



Report to the City Council  
Council Meeting of October 11, 2016

**Agenda Section:** Public Hearing

**Subject:** Appeal of the Planning Commission Decision to Deny a Short-term Rental Permit Renewal to Steve and Brenda Podesta of 1243 Stockton Street.

**CEQA Determination:** Exempt pursuant to Section 15061(B)3

**Prepared By:** Aaron Hecock, Senior Planner

**Reviewed By:** Noah Housh, Planning and Community Improvement Director NH

**Approved By:** NH for Jennifer Phillips, City Manager

**BACKGROUND**

The applicant received their short-term rental (STR) permit on July 31, 2012 and was subsequently renewed for two-years in 2014. The applicant's current STR permit expired on July 31, 2016. As required by the STR ordinance, the applicant submitted a STR permit renewal application 30 days prior to the permit expiring. This renewal application was originally scheduled to be heard by the Planning Commission on August 2, 2016 due to the number of incidents associated with the STR at this location, however the item was continued at the applicant's request. The public hearing and Planning Commission denial of the application occurred on September 6, 2016.

**DISCUSSION**

As detailed in the attached Resolution of Denial, the Planning Commission denied the applicant's request for a STR permit renewal because they determined that the establishment of a short-term rental at the project site is not compatible with, and will be detrimental to, the character of the Stockton Street neighborhood and surrounding land uses given the narrow street, limited parking, smaller lot sizes and reduced setbacks associated with the historic development pattern of this area. Further, the Planning Commission found that activities associated with a short-term rental at this particular location could be injurious to public health, safety or welfare due to the unique character of Stockton Street, (e.g. narrow streets, parking on one side of the street only, and compact nature of development), the increased traffic and noise associated with the operation of a Short Term Rental at the location and the overall density of short term rental operations in this area of the City, and is therefore subject to the limitations imposed by Chapter 17.134 of the Municipal Code.

The Planning Commission also found that the operation of a Short Term Rental at 1243 Stockton Street has created adverse impacts to the neighborhood and resulted in a loss of character based on the evidence presented, the number of complaints received by the City and the testimony made at the public hearing.

In addition to the six (6) calls to the Police Department detailed in the attached staff report to the Planning Commission, there have been three (3) incidents related to the property since the original Planning Commission date of August 2, 2016. These incidents are summarized below:

<b>CALLS/REPORTS TO POLICE (since 1<sup>st</sup> P.C. Hearing)</b>	
<b>Call Date</b>	<b>Incident</b>
9-7-16	Call to police – private issue.
9-9-16	Call to police – neighbor dispute.
9-12-16	Visit to police – neighbor requesting assistance in dealing with the operators of the STR.

In addition to these formalized complaints and calls to the SHPD, planning staff has fielded several complaints and concerns regarding STR activity at this property from neighboring residents. In one instance, planning staff responded to a concern over STR patrons parking their vehicles on the street by visiting the property. Upon getting to the 1243 Stockton, all street parking spaces were taken, however no cars were parked in the driveway and no one answered the door. Based on this, staff was unable to substantiate the validity of the concerns regarding STR patrons parking on the street.

**APPLICANT APPEAL**

The applicant is appealing the Planning Commission’s decision to deny their request for permit renewal as they feel the decision was not supported by the facts nor based on the requirements of the municipal code according to their written statement (attached).

**FISCAL IMPACT**

Upholding the Planning Commission’s decision would result in a short-term decline in TOT paid to the City as no TOT would be paid until a new STR permit is issued. Granting the appeal would maintain the status quo as the applicant would be required to submit TOT based on the number of times they rent their property.

**RECOMMENDED ACTION**

Staff recommends the City Council consider the appeal, staff report, and all testimony, written and spoken and either grant or deny the applicant’s appeal of the Planning Commission’s decision to deny their request for a short-term permit renewal.

**ATTACHMENTS**

1. Resolution Denying Appeal
2. Resolution Granting Appeal
3. Applicant Statement(s)
4. September 6, 2016 Planning Commission Report
5. Planning Commission Resolution of Denial
6. Correspondence

**CITY OF ST. HELENA**

**RESOLUTION NO. 2016-**

**DENIAL OF AN APPEAL TO A PLANNING COMMISSION DECISION TO DENY AN APPLICATION FOR A SHORT-TERM RENTAL PERMIT RENEWAL TO STEVE AND BRENDA PODESTA AT 1243 STOCKTON STREET IN THE MR: MEDIUM DENSITY RESIDENTIAL DISTRICT (PL16-065)**

**PROPERTY OWNER:** Steve and Brenda Podesta

**APN:** 009-313-270

**RECITALS**

1. The applicant originally received approval to operate a Short-term Rental at 1243 Stockton Street in 2012 and was subsequently renewed for two-years in 2014; and
2. The applicant submitted the required request for a permit renewal to continue to operate a Short-term Rental at 1243 Stockton Street in the MR: Medium Density Residential district; and
3. Based on the number of complaints to the St Helena Police Department and general neighborhood concerns voiced regarding the short term rental operations at the location, the Planning Commission of the City of St. Helena, State of California, held a duly noticed public hearing to review the requested renewal on September 6, 2016.
4. At the conclusion of the public hearing on September 6, 2016, having considered the record of the proceedings before it, the written evidence submitted prior to the close of the public hearing, and the testimony and other evidence submitted at the aforementioned public hearing and having deliberated the matter, the Planning Commission denied the application for a Short-term Rental Permit Renewal.
5. The Applicant and the Property Owner filed a timely appeal of the decision of the Planning Commission to the City Council.
6. The City Council considered the Applicants' Appeal at a duly noticed public hearing on October 11, 2016. The City Council, after reviewing materials provided from the Planning Commission Public Hearing, as well as considering the record of the proceedings before the City Council, the written evidence submitted for the Council Public Hearing, and the testimony and other evidence submitted at the Council Public Hearing, voted to uphold the decision of the Planning Commission denying the Appeal and denying the Short-term Rental Permit Renewal.

**RESOLUTION**

The City Council of the City of St. Helena, State of California, hereby denies the appeal of the Planning Commission's decision to deny a Short-term Rental Permit Renewal to the owners of real property located at 1243 Stockton Street on the following basis:

A. Incorporation of Recitals. The foregoing Recitals are true and correct and are incorporated herein and form a part of this Resolution.

B. Compliance with CEQA.

The City Council further finds that the project is exempt from CEQA pursuant to Section 15061(B)3, which exempts any project where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment and Section 15270(a) in which CEQA does not apply to projects that a public agency rejects or disapproves.

C. Findings.

Short-term Rental Permit Processing. In order to grant a request for a Short-term Rental Permit, Section 17.134.060 of the St. Helena Municipal Code requires that the City Council make the following findings:

1. The establishment of a short-term rental at the subject property is consistent with the purpose of the general plan, including policies regarding the displacement of rental units in the housing stock.
2. The establishment of a short-term rental at the subject property will not be detrimental to a building, structure or feature of significant aesthetic, cultural, architectural or engineering interest or value of a historical nature.
3. The establishment of a short-term rental at the project site is compatible with and will not be detrimental to the character of the neighborhood and surrounding land uses.
4. The establishment of a short-term rental at the project site will provide an enhanced visitor experience and accommodation as an alternative to the hotel, motel, and bed and breakfast accommodations currently existing in the city and will help to ensure the collection and payment of transient occupancy taxes.

*The City Council finds that it cannot make all of the required findings, above in that:*

1. *The establishment of a short-term rental at the project site is not compatible with, and will be detrimental to, the character of the Stockton Street neighborhood and surrounding land uses given the narrow street, limited parking, smaller lot sizes and reduced setbacks associated with the historic development pattern of this area.*
2. *Activities associated with a short-term rental at this particular location could be injurious to public health, safety or welfare due to the unique character of Stockton Street, (e.g. narrow streets, parking on one side of the street only, and compact nature of development), the increased traffic and noise associated with the operation of a Short Term Rental at the location and the overall density of short term rental operations in this area of the City, and is therefore subject to the limitations imposed by Chapter 17.134 of the Municipal Code.*
3. *Operation of a Short Term Rental at 1243 Stockton Street has created adverse impacts to the neighborhood and resulted in a loss of character*

*based on the evidence presented, the number of complaints received by the City and the testimony made at the public hearing.*

D. Denial of Appeal. Based on the foregoing, the City Council does hereby deny the appeal of the Planning Commission's decision to deny a Short-term Rental Permit Renewal to the owners of real property located at 1243 Stockton Street

Approved at a Regular Meeting of the St. Helena City Council on October 11, 2016, by the following vote:

Mayor Galbraith: \_\_\_\_\_  
Vice Mayor White: \_\_\_\_\_  
Councilmember Crull: \_\_\_\_\_  
Councilmember Dohring: \_\_\_\_\_  
Councilmember Pitts: \_\_\_\_\_

APPROVED:

ATTEST:

\_\_\_\_\_  
Alan Galbraith, Mayor

\_\_\_\_\_  
Cindy Black, City Clerk

**CITY OF ST. HELENA**

**RESOLUTION NO. 2016-**

**GRANTING THE APPEAL OF STEVE AND BRENDA PODESTA TO OVERTURN THE PLANNING COMMISSION DENIAL OF AN APPLICATION FOR A SHORT-TERM RENTAL PERMIT RENEWAL AT 1243 STOCKTON STREET IN THE MR: MEDIUM DENSITY RESIDENTIAL DISTRICT (PL16-065)**

**PROPERTY OWNER:** Steve and Brenda Podesta

**APN:** 009-313-270

**RECITALS**

1. The applicant originally received approval to operate a Short-term Rental at 1243 Stockton Street in 2012 and was subsequently renewed for two-years in 2014; and
2. The applicant submitted the required request for a permit renewal to continue to operate a Short-term Rental at 1243 Stockton Street in the MR: Medium Density Residential district; and
3. Based on the number of complaints to the St Helena Police Department and general neighborhood concerns voiced regarding the short term rental operations at the location, the Planning Commission of the City of St. Helena, State of California, held a duly noticed public hearing to review the requested renewal on September 6, 2016.
4. At the conclusion of the public hearing on September 6, 2016, having considered the record of the proceedings before it, the written evidence submitted prior to the close of the public hearing, and the testimony and other evidence submitted at the aforementioned public hearing and having deliberated the matter, the Planning Commission denied the application for a Short-term Rental Permit Renewal.
5. The Applicant and the Property Owner filed a timely appeal of the decision of the Planning Commission to the City Council.
6. The City Council considered the Applicants' Appeal at a duly noticed public hearing on October 11, 2016. The City Council, after reviewing materials provided from the Planning Commission Public Hearing, as well as considering the record of the proceedings before the City Council, the written evidence submitted for the Council Public Hearing, and the testimony and other evidence submitted at the Council Public Hearing, voted to overturn the decision of the Planning Commission granting the Appeal and granting the Short-term Rental Permit Renewal.

**RESOLUTION**

The City Council of the City of St. Helena, State of California, hereby (i) grants the Appeal of Steve and Brenda Podesta to overturn the decision of Planning Commission and (ii) grants the Short-term Rental Permit Renewal for the single-family home located at 1243 Stockton Street, on the following basis:

- A. Incorporation of Recitals. The foregoing Recitals are true and correct and are incorporated herein and form a part of this Resolution.
- B. Compliance with CEQA. The City Council hereby finds that the Project is exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15061(B)3, which exempts any project where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.
- C. Short-term Rental Permit Findings. In accordance with Municipal Code Section 17.134.060, the City Council makes the following findings to support the granting of the Applicant's request for a Short-term Rental Permit on the subject parcel:
- 1. The establishment of a short-term rental at the subject property is consistent with the purpose of the general plan, including policies regarding the displacement of rental units in the housing stock.*
  - 2. The establishment of a short-term rental at the subject property will not be detrimental to a building, structure or feature of significant aesthetic, cultural, architectural or engineering interest or value of a historical nature.*
  - 3. The establishment of a short-term rental at the project site is compatible with and will not be detrimental to the character of the neighborhood and surrounding land uses.*
  - 4. The establishment of a short-term rental at the project site will provide an enhanced visitor experience and accommodation as an alternative to the hotel, motel, and bed and breakfast accommodations currently existing in the city and will help to ensure the collection and payment of transient occupancy taxes.*
- D. Conditions of Approval. The Short-Term Rental Permit for the above described parcel is granted subject to compliance with the following conditions. The permit shall be in conformance with all City ordinances, rules, regulations and policies in effect at the time of issuance of the permit. The conditions noted below are particularly pertinent to this permit and shall not be construed to permit violation of other laws and policies not so listed. Pursuant to the St. Helena Municipal Code, Section 17.134.040. Short-Term Rentals shall be subject to the following restrictions and standards:
1. The short-term rental use shall be permitted in no more than one single-family dwelling per lot.
  2. The short-term rental permit shall be in the name of the owner-applicant, who shall be an owner of the real property upon which the short-term rental use is to be permitted. One person may hold no more than one short-term rental permit. The permit shall not be transferable.
  3. Short-term rental uses shall be limited to single-family dwellings existing and constructed as of the date of application for the short-term rental permit.
  4. The total number of permits for short-term rental dwellings shall not exceed twenty-five (25) at any time.

5. The maximum number of bedrooms used for short-term rental use in the short-term rental dwelling shall be no greater than five. The total number of guests staying in the short-term rental dwelling at any one time shall be no greater than two times the number of bedrooms plus two persons, up to a maximum of twelve (12) persons.
6. Short-term rental dwellings shall meet all applicable building, health, fire and related safety codes at all times and shall be inspected by the fire department before any short-term rental activity can occur.
7. A minimum of two on-site parking spaces shall be provided for use by the short-term rental occupants.
8. The owner-applicant shall keep on file with the city the name, telephone number, cell phone number, and e-mail address of a local contact person who shall be responsible for responding to questions or concerns regarding the operation of the short-term rental. This information shall be posted in a conspicuous location within the short-term rental dwelling. The local contact person shall be available twenty-four (24) hours a day to accept telephone calls and respond physically to the short-term rental within thirty (30) minutes when the short-term rental is rented and occupied. The city shall post the name and contact information of the local contact person associated with each short-term rental on the city's webpage.
9. The owner-applicant shall post "house policies" within each guest bedroom. The house policies shall be included in the rental agreement, which must be signed by the renter and shall be enforced by the owner-applicant or the owner-applicant's designated contact person. The house policies at a minimum shall include the following provisions:
  - a. Quiet hours shall be maintained from ten p.m. to seven a.m., during which noise within or outside the short-term rental dwelling shall not disturb anyone on a neighboring property.
  - b. Amplified sound that is audible beyond the property boundaries of the short-term rental dwelling is prohibited.
  - c. Except as permitted by the planning director, vehicles shall be parked in the designated on-site parking area and shall not be parked on the street overnight.
  - d. Parties or group gatherings which exceed the maximum number of allowed guests and/or which have the potential to cause traffic, parking, noise or other problems in the neighborhood are prohibited from occurring at the short-term rental property, as a component of short-term rental activities.
10. Auctions, weddings, commercial functions, and any other similar events which have the potential to cause traffic, parking, noise or other problems in the neighborhood are prohibited from occurring at the short-term rental property, as a component of short-term rental activities.

11. The owner-applicant shall ensure that the occupants and/or guests of the short-term rental use do not create unreasonable noise or disturbances, engage in disorderly conduct, or violate provisions of this code or any state law pertaining to noise, disorderly conduct, the consumption of alcohol, or the use of illegal drugs or be subject to fines and penalties levied by the city up to and including revocation of the short-term rental permit.
12. The owner-applicant, upon notification that occupants and/or guests of his or her short-term rental use have created unreasonable noise or disturbances, engaged in disorderly conduct or committed violations of this code or state law pertaining to noise, disorderly conduct, the consumption of alcohol or the use of illegal drugs, shall prevent a recurrence of such conduct by those occupants or guests or be subject to fines and penalties levied by the city up to and including revocation of the short-term rental permit.
13. All advertising for any short-term rental, including electronic advertising on short-term rental websites, shall include the number of the short-term rental permit granted to the owner-applicant.
14. The owner-applicant shall maintain city business licenses and pay all transient occupancy taxes in accordance with Chapter 3.28 as required.
15. Preference for the review and issuance of new short-term rental permits shall be given to current residents of St. Helena over nonresident applicants. Applicants whose primary residence is within the city of St. Helena shall be reviewed and acted on ahead of other nonresident applications to implement the local preference policy for short-term rental permits.
16. Applicants for short-term rental permits are required to have owned their homes for a minimum of three years prior to applying for and being issued a short-term rental permit.
17. Short-term rental permit holders are required to rent their properties on a short-term basis a minimum (average) of sixty (60) days per year. Individual permit holders who do not meet this minimum rental activity may (at the determination of the director) have their renewal denied and/or reviewed by the planning commission at a noticed public hearing. Short-term rental permit holders who utilize their primary residence for short-term rental activities are exempted from this requirement.
18. This permit is valid for 2 years and the owner must reapply for subsequent Short Term Rental Permits to extend the use beyond this period.
19. In any action or proceeding to attack, challenge, invalidate, set aside, void or annul the City's approval of applicant's Project, in whole or in part, applicant shall defend, at its own expense and without any cost to the City, and with counsel acceptable to the City, and shall fully and completely indemnify and hold the City, its agents, officers, and employees harmless from and against any and all

claims, causes of action, damages, costs, attorney's fees and liability of any kind, so long as the City reasonably promptly notifies the applicant of any such claim, action, or proceedings and the City cooperates fully in the defense of the action or proceedings.

Approved at a Regular Meeting of the St. Helena City Council on October 11, 2016, by the following vote:

Mayor Galbraith: \_\_\_\_\_  
Vice Mayor White: \_\_\_\_\_  
Councilmember Crull: \_\_\_\_\_  
Councilmember Dohring: \_\_\_\_\_  
Councilmember Pitts: \_\_\_\_\_

APPROVED:

ATTEST:

\_\_\_\_\_  
Alan Galbraith, Mayor

\_\_\_\_\_  
Cindy Black, City Clerk

**Steven and Brenda Podesta**

1243 Stockton Street  
Saint Helena, CA 94574  
Tel.: (707)-299-8902

*Email: [stevepodesta@gmail.com](mailto:stevepodesta@gmail.com)*

**September 13, 2016**

Town Council  
City of Saint Helena  
1480 Main Street  
Saint Helena, CA. 94574

**Re: PL16-049-Short-Term Rental Permit-1243 Stockton Street  
Notice of Appeal**

Dear Members of the Town Council:

This matter involves an appeal from the planning departments denial of my short-term rental permit for my primary residence. Noah Housh, the Planning Director, recently emailed me a copy of the Resolution, which is the factual basis for the denial of my short-term rental permit. Having the read the Planning Committee's reasons in the Resolution, it has become somewhat obvious to me that the denial of the permit was not based on the requirements of the municipal code. There must have been some other hidden agenda and, therefore, I respectfully submit the following facts in response to the Planning Committee's Resolution.

First, my house has off-street parking for up to eight (8) vehicles. When guests come to stay they never park on the street. It is the rule and not the exception that they do so and rarely are there more than two guest vehicles parked in my long driveway. In that same vein, on the whole, my guests rarely come and go in their vehicles when they stay in Saint Helena. Typically, visitors to the Napa Valley are gone all day and, when they return to my house, are usually ready to relax and wind down. In short, my guests never park on the street. This is based on the undeniable fact that my house has off-street parking for eight (8) vehicles.

Second, Stockton Street, while classified as a "narrow street," has become a main thoroughfare for the many commercial and industrial vehicles operating in the area. Construction vehicles of all sizes use Stockton Street starting early in the morning and continue to use it throughout the work-day. Again, when I do have guests, they are not the problem. I invite each and every one of the members to

visit Stockton Street on any given regular work day and witness for themselves the high commercial traffic that utilizes Stockton Street in their normal course of business. I will, of course, present video and photographic evidence of the commercial traffic to prove my point. I submit the increased regular commercial use of Stockton Street affects the character of the neighborhood more than any short-term visitor I rent to from out of State. Again, the planning committee's reliance on "*noise associated with the operation of a short-term rental operations in this area of the City,*" is not based on any reliable evidence and appears to be more boilerplate language to justify their decision. Had any committee member performed any due diligence, the decision to deny the renewal of my short-term rental permit could not be based on the reasons stated in the Resolution. The noise created by the commercial vehicles, local construction, and school yard playtime makes up the overwhelming bulk of any unwanted noise, not my occasional guest.

Third, my lot has a very large setback from my neighbor behind me and the house sits well off Stockton Street. The many trees and shrubs growing all around the property also provide ample privacy and a natural sound barrier to all of my neighbors. Again, I invite every member of the town council to come visit my home and see for themselves what is really going on in the neighborhood.

Finally, the complaints allegedly received by the City and the testimony made at the public hearing do not rise to a level that would even require a hearing under the municipal code. As I previously outlined in my initial correspondence, the majority of the calls to the police department have come from Amir Kashani. He is currently restrained under court order from contacting or disturbing me, my family or any of my guests. Knowing this fact, the planning committee allowed Mr. Kashani to make public comments at the hearing. In one of his public comments, over objection, Mr. Kashani, in no uncertain terms, suggested I rent to "rapist." How this can be tolerated is unacceptable. The committee's ratification of such outright defamation is, to say the least, most disconcerting. Be that as it may, I will let the justice system deal with such a clear violation of the Napa County Superior Court's restraining order.

As full-time residents of Saint Helena with deep ties to the community, my wife and I value the sanctity and peace of our neighborhood. We have made every effort to satisfy both our neighbors and this town's concerns regarding the law pertaining to short-term rentals. Quite frankly, the only reason I occasionally rent my home is to pay for my recent kidney transplant and the medicine required to keep me alive. Nonetheless, I feel the planning committee paid no attention to the facts. Over twenty-one local business owners provided letters of support. Most of my neighbors also provided strong letters of support. Why none of these facts were considered by the planning committee is contrary to the intent of the relevant law governing short-term rentals in Saint Helena.

Please be advised that I will present photographic and/or other video-graphic evidence that supports my request at the hearing. I anticipate several local business owners and neighbors to show up and express unqualified support for my permit renewal as well.

I respectfully request that the Town Council renew my permit in accordance with and pursuant to Section 17.134 of the Municipal Code as all of the conditions thereto have been satisfied.

Very sincerely yours,

Steven Podesta

**Steven and Brenda Podesta**

1243 Stockton Street  
Saint Helena, CA 94574  
Tel.: (707)-299-8902

*Email: [stevepodesta@gmail.com](mailto:stevepodesta@gmail.com)*

City of St Helena, City Hall  
Received

SEP 07 2016

1480 Main St.  
St Helena, CA 94574

September 7, 2016

Aaron Hecock  
Planning Department  
City of Saint Helena  
1480 Main Street  
Saint Helena, CA. 94574

**Re: PL16-049-Short-Term Rental Permit-1243 Stockton Street  
Notice of Appeal**

Dear Aaron:

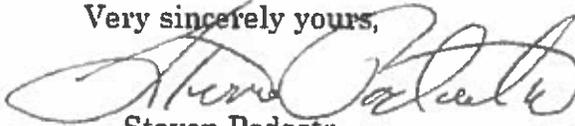
Last night, the Planning commission's decision to not renew my Short-term rental permit, to say the least, was a very disheartening. Needless to say, it has raised new issues regarding the Permit.

First, I have executory contracts that need to be performed. I legally rented my personal residence to folks coming from as far as Europe and need to honor those contracts. The contracts were executed based on the legally issued rental permit and, therefore, the conditions precedent thereof, will be performed. The parties coming to Saint Helena have booked other high-priced events, such as weddings and family reunions. As you know, the months of September and October are "crush" months and attract visitors from all over the world. Should any adverse conduct to our visitors stay occur, it will, in all likelihood, create a scenario in which damages will be pursued and most likely awarded. Personally, I would like to avoid further legal embattlements.

From what I personally observed, last night, only four members of the commission voted on and decided our fate. Unbelievably, and knowing the Kashani's were ordered by the Napa County Superior Court to not slander me or my family, over objection, the committee allowed both Kashani's to make defamatory remarks about me and my wife. The suggestion that I house "rapist's" was totally unacceptable and will be handled accordingly. In fact, I am obligated to notify commissioner Victoria Wood of the violation of her court order.

Unfortunately, the committee's decision will in all likelihood only give the Kashani's more fuel to ignite their well-documented and ongoing harassment campaign against me and my family. Again and, much to my dismay and utter disappointment, I will need to necessarily become inextricably intertwined with the Kashani's when my guests arrive. You can help me with the anticipated and foreseeable harassment of my guests by making it perfectly clear to them of the legality of our ongoing rental based upon the enclosed Appeal to the Town Council.

Very sincerely yours,



Steven Podesta

Encl.: Notice of Appeal,  
Civil Mediation Agreement

c.c. Saint Helena Police Dept.  
Commissioner Victoria Wood,  
Napa County Superior Court

CITY OF ST. HELENA  
PLANNING DEPARTMENT 1480 MAIN STREET- ST. HELENA, CA 94574  
PLANNING COMMISSION

SEPTEMBER 6, 2016

**AGENDA ITEM:** 6

**FILE NUMBER:** PL16-049

**SUBJECT:** Request by Steve Podesta for a Short-term Rental Permit Renewal in order to continue the ability to rent the single-family home located at 1243 Stockton Street in the MR: Medium Density Residential district in accordance with the requirements of the short-term rental ordinance.

**PREPARED BY:** Aaron Hecock, Senior Planner

**REVIEWED BY:** Noah Housh, Planning Director

**APPLICATION FILED:** 06/29/16

**ACCEPTED AS COMPLETE:** 07/18/16

**LOCATION OF PROPERTY:** 1243 Stockton Street

**APN:** 009-313-270

**GENERAL PLAN/ZONING:** MR: Medium Density Residential

**APPLICANT:** Steve Podesta

**PHONE:** (707) 299-8902

**DESCRIPTION**

The applicant received their short-term rental (STR) permit on July 31, 2012 and was subsequently renewed for two-years in 2014. The applicant's current STR permit set to expire on July 31, 2016. As required by the STR ordinance, the applicant submitted a STR permit renewal application 30 days prior to the permit expiring. This renewal application is now before the Planning Commission for consideration for the reasons detailed below.

**ANALYSIS**

**CEQA**

The project is exempt from CEQA pursuant to Section 15061(B)3, which exempts any project where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

**GENERAL PLAN/ZONING**

The property has a General Plan and Zoning designation of Medium Density Residential (MR). This district provides for single-family detached homes, accessory

dwelling units and compatible uses. Short-term rentals are a permitted use within the MR district with the issuance of a short-term rental permit.

**SHORT-TERM RENTAL PERMIT**

Municipal Code Section 17.134 regulates short-term rentals within the City. Section 17.134.065 pertains to permit renewals and states the following:

- A. A minimum of thirty (30) days prior to the expiration of a current short-term rental permit, the permit holder shall submit a short-term rental permit renewal application and pay applicable fees to the city.
- B. Upon receipt of a renewal application, the planning department will confirm with the finance department that the applicant's business license is current and that all required transient occupancy taxes (TOT) have been reported and paid (see Chapter 5.08 for addressing lack of payment/business license).
- C. The planning department will refer the application to the St. Helena police department to request all police calls for services and/or complaints lodged against the property over the course of the two-year permit.
- D. If the permit holder has a current business license, has rented their property on a short-term basis for an average of sixty (60) days per year (as applicable), has been properly reporting and paying TOT, and has fewer than three STR related complaints filed over the two years, the planning department may administratively approve the renewal which shall be good for an additional two years. If all of these provisions are not met, the renewal shall be referred to the planning commission for action at a public hearing. The planning department also has discretion to refer the renewal application to the planning commission for a decision pursuant to the process and standards set forth in Section 17.134.060.
- E. The planning director may deny the renewal if the applicant has violated any provision of this chapter.

The planning commission shall review and either approve or deny the application pursuant to Section 17.134.060 of the STR Ordinance after considering the effects the proposed use would have on surrounding uses and the cumulative impacts within the community. In approving a short-term rental application, the planning commission must make the following findings:

- 1. The establishment of a short-term rental at the subject property is consistent with the purpose of the general plan, including policies regarding the displacement of rental units in the housing stock.
- 2. The establishment of a short-term rental at the subject property will not be detrimental to a building, structure or feature of significant aesthetic, cultural, architectural or engineering interest or value of a historical nature.

3. The establishment of a short-term rental at the project site is compatible with and will not be detrimental to the character of the neighborhood and surrounding land uses.

4. The establishment of a short-term rental at the project site will provide an enhanced visitor experience and accommodation as an alternative to the hotel, motel, and bed and breakfast accommodations currently existing in the city and will help to ensure the collection and payment of transient occupancy taxes.

***Staff Response:*** While the applicant submitted their renewal application on-time, the application was deemed incomplete as not all required fees were paid. The required fees were paid on July 18, 2016 and the application was placed on the next available Planning Commission agenda. According to the Finance Department, the applicant has failed to remit one TOT form in the last fiscal year which is not uncommon among permit holders as the monthly reporting requirement is sometimes overlooked. The Planning Department is actively working with the Finance Department to ensure that all permit holders are aware of the reporting requirements. The reason this application is before the Planning Commission is that according to the Police Department, there have been six (6) calls to the police department since April 2015 related to this address. Of these calls, three (3) were neighbor complaints about the short-term rental however, short-term renters were only involved in one (1) of the calls regarding on-street parking and noise problems (see below):

CALLS TO POLICE (term of permit)	
Call Date	Incident
4-24-15	Neighbor dispute.
8-1-15	Neighbor dispute.
10-25-15	Neighbor dispute over STR – STR renters not involved.
4-1-16	Complaint of renters parking on-street and on-going noise problems. City Hall to handle parking issue and advised to report noise issues at time of occurrence.
4-19-16	Neighbor dispute over STR – STR renters not involved.
4-22-16	Neighbor dispute.

*Staff felt that the number of police incidents at this address required this application to come before the Planning Commission for approval in order to give the neighbors an opportunity to comment on any outstanding issues or concerns with short-term rentals at this specific address and for the applicant to be able to respond to those issues and concerns.*

### **CORRESPONDENCE**

As of the completion of this report, staff has received five (5) letters in opposition to this application and three (3) letters in support of the application.

**STAFF RECOMMENDATION**

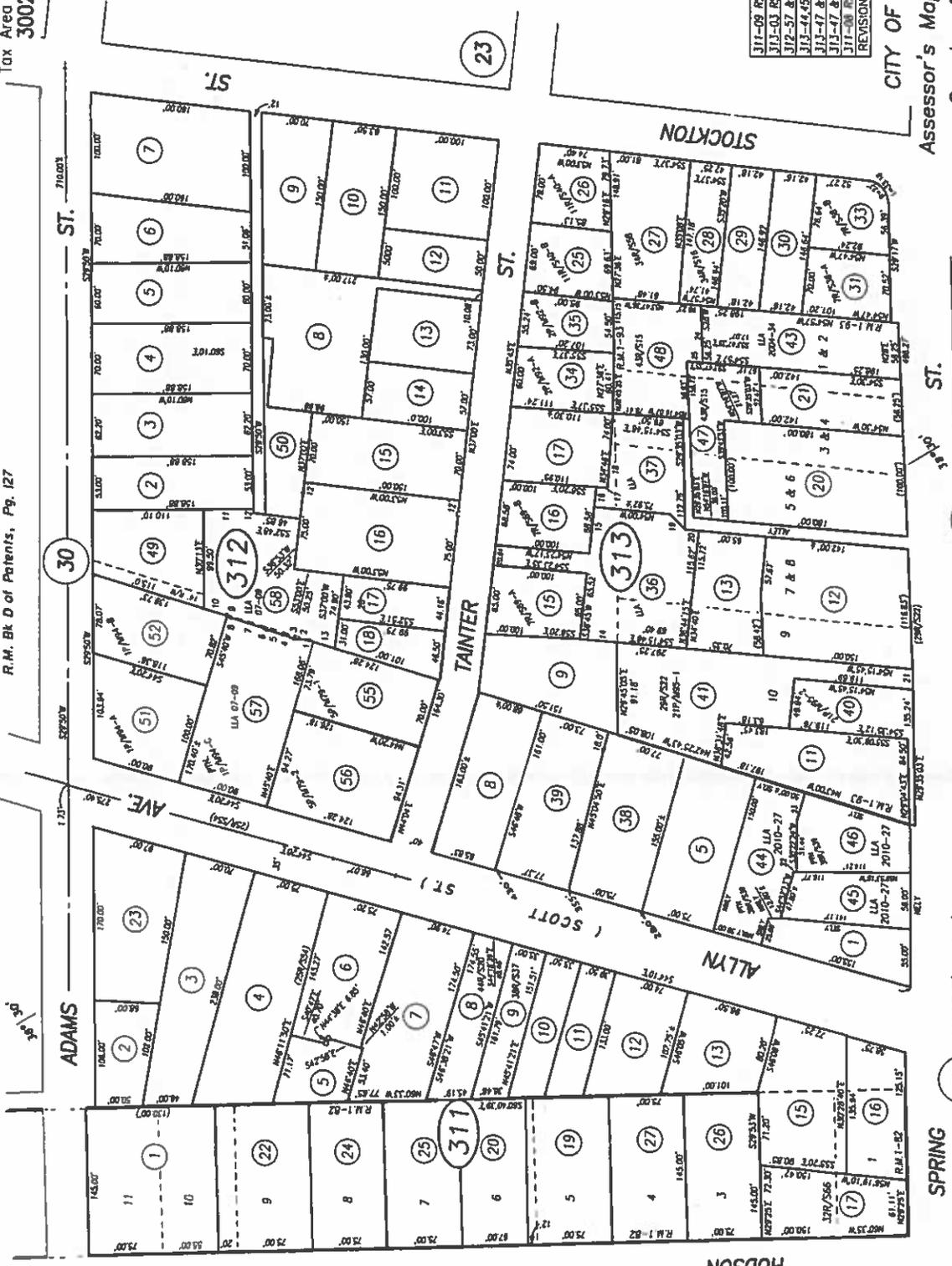
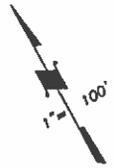
Staff recommends that the Planning Commission consider the information presented above and at the public hearing and either approve or deny the application after considering the required findings and:

1. The project is exempt from CEQA pursuant to Section 15061(B)3, which exempts any project where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.
2. Accept or reject the required findings and approve or deny the proposed short-term rental permit at 1243 Stockton Street.

**ATTACHMENTS**

1. APN Map
2. Aerial
3. STR Permit Locations Map
4. Applicant Statement
5. Comment Letters
6. Approval Resolution
7. Denial Resolution

**POR. RANCHO CARNE HUMANA**  
 R.M. Bk D of Patents, Pg. 127



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REVISION	DATE
311-09 RS	4-18-07
313-03 RS	4-18-07
312-57 & 58 UA	8-15-07
313-44, 45, 46 UA	9-12-11
313-47 & 48 UA	10-25-13
313-47 & 48 RS	3-6-14
311-00 RS	10-30-14

CITY OF ST. HELENA  
 Assessor's Map Bk. 9 Pg. 31  
 County of Napa, Calif.  
 1954-60-61

NOTE: This Map Was Prepared For Assessment Purposes Only. No Liability Is Assumed For The Accuracy Of The Data Delimited Hereon.

32 HASTIE'S ADD'N,  
 7 FEALEY'S ADD'N,  
 32 R.M. BK. 1, PG. 82  
 R.M. BK. 1, PG. 93



Google earth

36°30'03.16" N, 122°28'20.50" W, elev: 272 ft, 690 m, 1915 ft

1993

Wall St

1243 Stockton St

Spring St

Spring St

Spring St

Stockton St

Spring St

Spring St

Spring St

Spring St

Spring St

**CITY OF  
ST. HELENA**

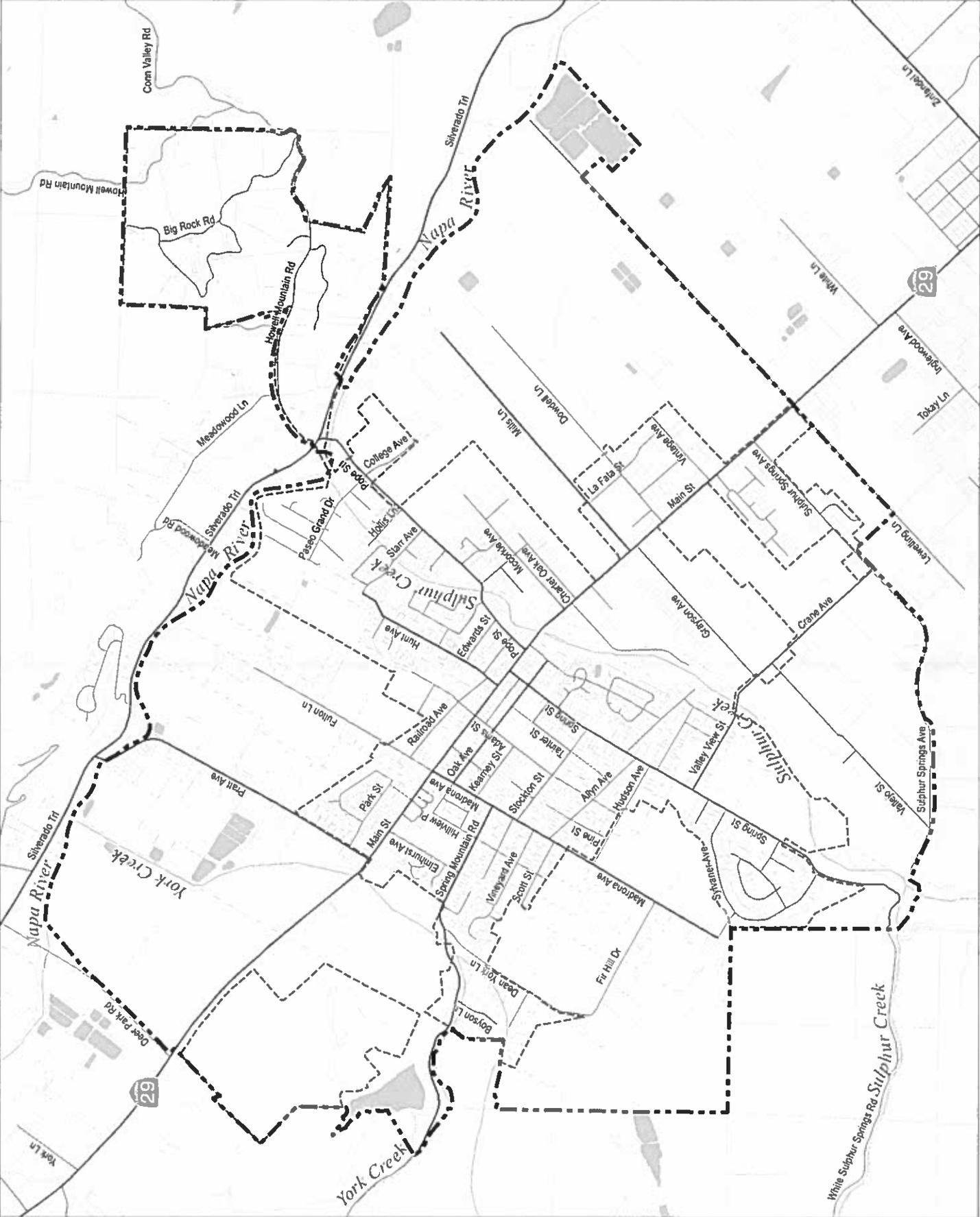
**Base Map**

**LEGEND**

- Major Roads
- Local Roads
- River/Stream/Creek
- Water Bodies
- ▭ Parcels
- - - St. Helena City Boundary
- ▭ Urban Limit Line
- ▭ Short-term Rental Locations (approximate)



**SAINT HELENA**



**Steven and Brenda Podesta**

1243 Stockton Street  
Saint Helena, CA 94574  
Tel.: (707)-299-8902

*Email: [stevepodesta@gmail.com](mailto:stevepodesta@gmail.com)*

August 17, 2016

Aaron Hecock  
Planning Department  
City of Saint Helena  
1480 Main Street  
Saint Helena, CA. 94574

**Re: PL16-049-Short-Term Rental Permit-1243 Stockton Street  
Hearing Date: September 6, 2016**

Dear Aaron:

In response to our recent communication please consider the following. As you are aware, my wife, Brenda, appeared before the members of the planning department on August 2, 2016 to address any and all of your questions or concerns regarding the short-term rental of our primary and only residence located at 1243 Stockton Street. At the time, however, she was too distraught over the recent passing of my father and was unable to proceed with the hearing. Nonetheless, I would like to present the following facts in support of the renewal of our short-term rental permit number 2012-31, issued on July 23, 2012.

My wife and I have made Saint Helena our home and primary residence since 2006. Saint Helena is our home. I am a member in good standing of the Saint Helena chapter of the International Order of Oddfellows and the Meadowood County Club. When we do, on occasion, choose to rent our home, we strictly follow and abide by the Saint Helena Municipal Code, Section 17.134.040, restrictions, standards and our own personal house policies.

The permit is issued in my name and I am the owner of 1243 Stockton Street. My home has four bedrooms and we never allow more than eight persons to stay at our home. All applicable building, health, fire and related safety codes are met and followed. I have off-street parking at my house that can accommodate at least seven cars but rarely are there more than two when the house is rented. This is

because we attempt to avoid renting to people from California especially close to our home to avoid the possibility of unknown friends of guests showing up. That being said, we do however rent to friends and family of our Saint Helena community. Thus offering them an affordable haven for them to accommodate their guests while visiting them here in Saint Helena. The SHFD has inspected and determined the house to be in compliance as well.

All of the necessary onsite contact information has been made available to the public and the City pursuant to subsection (H) of section 17.134. In addition, we have posted rigorous "house policies" within each guest bedroom in accordance with subsection (F), see enclosed signs we have included with this letter. Pursuant to our house rules, quiet hours are maintained from 9:00 p.m. to 9:00 a.m. Amplified sound that is audible beyond the property is forbidden and we look for renters who are more mature in their age than others, preferably over 50. We also don't allow renters to have additional guests, group gatherings or pets of any kind. Toward that end, I screen any potential renters thoroughly before they are allowed to stay.

Regarding the July 29, 2016 letter typed but not signed by "Anonymous," I don't believe this should be considered as credible given its unsigned and anonymous nature. We don't know who anonymous is and, as such, have no ability to confront or address such anonymous hearsay. The neighbors at 1219 Stockton, Ana Canales and Bruce Streblov, prepared a positive and supporting letter on August 2, 2016. Additionally, the neighbor at 1240 Stockton, Rick Garber, prepared a positive letter on August 2, 2016 (enclosed herein). Of the fifty or so neighbors notified of the renewal, only four have apparently sent in written comments. Of the four, one was anonymous, two were positive and one was not based on accurate facts and does not own the home as she is a renter herself. The bottom line, however, is that only 2% of the fifty neighbors notified have responded, which is far less than the 30% needed to even raise a valid concern according to the planning departments regulations.

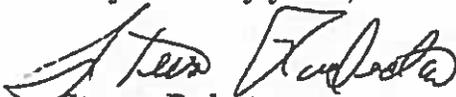
Of the six calls apparently made to the police between April 24, 2015 and April 22, 2016, only one involved a renter and it was promptly dealt with in accordance with our house policies and the Cities regulations. The overwhelming bulk of the calls involved our neighbor, Amir Kashani, and he is currently under Court Order not to contact, engage in verbal dialogue or statements, annoy or harass me, my wife, immediate family or our guests anywhere in town or to others (see enclosed Civil Mediation Agreement). Which leads me back to the "anonymous" letter of complaint to the city. Per this court order, if this letter is from this particular neighbor, which we don't have any proof of who and what address, this would be a violation of Item 4

of the Court Order, Mediation Agreement; which is considered to be contempt of court.

With regards to our Transient Tax Payments, we have paid TOT for the months of January, May, June and July, and will be making the August payment as scheduled for 2016, see enclosed proof of all payments. I am missing the May 2016 receipt because it was in my car, which was stolen from the driveway of my parents' home while in Reno, Nevada, taking care of my father, who passed away. However, the city has proof of this payment, which I've requested a copy, but do not have at the time of this letter.

As full-time residents of Saint Helena with deep ties to the community as stated herein, we value the sanctity and peace of our neighborhood. We have made every effort to satisfy both our neighbors and this department's concerns regarding the law pertaining to short-term rentals and have played by the rules. Recently, we have installed security cameras around the property where we can view in real time the street, backyard, driveway and the premise itself, as an added measure to maintain the sanctity and security of our home. As such, I respectfully request that the planning department renew our permit in accordance with and pursuant to Section 17.134 of the Municipal Code as all of the conditions thereto have been satisfied.

Very sincerely yours,

  
Steven Podesta

Encl.

**VERY IMPORTANT -- PLEASE READ IMMEDIATELY**

**PLEASE PARK IN OUR DRIVEWAY. AS PART OF ST HELENA'S RENTAL ORDINANCE AND TO BE KIND TO OUR NEIGHBORS, THE CITY ASKS ALL VACATION RENTERS TO PARK IN THE DRIVEWAY. THIS IS A MUST. IT IS REPORTED TO US BY OUR NEIGHBORS WHEN OUR GUESTS ARE PARKING ALL OVER OUR STREET AND NOT IN OUR DRIVEWAY WHICH CAN ACCOMMODATE UP TO 7 VEHICLES.**

**THANKS FOR HELPING US KEEP THE NEIGHBORHOOD HAPPY!**

**STEVE AND BRENDA PODESTA**

From: **Brenda Podesta** [brenda@brendapodesta.com](mailto:brenda@brendapodesta.com)  
Subject: **Quiet hours print**  
Date: **Today at 3:36 PM**  
To: **Steve Podesta 707-299-6902** [stevepodesta@gmail.com](mailto:stevepodesta@gmail.com)

Attachment 4

Please respect our quiet hours which are from 9:00 p.m. To 9:00 a.m.

Thank You!

Steve and Brenda Podesta

Sent from my iPhone

*In light of the unprecedented water issues facing our beautiful state this year, we ask that you conserve our water resources wherever possible.*

*Thank you kindly,*

*The Podesta's*

**CIVIL MEDIATION AGREEMENT**

**FILED**

**MAY 16 2016**

**SUPERIOR COURT OF CALIFORNIA  
COUNTY OF NAPA**

Clerk of the Napa Superior Court  
By: [Signature]  
Deputy

**IN THE MATTERS OF:**  
  
Steven Jack Podesta vs Amir Kashani  
Amir Kashani vs Steven Jack Podesta

**CASE NUMBERS:**  
  
16CV000260  
16CV000286  
16CV000296

**OUTCOME:** Full Agreement

**MEDIATION DATE:** May 12, 2016

**MEDIATOR:** Kathleen O'Neill, MA

**PARTIES PRESENT:**

Steven Jack Podesta  
Brenda Podesta  
Amir Kashani  
Mary Kashani

**AGREEMENT:**

The parties hereby agree:

1. Neither party shall slander the other to third parties.
2. The parties will stay a minimum of 10 feet away from each other.
3. The parties will not be on either's private property.
4. The parties will not engage in verbal dialogue or statements.
5. The parties will not shout or yell profanities at one another, or at others on their respective properties, or in their respective residences.
6. The parties will not use hand gestures or profane body language toward one another.
7. The Podesta vehicles will advance as far as possible when using the Kashani neighbor's driveway.
8. The parties will not agitate each other's visitors and/or pets.

Case Numbers:  
16CV000260  
16CV000286  
16 CV000296

**CIVIL MEDIATION AGREEMENT**

Read and Accepted by:

Steven Jack Podesta 5/12/16  
Steven Jack Podesta Date

Amir Kashani 5-12-16  
Amir Kashani Date

Brenda Podesta 5/12/2016.  
Brenda Podesta Date

**IT IS SO ORDERED:**

Victoria Wood  
Commissioner of the Superior Court  
Victoria Wood

5.12.16  
Date

Case Numbers:  
16CV000260  
16CV000286  
16 CV000296

Date: May 12, 2016

August 2, 2016

**TO:** St. Helena City Council and Planning Commission

**FROM:** Ana Canales and Bruce Streblow  
1219 Stockton Street  
St. Helena, CA 94574

**RE:** Podesta Short Term Rental  
1243 Stockton Street, St. Helena, CA 94574

As a neighbor, we would like to report that the Podesta short-term rental property has not been an issue for us over the last several years. When it was first rented, we had an issue – ONCE. We called the police as folks were up late into the night. The Podestas arrived at our door step the next day to apologize and reiterate their introduction letter to the neighbors which gave a phone number to reach them in case of a problem – PROBLEM SOLVED.

Since that time, we have never encountered a problem. Their latest guests happen to be friends of ours - Koerner Rombauer's daughter Sheana and her three adult children who all grew up in St. Helena. It was a joy to have them in our neighborhood as they children were former students of Ana's and Bruce has known Sheana since she was a child.

We believe that if people follow the rules, the short term rental situation is a win-win for St. Helena.

From: ragarber@me.com  
Subject: Fwd: 1243 Stockton  
Date: August 2, 2016 at 5:49 PM  
To: dgkatz@mac.com

----- Forwarded message -----

From: ragarber@me.com  
Date: Aug 2, 2016, 8:19 PM -0400  
To: Brenda Podesta <brenda@brendapodesta.com>  
Subject: 1243 Stockton

Brenda, please share this email as appropriate at the hearing for your permit.

Having purchased 1240 Stockton in September of 2015, Brenda and Steve Podesta warmly welcomed us to the neighborhood. As a part-time resident they have been extremely helpful in many ways, many times. We have no complaints in regard to them or their guests. As a bonus we have the pleasure looking at their beautiful yard whenever we are on our front porch.

Best Regards,

Cheers,  
Rick  
Rick Garber

**From:** Derek Dwyer [flyordwyer@gmail.com](mailto:flyordwyer@gmail.com)  
**Subject:** Character Reference  
**Date:** Today at 7:45 AM  
**To:** Steve Podesta 707-299-8802 [stevepodesta@gmail.com](mailto:stevepodesta@gmail.com)

**To Whom it may concern,**

**Steve Podesta is known to me through our membership in the Independent Order of Oddfellows. He is a generous and contributing member to both our organization and the community. I believe that he is a vital member of this town. He represents a member of the small group of owners of short term rentals who actually pay their fair share of taxes and should be valued as such.**

**Sincerely, Derek Dwyer**

July 29, 2016

Please forward to the planning commission.

I am not one to usually complain, but frustration has compelled me to write. I am a full time St. Helena resident and live on Stockton street. When I moved here I presumed it was a quiet residential neighborhood, which it is for the most part, but our neighbors, Steve and Brenda Podesta, at 1243 Stockton street seem to attract a lot of commotion.. I understand that they do short term rentals and that is one of the reason for many of the comings and goings, as well as strangers parking up and down the street. Normally, I would try and talk to the owners, but on the few occasions I've spoken with Brenda, she seemed to find it amusing that her neighbors were upset with the situation. So talking to them would be out of the question.

I am signing this anonymously as the Podesta's have been known to retaliate.

Sincerely,

Anonymous

Jony McQuiddy.

July 29, 2016

TO: The Planning Commission of  
Stockton, CA following consideration of the  
August 2nd, 2016 meeting.  
Pursuant to the Short Term  
Rental Renewal request of the house  
at 1243 Stockton Street:  
The 1200 block of Stockton Street  
consists of mostly small houses on  
narrow lots, physically quite close  
together with street parking allowed  
on one side only.

Conducting a "retail style" business  
at one centrally-located property with  
strangers and multiple cars and  
limousines (convently to neighbors  
although listed on VRBO since 2007  
and then by permit to current) has  
created a stressful atmosphere and  
negatively affected the previous  
neighborhood character.  
This is simply the wrong business  
in the wrong place.

Also please consider adding a  
requirement for a permit be that  
the Rental House be at least

100 feet from the nearest home  
plus the Applicant submit  
written approval of the business  
by at least 75% of the neighbors  
within 300 feet.

Respectfully,



JONY McQUIDDY  
1227 STOCKTON ST  
ST HELENA, CA 94574  
telephone, 707-963-1517

**Aaron Hecock**

---

**From:** Carolyn Kelperis <ckelperis@hotmail.com>  
**Sent:** Sunday, July 31, 2016 5:26 PM  
**To:** Noah Housh  
**Cc:** Aaron Hecock; Sarah Parker; Grace Kistner; Mary Koberstein; Bobbi Monnette  
**Subject:** PL 16-049 STR RENEWAL APPLICATION 1243 STOCKTON STREET  
**Attachments:** 7-31-2016 RE 1243 STOCKTON STR.docx

Dear Noah, Aaron & Planning Commission,

I'm writing in response to the Agenda Item #7 for August 2, 2016

**Short-term Rental Permit Renewal**

**LOCATION:** 1243 Stockton Street  
**APPLICANT:** Steve Podesta  
**APN:** 009-313-270

Although I do not live near this particular property, I do live next door to 1603 Main Street which operated as an illegal STR. The previous owner not only added a 2nd unit without a building permit, but used the residence as an extension of her B&B elsewhere in St. Helena. I complained to the City for over 10 years, when finally (in the mid-1990s) the operation was shut down and the owner was assessed fines and back TOT taxes.

In February of 2016, it was reported in the local press that the owner of 1134 Valley View had agreed to pay \$20,000 in penalties. This matter came to light when the owner submitted an application for an STR permit after having operated illegally. The application was subsequently denied following a hearing in 2015.

[http://napavalleyregister.com/news/local/owners-of-illegal-st-helena-rental-will-pay-in-penalties/article\\_a08d6527-5253-5b2c-8261-e737f0acc508.html](http://napavalleyregister.com/news/local/owners-of-illegal-st-helena-rental-will-pay-in-penalties/article_a08d6527-5253-5b2c-8261-e737f0acc508.html)

I point out the above incidents after reviewing the VRBO website for 1243 Stockton Street.

<https://www.vrbo.com/119992#ownerprofile>

The owners clearly state they have been "members of VRBO since 2007". In response to two recent written complaints by the guests at this STR, the owner states, "I have not received one bad review in the past eight years." (See attached)

My question is--in view of the fact that this owner has been operating as an STR since 2007, how much in back TOT has been paid for the period prior to the issuance of a permit on July 31, 2012?

Sincerely,  
Carolyn Kelperis  
St. Helena

**From:** juliana ganick [mailto:julianag01@yahoo.com]  
**Sent:** Monday, August 01, 2016 12:59 PM  
**To:** Noah Housh  
**Subject:** Response to STR renewal request

August 1, 2016

To Whom It May Concern;

RE: Renewal of Short Term Rental Permit / 1243 Stockton Street

Each STR is unique to its impact on its neighborhood and I can only speak to this particular STR.

**TRAFFIC/SPACE:** Stockton Street is a very narrow street. Parking is allowed on one side of street only. The allowed parking side of the street consists of 5 houses and 6 driveway accesses. Additional vehicle's the STR brings creates a negative impact on the neighborhood. STR visitors often tend to rely on a transport service, day and night, to and from, their daily vacation itineraries. Limousines, vans, and occasionally large buses navigate down the block. It is rarely possible for a limo to have enough room on the parking side of the street, so they will either choose to block a driveway (which is illegal) , park on the no parking side of street (which is illegal), or simply park in the middle of the street. The latest guests at this STR parked 3 nights (7/28 -7/30) on street. I believe that off street parking is to be provided as part of the STR permit.

**SAFETY & NOISE:** A certain degree of safety is taken into account when we have a choice of where we want to live. One never knows who is staying next to you when you have a 'motel' living atmosphere within the neighborhood. I have had the pleasure of meeting some very pleasant, friendly and respectful guests staying at this STR. However, I have witnessed a guest pulling up in front of this STR, jumping out of his car and urinating alongside the driveway, in the middle of the day! I have witnessed aggressive behavior from intoxicated guest late in the evenings, at this STR. I have been awakened numerous times throughout the years from this STR home by loud, vulgar and aggressive behavior. Evening drop offs are especially noisy, with loud music coming from the limousines and vans/buses. Shopping carts left on sidewalk from the local grocery store. These guests are vacationing, in an otherwise quiet, established, family oriented, small neighborhood.

At the end of the day, in all fairness, the neighboring families should not have the burden of "policing" these STR issues and the rules that they are obligated to abide by. The owners are not on premises when their home is rented, therefore are not aware of all that transpires while their guests are there, without the "policing" by their neighbors. This, at times, creates a negative tone in the neighborhood (unspoken and sometimes 'outspoken')! I do believe a property owner has the right as to how his or her property is used. But, I also believe that if there are rules and regulations set by the City to permit / allow specific businesses to operate within this 'non-commercial' area, those who acquire permits have to comply.

Respectfully,  
Juliana Ganick

**Aaron Hecock**

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**From:** Tona Kovacevic <tonak@rombauer.com>  
**Sent:** Tuesday, August 30, 2016 2:10 PM  
**To:** Noah Housh; Aaron Hecock  
**Subject:** Short Term Rental renewal for 1243 Stockton Street, St. Helena

**Importance:** High

Gentlemen: Thank you both for taking the time to read this short, but heartfelt email concerning the STR renewal application for 1243 Stockton Street. When my neighbors and I were protesting the STR application for 1450 Stockton, our concerns were heard by you and the Planning Commission. That request was denied for many reasons, one being the narrow street (Stockton) and the lack of parking on the west side of the street. With the complaints logged with the PD about noise and parking issues for the neighbors adjacent to 1243 Stockton, I believe the same restrictions that were applied to 1450 Stockton should be applied to 1243 Stockton. Thank you for your time and consideration. Respectfully, Tona Kovacevic, *your favorite St. Helena Native*

Tona Kovacevic  
Rombauer Vineyards  
3522 Silverado Trail North  
St. Helena, CA 94574  
**LAND OF THE FREE,  
BECAUSE OF THE BRAVE**  
PH 707-963-5170  
FX 707-963-5752  
DIRECT PHONE: 707-963-6600

AUG 31 2016

City of St. Helena

August 31, 2016

To: The City of Saint Helena and City Council – Planning Commission

RE: Short Term Rental Permit renewal, 1243 Stockton Street, Saint Helena, CA

I have been a long term resident in the city of Saint Helena. I grew up here and am currently raising my children here. I am now a neighbor to the Podesta's, thanks to Brenda's hard work in helping me secure a home in the area where my kids can be close to their schools.

I have known Brenda and Steve for several years. Initially, through business, eventually they became friends. We have attended Halloween festivities and other family and friendly get togethers at their house over the years.

They are fine people and are very concerned about being respectful to their neighbors. We're always being "shushed" by Steve and Brenda while we are there, especially during the evening hours. It has become quite obvious there're a few very sensitive neighbors on their block who love to single them out for one reason or another. Several years ago, I came over to visit Brenda on a business basis, while coming up her front walk way I was confronted by one such neighbor, asking me if I was vacation renting their home. When I told Brenda what had happened she said it's not the first time. On another occasion, while I was dropping off some paperwork, their cleaning lady came in and was all upset. Come to find out she had just been balled out by the neighbor across the street at 1230 Stockton Street for parking her car in front of his house. I believe these same neighbors have been giving them a hard time since the day they moved in. At least that has been my experience since I have known them. It's almost like they have "bullies" or "harassers" on the block. It's now allowed in schools, nor should it be condoned with neighbors.

I understand their Short Term Rental Permit is coming due for renewal. I hope you seriously consider granting them the renewal. There are so many others in this town who rent illegally. Steve and Brenda have done everything to be above board. Unlike so many other people renting, the Podesta's actually contribute revenue to our town. When you go into their home, you can see they really care about the others in the neighborhood. They post signs all over their house. One such sign requests that under no uncertain terms to not park in front of the neighbor's house at 1230 Stockton Street. The other sign they have posted is one requesting their guest to "please keep this door shut at all times to keep the noise down for this particular neighbor". There are many many other signs posted to keep order at their home while it is rented.

I have read the other letters and notice those who are complain about the comings and goings from their home is like a hotel. In fact, I not only don't notice it, I find their home to be pretty quiet most of the time. They live at this home a majority of the year. They're a family of four with lots of friends and family who come to visit all the time. Furthermore, they both work from home with people coming and going for business purposes. How is this different than the small amount of time they have people renting their home? How do you differentiate? They should be entitled to live in their home and have people come and go as they please. To call out the vacation renters as the problem is being short sighted. By the very nature of their business and being empty nesters they always have people coming and going.

Steve and Brenda have their two adult children in addition to themselves that manage their property at all times, all whom are here locally. I recently found out they are installing cameras with live audio and video feed so they can monitor the comings and goings in around the house live and ensure there isn't any ruckus going on around or in front of the home.

Traffic on the street of Stockton is not because of Steve and Brenda's vacation rental. Prior moving into my new home here in the neighborhood, I stayed with them for a week until my home was ready to move in. I saw more traffic and parking on the street from the neighbors, Fed Ex Trucks, construction workers, delivery people, on the next block and by the school, none of which were related or having to do with the Podesta's home. What I did notice while I was visiting with them that week, like myself, when I come over, I always park in their driveway. They have a huge driveway and whether it's the carpet cleaning people, a Car Service picking people up, friends coming over, I mostly notice them pulling right into the driveway, it's so convenient.

Their home and their sensitive to the neighbors and respect for their primary residence is evident when you meet or are visiting them. They bring revenue to the city and to the merchants and restaurants of this city which is important for a city to thrive.

I truly hope you consider their renewal. They are running a first class operation and should be allowed to continue to do so. They are a living example of how a legal short term rental in Saint Helena should be ran, not one that should be ran out of town.

Sincerely,  
  
Diana Isdahl

Neighbor, Saint Helena Resident

August 31, 2016

To: Noah Housh

cc. Aaron Hecock, Sarah Parker, Grace Kistner, Mary Koberstein, BMonette

From: Katalin Kádár Lynn on behalf of the Stockton, Pine Street Neighborhood Group

Re: Short Term Permit Renewal for 1243 Stockton Street

Application Number: 009-313-270

Dear Noah, Aaron and the Planning Commission,

At the upcoming September 6 Planning Commission the application for renewal of the Short Term Permit held by Steve Podesta at 1243 Stockton Street is on the agenda - (held over from the August 2 meeting agenda).

My husband and I live at 1440 Stockton Street, having been St. Helena homeowners for two decades. It is our full time residence. When the property owners adjacent to ours (1450 Stockton) were denied a STR permit Resolution #PC2015-021 there were several key findings in that resolution related to that application which could not be made.

The findings in the above denial relate to the property at 1243 Stockton Street as much as they did to 1450 Stockton.

Permit me to quote from that resolution and the reasons for denial.

Resolution

B. 2\_ "In this case the Planning Commission finds that the narrow lots and smaller than normal setbacks in and around 1450 Stockton Street create a unique environment where neighbors would be adversely affected by usual activities associated with a short-term rental property".

B . 7 " ...However, the neighborhood around 1450 Stockton Street is characterized by unusually narrow streets and smaller than normal setbacks between houses which makes a short -term rental incompatible with the surrounding residential land uses.

B. 9 " The Planning commission finds that activities associated with a short-term rental at this particular location could be injurious to public health, safety or welfare due to the unique character of Stockton Street ( e.g. narrow streets, lack of parking, lot size and width, etc.).

Additionally the PC also agreed that as Stockton is the narrowest street in St. Helena, with lack of safety at the driveways, (driveways require tandem parking and the

residents backing out of their driveways) Stockton driveways constitute a safety hazard.

In the case of 1243 Stockton Street, the exact same conditions apply to that portion of the street as the 1400 block. In fact perhaps it is even more heavily trafficked a block as cars turn off Spring Street onto Stockton at the corner, making it a greater safety hazard.

In addition to the general conditions unique to Stockton Street, Mr. Podesta's application has come to the Planning Commission for approval renewal due to the complaints lodged with the St. Helena Police department regarding the property. Now that the Podesta's have had their permit, it has been proven that the same concerns apply here, as there indeed have been issues of parking, unloading, etc. which constitute safety concerns, profanity, disruption of the quiet neighborhood and noise and commotion issues.

The three letters submitted to the Planning Commission by August 2 advocating denial of a renewal to 1243 Stockton amply illustrate the above points. They provide graphic evidence of traffic/space problems as a result of the STR as well as safety and noise issues. They also provide evidence of the "...negative tone in the neighborhood (unspoken and sometimes spoken)." <sup>1</sup>

Another letter states "conducting a 'motel style' business at one centrally -located property with strangers and multiple cars and limousines (covertly to neighbors although listed on VRBO since 2007 and then by permit to the current) has created a stressful atmosphere and negatively affected the previous 'neighborhood character'. This is simply the wrong business in the wrong place."<sup>2</sup>

Finally, the third letter in opposition from a Stockton Street resident is most disturbing. It recounts the same issues as the other two letters but was sent anonymously "as the Podesta's have been known to retaliate". <sup>3</sup>

That is the most frightening statement of all. The thought that a member of our community would feel intimidated enough by a fellow neighbor to live in FEAR of retaliation is completely unacceptable!

Summary: My husband, Douglas G. Lynn and I and the undersigned members who compose the Stockton/Pine Street Neighborhood Group respectfully request that 1243 Stockton be denied a renewal of its STR Permit and that the Planning Commission pass a resolution that denies STR Permits be issued on any portion of Stockton Street between Madrona Avenue and Spring Streets, due to the unique nature of that portion of Stockton Street as has already been recognized by the Planning Commission.

Respectfully,

Katalin Kádár Lynn PhD

Douglas G. Lynn

Michele Barberi Hyde

Jerry Hyde

Marianne Brooks

Lana Ivanoff

Carolyn Kelperis

Tona Kovacevic

Connie Wilson

Dianne Wilson

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<sup>1</sup> Letter of Juliana Ganick to the St. Helena Planning Commission dated August 1, 2016

<sup>2</sup> Letter of Jony McQuiddy to the St. Helena Planning Commission dated July 29, 2016

<sup>3</sup> Anonymous letter from a Stockton Street resident to the St. Helena Planning Commission dated July 29, 2016

**CITY OF ST. HELENA PLANNING COMMISSION**

**SHORT-TERM RENTAL PERMIT RENEWAL NO. PL16-049  
GRANTED TO 1243 STOCKTON STREET**

**PROPERTY OWNER: Steve Podesta**

**APN: 009-313-270**

**Recitals**

1. The applicant submitted a request for a permit renewal to operate a Short-Term Rental at 1243 Stockton Street in the MR: Medium Density Residential district.
2. The Planning Commission of the City of St. Helena, State of California, held a duly noticed public hearing on September 6, 2016.

**Resolution**

1. The Planning Commission hereby finds that the project is exempt from CEQA pursuant to Section 15061(B)3, which exempts any project where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.
2. The Planning Commission hereby finds that the Short-Term Rental Permit renewal application complies with the following required findings pursuant to Section 17.134.060 of the St. Helena Municipal Code:
  - a) The establishment of a short-term rental at the subject property is consistent with the purpose of the general plan, including policies regarding the displacement of rental units in the housing stock.
  - b) The establishment of a short-term rental at the subject property will not be detrimental to a building, structure or feature of significant aesthetic, cultural, architectural or engineering interest or value of a historical nature.
  - c) The establishment of a short-term rental at the project site is compatible with and will not be detrimental to the character of the neighborhood and surrounding land uses.
  - d) The establishment of a short-term rental at the project site will provide an enhanced visitor experience and accommodation as an alternative to the hotel, motel, and bed and breakfast accommodations currently existing in the city and will help to ensure the collection and payment of transient occupancy taxes.
3. The Short-Term Rental Permit for the above described parcel is granted subject to compliance with the following conditions. The permit shall be in conformance with all City ordinances, rules, regulations and policies in effect at the time of issuance of the permit. The conditions noted below are particularly pertinent to this permit and shall not be construed to permit violation of other laws and policies not so listed.
4. Pursuant to the St. Helena Municipal Code, Section 17.134.040. Short-Term Rentals shall be subject to the following restrictions and standards:

- A. The short-term rental use shall be permitted in no more than one single-family dwelling per lot.
- B. The short-term rental permit shall be in the name of the owner-applicant, who shall be an owner of the real property upon which the short-term rental use is to be permitted. One person may hold no more than one short-term rental permit. The permit shall not be transferable.
- C. Short-term rental uses shall be limited to single-family dwellings existing and constructed as of the date of application for the short-term rental permit.
- D. The total number of permits for short-term rental dwellings shall not exceed twenty-five (25) at any time.
- E. The maximum number of bedrooms used for short-term rental use in the short-term rental dwelling shall be no greater than five. The total number of guests staying in the short-term rental dwelling at any one time shall be no greater than two times the number of bedrooms plus two persons, up to a maximum of twelve (12) persons.
- F. Short-term rental dwellings shall meet all applicable building, health, fire and related safety codes at all times and shall be inspected by the fire department before any short-term rental activity can occur.
- G. A minimum of two on-site parking spaces shall be provided for use by the short-term rental occupants.
- H. The owner-applicant shall keep on file with the city the name, telephone number, cell phone number, and e-mail address of a local contact person who shall be responsible for responding to questions or concerns regarding the operation of the short-term rental. This information shall be posted in a conspicuous location within the short-term rental dwelling. The local contact person shall be available twenty-four (24) hours a day to accept telephone calls and respond physically to the short-term rental within thirty (30) minutes when the short-term rental is rented and occupied. The city shall post the name and contact information of the local contact person associated with each short-term rental on the city's webpage.
- I. The owner-applicant shall post "house policies" within each guest bedroom. The house policies shall be included in the rental agreement, which must be signed by the renter and shall be enforced by the owner-applicant or the owner-applicant's designated contact person. The house policies at a minimum shall include the following provisions:
  - 1. Quiet hours shall be maintained from ten p.m. to seven a.m., during which noise within or outside the short-term rental dwelling shall not disturb anyone on a neighboring property.
  - 2. Amplified sound that is audible beyond the property boundaries of the short-term rental dwelling is prohibited.

3. Except as permitted by the planning director, vehicles shall be parked in the designated on-site parking area and shall not be parked on the street overnight.
  4. Parties or group gatherings which exceed the maximum number of allowed guests and/or which have the potential to cause traffic, parking, noise or other problems in the neighborhood are prohibited from occurring at the short-term rental property, as a component of short-term rental activities.
- J. Auctions, weddings, commercial functions, and any other similar events which have the potential to cause traffic, parking, noise or other problems in the neighborhood are prohibited from occurring at the short-term rental property, as a component of short-term rental activities.
  - K. The owner-applicant shall ensure that the occupants and/or guests of the short-term rental use do not create unreasonable noise or disturbances, engage in disorderly conduct, or violate provisions of this code or any state law pertaining to noise, disorderly conduct, the consumption of alcohol, or the use of illegal drugs or be subject to fines and penalties levied by the city up to and including revocation of the short-term rental permit.
  - L. The owner-applicant, upon notification that occupants and/or guests of his or her short-term rental use have created unreasonable noise or disturbances, engaged in disorderly conduct or committed violations of this code or state law pertaining to noise, disorderly conduct, the consumption of alcohol or the use of illegal drugs, shall prevent a recurrence of such conduct by those occupants or guests or be subject to fines and penalties levied by the city up to and including revocation of the short-term rental permit.
  - M. All advertising for any short-term rental, including electronic advertising on short-term rental websites, shall include the number of the short-term rental permit granted to the owner-applicant.
  - N. The owner-applicant shall maintain city business licenses and pay all transient occupancy taxes in accordance with Chapter 3.28 as required.
  - O. Preference for the review and issuance of new short-term rental permits shall be given to current residents of St. Helena over nonresident applicants. Applicants whose primary residence is within the city of St. Helena shall be reviewed and acted on ahead of other nonresident applications to implement the local preference policy for short-term rental permits.
  - P. Applicants for short-term rental permits are required to have owned their homes for a minimum of three years prior to applying for and being issued a short-term rental permit.
  - Q. Short-term rental permit holders are required to rent their properties on a short-term basis a minimum (average) of sixty (60) days per year. Individual permit holders who do not meet this minimum rental activity may (at the determination of the director) have their renewal denied and/or reviewed by the planning commission at

a noticed public hearing. Short-term rental permit holders who utilize their primary residence for short-term rental activities are exempted from this requirement.

5. This permit is valid for 2 years and the owner must reapply for subsequent Short Term Rental Permits to extend the use beyond this period.
6. In any action or proceeding to attack, challenge, invalidate, set aside, void or annul the City's approval of applicant's Project, in whole or in part, applicant shall defend, at its own expense and without any cost to the City, and with counsel acceptable to the City, and shall fully and completely indemnify and hold the City, its agents, officers, and employees harmless from and against any and all claims, causes of action, damages, costs, attorney's fees and liability of any kind, so long as the City reasonably promptly notifies the applicant of any such claim, action, or proceedings and the City cooperates fully in the defense of the action or proceedings.

I HEREBY CERTIFY that the foregoing short-term rental renewal permit was duly and regularly approved by the Planning Commission of the City of St. Helena at a regular meeting of said Planning Commission held on September 6, 2016 by the following roll call vote:

**AYES:**  
**NOES:**  
**ABSENT:**  
**ABSTAIN:**

APPROVED:

ATTEST:

\_\_\_\_\_  
Grace Kistner  
Chair, Planning Commission

\_\_\_\_\_  
Noah Housh  
Planning Director

**CITY OF ST. HELENA PLANNING COMMISSION**

**SHORT-TERM RENTAL PERMIT RENEWAL NO. PL16-049  
DENIED TO 1243 STOCKTON STREET**

**PROPERTY OWNER: Steve Podesta**

**APN: 009-313-270**

**Recitals**

1. The applicant submitted a request for a permit renewal to operate a Short-Term Rental at 1243 Stockton Street in the MR: Medium Density Residential district.
2. The Planning Commission of the City of St. Helena, State of California, held a duly noticed public hearing on September 6, 2016.

**Resolution**

1. The Planning Commission hereby finds that the project is exempt from CEQA pursuant to Section 15061(B)3, which exempts any project where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.
2. The Planning Commission hereby finds that the Short-Term Rental Permit renewal application does not comply with the following required findings pursuant to Section 17.134.060 of the St. Helena Municipal Code:
  - a) The establishment of a short-term rental at the subject property is consistent with the purpose of the general plan, including policies regarding the displacement of rental units in the housing stock.
  - b) The establishment of a short-term rental at the subject property will not be detrimental to a building, structure or feature of significant aesthetic, cultural, architectural or engineering interest or value of a historical nature.
  - c) The establishment of a short-term rental at the project site is compatible with and will not be detrimental to the character of the neighborhood and surrounding land uses.
  - d) The establishment of a short-term rental at the project site will provide an enhanced visitor experience and accommodation as an alternative to the hotel, motel, and bed and breakfast accommodations currently existing in the city and will help to ensure the collection and payment of transient occupancy taxes.
3. In any action or proceeding to attack, challenge, invalidate, set aside, void or annul the City's denial of applicant's Project, in whole or in part, applicant shall defend, at its own expense and without any cost to the City, and with counsel acceptable to the City, and shall fully and completely indemnify and hold the City, its agents, officers, and employees harmless from and against any and all claims, causes of action, damages, costs, attorney's fees and liability of any kind, so long as the City reasonably promptly notifies the applicant of any such claim, action, or proceedings and the City cooperates fully in the defense of the action or proceedings.

**I HEREBY CERTIFY** that the foregoing short-term rental renewal permit was duly and regularly denied by the Planning Commission of the City of St. Helena at a regular meeting of said Planning Commission held on September 6, 2016 by the following roll call vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

**APPROVED:**

**ATTEST:**

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Grace Kistner  
Chair, Planning Commission

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Noah Housh  
Planning Director

**CITY OF ST. HELENA PLANNING COMMISSION**

**RESOLUTION PC2016-034**

**SHORT-TERM RENTAL PERMIT RENEWAL NO. PL16-049  
DENIED TO 1243 STOCKTON STREET**

**PROPERTY OWNER:** Steve Podesta

**APN:** 009-313-270

**Recitals**

1. The applicant originally received approval to operate a Short Term Rental at 1243 Stockton Street in 2012; and
2. The applicant submitted the required request for a permit renewal to continue to operate a Short-Term Rental at 1243 Stockton Street in the MR: Medium Density Residential district; and
3. Based on the number of complaints to the St Helena Police Department and general neighborhood concerns voiced regarding the short term rental operations at the location, the Planning Commission of the City of St. Helena, State of California, held a duly noticed public hearing to review the requested renewal on September 6, 2016.

**Resolution**

1. The Planning Commission hereby finds that the project is exempt from CEQA pursuant to Section 15061(B)3, which exempts any project where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment and Section 15270(a) in which CEQA does not apply to projects that a public agency rejects or disapproves.
2. The Planning Commission hereby finds that this Short-Term Rental Permit renewal application does not comply with required findings pursuant to Section 17.134.060 3. of the St. Helena Municipal Code in that:
3. The establishment of a short-term rental at the project site is not compatible with, and will be detrimental to, the character of the Stockton Street neighborhood and surrounding land uses given the narrow street, limited parking, smaller lot sizes and reduced setbacks associated with the historic development pattern of this area.

Further, the Planning Commission finds that activities associated with a short-term rental at this particular location could be injurious to public health, safety or welfare due to the unique character of Stockton Street, (e.g. narrow streets, parking on one side of the street only, and compact nature of development), the increased traffic and noise associated with the operation of a Short Term Rental at the location and the overall density of short term rental operations in this area of the City, and is therefore subject to the limitations imposed by Chapter 17.134 of the Municipal Code.

In addition, the Planning Commission finds that the operation of a Short Term Rental at 1243 Stockton Street has created adverse impacts to the neighborhood and resulted in a loss of character based on the evidence presented, the number of

complaints received by the City and the testimony made at the public hearing. Therefore, pursuant to Municipal Code Section 17.134.060 E. no permit allowing the operation of a short term rental shall be issued to this property owner at this location.

**I HEREBY CERTIFY** that the foregoing short-term rental renewal permit was duly and regularly denied by the Planning Commission of the City of St. Helena at a regular meeting of said Planning Commission held on September 6, 2016, by the following roll call vote:

**AYES:** Commissioners Monnette, Parker, Koberstein and Kistner

**NOES:** None

**ABSENT:** None

**ABSTAIN:** None

**RECUSED:** Commissioner Sweeney

**APPROVED:**

**ATTEST:**

  
\_\_\_\_\_  
Grace Kistner  
Chair, Planning Commission

  
\_\_\_\_\_  
Noah Housh  
Planning Director

**TO: Aaron Hecock, Senior Planner, Saint Helena.**

**FROM: Saint Helena Merchant**

**SUBJECT: Short-term Rental Renewal**

**Date: September 6, 2016**

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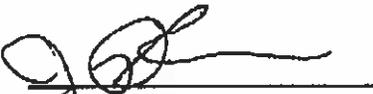
Dear Mr. Hecock:

I am the owner of Flora Springs Tasting Room located in the City of Saint Helena, California. I am aware of the City's current rules and regulations regarding short-term rentals of our local residences/homes. The importance of attracting visitors to our town is vital to my business. This town certainly needs to do everything reasonably possible to draw more tourist dollars so that we, as local business owners, can keep our doors open and make a living.

In my opinion, the short-term rental market provides a reasonable means to help drive business to our local community. The merchants on main street, limo drivers, restaurants and many wineries all benefit from the tourist dollars directly generated by the short-term rental market.

As such, I wish to support the continued development of the short-term rental ordinance. Furthermore, I wish to express my support for Steve and Brenda Podesta's renewal. I know they provide a well-kept residence and provide vital tourist and tax dollars for this community.

Very sincerely yours,

  
Owner: owner  
Name: J. Nat Komer  
Date: 9-6-16

TO: Aaron Hecock, Senior Planner, Saint Helena.

FROM: Saint Helena Merchant

SUBJECT: Short-term Rental Renewal

Date: September 6, 2016

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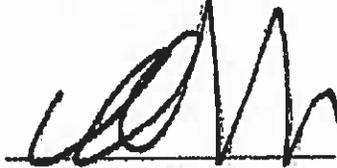
Dear Mr. Hecock:

I am the owner of MARTIN DESIGN located in the City of Saint Helena, California. I am aware of the Cities current rules and regulations regarding short-term rentals of our local residences homes. The importance of attracting visitors to our town is vital to my business. This town certainly needs to do everything reasonably possible to draw more tourist dollars so that we, as local business owners, can keep our doors open and make a living.

In my opinion, the short-term rental market provides a reasonable means to help drive business to our local community. The merchants on main street, limo drivers, restaurants and many wineries all benefit from the tourist dollars directly generated by the short-term rental market.

As such, I wish to support the continued development of the short-term rental ordinance. Furthermore, I wish to express my support for Steve and Brenda Podesta's renewal. I know they provide a well-kept residence and provide vital tourist and tax dollars for this community.

Very sincerely yours,



Owner: MARTIN DESIGN - 1118 HUNT AVE

Name: ERIN MARTIN

Date: 9/6/16

**TO: Aaron Hecock, Senior Planner, Saint Helena.**

**FROM: Saint Helena Merchant**

**SUBJECT: Short-term Rental Renewal**

**Date: September 6, 2016**

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Dear Mr. Hecock:

I am the owner of Napa Valley olive oil, located in the City of Saint Helena, California. I am aware of the City's current rules and regulations regarding short-term rentals of our local residences/homes. The importance of attracting visitors to our town is vital to my business. This town certainly needs to do everything reasonably possible to draw more tourist dollars so that we, as local business owners, can keep our doors open and make a living.

In my opinion, the short-term rental market provides a reasonable means to help drive business to our local community. The merchants on main street, limo drivers, restaurants and many wineries all benefit from the tourist dollars directly generated by the short-term rental market.

As such, I wish to support the continued development of the short-term rental ordinance. Furthermore, I wish to express my support for Steve and Brenda Podesta's renewal. I know they provide a well-kept residence and provide vital tourist and tax dollars for this community.

Very sincerely yours,



Owner: owner

Name: Giuliano Particelli

Date: 9.6.16

**TO: Aaron Hecock, Senior Planner, Saint Helena.**

**FROM: Saint Helena Merchant**

**SUBJECT: Short-term Rental Renewal**

**Date: September 6, 2016**

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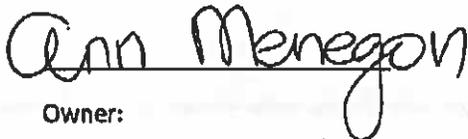
Dear Mr. Hecock:

I am the owner of STEVES HDWE located in the City of Saint Helena, California. I am aware of the Cities current rules and regulations regarding short-term rentals of our local residences homes. The importance of attracting visitors to our town is vital to my business. This town certainly needs to do everything reasonably possible to draw more tourist dollars so that we, as local business owners, can keep our doors open and make a living.

In my opinion, the short-term rental market provides a reasonable means to help drive business to our local community. The merchants on main street, limo drivers, restaurants and many wineries all benefit from the tourist dollars directly generated by the short-term rental market.

As such, I wish to support the continued development of the short-term rental ordinance. Furthermore, I wish to express my support for Steve and Brenda Podesta's renewal. I know they provide a well-kept residence and provide vital tourist and tax dollars for this community.

Very sincerely yours,



Owner:

Name: Ann Menegon

Date: 9/6/2016

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7079695004 PAGE 5/ 22

Date: September 6, 2016

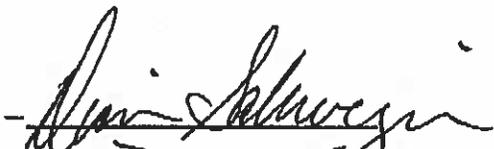
Dear Mr. Hecock:

I am the owner of <sup>co-owner</sup> Schwartz Vineyards located in the City of Saint Helena, California. I am aware of the Cities current rules and regulations regarding short-term rentals of our local residences homes. The importance of attracting visitors to our town is vital to my business. This town certainly needs to do everything reasonably possible to draw more tourist dollars so that we, as local business owners, can keep our doors open and make a living.

In my opinion, the short-term rental market provides a reasonable means to help drive business to our local community. The merchants on main street, limo drivers, restaurants and many wineries all benefit from the tourist dollars directly generated by the short-term rental market.

As such, I wish to support the continued development of the short-term rental ordinance. Furthermore, I wish to express my support for Steve and Brenda Podesta's renewal. I know they provide a well-kept residence and provide vital tourist and tax dollars for this community.

Very sincerely yours,

  
Owner: Dana Schwartz

Name:

Date:

9/5/16

**TO: Aaron Hecock, Senior Planner, Saint Helena.**

**FROM: Saint Helena Merchant**

**SUBJECT: Short-term Rental Renewal**

**Date: September 6, 2016**

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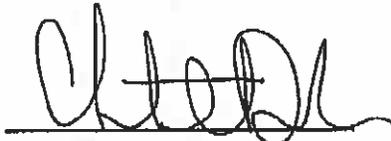
Dear Mr. Hecock:

I am the owner of Chantal Duboc located in the City of Saint Helena, California. I am aware of the Cities current rules and regulations regarding short-term rentals of our local residences homes. The importance of attracting visitors to our town is vital to my business. This town certainly needs to do everything reasonably possible to draw more tourist dollars so that we, as local business owners, can keep our doors open and make a living.

In my opinion, the short-term rental market provides a reasonable means to help drive business to our local community. The merchants on main street, limo drivers, restaurants and many wineries all benefit from the tourist dollars directly generated by the short-term rental market.

As such, I wish to support the continued development of the short-term rental ordinance. Furthermore, I wish to express my support for Steve and Brenda Podesta's renewal. I know they provide a well-kept residence and provide vital tourist and tax dollars for this community.

Very sincerely yours,



Owner: Au Curé

Name: Chantal Duboc

Date: 9/6/16

**TO: Aaron Hecock, Senior Planner, Saint Helena.**

**FROM: Saint Helena Merchant**

**SUBJECT: Short-term Rental Renewal**

**Date: September 6, 2016**

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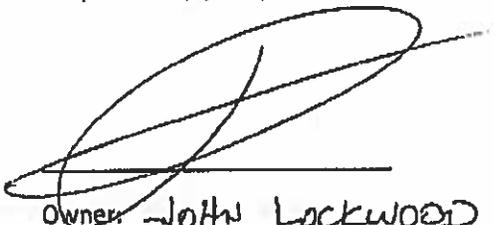
Dear Mr. Hecock:

I am the owner of SOGNI DI DOLE, located in the City of Saint Helena, California. I am aware of the Cities current rules and regulations regarding short-term rentals of our local residences homes. The importance of attracting visitors to our town is vital to my business. This town certainly needs to do everything reasonably possible to draw more tourist dollars so that we, as local business owners, can keep our doors open and make a living.

In my opinion, the short-term rental market provides a reasonable means to help drive business to our local community. The merchants on main street, limo drivers, restaurants and many wineries all benefit from the tourist dollars directly generated by the short-term rental market.

As such, I wish to support the continued development of the short-term rental ordinance. Furthermore, I wish to express my support for Steve and Brenda Podesta's renewal. I know they provide a well-kept residence and provide vital tourist and tax dollars for this community.

Very sincerely yours,



Owner: John Lockwood

Name: Adam DeLeon

Date: 9/3/2016

**TO: Aaron Hecock, Senior Planner, Saint Helena.**

**FROM: Saint Helena Merchant**

**SUBJECT: Short-term Rental Renewal**

**Date: September 6, 2016**

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Dear Mr. Hecock:

I am the owner of Marino's Napa Valley, located in the City of Saint Helena, California. I am aware of the Cities current rules and regulations regarding short-term rentals of our local residences homes. The importance of attracting visitors to our town is vital to my business. This town certainly needs to do everything reasonably possible to draw more tourist dollars so that we, as local business owners, can keep our doors open and make a living.

In my opinion, the short-term rental market provides a reasonable means to help drive business to our local community. The merchants on main street, limo drivers, restaurants and many wineries all benefit from the tourist dollars directly generated by the short-term rental market.

As such, I wish to support the continued development of the short-term rental ordinance. Furthermore, I wish to express my support for Steve and Brenda Podesta's renewal. I know they provide a well-kept residence and provide vital tourist and tax dollars for this community.

Very sincerely yours,

Ron Santato

Owner:

Name:

Date:

9-4-16



**TO: Aaron Hecock, Senior Planner, Saint Helena.**

**FROM: Saint Helena Merchant**

**SUBJECT: Short-term Rental Renewal**

**Date: September 6, 2016**

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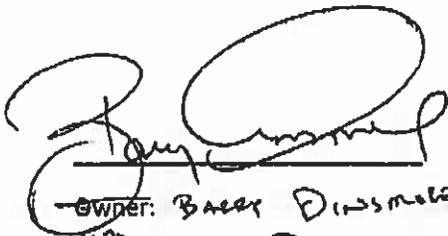
Dear Mr. Hecock:

I am the <sup>cm</sup> owner of Dean & Dewca, located in the City of Saint Helena, California. I am aware of the Cities current rules and regulations regarding short-term rentals of our local residences homes. The importance of attracting visitors to our town is vital to my business. This town certainly needs to do everything reasonably possible to draw more tourist dollars so that we, as local business owners, can keep our doors open and make a living.

In my opinion, the short-term rental market provides a reasonable means to help drive business to our local community. The merchants on main street, limo drivers, restaurants and many wineries all benefit from the tourist dollars directly generated by the short-term rental market.

As such, I wish to support the continued development of the short-term rental ordinance. Furthermore, I wish to express my support for Steve and Brenda Podesta's renewal. I know they provide a well-kept residence and provide vital tourist and tax dollars for this community.

Very sincerely yours,



<sup>cm</sup> Owner: Brian Dinsmore  
Name: Brian Dinsmore  
Date: 9/3/16

**TO: Aaron Hecock, Senior Planner, Saint Helena.**

**FROM: Saint Helena Merchant**

**SUBJECT: Short-term Rental Renewal**

**Date: September 6, 2016**

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Dear Mr. Hecock:

I am the owner of broker Pacific Union International, located in the City of Saint Helena, California. I am aware of the Cities current rules and regulations regarding short-term rentals of our local residences homes. The importance of attracting visitors to our town is vital to my business. This town certainly needs to do everything reasonably possible to draw more tourist dollars so that we, as local business owners, can keep our doors open and make a living.

In my opinion, the short-term rental market provides a reasonable means to help drive business to our local community. The merchants on main street, limo drivers, restaurants and many wineries all benefit from the tourist dollars directly generated by the short-term rental market.

As such, I wish to support the continued development of the short-term rental ordinance. Furthermore, I wish to express my support for Steve and Brenda Podesta's renewal. I know they provide a well-kept residence and provide vital tourist and tax dollars for this community.

Very sincerely yours,

*I also own 2 residences in the city limits.*

Cessna Barrett

Owner:

Name: CESSNA BARRETT

Date: 9/4/16

TO: Aaron Hecock, Senior Planner, Saint Helena.

FROM: Saint Helena Merchant

SUBJECT: Short-term Rental Renewal

Date: September 6, 2016

Dear Mr. Hecock:

I am the owner of Amelie Claire (29 year)!!, located in the City of Saint Helena, California. I am aware of the Cities current rules and regulations regarding short-term rentals of our local residences homes. The importance of attracting visitors to our town is vital to my business. This town certainly needs to do everything reasonably possible to draw more tourist dollars so that we, as local business owners, can keep our doors open and make a living.

In my opinion, the short-term rental market provides a reasonable means to help drive business to our local community. The merchants on main street, limo drivers, restaurants and many wineries all benefit from the tourist dollars directly generated by the short-term rental market.

As such, I wish to support the continued development of the short-term rental ordinance. Furthermore, I wish to express my support for Steve and Brenda Podesta's renewal. I know they provide a well-kept residence and provide vital tourist and tax dollars for this community.

Very sincerely yours,

Rene' Scudetti

Owner: Amelie Claire

Name: owner & citizen for 43 years!!

Date:

Shopkeeper in the Valley for 43 years!!  
Tired of putting  
brick walls  
that support  
business  
invalued!!

**TO:** Aaron Hecock, Senior Planner, Saint Helena.

**FROM:** Saint Helena Merchant

**SUBJECT:** Short-term Rental Renewal

**Date:** September 6, 2016

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Dear Mr. Hecock:

I am the owner of the scattered light located in the City of Saint Helena, California. I am aware of the City's current rules and regulations regarding short-term rentals of our local residences/homes. The importance of attracting visitors to our town is vital to my business. This town certainly needs to do everything reasonably possible to draw more tourist dollars so that we, as local business owners, can keep our doors open and make a living.

In my opinion, the short-term rental market provides a reasonable means to help drive business to our local community. The merchants on main street, limo drivers, restaurants and many wineries all benefit from the tourist dollars directly generated by the short-term rental market.

As such, I wish to support the continued development of the short-term rental ordinance. Furthermore, I wish to express my support for Steve and Brenda Podesta's renewal. I know they provide a well-kept residence and provide vital tourist and tax dollars for this community.

Very sincerely yours,



Owner: ✓

Name: DARYL CICLE

Date: 6 SEPT 16

**TO: Aaron Hecock, Senior Planner, Saint Helena.**

**FROM: Saint Helena Merchant**

**SUBJECT: Short-term Rental Renewal**

**Date: September 6, 2016**

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Dear Mr. Hecock:

I am the owner of Invisible Chef, located in the City of Saint Helena, California. I am aware of the City's current rules and regulations regarding short-term rentals of our local residences/homes. The importance of attracting visitors to our town is vital to my business. This town certainly needs to do everything reasonably possible to draw more tourist dollars so that we, as local business owners, can keep our doors open and make a living.

In my opinion, the short-term rental market provides a reasonable means to help drive business to our local community. The merchants on main street, limo drivers, restaurants and many wineries all benefit from the tourist dollars directly generated by the short-term rental market.

As such, I wish to support the continued development of the short-term rental ordinance. Furthermore, I wish to express my support for Steve and Brenda Podesta's renewal. I know they provide a well-kept residence and provide vital tourist and tax dollars for this community.

Very sincerely yours,

Michelle Cheatham

Owner: Michelle Cheatham

Name: Same

Date: 9/6/2016

**TO:** Aaron Hecock, Senior Planner, Saint Helena.

**FROM:** Saint Helena Merchant

**SUBJECT:** Short-term Rental Renewal

**Date:** September 6, 2016

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Dear Mr. Hecock:

I am the owner of St. Helena Chiropractic located in the City of Saint Helena, California. I am aware of the City's current rules and regulations regarding short-term rentals of our local residences/homes. The importance of attracting visitors to our town is vital to my business. This town certainly needs to do everything reasonably possible to draw more tourist dollars so that we, as local business owners, can keep our doors open and make a living.

In my opinion, the short-term rental market provides a reasonable means to help drive business to our local community. The merchants on main street, limo drivers, restaurants and many wineries all benefit from the tourist dollars directly generated by the short-term rental market.

As such, I wish to support the continued development of the short-term rental ordinance. Furthermore, I wish to express my support for Steve and Brenda Podesta's renewal. I know they provide a well-kept residence and provide vital tourist and tax dollars for this community.

Very sincerely yours,



Owner: Dr. Daniel W. Hamlin

Name: D. Hamlin

Date: 9-6-16

**TO: Aaron Hecock, Senior Planner, Saint Helena.**

**FROM: Saint Helena Merchant**

**SUBJECT: Short-term Rental Renewal**

**Date: September 6, 2016**

Dear Mr. Hecock:

I am the owner of manager of Vine Cliff Tasting Room in St. Helena, located in the City of Saint Helena, California. I am aware of the City's current rules and regulations regarding short-term rentals of our local residences/homes. The importance of attracting visitors to our town is vital to my business. This town certainly needs to do everything reasonably possible to draw more tourist dollars so that we, as local business owners, can keep our doors open and make a living.

In my opinion, the short-term rental market provides a reasonable means to help drive business to our local community. The merchants on main street, limo drivers, restaurants and many wineries all benefit from the tourist dollars directly generated by the short-term rental market.

As such, I wish to support the continued development of the short-term rental ordinance. Furthermore, I wish to express my support for Steve and Brenda Podesta's renewal. I know they provide a well-kept residence and provide vital tourist and tax dollars for this community.

Very sincerely yours,

Carolyn C Sweeney

Owner:

Name: Carolyn C Sweeney

Date: Sept. 5, 2016

**TO:** Aaron Hecock, Senior Planner, Saint Helena.

**FROM:** Saint Helena Merchant

**SUBJECT:** Short-term Rental Renewal

**Date:** September 6, 2016

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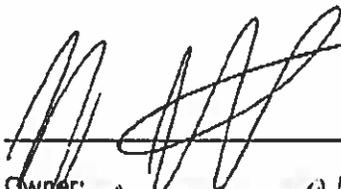
Dear Mr. Hecock:

I am the <sup>G-M</sup> owner of Fairwinds Estate Winery, located in the City of Saint Helena, California. I am aware of the City's current rules and regulations regarding short-term rentals of our local residences homes. The importance of attracting visitors to our town is vital to my business. This town certainly needs to do everything reasonably possible to draw more tourist dollars so that we, as local business owners, can keep our doors open and make a living.

In my opinion, the short-term rental market provides a reasonable means to help drive business to our local community. The merchants on main street, limo drivers, restaurants and many wineries all benefit from the tourist dollars directly generated by the short-term rental market.

As such, I wish to support the continued development of the short-term rental ordinance. Furthermore, I wish to express my support for Steve and Brenda Podesta's renewal. I know they provide a well-kept residence and provide vital tourist and tax dollars for this community.

Very sincerely yours,

 - General Manager

Owner: Brandon Chaney

Name:

Date: 9/7/2016

**TO: Aaron Hecock, Senior Planner, Saint Helena.**

**FROM: Saint Helena Merchant**

**SUBJECT: Short-term Rental Renewal**

**Date: September 6, 2016**

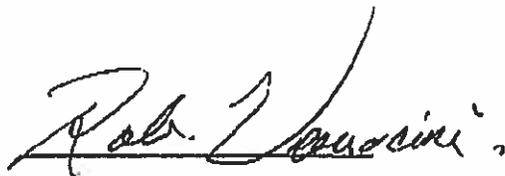
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Dear Mr. Hecock:  
 a Limo Driver *with Platypus Wine Tours*  
 I am the owner of *Rob Vanoucin* located in the City of Saint Helena, California. I am aware of the Cities current rules and regulations regarding short-term rentals of our local residences homes. The importance of attracting visitors to our town is vital to my business. This town certainly needs to do everything reasonably possible to draw more tourist dollars so that we, as local business owners, can keep our doors open and make a living.

In my opinion, the short-term rental market provides a reasonable means to help drive business to our local community. The merchants on main street, limo drivers, restaurants and many wineries all benefit from the tourist dollars directly generated by the short-term rental market.

As such, I wish to support the continued development of the short-term rental ordinance. Furthermore, I wish to express my support for Steve and Brenda Podesta's renewal. I know they provide a well-kept residence and provide vital tourist and tax dollars for this community.

Very sincerely yours,



Owner: Driver

Name: ROB VANOUCIN

Date: 9/3/2016.

TO: Aaron Hecock, Senior Planner, Saint Helena.

FROM: Saint Helena Merchant

SUBJECT: Short-term Rental Renewal

Date: September 6, 2016

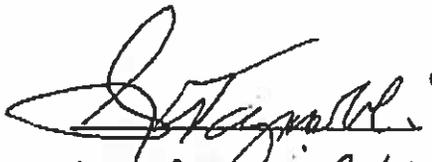
Dear Mr. Hecock:

I am the <sup>Regional Manager</sup> owner of Rabo Bank, located in the City of Saint Helena, California. I am aware of the Cities current rules and regulations regarding short-term rentals of our local residences/homes. The importance of attracting visitors to our town is vital to my business. This town certainly needs to do everything reasonably possible to draw more tourist dollars so that we, as local business owners, can keep our doors open and make a living.

In my opinion, the short-term rental market provides a reasonable means to help drive business to our local community. The merchants on main street, limo drivers, restaurants and many wineries all benefit from the tourist dollars directly generated by the short-term rental market.

As such, I wish to support the continued development of the short-term rental ordinance. Furthermore, I wish to express my support for Steve and Brenda Podesta's renewal. I know they provide a well-kept residence and provide vital tourist and tax dollars for this community.

Very sincerely yours,



Owner: Regional Manager Agricultural Lending

Name: Steve Tagnolli

Date: 9/6/2016

**TO: Aaron Hecock, Senior Planner, Saint Helena.**

**FROM: Saint Helena Merchant**

**SUBJECT: Short-term Rental Renewal**

**Date: September 6, 2016**

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Dear Mr. Hecock:

I am the owner of T+O Masonry, Inc located in the City of Saint Helena, California. I am aware of the Cities current rules and regulations regarding short-term rentals of our local residences homes. The importance of attracting visitors to our town is vital to my business. This town certainly needs to do everything reasonably possible to draw more tourist dollars so that we, as local business owners, can keep our doors open and make a living.

In my opinion, the short-term rental market provides a reasonable means to help drive business to our local community. The merchants on main street, limo drivers, restaurants and many wineries all benefit from the tourist dollars directly generated by the short-term rental market.

As such, I wish to support the continued development of the short-term rental ordinance. Furthermore, I wish to express my support for Steve and Brenda Podesta's renewal. I know they provide a well-kept residence and provide vital tourist and tax dollars for this community.

Very sincerely yours,

*Melinda Stauffer*  
Owner: *Melinda Stauffer*  
Name: *Melinda Stauffer*  
Date: *9/6/16*

*T+O Masonry, Inc*

**TO: Aaron Hecock, Senior Planner, Saint Helena.**

**FROM: Saint Helena Merchant**

**SUBJECT: Short-term Rental Renewal**

**Date: September 6, 2016**

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Dear Mr. Hecock:

I am the owner of Parati, located in the City of Saint Helena, California. I am aware of the City's current rules and regulations regarding short-term rentals of our local residences homes. The importance of attracting visitors to our town is vital to my business. This town certainly needs to do everything reasonably possible to draw more tourist dollars so that we, as local business owners, can keep our doors open and make a living.

In my opinion, the short-term rental market provides a reasonable means to help drive business to our local community. The merchants on main street, limo drivers, restaurants and many wineries all benefit from the tourist dollars directly generated by the short-term rental market.

As such, I wish to support the continued development of the short-term rental ordinance. Furthermore, I wish to express my support for Steve and Brenda Podesta's renewal. I know they provide a well-kept residence and provide vital tourist and tax dollars for this community.

Very sincerely yours,



Owner: Sam Dalia

Name:

Date:

9/3/16

**TO:** Aaron Hecock, Senior Planner, Saint Helena.

**FROM:** Saint Helena Merchant

**SUBJECT:** Short-term Rental Renewal

**Date:** September 6, 2016

Dear Mr. Hecock: *THORNHILL TASTING ROOM*

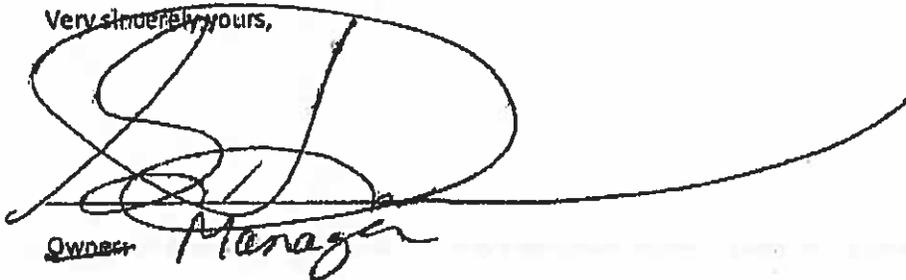
*MANAGER Gulinda Duan*  
I am the owner of *THORNHILL TASTING ROOM*, located in the City of Saint Helena,

California. I am aware of the City's current rules and regulations regarding short-term rentals of our local residences homes. The importance of attracting visitors to our town is vital to my business. This town certainly needs to do everything reasonably possible to draw more tourist dollars so that we, as local business owners, can keep our doors open and make a living.

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As such, I wish to support the continued development of the short-term rental ordinance. Furthermore, I wish to express my support for Steve and Brenda Podesta's renewal. I know they provide a well-kept residence and provide vital tourist and tax dollars for this community.

Very sincerely yours,



Owner

*Manager*

Name:

Date:

*9/3/2016.*

August 2, 2016

**TO:** St. Helena City Council and Planning Commission

**FROM:** Ana Canales and Bruce Streblow  
1219 Stockton Street  
St. Helena, CA 94574

**RE:** Podesta Short Term Rental  
1243 Stockton Street, St. Helena, CA 94574

As a neighbor, we would like to report that the Podesta short-term rental property has not been an issue for us over the last several years. When it was first rented, we had an issue – ONCE. We called the police as folks were up late into the night. The Podestas arrived at our door step the next day to apologize and reiterate their introduction letter to the neighbors which gave a phone number to reach them in case of a problem – PROBLEM SOLVED.

Since that time, we have never encountered a problem. Their latest guests happen to be friends of ours - Koerner Rombauer's daughter Sheana and her three adult children who all grew up in St. Helena. It was a joy to have them in our neighborhood as they children were former students of Ana's and Bruce has known Sheana since she was a child.

We believe that if people follow the rules, the short term rental situation is a win-win for St. Helena.

From: ragarber@me.com  
Subject: Fwd: 1243 Stockton  
Date: August 2, 2016 at 5:49 PM  
To: dgkatz@mac.com



----- Forwarded message -----

From: ragarber@me.com  
Date: Aug 2, 2016, 8:19 PM -0400  
To: Brenda Podesta <brenda@brendapodesta.com>  
Subject: 1243 Stockton

Brenda, please share this email as appropriate at the hearing for your permit.

Having purchased 1240 Stockton in September of 2015, Brenda and Steve Podesta warmly welcomed us to the neighborhood. As a part-time resident they have been extremely helpful in many ways, many times. We have no complaints in regard to them or their guests. As a bonus we have the pleasure looking at their beautiful yard whenever we are on our front porch.

Best Regards,

Cheers,  
Rick  
Rick Garber

July 29, 2016

Please forward to the planning commission.

I am not one to usually complain, but frustration has compelled me to write. I am a full time St. Helena resident and live on Stockton street. When I moved here I presumed it was a quiet residential neighborhood, which it is for the most part, but our neighbors, Steve and Brenda Podesta, at 1243 Stockton street seem to attract a lot of commotion.. I understand that they do short term rentals and that is one of the reason for many of the comings and goings, as well as strangers parking up and down the street. Normally, I would try and talk to the owners, but on the few occasions I've spoken with Brenda, she seemed to find it amusing that her neighbors were upset with the situation. So talking to them would be out of the question.

I am signing this anonymously as the Podesta's have been known to retaliate.

Sincerely,

Anonymous

Jonny McQuiddy.

July 29, 2016

TO: The Planning Commission of  
St Helena, CA for consideration of the  
August 2nd, 2016 meeting.  
Pursuant to the Short Term  
Rental Renewal request of the house  
at 1243 Stockton Street:  
The 1200 block of Stockton Street  
consists of mostly small houses on  
narrow lots, physically quite close  
together with street parking allowed  
on one side only.

Conducting a "motel style" business  
at one centrally-located property with  
strangers and multiple cars and  
limousines (courtesy to neighbors  
although listed on VRBO since 2007  
and then by permit to current) has  
created a stressful atmosphere and  
negatively affected the previous  
neighborhood character.  
This is simply the wrong business  
in the wrong place.

Also please consider adding a  
requirement for a permit be that  
the Rental house be at least

100 feet from the nearest home  
plus the Applicant submit  
written approval of the business  
by at least 75% of the neighbors  
within 300 feet.

Respectfully,



JONNY McQUIDDY  
1227 STOCKTON ST  
ST HELENA, CA 94574  
telephone 707-963-1517

**Aaron Hecock**

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**From:** Carolyn Kelperis <ckelperis@hotmail.com>  
**Sent:** Sunday, July 31, 2016 5:26 PM  
**To:** Noah Housh  
**Cc:** Aaron Hecock; Sarah Parker; Grace Kistner; Mary Koberstein; Bobbi Monnette  
**Subject:** PL 16-049 STR RENEWAL APPLICATION 1243 STOCKTON STREET  
**Attachments:** 7-31-2016 RE 1243 STOCKTON STR.docx

Dear Noah, Aaron & Planning Commission,

I'm writing in response to the Agenda Item #7 for August 2, 2016

Short-term Rental Permit Renewal

**LOCATION:** 1243 Stockton Street  
**APPLICANT:** Steve Podesta  
**APN:** 009-313-270

Although I do not live near this particular property, I do live next door to 1603 Main Street which operated as an illegal STR. The previous owner not only added a 2nd unit without a building permit, but used the residence as an extension of her B&B elsewhere in St. Helena. I complained to the City for over 10 years, when finally (in the mid-1990s) the operation was shut down and the owner was assessed fines and back TOT taxes.

In February of 2016, it was reported in the local press that the owner of 1134 Valley View had agreed to pay \$20,000 in penalties. This matter came to light when the owner submitted an application for an STR permit after having operated illegally. The application was subsequently denied following a hearing in 2015.

[http://napavalleyregister.com/news/local/owners-of-illegal-st-helena-rental-will-pay-in-penalties/article\\_a08d6527-5253-5b2c-8261-e737f0acc508.html](http://napavalleyregister.com/news/local/owners-of-illegal-st-helena-rental-will-pay-in-penalties/article_a08d6527-5253-5b2c-8261-e737f0acc508.html)

I point out the above incidents after reviewing the VRBO website for 1243 Stockton Street.

<https://www.vrbo.com/119992#ownerprofile>

The owners clearly state they have been "members of VRBO since 2007". In response to two recent written complaints by the guests at this STR, the owner states, "I have not received one bad review in the past eight years." (See attached)

My question is--in view of the fact that this owner has been operating as an STR since 2007, how much in back TOT has been paid for the period prior to the issuance of a permit on July 31, 2012?

Sincerely,  
Carolyn Kelperis  
St. Helena

**From:** juliana ganick [mailto:julianag01@yahoo.com]  
**Sent:** Monday, August 01, 2016 12:59 PM  
**To:** Noah Housh  
**Subject:** Response to STR renewal request

August 1, 2016

To Whom It May Concern;  
RE: Renewal of Short Term Rental Permit / 1243 Stockton Street

Each STR is unique to its impact on its neighborhood and I can only speak to this particular STR.

**TRAFFIC/SPACE:** Stockton Street is a very narrow street. Parking is allowed on one side of street only. The allowed parking side of the street consists of 5 houses and 6 driveway accesses. Additional vehicle's the STR brings creates a negative impact on the neighborhood. STR visitors often tend to rely on a transport service, day and night, to and from, their daily vacation itineraries. Limousines, vans, and occasionally large buses navigate down the block. It is rarely possible for a limo to have enough room on the parking side of the street, so they will either choose to block a driveway (which is illegal) , park on the no parking side of street (which is illegal), or simply park in the middle of the street. The latest guests at this STR parked 3 nights (7/28 -7/30) on street. I believe that off street parking is to be provided as part of the STR permit.

**SAFETY & NOISE:** A certain degree of safety is taken into account when we have a choice of where we want to live. One never knows who is staying next to you when you have a 'motel' living atmosphere within the neighborhood. I have had the pleasure of meeting some very pleasant, friendly and respectful guests staying at this STR. However, I have witnessed a guest pulling up in front of this STR, jumping out of his car and urinating alongside the driveway, in the middle of the day! I have witnessed aggressive behavior from intoxicated guest late in the evenings, at this STR. I have been awakened numerous times throughout the years from this STR home by loud, vulgar and aggressive behavior. Evening drop offs are especially noisy, with loud music coming from the limousines and vans/buses. Shopping carts left on sidewalk from the local grocery store. These guests are vacationing, in an otherwise quiet, established, family oriented, small neighborhood.

At the end of the day, in all fairness, the neighboring families should not have the burden of "policing" these STR issues and the rules that they are obligated to abide by. The owners are not on premises when their home is rented, therefore are not aware of all that transpires while their guests are there, without the "policing" by their neighbors. This, at times, creates a negative tone in the neighborhood (unspoken and sometimes 'outspoken')! I do believe a property owner has the right as to how his or her property is used. But, I also believe that if there are rules and regulations set by the City to permit / allow specific businesses to operate within this 'non-commercial' area, those who acquire permits have to comply.

Respectfully,  
Juliana Ganick

**Aaron Hecock**

---

**From:** Tona Kovacevic <tonak@rombauer.com>  
**Sent:** Tuesday, August 30, 2016 2:10 PM  
**To:** Noah Housh; Aaron Hecock  
**Subject:** Short Term Rental renewal for 1243 Stockton Street, St. Helena

**Importance:** High

Gentlemen: Thank you both for taking the time to read this short, but heartfelt email concerning the STR renewal application for 1243 Stockton Street. When my neighbors and I were protesting the STR application for 1450 Stockton, our concerns were heard by you and the Planning Commission. That request was denied for many reasons, one being the narrow street (Stockton) and the lack of parking on the west side of the street. With the complaints logged with the PD about noise and parking issues for the neighbors adjacent to 1243 Stockton, I believe the same restrictions that were applied to 1450 Stockton should be applied to 1243 Stockton. Thank you for your time and consideration. Respectfully, Tona Kovacevic, *your favorite St. Helena Native*

Tona Kovacevic  
Rombauer Vineyards  
3522 Silverado Trail North  
St. Helena, CA 94574  
**LAND OF THE FREE,  
BECAUSE OF THE BRAVE**  
PH 707-963-5170  
FX 707-963-5752  
DIRECT PHONE: 707-963-6600

August 31, 2016

To: The City of Saint Helena and City Council – Planning Commission

RE: Short Term Rental Permit renewal, 1243 Stockton Street, Saint Helena, CA

I have been a long term resident in the city of Saint Helena. I grew up here and am currently raising my children here. I am now a neighbor to the Podesta's, thanks to Brenda's hard work in helping me secure a home in the area where my kids can be close to their schools.

I have known Brenda and Steve for several years. Initially, through business, eventually they became friends. We have attended Halloween festivities and other family and friendly get togethers at their house over the years.

They are fine people and are very concerned about being respectful to their neighbors. We're always being "shushed" by Steve and Brenda while we are there, especially during the evening hours. It has become quite obvious there're a few very sensitive neighbors on their block who love to single them out for one reason or another. Several years ago, I came over to visit Brenda on a business basis, while coming up her front walk way I was confronted by one such neighbor, asking me if I was vacation renting their home. When I told Brenda what had happened she said it's not the first time. On another occasion, while I was dropping off some paperwork, their cleaning lady came in and was all upset. Come to find out she had just been balled out by the neighbor across the street at 1230 Stockton Street for parking her car in front of his house. I believe these same neighbors have been giving them a hard time since the day they moved in. At least that has been my experience since I have known them. It's almost like they have "bullies" or "harassers" on the block. It's now allowed in schools, nor should it be condoned with neighbors.

I understand their Short Term Rental Permit is coming due for renewal. I hope you seriously consider granting them the renewal. There are so many others in this town who rent illegally. Steve and Brenda have done everything to be above board. Unlike so many other people renting, the Podesta's actually contribute revenue to our town. When you go into their home, you can see they really care about the others in the neighborhood. They post signs all over their house. One such sign requests that under no uncertain terms to not park in front of the neighbor's house at 1230 Stockton Street. The other sign they have posted is one requesting their guest to "please keep this door shut at all times to keep the noise down for this particular neighbor". There are many many other signs posted to keep order at their home while it is rented.

I have read the other letters and notice those who are complain about the comings and goings from their home is like a hotel. In fact, I not only don't notice it, I find their home to be pretty quiet most of the time. They live at this home a majority of the year. They're a family of four with lots of friends and family who come to visit all the time. Furthermore, they both work from home with people coming and going for business purposes. How is this different than the small amount of time they have people renting their home? How do you differentiate? They should be entitled to live in their home and have people come and go as they please. To call out the vacation renters as the problem is being short sighted. By the very nature of their business and being empty nesters they always have people coming and going.

Steve and Brenda have their two adult children in addition to themselves that manage their property at all times, all whom are here locally. I recently found out they are installing cameras with live audio and video feed so they can monitor the comings and goings in around the house live and ensure there isn't any ruckus going on around or in front of the home.

Traffic on the street of Stockton is not because of Steve and Brenda's vacation rental. Prior moving into my new home here in the neighborhood, I stayed with them for a week until my home was ready to move in. I saw more traffic and parking on the street from the neighbors, Fed Ex Trucks, construction workers, delivery people, on the next block and by the school, none of which were related or having to do with the Podesta's home. What I did notice while I was visiting with them that week, like myself, when I come over, I always park in their driveway. They have a huge driveway and whether it's the carpet cleaning people, a Car Service picking people up, friends coming over, I mostly notice them pulling right into the driveway, it's so convenient.

Their home and their sensitivity to the neighbors' concerns and respect for their primary residence is evident when you meet or are visiting them. They bring revenue to the city and to the merchants and restaurants of this city which is important for a city to thrive.

I truly hope you consider their renewal. They are running a first class operation and should be allowed to continue to do so. They are a living example of how a legal short term rental in Saint Helena should be ran, not one that should be ran out of town.

Sincerely,

Diana Isdahl

Neighbor, Saint Helena Resident

**Steven and Brenda Podesta**

1243 Stockton Street  
Saint Helena, CA 94574  
Tel.: (707)-299-8902

*Email: [stevepodesta@gmail.com](mailto:stevepodesta@gmail.com)*

**September 8, 2016**

Thomas B. Brown  
Attorney at Law  
City of Saint Helena  
1480 Main Street  
Saint Helena, CA. 94574

**Re: PL16-049-Short-Term Rental Permit-1243 Stockton Street  
Notice of Appeal**

Dear Mr. Brown:

This matter involves an appeal from the planning departments denial of my short-term rental permit for my primary residence. As you know, the planning committee voted to deny the renewal of my short-term rental permit. The following issues have necessarily presented themselves based on the committee's decision.

First, I have entered in valid legal contracts with folks based on the fact that I currently have a valid, active and legal permit to rent my primary residence pursuant to the provisions of the Municipal Code (extended during the appeals process). Some of the renters are coming as far away as Europe and most of the visitors to our City have booked other high-priced events such as Weddings and Family reunions. The dates for my performance of said short-term rental contracts are executory in nature given the fact that the dates for said performance are to be executed in the up-coming months. As such, they need to be performed.

Please confirm in writing that those contracts can be honored without any adverse legal involvement by the City of Saint Helena. My concern being the foreseeable substantial damages that will be caused if the renters are turned away should my current valid permit be revoked. Should that occur, and the City Council denies the renewal of my permit, the damages that will be incurred by renters who have already made plans for other high-priced events mentioned above and necessarily having to find other accommodations, will be substantial.

Second, please confirm in writing that during the time that my permit remains active, can I enter into new contracts for renters to stay in the not too distant future. Again, as with all short-term rental agreements, the performance is executory until the renters stay has ended. I have done everything by the book and complied with the Cities municipal code from the beginning. I have paid all fees and taxes in reliance on the Municipal Code yet seem to keep running into resistance from the four planning committee members opposed to the short-term rental law (one member, Tracy Sweeney, recused herself as she is a short-term rental permit holder).

For the record, and in effort to stay transparent during this legal process, please confirm and advise me that the two scenarios mentioned above will not be interfered with by any potential legal action by the City upon the performance of both. Again, the agreements are valid executory contracts and I cannot afford to breach any of them.

Thank you for your anticipated cooperation and professionalism.

Very sincerely yours,

Steven Podesta

**Steven and Brenda Podesta**

1243 Stockton Street  
Saint Helena, CA 94574  
Tel.: (707)-299-8902

*Email: [stevepodesta@gmail.com](mailto:stevepodesta@gmail.com)*

**September 8, 2016**

Town Council  
City of Saint Helena  
1480 Main Street  
Saint Helena, CA. 94574

**Re: PL16-049-Short-Term Rental Permit-1243 Stockton Street  
Notice of Appeal**

Dear Members of the Town Council:

This matter involves an appeal from the planning departments denial of my short-term rental permit for my primary residence.

The following facts support the renewal of my short-term rental permit number 2012-31, issued on July 23, 2012:

My wife and I have made Saint Helena our home and primary residence since 2006. I am a member in good standing of both the Saint Helena chapter of the International Order of Oddfellows and the Meadowood County Club. When we do, on occasion, choose to rent our home, we strictly follow and abide by the Saint Helena Municipal Code, Section 17.134.04 and our own personal house policies.

My permit is issued in my name and I am the owner of 1243 Stockton Street. My home has four bedrooms and we never allow more than eight persons to stay at our home. I can attest that all applicable building, health, fire and related safety codes are met and followed. Additionally, I have off-street parking at my house that can accommodate at least eight cars. Rarely, however, are there more than two vehicles parked at my house when it is rented. Why? Because we never rent to people from California. We do this to avoid the possibility of unknown friends of guests showing up. Needless to say, on occasion, we have allowed residence of Saint Helena to rent our home on a short-term basis.

As you know, The SHFD has inspected and determined my house to be in compliance as well. All of the necessary onsite contact information has been made available to you and the public. Pursuant to our house rules, quiet hours are maintained from 9:00 p.m. to 700 a.m.

I have forbidden any audible or misfit skullduggery at my house. The use of amplified sound, which is audible to our neighbors, is not tolerated and we only rent to couples over the age of fifty (50). Moreover, I don't allow renters to have additional guests, group gatherings or pets of any kind. Toward that end, I screen any potential renters thoroughly before they are allowed to stay at my house. A quick review of my house will demonstrate how particular, totally finished and brilliant I maintain my home.

Regarding the July 29, 2016 letter typed but not signed by "Anonymous," I don't believe this should be considered as credible. Personally, I don't know who anonymous is and, as such, have no ability to confront or address such anonymous hearsay. The neighbors at 1219 Stockton, Ana Canales and Bruce Streblov, prepared a positive and supporting letter on August 2, 2016. Additionally, the neighbor at 1240 Stockton, Rick Garber, prepared a positive letter on August 2, 2016 (both are enclosed herein). Of the fifty or so neighbors notified of the renewal, only four have apparently sent in written comments. Of the four, one was anonymous, two were positive and one was not based on accurate facts and does not own the home she lives in because she is a renter herself.

Of the six calls apparently made to the police between April 24, 2015 and April 22, 2016, only one involved a renter and it was promptly dealt with in accordance with our house policies and the cities regulations. The overwhelming bulk of the calls involved our neighbor, Amir Kashani, and he is currently under Court Order not to contact, annoy or harass me, my wife, immediate family or our guests (see enclosed Civil Mediation Agreement). The bottom line, however, is that only 2% of the fifty neighbors notified have responded, which is far less than the 30% needed to even raise a valid concern according to the planning departments regulations.

As full-time residents of Saint Helena with deep ties to the community, my wife and I value the sanctity and peace of our neighborhood. We have made every effort to satisfy both our neighbors and this department's concerns regarding the law pertaining to short-term rentals. Quite frankly, the only reason I occasionally rent my home is to pay for my recent kidney transplant and the medicine required to keep me alive.

Recently, we have purchased and are in the process of installing security cameras around the property, where we can view, in real time, the street, backyard,

driveway and the premise itself, as an added measure to maintain the sanctity and security of our home and this neighborhood.

I respectfully request that the planning department renew our permit in accordance with and pursuant to Section 17.134 of the Municipal Code as all of the conditions thereto have been satisfied.

Very sincerely yours,

Steven Podesta

Encl.

1. Flora Springs Tasting Room – J. Nat Komes (Owner)
2. Market Restaurant – Roman Florez (Owner)
3. Sogni Di Dolci – Adam DeLeon (investor and part owner)
4. Steve’s Hardware – Ann Menegon (Owner)
5. Dean and Doluca – Barry Dinsmore (General Manager)
6. Schweiger Winery – Diana Schweiger – Owners
7. Napa Valley Olive Oil – Giuliano Particelli (Owner) Saint Helena
8. Martin Design (M) – Erin Martin (Owner, Designer)
9. Martin Design (M) -
10. Mario’s Men’s Clothing– Nick Roman and Rob Scalatti (Owner’s) Saint Helena
11. Amelie Claire Clothing, Shoes and Accessories – Rene Scalatti (Owner) Saint Helena
12. Pavati Jewelry and Art Gallery – Sam Dalia and Amber Vargas (Owner’s)
13. Thornhill Vineyards Tasting Room – Main Street – Gerlinde Duratori (Manager)
14. VineCliff Tasting Room, Saint Helena, - Carolyn Sweeney, Manager of Tasting Room
15. Pacific Union International – Cessna Barrett (Broker) Saint Helena
16. Fairwinds Estate Winery – Brandon Chaney (Owner); Joey Podesta Tasting Room Manager, Saint Helena
17. Splendora Studio – Esthetician, Pedi and Mani, Adams Street, Robynn (Owner), Saint Helena
18. Platypus Wine Tours – Rob Vanoncini – Driver, Napa Valley
19. Rabobank – Steve Tagnolli – Regional Manager Agriculture Financing, Napa Valley
20. T & O Masonry, Inc. – Melinda Taylor (Owner) Saint Helena
21. Saint Helena Chiropractic – Dr. Daniel Hamlin (Owner) Saint Helena
22. The Scattered Light – Daryl Cicle (Owner) Saint Helena
23. The Invisible Chef – Michelle Cheatham (Owner – Private Chef) Saint Helena

Thank you!!!!

Steve and Brenda Podesta

TP

October 5, 2016

The Mayor and Members of the St Helena City Council, Steve Podesta's Appeal re Denied by Planning Commission of Short Term Rental Renewal

I am the Owner of the small cottage on a narrow lot at 1243 Stockton Street in St Helena since October 2000, next door to 1243 Stockton Street.

Today, in addition to all the reasons discussed at the Meeting, I would add a few of what has continued to occur over the past weeks since that Meeting:

- Rowdy and intoxicated Renters at the Grill up against the cedar fencing a few feet from the causing a most frightening "flame up"
- Phoney issue with Renters/Strangers on their side stoop higher than fence
- A large bus (not a limo) dropping off Renters/parties at 2:30 A.M., loud enough to awaken a neighbor
- To my knowledge, the Renters were nowhere around to monitor or control these activities.

I have also recently been informed that there are State and Federal American Disability Laws (ADA) concerning the advertised lodging of two or more rooms to be in the same category as a hotel with wheelchair accessibility among other requirements re bathroom (etc). Access to the Front Door at 1243 Stockton is by a series of winding steps without handrails leading to steep stairs with railings. Two reach and one side (close to

my Property) entries have steep stairs with railings. There is no visible wheelchair access.

It has become increasingly clear to me that Mr Podesta has been for the past decade (five years illegally, currently by Permit and "grace period") operating a high-end, very attractive small boutique hotel. At the center of our traditionally "old Town St Helena" narrow one-sided-parking street, rising half a story above mostly small surrounding Cottages, it is the focal point of the block in many ways, and its commercial aspects have clearly altered the previous neighborhood character.

I respectfully suggest the decision of the Planning Commission be upheld.

Finally, please note that the reality of the situation is that there are a number of other slow Residents who for various legitimate reasons prefer not to "go Public", although they do not want an STR here.

Originally I was one of them for years. One of them wrote a "signed Anonymous" letter to the Planning Commission which Mr. Podesta on record claimed "did not count."

that real live Person does, however, very much count, as does another (signed) letter writer, Mr. Podesta on record (and to that Person "in person") dismisssed as "just a letter".

(To Mayor and City Council Members, cont.) pg. 3

that person has been a Resident here long before Mr. Podesta arrived — and changed everything.

It is simply the wrong Business in the wrong Place.

Sincerely,  


JONY McQUIDDY  
1227 STOCKTON ST  
ST HELENA, CA 94574  
707-963-1517

RECEIVED  
PLANNING DEPARTMENT

OCT 05 2016

• City of St. Helena

**TONA KOVACEVIC  
1565 PINE STREET  
ST. HELENA, CA 94574**

**To:** Mayor Galbraith and St. Helena City Council Members;  
Peter White, Sharon Crull, Paul Dohring & Greg Pitts – via  
email

**CC:** Noah Housh, Planning Director - via email

**Subject:** 1243 Stockton Street Appeal from Resolution PC2016-034  
Denial of STR Permit Renewal

As a lifelong resident of St. Helena, living on the corner of Stockton and Pine Streets since 1971, I am aware of the traffic issues that can arise while driving Stockton Street from Spring to Madrona and back. The street is narrow but well-traveled with full time residents, second homeowners and students walking and riding bikes at various times of the day.

I am in full support of the Planning Commission's denial of the Short Term Rental Permit Renewal for 1243 Stockton Street. Stockton Street residents are already dealing with tight setbacks and parking issues with such a narrow street, continuing to operate a boutique hotel in this particular location, is irresponsible and disrespectful of the neighbors.

I encourage the City Council to support the unanimous decision of the Planning Commission in denying the STR Permit Renewal for 1243 Stockton.

Thank you for your time and consideration.

Respectfully,

A handwritten signature in cursive script that reads "Tona Kovacevic". The signature is written in dark ink and is positioned below the typed name "Tona Kovacevic".