



P10-00100-ALUC

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March 11, 2010

John McDowell
Napa County Conservation, Development
and Planning Department
1195 Third Street
Napa, CA 94559

SUBJECT: ST. REGIS NAPA VALLEY, ALUC APPLICATION

Dear John:

I am submitting the enclosed materials on behalf of SR Napa, LLC for re-application to the Airport Land Use Commission (ALUC) to request a second hearing regarding the St. Regis Napa Valley project.

Based upon the testimony at the March 3 hearing and your staff memorandum, the applicant for this project has worked with City staff to add additional conditions to the project. The attached letter submitted to the City documents the commitment that the applicant has made to clarify all airport compatibility concerns. It is our understanding that you will also receive revised conditions of approval directly from the City of Napa.

As described in the application materials, the ALUC's failure to act on this referral within sixty (60) days of the date of receipt of the referral shall result in the proposed action being deemed consistent by operation of law.

Enclosed is a check in the amount of \$3,137.45 to cover the re-application fee. If you need any additional information for the processing of this request, please contact me at 261-8719. If you need information from the City on Napa, I would recommend that you contact Michael Allen at 257-9530.

Sincerely,

Beth Painter
Beth Painter
Balanced Planning

Cc: Jeff Selby
Kevin Teague
Michael Allen
Jim Hare

Enclosures



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March 9, 2010

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**COMMUNITY DEVELOPMENT
DEPARTMENT**

Mr. Michael Allen
City of Napa Community Development Department
1600 First Street
Napa, CA 94559

Re: St. Regis Napa Valley

Dear Mr. Allen:

The Napa County Airport Land Use Commission (ALUC) considered the St. Regis Napa Valley project at the March 3, 2010 ALUC Hearing. After lengthy discussion and public testimony, the Commission voted 5-2 that the project was not consistent with the Airport Land Use Compatibility Plan. Based on a memo from ALUC staff John McDowell to the Commission, there were five items that required additional information for ALUC consideration before the ALUC could find the project compatible with the Airport Plan. The ALUC may also send you a letter with information regarding these items.

We believe that most of the items that require clarification for ALUC compatibility can be addressed by adding more detail to the Master Use Permit conditions. Below we outline the applicant's understanding of the ALUC concerns and how you can adopt conditions to address those concerns.

The topic of overflight was discussed at length. The technical consultant associated with preparation of the airport related issues in the DEIR attended the hearing and provided lengthy oral and written testimony regarding overflight. We have always assumed that during final design review, the City of Napa would continue to require that the project take into consideration the proximity of flight patterns, frequency of overflight, terrain conditions and types of aircraft that utilize the Napa County airport (per requirement of NMC 17.34.030). This includes noise in both interior and exterior spaces and would apply to the entire resort area. However, we understand that the ALUC would like additional assurances that the design has and will continue to consider overflight. It is our understanding that the Aviation Consultant hired by the City of Napa through the contract with Michael Brandman and Associates is qualified to review overflight characteristics and in consultation with the Napa County Airport Manager, can provide further confirmation that the placement and design of the proposed uses within Zone E meet the criteria of the ALUC Plan. In addition to the letter already provided, Mr. Wiswell will meet with the Napa Airport Manager to discuss this issue in more detail

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and will be preparing an additional summary of the overflight that occurs on or near the site and how that can be considered in the ultimate design of this project.

As we discussed in our memorandum to the ALUC dated March 2, 2010, we believe that the proposed regulations address most of the points raised by the ALUC in its deliberations and ruling. However, the conditions and regulations can be bolstered to assure ALUCP compatibility in the following ways, consistent with the ALUC's staff's March 3, 2010 memo:

1. An additional study will be completed by the aviation consultant involved with preparation of the project DEIR to discuss overflight in consultation with the Napa County Airport Manager and interested parties. Such study is conducted to satisfy the language of the ALUCP Table 3-2, footnote 7.
2. Design review of the project shall require that all Vineyard units with an ownership component (whether whole or fractional) be located within Zone E of the Napa County Airport Compatibility Plan and not placed in Zone D.
3. Design Guidelines will require that final design of the pond include measures required for pond construction and a new condition of approval shall be added to require a wildlife management plan.
4. Design Guidelines will include measures to create outdoor areas (such as pavilions) that include measures to reduce impacts from overflight. In addition, a condition of approval shall be added to require that the applicant record an "Airport Hazard Disclosure" to require that the resort provide disclosure of the proximity of the Napa Airport to guests who request use of outdoor areas for special events. Finally, the St. Regis will notify the Airport when events with more than 500 people are planned to occur.
5. Design Guidelines shall be amended to specifically include airport compatibility as an objective and shall include specific design criteria to address ALUCP compatibility.

We understand that the ALUC is available for a special meeting on April 7 to review the Project with revisions. We request the City provide the ALUC with new conditions to address the ALUC concerns as soon as possible so that we can meet the ALUC staff's requirements to hold that April 7 hearing.

In closing, the applicant believed that the Napa County Airport is an asset to the entire community and will be a significant asset to this project. St. Regis Napa Valley

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looks forward to developing a strong and viable relationship with the Napa County Airport.

Sincerely,

DICKENSON, PEATMAN & FOGARTY



Kevin W. Teague

KWT:rml