

“C”

City of Napa
Planning Commission Staff Report



Community Development Department – Planning Division
1600 First Street + P.O. Box 660
Napa, CA 94559-0660

(707) 257-9530

**PLANNING COMMISSION STAFF REPORT
DECEMBER 5, 2019**

AGENDA ITEM 7.A File No. PL18-0198 – **NAPA PIPE AMENDMENTS – 1025 KAISER ROAD**

I. GENERAL INFORMATION

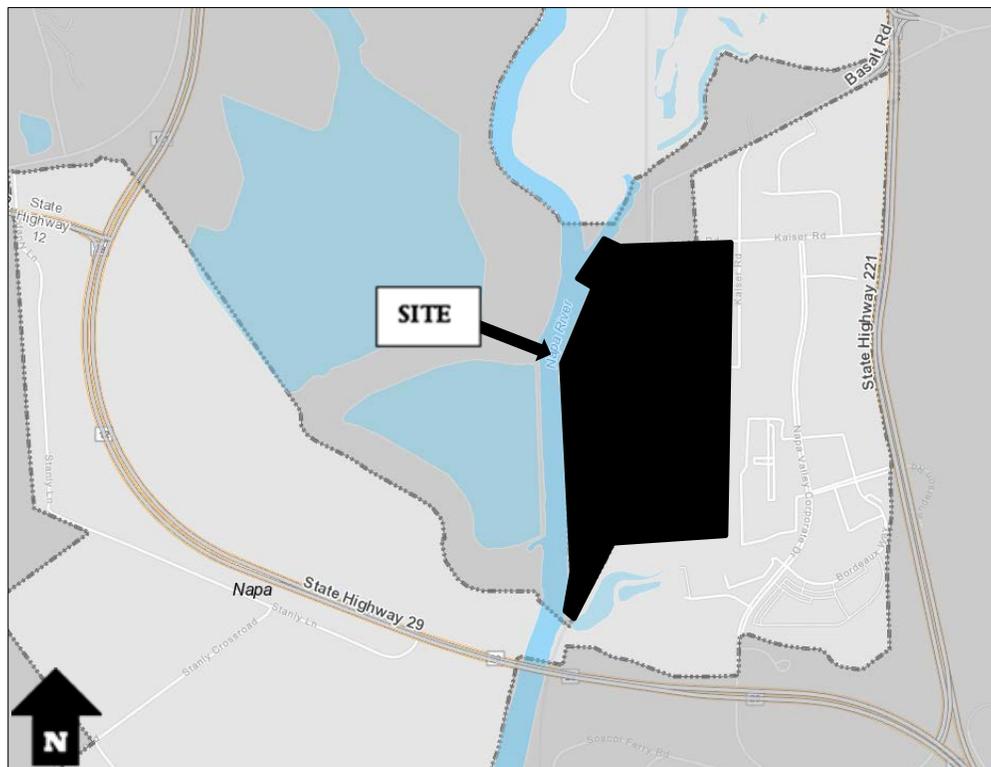
PROJECT SUMMARY: Amendments to the General Plan, Zoning Map, Zoning Text, Development Agreement, Tentative Subdivision Map, Development Plan, and Design Guidelines for the 154-acre Napa Pipe Property.

LOCATION OF PROPERTY: Generally, 1025 Kaiser Road south of Kaiser Road and east of the Napa River (APN's 046-400-054, -055, 046-412-006, -007)

APPLICANT / PROPERTY OWNER: Napa Redevelopment Partners, LLC Phone: (707) 251-0123
1025 Kaiser Road
Napa, CA 94558

STAFF PLANNER: Michael Allen, Senior Planner Phone: (707) 257-9530

LOCATION MAP



II. PROJECT DESCRIPTION

The Applicant, Napa Redevelopment Partners, LLC, requests a General Plan and Zoning Amendment to expand the Mixed Use district currently located between the Napa River and the Union Pacific Railroad tracks to include Parcel G on the Napa Pipe Land Use Plan.

Originally, Phase 1 was to consist of Costco on the east side of the railroad tracks, with residential development on the 43 acres on the west side of the railroad tracks to follow in Phase 2. It became clear that the development was not cost effective and changes to the plan were necessary to include spreading some of the residential development over more land east of the railroad tracks and building it in Phase 1. In 2016 the Developer partnered with Catellus, a national leader in mixed use development, to manage the site remediation activities, which were recently completed, and further evaluate project feasibility. With Catellus' assistance, the Developer began to identify changes to the approved land plan and phasing plan that would allow the Project to proceed to construction. The Applicant has requested amendments to the General Plan, Zoning Map and Text, Napa Pipe Tentative Map, Development Agreement, Development Plan and Design Guidelines to facilitate construction of the Project, and to deliver the necessary infrastructure for the Costco.

The Napa Pipe Property is approximately 154 acres in size, generally located at 1025 Kaiser Road, south of Kaiser Road and east of the Napa River (Assessor's Parcel Numbers 046-400-054, 046-400-055, 046-412-006 and 046-412-007).

The project includes the following applications:

1. General Plan Amendment to change the industrial land use designation to residential on the east side of the Union Pacific railroad tracks south of extended Kaiser Road;
2. Zoning Map Amendment to change the zoning of a portion of the land on the east side of the tracks from the MP:NP-IL:AC district to the MP:NP-MUR-W:AC district to allow residential uses, consistent with the proposed General Plan change. The southern portion of the east side remains industrial;
3. Zoning Text Amendment to make minor changes to allowed uses within the MP:NP-MUR-W:AC and MP:NP-IPB-W:AC zoning districts;
4. Development Plan Amendment to implement the residential uses on the east side of the Union Pacific railroad tracks;
5. Design Guidelines Amendment to reflect revised Development Plan and unit types and locations in residential areas;
6. Amendment to the Napa Pipe Tentative Subdivision Map to facilitate the residential development changes as proposed by the Development Plan Amendment and to revise circulation, reduce wetlands crossing, and reconfigure the warehouse retail store; and

7. Development Agreement (DA) Amendment to revise project phasing to reflect the revised land use plan and to reflect that the entire site would be within the City of Napa's jurisdiction; updates to the Affordable Housing Plan and other components of the approved DA.
8. A proposal for an alternative equivalent to payment of the City's Affordable Housing Impact fee pursuant to NMC Section 15.94.070.

III. BACKGROUND

In January 2013, the Napa County Board of Supervisors certified a Final EIR for the proposed development of the Napa Pipe Property (the "Project"), followed by adopting General Plan and Zoning Ordinance amendments in June 2013 to accommodate future development on the site. The Napa Pipe Property is organized by areas located east and west of the existing railroad tracks (see Attachment 1, Napa County's Napa Pipe Land Use Plan). At that time, proposed development in each respective area was as summarized below:

On the 63-acre parcel west of the railroad tracks

- up to 945 residential units
- 150-unit 225-bed senior/assisted living facility
- 40,000 sq. ft. of neighborhood-serving retail and restaurant uses
- 25,600 sq. ft. of community-serving uses and offices
- 150-room hotel.

On the 91-acre parcel east of the railroad tracks

- 154,000 sq. ft. for a Costco wholesale store
- 165,000 sq. ft. of office, warehousing and other light industrial uses
- 5-acre community farm
- 19 acres of undesignated industrial uses classified as a future "study area".

In 2015, a Development Plan, Design Guidelines/Form Based Code ("Design Guidelines") and Development Agreement were approved by the County to implement the zoning.

In 2018, the Applicant filed applications with the City to make changes to the approved project and associated Development Agreement. The proposed amendments to the project retain the key components of the approved project, with the land uses remaining generally the same. The approved and proposed mix of land uses includes:

- 700 to 945 housing units;
- Approximately 154,000 square foot membership warehouse store, gas station, and associated facilities;
- 150-room hotel;
- Continuing care retirement community of up to 150 suites with up to 225 beds;
- Other uses including 40,000 square feet of neighborhood-serving retail and restaurants, community facilities, and 175,000 sf of research and development, light industrial, warehousing and office space; and
- Parks, public open space, and other public amenities.

The key features of the 2018 Revised Project include:

- Moving up to approximately 375 market-rate residential units from the western parcel (existing Blocks 1-21) to the eastern parcel (newly-designated Blocks 13–22 to be situated in existing Parcel G).
- Moving approximately 84 units of low and very-low income housing from Blocks 4, 17, and 19 on the western parcel to the newly-designated Block 23 on the eastern parcel.
- Reducing the number of units on the western parcel from 945 units (consisting of 805 market-rate & moderate-income units and 140 low and very-low affordable units) to approximately 500 units (consisting of approximately 430 market-rate & moderate-income units and approximately 56 affordable housing units).
- Allowing the 150-unit Continuing Care Retirement Complex to be built on any Block on the western parcel, as well as anywhere within MP:NP-MUR-W:AC zoning district on the eastern parcel.
- Absorbing proposed park P3 (Farm) into a reconfigured Park P4. Additionally, the community farm would not be a specific designated use of Park P4.
- Adding Parks P10, P11, and P12.
- Reducing the number of wetlands crossings and vehicular bridges from three (3) to one (1).
- Reconfiguring the entry road alignment to accommodate the reduction of vehicular bridges and the reconfiguration of Parcel F (membership warehouse store). The new road alignment would cross the “Study Area” in existing Parcel B.
- Relocate the Industrial Zoning District to the “Study Area”.
- Reconfiguring existing Parcel F to eliminate the gas station pad to the south of the wetlands. Membership warehouse store (Costco) and gas station would now be a contiguous parcel.
- Revising the overall project phasing to reflect revised land use plan.
- The 10-acre potential school site previously proposed on the eastern parcel would, if needed, be relocated to the Harrison parcel to the North of Napa Pipe property.
- Extending the term of the Development Agreement from twenty (20) years to twenty-five (25) years, such that it would expire on January 15, 2040.

The changes described above require some modifications to the internal street network from that previously proposed. The updated plan includes new and realigned streets that would call for associated changes to the grading, utility distribution, storm water conveyance & treatment facilities, transit routes and stops, parking, and pedestrian/bicycle trails. Other proposed changes include adjustments to the overall grading to ensure compliance with the Federal Emergency Management Agency and potential sea level rise, changes to the shapes, alignments frontages and phasing of parks and open spaces, pedestrian/bicycle trail interim and permanent alignments and trigger adjustments for off-site traffic & infrastructure improvements.

The Phasing Plan, included as Exhibit D to the Development Agreement, identifies how infrastructure, site development, open space, and other site features would be developed in phases. The primary principles behind the infrastructure phasing plan are adjacency and

as needed. When a residential or commercial development occurs within a phase or sub-phase, adjacent access and utility infrastructure will be constructed.

Completion of parks and open space features is phased in a similar fashion, with open space adjacent to new residential areas completed in sync with housing construction. The project is required to construct a connection to Kennedy Park. Prior to issuance of the Certificate of Occupancy for the first residential unit on the Project, the developer will secure all easements necessary for the construction and dedication the connection from the southern end of Kennedy Park to the northern property line of the project. The Kennedy Park connection will be completed in Phase 1, concurrent with the completion of Park P5.

Annexation Status

On November 18, 2019, the Napa Local Agency Formation Commission (LAFCO) conditionally approved annexation of the remaining 45.9 acres of the site that are not within the City of Napa's jurisdiction. At the request of the City and County, one special condition must be satisfied before the certificate of annexation is recorded. Specifically, the City and County must enter into mutually acceptable agreements addressing implementation of SB 235, affordable housing issues, and technical updates to the 2015 Regional Housing Needs Allocation (RHNA) agreement to reflect the annexation of the remaining property to the City.

City and County staffs and the Applicant have been working closely together with the goal of bringing all three agreements to the Board of Supervisors and City Council on December 17, 2019. This would mean that the land would annex into the City of Napa by the end of 2019, and that the Council action would occur after the entire 154 acre site is in the City's jurisdiction. The project is tentatively scheduled for City Council on January 21, 2020.

IV. ANALYSIS

A. GENERAL PLAN AMENDMENT

The General Plan Amendment will expand the Mixed Use district currently located between the Napa River and the Union Pacific Railroad tracks to include Parcel G, which lies on the east side of the railroad tracks, north of the future Costco parcel. The General Plan designation of Parcel G would change from Light Industrial (LI-723) to Mixed-Use (MU-722). The following findings are required by Napa General Plan Chapter 10, Paragraph A-1.4 for approval of the General Plan Amendment: the proposed amendment is in the public interest, it is internally consistent with other goals, policies and programs of the General Plan, and the public health, safety and general welfare are served by the adoption of the proposed amendment. The proposed amendment serves the public health, safety and general welfare because it is consistent with the principles of the General Plan such as locating appropriate land uses within the boundaries and urban limits of the City of Napa. The proposed land uses are complementary to the mix of uses within the city and appropriate to the site's surroundings.

The proposed amendment is in the public interest as the project would facilitate commencement of the construction of housing units and more specifically, to deliver the necessary infrastructure for the development of a large commercial retail business. The project would also provide public access to an expansive open space on a site that had

previously been privately owned and inaccessible to the public. The privately maintained parks and walking trails would be available to the public.

The project is also consistent with several policies and principles of the General Plan, including policies that encourage the creative and efficient use of vacant land along with providing an increased mix of various types of housing throughout the City to meet the community's housing needs. The following is an analysis of the consistency of the project proposal with the City's General Plan and applicable General Plan policies:

Land Use Element Policy LU-3.3 states, "The City shall endeavor to maintain an even rate of development within the RUL over the plan period."

The size of the project would not substantially contribute to City-wide growth rates and therefore represents an even rate of development within the Rural Urban Limit (RUL) line over the plan period.

Land Use Element Policy LU-4.1 seeks to "...require new residential development to conform to the density range shown in [the General Plan], and to be consistent with the general neighborhood typology of the surrounding area. The City may require clustering in environmentally sensitive areas when special measures are adopted to ensure the sensitive portions of each property remain undeveloped in the future.

The proposed Project involves allowing residential units on the east side of the railroad tracks where industrial uses were previously approved, which is why a General Plan Amendment is requested. The Project would conform to the proposed designation.

Land Use Policy LU-10.1 states, "The City shall promote an urban form that integrates the urban environment with the city's natural features."

The Project integrates new development into natural features of the site through clustered development.

Land Use Policy LU-3.2 seeks..." To minimize urban/rural conflicts (e.g., pesticides, odors, noise, vandalism, feral pets), the City shall ensure a buffer is provided (agricultural setback) between residential uses on the periphery of the RUL and productive agricultural land outside the RUL."

The Project site is within the RUL. A buffer of at least 80 feet from residential homes is included at boundaries shared with agricultural land outside the RUL.

Land Use Element Policy LU-4.5 encourages projects to be compatible with the surrounding neighborhood.

As noted above, the proposed project could be considered consistent with the General Plan RUL policies. The project is consistent with City policies for efficient development of land within the RUL. The project design would concentrate the density of development within the center portion of the site, while avoiding natural resources and hazards in the area (i.e., the riparian areas). The proposed development by design and density would be consistent with General Plan policies encouraging buffering and feathering development

adjacent to the RUL. See Exhibits “A” and “B” of Attachment 1 for a depiction of the change to the General Plan map.

B. ZONING MAP AND TEXT AMENDMENTS

The Zoning Map Amendment would rezone 31.48 acres from Napa Pipe Master Plan-Light Industrial: Airport Compatibility Overlay District (MP:NP-IL:AC) to Napa Pipe Master Plan-Mixed Use Residential Waterfront: Airport Compatibility Overlay (MP:NP-MUR-W:AC) to correspond with the General Plan Amendment land use designations. Rezoning “Parcel G” of the approved land use plan to the Mixed Use Residential district allows for the redistribution of the approved 945 residential units over the portions of the eastern and the western parcel, helping to create more efficient residential blocks that will accommodate the approved residential plan design typologies and also facilitate the infrastructure needed to hasten Costco’s site development. The proposal also includes text amendments to NMC Chapter 17.32 Napa Pipe Master Plan District. These text amendments provide greater flexibility in locating future residential units (not exceeding the maximum approved 945) across the entire Napa Pipe district. They also allow greater flexibility in locating future senior housing projects throughout the Napa Pipe district. The following are the proposed Text Amendments to sections of the Napa Pipe Master Plan District, Chapter 17.32 (changes identified by underline and italics):

17.32.040 Use limitations.

- A. As applied to the MP:NP districts, the provisions of this Chapter 17.32 shall supersede any conflicting provisions of the city zoning code, except as otherwise required by local, state, or federal law.
- B. There shall be a maximum of 700 residential dwelling units within the MP:NP-MUR-W:AC district or within the MP:NP-IPB-W:AC district exclusive of units allowed by density bonuses pursuant to Section 17.52.130 and state law.
- C. There shall be a maximum 150 unit continuing care retirement complex within the MP:NP-MUR-W:AC district or within the MP:NP-IPB-W:AC district with an average of one and one-half beds per unit, for a maximum of 225 beds, that provide independent living for seniors with common dining, recreational activities, housekeeping and transportation, as well as assisted care to seniors with mental and physical limitations. Any continuing care retirement complex within Zone D of the Napa County Airport Land Use Compatibility Plan shall obtain a determination of consistency from the Napa County Airport Land Use Commission and implement mitigation measures (e.g., noise attenuation) as necessary.
- D. There shall be a maximum of 40,000 square feet of gross floor area for all neighborhood services uses, as defined in subsection E of Section 17.32.080, within the MP:NP-MUR-W:AC district or within the MP:NP-IPB-W:AC district.
- E. There shall be a maximum of 10,000 square feet of gross floor area for office uses, as defined in subsection B of Section 17.32.160, as the primary use within the MP:NP-IPB-W:AC district.

F. There shall be a maximum of one hotel with a maximum of 150 rooms within the MP:NP-IBP-W:AC district, with accessory uses for guests and the general public, including such facilities as meeting rooms, spa and fitness center, provided that the entirety of the use shall not exceed the 100-person per acre average intensity specified in the Airport Land Use Compatibility Plan.

G. There shall be a maximum of 15,600 square feet of community facilities within the MP:NP-MUR-W:AC or MP:NP-IBP-W:AC districts, which may include a transit center, interpretive nature center, boat house, café/visitor pavilion, child care center, and drydock theatre.

H. There shall be a maximum of 154,000 square feet of general wholesale sales commercial activities as defined in subsection A of Section 18.66.240 within the MP:NP-IBP district.

I. Temporary events and uses may be conducted pursuant to Section 17.52.490 and shall not conflict with the Napa County Airport Land Use Compatibility Plan.

J. Interim uses and floor area intended to remain in place for five years or less are subject to separate review and approval by the Community Development Director. (O2015-9, 8/4/15)

17.32.160 Uses allowed upon approval of a development plan.

The following uses shall be allowed in the MP:NP-IBP-W:AC district, subject to the limitations of Section 17.32.040:

A. Hotel. One hotel is allowed within the MP:NP-IBP-W:AC district with a maximum of 150 rooms/suites. A hotel is defined as a facility that offers transient lodging accommodations typically on a daily rate to the general public and that may provide additional services, such as restaurants, conference facilities, and recreational facilities.

B. Office Uses. Office uses include professional, administrative, executive, financial, real estate, insurance and other general business offices, including service businesses such as small financial services, such as branch banks. Office uses also include medical, dental, and optical offices and related accessory laboratories.

C. Common use/open space as defined in Section 17.32.050. (O2015-9, 8/4/15)

D. Neighborhood service uses, as defined in subsection E of Section 17.32.080.

E. Senior Housing, defined as any residential facility designed to meet the housing and medical needs of senior citizens, including continuum of care facilities, independent living facilities, assisted living facilities, skilled nursing facilities, and similar or related facilities and services subject to the limitations in subsection (C) of Section 17.32.040.

17.32.390 Revisions to development plan and design guidelines.

Within the MP:NP districts, the review ~~procedures described in Chapter 17.66 (Zoning Amendment) shall apply to the approval of revisions to the development plan and design guidelines, and approval of amendments to the Development Plan and Design Guidelines will be by Resolution adopted by the Planning Commission. The Planning Commission may refer amendments for approval by the City Council. Notwithstanding the foregoing~~ and subject to the provisions regarding amendments therein and the Napa Pipe Development Agreement, an application for an amendment to the Development Plan or Design Guidelines (except for a Substantive Amendment as defined in the Development Plan), may be submitted to the Community Development Director for review and approval.

The proposed amendments to the Napa Pipe Master Plan’s text are supported by the following findings:

A. The Zoning Amendments are consistent in principle with the General Plan.

The Zoning Amendments are consistent with the General Plan as amended under the Project Approvals. Such consistency is specifically demonstrated in the record, including but not limited to the analysis contained in the 2019 Addendum to the EIR (see Attachment 5) as well as the 2014 Addendum to the Napa Pipe EIR adopted by Resolution R2014-132.

B. The public health, safety and general welfare are served by the adoption of the proposed amendment.

The proposed amendments serve the public health, safety and general welfare since they are consistent with the principles of the General Plan such as locating appropriate land uses within the boundaries and urban limits of the City of Napa. The proposed land uses are complementary to the mix of uses within the city and appropriate to the site’s surroundings.

C. If a rezoning to a district with a larger minimum lot size is proposed, effectively reducing the planned residential density, the City shall also find that the remaining sites in the Housing Element are adequate to accommodate the jurisdiction’s share of the regional housing need pursuant to California Government Code section 65584; or if not, that it has identified sufficient additional, adequate and available sites with an equal or greater residential density in the jurisdiction so that there is no net loss of residential unit capacity.

This finding is not applicable to this project because the project does not include any proposal to increase a minimum lot size nor does it eliminate any site designated in the Housing Element from future use as a housing site.

See Exhibit A1, A2 & A3 of Attachment 2 for zoning map and text amendments.

C. TENTATIVE SUBDIVISION MAP AMENDMENT

The proposed amendment to the Tentative Map would allow residential uses on the east side of the tracks and establish a residential block layout to facilitate future residential development. Another key change is that the revised land plan incorporates a larger affordable housing site in Phase 1 (Parcel 23). The site is larger than initially proposed and

is a location that would allow the site to be developed following the initial infrastructure phase. The Phase 2 affordable housing site has also been enlarged. These two sites replace the three sites shown on the approved plan based on a concern about the feasibility of developing the three smaller sites.

The amended Tentative Map retains the approved street sections from the original project and establishes residential blocks in the eastern area. Amendments to the Development Plan and Design Guidelines are proposed to reflect the new residential uses and revised block patterns.

The approved Tentative Map places the Costco retail outlet on one parcel and the outlet's gas station on another parcel where the parcels are separated by a wetland with a bridge crossing. The amended Tentative Map creates a more efficient, contiguous parcel on which the retail outlet and associated gas station would be consolidated onto one continuous site, eliminating a wetland crossing/ bridge.

The approved Tentative Map contained a specific site for the 150 unit Continuing Care Retirement Complex (CCRC). The revised Tentative Map no longer contains a specific CCRC site and along with the zoning text amendments, would allow for greater flexibility in siting the facility elsewhere in the Napa Pipe district.

As discussed on Page 6 of the Development Plan, the project allows up to 945 residential units inclusive of 755 market-rate units, which would result in up to 50 moderate income units. The plan also accommodates 140 low and very low income units. Staff has encouraged the developer to strive to achieve the high end of the allowed unit count, which would result in an overall residential density of 20 units per acre.

The 154-acre site is planned to be a mixed-use community with residential and nonresidential uses, open space, and other public amenities to achieve a variety of City objectives. The proposed amendments to the Tentative Map are consistent with the General Plan land use diagram and policies. The proposed lot sizes and configuration allow for passive heating and cooling opportunities with building orientation, retention of existing vegetation, and landscaping. See Attachments 6 & 7 for the approved Tentative Map layout and the amended Tentative Map layout.

FIGURE 1 – APPROVED TENTATIVE MAP

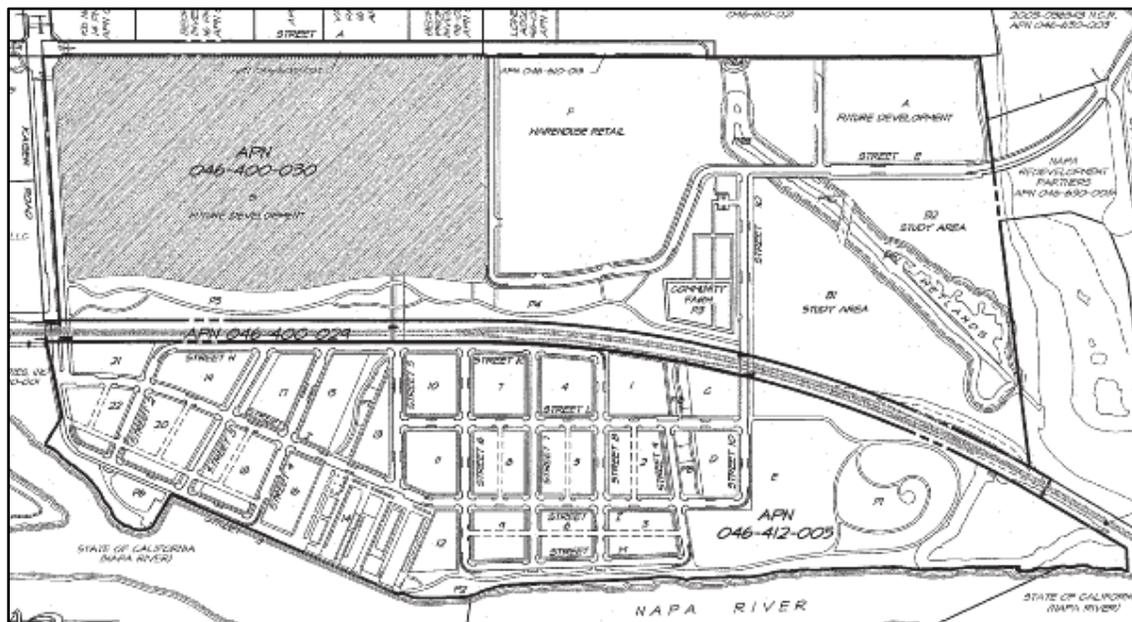
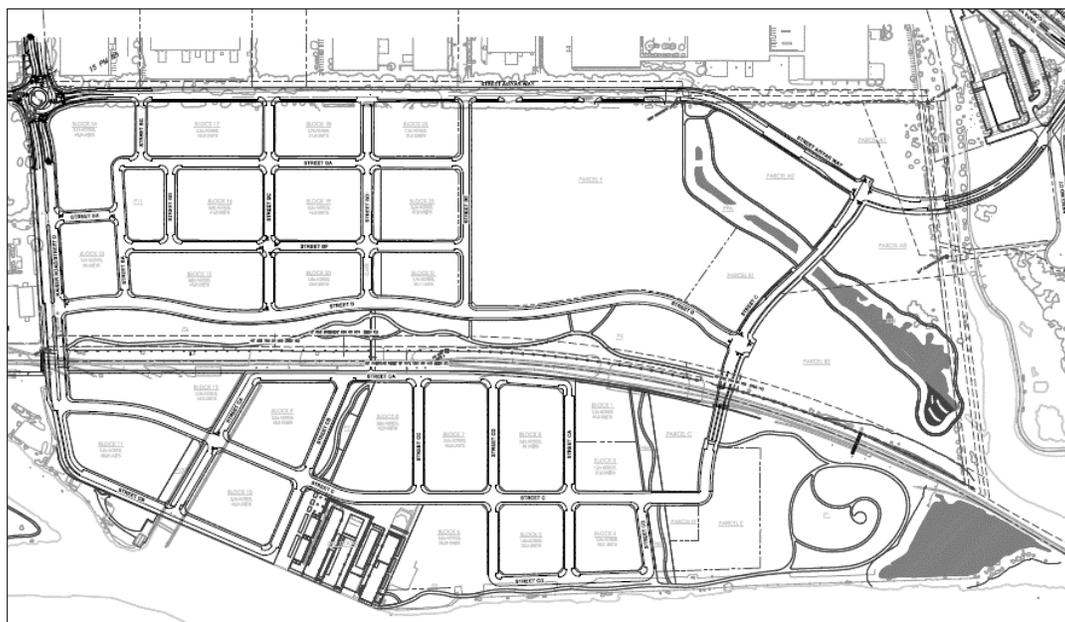


FIGURE 2 – REVISED TENTATIVE MAP



D. DEVELOPMENT AGREEMENT AMENDMENTS

The Project includes a Development Agreement Amendment between the City of Napa and the Applicant (see Attachment 10). A Development Agreement is a contract between the City and a developer that authorizes the type and amount of development that would occur on property within a specific period of time. Development Agreements typically provide developers with vested development rights in exchange for providing the City with certain public benefits. A Development Agreement must comply with the General Plan but may establish different development standards than provided by conventional zoning regulations.

The proposed amendments to the Development Agreement revise project phasing to reflect the revised land use plan and to reflect that the entire site would be within the City of Napa's jurisdiction (upon fulfillment of the LAFCO conditions described above). The amended Development Agreement retains streamlined development review processes for future development; new development would be evaluated for consistency with the Development Plan and Design Guidelines and be required to be reviewed by City staff under a compressed schedule.

The Affordable Housing Plan and other attachments are also updated to reflect the City of Napa's role as lead agency. The Plan outlines how the Applicant will dedicate two sites for future affordable housing development that are of sufficient size to accommodate up to 140 deed-restricted low and very low income apartments, and that 6.6% of the market rate units will be provided in the form of deed-restricted moderate income units. The minimum number of moderate income units would be 44; if the Napa Pipe development achieves maximum density, then 50 moderate income units would be required.

All housing impact fees for nonresidential development within the Napa Pipe Project would be utilized toward the affordable apartment projects, consistent with the existing Development Agreement. The \$1M "workforce proximity housing contribution" that was required to be paid to the County in the original Development Agreement would now be paid by the Developer to the City, which the City would use to assist moderate income homebuyers that work in Napa County to purchase deed-restricted moderate-income housing units in Napa Pipe.

E. ALTERNATIVE EQUIVALENT

The project proposes an alternative equivalent to payment of the City's Affordable Housing Impact fee pursuant to NMC Section 15.94.070. As outlined in Exhibit A to the Tentative Map resolution, the project proposes a combination of land dedication for up to 140 very low and low income residential units, inclusion of 44 to 50 moderate income residential units, and contribution of \$1MIL to satisfy the residential components of the project. The project would pay in lieu fees for nonresidential development at a different rate than typical projects because the fees were established in the approved Development Agreement.

F. REFERRAL TO THE AIRPORT LAND USE COMMISSION

Consistent with Zoning Code Section 17.34.070.A, prior to formal action by the City Council, the Planning Commission must refer all General Plan, Zoning Map and Text amendments that occur within Land Use Compatibility Zones D and E to the Airport Land Use Commission of Napa County (ALUC). The Napa Pipe project site is split between Zones D and E; therefore the ALUC must review the proposed amendments and provide a consistency determination with respect to the adopted Airport Land Use Consistency Plan for Napa County (ALUCP). The ALUC is scheduled to consider the Napa Pipe Amendments Project on December 18, 2019.

V. ENVIRONMENTAL REVIEW

In January 2013, the Napa County Board of Supervisors certified an EIR for the Napa Pipe Project. In its EIR, the County identified the City of Napa as a “responsible agency” that would be required to take certain actions to implement the Project. Supplemental environmental reviews and addenda were prepared (including a City adopted addendum in 2014) in connection with earlier project reviews and approvals. Under CEQA’s implementing regulations, also known as the “CEQA Guidelines,” a responsible agency acting to implement a project that has been the subject of a certified EIR may prepare an “initial study” to determine whether its implementing action will have environmental effects that were not identified and addressed in the certified EIR and whether additional environmental review is required. If the responsible agency determines that all of the potential environmental effects from its implementing action were identified and addressed in the certified EIR and that none of the conditions described in CEQA Guidelines Section 15162 for preparation of further environmental review would occur as a result of the proposed amendments, then no additional environmental review is required and the responsible agency can proceed based on an “addendum” to the certified EIR that documents its determination.

Pursuant to CEQA Guidelines Sections 15063(c)(7) and 15164(a), the City of Napa prepared an initial study to determine whether the City actions to approve the amended entitlements may result in environmental effects that were not identified and addressed in the County’s certified Napa Pipe EIR. Based on that initial study, the City has determined that the City actions to implement the Napa Pipe Project, as set forth in the City-County MOU, including the proposed General Plan Amendment and Zoning Amendment to re-designate a 31.48 acre portion of the Napa Pipe Master Plan District, will not result in any significant environmental effects that were not identified and addressed in the County’s certified Napa Pipe EIR. Consequently, the City has prepared an Addendum to the Napa Pipe EIR to document that determination. The City’s Initial Study/Addendum is attached as Attachment 5 to this report.

VI. REQUIRED FINDINGS

The Planning Commission’s recommendation of approval of the Project is subject to the finding as provided by Napa General Plan Chapter 10, Paragraph A-1.4 related to General Plan Amendments, the required findings in NMC Section 17.66.080 relating to Zoning Amendments, and NMC 16.20.070 relating to Tentative Maps. These findings are provided in the draft ordinances and resolutions attached to this report. These findings relate to consistency of the project with the General Plan, zoning, design guidelines and subdivision ordinances. Staff believes that the proposed project complies with these findings and the attached Ordinances and Resolutions (see Attachments 1 - 4) contain the bases for this recommendation.

VII. PUBLIC NOTICE

Notice of the scheduled public hearing was provided on November 22, 2019, by US Postal Service to all property owners within a 500-foot radius of the subject property. Notice of the public hearing was also published in the Napa Valley Register on November 22, 2019 and provided to people previously requesting notice on the matter at the same time notice was

provided to the newspaper for publication. The Applicant was also provided a copy of this report and the associated attachments in advance of the public hearing on the project.

VIII. STAFF RECOMMENDATION

Based upon the analysis above, staff recommends that the Planning Commission refer the Project to the ALUC for a compatibility determination and forward a recommendation to the City Council to approve a General Plan Amendment to re-designate a 31.48 acre portion of the Napa Pipe property from the Light Industrial (LI-723) General Plan designation to the Mixed Use (MU-722) General Plan designation; a Zoning Amendment to rezone the same portion of the Napa Pipe property from the Napa Pipe Master Plan-Light Industrial (MP:NP-IL), to the Napa Pipe Master Plan-Mixed Use Residential Waterfront (MP:NP-MUR-W) located at 1025 Kaiser Road south of Kaiser Road and east of the Union Pacific railroad tracks (APNs 046-400-054); an Amended Development Agreement; Amended Tentative Map; Amended Development Plan; and Amended Design Guidelines based on a determination that the applications are consistent with the City's General Plan, Subdivision Ordinance, Zoning Ordinance, and other applicable City requirements and policies as proposed to be amended.

IX. ALTERNATIVES TO RECOMMENDATION

1. Continue the application with direction for project modifications and allow the Applicant an opportunity to prepare a revised proposal.
2. Recommend that the application be denied by the City Council.

X. REQUIRED ACTIONS

Final action by the Planning Commission to refer the Project to the ALUC for a compatibility determination and forward a recommendation to the City Council to:

1. Determine that the potential environmental effects of the Project were adequately analyzed and addressed by a prior CEQA action as documented in the Addendum.
2. Adopt a resolution approving a General Plan Amendment to re-designate a 31.48 acre portion of the property located at 1025 Kaiser Road from the from Light Industrial (LI-723) General Plan designation to the Mixed Use (MU-722) General Plan designation.
3. Adopt an Ordinance approving a Zoning Amendment to rezone the 31.48 acre site from the Napa Pipe Master Plan-Light Industrial (MP:NP-IL), to the Napa Pipe Master Plan-Mixed Use Residential Waterfront (MP:NP-MUR-W).
4. Adopt an Ordinance approving an amended Development Agreement.
5. Adopt a resolution approving an Amended Tentative Map, amended Development Plan and amended Design Guidelines.

XI. DOCUMENTS ATTACHED

1. Draft Resolution approving a General Plan Amendment
2. Draft Ordinance approving a Zoning Map and Text Amendment
3. Draft Ordinance approving Amendments to the Napa Pipe Development Agreement
4. Draft Resolution approving a Revised Tentative Subdivision Map, Design Review Permit and Amendments to the Napa Pipe Development Plan and Design Guidelines
5. 2019 Addendum to the Napa Pipe Environmental Impact Report
6. Addendum to Napa Pipe EIR
7. Approved Tentative Map
8. Revised Tentative Map
9. Amended Development Plan
10. Amended Design Guidelines
11. Amended Development Agreement
12. Napa Pipe EIR can be viewed via the following hyperlink:
<https://www.countyofnapa.org/787/Napa-Pipe-Project>