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January 18, 2021

Delivered via email

Napa County Planning Commission
1195 Third Street, Suite 210
Napa, CA 94559

Re: Major Modification P19-00161 Robert Sinskey Vineyards (RSV) located at 6320 Silverado Trail (APN 031-230-017)

Dear Chair Mazotti and Planning Commissioners:

Thank you for the opportunity to present our application to the Commission and to adjust our request in light of your comments on December 2, 2020. We appreciate the Commission's attention to our use permit modification, and we heard your concerns. As a result, RSV has made revisions to its application, as provided below and as reflected in the staff report. These revisions will result in a net reduction of 350 visitors per week compared to our initial proposal:

1. Reduce the number of daily by-appointment visitors from 125 to 75;
2. Reduce the number of Type 1 marketing events from 5 to 3 times a week (with marketing events permitted on days with other visitation, so long as the maximum number of visitors does not exceed 257/day or 1449/week);
3. Shift the end time for Type 1 events from 5:00 PM to 10:00 PM to reduce peak hour vehicle trips.

In practice, this means that on 3 days of the week, RSV will be allowed to have up to 257 visitors to the property, which is consistent with its historic daily visitor numbers. On the other 4 days of the week, RSV visitor numbers will be reduced below 257, such that the total visitors per week do not exceed 1449/week. In practice, this weekly total reflects an average of 207 visitors per day. Historically, RSV has had up to 257 visitors to the property on any day of the week, and this is what our initial application requested (132 public + 125 private); this would have represented a weekly total of up to 1799/week. In response to your comments at our last hearing, we have worked with County staff to prepare this revised proposal which reflects a reduction of 350 visitors per week over our initial application.

1. Additional Revisions to Proposal

In addition to the reduction in the number of visitors, we have revised the timing of our Type 1 (50 person) events such that these have an ending time of up to 10 p.m. (rather than the previous 5 p.m.) This will serve to attenuate winery traffic so that it does not occur at peak hours. This change was the result of your comments at our December 2nd hearing and our discussions thereafter with staff. We understand the County would like to explore methods to reduce peak hour vehicle trips, and having flexibility to end the Type 1 events later in the evening will help keep cars off the Silverado Trail during peak hours.

Further, we have revised the starting time for the Type 2 marketing events to 6 p.m. to reflect the actual practices at the winery (the previous use permit allowed Type 2 events to start any time after 9:00 a.m.) The Type 2 events have historically been evening events, and RSV plans to continue this practice. Thus, the County will have the assurance that these events also will be held outside of peak traffic hours, as are the Type 3 and Type 4 events.

Finally, as discussed at the last hearing, we have offered to prepare a Travel Demand Management (TDM) plan within 30 days of approval, as is standard with new winery use permit applications. We note that the staff report states that “the Planning Commission requested information from the applicant on their current and proposed TDM plan to participate in the County’s overall goal of reducing trips and lessening impacts during peak travel time.” We have included in the attached Exhibit A a list of current RSV practices to reduce vehicle trips, including peak hour trips, as well as a list of potential new measures for your consideration. Based on input at the hearing, these can be incorporated into a formal TDM plan and submitted within 30 days. The reduction of RSV’s carbon footprint in all forms is an integral part of the winery’s ethos, demonstrated in practice for over thirty years.

2. Historical Background

We recognize that RSV’s use permit history (and in particular the 2010 permit) created confusion for the Commission, which is understandable as its history is particularly complicated. In order to assist you with your deliberations, we believe it would be helpful to have some further background on the use permit and the winery’s operations, supported by the attached Exhibit B, as this will help to make better sense of the visitor numbers.

a. Historic Operations and 2009 Permit Application

RSV has been operating under a use permit since 1987. Various modifications occurred over the years, many of which were fairly minor in nature. In 2009, however, RSV submitted an application for a major modification that included a significant production increase; a physical expansion of the facility; a groundbreaking new ‘engineered wetlands’ wastewater system (which was the first of its kind in Napa County); and a modified visitation and marketing plan. At the time, RSV had public visitation, as well as a number of marketing events that were not clearly defined. Essentially, the pre-2009 permit allowed for the following:

- 132 public visitors
- Food and Wine Seminars for 50 people maximum (there was no quantification of the number of these events).
- 28 After Hours Marketing Events per year

Based on these existing entitlements, the 2009 application sought to quantify and categorize these activities as follows:

- Maintain the current level of public visitation (which was 132)
- Maintain the current level of seminars with attendance limited to 50 people maximum at 5x/week (these were called “Type 1” events)
- Allow up to 75 additional visitors per day for private tours and tastings with food service
- Maintain the 28 evening marketing events as currently permitted (these were called “Type 2” events)
- Allow a new once-monthly evening event for up to 80 visitors (12x/year, which were called “Type 3” events), and
- Allow a new twice-yearly marketing event with food service for up to 150 visitors (these were the “Type 4” events)

The septic system analysis and traffic report were prepared on the basis of these numbers, and the staff report and Initial Study were consistent with these numbers. The use permit modification was approved without controversy in 2010.

b. 2019 Status Determination and Use Permit Requests

As you know, in 2019 the County instituted its Code compliance program in response to discussions about growing non-compliance with permit conditions. Wineries were invited, by the end of March of that year, to either seek a status determination to clarify the scope of their permits, or to file a modification to correct any non-compliance.

RSV knew that its employee numbers had grown over the years, so we began work on a use permit modification request to correct that situation. At around the same time, while preparing paperwork for a routine bank financing, RSV became aware that the conditions of approval contained language making it appear that the 75 private visitors were part of the 132 public visitor numbers, and that the 50-person Type 1 events could not be held on days when the winery had other private visitors, which effectively made these events useless to the winery. This language was inconsistent with our recollection and understanding of the 2010 permit and inconsistent with the way the winery had been operating since completion of its renovation following the 2010 use permit approval -- which was to have up to a maximum of 257 visitors per day (132 public + 75 private + 50 event). Accordingly, we prepared and filed a status determination request to seek clarity on the situation. Both the use permit modification and the status determination request were timely filed prior to the March deadline.

The County responded first to the status determination request, stating that the winery was limited to a total of 132 visitors for tours and tastings (of which 75 could be private) and that the Type 1 events could not occur on the same day as private tours and tastings. The County explained that RSV was afforded the right either to appeal the staff decision or to seek a modification of its use permit to increase the number of visitors.

Because RSV already had a pending use permit application to increase its employee numbers, we added the increased visitor numbers to that permit request. In an attempt to keep the application as simple as possible, we did not attempt to modify the conditions of approval but simply asked to add up to 125 additional daily visitors for private tours and tastings (reflecting the 75 private visitors we had previously requested plus the 50 visitors for Type 1 events).

At the December 2nd hearing, we realized that the permit history was unduly confusing and that the visitor numbers were of concern. After a very helpful discussion with the Commission at the hearing and productive communications with staff later in December, we chose to revise the application to clarify that we were seeking 75 private visitors and not 125, and that we would be willing to reduce the Type 1 events from 5x/week to 3x/week, provided that we would be able to host these events on days that also had private tasting visitors.

In addition, we agreed with staff that we would reduce our weekly maximum to 1449 visitors, which was equivalent to an average daily maximum of 207 visitors. This change resulted in a decrease of 350 visitors per week over our initial request. In short, we heard the Commission's concerns, and we responded with a significant revision to our request.

3. Visitation and Marketing Comparison

Although we recognize that the County has an established procedure for preparing comparisons between wineries within a one-mile radius, we feel it is important to put RSV's visitation numbers into a broader context. The winery is located on the Silverado Trail, has an existing left-turn lane and related road improvements, and own over 40 acres of land on the winery parcel and the adjacent parcel.

In this particular case, the vast majority of wineries within one mile of RSV are substantially smaller in size with much smaller production capacity; accordingly, they also have smaller visitation numbers. Applying a more typical statistical method of isolating target data (in this case RSV's 143,000 gall/year) to other wineries within a range both above and below 143,000 gall/year, RSV's visitation would be comparatively lower.

Recognizing the importance of agriculture in the Napa Valley and the maintenance of a proper balance between production and accessory uses, we analyzed the production to visitor ratio of wineries between 40,000 and 250,000 gall/year (with RSV's 143,000 gall/year as the arithmetic mean or central value). As shown on the attached Exhibit C, there are other wineries not shown on the County's Attachment "F" with ratios higher than RSV's (.010). One is actually located

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within one mile from RSV (Baldacci Family Vineyards, .017), but without analyzing the visitor/production ratio, the fact that it has a proportionately higher number of visitors than RSV is not apparent. Similarly, another relatively recently approved winery (Ashes and Diamonds, .028) is an example of a higher ratio of visitors to production compared to RSV. Seen in this context, the RSV visitor numbers do not seem excessive, particularly when the winery's central location and ample access is considered.

We provide Exhibit C not to challenge the County's own comparison charts or to point out errors in the use of data. The point is simply to illustrate that a different analysis of the data (using a visitor/production ratio and expanding the geographic reach) yields a very different set of numbers. On this view, RSV's existing visitation numbers are entirely consistent with those of its peers.

4. Conclusion

RSV is a winery with a long-established record of conducting its hospitality operations in a respectful and neighborly manner. The 2010 use permit modification did not have any neighbor opposition, and to our knowledge the winery's operations since then have not generated any complaints. The winery has a strong commitment to environmental stewardship and agriculture-friendly business practices, and Rob and his wife Maria have created a shining example of sustainable farming. Visitors to the winery learn about the land, about biodynamic farming, and about the connection between sustainably farmed food and wine. It is against this background that we ask you to evaluate our request.

We hope that the information provided here has been helpful in clarifying the situation, and we trust that the Planning Commission will be able to appreciate more fully the complex history behind RSV's current visitation numbers and therefore be able to evaluate more easily our use permit request. We sincerely appreciate the efforts of County staff, and we thank Chair Mazotti and each of the Commissioners for your thoughtful attention to our application. We welcome the opportunity to provide additional clarification here in our correspondence and at Wednesday's hearing, and we hope that the revisions to our application request will have allayed any concerns.

Sincerely,



Katherine Philippakis

Cc: Rob Sinskey
Phil Abram
Rick Tooker

EXHIBIT A

Traffic Management Measures

Existing Measures

Employee carpool - Encouraged and in practice despite pandemic (e.g., employees in the same household, roommates, etc.), including schedule accommodations to allow for employees sharing rides with other winery employees.

Staggered shifts in all departments - Start times are staggered ranging from 6am/7am/8:30am/9am/11am and end of day similarly staggered from 3pm/3:30pm/4:30pm/5:00pm/6pm.

Work from home - This option is provided where/when practical for office staff.

Built a Farming office in Carneros - The majority of vineyard employees are located off-site to eliminate commute between the winery and vineyard offices in Carneros.

Guest Rideshare - We start with outreach from the winery to driver services and concierges to consolidate transit for larger groups.

Bike friendly - Bike storage during tastings is offered as a service.

Employee Family Meals - Served during peak days (e.g., harvest) to reduce lunch trips from employees during normal service hours. Also served ahead of evening events to reduce or eliminate traffic during peak rush hour.

Group Lunch Runs - Consolidate staff lunch needs to one trip for hospitality, office, winemaking, and vineyard crew.

Schedule Deliveries/Pickups at Winery on Off-Peak Hours - For the hospitality, office, winemaking, and vineyard staff.

Possible Additions/Changes for Consideration in a TDM Plan

Bike Incentives - Employee Wine Program monetary credit for those who commute by bike; subsidy bonus for purchase of e-bike; install bike racks/bike charging stations and tools to repair already in house.

Carpool Incentives - Employee Wine Program monetary credit for those arriving in the same car.

Staff Education - Employee welcome packet to include carpool and bike commute benefits emphasizing value, eco savings and reduced commute times.

Bike Refreshment Splash Program - One extra pour of wine for those arriving by bike or carpool of three or more persons.

Concierge & Driver Appreciation Program - Guests of groups booked through concierge or driver services could receive an extra pour of wine from that concierge/driver to support their business reputation and encourage repeat use of their service.

Website Management – Providing incentives to guests on the website, including maps of bike routes and onsite services (e.g., bicycle storage and tools), incentives to guests to use concierge and driver services, etc.

Work with Agency Partners – Explore if the existing Yountville trolley can connect to RSV since it already accesses a portion of Yountville Crossroad, and the NVRTA on similar measures to reduce vehicle trips, particularly peak hour trips.

EXHIBIT B**Visitor and Marketing Summary**

RSV Visitor History and Proposed Revisions			
Use Permit Application/Approval	Public Visitors Pre-WDO	Private Visitors	Total Visitors
2009 Application	132	+75	207
2010 Approval	57 (-75)	+75	132
2019 Application	132	+125	257
2021 Revised Application	132	+75	207
350 person reduction in visitors per week (19%) from 2019 application.			

RSV Type 1 Marketing Event History and Revisions			
Use Permit Application/Approval	No. of Guests	No. of Days a Week	Proposed/Conditioned
2009 Application	50	(5 days/week)	Proposed to be in addition to visitors
2010 Approval	50	(5 days/week)	No private visitors allowed on same day
2019 Application	50	(5 days/week)	No private visitors allowed on same day
2021 Revised Application	50	(3 days/week)	Private visitors allowed on same day
Reduction from 3 to 5 days a week.			

EXHIBIT C
Winery Comparison Table

Winery	Production	Daily Visitors	Weekly Visitors	Annual Visitors	Employees	Production/Visit or Ratio
SWANSON WINERY	100000	200	1400	72800	30	0.014
SILVER OAK WINE CELLARS	210000	500	3000	156000	50	0.014
REFUGE	50000	124	868	45136	10	0.017
BALDACCI FAMILY VINEYARDS	40000	100	700	36400	10	0.017
ASHES AND DIAMONDS	100000	400	2800	145600	22	0.028
ZD WINES	120000	225	1575	81900	30	0.013
CAYMUS	110000	450	3150	163800	49	0.028
ROBERT SINSKEY VINEYARDS (Orig. Proposed on 12-2-20)	143000	257	1799	93548	42	0.012
ROBERT SINSKEY VINEYARDS (Revised on 1-20-21)	143000	207	1449	75348	42	0.010
* Reflects an allowance of up to three days a week. However, average weekly visitation will be 1,449/week representing a true average of 207/day.						

From: [Tooker, Richard](#)
To: [Gallina, Charlene](#)
Cc: [Phil Abram](#)
Subject: RE: RSV Letter to the Planning Commission
Date: Tuesday, January 19, 2021 12:41:38 PM
Attachments: [Robert Sinskey Winery, Letter to County 1-18-21 Re Use Permit Modification.docx](#)

[External Email - Use Caution]

Here it is Charlene. You should have one from my personal email account as well that I sent while in transit. Thanks. - Rick

From: Tooker, Richard F. (WCO) x4152
Sent: Monday, January 18, 2021 4:03 PM
To: Hedge, Emily
Cc: Phil Abram; Charlene.Gallina@countyofnapa.org
Subject: RSV Letter to the Planning Commission

Hi Emily (and Charlene) - Attached is RSV's letter to included in the packet of materials for the Planning Commission's meeting on Wednesday morning. If you have any questions, please do not hesitate to ask. The Commissioners were sent a copy as well, some who have a County email address and others who have their personal emails on the County's website. Thanks. - Rick

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