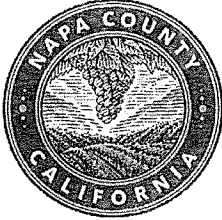


Correspondence Received at the
May 2, 2012
Planning Commission Hearing



A Tradition of Stewardship
A Commitment to Service

Conservation, Development and Planning

1195 Third Street, Suite 210
Napa, CA 94559
www.co.napa.ca.us

Main: (707) 253-4417
Fax: (707) 253-4336

Hillary Gitelman
Director

To: Planning Commission

From: Sean Trippi

Date: May 1, 2012

Re: Napa Pipe
Agenda Item 9c

Attached is additional correspondence we've received since the packet was transmitted to the Commission including a memorandum from the project applicant regarding water service.

CDPC
MEETING

MAY - 2 2012

AGENDA ITEM
NO. 9c

Brownstein Hyatt
Farber Schreck

Memorandum

RECEIVED

MAY 31 2012

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

C. Wesley Strickland
Attorney at Law
805.882.1490 tel
805.965.4333 fax
WStrickland@bhfs.com

DATE: April 27, 2012
TO: Hillary Gitelman, Director of Conservation, Development & Planning
FROM: Wes Strickland
RE: City of Napa Authority to Provide Water Service to the Napa Pipe Project

1. INTRODUCTION

This memorandum summarizes the method by which the City of Napa ("City") could provide potable water service to the Napa Pipe Project ("Project"). This is in response to the comments by Planning Commissioners at the hearing on April 2, 2012, at which several Commissioners expressed a desire for the City to provide water service to the Project.

2. LEAD AGENCY

I understand that public statements have been made to the effect that the City cannot provide water service to the Project unless the City assumes land-use authority over the project as "lead agency" for CEQA purposes. These statements are incorrect.

The site is located in the County. It is located outside the City limits, sphere of influence (except for 18 acres at the southwest corner) and residential urban limit ("RUL") line. Because the site is located in the County, Napa Redevelopment Partners ("NRP") applied to the County as the agency with overall land-use authority. For private development projects, the local land-use authority is the "lead agency" for CEQA purposes. There is no plausible basis for regarding any agency other than the County as the appropriate lead agency. *See* CEQA Guidelines § 15051(b).

Other agencies with approval authority or jurisdiction over some aspect of the project are "responsible agencies." The City is a responsible agency for purposes of its decision whether to provide water service to the site. That means the County was obliged to consult with the City in the preparation of the environmental impact report for the Project. The County met those obligations. All these principles are straightforward, well established, and not subject to serious dispute.

3. CITY AUTHORITY TO PROVIDE RETAIL WATER SERVICE

Under California law, a charter city may provide retail water service outside of its city limits,¹ and the City does so in several locations. As described in the Water Supply Assessment (“WSA”), Section 7.1, the Project site is located within the City’s water service area even though it is not located within the City limits or the RUL line. The City currently provides water to the Project site, although the City and the Project applicant have not reached agreement on the terms and conditions under which the City might continue to provide water to the Project. The City also provides water to other properties similarly situated outside the RUL but inside the City water service area. Because the Project site is already located within the City’s water service area, it would not need to be “annexed” to that area in order for the City to provide retail water service to the Project.

In 1999, voters modified the City’s stance toward providing water service outside the RUL. Following adoption of ballot Measure A, the City Charter, Section 180(b), states that the City will not provide water service outside the RUL or city limits, except: “[f]or existing uses which have been provided with City of Napa water prior to the effective date of this charter amendment [March 2, 1999]” or “[f]or any other uses approved by four-fifths (4/5) vote of the City Council.” The Project site was provided with water service prior to March 2, 1999 and on that basis may continue to receive service. If an opponent were to argue that historical industrial water service is different than new multi-use water service for the Project, there is no doubt that the City Council may approve the provision of water service to the Project by a four-fifths vote.

The City Code also addresses providing water service outside the city limits. It states:

13.04.400 Service to annexable territory outside city. Anything in this chapter to the contrary notwithstanding, no water or water service shall be sold or furnished in any territory which at the time of the application for such water or meter installation is annexable under the laws of the state to this city but is not then within and a part of this city; provided, however, that in any territory outside of the city now served by the water system of this city, extension of such service within such territory as the same is now served may be made only upon express approval by the Council. (Rev. Code 1954 § 7045; O1609; O1681)

Because the City currently provides water service to the site, providing water to the Project would qualify as the “extension of such service within such territory as the same is now served.” It is important to note that neither the City Charter nor the City Code prohibits the City from providing water service to the Project, but merely require City Council approval to do so. That section of the City Code is consistent with a comment on the Draft Environmental Impact Report from the Napa County Local Agency Formation Commission (“LAFCO”) to the effect that

¹ See *Hansen v. City of San Buenaventura*, 42 Cal.3d 1172, 1180-81 (1986), *appeal dismissed*, 484 U.S. 804, 108 S.Ct. 50 (1987); *County of Inyo v. Public Utilities Commission*, 26 Cal.3d 154, 157 (1980); *City of South Pasadena v. Pasadena Land and Water Co.*, 152 Cal. 579, 590 (1908); *Sawyer v. City of San Diego*, 138 Cal.App.2d 652, 658 (1956); *Durant v. City of Beverly Hills*, 39 Cal.App.2d 133, 136-37 (1940).

provision of water service by the City to the Project would constitute the extension of service pursuant to Government Code § 56133, and therefore would require LAFCO approval. In response to that comment from LAFCO, the WSA § 2.3 was modified to state that “[i]n order for [the City] to provide retail water service to the Project, the approval of LAFCO might be required as an extension of service.” As with the City Charter and Code, Government Code § 56133 does not prohibit water service to the Project, but at most requires LAFCO approval of an extension of service.

4. CITY AUTHORITY TO PROVIDE WATER WHEELING SERVICE

In addition to the possibility of the City providing retail water service to the Project, the City could provide water supplies to the Project on a wholesale basis only. In that case, an investor-owned utility or mutual water company would be the retail water purveyor for the Project, and the City would agree to deliver water to that retail purveyor as a wholesale agency. If the City were to provide wholesale service, the Project would not need to be located within the retail water service area of the City. Case law recognizes the “important” distinction between retail and wholesale services in the LAFCO context.² Wholesale or “wheeling” water service does not require the recipient to be within the service area or city limits of a retailing city because the wholesaler is not providing any retail water service itself, but is only delivering water to the ultimate retail provider. The ultimate retail provider has its own defined service territory boundaries, and a wholesale arrangement would not necessitate any change in water service area designations by LAFCO. Thus, LAFCO approval is not required for a wholesale agreement.³

LAFCO was created under the Cortese-Knox Local Government Reorganization Act and is an agency of limited powers. Although LAFCO has broad powers to regulate the boundaries of local public districts, this power is limited to certain specified districts. A district is defined as “an agency of the state, formed pursuant to general law or special act for the local performance of governmental or proprietary functions.”⁴ Where there is no new or extended retail “service” from a wholesaler, and a wholesaler is not a special district, LAFCO’s approval under Government Code § 56133 for new and extended service or an expanded sphere of influence would not be required. That would be the case if the retail water purveyor for the Project were an investor-owned utility or mutual water company.

Not only would LAFCO approval not be required for the City to provide wholesale water wheeling service to the Project, the special rules adopted by the City Charter and City Code for extraterritorial retail water service would not apply. The only approval needed for such an arrangement would be the normal approval required for execution of a contract by the City with the Project.

SB 613063 v2:041356.0001

² See *Modesto Irrigation Dist. v. Pacific Gas and Elec.*, 309 F.Supp.2d 1156, 1158, fn.3 (N.D.Cal.2004).

³ See *South San Joaquin Irr. Dist. v. Superior Court*, 162 Cal.App.4th 146, 157-58 (2008) (irrigation district’s plan to provide retail service constituted a new and different service from its existing provision of wholesale service, and thus district was required to obtain approval from LAFCO for retail service). See also *San Joaquin Local Agency Formation Commission v. Superior Court*, No. C056463, 2008 DJDAR 5708 (2008).

⁴ Cal. Govt. Code § 56036.

TIM GUNNELL
2555 Flosden Road, Space 42
American Canyon, CA 94503

4.10.2012

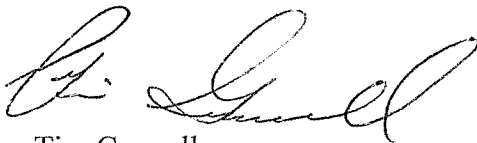
Dear Michael Basayne:

Any time we take an old industrial site and turn it into something more environmentally viable we are moving in the right direction. I believe the best use of the Napa Pipe property is a neighborhood of affordable homes – and I commend you for recognizing the need to build homes in that space. We need the housing to answer state requirements, and it makes good sense to put it close to jobs while furnishing Napa Pipe residents with public transit opportunities to get to those jobs.

Napa would only be improved by having a new community in that space. Building homes within a few miles of Napa's job base and offering public transportation is an example of smart growth, and it would protect ag land from development. As it is, congestion on the freeway is horrible. I lived near it for 30 years and actually moved to American Canyon to get away from the daily nightmare.

It seems to me that what Napa is really looking for is a balanced way to grow without putting too much pressure on any one part of our infrastructure. This plan would take pressure off of the road system while taking up *zero* open space and at the same time cleaning up an old industrial site. It is the only sensible thing to do with Napa Pipe and I hope the Planning Commission understands that.

Sincerely,



Tim Gunnell

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MAY 01 2012

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

VICTOR GARZA

13 Monterey Dr.

American Canyon, CA 94503

10 April 2012

Mr. Basayne:

I want to thank you for your service to the community. I also want to thank you, more specifically, for recognizing the need to build affordable housing on the Napa Pipe property. To me, doing so would be a true service to the community.

Napa will continue to grow and experience demographic shifts and we need to plan accordingly. A great way for us to plan for the future is to be building the right types of homes for Napa's share of young professionals and commuting workers (to whom Napa's real estate market is chronically out of reach). We need to be building affordable homes for Napers, and these new residences should absolutely be near jobs. This would help bridge the divide between housing and jobs in our county, without sacrificing ag land in the process.

We have a legal obligation to provide affordable housing and the Napa Pipe plan for a vibrant mixed-use neighborhood with walking trails and open space is both attractive and responsible. We should be building for the future now while we have a solid plan in place.

Sincerely,



Victor Garza

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APR 30 2012

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

VINCENT MANN
70 Julian Avenue
Napa, CA 94559

4/9/12

Michael Basayne,

I appreciate the sentiment you shared about the proposed Napa Pipe plan at the 4/2 Planning Commission hearing and wholeheartedly agree it's the right place for affordable homes.

Personally, I would like to see the Commission approve the Napa Pipe proposal that includes 2,050 affordable housing units, as proposed by the developer. It includes exactly the kind of recreation we could use mixed with the housing we can no longer afford to go without. Napa wants to see their community maintain its character while growing in the right direction.

There is no question that we will be experiencing some form of growth in the years to come. Napa has a robust jobs base that will continue attracting people from all over. With nearly 30,000 people commuting into and out of Napa every day, this has caused an intolerable amount of traffic.

A great way to lessen the number of cars on the road is to build housing that people can afford - and to put it near jobs. The people of Napa could also use a development that gives them more recreation activities. The Napa Pipe plan in front of the Commission includes new parkways, trails and river recreation that will let people enjoy Napa as it is meant to be enjoyed. Common sense says this is the only way for us to grow responsibly.

Thank You,

Vincent Mann

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APR 30 2012

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

April; 24, 2012

Napa County Conservation Development and Planning Department,
1195 Third Street, Suite 210,
Napa, California 94559

Attention: Sean Trippi

Subject: Comments on the Napa Pipe Project:

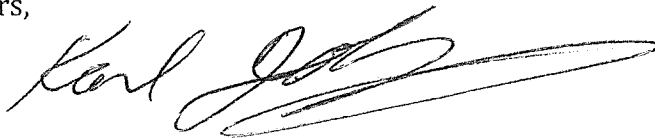
I recommend that the Napa Board of Supervisors postpone any decisions on the Napa Pipe Project until the following is provided to the citizens of Napa.:

1. Revised EIR. Require the final EIR for the Napa Pipe Project to adequately address the impacts articulated by the City of Napa and others in the public meetings. These include traffic, public infrastructure (police, fire, education, etc), and water, energy, earthquake safety, community and climate change impacts. There is an articulate list in the public testimony.
2. Require the Planning Department to study the impacts of the Napa Pipe Project on the Napa County Climate Change draft plan and Napa's requirements in AB 32. The citizens of Napa county need to know the impacts that the Napa Pipe Project will have on the drafted Napa Climate Pan. Napa citizens want to be leaders in sustainability and we also want to lead in actions that meet the requirements in CA AB32.
3. Require the Planning Department to develop a set of public- private partnership plans for the Napa Pipe Project to be a highly sustainable development similar to the UC Davis West Village (<http://westvillage.ucdavis.edu/>). This is a similar size project and shows how public leadership can be combined with developers to successfully partner in leading our way to meeting our sustainability goals. Napa has been a long time leader in sustainability and stewardship and this leadership by the Board of Supervisors is needed for the huge Napa Pipe Project that will impact our community for generations.

Thank you for your consideration of these recommendations.

I offer to arrange for a tour of the UC Davis West Village. Please let me know if you would like to visit this model for a public-private partnership for sustainable development.

Sincerely Yours,



Karl Johnson
PO Box 10765
Napa, CA 94581
Kfj4@hotmail.com

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APR 27 2012

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

THE LANUZA FAMILY
1000 Monticello Road
Napa, CA 94558

2012-04-05

Dear Mr. Basayne:

We are writing to express our support for the Napa Pipe project. It has been back and forth in the approval process for too long. The people of Napa want it, the EIR recommends it, so let's not hold it up any further. It is absolutely necessary for the future of our community to create the right types of homes for Napa, as you rightly expressed at the April 2nd Planning Commission hearing.

The traffic situation is one of our biggest problems and something has to be done about it soon. It will take some time for the site to be cleaned up, the houses built and then moved into. While we are waiting for all of the paperwork to be stamped and signed, traffic is only getting worse. We would like to see the Planning Commission move swiftly to ensure that we get relief from the congestion as soon as possible.

One of the most reasonable solutions to the never-ending snarl that seems to have taken up residence on the freeway is to build affordable housing. We have a lot of jobs here, but nowhere for the workers to live. It seems unfair that we force workers to commute many miles daily and equally unfair that we force our residents to deal with constant traffic jams when there is a solution right in front of us. We urge you and your colleagues to help solve this problem as soon as possible by allowing Napa Pipe to move forward without any additional delay.

Thank You,

Edwin Lanuza
Selen Lanuza

The Lanuza Family

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APR 26 2012

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

ROWLAND TENCH
7631 Silverado Trail
Napa, CA 94558

7 April 2012

Mr. Pope-

I am writing to show my support, as a long-time Napa resident, for the Napa Pipe affordable housing development. Right now the Napa Pipe land does nothing. It just lies there, sitting on top of contaminated ground. In fact, it's worse than nothing because of what a terrible eye sore it is.

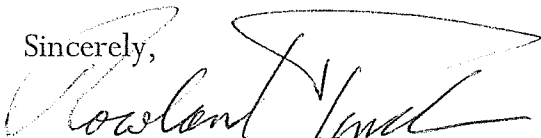
The current proposal, as endorsed in the Environmental Impact Report, will see the developer paying to have the land cleaned up and put back to good use.

The best use of the land is to put affordable homes on it because that will suit our most pressing needs. Right now we need to build affordable houses according to state regulations and we need to do something about the traffic. Putting over 2,000 affordable homes meet both of those needs.

It also helps that the developer understands it would be reckless to just throw up as many homes as possible and cram them all in. They are putting in lots of different things on the development that will improve Napa as a whole. Building a neighborhood that serves all of Napa's residents shows the kind of forethought that has earned them the approval of our citizens.

I urge you to make sure this land is used to benefit Napa now and into the future.

Sincerely,

A handwritten signature in black ink, appearing to read "Rowland Tench", with a large, sweeping flourish at the end.

Rowland Tench

RECEIVED

APR 26 2012

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

RENA CHASTAIN

1024 Berry Lane
Napa, CA 94558

4.7.2012

Dear Mr. Pope,

I am writing to urge you to support the current Napa Pipe proposal. It is no longer a question of if we should grow, but how we should grow. We need to ensure as much positive growth as possible that is good for the entire community. That is why having this affordable housing put in on an already developed area is the perfect fit.

Every aspect of this project brings broad benefits to all of Napa. Being built on a scrapped industrial site ensures that we are not destroying valuable AG land. The problem with an industrial site, however, is that it requires expensive cleanup. In this case, however, the developer will be footing the bill, saving us money.

Napans who are sick of our ever-worsening traffic should be very enthusiastic in their support of this project. Most of our traffic is caused by tens of thousands of daily commuters who have no option but to drive tens of miles to work. This plan gives them an incentive to move in and take cars off the road. The plan also includes new public transport, further reducing strain on our roads. It seems like the perfect option for Napa to me.

Sincerely,



Rena Chastain

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APR 25 2012

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

Nellie Philpott

5 April 2012

Dear Mr. Pope-

I am concerned about the direction our community is growing in. It is understandable that we would want to be an affluent community that reflects the success of its inhabitants, but we should not do so at the cost of ridiculous traffic and the sacrifice of new sources of investment. That is why I think the Napa Pipe development is a chance for us to step in the right direction.

The land is already developed and we've needed to do something to reuse it for some time. Now we have someone who's willing to clean it up and develop it. I really don't want to see an industrial building put in there. We need to fix our old mess, not create a new one. I also would rather see the full housing option chosen over the inadequate Staff Option.

Giving our commuters an incentive to live here rather than drive in from out of town daily would make the area less cluttered and easier to live in. Building on this land would also help protect our valuable AG land that some people want to build on.

Right now the 2,050 house option for Napa Pipe is the perfect choice and I hope you will do what you can to make it a reality.

Thank You,



Nellie Philpott
PO Box 263
Angwin, CA 94508

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APR 25 2012

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

Rudolf Frey
1292 Victoria Drive
Saint Helena, CA 94574

2012-04-09

Dear Mr. Pope,

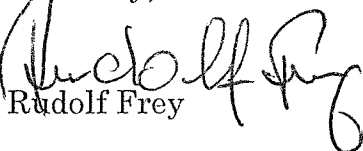
Napa's lack of affordable housing has become a real issue over the last few years and we really need to step up and do something about it. I think the Napa Pipe development is the right solution to the problem. It takes into account what should be done with the old land, what Napa citizens want and what we need to do to grow in the right direction.

Putting a couple thousand affordable homes in will both grow our tax base and reduce our expenditures. It is a good way to plan for our fiscal future in economically uncertain times. Building those houses will also help our severely damaged construction and contracting industries. Most parts of the country would be thrilled to have a chance like this and I think we should be too.

The development itself shows knowledge of the community and great foresight. It includes public transportation for the new residents and fun new sources of entertainment and leisure for all residents of Napa. Right now nobody goes near that area for obvious reasons, but if we put in leisure activities we will have a new place to enjoy the outdoors with our friends and neighbors.

Giving our workers a place to live is not just the morally right thing to do; it is the sensible choice for our own interests.

Sincerely,


Rudolf Frey

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APR 25 2012
NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

PEGGY PASQUALE
2555 Flosden Rd, Space 44
American Canyon, CA

4.6.2012

Dear Mr. Pope,

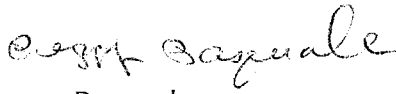
Napa is very expensive and we are in desperate need of affordable housing. The current Napa Pipe proposal is the perfect way to meet that need. Having everybody driving through Napa but nobody living here is starting to cause a real headache. Traffic congestion is getting out of hand and we don't want to risk the kind of smog that other parts of the state suffer from. If we can get a few thousand cars off the road by bringing new residents to Napa, we should take that opportunity.

The Napa Pipe plan would create jobs when so many people are still out of work, as well. Building this many affordable homes would put a lot of local builders and contractors back to work and would give a new community a chance to build its own small businesses – creating even more local economic growth.

The plan itself is also very attractive. If someone is going to build a new neighborhood in Napa, we like to know that they are going to make it fit in with our lifestyle. This plan has lots of open space and other great recreation areas. That kind of understanding of our area is found throughout the developer's plan.

This plan seems like a perfect fit to me, I hope you can come to the same conclusion.

Best Wishes,


Peggy Pasquale

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APR 26 2012
NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

Marko Bodor

4.6.12

Matt Pope
1195 Third Street, Suite 210
Napa, CA 94559

Mr. Pope:

My wife and I feel strongly about the efforts to build new housing at the old Napa Pipe site. This is an excellent way to resolve some of the long-standing planning dilemmas in Napa – namely, how to manage new housing without destroying local farmland and vineyards. By approving this project, developers will be able to build a significant quantity of homes on an already-developed property – thus eliminating the possibility of sacrificing the land we must preserve.

The developers hope to build 2,050 homes on the site, as part of a comprehensive neighborhood project that incorporates parks, trails, community gathering spaces, riverfront access, and innovative public transportation options. This is the plan that should be approved. In the first place, it's the plan that the final EIR recommended. Furthermore, it's the plan that best addresses the community's most serious concerns. The alternatives that have been put forward do not offer anything comparable. Instead, they place a high priority on maintaining some industrial use of the property. Simply put, that's not what Napa County needs or wants, and it's not going to help us solve the most pressing matters before us.

Napa needs housing. The proposal to build a neighborhood of 2,050 homes on the former Napa Pipe site is the best way to achieve this goal, at no cost to our farmland or to our taxpayers. It sounds like a winning proposition to me, and I hope you agree.

Best,



Marko Bodor
636 Chaparral Circle
Napa, CA 94558

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APR 25 2012
NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

James and Barbara Maggetti
410 Stonecrest Drive, Napa, CA 94558
mageti@sbcglobal.net

Apr. 8, 12

Dear Mr. Pope;

I am anxious to see some forward momentum on the Napa Pipe project. We've been looking forward to a better use of the site for years now. The plan developed by Keith Rogal has been under review for years. His team has made every effort to ensure that the project is responsive to community needs and feedback, as well as recommendations of the Environmental Impact Report. As you are aware, the EIR suggested that 2,050 homes is the right number to build on the site. Although it is disappointing to see a smaller number of homes recommended than what the original plans provided for, it will still go a long way toward resolving our current housing dilemmas.

There's not time to waste entertaining alternative plans that do not offer anywhere near as much for Napa County. The "staff alternative plan", for example, would provide less than half the housing recommended – all in order to keep some of the property industrial. That's not the right solution for the property, or for Napa. It's ridiculous to let this site sit idle any longer while we delay final approval on a plan that is clearly the right choice for Napa. I hope to see the Planning Commission move rapidly on this, because it's time for the project to move forward.

Sincerely,


James Maggetti

RECEIVED

APR 25 2012

**NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.**

Frederick Benson
PO Box 492 Angwin, CA 94508
fbenson007@gmail.com

April 11, 12

CDPC
MEETING

MAY - 2 2012

AGENDA ITEM
NO. 9C

RE: Napa Pipe

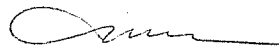
Dear Michael Basayne:

Napa Pipe is the perfect location for building more of the homes that Napa County needs so badly right now. It's within mere miles of tens of thousands of jobs. It's situated right next to the river and near main roads. It has high potential for excellent public transit options, which will make getting to work or into town even easier for those who'd live there. In fact, the impact of approving the Napa Pipe plan will help to reduce the traffic burden on the whole area.

Napa County has been trying to find the proper places to build more affordable housing for years now. The problem is, many of the proposals just didn't make sense, or the costs in terms of ag land were simply too high. With this proposal to build on an old industrial site, we've really landed on something golden for the county. This is a great place to build a moderately priced, environmentally sustainable neighborhood with more than 2,000 homes for Napers. The benefits will be numerous and long lasting, and they'll set a good precedent for smarter developments going forward.

I urge you to give your full support to the developers' plan for Napa Pipe. This plan represents the greatest potential for addressing the significant housing shortage we're faced with here in Napa County.

Best,



Frederick Benson

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MAY 02 2012

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

Frederick Benson
PO Box 492 Angwin, CA 94508
fbenson007@gmail.com

April 11, 12

RE: Napa Pipe

Dear Heather Phillips:

Napa Pipe is the perfect location for building more of the homes that Napa County needs so badly right now. It's within mere miles of tens of thousands of jobs. It's situated right next to the river and near main roads. It has high potential for excellent public transit options, which will make getting to work or into town even easier for those who'd live there. In fact, the impact of approving the Napa Pipe plan will help to reduce the traffic burden on the whole area.

Napa County has been trying to find the proper places to build more affordable housing for years now. The problem is, many of the proposals just didn't make sense, or the costs in terms of ag land were simply too high. With this proposal to build on an old industrial site, we've really landed on something golden for the county. This is a great place to build a moderately priced, environmentally sustainable neighborhood with more than 2,000 homes for Napers. The benefits will be numerous and long lasting, and they'll set a good precedent for smarter developments going forward.

I urge you to give your full support to the developers' plan for Napa Pipe. This plan represents the greatest potential for addressing the significant housing shortage we're faced with here in Napa County.

Best,



Frederick Benson

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MAY 02 2012
NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

Frederick Benson
PO Box 492 Angwin, CA 94508
fbenson007@gmail.com

April 11, 12

RE: Napa Pipe

Dear Matt Pope:

Napa Pipe is the perfect location for building more of the homes that Napa County needs so badly right now. It's within mere miles of tens of thousands of jobs. It's situated right next to the river and near main roads. It has high potential for excellent public transit options, which will make getting to work or into town even easier for those who'd live there. In fact, the impact of approving the Napa Pipe plan will help to reduce the traffic burden on the whole area.

Napa County has been trying to find the proper places to build more affordable housing for years now. The problem is, many of the proposals just didn't make sense, or the costs in terms of ag land were simply too high. With this proposal to build on an old industrial site, we've really landed on something golden for the county. This is a great place to build a moderately priced, environmentally sustainable neighborhood with more than 2,000 homes for Napers. The benefits will be numerous and long lasting, and they'll set a good precedent for smarter developments going forward.

I urge you to give your full support to the developers' plan for Napa Pipe. This plan represents the greatest potential for addressing the significant housing shortage we're faced with here in Napa County.

Best,



Frederick Benson

RECEIVED

MAY 02 2012

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

Jacqueline Waterman
228 Pinecreek Lane
American Canyon, CA 94503

April 6, 2012

Dear Mr. Pope:

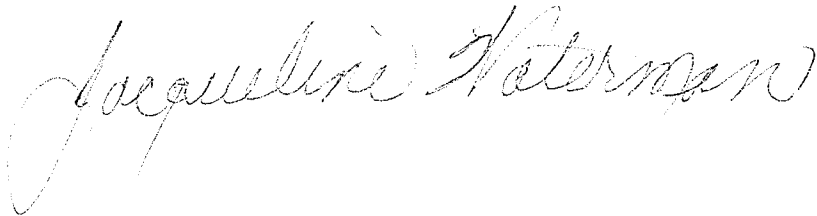
I like the idea of building homes where Napa Pipe used to operate. It's an ideal place for new housing, particularly because it won't encroach on any new land. Instead, the developers plan to handle all of the clean up, then modify the old property to house a new neighborhood of affordable, environmentally sensitive homes. This is quite a step forward for the site – and for the community at large.

This is a proposal that Napa County should pursue vigorously. Of course, everyone knows how badly this area needs more reasonably priced housing. This will be the best way to generate those homes without sacrificing any ag land. But what I like about the plan is that it encompasses so much more than housing: it includes parks, trails, river recreation, public gathering spaces, even a little bit of retail. It sounds like a wonderful community to live in.

None of the alternative proposals would do nearly as much for Napa. Instead of focusing on home growth and these other amenities, there is too much deference to restoring an industrial use of the site. I don't think this is necessary, and I don't think it addresses the real needs of Napa. For that reason, I am writing today to urge your support for the current proposal offered by developers – the proposal that will actually do the most in terms of addressing housing needs and improving quality of life for the whole community.

Best regards,

Jacqueline Waterman

A handwritten signature in cursive script that reads "Jacqueline Waterman". The ink is dark and the signature is fluid, with a large loop at the beginning of the first name.

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MAY 02 2012

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

Frederick Benson
PO Box 492 Angwin, CA 94508
fbenson007@gmail.com

April 11, 12

RE: Napa Pipe

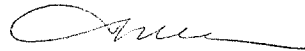
Dear Sean Trippi:

Napa Pipe is the perfect location for building more of the homes that Napa County needs so badly right now. It's within mere miles of tens of thousands of jobs. It's situated right next to the river and near main roads. It has high potential for excellent public transit options, which will make getting to work or into town even easier for those who'd live there. In fact, the impact of approving the Napa Pipe plan will help to reduce the traffic burden on the whole area.

Napa County has been trying to find the proper places to build more affordable housing for years now. The problem is, many of the proposals just didn't make sense, or the costs in terms of ag land were simply too high. With this proposal to build on an old industrial site, we've really landed on something golden for the county. This is a great place to build a moderately priced, environmentally sustainable neighborhood with more than 2,000 homes for Napans. The benefits will be numerous and long lasting, and they'll set a good precedent for smarter developments going forward.

I urge you to give your full support to the developers' plan for Napa Pipe. This plan represents the greatest potential for addressing the significant housing shortage we're faced with here in Napa County.

Best,



Frederick Benson

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NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

Robert & Lucy White

May 2, 2012

Sean Trippi, Principal Planner
Napa County Department of Conservation Development & Planning
1195 Third Street, Suite 210
Napa, CA 94559
sean.trippi@countyofnapa.org

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MAY 02 2012

NAPA CO. CONSERVATION
DEVELOPMENT & PLANNING DEPT.

Dear Planning Commission:

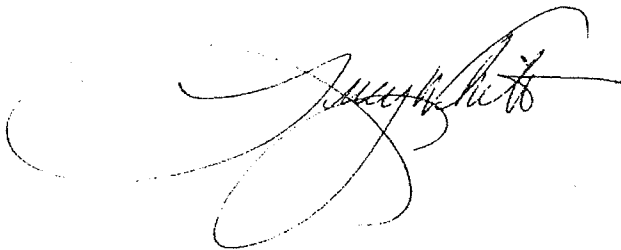
In 2009 the decision and recommendation regarding Napa Pipe was "days away," at which time you regarded it as having been a drawn out process. How can it be going on three more years that this incredible project is still not moving forward?

Napa Pipe has proven in every regard that it is a worthy and appropriate project for the land and waters of south Napa. It is the only viable option for this county to meet the requirements of The General Plan. It meets the mandates of future housing being site specific and available to be built, with homes close to existing jobs, transportation and services – and it exceeds requirements in a unique state of the art eco community. It is not an option of this county to pretend that other housing will be built to meet the standards of the Law in the General Plan, it is not an after the fact accounting of housing built, it is planned housing developments.

The integrity in any great art, composition, design, architecture and development, is that all the elements are essential, none need to be added and none should be taken away. Neither the government nor layman should try to chip away at a cohesive plan which is designed to meet what is required by Law, and which will create a better future for all of Napa.

This is an unparalleled opportunity for Napa, where the 140 acres of land and water in the strategic location can create such a substantial improvement to the entire county, through the vision of Keith Rogul. Napa Pipe can generate benefits as soon as it begins, but more importantly with integrity - bridging the past, present and future of Napa, while protecting and enhancing the specific culture of the county.

Sincerely,



Lucy White

**CDPC
MEETING**

MAY - 2 2012

**AGENDA ITEM
NO. 9C**

Brenda Speth • Publisher Michael Donnelly • Editor
Michael Haley • Community member Ed Shenk • Community member
Cindy Webber • Napa Valley Register staff

Your Turn

What to do with Napa Pipe property?

OTHONIEL ROSADO

This morning, there was a letter addressed to me from the Planning Commission hearing. The information on the letter was an invitation to attend a proposed hearing at the County Administration Building on Wednesday, May 2, 2012, at 1:30 p.m.

I am re-submitting an opinion letter that was printed in the Napa Register on Dec. 27, 2009.

The future of the Napa Pipe Project has gotten out of hand. When you hear the name Napa Pipe, what is the immediate thought that comes to you mind? According to the letter written by Joe Fischer ("City-county swap on Napa Pipe a bad idea," December 13, 2009) I quote, "I understand that the city and county are in negotiations on what to do with the Napa property?"

Folks, we are not blind to what is going on. I had an opportunity to take a tour of the 152-acre property site when the first invitation was organized. The following are suggestions on my part as to what to do with the Napa Pipe property.

- What a lovely place to house the Napa Fairgrounds. The present site along Silverado Trail causes too much noise in the surrounding area. It could be a place where we can hold our annual fireworks display.

- We would like to see a new theater in town — why not build the best IMAX ever? It will be a theater complex in the North Bay that we all can enjoy.

- Our teens are clamoring for a skating

rink; why not build it here? Build a rink for all kinds of skating; ice-skating, competitive hockey, or recreational skating.

- Build the Napa Institute of Technology Center. When I was the Director of the Vintage High Career Center in the 1970s, I suggested converting Lincoln Elementary into a trade school to the Napa Valley Unified School District. Twenty years later, New Technology High School came into existence.

I would like to see is an expansion of the trade school into the Napa Institute of Technology Center. It could also be built there. A school that would offer what a student wants as they pursue their hopes and dreams and would prepare that young man or woman for the world of work, without reservation. It would be visionary with its curriculum and train them for green jobs that would include photovoltaic training, in both electrical and thermal applications and train them to be Home Energy Auditors as Home Energy Rating Service raters and Building Performance Institute certified building analysts and building envelope auditors, to meet the future demands of the new CalGreen California Building Code.

- Build an athletic center that could house competitive athletic events — with baseball, basketball, and volleyball courts. The athletic center would include an olympic-size swimming pool with access for all to participate, including toddlers.

- Have a community

center where families could go to enjoy its benefits.

- A public convention center where global corporations and businesses could hold their conventions.

- Build a hotel complex to tie in with the convention center.

- Build a shopping complex for tourists when they attend a conference at the convention center. Invite department stores like Nordstrom, Saks Fifth Avenue, Apple, etc., as well as other boutique shops.

- A wine depot where a sampling of all wineries in Napa Valley would be displayed and provide brochures and maps for tourists, so that they are directed to visit the famous world-class wineries of Napa Valley.

- This place could house the Napa Valley Wine Train Depot, and a transportation depot, with links to Vallejo Wharf or to Calistoga.

- Build a sports stadium/arena to attract national, major league teams. Their presence and those of visiting teams would enhance our business community.

These 152 acres could be developed into a world-class global attraction and one of the best places to visit in the North Bay.

Think of the opportunities at hand. Building houses in such property is not the answer. Do not just sit on your laurels. We need to voice our concerns. Hopefully, my thoughts will stimulate other ideas and together, as Napers, we can influence a brighter and better quality of life for our community.

(Rosado lives in Napa)

MAY 2 2012

NO 9C

