



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 4/4/2017
Agenda Placement: 9F
Set Time: 9:30 AM PUBLIC HEARING
Estimated Report Time: 5 Minutes
Continued From: January 24, 2017

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: David Morrison - Director
Planning, Building and Environmental Services
REPORT BY: Sean Trippi, Principal Planner - 299-1353
SUBJECT: Silverado Resort Appeal

RECOMMENDATION

Consideration and possible action regarding an appeal filed by Silverado B/C Condominiums 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 AND JANUARY 24, 2017; APPELLANT REQUESTS WITHDRAWAL OF THE APPEAL)

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 in compliance with the ninety day scheduling deadline prescribed in the appeals ordinance. No testimony was presented. The item was then continued 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 had not been reached by January 24, 2017. The parties requested that the item be continued again to April 4, 2017 at 9:30 a.m. to allow additional time for negotiations.

Prior to the continued hearing, the Appellant, Silverado B/C Condominiums, notified the County in writing on March 27, 2017, that they request the removal of their appeal as they have reached an agreement with the applicant resolving their dispute. Staff recommends that the Board of Supervisors accept the request for withdrawal of the appeal.

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

On April 13, 2016, Silverado Resort Investment Group, LLC, (Applicant) filed a building permit application (B16-00517) to convert three existing tennis courts to an outdoor gathering space for existing guests utilizing the conference center at the Silverado Resort and Spa. The former tennis courts would be replaced with landscaping and hardscape areas adjoining the south side of the facility located at 1600 Atlas Peak Road. The building permit was issued on July 20, 2016. Silverado B/C Condominiums (Appellant) filed an appeal.

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 and subsequently the Board voted to continue the item to January 24, 2017 at 9:30 a.m. and then to April 4, 2017.

Negotiations between the Applicant and Appellant have been ongoing since October without resolution. However, prior to the continued hearing, the Appellant, Silverado B/C Condominiums, notified the County in writing on March 27, 2017, that they request the removal of their appeal as they have reached an agreement with the applicant resolving their dispute.

Staff recommends that the Board of Supervisors accept the request for withdrawal of the appeal.

SUPPORTING DOCUMENTS

A . Withdrawal request

CEO Recommendation: Approve

Reviewed By: Helene Franchi