc.) and works in conjunction with the Design Guidelines which will establish the look and character of the buildings within the project area.

A Development Agreement between the County and the Developer has been prepared which memorializes the rights, obligations, and contractual matters by establishing the terms and conditions for development of the site, including phasing, installation of infrastructure, housing requirements, fees, financing, approval processes and procedures. The proposed Development Agreement is a statutory development agreement as authorized by state law (Govt. Code Section 65864 et seq.). The purpose of the Development Agreement is to provide NRP with a vested right to development of the Project for a period of years in accordance with the applicable laws and entitlements in effect at the time of Project approval in exchange for NRP's agreement to provide a package of public benefits in excess of that which could have been required under applicable laws.

On November 25, 2014, the Board conducted a public hearing and introduced both ordinances, read the titles, waived reading the balance of the ordinances and declared its intention to adopt both ordinances at the next regularly scheduled hearing or as soon thereafter as possible. The second reading and adoption of both ordinances is now before the Board for formal adoption.

### **FISCAL IMPACT**

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	No
What is the revenue source?	Sales Tax, Property Taxes and Transient Occupancy Taxes
Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	This action is necessary for the viability of the Project.
Is the general fund affected?	No
Future fiscal impact:	The property will ultimately annex to the City of Napa and the City will be responsible for municipal services to the site
Consequences if not approved:	If the Project does not move forward it is likely that the County will be involved in protracted and costly litigation.

Additional Information:

### **ENVIRONMENTAL IMPACT**

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that the EIR and Addendum provide coverage for the proposed actions and that additional environmental review, in the form of a subsequent or supplemental EIR, is unnecessary prior to Board approval of the Development Agreement and Development Plan.

### **BACKGROUND AND DISCUSSION**

Today's action includes the second reading and adoption of : 1) an ordinance approving the Development Agreement; and 2) an ordinance approving the Development Plan for the Napa Pipe Project associated with development of the following : (1) 700 dwelling units (up to 945 units with State required density bonus); (2) a 150-unit continuing care retirement center for seniors; (3) 40,000 square feet of neighborhood serving retail uses; (4) 10,000 square feet of office; (5) a 150-room hotel with supporting uses; (6) a 154,000 square foot membership warehouse store (such as a Costco) with a gas station; (7) publicly accessible and privately-maintained parks and open space; (8) community facilities/farm; (9) publicly accessible and privately-maintained roads; and (10) infrastructure.

On November 25, 2014, the Board conducted a public hearing and introduced the ordinances, read the titles, waived reading the balance of the ordinances and declared its intention to adopt the ordinances at the next regularly scheduled hearing or as soon thereafter as possible. The ordinances are now before the Board for formal adoption.

### **SUPPORTING DOCUMENTS**

- A . Development Plan Ordinance
- B . Development Agreement Ordinance
- C . Ordinance-Development Agreement Exhibit A

CEO Recommendation: Approve

Reviewed By: Molly Rattigan