

RESOLUTION R2018-\_\_

A RESOLUTION OF THE OF THE CITY COUNCIL OF THE CITY OF NAPA CITY COUNCIL CERTIFYING THE ENVIRONMENTAL IMPACT REPORT FOR THE TRINITAS MIXED-USE PROJECT AT 2650 NAPA VALLEY CORPORATE DRIVE (APNS 046-640-009, 019, 020), ADOPTING CERTAIN FINDINGS OF FACT AND A STATEMENT OF OVERRIDING CONSIDERATIONS, AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM

WHEREAS, on April 14, 2016, Pacific Hospitality Group (“PHG”) submitted an application proposing a hotel, winery, and office building within the Napa Valley Commons corporate park on three vacant parcels located at 2650 Napa Valley Corporate Drive (APNs 046-610-009, 019 and 020), which application included associated requests for a Design Review Permit, Planned Development Overlay, and two Conditional Use Permits; all of the above comprise the “Project”; and

WHEREAS, the California Environmental Quality Act, Public Resources Code, Section 21000 et seq. (“CEQA”), requires that the City consider the potential environmental impacts of the Project prior to approving any entitlements for the Project; and

WHEREAS, the City of Napa caused an Environmental Impact Report, consisting of a Draft EIR, a Final EIR and all the appendices (“EIR”) for the Project to be prepared pursuant to CEQA and the CEQA Guidelines, Code of California Regulations, Title XIV, Section 15000 et seq., and the City of Napa CEQA Guidelines; and

WHEREAS, on June 30, 2017, a Notice of Preparation of a Draft Environmental Impact Report for the Project was posted and mailed to all responsible and affected agencies pursuant to CEQA Guidelines Section 15082; and,

WHEREAS, on July 24, 2017 a Scoping Meeting was noticed and held pursuant to CEQA Guidelines Section 15083; and,

WHEREAS, on January 14, 2018, the City of Napa filed a Notice of Completion of the Draft EIR with the State Office of Planning and Research (State Clearinghouse No. 2017072005) which was distributed to reviewing agencies by OPR, and from January 14, 2018, to February 28, 2018, circulated the Draft EIR, for review and comment by the public and public agencies having jurisdiction by law with respect to the project. The Draft EIR is available for public review in the office of the Community Development Department, it was previously distributed to members of Planning Commission and the City Council, and it is incorporated herein by reference as Exhibit “A”; and

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WHEREAS, on April 27, 2018, the Final EIR, which incorporates the Draft EIR by reference and contains the public written comments submitted within the statutory circulation period for the Draft EIR, and the written responses to those comments, was published and circulated to commenting agencies and responding persons. The Final EIR is available for public review in the office of the Community Development Department, it was previously distributed to members of Planning Commission and the City Council, and it is incorporated herein by reference as Exhibit "B"; and

WHEREAS, on May 31, 2018 the Planning Commission considered the EIR and all written and oral testimony submitted to them at a noticed public hearing on the Project, at which the Planning Commission heard a presentation by staff and took public testimony, and thereafter closed the public hearing and considered the adequacy of the EIR, the Mitigation Monitoring and Reporting Program, and the Findings of Fact and Statement of Overriding Considerations. The Planning Commission voted 3-1 to recommend certification of the EIR, approval of a Mitigation Monitoring and Reporting Program, and adoption of the Findings of Fact and Statement of overriding Considerations; and

WHEREAS, on July 17, 2018 the City Council of the City of Napa considered the EIR and all written and oral testimony submitted to them at a noticed public hearing on the Project, at which the City Council heard a presentation by staff and took public testimony, and thereafter closed the public hearing and considered the adequacy of the EIR, the Mitigation Monitoring and Reporting Program, and the Findings of Fact and Statement of Overriding Considerations.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Napa does resolve 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. Compliance with CEQA. The EIR was prepared in compliance with the requirements of the CEQA. Pursuant to CEQA Guidelines Section 15088.5 and as found in the Final EIR as Exhibit B, no new significant information was added to the EIR and therefore, recirculation of the EIR is not required.

3. EIR Reviewed and Considered. The City Council certifies that the EIR has been completed in compliance with CEQA; that it has been presented to the City Council; that the City Council has reviewed and considered the information contained in the EIR; that the EIR reflects the independent judgment of the City Council; and that the information contained therein has substantially influenced all aspects of the decision by the City Council to certify the EIR.

4. Findings of Fact Regarding Significant Effects. Section 21081 of the Public Resources Code and Section 15091 of the CEQA Guidelines require the City Council to

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make certain findings regarding the potential significant environmental effects of the Project. This includes findings regarding effects that would be significant, even after the adoption of all feasible mitigation measures and any feasible alternatives, certain significant or potentially significant environmental effects caused by the Project, or cumulatively. Therefore, the City Council hereby adopts the attached Findings of Fact and Statement of Overriding Considerations (Exhibit "C" to this resolution, attached hereto and incorporated by reference), identifying specific economic, social, and other considerations that render the unavoidable significant adverse environmental effects acceptable.

5. As more fully identified and set forth in the Findings of Fact and Statement of Overriding Considerations, which are contained in Exhibit "C" to this Resolution, the City Council hereby finds, pursuant to Public Resources Code Section 21081 and CEQA Guidelines Section 15091, that in light of City policies and objectives for the Project site, specific economic and social considerations make the alternatives to the Project which were identified in the Final EIR infeasible.

6. As more fully identified and set forth in the Findings of Fact and Statement of Overriding Considerations, which are contained in Exhibit "C" to this Resolution, the City Council hereby finds pursuant to Public Resources Code Section 21081 and CEQA Guidelines Section 15091 that the mitigation measures described in the EIR are feasible and will become binding upon the entity assigned thereby to implement the same.

7. As required by Public Resources Code Section 21081.6, the City Council hereby adopts the Mitigation Monitoring and Reporting Program as set forth in the Final EIR and attached to this Resolution as Exhibit "D" (attached hereto and incorporated by reference). The City Council further finds that the Mitigation Monitoring and Reporting Program is designed to ensure that, during Project implementation, the mitigation measures identified in the EIR will be implemented.

7. The City Council, exercising its own independent judgment, hereby finds that all the findings contained in Exhibit "C" are supported by substantial evidence in the record.

8. Location and Custodian of Documents. The record of the Project's environmental review, which is further described in Exhibits "A" and "B," shall be kept at the Community Development Department, 1600 First Street, Napa, CA 94559.

9. Certification. Based on the above facts and findings and the findings in the attached Exhibits, the City Council hereby certifies, as lead agency for the Project, that the EIR for this Project is accurate and adequate. The City Council certifies that the EIR was completed in compliance with CEQA and the State CEQA Guidelines, and directs the City Clerk to file a Notice of Determination as required by CEQA and the CEQA Guidelines.

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

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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 17<sup>th</sup> day of July, 2018, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: \_\_\_\_\_

Dorothy Roberts  
City Clerk

Approved as to form:

\_\_\_\_\_  
Michael W. Barrett  
City Attorney

Attachments:

Exhibit A: Draft Environmental Impact Report (DEIR)  
Exhibit B: Final Environmental Impact Report (FEIR)  
Exhibit C: CEQA Findings of Fact and Statement of Overriding Considerations  
Exhibit D: Mitigation Monitoring and Reporting Program

**EXHIBIT “A” TO ATTACHMENT 1**

DRAFT ENVIRONMENTAL IMPACT REPORT

(PREVIOUSLY DISTRIBUTED TO THE CITY COUNCIL,  
AND MADE AVAILABLE TO THE PUBLIC FOR REVIEW AT

[www.cityofnapa.org](http://www.cityofnapa.org)

AND THE OFFICE OF THE COMMUNITY DEVELOPMENT DEPARTMENT,  
1600 FIRST STREET, NAPA, CA 94559)

**EXHIBIT “B” TO ATTACHMENT 1**

FINAL ENVIRONMENTAL IMPACT REPORT

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### **EXHIBIT “C” TO ATTACHMENT 1**

#### **CEQA FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS TRINITAS MIXED-USE PROJECT**

**EXHIBIT “D” TO ATTACHMENT 1**

MITIGATION, MONITORING AND REPORTING PROGRAM FOR THE  
TRINITAS MIXED-USE PROJECT