



Legislation Details (With Board Report)

File #: RES 15-023 **Name:** Coastal Cypress Corporation (Chateau Julien)
Type: BoS Resolution **Status:** Passed
File created: 3/2/2015 **In control:** Board of Supervisors
On agenda: 3/17/2015 **Final action:** 3/17/2015
Title: Public hearing to consider an appeal of the Planning Commission’s Administrative Interpretation finding public assemblages are an allowed accessory use to a wine storage building approved as part of the Chateau Julien Winery.
(Administrative Interpretation - 965157 ZA & PLN990138 - Chateau Julien/Coastal Cypress Corporation, Carmel Valley Master Plan) (ADDED VIA ADDENDUM)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Attachment A - Discussion, 2. Attachment B - Applicant's Request, 3. Attachment C - Administrative Interpretation, 4. Attachment D - Applicant's Appeal, 5. Attachment E - PC Resolution No. 99035, 6. Attachment F - PC Resolution No. 97028, 7. Attachment G - Notice of Appeal, 8. Attachment H - BOS Minutes of September 7, 1999, 9. Attachment I - Property Owner's Correspondence, 10. Attachment J - Information Package, 11. Attachment K - Draft Board Resolution, 12. Attachment L - Correspondence, 13. Completed Board Order& Resolution

Date	Ver.	Action By	Action	Result
3/17/2015	1	Board of Supervisors	adopted	Pass

Public hearing to consider an appeal of the Planning Commission’s Administrative Interpretation finding public assemblages are an allowed accessory use to a wine storage building approved as part of the Chateau Julien Winery.

(Administrative Interpretation - 965157 ZA & PLN990138 - Chateau Julien/Coastal Cypress Corporation, Carmel Valley Master Plan) (ADDED VIA ADDENDUM)

PROJECT INFORMATION:

Planning File Number: 965157 ZA and PLN990138

Owner: Coastal Cypress Corporation

Project Location: 8940 Carmel Valley Road, Carmel Valley

APN: 169-161-001-000

Agent: Anthony Lombardo

Plan Area: Carmel Valley Master Plan

Flagged and Staked: No

CEQA Action: Consideration of this item by the Board of Supervisors is exempt from environmental review under Section 15321 (a) (2) of the CEQA Guidelines.

RECOMMENDATION:

It is recommended that the Board of Supervisors adopt a resolution (Attachment K) to deny the appeal and uphold the Planning Commission’s Administrative Interpretation that public assemblages are an allowed accessory use to the wine storage building approved as part of the Chateau Julien Winery.

SUMMARY:

This item returns to the Board after a hearing continued in 1999. On September 7, 1999, the Board of Supervisors heard an appeal by John and Janella Suwada from the Planning Commission's determination that the use of the wine storage building for public assemblage is "an included and incidental use" to the use permit for that building. The Board continued the hearing indefinitely to allow a subcommittee of the Board to work with the applicant and staff to provide recommendations to the Board on how to proceed with the request (Attachment H). At issue is an interpretation to determine whether a wine storage building (known as the "Chai") approved under a different permit from the Chateau Julien Winery permit can support public assemblages associated with the winery. The primary issue associated with this interpretation relates to whether the public assemblages constitute an intensification of the use and whether the public assemblages allowed at the main winery facility extend to the Chai.

The Planning Commission had voted 5-3 to find it was not an intensification of the use and the public assemblages were allowed as an accessory use. Local residents John and Janella Suwada then appealed the Planning Commission's interpretation to the Board of Supervisors. (Attachment G.) The appeal has remained pending since 1999, but the property owner is now selling the property. The owner and buyer seek to resolve the matter so there is clarity on what is allowed on the subject site. The appellant was contacted to inquire whether he is still interested in proceeding with the appeal. Since he is, the appeal has been brought back to the Board of Supervisors. This appeal hearing was duly noticed for March 17, 2015. Due to the passage of time, staff recommends that the Board conduct a new full hearing.

Traffic and wastewater have remained concerns in Carmel Valley in the 15 years since the Board of Supervisors first considered the issue, but the County is more familiar with how wineries operate. At the hearing before the Board of Supervisors in 1999, the property owner presented information that the public assemblages related to the winery did not intensify vehicle trip generation beyond the pre 1982 use of the winery site and the wastewater generation from the number of people visiting the site did not exceed the wastewater treatment capacity. In addition, activities at the entire winery site have been on-going since 1999 without incident or complaint.

It is recommended that the Board deny the appeal and uphold the Planning Commission decision finding that the use of the wine storage building for public assemblage is an included and incidental use to the Use Permit approved by the Commission on April 30, 1997; that such use is allowed as part of the overall use of the winery subject to the limitations on vehicle trips established in the original use permit for the winery (50 vehicle trips per day) (ZA-05055) and that the use is within the capacity of the approved wastewater treatment system for the wine storage building (maximum of 150 visitors per event or 728 visitors per week) and that no food be prepared or washing of dishes or utensils be done in the Chai.

For a more detailed discussion please see Attachment A

FINANCING:

Funding for staff time associated with this project is included in the FY14-15 Adopted Budget for RMA-Planning.

Prepared by: Luis Osorio, Senior Planner ext. 5177

Approved by: Mike Novo, Director, RMA-Planning, ext. 5192

Carl Holm, Acting Director Resource Management Agency

This report was reviewed by John Ford, Planning Services Manager

cc: Front Counter Copy; John Ford, RMA Services Manager; John and Janella Suwada; Applicant/Owner (Coastal Cypress Corporation); Chateau Julien Winery; Anthony Lombardo & Associates; The Open Monterey Project

(Molly Erickson); LandWatch (Amy White); John H. Farrow; Janet Brennan; Project File 965157 ZA

The following attachments on file with the Clerk of the Board:

- Attachment A Discussion
- Attachment B Applicant's Request for an Administrative Interpretation
- Attachment C Administrative Interpretation of the Director of Planning and Building Inspection
- Attachment D Applicant's Appeal of the Administrative Interpretation of the Director of Planning and Building Inspection
- Attachment E Planning Commission Resolution No. 99035 Granting the Applicant's Appeal of the Administrative Interpretation of the Director of Planning and Building Inspection (File No. PLN990138)
- Attachment F Planning Commission Resolution #97028 approving the Original Use Permit for the Wine Storage Building (File # 965157 ZA)
- Attachment G Notice of Appeal filed by John and Janella Suwada.
- Attachment H Minutes, Board of Supervisors hearing, September 7, 1999
- Attachment I Property Owner's Correspondence
- Attachment J Information Package submitted by the property owner in September, 1999
- Attachment K Draft Board Resolution
- Attachment L Correspondence