



February 10, 2022

Steve Osborn
3255 Linwood Ave.
Santa Rosa, CA 95404

Dear Mr. Osborn:

The City Clerk's office received your Appeal application dated February 9, 2022, along with your appeal fee of \$556. As was explained to you at the time of filing, your application for appeal is untimely and, as such, cannot be accepted. Pursuant to Zoning Code Section 20-62.030(B)(1), an appeal of a Planning Commission determination must be filed within 10 calendar days of the Commission's final action. If that tenth day falls on a weekend or holiday, which was the case this time, the appeal period will expire on the next business day. The Commission approved the Penstemon Place project on January 27, 2022; thus, any appeal of that determination must have been filed on or before Monday, February 7, 2022. Your appeal was filed on February 9, 2022, which is two days beyond the appeal period. The City hereby rejects your appeal pursuant to Zoning Code Section 20-62.030(B)(1) and is returning your appeal application and the fee.

In the event you wish to appeal the determination that your appeal of the Penstemon Place project approval is untimely, you may file a separate Appeal application to the City Council pursuant to City Code Section 1-20.020, which must be received by the City Clerk's Office within 15 days of the determination of untimely filing. Please note that such appeal would be limited only to whether your appeal application, referenced above, was filed within 10 days of the Commission's final determination and would not address the merits of the Commission's approval of the Penstemon Place project.

Sincerely,

A handwritten signature in blue ink that reads "Stephanie A. Williams".

Stephanie A. Williams
City Clerk

C: Sue Gallagher, City Attorney
Clare Hartman, Interim Assistant City Manager