



AGENDA
ST. HELENA PLANNING COMMISSION
VINTAGE HALL BOARD ROOM – 2ND FLOOR
465 MAIN STREET, ST. HELENA
DECEMBER 17, 2013
6:00 P.M.

Prior to the meeting the public may review and/or request staff reports for agenda items at city hall or view staff reports at the George & Elsie Wood Public Library. Members of the public may also view meetings, including archived meetings, by choosing the 'video on demand' option on the St. Helena website: www.cityofsthelema.org. Please contact the Planning Department at 968-2749 for more information or to speak with a planner about an agenda item.

Appeal. A person who is dissatisfied with a decision of the Planning Commission may appeal that decision to the City Council pursuant to Municipal Code Section 17.08.180, Appeal procedure. Actions of the Planning Commission will be listed on the City Council agenda the following Tuesday to give the City Council opportunity to review the Planning Commission's decision. Absent of an appeal by the City Council or by a citizen, the appeal period will terminate two weeks after the Planning Commission hearing.

Special Assistance for the Disabled. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in the meeting, please contact City Hall, (707) 967-2792. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting (28 CFR35.102-35.104 ADA Title II). However, City staff will attempt to assist at any time with accessibility. The City Clerk has equipment to assist those with a hearing impairment.

Public Testimony Procedures. Pursuant to the Government Code Section 54954.3, the public may address the Commission on each agenda item during the Commission's consideration of that item. Each speaker has the option to state his or her name for the record before testifying. Depending on the number of speakers or the interest of the item, the Planning Commission Chairman may also restrict, at his/her discretion, the speaker's time to three minutes. The Chairman may also restrict public comments if they become irrelevant to the agenda item or repetitious of prior comments.

All persons interested may appear and be heard or submit written statements prior to the Planning Commission meeting. Please note that if you challenge the City's decision on any of these matters in court, you may be limited to raising only those issues you or someone else raised at the meeting or in written correspondence delivered to the City at, or prior to, the meeting.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE AND ROLL CALL

3. APPROVAL OF MINUTES: *December 3, 2013*

4. PUBLIC FORUM: This is an opportunity for the public to address the Commission on items of interest to the public that are NOT listed on the agenda. Because of restrictions imposed by the Brown Act, the Commission may not engage in discussion nor take action on matters not described on the agenda.

5. COMMUNICATIONS AND PETITIONS: *None*

6. SCHEDULED MATTERS:

- *Update on 1380 Main Street Project*
- *Update on Housing Element Process*

7. RECOMMENDED CONSENT CALENDAR: *None*

7.1 2013-71: Design Review and Use Permit

LOCATION: 1416 Allyn Avenue

APPLICANT: Ann Mulroy

APN: 009-305-002

CEQA: Exempt pursuant to Section 15303, Class 3.

DESCRIPTION: *Request of Ann Mulroy for a Use Permit and Design Review to convert an existing 589 sf accessory building to a 2nd unit. The project site is an 11,800 sf parcel located at 1416 Allyn Avenue in the MR: Medium Density Residential district.*

REQUIRED ACTION: *Determine that the project is exempt from CEQA pursuant to Section 15303 and accept the required findings and approve the request for Design Review and Use Permit.*

8. SIGN PERMIT/ADMINISTRATIVE DETERMINATION: *None*

9. PUBLIC HEARINGS/PLANNING COMMISSION ACTION IS FINAL:

9.1 2013-58: Design Review and Lot Line Adjustment

LOCATION: 1720 Vineyard Avenue

APPLICANT: Anthony Filips

APN: 009-172-022

CEQA: Exempt pursuant to Section 15303, Class 3.

DESCRIPTION: *Request by Anthony Filips for a Lot Line Adjustment between the subject parcel and the parcel to the immediate south (APN 009-172-023). This adjustment would add 500 sf to the applicant's parcel. The applicant is also seeking Design Review approval to construct a single story 1,241 sf. 2-bedroom residence on the vacant parcel located at 1720 Vineyard Avenue in the MR: Medium Density residential district.*

REQUIRED ACTION: *Determine that the project is exempt from CEQA pursuant to Section 15303 and accept the required findings and approve the request for Design Review and a Lot Line Adjustment.*

9.2 2013-59: Short-Term Rental Permit

LOCATION: 1702 Tainter Street

APPLICANT: Matthew Demchuck

APN: 009-312-160

CEQA: Staff finds that this project to be exempt under the "common sense" exemption. Meaning that there is no possibility the project may have a significant effect on the environment.

DESCRIPTION: *Request by Matthew Demchuck for a Short-Term Rental Permit for a parcel located at 1702 Tainter Street in the MR: Medium Density residential district.*

REQUIRED ACTION: *Pursuant to Section 17.134.060, short-term rental permit applications shall be submitted to the planning commission if the following occur:*

- *Written protests pursuant to Section [17.134.050\(D\)\(4\)](#) comprise thirty percent (30%) or more of the owners within a three hundred (300) foot distance from the lot on which the short-term rental use is proposed.*

Planning staff received 28 letters in opposition and one letter in support of the proposed project. There were 47 unique parcel owners within 300' of the subject parcel.

The planning commission shall review and either approve or deny the application pursuant to the requirements of this chapter 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 use permit findings contained in Chapter 17.168.

10. PUBLIC HEARINGS/RECOMMENDATIONS TO CITY COUNCIL:

10.1 CITY INITIATED: Zoning Ordinance Text Amendment – Chapter 17.164

APPLICANT: City of St Helena

CEQA: Exempt

DESCRIPTION: Amendments to Chapter 17.164 - Design Review - to establish Section 17.164.025 – Administrative Review – to allow administrative approval of design review applications that meet specific criteria.

REQUIRED ACTION: *Review and make a recommendation of approval to the City Council.*

10.2 CITY INITIATED: Zoning Ordinance Text Amendment – Section 17.08.120

APPLICANT: City of St Helena

CEQA: Exempt

DESCRIPTION: Amendments to Chapter 17.08, Section 17.08.120 – Term of permits and approvals - to revise the expiration provisions for discretionary projects.

REQUIRED ACTION: *Review and make a recommendation of approval to the City Council.*

10.3 CITY INITIATED: Zoning Ordinance Text Amendment – Section 17.124.070

APPLICANT: City of St Helena

CEQA: Exempt

DESCRIPTION: Amendments to Chapter 17.124, Section 17.124.070 - Standards for driveways and access drives – for consistency with Building and Fire Code

REQUIRED ACTION: *Review and make a recommendation of approval to the City Council.*

11. REFERRALS: *None*

12. REPORTS BY STAFF AND PLANNING COMMISSION: *None*

13. AGENDA FORECAST: *January 7, 2013*

- 1723 Tainter – Design Review/Variance – continued from 120313

14. ADJOURNMENT

A motion will be in order to adjourn to a regularly scheduled meeting of the Planning Commission on January 7, 2013 at 6:00 p.m. in the Vintage Hall Board Room, 465 Main Street, St. Helena, CA.



Greg Desmond
Interim Planning Director



**ACTION MINUTES
ST. HELENA PLANNING COMMISSION
VINTAGE HALL BOARD ROOM – 2ND FLOOR
465 MAIN STREET, ST. HELENA
DECEMBER 3, 2013
6:00 P.M.**

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE AND ROLL CALL

Commission Present: Commissioners Kistner, Monnette, Parker Russell & Chairperson Heil

Staff: Greg Desmond, Interim Planning Director, Debra Hight, Assistant Director of Public Works

3. APPROVAL OF MINUTES: November 19, 2013

MOTION: *It was moved by Commissioner Kistner and seconded by Commissioner Russell to approve the minutes of November 19, 2013.*

Ayes: Commissioners Kistner, Russell, Parker, Monnette, & Chairperson Heil

Noes: None

Absent: None

Abstain: None

4. PUBLIC FORUM: *None*

5. COMMUNICATIONS AND PETITIONS: *None*

6. SCHEDULED MATTERS: *None*

7. RECOMMENDED CONSENT CALENDAR: *None*

8. SIGN PERMIT/ADMINISTRATIVE DETERMINATION: *None*

9. PUBLIC HEARINGS/ PLANNING COMMISSION ACTION IS FINAL:

9.1 2013-58: Design Review and Use Permit

LOCATION: 1318 Stockton Street

APPLICANT: Shay Zak

APN: 009-231-007

CEQA: Exempt pursuant to Section 15303, Class 3.

DESCRIPTION: *Request of Shay Zak for Design Review and Use Permit approval to construct a new 2,464 sf, 2-story residence with a detached 644 sf guest house and a detached 552 sf garage. The subject parcel is 10,600 sf and is located at 1318 Stockton Street in the MR: Medium Density Residential district.*

REQUIRED ACTION: *Determination that the project is exempt from CEQA pursuant to Section 15303, Class and accept the required findings and approve Design Review and the Use Permit.*

MOTION: *It was moved by Commissioner Russell and seconded by Commissioner Monnette to determine that the project is exempt from CEQA pursuant to Section 15303, Class and accept the required findings and approve Design Review and the Use Permit.*

Ayes: Commissioners Russell, Monnette, Parker, Kistner & Chairperson Heil

Noes: None

Absent: None

Abstain: None

9.3 2013-69: Design Review and Variance

LOCATION: 1752 Scott Street

APPLICANT: Anne Cottrell and Doug Cutting

APN: 009-291-011

CEQA: Exempt pursuant to Section 15301 & Section 15303.

DESCRIPTION: Request of Anne Cottrell and Doug Cutting for a Demolition Permit, Design Review and Variance approval to demolish an existing non-historic 2,368 sf residence and to construct a new 2,513 sf, 2-story residence with a 768 sf attached garage and a detached 441 sf second unit. The variance is requested to allow the second unit to encroach into the required side yard and rear setbacks. The subject parcel is 12,678 sf and is located at 1752 Scott Street in the MR: Medium Density Residential district.

REQUIRED ACTION: Determine that the demolition component of the project is exempt from the requirements of CEQA, pursuant to Section 15301, Class 1 and that the construction component of the project is exempt from CEQA pursuant to Section 15303, Class and accept the required findings and approve the Demolition Permit, Design Review and Variance.

MOTION: It was moved by Commissioner Kistner and seconded by Commissioner Monnette to determine that the demolition component of the project is exempt from the requirements of CEQA, pursuant to Section 15301, Class 1 and that the construction component of the project is exempt from CEQA pursuant to Section 15303, Class and accept the required findings and approve the Demolition Permit, Design Review and Variance.

Ayes: Commissioners Russell, Monnette, Parker, Kistner & Chairperson Heil

Noes: None

Absent: None

Abstain: None

10. PUBLIC HEARINGS/ RECOMMENDATIONS TO CITY COUNCIL: *None*

11. REFERRALS: *None*

12. REPORTS BY STAFF AND PLANNING COMMISSION:

- *The Planning Commission requested a status report on the Housing Element Update Process.*
- *The Planning Commission requested a status report on the project located at 1380 Main Street.*

13. AGENDA FORECAST:

14. ADJOURNMENT: A motion was made to adjourn to a regularly scheduled meeting of the Planning Commission on December 17, 2013 at 6:00 p.m. in the Vintage Hall Board Room, 465 Main Street, St. Helena, CA.

Greg Desmond - Interim Planning Director

MEMORANDUM



AGENDA ITEM: 6.1

DATE: December 17, 2013
TO: Planning Commission
FROM: Greg Desmond, Interim Planning Director
RE: 1380 Main Street – project outline/update

Background

At their meeting on December 3, 2013, the Planning Commission requested that staff provide a project update for the project located at 1380 Main Street.

Summary

Staff has received an application for a Demolition Permit and Design Review for the parcel located at 1380 Main Street.

The applicant is interested in removing, relocating and rebuilding the existing structure in an effort to develop a 2-story commercial building consisting of 2,898 sf on the ground floor and 2,791 sf on the second floor.

Staff has attached the applicant's project statement and proposed plans.

Status

Staff and the applicant have been working out the appropriate CEQA process for this project. A mitigated negative declaration is being prepared and staff will provide additional updates at subsequent meetings.

Planning Commission Action

No action – this item is informational only.

Attachments

Applicant statement
Proposed plans



November 25, 2013

Greg Desmond
Interim Planning Director
City of St. Helena Planning Department
1480 Main Street
St. Helena, CA 94574

Re: 1380 Main Street Building
Design Review Project Statement

Dear Greg:

After a great deal of study, planning, and coordination, we are pleased to submit the attached Design Review Package for the new building we are proposing for the corner of Main Street and Adams Street. As you know, given the considerable coordination we did with your department, Public Works, the City Manager, the St. Helena Historical Society, and CalTrans, we have arrived at this solution having studied multiple alternatives, and believe it to be the best possible project for this location.

Project Data

The project consists of a two-story commercial building, including 2898 square feet of retail on the ground floor, and 2791 square feet of office space on the second floor. 11 new onsite parking spaces will be created, along with 1 new street parking space, for a total of 12 new spaces. Access to the site will be off of Adams Street. The maximum occupant load for the building will be 93 occupants on the ground level and 26 on the office level. The building will accommodate locally serving businesses, consistent with the St. Helena General Plan.

Design

The project has been carefully crafted to fit within the historical context of the Main Street district. Its massing, articulation, materials, detailing, and planning are all the result of a scrupulous adherence to the City of St. Helena Guidelines of this location. Specifically, the building:

- Maintains the character and identity of the downtown by emphasizing a strong street definition, creating active storefronts, locating parking behind the building, and maximizing entrances and transparency on building façades.

381 ORANGE STREET
O A K L A N D
C A L I F O R N I A
9 4 6 1 0 . U S A
TEL.510.891.9145
FAX.510.891.9107
madarchitects.com

- Preserves the character and quality of our heritage by maintaining the integrity of the Main Street Historic District areas which has a discernible character that is complimented by this project.

Further, as a project occurring within the St. Helena Downtown Historic District, the project follows the precepts of the Secretary of Interior Standards for Rehabilitation as they relate to new structures. The scale, character and materials are consistent with the buildings within the District, while the detailing and craftsmanship of the building will clearly distinguish it from the older buildings in the district, as mandated by the Standards.

From a St. Helena Planning standpoint, the project extends and reinforces the current pattern of development along Main Street, a strongly sidewalk/pedestrian-oriented paradigm. Care has been taken to reinforce the corner, which has the desirable effect of both encouraging pedestrian circulation down Adams Street, as well as acknowledging historical precedent for this gesture in California small town architecture.

Relocation of Existing Distressed Structure

While not required by the General Plan or by the Secretary of Interior Standards, we have undertaken a careful study of the existing deteriorated metal smog station structure, and how it could be preserved as a civic resource. We have developed a plan, at the suggestion of and in coordination with the St. Helena Planning Department, to relocate and re-purpose the structure as a public restroom in the new St. Helena Wappo City Park. As a condition of approval, the applicants are prepared to fund the deconstruction of what remains of the smog station structure, move it to Wappo Park, and (re)construct the new restroom as detailed in the attached drawings. Please see the attached analysis and support for this approach, and how it specifically meets, and indeed exceeds, the requirements of the California Environmental Quality Act (CEQA) necessary for approval of this project.

Traffic Study

At the request of the Planning Department and Public works department, we engaged a Traffic Engineering firm to study the impact of the project on the current vehicular traffic load in St. Helena. The study, by the same firm who has done multiple studies for the City, including the Adams Street Corridor, found that the project would not have a negative impact on traffic, and in fact would increase safety along Main Street by eliminating the vehicular access off of Main Street (please see attached Crane Transportation Group Traffic Study)

Sustainable Design

Conservation measures include on-site water reuse, water efficient landscaping and use of low-flow appliances. The stormwater management techniques for the project minimize surface water runoff in the development. The project utilizes low impact development techniques such as bioswales and other best management practices to manage stormwater. All rainwater, including roof water, will be gravity drained to bioswales, where the water will be naturally filtered.

This development helps mitigate visual clutter by including underground utilities to minimize their negative visual impact. The proposed building utilizes native landscaping, passive heating and cooling, and a green wall of native ivy, which provides natural insulation of the South wall.

While this application has been over a year in study and preparation, as a life-long citizen of St. Helena (Gary), and another Napa Valley "born and raised", with a father who was born in St. Helena (Joel), we feel that this project has been over 50 years in the planning. We hope you find the results of this work to be a welcome and fitting addition to the Downtown.

Sincerely,

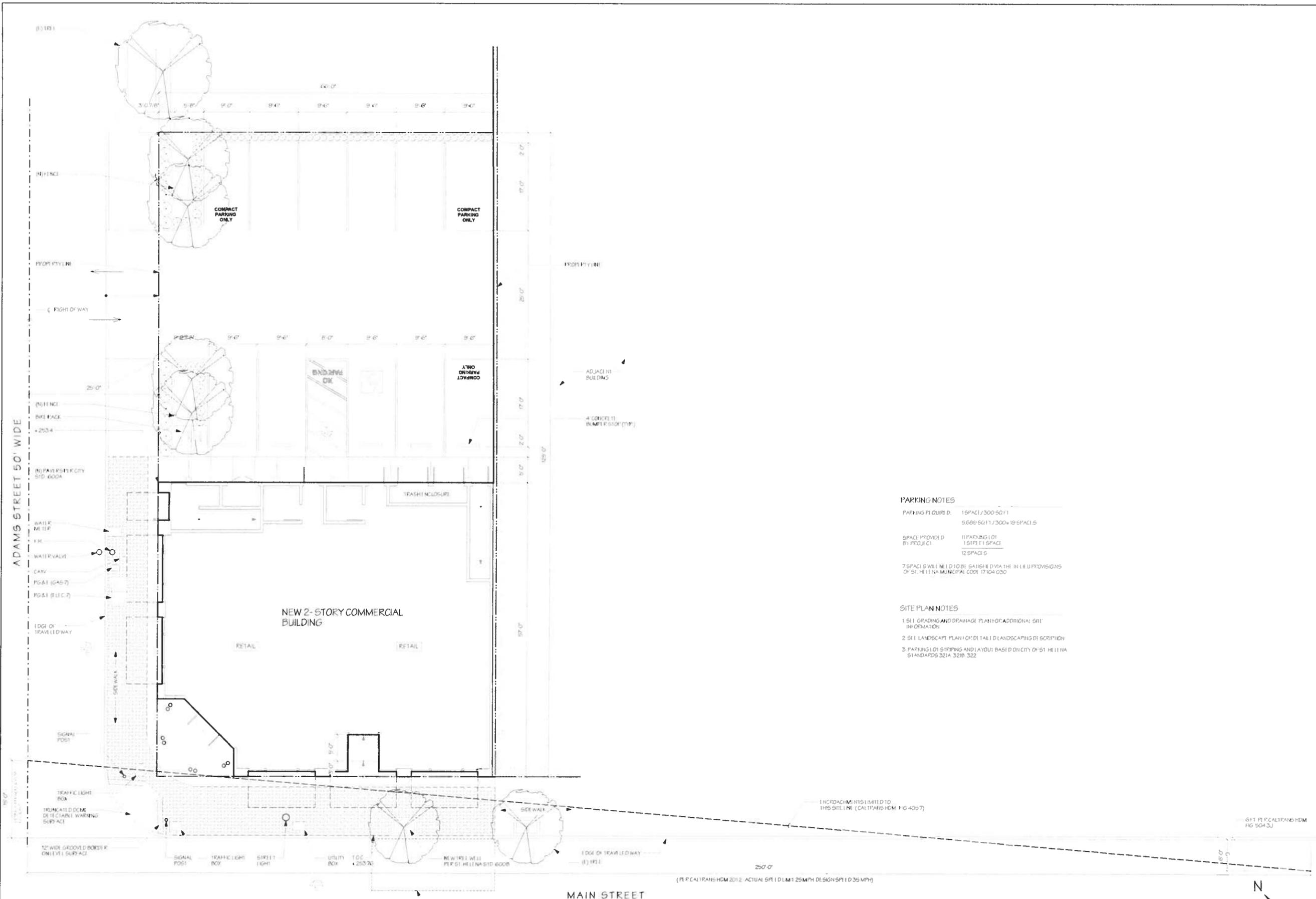
Gary Menegon

Roberta Menegon

Joel Miroglio, AIA

Attached supporting documents:

1. Design Review Application
2. Drawings Sheet A-0 to A-7
3. CEQA framework/analysis of relocation of existing smog service building
4. CEQA Analysis of Relocation, Architectural Resources Group letter
5. Notice of Corrective Action, Napa County Environmental Services
6. Traffic Study, 1380 Main, Crane Transportation Group
7. Water Neutral analysis, 1380 Main, Applied Civil Engineering
8. Historic Resource Secretary of Interior Standards analysis of proposed Design, ARG
9. Napa County Notice of Completed Site Corrective Action/Storage Tank Removal
10. Preliminary Title Report Proxy



PARKING NOTES

PARKING REQUIREMENTS: 1 SPACE / 300 SQ FT
 5,680 SQ FT / 300 = 19 SPACES

SPACE PROVIDED BY PROJECT: 11 PARKING LOT, 1 STREET SPACE, 12 SPACES

7 SPACES WILL NEED TO BE SATISFIED VIA THE IN-LIEU PROVISIONS OF HELENA MUNICIPAL CODE 17.104.030

SITE PLAN NOTES

- SEE GRADING AND DRAINAGE PLAN FOR ADDITIONAL SITE INFORMATION.
- SEE LANDSCAPE PLAN FOR DETAILED LANDSCAPING DESCRIPTION.
- PARKING LOT STOPPING AND LAYOUT BASED ON CITY OF HELENA STANDARDS 321A, 321B, 322.

1 SITE PLAN (INCLUDING CALTRANS LINE OF SIGHT PARAMETERS)
 1/8" = 1'-0"

REVISIONS	BY
SUBMITTED FOR DESIGN REVIEW 5/29/13	

M.a.d.
 MIFORGLIO ARCHITECTURE + DESIGN

312 HANGI STREET
 OAKLAND, CALIFORNIA
 94612-4034
 TEL: 510.435.4142
 FAX: 510.435.4107

1380 MAIN STREET
 ST HELENA, CALIFORNIA

DATE	07/26/12
SCALE	AS NOTED
DRAWN	HEJ
JOB	
SHEET	A-1
OF SHEETS	

- LANDSCAPE IRRIGATION NOTES**
1. SEPARATE AUTOMATIC VALVING FOR TREE ZONES AND SHRUB ZONES
 2. TREES TO BE PROVIDED WITH 4-1 GAL/HRT MITTLEPS EACH
 3. SHRUBS TO BE PROVIDED WITH 1/2 GAL/HRT MITTLEPS BASED ON CONTAINER SIZE SPECIFIED
100 GALLON SHRUBS 2 MITTLEPS
50 GALLON SHRUBS 3 MITTLEPS
 4. PROVIDE AN IRRIGATION SIGNAL TO DOUBLE CHECK BACKFLOW PREVENTION AS APPROVED BY THE CITY OF ST. HELENA
 5. PROVIDE IN LINE 150 MCF PER HOUR STATION AFTER THE AUTOMATIC IRRIGATION VALVE
 6. PROVIDE A MINIMUM 2 STATION "SMART" CONTROL TO ENHANCE WATER CONSERVATION
 7. ALL IRRIGATION EQUIPMENT TO BE INSTALLED IN TAMPED PROOF IN GROUND 50" WITHIN 10' STRICTED ACCESS AREAS



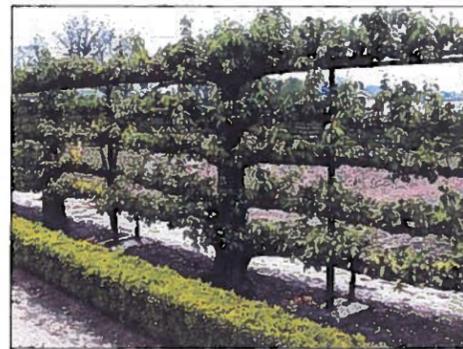
24" BOY HORNBEAM CARPINUS BEULUS



COMPACT MYRTLE MYRTUS COMMUNIS 'COMPACTA VAREGATA'



1 GAL CAPE RUSH CHONDROPTALUM TECTICOLM



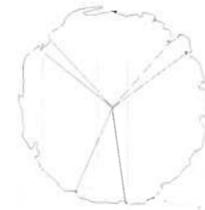
6" X 6" POST 55 WIRE RAIL STRUCTURE BOTH SIDES W/ 15 GAL CORDON OFF FURT TREE SCREEN APPL



5 GAL CREEPING FIGUS PUMILA



NE SIDE WALK PAVES SIDEWALK AND TREE WELL PER CITY OF ST. HELENA STANDARDS



1 GAL CAPE RUSH CHONDROPTALUM TECTICOLM (TYP. OF 4)

50-1 GAL COMPACT MYRTLE MYRTUS COMMUNIS 'COMPACTA VAREGATA'

PROPERTY LINE

6" X 6" POST 55 WIRE RAIL STRUCTURE BOTH SIDES W/ 15 GAL CORDON OFF FURT TREE SCREEN APPL

24" BOY HORNBEAM CARPINUS BEULUS (TYP. OF 4)

24" BOY HORNBEAM CARPINUS BEULUS (TYP. OF 4)

1 GAL CAPE RUSH CHONDROPTALUM TECTICOLM (TYP. OF 25)

6" X 6" POST 55 WIRE RAIL STRUCTURE BOTH SIDES W/ 15 GAL CORDON OFF FURT TREE SCREEN APPL

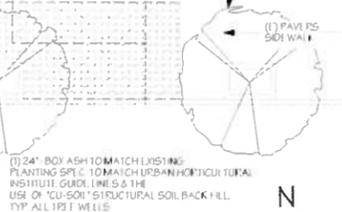
(N) CONCRETE SIDE WALK

ADAMS STREET

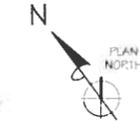
1380 MAIN ST. BUILDING

MAIN STREET

1 LANDSCAPE PLAN
1/8" = 1'-0"



(1) 24" BOY ASH TO MATCH EXISTING PLANTING SPEC TO MATCH URBAN HORTICULTURAL INSTITUTE GUIDELINES & THE USE OF "CU-SOIL" STRUCTURAL SOIL BACK FILL (TYP. ALL 1/2" WELLS)



REVISIONS	BY
SUBMITTED FOR DESIGN REVIEW 5/29/18	

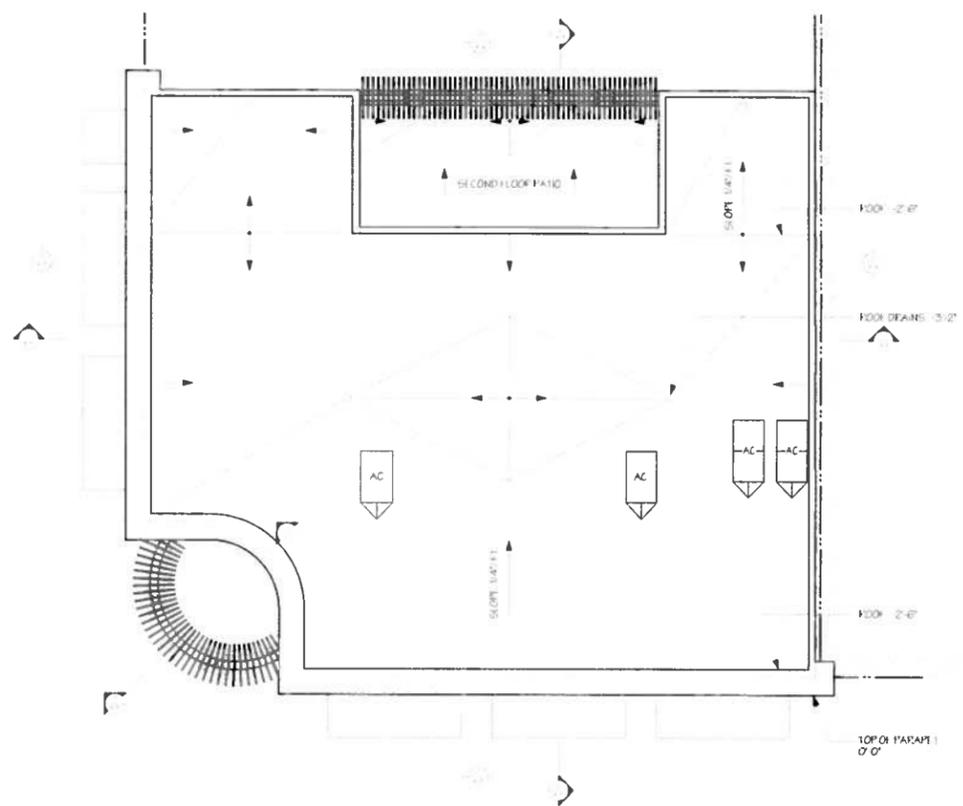


MILKING STREET
D.A. & A.N.D.
C.A.L.I.F.O.R.N.I.A.
P.O. BOX 100
HELENA, CALIF. 95021

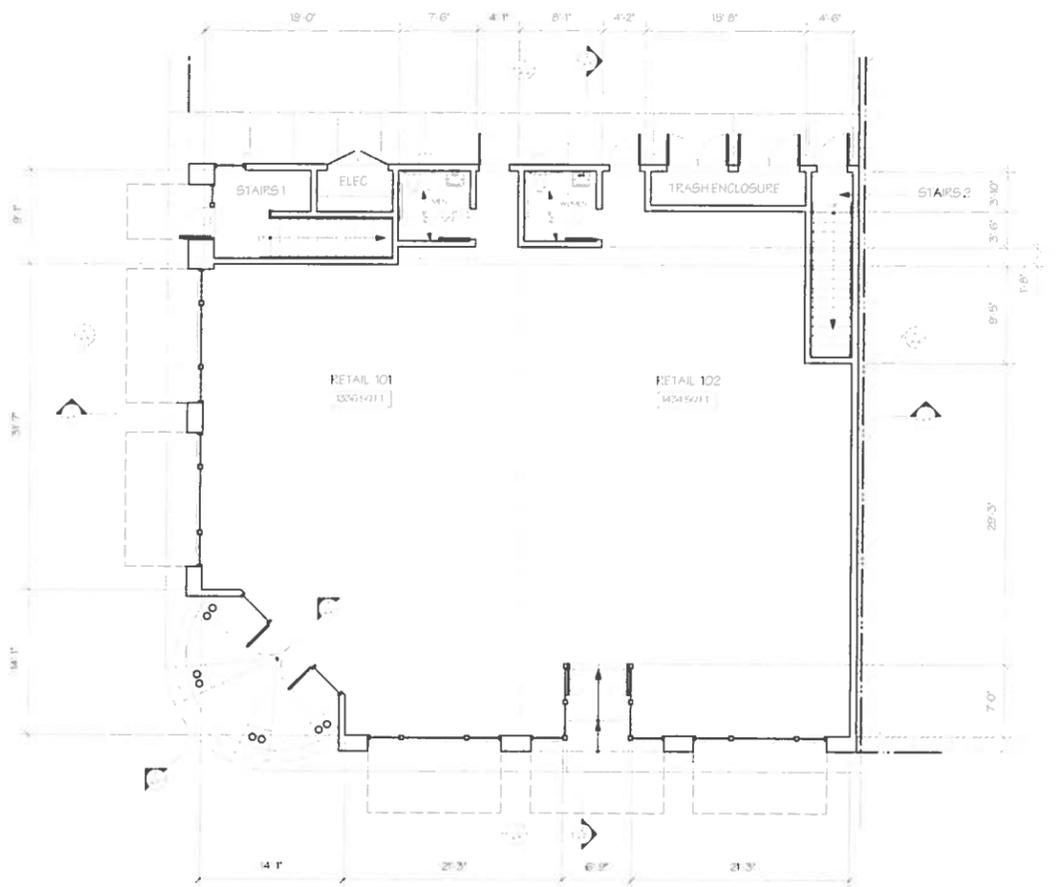
1380 MAIN STREET
ST. HELENA, CALIFORNIA

LANDSCAPE PLAN

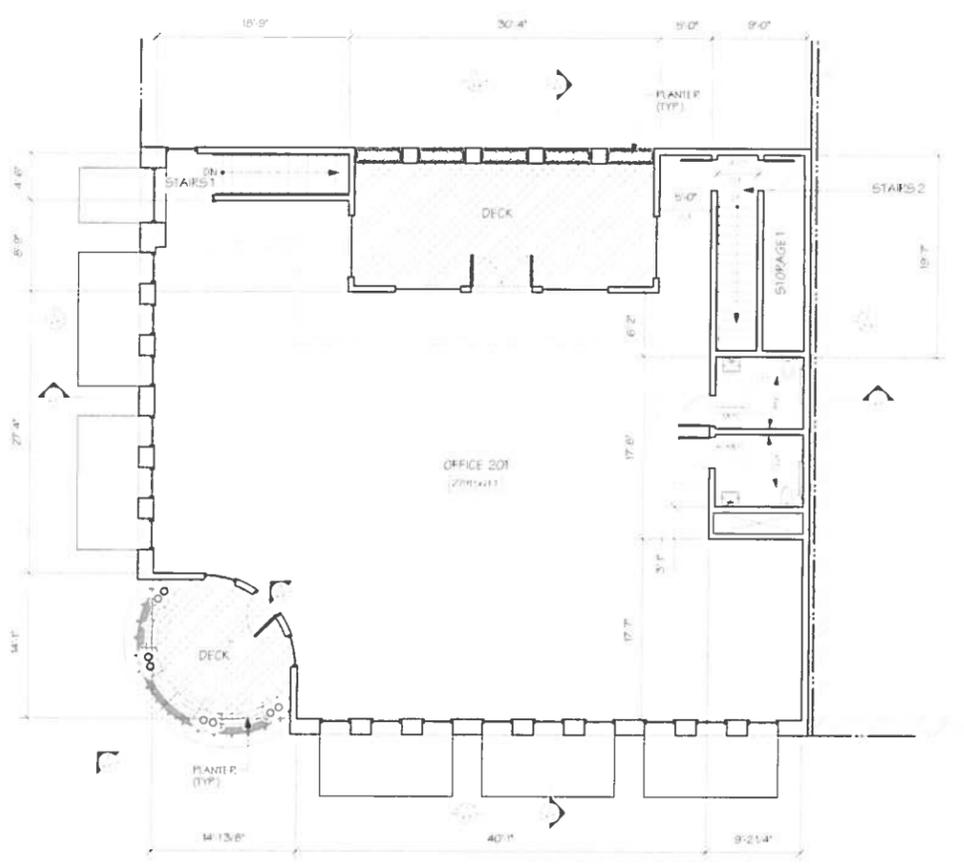
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A-1.2
Of: Sheets



③ ROOF PLAN
1/8" = 1'-0"



① GROUND FLOOR
1/8" = 1'-0"



② SECOND FLOOR PLAN
1/8" = 1'-0"



REVISIONS	BY
SUBMITTED FOR DESIGN REVIEW 5/29/13	



1380 MAIN STREET
ST. HELENA, CALIFORNIA

- GROUND & FIRST FLOOR PLANS
- ROOF PLAN

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Job	---
Sheet	A-2
Of	Sheets

REVISIONS	BY
SUBMITTED FOR DESIGN REVIEW 5/29/13	



M.a.d.
MICROGLIO
ARCHITECTURE
+ DESIGN

381 BRANCA STREET
OAKLAND
CALIFORNIA
94612
TEL: 510.881.4545
FAX: 510.881.5107

1380 MAIN STREET
ST. HELENA, CALIFORNIA

EXTERIOR ELEVATIONS

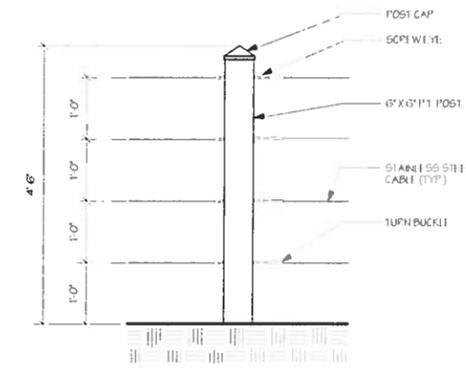
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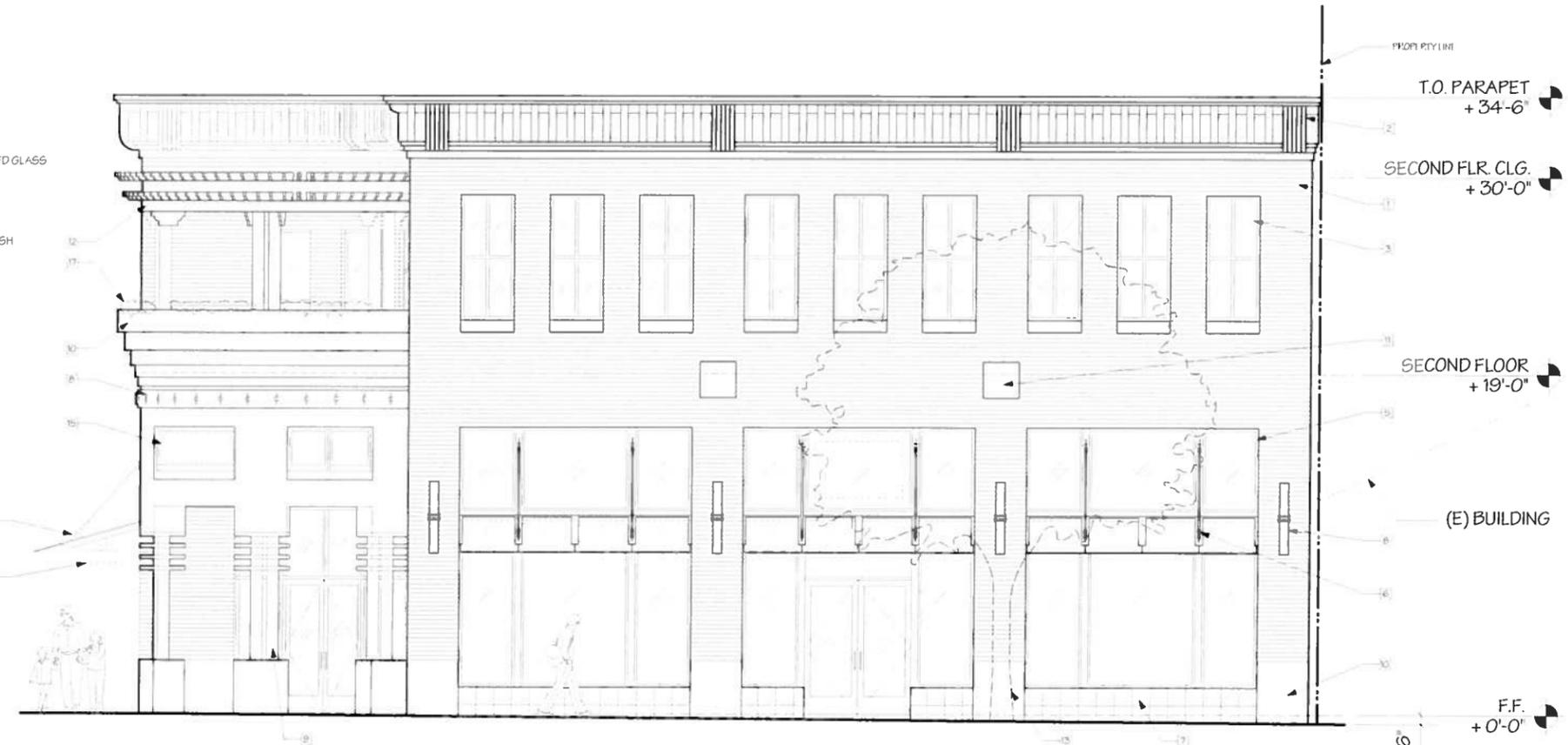
2 WEST EXTERIOR ELEVATION
1/4" = 1'-0"

EXTERIOR ELEVATION NOTE KEY

- 1 BRICK
- 2 PLASTER CORNICE
- 3 OIL-RUBBED BRONZE METAL WINDOW
- 4 PLASTER SILL
- 5 OIL-RUBBED BRONZE STOREFRONT
- 6 AWNING, BRONZE AND FROSTED LAMINATED GLASS
- 7 STONE TILE BASE
- 8 EXTERIOR LIGHT FIXTURE
- 9 METAL COLUMN, OIL-RUBBED BRONZE FINISH
- 10 PLASTER
- 11 PRE-CAST PLASTER RELIEF PANEL
- 12 REDWOOD TRELLIS
- 13 NEW STREET TREE
- 14 NEW TREES AND LANDSCAPING
- 15 SIGNAGE LOCATION
- 16 WALL VINE, CREEPING FIG
- 17 PLANTER BOX
- 18 EXTERIOR DOOR, PAINTED



3 ESPALIER FENCE DETAIL
1 1/2" = 1'-0"



1 SOUTH EXTERIOR ELEVATION
1/4" = 1'-0"

REVISIONS	BY
SUBMITTED FOR DESIGN REVIEW	
5/29/13	

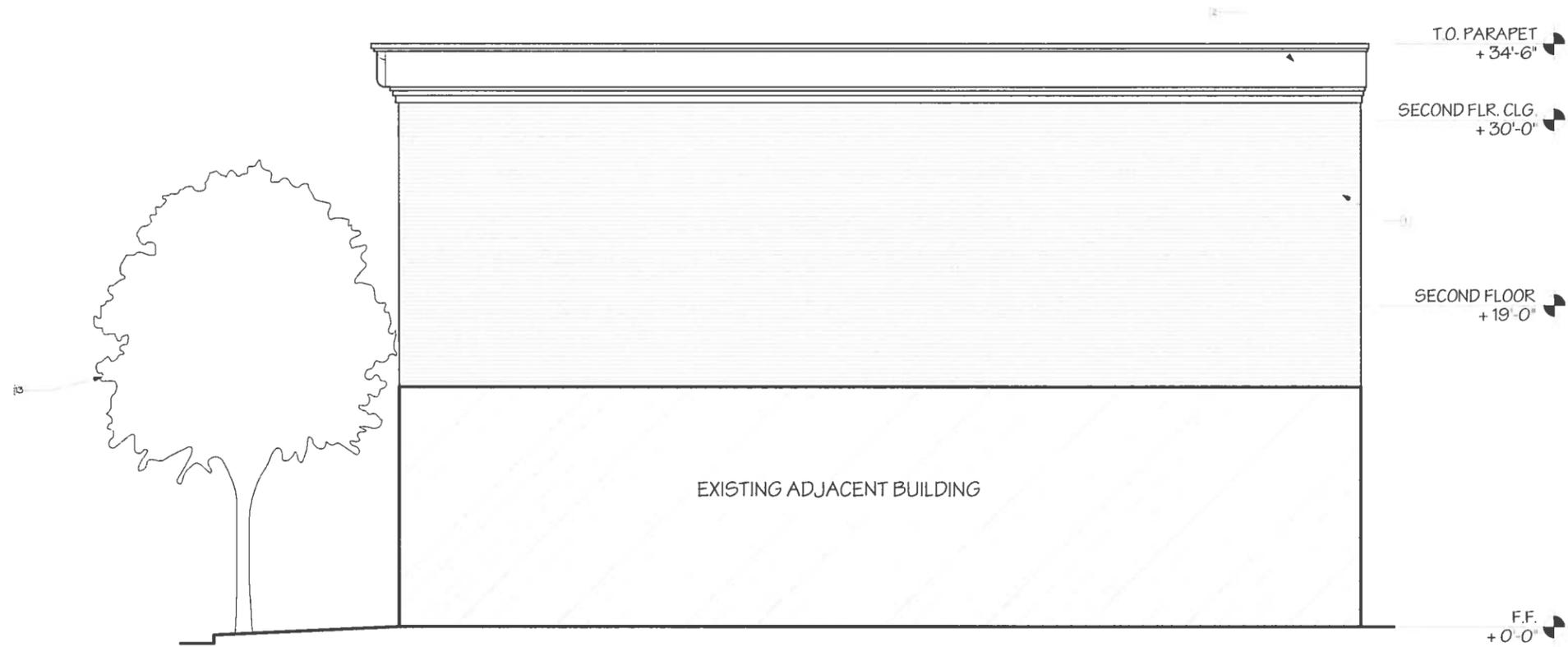


MIRGILIO ARCHITECTURE + DESIGN
 381 29th St STE 2
 OAKLAND CALIFORNIA
 94612 U.S.A.
 TEL: 510.891.9742
 FAX: 510.891.9107

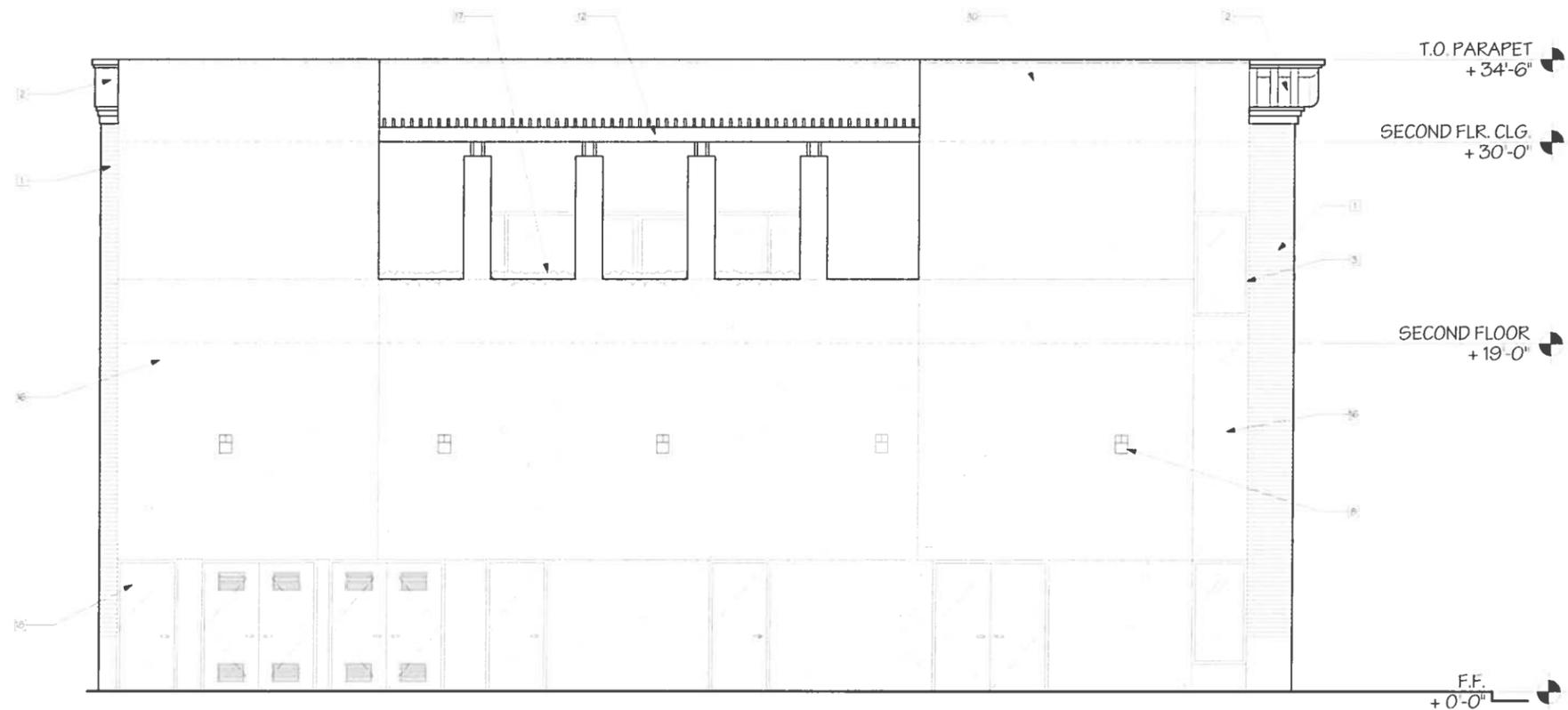
1380 MAIN STREET
 ST HELENA, CALIFORNIA

EXTERIOR ELEVATIONS

Date	07/26/12
Scale	1/4" = 1'-0"
Drawn	MSJ
Job	
Sheet	A-4
Of	Sheets



2 EXTERIOR EAST ELEVATION
 1/4" = 1'-0"



1 EXTERIOR NORTH ELEVATION
 1/4" = 1'-0"

EXTERIOR ELEVATION NOTE KEY

- 1 BRICK
- 2 PLASTER CORNICE
- 3 OIL-RUBBED BRONZE METAL WINDOW
- 4 PLASTER SILL
- 5 OIL-RUBBED BRONZE STONE FRONT
- 6 AWNING BRONZE AND FROSTED LAMINATED GLASS
- 7 STONE TILL BASE
- 8 EYE RIOP LIGHT FIXTURE
- 9 METAL COLUMN OIL-RUBBED BRONZE FINISH
- 10 PLASTER
- 11 PRE-CAST PLASTER RELIEF PANEL
- 12 REDWOOD TRELLIS
- 13 NEW STREET TREE
- 14 NEW TREES AND LANDSCAPING
- 15 SIGNAGE LOCATION
- 16 WALL VINE CREEPING FIG
- 17 PLANTER BOX
- 18 EXTERIOR DOOR, PAINTED

REVISIONS	BY
SUBMITTED FOR DESIGN REVIEW 5/29/13	

M.a.d.
 M. R. O'CONNOR
 ARCHITECTURE
 + DESIGN
 3120 WING STREET
 OAKLAND, CALIFORNIA
 94612-3104
 TEL: 510.891.4242
 FAX: 510.891.6101



3 PHOTOMONTAGE OF PROJECT IN MAIN STREET FACADE CONTEXT
 N.T.S.



1 VIEW TO PROJECT FROM MAIN STREET (SOME DETAILS SHOWN AS WIRE FRAME FOR CLARITY)
 N.T.S.



2 VIEW FROM CORNER OF MAIN STREET AND ADAMS STREET
 N.T.S.

1380 MAIN STREET
 ST. HELENA, CALIFORNIA

■ PHOTOMONTAGE
 ■ 3-D COMPUTER RENDERINGS

Date: 07.26.12
 Scale: 1/8"=1'-0"
 Drawn: NBJ
 Job: ---

Sheet:
A-6
 Of: 5 Sheets

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

DECEMBER 17, 2013

AGENDA ITEM: 7.1

Request of **ANN MULROY** for a **USE PERMIT** and **DESIGN REVIEW** approval to convert an existing 589 sq. ft. accessory building into a 2nd unit. The parcel is located at **1416 ALLYN AVENUE** in the MR: Medium Density Zoning district.

PREPARED BY: Greg Desmond, Interim Planning Director

APPLICATION FILED: 11/05/13

ACCEPTED AS COMPLETE: 11/05/13

LOCATION OF PROPERTY: 1416 Allyn Avenue

APN: 009-305-002

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

APPLICANT/OWNER: Ann Mulroy

PHONE: 415.269.8358

PROJECT DESCRIPTION:

The project site is an 11,800 sq. ft. parcel developed with an existing residence, an accessory building and a barn. The applicant proposes to convert the existing accessory building to a 2nd unit.

The applicant received Variance approval from the Planning Commission at their meeting on August 20, 2013. The Variance allows the 2nd unit to encroach six (6) feet into the eastern side yard setback.

REQUIRED ACTIONS:

1. Determine that this project is exempt from the requirements of CEQA pursuant to Section 15303, Class 3 which exempts construction of new private structures.
2. Accept the required findings and approve the request for a Use Permit to convert an existing accessory building to a 2nd unit at 1416 Allyn Avenue.
3. Accept the required findings and approve the request for Design Review to convert an existing accessory building to a 2nd unit at 1416 Allyn Avenue.

ANALYSIS: GENERAL PLAN & ZONING

The General Plan designation for the property is Medium Density Residential. This designation allows for single-family detached homes, accessory dwelling units, limited agricultural uses and compatible uses. The property is zoned MR: Medium Density Residential. This zoning district is established for consistency with the Medium Density residential General Plan designation.

ANALYSIS: CEQA

Staff finds that this project is exempt from the requirements of CEQA, the California Environmental Quality Act, pursuant to Section 15303, Class 3 which exempts construction of new private structures.

ANALYSIS: WATER

The applicant has submitted a water use analysis which shows that the project will not result in a net increase in water demand.

ANALYSIS: DESIGN REVIEW

The purpose of design review is to, among other things, promote the qualities that bring value to the community and foster attractiveness and functional utility of the community as a place to live and work. Zoning Ordinance Section 17.164.030 establishes the design criteria under which applications should be considered.

The following design criteria should be considered by the Planning Commission in review of this application (Zoning Ordinance Section 17.164.030):

1. *Consistency and compatibility with applicable elements of the general plan;*
2. *Compatibility of design with the immediate environment of the site;*
3. *Relationship of the design to the site;*
4. *Determination that the design is compatible in areas considered by the Commission as having a unified design or historical character;*
5. *Whether the design promotes harmonious transition in scale and character in areas between different designated land use;*
6. *Compatibility with future construction both on and off the site;*
7. *Whether the architectural design of structures and their materials and colors are appropriate to the function of the project;*
8. *Whether the planning and siting of the various functions and buildings on the site create an internal sense of order and provide a desirable environment for occupants, visitors and the general community;*
9. *Whether the amount and arrangement of open space and landscaping are appropriate to the design and the function of the structures;*
10. *Whether sufficient ancillary functions are provided to support the main functions of the project and whether they are compatible with the project's design concept;*
11. *Whether access to the property and circulation systems are safe and convenient for pedestrians, cyclists and vehicles;*
12. *Whether natural features are appropriately preserved and integrated with the project;*
13. *Whether the materials, textures, colors and details of construction are an appropriate expression of its design concept and function and whether they are compatible with the adjacent and neighboring structure and functions;*
14. *In areas considered by the Commission as having a unified design character or historical character, whether the design is compatible with such character;*
15. *Whether the landscape design concept for the site, as shown by the relationship of plant masses, open space, scale, plant forms and foliage textures and colors create a desirable and functional environment and whether the landscape concept depicts an appropriate unity with the various buildings on the site;*

16. *Whether plant material is suitable and adaptable to the site, capable of being properly maintained on the site, and is of a variety which is suitable to the climate of St. Helena;*
17. *Whether sustainability and climate protection are promoted through the use of green building practices such as appropriate site/architectural design, use of green building materials, energy efficient systems and water efficient landscape materials.*

ANALYSIS: USE PERMIT

The Planning Commission must make the following Use Permit findings to support the motion to approve the Use Permit:

1. *That the proposed use would not generate odors, fumes, dust, light, glare, radiation or refuse that would be injurious to surrounding uses or to the community.*
2. *That the proposed use would not generate levels of noise that adversely affect the health, safety, or welfare of neighboring properties or uses.*
3. *That the proposed use would not generate traffic noise in excess of the "normally acceptable" range identified in the General Plan.*
4. *That the proposed use would not make excessive demands on the provision of public services including water supply, sewer capacity, energy supply, communication facilities, police protection, and fire protection.*
5. *That the proposed use would provide adequate ingress and egress to and from the proposed location.*
6. *That allowing the proposed use would not conflict with the City's goal of maintaining the economic viability of a local serving economy.*
7. *That the proposed use would be compatible with surrounding land uses and would not conflict with the purpose established for the district within which it would be located.*
8. *That the proposed use would not be in conflict with the City's General Plan.*
9. *That the proposed use would not be injurious to public health, safety, or welfare.*
10. *That granting the use permit would not set a precedent for the approval of similar uses whose incremental effect would be detrimental to the City or would be in conflict with the General Plan.*
11. *That, as demonstrated on a detailed plan submitted by the applicant, adequate off-street parking to accommodate the long term parking needs of employees, business owners and customers is available.*
12. *That the capacity of surrounding streets is adequate to serve the automobile and delivery truck traffic generated by the proposed use.*

STAFF COMMENTS / RECOMMENDATIONS:

Staff is in support of the application and finds that the Use Permit and Design Review findings can be met.

PLANNING COMMISSION ACTION:

4. Determine that this project is exempt from the requirements of CEQA pursuant to Section 15303, Class 3 which exempts construction of new private structures.
5. Accept the required findings and approve the request for a Use Permit to convert an existing accessory building to a 2nd unit at 1416 Allyn Avenue.
6. Accept the required findings and approve the request for Design Review to convert an existing accessory building to a 2nd unit at 1416 Allyn Avenue.

ATTACHMENTS:

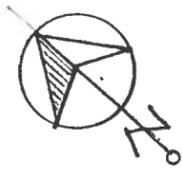
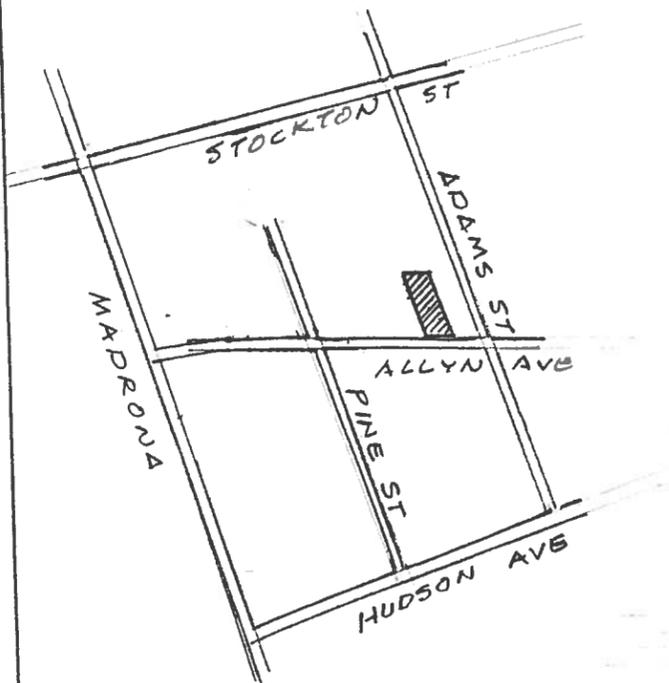
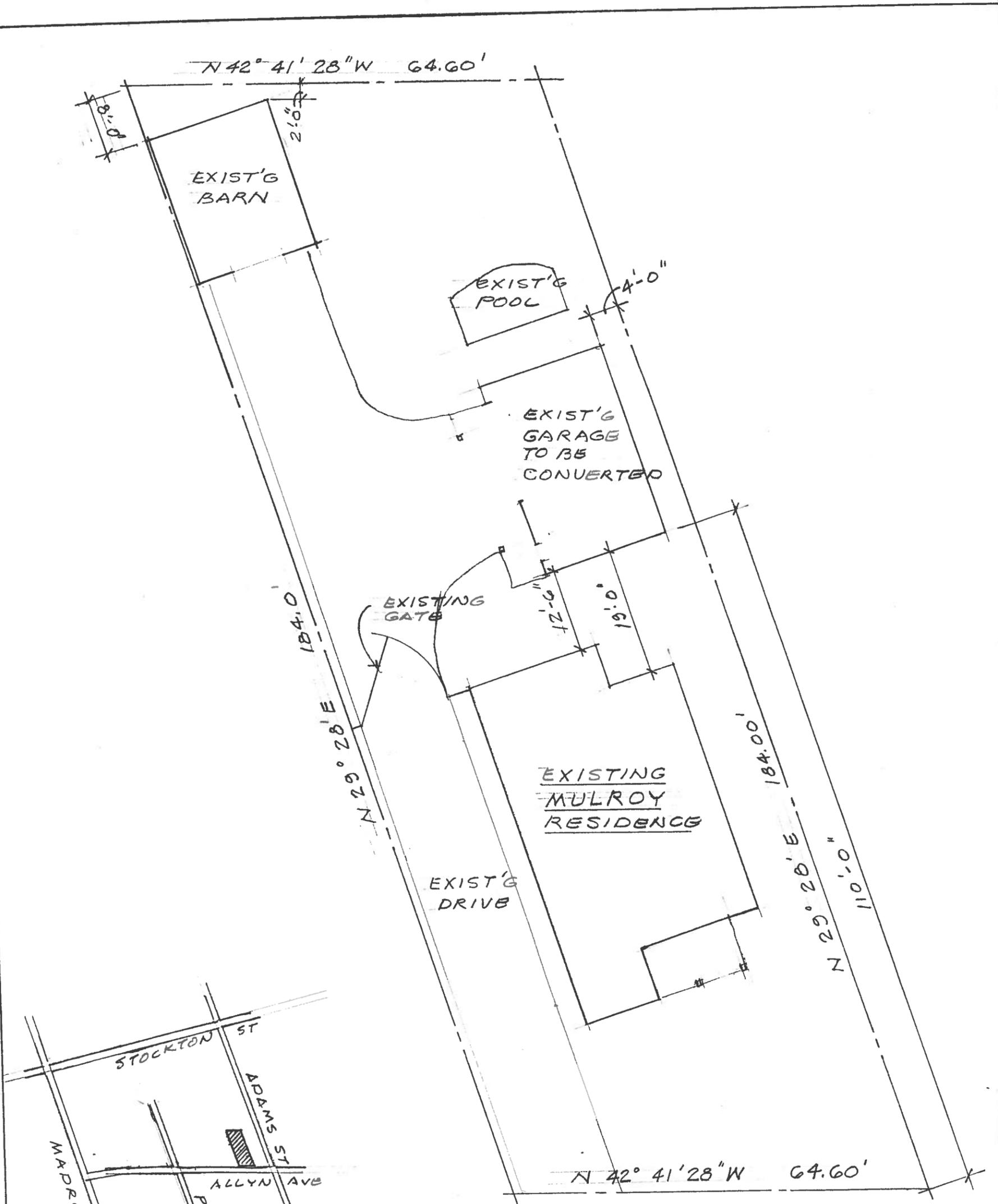
Statement.....5
Plans.....8
Site photos.....15
Water report15
Draft conditions17

Written Statement for Use Permit and Design Review – 1416 Allyn Ave., St. Helena

Ann Mulroy of 1416 Allyn Ave. St. Helena, CA is applying for a Design Review and Use Permit to convert an existing 598 square foot accessory building into a second unit. The second unit will consist of an xxx square foot office, a xxx square foot bedroom and a xxx square foot bath. The total square footage will remain the same. The roofline will be changed from a north/south to an east /west orientation making it more pleasing to the eye, architecturally sound and match the roofline of the barn. The single story building height will be 15'. The exterior of the existing accessory building is cinder block which will be covered with wood clapboard to match the color and character of the primary residence. The property has the required number of parking spaces, two for the primary dwelling , one of which is covered and one for the second unit. The current driveway provides access to the property.

Ann Mulroy
November 2, 2013

ANN MULROY, owner



ALLYN AVE.

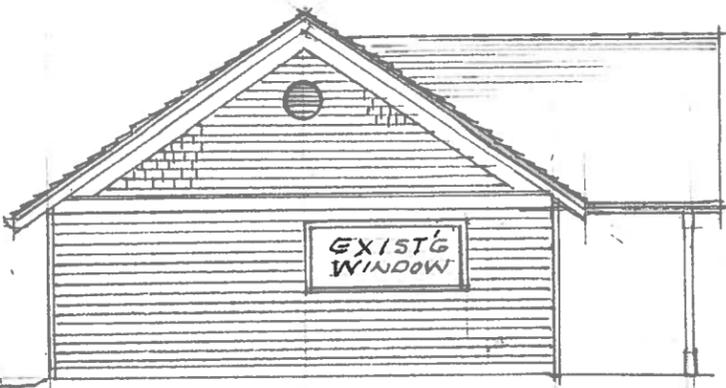
SITE PLAN A.P. N^o 009-305-002
 1/16" = 1'-0"

LOCATION MAP
 NOT TO SCALE

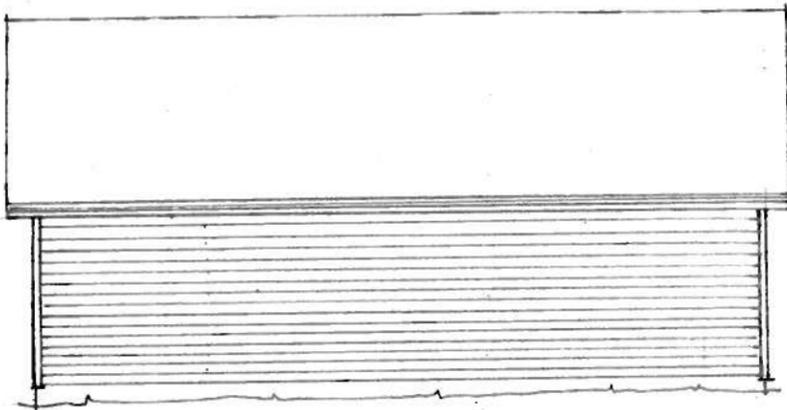
A. 1	SITE INFORMATION	Clifford R. Simpkins, Architect <small>member American Institute of Architects</small> (707) 253-2331
	<u>MULROY GARAGE</u> <u>CONVERSION</u> 1416 ALLYN AVE. ST. HELENA, CA	

GENERAL EXTERIOR NOTES

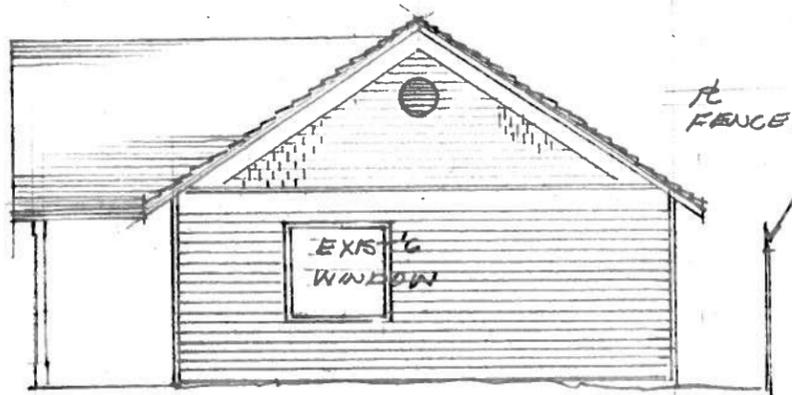
ALL DETAILS, MATERIALS
AND FINISHES TO MATCH
EXISTING RESIDENCE.



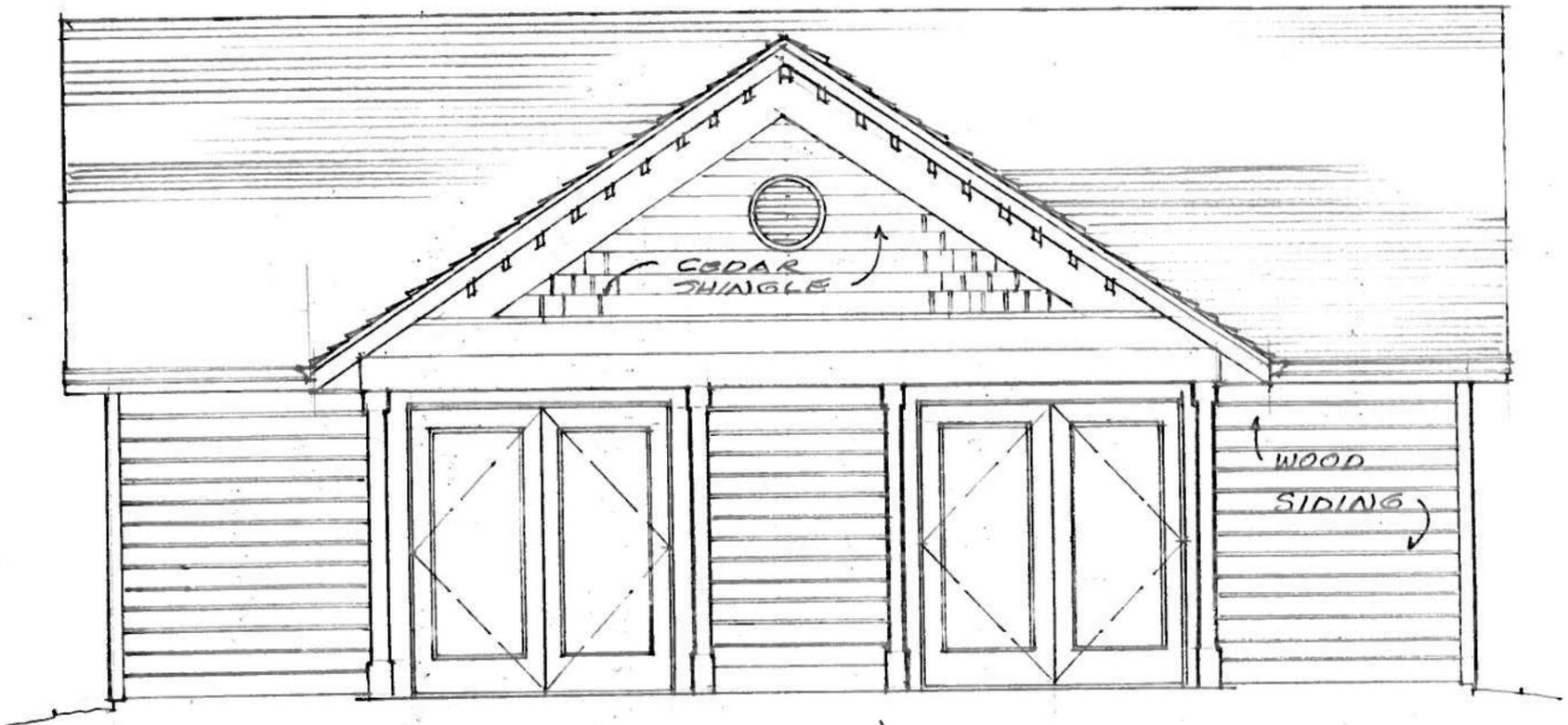
SIDE (EASTERLY) ELEV.
1/8" = 1'-0"



REAR (SOUTHERLY) ELEV.
1/8" = 1'-0"



SIDE (WESTERLY) ELEV.
1/8" = 1'-0"



FRONT (NORTHERLY) ELEVATION 1/4" = 1'-0"

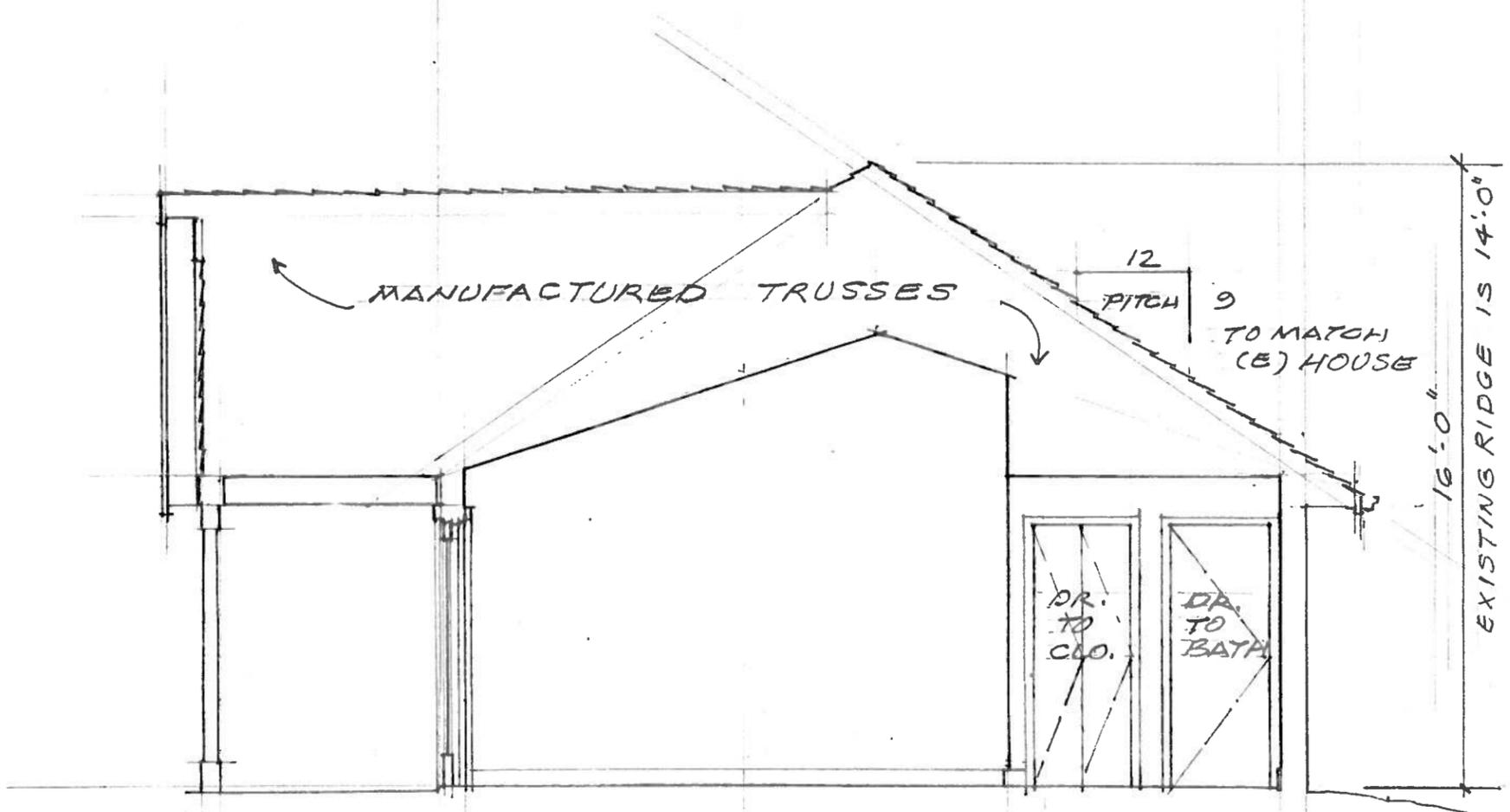
A-4

EXTERIOR ELEVATIONS
MULROY GARAGE
CONVERSION
1416 ALLYN AVE. ST. HELENA, CA

Clifford R. Simpkins, Architect

member American Institute of Architects

(707) 253-2391



Ⓐ Ⓐ

SECTION THRU BEDRM. #1

1/4" = 1'-0"

A.3

TYPICAL CROSS SECTION

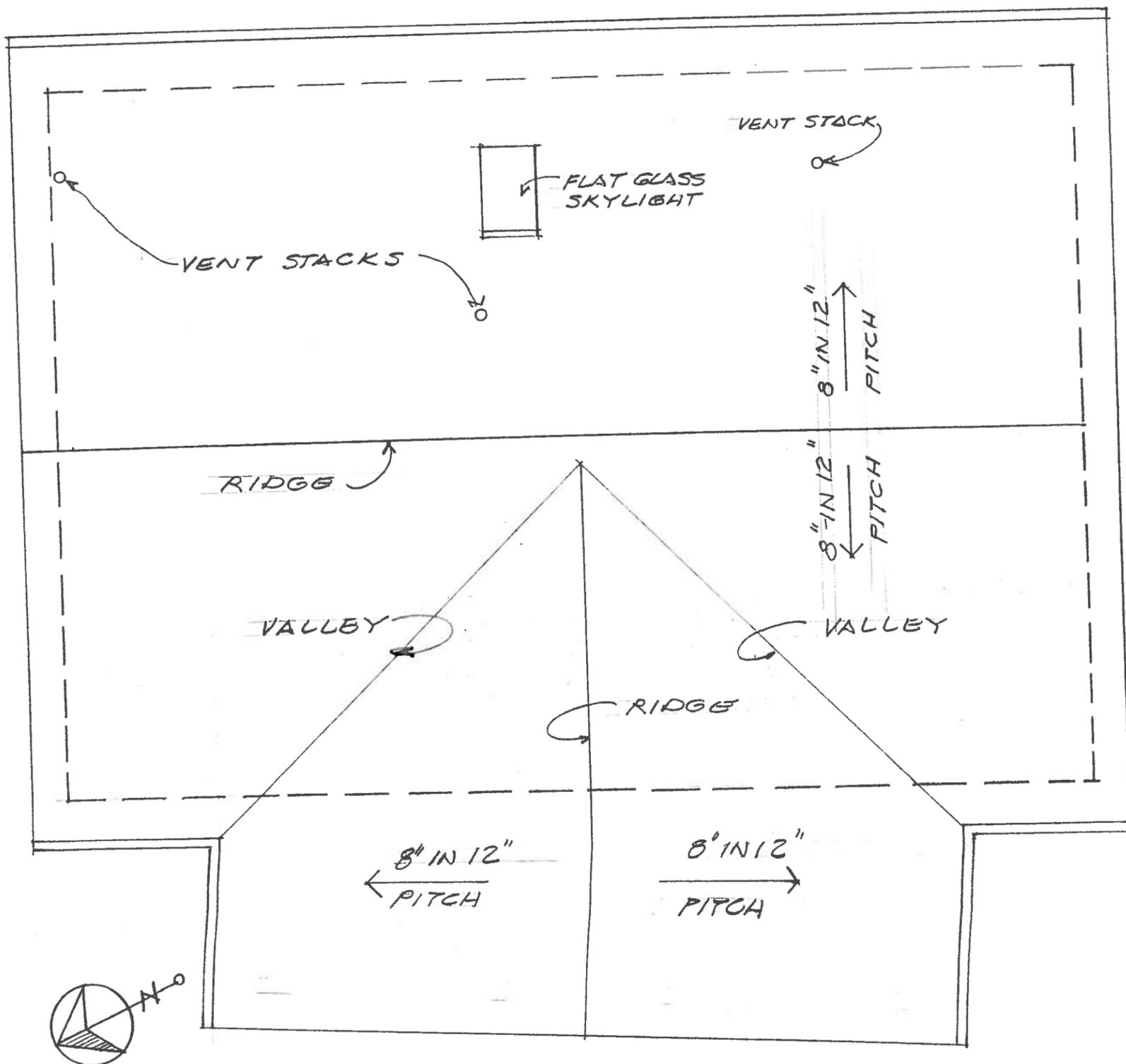
MULROY GARAGE
CONVERSION

1416 ALLYN AVE. ST. HELENA, CA

Clifford R. Simpkins, Architect

member American Institute of Architects

(707) 253-2391



ROOF PLAN

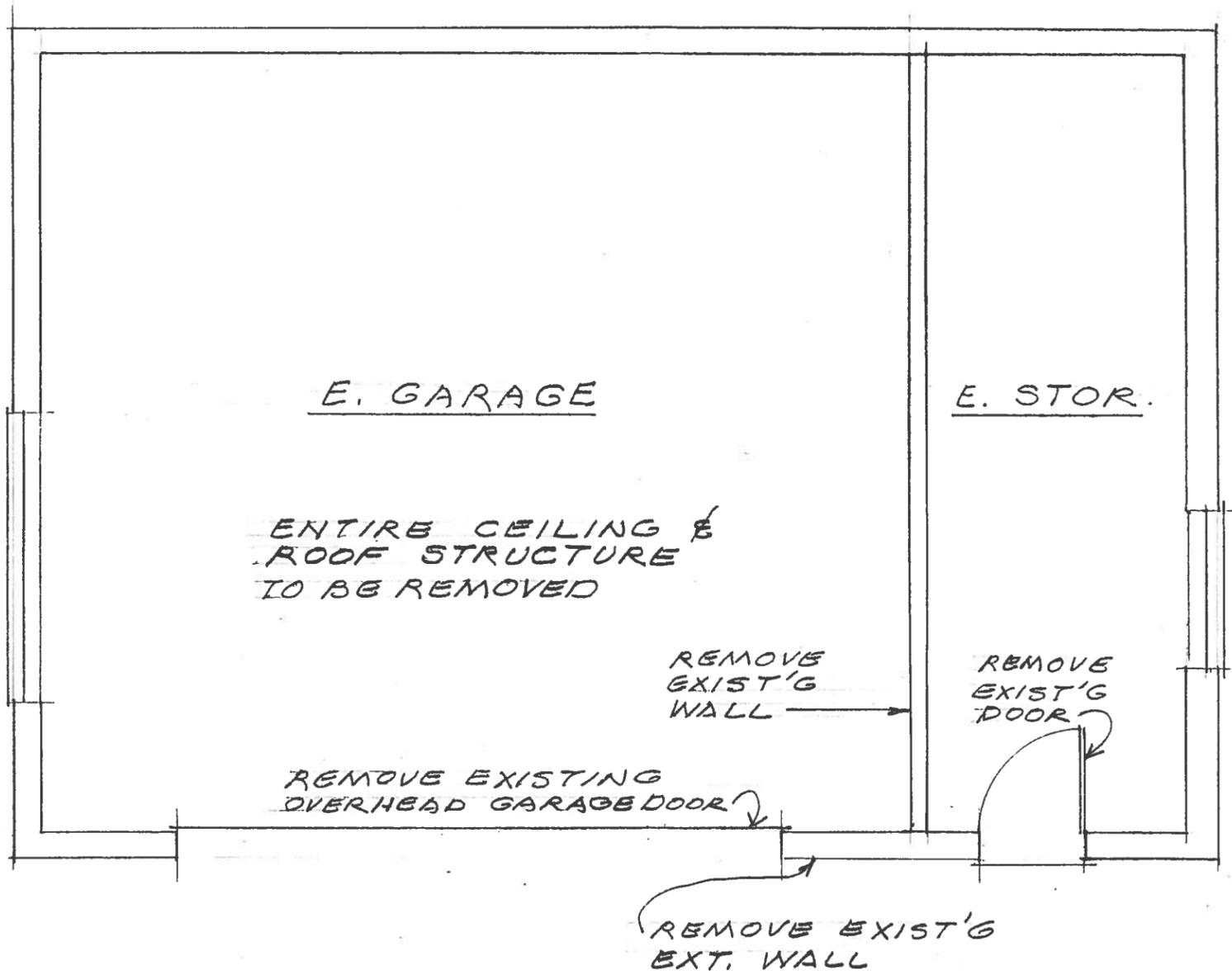
1/4" = 1'-0"

A° 2_b

ROOF PLAN

MULROY GARAGE
CONVERSION

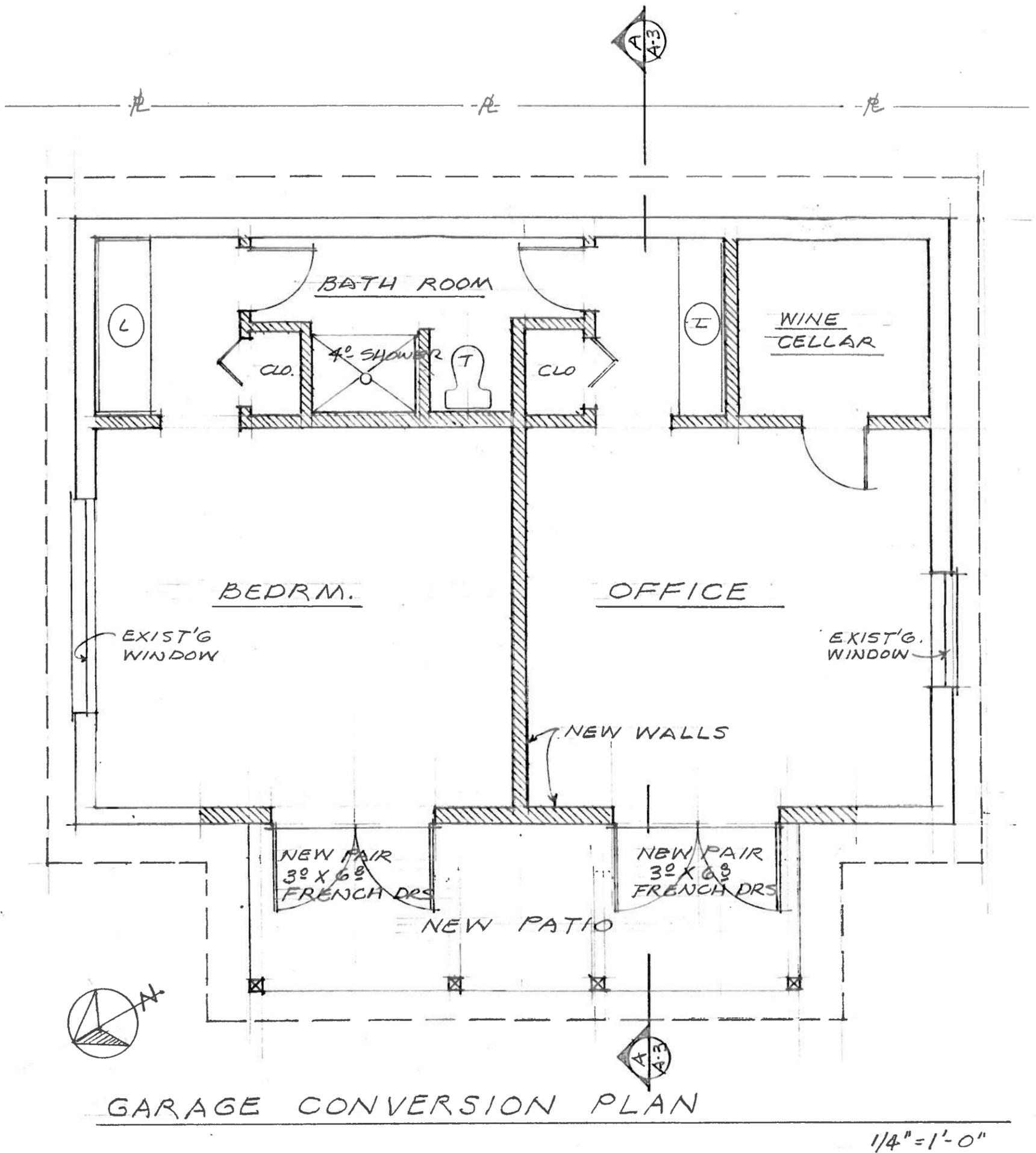
1416 ALLYN AVE. ST. HELENA, CA



EXISTING GARAGE PLAN

1/4" = 1'-0"

A° 2a	GARAGE DEMOLITION PL.	
	<u>MULROY GARAGE</u> <u>CONVERSION</u>	
	1416 ALLYN AVE. ST. HELENA, CA	



GARAGE CONVERSION PLAN

PROPOSED FLOOR PLAN

MULROY GARAGE
CONVERSION

1416 ALLYN AVE. ST. HELENA, CA

Clifford A. Simpkins, Architect

member American Institute of Architects
(707) 253-2391

A-2

Michael Flood <flashflood55@gmail.com> 
To: flashflood55@gmail.com
(No Subject)

July 3, 2013 6:28 AM



Sent from my iPhone

Michael Flood <flashflood55@gmail.com> 
To: flashflood55@gmail.com
(No Subject)

September 29, 2013 11:55 AM



Sent from my iPhone

Michael Flood <flashflood55@gmail.com>
To: flashflood55@gmail.com
(No Subject)

September 29, 2013 11:48 AM



Sent from my iPhone

Michael Flood <flashflood55@gmail.com> 
To: flashflood55@gmail.com
(No Subject)

September 29, 2013 11:55 AM



Sent from my iPhone

Michael Flood <flashflood55@gmail.com> [✉](#)
To: flashflood55@gmail.com
(No Subject)

September 29, 2013 11:58 AM



Sent from my iPhone



**THEORETICAL
WATER USE REPORT**

FOR THE
MULROY / FLOOD RESIDENCE

LOCATED AT

1416 ALLYN STREET
ST. HELENA, CA 94574

COUNTY: NAPA
NCAPN: 009-305-002

OCTOBER 28, 2013

PREPARED FOR REVIEW BY:
CITY OF ST. HELENA DEPARTMENT OF PUBLIC WORKS
1480 MAIN STREET
ST. HELENA, CA 94574





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I. BACKGROUND & INTRODUCTION

The subject parcel located at 1416 Allyn Street in Saint Helena currently is developed with a three-bedroom, two-bathroom single family residence and a detached garage. The owner is proposing to convert the existing detached garage into a two-bedroom, one-bathroom guest house.

The City of Saint Helena's current definition of 'Safe Water Yield' requires all new development within the City be water-neutral. This means the post-construction water use of a property must be less than or equal to the pre-construction water use. This report discusses the existing and proposed water demand for the property, with a focus on water reduction measures.

II. WATER-USE ANALYSIS

A. **Baseline Water Use**

The baseline water use for the property is based on the existing water use from both the domestic (internal) water usage and the irrigation (external) water usage.

Existing Internal Water Use

The existing internal domestic water flows for the property are derived from the existing three-bedroom, two-bathroom main residence. See the table below for the typical water using devices for the main residence.

EXISTING WATER-USING DEVICES

Fixture/Appliance Type	Quantity	Flow Rate per Unit
Toilet	2	1.6 gpf
Lavatory Faucet	2	2.2 gpm
Kitchen Faucet	1	2.2 gpm
Shower Head	2	2.5 gpm
Bath	2	22 gal/bath
Clothes Washer	1	12 gal/load
Dish Washer	1	4 gal/cycle

As required by the City of St. Helena, this report estimates 2-persons occupy each bedroom in the existing main residence. Therefore, a total of six persons are assumed to be living full time in the three bedroom residence. Utilizing the above-noted fixtures in the existing main residence, the daily and annual internal water demands are estimated to be as follows:

**DELTA CONSULTING & ENGINEERING
OF ST. HELENA**



PRE-CONSTRUCTION ESTIMATED WATER USE

	Quantity	Average Flow	Duration	Daily Use	Occupants	Total Daily Water Use	Total Annual Water Use	Total Annual Water Use
Main Residence								
Toilet	2	1.6 gal		3	6	29 gal	10,512.0 gal	0.03 af
Levatory Faucet	2	2.2 gpm	0.25 min	3	6	9.9 gal	3,613.5 gal	0.01 af
Kitchen Faucet	1	2.2 gpm	4.00 min	1	6	52.8 gal	19,272.0 gal	0.06 af
ShowerHead	2	2.5 gpm	8.00 min	1	6	120.0 gal	43,800.0 gal	0.13 af
Bath	2	22 gal		0.1	6	13.2 gal	4,818.0 gal	0.01 af
Clothes Washer	1	12 gal per load		0.37	6	26.64 gal	9,723.6 gal	0.03 af
Disher Washer	1	4 gal per cycle		0.1	6	2.4 gal	876.0 gal	0.00 af
Total						253.74 gal	92,615.10 gal	0.28 af

Based off of the fixtures and appliances, the existing main residence's internal water use is **254 gallons per day**.

Existing External Water Use

The external water use on the property is for irrigation of the existing lawn area on the property. Based on site visits and field measurements, there are four distinct lawn areas within the property: Front Lawn, Pool Lawn, Backyard Lawn, and Utility Lawn. The total area of each of these lawn areas totals approximately 2,998 square feet.

Per conversation with the owner, the lawns are assumed to be watered for three days per week for six months of the year (the summer months, May-October). This calculates out to 61 days of watering per year. In a typical watering event, the estimated quantity of water applied to the lawn is 1 inch of water. See the calculations and tables below for establishing the lawn watering requirements.

Lawn Watering Requirements

Assumptions: Lawns are watered three days a week for six months of the year.
In a typical watering event, 0.62 gal of water are used for each square foot of lawn.

Days of Spray Irrigation	<input type="text" value="61"/>	days
Gallons Water Per Square Feet	<input type="text" value="0.62"/>	gal/sf
Square Feet of Spray Area	<input type="text" value="2,998"/>	sf
Gallon per Day on Spray Irrigation Day	<input type="text" value="1,869"/>	gpd
Gallons per Day averaged over the Year	<input type="text" value="312"/>	gpd (avg)
Gallons per Year	<input type="text" value="113,994"/>	Gal
Acre Feet per Year	<input type="text" value="0.35"/>	Acre Feet Per Year
Inches per Year	<input type="text" value="61.00"/>	Inches Per Year



EXISTING WATER USE - LAWN AREAS

Pop-up Sprinklers	Area (sf)	Total Annual Water Use (gal)	Total Annual Water (inches)	Total Daily Water Use (gal)	Total Annual Water Use (af)
Front Lawn	1,560.33	59,329.07	61.00	162.55	0.18
Pool Lawn	357.67	13,599.68	61.00	37.26	0.04
Backyard Lawn	972.00	36,958.68	61.00	101.26	0.11
Utility Lawn	108.00	4,106.52	61.00	11.25	0.01
Total	2,998.00	113,993.95		312.31	0.35

The average water use for lawn irrigation is estimated to be 113,994 gallons per year. By annualizing this number, the lawn is estimated to use **312 gallons of water per day**. See the table below for a detailed breakdown of the existing lawn water use.

Existing Total Water Use

The water use baseline is **566 gallons per day** as summarized in the following table:

Existing Use	Gallons		Acre Feet
	Daily	Annual	Annual
Internal Water Use	254	92,615	0.28
External Water Use	312	113,994	0.35
Total	566	206,609	0.63

B. Proposed Water Demand with Water Reduction Measures

The proposed project proposes a new two bedroom guest house. Similar to the existing conditions, two persons are estimated to occupy each bedroom, resulting in 10 persons on the property at the completion of the proposed improvements. As this increases the number of occupants on the property, the estimated water usage is expected to increase as well.

The increased water use is proposed to be mitigated in two ways:

- 1.) Retrofit all shower head fixtures to low-flow water efficient fixtures in the existing main house and the proposed guest house.



- 2.) Convert the irrigation for the front and pool lawn areas from inefficient spray irrigation to efficient drip irrigation. Not only is spray irrigation inefficient due to evaporation and overwatering, but it also has a tendency to overextend beyond the bounds of the lawn area. In this case, the lawns on the property are curvilinear in nature, and the water loss from watering outside the limits of the lawns is significant. Converting the irrigation to drip in lieu of spray will eliminate these losses.

Proposed Internal Water Use

Increasing the number of bedrooms on the property increases the expected average daily water use on the property. To assist in reducing the overall impact of the increase, the shower head are proposed to be retrofitted to low-flow devices, reducing the water rate to 1.5 gallons per minute from 2.5 gallons per minute. The daily and annual internal water demand after construction is estimated as follows:

POST-CONSTRUCTION ESTIMATED WATER USE

	Quantity	Average Flow	Duration	Daily Use	Occupants	Total Daily Water Use	Total Annual Water Use	Total Annual Water Use
Main Residence and Guest House								
Toilet	3	1.6 gal		3	10	49 gal	17,848.5 gal	0.05 af
Lavatory Faucet	3	2.2 gpm	0.25 min	3	10	16.5 gal	6,022.5 gal	0.02 af
Kitchen Faucet	1	2.2 gpm	4.00 min	1	10	88.0 gal	32,120.0 gal	0.10 af
Shower Head	3	1.5 gpm	8.00 min	1	10	120.0 gal	43,800.0 gal	0.13 af
Bath	2	22 gal		0.1	10	22.0 gal	8,030.0 gal	0.02 af
Clothes Washer	1	12 gal per load		0.37	10	26.64 gal	9,723.6 gal	0.03 af
Disher Washer	1	4 gal per cycle		0.1	10	2.4 gal	876.0 gal	0.00 af
Total						324.44 gal	118,420.60 gal	0.36 af

Even with the retrofitting of the showerheads as shown in this table, the estimated water use for the property after construction is anticipated to increase by 70 gallons per day to **325 gallons per day** from the current conditions.

Proposed External Water Use

To mitigate the increased internal water usage of 70 gallons per day, the front lawn and pool lawn's watering method will be converted from spray irrigation to a subsurface drip irrigation system. As the losses associated with drip irrigation is minimal compared to spray irrigation, the estimated water usage for the lawn irrigation is based on the minimum watering requirements for Zone 4, Napa County located in *Lawn Watering Requirements along California's Central Coast*. See the table below, along with Appendix 1 for an overview of the lawn watering requirements.



Minimum Lawn Watering Requirements		
Assumes Zone 4 (Napa County), Cool Season Grass		
Month	Inches of Water (every 3 days)	Total Monthly Water (inches)
January	0.08	0.80
February	0.14	1.40
March	0.22	2.42
April	0.33	3.30
May	0.41	4.10
June	0.50	5.00
July	0.59	5.90
August	0.50	5.50
September	0.40	4.00
October	0.26	2.60
November	0.14	1.40
December	0.08	0.80
Total		37.22

Calculating the water usage for six months per year (May through October), the estimated annual water usage for the lawn is reduced to 27.1 inches per year. See the 'Proposed Water Use – Lawn Areas' table below for a summary on the proposed water usage:

PROPOSED WATER USE - LAWN AREAS

Subsurface Drip	Area (sf)	Total Annual Water Use (gal)	Total Annual Water (inches)	Total Daily Water Use (gal)	Total Annual Water Use (af)
Front Lawn	1,560.33	26,357.67	27.10	72.21	0.08
Pool Lawn	357.67	6,041.82	27.10	16.55	0.02
Backyard Lawn	972.00	36,958.68	61.00	101.26	0.11
Utility Lawn	108.00	4,106.52	61.00	11.25	0.01
Total	2,998.00	73,464.70		201.27	0.23

With the conversion to drip irrigation for the front lawn and the pool lawn, the water use in the post-construction conditions is reduced from 312 gallons per day to 201 gallons per day. This provides a total savings of 111 gallons per day. See appendix 2 for the subsurface drip irrigation system technical data sheet.

i. Proposed Total Water Use

Taking into account the increased internal water use of 70 gallons per day and the decrease external water use of 111 gallons per day, the subject parcel is estimated to save approximately 40 gallons per day, or 14,724 gallons per year. See the table below for a summary of the proposed water use.



WATER USE

Proposed Use	Gallons		Acre Feet
	Daily	Annual	Annual
Internal Water Use	324	118,092	0.36
External Water Use	197	71,927	0.22
Total	521	190,020	0.58

III. CONCLUSION

The construction of the guest house from the existing detached garage will not increase water-use flow on the property if the recommendations of this report are followed. See the table below for a summary of the existing and proposed water use.

WATER USE

Existing Use	Gallons		Acre Feet	Proposed Use	Gallons		Acre Feet
	Daily	Annual	Annual		Daily	Annual	Annual
Internal Water Use	254	92,615	0.28	Internal Water Use	324	118,421	0.36
External Water Use	312	113,994	0.35	External Water Use	201	73,465	0.23
Total	566	206,609	0.63	Total	526	191,885	0.59

By utilizing the water efficient lawn drip irrigation system and shower heads, the proposed design will keep the total water use below the existing total water use, meeting the water neutral requirement of the City of Saint Helena.

**CITY OF ST. HELENA, STATE OF CALIFORNIA
DESIGN REVIEW AND USE PERMIT NO. 2013-71
GRANTED TO 1416 ALLYN AVENUE**

PROPERTY OWNERS: Ann Mulroy

APN: 009-305-002

Recitals

1. The owner submitted an application for design review and use permit approval to convert an existing 589 sq. ft. accessory building into a 2nd unit. The parcel is located at 1416 Allyn Avenue in the MR: Medium Density Zoning district.
2. The Planning Commission of the City of St. Helena, State of California, held a noticed public hearing on December 17, 2013.

Resolution

The Planning Commission of the City of St. Helena, State of California, approved the use permit and design review application on the following basis:

- A. The Planning Commission hereby finds that this project is exempt from the requirements of CEQA pursuant to Section 15303, Class 3 which exempts construction and location of limited numbers of new small structures.
- B. The Planning Commission determines the project is in compliance with the following Design Review criteria of Municipal Code Section 17.164.030.
 1. *To promote those qualities in the environment which bring value to the community.*
 2. *To foster the attractiveness & functional utility of the community as a place to live and work.*
 3. *To preserve the character & quality of our heritage by maintaining the integrity of those areas which have a discernible character or are of special historic significance.*
 4. *To protect certain public investments in the area.*
 5. *To encourage where appropriate, a mix of uses within permissible use zones.*
 6. *To raise the level of community expectations for the quality of its environment.*

The following design criteria were considered by the Planning Commission in review of this application:

1. *Consistency and compatibility with applicable elements of the general plan;*
2. *Compatibility of design with the immediate environment of the site;*
3. *Relationship of the design to the site;*
4. *Determination that the design is compatible in areas considered by the board as having a unified design or historical character;*
5. *Whether the design promotes harmonious transition in scale and character in areas between different designated land use;*
6. *Compatibility with future construction both on and off the site;*
7. *Whether the architectural design of structures and their materials and colors are appropriate to the function of the project;*

8. *Whether the planning and siting of the various functions and buildings on the site create an internal sense of order and provide a desirable environment for occupants, visitors and the general community;*
9. *Whether the amount and arrangement of open space and landscaping are appropriate to the design and the function of the structures;*
10. *Whether sufficient ancillary functions are provided to support the main functions of the project and whether they are compatible with the project's design concept;*
11. *Whether access to the property and circulation systems are safe and convenient for pedestrians, cyclists and vehicles;*
12. *Whether natural features are appropriately preserved and integrated with the project;*
13. *Whether the materials, textures, colors and details of construction are an appropriate expression of its design concept and function and whether they are compatible with the adjacent and neighboring structure and functions;*
14. *In areas considered by the board as having a unified design character or historical character, whether the design is compatible with such character;*
15. *Whether the landscape design concept for the site, as shown by the relationship of plant masses, open space, scale, plant forms and foliage textures and colors create a desirable and functional environment and whether the landscape concept depicts an appropriate unity with the various buildings on the site;*
16. *Whether plant material is suitable and adaptable to the site, capable of being properly maintained on the site, and is of a variety which is suitable to the climate of St. Helena;*
17. *Whether sustainability and climate protection are promoted through the use of green building practices such as appropriate site/architectural design, use of green building materials, energy efficient systems and water efficient landscape materials.*

C. The Planning Commission makes the following Use Permit findings, Section 17.168.050, to support the motion to approve the Use Permit:

1. *That the proposed use would not generate odors, fumes, dust, light, glare, radiation or refuse that would be injurious to surrounding uses or to the community.*
2. *That the proposed use would not generate levels of noise that adversely affect the health, safety, or welfare of neighboring properties or uses.*
3. *That the proposed use would not generate traffic noise in excess of the "normally acceptable" range identified in the General Plan.*
4. *That the proposed use would not make excessive demands on the provision of public services including water supply, sewer capacity, energy supply, communication facilities, police protection, and fire protection.*
5. *That the proposed use would provide adequate ingress and egress to and from the proposed location.*
6. *That allowing the proposed use would not conflict with the City's goal of maintaining the economic viability of a local serving economy.*
7. *That the proposed use would be compatible with surrounding land uses and would not conflict with the purpose established for the district within which it would be located.*
8. *That the proposed use would not be in conflict with the City's General Plan.*
9. *That the proposed use would not be injurious to public health, safety, or welfare.*

10. *That granting the use permit would not set a precedent for the approval of similar uses whose incremental effect would be detrimental to the City or would be in conflict with the General Plan.*
 11. *That, as demonstrated on a detailed plan submitted by the applicant, adequate off-street parking to accommodate the long term parking needs of employees and business owners and customers is available.*
 12. *That the capacity of surrounding streets is adequate to serve the automobile and delivery truck traffic generated by the proposed use.*
- D. The Planning Commission approves design review and a use permit for the above-described project with the following conditions of approval. The project shall be in conformance with all city ordinances, rules, regulations and policies in effect at the time of issuance of a building 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.
1. The permits shall be vested within one (1) year from the date of final action. A building permit for the use allowed under this approval shall have been obtained within one (1) year from the effective date of this action or the approval shall expire, provided however that the approval may be extended for up to two (2) one-year periods pursuant to the St. Helena Municipal Code, Section 17.08.130, Extension of Permits and Approvals. Any request for an extension of this approval shall be justified in writing and received by the Planning Department at least thirty (30) days prior to expiration.
 2. These approvals are valid for this use only. New permits must be applied for upon any change in use. These permits will expire if the use is discontinued pursuant to St. Helena Municipal Code Section 17.08.120, Term of Permits and Approvals.
 3. The approvals shall not become effective until fourteen (14) calendar days after approval, providing that the action is not appealed by the City Council or any other interested party within that 14-day period.
 4. All required fees, including planning fees, development impact fees, residential in-lieu housing fees, building fees, toilet retrofit fees, and St. Helena Unified School District fees shall be paid prior to issuance of a building permit. Fees shall be those in effect at the time of the issuance of the building permit.
 5. The applicant shall defend and indemnify and hold the City, its agents, officers, and employees harmless of any claim, action or proceedings to attack, set aside, void or annul an approval so long as the City promptly notifies the applicant of any such claim, action, or proceedings and the City cooperates fully in the defense of the action or proceedings.
 6. Provided they are in general compliance with this approval, minor modifications may be approved by the Planning Director.
 7. Pursuant to St. Helena Municipal Code Section 17.08.110, this permit shall run with the land and shall be binding upon all parties having any right, title or interest in the real property or any part thereof, their heirs, successors and assigns, and shall inure to their benefit and benefit of the City of St. Helena.

8. The primary purpose of this review is for compliance with the General Plan and Zoning Ordinance. The property owners or their designee shall be responsible for meeting with the Building Official, Fire Inspector and or Public Works Department to review compliance with Building Codes, Fire Codes and specific Public Works Standards including fire protection systems and any applicable accessibility standards of Title 24.
9. Construction shall be in compliance with plans submitted and reviewed by the Planning Commission on December 17, 2013, except as modified herein. The Planning Director may also authorize minor modifications to the plans.
10. Exterior lighting shall be directed or shielded to prevent glare onto the public roadway or adjacent properties.
11. Property owners within the district shall recognize that there exists a right to farm properties within the district and in the vicinity of the district. There is a good faith expectation that no complaints will occur regarding legal, normal agricultural activities on properties in the district or in the vicinity of the district. Such activities may include day or night disbursement of chemicals, and creation of dust, noise, or fumes.
12. To reduce disturbance of residents in the project vicinity, construction activities which generate noise that can be heard at the property line of any parcel of real property within the City limits shall be limited to 8:00 a.m. to 5:00 p.m. Monday through Saturday. Delivery of materials/equipment and cleaning and servicing of machines/equipment shall be limited to 7:00 a.m. to 6:00 p.m. Exceptions to these time restrictions may be granted by the Public Works Director for one of the following reasons: (1) inclement weather affecting work, (2) emergency work, or (3) other work, if work and equipment will not create noise that may be unreasonably offensive to neighbors as to constitute a nuisance. The City Engineer must be notified and give approval in advance of such work. No construction activities shall occur on Sundays or federal or local holidays that generate noise that can be heard at the property line of any parcel of real property within the City limits.

Public Works Conditions:

1. Approval of this project shall be subject to the requirements of, and all improvements shall be designed and constructed in accordance with, the most current version at the time of improvement plan submittal, Caltrans Standards and Specifications, the City of St. Helena Municipal Code, the St. Helena Water and Sewer Standards, the St. Helena Street, Storm Drain and Sidewalk Standards, and all current federal, state and county codes governing such improvements.
2. For any improvements outside the existing building envelope, a grading and drainage plan shall be submitted for review and approval by the City Engineer prior to the issuance of a building permit. If the project entails more than 50 cubic yards of soil disturbance, 10,000 square feet of disturbance area, a cut or fill of 3 feet or more, installation of a pool or alteration of any drainage pattern, a grading permit shall be required.

3. No added drainage from new hardscape, roof or pool improvements shall be allowed to leave the site; improvement plans shall show how increased drainage from the 2-year and 10-year events will be designed to evapotranspire/infiltrate/harvest and biotreat stormwater onsite and at the property lines. Pre-developed 2-year events shall be treated prior to release and those flows, along with 100-year event overflows, shall be directed to an existing storm drain or gutter through City standard undersidewalk drains or piped directly to the storm drain, where applicable.
4. Where a City water service exists, the applicant shall install an approved backflow device behind the existing water meter prior to Certificate of Occupancy. Any new and modified existing water laterals, meters and backflow prevention devices shall be required and constructed in accordance with the current requirements of the City of St. Helena's Water Standards and the California Department of Health Standards. Existing meter boxes located within a driveway shall be retrofitted with a traffic-rated box or a new lateral shall be installed out of the driveway. New laterals shall be located perpendicular to the water main and outside any driveway/drive aisle.
5. Where fire sprinklers are required, applicant shall install an appropriately-sized water service with appropriate backflow and meter devices prior to Certificate of Occupancy. Fire system calculations shall be submitted with the Grading and Drainage Plan to verify fire service lateral and meter sizing.
6. Where applicable, the applicant shall incorporate water conservation practices into the proposed project per the revised Water Neutrality Analysis, including installing 1.28 gal toilets, 1.5 gpm faucets, low flow showers, 6.3 gal per cycle dishwasher and 20 gallon per load clothes washer. Landscape irrigation, where applicable, shall be confined to the amount noted in the Water Neutrality Analysis. Offsite retrofits shall be performed, as applicable and stated in the Water Neutrality Analysis, prior to certificate of occupancy. The water analysis shall be replicated on the building plans prior to building permit approval. All nonconforming plumbing fixtures shall be removed.
7. The applicant shall conform to the City of St. Helena Water and Sewer Standards Section 6-2.10 which includes assessing the adequacy of the lateral, replacing if necessary and installing any required cleanouts.
8. The applicant shall repair all public improvements that are damaged by the construction process in accordance with the City Water/Sewer/Street/Storm Drain/Sidewalk Standards prior to Certificate of Occupancy.
9. All frontages shall be required to install curb, gutter and sidewalk where there is none. Any missing or broken curb, gutter and/or sidewalk along the project frontage shall be installed and/or replaced per City specifications prior to Certificate of Occupancy, extent to be determined by the Public Works Department.

10. Existing streets being cut by new utility services will require edge grinding and an A.C. overlay per City standards, extent to be determined by the Public Works Department.
11. All driveway approaches shall be per current City and ADA standards. Where none exists, or where deteriorating or non-standard driveway approaches exist, they shall be installed or replaced at the direction of the Public Works Department prior to Certificate of Occupancy. The driveway approach for the access drive to the property shall be replaced in order to conform to current ADA standards.
12. Any existing driveway approach not directly connected to a driveway shall be replaced with sidewalk/curb/gutter, as applicable and as directed by the Public Works Department, prior to Certificate of Occupancy.
13. An encroachment permit shall be required for any work performed in the public right of way.

I HEREBY CERTIFY that the foregoing design review and use permit were duly and regularly approved by the Planning Commission of the City of St. Helena at a regular meeting of said Planning Commission held on December 17, 2013 by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Greg Desmond, Interim Planning Director

Ann Mulroy, Owner

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

DECEMBER 17, 2013

AGENDA ITEM: 9.1

Request by **ANTHONY FILIPPS** for a **LOT LINE ADJUSTMENT** between the subject parcel (APN: 009-172-022) and the parcel to the immediate south (APN: 009-172-023). This adjustment would add 500 sf to the existing 3,250 sf parcel. The applicant is also seeking **DESIGN REVIEW** approval to construct a 1-story, 2-bedroom, 1,456 sf, residence on the vacant parcel located at **1720 VINEYARD AVENUE** in the **MR: MEDIUM DENSITY RESIDENTIAL** district.

PREPARED BY: Greg Desmond, Interim Planning Director

APPLICATION FILED: 5/7/13

ACCEPTED AS COMPLETE: 11/1/13

LOCATION OF PROPERTY: 1720 Vineyard Avenue

APN: 009-172-022

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

APPLICANT/ PARCEL OWNER: Anthony Filippis

PHONE: 530.913.9169

PROJECT BACKGROUND

At their meeting on August 20, 2013, the Planning Commission continued this item to allow the applicant to address Design Review findings. Specifically, the Planning Commission was concerned about the scale of the proposed residence in relation to the parcel size.

At this meeting the Planning Commission approved the request for a use permit to establish small lot standards to the parcel.

On September 3, 2013, the Planning Commission reviewed revised plans which showed a reduction of 131 sq. ft. (1,727 minus 1,596 = 131). The reduction was accomplished by eliminating a bedroom and bathroom on the first floor. No other changes were made to the project plans.

At this meeting the Planning Commission continued the item and requested that the applicant further revise the plans to better respond to the site.

PROJECT DESCRIPTION

The subject parcel is 3,250 sf and is currently vacant.

The applicant is seeking the following:

1. A Lot Line Adjustment to add 500 sf to the existing 3,250 sf parcel.

2. Design Review approval to construct 1,656 sf of new conditioned space, calculated as follows:

- *New 1-story, 2 bedroom residence: 1,441 sf*
- *New attached garage: 215 sf*

Applicable exemptions from floor area:

- *One covered parking space: 200 sf*

Total adjusted floor area: 1,456 sf

The new residence will be 1-story and will consist of a great room, kitchen, dining room, bathroom, wine storage, a bedroom and master suite with second bathroom.

The new residence and attached garage will be developed using the following materials:

- *Plaster and Cedar board & batten siding*
- *Oversized windows*
- *Carriage style garage door*
- *Pitched roof*

The height of the proposed structure is 22'.

The setbacks are:

- *Front: 15'*
- *Side yards: 5'*
- *Rear: 20*

REQUIRED ACTIONS

1. Determine that this project is exempt from the requirements of CEQA pursuant to Section 15305 Class 5(a) of the CEQA Guidelines, which exempts minor lot line adjustments that do not involve the creation of any new parcel and do not exceed an average slope of 20% and pursuant to Section 15303, Class 3 which exempts the construction of new private structures.
2. Confirm or deny staff decision to approve a Lot Line Adjustment between two parcels located at 1644 Hillview Place (APN: 009-172-023) & 1720 Vineyard Avenue (APN: 009-172-022).
3. Accept, modify or reject the required findings and approve, modify or deny Design Review to construct a new 1-story, 2-bedroom 1,456 sf single-family residence located at 1720 Vineyard Avenue.

ANALYSIS: GENERAL PLAN & ZONING

The General Plan designation for the property is Medium Density Residential. This designation allows for single-family detached homes, accessory dwelling units, limited agricultural uses and compatible uses. The property is zoned MR: Medium Density Residential. This zoning district is established for consistency with the Medium Density residential General Plan designation.

ANALYSIS: CEQA

Staff finds that the project is exempt pursuant to Section 15303, Class 3 which exempts construction of new private structures.

ANALYSIS: WATER

The applicant provided the attached theoretical water use report. The report concludes that post-project water use will result in a deficit of 19 gallons per day. In response, the applicant is proposing an off-site retrofit at the Golden Harvest Restaurant located at 61 Main Street. The retrofit will consist of a restroom sink faucet. The retrofit will result in a savings of 37.5 gallons per day which exceeds the required 19 gallons per day deficit that the proposed residence will generate.

ANALYSIS: LANDSCAPING

The applicant is proposing to retain existing trees and to provide a comprehensive landscape plan. The landscape plan includes the following features:

- *Driveway, terrace areas and paths will consist of permeable pavers and/or gravel surfaces*
- *3' 6" stone wall in front yard*
- *Water features in the rear and side yard*
- *Water efficient plant palette*
- *No turf/lawn*

ANALYSIS: PARKING

Access to the attached garage is via a driveway directly from Vineyard Avenue. The driveway will consist of decomposed granite and the driveway/garage will accommodate required off-street parking.

ANALYSIS: LOT LINE ADJUSTMENT

Parcel #	Address	APN	Existing Lot Size	Proposed Lot Size
1	1720 Vineyard	009-172-022	3,250 sf	3,750 sf
2	1644 Hillview	009-172-023	6,760 sf	6,260 sf

The lot line adjustment will allow parcel 1 to gain 5' (from 32.5' to 37.5') in width which will facilitate the development of the parcel.

The Department of Public Works has reviewed the project and conditionally approves the lot line adjustment. The conditions of approval require further demonstration by the applicant that the adjusted lots and future improvements both conform to local zoning and building requirements and protect against the need for future easements as provided for under St. Helena Municipal Code, Title 16, Section 16.08.070.

ANALYSIS: SUBDIVISION ORDINANCE

Lot Line Adjustments are exempt from the Subdivision Map Act and the City's Subdivision Ordinance provided they occur between two or more existing adjacent parcels, no new parcels are created and new parcels conform to the local zoning and building ordinances.

ANALYSIS: DESIGN REVIEW

The purpose of design review is to, among other things, promote the qualities that bring value to the community and foster attractiveness and functional utility of the community as a place to live and work. Zoning Ordinance Section 17.164.030 establishes the design criteria under which applications should be considered.

The following design criteria should be considered by the Planning Commission in review of this application (Zoning Ordinance Section 17.164.030):

1. *Consistency and compatibility with applicable elements of the general plan;*
2. *Compatibility of design with the immediate environment of the site;*
3. *Relationship of the design to the site;*
4. *Determination that the design is compatible in areas considered by the Commission as having a unified design or historical character;*
5. *Whether the design promotes harmonious transition in scale and character in areas between different designated land use;*
6. *Compatibility with future construction both on and off the site;*
7. *Whether the architectural design of structures and their materials and colors are appropriate to the function of the project;*
8. *Whether the planning and siting of the various functions and buildings on the site create an internal sense of order and provide a desirable environment for occupants, visitors and the general community;*
9. *Whether the amount and arrangement of open space and landscaping are appropriate to the design and the function of the structures;*
10. *Whether sufficient ancillary functions are provided to support the main functions of the project and whether they are compatible with the project's design concept;*
11. *Whether access to the property and circulation systems are safe and convenient for pedestrians, cyclists and vehicles;*
12. *Whether natural features are appropriately preserved and integrated with the project;*
13. *Whether the materials, textures, colors and details of construction are an appropriate expression of its design concept and function and whether they are compatible with the adjacent and neighboring structure and functions;*
14. *In areas considered by the Commission as having a unified design character or historical character, whether the design is compatible with such character;*
15. *Whether the landscape design concept for the site, as shown by the relationship of plant masses, open space, scale, plant forms and foliage textures and colors create a desirable and functional environment and whether the landscape concept depicts an appropriate unity with the various buildings on the site;*
16. *Whether plant material is suitable and adaptable to the site, capable of being properly maintained on the site, and is of a variety which is suitable to the climate of St. Helena;*
17. *Whether sustainability and climate protection are promoted through the use of green building practices such as appropriate site/architectural design, use of green building materials, energy efficient systems and water efficient landscape materials.*

REQUIRED ACTIONS

1. Determine that this project is exempt from the requirements of CEQA pursuant to Section 15305 Class 5(a) of the CEQA Guidelines, which exempts minor lot line adjustments that do not involve the creation of any new parcel and do not exceed an average slope of 20% and pursuant to Section 15303, Class 3 which exempts the construction of new private structures.
2. Confirm staff's decision to approve a Lot Line Adjustment between two parcels located at 1644 Hillview Place (APN: 009-172-023) & 1720 Vineyard Avenue (APN: 009-172-022).

3. Accept the required findings and approve Design Review to construct a new 1-story, 2-bedroom 1,456 sf single-family residence located at 1720 Vineyard Avenue.

STAFF COMMENTS / RECOMMENDATIONS

Staff recommends the Planning Commission confirm the decision of the Interim Planning Director and the Interim Public Works Director to approve a Lot Line Adjustment, as described above and provided in the attached findings and conditions.

The revised project addresses the concerns of staff, the public and the planning commission. For these reasons staff is supportive of the project and finds that the Design Review findings can be made.

ATTACHMENTS

Revised design review statement.....	6
Lot line adjustment statement.....	8
Revised plans	10
Water report	18
Draft conditions	25

October 28, 2013

St. Helena City Planning Commissioners

Mr. Greg Desmond, Interim Planning Director

City of St. Helena Planning Department

1480 Main Street,

St. Helena, CA 94574

RE: Written Statement for Design Review

Dear Mr. Desmond and Commissioners,

We are requesting a Design Review for a new single family residence with single car Garage located at 1720 Vineyard Avenue, APN 009-172-022. The lot area is proposed at 3,750 sq.ft. with a width of 37.50 ft. A Lot Line Adjustment Application is included in your Design Review package and a request for lot line adjustment is made concurrent with this Design Review request.

The lot is currently undeveloped. Our proposal is for the construction of a one story residence with a total adjusted living area of 1,241sq.ft. This will yield a floor area ratio (FAR) of .33% upon completion of the lot line adjustment. There is an overall roof height of just 22 feet. As indicated on the enclosed Site Plan there is a 15' front yard setback, a 20' rear yard setback, and 5' side yard setbacks.

DESIGN REVIEW:

The proposed new residence is reminiscent of our early town architecture and follows a character and style that can be seen in other St. Helena homes. The exterior finish will be plaster along with cedar board and batt accents. Colors will be in the earth tones of natural greys or light tans possibly with washed out lavender accents. The sharp roof pitch with its curved sprocket rafters on the front elevation is playful and provides an easy visual transition in roof line scale.

From Vineyard Avenue, the oversized entry windows with arched top give the front elevation an intimate and inviting approach. The copper roof vent on the

front roof will patina with age and reinforces the idea that this home has existed for some time. The carriage house garage doors and barn style reverse board and batt siding suggest an agricultural heritage.

On the interior, reclaimed exposed truss work in the Great Room and repurposed interior doors are just two efforts to build responsibly and creatively with adaptive reuse in mind. St. Helena's own Green Building Practices will be the springboard for environmental sensitivity in the structure and finish materials.

A Landscape Plan is presented with this request and provides a professionally designed yet simple, low water use solution including many edible and/or draught resistant plants in planting beds. Two large specimen olive trees are shown to be planted at the street elevation. The existing 42" Douglas Fir tree, also located at the street elevation is to remain along with the existing Oak tree and has been accommodated in our Landscape Plan.

Thank you in advance for your time in consideration of our proposal.

Best Regards,

A handwritten signature in black ink, appearing to read "Anthony and Lisa Filippis". The signature is written in a cursive, flowing style with a long, sweeping underline that extends to the right.

Anthony and Lisa Filippis

October 28, 2013

St. Helena City Planning Commissioners

Mr. Greg Desmond, Interim Planning Director

City of St. Helena Planning Department

1480 Main Street,

St. Helena, CA 94574

RE: Written Statement for Lot Line Adjustment

Dear Mr. Desmond and Commissioners,

We are requesting a Lot Line Adjustment as part of the Design Review process for our proposed new single family residence to be constructed on our lot located at 1720 Vineyard Avenue, APN 009-172-022. This lot area is currently 3,250 sq.ft. It is within the Medium Density Residential Zoning District and is to be developed under Small Lot Development standards.

Because of the extreme narrow width of the lot (32.5 ft.) making development difficult, and because of concerns of neighbors and Commissioners in the challenging application of City development standards, a lot line adjustment seems both applicable and propitious.

As a result, we have written agreement with our neighbor to the East (Carol Parr) for the adjustment of our common Northeast property line. This Agreement (attached) allows for an additional five feet by one hundred feet (5' x 100') strip of land and results in a new overall property dimension of 37.5ft. x 100ft for our lot. The existing and proposed (adjusted) lot lines are clearly identified on that Site Plan/Lot Line Adjustment Map included as part of this request.

In short, our lot would increase five hundred square feet from 3,250sq.ft. to a new total of 3,750sq.ft. Carol Parr's lot, APN 009-172-023, would decrease five hundred square feet from 6,760sq.ft. to a new total of 6,260sq.ft.

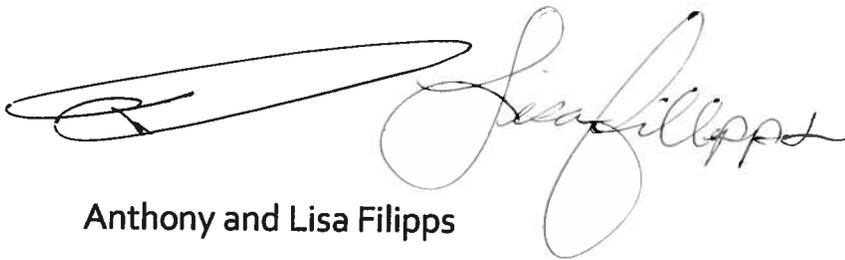
Pursuant to our last Design Review meeting and subsequent meeting with Director Desmond an emphasis was placed on an adjusted Floor Area Ratio to not exceed .36%. With the proposed Lot Line Adjustment and redesigned single story home, our new proposed FAR comes in at .33%.

Please refer to the Written Statement for Design Review, enclosed as part of this application, for additional information specific to our new home design and property setbacks.

In summary, there would appear to be a mutually beneficial gain between land owner and community in the granting of this proposal.

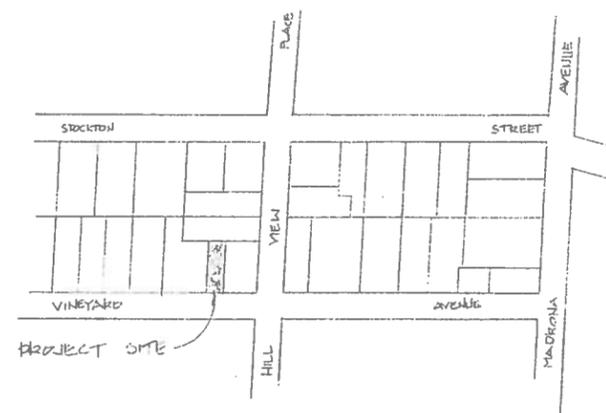
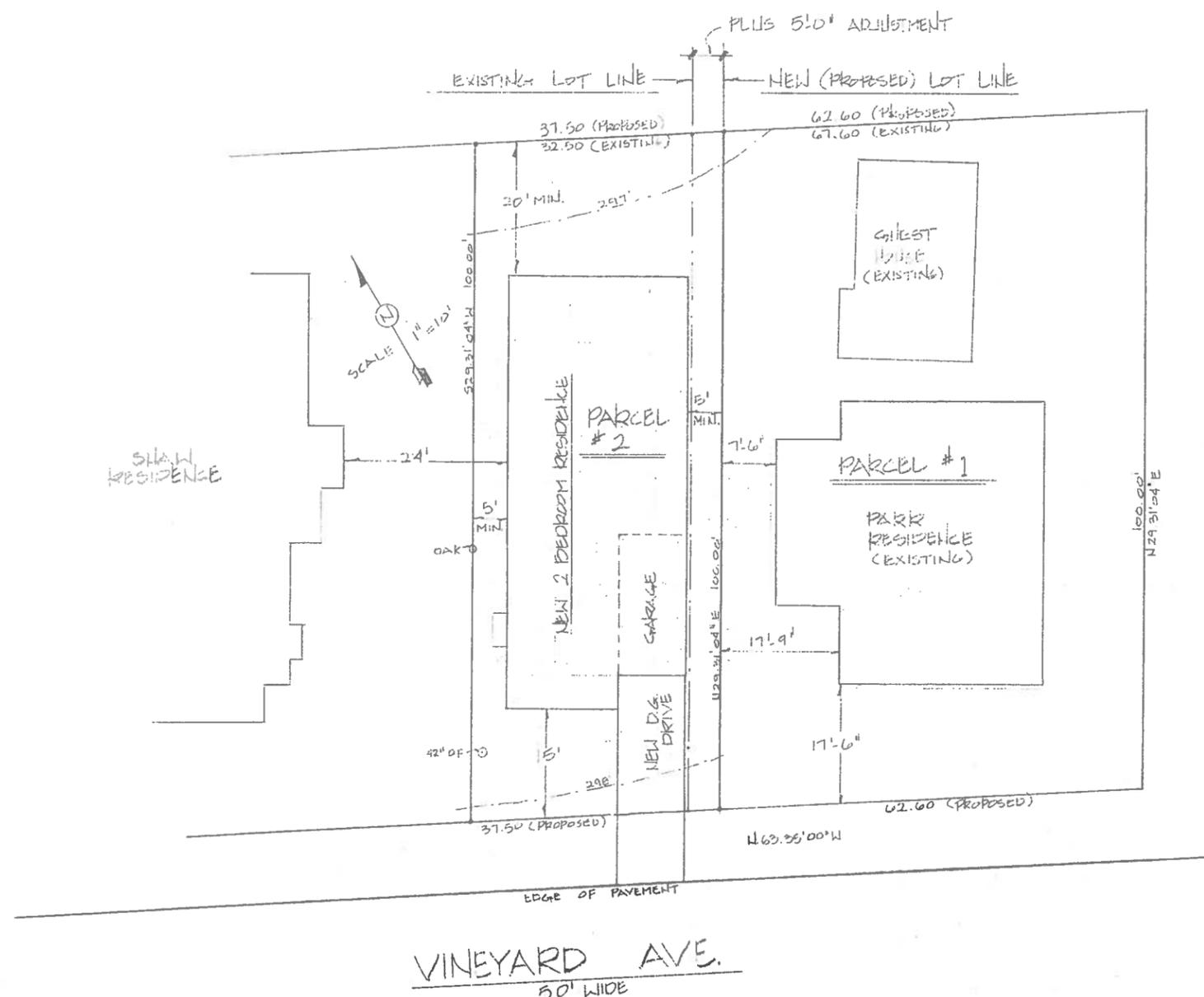
Thank you in advance for your time and consideration in this matter.

Best Regards,

A handwritten signature in black ink, appearing to read "Anthony and Lisa Filippis". The signature is written in a cursive, flowing style with large loops and a long horizontal stroke at the beginning.

Anthony and Lisa Filippis

REVISIONS	BY
3/21/13	AF
8/21/13	AF
10/24/13	AF



PLOT PLAN

SITE ADDRESS:
 1720 VINEYARD AVENUE
 SAINT HELENA, CALIFORNIA
 APN: 009-172-022

PROJECT INFORMATION:
 NEW RESIDENCE ————— 1,441 sq. ft.
 NEW GARAGE (215 sq. ft.)
 EXEMPTION FOR OFF STREET PARKING - (200 sq. ft.)
 TOTAL ADJUSTED FLOOR AREA - 1,241 sq. ft.

LOT LINE ADJUSTMENT
 PER DOC. NO. 2007-001844B
 PARCEL # 1 - EXISTING AREA = 6,760 sq. ft.
 = 1044 HILLVIEW PLACE - APN 009-172-023
 AREA ADJUSTED 5' x 100' = (500 sq. ft.)
 PARCEL AREA AFTER ADJ. = 6,260 sq. ft.

PARCEL # 2 - EXISTING AREA = 3,250 sq. ft.
 = 1720 VINEYARD AVE. - APN 009-172-022
 AREA ADJUSTED 5' x 100' = 500 sq. ft.
 PARCEL AREA AFTER ADJ. = 3,750 sq. ft.

SITE PLAN / LOT LINE ADJUSTMENT MAP

1" = 10'-0"

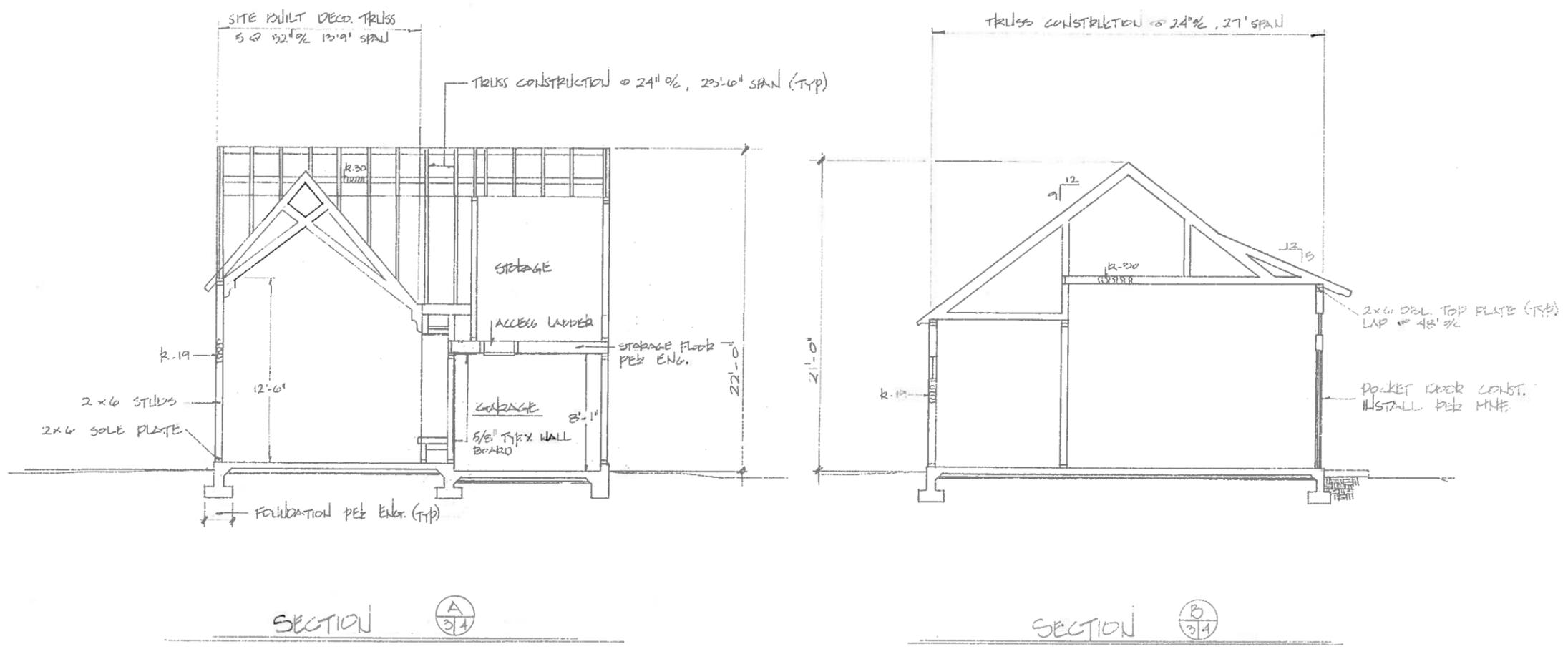
RECEIVED
 OCT 28 2013

Owner: Anthony & Lisa Filippis
 934 Signorelli Circle
 Saint Helena, California 94574

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CHECKED	AF
DATE	4/22/13
SCALE	AS SHOWN
JOB NO.	
SHEET	1
OF 4 SHEETS	

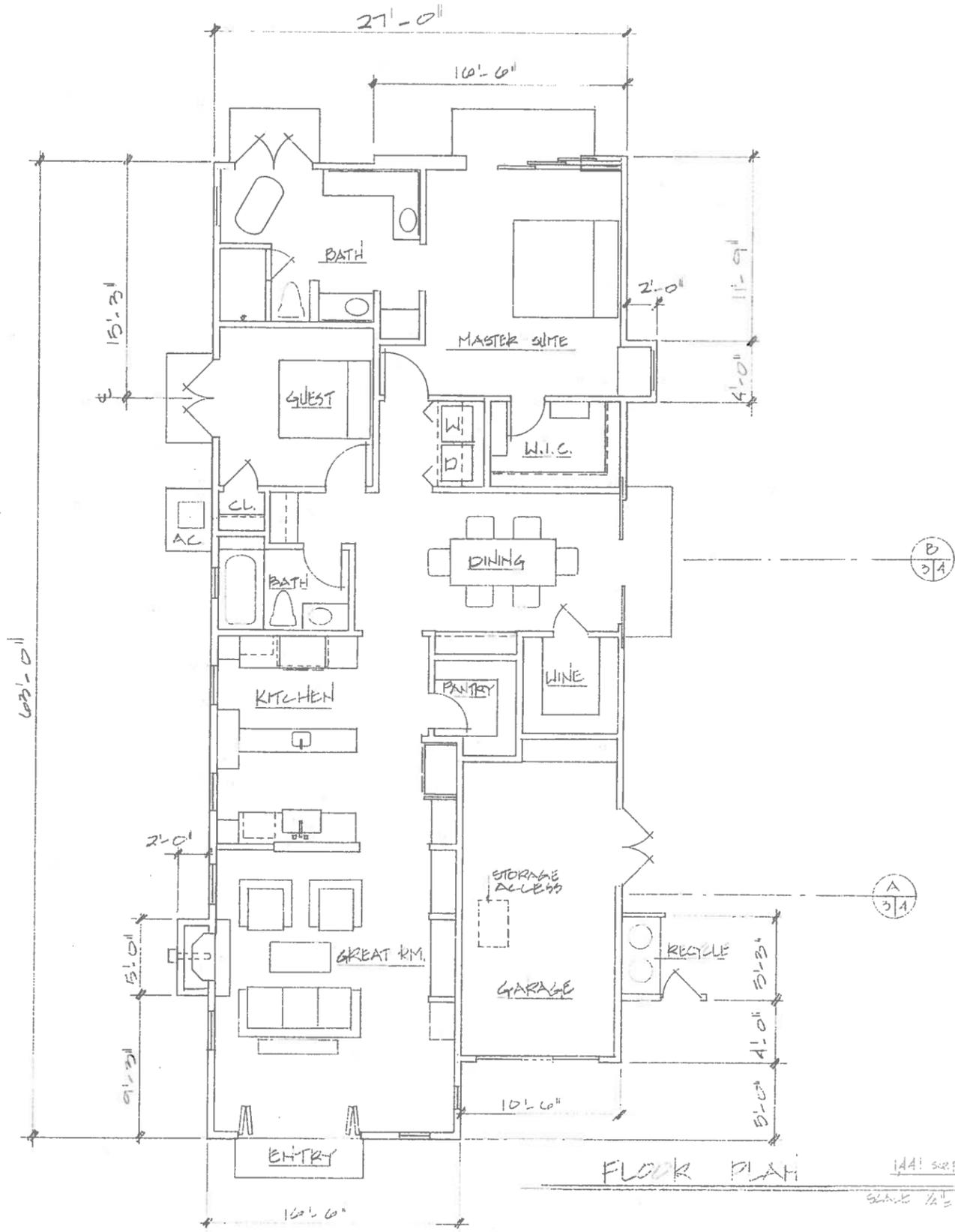
CITY OF ST. HELENA

REVISIONS	BY



Owner: Anthony & Lisa Filippis
 934 Signorelli Circle
 Saint Helena, California 94574

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OF 4 SHEETS

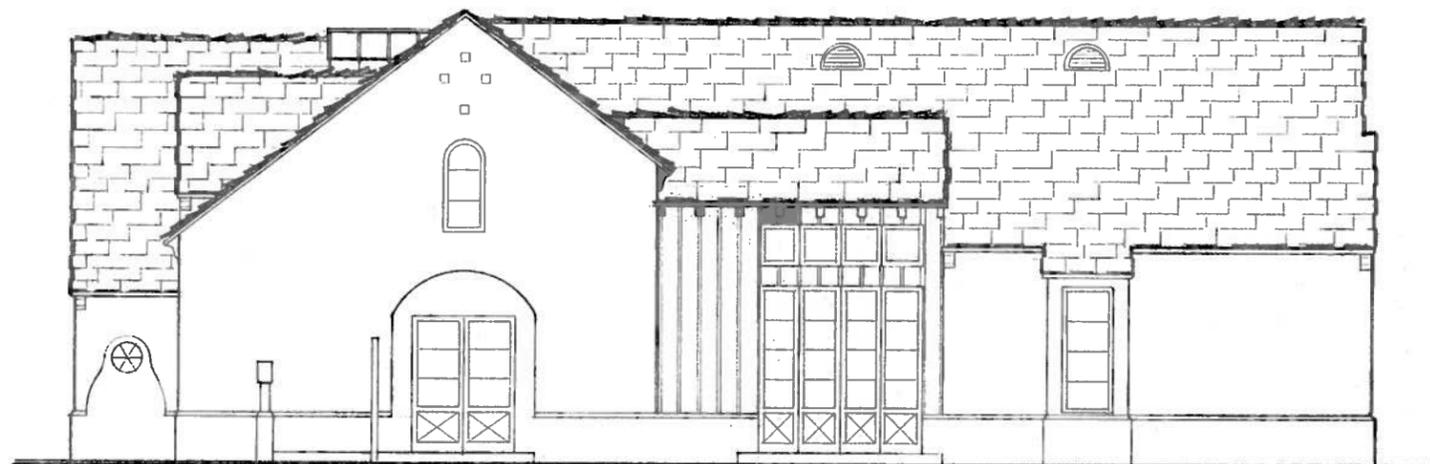


REVISIONS	BY

Owner: Anthony & Lisa Filippis
 934 Signorelli Circle
 Saint Helena, California 94574

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OF 3 SHEETS

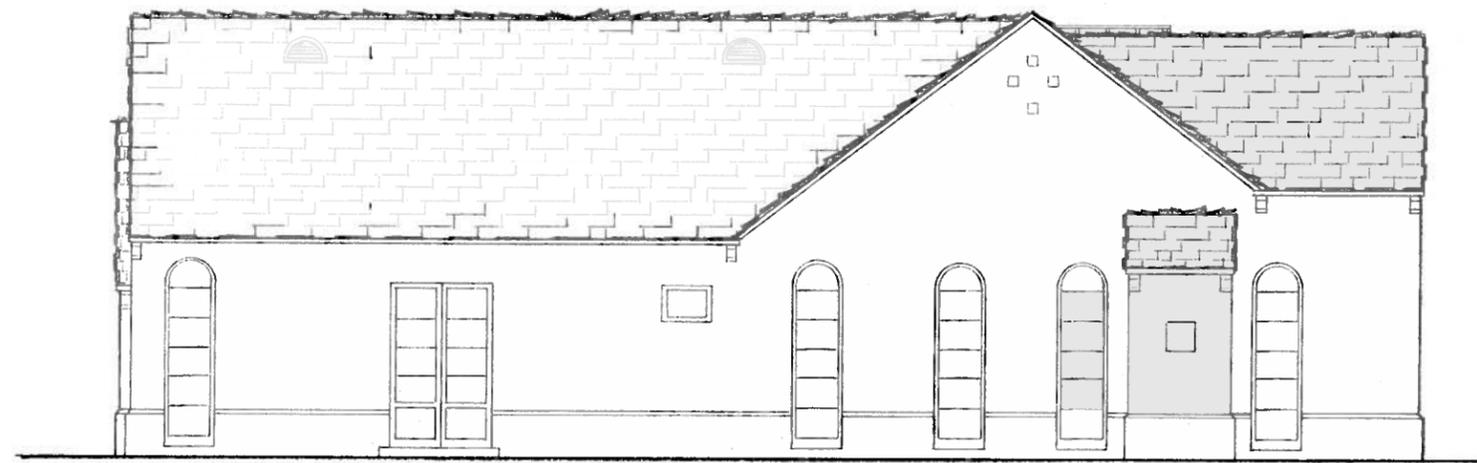
REVISIONS	BY



RIGHT ELEVATION



FRONT ELEVATION



LEFT ELEVATION



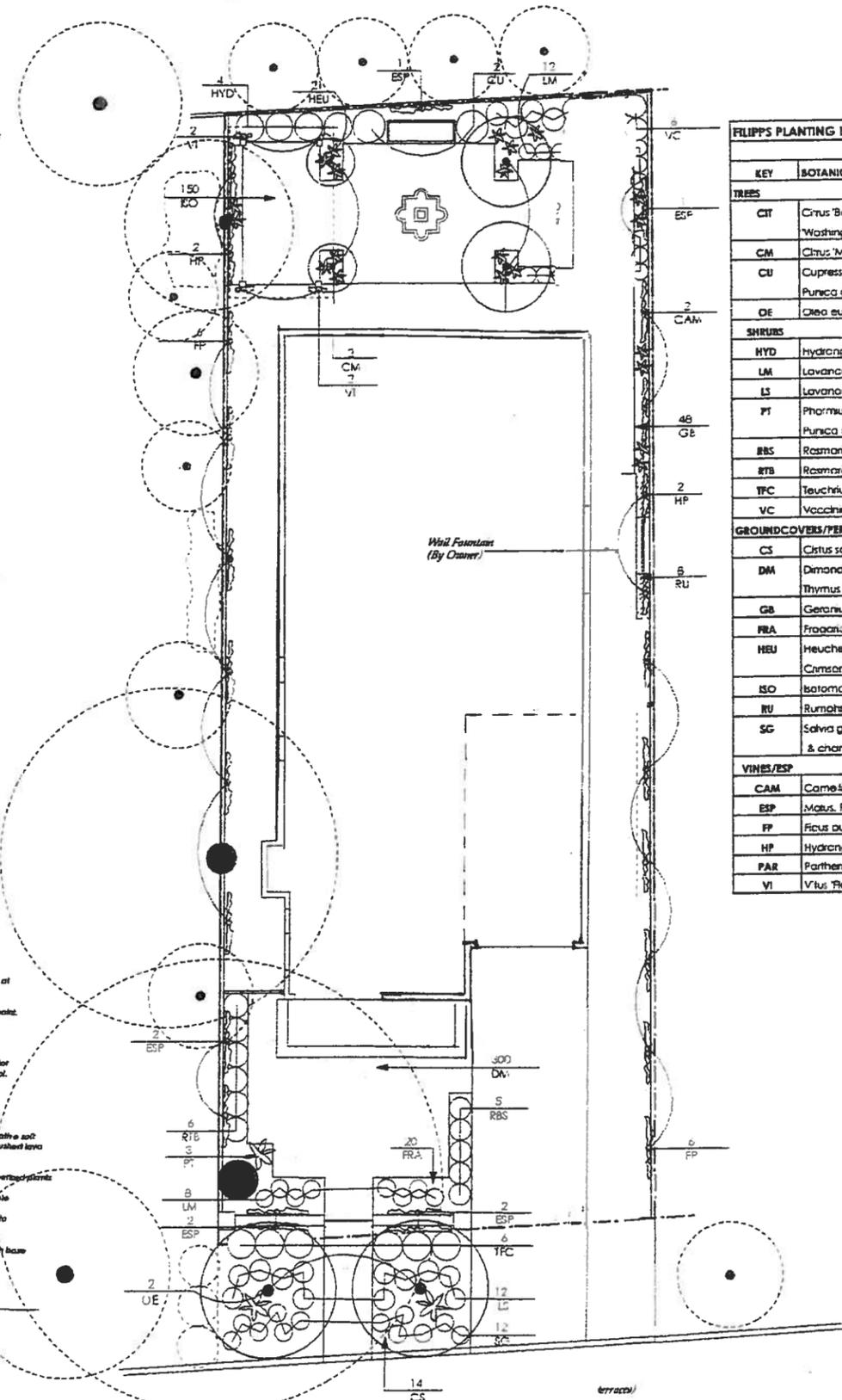
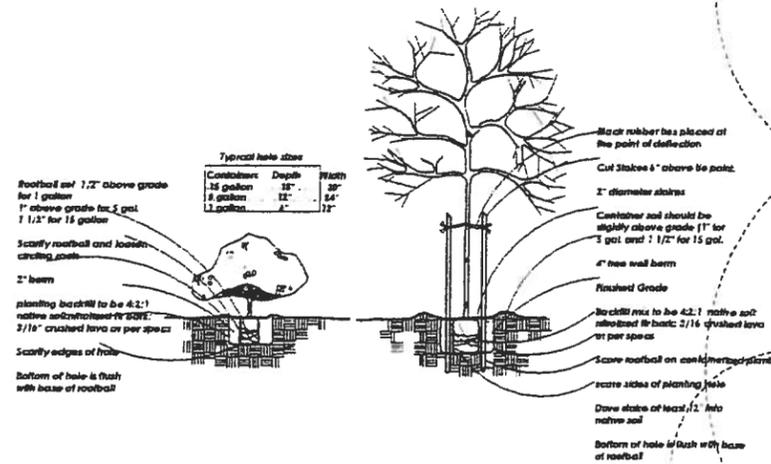
REAR ELEVATION

Owner: Anthony & Lisa Filippis
 934 Signorelli Circle
 Saint Helena, California 94574

DRAWN	AB
CHECKED	
DATE	10/21/13
SCALE	1/4" = 1'-0"
JOB NO.	
SHEET	2
OF	4 SHEETS

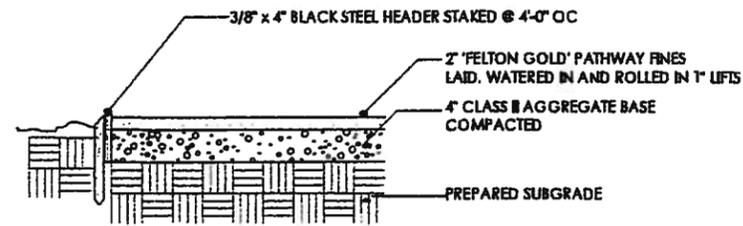
LANDSCAPE & PLANTING NOTES

- All plant material shall be approved by the Landscape Architect prior to installation and will be rejected if not in accordance with industry standards. Substitution requests to be made to the Landscape Architect for approval prior to site delivery.
- The plant count is for the convenience of the Landscape Contractor. In case of a discrepancy with the plan, the plan count shall govern.
- All proposed planting areas shall be cleared of any weeds and debris prior to soil preparation. In the case of perennial weeds, an organic systemic herbicide or sheet mulching shall be applied prior to clearing.
- No soil preparation shall take place in areas where soil is contaminated with cement, plaster, paint or other construction debris. All contaminated soil shall be removed and replaced with a friable sandy loam capable of sustaining healthy plant life and containing no noxious weeds or debris.
- All planting operations shall be performed by personnel familiar with this type of work and under the supervision of a qualified planting foreman.
- A minimum of one foot depth of non-mechanically compacted soil is available for water absorption.
- The Landscape Contractor shall supply and cultivate 6 cubic yards per 1000 square feet organic amendment or compost into the top 6" of all proposed planting areas.
- Plant Material shall have the follow backfill mix: 30% native soil, 10% 3/16" Lava rock, 60% coarse friar available thru Den-Beste Topsoil @ (707) 894-3781 or 50% native soil and 50% organic compost available thru Upper Valley Compost. Holes to be 2x the diameter x the depth of the plant container. See tree and shrub planting details for additional information.
- Prior to planting**, the final location of all plant material to be determined in the field by the Landscape Architect. The Landscape Contractor shall give three (3) days notice prior to planting placement date.
- Planting areas shall receive a 3" layer of "black wood ground mulch or recycled arbor mulch available thru Upper Valley Compost or #2 black mulch available thru Clark's Rock or Den Beste of Cloverdale. Mulch to be spread after container planting. Mulch to be spread after container planting but prior to groundcover planting. The Landscape contractor shall provide a bark sample to the Landscape Architect prior to shipping to site.
- The Landscape Contractor shall guarantee all new plantings for a duration of six months. The guarantee period shall begin after the final inspection and approval.
- 15 gallon standard trees shall be staked with 2 - 2" diameter x 80" lodgepole pine tree stakes and 2 ties per planting detail.
- 60 day establishment maintenance to be provided upon final approval of landscape installation.
- Planting and irrigation shall conform to the City of St. Helena WEPO Guidelines.
- Plant material to be irrigated with pressure compensating drip emitters and "Smart" controller inclusive of a rain sensor.

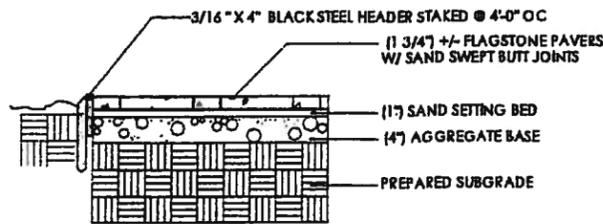


FILIPPS PLANTING LEGEND 8/5/13

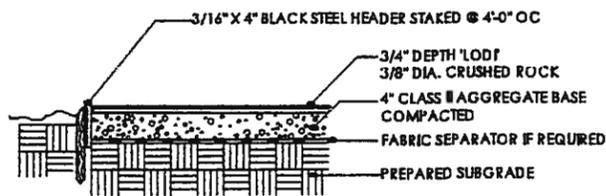
KEY	BOTANICAL NAME	COMMON NAME	QUANTITY	SIZE	REMARKS
TREES					
CIT	Citrus 'Beas Lime', Lisbon Lemon or 'Washington Naval Orange'	Cold Hardy Semi Dwarf Citrus	2	15 gallon	Standard
CM	Citrus 'Meyer Dwarf'	Dwarf Meyer Lemon	2	5 gallon	Multi
CU	Cupressus sempervirens or 'Purica granatum' 'Wonderful'	Italian Cypress or Pomogranite	2	15 gallon	Accent Fruit
DE	Olea europaea 'wisoria' or 'Swan Hill'	Fruitless Olive - Low branching	2	7/8" Box	Drought Tolerant
SHRUBS					
HYD	Hydrangea m. 'Blue Wave' or 'aquaticola'	Orn or Oakleaf Hydrangea	4	5 gallon	Foliage
LM	Lavandula 'Munstead Dwarf'	Dwarf English Lavender	20	3 or 5 gallon	Flowers/Herb
LS	Lavandula stoechas or 'Gusset'	Spanish Lavender	12	5 gallon	Flowers/Herb
PI	Phoridium tenax 'Maori Queen' or 'Burgundy' or 'Purica granatum' 'nanum'	Apricot or Red New Zealand Box Dwarf Pomogranite	3	5 gallon	Foliage
RBS	Rosmarinus 'Blue Spire'	Blue Spire Rosemary	5	5 Gallon	Flowers/Herb
RTB	Rosmarinus 'Tuscan Blue'	Tuscan Blue Rosemary	4	5 gallon	Flowers/Herb
TFC	Teucrium fruticans 'Compacta'	Bush Germander	6	5 gallon	Flowers/Foliage
VC	Vaccinium corymbosum or avallum 'Wunderlich'	Blueberry or Huckleberry	6	5 Gallon	Fruit
GROUNDCOVERS/PERENNIALS					
CS	Cistus salvifolius 'Prostratus'	Creeping Sageleaf Rockrose	14	1 gallon	30" OC Color
DM	Dianthus margaritae, Chamaemelum nobile or Thymus praecox 'Elfin'	Silver Carpet, Chamomile or Creeping Thyme	800 +/-	Plugs-3"x3"	6" - 8" OC (Sun)
GB	Geranium bicolor and 'Roxanne'	Scented & Blue Geranium	48	4" pot	30" OC-Color
FRA	Fragaria 'Pink Panda'	Edible Strawberry	30	4" pots	30" OC - Fruit
HEU	Heuchera 'Purple Palace', 'Starry Seas', 'Crimson Curt', 'Midnight Claret'	Assorted Purple Coral Bells, Assorted Red Coral Bells	21	1 gallon	Flowers/Foliage
ISO	Isotoma fluvalis	Blue Star Creeper	150 +/-	Plugs 3"x3"	6" - 8" OC (Shade)
RU	Rumex crispus	Leatherleaf Fern	8	1 gallon	24" OC
SG	Salvia greggii 'Furman's Red' & 'Hot Lips' & chamaedryoides	Red Sage, Blue Sage	12	1 gallon	Flowers
VINES/ESP					
CAM	Camelia sasanqua 'Setugetica' 'Esade'	White Sasanqua Camellia	2	5 gallon	Flowers
ESP	Morus, Pyrus, Ficus species	Assorted Espaliered Fruit Trees	8	5 gallon	Fruit
FP	Ficus pumila	Creeping Fig	6	5 gallon	Evergreen
HP	Hydrangea obovata	Climbing Hydrangea	4	5 gallon	Espalier - Flowers
PAR	Parthenocissus truncata	Boston Ivy	3	5 gallon	Foliage
VI	Vitis 'Roma' & Thompson Seedling	Table Grapes	4	5 gallon	Fruit



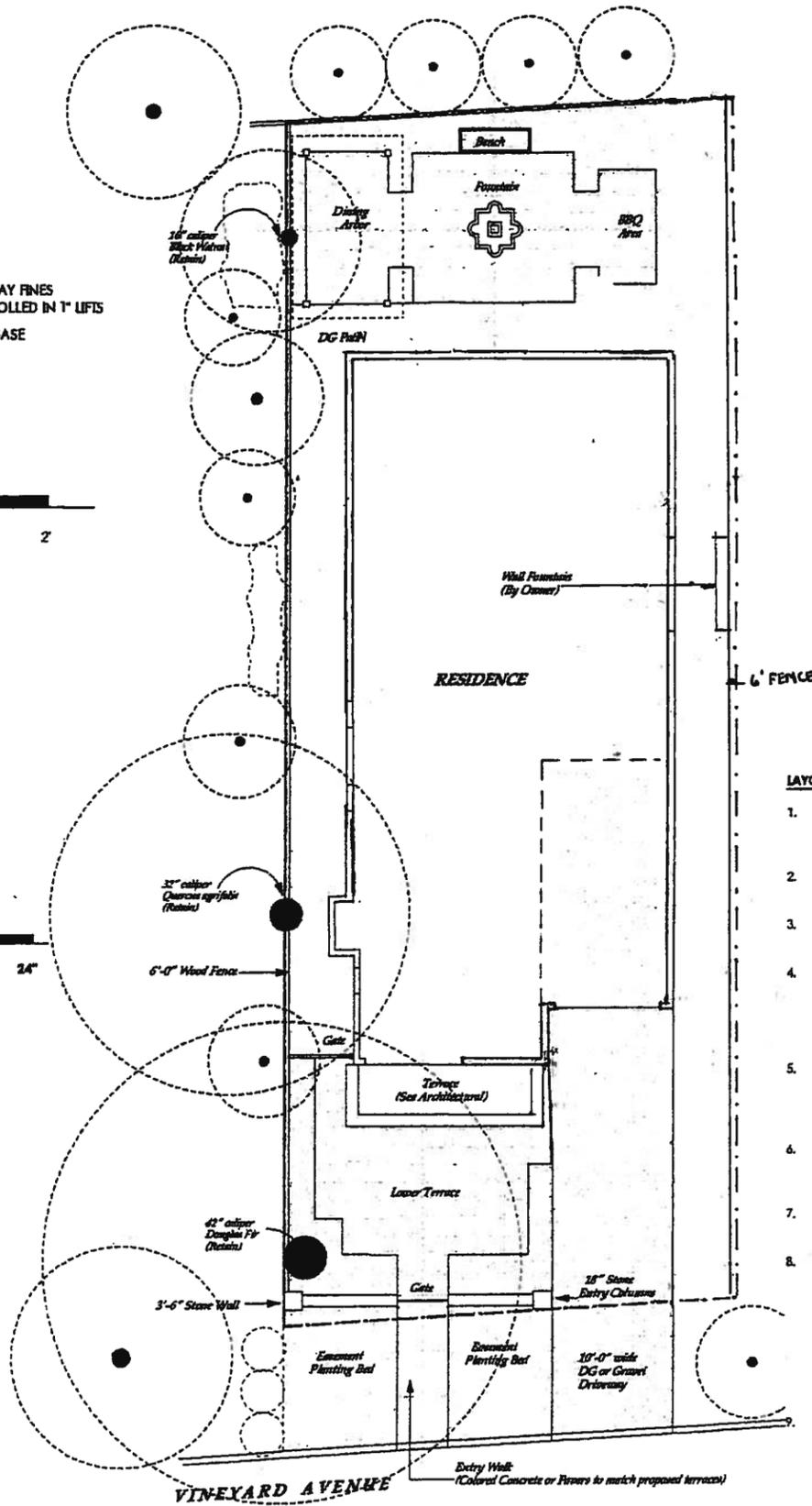
DECOMPOSED GRANITE PAVING W/ HEADER
0" 6" 1' 2'



FLAGSTONE ON AGGREGATE BASE
0 6" 12" 24"



GRAVEL PAVING W/ HEADER
0 4" 12" 24"

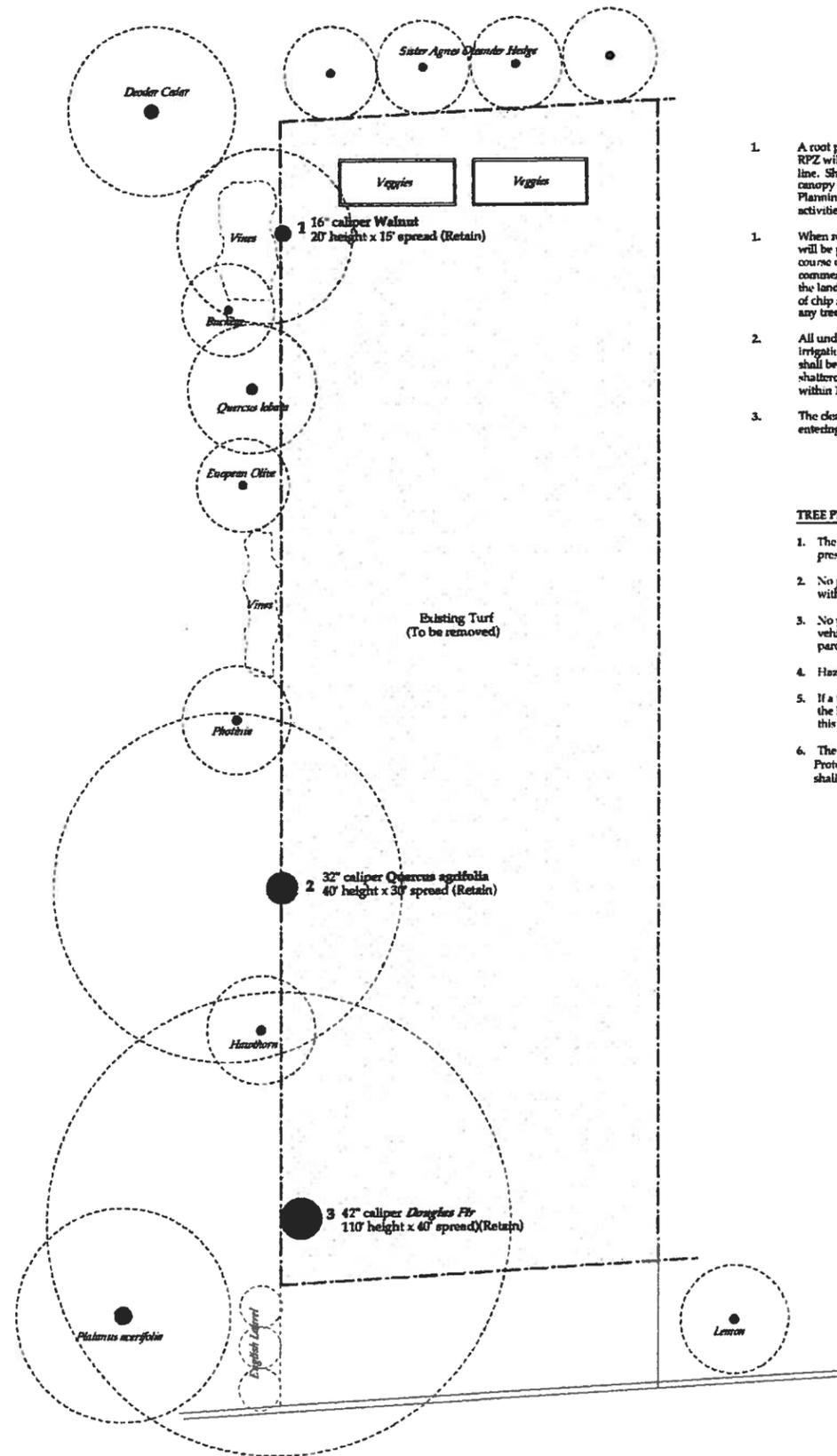


LAYOUT & SITE AMENITIES LEGEND	
KEY	DESCRIPTION
	PROPOSED FOUNTAIN: 45.5\"/>
	STONE OR TILE PAVING ON CLASS 11 BASE/ROCK W/ 3\"/>
	PLANTING BEDS TO BE AMENDED AND MULCHED (SEE SHEET L2)
	PROPOSED SYARSTONE WALL: 3.6\"/>
	PROPOSED 3/8\"/>
	PROPOSED 0-3/8\"/>
	PROPOSED DINING ARBOR (9' X 15' +/-) (LEGEND SIZE REDUCED) (SEE PLAN)
	PROPOSED WALL WATER FEATURE BY OWNER
	EXISTING TO REMAIN TREES (SEE EXISTING VEGETATION PLAN SHEET L1 & NOTES)

LAYOUT NOTES

- The contractor shall verify all dimensions, distances and grades in the field and bring any discrepancies to the attention of the landscape architect for a decision prior to commencing with work. The contractor is responsible for all applicable permits and for performing all work per applicable codes.
- All written dimensions supersede scaled distances, dimensions are from face of building, face of curb or wall, centerline, property line, or as noted on the plans.
- The contractor shall verify location of all utilities on site before commencing with any work. Any disruption or damage to utilities caused by work under this contract shall be corrected by this contractor at no additional cost to owner.
- The contractor shall perform all clearing, demolition, removal and site preparation necessary for the proper execution of all work shown on these drawings and/or described in the specifications. Removal of any existing facilities shall include oil sub base and base rock. In the case of plant material, the contractor shall completely remove the main trunk and significant roots to 18\"/>

The contractor shall remove from the site all debris and unsuitable material generated by his operations.



CONSTRUCTION GUIDELINES AND RESTORATION SPECIFICATIONS FOR OAKS

1. A root protection zone (RPZ) shall be established prior to commencement of any activities relating to this project. The RPZ will be marked clearly with a four foot high visibility fence. The fence shall be placed around each tree at the drip line. Should canopies of the preserved trees overlap, a continuous fence shall be used to define the area of the entire canopy spread. The fence shall not be altered or removed by anyone other than a designee from the Napa County Planning Department, the arborist, or arborist representatives. The fence shall remain on site until all construction activities are completed.
1. When removing surplus soils that have been piled within the RPZ, a tractor with rubber tires shall be used. All soil will be pulled away from the main stems radially. The arborist or arborist representative must be on site during the course of this work. A 24 hour notification shall be given to the arborist or arborist representative prior to its commencement. A minimal amount of soil will be removed. The final grade will be determined by the arborist and the landscape Architect. Once the grade is established, the RPZ shall be re-fenced as specified above. A 12 inch layer of chip mulch will be spread evenly within the reestablished RPZ. Mulch will not be placed against the main stem of any tree being preserved.
2. All underground and overhead utility services shall be routed around the RPZ. Surface preparation for landscape irrigation is to be done by hand when entering the RPZ. When roots are encountered, those over 2 inches in diameter shall be tunneled under, leaving the bark intact. Those roots under 2 inches in diameter will be pruned neatly to avoid shattered material or irregular cuts. Any roots encountered outside the RPZ will be pruned neatly and promptly to within 16 inches of the fenced region.
3. The cleaning of all construction equipment will be done outside the existing RPZ to discourage toxic leach aides from entering into sensitive root zones.

TREE PROTECTION NOTES

1. The General Contractor shall install orange tree protection fencing around the drip line of all trees to be preserved within construction zones.
2. No person shall damage any tree without first reviewing the necessity, alternatives, and mitigation measures with the Landscape Architect or arborist.
3. No person shall damage or harm any preserved trees by any means whatsoever including, without limitation, vehicles, machinery, building supplies or materials (including fluids) for the duration of any construction on the parcel.
4. Hazardous materials of all forms shall not be used or stored within the drip line of preserved trees.
5. If a tree root of 3 inch or greater caliper is encountered at any time, the General Contractor or Owner shall notify the Landscape Architect or arborist immediately prior to further activity in the area of the exposed root. Work in this area shall not continue without authorization from the arborist.
6. The Landscape Contractor or Owner shall insure continued protection of existing trees. Protection devices installed by the General Contractor at the start of construction shall remain in place during the duration of construction activities.

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1822 Blossom Dr.
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Phone (707) 235-8193
www.stittengineering.com
john@stittengineering.com

August 29, 2013

Mr. John Ferons, PE
Public Works Director
1480 Main Street
Saint Helena, CA 94574

Subject: Theoretical Domestic Water Demand

Re: Anthony Filippis new Residence – Design Review
1720 Vineyard Avenue, St. Helena, CA 94574
APN 009-172-022

Dear Mr. Ferons,

In accordance with the City of Saint Helena “Safe Water Yield” code, this report is to determine the “water-neutral” differential for this proposed residence. The above identified parcel of land was subdivided as part of the Worrel Ward Subdivision map of 1889 (RM Book 1 Page 52). To date it has never had a water use structure, but has a history irrigation history of lawn landscaping and border planters. The following is the analysis for your consideration and use.

Domestic Use

Existing

The previous water use of the property was lawn and boarder planter areas. No habitable structure was ever located on this parcel.

Present Demand 0 gal/day

Proposed Theoretical Domestic Water Demand

The proposed 2 bedroom, 2 bath residence will be equipped with water efficient fixtures and appliances throughout. These fixtures and appliances will abide by the California Green Building Standard (Table 4.303.2) and the more stringent City code (City’s Water Neutral Policy), calculated as follows:

Domestic Demand for New Construction

Fixture Type	Flow Rate (gpm)	Uses*	Duration (min.)	Flow (gal/day)
Showerhead	2	4	8.0	64.0
Lavatory Faucet	1.5	12	0.25	4.5
Kitchen Faucet	1.5	4	4	24.0
Water Closet	1.3	12		15.6
Dish Washer	6.3	0.4		2.5
Clothes Washer	19.7	1.48		29.1
Total				139.7

*For two (2) bedrooms allow four (4) occupants

Landscape Water Demand

Existing Irrigation Demand

The only water use of this parcel was irrigation of lawn and border planters. This section determines the irrigation demand for the existing fescue lawn, planter and border planting areas on the property using the California Irrigation Management Information System (CIMIS) formula. The following table determines the maximum theoretical use in gallons per year.

Irrigation Use	SF	MAWA*	Flow (gal)
Lawn	2,160	37.94 X 0.62 X 2160	50,809
Planter	1,040	37.94 X 0.62 X 1040	24,463
Total			75,272

*ETWU was a smaller number than MAWA

Considering the 5 year running average usage the City typically uses to determine historic use, and the property owner stating that she had stopped irrigating this parcel when a property line fence was erected two years ago, this gives a historic usage of 75,272 gal. times 3/5 or 45,163 gal. per year.

Historic Irrigation Demand 123 gal/day

Proposed Irrigation Demand

The proposed area for landscaping on the parcel is **600 square feet**, as per the attached Appendix A prepared by Cagwin Landscape Architect, Maximum Applied Water Allowance (MAWA). Because the MAWA is more than the Estimated Total Water Use (ETWU), I used the MAWA for the proposed water budget of 8,468 gallons per year. On a per day basis that is 23 gal/day.

New Irrigation Demand 23 gal/day

Summary

The proposed construction of a single family 2 bedroom, 2 bath residence, on a lot that had a history of being a rear yard, the following table analysis summarizes the calculations of this study:

Water Use	Daily Use (gal/day)
Baseline Domestic Use	0
Proposed Domestic Use	-140
Baseline Irrigation	123
Proposed Irrigation	-23
Average Daily Total	19 deficit

Conclusion

The water balance for this single lot development is 19 gallons per day deficit, as shown in the table above. To meet the City’s “water neutral” development, it is proposed that this developer retrofit the public bathroom sink faucet at the Golden Harvest Restaurant, located at 61 Main Street, St. Helena. See table below for calculation. The faucet would be replaced with a California Green Building Code approved faucet that has a mechanical auto-off feature and a 0.5 gpm flow rate. Retrofitting of the sink faucet at this restaurant would save 37.5 gal/day, more than meets the required deficit of 19 gal/day for the proposed residential development, achieving the City of St. Helena’s “Safe Water Yield” policy.

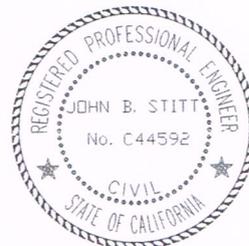
Fixture Type	Flow Rate* (gpm)	Uses per day	Duration (min.)	Flow (gal/day)
Lavatory Faucet	1.5	100	0.25	37.5
Total				37.5

*Based on 2.0 gpm existing baseline and 0.5 gpm for non-residential faucet (CA Green Building Code 2010)

Should you have any questions please do not hesitate to call me at 707-235-8193.

Sincerely,

John Stitt, PE



Atmt: City Water Neutral Policy Memorandum
Cagwin Landscape Architect water analysis

St. Helena Water Neutral Policy for Development

City Codes Relating to Water Use

The 1993 General Plan provides at policy 9.2.1 that "new development" shall be contingent upon the ability of the City to provide water without exceeding safe yield.

Pursuant to the City Council meeting of March 22, 2011, the City Council adopted the definition of "Safe Yield" as proposed by the Safe Water Yield Committee as follows:

"The safe annual yield of the St. Helena water supply system is that quantity of water which can be reliably delivered on an annual basis through most rainfall years, including a Dry year (rainfall at 22" to 25.9") without undue hardship on water customers through water shortage restrictions. It is recognized that the safe annual yield, as so defined, could place significant hardship on water customers in a Critically Dry Year (rainfall at 21.9" or less) or in periods of two or more consecutive Dry Years."

The City's Safe Water Yield Committee recently reported that the St. Helena potable water supply system, under current conditions, **is not currently in balance** under the definition of safe yield as adopted by the City Council.

Per the City Council meeting of March 22, 2011, item 17, the CC adopted the definition of Safe Yield as proposed by the Safe Yield Committee, and it is now City policy. This policy will therefore be applied to new development.

"New development" means any of the following construction projects that have not received a certificate of occupancy from the city or county building department prior to September 13, 1994, or that was issued a building permit and did not construct a foundation prior to September 13, 1994:

1. Any freestanding building that contains water-using fixtures;
2. Any floor area additions to existing nonresidential structures;
3. Any residential additions or remodeling that increases the number of independent living units.

Water Demand Analysis

The applicant must be water-neutral (from the City-delivered water system) through any combination of on-site water conservation measures and/or off-site retrofitting and/or well water. Water neutrality shall be demonstrated in a quantitative water analysis of the project.

The analysis must consist of the calculation of the baseline existing demand, the proposed water demand, a comparison of the two and the proposed retrofits to achieve a zero water use increase from the proposed development. Flows are calculated in gallons per day (gpd) with two (2) occupants per bedroom. Offices, dens, tv rooms, etc. are considered bedrooms with or without a closet.

If onsite retrofits cannot achieve net zero increase, the developer shall identify offsite retrofits. The City does not maintain a list of offsite retrofit needs. Per City Municipal Code 13.12.050, the developer shall be responsible for identifying residential or nonresidential properties eligible for retrofitting and verify to the department of public works that the required number of retrofits have been completed prior to the issuance of a certificate of occupancy.

Existing

Use of the flows from the Napa County Alternative Sewer Treatment System Standards to calculate existing water use is acceptable to the City Public Works Department. The commercial standards are attached; for residential projects, use of 150 gpd/bedroom is accepted. For onsite irrigation with City water, calculation of actual usage is obtained by ascertaining the number of drippers/sprinklers and the time watered and using 75% of the total value, assuming no irrigation in the winter months.

Proposed

Proposed water conservation efforts shall be compared to those existing flows quantitatively. Those standards can be found at websites for the LEED standards, Energy Star standards and major cities like San Francisco’s water conservation guides. Water conservation devices proposed in the water analysis will be required by conditions of approval, must be included on the building plans and inspected/verified at certificate of occupancy.

Acceptable theoretical demand for residential flows/uses:

- Toilet 3 flushes/day/occupant
- Faucet 0.25 min/3 times/day/occupant
- Shower 8 min/shower/day/occupant
- Kitchen faucet 4 min/day/occupant
- Clothes washer 0.37 load/day/occupant
- Dishwasher 0.1 load/day/occupant

Typical calculation:

Fixture	Flow Rate gal/min or gal/flush		Flow Duration (min., flush, load, etc.)		Daily Uses per Occupant		Number of Occupants		Gallons per Day
Showerheads	2	x	8	x	1	x	10	=	160
Sink Faucets	1.5	x	0.25	x	3	x	10	=	11
Kitchen Faucet	1.5	x	4	x	1	x	10	=	60
Toilet	1.3	x	1	x	3	x	10	=	39
Clothes Washer	19.7	x	1	x	0.37	x	10	=	73
Dish Washer	6.3	x	1	x	0.1	x	10	=	6

Great strides have been achieved by applicants through the use of low flow toilets, waterless urinals, sensor driven faucets, smart yard sensors, low flow dishwashers and washing machines. Retrofitting off-site is acceptable, though the City does not maintain a list of facilities.

Retrofit fees are not being accepted by the Public Works Director in lieu of actual retrofit applications.

TABLE 4

TYPE OF OCCUPANCY	GALLONS PER DAY
Airports	5 per passenger
Campgrounds:	
Campground with central comfort station	35 per person
Campground with flush toilet, no showers	25 per person
Day Camps (no meals)	15 per person
Luxury Camp, private bath	100 per person
Summer and seasonal	50 per person
Churches (sanctuary)	5 per seat
With kitchen wastes	7 per seat
Country Club	125 per person
Factories	35 per person per shift
Hospitals	250 per bed space
Kitchen waste only	25 per bed
Laundry waste only	40 per bed
Hotels/Motels with private bathroom (no kitchen waste)	60 per two person room
Hotels/Motels without private bathroom (no kitchen waste)	50 per two person room
Hotel/Motel with private bath and kitchen	75 gallons per person
Institutions other than hospitals	125 per bed space
Movie Theaters	5 per seat
Offices	20 per employee
Picnic parks with toilets and showers	10 per person
Picnic parks with toilet waste only	5 per person
Resort camps with limited plumbing	50 gallons per person
Restaurants:	
Kitchen waste (multi-use utensils)	5 per meal served
Kitchen waste (disposable utensils)	3 per meal served
And add the following for type of facility present:	
Conventional sit down	10 per person
Short Order	8 per person
Bar and Cocktail	3 per person
School (non-boarding)	20 per student
With gym and showers add	5 per student
With cafeteria using disposable utensils	3 per meal served
Self service laundries	50 gallons per wash
Service station	10 gallons per vehicle served
Retail stores	20 per employee
For public restrooms add	1 per 10 square feet
Swimming pools and bathhouses	10 per person
Tourist camps or mobile home parks with individual bath units	100 per person
Tourist camps or trailer parks with central bathhouse	75 per person
Work or construction camps (semi-permanent)	50 per person
Wine tasting facility (no meals served)	3 per person
Employee	15 per employee

Appendix A

Maximum Applied Water Allowance

The following calculations will help you determine your site specific water budget and establish a planting mix that will allow you to meet your water budget. Your Estimated Total Water Use must be less than your Maximum Applied Water Allowance.

1.) **Maximum Applied Water Allowance (MAWA)**

$$MAWA = (ETo) (0.62)[(0.6x LA) + (0.4 x SLA)]$$

Where:

- ETo = Annual Net Reference Evapotranspiration (inches)
- 0.6 = ET Adjustment Factor
- LA = Landscaped Area (square feet)
- 0.62 = Conversion factor (to gallons per square foot)
- SLA = Portion of the landscape area identified as Special Landscape Area (square feet)
- 0.4 = the additional ET adjustment factor for Special Landscape Area (1.0 - 0.6 = 0.4)

A.) Net Evapotranspiration Calculation

45.22 <i>(Annual ETo)</i>				
29.12 <i>(Annual Rainfall)</i>	x	.25	=	7.28 <i>(Effective Rainfall)</i>
Net Evapotranspiration Calculation = Annual ETo - Effective Rainfall				= 37.94

B.) Adjusted Landscape Area Calculation

600 <i>(Landscaped Area)</i>	x	0.6 <i>Adjustment Factor</i>	=	360
(Special Landscaped Area)	x	0.4 <i>Adjustment Factor</i>	=	0
Sum of Adjusted Landscape Area =				360

MAWA = 37.94 x 0.62 x 360 = 8468 gallons

2.) **Estimated Total Water Use (ETWU)**

A.) Net Evapotranspiration Calculation

Net Evapotranspiration Calculation = Annual ETo - Effective Rainfall = 37.94

B.) Adjusted Landscape Area Calculation

250 <i>(Low water use plant sqft)</i>	x	0.3	=	75
350 <i>(Moderate water use plant sqft)</i>	x	0.6	=	210
(High water use plant sqft)	x	1.0	=	0
Sum of Adjusted Landscape Area =				285

ETWU = 37.94 x 0.62 x 285 / 0.85 = 7887 gallons

Irrigation Efficiency Factor		
Percent of total landscape irrigated with Drip		
0-25%		0.71
26-50%		0.75
51-75%		0.80
76-100%		0.85

**CITY OF ST. HELENA, STATE OF CALIFORNIA
LOT LINE ADJUSTMENT and DESIGN REVIEW
NO. 2013-35 GRANTED TO
1720 VINEYARD AVENUE**

PROPERTY OWNER: Anthony Filipps

APN: 009-172-022

RECITALS

1. The applicant submitted applications for Lot Line Adjustment between the subject parcel (APN: 009-172-022) and the parcel to the immediate south (APN: 009-172-023). This adjustment would add 500 sf to the existing 3,250 sf parcel. The applicant is also seeking Design Review approval to construct a 1-story, 2-bedroom, 1,456 sf, residence on the vacant parcel located at 1720 Vineyard Avenue in the MR: Medium Density Residential district.
2. The Planning Commission of the City of St. Helena, State of California, held noticed public hearings for this item on August 20, 2013, September 3, 2013 and on December 17, 2013.

RESOLUTION

The Planning Commission of the City of St. Helena, State of California, approved the Use Permit and Design Review application on the following basis:

- A. The Planning Commission hereby finds that this project is exempt from the requirements of CEQA pursuant to Section 15305 Class 5(a) of the CEQA Guidelines, which exempts minor lot line adjustments that do not involve the creation of any new parcel and do not exceed an average slope of 20% and pursuant to Section 15303, Class 3 which exempts the construction of new private structures.
- B. The parcels resulting from the Lot Line Adjustment, as described above, will not create inconsistencies with the General Plan and City's Zoning Ordinance. This approval shall be in conformance with all City ordinances, rules, regulations and policies in effect at the time of issuance of a building permit. The conditions noted below are particularly pertinent to the Lot Line Adjustment and shall not be construed to permit violation of other laws and policies not so listed.
- C. The Planning Commission determines the project is in compliance with the following Design Review criteria of Municipal Code Section 17.164.030.
 1. *To promote those qualities in the environment which bring value to the community.*
 2. *To foster the attractiveness & functional utility of the community as a place to live and work.*
 3. *To preserve the character & quality of our heritage by maintaining the integrity of those areas which have a discernible character or are of special historic significance.*
 4. *To protect certain public investments in the area.*
 5. *To encourage where appropriate, a mix of uses within permissible use zones.*
 6. *To raise the level of community expectations for the quality of its environment.*

The following design criteria were considered by the Planning Commission in review of this application:

1. *Consistency and compatibility with applicable elements of the general plan;*
 2. *Compatibility of design with the immediate environment of the site;*
 3. *Relationship of the design to the site;*
 4. *Determination that the design is compatible in areas considered by the board as having a unified design or historical character;*
 5. *Whether the design promotes harmonious transition in scale and character in areas between different designated land use;*
 6. *Compatibility with future construction both on and off the site;*
 7. *Whether the architectural design of structures and their materials and colors are appropriate to the function of the project;*
 8. *Whether the planning and siting of the various functions and buildings on the site create an internal sense of order and provide a desirable environment for occupants, visitors and the general community;*
 9. *Whether the amount and arrangement of open space and landscaping are appropriate to the design and the function of the structures;*
 10. *Whether sufficient ancillary functions are provided to support the main functions of the project and whether they are compatible with the project's design concept;*
 11. *Whether access to the property and circulation systems are safe and convenient for pedestrians, cyclists and vehicles;*
 12. *Whether natural features are appropriately preserved and integrated with the project;*
 13. *Whether the materials, textures, colors and details of construction are an appropriate expression of its design concept and function and whether they are compatible with the adjacent and neighboring structure and functions;*
 14. *In areas considered by the board as having a unified design character or historical character, whether the design is compatible with such character;*
 15. *Whether the landscape design concept for the site, as shown by the relationship of plant masses, open space, scale, plant forms and foliage textures and colors create a desirable and functional environment and whether the landscape concept depicts an appropriate unity with the various buildings on the site;*
 16. *Whether plant material is suitable and adaptable to the site, capable of being properly maintained on the site, and is of a variety which is suitable to the climate of St. Helena;*
 17. *Whether sustainability and climate protection are promoted through the use of green building practices such as appropriate site/architectural design, use of green building materials, energy efficient systems and water efficient landscape materials.*
- D. The Planning Commission approves the Lot Line Adjustment and Design Review for the above-described project with the following conditions of approval. The project shall be in conformance with all City ordinances, rules, regulations and policies in effect at the time of issuance of a building 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.
1. The permits shall be vested within one (1) year from the date of final action. A building permit for the use allowed under this approval shall have been obtained within one (1) year from the effective date of this action or the approval shall expire, provided however that the approval may

be extended for up to two (2) one-year periods pursuant to the St. Helena Municipal Code, Section 17.08.130, Extension of Permits and Approvals. Any request for an extension of this approval shall be justified in writing and received by the Planning Department at least thirty (30) days prior to expiration.

2. These approvals are valid for this use only. New permits must be applied for upon any change in use. These permits will expire if the use is discontinued pursuant to St. Helena Municipal Code Section 17.08.120, Term of Permits and Approvals.
3. The approvals shall not become effective until fourteen (14) calendar days after approval, providing that the action is not appealed by the City Council or any other interested party within that 14-day period.
4. All required fees, including planning fees, development impact fees, residential in-lieu housing fees, building fees, toilet retrofit fees, and St. Helena Unified School District fees shall be paid prior to issuance of a building permit. Fees shall be those in effect at the time of the issuance of the building permit.
5. The applicant shall defend and indemnify and hold the City, its agents, officers, and employees harmless of any claim, action or proceedings to attack, set aside, void or annul an approval so long as the City promptly notifies the applicant of any such claim, action, or proceedings and the City cooperates fully in the defense of the action or proceedings.
6. Provided they are in general compliance with this approval, minor modifications may be approved by the Planning Director.
7. Pursuant to St. Helena Municipal Code Section 17.08.110, this permit shall run with the land and shall be binding upon all parties having any right, title or interest in the real property or any part thereof, their heirs, successors and assigns, and shall inure to their benefit and benefit of the City of St. Helena.
8. The primary purpose of this review is for compliance with the General Plan and Zoning Ordinance. The property owners or their designee shall be responsible for meeting with the Building Official/Fire Inspector to review compliance with Building and Fire Codes, including fire protection systems and any applicable accessibility standards of Title 24.
9. Construction shall be in compliance with plans submitted and reviewed by the Planning Commission on December 17, 2013, except as modified herein. The Planning Director may also authorize minor modifications to the plans.
10. Exterior lighting shall be directed or shielded to prevent glare onto the public roadway or adjacent properties.
11. Property owners within the district shall recognize that there exists a right to farm properties within the district and in the vicinity of the district. There is a good faith expectation that no complaints will occur regarding legal, normal agricultural activities on properties in the district or in the vicinity of the district. Such activities may include day or night disbursement of chemicals, and creation of dust, noise, or fumes.
12. To reduce disturbance of residents in the project vicinity, construction activities which generate noise that can be heard at the property line of any parcel of real property within the City limits

shall be limited to 8:00 a.m. to 5:00 p.m. Monday through Saturday. Delivery of materials/equipment and cleaning and servicing of machines/equipment shall be limited to 7:00 a.m. to 6:00 p.m. Exceptions to these time restrictions may be granted by the Public Works Director for one of the following reasons: (1) inclement weather affecting work, (2) emergency work, or (3) other work, if work and equipment will not create noise that may be unreasonably offensive to neighbors as to constitute a nuisance. The City Engineer must be notified and give approval in advance of such work. No construction activities shall occur on Sundays or federal or local holidays that generate noise that can be heard at the property line of any parcel of real property within the City limits.

PUBLIC WORKS CONDITIONS

1. Approval of this project shall be subject to the requirements of, and all improvements shall be designed and constructed in accordance with, the most current version at the time of improvement plan submittal, Caltrans Standards and Specifications, the City of St. Helena Municipal Code, the St. Helena Water and Sewer Standards, the St. Helena Street, Storm Drain and Sidewalk Standards, and all current federal, state and county codes governing such improvements.
2. For any improvements outside the existing building envelope, a grading and drainage plan shall be submitted for review and approval by the City Engineer prior to the issuance of a building permit. If the project entails more than 50 cubic yards of soil disturbance, 10,000 square feet of disturbance area, a cut or fill of 3 feet or more, installation of a pool or alteration of any drainage pattern, a grading permit shall be required.
3. No added drainage from new hardscape, roof or pool improvements shall be allowed to leave the site; improvement plans shall show how increased drainage from the 2-year and 10-year events will be designed to evapotranspire/infiltrate/harvest and biotreat stormwater onsite and at the property lines. Pre-developed 2-year events shall be treated prior to release and those flows, along with 100-year event overflows shall be directed to an existing storm drain or gutter through City standard undersidewalk drains or piped directly to the storm drain, where applicable.
4. Where a City water service exists, the applicant shall install an approved backflow device behind the existing water meter prior to Certificate of Occupancy. Any new and modified existing water laterals, meters and backflow prevention devices shall be required and constructed in accordance with the current requirements of the City of St. Helena's Water Standards and the California Department of Health Standards. Existing meter boxes located within a driveway shall be retrofitted with a traffic-rated box or a new lateral shall be installed out of the driveway. New laterals shall be located perpendicular to the water main and outside any driveway/drive aisle.
5. Where fire sprinklers are required, applicant shall install an appropriately-sized water service with appropriate backflow and meter devices prior to Certificate of Occupancy. Fire system

calculations shall be submitted with the Grading and Drainage Plan to verify fire service lateral and meter sizing.

6. The applicant shall incorporate water conservation practices into the proposed project per the revised Water Neutrality Analysis prepared by Stitt Engineering, including installing 1.28 gal toilets, 1.5 gpm faucets, low flow showers, 6.3 gal per cycle dishwasher and 20 gallon per load clothes washer. Landscape irrigation shall be confined to 600 sf. Offsite retrofits shall be performed, as applicable and stated in the Water Neutrality Analysis, prior to certificate of occupancy. The water analysis shall be replicated on the building plans prior to building permit approval.
7. The applicant shall conform to the City of St. Helena Water and Sewer Standards Section 6-2.10 which includes assessing the adequacy of the lateral, replacing if necessary and installing any required cleanouts.
8. The applicant shall repair all public improvements that are damaged by the construction process in accordance with the City Water/Sewer/Street/Storm Drain/Sidewalk Standards prior to Certificate of Occupancy.
9. All frontages shall be required to install curb, gutter and sidewalk where there is none. Any missing or broken curb, gutter and/or sidewalk along the project frontage shall be installed and/or replaced per City specifications prior to Certificate of Occupancy, extent to be determined by the Public Works Department.
10. Existing streets being cut by new utility services will require edge grinding and an A.C. overlay per City standards, extent to be determined by the Public Works Department.
11. All driveway approaches shall be per current City and ADA standards. Where none exists, or where deteriorating or non-standard driveway approaches exist, they shall be installed or replaced at the direction of the Public Works Department prior to Certificate of Occupancy. The driveway approach for the access drive to the property shall be replaced in order to conform to current ADA standards.
12. Any existing driveway approach not directly connected to a driveway shall be replaced with sidewalk/curb/gutter, as applicable and as directed by the Public Works Department, prior to Certificate of Occupancy.
13. An encroachment permit shall be required for any work performed in the public right of way.

I HEREBY CERTIFY that the foregoing Lot Line Adjustment and Design Review were duly and regularly approved by the Planning Commission of the City of St. Helena at a regular meeting of said Planning Commission held on December 17, 2013 by the following roll call vote:

AYES:

NOES:

ABSENT:
ABSTAIN:

Greg Desmond, Interim Planning Director

Anthony Philipps, Owner

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

DECEMBER 17, 2013

AGENDA ITEM: 9.2

Request of **MATTHEW DEMCHUCK** for a **SHORT-TERM RENTAL PERMIT** for **1702 TAINTER STREET**. The subject parcel is 12,196 sf, developed with a 2-story, 3 bedroom/3 bath single family residence and is designated MR: Medium Density Residential.

PREPARED BY: Greg Desmond, Interim Planning Director

APPLICATION FILED: 9/18/13

ACCEPTED AS COMPLETE: 9/18/13

LOCATION OF PROPERTY: 1702 Tainter Street

APN: 009-312-016

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

APPLICANT/ PARCEL OWNER: Matthew Demchuck

PHONE: 963.0844

BACKGROUND

In 2012 the City Council adopted a Short-Term Rental Ordinance (Chapter 17.134).

The purpose of this new chapter is as follows:

“To establish a permitting process and appropriate restrictions and standards for short-term rental of single-family dwellings; to provide a visitor experience and accommodation as an alternative to the hotel, motel, and bed and breakfast accommodations currently existing in the city to ensure the collection and payment of transient occupancy taxes; to minimize the negative secondary effects of short-term rental use on surrounding residential neighborhoods; and to retain the character of the neighborhoods in which any such use occurs.”

Chapter 17.134 is attached to this staff report and can be accessed via the following URL:
<http://www.codepublishing.com/CA/sthelenahtml/StHelena17/StHelena17134.html#17.134>

DISCUSSION

The Planning Department has issued twenty four (24) of the available twenty five (25) permits. The application for 1702 Tainter Street is the only permit that has received opposition from more than thirty percent (30%) of the parcel owners within 300’ of the parcel in which the short term rental use is proposed.

Section 17.134.060 of the ordinance provides the following permit processing regulations:

- A. *The planning director shall approve or deny the application pursuant to the requirements of this chapter.*

- B. *Short-term rental permit applications shall be submitted to the planning commission if any of the following occur:*
1. *Written protests pursuant to Section [17.134.050\(D\)\(4\)](#) comprise thirty percent (30%) or more of the owners within a three hundred (300) foot distance from the lot on which the short-term rental use is proposed.*

Planning staff received twenty-eight (28) letters in opposition and one (1) letter in support of the proposed project. There were forty-seven (47) unique parcel owners within 300' of the subject parcel. All correspondence is attached to this staff report.

Of the opposition letters received, only six (6) of them included information specific to the concerns of the neighbors. These concerns focused on the following:

- *Residential neighborhoods should provide housing for families interested in making St Helena their home*
- *Proximity to other permitted short-term rental properties*
- *Noise*
- *Security*
- *Disruptive/drunken people*
- *Parking*

REQUIRED ACTION

The planning commission shall review and either approve or deny the application pursuant to the requirements of this chapter 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 use permit findings contained in Chapter 17.168.

ANALYSIS: USE PERMIT

The Planning Commission must make the following Use Permit findings to support the motion to approve the Short-Term Rental permit:

1. *That the proposed use would not generate odors, fumes, dust, light, glare, radiation or refuse that would be injurious to surrounding uses or to the community.*
2. *That the proposed use would not generate levels of noise that adversely affect the health, safety, or welfare of neighboring properties or uses.*
3. *That the proposed use would not generate traffic noise in excess of the "normally acceptable" range identified in the General Plan.*
4. *That the proposed use would not make excessive demands on the provision of public services including water supply, sewer capacity, energy supply, communication facilities, police protection, and fire protection.*
5. *That the proposed use would provide adequate ingress and egress to and from the proposed location.*
6. *That allowing the proposed use would not conflict with the City's goal of maintaining the economic viability of a local serving economy.*
7. *That the proposed use would be compatible with surrounding land uses and would not conflict with the purpose established for the district within which it would be located.*
8. *That the proposed use would not be in conflict with the City's General Plan.*
9. *That the proposed use would not be injurious to public health, safety, or welfare.*

10. *That granting the use permit would not set a precedent for the approval of similar uses whose incremental effect would be detrimental to the City or would be in conflict with the General Plan.*
11. *That, as demonstrated on a detailed plan submitted by the applicant, adequate off-street parking to accommodate the long term parking needs of employees, business owners and customers is available.*
12. *That the capacity of surrounding streets is adequate to serve the automobile and delivery truck traffic generated by the proposed use.*

CORRESPONDENCE: OPPOSITION/SUPPORT

Planning staff received twenty-eight (28) letters in opposition and one (1) letter in support of the proposed project. There were forty-seven (47) unique parcel owners within 300' of the subject parcel. All correspondence is attached to this staff report.

ANALYSIS: GENERAL PLAN & ZONING

The General Plan designation for the property is Medium Density Residential. This designation allows for single-family detached homes, accessory dwelling units, limited agricultural uses and compatible uses. The property is zoned MR: Medium Density Residential. This zoning district is established for consistency with the Medium Density residential General Plan designation.

ANALYSIS: CEQA

Staff finds that the Short-Term Rental ordinance and the permitting, leasing, and licensing of existing single-family structures is exempt under CEQA Guideline Section 15301, existing facilities.

STAFF COMMENTS / RECOMMENDATIONS

Staff appreciates that the neighbors have objections to the short-term rental ordinance - especially those who have other existing short-term rental properties in close proximity.

That said the ordinance was carefully crafted to provide neighbors and the city with the tools to address impacts associated with this use. Further, to date there have been very few complaints received by the city specific to short-term rental use.

Staff finds that the use permit findings can be made for this use and recommends that the Planning Commission approve the project.

ATTACHMENTS

- Short-Term Rental Application
- Exhibit showing nearby short-term rental properties
- Chapter 17.134
- Correspondence - support
- Correspondence - opposition
- Letter from applicant

SHORT-TERM RENTAL PERMIT APPLICATION



Planning Department
1480 Main Street
St. Helena, CA 94574
(707) 968-2659

RECEIVED
PLANNING DEPARTMENT

SEP 18 2013

City of St. Helena

Property Owner/Applicant Information – Please Type or Print

Name Demchuk Family Trust 2013-59
Address 924 Signorelli Circle
City St. Helena State CA Zip Code 94574
Phone 707.975.7076 Email matthew@demchuk.com

NOTE: Attach contact information for all additional property owners to the application. In the case of a partnership, all general and limited partners must be identified. In the case of a corporation, all shareholders owning 10% or more of the stock and all officers and directors must be identified.

Property Information

Address of the Proposed Short-Term Rental Unit 1702 Tainter Street
Is this a single family dwelling? Yes No Do you own this dwelling? Yes No
Number of bedrooms available for use by short-term rental occupants 3
Number of on-site parking spaces available for short-term rental occupants 3

Local Contact Person Information

Name Matthew Demchuk
Address 924 Signorelli Circle
City St. Helena State CA Zip Code 94574
Phone 707.963.0844 Cell Phone 707.975.7076
Email matthew@demchuk.com

NOTE: The local contact person must be available 24 hours a day to accept telephone calls and respond physically to the short-term rental within 30 minutes when the unit is rented and occupied.

Office Use Only – Do Not Write in this Area

File/Permit Number _____ Date Application Received _____ Received by _____
APN _____ Zoning _____
Application Fee: \$1,075 City Makes Labels: \$200 Total Fee _____

CHECKLIST FOR FILING A COMPLETE SHORT-TERM RENTAL PERMIT APPLICATION

Each application must contain the following information. Incomplete applications will not be scheduled for review by the planning director or the planning commission.

- APPLICATION FORM**, with all property owners' signatures, including all parties holding a title interest.
- See below*
A MAP AND MAILING LIST of all owners of property within a 300' radius of the subject property, prepared and certified by a title company, and **2 sets of MAILING ADDRESS LABELS for each property listed.**
** The planning department can offer this service for an additional fee of \$200.00 paid at the time of application submittal.*
- PROOF OF OWNERSHIP** of the subject property, in the form of a property tax bill, title documents, or listing on the most recent assessor's parcel roll.
- SITE PLAN** indicating the location of at least two on-site parking spaces available for use by the short-term rental occupants, and **FLOOR PLAN** indicating the number and location of bedrooms proposed to be used by the short-term rental occupants. Plans should be on plan sheets up to 11" x 17" and need to be clear and easy to understand, but do not need to be prepared by a professional designer.
- APPLICATION FEE** of \$1,075 made payable to the City of St. Helena.
- OPTIONAL: MAILING LABEL PREPARATION FEE** of \$200 made payable to the City of St. Helena.

Upon receipt of a complete application, the planning director will provide a notice of application to all property owners within 300 feet of the proposed short-term rental unit. The application will then be held for thirty-three days to allow neighbors to file, and the City to receive, written protests. The planning director will also conduct a site visit at your property and post a notice of application at the front of the property along the main access road. If the planning director receives written protests from 30% or more of the neighbors, the item will be placed on the planning commission's agenda for their review and decision. If not, the planning director will review the application and approve or deny the request. Applications will be reviewed in the order in which they are completed and determined ready for review.

I, Matthew Demchuk, ^{Trustee} hereby file this application for a short-term rental permit. I certify that I am the owner of the property on which the short-term rental use is proposed, and that I understand the permit, if granted, shall not be transferable.

I certify that I have received and inspected a copy of all regulations pertaining to the operation of a short-term rental unit, and I agree to abide by the rules and regulations contained in the St. Helena Municipal Code and City Council resolutions, as they may be amended from time to time.

I further certify that the property manager identified in this application will be available twenty-four hours a day to accept telephone calls and will respond physically to the short-term rental within thirty minutes when the unit is rented and occupied.

I hereby authorize employees of the City of St. Helena to enter upon the subject property, as necessary, to inspect the premises and process this application.

In the event the City is required to take legal action to enforce any of the terms and conditions of this application, the property owner(s) agree(s) to pay to City reasonable attorney fees and costs incurred in such action.

I, the owner and the applicant, will defend, indemnify and hold the City, its agents, officers, and employees harmless from any claim, action or proceeding to attack, set aside, void or annul an approval of the City concerning the project, as long as the City promptly notifies the applicant of any such claim, action or proceedings and the City cooperates fully in the defense. I have also reviewed the requirement to disclose the complete list of partners and/or shareholders.

I hereby certify that all of the statements made and supporting documentation provided in this application are true, accurate and authentic to the best of my knowledge, information and belief, and further, I understand that knowing and willful misstatements or misrepresentations will result in a denial of the application.

Property Owner's Signature: *Matthew Demchuk* Date: 9/18/2013

Property Owner's Signature: _____ Date: _____

CITY OF ST. HELENA
1400 Main St.
St. Helena, CA 94574

Date: 09/18/2013 Time: 2:20 PM
Receipt No. 0041109

Account: CR 1,275.00

Short Term Renta
1 Appl
Planning Labels 1,075.00
200.00

Total 1,275.00
Check 10 1,075.00
Check 10 200.00
Cash 0.00

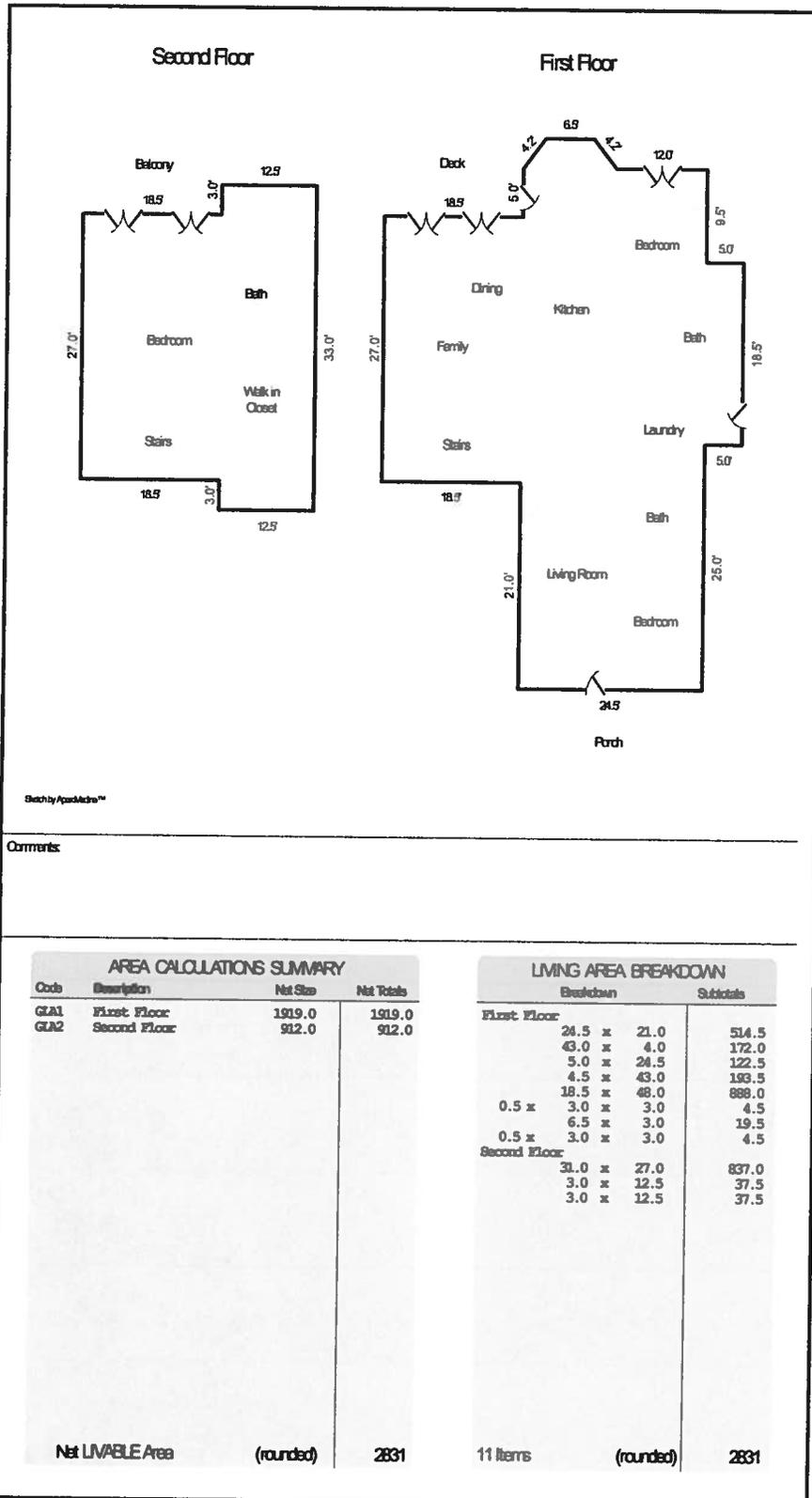
Total 1,275.00
Change 0.00

Hatt Demchuk
Customer #: 005639
924 Signorelli Circle
St. Helena, CA 94574

Cashiers: Jink
Stations: FRONT COUNTER

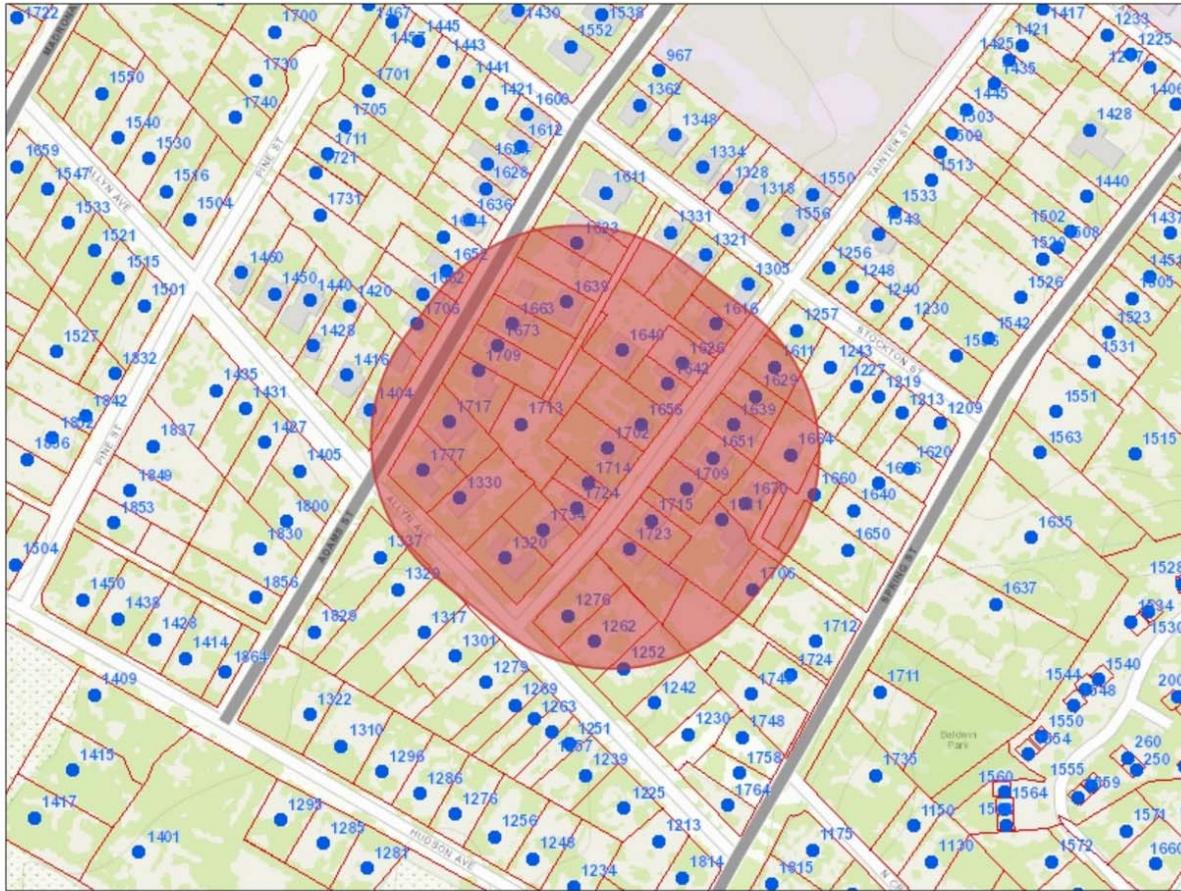
Building Sketch

Client	Matthew Demchuk, Trustee			
Property Address	1702 Tainter St			
City	Saint Helena	County Napa	State CA	Zip Code 94574
Appraiser	Leon R. Brauning, ASA			





City of St. Helena



Legend

- Addresses
- Parcels
- County Boundary

614.1 0 307.06 614.1 Feet



Disclaimer: This map was prepared for informational purposes only. No liability is assumed for the accuracy of the data delineated herein.

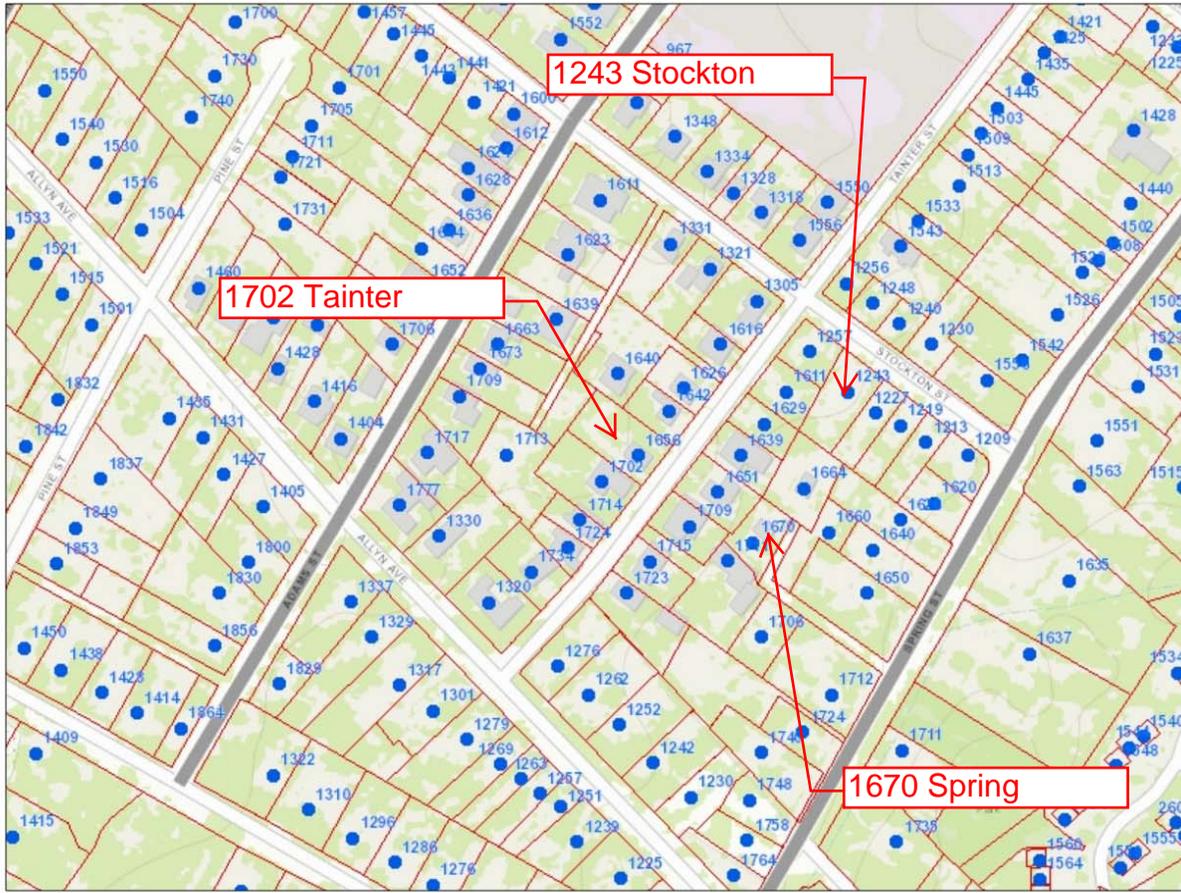
This map was printed on 10/21/2013

Notes

1702 Tainter



City of St. Helena



Legend

- Addresses
- Parcels
- County Boundary



Disclaimer: This map was prepared for informational purposes only. No liability is assumed for the accuracy of the data delineated herein.

Notes

1702 Tainter

This map was printed on 12/11/2013

Chapter 17.134 SHORT-TERM RENTALS

Sections:

- [17.134.010](#) Purpose and findings.
- [17.134.020](#) Short-term rental permit required.
- [17.134.030](#) Districts in which permitted.
- [17.134.040](#) Restrictions and standards.
- [17.134.050](#) Procedures for application and public notice.
- [17.134.060](#) Permit processing.
- [17.134.070](#) Appeals.
- [17.134.080](#) Inspections.
- [17.134.090](#) Enforcement.
- [17.134.100](#) Violations.

17.134.010 Purpose and findings.

- A. The city council hereby finds that unregulated transient occupancy uses in residential and agricultural district present a threat to the public welfare.
- B. The purposes of this chapter are to establish a permitting process and appropriate restrictions and standards for short-term rental of single-family dwellings; to provide a visitor experience and accommodation as an alternative to the hotel, motel, and bed and breakfast accommodations currently existing in the city to ensure the collection and payment of transient occupancy taxes; to minimize the negative secondary effects of short-term rental use on surrounding residential neighborhoods; and to retain the character of the neighborhoods in which any such use occurs.
- C. This chapter is not intended to regulate hotels and bed and breakfast inns that do not qualify as short-term rentals.
- D. This chapter is not intended to provide any owner of residential property with the right or privilege to violate any private conditions, covenants and restrictions applicable to the owner's property that may prohibit the use of such owner's residential property for short-term rental purposes as defined in this chapter.
- E. The city council hereby finds that the adoption of a comprehensive ordinance regulating the issuance of and operating conditions attached to short-term rental permits is necessary to protect the public health, safety and welfare. The purposes of this chapter are: to provide a permit system and to impose operational requirements in order to minimize the potential adverse impacts of transient uses in residential neighborhoods and zoning districts on traffic, noise and density; to ensure the health, safety and welfare of renters and guests patronizing short-term rentals; and to impose limitations on the total number of permits issued in order to ensure the long-term availability of the affordable housing stock.
- F. The city council hereby finds that the city's regulation of vacation rental uses in accordance with this chapter, including the establishment of the nontransferability provisions, is a valid exercise of the city's police power in furtherance of the legitimate governmental interests documented in this chapter. (Ord. 12-2 § 8 (part))

17.134.020 Short-term rental permit required.

No person shall use any single-family dwelling on any parcel in any zoning district for short-term rental without a short-term rental permit. (Ord. 12-2 § 8 (part))

17.134.030 Districts in which permitted.

Short-term rentals shall be permitted in accordance with the provisions established in each zoning district and as provided in this chapter. (Ord. 12-2 § 8 (part))

17.134.040 Restrictions and standards.

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 permit can be issued.
- 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.
- I. The owner shall, prior to April 1st annually, provide written notice to all neighboring property owners within a three hundred (300) foot distance from the lot on which the short-term rental is located the following information:
 1. The name, telephone number, cell phone number, and e-mail address of the local contact person provided to the city pursuant to subsection H of this section.
 2. The maximum number of guests permitted to stay in the short-term rental unit.
 3. Parking restrictions attached to the short-term rental permit.
 4. Contact information for the city official that members of the public may contact to report violations of the short-term rental regulations or conditions of approval attached to the short-term rental permit.
- J. 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 shall be limited to two times the number of guests permitted to occupy the short-term rental dwelling pursuant to subsection E of this section, up to a maximum of twenty (20) persons.
- K. Auctions, commercial functions, and other similar events are prohibited at the short-term rental property.
- L. The owner-applicant shall use best efforts to 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.
- M. The owner-applicant shall, 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, promptly use best efforts to prevent a recurrence of such conduct by those occupants or guests.
- N. All advertising for any short-term rental shall include the number of the permit granted to the owner-applicant.
- O. The owner-applicant shall maintain city business licenses and pay all transient occupancy taxes in accordance with Chapter [3.28](#) as required. (Ord. 12-2 § 8 (part))

17.134.050 Procedures for application and public notice.

- A. Prospective owner-applicants of a short-term rental use shall apply for a permit with the planning director in accordance with the provisions of this chapter and on a form provided by the city.
- B. The application shall be accompanied by a fee in an amount to be fixed from time to time by resolution to cover the administrative costs of issuing a short-term rental permit and, but not limited to, inspecting the short-term rental dwelling.
- C. The application shall include the following information:
1. The name, address and phone number of the applicant, and verification that the applicant is the owner of the lot.
 2. The assessor's parcel number of the lot on which the short-term rental use is proposed.
 3. Certification that the permit will be nontransferable.
 4. Certification that the local contact person is 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.
 5. A site and floor plan identifying the location of parking on the site and the location of any bedrooms to be used for short-term rental use.

6. A list of the names and addresses of the property owners within a three hundred (300) foot distance from the lot on which the short-term rental use is proposed, and a map, drawn to scale, that clearly identifies the lots and the assessor parcel numbers of the lots identified pursuant to this section.

7. Acknowledgement of receipt and inspection of a copy of all regulations pertaining to the operation of a short-term rental use.

8. Additional information as may be requested by the planning director to determine impact and mitigation measures.

D. Notice of Application.

1. The planning director shall provide a notice of application for a short-term rental permit to the property owners located within a three hundred (300) foot distance from the lot on which the short-term rental use is proposed.

2. The notice of application shall contain a description of the proposed short-term rental operation, parking on the site, and number of bedrooms to be used for short-term rental use, together with a location map identifying the short-term rental dwelling lot in relationship to all other lots within a three hundred (300) foot distance.

3. A project notice sign shall be posted at the front of the property along the main access road. The sign shall be placed five days prior to remitting an application and shall be removed no later than five days after a final decision has been rendered by the planning director or the planning commission.

4. The notice of application shall state that the noticed owners may file a written protest against the proposed short-term rental use with the planning director; provided, that all protests must be postmarked or received within thirty (30) days of the mailing of the notice of application. (Ord. 12-2 § 8 (part))

17.134.060 Permit processing.

A. The planning director shall approve or deny the application pursuant to the requirements of this chapter.

B. Short-term rental permit applications shall be submitted to the planning commission if any of the following occur:

1. Written protests pursuant to Section [17.134.050\(D\)\(4\)](#) comprise thirty percent (30%) or more of the owners within a three hundred (300) foot distance from the lot on which the short-term rental use is proposed; or

2. The owner of the proposed short-term rental unit is a corporation, partnership, limited liability company, or similar entity.

The planning commission shall review and either approve or deny the application pursuant to the requirements of this chapter 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 use permit findings contained in Chapter [17.168](#).

C. If the application is approved but no short-term rental permits are available pursuant to the limitation on short-term rentals described in Section [17.134.040\(D\)](#), the planning director shall place the application on a waiting list. New permits shall be issued in the order that completed applications are received.

- D. The planning director or planning commission may impose conditions on the granting of an application for a short-term rental permit to mitigate the impacts of the proposed land use.
- E. Within ten (10) days of the approval of a short-term rental permit, the owner-applicant shall mail to all property owners within three hundred (300) feet of the lot on which the short-term rental use is approved, notice of the issuance of a permit for short-term rental use and the name, phone number, cell phone number, and e-mail address of the local contact person 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. Notice shall be provided on a form acceptable to the planning director. Within ten (10) days of the mailing, the owner-applicant shall provide evidence to the planning director that such mailing occurred.
- F. Short-term rental permits shall be valid for a period of two years. In reviewing subsequent requests for a short-term rental permit, the planning director shall require evidence of compliance with conditions of the short-term rental permit and this chapter. No subsequent permit shall be approved without written verification of tax payments, and no permit shall be approved if the operation of the short-term rental has created adverse impacts on the neighborhood in which it is situated or has otherwise caused the loss of the character of that neighborhood.
- G. Short-term rental permits shall be subject to any changes to this chapter that the city council may make and conditions that the council may impose subsequent to the issuance of the permit. (Ord. 12-2 § 8 (part))

17.134.070 Appeals.

Any person whose application for a short-term rental permit has been denied by the planning director, or whose permit has been suspended or revoked by the planning director, may appeal to the city council pursuant to Section [17.08.180](#). The appeal shall be accompanied by a filing fee, if any, as established by city council resolution. (Ord. 12-2 § 8 (part))

17.134.080 Inspections.

- A. The planning director or his or her designee shall have the right to enter upon any property at any reasonable time to make inspections and examinations for the purpose of enforcement of this chapter, subject to the provisions of Code of Civil Procedure Section 1822.50 et seq.
- B. The fire department shall annually inspect the short-term rental dwelling.
- C. The planning director shall have the right to inspect any records related to the use and occupancy of the short-term rental to determine that the objectives and conditions of this chapter are being fulfilled. (Ord. 12-2 § 8 (part))

17.134.090 Enforcement.

A. The planning director may revoke a short-term rental permit pursuant to Section [17.04.140](#) if the planning director determines that:

1. The owner-applicant gave false or misleading information during the application process;
2. There has been a violation of any of the terms, conditions and restrictions on the use of the dwelling unit for short-term rental use;
3. The owner-applicant has violated any provision of this chapter;
4. The owner-applicant has failed to timely pay the transient occupancy tax as required by this code; or

B. If an owner-applicant's short-term rental permit is revoked, the owner-applicant may not reapply for another permit for two years after the date of revocation. (Ord. 12-2 § 8 (part))

17.134.100 Violations.

A. Any property owner who uses, or allows the use of, or advertises or causes to be printed, published, advertised or disseminated in any way, the availability of residential property in violation of this chapter is guilty of a misdemeanor for each day in which such residential property is used, or allowed to be used, in violation of this chapter. Such violation shall be punishable pursuant to Chapter [1.20](#).

B. Short-term rental use of a residential property in violation of this chapter is a threat to public health, safety or welfare and is thus declared to be unlawful and a public nuisance. Any such nuisance may be abated and/or restored by the enforcement official and also may be abated pursuant to Chapter [1.12](#), except that the civil penalty for a violation shall be one thousand dollars (\$1,000). Each day the violation occurs shall constitute a separate offense.

C. Any property owner who uses, or allows the use of, residential property as a short-term rental without a permit shall be liable for the transit occupancy tax that would have been owed under Chapter [3.28](#) had the use been legal, including the penalty and interest provisions of Section [3.28.070](#). (Ord. 12-2 § 8 (part))

The St. Helena Municipal Code is current through Ordinance 2012-12, passed December 19, 2012.

Disclaimer: The City Clerk's Office has the official version of the St. Helena Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

City Website: <http://www.cityofsthelena.org>
(<http://www.cityofsthelena.org>)
City Telephone: (707) 967-2792
Code Publishing Company
(<http://www.codepublishing.com/>)
eLibrary (<http://www.codepublishing.com/eLibrary.html>)

RECEIVED

NOV 01 2013

October 30, 2013

CITY OF ST. HELENA

Dear Mr. Desmond,

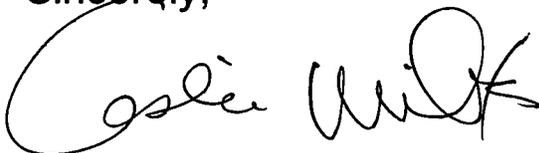
I'm writing in response to the protest of the short-term rental permit for 1702 Tainter Street submitted by the Demchuk Family Trust.

I am a neighbor, I am at property owner of 1320 Allyn Avenue and believe the Demchuk's are trying to follow the proper, legal and fair way to apply for such a permit... unlike many in St Helena who ignore the short-term rental restrictions. I believe that they deserve the opportunity to see if this works.

I object to the group mailing my neighbors received from an overzealous neighbor (with his own agenda) warning of risks & using scare tactics. I don't think this a fair form of protest.

I have terrific neighbors and we don't need another issue to divide the City. Perhaps we need better guide lines, outlining restrictions & fines for those visitors, in short term rentals, that disrupt the neighborhood, until then, let's give the Demchuk's a chance.

Sincerely,

A handwritten signature in black ink, appearing to read "Leslie Wilks". The signature is written in a cursive style with a large initial "L" and a stylized "W".

Leslie Wilks

October __, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street,
St. Helena. The address of my property is 1709 ALYN,
St. Helena. I hereby protest the issuance of a short-term rental permit
to the Demchuk Family Trust.

Very Truly Yours,

Jack B. Anderson
Jack B. Anderson



Mr. Jack Anderson
2000 Powell St Ste 1280
Emeryville, CA 94608-1845

OAKLAND CA 945

17 OCT 2013 PM 3 L



CITY OF
ST. HELENA
OCT 21 2013

Finance
Department

*Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574*



October 16 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1717 Adams Street, St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,
Jerome M. Woodward

 Jerome M Woodward
1717 Adams St
Saint Helena CA 94574



CITY OF
ST. HELENA

OCT 21 2013

Finance
Department
94574165480

*Mr Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA
94574*

October __, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street,
St. Helena. The address of my property is 1262 Alky Avenue,
St. Helena. I hereby protest the issuance of a short-term rental permit
to the Demchuk Family Trust.

Very Truly Yours,

Jack Wolfman
Connie Wolfman
Jack Wolfman
Connie Wolfman

OAKLAND CA 945

17 OCT 2013 PM 7 L



CITY OF
ST. HELENA

OCT 21 2013

Finance
Department

Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street

St. Helena CA
94574

October __, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1711 Tainter Street, St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,

Caroline S. Wing

OAKLAND CA 945

16 OCT 2013 PM 5 L



CITY OF
ST. HELENA

OCT 17 2013

Finance
Department

*Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main St.*

*St. Helena, CA
94574*

October __, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street,
St. Helena. The address of my property is 1242 & 1252 Allyn Ave
St. Helena. I hereby protest the issuance of a short-term rental permit
to the Demchuk Family Trust.

Very Truly Yours,
Diane Wilsey



SAN FRANCISCO CA 940

16 OCT 2013 PM 5:1



CITY OF
ST. HELENA

OCT 17 2013

Finance
Department

Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main St.
St. Helena,

CA 94574

RECEIVED

OCT 28 2013

CITY OF ST. HELENA

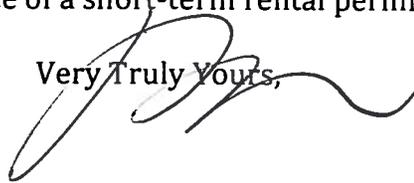
October 26, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1611 Tainter, St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,



Greg:

Don M. Westland

Alan

October 16, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1317 Allyn Ave., St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,

Jeffrey & Cindy Warren

17 OCT 2013 PM 7:1



1317 Allyn
St. Helena, CA
94574



CITY OF
ST. HELENA
OCT 21 2013
Finance
Department

Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main St.
St. Helena,

CA 94574

October __, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1714 Tainter Street, St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,

Carmen S. Villalobos

OAKLAND, CA 946

17 OCT 2013 PM 5 L



CITY OF
ST. HELENA
OCT 21 2013
Finance
Department

*Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main St.
St. Helena,*

94574

October __, 2013

RECEIVED

OCT 29 2013

CITY OF ST. HELENA

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1629 TAINTER ST, St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,

Thomas & Diana Smith

**Thomas Paul Smith
913 Dana Highlands Court
Lafayette, CA, USA
94549**

OAKLAND CA 945

28 OCT 2013 PM 5 L



*Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main St.*

St. Helena, CA.

94574

94574189999



Greg Desmond
Planning Director City of St Helena
1480 Main Street
St Helena, CA 94574

October 16, 2013

RECEIVED

OCT 23 2013

CITY OF ST. HELENA

Greg,

Laura Andersen and I own the property at 1734 Tainter St and are in the 300' foot radius of 1702 Tainter St. We have great concern about their application for a short term rental permit to the Demchuk Family Trust. We would at the least like to see it go to the Planning Commission to hear all the pros and cons and how it may affect our neighborhood.

Thank You,


Frank Rodrigues

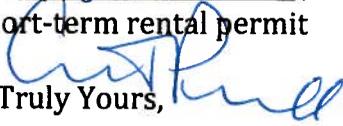
October 18, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street,
St. Helena. The address of my property is 1611 Adams,
St. Helena. I hereby protest the issuance of a short-term rental permit
to the Demchuk Family Trust.

Very Truly Yours,



SAN FRANCISCO CA 941

19 OCT 2013 PM 2 L



CITY OF
ST. HELENA

OCT 21 2013

Finance
Department

Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main St.

St. Helena, CA 94574



FROM: JONY McQUIDDY

October __, 2013

to:
Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1227 Stockton St., St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

In fact I am against the whole idea **Very Truly Yours,**
in our close-in residential neighborhoods,
for anyone.

 Jony McQuiddy
1227 Stockton St.
Saint Helena, CA 94574-1926

OAKLAND CA 945
19 OCT 2013 PM 7:1



CITY OF
ST. HELENA

OCT 21 2013

Finance
Department

Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main St.

94574169999



October __, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street,
St. Helena. The address of my property is 1330 Allyn Ave,
St. Helena. I hereby protest the issuance of a short-term rental permit
to the Demchuk Family Trust.

Very Truly Yours,
[Signature]

*Joe McLoey
Berley York
1330 Allyn Ave
St. Helena, CA 94574*

OAKLAND CA 946

11 OCT 2013 PM 9 L



CITY OF
ST. HELENA

OCT 15 2013

Finance
Department

*Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main St.
St. Helena,
CA*



October __, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1664 SPRING ST, St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,

Maureen McBride

OAKLAND CA 945

16 OCT 2013 PM 6 L



**CITY OF
ST. HELENA**

OCT 17 2013

Finance
Department

*Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA
94574*



TOAD HALL



SIR BRENT MCADAM

Mr. Mathew Heil
The Planning Director
Planning Department of ST Helena

OCT 10, 2013

Dear Mr. Heil,

We, the undersigned
householders at 1656 Tainter St,
eagerly file this written protest
against the Demchuk Family
Trust's application requesting
a short-term rental permit
for 1702 Tainter St.

Sincerely

Brent McAdam

Olga M. O. McAdam

RECEIVED

OCT 28 2013

CITY OF ST. HELENA

October 25 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1623 ADAMS ST. PLUS, 3 LOTS St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,

Mabel Johnson

October 11, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street,
St. Helena. The address of my property is 1337 Allyn Avenue,
St. Helena. I hereby protest the issuance of a short-term rental permit
to the Demchuk Family Trust.

Very Truly Yours,
Carol Hubbard

*Carol S. Hubbard
1337 Allyn Ave
St Helena CA 94574*

OAKLAND CA 946
11 OCT 2013 PM 5 L



CITY OF
ST. HELENA

OCT 15 2013

Finance
Department

*Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street*

ST. HELENA CA 94574

October 12, 2013

RECEIVED
PLANNING DEPARTMENT

OCT 16 2013

City of St. Helena

1331 Stockton Street
St. Helena, CA 94574

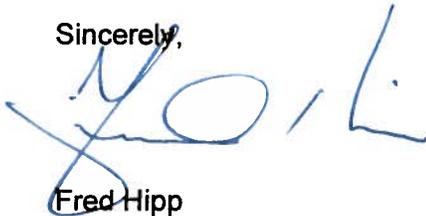
Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond,

I received the notice from the city regarding the proposed short-term rental permit for 1702 Tainter Street. I am opposed to this permit. A rental property in the middle of a functional neighborhood brings the possibility of disruptive and noisy short-term renters that do not have the same sense of community as my fellow neighbors. It also raises security concerns due to a constant turnover of tenants that are unknown to those of us that are permanent residents.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "Fred Hipp", written over a printed name.

Fred Hipp

RECEIVED

OCT 28 2013

CITY OF ST. HELENA

October 28 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1639 Tainter St., St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,



RECEIVED

OCT 28 2013

CITY OF ST. HELENA

October ²⁵, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1777 Adams St, St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,



October 11, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1329 Allyn Ave., St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,

Alan Galbraith

*Alan Galbraith
1329 Allyn Ave
St. Helena, CA 94574*

ST. HELENA, CA 94574
11 OCT 2013 PM 4 L



CITY OF
ST. HELENA

OCT 15 2013

Finance
Department

*Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main St.
St. Helena, CA 94574*

October 12, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1663 Adams St., St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,

Arnon and Heather Fishleder

OAKLAND CA 946

15 OCT 2013 PM 6 L



CITY OF
ST. HELENA

OCT 16 2013

Finance
Department

*Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main St*

St. Helena, CA 94574

October __, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street,
St. Helena. The address of my property is 1276 Allyn Avenue,
St. Helena. I hereby protest the issuance of a short-term rental permit
to the Demchuk Family Trust.

Very Truly Yours,



Richard Crus
1276 Allyn ave
St. Helena, CA 94574

OAKLAND CA 94612

22 OCT 2013 PM 3 L



CITY OF
ST. HELENA

OCT 23 2013

Finance
Department

Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA

94574

Greg Desmond

From: CHERI <chericom@comcast.net>
Sent: Monday, October 21, 2013 4:40 PM
To: Greg Desmond
Cc: agalbraith94574@gmail.com
Subject: 1702 Tainter St--Protesting short term rental

NO TO 1702 TAINTER ST. SHORT TERM RENTAL

We live at 1651 Tainter St. , and we **STRONGLY OPPOSE** 1702 Tainter St. becoming a short term rental. We already have a short-term rental property behind our house (Brian & Kelly Smith)

It is horrible having a "hotel" in our backyard. With 9 out of 10 "guests" we have to ask to please quiet down after midnight (and later). I realize that these people are on vacation and want to have fun.

But we live here and have to go to work every morning after being kept awake until all hours with their drunk partying. Some are quite rude about it. Having another one across the street will mean more drunk people around that will also be driving on our quiet street, that the neighborhood kids play on.

Let alone them taking up parking spaces on our street

Allowing these short term rentals is not right. We live here full time and do not need anymore "temp-drunk-renters " around. We pay our bills and taxes year round and this does not seem like a fair practice to put on the local residents, If we had wanted to live by a hotel we would have bought a house by one.

We really hope you will listen to the residents and **DENY** 1702 Tainter St. a short term rental.

Cheri & Scott Churchill
1651 Tainter St
St.Helena, CA 94574
963-5460

Oct. 15, 2013

Greg Desmond
Interim Planning Director
City Hall
1480 Main St.
St. Helena, CA 94574

Dear Greg:

This is in response to the notice we were sent regarding 1702 Tainter St. becoming a short term rental unit. We oppose this change of use in our neighborhood. In our block of 10 homes, only 3 are year round residents, and, although we value the friendship of our weekend neighbors, we would prefer to live in a neighborhood that provides housing for families who want to make their homes here in St. Helena.

We do not think it benefits our neighborhood to see valuable housing stock turned into a short term rentals. We are writing this letter to protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,



Kathleen Carrick and Barry Ives
1321 Stockton St.
St. Helena, Ca 94574

October __, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

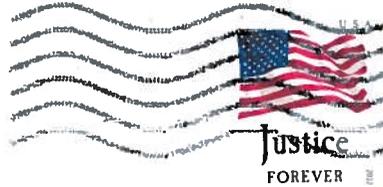
I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1652+1662 Adams St. St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,

C Mr. George Caloyannidis
2202 Diamond Mountain Rd.
Calistoga, CA 94515

OAKLAND CA 945

17 OCT 2013 PM 5:1



CITY OF
ST. HELENA
OCT 21 2013
Finance
Department

Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main St.
St. Helena, CA
94574

RECEIVED

OCT 28 2013

CITY OF ST. HELENA

October 26, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1706 ADAMS ST. St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,


GREGG BAUMGARTEN

RECEIVED

OCT 28 2013

CITY OF ST. HELENA

October ²⁵, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1777 Adams St, St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,



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OCT 28 2013

CITY OF ST. HELENA

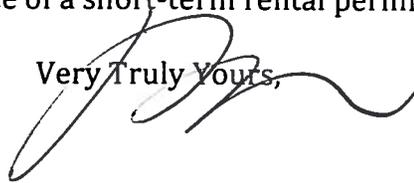
October 26, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1611 TAINTER, St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,



Greg:

Don M. Westland

Alan

RECEIVED

OCT 28 2013

CITY OF ST. HELENA

October 28 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1639 Tainter St., St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,



RECEIVED

OCT 28 2013

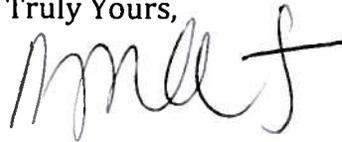
CITY OF ST. HELENA

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1673 Adams St, St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,



October ²⁶_, 2013

Greg:
Signed protest to
replace unsigned protest
Alan
Diane R & Allen C. Armstrong

1 Matthew Demchuk, Trustee
2 Demchuk Family Trust
3 924 Signorelli Circle
4 St. Helena, California 94574
5 707.975.7076
6 matthew@demchuk.com

7 PLANNING COMMISSION

8 CITY OF ST. HELENA

9 In re:

10 Short-Term Rental Permit Application

11 1702 Tainter Street

12 Permit #: 2013-59

13 APPLICANTS POSITION PAPER REQUESTING
14 APPROVAL OF SHORT TERM RENTAL PERMIT
15 #2013-59

16 On September 18, 2013 a completed Short-Term Rental Permit Application, along with all
17 necessary documentation and fees, was submitted to the City of St. Helena Planning Department. Notices to all
18 neighbors within a 300' radius were mailed by the Planning Department on October 2, 2013. A true and correct
19 copy of the notice sent is attached hereto as **Exhibit 1**. A true and correct copy of the list of those receiving notices
20 is attached hereto as **Exhibit 2**. Prior to the expiration of the protest period (30 days from the date of the notice), the
21 Planning Department received 28 individual protests. A true and correct copy of the protests received are attached
22 hereto as **Exhibit 3**. Of the 28 received, 23 were actually form protest postcards self-addressed and stamped by
23 Alan Galbraith. Because the number of written protests comprised more than 30% of the neighbors within a 300'
24 radius of the proposed Short-Term Rental this application is being submitted to the Planning Commission. If
25 approved, this will be the 25th and final permit issued.

26 **I. BACKGROUND**

27 This property was originally purchased in 1986 by Marthann and Eugene Demchuk as a second
28 home. During their regular visits to St. Helena, they became aware of an opportunity to purchase a skilled nursing
facility on Pratt Avenue. Being that was the family business in Southern California, they purchased the facility in
1989. Along with their son and son-in-law, the family ran Marlinda Convalescent Hospital from 1989 until the
property was sold to the CIA in 2004. In 1995, they remodeled the home with the intention that one day they would
move here full-time. Unfortunately, shortly after selling the business, Eugene passed away in February 2005 from
complications associated with cancer. Marthann continued to frequent her home in St. Helena, but made her

APPLICANTS POSITION PAPER REQUESTING APPROVAL OF SHORT TERM RENTAL PERMIT #2013-59

1 permanent home in Monrovia, close to her daughter and grandsons. Tragically, on July 4, Marthann was struck and
2 killed by a drunk driver while walking with her blind grandson. This property currently resides in the Demchuk
3 Family Trust (the "Trust") and as Successor Trustee, I have the responsibility to maintain the Trust assets until such
4 time as they are distributed. Due to the complexity of the Trust, finalization of the estate may take some time. This
5 property continues to incur expenses and it was thought that the Trust could generate some modest revenue by
6 renting out the property on occasion. Thus the application for a Short-Term Rental Permit.

7 **II. INTRODUCTION**

8 This application should be approved because of the following reasons:

9 **First**, the number of actual written protests is skewed because Mr. Galbraith personal produced
10 the protest postcards.

11 **Second**, this application meets the requirements of Chapter 17.134 of the City of St. Helena
12 Municipal Code, the proposed use does not negatively affect the surrounding uses and it would have a positive
13 cumulative impact on the community.

14 **Third**, this application meets the findings required in Chapter 17.168 of the City of St. Helena
15 Municipal Code.

16 **III. THE NUMBER OF WRITTEN PROTESTS DOES NOT COMPRISE THIRTY PERCENT OR** 17 **MORE OF THE OWNERS WITHIN A THREE HUNDRED-FOOT DISTANCE FROM THE** 18 **PROPOSED SHORT-TERM RENTAL**

19 As evidenced by Exhibit 3, a significant majority of the "written protests" received were form-
20 based postcards that the individual simply had to insert their address and sign it. In fact there were only five of those
21 that received the Notice that actually took the time and effort to produce a written protest to the application. Even
22 Mr. Galbraith used his own form-based protest. Since I obtained the list of protests, I have reached out to these
23 neighbors and have actually received at least one retraction. A true and correct copy of this retraction is attached
24 hereto as **Exhibit 4**. This makes me wonder exactly what it was that Mr. Galbraith told these individuals to
25 convince them to even sign the postcard. Without Mr. Galbraith's personal efforts to protest this application, the
26 number of written protests would not have met the threshold of 30% and all form-based postcards should not be
27 considered as "written protests".

1 **IV. THIS APPLICATION MEETS THE REQUIREMENTS OF CHAPTER 17.134 OF THE CITY**
2 **OF ST. HELENA MUNICIPAL CODE**

- 3 A. This is a single-family dwelling on a single lot.
- 4 B. The permit will be in the name of the Trust, which is the owner of the real property.
- 5 C. This dwelling was constructed prior to the date of the application.
- 6 D. This will be the 25th and final permit.
- 7 E. This dwelling has three bedrooms and will be limited to eight occupants.
- 8 F. This dwelling will meet all applicable building, health, fire and related safety codes and will
9 be inspected by the fire department if approved.
- 10 G. There is at least two on-site parking spaces and in fact the property can likely accommodate
11 up to four vehicles with off-street parking.
- 12 H. I will be the contact person for this rental and the following is my address:
13 924 Signorelli Circle
- 14 I. I will provide written notice prior to April 1, annually, to all neighboring property owners
15 within 300 foot distance with the following information:
- 16 a. Contact information for local contact
- 17 b. Maximum number of guests permitted
- 18 c. Parking restrictions
- 19 d. Contact info at City for violations
- 20 J. House policies will be posted and included in any rental agreement that meet the minimum
21 requirements of 17.134.040(J).
- 22 K. No auctions, commercial functions or other similar events will be held at the property.
- 23 L. I will use my best efforts to ensure that guests do not create unreasonable noise or
24 disturbances, engage in disorderly conduct, or violate provisions of this code or any state law
25 pertaining to noise, disorderly conduct, the consumption of alcohol, or the use of illegal drugs.
- 26 M. Should I receive notification that any of the above listed conducts occur, I will promptly use
27 my best efforts to prevent a recurrence of such conduct by guests.

1 N. I will include my permit number in any advertising.

2 O. I will obtain and maintain a city business license and pay all transient occupancy taxes.

3 Further, the issuance of this permit shall have no negative effect on the surrounding uses. This is a
4 residential neighborhood and thus occupancy of this property with the restrictions enumerated above would have no
5 different effect on the surrounding uses than if a long-term renter was on the property. It has been suggested by
6 some neighbors to simply rent this property out to a long-term tenant. However, the appeal of the Short-Term
7 Rental is that the home would still be available for family and friends to use on occasion, but could still produce a
8 modicum of income.

9 Additionally, the cumulative impact within the community would be significantly positive. This property
10 could produce revenue to the city through the fees paid for the permit and business license, transient occupancy
11 taxes collected and other taxes collected from sales, etc. Guests would likely eat and shop in town and due to the
12 proximity of the property to town, even cut down on parking. This property is easily within walking distance of
13 town. This would also benefit the community because it is my intention to allow this property to be inherited by one
14 of the children of Marthann and Eugene Demchuk.

15 **V. THIS APPLICATION MEETS THE FINDINGS REQUIRED IN CHAPTER 17.168 OF THE**
16 **CITY OF ST. HELENA MUNICIPAL CODE**

17 A. This use will not generate odors, fumes, light, glare, radiation or refuse that would be
18 injurious to surrounding uses or to the community.

19 B. This use would not generate levels of noise that adversely affect the health, safety or welfare
20 of neighboring properties or uses.

21 C. This use would not generate traffic noise in excess of the normally acceptable range identified
22 in the general plan.

23 D. This use would not make excessive demands on the provision of public services including
24 water supply, sewer capacity, energy supply, communication facilities, police protection and
25 fire protection.

26 E. This use would provide adequate ingress and egress to and from the proposed location.

- F. This use will not conflict with the city's goal of maintaining the economic viability of a local-serving economy.
- G. This use would be compatible with surrounding land uses and would not conflict with the purpose established for the district within which it would be located.
- H. This use would not be in conflict with the city's general plan.
- I. This use would not be injurious to the public health, safety or welfare.
- J. Granting this use would not set a precedent for the approval of similar uses whose incremental effect would be detrimental to the city or would be in conflict with the general plan.
- K. Adequate off-street parking to accommodate long-term parking needs of guests is available.
- L. The capacity of surrounding streets is adequate to serve the automobile traffic generated by the proposed use.

WHEREFORE, the Applicant respectfully requests that the Planning Commission approve the Short-Term Rental Application for the Demchuk Family Trust for the property located at 1702 Tainter Street.

Dated this 12th of December, 2013.


Matthew Demchuk, Trustee
Demchuk Family Trust, Applicant

EXHIBIT 1



**CITY OF ST. HELENA
APPLICATION SUBMITTAL NOTICE**

FROM THE PLANNING DEPARTMENT OF THE CITY OF ST. HELENA

Notice is hereby given that a property owner within 300 feet of your parcel has submitted an application for a Short-Term Rental Permit.

The Short-Term Rental Ordinance was adopted by the city council April 10, 2012 and became effective on May 10, 2012.

The purpose of the Short-Term Rental Ordinance is as follows:

The purpose of this ordinance is to establish a permitting process and appropriate restrictions and standards for short-term rental of single family dwellings; to provide a visitor experience and accommodation as an alternative to the hotel, motel, and bed and breakfast accommodations currently existing in the city to ensure the collection and payment of transient occupancy taxes; to minimize the negative secondary effects of short-term rental use on surrounding residential neighborhoods; and to retain the character of the neighborhoods in which any such use occurs.

APPLICATION INFORMATION

LOCATION OF PROPERTY: 1702 Tainter Street

APPLICANT/OWNER: Demchuk Family Trust

PROJECT DESCRIPTION

The applicant is requesting a short-term rental permit to rent the single-family home located at 1702 Tainter Street in accordance to the requirements of the short-term rental ordinance. The home consists of 3 bedrooms which would allow a total of 8 overnight occupants. The site provides the required off-street parking.

NEIGHBOR RESPONSE

Noticed neighbors/land owners may file a written protest against the proposed short-term rental with the planning director. All protests must be postmarked or received within thirty (30) days of the mailing of this notice of application.

If the planning director receives protests from 30% or more of the parcel owners within a 300 foot radius of the proposed short-term rental location the application will be required to go before the planning commission. If fewer than 30% of the neighbors protest, the application can be administratively approved by the planning director.

CONTACT INFORMATION

City of St. Helena
Planning Department
1480 Main St.
St. Helena, CA 94574

(707) 968-2749

gregd@cityofstheleena.org



**CITY OF ST. HELENA
APPLICATION SUBMITTAL NOTICE**

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CONTACT INFORMATION

City of St. Helena
Planning Department
1480 Main St.
St. Helena, CA 94574

(707) 968-2749

gregd@cityofstheleena.org



You have received this notice because you are a resident, property owner, or interested party located within 300 feet of a parcel applying for a short-term rental application

For more information about the Short-Term Rental Program please visit the website:

www.cityofstheleena.org

CONTACT INFORMATION

City of St. Helena
Planning Department
1480 Main St.
St. Helena, CA 94574
(707) 968-2749
gregd@cityofstheleena.org

TO:



You have received this notice because you are a resident, property owner, or interested party located within 300 feet of a parcel applying for a short-term rental application

For more information about the Short-Term Rental Program please visit the website:

www.cityofstheleena.org

CONTACT INFORMATION

City of St. Helena
Planning Department
1480 Main St.
St. Helena, CA 94574
(707) 968-2749
gregd@cityofstheleena.org

TO:

EXHIBIT 2

ANDERSON JACK B & DIANE P TR
2000 POWELL ST #1280
EMERYVILLE CA 94608-1895

JOHNSON MABEL C TR
1623 ADAMS ST
ST HELENA CA 94574

CALOYANNIDIS GEORGE & TITTEL
CHRISTINE TR
2202 DIAMOND MOUNTAIN RD
CALISTOGA CA 94515-9637

CALOYANNIDIS GEORGE & TITTEL
CHRISTINE TR
2202 DIAMOND MOUNTAIN RD
CALISTOGA CA 94515-9637

BAUMGARTEN GREGORY E & JOY A
THURMAN H/W
1706 ADAMS ST
ST HELENA CA 94574-1912

SCRIPPS THOMAS O III & THERESA
YANNI TR
1265 4TH AVE
SAN FRANCISCO CA 94122

GALBRAITH JOHN ALAN & SARAH
1329 ALLYN AVE
SAINT HELENA CA 94574

WARREN JEFFREY E & CYNTHIA L TR
1317 ALLYN AVENUE
ST HELENA CA 94574-1917

HUBBARD CAROL S
1337 ALLYN AVE
SAINT HELENA CA 94574

ARMSTRONG ALLAN C & DIANE R TR
1673 ADAMS ST
SAINT HELENA CA 94574-1909

FISHLEDER AARON J & BRYCE HEATHER
S
1663 ADAMS ST
SAINT HELENA CA 94574

CFW ESTATES LLC
8700 CONN CREEK RD
RUTHERFORD CA 94573

JOHNSON MABEL C TR
1623 ADAMS ST
ST HELENA CA 94574

JOHNSON MABEL C TR
1623 ADAMS ST
ST HELENA CA 94574

PERRELL CHARLES F TR ETAL
26300 SILENT HILLS LANE
LOS ALTOS CA 94022

JOHNSON MABEL C SUC TR
1623 ADAMS ST
ST HELENA CA 94574

HIPP FREDERICK R & BRENDA B TR
1331 STOCKTON ST
SAINT HELENA CA 94574

IVES BARRY G AND KATHLEEN M
CARRICK H/W
1321 STOCKTON ST
ST HELENA CA 94574-1928

IRWIN GWYNN A & HOLZHAUER-IRWIN
GRETCHEN TR
PO BOX 1339
KELSEYVILLE CA 95451

GRIMES BRADLEY B & KATHERINE
1616 TAINTER ST
ST HELENA CA 94574-1934

DONALDSON KAREN E
1620 SPRING ST
SAINT HELENA CA 94574-1934

HAYS BEVERLY M
1642 TAINTER ST
ST HELENA CA 94574-1934

MCADAM BRENT AND OLGA H/W JT
1656 TAINTER ST
ST HELENA CA 94574-1934

DEMCHUK MARTHANN TR
402 PATTERSON DR
MONROVIA CA 91016

VILLEGAS CARMEN S
1714 TAINTER ST
SAINT HELENA CA 94574

DEUER RALPH S TR
3231 ST HELENA HWY NORTH
SAINT HELENA CA 94574-9659

GILLIN ANDREW R & SHARON TR
2 THEATRE SQUARE #230
ORINDA CA 94563

JOHNSON MABEL C SUC TR
1623 ADAMS ST
ST HELENA CA 94574

GUIGNI EVERETT THOMAS TR ETAL
1777 ADAMS ST
SAINT HELENA CA 94574-1911

WOODWARD JEROME M AND KAREN A
1717 ADAMS ST
ST HELENA CA 94574-1911

RODRIGUES FRANK & ANDERSEN
LAURA
1693 FIR HILL
SAINT HELENA CA 94574

WILKS LESLIE TR
1320 ALLYN AVE
ST HELENA CA 94574

MCCOY JOSEPH W & YOST REBECCA
1330 ALLYN AVE
SAINT HELENA CA 94574-1918

GILLIN ANDREW R & SHARON TR
C/O GILLIN JACOBSON ELLIS & LARSEN
2 THEATER SQUARE #230
ORINDA CA 94563

CRUS RICHARD A & PAULA K TR
1276 ALLYN AVE
ST HELENA CA 94574-1916

GRACE HILL LLC
500 BICENTENNIAL WAY SUITE 310
SANTA ROSA CA 95403

VAN NATALIE TAHLIA TR
201 SAN ANTONIO RD
PETALUMA CA 94592

NEUMANN MECHTHILD MICHELE TR
PO BOX 364
SAINT HELENA CA 94574

KATZ DONNA G
1709 TAINTER STREET
ST HELENA CA 94574

CHURCHILL SCOTT A & CHERI L TR
1651 TAINTER ST
SAINT HELENA CA 94574

ESCARENO ALEXANDRIA L TR
1650 SPRING ST
ST HELENA CA 94574-2042

MCBRIDE KATHLEEN D TR
1745 SCOTT ST
SAINT HELENA CA 94574

WESTERLAND DON M
1611 TAINTER ST
SAINT HELENA CA 94574

GOLD DAVID A & KATHERINE A TR
1257 STOCKTON ST
ST HELENA CA 94574-1926

PODESTA STEVEN
DBA PODESTA PROPERTY MGMT - VACA
1243 STOCKTON ST
SAINT HELENA CA 94574-1926

MCQUIDDY JOAN MARIE CORWIN TR
1227 STOCKTON ST
SAINT HELENA CA 94574-1926

MARTIN RUBEN AND GRACIELA
1639 TAINTER ST
ST HELENA CA 94574-1933

SMITH T P & DIANA LOZANO TR
913 DANA HIGHLANDS CT
LAFAYETTE CA 94549

WING CAROLINE S TR
1711 TAINTER ST
SAINT HELENA CA 94574193

SMITH BYRON C & KALMIA TR
DBA NAPA VALLEY HIDEAWAY
28996 FINLEY POINT LN
POLSON MT 59860-7765

WILSEY DIANE B
2590 JACKSON ST
SAN FRANCISCO CA 94115-1121

WOLFMAN JACK B & CONNIE TR
1262 ALLYN AVE
ST HELENA CA 94574-1916

NORMAN MICHAEL W TR
14 WOODGROVE WALK
REPUBLIC OF SINGAPORE
SINGAPORE 738157

MCBRIDE KATHLEEN D
1745 SCOTT ST
SAINT HELENA CA 94574

CHERENSKY STEVEN S & KIMBERLY A
919 PALM AVE
SAN MATEO CA 94401

EXHIBIT 3

October __, 2013

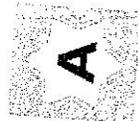
Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1489 AUSA, St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

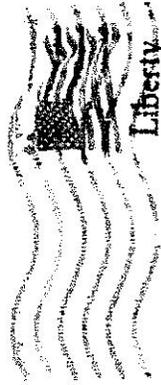
Very Truly Yours,

Greg B. Anderson
Greg B. Anderson



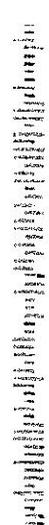
Mr. Jack Anderson
2000 Powell St Ste 1280
Emeryville, CA 94608-1845

EMERYVILLE, CA 94608
OCT 11 2013



FOREVER

Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574



RECEIVED

OCT 28 2013

CITY OF ST. HELENA

October 25 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1623 Adams St. PLOTS, 3 LOTS St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,

Maebel Johnson

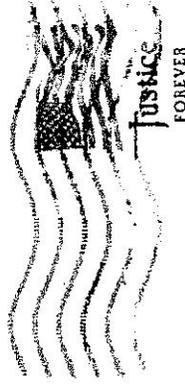
October __, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1652 + 1662 Adams St., St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,



Mr. George Caloyannidis
2202 Diamond Mountain Rd.
Calistoga, CA 94515

*Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main St.
St. Helena, CA*

94574

RECEIVED

OCT 28 2013

CITY OF ST. HELENA

October 24 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1706 ADAMS ST, St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,



GREGG BAUMGARTEN

October 11, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1329 Allyn Ave, St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,

Alan Falhardt

Alan Barbara B
1329 Allyn Ave
St. Helena, CA 94574



CITY OF
ST. HELENA

OCT 11 2013

Finance
Department

*Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main St*

St. Helena, CA 94574

CA 94574

Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main St.
St. Helena, CA

1317 Allyn
St. Helena, CA
94574



1317 Allyn
St. Helena, CA
94574



Jeffrey & Cindy Wagner

Very Truly Yours,

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1317 Allyn, Inc., St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Dear Mr. Desmond:

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

October 16, 2013

October 11, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1377 Alya Avenue, St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,
Carol Hubbard

*Carol J. Hubbard
1377 Alya Ave
St. Helena, CA 94574*



CITY OF
ST. HELENA

007 54013

Finance
Department

*Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street*

*1377 Alya Avenue
St. Helena, CA 94574
94574*

RECEIVED

OCT 28 2013

CITY OF ST. HELENA

Greg:
Signed permit to
replace unsigned permit
Alan

Diane R & Allen C. Armstrong

October ²⁶, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1673 Adams St, St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,



October 16, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1663 Adams St., St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,

Arnon and Heather Fishleder



POSTAGE WILL BE PAID BY ADDRESSEE

15 OCT 2013 9:16 AM

CITY OF
ST. HELENA

OCT 16 2013

Finance
Department

*Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main St*

*Arnon and Heather Fishleder
1663 Adams St
St. Helena, CA 94574*

October 12, 2013

RECEIVED
PLANNING DEPARTMENT

OCT 16 2013

1331 Stockton Street
St. Helena, CA 94574

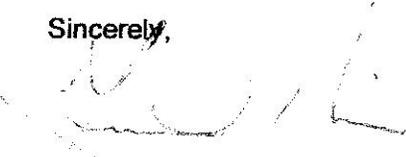
Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond,

I received the notice from the city regarding the proposed short-term rental permit for 1702 Tainter Street. I am opposed to this permit. A rental property in the middle of a functional neighborhood brings the possibility of disruptive and noisy short-term renters that do not have the same sense of community as my fellow neighbors. It also raises security concerns due to a constant turnover of tenants that are unknown to those of us that are permanent residents.

Thank you for your consideration.

Sincerely,



Fred Hipp

Oct. 15, 2013

Greg Desmond
Interim Planning Director
City Hall
1480 Main St.
St. Helena, CA 94574

Dear Greg:

This is in response to the notice we were sent regarding 1702 Tainter St. becoming a short term rental unit. We oppose this change of use in our neighborhood. In our block of 10 homes, only 3 are year round residents, and, although we value the friendship of our weekend neighbors, we would prefer to live in a neighborhood that provides housing for families who want to make their homes here in St. Helena.

We do not think it benefits our neighborhood to see valuable housing stock turned into a short term rentals. We are writing this letter to protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,

A handwritten signature in cursive script, appearing to read "Kathleen Carrick and Barry Ives", written in dark ink.

Kathleen Carrick and Barry Ives
1321 Stockton St.
St. Helena, Ca 94574

TOAD HALL



SIR BRENT MCADAM

Mr Mathew Heil
The Planning Director
Planning Department of ST Helena

OCT 10, 2013

Dear Mr. Heil,

We, the undersigned
householders at 1656 Tainter St,
eagerly file this written protest
against the Demchuk Family
Trust's application requesting
a short-term rental permit
for 1702 Tainter St.

Sincerely

Brent McAdam

Alga M. O. McAdam

October __, 2013

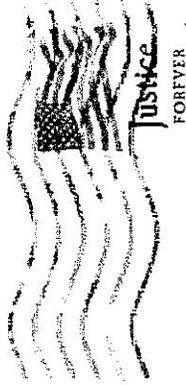
Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1656 Tainter Street, St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,

Mr. & Mrs. Brent McAdam



1480 MAIN ST
ST. HELENA, CA 94574
OCT 22 2013

*Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main St.
St. Helena, CA 94574*

CITY OF
ST. HELENA

OCT 22 2013

Finance
Department
94574109999

October __, 2013

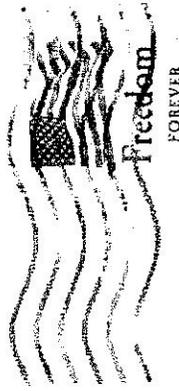
Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1714 Tainter Street, St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,

Carman S. Haggan



*Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main St.
St. Helena,*



RECEIVED

OCT 28 2013

CITY OF ST. HELENA

October 25, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1707 Adams St, St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,



October 14, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

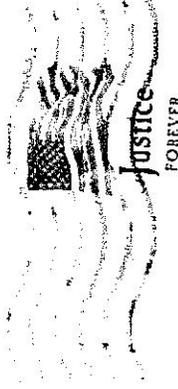
I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1717 Adam Street, St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,

Jerome M. Woodward



Jerome M Woodward
1717 Adams St
Saint Helena CA 94574



CITY OF
ST. HELENA

OCT 21 2013

Finance
Department
94574185480

*Mr Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St Helena, CA 94574*

Greg Desmond

October 16, 2013

Planning Director City of St Helena

1480 Main Street

St Helena, CA 94574

RECEIVED

OCT 23 2013

CITY OF ST. HELENA

Greg,

Laura Andersen and I own the property at 1734 Tainter St and are in the 300' foot radius of 1702 Tainter St. We have great concern about their application for a short term rental permit to the Demchuk Family Trust. We would at the least like to see it go to the Planning Commission to hear all the pros and cons and how it may affect our neighborhood.

Thank You,

A handwritten signature in cursive script that reads "Frank Rodrigues". The signature is written in dark ink and is positioned above the printed name.

Frank Rodrigues

October __, 2013

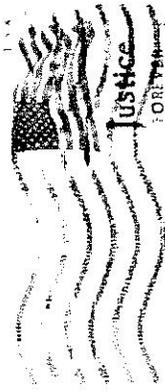
Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1330 Flynn Ave, St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours
Joe McLoey

Joe McLoey
Berley Youth
1330 Flynn Ave
St. Helena, CA 94574



CITY OF
ST. HELENA

OC 6 2013

Finance
Department

*Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main St.
St. Helena*

*1330 Flynn Ave
St. Helena, CA 94574*

October __, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

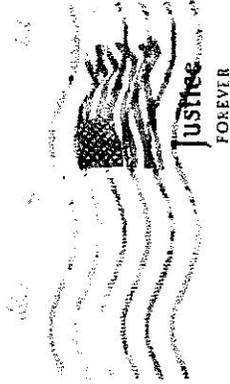
Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1276 Allyn Avenue, St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,



Richard Crus
1276 Allyn ave
St. Helena, CA 94574



22 OCT 2013 PM 3:11

CITY OF
ST. HELENA

OCT 23 2013

Finance
Department

*Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA*

PH4574

Greg Desmond

From: CHERI <chericom@comcast.net>
Sent: Monday, October 21, 2013 4:40 PM
To: Greg Desmond
Cc: agalbraith94574@gmail.com
Subject: 1702 Tainter St--Protesting short term rental

NO TO 1702 TAINTER ST. SHORT TERM RENTAL

We live at 1651 Tainter St. , and we **STRONGLY OPPOSE** 1702 Tainter St. becoming a short term rental. We already have a short-term rental property behind our house (Brian & Kelly Smith)

It is horrible having a "hotel" in our backyard. With 9 out of 10 "guests" we have to ask to please quiet down after midnight (and later). I realize that these people are on vacation and want to have fun.

But we live here and have to go to work every morning after being kept awake until all hours with their drunk partying. Some are quite rude about it. Having another one across the street will mean more drunk people around that will also be driving on our quiet street, that the neighborhood kids play on.

Let alone them taking up parking spaces on our street

Allowing these short term rentals is not right. We live here full time and do not need anymore "temp-drunk-renters " around. We pay our bills and taxes year round and this does not seem like a fair practice to put on the local residents, If we had wanted to live by a hotel we would have bought a house by one.

We really hope you will listen to the residents and **DENY** 1702 Tainter St. a short term rental.

Cheri & Scott Churchill
1651 Tainter St
St.Helena, CA 94574
963-5460

October 27, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

*We have a short-term
rental behind our house
It is terrible. We don't
need one in front*

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1651 Tainter Street, St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

*Very Truly Yours
Scotty Owen Churchill*



Finance
Department

OCT 25 2013

CITY OF
ST. HELENA

*Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street*

St. Helena, CA 94574

October __, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1464 Sibley St, St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,

William McBride



OAKLAND CA 946

16 OCT 2013 PM 6 L

CITY OF
ST. HELENA

OCT 17 2013

Finance
Department

*Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA*

94574



RECEIVED

OCT 28 2013

CITY OF ST. HELENA

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

October 26, 2013

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1611 Tainter, St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,



Greg:

Don M Westland

Alan

October 18, 2013

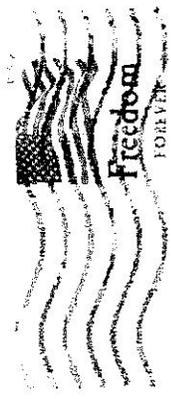
Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1601 Adams, St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,

Greg Desmond



ST. HELENA, CA 94574
20 OCT 2013 10:13 AM

CITY OF
ST. HELENA

OCT 21 2013

Finance
Department

*Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main St.*

St. Helena, CA 94574

FROM: JONY McQUIDDY

October __, 2013

to:
Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1227 Shaker St., St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

In fact I am against the whole idea Very Truly Yours,
in our close-in residential neighborhood.
for anyone. *Jony McQuiddy*



Jony McQuiddy
1227 Shaker St.
Saint Helena, CA 94574-1926

POSTAGE WILL BE PAID BY ADDRESSEE
CITY OF ST. HELENA
1480 MAIN STREET
ST. HELENA, CA 94574



CITY OF
ST. HELENA

OCT 21 2013

Finance
Department

*Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main St.*

9457418999

1480 Main St. St. Helena, CA 94574

RECEIVED

OCT 28 2013

CITY OF ST. HELENA

October 28 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1639 Tainter St., St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,



October __, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

RECEIVED

OCT 29 2013

CITY OF ST. HELENA

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1702 Tainter St., St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,

Thomas Paul Smith

Thomas Paul Smith
913 Dana Highlands Court
Lafayette, CA, USA
94549



Liberty
FOREVER

*Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main St.*

94574169599

*Greg Desmond
Interim Planning Director
City of St. Helena, CA
94574*

October __, 2013

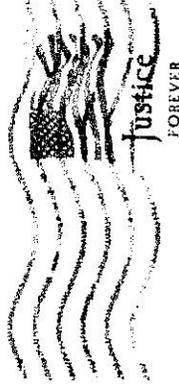
Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1711 Tainter Street, St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,

Caroline S. Wing



CITY OF
ST. HELENA

OCT 7 2013

Finance
Department

*Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main St.*

*Caroline S. Wing
St. Helena, CA
94574*

October __, 2013

Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1242 & 1252 Alvin Ave St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,
Diane Wilsey



CITY OF
ST. HELENA

OCT 17 2013

Finance
Department

*Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main St.*

St. Helena, CA 94574

October __, 2013

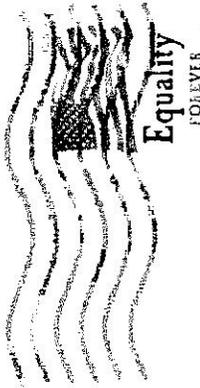
Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street
St. Helena, CA 94574

Dear Mr. Desmond:

I am a property owner within a 300-foot radius of 1702 Tainter Street, St. Helena. The address of my property is 1262 Alps Avenue, St. Helena. I hereby protest the issuance of a short-term rental permit to the Demchuk Family Trust.

Very Truly Yours,

Jack Wolfman
Cecilia Wolfman



CA 94574
17 OCT 2013 PM 7:11

Mr. Greg Desmond
Interim Planning Director
City of St. Helena
1480 Main Street

St. Helena CA
94574

EXHIBIT 4

December ____, 2013

Matthew Demchuk, Trustee
Marthann Demchuk Survivors Trust
924 Signorelli Circle
St. Helena, California 94574

Re: Short-Term Rental Permit Application for 1702 Tainter Street

Dear Mr. Demchuk,

I am the property owner at 1404 ALLYN AVE
and had previously sent a written protest to the above referenced Application.
Upon further consideration I would like to respectfully retract my protest. You
may notify the necessary individuals at the City of St. Helena of this retraction.

Sincerely,

Jack B. Anderson
Signature

JACK B. ANDERSON
Print Name

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

DECEMBER 17, 2013

AGENDA ITEM: 10.1

City of St. Helena initiated **ZONING ORDINANCE TEXT AMENDMENT** amending Title 17, Chapter 17.164, Section 17.164.060 of the Municipal Code and adding Section 17.164.065 to the Municipal Code to **ALLOW ADMINISTRATIVE DESIGN REVIEW OF MINOR PROJECTS**.

PREPARED BY: Greg Desmond, Interim Planning Director and Christine O'Rourke, Contract Planner.

SUMMARY

Chapter 17.164 of the municipal code does not provide administrative exemptions from the design review process.

The purpose of this amendment is to improve the effectiveness and efficiency of local government while protecting the character and design of sites and structures within the city, it is the purpose of this ordinance to allow administrative design review of minor projects that would not have a significant impact on neighboring properties or the general vicinity.

PROPOSED AMENDMENTS

The following are the proposed amended sections to Chapter 17.164. Existing language is in black, proposed new language in purple underlined text and language to be removed in ~~red strike-out~~ text.

17.164.060 Exemptions.

~~A. Whenever the city planner finds that a proposal raises no substantial design problem of the sort outlined in Sections 17.164.010 through 17.164.030, the planner shall place such an exemption recommendation on the planning commission's consent agenda.~~

B. The planning commission may delegate to the planning director responsibility for review and recommendation for applications for zoning and building permits in those cases, where in the opinion of the commission, the proposed use or structure would not have a significant impact on neighboring properties or on the entire area, or in cases where the proposed use of structure is clearly consistent with the purposes of Sections 17.164.020 and 17.164.030 and the remaining requirements of this chapter and the general plan.

~~C. The city planner may review and approve the replacement of existing architectural features that do not involve substantial design changes or changes in materials.~~

17.164.065 Administrative Review.

Design review applications for the following items are considered to be minor projects and may be acted upon by the planning director in lieu of planning commission review and approval:

- A. New structures or buildings not exceeding two hundred-fifty (250) square feet;
- B. Additions not exceeding two hundred fifty (250) square feet to existing buildings and structures, or expansion of an existing building or structure involving less than twenty-five (25) percent of the existing floor area, whichever is less;
- C. Removal or alteration of not more than twenty-five (25) percent of the exterior walls or wall covering of a building or structure, as determined by the planning director;
- D. The replacement of existing architectural features that do not involve substantial design changes or changes in materials, as determined by the planning director;
- E. Signs subject to the permit requirements of Chapter 17.148 of this code;
- F. Residential second units in conformance with Section 17.116.030 of this code;
- G. Modifications to approved design review permits when determined by the planning director to be minor in nature; and
- H. Any other work determined by the planning director to be minor or incidental in nature and consistent with the intent and objectives of this chapter.

ANALYSIS: CEQA

The staff finds that the action to adopt this Zoning Ordinance Text Amendment is exempt from the provisions of the California Environmental Quality Act (CEQA) because the action is exempt from environmental review pursuant to CEQA Guidelines Section 15061(b)(3). The activity is covered by the general rule which exempts activities that can be seen with certainty to have no possibility for causing a significant effect on the environment.

STAFF COMMENTS / RECOMMENDATIONS

Staff recommends that the Planning Commission open the public hearing and receive public testimony, identify any specific issues or amendments, and make recommendations to City Council.

PLANNING COMMISSION ACTION

1. Determine that the ordinance amendments are categorically exempt from the requirements of the California Environmental Quality Act (CEQA pursuant to CEQA Guidelines Section 15061(b)(3).
2. Open public hearing, take testimony, amend as necessary and recommend City Council approval of the Zoning Ordinance Text Amendments to Chapter 17.164.

ATTACHMENTS

None

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

DECEMBER 17, 2013

AGENDA ITEM: 10.2

City of St. Helena initiated **ZONING ORDINANCE TEXT AMENDMENT** amending Title 17, Chapter 17.08, Section 17.08.120 of the Municipal Code to **PROVIDE FOR PROCEDURES TO DETERMINE WHETHER LAND USE PERMITS OR OTHER DISCRETIONARY DEVELOPMENT APPROVALS EXPIRE OR LAPSE FOR FAILURE TO TIMELY ESTABLISH THE PERMITTED USE.**

PREPARED BY: Greg Desmond, Interim Planning Director and Bob Pittman, City Attorney

SUMMARY

Currently, the municipal code provides that except for a general plan amendment, zoning ordinance text amendment, rezoning or amendment of a specific plan, a permit (i.e., use permit, variance, etc.) or other discretionary approval shall be valid for a period of one year from the date such approval becomes effective or for as long as any subdivision map concurrently approved is valid, whichever is longer.

The purpose of this amendment is to establish a procedure for the City to enforce its ordinance imposing time limits on discretionary land use permits and approvals. The purpose of imposing such limits is to prevent the reservation of land for future purposes when the permittee has no good faith intent to presently commence upon the proposed use.

In enforcing this requirement, the City desires to act in accordance with procedures that are consistent with appellate decisions such as *Community Development Commission v. City of Ft. Bragg* (1988) 204 Cal.App.3d 1124 that hold that discretionary approvals may not be deemed to have expired or lapsed without affording the holder of the approval due process to establish whether the holder has acted diligently and in good faith to establish the approved use.

PROPOSED AMENDMENTS

The following is the amended section with existing language in black, proposed new language in purple text and language to be removed in ~~red-strike-out~~ text.

17.08.120 Term of permits and approvals.

Except for a general plan amendment, zoning ordinance text amendment, rezoning or amendment of a specific plan, a permit (i.e., use permit, variance, etc.) or other discretionary approval authorized by this title shall be valid for a period of one year from the date such approval becomes effective or for as long as any subdivision map concurrently approved is valid, whichever is longer. A permit or other discretionary approval shall become effective the day following the expiration of the appeal period if no appeal is filed or the day following the denial of an appeal. The following shall apply to the expiration of permits or other discretionary approval:

A. A permit or other discretionary approval shall remain valid as long as the use authorized by the permit is lawfully established prior to the expiration of the permit, or the holder of the permit or other discretionary approval has timely established to the satisfaction of the planning director a good faith, diligent effort to lawfully establish the use pursuant to the procedures set forth by this section.

B. A permit or other discretionary approval shall remain valid as long as there is a valid building permit for construction authorized by the permit. If the building permit expires, or if no building permit has been issued for construction authorized by the permit or other discretionary approval during the one year that the permit is valid, the permit or other discretionary approval shall become null and void unless an extension of time has been granted pursuant to Section 17.08.130, or the holder of the permit or other discretionary approval has timely established to the satisfaction of the planning director a good faith, diligent effort to lawfully establish the use pursuant to the procedures set forth by this section.

C. Any permit or discretionary approval which authorizes the establishment of any use which has been exercised by receiving a building permit or a zoning compliance determination shall expire and become null and void when such use has ceased for a period of six consecutive months, ~~whether or not it is the intent to abandon the use;~~ unless the holder of the permit or other discretionary approval has timely established to the satisfaction of the planning director a good faith, diligent effort to continue the use pursuant to the procedures set forth by this section.

D. If only a portion of a project is completed pursuant to a permit authorizing its development, the permit or other discretionary approval for the balance of the project shall expire if no substantial action is taken toward completion of the balance of the project in a one-year period.

E. No later than thirty (30) days prior to each annual expiration of any permit or other discretionary approval, the holder of such permit or discretionary approval shall provide the planning director with information sufficient for the planning director to determine whether the holder of the permit or other discretionary approval has attempted to establish or continue the approved use diligently and in good faith.

F. After having reviewed the submittal, the planning director shall determine whether the permit or other discretionary approval should be deemed to have expired or lapsed pursuant to this Section. The planning director's determination shall be based on factors including, without limitation, efforts to obtain financing, creation of architectural or engineering plans, drawings and specifications, or letting or negotiation of contracts necessary to establish the use.

G. If the planning director determines that the holder of the permit or other discretionary approval has not attempted to establish or continue the approved use diligently and in good faith, the planning director shall notify the holder of the permit or other discretionary approval in writing of that determination, and that the permit or other discretionary approval is expired, lapsed and null and void. The planning director's determination that the permit or other discretionary approval has expired may be appealed to the Planning Commission by the holder of the permit or other discretionary approval. If the planning director determines that the holder of the permit or other discretionary approval has attempted to establish or continue the approved use diligently and in good faith, the planning director shall notify the holder of the permit or other discretionary approval in writing of that determination, and that the permit or other

discretionary approval has been extended for an additional period. Any such extension shall be for a period of one year and shall be subject to the requirements set forth in subsections (A) and (B) of this section for establishing the use within that time period and the requirements set forth in subsection (E) for submitting additional information prior to the expiration of any such extension. The planning director's determination to extend the permit or other discretionary approval shall be final.

H. If the holder of a permit or discretionary approval fails to timely submit the evidence required by subsection (E) of this section and said holder has not otherwise established the use authorized by such permit or other discretionary approval, the planning director shall be deemed to have determined that the holder of the permit or other discretionary approval has not attempted to establish or continue the approved use diligently and in good faith and that the permit or other discretionary approval is expired, lapsed and null and void as provided in subsection (G) of this section.

ANALYSIS: CEQA

The staff finds that the action to adopt this Zoning Ordinance Text Amendment is exempt from the provisions of the California Environmental Quality Act (Public Resources Code Section 21000, et seq.) (CEQA) because the action is exempt from environmental review pursuant to CEQA Guidelines Section 15061(b)(3). The activity is covered by the general rule which exempts activities that can be seen with certainty to have no possibility for causing a significant effect on the environment.

STAFF COMMENTS / RECOMMENDATIONS

Staff recommends that the Planning Commission open the public hearing and receive public testimony, identify any specific issues or amendments, and make recommendations to City Council.

PLANNING COMMISSION ACTION

1. Determine that the ordinance amendments are categorically exempt from the requirements of the California Environmental Quality Act (CEQA pursuant to CEQA Guidelines Section 15061(b)(3).
2. Open public hearing, take testimony, amend as necessary and recommend City Council approval of a Zoning Ordinance Text Amendment to Section 17.080.120.

ATTACHMENTS

None

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

DECEMBER 17, 2013

AGENDA ITEM: 10.3

City of St. Helena initiated **ZONING ORDINANCE TEXT AMENDMENT** amending Title 17, Chapter 17.124, Section 17.124.070 of the Municipal Code to **FOR CONSISTENCY WITH TITLE 15, CHAPTER 15.36, SECTION 15.36.100 - FIRE APPARATUS ACCESS ROADS**

PREPARED BY: Greg Desmond, Interim Planning Director

SUMMARY

The purpose of this amendment is to establish consistency between the recently adopted the 2013 California Building Code and Municipal Code Title 17 – Zoning, Chapter 17.124, Section 17.124.070. This section is specific to standards for access drives and driveways.

PROPOSED AMENDMENTS

The following is the amended section with existing language in black, proposed new language in purple underlined text and language to be removed in ~~red strike-out~~ text.

17.124.070 Standards for driveways and access drives.

A. Residential Driveways. A residential driveway provides direct vehicular access from a public street, or a private street developed to city standards, to the required parking for an individual dwelling unit. That portion which connects a residential driveway to the street is a driveway approach and is typically located in the right-of-way. The intent of these standards is to provide for emergency vehicle and/or fire equipment access:

1. A residential driveway shall have a minimum length of twenty-four (24) feet (measured from the property line) which may be reduced to not less than twenty (20) feet in length if a roll-up garage door or carport is utilized.
2. A residential driveway shall have a minimum width of ten (10) feet. The standard residential driveway approach shall be a minimum of ten (10) feet in width and a maximum of twenty (20) feet as shown in the city of St. Helena Street, Storm Drain and Sidewalk Standards.
3. Residential driveways in the woodlands and watershed zoning district, or elsewhere as deemed necessary by the fire chief/fire code official, ~~shall be paved as shown in the city of St. Helena Street, Storm Drain and Sidewalk Standards. Decomposed granite, shale or other all-weather surfaces may be used in other residential districts provided that there is twelve (12) inches base material with ninety percent (90%) compaction.~~
4. ~~Residential driveways~~ providing access to a lot which does not have public street frontage ~~shall meet the standards for an access drive, or~~ or

5. ~~Residential driveways which~~ are greater than one hundred (100) feet in length shall meet the standards for an access drive as set forth in ~~subsection B of this section except as follows:~~
 - a. ~~A residential driveway over one hundred (100) feet in length may be permitted if the furthest point of any structure on the property is one hundred fifty (150) feet or less from the street curb.~~
 - b. ~~Upon the approval of the fire chief, a residential driveway over one hundred (100) feet in length may be permitted, provided that the driveway is widened to sixteen (16) feet (for a minimum of thirty five (35) feet in length) connecting the street to a point within one hundred fifty (150) feet of the furthest point of any structure on the property. Chapter 15.36.100 of the City municipal code. CFC Title 24 chapter 9 California code of regulations 2013.~~

B. Standards for Access Drives.

1. An access drive is a way located outside of the public right-of-way that provides vehicular access between the public street and the required parking for more than one lot, or for one lot if the length of the drive is greater than one hundred (100) feet.
2. The design of all features relating to access drives is subject to review and approval of the public works director and fire chief/fire code official and may require a grading permit. The applicant shall submit a detailed, dimensioned plan with accurate topographic background showing the layout of the proposed access drive, parking and other related features on the site being developed. These features may include curbs, gutters, sidewalks, drainage facilities, pavement structural section, traffic circulation signing and markings. The plan shall also include finished grades. ~~When it is determined that an~~ The access drive ~~will~~ shall be designed to serve traffic loads as specified in Chapter 15.36. Where the access is determined by the public works director to serve traffic loads ~~that are~~ equivalent to those typically encountered on public streets, the public works director ~~may~~ shall require the design of the access drive to meet public street standards.
 - a. All access drives shall be designed for two-way traffic, unless specific approval is obtained from the public works director and fire chief/fire code official to allow one-way access drives. ~~One way access drives will only be permitted when a two way drive is not feasible or when traffic conditions on the public street may benefit.~~
 - b. Access drives in areas as ~~the woodlands and watershed zoning district, or elsewhere as~~ deemed necessary by the fire chief/fire code official, shall be paved as ~~shown in the city of St. Helena Street, Storm Drain and Sidewalk Standards. Decomposed granite, shale or other all weather surfaces may be used in other residential districts provided that there is twelve (12) inches base material with ninety percent (90%) compaction noted in Chapter 15.36.~~
 - c. To avoid congestion at the entrance from the street, no on-site parking space or gate shall be allowed within the initial ~~twenty (20)~~ thirty (30) feet of the access drive ~~where it connects to the street~~ from the property line.
 - d. ~~A suitable on~~ On-site turnarounds or circulation patterns meeting design criteria set forth in ~~the St. Helena Standard Specifications for Public Improvements~~ Chapter 15.36 shall be

provided that will enable the access drives to function properly for traffic and emergency vehicles. Backing out of access drives shall not be allowed.

- e. The following widths are minimums that will allow for the safe passage of emergency vehicles. Width for required parking areas must be added to the access drives. Widths are also as specified in ~~CFC Title 24 Chapter 9 California code of regulations 2013 Chapter 15.36~~ and are applied based on length of the access drive.
- f. The minimum vertical clearance shall be fourteen (14) feet at all points across the required width of the access drive.
- g. ~~One~~ Emergency vehicle turnouts ~~area~~ shall be provided ~~at every five hundred (500) feet of access drive length per Chapter 15.36. CFC Title 24 Chapter 9 California code of regulations 2013. Design shall meet criteria set forth in the St. Helena Standard Specifications for Public Improvements, or as approved by the city engineer and fire chief.~~
- h. An adequately sized firefighting operational area shall be provided ~~within one hundred fifty (150) feet of the farthest point of any and all structures as required by Chapter 15.36.~~
- i. Access drives grades ~~shall not exceed a grade of sixteen percent (16%), except that one run of one hundred (100) feet or less in length may be at eighteen percent (18%) grade upon approval of the fire chief.~~ shall follow the requirements of Chapter 15.36
- j. Access drives shall be inspected annually by the ~~fire-marshall~~ fire chief/fire code official to ensure that landscaping or other obstructions do not hinder emergency vehicle access.
(Ord. 05-4 § 1 (part); Ord. 02-6 § 10; prior code § 27.252)

ANALYSIS: CEQA

The staff finds that the action to adopt this Zoning Ordinance Text Amendment is exempt from the provisions of the California Environmental Quality Act (Public Resources Code Section 21000, et seq.) (CEQA) because the action is exempt from environmental review pursuant to CEQA Guidelines Section 15061(b)(3). The activity is covered by the general rule which exempts activities that can be seen with certainty to have no possibility for causing a significant effect on the environment.

STAFF COMMENTS / RECOMMENDATIONS

Staff recommends that the Planning Commission open the public hearing and receive public testimony, identify any specific issues and make recommendations to City Council.

PLANNING COMMISSION ACTION

1. Determine that the ordinance amendments are categorically exempt from the requirements of the California Environmental Quality Act (CEQA pursuant to CEQA Guidelines Section 15061(b)(3).
2. Open public hearing, take testimony, amend as necessary and recommend City Council approval of a Zoning Ordinance Text Amendment to Section 17.124.070.

ATTACHMENTS

None