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Agenda Date: 12/15/2020
Agenda Placement: 10B

NAPA COUNTY BOARD OF SUPERVISORS
Board Agenda Letter

TO:	Board of Supervisors
FROM:	David Morrison - Director Planning, Building and Environmental Services
REPORT BY:	David Morrison, Director, Planning, Building & Environmental Servi - (707) 253-4805
SUBJECT:	Development Agreement with Meadowood Napa Valley Resort

RECOMMENDATION

Director of Planning, Building and Environmental Services (PBES) requests the following regarding the Meadowood Resort which is located at 900 Meadowood Lane, on approximately 75 acres within the Planned Development (PD) Zoning District and Agriculture, Watershed and Open Space (AWOS) General Plan Designation (APN's: 025-080-032, -033, -034, -035, and -036), as a result of the Glass Fire:

1. Direction to staff on the terms of a proposed Development Agreement between the County and Meadowood Resort LLC (Applicant) which will be processed concurrently with the Applicant's request to modify the Use Permit to reconfigure the facility; and
2. Authorization for the Director to work with the Applicant to allow for the temporary accommodation of facilities while the Development Agreement and Use Permit Modification are being processed.

EXECUTIVE SUMMARY

The Applicant has requested the preparation of a Development Agreement which would be processed concurrently with a Use Permit modification to the existing Meadowood Resort. The Development Agreement, if approved, would guide development at the Meadowood Resort and provide assurances to the applicant as they move forward to rebuild and improve the Resort.

PROCEDURAL REQUIREMENTS

1. Staff report Accept
2. Public comments

3. Board provides direction to staff on the material terms and conditions to be included in the Development Agreement
4. Motion, second, vote on item.

FISCAL & STRATEGIC PLAN IMPACT

Is there a Fiscal Impact?	No
County Strategic Plan pillar addressed:	Livable Economy for All

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action 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

Development Agreements

Development Agreements are authorized by state law (Govt. Code Section 65864 et seq.). The purpose of a Development Agreement in this case would be to provide the Applicant with a vested right to develop the project for a period of time in accordance with the applicable laws and entitlements in effect at the time of project approval. Development Agreements must be consistent with the General Plan and must specify the following: duration of the agreement; the permitted uses of the property; the density or intensity of use; the maximum height and size of proposed buildings; and provisions for the reservation or dedication of land for public purposes.

Ownership desires to rebuild, renovate, and improve the Meadowood Resort subject to the terms of a new Development Agreement with the County that will govern the timing, scope, and process to rebuild and improve the resort in both the immediate- and long-term. A Development Agreement was similarly used to expand and remodel the Meadowood Resort in 1981. The 1981 Agreement was amended in 1983, 1984 and 1985, and expired in 1991. The new Development Agreement would allow the owners to secure and dedicate the funding needed to undertake the rehabilitation project, as well as partially re-open the resort and other facilities that survived the fire.

General Plan Policies

The following policies specifically address the Meadowood Resort:

Policy AG/LU-119:
The following types of construction are exempt from the provisions of the Growth Management System: Dwelling units covered by both use permits and development plans approved prior to July 28, 1981 [i.e., Silverado (280 D.U.), Meadowood (7 D.U.), and Villa Berryessa MHP (96 D.U.).]

Policy AG/LU-103:
Consistent with Policy AG/LU-45, existing parcels zoned for commercial uses in the South St. Helena area as of February 1, 1990, shall be allowed to develop commercial uses and mixed residential-commercial uses which are permitted by the existing commercial zoning as if they were designated on the Land Use Map for these uses.

Meadowood Resort may be modified in conformance with the commercial zoning referenced in Policy AG/LU-45 notwithstanding its location in a Planned Development (PD) zone.

Meadowood Resort

The Glass Fire devastated the Meadowood Resort. More than 50 rooms were destroyed, the clubhouse, the Restaurant, event spaces, employee housing, and water storage tanks. There was damage to other on-site facilities, including one of the tennis courts. The owner estimates that the fire did more than $100 million in damage to the Resort. As a result of the extensive loss, the Resort has closed indefinitely and has been forced to lay off 500 employees.

On October 26, 2020, David Pearson - Managing Director of the Meadowood Resort, submitted a letter and draft term sheet to begin discussion regarding a proposed Development Agreement (see Attachments A and B). The request is for the Development Agreement to establish a clear expedited planning process for re-opening the undamaged portions of the Meadowood Resort, as well as restoring and improving those portions of the Meadowood Resort that were destroyed. The goal is to complete the Development Agreement and Use Permit Modification process by March 2021, so that construction can begin in April 2021.

The letter also requests that the Director be authorized to work with the Resort to allow for the temporary accommodation of those facilities lost in the Glass Fire while the Development Agreement and Use Permit Modification are being processed. The temporary activities would not increase existing entitled intensities and would allow the Resort to retain some staff until such time as the facility can re-open.

Policy 12B of the County Policy Manual states that: "The Director of PBES may allow alternative uses equivalent to existing, legally established uses that have damaged or destroyed structures located within the area impacted by the declared local emergency. Property owners will be required to file a Notice of Intent on a form provided by the PBES Department."

This action does not obligate the Board to approve the Development Agreement. Upon receipt of Board direction, staff will prepare a draft Development Agreement which will be processed concurrently with the pending Use Permit Modification. Both the Development Agreement and the Use Permit Modification will be considered by the Planning Commission, which will make its recommendation to the Board of Supervisors. Staff also recommends that the Board authorize the Director to work with the Meadowood Resort to allow for the temporary accommodation of those facilities lost in the Glass Fire while the Development Agreement and Use Permit Modification are being processed.

SUPPORTING DOCUMENTS

A . Attachment A - Letter from Meadowood

B . Attachment B - Term Sheet Proposed by Meadowood

CEO Recommendation: Approve

Reviewed By: Helene Franchi