



Report to the City Council  
Council Meeting of January 24, 2016

**Agenda Section:** Public Hearing

**Subject:** Appeal of the Planning Commission decision to approve a Demolition Permit and Design Review to demolish an existing single-family home in order to construct an 8 unit multifamily dwelling on the property located at 632 McCorkle Avenue in the HR: High Density Residential district.

**CEQA Status:** Categorically Exempt pursuant to Section 15332 of the CEQA Guidelines

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

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

**Approved By:** *Sto Pal*

Steven Palmer, Director of Public Works,  
Acting City Manager

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**DISCUSSION**

On December 6, 2016, the Planning Commission approved a demolition permit and design review for a new 8-unit multi-family housing project at 632 McCorkle Avenue in the HR: High Density Residential district by a vote of 2-1 (two Commissioners recused due to proximity).

The approved project would demolish the existing 1,700-sf, single-family home and associated accessory structures at 632 McCorkle Avenue in order to construct a new, 8-unit, multi-family housing project. The existing home and associated accessory structures on the ½ acre (23,339-sf) parcel are in a state of disrepair.

The proposed multi-family project would consist of two, two-story structures containing four (4) units each. The first building (closest McCorkle Avenue) would contain two 3-bedroom units and two 2-bedroom units while the building towards the rear of the parcel would contain four 2-bedroom units. The 3-bedroom units are approximately 1,200-sf in size while the 2-bedroom units are approximately 945-sf each. The total floor area for all 8 units would be approximately 8,000-sf.

Each of the four (4) unit structures would have a building height of approximately 24-feet. The exterior of the new buildings would be finished with a variety of materials

including vertical board & batten siding, stucco plaster siding, Milgard windows, and a corrugated metal roof. Siding will be in a variety of colors including country lane red, iron gray, and light gray, while the windows and accompanying aluminum awnings will be dark bronze. The project includes two 4-car solar carports.

### ***General Plan/Zoning Designation***

The property has a General Plan and Zoning designation of High Density Residential (HR). This district provides for single-family and multifamily residential units, group quarters and other compatible uses. Multiple-family dwellings, apartments and dwelling groups consistent with density requirements are permitted uses by right in the HR district. Pursuant to Municipal Code Section 17.164, all new structures or buildings for both permitted and conditional uses shall require design review.

In addition, the project site is located within the Charter Oak District, one of the geographical areas within which the 1993 General Plan mapped historic and potentially historic resources identified in the City's historic resources survey/inventory. However, the Charter Oak District/geographical area has not itself been listed as an area-wide historical resource, nor has the City created a Historic Preservation Overlay Zoning District covering the Charter Oaks District/area or the project site.

### **APPLICANT APPEAL**

On December 20, 2016, an appeal of the Planning Commission's decision to approve the above described project was filed by David Bradshaw, claiming to represent groups called the McCorkle Eastside Neighborhood Group and St. Helena Residents for an Equitable General Plan ("Appellants"). The Appellants have stated their appeal of the Planning Commission's decision to approve the proposed project is based on the following:

#### **A. The Planning Commission ignored the 1993 General Plan.**

*Staff Response: The project's relationship to the City's General Plan was discussed in detail in the staff report presented to the Planning Commission at the December 6, 2016 public hearing and attached to this report. As noted in the report, the subject property has a General Plan and Zoning designation of High Density Residential (HR) and multiple-family dwellings and apartments are permitted uses by right in the HR district. In addition, the St. Helena 1993 General Plan and Housing Element Update 2015-2023 Goals, Policies, and Eight-Year Action Plan include the following policies that are applicable to the proposed project:*

- *2.6.4 - Permit infill development and higher densities within currently developed areas wherever possible to minimize and postpone the need for expansion of the Urban Service Area.*
- *2.6.14 - Encourage a mix of housing types and price ranges to allow choice for current and future generations of St. Helenans.*



- HE1.4 - Address workforce housing needs by supporting an improved jobs/housing "match."
- HE1.5 - Encourage innovative housing types and designs.
- HE2.1 - Encourage higher density development where appropriate.
- HE2.2 - Ensure that higher density housing opportunity sites are not lost to lower density uses.
- HE2.5 - Allow conversion of single-family homes to multi-unit dwellings.
- HE2.6 - Promote a balance of types of housing throughout the whole community.

*The Appellants' specific claims regarding the project's consistency with the General Plan are discussed below as follows:*

1. The Appellants state that the Planning Commission gave little or no consideration to the fact that the property in question is contaminated, that contamination may have migrated to adjacent properties and/or entered the ground water, and that the project is inconsistent with General Plan Safety Element Policy 8.5.2.

*Staff Response:* *Staff disagrees with the argument that the project violates Policy 8.5.2 for several reasons.*

*First, because the project is a permitted use, the City's sole discretion is under the design review ordinance. The City Attorney has advised that the City's design review discretion is limited to design issues stated in the ordinance, and that the City has no discretion to address use-related issues such as remediation of contamination. The Napa County Environmental Health Department (EHD) serves as the Certified Unified Program Agency (CUPA) for all cities and areas of Napa County and thus is the lead agency for and has both the jurisdiction and expertise to oversee and ensure proper remediation of contaminated properties.*

*Second, the argument ignores and misreads the purpose of Policy 8.5.2. Policy 8.5.2 is found in a section of the General Plan relating primarily to the circulation of emergency vehicles, and the transportation of hazardous materials in trucks. That section says nothing about land use projects on sites with contamination, nor does it impose on the City any standards for addressing such applications.*

*Third, the argument disregards the consideration that the staff and the applicant have given to the site's contamination, and to the beneficial effect the project will have on the remediation of the site's contamination. If the project moves forward, the applicant will be required to remediate to the satisfaction of the EHD.*

*Soil contamination on the subject parcel was discussed extensively in both the December 6, 2016 staff report (attached) and at the public hearing on the same day. In relation to Public Health and Safety Element Policy 8.5.2 from the 1993 General Plan,*

*the proposed project will not use, store, manufacture, or transport hazardous materials outside of common products used during project construction. Soil contamination present on the project site is from historical uses on the site and is not the result of any actions taken by the project proponent. Denying the proposed project would not change the existing condition of the project site and could result in the site remaining in its currently contaminated condition. Contrary to the Appellants' assertion there is no evidence that the soil contamination has migrated off of the project site or reached any ground water, rather, the professional characterization of the contamination (accomplished by soil sampling and analysis on the project site) concluded that the contaminants are limited to the shallow subsurface of a discrete area at the project site and do not extend vertically to the soil samples taken 18-24 inches below the surface. Further, contrary to Appellants' claim that contaminants from the project site may have migrated to private or public water wells, Appellants offer no evidence that Paul Skinner's private well water is contaminated and none of the regular quarterly water quality reports from the City well located approximately 900 yards from the Project site support this claim. As detailed in the December 6, 2016 staff report and resolution, although the City lacks jurisdiction to impose remediation conditions, the project applicant will remediate any soil contamination on site to the satisfaction of the EHD as a component of the development process. This is further supported by the voluntary Remediation Action Agreement (RAA) entered into by the applicant and the Napa County EHD (attached) in lieu of an enforcement order. In short, remediation of the site is more likely if the project is approved than if it is denied, and will be overseen by EHD. Contrary to the Appellants' claim, it is EHD's obligation, as the CUPA for all cities and areas of Napa County, to ensure the site is cleaned up. The applicant took measures to characterize the type and extent of the contamination and voluntarily approached EHD and agreed to remediate the project site to EHD's satisfaction. There is nothing in the General Plan or any other law that supports Appellants' argument that it is the City's obligation to ensure the site is cleaned up.*

*Finally, staff notes that the December 19<sup>th</sup> letter from Paul Skinner (attached to the appeal letter) regarding the meeting Mr. Skinner asserts he had with EHD is misleading in implying that the additional soil testing Mr. Skinner says EHD desires is not currently planned for/required. In fact, the remediation plan dated October 28, 2016, required by the RAA between EHD and the applicant, already requires the testing Mr. Skinner alludes to in the confirmation soil sample collection and analysis procedures included therein, which are geared to ensure and demonstrate that all remediation conducted is effective, and that no constituents above the applicable San Francisco Bay Regional Water Quality Control Board's environmental screening levels remain, and that if they do, additional remediation will be required until these standards are achieved. With respect to Mr. Skinner, staff also disagrees with the Appellant's claim that the Planning Commission cut his presentation during the December 6<sup>th</sup> hearing short. In fact, during his oral testimony Mr. Skinner far exceeded his allotted time and the chair of the Planning Commission respectfully allowed him to continue speaking well beyond the time generally allotted to other speakers.*

2. The Appellants state that the Planning Commission ignored and that the project is inconsistent with Historic Resources Element Policy 7.5.9.

Staff Response: Again, staff disagrees with the argument that the project violates Policy 7.5.9, for several reasons.

*First, staff and the Planning Commission found the project design to be compatible with the pattern and character of the Charter Oak District. Absent any formal design criteria regarding historic development, staff and the Planning Commission consistently rely on the Secretary of the Interior's Standards for the Treatment of Historic Properties (a nationally recognized set of development standards and criteria for historic development review). The Secretary of the Interior's Standards identify that contemporary designs can be consistent with historic character, and this was supported through the Planning Commission's review and approval of the project. Therefore, although the project is located within an area identified as having a historic context, this area has not itself been listed as an area-wide historical resource or comprehensive historical district, the design incorporates historic design elements and materials found to be compatible with the pattern and context. In addition, the City has not created a Historic Preservation Overlay Zoning District covering the Charter Oaks area or the project site. Finally, while four homes in the project vicinity have been listed as historical resources, none are adjacent to the project site.*

*Second, the argument seizes on but one policy out of many, and asserts that the one Policy, 7.5.9, should control and to the exclusion of others. This is not how General Plan policies are to be applied. Rather, the City's General Plan, like most such plans, contain many different, sometimes competing provisions and policies that the City's decision-makers are to consider, weigh and harmonize, such as the above-referenced policies requiring the City to promote in-fill, innovative design, and higher density development to minimize sprawl and postpone the need to expand the Urban Service Area. Staff believes it has provided the analysis of these different, competing provisions and policies to the Planning Commission and to the City Council.*

*Third, Appellants' argument assumes that the plainly subjective concept of "compatibility of character," as used in Policy 7.5.9, is the same as compatibility of design and must necessarily be applied to require the project's denial here simply because its design does not mimic the other historic homes in the vicinity. Staff has explained to the Planning Commission, and here, that Policy 7.5.9 by its terms allows broader flexibility, and that there is evidence that would support a finding of compatibility of character here.*

*As discussed above and in staff's verbal presentation to the Planning Commission at the December 6, 2016 public hearing, the project site is located in the Charter Oak District and General Plan Policy 7.5.9 may be applicable to the proposed project given the fact that there are historic homes nearby. While there are four (4) homes on*

*McCorkle Avenue listed on the City's Historic Resources Master List, the Charter Oaks District/area is not a listed/ recognized comprehensive historic resource. Indeed, McCorkle Avenue is a mix of single-family and multi-family homes constructed in different time periods and in various styles and has not been identified as having a unified design character by the Planning Commission. Furthermore, neither the project site itself nor any of the adjacent properties are listed historic resources and neither construction nor operation of the proposed project will directly or indirectly negatively impact any of the listed historic properties in the vicinity. Moreover, the project was designed so that it appears from the street front like a single family home, and to incorporate historically compatible materials so that its appearance and character are more in line with the single-family homes that predominate in the area, and the historic context overall.*

3. The Appellants state that the project is inconsistent with General Plan Policy 8.5.7 and that in approving the project, the Planning Commission violated the General Plan. Specifically, General Plan Policy 8.5.7 states: Ensure all streets and roads are adequate in terms of width, turning radius, and grade to facilitate access by City Firefighting apparatus, and to provide alternative emergency ingress and egress.

*Staff Response:* *Again, staff disagrees with this argument for several reasons.*

*First, the argument again disregards that because this project is a permitted use, issues of traffic, access etc. are beyond the City's limited design review jurisdiction.*

*Second, despite the limited scope of the City's design review, staff nevertheless reviewed the project carefully, and found no deficiencies in the street width, turning radius or grade. In addition to the traffic study prepared for the proposed project (attached to the December 6, 2016 Planning Commission report below), the proposed project was reviewed by the Public Works Department and Fire Department for compliance with required code and safety requirements and was found to be compliant. While individual parcels may extend to what is the centerline of McCorkle Avenue, the City has right-of-way for the future widening of the street in accordance with the General Plan and McCorkle Avenue is a City maintained street. As development occurs on McCorkle, developers will be required to make improvements in accordance with City standards. Notably, the project proposes improvements in accordance with such generally applicable City standards in that it provides all required parking, fire access and turnaround and hydrant facilities and frontage improvements on the site. Similarly, the project proposes that all storm water will be collected, treated and infiltrated on-site (via roofs, gutters, curbs, permeable paving, vegetated swales and bio-filtration pond).*

**B. The project is not exempt from CEQA and the Planning Commission ignored CEQA requirements by refusing to require that an EIR be prepared for the project.**

***Staff Response:*** As discussed in the attached staff report that was presented to the Planning Commission and discussed in detail by the City Attorney, staff conducted the required analysis under the California Environmental Quality Act (CEQA) and concluded that the project is categorically exempt from the requirements of CEQA pursuant to CEQA Guidelines Section 15332. Section 15332's Class 32 exemption applies to in-fill development projects which meet the conditions described below. As demonstrated herein, this project satisfies all of the elements of the Class 32 in-fill exemption and the Planning Commission found that the project met all criteria of the Class 32 Infill exemption and was therefore exempt from CEQA under Section 15332. To qualify for the Class 32 exemption, a project must:

*(a) be consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.*

*As discussed above, the subject property has a General Plan and Zoning designation of High Density Residential (HR). This district provides for single-family and multifamily residential units, group quarters and other compatible uses. Multiple-family dwellings, apartments and dwelling groups consistent with density requirements are permitted uses by right in the HR district, and the proposed project complies with all of the HR district's development standards concerning density, lot coverage, height, setbacks and lot width. The Appellant claims the project does not meet this element of the exemption citing the project's alleged inconsistency with General Plan Safety Element Policies 8.5.2 and 8.5.7 and Historic Resources Element Policy 7.5.9. As demonstrated above, the project is consistent with all three policies to the extent they apply here.*

*(b) occur within city limits on a project site of no more than five acres substantially surrounded by urban uses. The project satisfies this condition as the project site is approximately ½ acre in size and located within the city limits, is surrounded by developed properties and is within the urban limit line. The Appellants do not assert that the project fails to meet this element of the exemption.*

*(c) have no value as habitat for endangered, rare or threatened species. As discussed in the supporting Biological Assessment, no such habitat exists on the project site. The Appellants do not assert that the project fails to meet this element of the exemption.*

*(d) not result in any significant effects relating to traffic, noise, air quality, or water quality. As discussed below and in the supporting Traffic Study and Biological Assessment, the project will not result in any such impacts. Based only on speculation and without providing any substantial evidence, the Appellants claim the project will result in significant traffic, noise, air quality and water quality impacts. However, as demonstrated in the Traffic Study, all of the study intersections will continue to operate at acceptable levels of service with traffic from the proposed project, and no cumulative traffic impacts will result from the combination of existing traffic, project traffic and traffic from other approved projects (including the Brenkle Court, Redmond Winery and Saint Helena Custom Crush projects). Finally, the Appellants' alleged circulation impacts on McCorkle are unsupported and without merit as the project is designed to accommodate all temporary construction activity and future resident parking/delivery needs on-site. In*

addition, this argument again ignores that because this project is a permitted use, the City's discretionary jurisdiction over the project is limited to design-related issues. CEQA does not grant the City authority to exercise discretion over issues beyond those allowed under the City's applicable ordinance(s).

(e) be adequately served by all required utilities and public services. The project will connect to and be served by existing city services including water, sewer, electricity, garbage, etc. Again, based only on speculation and without providing any substantial evidence, the Appellants claim the project will not be adequately served by all required utilities and services. First, staff demonstrated that the project site will connect to and be served by all required utilities and services, and notes that Appellants do not cite any such utility or service that is not currently or will not be provided to the site should the proposed project be approved. Second, contrary to the Appellants' assertions, other than for ingress or egress the project does not propose to use let alone overburden McCorkle Avenue. Rather, as noted above and shown on the proposed plans, the project is designed to accommodate all resident parking/deliveries, fire access/turnaround/hydrant, and storm water collection/treatment/infiltration on-site.

Staff's CEQA exemption determination is also consistent with the City's limited discretion to consider or address potential impacts associated with the project's proposed residential land use. Multi-family residential land uses are permitted by right in the HR District. Thus, in the context of this design review approval, the Planning Commission's authority/discretion is limited to (design related) concerns stemming from the only discretionary actions required for project approval. The City Council's discretion on appeal is similarly limited. Section 17.164.010 of the Zoning Ordinance expressly restricts the Planning Commission's and City Council's discretion during design review to the general form, spatial relationships and appearances of the project's proposed design, and Section 17.164.040C expressly precludes the Planning Commission and City Council from disapproving a proposal for non-design-related reasons.

Accordingly, the City's discretion, and thus scope of its CEQA review, is limited to design issues such as scale, orientation, bulk, mass, materials and colors, and it has no authority or ability to meaningfully address non-design related issues or impacts by imposing mitigation measures. As an example, this limitation excludes issues or impacts related to the presence of the known soil contamination on the project site, from the City's design review discretion and scope of its CEQA review because, under the requested Design Review entitlement, the City has no discretion or authority to address such non-design related issues. Case law has determined that, in situations where an agency's discretion to deny or condition a particular activity is so limited (such as the proposed residential land use on the project site) its approval decision is considered ministerial and CEQA does not apply or CEQA review is limited to the extent of the discretion. (See CEQA Guidelines §§ 15002(i)(1), 15369; *San Diego Navy Broadway Complex Coalition v. City of San Diego* (2010) 185 Cal.App.4th 924, 933-934; *Venturans for Responsible Growth v. City of San Buenaventura* (2013) 2013 WL 3093788.)<sup>1</sup>

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<sup>1</sup> The Appellants argue that these cases do not apply or are distinguishable. The City Attorney disagrees. First, the Appellants assert that the City's reliance on the opinion from the *Venturans for Responsible Growth* case is inappropriate because that opinion was not approved for official publication. While the City agrees that the

*These CEQA regulations and court decisions focus on whether the agency has the authority under its code to shape the project to address environmental impacts. Here, under the Zoning Ordinance's design review provisions, the Planning Commission and City Council have no authority to regulate the project's residential land use or (therefore) to address non-design related issues. For this reason, staff deemed and the Planning Commission determined, that the project is consistent with the Class 32 in-fill exemption and sees no aesthetic issues or impacts stemming from the project's architectural design,*

*The Appellants argue that the City has broader discretion, based on the assertion that the City has imposed numerous mitigation measures and conditions of approval ("COAs") on the project. Staff addressed this argument before the Planning Commission by explaining that the COAs are not conditions derived from or imposed pursuant to the design review approval, but rather simply represent a list of the standard requirements that will apply to the future construction of this project independently of this discretionary approval of the proposed design and that the applicant will need to demonstrate compliance with such standard requirements prior to the issuance of a building permit (as is the case for all building permits whether design review is required or not).*

*In short, the project falls under the in-fill exemption, and even if the CEQA exemption did not apply (as discussed above it does), and some level of CEQA review thus were required, the City would nevertheless be allowed to undertake only limited review based on design-related environmental issues, not the use-related issues asserted by the Appellants' argument. City staff has demonstrated that the project will not result in any significant impacts, whether design-related or otherwise, and the Appellants have not provided any substantial evidence to support their claims to the contrary.*

**C. McCorkle Avenue is not an appropriate location for high density housing in the City.**

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opinion was not published and thus is not citable *in litigation*, the opinion is both appropriate and extremely valuable in this forum as it not only reflects that other cities share the City of St. Helena's position but that the court has acknowledged the validity of that position. Second, the fact that both the *San Diego Navy Broadway Complex Coalition* and *Venturans for Responsible Growth* cases addressed CEQA obligations in the supplemental EIR context is a distinction without a difference. When a City's discretion is limited according to the permit and ordinance at issue, that limitation, and its relevance to the scope of the City's CEQA review authority, applies no matter what stage of the CEQA process a project is in.

Moreover, the cases cited on page 9 of the appeal letter (i.e., *Preserve Poway* and *Pocket Protectors*) do not help Appellants as the text referenced thereat by Appellants simply addresses the well-known fair argument standard used to determine whether an EIR is required to be prepared for a non-exempt project. Neither case involves facts even resembling or the limited design-review authority at issue here. Notably, the *Preserve Poway* opinion reversed the trial court and concluded that an EIR was not required in that case as the impacts project opponents advanced entailed social and economic impacts that are not cognizable under CEQA.

*Staff Response:* The north side of McCorkle Avenue has been designated for high density residential uses since at least the 1993 General Plan. Furthermore, McCorkle Avenue has access to all city services including water and sewer. City staff has not identified any safety concerns with placing high density housing in the General Plan designated high density residential areas on McCorkle Avenue. Further, based on commitments the City made in its current and past Housing Elements, the proposed residential land use is principally permitted in the High Density Residential zoning district. The City has no discretion to deny the project based on that consideration.

**D. The City is improperly (a) charging exorbitant fees for filing an appeal, and (b) purporting to extract an agreement from the Appellants as a condition of the appeal to indemnify the City for any claims or actions arising from “an approval of the City concerning the project.”**

*Staff Response:* The decision of whether to charge an appeal fee, and in what amount, is one that has been previously made by the City Council. In making that decision, the City Council considered and weighed the competing policy issues such as whether and to what extent an appeal fee is appropriate to create incentives or disincentives for persons filing such appeals, and whether Appellants should be responsible for the costs incurred by the City in processing appeals.

The City currently charges a \$1000 fee for most appeals. This fee is significantly less than true cost of reviewing an appeal of a Planning Commission action as it only covers a portion of the staff time required to process the appeal. Typically, appeal costs are intentionally subsidized by governing bodies in an effort to encourage civic participation and this fee is an example of such a subsidy. A typical appeal, depending on the complexity of project, will take approximately 10-20 hours of staff time. This time includes processing the appeal application, reviewing the appeal materials and Appellants' justifications, preparation of the staff report and resolution(s), answering questions from the applicant, Appellants, and public, as well as preparing and making a presentation to the City Council. The \$1000 fee covers approximately 6 ½ hours of staff time at a billing rate of \$150/hr which only subsidizes a small portion of the actual staff time required.

The Appellants are correct in that the indemnification language on the City's appeal application does not apply to appeals of discretionary approvals and indemnity was not required of this appeal. The argument arose out of the fact that “boilerplate” indemnity language was included on the City's older standard appeal form to reflect the requirement that project applicants are generally required to indemnify and defend the City against lawsuits filed in connection with project approvals. Staff intends to remove or alter that language to address this in future appeals.

#### **FISCAL IMPACT**

There will be no fiscal impact to the General Fund related to Council action on this item.



### **RECOMMENDED ACTION**

The Planning Commission recommends the City Council consider the appeal, staff report, and all testimony, written and spoken and:

1. Deny the applicant's appeal of the Planning Commission's decision to grant demolition permit and design review approval for the proposed project located at 632 McCorkle Avenue in the HR: High Density Residential district.

### **ATTACHMENTS**

1. Resolution Denying Appeal
2. Appeal Application
3. December 6, 2016 Planning Commission Report and Project Plans
4. Public Comment

**CITY OF ST. HELENA**

**RESOLUTION NO. 2017-**

**DENIAL OF AN APPEAL TO A PLANNING COMMISSION DECISION TO APPROVE A DEMOLITION PERMIT AND DESIGN REVIEW TO DEMOLISH AN EXISTING SINGLE-FAMILY HOME IN ORDER TO CONSTRUCT AN 8 UNIT MULTI-FAMILY DWELLING ON THE PROPERTY LOCATED AT 632 MCCORKLE AVENUE IN THE HR: HIGH DENSITY RESIDENTIAL DISTRICT. (PL16-007) APPROVAL OF DEMOLITION PERMIT AND DESIGN REVIEW. ADOPTION OF FINDINGS IN SUPPORT.**

**PROPERTY OWNER:** Joe McGrath

**APN:** 009-502-004

**RECITALS**

1. The applicant submitted an application for a demolition permit and design review in order to demolish an existing single-family home and construct an 8 unit multi-family dwelling on the property located at 632 McCorkle Avenue in the HR: High Density Residential district.
2. Multiple-family dwellings, apartments and dwelling groups consistent with density requirements are permitted uses in the HR district.
3. At the conclusion of the public hearing on December 6, 2016, having considered the record of the proceedings before it, the written evidence submitted prior to the close of the public hearing, and the testimony and other evidence submitted at the aforementioned public hearing, having deliberated the matter, and having adopted findings in support of its decision, the Planning Commission approved the demolition permit and design review application.
4. The appellants, McCorkle Eastside Neighborhood Group, St. Helena Residents For An Equitable General Plan, and David and Victoria Bradshaw (“Appellants”), filed a timely appeal of the Planning Commission decision to the City Council.
5. The City Council considered the Appellant’s appeal at a duly noticed public hearing on January 24, 2017. The City Council, after reviewing the materials, testimony and evidence provided from the Planning Commission Public Hearing, as well as the record of the proceedings before the City Council, the written evidence submitted for the Council Public Hearing, and the testimony and other evidence submitted at the Council Public Hearing, voted to deny Appellants’ appeal and thereby uphold the decision of the Planning Commission approving the demolition permit and design review application.

**RESOLUTION**

The City Council of the City of St. Helena, State of California, hereby denies the appeal of the Planning Commission’s decision to approve a Demolition Permit and Design Review to demolish an existing single-family home in order to construct an 8 unit multi-family

dwelling on the property located at 632 McCorkle Avenue in the HR: High Density Residential district on the following basis:

1. Incorporation of Recitals. The foregoing Recitals are true and correct and are incorporated herein and form a part of this Resolution.
2. Compliance with CEQA. The City Council further finds that the project is categorically exempt from CEQA pursuant to Section 15332, which exempts in-fill development projects.
3. Findings.

**A. Findings In Support Of Demolition Permit:** In approving the demolition permit as provided in St. Helena Municipal Code ("SHMC") Section 17.164.050(E), the City Council finds as follows:

1. *That based on the public record and testimony presented at a public hearing, the buildings proposed for demolition are determined not to be significant architectural or historical buildings given the age of construction, deteriorated condition of the structures, standard design and construction methodology and lack of inclusion of the City's Historical Resources Master List; and the Charter Oaks District within which the project is located has not itself been listed as an area-wide historical resource or comprehensive historical district, nor has the City created a Historic Preservation Overlay Zoning District covering the Charter Oaks District or the project site. And while four homes in the project vicinity have been listed as historical resources, none are adjacent to the project site.*

and

2. *That the demolition of these structures does not eliminate elements that are required to maintain the essential character of the neighborhood in that the existing structures are in a dilapidated condition, do not contribute to the historic character of the neighborhood and that the neighborhood is a mix of single-family and multi-family housing units, and the proposed project incorporates various materials consistent with the pattern and character of many of the City's older and historic homes such as board and batten siding, gabled roof lines and a corrugated metal roof.*

**B. Findings In Support Of Design Review:** In approving the design review as provided in the design review criteria set forth in SHMC Section 17.164.030, the City Council finds that the project demonstrates the following:

1. *Consistency and compatibility with applicable elements of the general plan in that a multi-family building is being constructed in the High Density Residential district;*
2. *Compatibility of design with the immediate environment of the site is supported in that modern building materials and design features (such as board and batten siding, gabled roof lines and metal roofing), which are consistent with the nearby historic properties and overall Charter Oaks District, will be used in project construction;*
3. *Relationship of the design to the site is found to be consistent in that the project meets all required development criteria (including setbacks, building orientation*

and height limitations), was designed by an architect and is considerate of the unique characteristics of the site including its location within the Charter Oaks District and in a high-density land use designation across from properties developed with single family homes;

4. *Determination that the design is compatible in areas considered by the board as having a unified design or historical character is found as the project is a residential structure developed to meet the criteria of the zoning district, incorporates historic elements into the property and design and no specific unifying design elements have been formally identified in this neighborhood; further, while there are four (4) homes on McCorkle Avenue listed on the City's Historic Resources Master List, McCorkle Avenue is a mix of single-family and multi-family homes constructed in a variety of time periods and in various styles and is without a formally identified unified design character. Furthermore, the project site itself is not an identified/listed historic resource and construction and operation of the proposed project will not negatively impact any listed historic properties; Furthermore, the Charter Oaks District within which the project is located has not itself been listed as an area-wide historical resource or comprehensive historical district, nor has the City created a Historic Preservation Overlay Zoning District covering the Charter Oaks District or the project site. And while four (4) homes in the project vicinity have been listed as historical resources, none are adjacent to the project site.*
5. *That the design promotes harmonious transition in scale and character in areas between different designated land use is found in that the project is located in a high density residential zoning district across from a medium density residentially designated properties with varying densities and scales and that the project is consistent with said zoning districts and established neighborhood character in design features and building scale;*
6. *Compatibility with future construction both on and off the site is supported as the project is a residential structure in a residential district, providing all required infrastructure improvements and therefore development will not negatively impact future construction on or off site;*
7. *That the architectural design of structures and their materials and colors are appropriate to the function of the project is found in that the project will use construction materials and colors for residential multi-family development, which are consistent and compatible with the surrounding historic district and neighborhood context;*
8. *That 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 is found in that the site and buildings were designed to create independent living units with adequate off-street parking; covered garbage enclosures; and common recreation areas.*
9. *That the amount and arrangement of open space and landscaping are appropriate to the design and the function of the structures is found to be appropriate through the proposed building setbacks, common open space and landscaping surrounding the living and parking areas on the property;*
10. *That sufficient ancillary functions are provided to support the main functions of the project and that they are compatible with the project's design concept in that the*

*project provides adequate off-street parking, landscaping, resident amenities and recreational areas for residents with a design that is fully compatible with the residential structure and use;*

- 11. That access to the property and circulation systems are safe and convenient for pedestrians, cyclists and vehicles is supported based on the existing roadway network, proposed access easements, and street frontage improvements including new sidewalks.*
- 12. That natural features are appropriately preserved and integrated with the project is found in that this is an infill project preserving as many native oak trees as possible and all development is in previously developed and/or disturbed areas of the property;*
- 13. That the materials, textures, colors and details of construction are an appropriate expression of its design concept and function and that they are compatible with the adjacent and neighboring structure and functions is supported in that the project will use construction materials and colors for residential development while also being compatible with the pattern and character of the surrounding Charter Oaks District and immediate residential neighborhood;*
- 14. In areas considered by the board as having a unified design character or historical character, whether the design is compatible with such character is found as a residential structure will be constructed in a residentially zoned parcel where the approved use is permitted by-right, and while there are four (4) homes on McCorkle Avenue listed on the City's Historic Resources Master List, McCorkle Avenue is a mix of single-family and multi-family homes constructed in different time periods and in various styles and has not been formally determined to express a unified design character. Furthermore, the project site itself is not an identified listed historic resource and construction and operation of the proposed project will not negatively impact any listed historic properties; Furthermore, the Charter Oaks District within which the project is located has not itself been listed as an area-wide historical resource or comprehensive historical district, nor has the City created a Historic Preservation Overlay Zoning District covering the Charter Oaks District or the project site. And while four homes in the project vicinity have been listed as historical resources, none are adjacent to the project site.*
- 15. That 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 that the landscape concept depicts an appropriate unity with the various buildings on the site is found in that a detailed landscaping plan has been prepared, which preserves existing on-site native trees to the extent possible, provides screening and buffers between structures and hardscape and has been designed to complement the proposed buildings, surrounding properties and the site in general;*
- 16. That 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 is supported based on the professionally prepared landscaping plan meeting all requirements of the Water Efficient Landscape requirements and incorporating numerous species found to thrive in Mediterranean Climate types; and*

*17. 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 is found based on the efficiencies gained through the construction of new buildings and infrastructure in compliance with the requirements of the California Building Code and the City of St. Helena Municipal Code, the incorporation of solar panels into the design of the carports and the southern orientation of the buildings, including carports providing expanded shading on proposed hardscape.*

**C. Findings In Response To Arguments Raised On Appeal:** In denying the appeal and in approving the demolition permit and design review, the City Council further finds as follows:

**1. Findings In Response To Appellants' Assertion That The Project Is Inconsistent With The 1993 General Plan.**

**(a) General Finding:** The project's relationship to the City's General Plan was discussed in detail in the staff report presented to the Planning Commission at the December 6, 2016 public hearing and was attached to the staff report for the appeal. As noted in the report, the subject property has a General Plan and Zoning designation of High Density Residential (HR) and multiple-family dwellings and apartments are permitted uses by right in the HR district. In addition, the St. Helena 1993 General Plan and Housing Element Update 2015-2023 Goals, Policies, and Eight-Year Action Plan include the following policies that are applicable to the proposed project:

- 2.6.4 - Permit infill development and higher densities within currently developed areas wherever possible to minimize and postpone the need for expansion of the Urban Service Area.
- 2.6.14 - Encourage a mix of housing types and price ranges to allow choice for current and future generations of St. Helenans.
- HE1.4 - Address workforce housing needs by supporting an improved jobs/housing "match."
- HE1.5 - Encourage innovative housing types and designs.
- HE2.1 - Encourage higher density development where appropriate.
- HE2.2 - Ensure that higher density housing opportunity sites are not lost to lower density uses.
- HE2.5 - Allow conversion of single-family homes to multi-unit dwellings.
- HE2.6 - Promote a balance of types of housing throughout the whole community.

**(b) Specific Findings In Response To Appellants' Assertions That The Project Is Inconsistent With The General Plan:**

**(i) The Project Is Consistent With Safety Element Policy 8.5.2**

1. The Council rejects appellant's argument that the Planning Commission gave little or no consideration to the fact that the property in question is contaminated, that contamination may have migrated to adjacent properties and/or entered the ground water, and that the project is inconsistent with General Plan Safety Element Policy 8.5.2.
2. Because the project is a permitted use, the City's sole discretion is under the design review ordinance. The City's design review discretion is limited to design issues stated in the ordinance, and the City thus has no discretion to address use-related issues such as remediation of contamination.
3. The Napa County Environmental Health Department (EHD) serves as the Certified Unified Program Agency (CUPA) for all cities and areas of Napa County and thus is the lead agency for and has both the jurisdiction and expertise to oversee and ensure proper remediation of contaminated properties.
4. Appellants' argument ignores and misreads the purpose of Policy 8.5.2. Policy 8.5.2 is found in a section of the General Plan relating primarily to the circulation of emergency vehicles, and the transportation of hazardous materials in trucks. That section says nothing about land use projects on sites with contamination, nor does it impose on the City any standards for addressing such applications.
5. The argument also disregards the consideration that the staff and the applicant have given to the site's contamination, and to the beneficial effect the project will have on the remediation of the site's contamination. If the project moves forward, the applicant will be required to remediate to the satisfaction of the Napa County Environmental Health Department (EHD).
6. Soil contamination on the subject parcel was discussed extensively in both the December 6, 2016 staff report and at the public hearing on the same day. In relation to Public Health and Safety Element Policy 8.5.2 from the 1993 General Plan, the proposed project will not use, store, manufacture, or transport hazardous materials outside of common products used during project construction. Soil contamination present on the project site is from historical uses on the site and is not the result of any actions taken by the project proponent. Denying the proposed project would not change the existing condition of the project site and could result in the site remaining in its currently contaminated condition.
7. Contrary to the appellants' assertion, there is no evidence that the soil contamination has migrated off of the project site or reached any ground water; rather, the professional characterization of the contamination (accomplished by soil sampling and analysis on the project site) concluded that the contaminants are limited to the shallow subsurface of a discrete area at the project site and do not extend vertically to the soil samples taken 18-24 inches below the surface. Further, contrary to appellants' claim that contaminants from the project site may have migrated to private or public water wells, appellants offer no evidence that Paul Skinner's private well water is contaminated and none of the regular quarterly water quality reports from the City well located approximately 900 yards support this claim.

8. As detailed in the December 6, 2016 staff report and resolution, although the City lacks jurisdiction to impose remediation conditions, the project will remediate any soil contamination on site to the satisfaction of the Napa County Environmental Health Department (EHD) as a component of the development process. This is further supported by the Remediation Action Agreement (RAA) entered into between the applicant and the Napa County EHD in lieu of an enforcement order.
9. In short, remediation of the site is more likely if the project is approved than if it is denied, and will be overseen by EHD. Contrary to the appellants' claim, it is EHD's obligation, as the CUPA for all cities and areas of Napa County, to ensure the site is cleaned up. To his credit, the applicant took measures to characterize the type and extent of the contamination and voluntarily approached EHD and agreed to remediate the project site to EHD's satisfaction. There is nothing in the General Plan or any other law that supports appellants' argument that it is the City's obligation to ensure the site is cleaned up.
10. Finally, the Council finds that the December 19th letter from Paul Skinner (attached to the appeal letter) regarding the meeting Mr. Skinner asserts he had with EHD is misleading in implying that the additional soil testing Mr. Skinner says EHD desires is not currently planned for/required. In fact, the remediation plan dated Oct 28, 2016, required by the RAA between EHD and the applicant, already requires the testing Mr. Skinner alludes to in the confirmation soil sample collection and analysis procedures included in the remediation plan to ensure and demonstrate that all remediation conducted is effective, and that no constituents above the applicable San Francisco Bay Regional Water Quality Control Board's environmental screening levels remain, and that if they do, additional remediation will be required until these standards are achieved.
11. With respect to Mr. Skinner, the Council further disagrees with the appellants' claim that the Planning Commission cut short Mr. Skinner's presentation during the December 6th hearing. In fact, during his oral testimony Mr. Skinner far exceeded the time allotted him and all other speakers. Over the objection of the project applicant, the chair of the Planning Commission respectfully allowed him to continue speaking well beyond the time generally allotted to other speakers.  
**(ii) The Project Is Consistent With Historic Resources Element Policy 7.5.9.**
12. The Council disagrees with the argument that the project violates Policy 7.5.9, for several reasons.
13. The Charter Oaks District within which the project is located has not itself been listed as an area-wide historical resource or comprehensive historical district, nor has the City created a Historic Preservation Overlay District covering the Charter Oaks District or the project site. And while four (4) homes in the project vicinity have been listed as historical resources, none are adjacent to the project site.
14. Appellants' argument under Policy 7.5.9 seizes on but one policy out of many, and asserts that the one Policy 7.5.9 should control to the exclusion of others. The City should and does not apply its General Plan policies in such a narrow manner. Rather, the City's General Plan, like most such plans, contains many different, sometimes competing provisions and policies that the City's decision-makers are to consider, weigh and harmonize, such as the above-referenced policies requiring the City to promote in-fill, innovative design, and higher density development to minimize sprawl and postpone the need to expand the Urban Service Area. The



Council finds that staff has provided the correct and appropriate analysis of these different, competing provisions and policies to the Planning Commission and to the City Council, and the Council adopts that analysis.

15. Appellants' argument incorrectly assumes that the plainly subjective concept of "compatibility of character," as used in Policy 7.5.9, is the same as compatibility of design, and must necessarily be applied to require the project's denial here simply because its design does not repeat or mimic the other historic homes in the vicinity. The Council agrees and finds that Policy 7.5.9 by its terms allows broader flexibility, and that ample evidence supports a finding of compatibility of character here.
16. To the extent it applies the project is consistent with Policy 7.5.9. While there are four (4) homes on McCorkle Avenue listed on the City's Historic Resources Master List, the Charter Oaks District/area is not a listed/ recognized comprehensive historic resource.
17. Indeed, McCorkle Avenue is a mix of single-family and multi-family homes constructed in different time periods and in various styles and has not been identified as having a unified design character by the Planning Commission.
18. Furthermore, neither the project site itself nor any of the adjacent properties are identified or listed historic resources and neither construction nor operation of the proposed project will directly or indirectly negatively impact any of the listed historic properties in the vicinity.
19. Moreover, the project was designed so that it appears from the street/front like a single family home so that its appearance and character are more in line with the single-family homes that predominate in the area, and will incorporate various materials consistent with many of the City's older and historic homes such as board and batten siding, gabled roof lines and a corrugated metal roof.
20. Although the Charter Oaks District discussion was omitted from the staff report presented to the Planning Commission, this information was presented to, and considered by the Planning Commission at the December 6, 2016 public hearing on the project.

**(iii) The Project Is Consistent With General Plan Policy 8.5.7.**

1. General Plan Policy 8.5.7 states: Ensure all streets and roads are adequate in terms of width, turning radius, and grade to facilitate access by City Firefighting apparatus, and to provide alternative emergency ingress and egress.
2. The Council disagrees with the argument that the project violates Policy 8.5.7 for several reasons.
3. The argument again disregards that because this project is a permitted use, issues of traffic, access etc. are beyond the City's limited design review jurisdiction.
4. Despite the limited scope of the City's design review, the Council finds and agrees with staff that staff nevertheless reviewed the project carefully, and found no deficiencies in the street width, turning radius or grade were found through the review of the proposed project design.
5. In addition to the traffic study prepared for the proposed project (attached to the December 6, 2016 Planning Commission report below), the proposed project was

reviewed by the Public Works Department and Fire Department for compliance with required code and safety requirements and was found to be compliant.

6. While individual parcels may extend to what is the centerline of McCorkle Avenue, the City has right-of-way for the future widening of the street in accordance with the General Plan and McCorkle Avenue is a City maintained street.
7. As development occurs on McCorkle, developers will be required to make improvements in accordance with City standards.
8. Further, the project proposes improvements in accordance with such generally applicable City standards in that it provides all required parking, fire access and turnaround and hydrant facilities and frontage improvements on-site.
9. Similarly, the project proposes that all stormwater will be collected, treated and infiltrated on-site (via roofs, gutters, curbs, permeable paving, vegetated swales and bio-filtration pond).

**2. Findings That The Project Is Exempt From CEQA And No EIR Is Required For The Project.**

1. Based on the required analysis under the California Environmental Quality Act (CEQA), the Council finds that the project is categorically exempt from the requirements of CEQA pursuant to CEQA Guidelines Section 15332.
2. Section 15332's Class 32 exemption applies to in-fill development projects which meet the conditions described below. As demonstrated in the staff report, this project satisfies all of the elements of the Class 32 in-fill exemption and the Planning Commission correctly found that the project met all criteria of the Class 32 Infill exemption and was therefore exempt from CEQA under Section 15332.
3. To qualify for the Class 32 exemption, a project must: (a) be consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
4. The subject property has a General Plan and Zoning designation of High Density Residential (HR). This district provides for single-family and multifamily residential units, group quarters and other compatible uses. Multiple-family dwellings, apartments and dwelling groups consistent with density requirements are permitted uses by right in the HR district, and the proposed project complies with all of the HR district's development standards concerning density, lot coverage, height, setbacks and lot width. Though the appellants claim the project does not meet this element of the exemption, based on their argument that the project is inconsistent with General Plan Safety Element Policies 8.5.2 and 8.5.7 and Historic Resources Element Policy 7.5.9, the Council finds that that argument is incorrect, as the Council previously has found and discussed above. Contrary to appellants' argument, the Council finds the project is consistent with all three policies to the extent they apply here.
5. To qualify for the Class 32 exemption, a project must also: (b) occur within city limits on a project site of no more than five acres substantially surrounded by urban uses.
6. The project satisfies this condition as the project site is approximately ½ acre in size; located within the city limits; surrounded by developed properties; and within

the urban limit line. The appellant does not assert that the project fails to meet this element of the exemption.

7. To qualify for the Class 32 exemption, a project must also: (c) have no value as habitat for endangered, rare or threatened species.
8. As discussed in the supporting Biological Assessment, no such habitat exists on the project site. The appellant does not assert that the project fails to meet this element of the exemption.
9. To qualify for the Class 32 exemption, a project must also: (d) not result in any significant effects relating to traffic, noise, air quality, or water quality.
10. As discussed below and in the supporting Traffic Study and Biological Assessment, the project will not result in any such impacts. Based only on speculation and without providing any substantial evidence, the appellants claim the project will result in significant traffic, noise, air quality and water quality impacts. The Council finds otherwise.
11. As demonstrated in the Traffic Study, all of the study intersections will continue to operate at acceptable levels of service with traffic from the proposed project, and no cumulative traffic impacts will result from the combination of existing traffic, project traffic and traffic from other approved projects (including the Brenkle Court, Redmond Winery and Saint Helena Custom Crush projects).
12. The appellants' alleged circulation impacts on McCorkle are unsupported and without merit as the project is designed to accommodate all temporary construction activity and future resident parking/delivery needs on-site. In addition, this argument again ignores that because this project is a permitted use, the City's discretionary jurisdiction over the project is limited to design-related issues. CEQA does not grant the City authority to exercise discretion over issues beyond those allowed under the City's applicable ordinance(s).
13. To qualify for the Class 32 exemption, a project must also: (e) be adequately served by all required utilities and public services.
14. The project will connect to and be served by existing city services including water, sewer, electricity, garbage, etc.
15. Again, based only on speculation and without providing any substantial evidence, the appellants claim the project will not be adequately served by all required utilities and services. The Council finds otherwise. Staff demonstrated that the project site will connect to and be served by all required utilities and services. Appellants' do not cite any such utility or service that is not currently or will not be provided to the site should the proposed project be approved.
16. In addition, contrary to the appellants' assertions, other than for ingress and egress the project does not propose to use let alone overburden McCorkle Avenue. Rather, as noted above and shown on the proposed plans, the project is designed to accommodate all resident parking/deliveries, fire access/turnaround/hydrant, and stormwater collection/treatment/infiltration on-site.
17. The CEQA exemption determination is also consistent with the City's limited discretion to consider or address potential impacts associated with the project's proposed residential land use. Multi-family residential land uses are permitted by right in the HR District. Thus, in the context of this design review approval, the

Planning Commission's authority/discretion is limited to (design related) concerns stemming from the only discretionary actions required for project approval. The City Council's discretion on appeal is similarly limited. Section 17.164.010 of the Zoning Ordinance expressly restricts the Planning Commission's and City Council's discretion during design review to the general form, spatial relationships and appearances of the project's proposed design, and Section 17.164.040C expressly precludes the Planning Commission and City Council from disapproving a proposal for non-design-related reasons.

18. Accordingly, the City's discretion, and thus scope of its CEQA review, is limited to design issues such as scale, orientation, bulk, mass, materials and colors, and it has no authority or ability to meaningfully address non-design related issues or impacts by imposing conditions of approval or mitigation measures. As an example, this limitation excludes issues or impacts related to the presence of the known soil contamination on the project site, from the City's design review discretion and scope of its CEQA review because, under the requested Design Review entitlement, the City has no discretion or authority to address such non-design related issues. The Council takes quasi-adjudicative notice of case law that has determined that, in such situations where an agency's discretion to deny or condition a particular activity is limited (such as the proposed residential land use on the project site) its approval decision is considered ministerial and CEQA does not apply or CEQA review is limited to the extent of the discretion. (See (CEQA Guidelines §§ 15002(i)(1), 15369; (*San Diego Navy Broadway Complex Coalition v. City of San Diego* (2010) 185 Cal.App.4th 924, 933-934; *Venturans for Responsible Growth v. City of San Buenaventura* (2013) 2013 WL 3093788.)
19. These CEQA regulations and court decisions focus on whether the agency has the authority under its code to shape the project to address environmental impacts. Here, under the Zoning Ordinance's design review provisions, the Planning Commission and City Council has no authority to regulate the project's residential land use or (therefore) to address non-design related issues.
20. For this reason, the Council finds and determines that the project is consistent with the Class 32 in-fill exemption and sees no aesthetic issues or impacts stemming from the project's architectural design, the project is exempt from CEQA.
21. The Council further rejects appellants' argument that the City has broader discretion, based on the assertion that the City has imposed numerous mitigation measures and conditions of approval ("COAs") on the project. Staff addressed this argument before the Planning Commission by explaining that the COAs are not conditions derived from or imposed pursuant to the design review approval, but rather simply represent a list of the standard requirements that apply to this project independently of this approval and that the applicant will need to demonstrate compliance with such standard requirements prior to the issuance of a building permit (as is the case for all building permits whether design review is required or not).
22. In addition, the Council finds that even if the CEQA exemption did not apply (as discussed above it does), and some level of CEQA review thus were required, the City would nevertheless be allowed to undertake only limited review based on design-related environmental issues, not the use-related issues asserted by the appellants' argument. The Council finds that City staff has demonstrated that the project will not result in any significant impacts, whether design-related or

otherwise, and the appellants have not provided any substantial evidence to support their claims to the contrary.

**3. Findings That McCorkle Avenue Is An Appropriate Location For High Density Housing.**

1. The Council rejects appellants' argument that McCorkle Avenue is not appropriate for high density housing.
2. The north side of McCorkle Avenue has been designated for high density residential uses since at least the 1993 General Plan.
3. Furthermore, McCorkle Avenue has access to all city services including water and sewer.
4. City staff has not identified any safety concerns with placing high density housing in the General Plan designated high density residential areas on McCorkle Avenue.
5. Further, based on commitments the City made in its current and past Housing Elements, the proposed residential land use is principally permitted in the High Density Residential zoning district. The City has no discretion to deny the project based on that consideration.

**4. Findings In Response To Appellants' Objections To The Appeal Fee And Indemnity Requirement.**

1. The decision of whether to charge an appeal fee, and in what amount, is one that has been previously made by the City Council. In making that decision, the City Council considered and weighed the competing policy issues such as whether and to what extent an appeal fee is appropriate to create incentives or disincentives for persons filing such appeals, and whether appellants should be responsible for the costs incurred by the City in processing appeals.
2. The City currently charges a \$1000 fee for most appeals. This fee is significantly less than true cost of reviewing an appeal of a Planning Commission action as it only covers a portion of the staff time required to process the appeal.
3. Appeal costs are often intentionally subsidized by governing bodies in an effort to encourage civic participation and this fee is an example of such a subsidy. A typical appeal, depending on the complexity of project, will take approximately 10-20 hours of staff time. This time includes processing the appeal application, reviewing the appeal materials and appellant's justifications, preparation of the staff report and resolution(s), answering questions from the applicant, appellant, and public, as well as preparing and making a presentation to the City Council. The \$1000 fee covers approximately 6 ½ hours of staff time at a billing rate of \$150/hr which only subsidizes a small portion of the actual staff time required.
4. For these reasons, the Council finds that the appeal fee is reasonable and appropriate here.
5. The Council agrees with staff that the indemnification language on the City's appeal application should not and does not apply to appeals of discretionary approvals.
6. For that reason, indemnity was not required of this appeal.

7. The argument arose out of the fact that “boilerplate” indemnity language was included on the City’s older standard appeal form to reflect the requirement that project applicants are generally required to indemnify and defend the City against lawsuits filed in connection with project approvals. Staff intends to remove or alter that language to address this in future appeals.
  
4. Denial of Appeal and Approval of Demolition Permit and Design Review. Based on the foregoing, the City Council does hereby deny the appeal of the Planning Commission’s decision to approve a Demolition Permit and Design Review to demolish an existing single-family home in order to construct an 8 unit multi-family dwelling on the property located at 632 McCorkle Avenue in the HR: High Density Residential district. The Council further approves the demolition permit and design review.

Approved at a Regular Meeting of the St. Helena City Council on January 24, 2017, by the following vote:

Mayor Galbraith: \_\_\_\_\_  
Vice Mayor White: \_\_\_\_\_  
Councilmember Dohring: \_\_\_\_\_  
Councilmember Koberstein: \_\_\_\_\_  
Councilmember Ellsworth: \_\_\_\_\_

APPROVED:

ATTEST:

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

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

## Representing Management Exclusively in Workplace Law and Related Litigation



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\*through an affiliation with Jackson Lewis P.C., a Law Corporation

December 19, 2016

***Via Hand Delivery  
and Electronic Mail***

Cindy Black, City Clerk  
City of St. Helena  
1480 Main Street  
St. Helena, CA 94574

City Council  
City of St. Helena  
1480 Main Street  
St. Helena, CA 94574

Re: Appeal of Planning Commission's December 6, 2016 Decision Approving Demolition Permit and Design Review for McGrath Project, 632 McCorkle Avenue, and Planning Commission's Failure to Require the Preparation of an Environmental Impact Report as Required by CEQA

Dear Ms. Black and Members of the City Council:

We represent the McCorkle Eastside Neighborhood Group and St. Helena Residents For An Equitable General Plan. On December 6, 2016, the Planning Commission – by a vote of 2 to 1 – approved the “Request by Joe McGrath for Demolition Permit and Design Review approval to demolish an existing single-family home in order to construct a 8 unit multi-family dwelling on the property located at 632 McCorkle Avenue in the HR: High Density Residential district.” In so doing, the Planning Commission ignored

the almost unanimous opposition of the residents living on McCorkle Avenue to this ill-conceived project on a narrow, dead-end street, which is largely privately-owned by the residents, has no turnaround for emergency vehicles, lacks basic infrastructure such as adequate storm drains and fire hydrants, and has inadequate on-street parking.

A. The Planning Commission Ignored the 1993 General Plan

Shockingly, the Planning Commission gave little or no consideration to the fact that the property in question is laced with toxic chemicals that may have migrated to the adjacent properties and/or entered the ground water. The Commission even cut short a presentation by a McCorkle neighborhood resident, Paul Skinner, Ph.D., a soil scientist with a doctorate in soil chemistry, concerning this situation and the completely inadequate report of a consulting firm hired by the Applicant to support his application. Given that the City owns a well less than 900 yards from the project site, one would have thought that the Planning Commission would have responded vigorously to the obvious threat to public safety presented by these toxic chemicals. Indeed, Safety Element Policy 8.5.2 of the 1993 General Plan specifically requires that the City “[p]rotect St. Helena residents from health and safety impacts related to the use, storage, manufacture or transport of hazardous materials.” By approving the McGrath project, the Planning Commission clearly failed to comply with the General Plan, and it recklessly ignored the health and safety of St. Helena residents.

The Planning Commission likewise ignored the Historic Resources Element of the 1993 General Plan, which mandates in Policy 7.5.9 that the City “[r]equire new development in or adjacent to historic areas or buildings to be compatible in pattern and character with existing historic buildings.” There are four historic houses on McCorkle Avenue close to the project, and the street is part of the Charter Oak Historic Resources District. Apparently, this did not matter at all to a majority of the Planning Commission. They did not even comment on the Historical Resources Element of the General Plan. They were completely undisturbed by the proposed design of the McGrath project,



even though its design is consistent with that of a modern suburban multi-family townhouse, and completely incompatible with the existing historic houses that were built between 1885 and 1910. Indeed, the design of the proposed apartments is totally incompatible *in pattern and character with the existing historic houses*. By approving this project, the Planning Commission clearly failed to comply with the General Plan.

Moreover, the Planning Commission gave short shrift to the significant circulation, public health and safety, air quality, and noise impacts that inevitably will result from this project, both during construction and thereafter. While the Applicant submitted a traffic study, the study only dealt with the levels of service at nearby intersections, and totally ignored the much bigger problem of congestion and gridlock on McCorkle Avenue due to the simultaneous construction of two multi-family housing projects on a small, private rural road and the on-going parking and traffic problems that will arise from perhaps as many as 80 new residents living in the two projects (including numerous children) following construction. As noted above, McCorkle Avenue is a small, dead-end street with no turnaround for emergency vehicles. This is contrary to the Safety Element of the General Plan, which provides in Policy 8.5.7 that the City must ensure that all streets and roads are adequate in terms of width, turning radius, and grade to facilitate access by City firefighting apparatus, and that alternative emergency ingress and egress must be provided. Again, by approving this project, the Planning Commission violated the General Plan.

We have dealt with these issues in much more detail in our public comments to the Planning Commission, dated December 6, 2016, a copy of which is enclosed with this Appeal and incorporated herein by this reference. These comments also contain a copy of Dr. Skinner's report on the toxic contamination, maps of McCorkle Avenue from the County Assessor's office (showing the private ownership of the street), and photographs of two of the historic houses on McCorkle.

Cindy Black, City Clerk  
City Council  
City of St. Helena  
December 19, 2016  
Page 4

We are also enclosing with this Appeal a copy of a letter from Dr. Skinner to the City Council and City Manager, dated December 19, 2016. This letter documents the results of Dr. Skinner's December 15, 2016 meeting with the Napa County Planning, Building and Environmental Services Department. In a nutshell, that agency agrees that more testing is necessary, and also agrees that "the area found to be contaminated is very contaminated."

Additionally, we are enclosing with this Appeal copies of the pertinent provisions of the 1993 General Plan cited above.

B. The Planning Commission Ignored CEQA Requirements by Refusing to Require That an EIR Be Prepared for the McGrath Project

The Planning Commission not only violated the General Plan in approving this project, but also violated CEQA by following the Planning Department's misguided conclusion that:

[T]he project is categorically exempt from the requirements of CEQA pursuant to CEQA Guidelines Section 15332. Section 15332's Class 32 exemption applies to in-fill development projects which meet the conditions described below. As demonstrated herein, this project satisfies all of the elements of the Class 32 exemption.

This unsupported conclusion by the Planning Department is *erroneous* and should be reversed by the City Council. We have dealt with it at length in our comments to the Planning Commission enclosed with this letter (see pages 18-26). The McGrath project does not qualify for a Class 32 exemption from CEQA, and the City must comply with CEQA by requiring an appropriate EIR for the project. Our arguments on the need for an EIR can be summarized as follows: A Class 32 exemption - the so-called in-fill exemption - is not

available unless all five of the requirements are met. *The present project does not meet three of the five requirements. The three unmet requirements are:*

1. The project must be consistent with all applicable general plan policies.
2. The project must not result in any significant effects relating to traffic, noise, air quality, or water quality.
3. The project must be adequately served by all required utilities and public services.

1. The Project Is Not Consistent with All Applicable General Plan Policies

The project is inconsistent with at least the following provisions of the 1993 General Plan:

- Safety Element Policy 8.5.2: Protect St. Helena residents from health and safety impacts related to the use, storage, manufacture, or transport of hazardous materials.
  - Indisputably, there are toxic chemicals on the site. They have been there for decades.
  - Only part of the site was tested.
  - The testing was inadequate to determine the full extent of the contamination - according to an expert in soil chemistry, Dr. Skinner. A hand auger was used which could not adequately test the depth or the extent of migration of the toxic chemicals, or whether they have leached into the groundwater.
  - Adjacent property and groundwater have not been tested, including the City's well that is located less than 900 yards from the site.

- There is a reasonable probability that toxic chemicals have migrated onto adjacent properties. Testing must be done to determine if this has occurred and, if so, to what extent.
- Given the absence of adequate storm drains on McCorkle Avenue, it is possible that toxic chemicals washed into the street and onto adjacent properties during storms.
- The suggestion that this *very serious* problem can be addressed by removing soil in the area shown to be contaminated by toxic chemicals, and replacing that soil with clean soil, is not well taken. This would literally “cover up” the problem. The City needs to determine the full extent of the contamination on the McGrath site, the adjacent sites, and the ground water, in order to be sure these toxic chemicals are not threatening public health and safety.
- Now, after speaking with Dr. Skinner following the Planning Commission meeting, even the Napa County authorities agree that further testing is necessary. See attached letter from Dr. Skinner dated December 19, 2016.
- Safety Element Policy 8.5.7: Ensure that all streets and roads are adequate in terms of width, turning radius, and grade to facilitate access by City firefighting apparatus, and to provide alternative emergency ingress and egress.
  - The width of McCorkle Avenue is non-compliant. It is a narrow rural road.
  - There is no turnaround for emergency vehicles.
  - There is no alternative ingress and egress for emergency vehicles.
- Historic Resources Element 7.5.9: Require new development adjacent to historic buildings to be compatible in pattern or character with existing historic buildings.

- By admission of the developer, the project was designed to be compatible with a nearby affordable housing project with a modern design, not with the four historic houses on McCorkle Avenue close to the project.
- The design of the project is not compatible with the pattern and character of the four historic houses on McCorkle Avenue built between 1885 and 1910.
- Neither the developer nor the Planning Department appear to have been aware of the existence of historic houses on McCorkle Avenue.

2. The Project Will Result in Significant Effects Relating to Traffic, Noise, Air Quality, or Water Quality

The project will result in significant effects related to traffic, noise, air quality, and/or water quality:

- Traffic on McCorkle will increase dramatically once the project is completed. There will be a cumulative increase in traffic due not only to this project, but the nearby affordable housing project (Brenkle Court). These two projects could add as many as 80 new residents to this small street.
  - New residents will lead to an increase in visitors, delivery trucks, etc. driving and parking on McCorkle Avenue.
  - During construction of both this project and the nearby affordable housing project, McCorkle Avenue will be jammed with construction vehicles and equipment.
- The increase in traffic will degrade air quality.
- Given the large number of new residents and cars, there will be considerably more noise.

- The cumulative effects of construction of this project and the nearby affordable housing project will have serious negative impacts on traffic, noise, and air quality.
- Water quality may be adversely impacted by toxic chemicals from the project site if they have migrated (or may migrate) into the ground water.

3. The Project Will Not Be Adequately Served by All Required Utilities and Public Services

The project will not and cannot be adequately served by all required utilities and public services:

- The biggest problem is the lack of a publicly owned and maintained street, with appropriate infrastructure. McCorkle Avenue is narrow, has no required turnaround for emergency vehicles, has inadequate parking, no operational storm drains, and only one fire hydrant. Almost the entire street is privately owned. A person driving or walking down McCorkle Avenue is necessarily trespassing on someone else's property. Since the street is private, the City has no obligation to maintain it.
- The street cannot support all the new residents who will be living on McCorkle Avenue if the Brenkle Court and McGrath projects are completed. This street is completely inappropriate for high density housing projects.
- The street is noncompliant with the Municipal Code's provisions regarding storm water. Right now, runoff from the McGrath site may be spreading toxic waste to the street and beyond.

The bottom line is that this project does not qualify for the Class 32 categorical exemption from CEQA because it fails to meet three of the five tests for the exemption.

Moreover, as discussed in some detail in the comments we already submitted to the Planning Department (see pages 5–18), substantial evidence compels the conclusion that an EIR must be prepared for this project. Clearly, there is substantial evidence that the project will have significant environmental effects. Thus, there will be significant impacts in at least the following areas: public health and safety, circulation, and historical resources. CEQA mandates the preparation of an EIR in these circumstances. See Pub. Resources Code, § 21080(d); *Preserve Poway v. City of Poway* (2016) 245 Cal.App.4th 560; *Pocket Protectors v. City of Sacramento* (2004) 124 Cal.App.4th 903. As stated in *Pocket Protectors*:

If there is substantial evidence in the whole record supporting a fair argument that a project may have a significant nonmitigable effect on the environment, the lead agency shall prepare an EIR, even though it may also be presented with other substantial evidence that the project will not have a significant effect. [citations, footnote omitted]. . . . [citations omitted].

“Substantial evidence” means “enough relevant information and reasonable inferences from this information that a fair argument can be made to support a conclusion, even though other conclusions might also be reached.” [citation omitted] Substantial evidence “shall include facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts. [citation omitted].

*Id.* at 927.



Here, substantial evidence supports a fair argument that the project will cause significant adverse impacts to the environment, such that an EIR is mandated. This is a project on a toxic waste site, which is not on a public street with a necessary emergency turnaround. There is inadequate storm water drainage, inadequate parking, and only one fire hydrant. The project was admittedly designed to fit in with the Brenkle Court project, not the historic houses on the street as required by the General Plan. The impact of this project on the environment – from the standpoints of public health and safety, circulation, and historic resources – cannot be disputed by any reasonable person. Clearly, the preparation of an EIR is mandated.

C. The Planning Department's Attempt to "Muzzle" the Planning Commission by Claiming That the Commission and the City Have No Authority/Discretion to Address Potential Environmental Impacts Associated with the Project Is Wrong and Obstructive

In an apparent effort to dictate the outcome of the hearing before the Planning Commission, the Planning Department – in its staff report and at the public hearing – decreed that:

[T]he City's discretion, and thus scope of its CEQA review, is limited to architectural design issues such as scale, orientation, bulk, mass, materials and colors, and it has no authority or ability to meaningfully address non-design related issues or impacts by imposing conditions of approval or mitigation measures. As an example, this limitation excludes issues or impacts related to the presence of known low-level soil contamination on the project site from the City's design review discretion and scope of its CEQA review because, under the requested Design Review entitlement, the City has no discretion or authority to address such non-design related issues. In such situations, where an agency's discretion to



deny or condition a particular activity is limited, its approval decision is considered ministerial and CEQA does not apply or CEQA review is limited to the extent of the discretion.

In other words, the Planning Department has decreed that the Planning Commission and the City have no authority to follow CEQA – a very important state law – and require an EIR where the facts show there is substantial evidence supporting a fair argument that the project may have significant nonmitigable effects on the environment. This is an incredible interpretation of the law. In a nutshell, even though there are beyond any doubt toxic chemicals on the site, the Planning Commission and the City can take no action except to comment on the “design” of the project!

And, even though McCorkle Avenue is not a public street and has no turnaround for emergency vehicles at the end of the dead-end street, the Planning Commission and the City – *according to the Planning Department* – can suggest only that the color of paint proposed for the project’s exterior should be changed, or the size of the front door should be enlarged, or the windows should have tinted glass. Apparently, it does not matter to the Planning Department that the General Plan requires the City to take action to protect residents against toxic waste, to ensure projects are consistent with public health and safety, and to ensure traffic and circulation issues be dealt with before a project is approved. Apparently, it makes no difference to the Planning Department that the project is located in a Historical District with no less than four houses dating from 1885 to 1910 that are recognized to be historically significant.

The citations to the CEQA guidelines and the two cases on page 15 of the staff report (one of which is not published and should not have been cited) do not advance the Planning Department’s thesis. Moreover, the Planning Department’s position that the Planning Commission and City have only a “ministerial” function to perform (i.e., they can only “rubber stamp” the Planning Department’s conclusions) is belied by the extensive “discretionary”

conditions imposed on the Applicant in the Conditions of Approval for the Demolition Permit. These conditions were imposed by the Planning Department, the Public Works Department, the Building Department, and the Fire Department. The conditions include:

- Remediating the site to the satisfaction of the Napa County Environmental Health Department.
- Screening and securing the site “to minimize potential impacts to the neighborhood and surrounding community.”
- Limiting construction activities that generate noise to certain hours.
- Limiting delivery of materials and equipment, and cleaning and servicing machines/equipment to certain hours.
- Preparing a grading and drainage plan and erosion control plan for review and approval by the City Engineer.
- Routing drainage to prevent inundation of neighboring properties.
- Submitting a grading and/or site improvement plan and a drainage and hydrology analysis for the project’s impact, including downstream erosion potential, to the Public Works Department.
- Incorporating water conservation practices into the project per the Theoretical Water Use Report prepared by Nest Properties, including certain offsite retrofits.
- Preparing a Post-Construction Stormwater Control Plan and submitting for review approval.
- Preparing a Post-Construction Stormwater Operations and Maintenance Plan showing all storm drain and water quality infrastructure that is to be maintained along with detailed

instructions and schedules for on-going maintenance and operation.

- Entering and Recording a Post-Construction Stormwater Operations and Maintenance Agreement with the City.
- Preparing and submitting for review a detailed Soils Investigation/Geotechnical Report addressing, at a minimum, potential for liquefaction, R-values, expansive soils, and seismic risk.
- Providing an assessment of the existing structures for the presence of asbestos and lead based paint.
- Abandoning any existing wells, septic tanks, and/or underground fuel tanks.
- Providing a tree protection plan for approval by the Public Works Director.
- Constructing a sewer main in accordance with City standards.
- Constructing standard frontage and ADA-compliant improvements along the property front including driveway, sidewalk, curb, gutter, and any needed pavement widening
- Preparing a construction waste management plan.

Each of the above items is the *result of discretionary decision making* by City employees. *Yet, according to the Planning Department, the Planning Commission and the City Council have no authority to address, review, comment on, or modify any of these requirements because – so the argument goes – the Planning Commission and the City really have only “ministerial” discretion over this project.* This means the Planning Department is exempt from any oversight or direction from either the Planning Commission or the City Council.

The Planning Department already has effectively limited the Planning Commission’s review of this project to “design issues.” That was wrong. If the

Planning Commission really cannot evaluate whether this project is CEQA exempt, or whether any of the conditions imposed on the developer by the Planning Department are in fact correct, then the Planning Commission has truly been “muzzled.”

The bottom line is simply that the Planning Department does not trump CEQA – and neither does the St. Helena Municipal Code nor any zoning ordinances. Nor does the Planning Department trump the City’s obligations to follow the mandates of the General Plan. It is ridiculous to contend – as the Planning Department apparently does – that the City should stand idly by while toxic chemicals are leaching into the soil and possibly the ground water, and should allow a developer to build apartments on a private street that has no turnaround for emergency vehicles and has only one fire hydrant.

It is equally ridiculous to contend that the only way to correct the toxic waste problem on the McGrath site is to build this project. Because even the testing already done by the developer shows with certainty that toxic chemicals are in the property’s soil, **it is the obligation of the City to ensure the site is cleaned up whether this project is approved or not. Protecting the public health and safety demands it, and the General Plan requires it.**

The City Council needs to step up and straighten out this mess that the Planning Department has created. There needs to be an EIR so there is a full and complete understanding of the nature and extent of the toxic contamination and whether or not there is a threat to the groundwater. There needs to be an EIR so the impacts of adding perhaps as many as 80 new residents on McCorkle Avenue can be addressed in terms of traffic, circulation, and public health and safety. The City needs to deal with the fact that it is forcing high density housing on a rural street the City does not even own – and it is doing so in the face of almost complete opposition from the McCorkle Avenue residents. The City needs to either take steps to purchase the street and improve it or stop forcing the residents who do own the street to deal with the consequences of the City’s desire to make one side of McCorkle Avenue into a row of apartment houses. If it intends to keep approving multi-

family housing on the North side of the street, the City needs to face up to the lack of an emergency turnaround on McCorkle Avenue, and it needs to deal with the lack of storm drains and fire hydrants. The Brenkle Court project is expected to add 19 children to the existing residents of McCorkle Avenue – at the very least, the City owes it to these children to straighten out the toxic chemicals issue and the fact that these children will have nowhere to play except in the street with way too many cars, construction equipment, delivery trucks, and other vehicles. Unfortunately, the City has no parks in this area of town.

D. The City Council Needs to Act on This Appeal

This Appeal is supported by the residents of McCorkle Avenue and Kidd Ranch Road. They are vigorously opposed to what the City is allowing to happen to their neighborhood. This situation needs to be fixed, and it needs to be fixed now. It is completely irresponsible to allow the McGrath project to go forward without a complete EIR.

Finally, McCorkle Avenue is not an appropriate location for high density housing in the City. Putting high density housing in locations where there is inadequate or non-existent infrastructure is not responsible. Building multi-family housing is a goal we can all get behind, but building that property in locations that put the very residents needing such housing at risk is not only unreasonable, it is a breach of the City's responsibilities. The City's first obligation is to ensure the health and safety of its residents. *With this project and others, however, one might conclude that the City believes its first responsibility is to the developers* irrespective of the consequences to current and future residents living on the sites where these projects are proposed.

We request the City Council revoke the actions taken by the Planning Commission, deny the Demolition Permit and Design Review application, and insist on an EIR for the project. We also request that the City take action to ensure that the parcel at 632 McCorkle Avenue – and adjacent property and groundwater –are comprehensively tested for toxic waste and any potential

contamination of the ground water, and that the site be completely cleaned up in order to comply with the City's General Plan.

We also note that the Planning Department – despite our inquiry – has not confirmed that the plans for the project were prepared by a licensed California architect.

Finally, we object to the City's all too transparent efforts to thwart and discourage residents from filing appeals to the City Council by (a) charging exorbitant fees for filing an appeal, and (b) purporting to extract an agreement from the appellant as a condition of the appeal to indemnify the City for any claims or actions arising from "an approval of the City concerning the project." We are not sure what this language means or how it might apply to our clients. However, while we are paying (under protest) the filing fee for this Appeal, we will not agree to indemnify the City for its own errors and omissions, including those of its Planning Department and Planning Commission.

Thank you for your consideration of this Appeal.

Sincerely,



David S. Bradshaw

DSB:gkb

Enclosures

*cc (w/encls., via e-mail):*

Alan Galbraith, Mayor

Peter White, Vice Mayor

Paul Dohring, Council Member

Mary Koberstein, Council Member

Geoff Ellsworth, Council Member

Jennifer Phillips, City Manager



Cindy Black, City Clerk  
City Council  
City of St. Helena  
December 19, 2016  
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Bobbi Monnette, Planning Commissioner  
Sarah Parker, Planning Commissioner  
Tracy Sweeney, Planning Commissioner  
Noah Housh, Planning and Community Improvement Director  
Thomas Brown, City Attorney

ATTACHMENT TO APPEAL  
SUBMITTED BY  
MCCORKLE EASTSIDE NEIGHBORHOOD GROUP  
AND  
ST. HELENA RESIDENTS FOR AN EQUITABLE GENERAL PLAN

**1. Other Parties to Receive Correspondence and Notices**

Victoria L. Bradshaw  
708 Hunt Avenue, St. Helena, CA 94574

**2. Action Being Appealed**

- a. Planning Commission's approval on December 6, 2016 of Demolition Permit and Design Review for McGrath project at 632 McCorkle Avenue, St. Helena, California.
- b. Planning Commission's decision on December 6, 2016 that the McGrath project is exempt from CEQA because of the Class 32 Categorical Exemption from CEQA.
- c. Planning Commission's failure on December 6, 2016 to require the preparation of an Environmental Impact Report prior to approval of this project.
- d. Planning Commission's failure on December 6, 2016 to follow the 1993 General Plan and particularly Safety Element Policy 8.5.2, Safety Element Policy 8.5.7, and Historic Resources Element 7.5.9.

**3. Action Requested by Appellant**

- a. City Council's rescission of Planning Commission's decision to approve Demolition Permit and Design Review for McGrath project at 632 McCorkle Avenue, St. Helena, California.
- b. City Council's decision that the McGrath project is not exempt from CEQA.
- c. City Council's decision to require the preparation of an Environmental Impact Report prior to approval of this project.
- d. City Council's decision to require the developer to comply with the 1993 General Plan, including Safety Element Policy 8.5.2, Safety Element Policy 8.5.7, and Historic Resources Element 7.5.9.



- e. City Council's decision to require appropriate testing to determine the full extent of the toxic contamination on the project site and the adjacent properties, and to determine whether, and to what extent, toxic chemicals have leached into the groundwater beneath and within the vicinity of the site (including the City's well and any other wells in the vicinity).

#### **4. Reason for Appeal**

The reasons for this appeal are set forth in detail in the accompanying letter to the City Clerk and City Council. This appeal is supported by the public written and oral comments submitted to the Planning Commission at or prior to its December 6, 2016 meeting, the entire administrative record of the matter including the video of the public hearing on December 6, 2016, the 1993 General Plan, the letter to the City Council and City Manager from Dr. Paul Skinner dated December 19, 2016, and any other written or oral public comments addressed to the City Council relative to this matter.

## Representing Management Exclusively in Workplace Law and Related Litigation



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December 6, 2016

RECEIVED  
PLANNING DEPARTMENT

DEC 20 2016

City of St. Helena

***Via Hand Delivery  
and Electronic Mail***

Grace Kistner, Chairperson  
Planning Commission  
City of St. Helena  
1480 Main Street  
St. Helena, CA 94574

Cindy Black, City Clerk  
City of St. Helena  
1480 Main Street  
St. Helena, CA 94574

Re: Planning Commission Agenda Item 5.1, Planning Commission Meeting and Public Hearing on December 6, 2016

Dear Ms. Kistner, Ms. Black, and Members of the Planning Commission:

This letter is submitted on behalf of McCorkle Eastside Neighborhood Group and St. Helena Residents For An Equitable General Plan (collectively "Commenters") to provide public comments on the pending Request by Joe McGrath for "Demolition Permit and Design Review approval to demolish an existing single-family home in order to construct an eight-unit multi-family dwelling on the property located at 632 McCorkle Avenue in the HR: High Density Residential district." (Agenda Item 5.1)

Commenters request that the Planning Commission and City Council reject the Planning Department's proposed findings and recommendations and deny the requested demolition permit and design review. In particular,



Grace Kistner, Chairperson  
Cindy Black, City Clerk  
City of St. Helena  
December 6, 2016  
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Commenters request that the Planning Commission and City Council reject the Planning Department's proposed CEQA Determination that "[t]his project is categorically exempt from the requirements of CEQA pursuant to CEQA Guidelines Section 15332." In fact, as explained below, the proposed project is not exempt from the requirements of CEQA and does not qualify for exemption as an in-fill development pursuant to CEQA Guidelines section 15332.

Commenters also request that the Planning Commission and City Council reject the Planning Department's assertions that the City lacks "authority/discretion to consider or address potential impacts associated with the project's proposed residential land use," and the City "has no authority or ability to meaningfully address non-design related issues and impacts by imposing conditions of approval and mitigation measures." The Planning Commission and City Council also should reject the following assertions by the Planning Department in its staff report:

[T]his limitation excludes issues or impacts related to the presence of the known low-level soil contamination on the project site from the City's design review discretion and scope of its CEQA review because, under the requested Design Review entitlement, the City has no discretion or authority to address such non-design related issues. In such situations where an agency's discretion to deny or condition a particular activity is limited, its approval decision is considered ministerial and CEQA does not apply or CEQA review is limited to the extent of the discretion.

The CEQA regulations and decisions focus on whether the agency has the authority under its code to shape the project to address environmental impacts. Here, under the Zoning Ordinance's design review provisions, the Planning Commission has no authority to regulate or shape the project's residential land use to address non-design related issues. For this reason, and because staff deemed



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Cindy Black, City Clerk  
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the project consistent with the Class 32 in-fill exemption and sees no aesthetic issues or impacts stemming from the project's architectural design, the project is exempt from CEQA.

In an nutshell, the Planning Department appears to be arguing that it has no authority to address the serious contamination of the project site with heavy metals and other hazardous chemicals (which it mischaracterizes as "low-level soil contamination"), and it must allow the project to proceed even if the site is seriously contaminated, because the City has only "ministerial" as distinguished from "discretionary" authority to act with respect to this high density project. This cannot be correct.

Additionally, the Planning Department seems to be asserting that the City can only act with respect to "design issues." Shockingly, it also asserts that the Planning Department staff "sees no aesthetic issues or impacts stemming from the project's architectural design." In fact, there are four historic houses across the street from the project, the project is located in the Charter Oak Historic Resources District, and the Historic Resources Element of the 1993 General Plan (Implementing Policy 7.5.9) requires that new buildings must be designed to be consistent with the pattern and character of existing historic buildings. The design of the McGrath project is consistent with that of a modern suburban townhome, not with the character of the existing historic houses (built between 1885 and 1910) on McCorkle Avenue. Clearly, the design of this project should not be approved by the Planning Commission and the City Council because it violates the General Plan.

In sum, Commenters request that instead of approving the McGrath project, the Planning Commission and City Council should require that an environmental impact report ("EIR") be prepared because there is substantial evidence, and a fair argument, that the project will have significant unmitigable impacts on the environment.



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Cindy Black, City Clerk  
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These impacts include, without limitation:

- a. Significant Public Health and Safety Impacts due to hazardous materials in the soil on the property and possible pollution of the ground water;
- b. Significant Circulation, Public Health and Safety, Air Quality and Noise Impacts due to heavy traffic congestion, with accompanying noise and hazardous fumes, on McCorkle Avenue and adjacent streets during construction of the project; and the cumulative impact if construction takes place simultaneously with the anticipated construction of the Brenkle Court project at 684 McCorkle Avenue;
- c. Significant Circulation and Public Health and Safety Impacts due to heavy traffic congestion on McCorkle Avenue following construction of the project; and the cumulative impact due to the Brenkle Court project;
- d. Significant Circulation Impacts due to the fact that a large portion of McCorkle Avenue is privately owned, and construction workers and equipment cannot enter the project site except by trespassing on those portions of McCorkle Avenue that are private property;
- e. Significant Circulation Impacts due to the lack of public parking on McCorkle Avenue for the numerous new residents who will be living in the McGrath project, their business and social visitors, UPS, Federal Express, and other delivery personnel, contractors and handy persons; and the cumulative impact due to the additional residents living in the Brenkle Court project;
- f. Significant Public Health and Safety and Circulation Impacts due to the fact that McCorkle Avenue is a dead-end street and has no turnaround for emergency vehicles, as well as construction vehicles and equipment;



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- g. Significant Public Health and Safety Impacts due to the lack of required infrastructure on McCorkle Avenue to support the project, including adequate storm drains and fire hydrants;
- h. Significant Cultural Resources Impacts due to the project's design which is inappropriate for the Charter Oak Historic Resources District and contrary to the Historic Resources Element of the 1993 General Plan.

Given these and other significant environmental impacts, it is clear that an EIR is necessary to analyze the impacts and determine if and to what extent they may be mitigated. CEQA mandates the preparation of an EIR under these circumstances, and for the reasons discussed below, the project does not meet the requirements of a categorical exemption, as erroneously concluded by the Planning Department.

Commenters have standing to raise these issues because McCorkle Eastside Neighborhood Group is an unincorporated neighborhood association comprised of residents and homeowners who live on and near McCorkle Avenue and who will be directly and adversely affected by the current project and its numerous ill effects on their neighborhood, their property and their quality of life. St. Helena Residents For An Equitable General Plan also has standing because its members are St. Helena residents who live on the East side of the City where McCorkle Avenue is located and seek to enforce and improve the provisions of the General Plan, including the Housing and Historical Resources Elements.

**SUBSTANTIAL EVIDENCE COMPELS THE  
CONCLUSION THAT AN EIR MUST BE PREPARED**

Public Resources Code section 21080(d) provides as follows: "If there is substantial evidence, in light of the whole record before the lead agency, that the project may have a significant effect on the environment, an environmental impact report shall be prepared." As explained by the Court of Appeal in *Preserve Poway v. City of Poway* (2016) 245 Cal.App.4th 560:

Under CEQA, an agency must require an EIR for any project that "may have a significant effect on the

environment," unless a categorical exemption applies. [citing CEQA Guidelines] An EIR is the "heart" of CEQA because it is the principal method for bringing information about the environmental impacts of a particular project to the attention of the agency and the public. [citation omitted]

Where an agency determines that a project "would not have a significant effect on the environment," it must prepare a negative declaration, briefly describing the reasons for its determination. [citation omitted] Such a determination is appropriate only if "[t]here is no substantial evidence in light of the whole record before the [public] agency" that a significant environmental impact may occur as a result of the proposed project. [citation omitted; emphasis added] A "significant effect" is a substantial or potentially substantial adverse change in the environment. [citation omitted]

If there is substantial evidence that the project will have a significant environmental effect, but that effect may be reduced to a level of insignificance by implementing mitigation measures, the agency may adopt [a mitigated negative declaration] allowing the project to go forward subject to those measures. [citations omitted]

...

Under CEQA, the "environment" means "the physical conditions which exist within the area which will be affected by a proposed project, including land, air, water, minerals, flora, fauna, noise, objects of historic or aesthetic significance." [citation omitted]

In *Pocket Protectors v. City of Sacramento* (2004) 124 Cal.App.4th 903, 926, the Court of Appeal stated that "[t]he foremost principle under



CEQA is that the Legislature intended the act 'to be interpreted in such manner as to afford the fullest possible protection to the environment within the reasonable scope of the statutory language.'" Moreover:

If there is substantial evidence in the whole record supporting a fair argument that a project may have a significant nonmitigable effect on the environment, the lead agency shall prepare an EIR, even though it may also be presented with other substantial evidence that the project will not have a significant effect. [citations omitted] . . .

"Substantial evidence" means "enough relevant information and reasonable inferences from this information that a fair argument can be made to support a conclusion, even though other conclusions might also be reached." [citation omitted] Substantial evidence "shall include facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts. [citation omitted]

*Id.* at 927.

Significantly, the Court of Appeal in *Pocket Protectors* emphasized that "[r]elevant personal observations of area residents on nontechnical subjects may qualify as substantial evidence for a fair argument," and "expert testimony for fair argument purposes need not meet standard required of such testimony at trial." Expert opinion, if supported by facts, qualifies as substantial evidence for a fair argument even if not based on specific observations of the site under review. *Id.* at 928.

Thus, the "fair argument" standard is a "low threshold" test for requiring the preparation of an EIR. *Id.* The preparation of an EIR – even though there may be conflicting evidence – is required if any *substantial evidence* supports the existence of a significant effect on the environment. As stated in CEQA Guidelines section 15064(f)(1):





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If the lead agency determines there is substantial evidence in the record that the project may have a significant effect on the environment, the lead agency shall prepare an EIR (*Friends of B Street v. City of Hayward* (1980) 106 Cal.App.3d 988). Said another way, if a lead agency is presented with a fair argument that a project may have a significant effect on the environment, the lead agency shall prepare an EIR even though it may also be presented with other substantial evidence that the project will not have a significant effect (*No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68).

Here, as demonstrated below, substantial evidence supports a fair argument that the project will cause significant adverse impacts to the environment, such that an EIR is mandated.

**THERE IS SUBSTANTIAL EVIDENCE**  
**SUPPORTING A FAIR ARGUMENT THAT**  
**THIS PROJECT WILL HAVE SIGNIFICANT UNMITIGABLE**  
**PUBLIC HEALTH AND SAFETY IMPACTS DUE TO**  
**HAZARDOUS MATERIALS IN THE SOIL ON THE PROPERTY**

It is uncontroverted that the proposed project is located on a site polluted with hazardous materials, including gasoline range organics, diesel range organics, heavy range organics, volatile organic compounds, cadmium, chromium, lead, nickel and zinc. (See Table 1, Soil Sample Analytical Results, EBA Project No. 16-2355) The previous owner of the site apparently collected a variety of vehicles and equipment and disposed of gasoline, diesel fuel and other chemicals from these vehicles and equipment by dumping them on the site. (See photographs of site attached to letter from Paul Skinner, Ph.D., an expert soil scientist, that is attached hereto as Attachment 1). The present owner of the property and proponent of the project retained EBA Engineering, a firm in Santa Rosa, California, to prepare an environmental transaction screen report for the site. However, the report prepared by EBA examined only a portion of the site and conducted only a limited number of tests on soil samples extracted from the site. Despite its limited scope, the report prepared by EBA, dated



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October 28, 2016, actually confirms the extensive contamination of the site. The extent of the contamination – as it is presently known – is discussed in Dr. Skinner’s letter and can be seen visually on the Terra Spase Terroir Chemical Maps of Surface Zinc, Surface Chromium, and Surface Lead attached to Dr. Skinner’s letter.

The EBA report – by itself – establishes the need for an EIR and an independent in-depth study to determine the extent of the contamination of *the entire property and not just the limited portion of the property examined by EBA.* The report by EBA – inappropriately – fails to explain why it examined only a portion of the property and not the entire property, when it was clear that at least part of the property was seriously contaminated. While the EBA report suggests that the contamination it detected could be mitigated by removing contaminated soil from the site, it did not establish that the contamination was limited to the relatively small portion of the property from which it took soil samples. It also did not conclusively rule out the migration of contaminants into adjacent property and soil depths that it did not examine, nor did it explore or analyze the possible migration of the hazardous materials into ground water beneath the property.

The Terra Spase Terroir Chemical Maps of Surface Zinc, Surface Chromium, and Surface Lead attached to Dr. Skinner’s letter suggest that these hazardous chemicals may have migrated into the property adjacent to the McGrath parcel. If so, the hazardous substances problem is not limited to the McGrath parcel but may also require testing and remediation of adjacent properties – as well as testing of the groundwater that may have been polluted by these chemicals.

The limitations and deficiencies of the EBA report have been pointed out in the letter prepared by Dr. Skinner, who owns a vineyard fronting on McCorkle Avenue and lives on adjacent Kidd Ranch Road. As Dr. Skinner points out, his own well is less than 100 yards from the contaminated McGrath site, and one of the City’s main wells is less than 1,000 yards from the contamination. Dr. Skinner is understandably concerned about “the safety of the groundwater resources in this area” due to the contamination on the McGrath site. He notes that the EBA report failed to examine existing conditions that could have led to the pollution of shallow groundwater resources.

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Moreover, the EBA report is inadequate for a variety of reasons, including the fact that the samples were taken using a two-inch diameter hand auger. The auger could not penetrate the extremely compacted cobble and gravel laden subsurface layer typical of the soil profile in the area, and this prevented adequate sampling. EBA also failed to consider the results of its sampling suggesting that lead was being retained at the 18- to 24-inch level where the soil consists of fine silt particles mixed with gravel, and is being leached into deeper soil depths where the soil consists only of gravel. The EBA report also failed to consider contaminated surface soil movement onto adjacent properties and the street due to inadequate storm water drainage during high precipitation events.

Dr. Skinner also has explained in his letter that the EBA report shows:

- Heavy metal contamination throughout the McGrath parcel.
- Lead levels at approximately 10 times the ESL (Effects Screening Level) levels.
- Significantly high chromium levels (a carcinogen) for which there is currently no ESL level.
- Zinc levels over 100 times the normal concentrations found in St. Helena vineyards.

The EBA report is nothing but a strong message that an EIR, including a comprehensive analysis of the contamination of the entire property, including the ground water, is mandated and must occur before a decision can be made that the residents – including children – living in the proposed project will not be at risk. In this regard, it appears that the “common area” for the project, where children might play, was not sampled by EBA. The EBA report is not in any sense exculpatory; rather, it is clear proof that the proposed project presents a serious risk to the health of future tenants of the project (especially children) and other residents of St. Helena.

Even if the property owner were to remove the admittedly contaminated soil identified by EBA, it would not solve the problem of whether the rest of the property was contaminated, or whether the contamination has seeped further into the soil or into the ground water. We know – because of the EBA report – that part of the site is contaminated.



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We do not know – given the limited scope of the EBA report – if some or all of the rest of the site is contaminated. This – in and of itself – requires the preparation on an EIR.

The City needs an EIR in order to determine whether – or how – a project such as the one proposed by the owner could possibly be allowed to proceed. As things stand now, the project could be a recipe for a disaster – especially for the children who might come to live there.

Totally apart from the legal issues pertinent to this project, City officials clearly have a *civic and moral duty* to make sure that dangerous chemicals are not leaching into the ground water or migrating to other properties. Despite its flaws, the EBA report puts the City and the developer on notice regarding this serious situation. The solution proposed by the Planning Department – removing a few inches of polluted soil and replacing it with new soil – just covers up the problem.

**THERE IS SUBSTANTIAL EVIDENCE**  
**SUPPORTING A FAIR ARGUMENT THAT**  
**THIS PROJECT WILL HAVE SIGNIFICANT UNMITIGABLE**  
**CIRCULATION, PUBLIC HEALTH AND SAFETY,**  
**AND AIR QUALITY AND NOISE IMPACTS**

The site of the proposed project – on McCorkle Avenue between Allison Avenue and the end of the street across from the Moody property – is not a typical street in St. Helena. McCorkle Avenue is not a dedicated street owned by the City. Rather, it is a privately-owned street, although the City may own a small portion of it (such as the portion of the street in front of the Brenkle Court project, which apparently was dedicated to the City as part of the Brenkle affordable housing development). Note that McCorkle Avenue is not listed in the City's Municipal Code section 10.20.020 as a private road open for public use.

The owners of the street named McCorkle Avenue, for the most part, are residents whose property lines extend to the mid-point of the street. This is particularly true of the property on the North side of the street, whose owners have property lines – according to the Napa County Assessor – that extend to the center of the street. Several property owners



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on the South side of the street also have property lines that extend to the middle of the street. For example, the Moody property at the South end of McCorkle Avenue extends to the middle of the street. And, there is at least one parcel – in front of 681 McCorkle Avenue – that is owned by two individuals who do not even reside on McCorkle Avenue.

Attached as Attachment 2 to these Comments are maps obtained from the Napa County Assessor showing the parcels on both sides of McCorkle Avenue from approximately Mariposa Lane to the end of the street (with some notations added to indicate the names of the property owners, etc.). With one exception, the maps show that the property lines of the parcels on the North side extend *to the middle of the street*. At the end of the street, the entire street is privately owned. The same is true of the part of the street in front of the Fisher and Skinner parcels and the intersection of McCorkle Avenue and Kidd Ranch Road (a short rural street with its own dead end).

The third map shows McCorkle Avenue outlined in yellow, with the parcel in front of the Fisher and Skinner parcels and the intersection of Kidd Ranch Road outlined in red. While McCorkle Avenue is a dead end, the map shows in yellow where a turnaround would have to be constructed to enable emergency vehicles to turn around, namely, on the Moody, Castellucci and Particelli properties. Absent purchase of the property or eminent domain proceedings by the City, there is no possible way to provide a turnaround on McCorkle Avenue for emergency vehicles. This is a huge safety issue, especially given the fact that the proposed high density project, together with Brenkle Court, likely will increase the number of residents who live on McCorkle Avenue from approximately 40 to approximately 120 residents (an approximate 200% increase).

The maps also show that there is little or no place for public parking on McCorkle Avenue – at least without trespassing on someone else's property. In this connection, the "Parking Requirements" in the 2016 Napa County Road & Street Standards state that "[f]ull street parking, consisting of two parallel parking lanes, is required adjacent to lots for all high-density developments, whether in hill areas or flatland areas." [p. 11] The Standards also mandate that "[e]ach dead-end road shall have a turnaround constructed at its terminus." [p. 17] Similarly, the Public Safety Element of





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the 1993 St. Helena General Plan requires at Implementing Policy 8.5.8 on page 8-18 that the City "[e]nsure that all streets and roads are adequate in terms of width, turning radius, and grade to facilitate access by City fire fighting apparatus, and to provide alternate emergency ingress and egress."

In connection with this project, a traffic impact analysis was conducted by a consulting firm, Transpedia Consulting Engineers. However, this analysis was concerned only with the "level of service" ("LOS") at intersections near McCorkle Avenue. It did not even consider the impact on traffic on McCorkle Avenue resulting from the Brenkle Court project and the proposed McGrath project at 632 McCorkle Avenue. This is a glaring omission, because the pending project and the Brenkle Court project will necessarily lead to a huge increase of traffic on McCorkle Avenue. It is anticipated that 40 people (including 19 children) will live at Brenkle Court, and it can be assumed that approximately the same number will occupy the McGrath apartments.

Even a cursory look at the maps shows that the construction of high density housing on McCorkle Avenue will be a complete nightmare, especially if the Brenkle Court construction occurs at the same time as the McGrath construction. There is simply no place for construction vehicles to park, to turn around, and to offload equipment and supplies, and there is no place for construction workers, supervisors, inspectors, etc. to park. The construction process (which could go on for several years, especially in the case of Brenkle Court) will have a significant adverse impact on air quality and noise levels for the residents of McCorkle Avenue. These impacts are increased by the City Council's recent decision to allow construction on the Brenkle Court project to proceed on all days of the week (including Sunday), with the exception of a few major holidays. The Planning Department will allow construction on the McGrath site to proceed Monday through Saturday, with deliveries of materials and equipment permitted from 7:00 a.m. to 6:00 p.m.

Clearly, the circulation impacts of the proposed project are not mitigable. McCorkle Avenue is a small rural road that is ill-suited to the high density projects the City seemingly wants to encourage. However, neither contractors nor the residents of the proposed project have any right to trespass on the private property of the current residents, who also own most



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of the street. It will be impossible for construction to go on without constant trespassing on private property by construction trucks and equipment. And, the new residents have no right to use the privately-owned portions of McCorkle Avenue to go to and from their apartments, and they and their guests and visitors (including Federal Express, UPS and other delivery vehicles) have no right to park on (or even drive on) the portions of the street that are privately owned. Simply stated, the proposed McGrath project is located on an island surrounded by private property.

Of course, there are major liability issues due to the privately-owned street. If accidents occur on private property (which probably are inevitable due to the narrow street and the many construction vehicles), the owners may be sued. Cf. Municipal Code § 12.08.025. This is an extremely significant issue – for which there is no easy answer.

It is hard to envision the complete “mess” McCorkle Avenue will become if construction of the Brenkle Court project occurs at the same time that construction of the proposed McGrath project at 632 McCorkle Avenue occurs. Clearly, there will be very serious environmental impacts during the construction process – as well as during the post-construction process – that need to be analyzed by an independent EIR. These involve circulation with respect to McCorkle Avenue, as well as noise, air quality and public safety, both during and after construction. Again, if the construction of the Brenkle Court project occurs at the same time construction of the proposed McGrath project occurs, the cumulative impact will be unbearable for most residents of McCorkle Avenue. The Brenkle and McGrath projects are on the same side of the street and are separated by only two lots. They are very close to each other, which compounds the traffic problems. At the least, a good argument can be made that the McGrath project should be held in abeyance until the Brenkle Court project is completed. This also would allow time for the preparation of the EIR, analysis and remediation of the contamination on the site, actions by the City to improve the street in terms of storm drains, fire hydrants, and a compliant turnaround, and redesign of the project in accordance with the Historical Resources Element.

Clearly, an EIR is necessary to assess the significant cumulative impacts on traffic and circulation on McCorkle Avenue during and after construction as a result of the two high density projects which may increase



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the number of residents living on McCorkle Avenue by approximately 200%. Such an EIR is also necessary to assess the cumulative impacts of the two projects on public health and safety, air quality, and noise.

**THERE IS SUBSTANTIAL EVIDENCE  
SUPPORTING A FAIR ARGUMENT THAT THIS PROJECT  
WILL HAVE SIGNIFICANT UNMITIGABLE  
PUBLIC HEALTH AND SAFETY IMPACTS**

As discussed above, the proposed McGrath project presents huge health and safety risks due to the uncontroverted evidence that the site is permeated with hazardous materials, including gasoline range organics, diesel range organics, heavy range organics, volatile organic compounds, cadmium, chromium, lead, nickel and zinc. Needless to say, the presence of these hazardous materials represents unmitigable health and safety risks to residents of the proposed McGrath project.

With respect to public safety, the 1993 General Plan in the Public Health and Safety Element states, in Section 8.5.7, that the City will "[e]nsure that all streets and roads are adequate in terms of width, turning radius, and grade to facilitate access by City firefighting apparatus, and to provide alternative emergency ingress and egress." Unfortunately, McCorkle Avenue is a private street that dead-ends without providing emergency vehicles with an ability to turn around. The street does not have an adequate space for emergency vehicles to respond to an emergency, let alone turn around. Simply stated, the street is a rural road that does not have an adequate turnaround – especially given the fact that the end of the street is not publicly – but rather privately – owned.

Additionally, if the City intends to comply with the 1993 General Plan, it will need to comply with the Transportation Element, which provides that local streets should have a paved width of 36 feet (Transportation, section 5.5.2). McCorkle Avenue presently does not meet this standard.





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**THERE IS SUBSTANTIAL EVIDENCE**  
**SUPPORTING A FAIR ARGUMENT THAT THIS PROJECT**  
**WILL HAVE SIGNIFICANT UNMITIGABLE**  
**CULTURAL RESOURCES IMPACTS**

The Planning Department is seemingly oblivious to the adverse impact of the pending project on important historical resources in the Charter Oak Historical Resources District. On McCorkle Avenue, from the intersection of Allison Avenue and McCorkle Avenue, there are four houses designated as historical or architectural sites on the City's Master List of historical or architectural sites. They are located at 835 McCorkle Avenue (1885 Hip Roof Cottage), 741 McCorkle Avenue (1885 Greek Revival Cottage), 681 McCorkle Avenue (1910 Bungalow with dormer), and 609 McCorkle Avenue (1895 Queen Anne Farmhouse). These houses are listed on the City's Master List of historical and architectural sites in the 1993 General Plan (see 12.0 Appendix A: Historical Resources).

The design of the proposed McGrath apartment complex is completely inconsistent with the General Plan's Historic Resources Element. Implementing Policy 7.5.9 expressly provides: "Require new development in or adjacent to historic areas or buildings to be compatible in pattern or character with existing historic buildings." Here, the proposed multi-family apartment house is not compatible in any respect with the historic and architecturally significant design of the houses adjacent to it.

Policy 7.6.2 sets forth the following action program:

Design Guidelines

As part of the urban design plan for the City, special attention should be devoted to design guidelines for alterations to landmarks and historic district buildings and for construction of new buildings adjacent to landmarks or in historic districts. The guidelines should be performance oriented rather than prescriptive. The guidelines might reference the Secretary's Standards or incorporate them in part or as a whole. The guidelines should strike a



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balance between the rights of property owners and the community's desire to protect its historic character and image.

Here, as clearly set forth in the comments submitted by McCorkle Avenue resident and Interior Designer Anne Fisher, who lives in one of the historic houses on the street, the design of the pending project is completely incompatible with the design of the historic neighborhood. Indeed, the materials submitted by the developer state that the project design was intended to be compatible with the Brenkle Court project, not the "historic district buildings" *as required by the General Plan*. The Design Review section of the staff report makes clear that the design of the McGrath project was not intended to be compatible with the historic houses on the street:

The façade of the building fronting McCorkle Avenue has been designed to resemble a single-family home. Furthermore, staff finds the project's design is consistent with modern multi-family housing projects and that the design is appropriate for High Density Residential District.

In this regard, the City is also at fault for failure to follow the mandate of the General Plan to develop design guidelines for construction of new buildings adjacent to landmarks or in historic districts. The lack of such guidelines is an additional reason for requiring an EIR for the McGrath project. The project – due to its design that totally ignores the requirement of design compatibility with the historic houses on McCorkle Avenue – will have a significant adverse impact on historic resources located on McCorkle Avenue.

The owners of the four historic houses on McCorkle Avenue have made great effort to preserve and restore these historic houses. One can only wonder why the Planning Department is willing to completely ignore the requirements of the General Plan designed to preserve the City's historic resources by allowing high density projects to be built on the same street with complete insensitivity to the General Plan's requirement that they be designed to be compatible in pattern and character with existing historic



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houses. Attached as Attachment 3 are photographs of two of the historic houses located on McCorkle Avenue: 609 and 681 McCorkle Avenue.

The Planning Department in its staff report on the pending project did not even mention the historic houses on McCorkle Avenue or the Historic Resources Element of the 1993 General Plan. One can only conclude that "staff" were unaware of its existence.

**THE LEGAL ARGUMENTS ADVANCED BY THE  
PLANNING DEPARTMENT TO AVOID THE  
PREPARATION OF AN EIR LACK MERIT**

As discussed in detail at the beginning of this letter, the City should not approve the McGrath project. Instead, the City should require that an EIR be prepared because there is substantial evidence, and a fair argument, that the project will have significant unmitigable impacts on the environment.

The evidence that the McGrath project will have "significant unmitigable impacts on the environment" has been summarized above. The evidence ranges from hazardous chemicals in the soil and possibly in the ground water to the traffic and circulation impacts due to putting high density housing on a privately-owned rural road with no turnaround for emergency vehicles, inadequate storm drains and fire hydrants, and no room for on-street parking. Moreover, the Planning Department is advocating for approval of a project that was designed without any apparent awareness of the existence of four historic houses on the same street, and without any attempt to comply with the Historic Resources Element of the 1993 General Plan.

Rather than doing the right thing and requiring the preparation of an EIR for the project, the Planning Department offers up several bogus legal arguments that it claims exempt the project from CEQA requirements. These arguments have no merit, but each is addressed below:



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**First Argument: No EIR is required due to Categorical Exemption 32 in the CEQA Guidelines, which exempts certain in-fill developments from CEQA requirements.**

The Planning Department, in its staff report, states: "Staff has conducted the required analysis under [CEQA] and concluded that the project is categorically exempt from the requirements of CEQA pursuant to CEQA guidelines Section 15332." Leaving to one side the fact that "staff" are not qualified to make such a legal conclusion, the report goes on to state the requirements for a Class 32 exemption:

- The project must be consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations;
- The project must occur within city limits on a project site of no more than five acres substantially surrounded by urban uses;
- The project must have no value for endangered, rare or threatened species;
- The project must not result in any significant effects relating to traffic, noise, air quality, or water quality; and
- The project must be adequately served by all required utilities and public services.

Not surprisingly, the "staff" concluded that each of these requirements had been met – when in fact at least three of the five requirements had not been met. Each of these three requirements is addressed below.

**1. The project is not consistent with the 1993 General Plan policies.**

The Planning Department's conclusion that the project is consistent with the 1993 General Plan is patently wrong. The project is inconsistent with at least the following important provisions of the 1993 General Plan:

- Safety Element Policy 8.5.2 (pp. 8-17): Protect St. Helena residents from health and safety impacts related to the use, storage, manufacture or transport of hazardous materials.

- Giving a free pass to the McGrath site polluted with hazardous chemicals, some of which may have entered the groundwater, is not consistent with this General Plan policy.
- To protect residents, the entire site – and adjacent sites – need to be tested, including underneath the cracked, oil-stained cement floors of the two outbuildings. The common area where children might play should also be thoroughly tested.
- Especially important is testing for groundwater contamination.
- Safety Element Policy 8.5.7 (pp. 8-18): Ensure that all streets and roads are adequate in terms of width, turning radius and grade to facilitate access by City firefighting apparatus, and to provide alternative emergency ingress and egress.
  - The project does not comply with this Element of the General Plan.
  - The width of McCorkle Avenue is non-compliant, and there is no turnaround for emergency vehicles on the street to facilitate access by Fire Department equipment; there is no alternative ingress and egress because McCorkle Avenue is a dead-end street. The street lacks storm drains and adequate fire hydrants.
  - The street cannot support an approximate 200% increase in the number of residents using the street – especially if private property rights are respected.
- Historic Resources Element Policy 7.5.9): Require new development in or adjacent to historic areas or buildings, to be compatible in pattern and character with existing historic buildings.
  - By admission of the developer, the McGrath project was designed to be compatible with the new Brenkle Court project and not with the four historic houses on McCorkle Avenue close to the project.

- No effort was made by the developer, or the Planning Department, to ensure that the project would be compatible with the existing historic houses.
- The design of the McGrath project is not compatible in pattern and character with the four existing historic houses on McCorkle Avenue.

**2. The project will have significant adverse effects relating to traffic, noise, air quality and water quality.**

As discussed above, the Brenkle Court and McGrath projects together may add approximately 80 new residents to the existing population of approximately 40 current residents on McCorkle Avenue. This will have significant effects on traffic, noise, air quality and water quality.

- Traffic on McCorkle Avenue will increase dramatically, given the approximately 80 new residents on McCorkle Avenue due to the Brenkle Court and McGrath projects. Many of these new residents will have cars.
  - McCorkle Avenue is a rural road that – for the most part – is privately owned and cannot possibly support a 200% increase in the population living on the street.
  - New residents will lead to an increase in visitors, delivery people, handy people, etc. driving and parking on McCorkle Avenue.
  - The increase in traffic will degrade air quality.
  - Given the large number of new residents and cars, there will be more noise.
  - During the construction of the McGrath project and Brenkle Court, McCorkle Avenue necessarily will be jammed with construction vehicles and equipment, as well as cars and trucks of workers, supervisors, inspectors and other persons.
  - During the construction of the McGrath project and Brenkle Court (which could go on for several years), air quality will go down and noise will increase greatly.



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- The cumulative effects of construction of the McGrath project and Brenkle Court will have serious negative impacts on traffic, noise and air quality.
- For reasons expressed by expert soil scientist, Dr. Skinner, there is good reason to fear that the hazardous waste in the soil on the McGrath project may have migrated to adjacent properties and can, or will, enter and pollute the ground water. The ground water in the vicinity of adjacent wells, including Dr. Skinner's own well 100 yards from the site, and a major City well 1000 yards from the site, needs to be analyzed immediately for the presence of hazardous chemicals.

**3. The project will not be adequately served by all required utilities and public services.**

Regrettably, the McGrath project will not be adequately served by all required utilities and public services. The street, McCorkle Avenue, is privately owned for the most part, is not sufficiently wide, has a dead end with no turnaround for emergency vehicles, and lacks sufficient on-street parking. Due to the narrow street, fire and other emergency services may not be able to adequately respond in the event of a fire or medical emergency. There is no operational storm drain infrastructure, and the street is not maintained by the City. Moreover, access will be seriously compromised during the construction of the Brenkle Court and McGrath projects, due to the construction and the many new residents who will be using the street.

Probably the biggest problem is the street itself, which is not a "dedicated" street owned and maintained by the City: Thus, the project will not be adequately served by a public street meeting all the requirements for a public street in St. Helena, including the proper width of the street and an emergency turnaround.

This serious problem cannot be mitigated, because the street is privately owned for the most part.

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**Conclusion: The requirements for application of Categorical Exemption 32 (in-fill projects) have not been met.**

The Planning Commission clearly had no basis for claiming an exemption from CEQA based on Categorical Exemption 32. At least three of the five tests for the categorical exemption have not, and cannot, be met.

**Second Argument: No EIR is required because the City lacks authority/discretion to address potential impacts associated with the project's proposed residential land use.**

This argument asserts that the City has no authority to address potential impacts of the project because it is located in a High Density Residential District and "[m]ulti-family residential land uses are permitted by right in the HR District." The argument also asserts that "the City's discretion, and thus the scope of CEQA review, is limited to architectural design issues."

According to this argument, the City is precluded from examining "non-design related issues or impacts by imposing conditions of approval or mitigation measures." This being the case – so the argument goes – the City cannot address "issues or impacts related to the presence of the known low-level soil contamination on the project site from the City's design review discretion and scope of its CEQA review because, under the requested Design Review entitlement, the City has no discretion or authority to address such non-design related issues." And, because the City's discretion to deny or condition a particular activity is limited, its decision to approve the McGrath project "is considered ministerial and CEQA does not apply or CEQA review is limited to the extent of the discretion."

This argument is both convoluted and nonsensical. The Planning Department seems to be asserting that the Planning Commission has no choice but to approve a project, such as the McGrath project, that is on a site polluted with hazardous chemicals, even though children will be occupying the polluted site, the street is totally inadequate and noncompliant, there are no functional storm drains and inadequate fire hydrants, and there is no turnaround for emergency vehicles. And, as discussed above, the project is in violation of various provisions of the



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1993 General Plan. Really? The Planning Commission's hands are tied, and it cannot comment on anything except design issues?

The two cases cited by the City for this proposition do not support it. Indeed, one of the cases was not approved for publication by the Court of Appeal and cannot be even cited. It has no value as precedent. Leaving that to one side, however, both cases cited by the City involved situations where a plaintiff was seeking to require a new EIR under circumstances where an EIR already had been certified at an earlier point in time. These cases, while interesting, have nothing to do with the present situation on McCorkle Avenue. They are irrelevant.

- In *San Diego Navy Broadway Complex Coalition v. City of San Diego* (2010) 185 Cal.App.4th 924, the issue was whether the plaintiff could require the City of San Diego to perform a second EIR although the first EIR had been certified years before, and the purpose of the second EIR was to analyze the project's greenhouse gas emissions and their potential impact on climate change. The Court of Appeal upheld the trial court's denial of a petition for writ of mandate for a number of reasons, including the fact that the stringent tests for obtaining a second EIR had not been met, and the City of San Diego did not have discretionary authority to make changes to the project years after the first EIR had been certified. The plaintiff contended that, because a group called the Centre City Development Corporation reviewed the developer's submittals for compliance with aesthetic criteria established in the development plan, it had "discretion" over the whole project that triggered plaintiff's right to demand a second EIR. The Court of Appeal rejected this argument and found that simply checking to see if pre-established design guidelines were being met was a ministerial task that did not open the door to a second EIR on greenhouse gasses and global climate change. This case is not relevant to the McGrath project because the issue is an initial EIR not a second EIR. Moreover, the Planning Department already has exercised considerable discretionary authority over the project, such as requiring the developer to prepare a traffic survey, to have a consultant perform environmental testing for hazardous

Grace Kistner, Chairperson  
Cindy Black, City Clerk  
City of St. Helena  
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materials, to hire a biologist to review the site for endangered species, etc. The staff report is replete with the Planning Department's recommendations to the Planning Commission on myriad issues. Moreover, the Planning, Public Works and Building Departments have all exercised discretionary authority in setting conditions on approval of the project, such as requiring an asbestos assessment prior to demolition, requiring a post-construction stormwater control plan, providing a tree protection plan, and removing contaminated soil from the site. For the Planning Department to suggest that the Planning Commission and the City Council lack discretionary authority over the McGrath project is simply absurd.

- In *Venturans for Responsible Growth v. City of San Buenaventura* (2013) 2013 WL 3093788 [unpublished], the issue was whether a second EIR could be required (the initial one having been certified years earlier) when a new owner wanted to operate a 24-hour grocery store in a building previously occupied by a department store. The new owner sought approval from the City's Design Review Committee to make some modifications to the exterior of the store, restriping the parking lot, replacing the landscaping, and erecting a large sign. The plaintiff demanded that an EIR be prepared due to the alleged impacts resulting from the 24-hour grocery store. The Court of Appeal upheld the trial court's denial of a petition for writ of mandate. It pointed out that the Design Review Committee had no discretion with respect to the use of the premises for a 24-hour grocery store. The Court of Appeal found that the issues raised by the plaintiff involved ministerial acts that did not require an EIR.

These cases do not even come close to supporting the Planning Department's argument that the Planning Commission and City Council lack authority to require an initial EIR for the McGrath project. The issues in this matter involve the exercise of discretionary authority. They are not "ministerial decisions." While it is true that any "ministerial" decisions by the Planning Commission or City Council would not be subject to CEQA, the issues here are anything but "ministerial." The Planning Commission is being asked to approve a project on a hazardous waste site that may not



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only be polluting the soil, but also the ground water. Children will live on the land if the project is approved. Moreover, the project was designed by persons who obviously were ignorant of the fact that the General Plan requires the design of new buildings to comport with existing historical houses in the same neighborhood. These individuals likely did not even know there were historic houses in the neighborhood. There are huge circulation, traffic, and public health and safety issues. There is nothing about this project that is even remotely related to "ministerial" actions.

Ironically, the Planning Department contends that the authority of the Planning Commission and City Council is limited to architectural design issues, but the Planning Department's staff report did not even address the serious design issues resulting from the presence of four historic houses on McCorkle Avenue.

**APART FROM CEQA, THE PLANNING COMMISSION  
AND THE CITY COUNCIL SHOULD TAKE ACTION TO  
REMEDY VIOLATIONS OF THE 1993 GENERAL PLAN  
AND 2015 HOUSING ELEMENT**

Commenters also wish to point out that completely apart from CEQA, there are a number of violations of the 1993 General Plan and 2015 Housing Element that have come light in connection with the McGrath project. Thus:

- To comply with the General Plan, Historic Resources Element, the exterior design of the McGrath project should be completely redone to make this project compatible with the historic houses on McCorkle Avenue.
- To comply with the General Plan, the City should retain qualified experts to analyze whether any hazardous substances on the site have migrated off the site or into the ground water and, if so, to develop an appropriate remediation plan.
- To comply with the General Plan, the City should develop a plan to upgrade the infrastructure on McCorkle Avenue.

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### CONCLUSION

This is not a close case. An EIR cannot be avoided and must be provided in view of the significant adverse environmental impacts created by this proposed project. Substantial evidence supports a fair argument that the proposed project will result in significant unmitigated environmental impacts.

The Planning Commission should – and must – reject Agenda Item 5.1 and the proposed project, and it should make appropriate findings rejecting the proposal and should recommend that the City Council do likewise.

Respectfully Submitted,



David S. Bradshaw

DSB:gkb

Attachments: Attachments 1-3  
Appendices A-C

*cc (w/Attachments 1-3, via e-mail):*

Alan Galbraith, Mayor  
Peter White, Vice Mayor  
Sharon Crull, Council Member  
Greg Pitts, Council Member  
Paul Dohring, Council Member  
Jennifer Phillips, City Manager  
Bobbi Monnette, Planning Commissioner  
Sarah Parker, Planning Commissioner  
Tracy Sweeney, Planning Commissioner  
Mary Koberstein, Planning Commissioner

*cc (w/Attachments 1-3 / Appendices A-C, via hand delivery):*

Noah Housh, Planning and Community Improvement Director  
Thomas Brown, City Attorney

**ATTACHMENT 1**

St. Helena Planning Commission Members  
Noah Housh, St. Helena Planning Director  
Jennifer Phillips, City Manager

December 4, 2016

Subject: 623 McCorkle Av. Project Agenda Item 5.1

To Whom it may concern:

I would like to comment on the McGrath development project at 632 McCorkle Av.

I own the lot (parcel #9) down the street to the west and on the other side of McCorkle, and live at 780 Kidd Ranch Rd. which abuts the back of Parcel #9. I am a soil scientist by training and I have a PhD in Soil Science from the Univ. of CA Davis with specialties in soil chemistry, soil fertility, and plant nutrition.

I am concerned about any further development at this end of McCorkle for several reasons that involve the safety of the current and any future residents as well as the safety of our groundwater resources in this area. One of the main St Helena City wells that supplies many if not all St Helena residents with drinking water is less than 900 yards away. I have a well that is less than 100 yards away from this property on the back of Parcel #9 that is used to irrigate my vineyard. My vineyard production and therefore my livelihood is dependent on having an uncontaminated source of groundwater to sustain my vines on an annual basis.

Below are the concerns that I have with any further development on a dead end street without an adequate fire access turn around and other infrastructure that is required and standard in St. Helena. Additional concerns address the recently completed Environmental Transaction Screen (ETS) report on the environmental contamination at 632 McCorkle Av.

1. Inadequate parking on McCorkle Av. for current residents. My driveway to Parcel #9 is blocked continuously.
2. No existing or planned surface storm water drainage on McCorkle Av.
3. Inadequate areas to accommodate waste service pick up and clean up ( see attached photo).
4. Weekly violations of the St. Helena city code on blocking access to the single fire hydrant on McCorkle by up to 15 trash containers creating increased fire damage liability for all residents of McCorkle Ave.(see attached photo).

5. EBA Engineering's(ETS) report failed to take into account the soil profile present in the area and how an extremely compacted sub soil layer consisting of cobble and gravel prevented adequate sampling with a hand auger of 2 inch diameter. One sample log had a refusal depths of less than 24 inches. Other logs identified cobble of 1 inch diameter and gravel that fell out of the auger. (See attached logs) .Was this the reason samples were only obtained at the 18-24 inch depths in all locations?
6. ETS report did not contain samples from the heavily contaminated areas along the fences as shown in the attached photos and they also left a potentially significantly contaminated area between SB3 and SB1 (as shown on attached sample location map) unsampled.
6. ETS report data has identified zinc (Zn) levels spread across the entire parcel at over 100 times the normal concentrations found in soils throughout nearby St Helena vineyards on similar soil types. This map indicates contamination over a large area.(See attached map).
7. ETS report data has identified cadmium (Cd) a known carcinogen at two locations at twice the environmental screening level (ESL) and chromium (Cr) a suspected carcinogen, at significantly high levels and for which there are no current ESL levels. (See attached maps).
8. ETS report data has identified lead (Pb) levels in three locations above the ESL and two locations at approximately 10X the ESL. (See attached map).
9. ETS report failed to consider the results in the report that suggest lead PB is being retained at the 18-24 inch level where the soil consists of fine silt particles mixed with gravel at Site 5, (10% of surface Pb level), and is being leached into the deeper soil depths where the soil consists only of gravel at Site 6, (2.5 % of the surface Pb level) only a short distance away. (See attached logs and table).
10. ETS report identified buried porcelain products at 6-10 inches but failed to consider possible dumping or burial grounds at other locations on the parcel. (See attached log).
11. ETS report failed to examine the existing conditions that could have led to the pollution of shallow and deep groundwater resources. Chromium forms soluble ionic compounds and is mobile in both soils and water, and as a result, the aquifer all the way to the Napa River could be impacted by the existing surface soil levels (see attached map). Chromium levels appear to have been disregarded in the report as significant because the ESL levels have not been established. Chromium surface soil levels (0-6 in) at S-SB 3, S-SB 5, and S-SB 6 sites extend significantly into the 18-24 inch layer samples. (see table 1).
12. ETS report failed to consider contaminated surface soil movement onto adjacent neighborhood properties and into McCorkle Av. because of inadequate storm water

drainage during high precipitation events. This could impact French drains in the area that deposit storm water directly into the groundwater below Kidd Ranch.

13. A proposed bio-remediation system to handle pavement and housing water runoff on site will be comprised by the heavy metal toxicity, particularly Cr and Zn, found across the site as both ions at the levels found are potentially toxic to the soil micro organisms that are key to the functioning of such a bio-remediation system.

14. ETS report that proposes inadequate soil remediation measures to protect any future residents from heavy metal contamination as well as protection of the groundwater resource in the area.

15. Identification of heavy metal contamination throughout 632 McCorkle creating a situation which is potentially in violation of City of St. Helena Ordinance N0. 2004-5 and the Federal Water Pollution Control Act of 1972.

The Storm Water Runoff Pollution Control Ordinance Regulating Illicit Discharges, Connections, Litter, Dumps and Stockpiles: Section 13.32.030 Definitions:

17. Pollutant means any pollutant defined in Section 502 (6) of the CWA (33 U.S.C. 1362) or incorporated into the California Water Code Section 13373. Pollutants may include, but are not limited to the following:

b. Metals such as cadmium, lead, zinc, silver, nickel, chromium, copper and non-metals such as phosphorus and arsenic.

In my opinion the ETS report is based on a sampling depth and location scheme that was not adequate to characterize the contamination present and the potential risks that exist due to the toxic elements that have been identified in the report. As a consultant that has collected and studied soils all over CA and in many places around the world, given the minimal but significant negative results of this study, I would not recommend this site even as a potential vineyard site.

I respectfully request that the Saint Helena Planning Commission and City Council exercise their obligations to protect all of its citizens from harm by preventing the possible development of a mini Love Canal at 632 McCorkle Avenue. Please reject this development permit and require the necessary safe guards to protect existing and future residents of this St. Helena neighborhood as well as the St Helena groundwater resource from the harmful substances that have been identified across the property. I also request that you do not allow a CEQA exemption but rather require a full Environmental Impact Report before any further development proceeds on this property. The data in the EST report demands it.

Respectfully,  
Paul W. Skinner, Ph.D.  
Soil Scientist  
780 Kidd Ranch Road  
St. Helena







Distance from 632 McCorkle  
to St. Helena Municipal Well  
1790 yards

Contaminants  
at 632  
McCorkle





Contaminants at  
632 Mc Core Kle



Non Yaminants at  
632 Mc Corckle





Parcel #9 McCoxkle



curb red zone: Nothing permitted.



fire hydrant blocked

Parcel #9 Mc Corkle



Drive way blocked



# Sample Locations



**632 McCorkle Ave.  
St. Helena, CA  
APN 009502004000**

Map Type: Sample locations  
Revision Date: 12/02/2016  
Sample Date: 09/15/2016

Image: County of Napa  
Sample Data: EBA

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• Sample Location



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www.terraspace.com



The approximate locations of the soil borings are shown on Figure 2 (Appendix A) and associated soil boring logs are attached in Appendix C.

## INVESTIGATIVE PROCEDURES

### Soil Boring Advancement

On September 15, 2016 EBA personnel advanced six soil borings (SB-1 through SB-6) using hand auger digging techniques. Selected soil samples were screened for the presence of Volatile Organic Compounds (VOCs) using a Photo-ionization Detector (PID). Tooling was decontaminated between each borehole using an Alconox wash and potable water rinse.

### Soil Sampling

Two soil samples were collected from each of the soil borings at the project site. The soil samples were collected at depths ranging from the ground surface to approximately 6-inches below grade and from approximately 18-inches to 24-inches below ground surface (BGS). The soil samples were collected in 6-inch long by 2-inch diameter stainless steel sleeves, which were then sealed, capped, labeled, logged on a chain-of-custody (C-O-C) form and transported under refrigerated conditions to K Prime, Inc., a California state certified analytical laboratory located in Santa Rosa, California for chemical analysis.

### Laboratory testing

The samples collected from the ground surface to 6-inches below grade were analyzed for Gasoline Range Organics (GRO), Diesel Range Organics (DRO) and Heavy Range Organics (HRO) using Environmental Protection Agency (EPA) Method 8015B, for VOCs using EPA Method 5035/8260, and the metals cadmium, chromium, lead, nickel, and zinc (CAM 5 Metals) using EPA Method 3050B/6020A. The samples collected from 18 to 24 inches were held under refrigerated conditions at the laboratory pending the results of the shallow soil samples. In the event the shallow soil samples contained impacts at levels above the San Francisco Bay Regional Water Quality Control Board (SFBRWQCB) Environmental Screening Levels (ESLs) for shallow residential soil, the deeper samples would then be analyzed.

## ANALYTICAL RESULTS

The analytical results indicated the presence of DRO in shallow soil samples (0 to 6-inches) from SB-2, SB-5, and SB-6 (S-SB-2-0-6, S-SB-5-0-6, and S-SB-6-0-6) at concentrations of 13.5, 23.7, and 25.5 milligrams per kilogram (mg/kg), respectively. Please note that these results were "flagged" by the laboratory as being heavier hydrocarbons contributing to diesel range quantitation. HRO was also detected in these

EBA ENGINEERING		LOG OF EXPLORATORY BORING		PROJECT: 632 Melville	SHEET 1 OF 1									
FIELD LOCATION OF BORING:		LOGGED BY: E. DeManowit; DRILLER:		JOB NUMBER: 16-2295	BOHRING: SB-2									
<input type="checkbox"/> BENTONITE <input type="checkbox"/> CEMENT-BENTONITE <input type="checkbox"/> GROUT <input type="checkbox"/> SAND <input type="checkbox"/> CONCRETE		WELL CASING ELEVATION:		DATE: 9/15/16										
		EQUIPMENT AND SPECIFICATIONS:		HA 403'										
SAMPLE CORO.	SAMPLER TYPE	DRILLING RATE (ft./min.)	SERVE SAMPLE	CHEMICAL ANALYSIS	STATIC WATER	INITIAL WATER	PIV (open)	RECOVERY	BLOWER/ft. in.	DEPTH	SAMPLE RECOVERY	SOIL GROUP USCS	DESCRIPTION	CASING CONSTRUCTION
	5-5	2-14	2-14				0.0			1		Olive Green (2-4) 4/9; Gravelly silt, dry. No obs. smaller gravel than previous borings.		
	5-5	2-14	2-14				0.0			2		Refusal @ 22"		
										3				
										4				
										5				
										6				
										7				
										8				
										9				
										10				
										11				
										12				
										13				
										14				
										15				
										16				
										17				
										18				
										19				
										20				
										21				
										22				
										23				

Refusal  
at  
22"

EBA Engineering & Construction		LOG OF EXPLORATORY BORING		PROJECT: 623 H.C. 6116		SHEET 1 OF 1									
FIELD LOCATION OF BORING: <span style="float: right;">N ↑</span>				JOB NUMBER: 16-1234		BORING: 58-11									
				LOGGED BY: K. Delmonaco; DRILLER:		DATE: 9/15/16									
<input checked="" type="checkbox"/> BENTONITE <input checked="" type="checkbox"/> COARSE BENTONITE <input type="checkbox"/> SAND <input type="checkbox"/> CONCRETE				WELL CASING ELEVATION:											
				EQUIPMENT AND SPECIFICATIONS: HA to 3'											
SAMPLE COND.	SAMPLER TYPE	SAMPLING RATE (ft./min)	SIEVE SAMPLE	CHEMICAL ANALYSIS	STATIC WATER	INITIAL WATER	PD (ppm)	RECOVERY	FLOWS/ft. in.	DEPTH	SAMPLE RECOVERY	SOIL GROUP USCS	WATER DEPTH		CASING CONSTRUCTION
													TIME	DATE	
DESCRIPTION															
		5.58-4	20-24				0.0			1			Olive Brown (7.5YR 4/4); Gravelly, soft, no odor, dry		
		5.58-4	11-17				0.0			2			Recessed @ 26"; gravelly soil falling out of HA bucket		
										3					
										4					
										5					
										6					
										7					
										8					
										9					
										10					
										11					
										12					
										13					
										14					
										15					
										16					
										17					
										18					
										19					
										20					
										21					
										22					
										23					

gravelly soil falling out of bucket

EBA		LOG OF EXPLORATORY BORING		PROJECT: 16-2355 McConville		SHEET 1 OF 1							
FIELD LOCATION OF BORING:		JOB NUMBER: 16-2355		BORING: SA-5		DATE: 1/5/16							
LOGGED BY: [Signature]		DRILLER:		WELL CASING ELEVATION:		EQUIPMENT AND SPECIFICATIONS:							
<input type="checkbox"/> BENTONITE <input type="checkbox"/> CEMENT-BENTONITE <input type="checkbox"/> SAND <input type="checkbox"/> CONCRETE		Hand Auger		WATER DEPTH		CASING CONSTRUCTION							
SAMPLE CORO.	SAMPLER TYPE	LOGGING RATE (ft./min.)	SUBVS SAMPLE	CHEMICAL ANALYSIS	STATIC WATER	INITIAL WATER	PH (approx)	RECOVERY	BLLOTS/ft. in.	DEPTH	SAMPLE RECOVERY	SOIL GROUP USCS	DESCRIPTION
1-58-5	0-6	10-22					0			1		silty	brown sand silty sand, 2.5% 4/4, Dr.
							0			2		silty gravel	
1-58-5	18-24	10:48								3		Refusal @ 25'	
										4			
										5			
										6			
										7			
										8			
										9			
										10			
										11			
										12			
										13			
										14			
										15			
										16			
										17			
										18			
										19			
										20			
										21			
										22			
										23			

silty gravel

EBA ENVIRONMENTAL		LOG OF EXPLORATORY BORING		PROJECT: <i>McCord</i>		SHEET <i>1</i> OF <i>1</i>								
FIELD LOCATION OF BORING: <i>NA</i>				JOB NUMBER: <i>16-255</i>		BORING: <i>SB-6</i>								
				LOGGED BY: <i>K. Dolmanovsky</i>		DATE: <i>11/1/14</i>								
<input checked="" type="checkbox"/> BENTONITE <input checked="" type="checkbox"/> CEMENT-BENTONITE <input type="checkbox"/> SAND <input type="checkbox"/> CONCRETE				WELL CASING ELEVATION: EQUIPMENT AND SPECIFICATIONS: <i>HA to 3's</i>										
SAMPLE CORID.	SAMPLER TYPE	TRAVEL RATE (ft./min.)	CORRECTION SAMPLE	CHEMICAL ANALYSIS	STATIC WATER	TOTAL WATER	PH (approx)	RECOVERY	SLUGS/ft. In.	DEPTH	SAMPLE RECOVERY	SOIL GROUP USCS	DESCRIPTION	CASING CONSTRUCTION
		<i>5.58-6.06</i>					<i>0.0</i>			1		<i>Py</i>	<i>Olive brown (2.5Y 5/4), gravelly silt. sand</i>	
		<i>6.06-6.25</i>					<i>0.0</i>			2			<i>same as above (2.5Y 4/3)</i>	
		<i>6.25-6.44</i>								3			<i>Refusal @ 29" Lots of gravel</i>	
										4				
										5				
										6				
										7				
										8				
										9				
										10				
										11				
										12				
										13				
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										15				
										16				
										17				
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										19				
										20				
										21				
										22				
										23				

*lots of gravel*

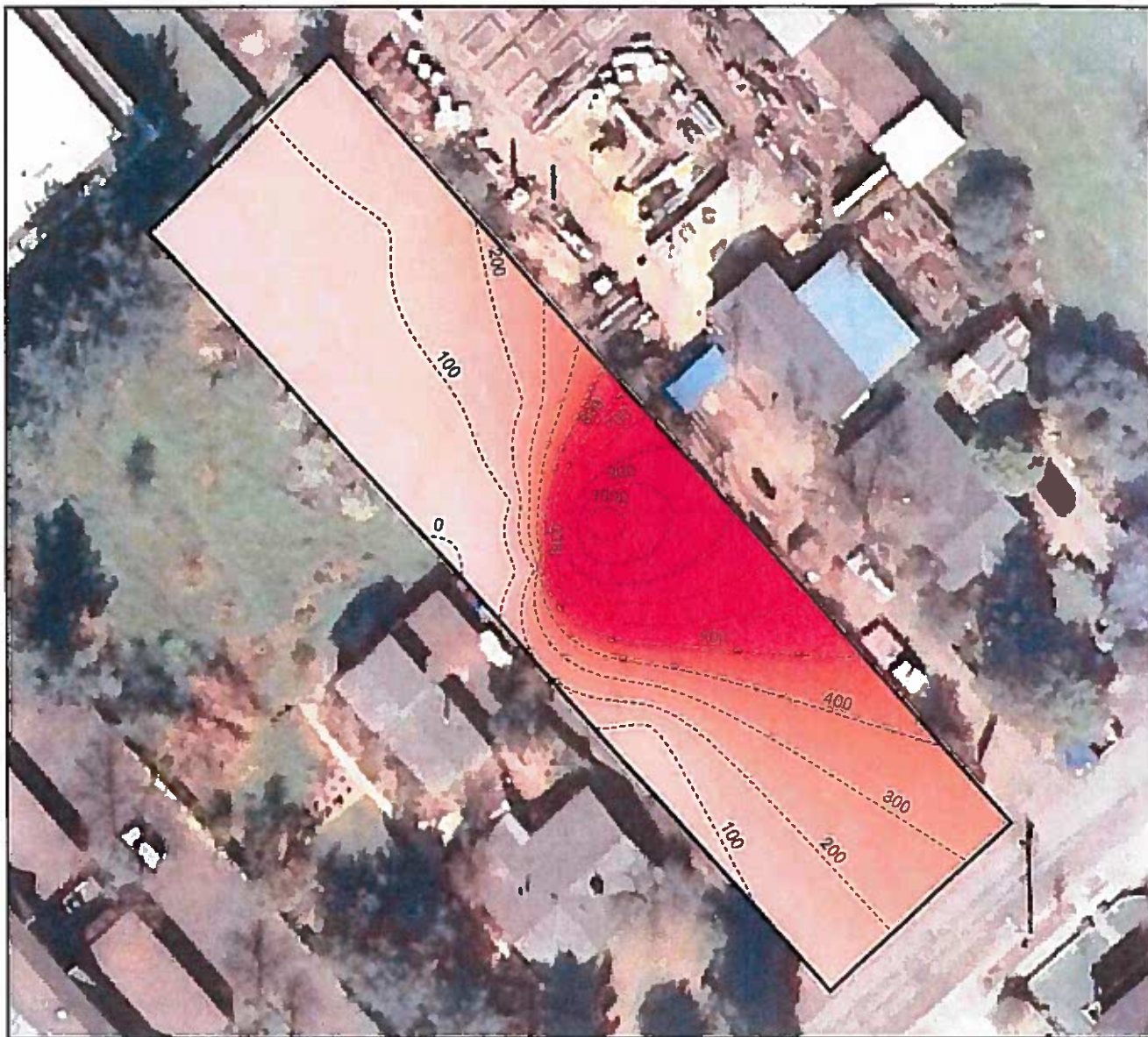
EBA		LOG OF EXPLORATORY BORING		PROJECT: McCorrle.		SHEET 1 OF 1								
FIELD LOCATION OF BORING: N1				JOB NUMBER: 225F		BORING: 58-7								
BENTONITE CEMENT-BENTONITE SAND CONCRETE				LOGGED BY: EK (FRA) DRILLER:		DATE:								
				WELL CASING ELEVATION:		EQUIPMENT AND SPECIFICATIONS:								
				HA 10 30"										
SAMPLE CORID.	SAMPLE TYPE	DRILLING RATE (ft/min)	SURF SAMPLE	CHEMICAL ANALYSIS	SEALANT WATER	INITIAL WATER	PID (open)	RECOVERY	BLOWS/ft	DEPTH	SAMPLE RECOVERY	SOIL GROUP (SSCS)	DESCRIPTION	CASING CONSTRUCTION
5-58	-	0-6					11	19		1			2.5Y 5/2 grayish brown silty w/ gravels	
6-58	-	7-18					11	56		2			→ Refusal @ 23" Cobbles 1" No odor	
										3				
										4				
										5				
										6				
										7				
										8				
										9				
										10				
										11				
										12				
										13				
										14				
										15				
										16				
										17				
										18				
										19				
										20				
										21				
										22				
										23				

1" cobbles

EBA		LOG OF EXPLORATORY BORING				PROJECT: <i>McCorke</i>		SHEET: <i>2</i> OF <i>4</i>									
FIELD LOCATION OF BORING: <i>N</i>				JOB NUMBER: <i>2363</i>		BORING: <i>SR-9</i>		DATE: <i>11/12/16</i>									
LOGGED BY: <i>F. Kan (SR)</i> DRILLER:				WELL CASING ELEVATION:		EQUIPMENT AND SPECIFICATIONS:											
<input type="checkbox"/> BENTONITE <input type="checkbox"/> CEMENT-BENTONITE <input type="checkbox"/> SAND <input type="checkbox"/> CONCRETE				4" to ~30"													
SAMPLER COND.	SAMPLER TYPE	TRAVELING RATE (ft./min.)	SEIVE SAMPLE	CHEMICAL ANALYSIS	STATIC WATER	POTENTIAL WATER	FD (spec)	RECOVERY	BLOWS/ft. IN.	DEPTH	SAMPLE RECOVERY	SOIL GROUP UNCS	WATER DEPTH	TIME	DATE	DESCRIPTION	CASING CONSTRUCTION
S-SB	7-0-6									1						10 YR 3/2 very dark grayish brown	
S-SB	9-15-24									2						refusal @ 24". <u>being no cobbles ~1"</u>	
										3							
										4							
										5							
										6							
										7							
										8							
										9							
										10							
										11							
										12							
										13							
										14							
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										17							
										18							
										19							
										20							
										21							
										22							
										23							

1" cobbles

# Surface Zinc



0 12.5 25 50 75 100 Feet

**632 McCorkle Ave.  
St. Helena, CA  
APN 009502004000**

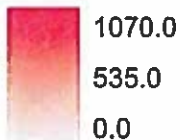
Map Type: Terroir chemical  
Revision Date: 12/02/2016  
Sample Date: 09/15/2016

Image: County of Napa  
Sample Data: EBA

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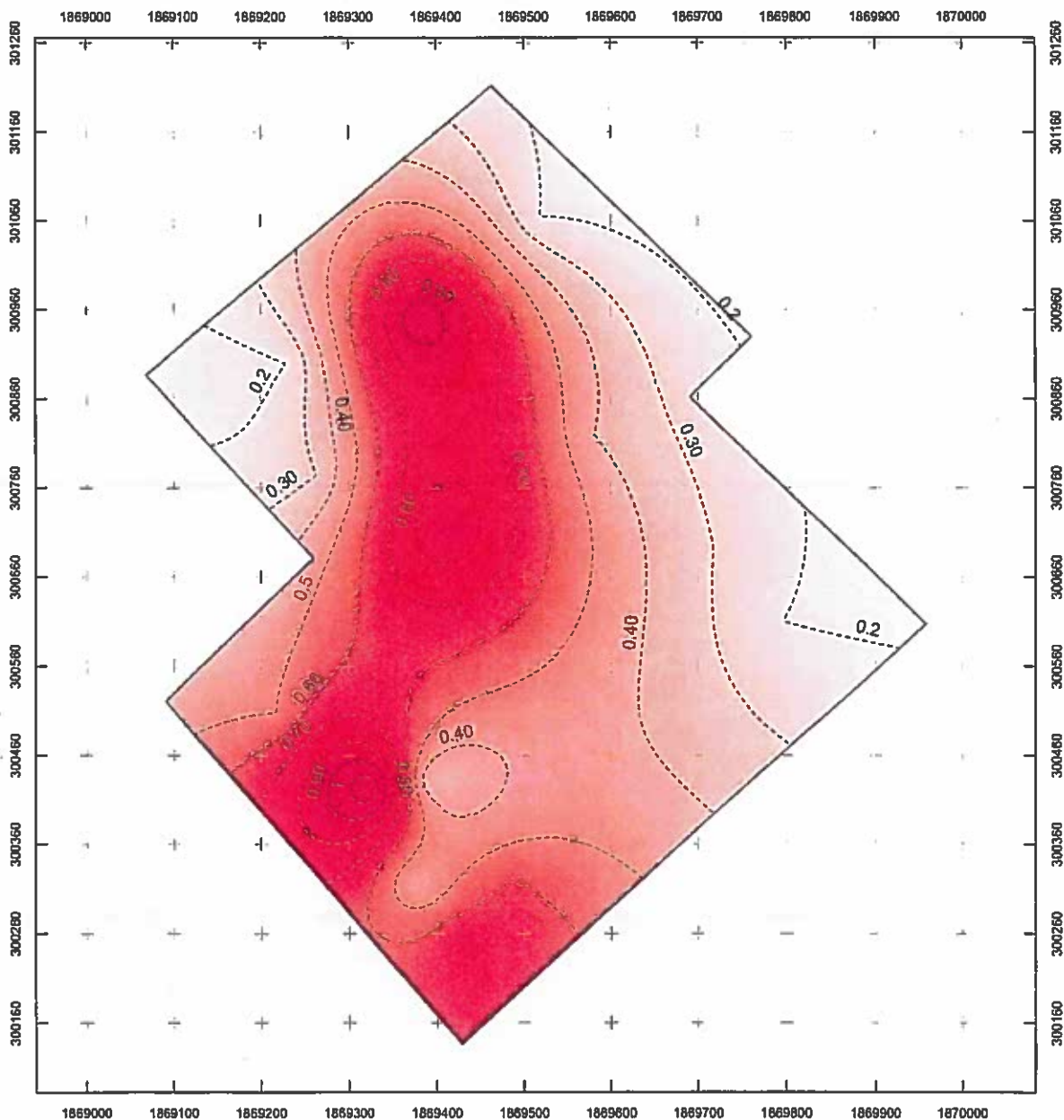
Zn (mg/kg)



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# Surface Zinc



Surface Zinc



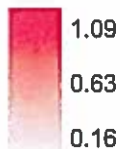
**St. Helena Vineyard  
(12 acres)**

Map Type: Terroir Chemical

Revision Date: 12/2/2016  
Sample Date: 10/1/2004  
Grid:  
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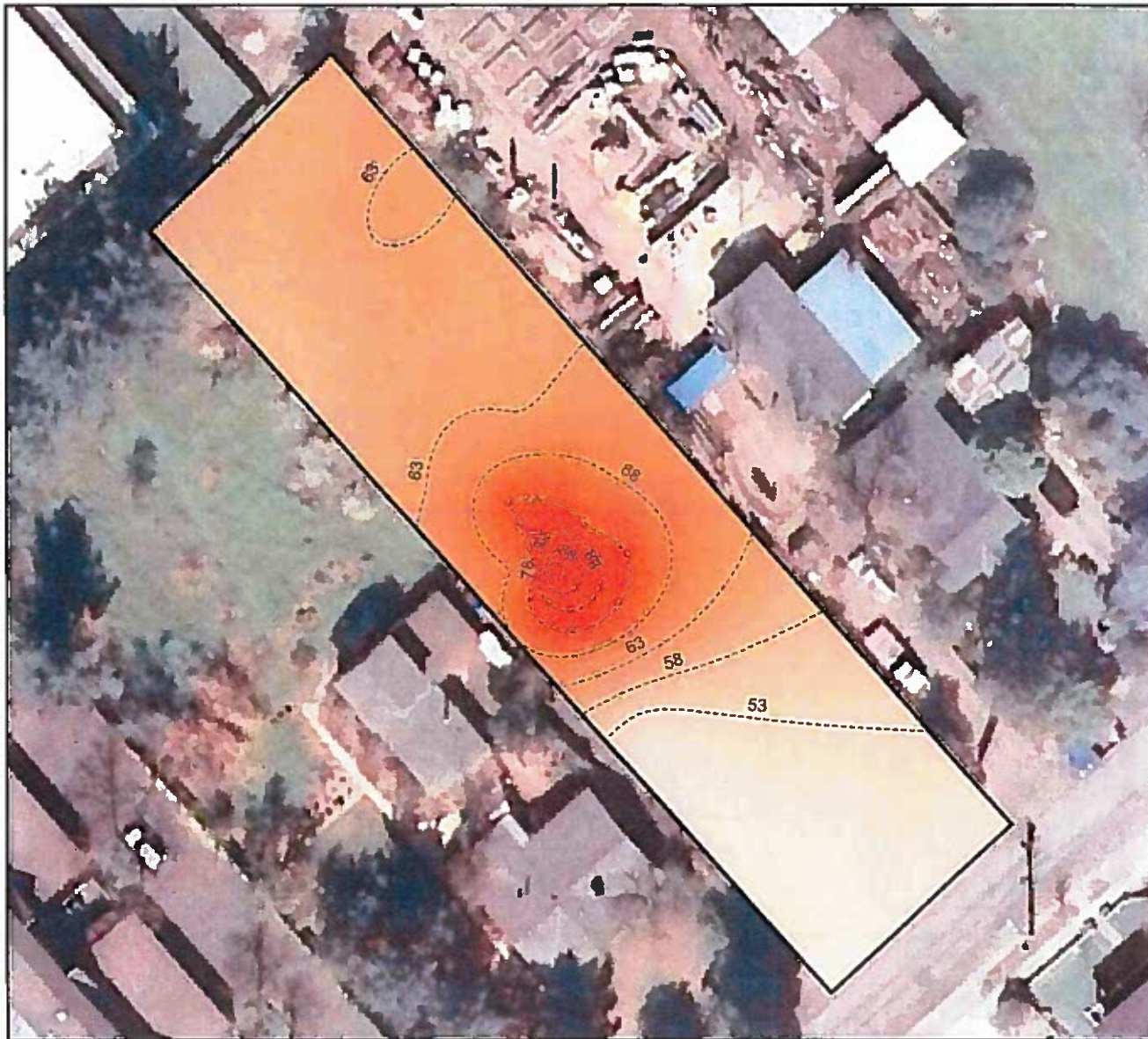
Zn (ppm)



345 La Fata St., Suite D  
St. Helena, CA 94574  
(707) 967-8325  
www.terraspace.com

*Typical Zn levels in nearby vineyard*

# Surface Chromium



0 12.5 25 50 75 100 Feet

**632 McCorkle Ave.  
St. Helena, CA  
APN 009502004000**

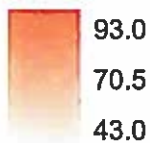
Map Type: Terroir chemical  
Revision Date: 12/02/2016  
Sample Date: 09/15/2016

Image: County of Napa  
Sample Data: EBA

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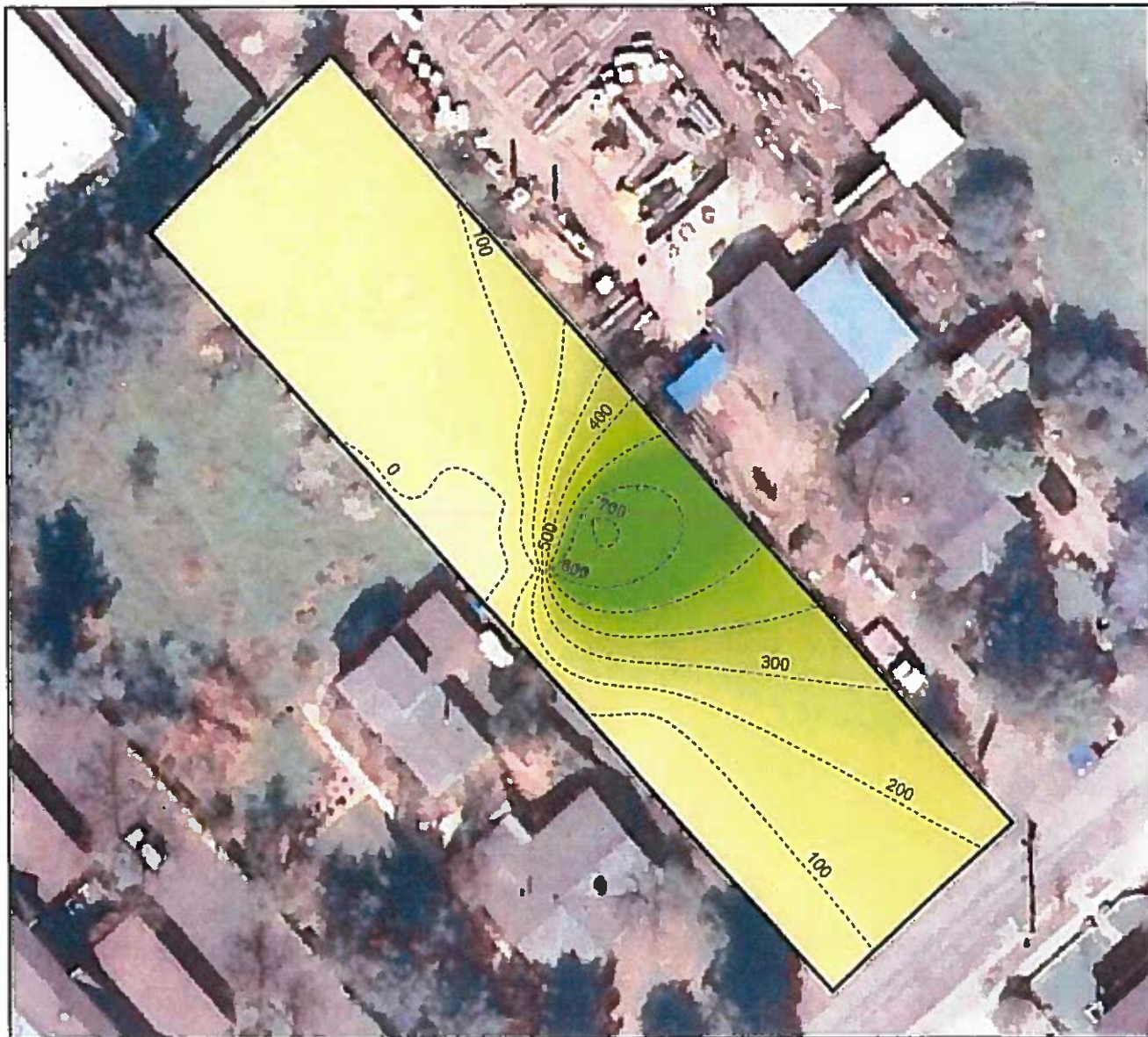
Cr (mg/kg)



345 La Fata St. Ste. D  
St Helena, CA 94574  
(707) 967-8325  
www.terraspace.com



# Surface Lead



**632 McCorkle Ave.  
St. Helena, CA  
APN 009502004000**

Map Type: Terroir chemical  
Revision Date: 12/02/2016  
Sample Date: 09/15/2016

Image: County of Napa  
Sample Data: EBA

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Pb (mg/kg)



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(707) 967-8325  
www.terraspace.com

**TABLE 1**  
**SOIL SAMPLE ANALYTICAL RESULTS**  
**GRO, DRO, HRO, VOCs and CAM 5 metals**  
 632 McCorkle Ave, St. Helena, CA  
 EBA Project No. 16-2355

Sample ID	Date Sampled	Depth (feet BGS)	GRO	DRO	HRO	VOCs	Cadmium	Chromium	Lead	Nickel	Zinc
			mg/kg			ug/kg	mg/kg				
S-SB-1-0-8	9/15/2016	0-0.5	<1.00	<10.0	<10.0	ND	<2.50	63.3	43.1	95.4	93.2
S-SB-1-18-24	9/15/2016	1.5-2.0	NA	NA	NA	NA	NA	NA	NA	NA	NA
S-SB-2-0-8	9/15/2016	0-0.5	<1.00	13.5 <sup>A</sup>	23.4	ND	<2.50	59.4	38.2	92.5	82.6
S-SB-2-18-24	9/15/2016	1.5-2.0	NA	<10.0	<10.0	NA	NA	NA	NA	NA	NA
S-SB-3-0-8	9/15/2016	0-0.5	<1.00	<10.0	<10.0	ND	<2.50	62.1	85.2	94.2	187
S-SB-3-18-24	9/15/2016	1.5-2.0	NA	NA	NA	NA	<2.50	53.8	10.9	79.2	55.4
S-SB-4-0-8	9/15/2016	0-0.5	<1.00	<10.0	<10.0	ND	<2.50	62.0	12.5	97.3	57.8
S-SB-4-18-24	9/15/2016	1.5-2.0	NA	NA	NA	NA	NA	NA	NA	NA	NA
S-SB-5-0-8	9/15/2016	0-0.5	<1.00	23.7 <sup>A</sup>	128	ND	8.10	71.0	718	106	1,070
S-SB-5-18-24	9/15/2016	1.5-2.0	NA	<10.0	<10.0	NA	<2.50	67.8	72.9	101	214
S-SB-6-0-8	9/15/2016	0-0.5	<1.00	25.5 <sup>A</sup>	136	ND	8.33	92.8	618	94.3	680
S-SB-6-18-24	9/15/2016	1.5-2.0	NA	<10.0	<10.0	NA	<2.50	67.8	15.2	103	61.7
S-SB-7-0-8	10/12/2016	0-0.5	<1.00	<10.0	20.8	ND	<2.50	73.2	11.9	114	96.3
S-SB-7-18-24	10/12/2016	1.5-2	NA	NA	NA	NA	NA	NA	NA	NA	NA
S-SB-8-0-8	10/12/2016	0-0.5	<1.00	<10.0	<10.0	ND	<2.50	69.0	85.5	99.3	167
S-SB-8-18-24	10/12/2016	1.5-2	NA	NA	NA	NA	NA	NA	NA	NA	NA
S-SB-9-0-8	10/12/2016	0-0.5	<1.00	<10.0	<10.0	ND	<2.50	49.1	30.1	75.9	85.6
S-SB-9-18-24	10/12/2016	1.5-2	NA	NA	NA	NA	NA	NA	NA	NA	NA
ESLs			740	230	11,000	Various <sup>B</sup>	3.9	—	80	820	23,000

10% Retention silt

2.5% Retention gravel

GRO = Gasoline Range Organics.  
 DRO = Diesel Range Organics.  
 HRO = Heavy Range Organics.  
 VOCs = Volatile Organic Compounds.  
 BGS = Below Ground Surface.  
 ug/kg = micrograms per kilogram.  
 mg/kg = milligrams per kilogram.  
 ND = Not detected at or above respective laboratory limits, please refer to lab report for reporting limits.  
 NA = Not Analyzed.  
<sup>A</sup> = Heavier hydrocarbons contributing to diesel range quantitation.  
<sup>B</sup> = Reporting limits were below the respective ESLs for VOCs analyzed for.  
 ESLs = Environmental Screening Levels for shallow residential soil as published by the San Francisco Bay Regional Water Quality Control Board, February 2016 (Rev. 3).

EBA		LOG OF EXPLORATORY BORING		PROJECT: McV. 44		SHEET 1 OF 1								
FIELD LOCATION OF BORING:		JOB NUMBER: 16-2355		BORING: SE-3		DATE: 9/15/11								
<input type="checkbox"/> BENTONITE <input type="checkbox"/> CEMENT-BENTONITE <input type="checkbox"/> SAND <input type="checkbox"/> CONCRETE		LOGGED BY: PT		DRILLER:		WELL CASING ELEVATION:								
		EQUIPMENT AND SPECIFICATIONS:		WIND ANGLE:										
SAMPLE COND.	SAMPLER TYPE	DISCHARGING RATE (ft./min.)	SOIL SAMPLE	CHEMICAL ANALYSIS	STATIC WATER	POTENTIAL WATER	PH (approx)	RECOVERY	BLADES/ft. in.	DEPTH	SAMPLE RECOVERY	SOIL GROUP USCS	DESCRIPTION	CASING CONSTRUCTION
4-4-3-26		11.70								1		10-15% silt - 1.5" white, coarse gravelly silt, medium, also brown (2.5 yr. 4 ft)		
5-28-7-18-24		11.45								2		porcelain pieces @ 6-10"		
										3		(clay) @ 2.5		
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Porcelain:

## Beware of Lead in Ceramic Kitchenware

By Claire Mitchell | April 7, 2011

Several months ago, Gerald O'Malley, the director of clinical research at Thomas Jefferson University Hospital's Emergency Department in Philadelphia, took a stroll through Philadelphia's Chinatown district. Recently hired by the hospital in July 2010, O'Malley wanted to orient himself with his new neighborhood. On his walk, he noticed dozens of shops selling colorfully decorated ceramic kitchenware. Upon seeing this, O'Malley, who is board certified in both emergency medicine and medical toxicology, had a hunch that launched an investigation into whether those ceramic bowls, dishes, and other eating utensils being sold in Chinatown contained lead.

After learning the results of their study, O'Malley and Gilmore immediately contacted the U.S. Food and Drug Administration (FDA) as well as the Centers for Disease Control and Prevention's Advisory Committee on Childhood Lead Poisoning Prevention. Alarmed by the findings, FDA officials decided that it was crucial to further investigate the problem.

O'Malley performed additional tests on 25 of the ceramic pieces that tested positive for lead contamination to establish how high the levels, in fact, were and to what extent the lead could leach into food placed in the items to later be consumed. Researchers noted that three plates and two spoons were found to be leaching lead in quantities that significantly exceeded the levels permitted by FDA. Specifically, one of the ceramic plates tested leached lead at 145 parts per million, a rate far beyond the limit of 2 parts per million imposed by FDA.

St. Helena Storm water Ordinance:

### 13.32.020 Purpose and intent.

The purposes of this chapter are to protect the health, safety and general welfare of city of St. Helena residents; to protect water resources and to improve water quality; to protect and enhance watercourses, fish, and wildlife habitat; to cause the use of management practices by the city and its citizens that will reduce the adverse effects of polluted runoff discharges on waters of the state; to secure benefits from the use of stormwater as a resource; and to ensure the city is compliant with applicable state and federal law. This chapter seeks to promote these purposes by:

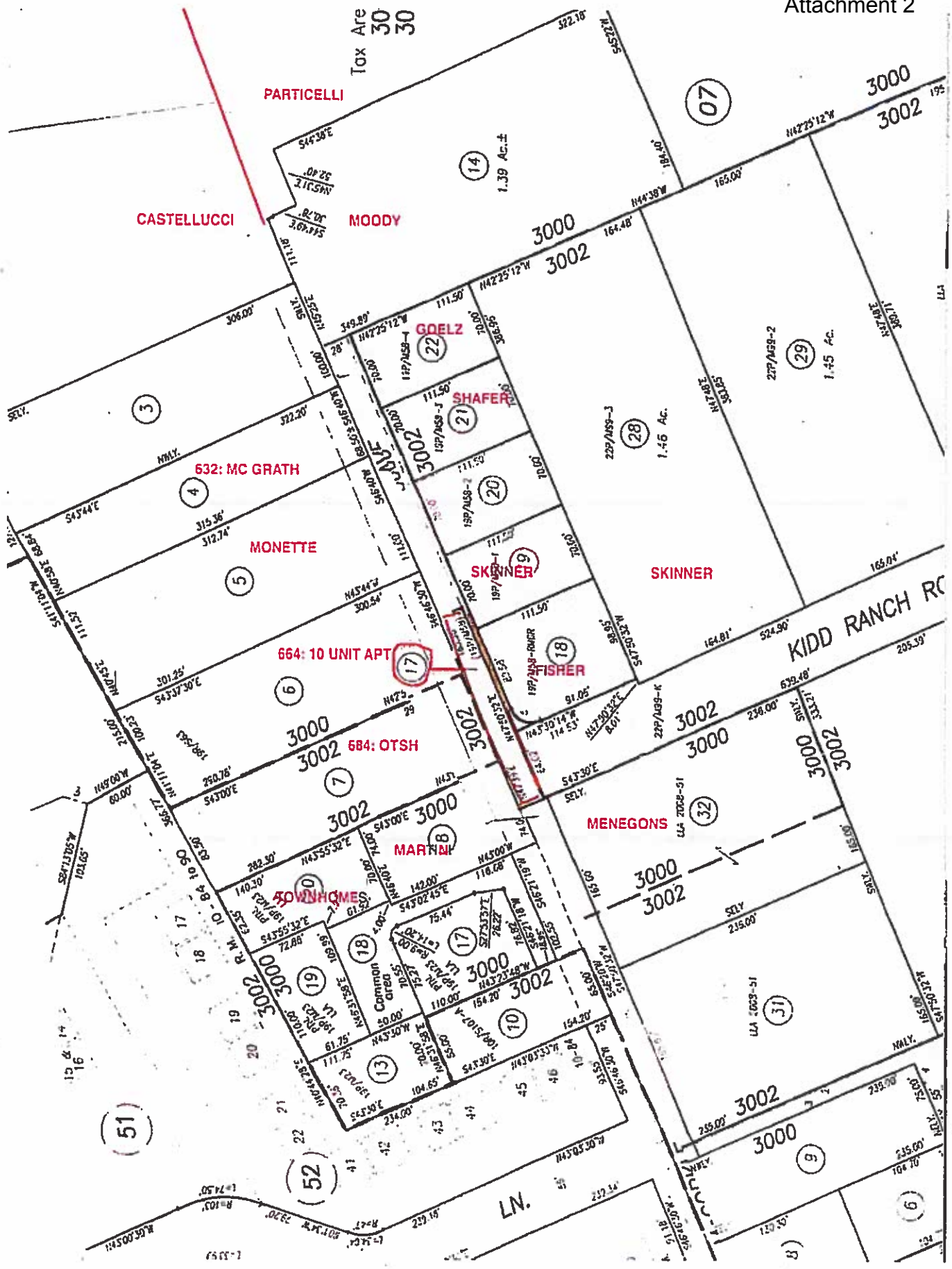
- A. Prohibiting illicit discharges to the stormwater conveyance system;
- B. Establishing minimum requirements for stormwater management, including source control requirements, to prevent and reduce pollution;
- C. Establishing requirements for development project site design, to reduce stormwater pollution and erosion;
- D. Establishing requirements for the management of stormwater flows from development projects, both to prevent erosion and to protect and enhance existing water-dependent habitats;
- E. Establishing standards for the use of off-site facilities for stormwater management to supplement on-site practices at new development sites. (Ord. 15-3 § 1 (part); Ord. 04-5 § 2 (part))

“Pollutant” means any “pollutant” defined in Section 502(6) of the CWA (33 U.S.C. 1362) or incorporated into the California Water Code Section 13373. Pollutants may include, but are not limited to, the following:

1. Residential, commercial and industrial waste (such as trash, litter, fuels, solvents, detergents, plastic pellets, hazardous substances, fertilizers, pesticides, slag, ash, and sludge);
2. Metals such as cadmium, lead, zinc, silver, nickel, chromium, copper and nonmetals such as phosphorous and arsenic;
3. Petroleum hydrocarbons (such as fuels, lubricants, surfactants, waste oils, solvents, coolants, and grease);

# **ATTACHMENT 2**





Tax Are 30 30

PARTICELLI

CASTELLUCCI

MOODY

GOELZ

SHAFFER

632: MC GRATH

MONETTE

664: 10 UNIT APT

684: OTSH

MARRIN

OWN HOME

MENEGONS

SKINNER

FISHER

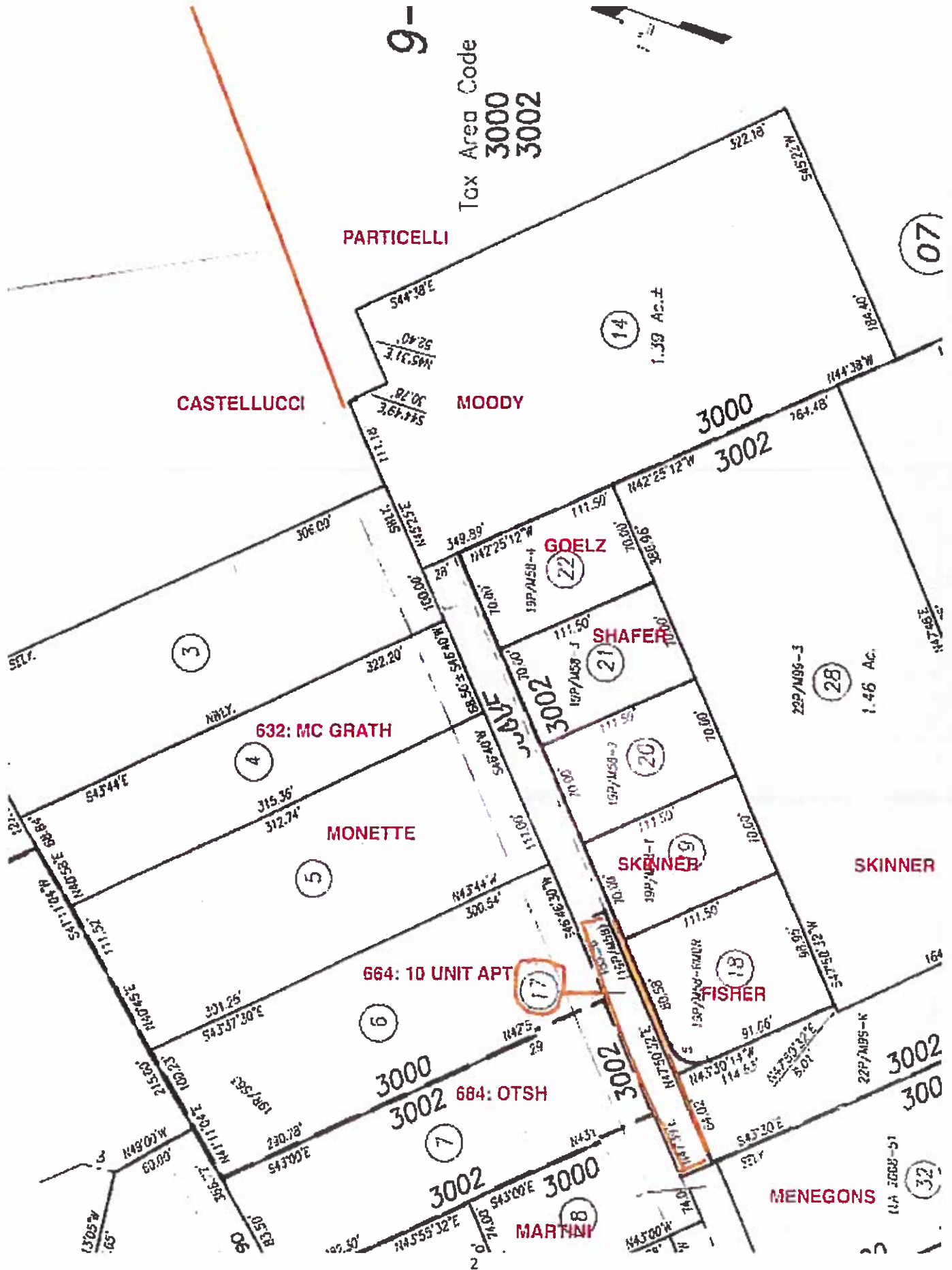
KIDD RANCH ROAD

LN.

9-



Tax Area Code  
3000  
3002



CASTELLUCCI

PARTICELLI

MOODY

GOELZ

SHAFER

632: MC GRATH

MONETTE

664: 10 UNIT APT

SKINNER

SKINNER

FISHER

MENEGONS

MARTINI

684: OTSH

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1.46 Ac.

1.14 AC ±

22P/M95-3

22P/M95-K

11A 2005-51

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**ATTACHMENT 3**



609 McCorkle Avenue, St. Helena, California





681 McCorkle Avenue, St. Helena, California



St. Helena City Council Members  
Jennifer Phillips, City Manager

December 19, 2016

Subject: 623 McCorkle Av. Project

To Whom it may concern:

I met with the Environmental Health Supervisor and Staff Geologist of the County of Napa Planning, Building and Environmental Services Department on Thursday, December 15, 2015. They were both in agreement that more soil tests are necessary in the area designated as having lead levels that exceed the ESL levels for residential soils. They also agreed that the area found to be contaminated is very contaminated.

They will be requesting that EBA Engineering take additional samples for both lead and chromium 6 after the first 18 to 24 inches are removed from the site to determine if hazardous materials can be found at a depth of 36 inches. If chromium 6 is found at any level then more testing will likely be necessary as this contaminate is very mobile in both soil and water and is a suspected carcinogen. In addition, the lead levels found during the initial testing were close enough to the ESL to be of concern, if higher concentrations are found at the 36 inch depth.

In my professional opinion as a soil scientist with a Ph.D. in Soil Science and an emphasis in soil chemistry and over 30 years of experience analyzing soils in the Napa Valley, there are several significant issues on this site to require the responsible officials of the City of St. Helena to take precautions to ensure that the ground water has not been contaminated and that no identified or yet unidentified toxic chemicals have migrated to adjacent properties, putting the health and safety of the neighborhood at risk.

Respectfully,

Paul W. Skinner, Ph.D.  
Soil Scientist

780 Kidd Ranch Rd.  
St. Helena  
CA 94574

City of St Helena, City Hall  
Received

DEC 20 2016

1480 Main St.  
St Helena, CA 94574

APPEAL

Planning Department  
1480 Main Street  
St. Helena, CA 94574

Office Use Only - Do Not Write in this Area

File Number PL16-098  
General Plan \_\_\_\_\_ Zoning \_\_\_\_\_

Background Files \_\_\_\_\_  
Related Applications \_\_\_\_\_

Initial Deposit Received \$1,000 Received By Chrissy Cook

Please Type or Print

Project Name Request for Demolition Permit & Design Review Project Applicant Joe McGrath  
Site Address 632 McCorkle Avenue, St. Helena, CA 94574 APN 009 - 502 - 004 - -

Person Submitting Appeal McCorkle Eastside Neighborhood Group and St. Helena Residents For An Equitable General Plan  
(Last Name, First Name)  
Mailing Address c/o Jackson Lewis P.C., 400 Capitol Mall, Suite 1600  
City Sacramento State CA ZIP Code 95814  
Phone Number (916) 288-3015

If you would like project correspondence and notice of meetings to be sent to parties other than the appellant, please list their names, address and telephone numbers on a separate sheet. See Attachment, Item No. 1

Action being appealed (include the name of the decision-making board and date the action was taken):  
See Attachment, Item No. 2

Action requested by appellant:  
See Attachment, Item No. 3

Reason for appeal:  
See Attachment, Item No. 4



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

Date: 12/20/2016 Time: 09:57  
Receipt No. 00110100

Account:OK 1,000.00

Appeal - Minor Process  
ing 1,000.00

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Total		1,000.00
check	4670	1,000.00
Cash		0.00

---

Total		1,000.00
change		0.00

Bal Forward:

victoria braunsdaw  
Customer #: 01478J  
1410 47th Street

Sacramento, CA 95819

Cashier: Skillingsworth  
Station: FRONT-COUNTER



# **City of St. Helena 1993 General Plan**



**Policy Document**

**Adoption Date:  
September 28, 1993**

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## **7.0 HISTORIC RESOURCES ELEMENT**

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*Historic Resources*

Another design issue is procedural: who should review alterations proposed to historic buildings? Staff, Planning Commission, City Council or a design review body? Who reviews is related to what criteria the City wishes to use. The more specialized the criteria, the more the need for a group with professional expertise.

Last, there is the issue of interdepartmental coordination within the City staff to make sure that conflicts that might arise regarding the treatment of historic buildings between Public Works, Building and Planning Departments can be easily resolved.

## **7.5 HISTORIC PRESERVATION POLICIES**

The following policies are intended to further the goal of protecting the City of St. Helena's unique historic resources as identified in the Historic Resources Inventory:

### **Guiding Policies**

- 7.5.1 Preserve the City's historic and cultural resources as they contribute to the special character and quality of the City and help support its economic base.
- 7.5.2 Protect the historic resources that exist in the downtown commercial area.
- 7.5.3 Encourage new commercial and office development in all districts to be compatible with the image and character of the historic Main Street area.
- 7.5.4 Include the preservation of the City's historic resources in all future planning decisions where identified historic resources may be affected.

### **Implementing Policies**

- 7.5.5 Recognize the Historic Resources Inventory as the City's official list of historic resources.
- 7.5.6 Use the Historic Resources Inventory in future planning decisions.
- 7.5.7 Include the preservation of historic resources in an urban design plan.
- 7.5.8 Establish downtown design guidelines to protect historic buildings and guide facade changes.
- 7.5.9 Require new development in or adjacent to historic areas or buildings, to be compatible in pattern and character with existing historic buildings.

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**8.0 PUBLIC HEALTH AND SAFETY ELEMENT**

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- 8.4.4 Require prompt revegetation of development areas on slopes prone to instability. Native and drought-tolerant plant species shall be used for landscaping on slopes where excess watering might induce landslides and/or erosion.

## **8.5 FIRE AND HAZARDOUS MATERIALS**

Fire protection in St. Helena has two aspects: wildland fires and structural fires. St. Helena responds to both with a volunteer department that consists of 25 firefighters and a fire chief. While service levels are adequate within the City limits, the hillside areas on the perimeter of town provide the greatest service challenge. The heavily wooded hillside areas of St. Helena have a very high potential for wild fires. The combination of highly flammable vegetation, long and dry summers (and a drought), rugged topography, and the presence of people who live, work, and recreate in the hillside areas results in a potentially dangerous situation. Not only is human life and property at risk, but wildlife, watershed, flood control, and soils are also threatened by the effects of wildfire. The County's Wildland Fire Hazard Map indicates that the hillside areas on either side of town have a "high" fire hazard potential, whereas the valley has a low potential. In order to minimize the fire hazard, the General Plan limits the development potential in the hillside areas through general plan designations and zoning standards.

Maintaining adequate emergency response times is a fire service issue in the community that is affected by tourism. The peak period traffic congestion that occurs along Highway 29 can significantly delay response to an emergency. The difficulty in crossing Highway 29 during such periods affects both the time it takes firefighters to get from their homes to the station and the time it takes to get from the station to the fire. Similarly, traffic congestion can complicate the Department's ability to effectively respond to other emergency situations. Trucks and tankers hauling hazardous and flammable materials through town on Main Street/Highway 29 pose a potential service problem for the Department. The traffic congestion on Highway 29 not only makes circulation more difficult, but also increases the potential for accidents involving the hazardous materials.

### **Guiding Policies**

- 8.5.1 Limit development in hillside areas where wildfire hazard is high to very low intensity or maintain as open space in order to prevent the loss of lives, injuries, and property damage due to wildfires.
- 8.5.2 Protect St. Helena residents from health and safety impacts related to the use, storage, manufacture or transport of hazardous materials.
- 8.5.3 Discourage new uses that rely extensively on the use of hazardous materials.

*St. Helena General Plan***Implementing Policies**

- 8.5.4 Require all new development in high wildfire hazard areas to be constructed with fire-retardant roofing and automatic sprinkler systems.
- 8.5.5 Require all new development in high wildfire hazard areas to maintain a clearance of flammable vegetation from around structures, and to use fire-resistant groundcovers.
- 8.5.6 Require all new development to meet the minimum fire flow rates specified by the City's Fire Code.
- 8.5.7 Ensure that all streets and roads are adequate in terms of width, turning radius, and grade to facilitate access by City firefighting apparatus, and to provide alternative emergency ingress and egress.
- 8.5.8 Require all new development plans to be approved by the Fire Department prior to issuance of building permits, grading permits, or final map approval.
- 8.5.9 Review all new development proposals for their potential to introduce the production, use, storage, and/or transport of hazardous materials, and require reasonable controls on such hazardous materials.
- 8.5.10 Adopt a "fire sprinkler" ordinance for all new construction and for existing structures as determined to be appropriate.

**8.6 FLOOD HAZARDS**

As shown on the Land Use Map, flood hazard areas extend west from the Napa River anywhere from a hundred feet to more than 2,400 feet at the north end of town. The flood hazard areas are the areas subject to inundation during a "100-year" storm event. The periodic inundation of flood hazard areas can result in the loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.

Flood Hazard Areas are generally unsuitable and sometimes hazardous for intensive urban development. Attempts to reclaim these areas for intensive development through major local channel improvements or realignment generally cannot be accomplished without creating adverse impacts on downstream properties. For this reason, the General Plan considers these areas most suitable for most agricultural uses, some recreational uses, and open space uses of a similar nature. The stream channels and immediately adjacent areas generally support valuable riparian habitat and, at most, are recommended for passive recreational uses.

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

**DECEMBER 6, 2016**

**AGENDA SECTION:** Public Hearing

**AGENDA ITEM:** 5.1

**FILE NUMBER:** PL16-007

**SUBJECT:** Request by Joe McGrath for Demolition Permit and Design Review approval to demolish an existing single-family home in order to construct an 8 unit multi-family dwelling on the property located at 632 McCorkle Avenue in the HR: High Density Residential district.

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

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

**APPLICATION FILED:** 02/18/16

**ACCEPTED AS COMPLETE:** 10/28/16

**LOCATION OF PROPERTY:** 632 McCorkle Avenue

**APN:** 009-502-004

**GENERAL PLAN/ZONING:** HR: High Density Residential

**APPLICANT:** Joe McGrath

**PHONE:** (510) 995-7456

**BACKGROUND**

***Multi-family Housing in the High Density Residential District***

On May 26, 2015, the City Council adopted the 2015-2023 Housing Element which was later certified by the State Office of Housing and Community Development (HCD). As part of this process, HCD required certain changes to the City's Zoning Code as a requirement of the 2015-2023 Housing Element update. One of these changes stipulated that multiple family housing be designated as a permitted use in the City's High Density Residential district. In April 2016, the Planning Commission considered the Zoning Code changes agreed to in the Housing Element and recommended approval of the changes to the City Council. On May 10, 2016, the City Council approved the Zoning Code changes thereby allowing multiple-family housing by right in the High Density Residential district.

***Neighborhood Meeting***

A noticed neighborhood meeting was held for the project on April 21, 2016 from 5:30 to 6:30 p.m. in the City Hall conference room at 1480 Main Street. The purpose of this meeting was to introduce the project to interested neighbors and community members,

632 McCorkle Avenue  
Demolition Permit & Design Review  
December 6, 2016  
Page 1 of 9

for the City to describe the project review and approval process, for the applicant to describe details of the project, and for members of the public to ask questions about the process and project.

### **PROJECT DESCRIPTION**

The applicant proposes to demolish the existing 1,700-sf, single-family home and associated accessory structures at 632 McCorkle Avenue in order to construct a new, 8-unit, multi-family housing project. The existing home and associated accessory structures on the ½ acre (23,339-sf) parcel are in a state of disrepair and are not suitable for habitation.

The proposed multi-family project would consist of two, two-story structures containing four (4) units each. The first building (closest McCorkle Avenue) would contain two 3 bedroom units and two 2 bedroom units while the building towards the rear of the parcel would contain four 2 bedroom units. The 3 bedroom units are approximately 1,200-sf in size while the 2 bedroom units are 945-sf each. The total floor area for all 8 units would be approximately 8,000-sf.

Each of the four (4) unit structures would have a building height of approximately 23'-9". The exterior of the new buildings would be finished with a variety of materials including vertical board & batten siding, stucco plaster siding, milgard windows, and a corrugated metal roof. Siding will be in a variety of colors including country lane red, iron gray, and light gray, while the windows and accompanying aluminum awnings will be dark bronze. The project includes two 4-car solar carports.

### **ANALYSIS**

#### **CEQA**

Staff has conducted the required analysis under the California Environmental Quality Act (CEQA) and concluded that the project is categorically exempt from the requirements of CEQA pursuant to CEQA Guidelines Section 15332. Section 15332's Class 32 exemption applies to in-fill development projects which meet the conditions described below. As demonstrated herein, this project satisfies all of the elements of the Class 32 in-fill exemption. To qualify for the Class 32 exemption, a project must:

(a) be consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. As discussed in greater detail below, the subject property has a General Plan and Zoning designation of High Density Residential (HR). This district provides for single-family and multifamily residential units, group quarters and other compatible uses. Multiple-family dwellings, apartments and dwelling groups consistent with density requirements are permitted uses in the HR district, and the proposed project complies with all of the HR district's development standards concerning density, lot coverage, height, setbacks and lot width.

(b) occur within city limits on a project site of no more than five acres substantially surrounded by urban uses. The project satisfies this condition as the project site is approximately ½ acre in size and located within the city limits, is surrounded by developed properties and is within the urban limit line.

(c) have no value as habitat for endangered, rare or threatened species. As discussed below and in the supporting Biological Assessment, no such habitat exists on the project site.

(d) not result in any significant effects relating to traffic, noise, air quality, or water quality. As discussed below and in the supporting Traffic Study and Biological Assessment, the project will not result in any such impacts.

(e) be adequately served by all required utilities and public services. The project will connect to and be served by existing city services including water, sewer, electricity, garbage, etc.

Staff's CEQA exemption determination is also consistent with the City's lack of authority/discretion to consider or address potential impacts associated with the project's proposed residential land use. Multi-family residential land uses are permitted by right in the HR District. Thus, in the context of this design review approval, the Planning Commission's authority/discretion is limited to aesthetic concerns stemming from architectural design issues. Section 17.164.010 of the Zoning Ordinance expressly restricts the Planning Commission's discretion during design review to the general form, spatial relationships and appearances of the project's proposed design, and Section 17.164.040C expressly precludes the Planning Commission from disapproving a proposal for non-design related reasons.

Accordingly, the City's discretion, and thus scope of its CEQA review, is limited to architectural design issues such as scale, orientation, bulk, mass, materials and colors, and it has no authority or ability to meaningfully address non-design related issues or impacts by imposing conditions of approval or mitigation measures. As an example, this limitation excludes issues or impacts related to the presence of the known low-level soil contamination on the project site from the City's design review discretion and scope of its CEQA review because, under the requested Design Review entitlement, the City has no discretion or authority to address such non-design related issues. In such situations where an agency's discretion to deny or condition a particular activity is limited, its approval decision is considered ministerial and CEQA does not apply or CEQA review is limited to the extent of the discretion. (See (CEQA Guidelines §§ 15002(i)(1), 15369; *San Diego Navy Broadway Complex Coalition v. City of San Diego* (2010) 185 Cal.App.4<sup>th</sup> 924, 933-934; *Venturans for Responsible Growth v. City of San Buenaventura* (2013) 2013 WL 3093788.)

The CEQA regulations and decisions focus on whether the agency has the authority under its code to shape the project to address environmental impacts. Here, under the Zoning Ordinance's design review provisions, the Planning Commission has no authority to regulate or shape the project's residential land use to address non-design related issues. For this reason, and because staff deemed the project consistent with the Class 32 in-fill exemption and sees no aesthetic issues or impacts stemming from the project's architectural design, the project is exempt from CEQA.

## **GENERAL PLAN/ZONING**

The property has a General Plan and Zoning designation of High Density Residential (HR). This district provides for single-family and multifamily residential units, group quarters and other compatible uses. Multiple-family dwellings, apartments and dwelling groups consistent with density requirements are permitted uses in the HR district. Pursuant to Municipal Code Section 17.164, all new structures or buildings for both permitted and conditional uses shall require design review. The St. Helena General Plan and Housing Element 2015-2023 Goals, Policies, and Eight-Year Action Plan include the following policies that are applicable to the proposed project:

- *2.6.4 - Permit infill development and higher densities within currently developed areas wherever possible to minimize and postpone the need for expansion of the Urban Service Area.*
- *2.6.14 - Encourage a mix of housing types and price ranges to allow choice for current and future generations of St. Helenans.*
- *HE1.4 - Address workforce housing needs by supporting an improved jobs/housing “match.”*
- *HE1.5 - Encourage innovative housing types and designs.*
- *HE2.1 - Encourage higher density development where appropriate.*
- *HE2.2 - Ensure that higher density housing opportunity sites are not lost to lower density uses.*
- *HE2.5 - Allow conversion of single-family homes to multi-unit dwellings.*
- *HE2.6 - Promote a balance of types of housing throughout the whole community.*

Staff finds that the proposed project is consistent with the General Plan policies listed above.

#### ***Development Standards***

Municipal Code Section 17.44.060 describes the development standards and requirements that apply to development in the HR district. The proposed project's consistency with required development standards are described below.

Density: The maximum density permitted in HR district is 28 units per acre and the minimum density permitted in the HR district is 16.1 units per acre. As the subject parcel is approximately ½ acre in size (23,339-sf according to the Napa County Assessor's Office and 21,614-sf as surveyed), it requires a density of 8 to 14 units. The applicant is proposing 8 units which is the lowest number of units permitted by the Municipal Code.

Lot Coverage: Lot coverage is the land area covered by all buildings or structures on a lot, including all projections except eaves. Structures with an elevation of eighteen (18) inches or less above finished grade do not contribute to lot coverage. The maximum lot coverage permitted in the HR district is 45%. The project as proposed has a lot coverage of approximately 6,069-sf or 28%, which is much lower than the maximum permitted on-site.

Height: The maximum height of a principal building with more than 4 units is 35 feet. The proposed project would have a maximum height of approximately 25 feet which is nearly 10 feet lower than the maximum permitted.

Setbacks: Setbacks in the HR district are 20 feet for the front and rear property lines and 10 feet for the side yard property line. The project as proposed is 20 feet from the public right-of-way in the front, 20 feet from the rear property line, 10 feet from the side yard property line on the east side and over 25 feet from the side yard property line on the west side (driveway side). Therefore, the project meets or exceeds the all setback requirements.

Lot Width: The minimum lot width in the HR district is 70 feet. As the existing parcel is approximately 68' 6" wide, it is considered legal non-conforming and therefore cannot be made narrower in the future through a subdivision or lot line adjustment.

*Staff Response: The project as proposed meets all the development standards as required by Section 17.44.060 of the Municipal Code. \*Note: there are no floor area ratio (F.A.R.) maximums for multi-family housing projects.*

### **GROWTH MANAGEMENT**

The City of St. Helena has a Residential Growth Management System (GMS) that limits the number of residential building permits that can be issued each year (Municipal Code Chapter 17.152). The stated purpose of the GMS is to regulate the residential growth of the City to approximately 2% per year, while providing for both market rate and affordable housing. Generally, permits are regulated for market rate housing and not for exempt categories of development including all non-residential development (including hotels), replacement or relocated housing, additions, guest cottages, second units and affordable housing.

According to the GMS, no more than nine (9) building permits for market rate housing may be issued each year. So far in 2016, four (4) new market rate homes have been approved (601 Fulton Lane, 603 Fulton Lane, 1645 Vineyard Avenue, and 1660 Spring Street). Although the GMS states that annual allocations shall be issued on January 1<sup>st</sup> each year, staff has identified this as infeasible in past updates to the City Council and identified that GMS allocations would be tied to discretionary approvals until the GMS Ordinance could be updated to address problematic elements of the current requirements (such as issuance of allocations on a Holiday). Based on this, should the project be approved, staff has identified that four (4) allocations would be granted from the 2016 GMS allotments and four (4) would come from the 2017 GMS allotments.

### **TRAFFIC AND CIRCULATION**

Vehicular access to the project site is from McCorkle Avenue, a two-way local street that provides access to the neighborhood. A traffic impact analysis (TIA) by Transpedia Consulting Engineers (TCE) dated June 24, 2016 was prepared for the proposed project and is included as an attachment to this report. According to the TIA, the proposed project is expected to generate 44 net daily trips with 4 trips (1 inbound and 3 outbound) during the am peak hour and 4 trips (3 inbound and 1 outbound) during the pm peak hour. All intersections are expected to operate at acceptable levels of service



(LOS) during weekday am and pm peak hours under all study scenarios and the project was found to have a less-than-significant impact on the study intersections operations.

### **Parking**

Per Municipal Code Section 17.124, two parking spaces, one of which shall be contained within a garage or carport is required for each dwelling unit. Therefore, a total of 16 parking spaces, 8 of which must be covered are required for the proposed project. The project is providing 16 on-site parking spaces, 8 of which are covered, therefore the project satisfies the parking requirement as designed.

### **WATER**

The proposed project is subject to the requirements of the City's Water Neutrality Policy. According to the attached Water Use Analysis confirmed by the Public Works Department, the proposed project would result in an increase of approximately 537 gallons per day. Therefore, the applicant would be required to make off-site retrofits in order to achieve water neutrality. The applicant has proposed making off-site retrofits to three separate addresses in order to achieve required water neutrality. Staff finds that the project is in compliance with the requirements of the City's Water Neutrality Policy.

### **BIOLOGICAL RESOURCES**

A biological assessment (BA) prepared by Fawcett Environmental Consulting dated March 30, 2016 was prepared for the proposed project and is included as an attachment to this report. The BA concluded that no impacts on special status species of plants or animals are expected during project construction or as a result of the project's development.

### **SOILS**

In January 2016, EBA Engineering (EBA) prepared an Environmental Transaction Screen for the applicant prior to their acquisition of the property (see attached). This report documented the presence of soil staining on the project site indicative of historical spills and leaks of petroleum hydrocarbons to the ground surface and recommended that the materials should be further characterized during site development and handled accordingly. As a result, and in cooperation with the Napa County Department of Environmental Health, EBA conducted soil sampling and analysis to define the extent of soil contamination. This analysis indicated the presence of shallow petroleum hydrocarbon and lead contamination at a few locations on the project site (see the attached report from EBA dated October 28, 2016 for more information). As a result, EBA recommended the site be remediated through the excavation and removal of these shallow soils.

Subsequently, the applicant entered into a remedial action agreement with the Napa County Department of Environmental Health (attached) to monitor remediation activities and to ensure the site is restored to the proper condition. Remediation will not only include the removal of all contaminated soils, the excavated property will be backfilled and graded with material consisting of clean imported fill or other approved backfill materials. As discussed above this issue is beyond the City's discretion to address within its limited design review authority, nonetheless the project has been conditioned

to remediate any soil contamination on site to the satisfaction of the Napa County Environmental Health Department as a component of the development process.

### **DEMOLITION PERMIT**

As provided in Municipal Code Section 17.164.050(E), no permit authorizing the demolition of any building within any zoning district shall be issued until approved by the Planning Commission in accordance with the following findings:

1. That, based on the public record and testimony presented at a public hearing, the building is determined not to be a significant architectural or historical building; and
2. That the demolition does not eliminate elements that are required to maintain the essential character of the neighborhood.

*Staff Response: The existing home was constructed in 1954 and is not listed on the City of St. Helena's historical resources inventory. As previously stated, this home is currently in a state of disrepair and is not suitable for habitation according to the applicant. As such, staff finds that demolition of this residence and associated accessory structures would not impact a historical resource or otherwise negatively affect the character of the neighborhood.*

### **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. 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 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 uses;
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.

*Staff Response: Staff finds that the proposed project is consistent with both the General Plan and Zoning Ordinance and has been designed within the context of the project site and surrounding area. The project is proposing the fewest number of units permitted by the Municipal Code, is 10 feet lower in height than permitted by code and meets all required development standards. The façade of the building fronting McCorkle Avenue has been designed to resemble a single-family home. Furthermore, staff finds the project's design is consistent with modern multi-family housing projects and that the design is appropriate for the High Density Residential district. For these reasons, staff finds the proposed project is consistent with the required design review criteria listed above.*

### **CORRESPONDENCE**

At the time of packet distribution staff had received six (6) letters in opposition to this application and one (1) in support. Generally, opposition is focused on the number of high density residential projects existing and proposed on McCorkle Avenue and impacts they will have on the street and parking.

### **STAFF RECOMMENDATION**

Staff finds that the proposed project will provide needed housing within the City, is consistent with required Municipal Code Development Standards and that the project's design is in character with the High Density Residential district development criteria. For these reasons, staff concludes that the appropriate findings can be made for the requested entitlements and recommends that the Planning Commission:

1. Find that the project is exempt from the requirements of CEQA pursuant to Section 15332, which exempts projects characterized as In-fill development; and
2. Accept the required findings and approve the demolition permit and design review for the proposed new multi-family dwellings at 632 McCorkle Avenue.

### **ATTACHMENTS**

1. Resolution / Conditions of Approval

2. APN Map
3. Aerial View
4. Project Plans and Renderings
5. Water Neutrality Analysis
6. Traffic Study
7. Biological Assessment
8. Environmental Transaction Screen
9. Soil Remediation Plan
10. Remedial Action Agreement
11. Correspondence



**DEMOLITION PERMIT AND DESIGN REVIEW NO. PL16-007  
CITY OF ST. HELENA, STATE OF CALIFORNIA  
GRANTED TO 632 McCORKLE AVENUE**

**PROPERTY OWNER:** Joe McGrath

**APN:** 009-502-004

**Recitals**

1. Request by Joe McGrath for Demolition Permit and Design Review approval to demolish an existing single-family home in order to construct an 8 unit multi-family dwelling on the property located at 632 McCorkle Avenue in the HR: High Density Residential district.
2. The Planning Commission of the City of St. Helena, State of California, considered the project, staff report, and all testimony, written and spoken, at a duly noticed public hearing on December 6, 2016.

**Resolution**

- A. In making the findings in this Resolution, the Planning Commission relied upon and hereby incorporates by reference all of the documents referenced in this Resolution and the associated staff reports, City files for this matter, correspondence, presentations and other materials.
- B. The Planning Commission hereby finds that the project is exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15332, which exempts projects characterized as in-fill development when the project is consistent with the general plan and zoning; occurs within city limits on less than five acres; has no valuable habitat; won't cause any significant environmental effects; and can be served by existing public services.
- C. As provided in Municipal Code Section 17.164.050(E), the Planning Commission finds that the demolition permit can be supported based on the following findings:
  1. *That based on the public record and testimony presented at a public hearing, the buildings are determined not to be significant architectural or historical buildings given the age of construction, deteriorated condition of the structures, and lack of inclusion of the City's Historical Resources Master List; and*
  2. *That the demolition does not eliminate elements that are required to maintain the essential character of the neighborhood in that the existing structures are in a dilapidated condition and that the neighborhood is a mix of single-family and multi-family housing units.*
- D. In accordance with the design review criteria identified in Municipal Code Section 17.164.030, the Planning Commission finds that the project demonstrates the following:
  1. *Consistency and compatibility with applicable elements of the general plan in that a multi-family building is being constructed in the High Density Residential district;*

632 McCorkle Avenue  
Demolition Permit and Design Review  
December 6, 2016



2. *Compatibility of design with the immediate environment of the site is supported in that modern building materials will be used in project construction typical of newly constructed residential buildings;*
3. *Relationship of the design to the site is found to be consistent in that the project was designed by a licensed architect in consideration of the unique characteristics of the site;*
4. *Determination that the design is compatible in areas considered by the board as having a unified design or historical character is found as a residential structure will be constructed in a residential area and that there are no historic elements of the property or design;*
5. *That the design promotes harmonious transition in scale and character in areas between different designated land use is found in that the project is located in a residentially zoned district with varying densities and scales and that the project is consistent with said district and character;*
6. *Compatibility with future construction both on and off the site is supported as the project is a residential structure in a residential district that will not negatively impact future construction on or off site;*
7. *That the architectural design of structures and their materials and colors are appropriate to the function of the project is supported in that the project will use common construction materials and colors for residential development;*
8. *That 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 is found in that the site and buildings were designed to create independent living units with adequate off-street parking; covered garbage enclosures; and common recreation areas.*
9. *That the amount and arrangement of open space and landscaping are appropriate to the design and the function of the structures is found to be appropriate through the common open space and landscaping surrounding the living and parking areas on the property;*
10. *That sufficient ancillary functions are provided to support the main functions of the project and that they are compatible with the project's design concept in that the project provides adequate off-street parking and recreational areas for residents with a design that is fully compatible with the residential structure;*
11. *That access to the property and circulation systems are safe and convenient for pedestrians, cyclists and vehicles is supported based on the existing roadway network, proposed access easements, and street frontage improvements including new sidewalks.*
12. *That natural features are appropriately preserved and integrated with the project is found in that this is an infill project and all development is in previously developed and/or disturbed areas of the property;*
13. *That the materials, textures, colors and details of construction are an appropriate*

*expression of its design concept and function and that they are compatible with the adjacent and neighboring structure and functions is supported in that the project will use common construction materials and colors for residential development and that the project is compatible with the character of the residential area;*

- 14. In areas considered by the board as having a unified design character or historical character, whether the design is compatible with such character is found as a residential structure will be constructed in a residential area and that there are no historic elements of the property or design;*
- 15. That 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 that the landscape concept depicts an appropriate unity with the various buildings on the site is found in that a detailed landscaping plan has been prepared and designed to complement the proposed buildings and site in general;*
- 16. That 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 is supported based on the professionally prepared landscaping plan; and*
- 17. That 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 is found based on the efficiencies gained through the construction of new buildings and infrastructure in compliance with the requirements of the California Building Code and the City of St. Helena Municipal Code.*

#### **Planning Department Conditions of Approval**

- E. The Planning Commission approves the demolition permit and design review for the above-described project with the following conditions of approval. 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 project shall be in conformance with all city ordinances, rules, regulations and policies in effect at the time of issuance of a building permit.
  2. These approvals 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.

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. In any action or proceeding to attack, challenge, invalidate, set aside, void or annul the City's approval of applicant's Project, in whole or in part, applicant shall defend, at its own expense and without any cost to the City, and with counsel acceptable to the City, and shall fully and completely indemnify and hold the City, its agents, officers, and employees harmless from and against any and all claims, causes of action, damages, costs, attorney's fees and liability of any kind, so long as the City reasonably promptly notifies the applicant of any such claim, action, or proceedings and the City cooperates fully in the defense of the action or proceedings.
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 6, 2016, except as modified herein.
10. AS a component of the construction process, the site shall be remediated to the satisfaction of the Napa County Environmental Health Department.
11. During construction, the project site shall be adequately screened and secured to minimize potential impacts to the neighborhood and surrounding community.
12. Exterior lighting shall be directed or shielded to prevent glare onto the public roadway or adjacent properties.
13. Property owners 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.
14. 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.

15. The project shall comply with all housing allocation requirements per the City's Growth Management System (GMS) as approved by the City Council. This action allocates four (4) GMS permit allotments from the 2016 permit pool and anticipates the remaining four (4) GMS permit allotments will be drawn from the 2017 allotment pool.

#### **Public Works Department Conditions of Approval**

16. 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.
17. For any improvements outside the existing building envelope, a grading and drainage plan showing topographic data, all easements, infrastructure onsite and directly adjoining, and an erosion control 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, or alteration of any drainage pattern, a grading permit shall be required.
18. Drainage needs to be routed to prevent inundation of neighboring properties. Grading and/or site improvement plans shall show how 2-year and 10-year storm flows shall be infiltrated on site and/or diverted at the property lines to prevent inundation of neighboring properties. The applicant shall submit a drainage and hydrology analysis for the project impact, including downstream erosion potential, to the City of St. Helena Public Works Department with the Improvement Plan submittal in accordance with City of St. Helena, Napa County and State of California codes in effect at the time of improvement plan submittal.
19. Erosion and sediment control plans shall conform to the latest State and City codes at a minimum.
20. The applicant shall incorporate water conservation practices into the proposed project per the Theoretical Water Use Report prepared by Nest Properties, which

includes offsite retrofits of the plumbing fixtures at 814 Hunt Street, 812 Chiles Avenue, and 1240-48 Grayson Avenue. Any and all non-conforming appliances and plumbing fixtures shall be removed from the premises. The water conservation requirements shall be replicated in full on the architectural plans.

21. A detailed Post-Construction Stormwater Control Plan (SWCP) that identifies and sizes all permanent post-construction stormwater treatment BMPs shall be prepared and submitted for review approval. The Plan shall be prepared in accordance with the latest edition of the Bay Area Stormwater Management Agencies Association (BASMAA) Post-Construction Manual and the requirements of the State Water Resources Control Board Phase II Municipal Separate Storm Water System (MS4) General Permit (Order 2013-0001 DWQ).
22. A Post Construction Stormwater Operations and Maintenance Plan that provides a color-coded plan sheet showing all storm drain and water quality infrastructure that is to be maintained, along with detailed instructions and schedules for the ongoing maintenance and operation of all post-construction stormwater BMPs shall be submitted for review and approval by the City Engineer. Once approved, the property owner shall enter into an agreement with the City that provides the terms, conditions, and security associated with the ongoing requirements of the Post Construction Stormwater Best Management Practices.
23. Prior to Certificate of Occupancy, the Applicant shall enter into and record a Post-Construction Stormwater Operations and Maintenance Agreement with the City.
24. If the project includes 500 square feet or more of new landscaping and/or 2,500 square feet or more of rehabilitated landscape, the proposed landscaping shall comply with the State's Model Water Efficient Landscape Ordinance (MWELO).
25. A detailed Soils Investigation/Geotechnical Report shall be prepared and submitted for review. The report shall address, at a minimum, potential for liquefaction, R-values, expansive soils and seismic risk. The improvement plans shall incorporate all design and construction criteria recommended in the Geotechnical Report.
26. Prior to demolition, the applicant shall provide an assessment of the existing structures for the presence of asbestos containing materials and lead based paint by a qualified professional.
27. Unless otherwise explicitly permitted, all existing wells, septic tanks/systems and/or underground fuel storage tanks shall be abandoned under permit and inspection of Napa County Department of Environmental Services or other designated agency. If there are none, the project engineer shall provide a letter describing the scope of the search done to make this determination.

28. Site plan shall show the location of any trees within the project area. Provide a tree protection plan for approval by the Public Works Director prior to approval of the building permit. The plan shall be coordinated with any civil grading/drainage/improvement plans.
29. The Applicant shall keep adjoining public streets free and clean of project dirt, mud, materials, and debris during the construction period, as is found necessary by the City Engineer.
30. 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. New laterals shall be located perpendicular to the water main and outside any driveway/drive aisle.
31. Remodels or new construction which require fire sprinklers 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. Deferred submittals are not accepted.
32. No construction may commence until adequate access to fire water supply is available to building sites as approved by the Fire Chief.
33. The applicant shall apply for annexation to the St. Helena Municipal Sewer District No. 1 prior to issuance of a Building Permit. The application shall be completed in accordance with the City of St. Helena's Sewer Annexation Procedures including all annexation, impact, connection, and sewer fees.
34. The developer shall construct a 6-inch sewer main sloped at a minimum of 1% or an 8-inch sewer main sloped at a minimum of 0.5% in accordance with City Standards. This improvement shall be coordinated with all civil improvement plans.
35. The applicant shall be responsible for the extension of sewer lines to the property.
36. Construct standard frontage and ADA compliant improvements along the property front including driveway, sidewalk, curb, gutter, and any needed pavement widening. The standard frontage improvements cross section shall consist of a 5' landscape area, 5' sidewalk (measured from TC), 8' parking (including gutter pan), and 10' vehicle lane (in each direction). At such time the City elects to install a bicycle lane along McCorkle Avenue, on-street parking will be eliminated. Any new asphalt shall taper back to the existing edge of pavement. As a component of these frontage improvements, the project shall reconstruct the roadway to the centerline and slurry seal the entire road along the project frontage. A right-of-way dedication shall be

provided as necessary for the said improvements, to the centerline of the existing McCorkle Avenue.

37. Trash areas, dumpsters and recycling containers shall be enclosed and roofed per State and County standards to prevent water run-on to the trash area and water runoff from the area, to contain litter and trash so that it is not dispersed by the wind or run-off during waste removal. In the event that wine or food is disposed in these areas, the enclosed trash area shall drain to the sanitary sewer system. An area drain connected to the sanitary sewer shall be installed in the enclosure area and a structural control such as an oil/water separator or sand filter shall be included. No other area shall drain into the trash enclosure. A sign shall be posted prohibiting the dumping of hazardous materials into the sanitary sewer.
38. 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.
39. 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.
40. The applicant shall be required to obtain an encroachment permit for improvements on public right-of-ways prior to receiving a grading or building permit authorizing site work or construction activities on the site.

#### **Building Department Conditions of Approval**

41. The applicant will be required to comply with the codes adopted at the time the applicant applies for a building permit. At this time the City of St. Helena utilizes the 2013 Title 24 codes.
42. When submitting plans for a building permit, the plans shall include all documentation listed on the building permit application checklist.
43. The applicant shall provide a construction waste management plan with the building permit application.
44. The plans for construction shall include a checklist for compliance with the California Green Buildings Standards Code, mandatory measures. Provide a reference on the checklist indicating where the mandatory measures can be found on the plans.
45. When submitting plans, the title page shall include all information referenced on the building permit application checklist Title Page requirements.
46. Building Permit application materials and plans shall include any documentation pertaining to special loads applicable to the design and the specified section of the code that addresses the condition; special inspections for any systems or components requiring special inspection; requirements for seismic resistance; and a complete list of deferred submittals at time of application. Any deferral of the



required submittal items shall have prior approval of the Building Official however deferral of fire sprinkler design is not allowed.

**Fire Department Conditions of Approval**

47. Fire sprinklers and fire hydrants shall be installed as required by Fire Code and the Fire Department.

**I HEREBY CERTIFY** that the foregoing demolition permit and design review was duly and regularly approved by the Planning Commission of the City of St. Helena at a regular meeting of said Planning Commission held on December 6, 2016 by the following roll call vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

APPROVED:

ATTEST:

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

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

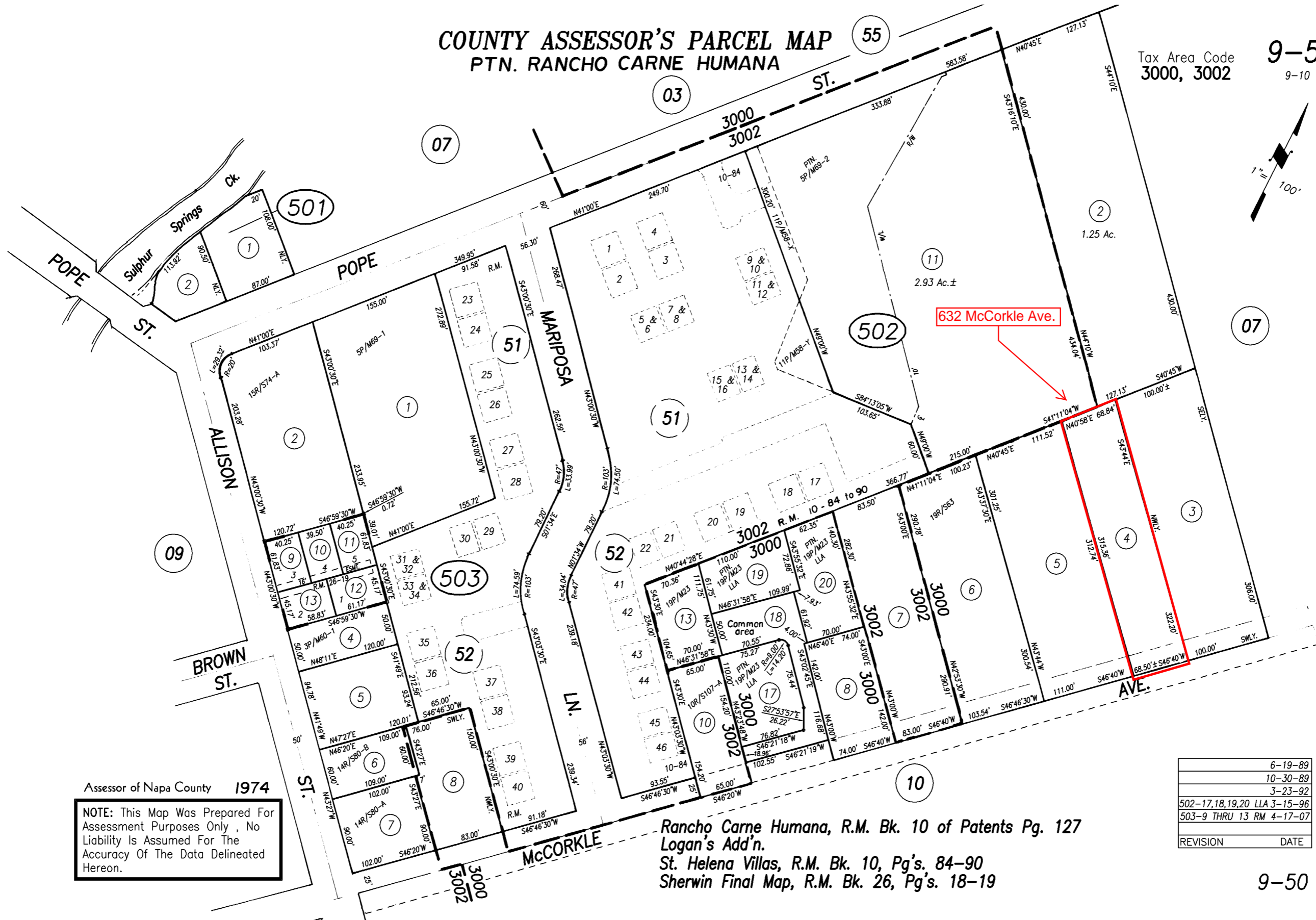
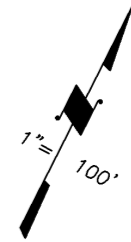


# COUNTY ASSESSOR'S PARCEL MAP

## PTN. RANCHO CARNE HUMANA

Tax Area Code  
3000, 3002

9-50  
9-10



Assessor of Napa County 1974

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

Rancho Carne Humana, R.M. Bk. 10 of Patents Pg. 127  
Logan's Add'n.  
St. Helena Villas, R.M. Bk. 10, Pg's. 84-90  
Sherwin Final Map, R.M. Bk. 26, Pg's. 18-19

	6-19-89
	10-30-89
	3-23-92
	502-17,18,19,20 LLA 3-15-96
	503-9 THRU 13 RM 4-17-07
REVISION	DATE

9-50











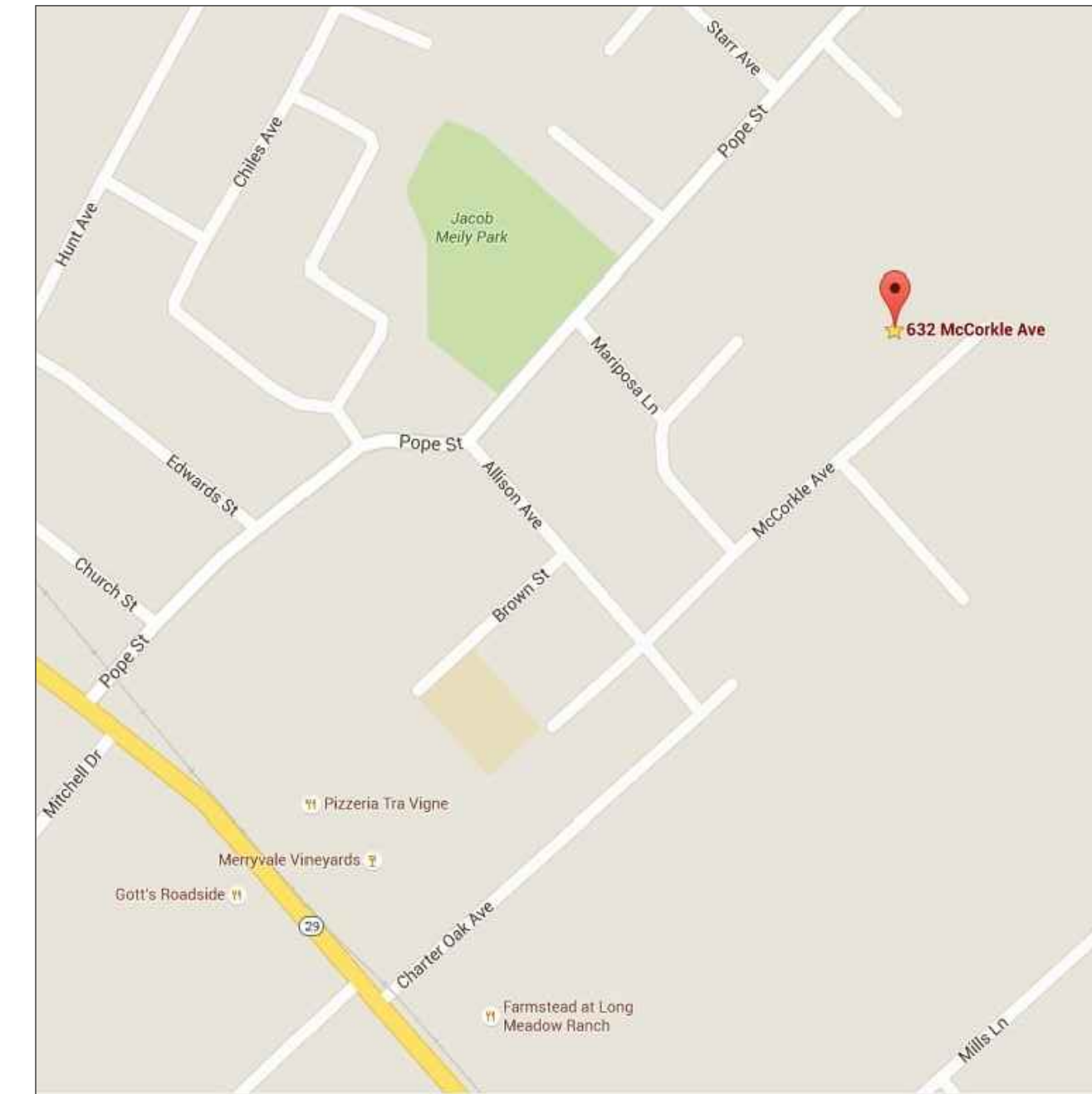


632 McCorkle Apartments Proposal  
[View Looking North from McCorkle Ave]





MCCORKLE AVE ELEVATION



VICINITY MAP

PROJECT CONTACT INFO	
OWNER	MCGRATH-SYNGAL REVOCABLE TRUST 2005
ARCHITECT / DESIGNER	JOE MCGRATH / MCGRATH BUILDERS 387 CAMINO SOBRANTE ORINDA, CA 94563 JOE.MCGRATH65@GMAIL.COM
CIVIL ENGINEER	JOHNNY CHIU / LEA4BRAZE ENGINEERING HAYWARD, CA JCHIU@LEABRAZE.COM
ENVIRONMENTAL ENGINEER	MATT EARNSHAW / EBA ENGINEERING 825 SONOMA AVE, SUITE C SANTA ROSA, CA
TRAFFIC ENGINEER	MOUSA ABASSI / TRANSPEDIAONE 613 FOURTH STREET SANTA ROSA, CA MOUSA@TRANSPEDIAONE.COM
STRUCTURAL ENGINEER	DAVID MURPHY, PE MURPHYENG@ME.COM
GEOTECH ENGINEER	LUIS MOURA / GEOTECNIA 2422 PROVIDENCE COURT WALNUT CREEK, CA 94596 LUIS@GEOTECNIA.COM
LANDSCAPE DESIGNER	MCGRATH BUILDERS 387 CAMINO SOBRANTE ORINDA, CA 94563
GENERAL CONTRACTOR	MCGRATH BUILDERS (LICENSE # 639282) 387 CAMINO SOBRANTE ORINDA, CA 94563

ZONING INFO			
ELEMENT	REQUIREMENT	PROJECT	COMPLIANT
DISTRICT	HDR	HDR	Y
DENSITY	16-28 U/A	8 U / .5 ACRE	Y
FRONT SETBACK	20' (fr PROW)	20'	Y
SIDE SETBACK	10'	10'	Y
REAR SETBACK	20'	20'	Y
COVERED PARKING	1/Unit (8)	8	Y
TOTAL PARKING	2/Unit (16)	16	Y
F.A.R.	<=45%	$\frac{8100}{21619} = 38.1\%$	Y
BUILDING HEIGHT	35'	25'	Y

SHEET INDEX	
No.	DESCRIPTION
A-0.0	TITLE / PROJECT INFO
SUI	SITE SURVEY
A-1.0	(E) SITE & DEMOLITION PLAN
A-2.0	(P) SITE PLAN
A-3.0	ELEVATIONS
A-4.0	FLOOR PLANS
A-5.0	FLOOR PLAN DETAILS
A-6.0	SECTIONS
A-6.1	SECTIONS (2)
L-1.0	PRELIMINARY LANDSCAPE PLAN
SCP-1	PRELIMINARY STORMWATER CONTROL PLAN
G2.0	PRELIMINARY GRADING & DRAINAGE PLAN
G3.0	PRELIMINARY NET UTILITY PLAN

## 632 MC CORKLE APARTMENTS

ST HELENA, CA  
 (6) 2 BEDROOM / 2 BATH  
 (2) 3 BEDROOM / 2 BATH  
 APN # 009180026

GENERAL CONTRACTOR:  
 MCGRATH BUILDERS  
 387 CAMINO SOBRANTE  
 ORINDA, CA 94563  
 LIC: # 639282

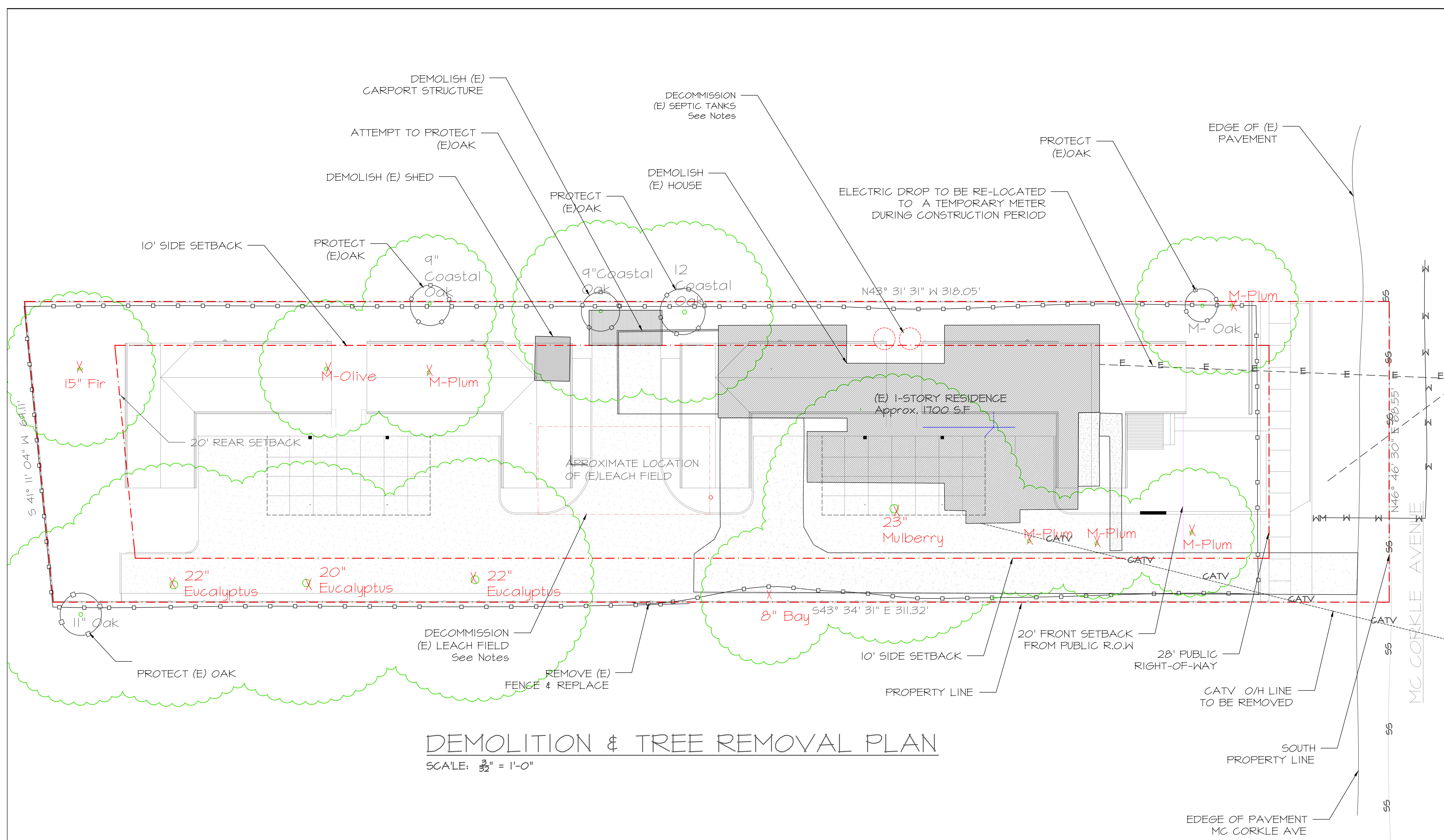
PROJECT LOCATION:  
 632 MC CORKLE AVE  
 ST HELENA, CA, 94574  
 APN #: 009180026

PROJECT INFO / TITLE

REVISIONS BY  
 JOB NO:  
 DATE: 12/06/16  
 SCALE: NOTED  
 DESIGN: JM  
 DRAWN: JM  
 SHEET NO:  
**A-0.0**







### DEMOLITION & TREE REMOVAL PLAN

SCALE:  $\frac{3}{32}'' = 1'-0''$

TREE REMOVAL PLAN (X)		
QTY	TYPE	Dia (>6")
1	Coastal Oak	9"
3	Eucalyptus	20" / 22" / 22"
1	Mulberry	23"
1	Bay	8"
7	Misc Fruit	< 6"

**NOTES:**

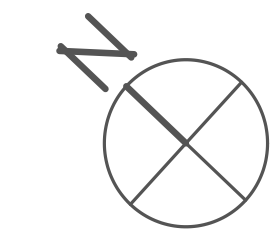
- 1) NO WATER WELL HAS BEEN FOUND ON SITE. IN THE EVENT THAT A WATER WELL IS DISCOVERED DURING THE DEVELOPMENT PROCESS IT WILL BE DE-COMMISSIONED PER THE STANDARDS OF THE NAPA COUNTY DEPARTMENT OF ENVIRONMENTAL HEALTH
- 2) PRIOR TO THE DEMOLITION OF THE EXISTING STRUCTURE(S) THE STRUCTURE(S) WILL BE EVALUATED FOR THE PRESENCE OF LEAD & ASBESTOS BY A QUALIFIED ENGINEER. THE REMOVAL AND DISPOSAL OF ANY MATERIAL CONTAINING LEAD AND/OR ASBESTOS SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS SET FORTH BY THE NAPA COUNTY DEPARTMENT OF ENVIRONMENTAL HEALTH
- 3) SEPTIC TANKS AND LEACH FIELD TO BE DEMOLISHED UNDER PERMIT FROM THE NAPA COUNTY DEPARTMENT OF ENVIRONMENTAL HEALTH

GENERAL CONTRACTOR:  
MC GRATH BUILDERS  
387 CAMINO SOBRANTE  
ORINDA, CA 94563  
LIC. # 639222

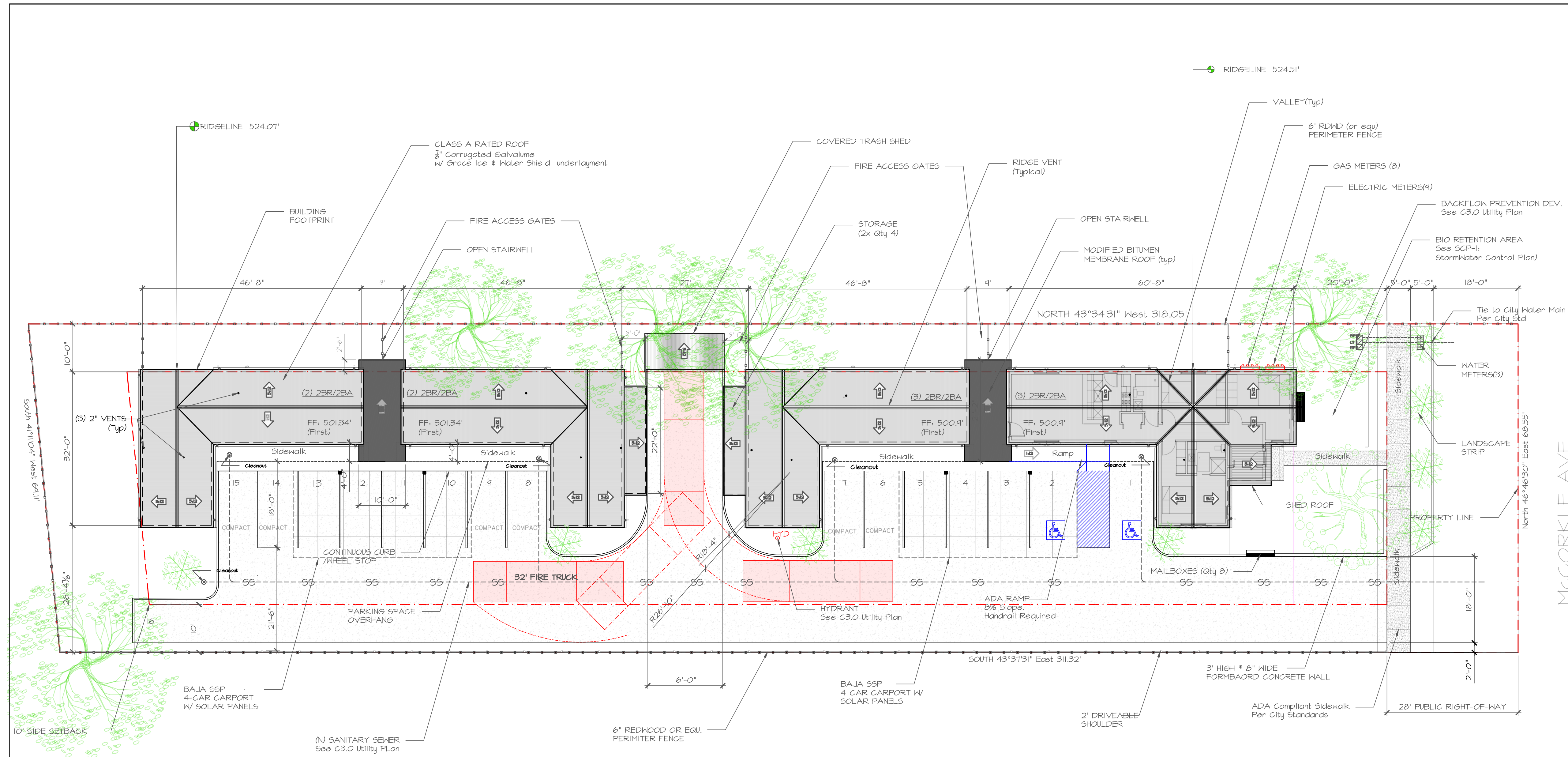
PROJECT LOCATION:  
632 MC CORKLE AVE  
ST HELENA, CA. 94574  
APN #: 009180026

DEMOLITION & TREE REMOVAL PLAN

12/06/16	JM
REVISIONS	BY
JOB NO:	
DATE: 12/06/16	
SCALE: $\frac{3}{32}'' = 1'-0''$	
DESIGN JM	
DRAWN JM	
SHEET NO:	
<b>A-1.0</b>	







### PROPOSED SITE / PARKING PLAN & ROOF PLAN

APN # 009180026  
SCALE: 3/32" = 1'-0"

PARKING REQUIREMENTS					
UNIT TYPE	QTY	COVERED REGT	PROPOSAL	TOTAL REGT	PROPOSAL
2BR/2BA	6	6	6	12	12
3BR/2BA	2	2	2	4	4
HANDICAP				1	2
<b>TOTAL</b>	<b>8</b>	<b>8</b>	<b>8</b>	<b>16</b>	<b>16</b>

**Parking Notes:**  
 1) All Parking Stalls considered Long Term Use, Regular Spaces = 9'x18', Compact Spaces = 8.5'x18'  
 2) Parking Stall shall be marked using 4" wide path stripes. All directional arrows and legends shall be white.  
 3) "Compact" shall be stenciled on the pavement at the entrance to each compact stall, 6" Min. letter size.

- NOTES:**
- 1) IMPROVEMENTS ON MCCORKLE AVE SHALL COMPRISE A 10' VEHICLE LANE (WESTBOUND), 5' LANDSCAPE STRIP, 5' ADA COMPLIANT SIDEWALK
  - 2) THE CITY OF ST HELENA MAY ELECT TO INSTALL A BICYCLE LANE WHICH MAY ELIMINATE STREET CURB PARKING
  - 3) MCCORKLE AVE SHALL BE RECONSTRUCTED TO THE CENTERLINE AND A SLURRY SEAL SHALL BE PLACED PER CITY STANDARDS TO THE CENTERLINE THE FULL PROJECT WIDTH  
ANY NEW ASPHALT SHALL TAPER BACK TO THE EXISTING EDGE OF THE PAVEMENT
  - 4) A RIGHT-OF-WAY DEDICATION SHALL BE PROVIDED AS NECESSARY FOR THE IMPROVEMENT IN THE 28' PUBLIC RIGHT-OF-WAY\*

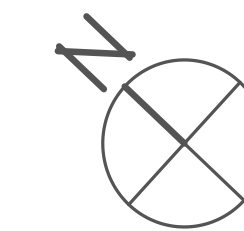
GENERAL CONTRACTOR:  
MC GRATH BUILDERS  
3871 CAMINO SOBRANTE  
ORINDA, CA 94563  
LIC #: 634282

PROJECT LOCATION:  
632 MCCORKLE AVE  
ST HELENA, CA 94574  
APN #: 00180026

SITE / PARKING PLAN &  
ROOF PLAN

12/06/16 JM  
REVISIONS: BY  
DATE: 12/06/16  
SCALE: 3/32" = 1'-0"  
DESIGN: JM  
DRAWN: JM  
SHEET NO:

A-2.0



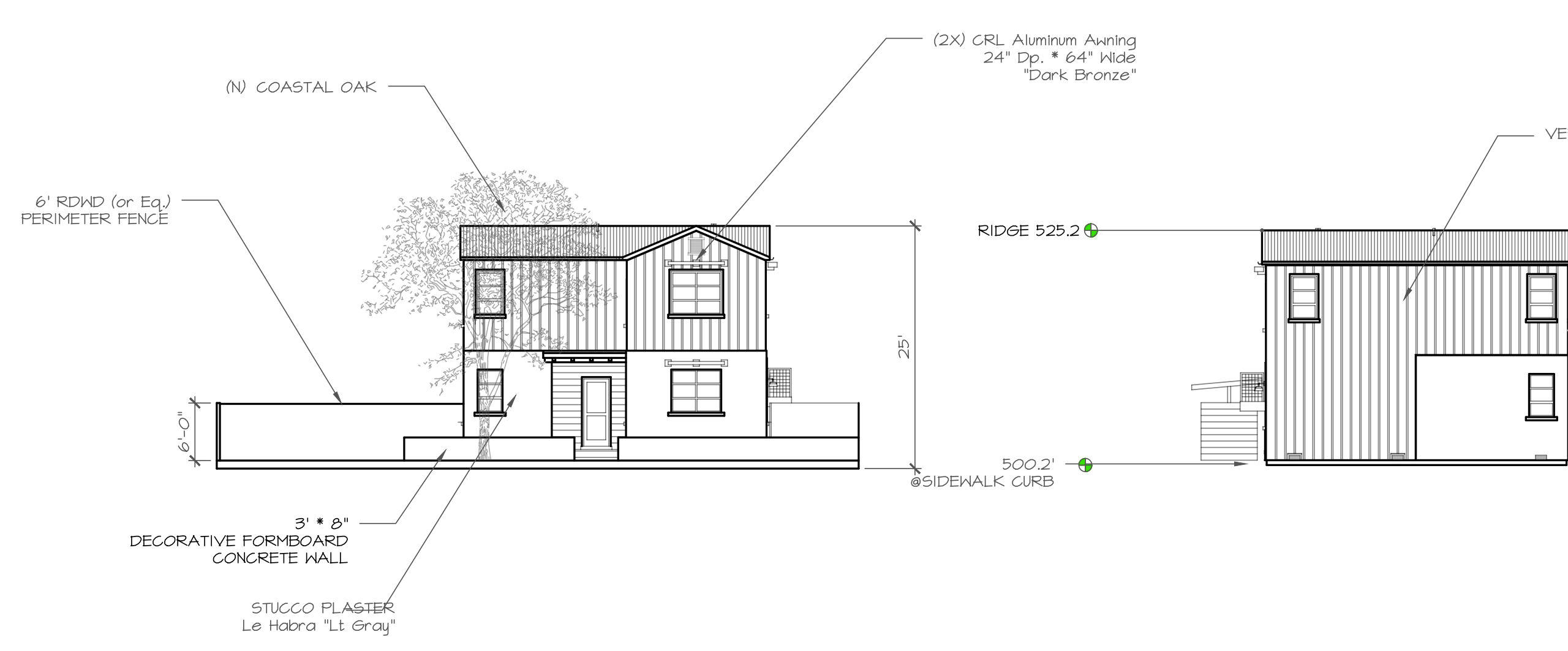




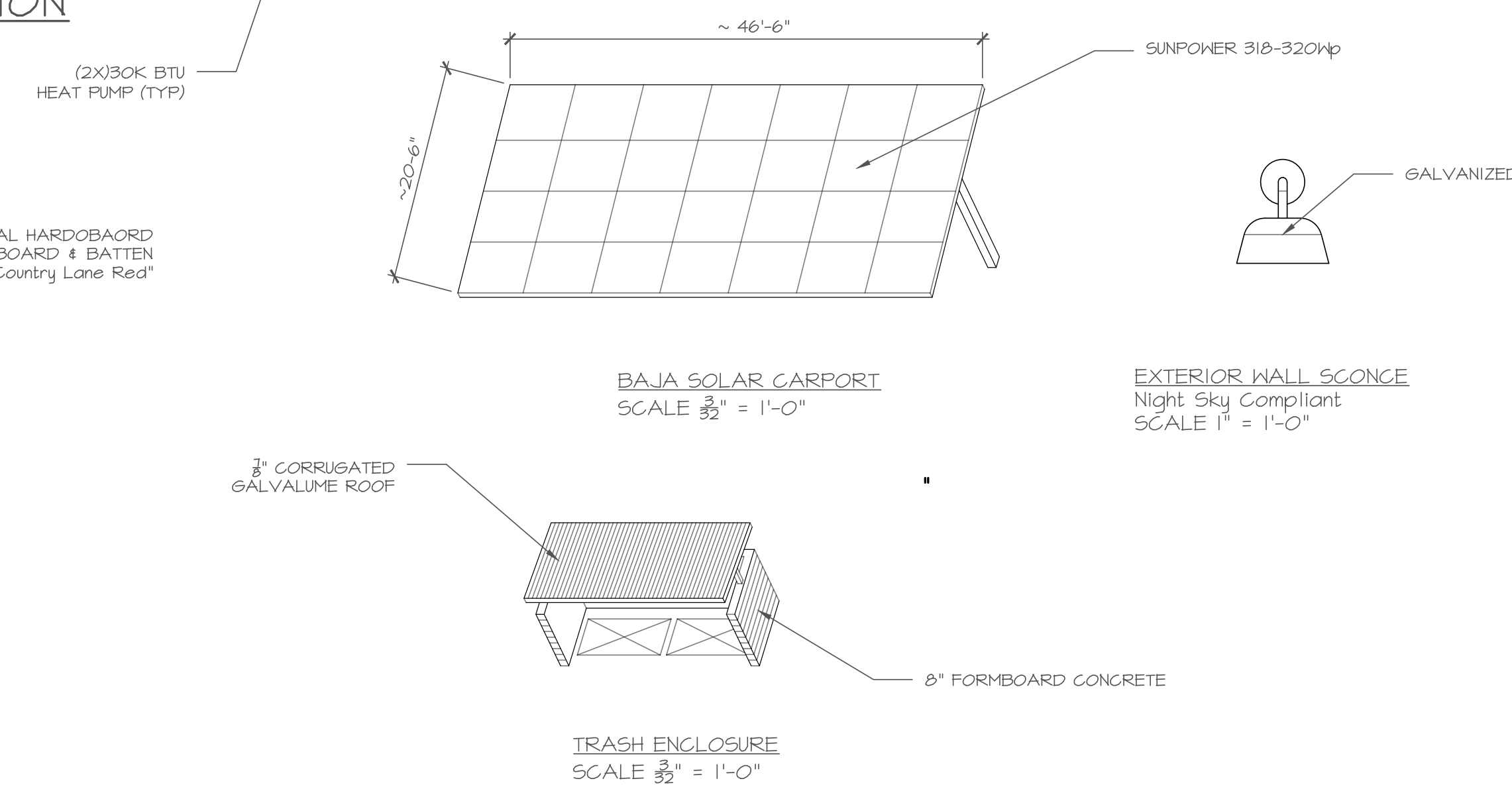
**SOUTH-WEST ELEVATION**  
SCALE 3/32" = 1'-0"



**NORTH-EAST ELEVATION**  
SCALE 3/32" = 1'-0"



**[MC CORKLE] ELEVATION**  
SCALE 3/32" = 1'-0"



**BAJA SOLAR CARPORT**  
SCALE 3/32" = 1'-0"

**EXTERIOR WALL SCONGE**  
Night Sky Compliant  
SCALE 1" = 1'-0"

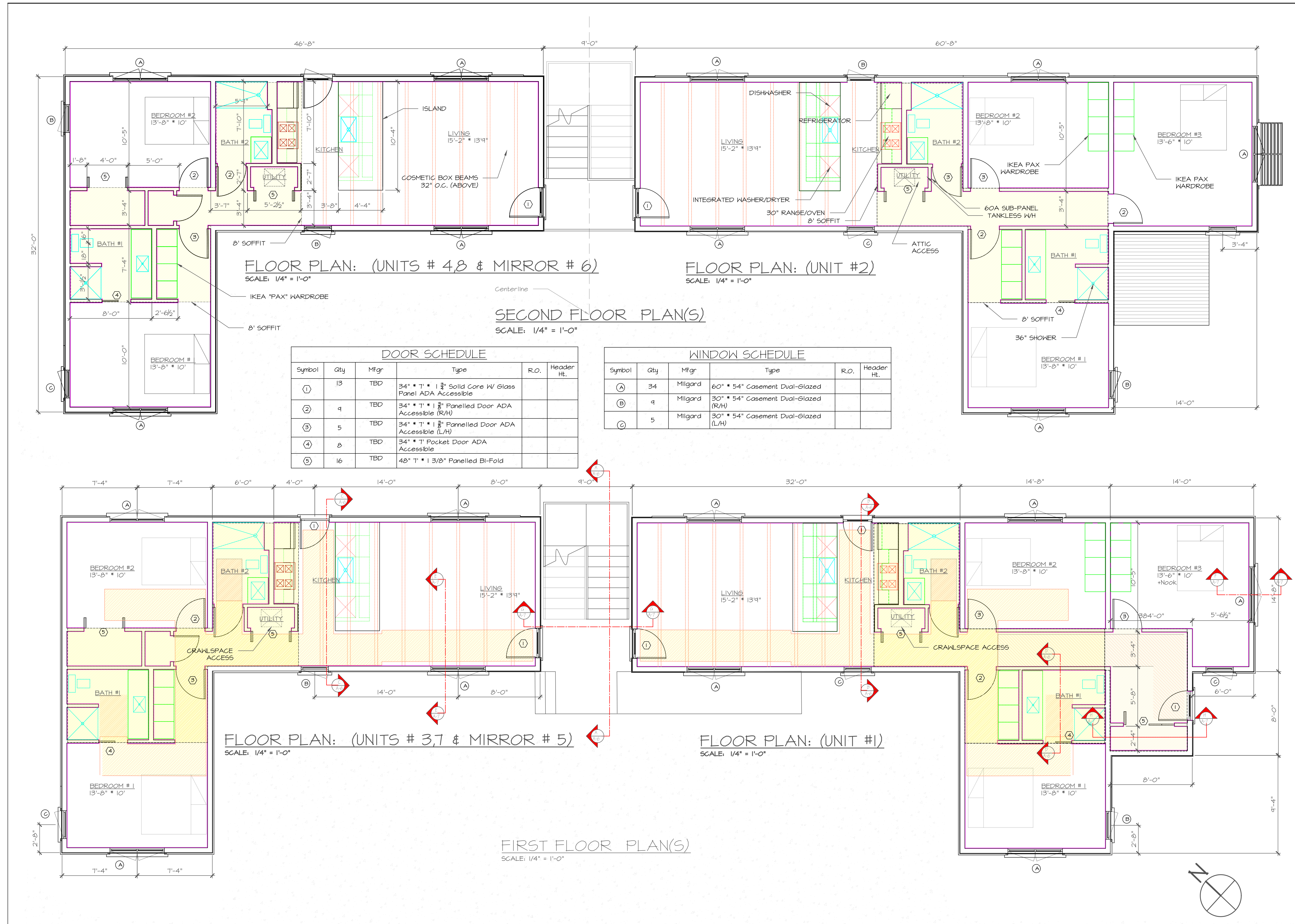
**TRASH ENCLOSURE**  
SCALE 3/32" = 1'-0"

GENERAL CONTRACTOR: MC GRATH BUILDERS 367 CANINO SOBRANTE ORINDA CA 94565 LIC. # 69282	
PROJECT LOCATION: 630 MC CORKLE AVE ST HELENA, CA 94574 APN: 009180026	
ELEVATIONS	
12/06/16	JM
REVISIONS	BY
JOB NO:	
DATE:	12/06/16
SCALE:	AS NOTED
DESIGN:	JM
DRAWN:	JM
SHEET NO:	
<b>A-3.0</b>	









FLOOR PLAN: (UNITS # 4, 5 & MIRROR # 6)  
SCALE: 1/4" = 1'-0"

FLOOR PLAN: (UNIT #2)  
SCALE: 1/4" = 1'-0"

SECOND FLOOR PLAN(S)  
SCALE: 1/4" = 1'-0"

DOOR SCHEDULE					
Symbol	Qty	Mfgr	Type	R.O.	Header Ht.
①	13	TBD	34" x 7' x 1 3/8" Solid Core w/ Glass Panel ADA Accessible		
②	9	TBD	34" x 7' x 1 3/8" Panelled Door ADA Accessible (R/H)		
③	5	TBD	34" x 7' x 1 3/8" Panelled Door ADA Accessible (L/H)		
④	8	TBD	34" x 7' Pocket Door ADA Accessible		
⑤	16	TBD	48" x 7' x 1 3/8" Panelled Bi-Fold		

WINDOW SCHEDULE					
Symbol	Qty	Mfgr	Type	R.O.	Header Ht.
A	34	Milgard	60" x 54" Casement Dual-Glazed		
B	4	Milgard	30" x 54" Casement Dual-Glazed (R/H)		
C	5	Milgard	30" x 54" Casement Dual-Glazed (L/H)		

FLOOR PLAN: (UNITS # 3, 7 & MIRROR # 5)  
SCALE: 1/4" = 1'-0"

FLOOR PLAN: (UNIT #1)  
SCALE: 1/4" = 1'-0"

FIRST FLOOR PLAN(S)  
SCALE: 1/4" = 1'-0"

GENERAL CONTRACTOR:  
BIG GRAY BUILDERS  
2000 W. 10TH STREET  
SANTA ANA, CA 92705  
LIC. # 639282

PROJECT LOCATION:  
632 MC CORLE AVE  
SANTA ANA, CA 92704  
APN #: 00180026

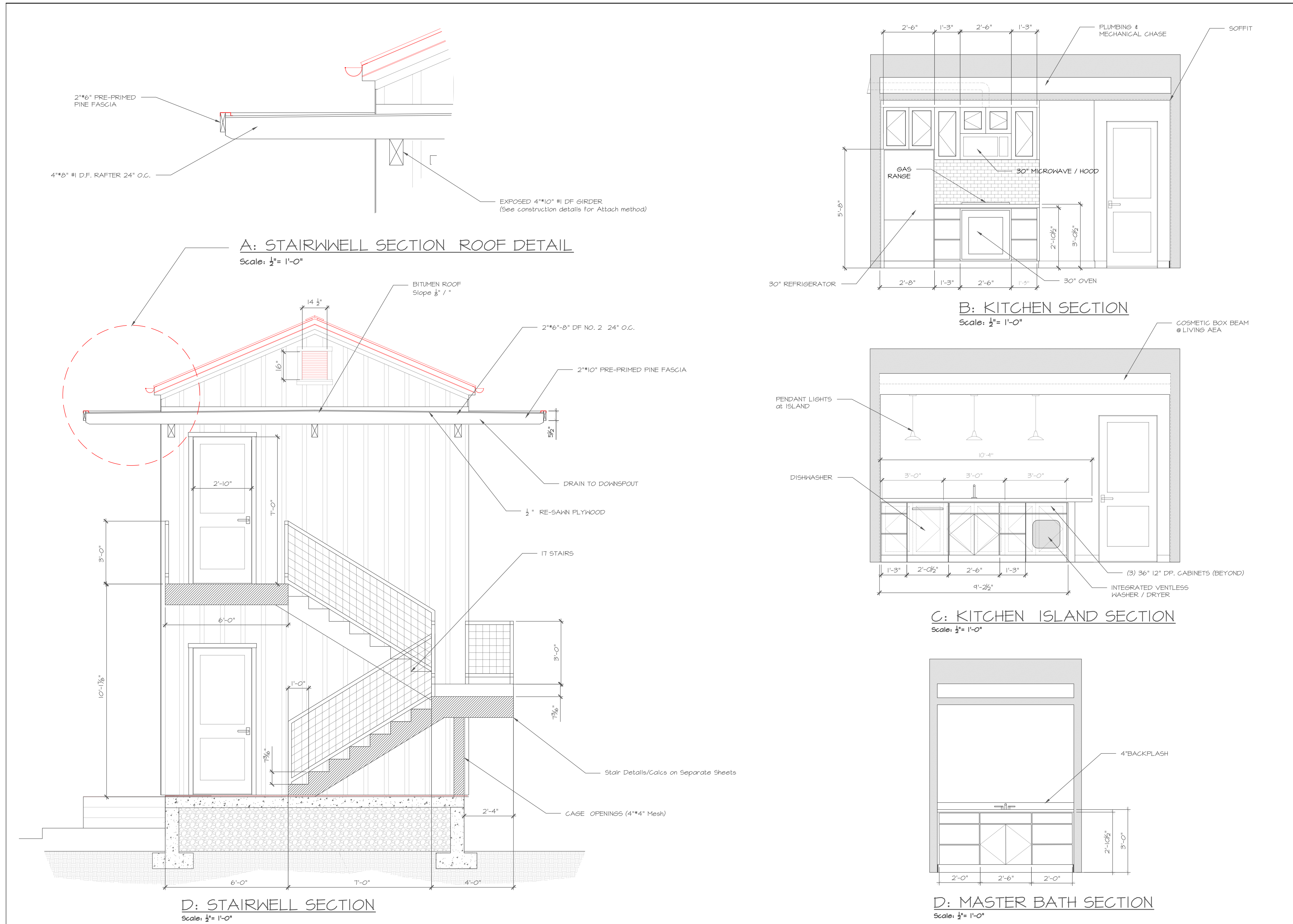
FLOOR PLAN(S)

DESIGN:	JM
BY:	
DATE:	12/06/16
SCALE:	1/4" = 1'-0"
DESIGN:	JM
DRAWN:	JM
SHEET NO.:	

A-5.0

USER





GENERAL CONTRACTOR:  
MC GRATH BUILDERS  
3871 CAMINO SOBRANTE  
ORINDA, CA 94563  
LIC. #: 639222

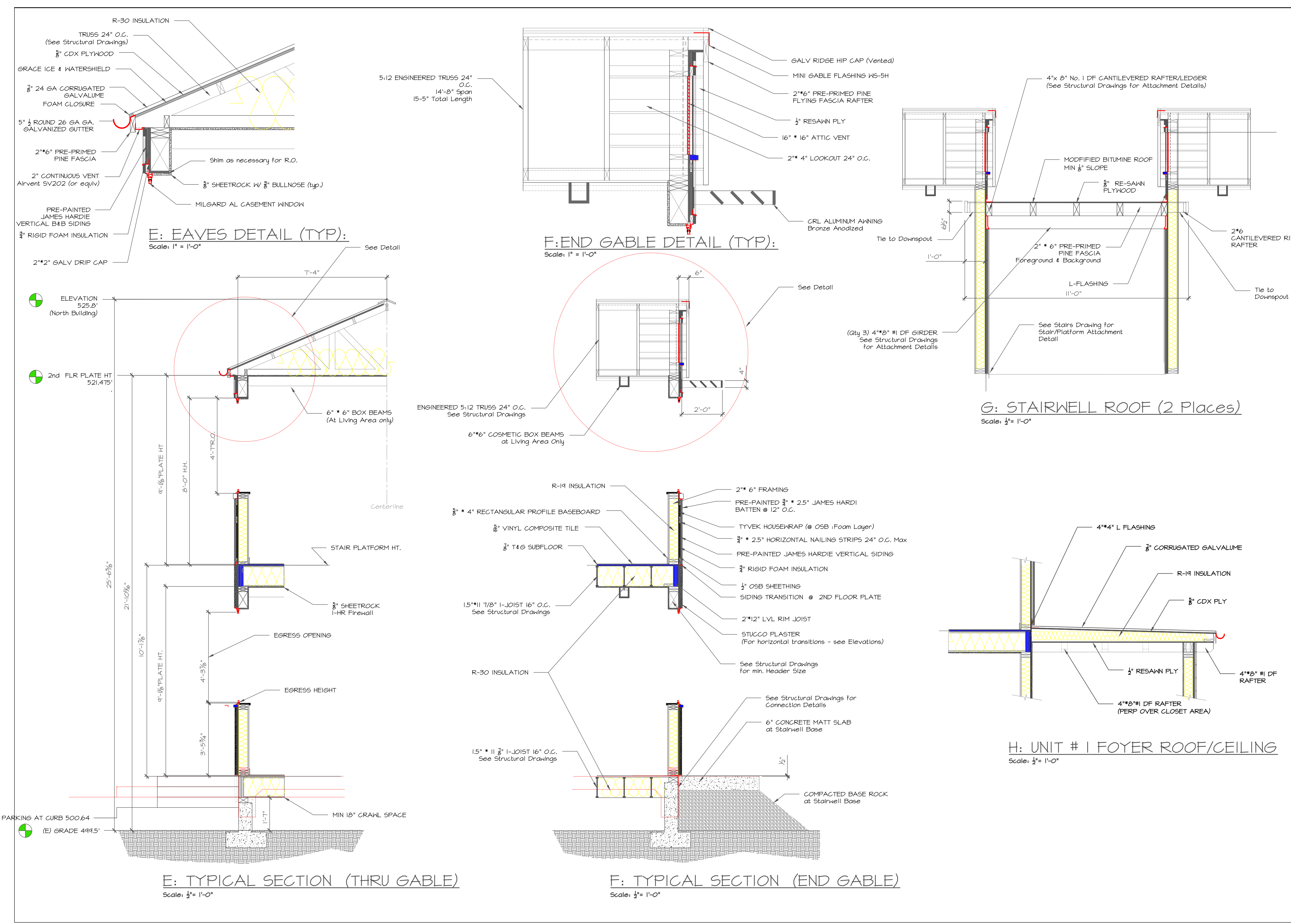
PROJECT LOCATION:  
632 MC CORLE AVE  
SHELENA, CA 94574  
APN #: 00180026

SECTIONS

12/06/16	JM
REVISIONS:	BY
DATE:	12/06/16
SCALE:	1/2" = 1'-0"
DESIGN:	JM
DRAWN:	JM
SHEET NO.:	

A-6.0

USER



GENERAL CONTRACTOR:  
MC GRATH BUILDERS  
3901 CAMINO SOBRANTE  
ORINDA, CA 94563  
LIC. # 694282

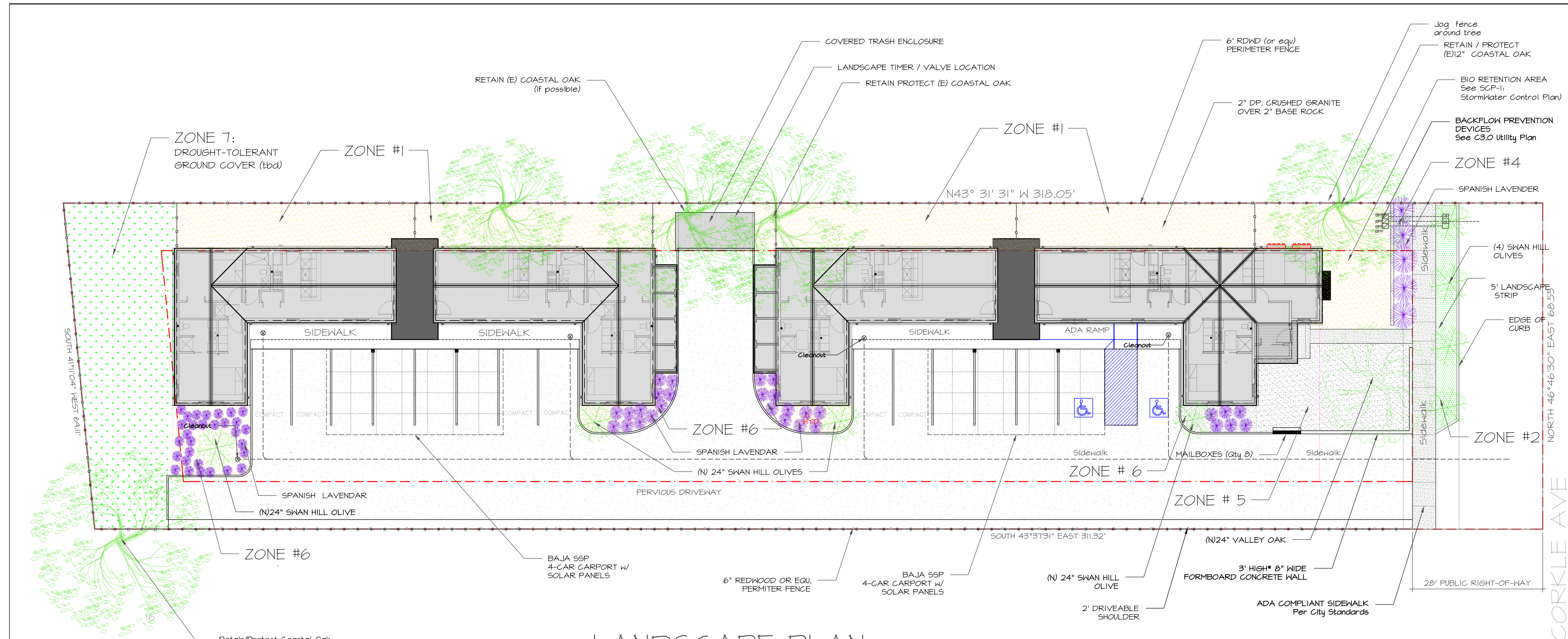
PROJECT LOCATION:  
632 MC CORLE  
SHELENA, CA. 94574  
APN #: 001800226

REVISIONS:	BY
12/06/16	JM

DATE: 12/06/16  
SCALE: 1/2" = 1'-0"  
DESIGN: JM  
DRAWN: JM  
SHEET NO:  
**A-6.1**

USER





**LANDSCAPE PLAN**  
SCALE: 1/8" = 1'-0"

GENERAL CONTRACTOR:  
GRANITE BUILDERS  
305 GRANT BUILDING  
ORINDA, CA 94563  
LIC. # 654222

PROJECT LOCATION:  
150 MCCORKLE AVE  
ST HELENA, CA 94574  
APN #: 00180026

**LANDSCAPE PLAN**

**PLANT LIST / LEGEND**

SYMBOL	BOTANICAL NAME	COMMON NAME	QTY	SIZE	WATER USE
	OLEA EUROPAEA	SWAN HILL OLIVE	8	24" BOX	VERY LOW
	QUERCUS AGRIFOLA	COASTAL LIVE OAK	1 (New)	24" BOX	VERY LOW
	LAVANDULA STOECHAS	SPANISH LAVENDAR	5	5 GALLON	LOW
	LAVANDULA STOECHAS	SPANISH LAVENDAR	36	3 GALLON	LOW
	LAVANDULA STOECHAS	SPANISH LAVENDAR	36	1 GALLON	LOW
	QUERCUS LOBATA	VALLEY OAK	1	36" BOX	LOW

**MODEL WATER EFFICIENCY LANDSCAPE ORDINANCE**

Zone #	Plant Factor	Irr. Meth	IE	ETAF (PF/IE)	Area s.f.	ETAF *Area	ETWU	Planting Description
1	N/A	NI	N/A	N/A	524 s.f.	0	0	Crushed Granite Mix, 1 Valley Oak
2	.1	DRIP	.81	.12	173	20.8	567.6	Drought-Tolerant Groundcover + 4 Olives
3	.3	DRIP	.81	.31	630 s.f.	233.1	6373.4	Multiple Lavender + 4 Olives
4	.3	DRIP	.81	.31	88 s.f.	32.6	840.3	Lavender
5	.1	NI	N/A	N/A	1200 s.f.	167	0	Drought-Tolerant Wild Grass + 1 Coastal Oak
6	N/A	NI	N/A	0	1781 s.f.	0	0	Crushed Granite Mix
7	N/A	NI	N/A	0	281 s.f.	0	0	Base Rock
8	.1	DRIP	.81	.12	582 s.f.	TBD	TBD	BIORETENTION AREAS
Total					5254		5151.4	
Driveway	N/A	NI	N/A	0	8087 s.f.	0	0	Pervious, Permeable Pavers
Walks	N/A	NI	N/A	0	1300 s.f.	0	0	Impervious, Concrete

REVISION: 12/06/16 BY JM

DATE: 12/06/16

SCALE: 1/8" = 1'-0"

DESIGN: JM

DRAWN: JM

SHEET NO:

**L-1.0**

USER













Neutral Water Policy Analysis 632 McCorkle

(6) 945 S.F. 2BR/2BA  
 (2) 1200 3 BR/ 2BA STUDIOS  
 Nominal Landscape Irrigation

Existing Water Usage				
(1) 1800 SF 3 BR / 1 BA	Units	# Bedrooms	GPD / BR	Total GPD
	1	3	150	450

Proposed Water Usage								
18 BR/10 UNITS = 1.8								
Fixture	Flow Rate (gpm/gpf)	Flow Duration	Daily Uses/Occupant	# Units	BR / Unit*	# of Occupants / BR	Gallons/Day	
Showerheads	1.50	8	1	10	1.8	2	2	432
Sink Faucets	1.00	0.25	3	10	1.8	2	2	27
Kitchen Faucet	1.50	4	1	10	1.8	2	2	216
Toilet	0.80	1	3	10	1.8	2	2	86.4
Washer	13.00	1	0.37	10	1.8	2	2	173
DishWasher	6.30	1	0.1	10	1.8	2	2	22.68
Landscaping (from MWEL0 Calcs)								29.3
								987

Net Water Usage							
Proposed	Existing 632 McCorkle	Net Offset Req't	Retrofit 1240-48 Grayson	Retrofit 812 Chiles Ave	Retrofit 814 Hunt Street	XXX	Neutral = 0 or -
987	-450	537	(468.40)	(116.10)	(93.68)		(142)

Retrofit Offsets											
1240-48 Grayson	Fixture	(E) Flow Rate (gpm/gpf)	(P) Flow Rate (gpm/gpf)	Net Flow Rate (gpm/gpf)	Flow Duration	Daily Uses/Occupant	# Units	BR / Unit	# Occups / BR	Net Gallons/Day	
	Showerheads	2.5	1.5	(1.00)	8	1	5	2	2	(160.00)	
	Sink Faucets	2.5	1.5	(1.00)	0.25	3	5	2	2	(15.00)	
	Kitchen Faucet	2.5	1.5	(1.00)	4	1	5	2	2	(80.00)	
	Toilet	3.0	0.8	(2.20)	1	3	5	2	2	(132.00)	
	Washer	23	13	(10.00)	1	0.37	5	2	2	(74.00)	
	DishWasher	10	6.3	(3.70)	1	0.1	5	2	2	(7.40)	
											(468.40)

812 Chiles Ave	Fixture	(E) Flow Rate (gpm/gpf)	(P) Flow Rate (gpm/gpf)	Net Flow Rate (gpm/gpf)	Flow Duration	Daily Uses/Occupant	# Units	BR / Unit	# Occups / BR	Net Gallons/Day	
	Showerheads	2.5	1.5	(1.00)	8.0	1.0	1	3	2	(48.00)	
	Sink Faucets	2.5	1.5	(1.00)	0.3	3.0	1	3	2	(4.50)	
	Kitchen Faucet	2.5	1.5	(1.00)	4.0	1.0	1	3	2	(24.00)	
	Toilet	3.0	0.8	(2.20)	1.0	3.0	1	3	2	(39.60)	
	Washer	23	13	(10.00)	1.00	0.4	0	3	2	0.00	
	DishWasher	10	6.3	(3.70)	1.0	0.1	0	3	2	0.00	
											(116.10)

814 Hunt Street	Fixture	(E) Flow Rate (gpm/gpf)	(P) Flow Rate (gpm/gpf)	Net Flow Rate (gpm/gpf)	Flow Duration	Daily Uses/Occupant	# Units	BR / Unit	# Occups / BR	Gallons/Day	
	Showerheads	2.5	1.5	(1.00)	8.0	1.0	1	2	2	(32.00)	
	Sink Faucets	2.5	1.5	(1.00)	0.3	3.0	1	2	2	(3.00)	
	Kitchen Faucet	2.5	1.5	(1.00)	4.0	1.0	1	2	2	(16.00)	
	Toilet	3.0	0.8	(2.20)	1.0	3.0	1	2	2	(26.40)	
	Washer	23	13	(10.00)	1.0	0.4	1	2	2	(14.80)	
	DishWasher	10	6.3	(3.70)	1.0	0.1	1	2	2	(1.48)	
											(93.68)



**Final Report**

**TRAFFIC IMPACT ANALYSIS FOR  
McCORKLE APARTMENTS PROJECT**

*Prepared for*

**City of St. Helena**

*Prepared by*

**Transpedia Consulting Engineers**

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June 24, 2016





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## SECTION 1

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### INTRODUCTION

This traffic impact study has been prepared for the “McCorkle Apartments” project. The purpose of this study is to evaluate potential traffic impacts associated with this project.

### PROJECT DESCRIPTION

The “McCorkle Apartments” would be located at 632 McCorkle Avenue in the City of St. Helena (Figure 1). The proposed project includes eight (8) apartment units to replace an existing single-family unit. Project’s primary access will be from McCorkle Avenue (Figure 2).

### STUDY SCOPE

The traffic analysis focuses on the following study intersections:

- State Route 29, SR 29 (Main Street)/Charter Oak Avenue
- SR 29 (Main Street)/Pope Street
- Allison Avenue/Pope Street
- Mariposa Lane/Pope Street

Traffic impacts are evaluated for the following traffic scenarios:

- Existing
- Existing plus project
- Existing plus future projects



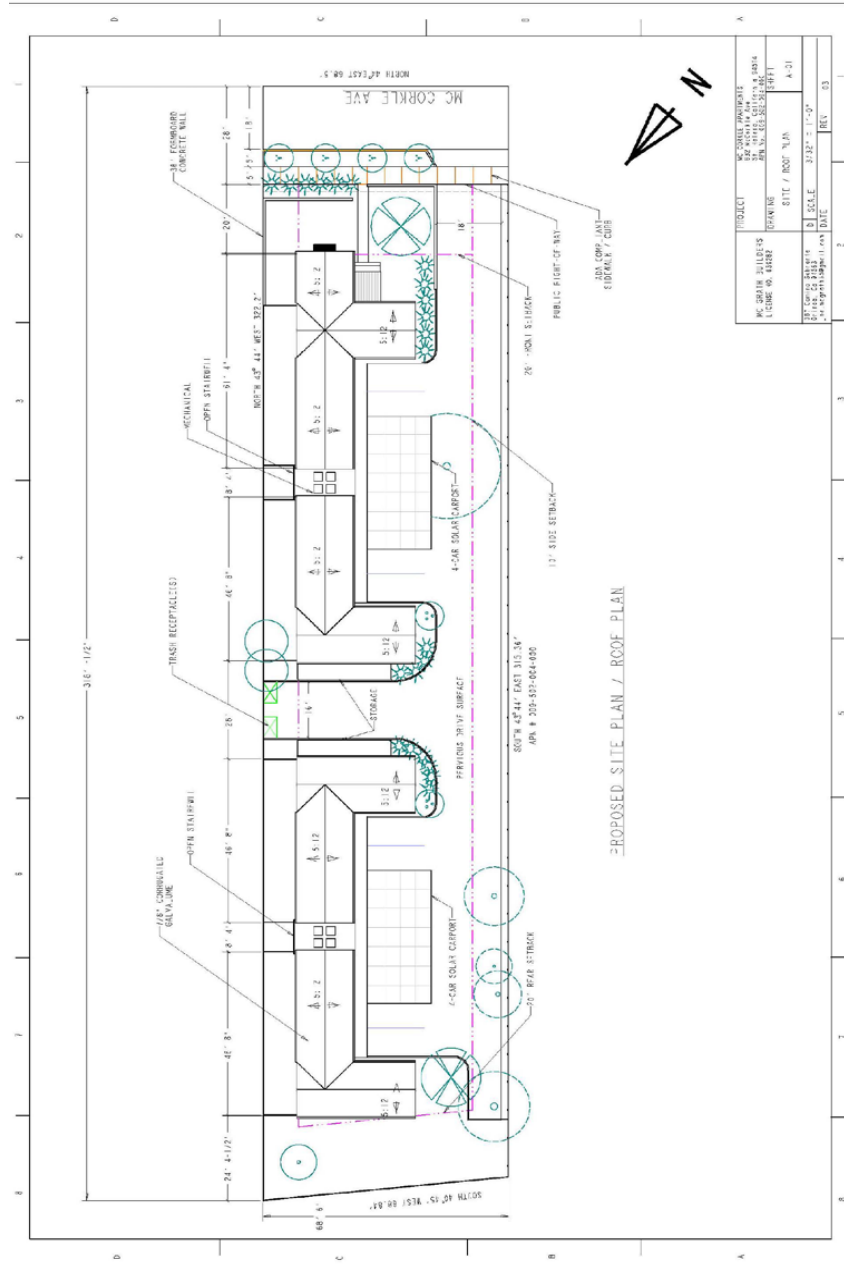


Figure 2 –Project Site Plan.

## APPROACH AND METHODOLOGY

Traffic operations were evaluated in terms of intersection operations. Intersection operations were evaluated for weekday am and pm peak hours at the study intersections using the criteria and methodology described below.

Intersections are evaluated in terms of “level of service” (LOS), which is a measure of driving conditions and vehicle delay. LOS ranges from A (best) to F (poorest). LOS A, B and C indicate conditions where traffic can move relatively freely. LOS D describes conditions where delay is more noticeable. LOS E describes conditions where traffic volumes are at or close to capacity, resulting in significant delays. LOS F characterizes conditions where traffic demand exceeds available capacity, with very slow speeds (stop-and-go) and long delays (over a minute).

The *Highway Capacity Manual (HCM)* methodology was used to analyze signalized study intersections. This methodology evaluates the amount of green signal time available to each traffic approach and the total intersection capacity used by the traffic demand, and assigns a LOS based on the average control delay that the drivers would experience at the intersection during the peak hour. The criteria for the six distinct levels of service are summarized in Table 1.

**Table 1- Level of Service Definitions for Signalized Intersections.**

Level of Service	Average Control Delay per Vehicle (Seconds)	Description
A	0 – 10.0	Very low delay. Occurs when progression is extremely favorable and most vehicles arrive during the green phase. Most vehicles do not stop at all. Short cycle lengths may also contribute to low delay.
B	10.1 – 20.0	Generally, occurs with good progression, short cycle lengths, or both. More vehicles stop than with LOS “A,” causing higher levels of average delay.
C	20.1 – 35.0	These higher delays may result from fair progression, longer cycle lengths, or both. Individual cycle failures may begin to appear at this level. The number of vehicles stopping is significant at this level, though may still pass through the intersection without stopping.
D	35.1 – 55.0	The influence of congestion becomes more noticeable. Longer delays may result from some combination of unfavorable progression, long cycle lengths, or high v/c ratios. Many vehicles stop, and the proportion of vehicles not stopping declines. Individual cycle failures are noticeable.
E	55.1 – 80.0	These high delay values generally indicate poor progression, long cycle lengths, and high v/c ratios. Individual cycle failures are frequent occurrences.
F	> 80.0	This level, considered to be unacceptable to most drivers, often occurs with oversaturation, that is, when arrival flow rates exceed the capacity of the intersection. It may also occur at high v/c ratios below 1.0 with many individual cycle failures. Poor progression and long cycle lengths may also be major contributing causes to such delay levels.

Source: Highway Capacity Manual, Transportation Research Board, 2010.



The unsignalized study intersections were also evaluated using the *HCM* methodology. This methodology separately evaluates each turning movement that yields to an opposing movement and assigns a LOS. The LOS is based on the average total delays of traffic on the minor approach waiting for an adequate gap in conflicting traffic flows. Under this methodology, the LOS is not defined for the intersection as a whole for a One-Way STOP controlled intersection. The LOS is reported for the intersection as a whole and minor street approach for Two-Way STOP controlled intersections. The LOS criteria for unsignalized intersections are shown in Table 2.

**Table 2- Level of Service Definitions for Unsignalized Intersections**

Level of Service	Vehicle Delay (Seconds)	Description
A	0 - 10.0	Little or no delay
B	10.1 - 15.0	Short traffic delay
C	15.1 - 25.0	Average traffic delays
D	25.1 - 35.0	Long traffic delays
E	35.1 - 50.0	Very long traffic delays
F	> 50.0	Extreme delays potentially affecting other traffic movements in the intersection

Source: Transportation Research Board, *Highway Capacity Manual*, 2010.

## STANDARDS OF SIGNIFICANCE

LOS intersection standards were established under the existing City of St. Helena's General Plan of 1993 as follows:

- All signalized intersections in St. Helena should maintain LOS C except along Main Street, where LOS D is permitted. Exceptions to this policy are that lower service levels shall be permitted at any location where the existing LOS does not meet this standard and in which case the LOS cannot be worsened any further.
- All unsignalized intersections must maintain LOS C. If the LOS degrades below LOS C, an evaluation of the need for traffic signalization shall be undertaken according to standard Caltrans signal warrants.

## SECTION 2

---

### EXISTING CONDITIONS

This section describes existing conditions in terms of existing roads and traffic operations.

#### EXISTING ROADS

The local roadways in the project vicinity are part of the street system bounded by SR 29. The major roadways in the project area are described below.

**SR 29** is a two- to four-lane rural highway that stretches through Napa County from Vallejo at Napa County's southern border to Lake County in the north. Within the City of St. Helena, SR 29 has two travel lanes and is known as Main Street. Main Street has parallel parking on both sides of the street and a center turn lane between Dowdell Lane and Madrona Street-Fulton Lane. Main Street provides the primary route for travel within St. Helena and to further destinations around the region. It has a posted speed limit of 35 miles per hour (mph) in the project vicinity.

**Pope Street** is a two-lane street that runs parallel to Pratt Avenue and connects Main Street and downtown St. Helena to Silverado Trail. Pope Street also provides access to suburban residential neighborhoods on the east side of Main Street. It has 25 mph posted speed limit in the project vicinity.

**Charter Oak Avenue, Allison Avenue and Mariposa Lane** are two-way local streets that provide access to neighborhoods. They either have 25 posted speed limit or none.

#### INTERSECTION OPERATIONS

Turning movement counts were collected at the study intersections during weekday am and pm on Thursday, April 28, 2016, are shown on Figure 3.

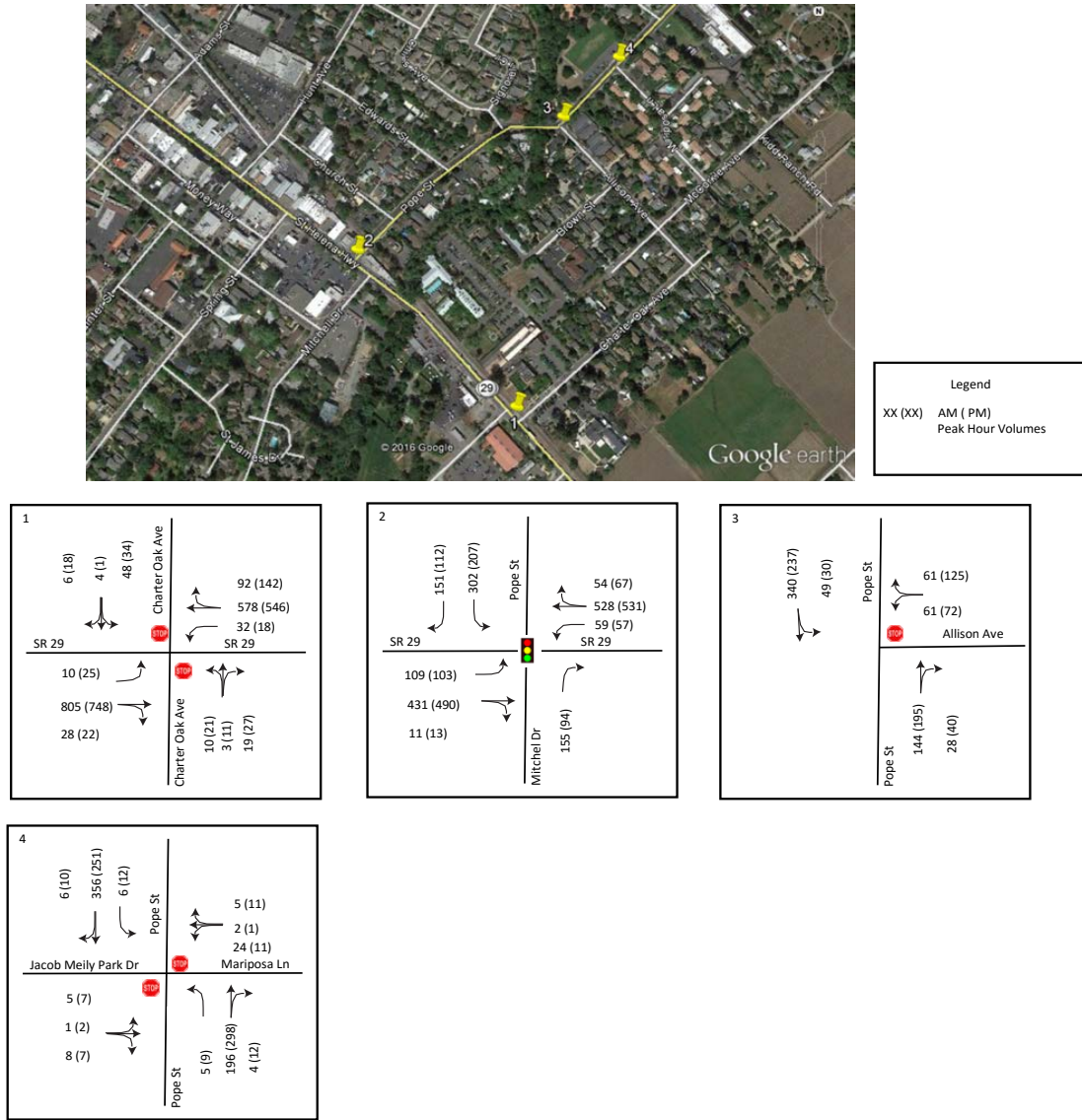


Figure 3 – Existing Intersection Geometries and Turning Movements.

Under “Existing Scenario”, the study intersections operate at acceptable levels of service except the southbound left-turn at SR 29/Charter Oak Avenue intersection during weekday am peak hour. The level of service analysis results for the study intersection are summarized in Table 3 and capacity analysis worksheets are included in Appendix A.

**Table 3- Intersection Operations- Existing Scenario.**

Intersection		Control	Existing	
			LOS	Delay
<b>Weekday AM Peak Hour</b>				
1	SR 29/Charter Oak Avenue	2-Way STOP	A	1.6
	Southbound Left Turn		(D)	(26.4)
2	SR 29/Pope Street	Signal	B	11.7
3	Allison Avenue/Pope Street	1-Way STOP	A	3.1
	Westbound Left Turn		(B)	(13.3)
4	Mariposa Lane/Pope Street	2-Way STOP	A	1.1
	Westbound Left Turn		(B)	(14.3)
<b>Weekday PM Peak Hour</b>				
1	SR 29/Charter Oak Avenue	2-Way STOP	A	1.7
	Southbound Left Turn		(C)	(21.8)
2	SR 29 (Main Street)/Pope Street	Signal	A	8.7
3	Allison Avenue/Pope Street	1-Way STOP	A	4.2
	Westbound Left Turn		(B)	(13.3)
4	Mariposa Lane/Pope Street	2-Way STOP	A	1.1
	West or Eastbound Left Turn		(B)	(12.9)

**Source:** Transpedia Consulting Engineers, 2016.

**Note:** Delay is average delay in seconds per vehicle; LOS = Level of Service, (X) = Minor Street LOS; (X.X) = Minor Street delay.

## SECTION 3

### IMPACTS AND MITIGATION

This section presents the evaluation of traffic impacts on the study intersections under the following scenarios:

- Existing Plus Project
- Existing Plus Project Plus Approved Projects

#### TRIP GENERATION

The trip generation for the proposed development was estimated based on rates provided in *Trip Generation*, 9<sup>th</sup> Edition, 2012 published by the Institute of Transportation Engineers (ITE). The land use category for the proposed development consists of Multi-Family Apartments (ITE Code 220) and Single-Family Detached Housing (ITE Code 210) for the existing house. The proposed project trip generation is summarized in Table 4. The “McCorkle Apartments” proposed project would generate 44 net daily trips with 4 trips (1 inbound and 3 outbound) during the am peak hour and 4 trips (3 inbound and 1 outbound) during the pm peak hour.

**Table 4- Project Trip Generation.**

Land Use	Size	Daily	AM Peak Hour				PM Peak Hour			
			In/Out %	In	Out	Total	In/Out %	In	Out	Total
Existing House	1 SFD	9.52	25%/75%	0.19	0.56	0.75	63%/37%	0.63	0.37	1.00
McCorkle Apartments	8 MFA	53.2	20%/80%	0.82	3.26	4.08	65%/35%	3.22	1.74	4.96
<b>Net Trips</b>	<b>NA</b>	<b>43.68</b>	<b>NA</b>	<b>0.63</b>	<b>2.7</b>	<b>3.33</b>	<b>NA</b>	<b>2.59</b>	<b>1.37</b>	<b>3.96</b>
<b>Net Trips Rounded</b>		<b>44</b>		<b>1</b>	<b>3</b>	<b>4</b>		<b>3</b>	<b>1</b>	<b>4</b>

Sources: Trip Generation, Institute of Transportation Engineers, 9<sup>th</sup> Edition, 2012.

Notes: SFD = Single-Family Detached Units (ITE Land Use Code 210) – daily = 9.52, AM = 0.75, PM = 1.00 trips/DU.  
MFA = Multi-Family Apartments (ITE Land Use Code 220) – daily = 6.65, AM = 0.51, PM = 0.62 trips/DU.



## TRIP DISTRIBUTION

Trip distribution simulates the geographical pattern of travel, matching trips generated by one type of land use (e.g., residential or commercial) with trips attracted by other types of land uses (e.g., employment, shopping, and education). This traffic study assumed trips generated by the project would follow existing trip distribution patterns similar to nearby existing developments, as shown in Table 5 and Figure 4.

**Table 5- Project Trip Distribution.**

Direction	Percent of Trips
To/from north via Pope Street	40%
To/from south via Pope Street	30%
To/from south via Charter Oak Avenue	30%
<b>Total</b>	<b>100%</b>

Source: Transpedia Consulting Engineers, 2016.



**Figure 4 – Project Weekday AM and PM Peak Hour Trips.**

## EXISTING PLUS PROJECT SCENARIO

Traffic that would be generated by the project was added to the Existing Scenario traffic, as shown in Figure 5.

Under Existing Plus Project Scenario, the study intersections operate at acceptable levels of service. The level of service analysis results for the study intersections are summarized in Table 6. Capacity analysis worksheets are included in Appendix A. The project's is expected to have a less-than-significant impact on the study intersections operation.

**Table 6- Intersection Operations- Existing Plus Project Scenario**

Intersection		Control	Existing		Existing + Project	
			LOS	Delay	LOS	Delay
<b>Weekday AM Peak Hour</b>						
1	SR 29/Charter Oak Avenue	2-Way STOP	A	1.6	A	1.6
	Southbound Left Turn		(D)	(26.4)	D	(26.6)
2	SR 29/Pope Street	Signal	B	11.7	B	11.7
3	Allison Avenue/Pope Street	1-Way STOP	A	3.1	A	3.1
	Westbound Left Turn		(B)	(13.3)	B	(13.3)
4	Mariposa Lane/Pope Street	2-Way STOP	A	1.1	A	1.1
	Westbound Left Turn		(B)	(14.3)	B	(14.4)
<b>PM Peak Hour</b>						
1	SR 29/Charter Oak Avenue	2-Way STOP	A	1.7	A	1.7
	Southbound Left Turn		(C)	(21.8)	(C)	(21.8)
2	SR 29 (Main Street)/Pope Street	Signal	A	8.7	A	8.7
3	Allison Avenue/Pope Street	1-Way STOP	A	4.2	A	4.2
	Westbound Left Turn		(B)	(13.3)	B	(13.4)
4	Mariposa Lane/Pope Street	2-Way STOP	A	1.1	A	1.1
	West or Eastbound Left Turn		(B)	(12.9)	B	(13.0)

Source: Transpedia Consulting Engineers, 2016.

Notes: LOS = Level of Service, Delay = average delay per vehicle (seconds/vehicle), (X) = minor street LOS, (X.X) = minor street delay.

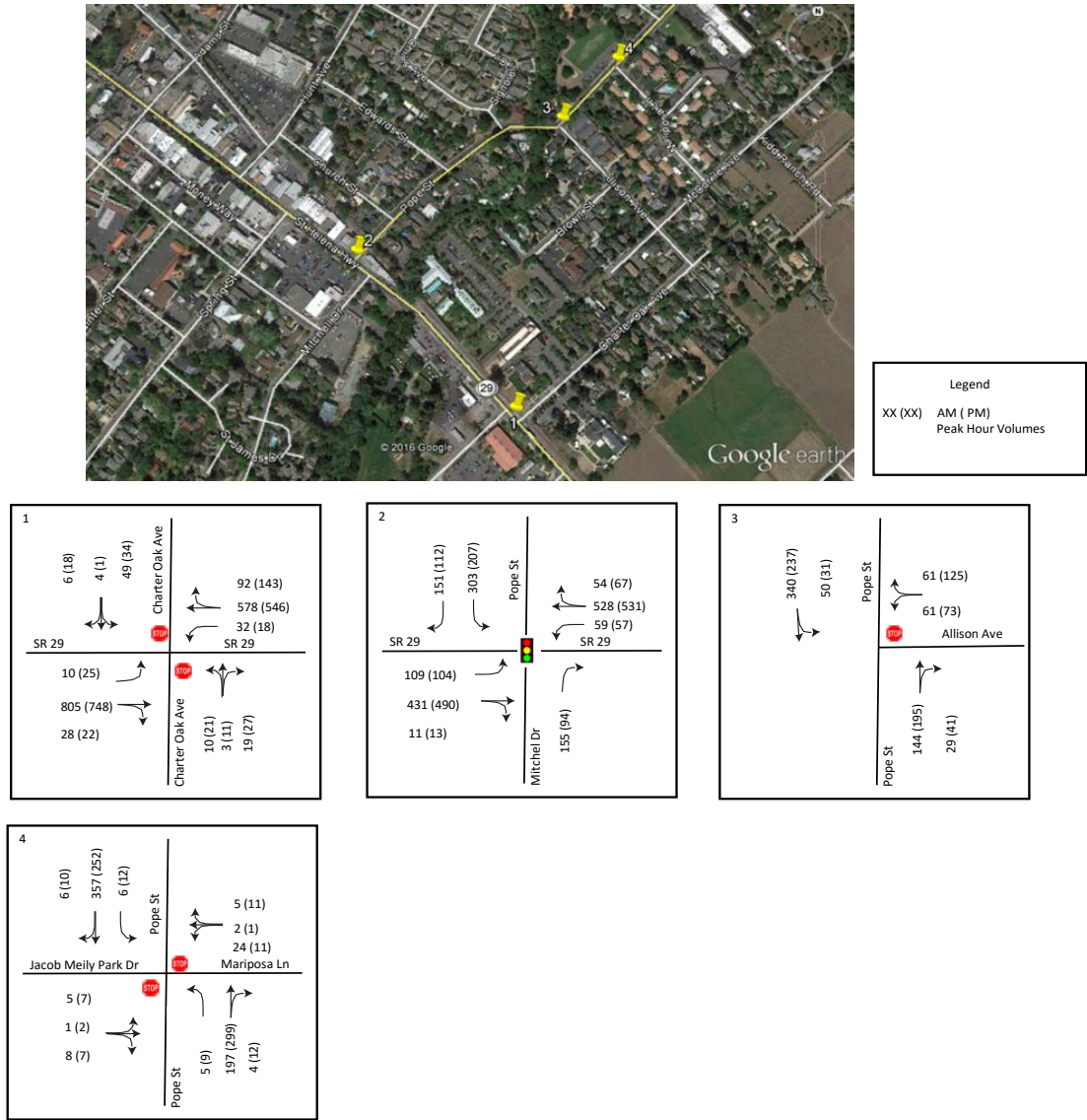


Figure 5 – Existing Plus Project Scenario Weekday AM and PM Hour Volumes.

## EXISTING PLUS PROJECT PLUS APPROVED PROJECTS SCENARIO

Previously approved projects are either (a) under construction, (b) are built but not fully occupied, or (c) not built but have received final developmental approval from the City of St. Helena. The following approved projects are expected to generate traffic through the study intersections:

- McCorkle Self-Help Housing (Brenkle Court) Project- 8 family units to replace an existing unit at 684 McCorkle.
- Redmon Winery and Commercial Kitchen Project- a production winery (24,000 gallons per year) and a commercial kitchen at 867 Dowdell Lane.
- St. Helena Custom Crush Project- a production winery (120,000 gallons per year) at 890 Dowdell Lane.

These approved projects are expected to generate a total of 184 daily trips with 50 trips (30 inbound and 20 outbound) during weekday am peak hour and 52 trips (20 inbound and 32 outbound) during weekday pm peak hour. The approved projects trip generation is summarized in Table 7.

**Table 7- Approved Projects Trip Generation.**

Land Use	Size	Daily	AM Peak Hour				PM Peak Hour			
			In/Out %	In	Out	Total	In/Out %	In	Out	Total
<b><u>McCorkle Self- Help Housing</u></b>										
Existing Houses	1 SFD	9.52	25%/75%	0.19	0.56	0.75	63%/37%	0.63	0.37	1.00
Proposed Houses	8 SFD	76.16	25%/75%	1.50	4.50	6.00	63%/37%	5.04	2.96	8.00
<b>Net Trips</b>	<b>NA</b>	<b>66.64</b>	<b>NA</b>	<b>1.31</b>	<b>3.94</b>	<b>5.25</b>	<b>NA</b>	<b>4.41</b>	<b>2.59</b>	<b>7.00</b>
<b>Net Trips Rounded</b>		<b>67</b>	<b>NA</b>	<b>1</b>	<b>4</b>	<b>5</b>		<b>4</b>	<b>3</b>	<b>7</b>
<b><u>Redmon Winery</u></b>										
		<b>23</b>	<b>65%/35%</b>	<b>6</b>	<b>3</b>	<b>9</b>	<b>35%/65%</b>	<b>3</b>	<b>6</b>	<b>9</b>
<b><i>St. Helena Custom Crush</i></b>										
		<b>94</b>	<b>65%/35%</b>	<b>23</b>	<b>13</b>	<b>36</b>	<b>35%/65%</b>	<b>13</b>	<b>23</b>	<b>36</b>
<b>Net Total trips</b>		<b>184</b>	<b>NA</b>	<b>30</b>	<b>20</b>	<b>50</b>	<b>NA</b>	<b>20</b>	<b>32</b>	<b>52</b>

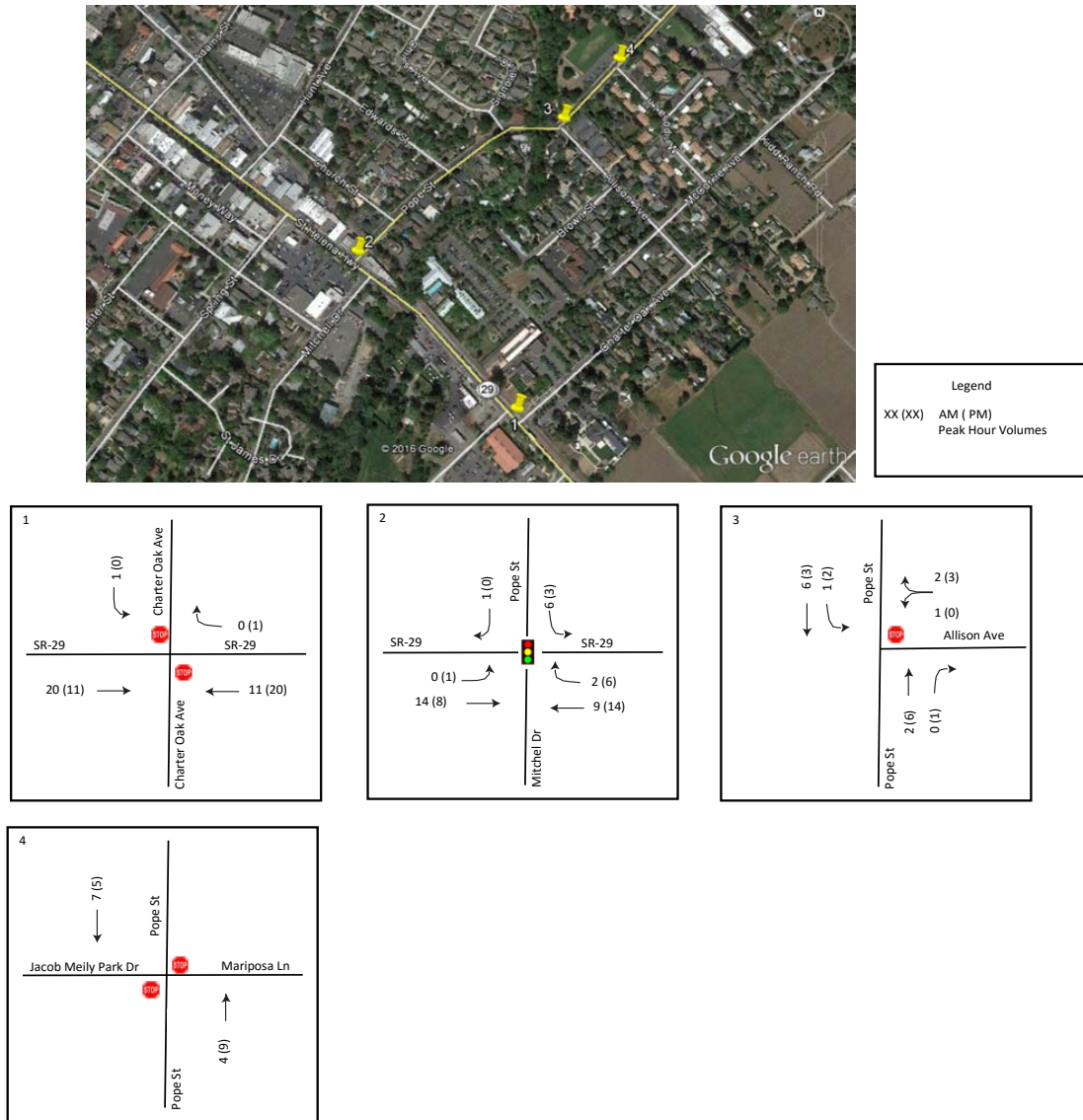
**Sources:** Trip Generation, Institute of Transportation Engineers, 9<sup>th</sup> Edition, 2012.

Focused Traffic Impact Analysis for the Proposed Redmon Winery and Commercial Kitchen Project, Omni Means, April 2016

**Notes:** SFD = Single-Family Detached Units (ITE Land Use Code 210) – daily = 9.52, AM = 0.75, PM = 1.00 trips/DU. St. Helena Custom Crush Project's trips were estimated using the Redmon Winery trip estimates. NA= not available or applicable.

This traffic study assumed trips generated by the McCorkle Self- Help Housing Project would follow the same trip distribution shown in Table 5; however, Redmon Winery and Custom Crush Projects would follow the same trip distribution identified in the Omni-Means traffic study mentioned above. Approved projects trip distribution and assignment is shown in Figure 6.





**Figure 6 – Approved Projects Weekday AM and PM Peak Hour Trips.**

Traffic that would be generated by the approved projects was added to the Existing Plus Project Scenario traffic, as shown in Figure 7.

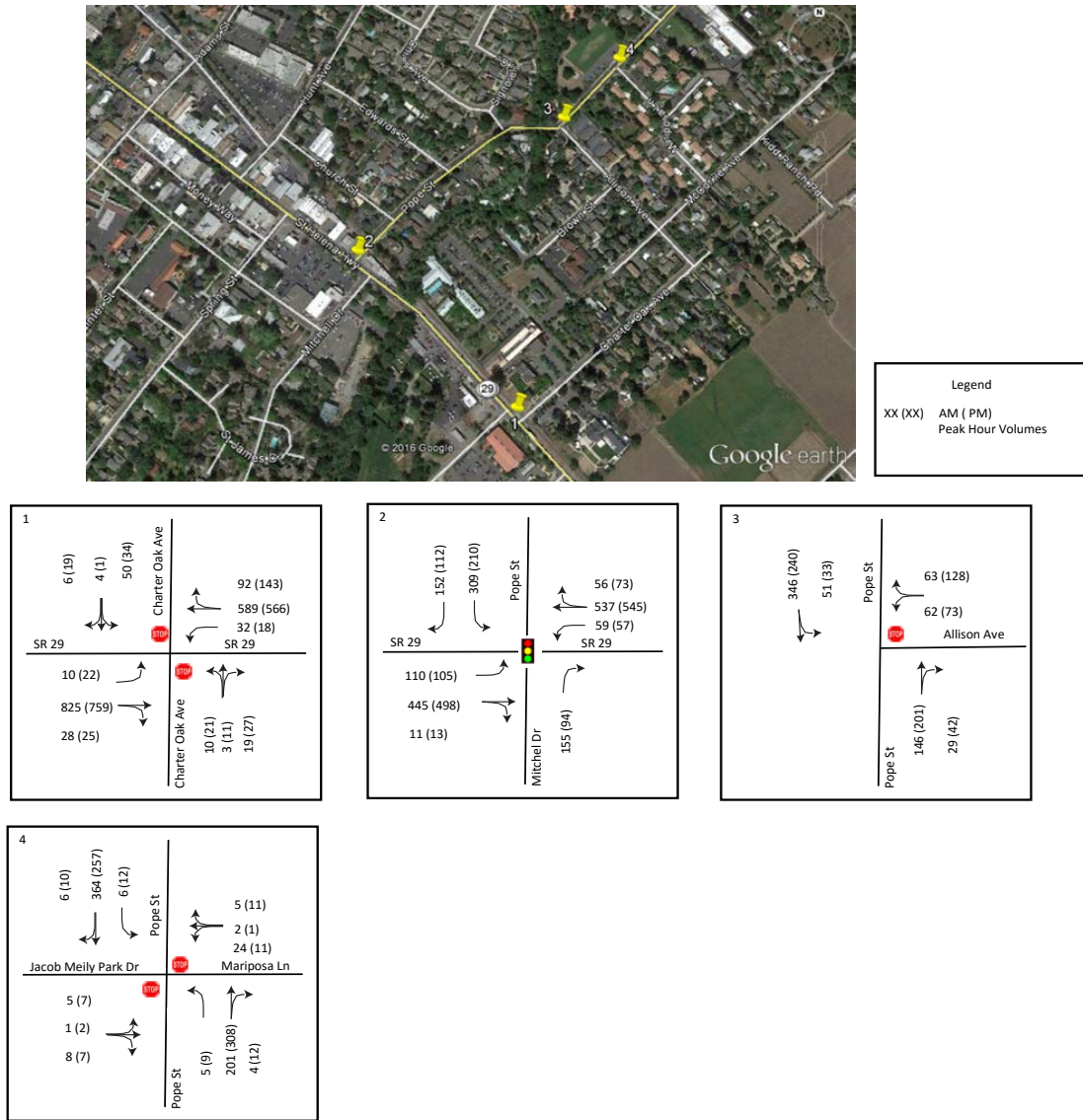
Under Existing Plus Project Plus Approved Projects Scenario, the study intersections operate at acceptable levels of service. The level of service analysis results for the study intersections are summarized in Table 6. Capacity analysis worksheets are included in Appendix A. The project's is expected to have a less-than-significant impact on the study intersections operation.

**Table 8- Intersection Operations- Existing Plus Project Plus Approved Projects Scenario.**

Intersection		Control	Existing Plus Project		Existing + Project + Approved Projects	
			LOS	Delay	LOS	Delay
<b>Weekday AM Peak Hour</b>						
1	SR 29/Charter Oak Avenue	2-Way STOP	A	1.6	A	1.6
	Southbound Left Turn		D	(26.6)	D	(28.0)
2	SR 29/Pope Street	Signal	B	11.7	B	12.1
3	Allison Avenue/Pope Street	1-Way STOP	A	3.1	A	3.2
	Westbound Left Turn		B	(13.3)	B	(13.5)
4	Mariposa Lane/Pope Street	2-Way STOP	A	1.1	A	1.1
	Westbound Left Turn		B	(14.4)	B	(14.5)
<b>PM Peak Hour</b>						
1	SR 29/Charter Oak Avenue	2-Way STOP	A	1.7	A	1.7
	Southbound Left Turn		(C)	(21.8)	(C)	(22.4)
2	SR 29 (Main Street)/Pope Street	Signal	A	8.7	A	9.1
3	Allison Avenue/Pope Street	1-Way STOP	A	4.2	A	4.3
	Westbound Left Turn		B	(13.4)	B	(13.6)
4	Mariposa Lane/Pope Street	2-Way STOP	A	1.1	A	1.1
	West or Eastbound Left Turn		B	(13.0)	B	(13.1)

Source: Transpedia Consulting Engineers, 2016.

Notes: LOS = Level of Service, Delay = average delay per vehicle (seconds/vehicle), (X) = minor street LOS, (X.X) = minor street delay.



**Figure 7 – Existing Plus Project Plus Approved Projects Scenario Weekday AM and PM Hour Volumes.**

## ALTERNATIVE TRANSPORTATION

The VINE (Valley Intercity Neighborhood Express) Transit is the public transportation service in the County of Napa. The VINE has 8 local routes and 5 regional routes. Two routes pass through St. Helena – route 10 and route 29.

Route 10 provides services from Calistoga to Napa, including stops in St. Helena, Rutherford and Oakville. Route 29 provides services for a similar path, but extends to the Vallejo Ferry Terminal. At the Vallejo Ferry Terminal, you can board a ferry to San Francisco. Route 10 has a bus stop in St. Helena at the City Hall (1480 Main Street); and Route 29 at the Post Office (1461 Main Street). Both stops are approximately 0.9 miles walking from the project site.

The St. Helena Shuttle is an on-demand, door-to-door, transit service within specific areas of the City. The service also operates on fixed route during the am and pm on weekdays. The route passes through Pope Street at Mariposa Lane and Allison Avenue, approximately at 0.3 miles walking from the project site.

Bicycle facilities can be classified into several general types, including:

**Class I Paths:** these facilities are located off-street and can serve both bicyclists and pedestrians. Recreational trails can be considered Class I facilities. Class I paths are typically 8 to 10 feet wide excluding shoulders and are generally paved.

**Class II Bicycle Lanes:** these facilities provide a dedicated area for bicyclists within the paved street width through the use of striping and appropriate signage. These facilities are typically 4 to 6 feet wide.

**Class III Bicycle Routes:** these facilities are found along streets that do not provide sufficient width for dedicated bicycle lanes. The street is then designated as a bicycle route through the use of signage informing drivers to expect bicyclists.

**Class IV Bikeway:** is a bikeway for the exclusive use of bicycles and includes a separation required between the separated bikeway and the through vehicular traffic. The separation may include, but not limited to, grade separation, flexible posts, inflexible physical barriers, or on-street parking.

In the vicinity of the project site, Class III bike route is provided along Pope Street. Class II bike lanes are proposed along McCorkle Avenue between College Avenue and Mariposa Lane (*St. Helena General Plan Update, September 2015 and St. Helena Bicycle Plan, January 2012*).

Bicycle and pedestrian facilities include sidewalks, crosswalks, and pedestrian signals. In the vicinity of project, crosswalks, pedestrian signals and intermittent sidewalks are provided.

Bicycle and pedestrian facilities shall be designed to conform with the *St. Helena General Plan Update, September 2015 and St. Helena Bicycle Plan, January 2012, August 2011*.

## SITE ACCESS AND CIRCULATION

Site access is provided by a project driveway on McCorkle Avenue. Internal circulation is appropriate and would provide adequate access to emergency vehicles.

## CONCLUSIONS AND RECOMMENDATIONS

- The proposed project is expected to generate 44 net daily trips with 4 trips (1 inbound and 3 outbound) during the am peak hour and 4 trips (3 inbound and 1 outbound) during the pm peak hour.
- The study intersections are expected to operate at acceptable LOS during weekday am and pm peak hours under all study scenarios.
- The project is expected to have a less-than-significant impact on the study intersections operations.
- The VINE Transit bus routes 10 and 29 pass through the City and will provide an alternative transportation option to project residents or guests to travel to other areas in the County or regionally.
- The St. Helena Shuttle provides on-demand, door-to-door, and fixed transit routes within specific areas of the City and provides another alternative transportation option to project residents and guests to travel within the City.
- Class III bike route is provided on Pope Street with bike route signs installed along the street in the project vicinity.
- Class II bike lanes are proposed along McCorkle Avenue between College Avenue and Mariposa Lane.
- Crosswalks, pedestrian signals and intermittent sidewalks are provided in project vicinity.
- Bicycle and pedestrian facilities shall be designed to conform City standards.
- Site access is provided by a project driveway on McCorkle Avenue.
- Internal circulation is appropriate and would provide adequate access to emergency vehicles.





















**APPENDIX A**

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**Intersection Capacity Analysis Worksheets**




















### HCM Unsignalized Intersection Capacity Analysis 1: SR-29 & Charter Oak Ave

Existing AM  
5/15/2016

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (veh/h)	10	805	28	32	578	92	10	3	19	48	4	6
Sign Control		Free			Free			Stop			Stop	
Grade		0%			0%			0%			0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	11	875	30	35	628	100	11	3	21	52	4	7
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type		TWLT			TWLT							
Median storage (veh)		2			2							
Upstream signal (ft)		1120										
pX, platoon unblocked				0.92			0.92	0.92	0.92	0.92	0.92	0.92
vC, conflicting volume	728			905			1618	1710	890	1667	1675	678
vC1, stage 1 conf vol							912	912		748	748	
vC2, stage 2 conf vol							707	798		919	927	
vCu, unblocked vol	728			854			1629	1728	838	1681	1690	678
tC, single (s)	4.1			4.1			7.1	6.5	6.2	7.1	6.5	6.2
tC, 2 stage (s)							6.1	5.5		6.1	5.5	
tF (s)	2.2			2.2			3.5	4.0	3.3	3.5	4.0	3.3
p0 queue free %	99			95			96	99	94	76	98	99
cM capacity (veh/h)	875			723			248	254	337	216	245	452
Direction, Lane #	EB 1	EB 2	WB 1	WB 2	NB 1	SB 1						
Volume Total	11	905	35	728	35	63						
Volume Left	11	0	35	0	11	52						
Volume Right	0	30	0	100	21	7						
cSH	875	1700	723	1700	295	230						
Volume to Capacity	0.01	0.53	0.05	0.43	0.12	0.27						
Queue Length 95th (ft)	1	0	4	0	10	27						
Control Delay (s)	9.2	0.0	10.2	0.0	18.8	26.4						
Lane LOS	A		B		C	D						
Approach Delay (s)	0.1		0.5		18.8	26.4						
Approach LOS					C	D						
<b>Intersection Summary</b>												
Average Delay			1.6									
Intersection Capacity Utilization			63.9%		ICU Level of Service				B			
Analysis Period (min)			15									










HCM Signalized Intersection Capacity Analysis  
2: SR-29 & Pope St

Existing AM  
5/15/2016

													
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR	
Lane Configurations													
Volume (vph)	109	431	11	59	528	54	0	0	155	302	0	151	
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	
Total Lost time (s)	4.0	4.0		4.0	4.0				4.0	4.0		4.0	
Lane Util. Factor	1.00	1.00		1.00	1.00				1.00	1.00		1.00	
Frt	1.00	1.00		1.00	0.99				0.86	1.00		0.85	
Flt Protected	0.95	1.00		0.95	1.00				1.00	0.95		1.00	
Satd. Flow (prot)	1593	1670		1593	1653				1450	1593		1425	
Flt Permitted	0.27	1.00		0.40	1.00				1.00	0.95		1.00	
Satd. Flow (perm)	446	1670		665	1653				1450	1593		1425	
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	
Adj. Flow (vph)	118	468	12	64	574	59	0	0	168	328	0	164	
RTOR Reduction (vph)	0	2	0	0	7	0	0	0	114	0	0	111	
Lane Group Flow (vph)	118	478	0	64	626	0	0	0	54	328	0	53	
Turn Type	Perm			Perm					custom	custom		custom	
Protected Phases		4			8								
Permitted Phases	4			8					2	6		6	
Actuated Green, G (s)	21.4	21.4		21.4	21.4				14.1	14.1		14.1	
Effective Green, g (s)	21.4	21.4		21.4	21.4				14.1	14.1		14.1	
Actuated g/C Ratio	0.49	0.49		0.49	0.49				0.32	0.32		0.32	
Clearance Time (s)	4.0	4.0		4.0	4.0				4.0	4.0		4.0	
Vehicle Extension (s)	3.0	3.0		3.0	3.0				3.0	3.0		3.0	
Lane Grp Cap (vph)	219	822		327	813				470	516		462	
v/s Ratio Prot		0.29			c0.38								
v/s Ratio Perm	0.26			0.10					0.04	c0.21		0.04	
v/c Ratio	0.54	0.58		0.20	0.77				0.12	0.64		0.12	
Uniform Delay, d1	7.6	7.9		6.2	9.0				10.3	12.5		10.3	
Progression Factor	1.00	1.00		1.00	1.00				1.00	1.00		1.00	
Incremental Delay, d2	2.5	1.1		0.3	4.4				0.1	2.6		0.1	
Delay (s)	10.2	8.9		6.5	13.5				10.4	15.1		10.4	
Level of Service	B	A		A	B				B	B		B	
Approach Delay (s)		9.2			12.8			10.4				13.5	
Approach LOS		A			B			B				B	
<b>Intersection Summary</b>													
HCM Average Control Delay			11.7									HCM Level of Service	B
HCM Volume to Capacity ratio			0.72										
Actuated Cycle Length (s)			43.5									Sum of lost time (s)	8.0
Intersection Capacity Utilization			69.8%									ICU Level of Service	C
Analysis Period (min)			15										
c Critical Lane Group													

### HCM Unsignalized Intersection Capacity Analysis 3: Allison Ave & Pope St



















Existing AM  
5/15/2016

						
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Volume (veh/h)	61	61	144	28	49	340
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	66	66	157	30	53	370
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage (veh)						
Upstream signal (ft)			1070			481
pX, platoon unblocked						
vC, conflicting volume	648	172			187	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	648	172			187	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	84	92			96	
cM capacity (veh/h)	418	872			1387	
<b>Direction, Lane #</b>	<b>WB 1</b>	<b>NB 1</b>	<b>SB 1</b>			
Volume Total	133	187	423			
Volume Left	66	0	53			
Volume Right	66	30	0			
cSH	565	1700	1387			
Volume to Capacity	0.23	0.11	0.04			
Queue Length 95th (ft)	23	0	3			
Control Delay (s)	13.3	0.0	1.3			
Lane LOS	B		A			
Approach Delay (s)	13.3	0.0	1.3			
Approach LOS	B					
<b>Intersection Summary</b>						
Average Delay			3.1			
Intersection Capacity Utilization			47.0%		ICU Level of Service	A
Analysis Period (min)			15			

### HCM Unsignalized Intersection Capacity Analysis

#### 4: Jacob Meily Park Dr & Pope St

Existing AM  
5/15/2016

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (veh/h)	5	1	8	24	2	5	5	196	4	6	356	6
Sign Control		Stop			Stop			Free			Free	
Grade		0%			0%			0%			0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	5	1	9	26	2	5	5	213	4	7	387	7
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type								None			None	
Median storage (veh)												
Upstream signal (ft)												
pX, platoon unblocked												
vC, conflicting volume	634	632	390	635	633	215	393			217		
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	634	632	390	635	633	215	393			217		
tC, single (s)	7.1	6.5	6.2	7.1	6.5	6.2	4.1			4.1		
tC, 2 stage (s)												
tF (s)	3.5	4.0	3.3	3.5	4.0	3.3	2.2			2.2		
p0 queue free %	99	100	99	93	99	99	100			100		
cM capacity (veh/h)	385	394	658	382	393	825	1165			1352		
<b>Direction, Lane #</b>	<b>EB 1</b>	<b>WB 1</b>	<b>NB 1</b>	<b>NB 2</b>	<b>SB 1</b>	<b>SB 2</b>						
Volume Total	15	34	5	217	7	393						
Volume Left	5	26	5	0	7	0						
Volume Right	9	5	0	4	0	7						
cSH	506	419	1165	1700	1352	1700						
Volume to Capacity	0.03	0.08	0.00	0.13	0.00	0.23						
Queue Length 95th (ft)	2	7	0	0	0	0						
Control Delay (s)	12.3	14.3	8.1	0.0	7.7	0.0						
Lane LOS	B	B	A		A							
Approach Delay (s)	12.3	14.3	0.2		0.1							
Approach LOS	B	B										
<b>Intersection Summary</b>												
Average Delay			1.1									
Intersection Capacity Utilization			29.2%		ICU Level of Service					A		
Analysis Period (min)			15									



HCM Unsignalized Intersection Capacity Analysis  
1: SR-29 & Charter Oak Ave

Existing PM  
5/15/2016

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (veh/h)	25	748	22	18	546	142	21	11	27	34	1	18
Sign Control		Free			Free			Stop			Stop	
Grade		0%			0%			0%			0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	27	813	24	20	593	154	23	12	29	37	1	20
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type		TWLTL			TWLTL							
Median storage (veh)		2			2							
Upstream signal (ft)		1120										
pX, platoon unblocked				0.93			0.93	0.93	0.93	0.93	0.93	
vC, conflicting volume	748			837			1532	1666	825	1612	1601	671
vC1, stage 1 conf vol							879	879		710	710	
vC2, stage 2 conf vol							653	787		903	891	
vCu, unblocked vol	748			788			1534	1679	775	1621	1609	671
tC, single (s)	4.1			4.1			7.1	6.5	6.2	7.1	6.5	6.2
tC, 2 stage (s)							6.1	5.5		6.1	5.5	
tF (s)	2.2			2.2			3.5	4.0	3.3	3.5	4.0	3.3
p0 queue free %	97			97			91	95	92	83	100	96
cM capacity (veh/h)	861			774			258	258	370	223	265	457
<b>Direction, Lane #</b>	<b>EB 1</b>	<b>EB 2</b>	<b>WB 1</b>	<b>WB 2</b>	<b>NB 1</b>	<b>SB 1</b>						
Volume Total	27	837	20	748	64	58						
Volume Left	27	0	20	0	23	37						
Volume Right	0	24	0	154	29	20						
cSH	861	1700	774	1700	300	271						
Volume to Capacity	0.03	0.49	0.03	0.44	0.21	0.21						
Queue Length 95th (ft)	2	0	2	0	20	20						
Control Delay (s)	9.3	0.0	9.8	0.0	20.2	21.8						
Lane LOS	A		A		C	C						
Approach Delay (s)	0.3		0.2		20.2	21.8						
Approach LOS					C	C						
<b>Intersection Summary</b>												
Average Delay				1.7								
Intersection Capacity Utilization			57.8%		ICU Level of Service				B			
Analysis Period (min)			15									










HCM Signalized Intersection Capacity Analysis  
2: SR-29 & Pope St

Existing PM  
5/15/2016

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	103	490	13	57	531	67	0	0	94	207	0	112
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	4.0	4.0		4.0	4.0				4.0	4.0		4.0
Lane Util. Factor	1.00	1.00		1.00	1.00				1.00	1.00		1.00
Frt	1.00	1.00		1.00	0.98				0.86	1.00		0.85
Flt Protected	0.95	1.00		0.95	1.00				1.00	0.95		1.00
Satd. Flow (prot)	1593	1670		1593	1648				1450	1593		1425
Flt Permitted	0.32	1.00		0.39	1.00				1.00	0.95		1.00
Satd. Flow (perm)	531	1670		658	1648				1450	1593		1425
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	112	533	14	62	577	73	0	0	102	225	0	122
RTOR Reduction (vph)	0	2	0	0	8	0	0	0	79	0	0	95
Lane Group Flow (vph)	112	545	0	62	642	0	0	0	23	225	0	27
Turn Type	Perm			Perm					custom	custom		custom
Protected Phases		4			8							
Permitted Phases	4			8					2	6		6
Actuated Green, G (s)	22.5	22.5		22.5	22.5				8.7	8.7		8.7
Effective Green, g (s)	22.5	22.5		22.5	22.5				8.7	8.7		8.7
Actuated g/C Ratio	0.57	0.57		0.57	0.57				0.22	0.22		0.22
Clearance Time (s)	4.0	4.0		4.0	4.0				4.0	4.0		4.0
Vehicle Extension (s)	3.0	3.0		3.0	3.0				3.0	3.0		3.0
Lane Grp Cap (vph)	305	959		378	946				322	354		316
v/s Ratio Prot		0.33			c0.39							
v/s Ratio Perm	0.21			0.09					0.02	c0.14		0.02
v/c Ratio	0.37	0.57		0.16	0.68				0.07	0.64		0.09
Uniform Delay, d1	4.5	5.3		3.9	5.8				12.1	13.8		12.1
Progression Factor	1.00	1.00		1.00	1.00				1.00	1.00		1.00
Incremental Delay, d2	0.8	0.8		0.2	1.9				0.1	3.7		0.1
Delay (s)	5.3	6.1		4.1	7.8				12.1	17.5		12.2
Level of Service	A	A		A	A				B	B		B
Approach Delay (s)		5.9			7.5			12.1				15.7
Approach LOS		A			A			B				B
<b>Intersection Summary</b>												
HCM Average Control Delay			8.7									A
HCM Volume to Capacity ratio			0.67									
Actuated Cycle Length (s)			39.2						8.0			
Intersection Capacity Utilization			64.7%									C
Analysis Period (min)			15									
c Critical Lane Group												

### HCM Unsignalized Intersection Capacity Analysis 3: Allison Ave & Pope St

Existing PM  
5/15/2016

						
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Volume (veh/h)	72	125	195	40	30	237
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	78	136	212	43	33	258
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage (veh)						
Upstream signal (ft)			1070			481
pX, platoon unblocked						
vC, conflicting volume	557	234			255	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	557	234			255	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	84	83			98	
cM capacity (veh/h)	480	805			1310	
<b>Direction, Lane #</b>	<b>WB 1</b>	<b>NB 1</b>	<b>SB 1</b>			
Volume Total	214	255	290			
Volume Left	78	0	33			
Volume Right	136	43	0			
cSH	645	1700	1310			
Volume to Capacity	0.33	0.15	0.02			
Queue Length 95th (ft)	36	0	2			
Control Delay (s)	13.3	0.0	1.1			
Lane LOS	B		A			
Approach Delay (s)	13.3	0.0	1.1			
Approach LOS	B					
<b>Intersection Summary</b>						
Average Delay			4.2			
Intersection Capacity Utilization			48.5%		ICU Level of Service	A
Analysis Period (min)			15			




















HCM Unsignalized Intersection Capacity Analysis  
4: Jacob Meily Park Dr & Pope St

Existing PM  
5/15/2016

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕		↕	↕		↕	↕	
Volume (veh/h)	7	2	7	11	1	11	9	298	12	12	251	10
Sign Control		Stop			Stop			Free			Free	
Grade		0%			0%			0%			0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	8	2	8	12	1	12	10	324	13	13	273	11
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type								None			None	
Median storage (veh)												
Upstream signal (ft)												
pX, platoon unblocked												
vC, conflicting volume	660	661	278	658	660	330	284			337		
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	660	661	278	658	660	330	284			337		
tC, single (s)	7.1	6.5	6.2	7.1	6.5	6.2	4.1			4.1		
tC, 2 stage (s)												
tF (s)	3.5	4.0	3.3	3.5	4.0	3.3	2.2			2.2		
p0 queue free %	98	99	99	97	100	98	99			99		
cM capacity (veh/h)	364	376	761	367	376	711	1279			1222		
<b>Direction, Lane #</b>	<b>EB 1</b>	<b>WB 1</b>	<b>NB 1</b>	<b>NB 2</b>	<b>SB 1</b>	<b>SB 2</b>						
Volume Total	17	25	10	337	13	284						
Volume Left	8	12	10	0	13	0						
Volume Right	8	12	0	13	0	11						
cSH	474	478	1279	1700	1222	1700						
Volume to Capacity	0.04	0.05	0.01	0.20	0.01	0.17						
Queue Length 95th (ft)	3	4	1	0	1	0						
Control Delay (s)	12.9	12.9	7.8	0.0	8.0	0.0						
Lane LOS	B	B	A		A							
Approach Delay (s)	12.9	12.9	0.2		0.4							
Approach LOS	B	B										
<b>Intersection Summary</b>												
Average Delay			1.1									
Intersection Capacity Utilization			26.4%		ICU Level of Service					A		
Analysis Period (min)			15									

### HCM Unsignalized Intersection Capacity Analysis 1: SR-29 & Charter Oak Ave




















Existing + Project AM  
5/29/2016

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (veh/h)	10	805	28	32	578	92	10	3	19	49	4	6
Sign Control		Free			Free			Stop			Stop	
Grade		0%			0%			0%			0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	11	875	30	35	628	100	11	3	21	53	4	7
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type		TWLT			TWLT							
Median storage (veh)		2			2							
Upstream signal (ft)		1120										
pX, platoon unblocked				0.92			0.92	0.92	0.92	0.92	0.92	0.92
vC, conflicting volume	728			905			1618	1710	890	1667	1675	678
vC1, stage 1 conf vol							912	912		748	748	
vC2, stage 2 conf vol							707	798		919	927	
vCu, unblocked vol	728			854			1629	1728	837	1681	1690	678
tC, single (s)	4.1			4.1			7.1	6.5	6.2	7.1	6.5	6.2
tC, 2 stage (s)							6.1	5.5		6.1	5.5	
tF (s)	2.2			2.2			3.5	4.0	3.3	3.5	4.0	3.3
p0 queue free %	99			95			96	99	94	75	98	99
cM capacity (veh/h)	875			723			248	254	337	216	245	452
<b>Direction, Lane #</b>	<b>EB 1</b>	<b>EB 2</b>	<b>WB 1</b>	<b>WB 2</b>	<b>NB 1</b>	<b>SB 1</b>						
Volume Total	11	905	35	728	35	64						
Volume Left	11	0	35	0	11	53						
Volume Right	0	30	0	100	21	7						
cSH	875	1700	723	1700	295	230						
Volume to Capacity	0.01	0.53	0.05	0.43	0.12	0.28						
Queue Length 95th (ft)	1	0	4	0	10	28						
Control Delay (s)	9.2	0.0	10.2	0.0	18.8	26.6						
Lane LOS	A		B		C	D						
Approach Delay (s)	0.1		0.5		18.8	26.6						
Approach LOS					C	D						
<b>Intersection Summary</b>												
Average Delay			1.6									
Intersection Capacity Utilization			64.0%		ICU Level of Service				C			
Analysis Period (min)			15									












HCM Signalized Intersection Capacity Analysis  
2: SR-29 & Pope St

Existing + Project AM  
5/29/2016

													
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR	
Lane Configurations													
Volume (vph)	109	431	11	59	528	54	0	0	155	303	0	151	
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	
Total Lost time (s)	4.0	4.0		4.0	4.0				4.0	4.0		4.0	
Lane Util. Factor	1.00	1.00		1.00	1.00				1.00	1.00		1.00	
Frt	1.00	1.00		1.00	0.99				0.86	1.00		0.85	
Flt Protected	0.95	1.00		0.95	1.00				1.00	0.95		1.00	
Satd. Flow (prot)	1593	1670		1593	1653				1450	1593		1425	
Flt Permitted	0.27	1.00		0.40	1.00				1.00	0.95		1.00	
Satd. Flow (perm)	446	1670		665	1653				1450	1593		1425	
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	
Adj. Flow (vph)	118	468	12	64	574	59	0	0	168	329	0	164	
RTOR Reduction (vph)	0	2	0	0	7	0	0	0	114	0	0	111	
Lane Group Flow (vph)	118	478	0	64	626	0	0	0	54	329	0	53	
Turn Type	Perm			Perm					custom	custom		custom	
Protected Phases		4			8								
Permitted Phases	4			8					2	6		6	
Actuated Green, G (s)	21.4	21.4		21.4	21.4				14.1	14.1		14.1	
Effective Green, g (s)	21.4	21.4		21.4	21.4				14.1	14.1		14.1	
Actuated g/C Ratio	0.49	0.49		0.49	0.49				0.32	0.32		0.32	
Clearance Time (s)	4.0	4.0		4.0	4.0				4.0	4.0		4.0	
Vehicle Extension (s)	3.0	3.0		3.0	3.0				3.0	3.0		3.0	
Lane Grp Cap (vph)	219	822		327	813				470	516		462	
v/s Ratio Prot		0.29			c0.38								
v/s Ratio Perm	0.26			0.10					0.04	c0.21		0.04	
v/c Ratio	0.54	0.58		0.20	0.77				0.12	0.64		0.12	
Uniform Delay, d1	7.6	7.9		6.2	9.0				10.3	12.5		10.3	
Progression Factor	1.00	1.00		1.00	1.00				1.00	1.00		1.00	
Incremental Delay, d2	2.5	1.1		0.3	4.4				0.1	2.6		0.1	
Delay (s)	10.2	8.9		6.5	13.5				10.4	15.1		10.4	
Level of Service	B	A		A	B				B	B		B	
Approach Delay (s)		9.2			12.8			10.4				13.6	
Approach LOS		A			B			B				B	
<b>Intersection Summary</b>													
HCM Average Control Delay			11.7									HCM Level of Service	B
HCM Volume to Capacity ratio			0.72										
Actuated Cycle Length (s)			43.5									Sum of lost time (s)	8.0
Intersection Capacity Utilization			69.9%									ICU Level of Service	C
Analysis Period (min)			15										
c Critical Lane Group													

### HCM Unsignalized Intersection Capacity Analysis 3: Allison Ave & Pope St

Existing + Project AM  
5/29/2016

						
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Volume (veh/h)	61	61	144	29	50	340
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	66	66	157	32	54	370
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage (veh)						
Upstream signal (ft)			1070			
pX, platoon unblocked						
vC, conflicting volume	651	172			188	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	651	172			188	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	84	92			96	
cM capacity (veh/h)	416	871			1386	
<b>Direction, Lane #</b>	<b>WB 1</b>	<b>NB 1</b>	<b>SB 1</b>			
Volume Total	133	188	424			
Volume Left	66	0	54			
Volume Right	66	32	0			
cSH	564	1700	1386			
Volume to Capacity	0.24	0.11	0.04			
Queue Length 95th (ft)	23	0	3			
Control Delay (s)	13.3	0.0	1.3			
Lane LOS	B		A			
Approach Delay (s)	13.3	0.0	1.3			
Approach LOS	B					
<b>Intersection Summary</b>						
Average Delay			3.1			
Intersection Capacity Utilization			47.1%		ICU Level of Service	A
Analysis Period (min)			15			



















HCM Unsignalized Intersection Capacity Analysis  
4: Jacob Meily Park Dr & Pope St

Existing + Project AM  
5/29/2016

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕		↕	↕		↕	↕	
Volume (veh/h)	5	1	8	24	2	5	5	197	4	6	357	6
Sign Control		Stop			Stop			Free			Free	
Grade		0%			0%			0%			0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	5	1	9	26	2	5	5	214	4	7	388	7
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type								None			None	
Median storage (veh)												
Upstream signal (ft)												
pX, platoon unblocked												
vC, conflicting volume	636	634	391	638	635	216	395			218		
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	636	634	391	638	635	216	395			218		
tC, single (s)	7.1	6.5	6.2	7.1	6.5	6.2	4.1			4.1		
tC, 2 stage (s)												
tF (s)	3.5	4.0	3.3	3.5	4.0	3.3	2.2			2.2		
p0 queue free %	99	100	99	93	99	99	100			100		
cM capacity (veh/h)	384	393	657	381	392	824	1164			1351		
Direction, Lane #	EB 1	WB 1	NB 1	NB 2	SB 1	SB 2						
Volume Total	15	34	5	218	7	395						
Volume Left	5	26	5	0	7	0						
Volume Right	9	5	0	4	0	7						
cSH	505	418	1164	1700	1351	1700						
Volume to Capacity	0.03	0.08	0.00	0.13	0.00	0.23						
Queue Length 95th (ft)	2	7	0	0	0	0						
Control Delay (s)	12.4	14.4	8.1	0.0	7.7	0.0						
Lane LOS	B	B	A		A							
Approach Delay (s)	12.4	14.4	0.2		0.1							
Approach LOS	B	B										
<b>Intersection Summary</b>												
Average Delay			1.1									
Intersection Capacity Utilization			29.3%		ICU Level of Service					A		
Analysis Period (min)			15									




















### HCM Unsignalized Intersection Capacity Analysis 1: SR-29 & Charter Oak Ave

Existing + Project PM  
5/29/2016

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (veh/h)	25	748	22	18	546	143	21	11	27	34	1	18
Sign Control		Free			Free			Stop			Stop	
Grade		0%			0%			0%			0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	27	813	24	20	593	155	23	12	29	37	1	20
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type		TWLT			TWLT							
Median storage (veh)		2			2							
Upstream signal (ft)		1120										
pX, platoon unblocked				0.93			0.93	0.93	0.93	0.93	0.93	
vC, conflicting volume	749			837			1532	1667	825	1613	1602	671
vC1, stage 1 conf vol							879	879		710	710	
vC2, stage 2 conf vol							653	788		903	891	
vCu, unblocked vol	749			788			1534	1680	775	1621	1609	671
tC, single (s)	4.1			4.1			7.1	6.5	6.2	7.1	6.5	6.2
tC, 2 stage (s)							6.1	5.5		6.1	5.5	
tF (s)	2.2			2.2			3.5	4.0	3.3	3.5	4.0	3.3
p0 queue free %	97			97			91	95	92	83	100	96
cM capacity (veh/h)	860			774			258	258	370	223	265	456
<b>Direction, Lane #</b>	<b>EB 1</b>	<b>EB 2</b>	<b>WB 1</b>	<b>WB 2</b>	<b>NB 1</b>	<b>SB 1</b>						
Volume Total	27	837	20	749	64	58						
Volume Left	27	0	20	0	23	37						
Volume Right	0	24	0	155	29	20						
cSH	860	1700	774	1700	300	271						
Volume to Capacity	0.03	0.49	0.03	0.44	0.21	0.21						
Queue Length 95th (ft)	2	0	2	0	20	20						
Control Delay (s)	9.3	0.0	9.8	0.0	20.2	21.8						
Lane LOS	A		A		C	C						
Approach Delay (s)	0.3		0.2		20.2	21.8						
Approach LOS					C	C						
<b>Intersection Summary</b>												
Average Delay			1.7									
Intersection Capacity Utilization			57.8%		ICU Level of Service				B			
Analysis Period (min)			15									

HCM Signalized Intersection Capacity Analysis  
2: SR-29 & Pope St










Existing + Project PM  
5/29/2016

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	104	490	13	57	531	67	0	0	94	207	0	112
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	4.0	4.0		4.0	4.0				4.0	4.0		4.0
Lane Util. Factor	1.00	1.00		1.00	1.00				1.00	1.00		1.00
Frt	1.00	1.00		1.00	0.98				0.86	1.00		0.85
Flt Protected	0.95	1.00		0.95	1.00				1.00	0.95		1.00
Satd. Flow (prot)	1593	1670		1593	1648				1450	1593		1425
Flt Permitted	0.32	1.00		0.39	1.00				1.00	0.95		1.00
Satd. Flow (perm)	531	1670		658	1648				1450	1593		1425
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	113	533	14	62	577	73	0	0	102	225	0	122
RTOR Reduction (vph)	0	2	0	0	8	0	0	0	79	0	0	95
Lane Group Flow (vph)	113	545	0	62	642	0	0	0	23	225	0	27
Turn Type	Perm			Perm					custom	custom		custom
Protected Phases	4			8					2	6		6
Permitted Phases	4			8					2	6		6
Actuated Green, G (s)	22.5	22.5		22.5	22.5				8.7	8.7		8.7
Effective Green, g (s)	22.5	22.5		22.5	22.5				8.7	8.7		8.7
Actuated g/C Ratio	0.57	0.57		0.57	0.57				0.22	0.22		0.22
Clearance Time (s)	4.0	4.0		4.0	4.0				4.0	4.0		4.0
Vehicle Extension (s)	3.0	3.0		3.0	3.0				3.0	3.0		3.0
Lane Grp Cap (vph)	305	959		378	946				322	354		316
v/s Ratio Prot		0.33		c0.39					0.02	c0.14		0.02
v/s Ratio Perm	0.21			0.09					0.02	c0.14		0.02
v/c Ratio	0.37	0.57		0.16	0.68				0.07	0.64		0.09
Uniform Delay, d1	4.5	5.3		3.9	5.8				12.1	13.8		12.1
Progression Factor	1.00	1.00		1.00	1.00				1.00	1.00		1.00
Incremental Delay, d2	0.8	0.8		0.2	1.9				0.1	3.7		0.1
Delay (s)	5.3	6.1		4.1	7.8				12.1	17.5		12.2
Level of Service	A	A		A	A				B	B		B
Approach Delay (s)		5.9			7.5			12.1				15.7
Approach LOS		A			A			B				B
<b>Intersection Summary</b>												
HCM Average Control Delay			8.7									A
HCM Volume to Capacity ratio			0.67									
Actuated Cycle Length (s)			39.2						8.0			
Intersection Capacity Utilization			64.7%									C
Analysis Period (min)			15									
c Critical Lane Group												



### HCM Unsignalized Intersection Capacity Analysis 3: Allison Ave & Pope St

Existing + Project PM  
5/29/2016

						
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Volume (veh/h)	73	125	195	41	31	237
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	79	136	212	45	34	258
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage (veh)						
Upstream signal (ft)			1070			
pX, platoon unblocked						
vC, conflicting volume	559	234			257	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	559	234			257	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	83	83			97	
cM capacity (veh/h)	477	805			1308	
<b>Direction, Lane #</b>	<b>WB 1</b>	<b>NB 1</b>	<b>SB 1</b>			
Volume Total	215	257	291			
Volume Left	79	0	34			
Volume Right	136	45	0			
cSH	642	1700	1308			
Volume to Capacity	0.34	0.15	0.03			
Queue Length 95th (ft)	37	0	2			
Control Delay (s)	13.4	0.0	1.1			
Lane LOS	B		A			
Approach Delay (s)	13.4	0.0	1.1			
Approach LOS	B					
<b>Intersection Summary</b>						
Average Delay			4.2			
Intersection Capacity Utilization			48.7%		ICU Level of Service	A
Analysis Period (min)			15			

HCM Unsignalized Intersection Capacity Analysis  
4: Jacob Meily Park Dr & Pope St

Existing + Project PM  
5/29/2016

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕		↕	↕		↕	↕	
Volume (veh/h)	7	2	7	11	1	11	9	299	12	12	252	10
Sign Control		Stop			Stop			Free			Free	
Grade		0%			0%			0%			0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	8	2	8	12	1	12	10	325	13	13	274	11
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type							None				None	
Median storage (veh)												
Upstream signal (ft)												
pX, platoon unblocked												
vC, conflicting volume	662	663	279	660	662	332	285			338		
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	662	663	279	660	662	332	285			338		
tC, single (s)	7.1	6.5	6.2	7.1	6.5	6.2	4.1			4.1		
tC, 2 stage (s)												
tF (s)	3.5	4.0	3.3	3.5	4.0	3.3	2.2			2.2		
p0 queue free %	98	99	99	97	100	98	99			99		
cM capacity (veh/h)	363	375	759	366	375	710	1277			1221		
Direction, Lane #	EB 1	WB 1	NB 1	NB 2	SB 1	SB 2						
Volume Total	17	25	10	338	13	285						
Volume Left	8	12	10	0	13	0						
Volume Right	8	12	0	13	0	11						
cSH	473	477	1277	1700	1221	1700						
Volume to Capacity	0.04	0.05	0.01	0.20	0.01	0.17						
Queue Length 95th (ft)	3	4	1	0	1	0						
Control Delay (s)	12.9	13.0	7.8	0.0	8.0	0.0						
Lane LOS	B	B	A		A							
Approach Delay (s)	12.9	13.0	0.2		0.3							
Approach LOS	B	B										
<b>Intersection Summary</b>												
Average Delay			1.1									
Intersection Capacity Utilization			26.5%		ICU Level of Service				A			
Analysis Period (min)			15									

HCM Unsignalized Intersection Capacity Analysis Existing + Project + Approved Project AM  
 1: SR-29 & Charter Oak Ave 6/6/2016










Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (veh/h)	10	825	28	32	589	92	10	3	19	50	4	6
Sign Control		Free			Free			Stop			Stop	
Grade		0%			0%			0%			0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	11	897	30	35	640	100	11	3	21	54	4	7
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type		TWLTL			TWLTL							
Median storage (veh)		2			2							
Upstream signal (ft)		1120										
pX, platoon unblocked				0.89			0.89	0.89	0.89	0.89	0.89	
vC, conflicting volume	740			927			1652	1743	912	1701	1709	690
vC1, stage 1 conf vol							934	934		760	760	
vC2, stage 2 conf vol							718	810		941	949	
vCu, unblocked vol	740			856			1671	1774	839	1725	1735	690
tC, single (s)	4.1			4.1			7.1	6.5	6.2	7.1	6.5	6.2
tC, 2 stage (s)							6.1	5.5		6.1	5.5	
tF (s)	2.2			2.2			3.5	4.0	3.3	3.5	4.0	3.3
p0 queue free %	99			95			95	99	94	74	98	99
cM capacity (veh/h)	866			698			239	246	325	207	236	445
Direction, Lane #	EB 1	EB 2	WB 1	WB 2	NB 1	SB 1						
Volume Total	11	927	35	740	35	65						
Volume Left	11	0	35	0	11	54						
Volume Right	0	30	0	100	21	7						
cSH	866	1700	698	1700	285	221						
Volume to Capacity	0.01	0.55	0.05	0.44	0.12	0.30						
Queue Length 95th (ft)	1	0	4	0	10	30						
Control Delay (s)	9.2	0.0	10.4	0.0	19.4	28.0						
Lane LOS	A		B		C	D						
Approach Delay (s)	0.1		0.5		19.4	28.0						
Approach LOS					C	D						
<b>Intersection Summary</b>												
Average Delay			1.6									
Intersection Capacity Utilization			65.4%		ICU Level of Service				C			
Analysis Period (min)			15									

HCM Signalized Intersection Capacity Analysis  
2: SR-29 & Pope St

Existing + Project + Approved Project AM  
6/6/2016

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (vph)	110	445	11	59	537	56	0	0	155	309	0	152
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Total Lost time (s)	4.0	4.0		4.0	4.0				4.0	4.0		4.0
Lane Util. Factor	1.00	1.00		1.00	1.00				1.00	1.00		1.00
Frt	1.00	1.00		1.00	0.99				0.86	1.00		0.85
Flt Protected	0.95	1.00		0.95	1.00				1.00	0.95		1.00
Satd. Flow (prot)	1593	1670		1593	1653				1450	1593		1425
Flt Permitted	0.26	1.00		0.38	1.00				1.00	0.95		1.00
Satd. Flow (perm)	431	1670		642	1653				1450	1593		1425
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Adj. Flow (vph)	120	484	12	64	584	61	0	0	168	336	0	165
RTOR Reduction (vph)	0	2	0	0	7	0	0	0	114	0	0	111
Lane Group Flow (vph)	120	494	0	64	638	0	0	0	54	336	0	54
Turn Type	Perm			Perm					custom	custom		custom
Protected Phases	4			8					2	6		6
Permitted Phases	4			8					2	6		6
Actuated Green, G (s)	21.8	21.8		21.8	21.8				14.3	14.3		14.3
Effective Green, g (s)	21.8	21.8		21.8	21.8				14.3	14.3		14.3
Actuated g/C Ratio	0.49	0.49		0.49	0.49				0.32	0.32		0.32
Clearance Time (s)	4.0	4.0		4.0	4.0				4.0	4.0		4.0
Vehicle Extension (s)	3.0	3.0		3.0	3.0				3.0	3.0		3.0
Lane Grp Cap (vph)	213	826		317	817				470	517		462
v/s Ratio Prot		0.30			c0.39							
v/s Ratio Perm	0.28			0.10					0.04	c0.21		0.04
v/c Ratio	0.56	0.60		0.20	0.78				0.12	0.65		0.12
Uniform Delay, d1	7.8	8.0		6.3	9.2				10.5	12.8		10.5
Progression Factor	1.00	1.00		1.00	1.00				1.00	1.00		1.00
Incremental Delay, d2	3.4	1.2		0.3	4.9				0.1	2.8		0.1
Delay (s)	11.2	9.2		6.6	14.1				10.6	15.6		10.6
Level of Service	B	A		A	B				B	B		B
Approach Delay (s)		9.6			13.4			10.6				13.9
Approach LOS		A			B			B				B
<b>Intersection Summary</b>												
HCM Average Control Delay			12.1									B
HCM Volume to Capacity ratio			0.73									
Actuated Cycle Length (s)			44.1						8.0			
Intersection Capacity Utilization			71.0%									C
Analysis Period (min)			15									
c Critical Lane Group												

HCM Unsignalized Intersection Capacity Analysis Existing + Project + Approved Project AM  
 3: Allison Ave & Pope St 6/6/2016

						
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Volume (veh/h)	62	63	146	29	51	346
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	67	68	159	32	55	376
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage (veh)						
Upstream signal (ft)			1070			
pX, platoon unblocked						
vC, conflicting volume	661	174			190	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	661	174			190	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	84	92			96	
cM capacity (veh/h)	410	869			1384	
<b>Direction, Lane #</b>	<b>WB 1</b>	<b>NB 1</b>	<b>SB 1</b>			
Volume Total	136	190	432			
Volume Left	67	0	55			
Volume Right	68	32	0			
cSH	559	1700	1384			
Volume to Capacity	0.24	0.11	0.04			
Queue Length 95th (ft)	24	0	3			
Control Delay (s)	13.5	0.0	1.3			
Lane LOS	B		A			
Approach Delay (s)	13.5	0.0	1.3			
Approach LOS	B					
<b>Intersection Summary</b>						
Average Delay			3.2			
Intersection Capacity Utilization			47.8%		ICU Level of Service	A
Analysis Period (min)			15			



HCM Unsignalized Intersection Capacity Analysis Existing + Project + Approved Project AM  
 4: Jacob Meily Park Dr & Pope St 6/6/2016

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕		↕	↕		↕	↕	
Volume (veh/h)	5	1	8	24	2	5	5	201	4	6	364	6
Sign Control		Stop			Stop			Free			Free	
Grade		0%			0%			0%			0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	5	1	9	26	2	5	5	218	4	7	396	7
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type								None			None	
Median storage (veh)												
Upstream signal (ft)												
pX, platoon unblocked												
vC, conflicting volume	648	646	399	649	647	221	402			223		
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	648	646	399	649	647	221	402			223		
tC, single (s)	7.1	6.5	6.2	7.1	6.5	6.2	4.1			4.1		
tC, 2 stage (s)												
tF (s)	3.5	4.0	3.3	3.5	4.0	3.3	2.2			2.2		
p0 queue free %	99	100	99	93	99	99	100			100		
cM capacity (veh/h)	377	387	651	374	386	819	1156			1346		
Direction, Lane #	EB 1	WB 1	NB 1	NB 2	SB 1	SB 2						
Volume Total	15	34	5	223	7	402						
Volume Left	5	26	5	0	7	0						
Volume Right	9	5	0	4	0	7						
cSH	497	411	1156	1700	1346	1700						
Volume to Capacity	0.03	0.08	0.00	0.13	0.00	0.24						
Queue Length 95th (ft)	2	7	0	0	0	0						
Control Delay (s)	12.5	14.5	8.1	0.0	7.7	0.0						
Lane LOS	B	B	A		A							
Approach Delay (s)	12.5	14.5	0.2		0.1							
Approach LOS	B	B										
<b>Intersection Summary</b>												
Average Delay			1.1									
Intersection Capacity Utilization			29.6%		ICU Level of Service				A			
Analysis Period (min)			15									










HCM Unsignalized Intersection Capacity Analysis Existing + Project + Approved Projects PM  
 1: SR-29 & Charter Oak Ave 6/24/2016

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Volume (veh/h)	25	759	22	18	566	143	21	11	27	34	1	19
Sign Control		Free			Free			Stop			Stop	
Grade		0%			0%			0%			0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	27	825	24	20	615	155	23	12	29	37	1	21
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type		TWLTL			TWLTL							
Median storage (veh)		2			2							
Upstream signal (ft)		1120										
pX, platoon unblocked				0.91			0.91	0.91	0.91	0.91	0.91	
vC, conflicting volume	771			849			1567	1701	837	1647	1635	693
vC1, stage 1 conf vol							891	891		732	732	
vC2, stage 2 conf vol							676	810		915	903	
vCu, unblocked vol	771			788			1573	1720	775	1660	1648	693
tC, single (s)	4.1			4.1			7.1	6.5	6.2	7.1	6.5	6.2
tC, 2 stage (s)							6.1	5.5		6.1	5.5	
tF (s)	2.2			2.2			3.5	4.0	3.3	3.5	4.0	3.3
p0 queue free %	97			97			91	95	92	83	100	95
cM capacity (veh/h)	844			760			250	251	364	217	258	443
<b>Direction, Lane #</b>	<b>EB 1</b>	<b>EB 2</b>	<b>WB 1</b>	<b>WB 2</b>	<b>NB 1</b>	<b>SB 1</b>						
Volume Total	27	849	20	771	64	59						
Volume Left	27	0	20	0	23	37						
Volume Right	0	24	0	155	29	21						
cSH	844	1700	760	1700	292	265						
Volume to Capacity	0.03	0.50	0.03	0.45	0.22	0.22						
Queue Length 95th (ft)	2	0	2	0	21	21						
Control Delay (s)	9.4	0.0	9.9	0.0	20.8	22.4						
Lane LOS	A		A		C	C						
Approach Delay (s)	0.3		0.2		20.8	22.4						
Approach LOS					C	C						
<b>Intersection Summary</b>												
Average Delay			1.7									
Intersection Capacity Utilization			58.5%		ICU Level of Service				B			
Analysis Period (min)			15									

HCM Signalized Intersection Capacity Analysis Existing + Project + Approved Projects PM  
 2: SR-29 & Pope St 6/24/2016

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR	
Lane Configurations													
Volume (vph)	105	498	13	57	545	73	0	0	94	210	0	112	
Ideal Flow (vphpl)	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	
Total Lost time (s)	4.0	4.0		4.0	4.0				4.0	4.0		4.0	
Lane Util. Factor	1.00	1.00		1.00	1.00				1.00	1.00		1.00	
Frt	1.00	1.00		1.00	0.98				0.86	1.00		0.85	
Flt Protected	0.95	1.00		0.95	1.00				1.00	0.95		1.00	
Satd. Flow (prot)	1593	1670		1593	1647				1450	1593		1425	
Flt Permitted	0.30	1.00		0.38	1.00				1.00	0.95		1.00	
Satd. Flow (perm)	504	1670		645	1647				1450	1593		1425	
Peak-hour factor, PHF	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	
Adj. Flow (vph)	114	541	14	62	592	79	0	0	102	228	0	122	
RTOR Reduction (vph)	0	2	0	0	8	0	0	0	79	0	0	94	
Lane Group Flow (vph)	114	553	0	62	663	0	0	0	23	228	0	28	
Turn Type	Perm			Perm					custom	custom		custom	
Protected Phases		4			8								
Permitted Phases	4			8					2	6		6	
Actuated Green, G (s)	23.1	23.1		23.1	23.1				9.1	9.1		9.1	
Effective Green, g (s)	23.1	23.1		23.1	23.1				9.1	9.1		9.1	
Actuated g/C Ratio	0.57	0.57		0.57	0.57				0.23	0.23		0.23	
Clearance Time (s)	4.0	4.0		4.0	4.0				4.0	4.0		4.0	
Vehicle Extension (s)	3.0	3.0		3.0	3.0				3.0	3.0		3.0	
Lane Grp Cap (vph)	290	960		371	946				328	361		323	
v/s Ratio Prot		0.33			c0.40								
v/s Ratio Perm	0.23			0.10					0.02	c0.14		0.02	
v/c Ratio	0.39	0.58		0.17	0.70				0.07	0.63		0.09	
Uniform Delay, d1	4.7	5.4		4.0	6.1				12.2	14.0		12.3	
Progression Factor	1.00	1.00		1.00	1.00				1.00	1.00		1.00	
Incremental Delay, d2	0.9	0.8		0.2	2.4				0.1	3.6		0.1	
Delay (s)	5.6	6.3		4.2	8.5				12.3	17.6		12.4	
Level of Service	A	A		A	A				B	B		B	
Approach Delay (s)		6.2			8.1			12.3				15.8	
Approach LOS		A			A			B				B	
<b>Intersection Summary</b>													
HCM Average Control Delay			9.1									HCM Level of Service	A
HCM Volume to Capacity ratio			0.68										
Actuated Cycle Length (s)			40.2									Sum of lost time (s)	8.0
Intersection Capacity Utilization			66.2%									ICU Level of Service	C
Analysis Period (min)			15										
c Critical Lane Group													

HCM Unsignalized Intersection Capacity Analysis Existing + Project + Approved Projects PM  
 3: Allison Ave & Pope St 6/24/2016

						
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Volume (veh/h)	73	128	201	42	33	240
Sign Control	Stop		Free			Free
Grade	0%		0%			0%
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	79	139	218	46	36	261
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type			None			None
Median storage (veh)						
Upstream signal (ft)			1070			
pX, platoon unblocked						
vC, conflicting volume	574	241			264	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	574	241			264	
tC, single (s)	6.4	6.2			4.1	
tC, 2 stage (s)						
tF (s)	3.5	3.3			2.2	
p0 queue free %	83	83			97	
cM capacity (veh/h)	467	798			1300	
<b>Direction, Lane #</b>	<b>WB 1</b>	<b>NB 1</b>	<b>SB 1</b>			
Volume Total	218	264	297			
Volume Left	79	0	36			
Volume Right	139	46	0			
cSH	635	1700	1300			
Volume to Capacity	0.34	0.16	0.03			
Queue Length 95th (ft)	38	0	2			
Control Delay (s)	13.6	0.0	1.2			
Lane LOS	B		A			
Approach Delay (s)	13.6	0.0	1.2			
Approach LOS	B					
<b>Intersection Summary</b>						
Average Delay			4.3			
Intersection Capacity Utilization			49.5%		ICU Level of Service	A
Analysis Period (min)			15			

HCM Unsignalized Intersection Capacity Analysis Existing + Project + Approved Projects PM  
 4: Jacob Meily Park Dr & Pope St 6/24/2016

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕		↕	↕		↕	↕	
Volume (veh/h)	7	2	7	11	1	11	9	308	12	12	257	10
Sign Control		Stop			Stop			Free			Free	
Grade		0%			0%			0%			0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	8	2	8	12	1	12	10	335	13	13	279	11
Pedestrians												
Lane Width (ft)												
Walking Speed (ft/s)												
Percent Blockage												
Right turn flare (veh)												
Median type								None			None	
Median storage (veh)												
Upstream signal (ft)												
pX, platoon unblocked												
vC, conflicting volume	678	678	285	675	677	341	290			348		
vC1, stage 1 conf vol												
vC2, stage 2 conf vol												
vCu, unblocked vol	678	678	285	675	677	341	290			348		
tC, single (s)	7.1	6.5	6.2	7.1	6.5	6.2	4.1			4.1		
tC, 2 stage (s)												
tF (s)	3.5	4.0	3.3	3.5	4.0	3.3	2.2			2.2		
p0 queue free %	98	99	99	97	100	98	99			99		
cM capacity (veh/h)	354	367	754	357	368	701	1272			1211		
Direction, Lane #	EB 1	WB 1	NB 1	NB 2	SB 1	SB 2						
Volume Total	17	25	10	348	13	290						
Volume Left	8	12	10	0	13	0						
Volume Right	8	12	0	13	0	11						
cSH	464	468	1272	1700	1211	1700						
Volume to Capacity	0.04	0.05	0.01	0.20	0.01	0.17						
Queue Length 95th (ft)	3	4	1	0	1	0						
Control Delay (s)	13.1	13.1	7.9	0.0	8.0	0.0						
Lane LOS	B	B	A		A							
Approach Delay (s)	13.1	13.1	0.2		0.3							
Approach LOS	B	B										
<b>Intersection Summary</b>												
Average Delay			1.0									
Intersection Capacity Utilization			26.9%		ICU Level of Service				A			
Analysis Period (min)			15									



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**BIOLOGICAL ASSESSMENT FOR SPECIAL-STATUS  
SPECIES AT 632 McCORKLE AVENUE  
ST. HELENA, SONOMA COUNTY**

Prepared for:

McGrath Builders  
387 Camino Sobrante  
Orinda, CA 94563

By:

Michael H. Fawcett, Ph.D.

30 March 2016

## INTRODUCTION AND PROJECT DESCRIPTION

McGrath Builders plans to demolish an existing dilapidated house and associated sheds on an approximately 1/2-acre lot (APN 009-502-004-000) located at 632 McCorkle Avenue in St. Helena and construct a 10-unit apartment complex at the site. The City of St. Helena Planning Department has requested a Biological Assessment of the property, prepared by a qualified biologist, as per CEQA guidelines.

I have prepared this Biological Assessment to evaluate the property in terms of its potential suitability for, or occupation by, special-status species, by which I mean species listed as *threatened*, *endangered*, *proposed threatened or endangered*, or *candidates* for listing under the Endangered Species Act (ESA) or California Endangered Species Act (CESA); plant species officially designated as *rare* by the State of California; and animal species designated as *fully protected* or as *species of special concern* by the California Department of Fish and Wildlife (CDFW). The term “species of special concern” is a state administrative designation intended to focus attention on species considered to be at risk of becoming threatened or endangered, to stimulate research on such species, and to help recover or conserve the species before they qualify for listing under CESA (Comrack et al 2008). The designation has no formal legal status. A field survey of the property at mid-day was conducted on 25 March 2016.

## METHODS

The California Natural Diversity Database (CNDDDB), operated by CDFW, is a repository of information on sightings and collections of rare, threatened, or endangered plant and animal species within California. It is considered the most comprehensive source of information on special-status species for a given area. Prior to visiting the project site, the CNDDDB was queried in to obtain location records of documented sightings of special-status species of animals and plants in the vicinity of the project site. For this project, I queried the CNDDDB for records within the St. Helena USGS 7.5-minute topographic quadrangle and eight adjacent quadrangles: Aetna Springs, Walter Springs, Chiles Valley, Yountville, Rutherford, Kenwood, Calistoga, and Detert Reservoir.

Since each quadrangle contains various kinds of habitat, e.g., coastal coniferous forest, oak woodland savannah, riparian woodland, freshwater marsh, perennial streams, etc.; and since the list of special-status species obtained from the CNDDDB is for the entire quadrangle or set of quadrangles; the list of species can be quickly screened to remove species that are unlikely to occur in the habitats available at or near a specific project site. The screened list, combined with aerial photography available on Google Earth, was used to help prepare for the field survey for this project. In this case, the field survey consisted of walking quietly about the lot, making notes describing the available habitat and vegetation, listening for calls of birds, mammals, or frogs, and using binoculars to scan trees on the lot and nearby areas for birds, bird or mammal nests, birds exhibiting nesting behavior, and for evidence of roosting bats. I also searched the ground for mammal burrows and overturned wood and debris on the ground in search of frogs or other animals, and looked in the sheds on the property for evidence of roosting bats, barn owls, or nesting birds.

## RESULTS

### Habitat

The property includes a front yard with a lawn surrounded by introduced shrubs and trees (Figure 1). The entrance to the lot is a driveway running along the southwest side of the house and sheds (Figures 2 and 3). A single unidentified, but non-native tree, approximately 24 inches dbh (diameter at breast height), stands between the house and the driveway (incorrectly identified as a maple on the site plans). The back yard and former garden area has an open area toward the front covered with introduced annual grasses and other weeds, such as dandelion (*Taxacum* sp.), mustard (*Brassica* sp.), thistle (*Carduus* sp.), and others (Figure 4). Also shown in Figure 4 are three ironbark Eucalyptus (*Eucalyptus sideroxylon*), each approximately 15 in. dbh. In the shadow of the Eucalyptus is a douglas-fir (*Pseudotsuga menziesii*), ~8 in. dbh. Rampant growth of English ivy (*Hedera helix*) completely covers some other trees or shrubs (visible as bright green mounds behind mound of prickly pear (*Opuntia* sp.) in center of Figure 4). Two coast live oak (*Quercus agrifolia*), standing between the northeast side of the sheds and the property boundary fence (Figure 3), will be preserved.

### Species of Interest

Because of the urbanized nature of the project area, the small size of the project lot and surrounding residences, and the formerly landscaped nature of the yard on the lot, few special-status species of plants or animals would be likely to occur there, and none were observed during my survey. Numerous special-status aquatic animal species live in nearby Sulphur Creek, the Napa River or the Napa River watershed, but the only ones capable of leaving the water and moving overland are two species of frog (foothill yellow-legged frog, *Rana boylei*; and California red-legged frog, *Rana draytonii*) and western pond turtle (*Emys marmorata*).

Foothill yellow-legged frog, a California species of special concern, is abundant in Sulphur Creek upstream of St. Helena and in the Napa River (CNDDDB 2016). Females lay eggs only in flowing water. Juveniles and adults forage in the water and in terrestrial areas close to water. However, this species is always found within the banks of streams, almost never beyond the tops of banks (Jennings and Hayes 1994; and *personal observation*), so it would be extremely unlikely that an individual would ever be found at the project site.

The California red-legged frog is listed as a threatened species under the ESA. The geographic range includes the project area (USFWS 2006). This species lives and breeds in ponds, sluggish streams, sloughs, and marshes, especially in areas with brushy vegetation along the shore, undercut banks, water more than two feet deep, and few introduced predators (e.g., warmwater fishes, bullfrogs, crayfish). Eggs are laid in mid-winter to early spring, and the larvae require three months or more to reach metamorphosis to the air-breathing juvenile stage (Jennings and Hayes 1994; USFWS 2002). Both adults and juveniles routinely leave the water to forage in riparian areas, and



some are known to move long distances (up to 2 miles) overland during the rainy season, and can be found within streams up to 2 miles from breeding sites (USFWS 2000). During the dry season, the frogs are rarely found far from water. After the breeding season, many of the adults and juveniles migrate overland from breeding sites to occupy riparian areas and watercourses not suitable for breeding, and spend considerable time foraging or estivating in thickets of blackberries and other vines and shrubs (Fellers and Kleeman 2007). The nearest known occurrence to the project site is a 2011 record (not in the CNDDDB) for a reservoir next to a vineyard in the headwaters of Sulphur Creek, approximately 4.1 miles southwest of the project site, at approximately 1650 ft. elevation (F. Gardipee, USFWS, *personal communication*, 2011). The next nearest occurrence is a 1979 record for a spring along Howell Mountain Road near Pope Valley, approximately 7.5 miles northeast of the project site. Given the distances to known occurrences of California red-legged frog, and the housing and infrastructure surrounding the project site, the probability of an individual ever visiting the site is exceedingly small.

Western pond turtle, a California species of special concern, is the only species of turtle native to California. A thoroughly aquatic species, western pond turtles are usually found in or near permanent or near-permanent water sources, including streams, ponds, marshes, and other wetlands. They are often seen in ponds, reservoirs, and low-gradient perennial streams throughout the North Bay region (NDDB records and *personal observation*). According to Jennings and Hayes (1994), pond-dwelling turtles seldom leave the water except when females move to upland areas to deposit their eggs (in a shallow nest dug into friable soil), most likely in May or June, but in streams, some individuals may leave the water either to aestivate or to overwinter, while others may overwinter underwater (in colder regions). Female turtles lay eggs in terrestrial areas near streams or ponds, but sometimes hundreds of feet from water, usually on south- or southwest-facing slopes, which maximizes soil warming from the sun.

There are no records in the CNDDDB of western pond turtles within several miles of the project site; however, this is undoubtedly due to lack of surveys by biologists, rather than to a lack of turtles. There are many records of the species within the Napa River watershed, and many of the reservoirs at vineyards, wastewater treatment plants, etc., in the Napa Valley are likely to contain western pond turtles. However, because of the housing and infrastructure surrounding the project site, there is little or no chance of a female searching for a suitable egg-deposition site to enter the project site.

Townsend's big-eared bat (*Corynorhinus townsendii*) bat is a candidate for listing as threatened or endangered under CESA. The bats typically roost inside buildings, caves and mines, and availability of suitable roosting sites is believed to be a limiting factor for the species (CNDDDB 2016). The bats forage in open, dry areas and forest edges by snatching insects that are sitting on leaves (Jameson and Peeters 2004). Townsend's are thought to be highly sensitive to human disturbance. There are fourteen location records for the species in the nine quadrangles queried, most of which are quite old (1945-1957, 8 occurrences); four occurrences from 1982-1987; and one in 2007 (CNDDDB 2016). All of the records are for locations northwest to northeast of St. Helena, in mines and in barns and other buildings. The nearest occurrence to the project site is a 1957 occurrence, ~3.2

miles north of the site. Only one of the occurrences since 1982 has been within five miles of the project site (Occurrence No. 126, 1987). During my field survey, I searched the open sheds for evidence of bat activity--the ceiling, rafters, and walls for roosting bats, and the walls and floors for feces, stains, or corpses; no evidence was found. I also scanned the existing trees on the site for crevices or cavities that bats might use for roosting, but saw no such features.

Examination of the trees, vegetation, and other habitat on the site revealed no evidence of nesting birds, or birds exhibiting nesting behavior; in fact, I neither saw nor heard any birds on the property during my survey. I heard one northern mockingbird (*Mimus polyglottos*) singing repeatedly, an indication of nesting behavior, from an area on the other side of McCorkle Avenue.

## CONCLUSIONS

Assuming that Best Management Practices are followed during construction, the project is expected to have no impacts on special-status species of plants or animals.

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Thank you for the opportunity to be of service. Please give me a call if you need further assistance or advice with your project.

Sincerely,

A handwritten signature in blue ink, appearing to read "M. Fawcett", with a long, sweeping horizontal line extending to the right.

Michael H. Fawcett, Ph.D.

## FIGURES



Figure 1. Front of existing house and yard



Figure 2. Driveway and view toward back of lot



Figure 3. Open sheds behind house--two coast live oak standing between sheds and fence along northeast side of lot.



Figure 4. Back yard—large bluish trees on left are iron-bark *Eucalyptus*

*Prepared for*

Mr. Joe McGrath  
c/o Mr. Jeff Feeney  
Coldwell Banker Commercial, BOV  
1289 Main Street,  
St. Helena, CA 94574

**ENVIRONMENTAL TRANSACTION SCREEN**

**632 MCCORKLE AVENUE, ST. HELENA, CALIFORNIA**

**JANUARY 2016**

*EBA Project No. 15-2254*

*Prepared by*



Matthew J. Earnshaw, P.G., C.Hg.  
Senior Geologist





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- Appendix A: Photo Plates
- Appendix B: Transaction Screen Questionnaire
- Appendix C: EDR Radius Map Reports
- Appendix D: Historic Aerial Photos
- Appendix E: Professional Qualifications

## 1.0 INTRODUCTION

The following report presents the findings of an Environmental Transaction Screen (TS) performed by EBA Engineering (EBA) for the property located at 632 McCorkle Avenue in St. Helena, California. The property is further identified by Napa County Assessor's Parcel Number (APN) 009-502-004, and is hereafter identified as the "project site". This TS was completed for Mr. Joe McGrath and Mr. Jeff Feeney in conformance with ASTM International Designation: E 1528-06 *Standard Practice for Limited Environmental Due Diligence: Transaction Screen Process* (ASTM Standard Practice E1528-06).

### PURPOSE

The purpose of ASTM Standard Practice E1528-06 is to define good commercial and customary practice in the United States of America for conducting a transaction screen for a parcel of commercial real estate where the user wishes to conduct limited environmental due diligence.

This report is not intended to provide the necessary level of detail to be utilized for structural demolition/remodeling or soil or groundwater remediation. For such activities, appropriate regulations should be followed to ensure adequate coverage of material handling, worker and employee safety, airborne contamination during construction, and the precise extent of any contamination for contractor directions.

In defining a standard of good commercial and customary practice for conducting a TS, the goal of the processes established by this practice is to identify potential environmental concerns. The term potential environmental conditions (PECs) means the possible presence of any hazardous substances or petroleum products on a property under conditions that indicate the possibility of an existing release, a past release or a threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, groundwater, or surface water of the property. The term includes hazardous substances or petroleum products even under conditions in compliance with laws.

### SCOPE OF WORK

This TS was performed in general accordance with ASTM Standard Practice E1528-06. To determine the condition of the project site with respect to environmental liability, EBA performed the following tasks:

- 1) Asking questions contained within the transaction screen questionnaire of owners and occupants of the property;
- 2) Observing site conditions at the property with direction provided by the transaction screen questionnaire (if available); and
- 3) To the extent reasonably ascertainable, conducting limited research regarding certain government records and certain standard historical sources.

**SIGNIFICANT ASSUMPTIONS**

No significant assumptions were made during the performance of this TS.

**LIMITATIONS, EXCEPTIONS, AND DEVIATIONS**

Local, State, and Federal environmental regulations and property conditions can vary significantly over time. Consequently, the conclusions and recommendations presented as a result of this TS apply strictly to the environmental regulations and Property conditions existing at the time EBA performed this screen. EBA assumes that the data obtained and the inferences made during this investigation are reasonable and representative of the Property.

EBA makes no warranty, expressed or implied, except that our services have been performed in accordance with generally accepted existing environmental engineering, health and safety principles, and applicable regulations at the time and location of the study. EBA has analyzed the available information using currently applicable engineering techniques.

Please be advised that the findings presented herein are based solely on information made available to EBA by others, and includes professional interpretations based on limited research and data. Based on these circumstances, the decision to conduct additional investigative work to substantiate the findings and conclusions presented herein is the sole responsibility of the Client.

No Exceptions or Deviations occurred from the ASTM Standard.

**SPECIAL TERMS AND CONDITIONS**

This TS was conducted in accordance with our executed contract. Authorization for access to the project site was provided by real estate agent, Mr. Jeff Feeney.

**USER RELIANCE**

This report has been prepared solely for the Client and any such unauthorized reliance on or use of this report, including any of its information or conclusions, will be at the third party's risk. For the same reasons, no warranties or representations, expressed or implied in this report, are made to any such third party.

**REASON FOR PERFORMING TRANSACTION SCREEN**

This TS was performed for Mr. Joe McGrath, the potential buyer of the property.

**2.0 SITE DESCRIPTION**

The project site property is comprised of one property.

## 2.1 632 McCORKLE AVENUE, ST. HELENA

The following presents project site specific information:

Site Name:	632 McCorkle Avenue
Site Location:	632 McCorkle Avenue, Petaluma, California
Tax Assessor Parcel No:	009-502-004
Site Owner(s):	Barbara Doris Elder
Site Occupants:	Unoccupied
Lot Size:	0.54-acres
County:	Napa
Latitude and Longitude:	N 38°30' 20.88" Latitude & W 122° 27' 34.20" Longitude **approximate center of property

### 2.1.1 Site Characteristics

The property consists of a developed 0.54 acre property that contains a single family dwelling of approximately 2,161 square feet. The site also contains an attached garage and outbuilding. The site is level with a paved driveway. The remainder of the site is unpaved and either grass or dirt. Numerous cactus plants are present toward the northern portion of the property. Two single story dwellings that appear to be multi-residential are located on adjacent parcels to the west and east side of the property. The condition of the structures at the time of the property inspection were poor.

### 2.1.2 Current Use of the Property

The project site property is developed as a single family residence. The residence is reported to be unoccupied.

### 2.1.3 Description of Structures, Roads and Improvements

The single family home consists of a two or three bedroom home, part of which is unfinished. The original home appears to be approximately 1,500 square feet with an unfinished approximately 600 square feet addition. An attached garage is located immediately north of the unfinished building site and appears to be in disrepair. A lean-to type awning is located to the north of the garage while a shed used for the storage of oil and perhaps other chemicals is located immediately north of the lean-to. The structure was reportedly built in 1954 and has been used as a residence since that time.

### 2.1.4 Exterior observations

The exterior portions of project site buildings were observed as part of this assessment. The exterior portions of the building appeared to be in poor condition.

### 2.1.5 Interior observations

The interior portion of the main structure was inspected as part of the TS. The interior portions of the structure are empty and appears to be in fair condition. The building appears to be heated by a wood stove and gas heater located under the main residence.

Please refer to Photo Plates included in Appendix A.

### 3.0 USER PROVIDED INFORMATION

#### 3.1 TRANSACTION SCREEN QUESTIONNAIRE

A Transaction Screen Questionnaire was provided to the proposed buyer and real estate agent for their use. EBA has filled out the questionnaire based on our site visit. The owner questionnaire was completed on December 28, 2015 by owner Barbara Doris Elder.

#### 3.2 OWNER, PROPERTY MANAGER, AND OCCUPANT INFORMATION

The project site property is currently owned by Barbara Doris Elder.

### 4.0 RECORDS REVIEW

#### 4.1 ENVIRONMENTAL RECORDS SOURCES

EBA contacted Environmental Data Resources (EDR) of Southport, Connecticut, to conduct a comprehensive Federal, state and local environmental records search for both of the project site properties and properties within a one-mile radius of the project site. The purpose of the database search was to identify potential exposure to the subject property from various environmental concerns and/or hazardous materials releases. The following databases and environmental programs are included in the database search:

- Federal National Priority List (NPL)
- Proposed National Priority List
- National Priority List Deletions
- NPL Liens
- Comprehensive Environmental response, Compensation and Liability Information System (CERCLIS)
- CERCLIS – No Further Action Planned
- Corrective Action Reports (CORRACTS)
- Resource Conservation and Recovery Act (RCRA) Transfer, Storage & Disposal Facilities
- RCRA Large Quantity Generators
- RCRA Small Quantity Generators
- Hazardous Material Information Reporting System
- Engineering Control Sites
- Sites With Institutional Controls
- Department of Defense Sites
- Formerly Used Defense Sites
- Brownfield Sites
- CERCLA Consent Decrees
- Records of Decision
- Uranium Mine Tailing Sites
- Open Dump Inventory



- Toxic Chemical Release Inventory System
- Toxic Substances Control Act
- FIFRA/TSCA Tracking System
- PCB Activity Tracking System
- Material Licensing Tracking System
- Mines Master Index File
- Facility Index System
- RCRA Administrative Tracking System
- Annual Workplan Sites
- Calsites Database
- Toxic Pits Cleanup Act Sites
- Bond Expenditure Plan
- No Further Action Determination
- School Property Evaluation Program
- Solid Waste Information System
- Waste Discharge System
- Waste Management Unit Database
- Statewide SLIC Sites
- Active UST Facilities
- Facility Inventory Database
- Aboveground Petroleum Storage Tank Facilities
- Recycler Database
- Proposition 65 Listings
- Deed Restriction Listing
- Voluntary Cleanup Program Properties
- Cleaner Facilities
- Well Investigation Program Case List
- Emissions Inventory Data
- Indian Reservations
- Leaking Underground Storage Tanks on Indian Land
- Underground Storage Tanks on Indian Land
- Coal Gas Sites
- Cortese Database
- Emergency Response Notification System
- Leaking Underground Tank Sites
- California Hazardous Materials Incident Report System
- Haznet database

The Environmental Record Search (ERS) consists of a map showing the location of the identified sites relative to the project site, a summary listing the identified sites by street names, and a final report describing the sources investigated and the resulting findings. It should be noted that the findings are those noted on the regulatory database(s) and that accuracy and completeness of record information varies among information sources, including government sources. Results of the record search are presented in Appendix C.

The ERS did not identify the project site on any environmental database.

#### **4.2 ADJACENT PROPERTIES**

No directly adjacent properties to the project site were identified on the EDR Radius Map Report as having environmental concerns for either of the project site properties.

#### **4.3 PROPERTIES WITHIN THE APPROXIMATE MINIMUM SEARCH DISTANCE**

No near site properties were identified in EDR Radius Map Report as having environmental concerns within the minimum search distance (one-quarter mile) from the project site property as required by ASTM Standard E1528-06. Other sites were reported outside of the one-quarter mile radius and in downtown St. Helena. Please refer to the results of the record search are presented in Appendix C.

#### **4.4 ADDITIONAL ENVIRONMENTAL RECORDS SOURCES**

Research was performed on the project site in an attempt to ascertain the nature and status of any known environmental issues. Publicly available websites were reviewed and included:

##### **CALIFORNIA STATE WATER RESOURCES CONTROL BOARD GEOTRACKER WEB SITE DATABASE**

The Geotracker web site was consulted to determine if either the project site or surrounding properties were identified in this environmental database as having environmental concerns.

The project site property located at 632 McCorkle Avenue, St. Helena, CA was not identified as having environmental issues.

##### **CALIFORNIA DEPARTMENT OF TOXIC SUBSTANCES CONTROL ENVIROSTOR WEB SITE DATABASE**

The Envirostor web site was consulted to determine if either the project site or surrounding properties were identified in this environmental database as having environmental concerns. The project site was not identified.

#### **4.5 HISTORICAL SUMMARY**

##### **4.5.1 632 McCorkle Avenue, St. Helena**

Based on available information, the project site located at 632 McCorkle Avenue appears to have been developed as a residential unit in 1954. Prior to this time the project site was most likely used for agriculture.

##### **HISTORICAL AERIAL PHOTOGRAPHS**

Historical aerial photographs were obtained from Environmental Data Resources for the years 1958, 1982, 1993, 1998, and 2005. A review of historic aerial photograph confirms the land uses over time.

Aerial photos obtained from EDR are included in Appendix D.

## 5.0 SITE RECONNAISSANCE

### METHODOLOGY AND LIMITING CONDITIONS

EBA personnel conducted a site reconnaissance on December 16, 2015. The site reconnaissance entailed viewing the project site and the surrounding areas. The sites were inspected to observe the property and to identify discernible or potential environmental concerns. Limitations encountered to limit the extent of the property inspection included the lack of an interview with knowledgeable individuals regarding the past and current uses of the project site.

## 6.0 FINDINGS

EBA Engineering has performed this TS in conformance with the scope and limitations of ASTM Practice E 1528-06 of the property located at 632 McCorkle Avenue in St. Helena, California. Any exceptions to, or deletions from, this practice are described herein. Based on conclusions from the environmental records search, historical data review, and the site reconnaissance, the following PEC's were observed at either property.

The project site property appears to have been initially developed as a rural residential property around 1954. The project site included the storage of automobiles.

The project site was not listed in the EDR database. No properties were identified in the general area of the project site to have environmental issues although the property to the north historically appears to have some unknown commercial use.

## 7.0 RECOGNIZED ENVIRONMENTAL CONDITIONS

Based on conclusions from the environmental records search, historical data review, and the site reconnaissance we find the following recognized environmental conditions in connection with the project site property:

- Soil staining is present in the area of the garage area and field that is indicative of spills and leaks of petroleum hydrocarbons to the ground surface. The materials should be further characterized during site development and handled accordingly.
- Verify that the domestic water supply well and septic system have been properly abandoned.
- If the existing structures are to be remodeled or demolished they should be assessed for the presence of asbestos containing materials and lead based paint by a qualified professional.

## 8.0 NON-SCOPE CONSIDERATIONS

### NON-SCOPE CONSIDERATIONS

The following environmental issues are outside the scope (non-scope considerations) of the standard practice defined by ASTM Standard Practice E 1528-06:

- Regulatory Compliance;
- Cultural and Historic Resources;
- Industrial Hygiene;
- Health and Safety;
- Ecological Resources;
- Endangered Species;
- Indoor Air Quality;
- High Voltage Power Lines;
- Biological Agents; and
- Mold

EBA identified no ASTM non-scope considerations/RECs in connection with the project site properties that represent potential business environmental risk but are outside the standard scope of services prescribed by ASTM Standard Practice E 1527-05.

### ADDITIONAL SERVICES

No additional services beyond the standard scope of services prescribed by ASTM Standard Practice E 1528-06 were requested by the Client.

## 9.0 REFERENCES

Aerial Photographs:

### 632 McCorkle Avenue, St. Helena

1958	Environmental Data Resources
1982	Environmental Data Resources
1993	Environmental Data Resources
1998	Environmental Data Resources
2005	Environmental Data Resources

Environmental Data Resources, Inc., *Radius Map Report, 632 McCorkle Avenue, St. Helena, California*: Performed for EBA Engineering; Job No. EBA 15-2254. Dated December 22, 2015.

**APPENDIX A**  
**PHOTO PLATES**





Front of house.



Attached garage, detached garage, and storage road.



PHOTO PLATE

632 MCCORKLE AVENUE  
ST. HELENA, CALIFORNIA

FIGURE

1

January 2016  
15-2254



Attached garage.



Detached garage



PHOTO PLATE  
632 MCCORKLE AVENUE  
ST. HELENA, CALIFORNIA

FIGURE  
2  
January 2016  
15-2254





Kitty litter.



Shed with staining.



PHOTO PLATE  
632 MCCORKLE AVENUE  
ST. HELENA, CALIFORNIA

FIGURE  
3  
January 2016  
15-2254





Drain hole.



Dead vegetation.



PHOTO PLATE  
632 MCCORKLE AVENUE  
ST. HELENA, CALIFORNIA

FIGURE  
4  
January 2016  
15-2254





Antennae pole.



**PHOTO PLATE**  
**632 MCCORKLE AVENUE**  
**ST. HELENA, CALIFORNIA**

**FIGURE**  
**5**  
January 2016  
15-2254





Probable location of septic tank.



**PHOTO PLATE**

**632 MCCORKLE AVENUE  
ST. HELENA, CALIFORNIA**

**FIGURE**

**6**

January 2016  
15-2254

**APPENDIX B**  
**TRANSACTION SCREEN QUESTIONNAIRE**

DocuSign Envelope ID: F968FF46-F002-4957-8242-C043785A08E3

**6. Transaction Screen Questionnaire**

6.1 *Persons to Be Questioned*-The following questions should be asked of (1) the current owner of the property, (2) any major occupant of the property or, if the property does not have any major occupants, at least 10 % of the occupants of the property, and (3) in addition to the current owner and the occupants identified in (2), any occupant likely to be using, treating, generating, storing, or disposing of hazardous substances or petroleum products on or from the property. A major occupant is any occupant using at least 40 % of the leasable area of the property or any anchor tenant when the property is a

shopping center. In a multifamily property containing both residential and commercial uses, the preparer does not need to ask questions of the residential occupants. The preparer should ask each person to answer all questions to the best of the respondent's actual knowledge and in good faith. When completing the site visit column, the preparer should be sure to observe the property and any buildings and other structures on the property. The guide to this transaction screen questionnaire (see Sections 7-10) provides further details on the appropriate use of this questionnaire. (See Note 2.)  
NOTE 2-Unk = "unknown" or "no response."

Description of Site Address:

632 McCorkle, St. Helena, CA

Question	Owner			Occupants (if applicable)			Observed During Site Visit		If yes, provide description
1a. Is the property used for an industrial use?	Yes <input type="radio"/>	No <input checked="" type="radio"/>	Unk <input type="radio"/>	Yes <input type="radio"/>	No <input type="radio"/>	Unk <input type="radio"/>	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
1b. Is any adjoining property used for an industrial use?	Yes <input type="radio"/>	No <input checked="" type="radio"/>	Unk <input type="radio"/>	Yes <input type="radio"/>	No <input type="radio"/>	Unk <input type="radio"/>	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
2a. Did you observe evidence or do you have any prior knowledge that the property has been used for an industrial use in the past?	Yes <input type="radio"/>	No <input checked="" type="radio"/>	Unk <input type="radio"/>	Yes <input type="radio"/>	No <input type="radio"/>	Unk <input type="radio"/>	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
2b. Did you observe evidence or do you have any prior knowledge that any adjoining property has been used for an industrial use in the past?	Yes <input checked="" type="radio"/>	No <input type="radio"/>	Unk <input type="radio"/>	Yes <input type="radio"/>	No <input type="radio"/>	Unk <input type="radio"/>	Yes <input type="radio"/>	No <input checked="" type="radio"/>	Property to the East has had metal cutting, blasting & welding operations.
3a. Is the property used as a gasoline station, motor repair facility, commercial printing facility, dry cleaners, photo developing laboratory, junkyard or landfill, or as a waste treatment, storage, disposal, processing, or recycling facility (if applicable, identify which)?	Yes <input type="radio"/>	No <input checked="" type="radio"/>	Unk <input type="radio"/>	Yes <input type="radio"/>	No <input type="radio"/>	Unk <input type="radio"/>	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
3b. Is any adjoining property used as a gasoline station, motor repair facility, commercial printing facility, dry cleaners, photo developing laboratory, junkyard or landfill, or as a waste treatment, storage, disposal, processing, or recycling facility (if applicable, identify which)?	Yes <input type="radio"/>	No <input checked="" type="radio"/>	Unk <input type="radio"/>	Yes <input type="radio"/>	No <input type="radio"/>	Unk <input type="radio"/>	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
4a. Did you observe evidence or do you have any prior knowledge that the property has been used as a gasoline station, motor repair facility, commercial printing facility, dry cleaners, photo developing laboratory, junkyard or landfill, or as a waste treatment, storage, disposal, processing, or recycling facility (if applicable, identify which)?	Yes <input type="radio"/>	No <input checked="" type="radio"/>	Unk <input type="radio"/>	Yes <input type="radio"/>	No <input type="radio"/>	Unk <input type="radio"/>	Yes <input type="radio"/>	No <input checked="" type="radio"/>	Some historical repair of cars
4b. Did you observe evidence or do you have any prior knowledge that any adjoining property has been used as a gasoline station, motor repair facility, commercial printing facility, dry cleaners, photo developing laboratory, junkyard or landfill, or as a waste treatment, storage, disposal, processing, or recycling facility (if applicable, identify which)?	Yes <input type="radio"/>	No <input checked="" type="radio"/>	Unk <input type="radio"/>	Yes <input type="radio"/>	No <input type="radio"/>	Unk <input type="radio"/>	Yes <input type="radio"/>	No <input checked="" type="radio"/>	Some historical storage of material on adjacent property
5a. Are there currently any damaged or discarded automotive or industrial batteries, pesticides, paints, or other chemicals in individual containers of >5 gal (19 L) in volume or 50 gal (190 L) in the aggregate, stored on or used at the property or at the facility?	Yes <input type="radio"/>	No <input checked="" type="radio"/>	Unk <input type="radio"/>	Yes <input type="radio"/>	No <input type="radio"/>	Unk <input type="radio"/>	Yes <input type="radio"/>	No <input checked="" type="radio"/>	All materials have been removed from the premise.
5b. Did you observe evidence or do you have any prior knowledge that there have been previously any damaged or discarded automotive or industrial batteries, or pesticides, paints, or other chemicals in individual containers of >5 gal (19 L) in volume or 50 gal (190 L) in the aggregate, stored on or used at the property or at the facility?	Yes <input type="radio"/>	No <input checked="" type="radio"/>	Unk <input type="radio"/>	Yes <input type="radio"/>	No <input type="radio"/>	Unk <input type="radio"/>	Yes <input type="radio"/>	No <input checked="" type="radio"/>	All material has been moved from the premise.
6a. Are there currently any industrial drums (typically 55 gal (208 L)) or sacks of chemicals located on the property or at the facility?	Yes <input type="radio"/>	No <input checked="" type="radio"/>	Unk <input type="radio"/>	Yes <input type="radio"/>	No <input type="radio"/>	Unk <input type="radio"/>	Yes <input type="radio"/>	No <input checked="" type="radio"/>	
6b. Did you observe evidence or do you have any prior knowledge that there have been previously any industrial drums (typically 55 gal (208 L)) or sacks of chemicals located on the property or at the facility?	Yes <input type="radio"/>	No <input checked="" type="radio"/>	Unk <input type="radio"/>	Yes <input type="radio"/>	No <input type="radio"/>	Unk <input type="radio"/>	Yes <input type="radio"/>	No <input checked="" type="radio"/>	All materials have been removed.
7a. Did you observe evidence or do you have any prior knowledge that fill dirt has been brought onto the property that originated from a contaminated site?	Yes <input type="radio"/>	No <input checked="" type="radio"/>	Unk <input type="radio"/>	Yes <input type="radio"/>	No <input type="radio"/>	Unk <input type="radio"/>	Yes <input type="radio"/>	No <input checked="" type="radio"/>	

\* Unk = "unknown" or "no response"

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Question	Owner	Occupants (if applicable)	Observed During Site Visit	If yes, provide description
7b. Did you observe evidence or do you have any prior knowledge that fill dirt has been brought onto the property that is of an unknown origin?	Yes <input type="radio"/> No <input checked="" type="radio"/> Unk <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/> Unk <input type="radio"/>	Yes <input type="radio"/> No <input checked="" type="radio"/>	
8a. Are there currently any pits, ponds, or lagoons located on the property in connection with waste treatment or waste disposal?	Yes <input type="radio"/> No <input checked="" type="radio"/> Unk <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/> Unk <input type="radio"/>	Yes <input type="radio"/> No <input checked="" type="radio"/>	Some small depressions filled with rocks or covered with steel.
8b. Did you observe evidence or do you have any prior knowledge that there have been previously, any pits, ponds, or lagoons located on the property in connection with waste treatment or waste disposal?	Yes <input type="radio"/> No <input checked="" type="radio"/> Unk <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/> Unk <input type="radio"/>	Yes <input type="radio"/> No <input checked="" type="radio"/>	
9a. Is there currently any stained soil on the property?	Yes <input type="radio"/> No <input checked="" type="radio"/> Unk <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/> Unk <input type="radio"/>	Yes <input checked="" type="radio"/> No <input type="radio"/>	
9b. Did you observe evidence or do you have any prior knowledge that there has been previously, any stained soil on the property?	Yes <input type="radio"/> No <input checked="" type="radio"/> Unk <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/> Unk <input type="radio"/>	Yes <input checked="" type="radio"/> No <input type="radio"/>	
10a. Are there currently any registered or unregistered storage tanks (above or underground) located on the property?	Yes <input type="radio"/> No <input checked="" type="radio"/> Unk <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/> Unk <input type="radio"/>	Yes <input type="radio"/> No <input checked="" type="radio"/>	
10b. Did you observe evidence or do you have any prior knowledge that there have been previously, any registered or unregistered storage tanks (above or underground) located on the property?	Yes <input type="radio"/> No <input checked="" type="radio"/> Unk <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/> Unk <input type="radio"/>	Yes <input type="radio"/> No <input checked="" type="radio"/>	
11a. Are there currently any vent pipes, fill pipes, or access ways indicating a fill pipe protruding from the ground on the property or adjacent to any structure located on the property?	Yes <input type="radio"/> No <input checked="" type="radio"/> Unk <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/> Unk <input type="radio"/>	Yes <input type="radio"/> No <input checked="" type="radio"/>	
11b. Did you observe evidence or do you have any prior knowledge that there have been previously, any vent pipes, fill pipes, or access ways indicating a fill pipe protruding from the ground on the property or adjacent to any structure located on the property?	Yes <input type="radio"/> No <input checked="" type="radio"/> Unk <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/> Unk <input type="radio"/>	Yes <input type="radio"/> No <input checked="" type="radio"/>	
12a. Is there currently evidence of leaks, spills or staining by substances other than water, or foul odors, associated with any flooring, drains, walls, ceilings, or exposed grounds on the property?	Yes <input type="radio"/> No <input checked="" type="radio"/> Unk <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/> Unk <input type="radio"/>	Yes <input type="radio"/> No <input checked="" type="radio"/>	
12b. Did you observe evidence or do you have any prior knowledge that there have been previously any leaks, spills, or staining by substances other than water, or foul odors, associated with any flooring drains, walls, ceilings or exposed grounds on the property?	Yes <input checked="" type="radio"/> No <input type="radio"/> Unk <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/> Unk <input type="radio"/>	Yes <input type="radio"/> No <input checked="" type="radio"/>	Minor oil stains on concrete floor of garage and storage shed.
13a. If the property is served by a private well or non-public water system, is there evidence or do you have prior knowledge that contaminants have been identified in the well or system that exceed guidelines applicable to the water system?	Yes <input type="radio"/> No <input checked="" type="radio"/> Unk <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/> Unk <input type="radio"/>	Yes <input type="radio"/> No <input checked="" type="radio"/>	
13b. If the property is served by a private well or non-public water system, is there evidence or do you have prior knowledge that the well has been designated as contaminated by any government environment health agency?	Yes <input type="radio"/> No <input checked="" type="radio"/> Unk <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/> Unk <input type="radio"/>	Yes <input type="radio"/> No <input checked="" type="radio"/>	
14. Does the owner or occupant of the property have any knowledge of environmental liens or governmental notification relating to past or recurrent violations of environmental laws with respect to the property or any facility located on the property?	Yes <input type="radio"/> No <input checked="" type="radio"/> Unk <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/> Unk <input type="radio"/>		
15a. Has the owner or occupant of the property been informed of the past existence of hazardous substances or petroleum products with respect to the property or any facility located on the property?	Yes <input checked="" type="radio"/> No <input type="radio"/> Unk <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/> Unk <input type="radio"/>		Motor oil stored in closed containers in garage and storage shed has been properly disposed at reclamation facilities.
15b. Has the owner or occupant of the property been informed of the current existence of hazardous substances or petroleum products with respect to the property or any facility located on the property?	Yes <input type="radio"/> No <input checked="" type="radio"/> Unk <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/> Unk <input type="radio"/>		
15c. Has the owner or occupant of the property been informed of the past existence of environmental violations with respect to the property or any facility located on the property?	Yes <input type="radio"/> No <input checked="" type="radio"/> Unk <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/> Unk <input type="radio"/>		
15d. Has the owner or occupant of the property been informed of the current existence of environmental violations with respect to the property or any facility located on the property?	Yes <input type="radio"/> No <input checked="" type="radio"/> Unk <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/> Unk <input type="radio"/>		

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Question	Owner	Occupants (if applicable)	Observed During Site Visit	If yes, provide description
16. Does the owner or occupant of the property have any knowledge of any environmental site assessment of the property or facility that indicated the presence of hazardous substances or petroleum products on, or contamination of, the property or recommended further assessment of the property?	Yes <input type="radio"/> No <input checked="" type="radio"/> Unk <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/> Unk <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/> Unk <input type="radio"/>	
17. Does the owner or occupant of the property know of any past, threatened, or pending lawsuits or administrative proceedings concerning a release or threatened release of any hazardous substance or petroleum products involving the property by any owner or occupant of the property?	Yes <input type="radio"/> No <input checked="" type="radio"/> Unk <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/> Unk <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/> Unk <input type="radio"/>	
18a. Does the property discharge waste-water (not including sanitary waste or storm water) onto or adjacent to the property and/or into a storm water system?	Yes <input type="radio"/> No <input checked="" type="radio"/> Unk <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/> Unk <input type="radio"/>	Yes <input type="radio"/> No <input checked="" type="radio"/>	
18b. Does the property discharge waste water (not including sanitary waste or storm water) onto or adjacent to the property and/or into a sanitary sewer system?	Yes <input type="radio"/> No <input checked="" type="radio"/> Unk <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/> Unk <input type="radio"/>	Yes <input type="radio"/> No <input checked="" type="radio"/>	
19. Did you observe evidence or do you have any prior knowledge that any hazardous substances or petroleum products, unidentified waste materials, tires, automotive or industrial batteries, or any other waste materials have been dumped above grade, buried and/or burned on the property?	Yes <input type="radio"/> No <input checked="" type="radio"/> Unk <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/> Unk <input type="radio"/>	Yes <input checked="" type="radio"/> No <input type="radio"/>	Some automotive parts present in soil. Kitter litter from spills.
20. Is there a transformer, capacitor, or any hydraulic equipment for which there are any records indicating the presence of PCBs?	Yes <input type="radio"/> No <input checked="" type="radio"/> Unk <input type="radio"/>	Yes <input type="radio"/> No <input type="radio"/> Unk <input type="radio"/>	Yes <input type="radio"/> No <input checked="" type="radio"/>	

**Government Records/Historical Sources Inquiry**  
(See guide, Section 10)

21. Do any of the following federal, state, or tribal government record systems list the property or any property within the search distance noted below (where available):	Approximate Minimum Search Distance, miles (kilometres)	Yes <input type="radio"/>	No <input type="radio"/>
Federal NPL site	1.0	Yes <input type="radio"/>	No <input checked="" type="radio"/>
Federal Delisted NPL site	0.5	Yes <input type="radio"/>	No <input checked="" type="radio"/>
Federal CERCLIS	0.5	Yes <input type="radio"/>	No <input checked="" type="radio"/>
Federal CERCLIS NFRAP site	0.5	Yes <input type="radio"/>	No <input checked="" type="radio"/>
Federal RCRA CORRACTS facilities	1.0	Yes <input type="radio"/>	No <input checked="" type="radio"/>
Federal RCRA non-CORRACTS TSD	0.5	Yes <input type="radio"/>	No <input checked="" type="radio"/>
Federal RCRA generators	property and adjoining properties	Yes <input type="radio"/>	No <input checked="" type="radio"/>
Federal institutional control/engineering control registries	property only	Yes <input type="radio"/>	No <input checked="" type="radio"/>
Federal ERNS	property only	Yes <input type="radio"/>	No <input checked="" type="radio"/>
State and tribal lists of hazardous waste sites identified for investigation or remediation:			
State-and tribal-equivalent NPL	1.0	Yes <input type="radio"/>	No <input checked="" type="radio"/>
State-and tribal-equivalent	0.5	Yes <input type="radio"/>	No <input checked="" type="radio"/>
State-and tribal-landfill and/or solid waste disposal site lists	0.5	Yes <input type="radio"/>	No <input checked="" type="radio"/>
State-and tribal-leaking storage tank lists	0.5	Yes <input type="radio"/>	No <input checked="" type="radio"/>
State and tribal registered storage tank lists	property and adjoining properties	Yes <input type="radio"/>	No <input checked="" type="radio"/>
State and tribal institutional control/engineering control registries	property only	Yes <input type="radio"/>	No <input checked="" type="radio"/>
State and tribal voluntary cleanup sites	0.5	Yes <input type="radio"/>	No <input checked="" type="radio"/>
State and tribal Brownfield sites	0.5	Yes <input type="radio"/>	No <input checked="" type="radio"/>
22. Based upon a review of fire insurance maps (10.2.3) or local street directories (10.2.3), all as specified in the guide, are any buildings or other improvements on the property or on an adjoining property identified as having been used for an industrial use or uses likely to lead to contamination of the property?		Yes <input type="radio"/>	No <input type="radio"/> Unavailable <input checked="" type="radio"/>

**Result**

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**The Owner questionnaire answers were provided was completed by:**

Name Barbara Elder  
 Title Trustee of Owner's Trust  
 Firm \_\_\_\_\_  
 Address \_\_\_\_\_  
 Phone Number (707) 252-0953  
 Date 12-28-15  
 Role (s) at the site Trustee  
 Number of years at the site 0  
 Relationship to use (e.g. principal, employee, agent, consultant) Trustee

**The Occupant questionnaire answers were provided by:**

Name \_\_\_\_\_  
 Title \_\_\_\_\_  
 Firm \_\_\_\_\_  
 Address \_\_\_\_\_  
 Phone Number \_\_\_\_\_  
 Date \_\_\_\_\_  
 Role (s) at the site \_\_\_\_\_  
 Number of years at the site \_\_\_\_\_  
 Relationship to use (e.g. principal, employee, agent, consultant) \_\_\_\_\_

**The Site Visit questionnaire was completed by:**

Name Mr. Matthew Earnshaw  
 Title Senior Geologist  
 Firm EBA Engineering  
 Address 825 Sonoma Avenue  
Santa Rosa, CA  
 Phone Number 707 544-0784  
 Date 12/22/15  
 Role (s) at the site \_\_\_\_\_  
 Number of years at the site 0  
 Relationship to use (e.g. principal, employee, agent, consultant) Consultant

*It is the user's responsibility to draw conclusions regarding affirmative or unknown answers.*

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**The Government Records and Historical Sources Inquiry questionnaire was completed by:**

Name Matthew Earnshaw  
 Title Senior Geologist  
 Firm EBA Engineering  
 Address 825 Sonoma Avenue  
Santa Rosa, Ca  
 Phone Number 707 544-0784  
 Date 12/22/15  
 Role (s) at the site N/A  
 Number of years at the site 0  
 Relationship to use (e.g. principal, employee, agent, consultant) Consultant

**User's relationship to the site (for example, owner, prospective purchaser, lender, etc.)**

If the preparer (s) is different from the user, complete the following:

Name of User \_\_\_\_\_  
 User's Address \_\_\_\_\_  
 User's Phone Number \_\_\_\_\_

Copies of the completed questionnaires have been filed at:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Copies of the completed questionnaires have been mailed or delivered to:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Preparer represents that to the best of the preparer's knowledge the above statements and facts are true and correct and to the best of the preparer's actual knowledge no material facts have been suppressed or misstated.**

DocuSigned by:  
 Signature: Barbara Doris Elder  
 Date: 12/28/2015 9:58:41 AM PST Owner  
 Signature: \_\_\_\_\_  
 Date: \_\_\_\_\_  
 Signature: \_\_\_\_\_  
 Date: \_\_\_\_\_

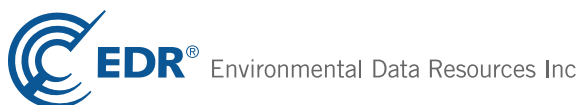
**APPENDIX C**  
**EDR RADIUS MAP REPORTS**

**McCorkle Avenue Property**

632 McCorkle Avenue  
Saint Helena, CA 94574

Inquiry Number: 4494042.2s  
December 16, 2015

## The EDR Radius Map™ Report



6 Armstrong Road, 4th floor  
Shelton, CT 06484  
Toll Free: 800.352.0050  
[www.edrnet.com](http://www.edrnet.com)

FORM-LBF-MEM

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***Thank you for your business.***  
Please contact EDR at 1-800-352-0050  
with any questions or comments.

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## EXECUTIVE SUMMARY

A search of available environmental records was conducted by Environmental Data Resources, Inc (EDR). The report was designed to assist parties seeking to meet the search requirements of EPA's Standards and Practices for All Appropriate Inquiries (40 CFR Part 312), the ASTM Standard Practice for Environmental Site Assessments (E 1527-13) or custom requirements developed for the evaluation of environmental risk associated with a parcel of real estate.

### TARGET PROPERTY INFORMATION

#### ADDRESS

632 MCCORKLE AVENUE  
SAINT HELENA, CA 94574

#### COORDINATES

Latitude (North):	38.5058000 - 38° 30' 20.88"
Longitude (West):	122.4595000 - 122° 27' 34.20"
Universal Transverse Mercator:	Zone 10
UTM X (Meters):	547128.0
UTM Y (Meters):	4261868.5
Elevation:	222 ft. above sea level

#### USGS TOPOGRAPHIC MAP ASSOCIATED WITH TARGET PROPERTY

Target Property Map:	5602436 SAINT HELENA, CA
Version Date:	2012
South Map:	5602434 RUTHERFORD, CA
Version Date:	2012

#### AERIAL PHOTOGRAPHY IN THIS REPORT

Portions of Photo from:	20120522
Source:	USDA



MAPPED SITES SUMMARY
----------------------

Target Property Address:  
632 MCCORKLE AVENUE  
SAINT HELENA, CA 94574

Click on Map ID to see full detail.

MAP ID	SITE NAME	ADDRESS	DATABASE ACRONYMS	RELATIVE ELEVATION	DIST (ft. & mi.) DIRECTION
<a href="#">1</a>	MARKLEY COVE RESORT	7521 HWY 128	LUST	Higher	1515, 0.287, SW
<a href="#">2</a>	PRIVATE RESIDENCE	PRIVATE RESIDENCE	LUST	Higher	2032, 0.385, SSW
<a href="#">3</a>	HEUBLEIN FINE WINE G	8215 ST HELENA HWY	LUST, SWEEPS UST, HIST CORTESE	Higher	2167, 0.410, WSW
<a href="#">4</a>	ST HELENA PETROLEUM	905 MAIN ST	ENVIROSTOR, LUST, HIST CORTESE	Higher	2169, 0.411, SW
<a href="#">5</a>	ST HELENA PETROLEUM	929 MAIN ST	LUST, HIST CORTESE	Higher	2219, 0.420, SW
<a href="#">A6</a>	BELLANI RESIDENCE	738 MAIN ST	LUST, UST	Higher	2276, 0.431, SSW
<a href="#">A7</a>	BELLANI RESIDENCE	738 MAIN ST	LUST, HIST CORTESE	Higher	2276, 0.431, SSW
<a href="#">B8</a>	VCS #5	1108 MAIN ST	LUST, HIST CORTESE	Higher	2313, 0.438, WSW
<a href="#">9</a>	CORNER OF MITCHELL A	MITCHELL DR SAINT	LUST	Higher	2344, 0.444, WSW
<a href="#">B10</a>	NOBLE PROPERTIES	1132 MAIN STREET	SLIC	Higher	2360, 0.447, WSW
<a href="#">B11</a>	SAINT HELENA PLAZA	1136 MAIN ST	LUST	Higher	2369, 0.449, WSW
<a href="#">12</a>	LIDENT CORPORATION	899 DOWDELL LN	LUST, HIST CORTESE	Higher	2432, 0.461, SSE
<a href="#">C13</a>	NAPA VALLEY PETROLEU	1153 MAIN ST	LUST, HIST CORTESE	Higher	2435, 0.461, WSW
<a href="#">C14</a>	ST. HELENA PETROLEUM	1153 MAIN ST	LUST, UST, SWEEPS UST, HIST UST	Higher	2435, 0.461, WSW
<a href="#">D15</a>	PG&E ST. HELENA	1301-1302 MITCHELL D	ENVIROSTOR, VCP	Higher	2538, 0.481, WSW
<a href="#">D16</a>	ST. HELENA PG & E	MITCHELL DRIVE AND O	SLIC	Higher	2585, 0.490, WSW
<a href="#">D17</a>	PG AND E ST HELENA	MITCHELL DR AND OAK	EDR MGP	Higher	2601, 0.493, WSW

## EXECUTIVE SUMMARY

### TARGET PROPERTY SEARCH RESULTS

The target property was not listed in any of the databases searched by EDR.

### DATABASES WITH NO MAPPED SITES

No mapped sites were found in EDR's search of available ("reasonably ascertainable ") government records either on the target property or within the search radius around the target property for the following databases:

### STANDARD ENVIRONMENTAL RECORDS

#### ***Federal NPL site list***

NPL..... National Priority List  
 Proposed NPL..... Proposed National Priority List Sites  
 NPL LIENS..... Federal Superfund Liens

#### ***Federal Delisted NPL site list***

Delisted NPL..... National Priority List Deletions

#### ***Federal CERCLIS list***

FEDERAL FACILITY..... Federal Facility Site Information listing  
 CERCLIS..... Comprehensive Environmental Response, Compensation, and Liability Information System

#### ***Federal CERCLIS NFRAP site List***

CERCLIS-NFRAP..... CERCLIS No Further Remedial Action Planned

#### ***Federal RCRA CORRACTS facilities list***

CORRACTS..... Corrective Action Report

#### ***Federal RCRA non-CORRACTS TSD facilities list***

RCRA-TSDF..... RCRA - Treatment, Storage and Disposal

#### ***Federal RCRA generators list***

RCRA-LQG..... RCRA - Large Quantity Generators  
 RCRA-SQG..... RCRA - Small Quantity Generators  
 RCRA-CESQG..... RCRA - Conditionally Exempt Small Quantity Generator

#### ***Federal institutional controls / engineering controls registries***

LUCIS..... Land Use Control Information System  
 US ENG CONTROLS..... Engineering Controls Sites List

## EXECUTIVE SUMMARY

US INST CONTROL..... Sites with Institutional Controls

**Federal ERNS list**

ERNS..... Emergency Response Notification System

**State- and tribal - equivalent NPL**

RESPONSE..... State Response Sites

**State and tribal landfill and/or solid waste disposal site lists**

SWF/LF..... Solid Waste Information System

**State and tribal leaking storage tank lists**

INDIAN LUST..... Leaking Underground Storage Tanks on Indian Land

**State and tribal registered storage tank lists**

FEMA UST..... Underground Storage Tank Listing

UST..... Active UST Facilities

AST..... Aboveground Petroleum Storage Tank Facilities

INDIAN UST..... Underground Storage Tanks on Indian Land

**State and tribal voluntary cleanup sites**

INDIAN VCP..... Voluntary Cleanup Priority Listing

**State and tribal Brownfields sites**

BROWNFIELDS..... Considered Brownfields Sites Listing

**ADDITIONAL ENVIRONMENTAL RECORDS**

**Local Brownfield lists**

US BROWNFIELDS..... A Listing of Brownfields Sites

**Local Lists of Landfill / Solid Waste Disposal Sites**

WMUDS/SWAT..... Waste Management Unit Database

SWRCY..... Recycler Database

HAULERS..... Registered Waste Tire Haulers Listing

INDIAN ODI..... Report on the Status of Open Dumps on Indian Lands

ODI..... Open Dump Inventory

DEBRIS REGION 9..... Torres Martinez Reservation Illegal Dump Site Locations

**Local Lists of Hazardous waste / Contaminated Sites**

US HIST CDL..... National Clandestine Laboratory Register

HIST Cal-Sites..... Historical Calsites Database

SCH..... School Property Evaluation Program

CDL..... Clandestine Drug Labs

## EXECUTIVE SUMMARY

Toxic Pits..... Toxic Pits Cleanup Act Sites  
 US CDL..... Clandestine Drug Labs

### **Local Lists of Registered Storage Tanks**

SWEEPS UST..... SWEEPS UST Listing  
 HIST UST..... Hazardous Substance Storage Container Database  
 CA FID UST..... Facility Inventory Database

### **Local Land Records**

LIENS..... Environmental Liens Listing  
 LIENS 2..... CERCLA Lien Information  
 DEED..... Deed Restriction Listing

### **Records of Emergency Release Reports**

HMIRS..... Hazardous Materials Information Reporting System  
 CHMIRS..... California Hazardous Material Incident Report System  
 LDS..... Land Disposal Sites Listing  
 MCS..... Military Cleanup Sites Listing  
 SPILLS 90..... SPILLS 90 data from FirstSearch

### **Other Ascertainable Records**

RCRA NonGen / NLR..... RCRA - Non Generators / No Longer Regulated  
 FUDS..... Formerly Used Defense Sites  
 DOD..... Department of Defense Sites  
 SCDR DRYCLEANERS..... State Coalition for Remediation of Drycleaners Listing  
 US FIN ASSUR..... Financial Assurance Information  
 EPA WATCH LIST..... EPA WATCH LIST  
 2020 COR ACTION..... 2020 Corrective Action Program List  
 TSCA..... Toxic Substances Control Act  
 TRIS..... Toxic Chemical Release Inventory System  
 SSTS..... Section 7 Tracking Systems  
 ROD..... Records Of Decision  
 RMP..... Risk Management Plans  
 RAATS..... RCRA Administrative Action Tracking System  
 PRP..... Potentially Responsible Parties  
 PADS..... PCB Activity Database System  
 ICIS..... Integrated Compliance Information System  
 FTTS..... FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide Act)/TSCA (Toxic Substances Control Act)  
 MLTS..... Material Licensing Tracking System  
 COAL ASH DOE..... Steam-Electric Plant Operation Data  
 COAL ASH EPA..... Coal Combustion Residues Surface Impoundments List  
 PCB TRANSFORMER..... PCB Transformer Registration Database  
 RADINFO..... Radiation Information Database  
 HIST FTTS..... FIFRA/TSCA Tracking System Administrative Case Listing  
 DOT OPS..... Incident and Accident Data  
 CONSENT..... Superfund (CERCLA) Consent Decrees  
 INDIAN RESERV..... Indian Reservations  
 UMTRA..... Uranium Mill Tailings Sites  
 LEAD SMELTERS..... Lead Smelter Sites  
 US AIRS..... Aerometric Information Retrieval System Facility Subsystem

## EXECUTIVE SUMMARY

US MINES.....	Mines Master Index File
FINDS.....	Facility Index System/Facility Registry System
CA BOND EXP. PLAN.....	Bond Expenditure Plan
Cortese.....	"Cortese" Hazardous Waste & Substances Sites List
CUPA Listings.....	CUPA Resources List
DRYCLEANERS.....	Cleaner Facilities
EMI.....	Emissions Inventory Data
ENF.....	Enforcement Action Listing
Financial Assurance.....	Financial Assurance Information Listing
HAZNET.....	Facility and Manifest Data
HWP.....	EnviroStor Permitted Facilities Listing
HWT.....	Registered Hazardous Waste Transporter Database
MINES.....	Mines Site Location Listing
MWMP.....	Medical Waste Management Program Listing
NPDES.....	NPDES Permits Listing
PEST LIC.....	Pesticide Regulation Licenses Listing
PROC.....	Certified Processors Database
Notify 65.....	Proposition 65 Records
UIC.....	UIC Listing
WASTEWATER PITS.....	Oil Wastewater Pits Listing
WDS.....	Waste Discharge System
WIP.....	Well Investigation Program Case List

### EDR HIGH RISK HISTORICAL RECORDS

#### ***EDR Exclusive Records***

EDR Hist Auto.....	EDR Exclusive Historic Gas Stations
EDR Hist Cleaner.....	EDR Exclusive Historic Dry Cleaners

### EDR RECOVERED GOVERNMENT ARCHIVES

#### ***Exclusive Recovered Govt. Archives***

RGA LF.....	Recovered Government Archive Solid Waste Facilities List
RGA LUST.....	Recovered Government Archive Leaking Underground Storage Tank

### SURROUNDING SITES: SEARCH RESULTS

Surrounding sites were identified in the following databases.

Elevations have been determined from the USGS Digital Elevation Model and should be evaluated on a relative (not an absolute) basis. Relative elevation information between sites of close proximity should be field verified. Sites with an elevation equal to or higher than the target property have been differentiated below from sites with an elevation lower than the target property.

Page numbers and map identification numbers refer to the EDR Radius Map report where detailed data on individual sites can be reviewed.

Sites listed in ***bold italics*** are in multiple databases.

Unmappable (orphan) sites are not considered in the foregoing analysis.