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Agenda Date: 12/16/2009  
Agenda Placement: 9A

## Napa County Planning Commission Board Agenda Letter

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**TO:** Napa County Planning Commission  
**FROM:** John McDowell for Hillary Gitelman - Director  
Conservation, Development & Planning  
**REPORT BY:** Sean Trippi, PRINCIPAL PLANNER - 299-1353  
**SUBJECT:** Napa Pipe EIR Public Hearing - P07-00230-UP

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### **RECOMMENDATION**

**NAPA REDEVELOPMENT PARTNERS, LLC. / NAPA PIPE PROJECT - GENERAL PLAN AMENDMENT P07-00230. PUBLIC HEARING ON THE DRAFT ENVIRONMENTAL IMPACT REPORT. APN's: 046-400-030 & 046-412-005, 1025 Kaiser Road, Napa.**

**Summary:** This is a public hearing to receive comments regarding the Draft Environmental Impact Report (EIR) that has been prepared to analyze potential direct, indirect and cumulative environmental impacts as a result of the proposed Napa Pipe project. Concurrent with the Draft EIR, members of the public are invited to provide comments on the Developer's Comprehensive Development Application, which contains a draft development plan, draft design guidelines, a proposed General Plan amendment, and proposed zoning amendments.

**CEQA Status:** Draft EIR has been prepared. The Draft EIR prepared for the project was released for public and agency review and comment beginning October 23, 2009. The first public hearing to receive comments was conducted by the Conservation, Development and Planning Commission on November 17, 2009. This is the second public hearing. The third hearing will be tonight at 6:00 PM at the Office of Education, 2121 Imola Avenue in Napa. The public comment period is currently scheduled to end at the close of business on January 21, 2010. Interested agencies, organizations, and members of the public are encouraged to submit written comments to planning staff prior to that date. All substantive comments on the Draft EIR must be responded to in a Final EIR before the Commission can consider the development application.

**Project Description:** The project applicant has proposed a General Plan amendment and phased development of a high density residential neighborhood with open space, neighborhood-serving retail and restaurants on the northern portion of the site (about 100 acres) and a business park with light industrial, R&D, warehousing, office space, public open space and a condominium hotel on the southern portion of the site (about 30 acres). The project is located on the west side of Kaiser Road southwest of its intersection with Syar Industrial Way within I:AC (Industrial: Airport Compatibility) zoning district. Assessor's Parcel Numbers: 046-100-030 & 046-412-005, 1025 Kaiser Road, Napa.

**Staff Recommendation:** Public hearing only. No action is requested.

**Staff Contact:** Sean Trippi, 299-1353 or strippi@co.napa.ca.us

### **EXECUTIVE SUMMARY**

Napa County planning staff has worked with the environmental consulting firm of Design, Community and Environment (DCE) to prepare a Draft Environmental Impact Report (EIR) regarding the Napa Pipe Project. The Draft EIR has been prepared and is being circulated for public and agency review comments pursuant to requirements of the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and Napa County's local procedures for implementing CEQA. During the public comment period, members of the public are invited to submit written or email comments to the County planning staff, or may comment orally at one of the scheduled public hearings being held by the Conservation, Development and Planning Commission. All substantive comments on the Draft EIR must be responded to in a Final EIR before the Commission considers the developer's application at a public hearing scheduled and noticed for that purpose (estimated mid-2010).

### **FISCAL IMPACT**

Is there a Fiscal Impact?                      No

### **ENVIRONMENTAL IMPACT**

ENVIRONMENTAL DETERMINATION: The proposed informational presentation is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

### **BACKGROUND AND DISCUSSION**

The Napa County Board of Supervisors received an initial application from Napa Redevelopment Partners in March of 2007, and has not made any decision on the merits of the proposal. The Board's only action to date has been to authorize County staff to process the developer's application, at the developer's expense, and with no guarantees. County staff issued a Notice of Preparation, formally beginning preparation of a Draft Environmental Impact Report (EIR), in January 2009 following (a) the conclusion of a City-County Study Group Process that produced three preliminary consultant-written reports about important topics (potential water, traffic, and fiscal impacts); and (b) modification of the developer's proposal to include remediation of contaminated soil and groundwater, importing fill to raise the elevation of the site above the flood plain, and phased construction of a new neighborhood with:

- 2,580 dwelling units, consisting of apartments and town houses, with an average size of 1,200 square feet
- 40,000 square feet of neighborhood serving retail uses
- 190,000 square feet of business park (office, warehouse, R&D) space
- One 150 room condominium hotel with supporting uses
- 34 acres of publicly accessible parks and open space with connections to Kennedy Park and regional trails
- privately-maintained roads, infrastructure and community facilities

The Board of Supervisors also requested that County staff and the Conservation, Development and Planning Commission gather public input on the proposal and ultimately formulate a recommendation for the Board's consideration. To gather this input, the Commission held a series of five public workshops between March and July 2009. Each workshop focused on a different topic, and involved a presentation relevant to the proposal and an opportunity for those in attendance to provide their input or ask questions of subject matter experts in attendance. At some of the workshops, County staff and consultants were able to share preliminary data and analysis as it was being developed for inclusion in the Draft EIR.

Now that the Draft EIR is available, there is another opportunity for public input and questions, and interested stakeholders are encouraged to provide their comments orally or in writing during the 90-day public comment period that is scheduled to end on January 21, 2010.

After the close of the comment period, County staff and consultants will prepare written responses to substantive comments in a Final EIR, adjusting the data and analysis in the Draft EIR if necessary. County staff expects to have a Final EIR, Draft General Plan amendment, and draft zoning amendment ready for consideration by the Planning Commission and the Board of Supervisors in mid-2010. Other documents presented for consideration will include a "term sheet" outlining proposed contents of the development agreement, a revised development plan, and design guidelines.

Site preparation (two years) and phased development (10+ years) cannot begin unless the County approves the requested General Plan and zoning changes in addition to a development plan, development agreement and design guidelines.

### **SUPPORTING DOCUMENTS**

None

Napa County Planning Commission: Approve

Reviewed By: John McDowell