

ORDINANCE NO. O2025-009

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NAPA, STATE OF CALIFORNIA, APPROVING, PURSUANT TO A SECTION 15168 ANALYSIS AND ADDENDUM TO THE DOWNTOWN NAPA SPECIFIC PLAN PROGRAMMATIC ENVIRONMENTAL IMPACT REPORT (SCH NO. 2010042043), AND ALTERNATIVELY, TO THE CEQA GUIDELINES SECTION 15332 CATEGORICAL EXEMPTION, A PLANNED DEVELOPMENT OVERLAY DISTRICT (PD-39) TO ESTABLISH USE PROVISIONS, DEVELOPMENT STANDARDS, AND DESIGN GUIDELINES FOR THE FIRST STREET NAPA PHASE II PROJECT LOCATED AT 1106, 1116, 1118 FIRST STREET (APNs: 003-166-010, 003-166-013, 003-166-015, and 003-166-016) AND 1151 AND 1199 PEARL STREET (APNs: 003-166-008, AND 003-166-011) AND DWIGHT MURRAY PLAZA (APN: 003-166-017) (PL20-0135)

WHEREAS, 3VG and Coombs Street LLC (the “Applicants”) submitted an application for multiple entitlements (PL20-0135), including a Specific Plan amendment, a Planned Development Overlay District, a Tentative Parcel Map, and a Development Agreement (collectively, the “Project”), to provide for the development of a proposed mixed use project including commercial/retail uses, residential units and a hotel at 1106, 1116 and 1118 First Street (APN’s 003-166-010, 003-166-013, 003-166-015, 003-166-016) and 1151 and 1199 Pearl Street (APN’s: 003-166-008 & 003-166-011) and Dwight Murray Plaza (APN: 003-166-017) (the “Project Site”); and

WHEREAS, the proposed Planned Development Overlay District (PD-39) is intended to establish use provisions, development standards, and design guidelines for development on the Project Site; and

WHEREAS, pursuant to the California Environmental Quality Act (“CEQA”) and its implementing regulations (the “CEQA Guidelines”), the City prepared the First Street Napa II Project Addendum dated May 29, 2025 for the Project, to determine whether, under CEQA Guidelines section 15168, the Project’s potential environmental effects are within the scope of the development program evaluated by the City in the certified Downtown Napa Specific Plan Programmatic Environmental Impact Report (SCH No. 2010042043) (“DNSP EIR”), whether there are Project-specific significant effects peculiar to the proposed Project or the site, whether additional documentation is required and, in the alternative, whether the Project is an In-Fill Development Project that is exempt from any additional environmental review under Section 15332 of the CEQA Guidelines (“Section 15168 Analysis and Addendum”); the Section 15168 Analysis and Addendum, and the DNSP EIR are on file in the Office of the City Clerk and are incorporated herein

by reference; and

WHEREAS, the Planning Commission of the City of Napa, State of California, held a duly-noticed public hearing on June 5, 2025, and has recommended approval of the Project, including the Planned Development Overlay District; and

WHEREAS, on June 24, 2025, the City Council of the City of Napa held a duly-noticed public hearing where it considered all information related to the Project, including all information presented at the public meetings of the City Council identified herein, any supporting reports by City Staff, and any information provided during public meetings.

WHEREAS, on June 24, 2025, the City Council approved Resolution R2025-079 finding, that, based on the whole record before it, including the Section 15168 Analysis and Addendum, the administrative record, and all other written and oral evidence, all environmental impacts of the Project are either less than significant or can be mitigated to a level of less than significant under the mitigation measures outlined in the Section 15168 Analysis and Addendum, Alternatively, the Council found that the Project is exempt from CEQA under CEQA Guidelines section 15332 and none of the exceptions in CEQA Guidelines section 15300.2 have application. The Council adopted the Section 15168 Analysis and Addendum and adopted the MMRP previously adopted for the DNSP EIR as it pertains to the Project.

WHEREAS, during the Design Review process the City Manager shall request Commissioner input and assistance in the form of an ad-hoc advisory committee or similar structure, comprised of less than a quorum of the Planning Commission and other designees of the Manager. The purpose of such Commissioner input and assistance is to provide the Manager design feedback, technical assistance or similar functions related to the Project's conformance with the approved Guidelines, PD and Development Agreement.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Napa, State of California, as follows:

Section 1. The City Council hereby finds that the recitals to this Ordinance, set forth above, are true and correct and provide bases for the City Council's adoption of this Ordinance.

Section 2. The City Council hereby determines, based on, and consistent with, its actions in Resolution R2025-079, that the potential environmental effects of the actions authorized by this Ordinance were adequately identified, analyzed, and addressed in the DNSP EIR and that no further environmental review is required for the Project, including the Planned Development Overlay District, as documented in the Section 15168 Analysis and Addendum, and alternatively, that the Project is exempt from CEQA under CEQA Guidelines section 15332 and none

of the exceptions in CEQA Guidelines section 15300.2 have application.. The City Council further directs staff to prepare, execute, and file a Notice of Determination, and, as to the CEQA Guidelines section 15332 categorical exemption, a Notice of Exemption with the County Clerk's office and the Office of Planning and Research within five (5) working days of approval of this Ordinance.

Section 3. The real property that is the subject of the Planned Development Overlay District are the parcels identified as 1106, 1116 and 1118 First Street (APN's 003-166-010, 003-166-013, 003-166-015, 003-166-016) and 1151 and 1199 Pearl Street (APN's: 003-166-008 & 003-166-011), and Dwight Murray Plaza (APN: 003-166-017) as shown on Exhibit "C", attached hereto and incorporated herein by reference. The City Council hereby finds that the approval of this Ordinance, approving the PD-39 Overlay District, is consistent with the City's General Plan, and hereby finds, in accordance with the requirements set forth under Sections 17.42.050 and 17.66.080 of the NMC, that:

- A. The proposed planned development amendment is consistent in principle with the General Plan.

The Planned Development Overlay District is proposed to establish a list of allowable uses for the Site that is more congruent with the City Council's goal of creating a vibrant and active use of the Site at this central downtown location. The proposed Planned Development Overlay is consistent with General Plan Goal LU-6 to improve the vitality and character of Downtown. The Planned Development Overlay is consistent with the General Plan goals and policies relating to land use and development in the Downtown Core Commercial (DCC) and Downtown Mixed Use (DMU) area which seek to strengthen the vitality and character of Downtown. The Project also implements policies encouraging development to be oriented to the street and riverfront providing a pedestrian-oriented facade and reflecting the historic and visual character of area.

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

The proposed Planned Development Overlay District serves the public health, safety and general welfare in that it provides for potential land uses which are geared towards the creation of a healthy, vibrant downtown for both residents and visitors.

- C. The development is superior overall to a similar project designed to meet the standards of this Title and of the underlying district in which it is located.

The Project is superior overall to a similar project designed to meet the standards of this Zoning Ordinance and of the underlying DCC and DMU districts in which the Project site is located. The Project complies with the land use, dimensional and procedural requirements of the underlying DCC and DMU districts, with the exception of minor deviations identified in attached Exhibit A. These variations are minor when considering the location and scale of this Project. The proposed

exceptions allow more flexibility in the implementation of the Project and assist the City in meeting its goals of transforming the downtown into a vibrant 24-hour center.

- D. Any variations from the standards of the Zoning Ordinance and the district in which the development is located are justified by the high-quality design of the proposed development when taken together as a whole.

The minor variations from the standards of the DCC and DMU districts are justified by the high-quality Design Guidelines prepared for the Project when taken together as a whole. The design guidelines establish the framework for a comprehensive development program that addresses both the specific design elements along with commercial building elements that will help revitalize Downtown Napa into a vibrant place for both visitors and residents. The Guidelines provide private and public realm guidelines through text and images that define the desired quality of architecture and character of the future development. The proposed land use exceptions continue to allow the City to apply alternative development standards within the meaning and intent of the Zoning Ordinance, consistent with the City's goals of encouraging new development in the downtown.

- E. Each phase (if any) of the development, as well as the development as a whole, can exist as an independent unit capable of creating an environment of sustained desirability and stability.

It is anticipated that residential and hotel buildings will be developed as a single phase. As the principal variations authorized with the Planned Development Overlay are "use" related, the Project has the ability to exist as an independent unit capable of creating an environment of sustained desirability and stability.

- F. The proposed development is planned in coordination and compatible with the existing and planned uses in the surrounding area.

The Project is planned in coordination and compatible with the existing and planned uses in the surrounding area. The proposed design guidelines ensure the architectural relationship of the design within the context of the Site and its surroundings responds well to established land use and design policies for the area and presents massing, fenestration, materials, textures and colors that will complement the existing commercial buildings in the neighborhood.

- G. The proposed structures and/or uses are consistent with the General Plan and any applicable specific plan or other adopted plan.

The proposed design guidelines authorized by the Planned Development overlay district are consistent with the General Plan and the Downtown Napa Specific Plan (DNSP). The Project proposes a mix of retail, lodging and commercial uses that are envisioned in the City's General Plan and the DNSP and will strengthen the Downtown as a center for retail, cultural, and entertainment uses for the residents

and visitors alike. The proposed Project is consistent with General Plan Goal LU-6 to improve the vitality and character of Downtown.

- H. Any conditions stipulated as necessary in the public interest have been imposed.

Conditions intended to address the public interest stipulated as necessary have been addressed in the associated Development Agreement and additional conditions will be imposed as part of the subsequent Design Review and Tentative Map processes/actions.

- I. The proposed structures and or uses will not be detrimental to the public health, safety and welfare of the community.

The proposed design guidelines and future authorized land uses will not be detrimental to the public health, safety and welfare of the community because conditions and mitigations will be implemented to ensure the Project reduces potential environmental effects to a less than significant level and to ensure the project will fit into its surroundings, as envisioned in the General Plan and implementing documents.

Section 4. The City Council hereby approves a Planned Development Overlay District for the Site, as set forth on Exhibits "A," "B," and "C" attached hereto and incorporated herein by reference. The City Clerk is hereby authorized and instructed to enter the Ordinance number of this Ordinance for PD-39. The Community Development Director is hereby authorized and instructed to update the official copy of the zoning map, as defined by Napa Municipal Code Section 17.04.050, consistent with the amendment to PD-39 described herein.

Section 5: Severability. If any section, sub-section, subdivision, paragraph, clause or phrase in this Ordinance, or any part thereof, is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections or portions of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, sub-section, subdivision, paragraph, sentence, clause or phrase of this Ordinance, irrespective of the fact that any one or more sections, sub-sections, subdivisions, paragraphs, sentences, clauses or phrases may be declared invalid or unconstitutional.

Section 6: Effective Date. This Ordinance shall become effective thirty (30) days following adoption.

Section 7. Indemnification. To the fullest extent permitted by law, Applicant shall indemnify, defend with counsel of the City's choosing, and hold harmless City, its City Council, its boards and commissions, officials, officers, employees, and agents from and against any and all claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs and expenses (including without limitation, attorney's fees, disbursements and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to (i) City's approval of the First Street Napa Phase II Project, including but not limited to, the approval of the zoning actions, discretionary permits, maps under the Subdivision Map Act, and/or the City's related determinations or actions under the California Environmental Quality Act, or any alleged failure to act as required by law, and (ii) Applicant's construction, operation, use, or related activity under the Project. This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorneys' fees, and other expenses incurred in connection with such claim, action, causes of action, suit or proceeding whether incurred by Applicant, City, and/or the parties initiating or bringing such proceeding. Applicant shall indemnify the City for all of City's costs, attorneys' fees, and damages which City incurs in enforcing the indemnification provisions set forth in this condition. Applicant shall pay to the City upon demand or, as applicable, to counsel of City's choosing, any amount owed pursuant to the indemnification requirements prescribed in this condition.

City of Napa, a municipal

corporation MAYOR: _____

ATTEST: _____
CITY CLERK OF THE CITY OF
NAPA

STATE OF CALIFORNIA }
COUNTY OF NAPA }

SS:
CITY OF NAPA

I, Tiffany Carranza, City Clerk of the City of Napa, do hereby certify that the foregoing Ordinance had its first reading and was introduced during the

special meeting of the City Council on the 24th day of June, 2025, and had its second reading and was adopted and passed during the regular meeting of the City Council on the 15th day of July, 2025, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____

Tiffany Carranza
City Clerk

Approved as to Form:

Christopher Diaz
Interim City
Attorney