

RESOLUTION R2017-__

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NAPA, STATE OF CALIFORNIA, AUTHORIZING MODIFICATION OF THE CONDITION OF APPROVAL 24 OF THE GASSER MASTER PLAN, REFUND OF \$114,084 FROM THE STREET IMPROVEMENT FUND, AND DETERMINING THAT THE ACTIONS AUTHORIZED BY THIS RESOLUTION WERE ADEQUATELY ANALYZED BY A PREVIOUS CEQA ACTION

WHEREAS, the Gasser Master Plan established Conditions of Approval identifying the timing of the required improvements; and

WHEREAS, Condition of Approval 24 established that the Developer shall design and construct the Gasser Drive Bridge and Extension over Tulocay Creek and also established that the City shall provide a credit against all remaining Street Improvement Fees (SIF) that would be due on any building permits issued on and after April 1, 2016 from the remaining undeveloped properties within the Gasser Master Plan; and

WHEREAS, the proposed changes to Condition of Approval 24 are consistent with the intent and spirit of the original approval, as the performance standard of the specific condition of approval remains valid; and

WHEREAS, the Peter A and Vernice H Gasser Foundation previously paid Street Improvement Fees in the total amount of \$114,084 for projects within the area described in Exhibit "A," attached hereto and incorporated herein by reference (including: \$76,056 paid for Building 7 in the South Gasser development area, and \$38,028 paid for Building 8 in the South Gasser development area); and

WHEREAS, the City Council has considered all information related to this matter, as presented at the public meetings of the City Council identified herein, including any supporting reports by City Staff, and any information provided during public meetings.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Napa, as follows:

1. The City Council hereby finds that the facts set forth in the recitals to this Resolution are true and correct, and establish the factual basis for the City Council's adoption of this Resolution.

2. The City Council hereby determines that the potential environmental effects of the actions authorized by this Resolution were adequately analyzed by the Final Environmental Impact Report for the Gasser Master Plan Project certified by the City Council on November 21, 2006, by Resolution R2006 193, pursuant to CEQA Guidelines Section 15162.

ATTACHMENT 1

3. The City Council hereby authorizes modification of the Condition of Approval 24 of the Gasser Master Plan, and refund of \$114,084 from the Street Improvement Fund to the Peter A and Vernice H Gasser Foundation. The amended condition shall read as follows:

COA 24. The Developer shall design and construct the Gasser Drive Bridge and Extension over Tulocay Creek.

The Gasser Drive Bridge and Extension shall be designed to accommodate a single southbound travel lane, a single northbound travel lane, a 5 foot wide southbound bicycle lane, a 5 foot wide northbound bicycle lane, and a sidewalk on the east side of the street.

The Gasser Drive Bridge and Extension improvements shall include a dedicated right turn pocket for southbound Soscol Avenue at Gasser Drive, as well as, the signalization of the Gasser Drive/Kansas Avenue intersection. The intersection geometry at this new signalized intersection shall be as follows:

- a.) Northbound Gasser Drive: (1) through lane and (1) right-turn lane
- b.) Southbound Gasser Drive: (1) shared through/left-turn lane
- c.) Westbound Kansas Avenue: (1) left-turn lane and (1) right-turn lane

This condition may require an irrevocable offer of dedication of property by the Developer to the City. The Developer previously dedicated an 84' Right-of-Way for the Gasser Drive Extension to the City. The final Right-of-Way width shall be sufficient to accommodate the roadway configuration identified in Paragraph 2 above, as well as, the Right-of-Way for a future sidewalk on the west side of the street (not to be constructed at this time) and any bioretention areas required for stormwater quality. Excess Right-of-Way of the previously dedicated 84' outside of the final Right-of-Way width required shall be abandoned, with initial proceedings to begin within 60 days of the completion of the construction of the Gasser Drive Bridge and Extension.

The Developer shall be responsible for the construction and installation of these improvements prior to the issuance of the first building permit for the "North" area or filing of the first final map, whichever comes first. Alternatively, the Developer may have these improvements included in a Subdivision Improvement Agreement or Project Improvement Agreement (which will include the requirement for improvement security as required per the Napa Municipal Code) which must be executed by the Developer and the City prior to the issuance of the first building permit for the "North" area or filing of the final map, whichever comes first.

The City shall provide a credit against all remaining Street Improvement Fees (SIF) that would be due on any building permits issued on and after August 1, 2015 from the properties identified in Exhibit A, in an amount not to exceed the cost to design and construct the Gasser Drive Bridge and Extension over Tulocay Creek.

ATTACHMENT 1

4. This Resolution shall take effect immediately upon its adoption.

I HEREBY CERTIFY that the foregoing Resolution was duly adopted by the City Council of the City of Napa at a public meeting of said City Council held on the 21st day of March, 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____
Dorothy Roberts
City Clerk

Approved as to form:

Michael W. Barrett
City Attorney