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Agenda Date: 1/24/2017
Agenda Placement: 9C
Set Time: 9:30 AM PUBLIC HEARING
Estimated Report Time: 5 Minutes

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: David Morrison - Director
Planning, Building and Environmental Services
REPORT BY: John McDowell, Deputy Planning Director - 299-1354
SUBJECT: Silverado Resort Appeal

RECOMMENDATION

Consideration and possible action regarding an appeal filed by Alfonso Poire to a July 20, 2016 decision by the Planning, Building and Environmental Services Director to approve Silverado Resort and Spa Building Permit No. B16-00517 for modifying and remodeling the Mansion Gardens located at 1600 Atlas Peak Road, Napa, California (Assessor's Parcel No. 060-010-001-000).

ENVIRONMENTAL DETERMINATION: Consideration and possible adoption of a Statutory Exemption: Issuance of building permits are exempt from the California Environmental Quality Act pursuant to 14 CCR §15268(b)(1), Ministerial Projects – Issuance of building permits; see also Napa County's Local Procedures for Implementing the California Environmental Quality Act, Section 503.

(CONTINUED FROM OCTOBER 4, 2016; STAFF, APPELLANT AND APPLICANT REQUEST A CONTINUANCE TO APRIL 4, 2017 AT 9:30 A.M.)

EXECUTIVE SUMMARY

This matter involves an appeal to a July 20, 2016 decision by the Planning, Building and Environmental Services Director to approve Silverado Resort and Spa Building Permit No. B16-00517 for modifying and remodeling the Mansion Gardens area located adjacent to the main clubhouse at 1600 Atlas Peak Road, Napa, California (Assessor's Parcel No. 060-010-001-000).

Pursuant to the County's appeals ordinance (Napa County Code Chapter 2.88) a public hearing on the appeal must be scheduled not less than fifteen days nor more than ninety calendar days from submittal of an appeal. On October 4, 2016, the Chair introduced the item and opened the public hearing, but no testimony was presented, in compliance with the ninety day scheduling deadline prescribed in the appeals ordinance. The item was then continued by the simple motion to January 24, 2017 as requested by staff, the applicant and appellant.

Since October 4, 2016, the applicant and appellant have been negotiating in pursuit of a mutually acceptable resolution to the appeal, but a resolution has not been reached. Therefore the parties request that the item be continued to April 4, 2017 at 9:30 a.m. to allow additional time for negotiations.

Staff requests that the Chair introduce the item, and request a motion for continuance to April 4, 2017 at 9:30 a.m. The public hearing is already open and will remain open although no testimony will be presented on January 24, 2017.

PROCEDURAL REQUIREMENTS

1. Chair introduces item, and requests motion for continuance (public hearing was previously opened).
2. Motion by a Board Member and second by another Board Member to continue the item to April 4, 2017 at 9:30 a.m.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: Consideration and possible adoption of a Statutory Exemption: Issuance of building permits are exempt from the California Environmental Quality Act pursuant to 14 CCR §15268(b)(1), Ministerial Projects – Issuance of building permits; see also Napa County’s Local Procedures for Implementing the California Environmental Quality Act, Section 503.

BACKGROUND AND DISCUSSION

The project involves an appeal to a July 20, 2016 decision by the Planning, Building and Environmental Services Director to approve Silverado Resort and Spa Building Permit No. B16-00517 for modifying and remodeling the Mansion Gardens area located adjacent to the main clubhouse at 1600 Atlas Peak Road, Napa, California (Assessor's Parcel No. 060-010-001-000).

The Notice of Intent to Appeal was received by the Clerk of the Board on July 28, 2016 and the Appeal Packet was filed on August 9, 2016. The Clerk of the Board determined the appeal to be timely filed and subsequently set the matter for hearing on October 4, 2016 in accordance with the Appeals Chapter of Napa County Code (Chapter 2.88). On October 4, 2016, the item was introduced and the public hearing was opened before the Board voted to continue the item to January 24, 2017 at 9:30 a.m.

Negotiations between the applicant and appellant have been ongoing since October without resolution. Additional time for negotiations is requested and therefore, Staff, Appellant and the Applicant request a continuance to April 4, 2017 at 9:30 a.m.

SUPPORTING DOCUMENTS

None

CEO Recommendation: Approve

Reviewed By: Helene Franchi