

SUPPLEMENTAL REPORTS & COMMUNICATIONS I
Office of the City Clerk

City Council of the City of Napa
Regular Meeting

September 7, 2021

FOR THE CITY COUNCIL OF THE CITY OF NAPA:

EVENING SESSION:

12. PUBLIC HEARINGS/APPEALS:

12.A. Western Meadows Subdivision – New A 12-Lot Single-Family Subdivision on 7.56 Acres on the North Side of an Existing Private Driveway Extending East from the North End of Borrette Lane

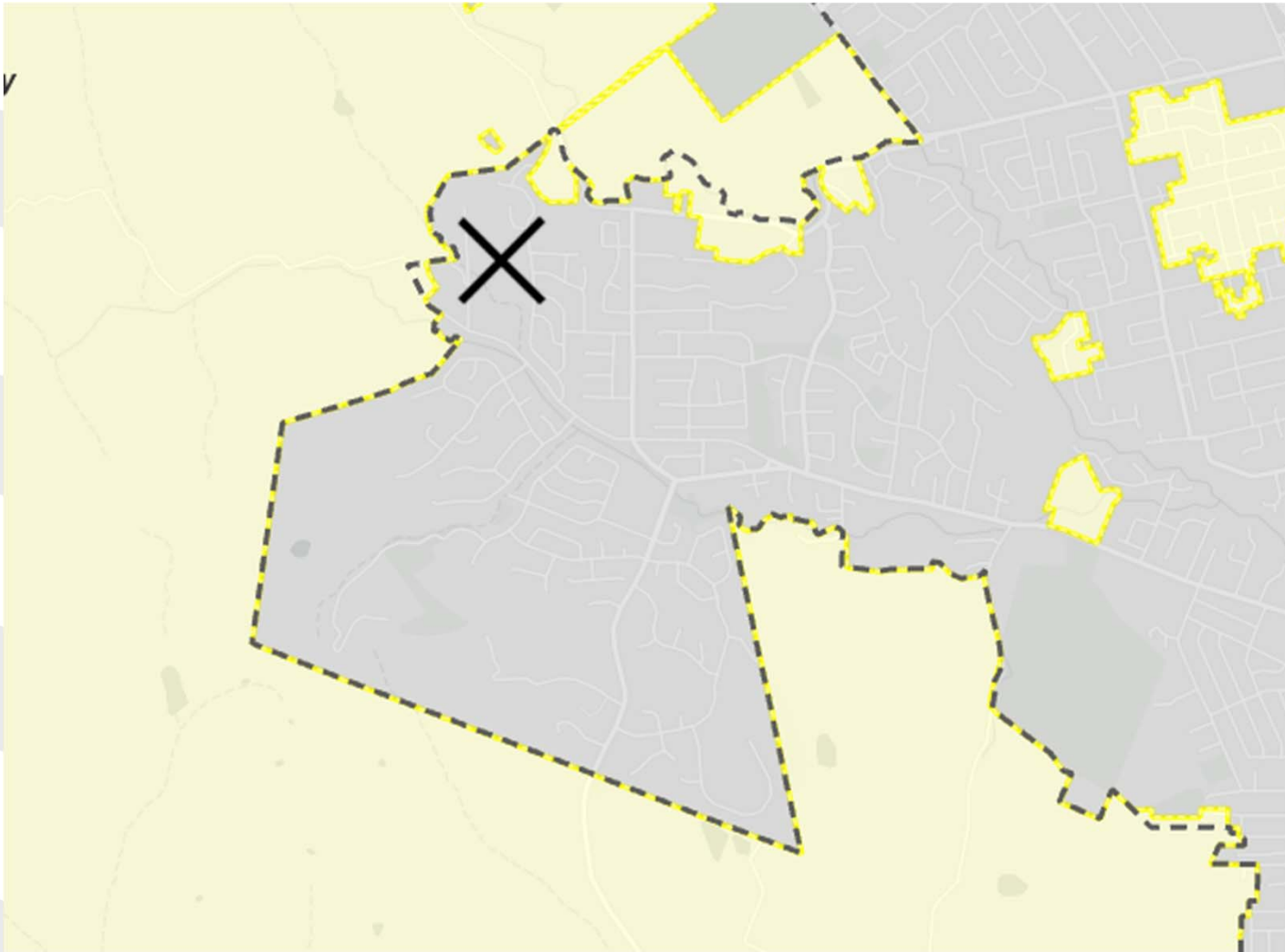
- PowerPoint Presentation from City Staff.
- 1) Email from Frank Toller received on August 16, 2021.
- 2) Email from John Bryden received on September 5, 2021.
- 3) Email from Kevin Brooks received on September 6, 2021.
- 4) Emails from Randy Gularte and Patrick & Katherine Burke dated August 18, 2021, August 19, 2021, and September 7, 2021.



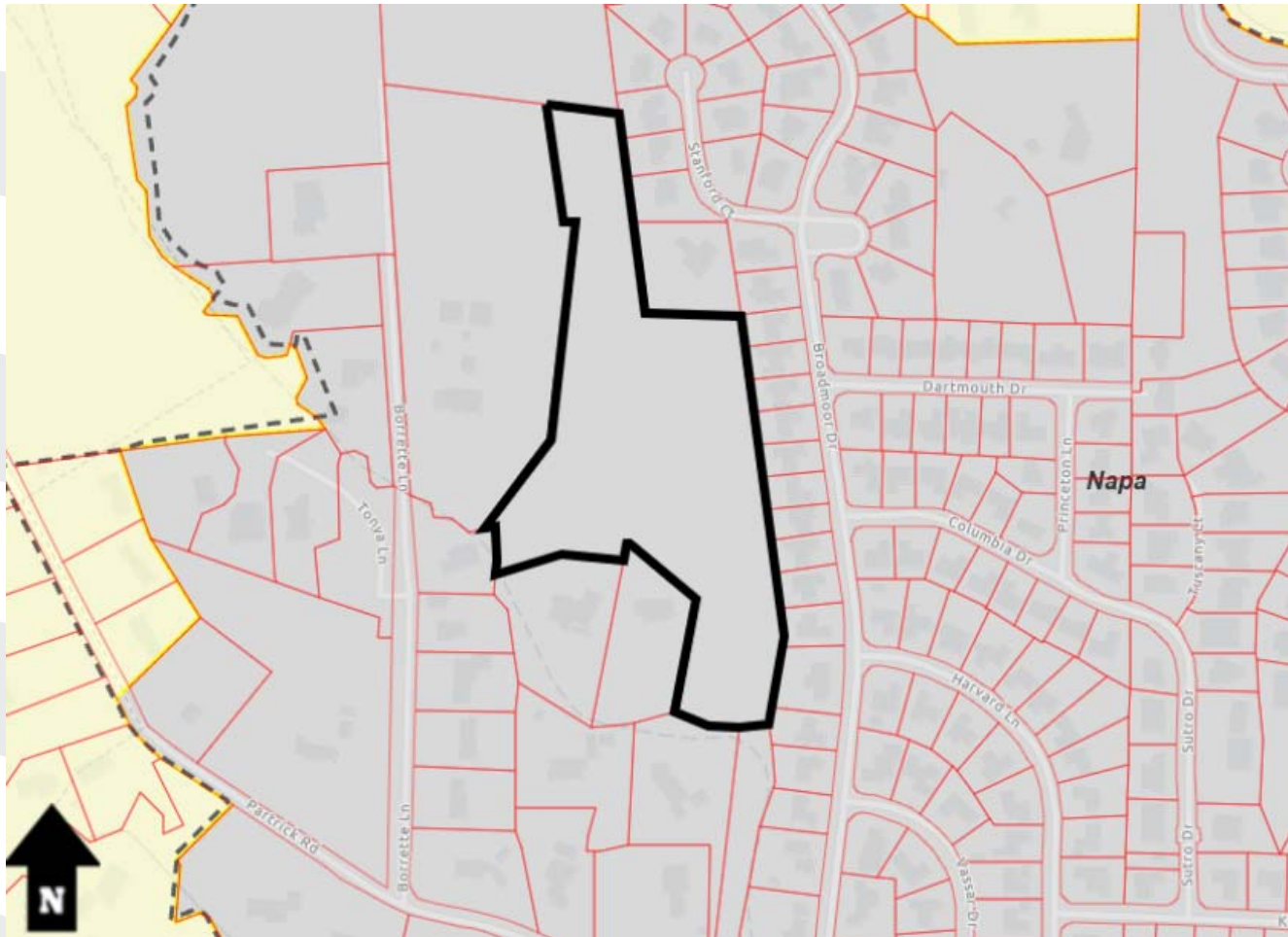
Western Meadows Subdivision

September 7, 2021

Project Location



Project Location



The Site



The Site



Requested Entitlements

- Tentative Subdivision Map
- Design Review Permit for subdivision with 5+ lots
- Use Permit to allow 5 flag lots

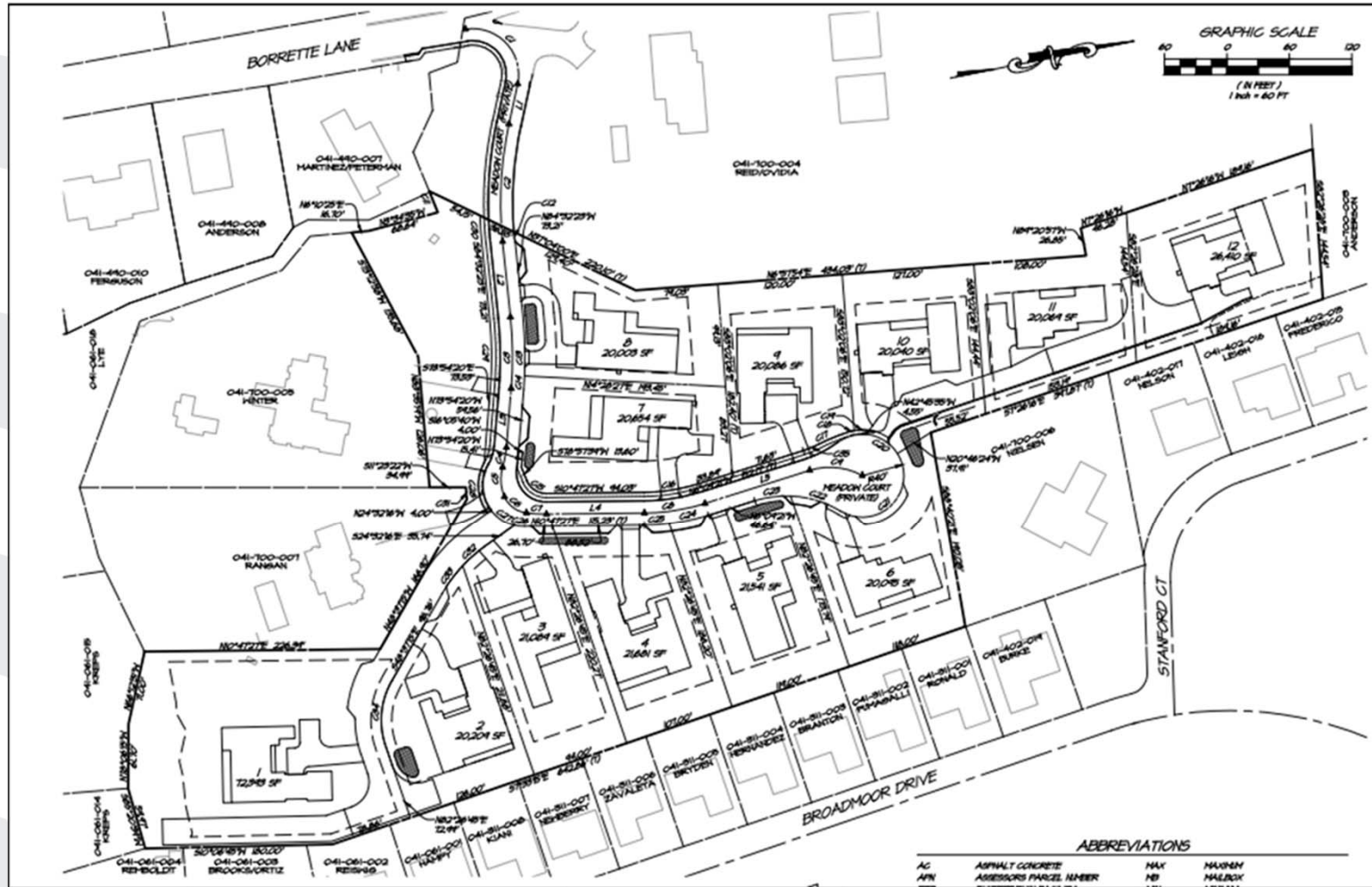


Project Description

- 12-Lot Subdivision
 - Between 20,003 sq. ft. and 72,393 sq. ft.
- 863-Foot-Long Street
 - Alternative rural standard
- 12 New Houses
 - Between 2,953 sq. ft. and 4,344 sq. ft. in size, 3 Bedrooms
 - Two with attached ADUs
 - Two with attached JADUs
 - Five floorplans
 - Two exterior styles that can be applied to each floorplan
- Class III bike route on Partrick from Borrette to Browns Valley Road



Subdivision Layout



Wyatt Earp Floorplan



Lots 1, 2, 9



Wyatt Earp Floorplan



"Wyatt Earp" Plan

Lot 4



Cisco Kid Floorplan



Lot 7



Maverick Floorplan



Lots 5, 8



Buffalo Bill Floorplan



Lot 11



Buffalo Bill Floorplan



Lot 6



Annie Oakley Floorplan



"Annie Oakley" Plan

Lot 10



Annie Oakley Floorplan



Lot 12



General Plan

- Within density range
 - 1.59/acre (12 homes) where 0-2/acre (up to 15 homes) is allowed
- Land Use Policies
- Housing Element Policies
- Transportation Policies



Zoning Regulations

- Use Permitted in RS-20
- Meets development standards:

Criteria	Lot Area (square feet)	Lot Width	Lot Frontage	Height (feet)	Front Setback (feet)	Side Setback (feet)	Side Yard (feet)	Rear Yard (feet)	Lot Coverage (%)
Standard	20,000 min	70 min.	50 min.	30 max.	30 min.	30 min.	10 min.	30 min.	25% max.
Lot 1	72,393	187	NA (314)	24'-10.5"	57.0	-	36.9	88.1	7.40
Lot 2	20,209	126	NA	25'-4.5"	32.5	-	10	30.0	24.86
Lot 3	21,089	94	NA	25'-5"	30.2	-	14	60.9	24.5
Lot 4	21,681	107	139	24'-10.5"	51.3	-	10.0	49.0	24.7
Lot 5	21,541	119	120	21'-11.5"	38.8	-	12.4	35.0	23.7
Lot 6	20,095	132	158	20'-10.5"	37.2	-	15.1	42.7	18.9
Lot 7	20,654	109	297	25'-5"	28.1	30	15.5	33.0	25.0
Lot 8	20,003	125	139	21'-11.5"	48.7	-	10.9	41.5	25.0
Lot 9	20,086	120	109	25'-4.5"	36.3	-	11.1	47.4	25.0
Lot 10	20,040	127	51	21'-10.5"	58.3	-	10.0	35.0	24.8
Lot 11	20,069	144	NA	20'-10.5"	35	-	25.8	30.0	18.9
Lot 12	26,410	144	NA	21'-10.5"	41.6	-	34.9	30.0	22.7



Design Guidelines

- Sense of Place, Appropriate in Place
- Streetscape
- Block Size and Lot Patterns
- Deemphasize Parking
- Natural Features
- Flag Lots



Design Guidelines

- Avoid Repetition
- Avoid Flat Walls
- Four-sided Architecture
- One-story Compatibility
- Durable Materials



CEQA

- ISMND Circulated
- Comment Period May 28-June 28
- Modified to Respond to CDFW Comments
- Responded to Other Comments



Planning Commission

- Two Hearings
- Addition of four conditions of approval:
 - The Applicant shall obtain and comply with a tree preservation plan, prepared by a Certified Arborist, for the redwood trees that could be affected by construction on APN 041-700-004.
 - The Applicant shall plant screening trees along the boundary with APN 041-311-005.
 - The Applicant shall install stop signs at all legs of the intersection of Meadow Court and Borrette Lane.
 - Streetlights and exterior lighting shall be fully shielded.



Planning Commission

- 9 number of people spoke during public comment.
- Issues raised:
 - Size and Appearance of Buildings
 - Traffic Volume and Safety
 - Water Supply and Utility Load
 - Access
 - Runoff
 - Fire Safety
 - Wildlife and Habitat
 - Noise
 - Air Pollution and Greenhouse Gases
 - Density, Intensity, Number of Homes



Recommended Action

- Adopt a resolution adopting a Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program for the Western Meadows Subdivision.
- Adopt a resolution approving a Design Review Permit, Use Permit, and Tentative Subdivision Map for the Western Meadows Subdivision, a subdivision of a 7.56-acre project site into 12 single-family lots, located on the north side of an existing private driveway extending east from the north end of Borrette Lane.



The background of the slide is a photograph of a historic street in Napa, California. The street is lined with historic buildings, including a prominent circular building with a white dome and a brick building with a green awning. The street is paved with cobblestones, and there are trees and flowers in the foreground. The text "End of Presentation" is overlaid on the image in a large, black, sans-serif font.

End of Presentation

From: [Beth Painter](#)
Sent: Monday, August 16, 2021 9:15 AM
To: [Clerk](#)
Subject: Fwd: Western Meadows
Attachments: Western Meadows.docx

Begin forwarded message:

From: Frank Toller [REDACTED]
Subject: Western Meadows
Date: August 15, 2021 at 6:07:08 PM PDT
To: ssedgley@cityofnapa.org, bpainter@cityofnapa.org, mluras@cityofnapa.org,
bnarvaez@cityofnapa.org

Some people who received this message don't often get email from
[REDACTED] [Learn why this is important](#)

[EXTERNAL]

The attached letter is for your consideration.
Thanks, Frank Toller



Western Meadows.

Having practiced law for 50 years and served as an elected on public boards for 15 years, including a term as Mayor of St. Helena, I follow with great interest the Western Meadows issue. The City of Napa is on the verge of using eminent domain to create a public road over vineyard land needed by Western Meadows to build 12 large homes, affordable only to the rich and famous. Let us sidestep whether that action is legal or illegal because that status is often in flux until there is sufficient consequence or money to bring the issue to a high court. Now women can vote, and folks can use marijuana and enter same sex marriages. All were illegal a few years ago.

The question is whether use of eminent domain by a government agency to enrich a private enterprise is the right thing to do. It opens the pandora's box for the private sector to manipulate the City of Napa to do its bidding. If the City can use eminent domain to enable a high-end subdivision, can it take a home on a busy downtown corner to enable construction of a market or drug store? The use of condemnation for the benefit of private enterprise is just not smart policy or good governing.

The city officials may fear a lawsuit if they do not exercise eminent domain. It seems that a coalition of vineyard owners or the farm bureau is just as likely to bring a lawsuit if the eminent domain proceeds. This puts the City Council between a rock and a hard spot. It also allows them to do the right thing for both agriculture and residents, Just Say No!

Frank Toller August 15, 2021

From: [Mary Lueros](#)
To: [Clerk](#)
Subject: Fwd: western meadows project
Date: Sunday, September 5, 2021 7:10:08 PM

Mary Lueros

Begin forwarded message:

From: [REDACTED]
Date: September 5, 2021 at 6:54:25 PM PDT
To: Mary Lueros <mlueros@cityofnapa.org>
Subject: western meadows project

You don't often get email from [REDACTED]. [Learn why this is important](#)

[EXTERNAL]

Mary:

I am hoping to convince you to vote down the Western meadows project on Tuesday. This subdivision will be for 12 wealthy out of towners to buy homes that will likely sell for more than \$3,000,000. This does nothing for the local workforce housing problem. When Doctor Kirk Reid sold the property it was intended to have one home. The the owners of 1030 and 1040 Borrette lane bought the property and built the 2 large houses and initially a vineyard almost got planted but that guy went broke. So 1040 turned into a huge party house with weekend rentals with loud music and rude all night parties that kept all of us on Broadmoor drive awake. Now the 1030 and 1040 owners have Randy Gularte and his San Diego developer wanting to build 12 homes using Dr. Reid's front yard for the private entrance road rather than their own driveway as originally intended. So now they have sued Dr. Reid and if they lose they want eminent domain. The planning commission appears to be in collusion with Gularte and the developer and want the city to use the eminent domain. The planning commission didn't care to listen to neighbors concerns and even mocked some during the meetings! A big concern is the city has no policy to stop Picaso which is a real concern with this development. It is highly probable that these overpriced homes will be bought up by Picaso and sold in shares so they will have multiple owners and become VRBO party houses just like 1040 did. Another problem is water. They are already predicting another dry La nina winter. We won't be getting any water from Oroville and Hennessy and

Milliken only have enough to get us through another dry year. St. Helena and American canyon will be begging for some of our water too. Remember our last drought was 5 years and prior to that was the 87 to 92 drought. As much as Napa needs work force housing there needs to be an immediate moratorium on any new water connections as well as stricter rationing asap.

Additionally there is no community fuel break planned around this development. The planning commission thought this was totally unnecessary. They don't have the experience I have as a 30 year Cal Fire Captain. The northwest part of the planned development has a vineyard but you should know unmowed or abandoned vineyards carry fire. They are too blind to comprehend the fire situation that has been getting worse every year. I have been on fires on all sides of this development in my career including one in the Broadmoor area when there was still 5 acres of grass where Karen drive is. Any of those fires could have spread to the area under red flag conditions.

The planning commission had their minds made up on this before any of the community meetings we participated in. That alone made it clear to us that Gularte and his developer had sweetened the pot for the corrupt planning commission. The public input needed to be considered and they didn't want to hear it. So please vote this down and convince the council members to do the same. See you at the Tuesday meeting.

Thanks,

John Bryden
Napa resident since 1951

Sent from my Samsung Galaxy , an AT&T LTE smartphone

From: [Beth Painter](#)
To: [Clerk](#)
Subject: Fwd: Western Meadows Subdivision (PL 19-0048)
Date: Monday, September 6, 2021 7:06:09 PM

Begin forwarded message:

From: Kevin Brooks [REDACTED]
Subject: Western Meadows Subdivision (PL 19-0048)
Date: September 6, 2021 at 6:15:13 PM PDT
To: ssedgley@cityofnapa.org, lalessio@cityofnapa.org,
bpainter@cityofnapa.org, mluros@cityofnapa.org,
bnarvaez@cityofnapa.org

Some people who received this message don't often get email from [REDACTED]. [Learn why this is important](#)

[EXTERNAL]

I am writing concerning the Western Meadows Subdivision application (PL 19-0048), which is scheduled for the upcoming September 7, 2021 City Council meeting.

I have two primary categories of concerns related to this application -

1. Approval of this application will, apparently, obligate the City to take on the legal (and associated financial) liability of enforcing eminent domain, under recent State legislation, to facilitate the ability of the development team to obtain an easement to the development. It is clear that the State legislation that is the foundation of this apparent obligation, and associated liabilities, was intended for a different type of housing stock, i.e. mitigation of the State's unfathomable housing crises, which impacts low(er) income persons and not those that will be, ultimately, purchasing the types of housing products offered as part of the Western Meadows Subdivision. It is patently unjust and unreasonable for the City to be forced to take on these liabilities, as well as the associated potential litigation, and, most importantly, the utilization of the referenced legislation is not applicable to this type of housing stock.
2. The application and the July 1, 2021 Planning Commission's approval has, to date, not adequately addressed (all of) the requisite environmental mitigation of this development, including, in particular, the project's contribution to climate change and consumption of water. The conditions of approval need to be fortified to ensure that more than the absolute minimum is offered, but rather that adequate, verifiable measures are put in place to efficiently and effectively mitigate the negative impacts of this development. Mitigation of climate change based on a proposed construction and demolition (C&D) debris, for example, which is below the San Francisco Bay area average is not an effective, nor honest means and should not be represented as such. Mandating the use of green

building rating systems, such as the USGBC's LEED for Residential Construction certification system at a rating level above the CalGreen's code minimum, e.g. Platinum Level, as well as the verifiable accounting/evaluation of the project's overall contribution to climate change, on a component-by-component basis are some good first steps.

Thank you for your consideration.

Kevin Brooks



From: [Tiffany Carranza](#)
To: [Clerk; Carlyce Banayat](#)
Subject: Fw: Public Comment, Western Meadows
Date: Tuesday, September 7, 2021 3:58:48 PM

From: Steven Rosen <srosen@cityofnapa.org>
Sent: Tuesday, September 7, 2021 3:55 PM
To: Tiffany Carranza <tcarranza@cityofnapa.org>
Subject: FW: Public Comment, Western Meadows

Good afternoon.

Please include this in the record for tonight's hearing on Western Meadows.

Thank you.

Steven Rosen

Associate Planner, Planning Division

Community Development Department, City of Napa
1600 First Street, Napa, CA 94559

Phone (707) 257-9530

Email srosen@cityofnapa.org

Website www.cityofnapa.org

Social www.facebook.com/CityOfNapa

Planning Division Customer Service Update: City buildings re-opened to the public on July 6, 2021. We are open Monday through Thursday, from 8 AM to 5 PM; offices will be physically closed to the public on Fridays. Every day, including Friday, community members will still be able to access Planning staff and services by phone or by appointment. We respectfully ask that all visitors to our facilities please wear a mask when indoors, as the safety of our community and our staff is of the utmost importance. Due to current staffing levels, we encourage you to schedule an appointment prior to coming to the office. Most appointments can be handled via TEAMS or Zoom and will be scheduled accordingly. We are receiving live phone calls Monday through Thursday and strive to return calls within 24 hours. On Friday, please leave a detailed message including the address of the property you are inquiring about and we will call you back on Monday.

We accept new project submittals and resubmittals by email and do not require hard copy plans; payments can be mailed or dropped off at our office. For Code Enforcement-related issues, call the Code Enforcement Hotline at 707-257-9646. For more information, visit:
<https://www.cityofnapa.org/915/Coronavirus-COVID-19-Update>

From: Patrick L Burke [REDACTED] >
Sent: Tuesday, September 7, 2021 3:30 PM
To: Randy Gularte [REDACTED]
Cc: Steven Rosen <srosen@cityofnapa.org>; Katherine Zimmer <kzconnects@gmail.com>

Subject: Re: PLEASE PLACE THIS INTO PLANNING COMMISSION RECORD RE: Western Meadows PL 19-0048

You don't often get email from [REDACTED] [Learn why this is important](#)

[EXTERNAL]

Randy,

Since we have not heard any updates from you since your August 19th email, we are reaching out once again to keep our interests in your mind.

We understand the negotiating process, but we find it interesting that you keep suggesting 2-3 trees from our requested 4 Swan Hill fruitless olive trees. This issue is so minuet in the total size and scope of the Western Meadows development, we believe that one more tree shouldn't be dismissed.

We also cannot understand your proposed time frame of 1-3 years. We would like to have our issue resolve sooner than later as to mitigate our view during the construction phase of the project.

We, once again, hope that our request will be accepted and resolved as soon as possible so you can put this agreed upon condition of permit approval behind you and we can both move forward and co-exist as neighbors in good standing.

Thank you, and we look forward to your positive response.

Patrick and Katherine Burke

P.S. Congratulations on the progress you've made thus far. It seems the City Council meeting will go smoothly, and you will be on your way to getting the development started.

On Aug 19, 2021, at 8:03 PM, Randy Gularte <[REDACTED]> wrote:

Patrick

I will have to research the trees you are suggesting we would talking 2-3 trees plus not full grown trees.

I can not agree to paying you until our landscaper starts his work which may be 1-3 years as developments may occur earlier or later.

Thx

Randy g

Sent from my iPhone

On Aug 19, 2021, at 7:02 PM, Patrick L Burke
[REDACTED] > wrote:

Good Day Randy,

Yes, we did have a phone conversation regarding the placement of trees on the west side of our property. We are in agreement with the concept of me dealing directly with your landscape contractor and once the estimate is finalized the developer will issue me a check for reimbursement in full to exclude the liability on the developer's part.

What I am not in agreement with is your promotion of the choice of trees. The trees you suggest, which you are using in the development, are not within the scope of my existing backyard landscaping nor are they desirable for several reasons. What we want is four Swan Hill fruitless olive trees, 5-6 feet tall, 24 box, to pair with the existing olive tree, close to this location, which was planted years ago. (similar to the attached picture)

We can source the trees and talk directly to your landscaper to provide you with a total cost estimate for approval and reimbursement prior to purchase and planting.

We also would like to move forward faster than your 1-3 year time frame to establish the planting and allow some growth for view shielding.

I would hope that our suggestion is met with agreement and we both can move forward and co-exist as good neighbors.

Thank you Randy,

Pat & Katherine Burke

<5ft+to+6ft+x+4ft+Fruitless.JPG>

On Aug 18, 2021, at 1:47 PM, Randy Gularte

<[\[REDACTED\]](#)> wrote:

Patrick just to confirm our phone call yesterday
You would like to have 2-3 trees of the same type that we
are putting on our side of the lot 6 onto your west side of

your property at the developers expense.
We can do that but when our landscaper is doing the landscaping on our side we will have him give us bid to put 2-3 trees on your side and then we will give you a check for that amount and you deal with the landscaper directly for when and where you want the trees to be placed. This could occur within the next 1-3 years depending on many factors. This eliminates any liability on our part if something goes wrong putting trees on someone else's property.
Please confirm the above is accurate.

Randy A. Gualarte

Golden Gate Sotheby's International Realty

Broker Associate

LIC #00458347



<5ft+to+6ft+x+4ft+Fruitless.JPG>

From: [Steven Rosen](#)
To: [Clerk](#)
Subject: FW: PLEASE PLACE THIS INTO PLANNING COMMISSION RECORD RE: Western Meadows PL 19-0048
Date: Tuesday, September 7, 2021 5:31:57 PM

Steven Rosen

Associate Planner, Planning Division

Community Development Department, City of Napa

1600 First Street, Napa, CA 94559

Phone (707) 257-9530

Email srosen@cityofnapa.org

Website www.cityofnapa.org

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From: Randy Gualarte [REDACTED]
Sent: Tuesday, September 7, 2021 4:48 PM
To: Patrick L Burke [REDACTED]
Cc: Steven Rosen <srosen@cityofnapa.org>; Katherine Zimmer <kzconnects@gmail.com>
Subject: Re: PLEASE PLACE THIS INTO PLANNING COMMISSION RECORD RE: Western Meadows PL 19-0048

[EXTERNAL]

Patrick and Katherine

I agreed to 2-3 trees not 4 nor that you would want 24 box Olive trees. I was thinking to put in the same as we were planting on the buffer side

Also the reason for the delay in planting is there are many factors involved in a project such as it is less expensive to be done when project is being done scales of economy

Also there is never a guarantee that a project will be developed -the market could crash, interest rates skyrocket, the developer gets out of the business

So I appreciate your comments especially the PS but this is the way things are done
Thx
Randy g

Sent from my iPhone

On Sep 7, 2021, at 3:29 PM, Patrick L Burke [REDACTED] > wrote:

Randy,

Since we have not heard any updates from you since your August 19th email, we are reaching out once again to keep our interests in your mind.

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