



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

(707) 257-9530

PLANNING COMMISSION STAFF REPORT
July 21, 2016

AGENDA ITEM 7.B. PL13-0139, VISTA TULOCAY APARTMENTS

I. GENERAL INFORMATION

PROJECT SUMMARY: Application to construct a 282 unit apartment complex

LOCATION OF PROJECT: West of 467 Soscol Avenue
APNs 046-190-062, 063, 064 & 005-020-013 & 018

GENERAL PLAN: MU-532, Mixed Use

ZONING: MP G3 & G4, Tulocay Village & Tulocay Place Districts

**APPLICANT/
PROPERTY OWNER:** Napa Vista Tulocay LLC (Shawn Gutteresen)
433 Soscol Avenue, A100
Napa, CA 94559

STAFF PLANNER: Scott Klingbeil, Senior Planner Phone: (707) 257-9350

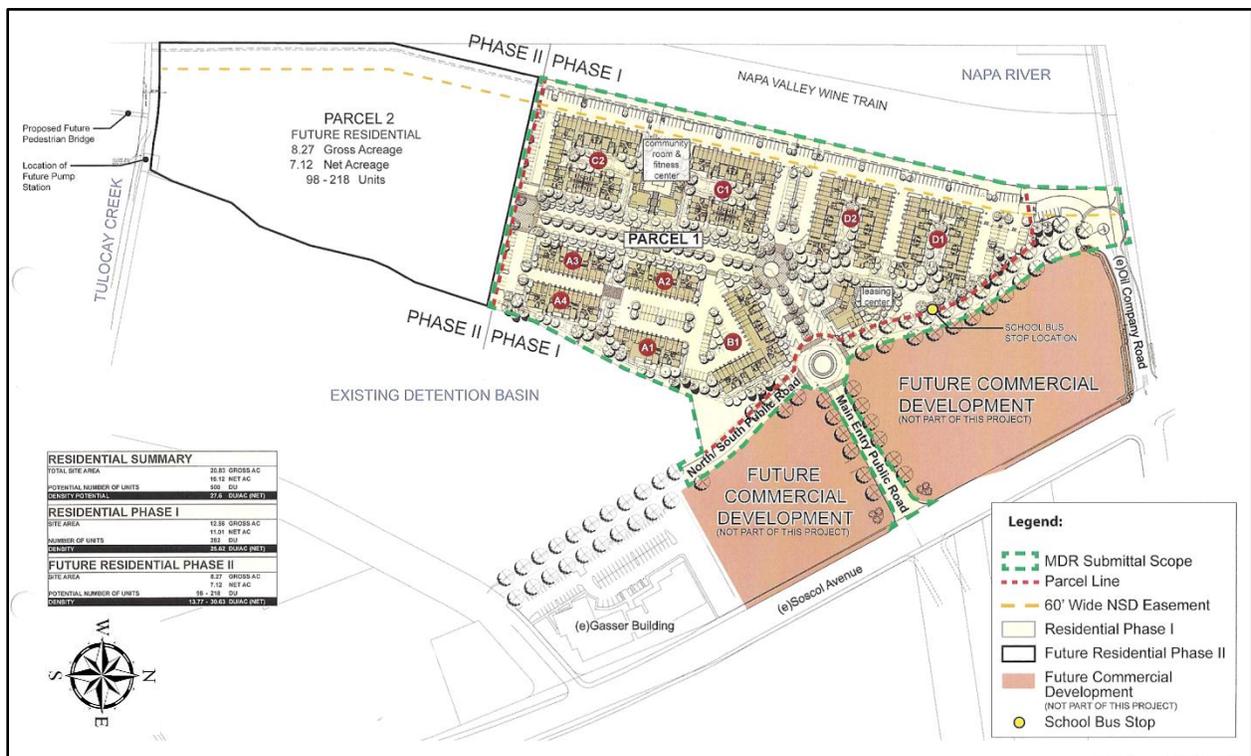
LOCATION MAP



II. PROJECT DESCRIPTION

This application requests approval to develop a 12.56 acre portion of a 20.83 acre site located behind (west of) the vacant commercial property at 467 Soscol Avenue into a 282 unit apartment complex. The project will consist of nine (9) residential buildings with five different building configurations. The total number of apartment units within each building will range from 17 to 46. The proposed buildings will be 37 feet tall, three story walk-ups with parking on the ground floor. Proposed amenities include community rooms, a pool, spa, outdoor kitchen, fireplaces, bocce court and walking trails. A central mailroom will serve the community along with a do-it-yourself bike repair area. Parking for the proposed development will include a total of 485 off-street parking spaces, within a combination of garages, carports and open parking spaces.

Figure 1 – Site Plan



The main entrance into the development will be from a new public street (Entry Way) running east/west from Soscol Avenue that enters into the approximate center of the site. A secondary public street (North Drive) will be constructed along the eastern edge of the development connecting Gasser Drive at the south with Oil Company Road to the north (which is in the process of being renamed "Sousa" Lane). The new Entry Drive and North Drive intersection will be developed with a roundabout at the intersection. The main entrance will be development with sidewalks providing a pedestrian connection to Soscol Avenue which is intended to create an attractive community entrance with the tree lined landscaping and water tower focal point in the roundabout. The 282 units is considered Phase I of the development, with the remainder of the property that is located directly south of the proposed project site to be developed at a later date.

The project provides 77 one-bedroom, 186 two-bedroom, 11 three bedroom units and 8 three-bedroom townhome style units. The one-bedroom units range in size from 625 to 866 square feet (sf), the two-bedroom units range in size from 968 to 1,220 sf, and the three-bedroom units range in size from 1,275 to 1,325 sf. Each unit is designed to include low volatile organic compounds (VOCs), Green Label wall-to-wall carpeting, formaldehyde-free cabinets, and central heating and air. In addition, ultra-low-flow toilets would be included in all the units. The buildings are designed to exceed Title 24 energy standards and will incorporate Energy Star-rated appliances, energy efficient lighting, double-pane windows, and energy efficient insulation. The clubhouse includes one natural gas fireplace, but no wood burning or natural gas fireplaces are proposed in any of the residential units. The project also includes on-site bicycle racks. A complete project description may be found in the Applicant's written statement which is included as Attachment 2.

The Project also includes adoption of a proposed Development Agreement between the City and the Developer. The components of the Development Agreement include the vesting of the current General Plan designation and Zoning Ordinance that allows up to 500 residential units, including the 282 units under the current Design Review Application and up to 218 units which will be constructed as a second phase, which will be subject to future Design Review. The Development Agreement also provides for timing of construction permits and timing on processing approvals of the remaining up to 218 of the 500 units contemplated in the Master Plan. It provides for payment mechanisms and applies the current regulations for a period of time in order to complete the Project and remaining 218 units contemplated in the Master Plan. It also provides the City with accelerated and specific housing fees for the entire 500 potential units.

III. PROJECT HISTORY / CONTEXT

In May 2014 the Planning Commission conducted a preliminary review of the project which included the units proposed in Phase II of the development. This review included a total of 483 total units on the entire 20.83 acre project site. After reviewing the layout and architecture with the Applicant's design team the Commission was largely supportive of the proposed development.

The 12.56-acre Phase I portion of the project site is located to the west of the commercial property at 467 Soscol Avenue. The site is moderately flat but elevated approximately 10 to 15 feet above the adjacent properties along Soscol Avenue as the site was previously elevated with soil from the Napa River Flood Protection Project. The majority of the site is vacant with the exception of an existing metal building that is located adjacent in the southwest corner of the site near Oil Company Road that will be removed. Surrounding uses include: the Napa Wine Train and Napa River to the west, a mobile home park across Oil Company Road to the north, an approximately 8 acre remainder of the project site which is proposed as Phase II to the south; and the now vacant commercial property and the Gasser Office Building which front on Soscol Avenue to the east.

IV. ACTIONS REQUESTED

Applications for action/recommendation by the Planning Commission:

The project approvals requested as a part of this application include:

1. Zoning Amendment to remove the requirement of on-street parking within North Drive and Entry Road.
2. Design Review Permit to authorize the site plan, building plans and elevations.
3. Lot line adjustment to reconfigure the property line between two existing parcels that make up the project site.
4. A Development Agreement.
5. An "alternative equivalent action" to satisfy the affordable housing inclusionary requirements.

V. ANALYSIS

A. General Plan

The property has a General Plan designation of MU, Mixed Use (MU-532), which provides for a functionally integrated mix of retail commercial, office, possible light manufacturing, and higher density residential uses that are typically attached. Residential densities shall range from 20 to 40 units per acre while densities up to 45 units per acre may be allowed on a case-by-case basis at the discretion of the City, provided the development provides a high-quality design that fits with and enhances the site context, and helps create a vibrant transit-and river-oriented residential mixed use district.

The 20 - 40 units an acre density range would allow between 251 to 502 units on this 12.56 acre site. The proposed 282 units are consistent with the density range of MU-532 designation. Higher density residential uses (over 15 du/acre) are generally located nearest to thoroughfares, transit corridors and community-serving commercial and public/quasi-public uses. Higher density residential should be promoted and encouraged adjacent to employment and neighborhood-serving commercial uses to ensure the efficient use of land, public facilities and services.

Staff has also reviewed the project for consistency with all other applicable General Plan policies. In particular, the project complies with policies of the Land Use Element and Housing Element identified below.

Land Use Element

One of the fundamental goals of the Land Use Element is, "[to] preserve and enhance the residential character of existing neighborhoods and provide for new residential development consistent with the city's character and urban form." To help achieve this goal, the Land Use Element includes a series of policies, two of which are listed below:

LU-3.1 The City shall provide for the efficient development and redevelopment of land within the RUL in order to allow job and housing growth through the end of the planning period.

The proposed 282 unit development provides an efficient housing development that will provide housing for a variety of income levels on an underutilized parcel of land.

LU-4.2 The City shall require new residential development to conform to the density range shown in Table 1-4 (unless site-specific physical or environmental constraints preclude the achievement of the minimum density; unless density bonuses are granted; or unless, in Multi Family Residential areas, housing policy H-1.7 permits density flexibility within the Multi Family range), 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 282 unit development has a project density of 22.5 units per acre which is consistent with the density range.

Housing Element

One of the fundamental goals of the Housing Element is to ensure the development of “a variety of housing types and choices.” To help achieve this goal, the Housing Element includes a series of policies, eight of which are listed below:

H-1.1 Efficient Use of Land. The City shall promote creative and efficient use of vacant and built on land within its RUL to help maintain the City’s pre-eminent agricultural environment and open space.

The proposed 282 unit development provides an efficient housing development that will provide housing for a variety of income levels on an underutilized parcel of land.

H1.2 Provide Adequate Sites. The City shall maintain an adequate supply of land designated for all types of residential development to meet the quantified housing need of 835 City units and up to 57 County units for the state-mandated time frame of the Housing Element (2015 to January 2023). Within this total, the City shall maintain a sufficient supply of land zoned for multi-family housing to meet the quantitative housing need of 317 lower income and 151 moderate income housing units.

The proposed 282 unit development is consistent with the above policy in that it provides housing units that will help meet the quantified housing needs for the City for market rate housing units.

H1.4 Efficient Use of Sites. The City shall make every effort to approve well-designed projects at the mid to high range of General Plan densities.

The proposed 282 unit development is consistent with the residential design guidelines and provides a well-designed housing development that is in the mid-range of the General Plan density.

H-2.2 Mix of Housing. The City shall encourage an increased mix of various types of housing throughout the City to meet community housing needs, provide greater housing choices, and improve transportation choices. In addition to single family homes, housing choices and the mix of housing in the community should include such types as multi-family, mixed use, affordable units, supportive housing, Single Room Occupancies (SRO), co-housing and similar types of housing that meet a wide variety of community housing needs.

The proposed 282 multi-family development will provide a housing type that is currently in demand to satisfy the community housing needs.

H-3.1 High Quality Design and Varied Housing Types. The City shall assure high quality, well-designed housing that respects the surrounding neighborhood, and provide for a greater variety of housing options to meet community needs.

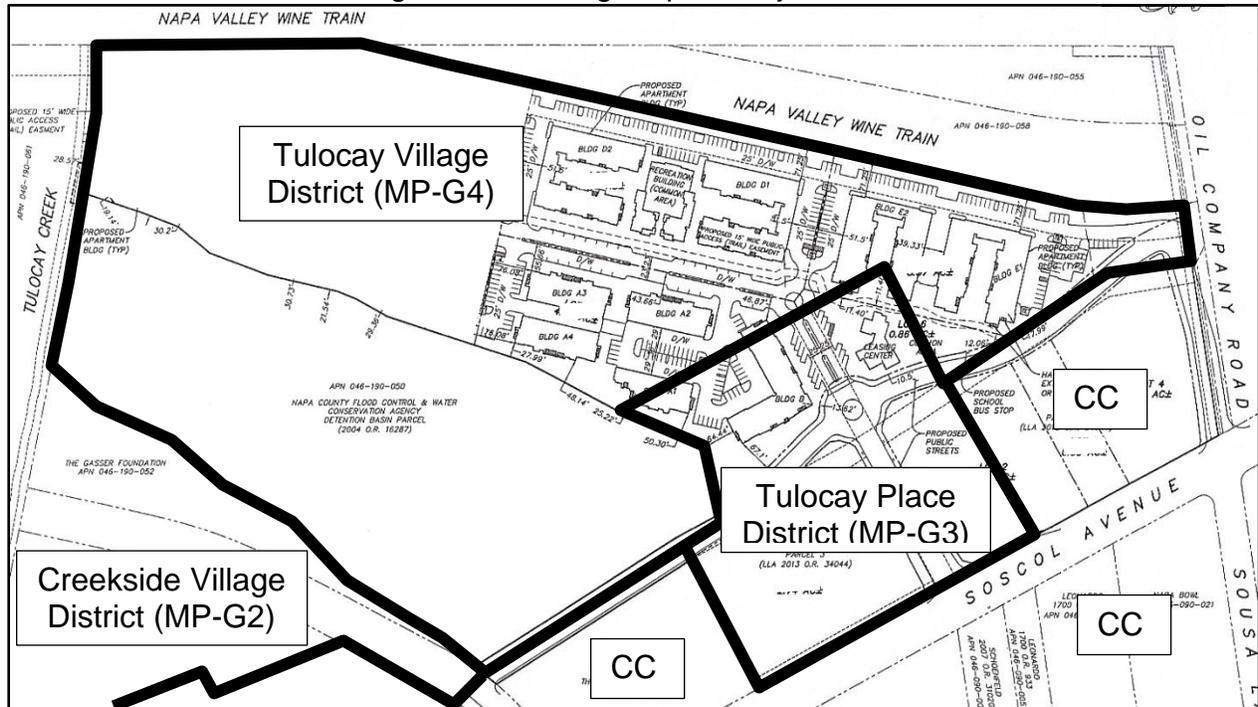
The Housing Element also has policies to encourage the efficient use of land and that make every effort to approve well-designed projects consistent with General Plan densities. This project appears consistent with both of these policy goals, as the proposed development of 282 apartment units on the 12.56 acre site is consistent with the General Plan density range. In addition, the City has adopted Residential Design Guidelines to insure that new infill developments are compatible with existing neighborhoods.

Therefore, both the proposed land uses and the proposed density are consistent with the requirements of the General Plan's MU designation.

B. Zoning

The project site is located with the Tulocay Village and Tulocay Place Districts of the Gasser Master Plan with the majority of the project located within the Tulocay Village District. The intent of the Tulocay Village District is to provide a variety of housing types and densities. When the Gasser Master Plan was adopted the Tulocay Village District was approved for between 380 to 500 residential units depending on the size of the development site. As residential density within the district is to vary the minimum density is averaged over the entirety of the zoning district. The 282 units are considered Phase II of the development. Phase II of the development will involve the 8.26 acre property directly adjoining the project site to the south. Based on the approved density range of the Gasser Master Plan Phase II will have to be developed with between 98 to 218 residential units.

Figure 2 – Zoning Map of Project Site



The Tulocay Village neighborhood has a unique natural setting, framed by wetlands to the south and east, and the Napa River and its open space terraces and Wine Train tracks to the west. Second floor and higher windows may have river views. The Master Plan did not include or approve a site plan for the residential units in Tulocay Village. When the Gasser Master Plan was approved it was envisioned that the internal street circulation would include a public street along the wetland and river edges through all or part of the site that encourages physical and visual access to these resources and allows fronting buildings. The idea of the street system was to provide a secure geographic buffer between private homes and public trails, and address fire and safety concerns.

Two to four-story buildings were anticipated to be constructed in Tulocay Village, taller buildings could potentially occur if the added height (1) provides for subsurface parking and (2) provides design for pitched roofs. Tulocay Village was approved to be developed with between 380 to 500 residential units in total. It should be noted that residential density is required to vary within the Tulocay Village site; thus for purposes of implementing minimum density requirements set forth in Section 17.36.030(B)(4)(b), "residential portions of the site" refers to the Tulocay Village District, and minimum residential development densities shall be averaged over this area. The Tulocay Village District includes 13.6 acres of wetlands/detention basin owned by the Napa County Flood Protection & Water Conservation District, and the approximately 20 acres of residentially-zoned property.

Tulocay Village provides for a maximum building height of 45 feet. The proposed buildings have a maximum height of 37 feet consistent with the development standard. All of the proposed buildings and site improvements are consistent with the required yard, setback and open space requirements of the district. The street layout has been endorsed by the Fire Department and the Public Works Department as it provides the appropriate level of access to address fire and safety concerns.

Tulocay Place District

Approximately 2.38 acres of the project site is located within the Tulocay Place District. The intent of the Tulocay Place District was to create community retail commercial uses east of North Drive and community and neighborhood serving retail commercial uses west of North Drive, providing a community entrance, focal point and gathering place, and residential and/or mixed uses west of North Drive. Residential uses that are located to the west of north drive are a permitted use within the Tulocay Place District.

The majority of the Tulocay Place District fronts along Soscol Avenue on both side of the entry drive. The goal of this area is to create an attractive community-and neighborhood-serving retail commercial/service district with interconnected storefronts oriented to adjacent streets and a community gathering place. Multi-storied buildings may include street level offices and residential uses above. West of North Drive, residential mixed-use with retail uses on the ground floor and residential uses on the upper floors are encouraged.

The Tulocay Place District is comprised of approximately 4.1 acres that is located to the east of North Drive and 3.0 acres that is located to the west of North Drive. When the Gasser Master Plan was approved, it was anticipated that this area could be developed with up to 80,000 square feet of retail commercial and that residential or residential mixed use would be encouraged west of North Drive as an alternative.

The proposed apartment buildings are located on the west side of North Drive consistent with the encouraged uses within the Tulocay Place District. All of the proposed buildings and site improvements are consistent with the required yard, setback and open space requirements of the district.

Off-street pedestrian and bicycle trails within the Gasser Master Plan are intended to provide a key recreation resource to residents and the public. One of the goals of the master plan was to create a system of linked off-street multi-use trails along the railroad tracks, around much of the north wetlands, along the north side of Tulocay Creek and over Tulocay Creek to South River Place by way of the City of Napa's crossing of the Napa Valley Wine Train Bridge. The Master Plan supports, and is consistent with, City efforts to provide a connection across the railroad tracks at Tulocay Creek to the citywide River Trail for resident and community access. The proposed development includes a series of public trails through and around the site. The main pedestrian access is located adjacent but separated from the main drive with a second pedestrian access to be constructed along the edge of the wetlands. All of the proposed public streets to be constructed in conjunction with the development will include a sidewalk. Additionally a new bridge over Tulocay Creek is proposed in conjunction with the development to provide the desired access to the south.

The boundaries between Tulocay Place and Tulocay Village are intended to be seamless with Tulocay Place uses west of North Drive providing a transition to the Village neighborhood. The proposed layout and orientation of the buildings within the development provide the desired seamless transition between the residential uses within the Tulocay Village and the commercial uses proposed within the Tulocay Place.

With the exception of the requested modification to the street parking requirement, the project meets or exceeds all applicable standards of the Tulocay Village and Tulocay Place Districts including yards, setbacks and usable open space. Compliance with the Wetland Setback and Parking Requirements are addressed below.

C. Parking

The Zoning Ordinance sets forth the following parking requirements for the proposed 282 unit multi-family residential development:

(77) 1 bedroom units	@ 1.25 space per unit	=	96 spaces
(186) 2 bedroom units	@ 1.50 spaces per unit	=	279 spaces
(19) 3 bedroom units	@ 1.75 spaces per unit	=	33 spaces
Guest parking	@ 1 space per 4 units	=	<u>71 spaces</u>
TOTAL		=	479 spaces

The parking layout plan prepared for the development provides a total of 485 spaces, consisting of 185 garage spaces, 103 carport spaces and 197 uncovered spaces. The development is required to provide a total of 282 covered parking spaces and a total of 288 covered spaces have been proposed, which satisfies the covered parking requirement. Additionally, the proposed development has been designed with a guest parking ratio of 1 space per every four units, which satisfies the parking space requirements identified above. The guest parking spaces will be distributed throughout the proposed development.

D. Floodplain Management

The site is also subject to the :FP-Floodplain Management Regulations, which require that the City's floodplain administrator review all on-site improvements. After review of the proposed plans and the Applicant's hydraulic analysis of the project, the Public Works Department has determined that the improvements are consistent with both the existing City policy and standards and with Federal floodplain criteria.

E. Wetland Setback

The project site is located directly adjacent to the North Wetlands which is owned by the Napa County Flood Control District. The Developer has been working closely with the Flood Control District, the Regional Water Quality Control Board and the Department of Fish and Wildlife on the appropriate riparian setback for the development. The project incorporates a 50-foot riparian/wetland setback from the edge of the wetlands. This setback area will be landscaped and new split rail fence will delineate the buffer area from the adjacent trail that will be constructed along the wetlands.

F. Affordable Housing Overlay

A portion of the project site is located within the :AH, Affordable Housing Overlay District. The :AH Overlay in a multi-family designation typically requires 10% of the units be constructed onsite for very low income households and that 10% of the units be constructed on site for low income households, unless the development receives approval for an "alternative equivalent" proposal pursuant to Section 15.94.050(B).

In this case an “alternative equivalent” proposal was approved by the City Council when the Gasser Master Plan was adopted. The requirement to construct 10% very low income units for Tulocay Village was satisfied through the construction and operation of the 59-bed homeless shelter, health clinic, and 24 units of transitional housing. However, the 10% low income requirement has not yet been satisfied. As provided in current City regulations (because of the Palmer case), the Developer has the option of constructing 10% of the total units for low income households or paying the affordable housing impact fee. The developer may also mitigate the affordable housing impacts of their project through by dedicating real property to be reserved for the construction of affordable units.

In accordance with Municipal Code Section 15.94.070(A), the Applicant requests an “alternative equivalent” proposal to satisfy their low income requirement for Phase II and II of the proposed development. The Applicant proposes to pay the City \$2,000,000 upon approval of the development. The table below compares the alternative equivalent proposal.

TABLE 1 – HOUSING IMPACT FEE

Number of units	Total Square Footage	Total fee
Phase II - 282	278,256 s.f.	\$1,126,936.80
Phase II - 218	215,105 s.f.	\$871,178.08
500 units	Total of fee	\$1,998,116.80
	Proposed fee	\$2,000,000.00

The inclusionary fees shown above are based on the recently approved Affordable Housing fee of \$4.05 per square foot of the residential only buildings. Inclusionary fees are not charged on the square footage of the leasing center or community room. The fees associated with the Phase II of the development are estimates based upon the maximum density with the same unit ratios and square footage used in Phase II.

Although this fee is only slightly more than what would otherwise be required to pay, there are several benefits of the proposal. The fee will be paid on the maximum build-out of the units through Phase II and it is possible that the project may not build that many units ultimately. Additionally, the City will receive the Affordable Housing Funds significantly in advance of when it would otherwise receive these funds (e.g., at issuance of the first building permit or 18 months after approval of the entitlements and associated appeal period). It is also important to note that the Gasser Project contributed as part of the shelter and transitional housing project significant housing in addition to the proposed payment by the Developer in this instance for the Tulocay Village Project. Upon payment of the \$2,000,000, all affordable housing obligations under the Gasser Master Plan for Tulocay Village (both Phase I and Phase II) will be satisfied.

G. Proposed Gasser Master Plan Code Amendments

When the Gasser Master Plan was adopted in 2006, it included some very specific development standards for the future streets within the project site, although the specific

street locations had not yet been determined. These street standards include the following requirements:

Entry Street and North Drive shall include:

- a. 10 to 12 feet of landscaping/street trees and a separated sidewalk;*
- b. Building setbacks for Entry Street and building and parking setbacks for North Drive: 0-foot minimum/10-foot maximum from edge of sidewalk;*
- c. Curbside parking shall be provided on Entry Street and North Drive except where wetland constraints preclude such parking.*

When the requirement for street parking was planned for Entry Drive and North Drive, it was not envisioned that Entry Drive would be the primary entrance into the development with a signalized intersection at Soscol Avenue. The Master Plan envisioned the signalized intersection to be Soscol Avenue / Oil Company Road and the Entry Drive was to be a secondary street. In reviewing the traffic impacts with the City it was later determined that the signal proposed for Oil Company Road at Soscol Avenue would be better located at Entry Drive and Soscol Avenue in order to reduce traffic impacts. In response to this new street configuration, the Applicant has requested an amendment to the development standard “c” above to not require curbside parking on Entry Street and North Drive. As previously noted, when this standard was adopted Entry Drive was not intended to be a signalized public street and North Drive was not envisioned with a roundabout. The Public Works Department is supportive of the requested amendment as the design of the streets provides the necessary width for all of the required travel lanes in and out of the proposed development. Additionally, it is noted that on-street parking is not required or necessary to satisfy any of the required parking within the proposed development.

With the approval of the requested amendments to the development standards the proposed project would be in conformance with the Gasser Master Plan development standards.

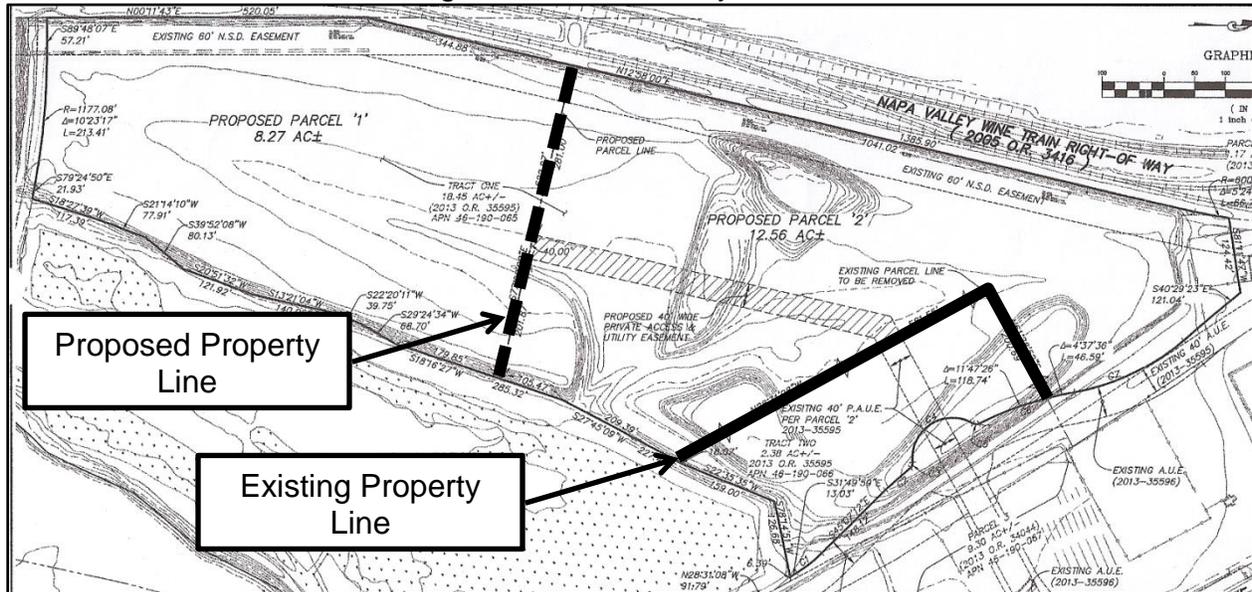
H. Lot Line Adjustment

The requested entitlements include a lot line adjustment to relocate the property line between the two parcels (APN 046-190-065 & 066) that comprise the entirety of the project site. The reconfigured property line (as illustrated on the following page) would coincide with the boundary between Phase II and Phase II of the proposed development. Proposed Parcel 1 will be 8.27 acres in size and comprise the area of Phase II. This parcel will take access from the main access road that will be stubbed at the northern boundary of the parcel. Proposed Parcel 2 will be 12.65 acres in size and will be developed with the 282 units proposed by this application.

Municipal Code Section 16.12.040.A provides that “[a] Lot Line Adjustment map may be submitted and approved between four or fewer parcels whereby land taken from one parcel is added to an adjoining parcel and does not create a greater number of lots than originally existed if each of the proposed lots meets all the requirements of local building and zoning ordinances.” The proposed Lot Line Adjustment is comprised of two parcels and therefore is consistent with the criteria for approval. The new lots conform to all applicable zoning standards of the MP G4, Tulocay Village District. As such, staff recommends that the Planning Commission approve the requested Lot Line Adjustment.

Although lot line adjustments are typically approved at the staff-level, because this application also includes discretionary approvals requiring Planning Commission consideration and Council approval (e.g., Rezone, Design Review, Development Agreement, Alternative Equivalent), all project actions have been bundled for Council review, with staff and the Commission serving in an advisory capacity.

Figure 4 - Lot Line Adjustment



I. Design Review

The proposed development includes a total of nine residential buildings with five different building configurations. The total number of units within each building will vary from 17 to 46 units. The new buildings will be three story walk-ups with tuck-under one car garages.

In accordance with the Gasser Master Plan Design Guidelines staff relied on the principles found in the City’s Residential Design Guidelines for reviewing the site development and architectural design. The applicable guidelines are identified below, followed by a response identifying how the project application addresses the guidelines.

Figure 5 – Perspective Site Plan



Site Plan

- a. *Buildings should frame neighborhood gateways and define community and common open spaces. Public, communal, and private spaces should be clearly distinguishable.*

The proposed buildings are oriented parallel to the street which frame the tree lined entry drive. Several of the proposed buildings are designed in a “U” shaped configuration around an open space area which clearly frames and distinguishes the private open spaces.

- b. *Ground floor units should have direct access from streets and from common spaces. Units should provide "eyes-on-the-street" security by orienting towards streets and common areas.*

The ground floor units have access to the street and common spaces from central pedestrian passages within each building. The units provide windows and balconies oriented to the common area and streets to create the desired “eyes on the street” security.

- c. *Entry drives to multifamily housing should be designed to create a positive identity for the project. Landscape and site design should frame and distinguish entry drives.*

The main entry drive into the proposed development includes a roundabout that will have a signature entry feature. This entry feature is currently designed as a water tower with rocks and landscaping. Additionally, the entry drive contains a tree lined landscape median that creates a positive identity for the project.

Figure 6 - Proposed Entry Feature



- d. *Parking lots should be screened by shade trees, landscaping or buildings. Parking should be unobtrusive and not disrupt the quality of common spaces and pedestrian environments of multifamily development. Parking should be distributed throughout the site in discrete courts and garages.*

The proposed uncovered surface parking areas have been designed with the one tree for every five parking spaces, as recommended by the guidelines. The location of the

parking areas does not conflict with common open space areas or pedestrian walkways located throughout the development. Parking is located within garages and carports and on surface spaces and evenly distributed throughout the proposed development away from public view. Most of the surface parking spaces is located at the rear of the development behind the proposed buildings within a 60 foot wide Napa Sanitation easement (i.e., pavement is the preferred surface treatment for areas within Sanitation District easements to avoid impediments and for access to infrastructure).

- e. Services for multifamily development should not be visible from public areas. Trash bins, utility meters, transformers, and other service elements should be enclosed or otherwise concealed from view.*

Trash generated by the development will be collected in seven enclosure areas located along the vehicle drives as opposed to more highly-visible locations from public open spaces areas. Staff has included a condition of approval requiring that all mechanical and utility equipment, including transformers and backflow devices, be screened and/or integrated into the building structure.

Common Areas

New multi-family projects should provide common spaces that are physically defined and socially integrated into the site plan as gathering places.

- f. Common open areas and parks provide gathering places, add livability and value: Encourage usable common open space in larger housing developments, considering higher heights, increased densities or decreased setbacks on some portions of the site as a tradeoff for providing such amenities.*

The design of the development includes six larger common areas with a series of pedestrian walkways connected throughout the project which provide access to the residential units as well as the pool/recreation area, interior common areas, office and the adjacent river trail.

- g. Multifamily development must provide common and/or private open space for each unit consistent with development standards in the Zoning Ordinance. Multifamily projects should include both landscaped and hardscape areas that encourage social interaction. Play spaces for children are strongly encouraged and should be both secure and observable. Common private open space should be centrally located and have a physical and visible connection to public open space. Common open space should be connected to each project's internal pedestrian system.*

The development includes several common areas that are located throughout the site, including along with a community center, pool and outdoor entertainment area. The guidelines suggest that multifamily development provide both common and private open space for each unit consistent with development standards in the Zoning Ordinance. The minimum open space requirement is 200 square feet per unit and the proposed development is consistent with the minimum open space requirement. The common

open spaces are centrally located and have a physical and visible connection to the residential units. All common open space areas are connected to the project's internal pedestrian system.

The proposed landscape design includes a variety of communal spaces that use drought-tolerant, low-water usage plants. Trees will be planted in compliance with the City's parking lot design standards and street requirements. According to the proposed landscaping plan, new trees will include red maple, magnolia, eastern redbud, Chinese pistache, London plane, and flowering pear. All onsite landscaping and irrigation plans will be designed by a licensed landscape architect or landscape contractor and approved by the Public Works Department - Water Division prior to the approval of Improvement Plans and issuance of building permits for the project.

The project site is located at a higher elevation than adjacent lands and the grade differential at the project boundaries will be made up by existing slopes. Areas near buildings and walkways may require short retaining walls at isolated locations along the eastern boundary of the site to provide the necessary flat area. Along the eastern boundary of the project site, the project is proposing a 4-foot tall fence. Vegetation, including trees and shrubs, will be planted along the exterior of the boundary walls.

Figure 7 – Landscape Plan



Architectural Design

New multi-family projects should fit into the surrounding neighborhood by transitioning in scale, and reflect local architectural traditions, and respond to Napa's climate.

- h. Multifamily projects should utilize a unifying theme and a common vocabulary of forms and architectural elements. Building forms should use varying roof heights, setbacks and wall planes to break up the*

perceived bulk of buildings. Long, unbroken volumes and large, unarticulated wall and roof planes should not be permitted.

The residential buildings will be three-story walk-ups with attached tuck under one car garages. Vertical tower elements are proposed on each building to provide a varying roof height and building plain which break up the perceived bulk of the buildings. The residential buildings have been designed with a common vocabulary of forms and architectural elements. The exterior finish of the buildings is predominantly stucco in a variety of unique color schemes. All of the proposed buildings feature metal awnings and trellises with composition roofing shingles. The units feature windows that are aligned with each other and building elements to provide a harmonious appearance. The change in roof forms and varying wall plains present interesting elevations that are not overly repetitive.

Figure 8 – Building D Front Perspective



- i. Facades should have 3-dimensional elements, such as chimneys, balconies, bay windows or dormers, to break up large wall and roof surfaces. Every facade should possess an overall design concept that is well composed and articulated and of consistent quality.*

Multiple wall offsets and varied roof forms create a reduced sense of scale. The hierarchy of fenestration treatment, detailing, and exterior wall materials will provide visual interest when viewed from a distance or from a pedestrian level. Second floor balconies and open railings develop shadow patterns, depth and textures. Each elevation appears to have the same level of articulation and quality as the front elevation.

- j. Roof forms should reflect their context. While traditional sloping roofs, such as gable or hip roofs are generally preferred, there may be instances (such as adjacent to a traditional commercial district) where flat roofs may be allowed, if screened from public view by continuous parapets or by pitched roofs.*

The proposed residential buildings provide a combination of roof forms with traditional sloping and flat parapet roofs consistent with the guidelines. The commercial buildings in the area also have a combination of roof forms with both sloped roofs and flat roofs. Therefore, new buildings respond to the neighborhood context.

Figure 9 – Building A Front Perspective



- k. Outbuildings, such as community buildings, management offices, club houses, or freestanding parking garages should incorporate design features, materials and colors of the residential buildings.*

The same design details and exterior materials of the proposed office, community room, fitness room and pool area have also been incorporated into the proposed residential buildings creating compatibility throughout the design.

- l. Stairways, fences, trash enclosures and other accessory elements should be designed as integral parts of the architecture. These should not be visible features at the ends of streets or driveways.*

The proposed stairways have been designed as an integral part of the architecture. The trash enclosures are not located at the end of streets where they would be highly visible.

Figure 10 – Building A Rear Perspective



Materials and Color

- m. Multi-family housing should demonstrate a commitment to lasting and durable design with materials and colors that support overall image and massing concepts.*

The proposed buildings have a contemporary design with exterior materials such as three coat stucco, Hardi board siding, vinyl windows and composite shingle roofs. All of the proposed buildings share common design details and materials that create a unifying architectural theme in the proposed development. All of the proposed buildings are designed with a clear building base, a clear pattern of openings, a recognizable entry and appropriate roof details to create an interesting roofline.

- n. All the facades should employ the same quality of materials. On corner units, architectural materials should be consistent on both exposed elevations.*

The residential buildings provide a stucco exterior with Hardi board siding and a composite shingle roof. All elevations share the same level of architectural detail and material treatment.

- o. Painted surfaces should use colors that reinforce architectural concepts and are compatible with natural materials, such as brick or stone.*

The proposed color scheme for the new buildings will be an adobe beige or cream along with tan, brown and gray on the stucco elements. The composite roofs will be a gray. The building colors appear appropriate for the particular building style.

Figure 11 – Building A Front Perspective



I. Vehicular and Pedestrian Circulation Improvements

The primary vehicle entrance to the complex will be on Entry Way which is located between two commercial properties that front on Soscol Avenue. This new road will be a signalized intersection at Soscol Avenue requiring the installation of new turn lanes within the Soscol Avenue right-of-way. A secondary access is proposed on the north end of the property from Oil Company Road. Oil Company Road will be improved with a right in/right out only at Soscol Avenue. The Oil Company Road improvements are not affiliated with the Vista Tulocay Apartments Project. Additionally, in conjunction with the construction of the apartments the Applicant will be constructing the full width of North Drive from Gasser Drive to Oil Company Road along the eastern boundary of the project site. The intersection of Entry Way and North Drive is designed as a roundabout that includes a water tank entry feature within the center of the roundabout. Consistent

with the policies of the Gasser Master Plan, the design of Entry Way and North Drive Court will include dedicated five foot wide bicycle lanes and sidewalks on both sides of the street.

The project will also be installing a new bus stop along North Drive just north of the proposed roundabout. Access from the bus stop to the apartments will be provided via a pedestrian walkway that is linked throughout the development.

Pedestrian walkways are designed throughout the development along with a new bridge over Tulocay Creek that will be located near the Gasser Drive Extension. Access to pedestrian bridge will be from the sidewalk along the new public streets and a trail that will be constructed along the top of the Tulocay Creek bank.

J. Residual Overland Flows

Consistent with Conditions of Approval 44/45 of the Gasser Master Plan, the Entry Drive and the commercial properties on either side of this new street have been designed at a lower elevation to accommodate the local storm water runoff that needs to be conveyed to the Gasser detention basin for pumped discharge. This runoff will be conveyed over land, onto Entry Drive and the adjacent Gasser properties, and enter pipes that extend under North Drive and into the detention basin/wetland area. The proposed development is located at an elevation that is above the flood hazard and vehicle access will be maintained during a major storm event through North Drive south to Gasser Drive and then to either Soscol or Imola Avenues.

K. Development Agreement

The proposed project includes a Development Agreement between the City of Napa and the Developer (Attachment 7). A development agreement is a contract between a city and developer that authorizes the type and amount of development that may occur within a specific period of time. Development agreements typically provide developers with guaranteed development rights in exchange for public benefits to a city. A development agreement must comply with the city's general plan, however, it may establish different development standards than provided by the city's zoning regulations. A development agreement allows a city more discretion to impose conditions and requirements on a development since these agreements are voluntarily negotiated contracts adopted by ordinance. A development agreement may also allow for a longer permit term in recognition of fluctuations in economic conditions.

The proposed Development Agreement between the Developer and the City would authorize the vesting of the current General Plan designation and Zoning Ordinance regulations that allow up to 500 residential units on the project site, including the 282 units under the current consideration in this Design Review Permit application and up to 218 units additional units that would be subject to future Design Review Permit consideration. The Development Agreement also provides certain understanding on the timing of filing building permit applications and actual construction of the units, including for Phase II of the project. The Development Agreement provides identifies and locks in fees and applies the current Zoning Ordinance physical development regulations (e.g., height, setbacks, etc.) for a period of time in order to complete Phase I and up to 218 additional units contemplated in the Master Plan at buildout. The Development Agreement also

provides the City with accelerated and specific housing fees for the entire 500 potential units, even if full buildout is ultimately not proposed.

L. Modifications to the Conditions of Approval of the Gasser Master Plan

When the Gasser Master Plan was adopted a significant number of conditions of approval and Mitigation Measures were incorporated as requirements of the Environmental Impact Report. These conditions of approval also identified the timing of the required improvements to determine which improvements must be completed by the Developer and in what order they should proceed. It is anticipated that the “Gasser South Area” (the area south of Tulocay Creek) will develop as a first phase of the Gasser Property and that “Gasser North Area” (the area north of Tulocay Creek) will develop at a later time. When applications for subsequent specific development projects within the Master Plan are submitted to the City, these conditions of approval will be used to frame the final conditions of approval for that development project.

In conjunction with the Vista Tulocay application the Applicant and the City of Napa Public Works Department request amending the implementation of several of the conditions of approval to better respond to changed conditions since the adoption of the Master Plan. The Zoning Ordinance stipulates that requests for changes in the conditions of approval or changes to site plans/operations affecting a condition of permit approval are to be treated as an amendment. The procedures for filing and processing an application for a permit amendment shall be the same as those established for a new permit application. In this case, the imposition of the conditions of approval that are to be modified are directly linked to the development of the apartment complex.

The Applicant and the Public Works Department request the following modifications to the specific Conditions of Approval (COA), as indicated in the strikeout and underline format below. A complete listing of all applicable conditions of approval is included within the draft resolution.

Gasser Drive Extension

COA 24. The Developer shall ~~make a “Fair Share contribution” to the cost to design and construct the Gasser Drive Bridge and Extension (Kansas Avenue to Soscol Avenue), including the new Gasser Drive Bridge over Tulocay Creek. (“Extension Project”). The total cost of the “Extension Project” shall include the cost to finalize the design, acquire property rights necessary to build the project, and construct the improvements. Said Contribution shall be based upon the percent contribution of the Gasser North Master Plan full development traffic to year 2020 weekday PM peak hour volumes along the proposed Gasser Drive extension. Draft study findings demonstrate that the Gasser North Master Plan contributes 17.4% to year 2020 PM Peak Hour volumes along the Gasser Drive extension north of Kansas Avenue.~~

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 pay the Fair Share Contribution calculated pursuant to the methodology identified in paragraph 1 prior to the issuance of the first building permit or filing of the final map of the North area, whichever comes first. Alternatively, the Developer may have these improvements and the payment of the "Fair Share Contribution" 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 or filing of the final map for the North area, whichever comes first.~~

~~The City, within five years of the date of the payment of the "Fair Share Contribution", shall adopt a proposed construction schedule for the Extension Project or refund the "Fair Share Contribution" payment to the Developer. To the extent those funds are expended by the City on the design of the Extension Project and then the City later elects not to complete the Project, those previously expended funds are not subject to reimbursement.~~

~~Kansas Avenue/Gasser Drive shall be overlayed and re-stripped from the Hartle Court/Gasser Drive intersection to the Kansas Avenue/Soscol Boulevard intersection as shown on the approved plans prepared as part of COA 4.~~

The Developer shall be solely responsible for the construction and installation of these improvements described in paragraph 4 of this COA 24 prior to occupancy of the first non-theater building of either the South or the North area, whichever occurs first. 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 April 1, 2016 from properties within the Creekside District, Tulocay Place District and the Tulocay Village District of the Gasser Master Plan.

Silverado Trail (SR-121)/Soscol Avenue (SR-121)/Gasser Drive intersection Realignment

~~COA 25. The intersection of Silverado Trail/Soscol Avenue and Gasser Drive may be realigned and reconstructed to form a standard four-leg intersection (“Realignment Project”) consistent with the City of Napa General Plan Transportation Element, which currently envisions the future widening of the southbound Silverado Trail approach to accommodate two additional lanes of traffic.~~

~~The Developer shall make a Fair Share Contribution to the cost of the Realignment Project or to the cost of other improvements that the City chooses to make at the intersection that are designed to allow the intersection to function more safely and efficiently. to construct a second westbound left-turn lane at the intersection of Silverado Trail and Soscol Avenue. The total cost of the Realignment Project improvement shall include the cost to finalize design, acquire property rights necessary to build the project acquisitions, and construct the improvements (including those certain Water System Improvements identified in COA 47 and other as of yet undetermined utility relocations and improvements). Said Contribution shall be based upon the percent contribution of the Gasser North Master Plan full development traffic to year 2020 weekday PM peak hour volumes at the intersection. The Traffic Impact Report findings demonstrate that the Gasser North Master Plan contributes 16.19% to year 2020 PM Peak Hour volumes at the intersection.~~

~~The Developer shall pay the “Fair Share Contribution” calculated pursuant to the methodology identified in paragraph 1 2, prior to the issuance of the first building permit or the filing of the first final map, whichever comes first. Alternatively, the Developer may have the payment of the “Fair-Share Contribution” 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 or filing of the final map in the North Area, whichever comes first. ~~Draft study findings demonstrate that the Gasser North Master Plan contributes 5.4% to year 2020 PM Peak Hour volumes at the intersection.~~~~

~~The City, within five years of the date of the payment of the “Fair Share Contribution”, shall adopt a proposed construction schedule for the Realignment Project, or other improvements to the intersection, or refund the “Fair Share Contribution” payment to the Developer. To the extent those funds are expended by the City on the design of the Realignment Project and then the City later elects not to complete the Project, those previously expended funds are not subject to reimbursement.~~

Soscol Avenue intersection with Sousa Lane Project Driveway

COA 27. The Developer shall design and construct a new traffic signal at the new Project Driveway ~~entrance~~ and Soscol Avenue intersection. The new intersection/~~driveway~~ geometry shall be as follows:

- a) North-bound Soscol Avenue: (2) through lanes and (1) left-turn lane
- b) South-bound Soscol Avenue: (2) through lanes and (1) right-turn lane
- c) Project ~~Entrance~~ Driveway: (1) west-bound receiving lane ~~and~~ (2) east-bound left-turn lanes and (1) eastbound right-turn lane ~~departure lanes~~

This condition ~~may~~ will require an irrevocable offer ~~to~~ of dedication of property by the Developer to the City. ~~which shall also occur upon submittal of the first application for the Gasser North Development.~~

The Developer shall be solely 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. This signal and additional lanes are not included in the Street Improvement Fee program.

Soscol Avenue intersection with Sousa Lane/ Oil Company Road

COA 28. The Developer shall design and construct a re-configuration of the Oil Company Road/ Sousa Lane/Soscol Avenue intersection so that both the eastbound and westbound stop-controlled approaches of Oil Company Road/ Sousa Lane to Soscol Avenue both include a single left-turn lane, a single through lane and a single right-turn lane and a single receiving lane. As part of this reconfiguration, the Developer shall design and construct a raised median along Soscol Avenue that prohibits left turn and through movements from Oil Company Road and Sousa Lane, but that allows for northbound and southbound left turn movements from Soscol Avenue.

This condition may require the acquisition of off-site real property. The Developer shall enter into a property acquisition agreement with the City (prior to the first of the following occurrences in the North area: approval of the first tentative map, or execution of the first Subdivision Improvement Agreement or Project Improvement Agreement), by which the following requirements will be documented: (1) Developer will make a reasonable good faith effort to acquire the necessary right-of-way at the Developer’s cost within a specified timeframe; (2) if the Developer makes a reasonable good faith effort but is unable to acquire the necessary right-of-way within the specified timeframe, the Developer may request the City to acquire the necessary right-of-way through the exercise of eminent domain; (3) the Developer shall pay all costs incurred by the City to acquire the necessary right-of-way; (4) the Developer shall complete the improvements required by this condition at such time

as the City acquires an interest in the necessary right-of-way that will permit the improvements to be made; and (5) if the City does not acquire an interest in the necessary right-of-way that will permit the improvements to be made, the Developer shall be relieved of the obligation to construct the off-site improvements. The developer should begin good faith efforts to identify and acquire any necessary property at its earliest opportunity, so that construction of required improvement is not delayed by this process.

The Developer shall be solely 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 or filing of the final map for the "North" area, whichever comes first. This reconfiguration and additional lanes are not included in the Street Improvement Fee program.

Soscol Avenue/SR-121 Intersection with Kansas Avenue

COA 31. The Developer shall design and construct the following intersection improvements:

- Re-striping of eastbound Kansas Avenue at Soscol Avenue to install a double left turn lane, a single through and a single right-turn lane at the existing signals.
- Relocation of the existing signal and installation of a single westbound left turn lane, a single through lane and a single right turn lane at the existing signals.
- Addition of an overlap phases for the westbound, eastbound and southbound right-turn movements and provide protected phasing for the southbound left-turn movement.

These improvement plans will require Caltrans approval and a Caltrans encroachment permit.

The above improvements may require additional right-of-way along Kansas Avenue. The Developer shall enter into a property acquisition agreement with the City (prior to the first of the following occurrences in the North area: approval of the first tentative map, or execution of the first Subdivision Improvement Agreement or Project Improvement Agreement), by which the following requirements will be documented: (1) Developer will make a reasonable good faith effort to acquire the necessary right-of-way at the Developer's cost within a specified timeframe; (2) if the Developer makes a reasonable good faith effort but is unable to acquire the necessary right-of-way within the specified timeframe, the Developer may request the City to acquire the necessary right-of-way through the exercise of eminent domain; (3) the Developer shall pay all costs incurred by the City to acquire the

necessary right-of-way; (4) the Developer shall complete the improvements required by this condition at such time as the City acquires an interest in the necessary right-of-way that will permit the improvements to be made; and (5) if the City does not acquire an interest in the necessary right-of-way that will permit the improvements to be made, the Developer shall be relieved of the obligation to construct the off-site improvements. The Developer should begin good faith efforts to identify and acquire any necessary property at its earliest opportunity, so that construction of required improvement is not delayed by this process.

The Developer shall be solely responsible for the construction and installation of these improvements prior to the issuance of the first building permit or filing of the first final map for the "North" area, 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 or filing of the final map for the "North" area, whichever comes first.

~~If the City adopts a construction schedule showing the improvements identified in COA 24 and 25 (Gasser Drive Extension, including new bridge of Tulocay Creek, and the "Realignment Project") will be completed prior to occupancy of the first unit of development in the North Area, then the improvements listed above at the Kansas Avenue/Soscol Avenue (SR-121) intersection are not required.~~

Soscol Avenue/SR-121 Intersection with Imola Avenue/SR-121

COA 33. The Developer shall design and construct the following intersection improvements:

- Installation on eastbound Imola Avenue of a double left turn lane, a single through lane, a right turn lane and a single receiving lane.
- Installation on westbound Imola Avenue of a single left turn lane, a single through lane and a right turn lane at the existing signals.
- Provide protected phasing for the eastbound and westbound left-turn movements, as well as right-turn overlap phasing in the westbound ~~and northbound~~ approaches.

The improvement plans must be approved by the City of Napa and Caltrans.

This condition may require the acquisition of off-site real property. The Developer shall enter into a property acquisition agreement with the City (prior to the first of the following occurrences in the North area: approval of the first tentative map, or execution of the first Subdivision Improvement Agreement or Project Improvement Agreement), by which the following requirements will be documented: (1) Developer will make a reasonable good faith effort to acquire the necessary right-of-way at the Developer's cost within a specified timeframe; (2) if the Developer makes a reasonable good faith effort but is unable to acquire the necessary right-of-way within the specified timeframe, the Developer may request the City to acquire the

necessary right-of-way through the exercise of eminent domain; (3) the Developer shall pay all costs incurred by the City to acquire the necessary right-of-way; (4) the Developer shall complete the improvements required by this condition at such time as the City acquires an interest in the necessary right-of-way that will permit the improvements to be made; and (5) if the City does not acquire an interest in the necessary right-of-way that will permit the improvements to be made, the Developer shall be relieved of the obligation to construct the off-site improvements. The developer should begin good faith efforts to identify and acquire any necessary property at its earliest opportunity, so that construction of required improvement is not delayed by this process.

The Developer shall be solely responsible for the cost and the construction and installation of these improvements prior to the issuance of the first building permit for the “North” area or the 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 or filing of the final map for the “North” area, whichever comes first.

Soscol Avenue/SR-121 from Silverado Trail to Magnolia Avenue (Northbound and Southbound)

COA 35. The Developer shall prepare both interim and ultimate the improvement plans for the widening of Soscol Avenue to six through lanes between Magnolia Drive and Silverado Trail. Interim improvement plans shall include medians and additional through lanes pavement signing and striping while staying within the existing public street right-of-way, as well as, intersection improvements identified in COA 25, COA 31, and COA 33. approved by Caltrans and the City of Napa. This corridor improvement is not anticipated to require new right-of-way, but may require a design exception (for narrower than standard lane widths as necessary to stay within the existing right-of-way) for the encroachment permit from Caltrans. Ultimate improvement plans shall include all additional through lanes and required right-of-way. The widened Soscol bridge over Tulocay Creek will be designed and constructed by Caltrans, but the ultimate improvement plans shall be consistent with a widened Soscol bridge over Tulocay Creek.

The Developer shall have prepared a right-of-way exhibit defining the Caltrans, City or otherwise public right-of-way for Soscol Avenue(SR 121) from the north curb return of the intersection of Soscol Avenue and the existing Silverado Trail to the southern curb return of the intersection of Soscol Avenue with Magnolia Avenue Drive. The purpose of This exhibit shall be to determine if there is adequate existing right-of-way to restripe or improve Soscol Avenue to 6 through lanes. include existing and future right-of-way as well as plat and legal descriptions for each property to be acquired. This exhibit must be submitted as a part of a complete Planning Application for a Tentative Map, Use Permit, or Design Review Approval prior to certificate of occupancy for the first project in the “North” area.

~~If the exhibit indicates that additional right-of-way is required, the Developer shall immediately request a design exception from Caltrans to allow for the installation of lanes within the existing right-of-way (that may be below Caltrans standard lane width). If Caltrans does not approve such a design exception prior to the City's approval of a Tentative Map, Use Permit, or Design Review Approval for the first project in the "North" area, the Developer shall enter into a property acquisition agreement with the City (prior to the first of the following occurrences in the North area: approval of the first tentative map, or execution of the first Subdivision Improvement Agreement or Project Improvement Agreement), by which the following requirements will be documented: (1) Developer will make a reasonable good faith effort to acquire the necessary right-of-way at the Developer's cost within a specified timeframe; (2) if the Developer makes a reasonable good faith effort but is unable to acquire the necessary right-of-way within the specified timeframe, the Developer may request the City to acquire the necessary right-of-way through the exercise of eminent domain; (3) the Developer shall pay all costs incurred by the City to acquire the necessary right-of-way; (4) the Developer shall complete the improvements required by this condition at such time as the City acquires an interest in the necessary right-of-way that will permit the improvements to be made; and (5) if the City does not acquire an interest in the necessary right-of-way that will permit the improvements to be made, the Developer shall be relieved of the obligation to construct the off-site improvements. The developer should begin good faith efforts to identify and acquire any necessary property at its earliest opportunity, so that construction of required improvement is not delayed by this process.~~

The improvement plans must be approved by the City of Napa and Caltrans.

The Developer shall be responsible for the cost to design both the interim and ultimate plans and the cost and the to construction and installation the interim improvements only prior to the issuance of the first building permit for the "North" area or the filing of the first final map, whichever comes first. The Developer's obligation to construct interim improvements is subject to receipt of all regulatory agency approvals and including without limitations Caltrans approval. 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.

Water System Improvements

COA 46. The Developer shall be solely responsible to design and construct the following improvements prior to occupancy of the first building of the North area

- a) ~~The existing water main in Sousa Lane from Silverado Trail to Soscol Avenue shall be converted into a Zone 3 pipeline. This will require a new hot tap and connection to the existing 24" water main in Silverado Trail, a new zone break and loop created in Soscol Avenue connecting the two 8" water mains (remaining as Zone 1) to each other, and installing pressure~~

~~reducers on existing services on Sousa Lane transferred from Zone 1 into Zone 3.~~

Install a twelve-inch water main in Silverado Trail beginning at the end of the existing twelve-inch water main in Silverado Trail (476 Silverado Trail), thence northward to Sousa Lane (250 feet more or less), and terminating as a direct connection to the existing eight-inch main in Sousa Lane (at Silverado Trail) and twenty-four inch main in Sousa Lane and Silverado Trail, thereby converting existing portions of Hydraulic Zone 2 to Hydraulic Zone 3, and all affected services transferred appropriately.

- b) The existing 8" water main on Soscol Avenue shall be extended from the current Gasser Office Building to Oil Company Road. This work shall occur after the zone change on Sousa Lane as per COA 46a.
- c) The existing 12" water main on Gasser Drive shall be extended and tie-into both the 12" main on Oil Company Road (along the North Drive alignment) and the 8" main on Soscol Avenue. The 12-in water main shall be placed under Tulocay Creek within a steel or fusible C-900 casing that shall extend 10-ft beyond the limits of the future Gasser Drive Bridge over Tulocay Creek as per the approved plans submitted in accordance with COA 4. In the event the Gasser Drive Extension Project is constructed prior to occupancy of the first building of the North area, then the Developer shall be responsible for reimbursing the City (or its designee) prior to occupancy of the first building of the North area for its costs to install these water system improvements within the new Gasser Drive Bridge (if these improvements were actually included in that Project).

Staff supports these revisions and recommends the Planning Commission forward its recommendation to the Council to approve them as proposed.

VI. ENVIRONMENTAL REVIEW

An Environmental Impact Report (EIR) was adopted for the Gasser Master Plan on November 21, 2006 by the Napa City Council. Section 15162 of the CEQA Guidelines stipulates that where an EIR has previously been prepared for a project, no additional CEQA review is required for subsequent approvals unless there are new significant environmental impacts which were not addressed in the previous environmental impact report.

The adopted EIR addressed all environmental impacts of this project and no new significant environmental impacts have been identified; therefore, the EIR remains adequate for the purpose of evaluating the potential environmental effects of the apartment development.

The proposed development will be required to comply with all applicable mitigation measures of the Gasser Master Plan Final EIR prepared for the a Master Plan as specified in City Council Resolution R2006 193 and these mitigations will be incorporated as conditions of any approval of the project.

The California Environmental Quality Act (CEQA) requires public agencies to analyze and consider the environmental consequences of their decisions to approve development projects over which they exercise discretion. CEQA achieves this objective by requiring agencies to prepare Environmental Impact Reports (EIR's) for projects with the potential to cause significant impacts on the physical environment. EIR's are public documents that assess environmental effects related to the planning, construction, and operation of a project, and indicate ways to reduce or avoid possible environmental damage. An EIR also discloses growth-inducing impacts, effects found not to be significant, significant cumulative impacts, and significant impacts that cannot be avoided, if any. The purpose of an EIR is to inform. EIR's are not policy documents that recommend project approval or denial.

In accordance with the requirements of Guidelines Sections 15164 and 15168 of the California Environmental Quality Act (CEQA), an addendum to the Gasser Master Plan Environmental Impact Report (GMP EIR) originally certified by the Napa City Council on November 21st, 2006, has been prepared that analyzed the site-specific impacts of the proposed Vista Tulocay Apartments project. The addendum confirms that while certain changes and clarifications to the scope of the GMP EIR are warranted, the Vista Tulocay Apartment project is within the scope of the development program described and evaluated in the GMP EIR and none of the conditions described under CEQA Guidelines Section 15162 are present, and accordingly, no subsequent or supplemental EIR is required. The addendum concludes that the Vista Tulocay Apartments is within the scope of the Program that was evaluated in the Gasser Master Plan EIR, any will not result in any new or significant environmental effects or a substantial increase in the severity of previously identified significant effects.

VII. REQUIRED FINDINGS

The Planning Commission's decision regarding this project is subject to the required findings established in NMC Section 16.12.040 relating to the Lot Line Adjustment, Section 17.62.080 relating to the Design Review, Section 17.66.080 relating to the Zoning Ordinance Amendment, and California Government Code Section 65867.5 relating to the Development Agreement. These findings are provided in the draft Ordinances and resolution attached to this staff report.

VIII. PUBLIC NOTICE

Notice of the public hearing was provided by US Postal Service on June xx, 2016 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 June xx, 2016 and provided to people previously requesting notice on this matter, at the same time notice was provided to the newspaper for publication. Legal notice included a general explanation of the matter to be considered and any related permits, identification of the location of the property involved where site specific, a description of the date, time and place of the public hearing, the identity of the hearing body, and a statement consistent with the Code of Civil Procedure regarding the time limit to commence any legal challenge and matters that may be raised by such challenge. The Applicant was also provided a copy of this report and attachments prior to the meeting.

IX. STAFF RECOMMENDATION

Staff recommends approval of the project. Staff has determined that the proposed multi-family housing development conforms to the General Plan policies, the Zoning Ordinance regulations, the Gasser Master Plan design guidelines; furthermore, the proposed development is not detrimental to the adjacent uses or the surrounding neighborhood, and the proposed project will have no significant impacts on the environment.

X. REQUIRED ACTIONS

Final actions by the Planning Commission:

1. Forward a recommendation to the City Council to adopt an Ordinance amending the requirement for on-street parking for Entry Way and North Drive.
2. Forward a recommendation to the City Council to adopt a Resolution approving a Lot Line Adjustment and a Design Review Permit of the site plan, building plans, elevations and an alternative equivalent proposal.
3. Forward a recommendation to the City Council to adopt an Ordinance establishing a development agreement between the City of Napa and Napa Vista Tulocay LLC.

XI. DOCUMENTS ATTACHED

1. Draft City Council Ordinance amending the requirement for on-street parking
2. Draft City Council Resolution Approving a Lot Line Adjustment, Design Review Permit and an alternative equivalent proposal
3. Draft City Council Ordinance establishing a Development Agreement
4. Vista Tulocay Apartments Project Addendum to the Final Program Environmental Impact Report Gasser Master Plan (the Addendum was provided to the Commission electronically and is also available at www.cityofnapa.org)
5. Applicant's Project Description
6. Plan Drawings, elevations, site plans, floor plans, engineering plans landscape plans and related design documents
7. Draft Development Agreement with exhibits (the Development Agreement exhibits were provided to the Commission electronically and are also available at www.cityofnapa.org)
8. Gasser Master Plan Conditions of Approval compliance checklist
9. Alternative Equivalent Proposal