

ATTACHMENT 1

ORDINANCE NO. O2020-__

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NAPA, STATE OF CALIFORNIA, APPROVING A PLANNED DEVELOPMENT OVERLAY DISTRICT (PD-38) ESTABLISHING THE DEVELOPMENT STANDARDS FOR THE EMBASSY SUITES ADDITION LOCATED AT 1075 CALIFORNIA BOULEVARD AND 2420 FIRST STREET AND DETERMINING THAT THE ACTIONS AUTHORIZED BY THIS ORDINANCE ARE EXEMPT FROM THE REQUIREMENTS OF CEQA (APN: 002-200-001 & 002-141-002)

WHEREAS, on August 03, 2019, Mani NVR Napa (DE) (“Applicant”), submitted an application (PL16-0144) for a use permit pursuant to Napa Municipal Code (“NMC”) Chapter 17.60 (“Use Permit”) to increase the number of hotel rooms from 211 to 265 and a design review permit pursuant to NMC Chapter 17.62 (“Design Review Permit”) for a 53,720 square foot, 54 room detached hotel building addition; and a planned development overlay pursuant to NMC Chapter 17.42 (“Planned Development Overlay District”) (PD-38) in order to provide a variation from the Tourist Commercial (CT) District’s development standards to allow for an increased building height beyond the district maximum on the vacant portion of the Embassy Suites site at 1075 California Boulevard and 2420 First Street, APN’s 002-200-001 & 002-141-002 (the “Project”); and

WHEREAS, the Planning Commission of the City of Napa, State of California, held a noticed public hearing on February 6, 2020 and has recommended approval of the subject application; and

WHEREAS, the City Council has considered all information related to the Use Permit and Design Review Permit Applications, 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 ORDAINED by the City Council of the City of Napa, State of California, as follows:

Section 1. The City Council hereby approves a Planned Development Overlay for the Project and adopts language to read as set forth on Exhibit “A”, 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-38, on Exhibit “B”, attached hereto and incorporated herein by reference. The Community Development Director is hereby authorized and instructed to update the official copy of the zoning map, as defined by NMC Section 17.04.050, consistent with the amendment to PD-38 identified on Exhibit “B”.

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Section 2. The City Council hereby determines that the actions authorized by this Ordinance are exempt from CEQA pursuant to CEQA Guidelines Section 15332 which exempts which exempts in-fill development projects that: (1) are consistent with the applicable general plan designation and applicable general policies and applicable zoning designation and regulations; (2) occur within city limits on a project site of no more than five acres substantially surrounded by urban uses; (3) are on a project site that has no value as habitat for endangered, rare, or threatened species; (4) would not result in any significant effects relating to traffic, noise, air quality, or water quality; and (5) can be adequately served by all required utilities and public services.

Section 3. The real property that is the subject of the Embassy Suites Hotel Addition :PD-38 Overlay District is defined as (APN: 002-200-001 and 002-141-002) as shown on Exhibit “B”, attached hereto and incorporated herein by reference. The City Council hereby finds that the adoption of this ordinance, approving the Embassy Suites Addition :PD-38 Overlay District, is consistent with the City’s General Plan and the findings contained in NMC Section 17.66.080 and Section 17.42.050. The City Council hereby finds that:

1. *The proposed planned development amendment is consistent with the principles of the General Plan.*

The proposed Planned Development Overlay is consistent with the principles of the General Plan, since it locates an appropriate land use within the boundaries and urban limits of the City of Napa, which land use is complementary to the mix of uses within the city and is appropriate to its surroundings, and, further that the proposed Planned Development Overlay is consistent with the General Plan as the proposed transient use of the Embassy Suites Hotel Addition is consistent with the Tourist Commercial Designation.

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

The public health, safety and general welfare is served by the Planned Development Overlay, since conditions and restrictions included within the Planned Development Overlay provide clear and appropriate protections of the public’s health and safety, and the project’s design, which is intended to preserve natural and scenic resources, will further the public welfare.

3. *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 hotel addition provides a design that is unique and contains a combination of quality forms and materials. The inclusion of the rooftop wading pool adds to the amenities that are anticipated from a resort style hotel. This feature is similar to the rooftop pool and supporting services found at the Archer Hotel in the Downtown.

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4. *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 increased height which only applies to less than 400 square feet of space on the rooftop represents a small fraction of the overall building. This small variation is justified given the high quality architectural design of the building as well as the inclusion of a "living wall." The portion of the building that exceeds the maximum height will be wrapped with a foliage "green" skin which will soften the rooftop appurtenances.

5. *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.*

The hotel addition is a stand-alone building that will be constructed in one phase. It could operate solely, even if the main hotel was not directly adjacent on the same site.

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

The hotel addition has been designed to coordinate with the existing hotel which has been in existence at this site for more than 30 years. The addition will be as compatible with the California Boulevard neighborhood as the existing hotel has been.

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

The property is located within the TC-484, Tourist Commercial General Plan designation which provides for tourist oriented commercial retail and services such as destination-resort hotels, motels, and their recreational amenities such as spas and conference centers. The hotel addition as well as the existing use of the site as a hotel, conference center and restaurant providing lodging, spa services and conference facilities are consistent with the Tourist Commercial General Plan designation.

8. *Any conditions stipulated as necessary in the public interest have been imposed.*

The project plans and associated application submittal materials have been reviewed by the responsible City departments and agencies. All Department/Division's responses have been included in the recommended Conditions of Approval. All applicable project conditions have been incorporated in the recommended Conditions of Approval for the project.

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

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Adequate public services exist to support this project and no nuisances or other detrimental effects to the surrounding properties, neighboring areas, or the community as a whole have been identified.

SECTION 4: 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 5: Effective Date. This Ordinance shall become effective thirty (30) days following adoption.

City of Napa, a municipal corporation

MAYOR: _____

ATTEST: _____
CITY CLERK OF THE CITY OF NAPA

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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 regular meeting of the City Council on the 21st day of April, 2020, and had its second reading and was adopted and passed during the regular meeting of the City Council on the 5th day of May, 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____
Tiffany Carranza
City Clerk

Approved as to Form:

Michael W. Barrett
City Attorney

EXHIBIT A

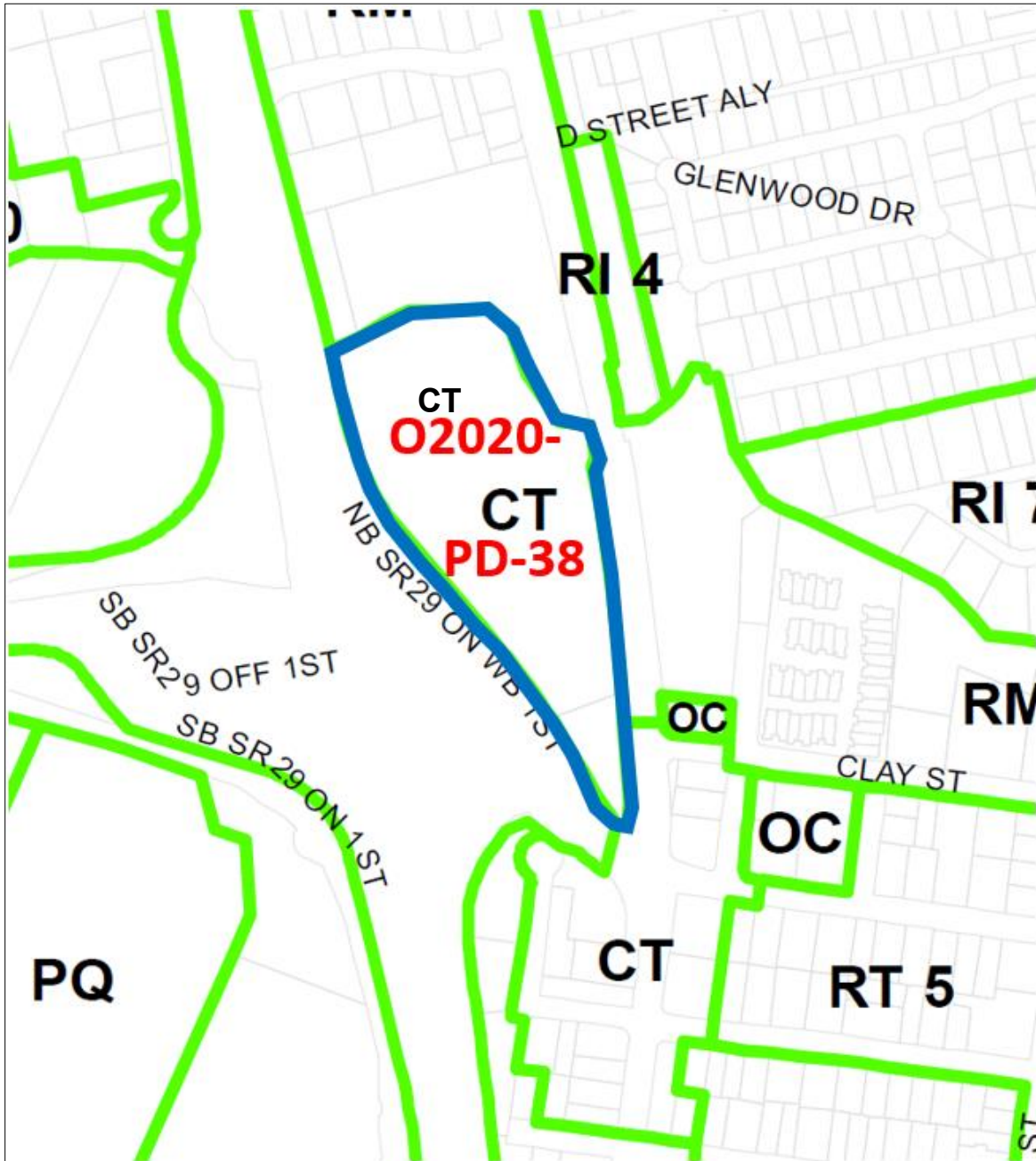
**Embassy Suites Hotel Addition Planned Development District (PD-38)
April 21, 2020**

PD-38 Development Standards

The PD-37 Overlay District authorizes the following variation to the underlying principal regulations and standards

1. This Planned Development Overlay District authorizes a maximum building height of 47 feet, 6 inches for the improvements needed to support the rooftop wading pool entailing restrooms and service area for food and beverage service for the building addition to the Embassy Suites Hotel.

EXHIBIT B



EMBASSY SUITES PLANNED DEVELOPMENT OVERLAY (PD-38)

FILE # 16-0144; O2020-

APN's: 002-200-001 & 002-141-002