



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 5/5/2020
Agenda Placement: 9D
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: Charlene Gallina, Supervising Planner - 299-1355
SUBJECT: Scarlett Winery Appeal - Continuance Requested to July 14, 2020 at 10:00 AM

RECOMMENDATION

Consideration and possible direction regarding appeals filed by 1) Save Ponti Road, an unincorporated association, and 2) George and Nancy Montgomery (Appellants) to a decision by the Planning Commission on January 15, 2020, to approve an application submitted by Sherrett Reicher, Alsace Company, LTD (Applicant) for a use permit (P16-00428-UP) to construct and operate a new 30,000 gallon per year winery known as the Scarlett Winery, and to allow: a) construction of a winery building consisting of two detached structures (a two story 4,514 sf hospitality/administration building and a one story 18,022 sf production building) separated between the east outdoor terrace area and a landscaped area; b) construction of a 4,725 sf covered outdoor crush pad - crush will occur inside the winery production building; c) tours and tastings by appointment only with a maximum of 15 visitors per day and a weekly maximum of 80 visitors. (Daily tours and tastings may be conducted on the West Terrace Deck); d) a marketing program of two (2) events per month with a maximum of 10 persons; one (1) event per year with a maximum of 100 guests; one (1) event per year with a maximum of 125 guests; and one (1) event per year for groups of up to 200 guests with up to 10 event staff. Events to be held between 10 am and 6 pm or 6 pm to 10 pm. Larger events (100, 125, and 200 guests) to be held on weekends only. Portable toilets to be utilized during any event hosting greater than 75 guests. Shuttle service used for events over 100 guests. (No marketing events shall be conducted in the outdoor picnic area and on the West Terrace Deck. Daily tours and tastings visitors will not occur on days when events are held with more than 100 guests in attendance. Food and Wine Pairings - Food prepared in the commercial kitchen or catered.); e) six (6) full-time, two (2) part-time employees and two (2) employees during harvest for vineyard activities only; f) a commercial kitchen for some food preparation and use as a caterers' staging area for some of the marketing events; g) on-premises consumption of wines produced on-site may occur solely within the hospitality building designated indoor tasting areas in accordance with Business and Professions Code Sections 23358, 23390 and 23396.5; h) winery hours of operation daily 6 am – 6 pm (Non-harvest production hours) and daily visitation hours of operation daily 10 am – 6 pm; i) construction of seven (7) visitor and five (5) employee parking spaces both with a handicapped space and one area for a high occupancy vehicle for a total of 13 spaces; j) installation of a wastewater system; k) installation of a regulated transient non-community water system; l) installation of two (2) 20,000-gallon domestic water storage tank and one (1) 100,000-gallon fire water storage tank; m) installation of an entry gate and winery sign; and n) all project

spoils to be disposed on-site. The project is located on an approximately 47.88 acre site at 1052 Ponti Road, which intersects with Skellenger Lane just west of Silverado Trail, within the Agricultural Preserve (AP) & Agricultural Watershed (AW) Zoning Districts, and General Plan designated Agriculture Resource (AR) and Agriculture, Watershed and Open Space (AWOS) St. Helena, CA; APN: 030-280-010. **(APPLICANT, APPELLANTS AND STAFF REQUEST A CONTINUANCE TO JULY 14, 2020 AT 10:00 A.M.)**

ENVIRONMENTAL DETERMINATION: According to the proposed Mitigated Negative Declaration, the proposed project would not have any potentially significant environmental impacts after implementation of mitigation measures for transportation. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

EXECUTIVE SUMMARY

The matter before the Board involves appeals filed by 1) Save Ponti Road, an unincorporated association, and 2) George and Nancy Montgomery, to a unanimous decision by the Planning Commission on January 15, 2020, to approve an application submitted by Sherrett Reicher, Alsace Company, LTD for a Use Permit (P16-00428-UP) to construct and operate a new 30,000 gallon per year winery known as Scarlett Winery with visitation, marketing and related infrastructure improvements.

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. To accommodate Appellants, Applicant's and Staff's schedules, it is requested that the appeal be heard on July 14, 2020. In order to satisfy the ninety day scheduling deadline in the appeals ordinance, Staff requests that the Chair introduce the item, open the public hearing, and request a motion for continuance to July 14, 2020 at 10:00 a.m. Staff presentation and public testimony will not occur at the May 5, 2020 meeting. Applicant, Appellants and Staff all support the continuance.

PROCEDURAL REQUIREMENTS

1. Chair introduces item and opens the public hearing.
2. Motion by a Board member and second by another Board member to continue the item to July 14, 2020 at 10:00 a.m.

FISCAL & STRATEGIC PLAN IMPACT

Is there a Fiscal Impact?

No

County Strategic Plan pillar addressed: Effective and Open Government

ENVIRONMENTAL IMPACT

According to the proposed Mitigated Negative Declaration, the proposed project would not have any potentially significant environmental impacts after implementation of mitigation measures proposed for transportation. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

BACKGROUND AND DISCUSSION

The matter before the Board involves neighborhood appeals filed by 1) Save Ponti Road, an unincorporated association, and 2) George and Nancy Montgomery, to a decision by the Planning Commission on January 15, 2020 to approve an application for a Use Permit (P16-00428) to construct and operate a new 30,000 gallon per year winery known as the Scarlett Winery, and to allow: a) construction of a winery building consisting of two detached structures (a two story 4,514 sf hospitality/administration building and a one story 18,022 sf production building); b) construction of a 4,725 sf covered outdoor crush pad; c) tours and tastings by appointment only with a maximum of 15 visitors per day and a weekly maximum of 80 visitors; d) a marketing program; and e) related infrastructure improvements on an approximately 47.88 acre site at 1052 Ponti Road, which intersects with Skellenger Lane just west of Silverado Trail, within the Agricultural Preserve (AP) & Agricultural Watershed (AW) Zoning Districts, St. Helena, CA; APN: 030-280-010.

On February 12, 2020, timely appeal packets were filed by Save Ponti Road and George and Nancy Montgomery to the Planning Commission's decision to approve Use Permit P16-00428 for the Scarlett Winery. 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. In order to satisfy the ninety day scheduling deadline in the appeals ordinance, Staff requests that the Chair introduce the item, open the public hearing and request a motion for continuance to July 14, 2020 at 10:00 a.m. Staff presentation and public testimony will not occur at the May 5, 2020 hearing. Applicant, Appellants and Staff all support the continuance.

SUPPORTING DOCUMENTS

None

CEO Recommendation: Approve

Reviewed By: Helene Franchi