

**Cindy Black**

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**From:** Alan Galbraith  
**Sent:** Sunday, January 22, 2017 10:16 AM  
**To:** Noah Housh; Cindy Black  
**Subject:** Fwd: Appeal of Planning Commission Decision, Dec 6, 2016, re: approval of PL-16-007

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Sent from my iPhone  
FYI, Alan  
Begin forwarded message:

**From:** Anne Fisher <[afisherassoc@gmail.com](mailto:afisherassoc@gmail.com)>  
**Date:** January 22, 2017 at 9:38:09 AM PST  
**To:** [AGalbraith@cityofsthelena.org](mailto:AGalbraith@cityofsthelena.org), [PWhite@cityofsthelena.org](mailto:PWhite@cityofsthelena.org), [PDohring@cityofsthelena.org](mailto:PDohring@cityofsthelena.org),  
[MKoberstein@cityofsthelena.org](mailto:MKoberstein@cityofsthelena.org), [GEllsworth@cityofsthelena.org](mailto:GEllsworth@cityofsthelena.org)  
**Subject:** **Re: Appeal of Planning Commission Decision, Dec 6, 2016, re: approval of PL-16-007**

Dear Mayor, Vice-mayor, and Council Members,

On Tuesday Jan 24, the City Council will hear testimony regarding the appeal of a decision made on Dec 6 by two of three sitting members of the Planning Commission. The project in question is located in Charter Oak Historic District, one of 3 Districts designated in 1978 by the Napa County Historical Society.

Yes, this appeal is about a particular project, but this appeal is also about how, one project at a time, applicable historic criteria is not always considered during Planning Commission Review. If these criteria are not cited in Staff Analysis for Planning Commission Review, then St Helena will slowly but surely look like any other suburban town, and will no longer have its treasured "small-town" character.

Below are the basis for this appeal on this one project. Your response affirms your responsibility to preserve the integrity of the Designated Historic Districts. Recognizing the criteria for historic preservation sets a precedence for design review for all future projects located in Designated Historic Districts, and for those which are presently in for permit.

RE: The Planning Department's "Staff Report" and "Analysis" concluded that the project was in alignment with certain General Plan criteria.

Link to report:

[https://sthelena.civicweb.net/document/5704/5.%20632\\_staff%20report.doc?handle=267069134](https://sthelena.civicweb.net/document/5704/5.%20632_staff%20report.doc?handle=267069134)

*The entire Staff report did not cite any criteria regarding historic resources.*

### 1. CEQA

The Staff report cited that the project complied with CEQA exemptions a.-e.

*The Staff report did not mention that the project does not comply with CEQA exemption "f."*

CEQA Exemption f: Historical Resources.

"A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource."

### 2. GENERAL PLAN

The Staff report cited 2 of 8 "Guiding Policies" from the General Plan's Land Use

*Staff report did not mention this particular "Guiding Policy" from the same Land Use Element:*

2.6.15: Encourage new residential development in all density ranges that is consistent with scale and character of the older residential districts of the City, particularly the neighborhoods West of Main Street

### 3. HOUSING ELEMENT

The Staff report cited 6 Housing Element "Policies"

*Staff report did not mention Housing Element Goal D: Efficient land use and High Quality Neighborhoods:*

"promoting compact well-designed developments that "fit in" with existing neighborhoods"

### 4. DESIGN REVIEW

*Staff report erroneously stated that this project meets all criteria of Municipal Code*

17.164.030:

This project does not meet the criteria stated in Municipal Code 17.164.030, items 13 and 14: (see below)

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 structures and functions;

14. In areas considered by board as having unified design character or historical character, whether the design is compatible with such character

*Staff "response" states: "the design is appropriate for the High Density Residential District"*

**ADDITIONALLY, THESE ITEMS WERE NOT MENTIONED AT ALL IN STAFF REPORT:**

## 1. MUNICIPAL CODE

*Staff report did not cite 17.164.020.C (Titled: Purpose of Design Review )*

*To preserve the character and quality of our heritage by maintaining the integrity of those areas which have a discernible character or are of special historic significance.*

## 2. GENERAL PLAN HISTORIC RESOURCES ELEMENT

*Staff report did not cite:*

Section 5, Historic Preservation Policies

*"Require new development in or adjacent to historic areas or buildings to be compatible in pattern and character with existing historic buildings.*

This project is located within a Historic Area and it is within 4 blocks of 11 historically designated properties.

### Conclusion:

This letter asserts that the design of reviewed project PL-16-007 is not appropriate for a Designated Historic District.

I prepared a presentation, as an e mail, illustrating how this project does not meet the above criteria.

Subject line is: "Submittal for Jan 24 City Council Agenda, re: Appeal on Planning Decision, Dec 6, 2012 (which should have been "2016", re: 632 McCorkle"

The e mail was submitted to Cindy Black on January 17, to be included in your packets for this meeting.

This letter outlines the reasons for City Council to recognize the importance of this one project to serve as an example to developers, for current and future projects in Designated Historic Districts.

Design Review omissions re: Historic Resources, undermine the following statement which is on the Home page of the City's website:

"By working together we can preserve this treasure and our city's character."

The City website also states: "The main goal of the city is to maintain a small-town atmosphere."

Thank you for your service to the community by considering this letter.

This is the time to address the delicate but significant considerations to be made re: new construction in a Designated Historic District.

Best regards,

Anne Fisher

681 McCorkle Avenue  
St Helena, California



St. Helena City Council Members  
Alan Galbraith, Mayor  
Peter White, Vice Mayor  
Paul Dohring  
Mary Koberstein  
Geoff Ellsworth

Cindy Black, City Clerk

January 23, 2017

Subject: 632 McCorkle Av. Project

To Whom it may concern:

I am a resident of St. Helena and a property owner on both McCorkle Ave and Kidd Ranch Road.

With regard to the approval of up to 8 more multi-family units at 632 McCorkle Ave, I would ask the City Council to step back for a moment and consider this "imaginary fictional scenario".

A small town has what many believe is an affordable housing problem. So they decide to look at the problem and come up with a reasonable and equitable plan to solve it.

They have a City Planning Department so they decide to let them find a solution that is in keeping with the small town character and desire to treat all neighborhoods equally under the City of St. Helena General Plan and fair housing guide lines and state and federal laws regarding such.

The planning department comes back and says they have found a solution to the housing problem.

"We have identified a street on the far east side of St. Helena in the middle of what used to be known as the "Italian neighborhood" that already has 10 multi-family housing units on a dead end street with no sidewalks, no adequate parking for the current residents, no access to their trash bins (which routinely block fire truck access every Monday night for at least 10 hours in violation of the City Ordinance), no existing storm drainage system, no fire truck turnaround access, and we've already just approved 8 sweat equity units to be built on this street so let's just add 8 more "market rate" units to this one tiny street in one small neighborhood and then we don't have to worry about meeting our high density "housing goals" in other parts of the city. That will bring the total of multi-family units on this little McCorkle dead end street to 26 units and you will have "kicked the can" of affordable housing under your watch down this street and the residents can manage all of

the above problems by just calling our small police department to report parking and other violations whenever and however they see fit. “

“Oh, and we almost forgot, after over 30 years of possible contamination at 632 McCorkle that went ignored and without clean up by the City Fathers before you, as far as the toxic elements (several of which are potentially carcinogenic and are mobile in soils and could contaminate our groundwater supply) that have been identified in the soil including lead, cadmium, chromium, and zinc.... they just might be....distributed across the whole site beyond where the remediation work will occur....don't worry about that though. Under the current design there will no place for up to 25 children to play anyway so you can just ignore the requirement for a CEQA Environmental Impact Report and approve it based on only the design elements as the St. Helena Planning Commission did recently...”

I am stunned that this “scenario” could be even be considered as a proposed solution to the housing problems in St. Helena.

Do you not see how absurd the results of this entire planning process have been?

Do you not recognize the unfair manner in which this treats a substantial number of existing and future residents of the City?

I hope you will.

The residents of the McCorkle neighborhood are tax paying citizens of St. Helena and deserve to be treated with equal respect, fairness, and protection under the law.

If I were in charge and asked to approve such a “plan” to develop in-fill, multi family, and affordable housing in St. Helena I would take the only reasonable position there is and tear it up and ask the City Planning Department to start over and go back to work.

This development at 632 McCorkle is just not acceptable and places undue burdens on the existing neighborhood's safety, environment, and infrastructure. That is what any reasonable plan should avoid.

Respectfully,

Paul W. Skinner, Ph.D.

Business owner and resident tax payer of St. Helena since 1998

780 Kidd Ranch Rd.

St. Helena

CA 94574

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Anne Fisher &lt;afisherassoc@gmail.com&gt;

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**Re; Jan 24 City Council Meeting, Appeal on 632 McCorkle**

1 message

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Anne Fisher <afisherassoc@gmail.com>  
To: Anne Fisher <afisherassoc@gmail.com>

Mon, Jan 23, 2017 at 10:29 PM

Dear Mayor, Vice Mayor, and Council Members,

Re; Appeal of Planning Commission approval of project PL-16-007

The Planning Commission was advised by City Attorney to limit remarks to "design aspects". The 17 criteria of the Design Review were barely touched upon in discussion.

#1: "consistency with General Plan Elements"

Historic character was not addressed

Staff response 1-20-17, states that Historic Overlay Zone does not apply, and, therefore, can not be considered.

My response: "Historic Element" is part of the GP Elements regardless of whether there is a Historic Overlay Zone

#4: "Design is compatible in areas....having a unified design"

Staff response 1-20-17 is that Charter Oaks is not a recognized Historic Overlay Zone. Staff response 1-20-17 states that Charter Oaks (which does not exist) is a *mix* of single and multi-family and in another Staff response cites Charter Oaks as a *predominant* single family area  
My response: which is it? Why two *interpretations* from Planning Dept.?

#5. "whether the design promotes harmonious transition in scale and character in areas between different designated land uses"

My response: Staff has glossed over the fact that McCorkle Avenue in this area is Medium Density single family homes on the South side and High Density Residential on North side.

#6. Compatibility with future construction...off the site

My response: 632 McCorkle does not look like Brenkle Court which is 2 parcels away.

#8: "whether the planning provides a desirable environment for the occupants

My response:

Clearly, this was an issue with Commissioner Koberstein.

#10: "whether sufficient ancillary structures are provided"

My response: there is no bicycle storage or electric car charging stations  
Commissioner Koberstein noted that there was no child play area

#12: "where natural features are preserved"....

My response: there is a 30 year old evergreen tree on the SE corner which will be destroyed when utilities are brought to site.

#13 "whether the materials, textures, colors and details of construction are compatible with the neighboring structure & functions.

The neighboring structures on both sides of this parcel are single family homes circa early 1950's.

My response: this project is not compatible with both neighboring structures.

#14. "In areas considered by the board as having a unified design character or historical character, whether the design is compatible with such character."

My response: "modern farmhouse" is not in character with any properties on McCorkle, regardless of Historic Overlays or Zoning

Summary of Dec 6 "Staff Response"

***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.

My response:

Given that 8 of the 14 criteria of the Design Review were "***interpreted***" by Staff report as "consistent" and "in context" with the "unified character" of the neighborhood is difficult to comprehend.

Please note that there are 2 "historic resource properties within 150' of this site. The City of St Helena requires these "historic designated structures" to pay permit service fee of \$5,000.00 plus \$4,000.00 documentation fee by an approved historic resource analyst. These fees are collected by the City of St Helena. These fees indicate that the City of St Helena has determined that it is important to recognize these properties which are highly proximate to the site and known by "Staff".

I respectfully ask that the City Council request the Planning Department to cease "rubber stamping" permit applications for multi-family housing applications until General Plan Update is complete.

St Helena is a unique community with a frequently professed "small town character".

The City website states on their banner:

"By working together we can preserve this treasure and our city's character"

St Helena rightfully wants to develop more housing.

The RHNA numbers have been met for all but the "low low" category until 2023.

The Design Review guidelines for this current housing project are ***not being interpreted*** by Staff ***in the favor of the community***.

I respectfully submit to City Council that this project be put on hold until the City completes its long-overdue General Plan and the proposed changes to this plan.

The City Council is the ultimate decision maker on how to ***interpret and instruct*** City departments to carry out their mandate to create documents (General Plan Update) for citizens and developers to insure that the "rules" are applied fairly to all.

Thank you for your service and consideration of this situation.



Please consider that, as elected officials, you have accepted the support of citizens who expect you to be "stewards" of this unique town and it's attributes.

As a supporter of the unique attributes of St Helena and of "fair housing" policies, I respectfully request that the City Council direct the appropriate departments to complete the General Plan Update in order to create a current and agreed-upon General Plan.

Otherwise, St Helena is doomed to *interpretations* based upon criteria that is 24 years old. "Stewardship" is not "rubber stamping". Stewardship is recognizing that the community decides what it values and how to achieve the current legacy.

Thank you for your service and attention to this matter.

Best regards  
Anne Fisher

681 McCorkle Avenue  
St Helena California



Anne Fisher &lt;afisherassoc@gmail.com&gt;

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**Re: Appeal of PL-16-007 City Council Jan 24, 2017**

1 message

Anne Fisher <afisherassoc@gmail.com>  
 To: Anne Fisher <afisherassoc@gmail.com>

Mon, Jan 23, 2017 at 10:33 PM

Dear Mayor, Vice Mayor and City Council Members

I believe that everyone in this room wants the best for St Helena.  
 However, through habit and decree, everyone in this room agrees that the Design Review criteria are sufficient to use as criteria for review of a project.

What isn't being discussed in the Design Review process is how, over an unfortunate sequence of Design Review occurrences, large building masses will collectively impact the prevailing tone set in this neighborhood, and -for that matter- in all of St Helena as it grows and builds more needed housing.

To analyze each building on a case by case basis is to miss the point that, together, each one of these decisions well-intended as they may be- should address how these large building masses, by virtue of their size: will they contribute or distract?

Does Design Review address this situation?  
 Can Planning Department bring this up when they meet with applicants?  
 Probably not.

St Helena has the potential to lead as an example of how a community becomes pro-active on understanding the downside of seeing these large building masses as stand-alone phenomenon.

What is happening on McCorkle, will happen all over St Helena as more new large building masses are brought to the Planning Dept and to PC.

The words: "modern farmhouse" "craftsman style" "vernacular" "derivative"...are the result of popular marketing to consumers re: "*today's special*". Those are successful models to emulate. Right? Not necessarily.....

HGTV, Houzz, Pinterest, all these businesses *are marketing images to encourage consumers to make a particular choice for a particular product*. All the merchandise at Home Depot and Lowes looks alike. This is not accidental. It is a business model to entice the consumer to think they are choosing something. Your choices are limited to what is for sale, not to what makes sense. When the Planning Department and Planning Commission look at projects in Design Review, they may be using their *consumer thinking, much as they do when shopping*.

What causes one to *choose one thing over another: MARKETING!*  
 People are guided every step of the way to *BUY INTO "TODAY'S SPECIAL"*.  
 Unfortunately, in the case of making choices regarding the appearance of a building which will remain as designed for 100 years, one may want to step back and ask...why does this seem attractive or even "logical"?

The Planning Department is acting as a consumer when they evaluate the appearance of a project.  
 The Planning Commission makes choices every two weeks with the same mind set.

Who steps back and says, "what's happening here?"

Why do we evaluate and make choices about something that stands for 100 years as if it "fits in"...

The question is: ***FITS IN WITH WHAT?.....Today's Special.***

With the present Design Review process, St Helena, visually, will become a collection of "***today's specials***". An anthropologist, 100 years from now, will conclude that, as each layer is excavated, that these people built things to look different every 10 years.

The very thing that causes St Helena to be attractive is the cohesive appearance of the historic residential areas.

When the PD or the PC considers the appearance of a large building mass, the prevailing comments are rarely

about how this particular large building mass, along with other future large building masses, will tip the scales and plunge the appearance of the town to the appearance of any town featuring ***today's specials*** decision making.

The fact is that this building and Brenkle Court are just the start of large multi-family buildings which are being built for good reason. However, these buildings are being designed ( and approved) without an understanding of how they, as they are designed, will not contribute the the very asset that distinguishes St Helena. In fact, these large building masses will detract.

St Helena's residential areas are different from other towns: they have an accidental cohesive character where modesty and shared visual values predominate. Going forward with the introduction of multi-family housing, one should ask what can we learn from past multi-family projects and how, even though they fulfill an important role in providing housing, they also have a great potential, as large building masses to collectively detract from the town's well-promoted & prized asset: its small town charm.

***Using the Design Review criteria of "fitting in" is not about looking "Victorian". It is about understanding the impact of "today's special" thinking: how this thinking does not contribute to the town's greatest asset. When "today's special" and it's siblings move into town, they will collectively become, by virtue of their size, the dominant influence of the town's appearance. These large building masses collectively impact the town's appearance, and most certainly the character of the 600 block of McCorkle Street due to its unusual split zoning of High Density on North side and Medium Density on South side of the street.***

When Design Review occurs, these large building masses are visually discussed as if they were large houses, not multi-family developments.

These large multi-family buildings ***are not houses. They have 20' X 300' long driveways.*** It doesn't matter if you place a gratuitous front porch on a large mass when there is a 36" high raw concrete wall in front of it. It doesn't matter if you break a mass into two parts if the two masses look exactly alike and are placed behind a carport that is "about" solar panels that could easily be placed on a roof.

What's going on here?

Where is the voice of reason?

By the time these buildings have done their collective and un-intended visual assault, many of the people in this room will be dead or living somewhere else. Stewards plan for the future, they think about legacies that outlive their own lives.

The message here: stewardship!

PC and PD need to be counseled by CC that this next phase of encouraging new multi-family housing requires thinking beyond the "check" "check" "check" approach to a Design Review. This discussion is not about whether something should or shouldn't be where it is.....the discussion in Design Review is about ***choice....***

***Good choices are difficult to make....they are always worth the effort.***

***Rubber stamping is easy.***

***Stewardship is hard work...and the results are the proof of a commitment to understand what is the best***

***way to approach a choice, not to use "check", "check" "check" thinking as the bottom line.***

***A Planning Commission Design Review should not be the equivalent of checking off the shopping list at Home Depot. The Design Review criteria has become a game of points not priorities. My point is worth more than your point.***

Today's new construction trends have peculiar hallmarks, as a result of "***today's special***" marketing to ***consumers***: metal roofs, hardi-plank siding that pretends to be board and batt or horizontal siding, low raw concrete walls at sidewalks, aluminum carports where carports are not needed, drivit which pretends to be stucco, sun-awnings that are the equivalent of putting a racing car "spoiler" on a SUV. Why do these things look acceptable today and why will they look "dated" in 25 years?

This is the trap that consumers fall into over and over again. It's OK to choose the bell-bottom pants because they can be changed the next season.

It's not OK to ***choose "today's specials"*** when designing large building masses that contribute a disproportionate impact on a town that is defined, in particular, by the lucky accident of having a cohesive visual appearance.

The past citizens of St Helena did not legislate what could and couldn't be built. It happened over a period of 100 years. There is no precedent or user manual of how to be a steward of a collection of buildings on a piece of land that just happens to attract a lot of admiration.

This presentation is an attempt to draw the attention of the community, developers, planning department, planning commission and city council to understand that the current Design Review criteria do not allow for a large picture

"stewardship" orientation that is crucial to the hard work of a keeping it simple. This is an opportunity to stop, to become stewards not rubber stampers. This is an opportunity to see how one's thinking is influenced by marketing of today's specials instead of tomorrow's legacy.

Re: Appeal of Planning Commission approval of project PL-15-007

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Anne Fisher 1-24-17

