

**From:** [Sheikhali, Monet](#)  
**To:** [City Council Public Comments](#)  
**Subject:** FW: [EXTERNAL] Appeal Hearing for Lago Fresca Apartments  
**Date:** Wednesday, February 18, 2026 5:56:07 PM

---

**From:** Sheikhali, Monet  
**Sent:** Wednesday, February 18, 2026 5:47 PM  
**To:** 'Eric Moessing' <[REDACTED]>  
**Subject:** RE: [EXTERNAL] Appeal Hearing for Lago Fresca Apartments

Hi Eric,

Thank you for your email regarding the Lago Fresca Apartment project. I appreciate you taking the time to share your thoughtful comments.

Your comments about the scale, density, and compatibility of the proposed development with the surrounding neighborhood have been received. We will ensure that your email, along with other comments we have received, is shared with the City Council, which is the decision-maker.

Have a great night,

**Monet Sheikhali | Supervising Planner**

Planning and Economic Development | 100 Santa Rosa Avenue, Room 3 | Santa Rosa, CA 95404

Monday through Thursday: 8 a.m. – 4 p.m. and Friday: 8 a.m. – 1:30 p.m.

Tel. (707) 543- 4698| Fax (707) 543-3269 | [msheikhali@srcity.org](mailto:msheikhali@srcity.org)



**Coming soon, the Planning, Building, and Engineering Divisions of the City of Santa Rosa's Planning and Economic Development Department will fully transition to an online application submittal process through the Accela Citizen Access platform. Learn more about the Online Permitting System [here](#).”**

---

**From:** Eric Moessing <[REDACTED]>  
**Sent:** Tuesday, February 17, 2026 9:52 AM  
**To:** Sheikhali, Monet <[msheikhali@srcity.org](mailto:msheikhali@srcity.org)>  
**Subject:** [EXTERNAL] Appeal Hearing for Lago Fresca Apartments

Dear Ms Sheikhal,

I will not be able to attend the appeal hearing for the Lago Fresca Apartment project on the corner of Summerfield and Hoen but I want my opinions to be voiced.

It is amazing how much apartment building has been happening in Santa Rosa over the past several years. Certainly there is a housing shortage and it is needed. I generally support the increased building, but I want to make sure it happens in a way that doesn't damage the look and feel of our wonderful community. I feel that this project would damage the look and feel of our community. This is high, high density housing in an area of Santa Rosa where it does not cosmetically fit. Certainly an apartment development of two stories makes sense here. The surrounding area is mostly one story buildings. Going up another level would fit in with the landscape. Going up 2 levels to 3 stories is too much and 4 stories would be way too much. There are plenty of other building opportunities for higher rise apartments in the city. Cramming this large development on the corner of this intersection does not make sense.

Thank you for your consideration.

Eric Moessing,  
Concerned Resident of Santa Rosa

**From:** [Kate E. Hutchins](#)  
**To:** [Okrepkie, Jeff](#)  
**Cc:** [Les Perry](#); [\\_CityCouncilListPublic](#); [City Clerk](#)  
**Subject:** [EXTERNAL] Lago Fresco  
**Date:** Thursday, February 19, 2026 8:25:46 AM  
**Attachments:** [2026 02-19 Letter to Okrepkie.pdf](#)

---

Dear Vice Mayor Okrepkie,

Attached please find today's correspondence from Les Perry. Thank you for your attention to this matter.

**Kate Hutchins, Legal Administrator**

Pronouns: she, her, hers

PERRY, JOHNSON, ANDERSON, MILLER & MOSKOWITZ LLP

438 First Street., 4<sup>th</sup> Floor

Santa Rosa, CA 95401

Tel: (707) 525-8800 Fax: (707) 545-8242

Email: [hutchins@perrylaw.net](mailto:hutchins@perrylaw.net) Website [www.perrylaw.net](http://www.perrylaw.net)

CONFIDENTIALITY NOTICE: This e-mail and any attachments are confidential and may be protected by legal privilege. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of this e-mail or any attachment is prohibited. If you have received this e-mail in error, please notify us immediately by returning it to the sender and delete this copy from your system. Thank you for your cooperation.

LAW OFFICES OF

**PERRY, JOHNSON, ANDERSON,  
MILLER & MOSKOWITZ LLP**

438 First Street, 4th Floor, Santa Rosa, CA 95401

February 19, 2026

**VIA ELECTRONIC MAIL ONLY**

Jeff Okrepkie, Vice Mayor  
Santa Rosa City Council  
Santa Rosa City Hall  
100 Santa Rosa Avenue  
Santa Rosa, CA 95404  
Email: [JOkrepkie@srcity.org](mailto:JOkrepkie@srcity.org)

Re: Lago Fresco

Dear Vice Mayor Okrepkie:

Our office has been asked to assist with the approval of the Lago Fresco housing project. Since the Project has benefited from extensive staff review and support as well as a unanimous recommendation for approval by the Planning Commission, our role is to simply supply an overview of State housing legislation.

This Project is presented to you at a unique time in the history of housing land use law. There has been an evolution of housing legislation over the last couple of decades, all attempting to address the well documented housing crisis. Each iteration has chipped away at barriers and offered opportunities. To a large extent, this ongoing effort has been less than successful. But the legislature has been undeterred. With each legislative session we have seen implementation of additional opportunities for housing development and mandates requiring approvals. The long history of housing legislation has brought us to a point where the deliberations and outcome on this Project are, to a very real degree, dictated.

The progress toward housing development started with the Housing Accountability Act (Government Code §65589.5) which mandates approval of a housing development that is consistent with the general plan and zoning. Here, the Project is consistent with both.

The statute aims “to significantly increase the approval and construction of new housing for all economic segments of California's communities by meaningfully and effectively curbing the capability of local governments to deny, reduce the density for,

E. Page Allinson

David F. Beach

Daphne A. Beletsis

Deborah S. Bull

Traci L. Carrillo

Chad O. Dorr

Isaac M. Gradman

Martin L. Hirsch

Nicole M. Jaffee

John E. Johnson

Marla Keenan-Rivero

Scott A. Lewis

Michael G. Miller

Lawrence A. Moskowitz

Leslie R. Perry

Burton H. Fohrman

Sarah Jane T.C. Truong

Kelsey L. O'Rourke

Alexander A. Wiegel

Jennifer H. Alexander

Kristine Tellefsen

Michael E. Tracht

Regan V. Masi

Zsuzsanna Veres

Amanda M. Galvin

Nathan M. Siedman

Nickolas M. Rineberg

Sheryl L. Schaffner

Gaya K Murthy

Kim Marois

Kit Marois Driscoll

Gina Fortino Dickson

TELEPHONE

(707) 525•8800

FACSIMILE

(707) 545•8242

E-MAIL

perry@

perrylaw.net

P  
J  
A  
M  
&  
M

or render infeasible housing development projects and emergency shelters.” (§ 65589.5, subd. (a)(2)(K).) *Reznitskiy v. Cnty. of Marin* (2022) 79 Cal.App.5<sup>th</sup> 1016, 1020.

In addition to the Housing Accountability Act, the state’s Density Bonus Law and your own zoning ordinances mandate project approval with the density increases that are calculated based on the level of affordability offered. As your staff has stated, the bonus here is thirty-two percent (32.%). The state Density Bonus Law, Government Code §65915, specifically states that the applicable bonus “shall” be granted. The limited exceptions are rare and not applicable here.

Beyond the density increase, the Density Bonus statute requires a city to grant a number of incentives or concessions, again, based on the level of affordability, here that number is two. The same is true with requested waivers of development standards. The Project is entitled to a waiver of any development standard that would, if imposed, preclude development at the density allowed, including normal project amenities.

An applicant is not required to demonstrate or prove that the incentives or waivers are necessary to render the project feasible. They are presumed to do so. To emphasize this point, a city is prevented from requiring proof that they are needed, and the burden falls to the city to prove otherwise. Here, of course, your staff has reviewed the request and concur with the applicant.

Recent amendments to the Housing Accountability Act have expanded the mandate by making it clear that even though a project must be consistent with objective development standards and requirements, the adoption of incentives or the granting of concessions and waivers from the standards do not remove a project from the HAA mandate requiring project approval.

Based on the foregoing, it is abundantly clear that this Project requires approval at the proposed density and with the requested incentives and waivers.

Jeff Okrepkie, Vice Mayor  
Santa Rosa City Council  
February 19, 2026  
Page 3

Your attention and consideration of this matter is greatly appreciated.

Very truly yours,

Leslie R. Perry

LRP:kh

cc: Santa Rosa City Council via email [citycouncil@srcity.org](mailto:citycouncil@srcity.org)  
City Clerk via email [cityclerk@srcity.org](mailto:cityclerk@srcity.org)

P  
J  
A  
M  
&  
M

**From:** [Kate E. Hutchins](#)  
**To:** [Alvarez, Eddie](#)  
**Cc:** [Les Perry](#); [\\_CityCouncilListPublic](#); [City Clerk](#)  
**Subject:** [EXTERNAL] Lago Fresco  
**Date:** Thursday, February 19, 2026 8:28:23 AM  
**Attachments:** [2026 02-19 Letter to Alvarez.pdf](#)

---

Dear Councilmember Alvarez,

Attached please find today's correspondence from Les Perry. Thank you for your attention to this matter.

**Kate Hutchins, Legal Administrator**

Pronouns: she, her, hers

PERRY, JOHNSON, ANDERSON, MILLER & MOSKOWITZ LLP

438 First Street., 4<sup>th</sup> Floor

Santa Rosa, CA 95401

Tel: (707) 525-8800 Fax: (707) 545-8242

Email: [hutchins@perrylaw.net](mailto:hutchins@perrylaw.net) Website [www.perrylaw.net](http://www.perrylaw.net)

CONFIDENTIALITY NOTICE: This e-mail and any attachments are confidential and may be protected by legal privilege. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of this e-mail or any attachment is prohibited. If you have received this e-mail in error, please notify us immediately by returning it to the sender and delete this copy from your system. Thank you for your cooperation.

LAW OFFICES OF

**PERRY, JOHNSON, ANDERSON,  
MILLER & MOSKOWITZ LLP**

438 First Street, 4th Floor, Santa Rosa, CA 95401

February 19, 2026

**VIA ELECTRONIC MAIL ONLY**

Eddie Alvarez  
Santa Rosa City Council  
Santa Rosa City Hall  
100 Santa Rosa Avenue  
Santa Rosa, CA 95404  
Email: ealvarez@srcity.org

Re: Lago Fresco

Dear Councilmember Alvarez:

Our office has been asked to assist with the approval of the Lago Fresco housing project. Since the Project has benefited from extensive staff review and support as well as a unanimous recommendation for approval by the Planning Commission, our role is to simply supply an overview of State housing legislation.

This Project is presented to you at a unique time in the history of housing land use law. There has been an evolution of housing legislation over the last couple of decades, all attempting to address the well documented housing crisis. Each iteration has chipped away at barriers and offered opportunities. To a large extent, this ongoing effort has been less than successful. But the legislature has been undeterred. With each legislative session we have seen implementation of additional opportunities for housing development and mandates requiring approvals. The long history of housing legislation has brought us to a point where the deliberations and outcome on this Project are, to a very real degree, dictated.

The progress toward housing development started with the Housing Accountability Act (Government Code §65589.5) which mandates approval of a housing development that is consistent with the general plan and zoning. Here, the Project is consistent with both.

The statute aims “to significantly increase the approval and construction of new housing for all economic segments of California's communities by meaningfully and effectively curbing the capability of local governments to deny, reduce the density for,

E. Page Allinson

David F. Beach

Daphne A. Beletsis

Deborah S. Bull

Traci L. Carrillo

Chad O. Dorr

Isaac M. Gradman

Martin L. Hirsch

Nicole M. Jaffee

John E. Johnson

Marla Keenan-Rivero

Scott A. Lewis

Michael G. Miller

Lawrence A. Moskowitz

Leslie R. Perry

Burton H. Fohrman

Sarah Jane T.C. Truong

Kelsey L. O'Rourke

Alexander A. Wiegel

Jennifer H. Alexander

Kristine Tellefsen

Michael E. Tracht

Regan V. Masi

Zsuzsanna Veres

Amanda M. Galvin

Nathan M. Siedman

Nickolas M. Rineberg

Sheryl L. Schaffner

Gaya K Murthy

Kim Marois

Kit Marois Driscoll

Gina Fortino Dickson

TELEPHONE

(707) 525•8800

FACSIMILE

(707) 545•8242

E-MAIL

perry@

perrylaw.net

P  
J  
A  
M  
&  
M

or render infeasible housing development projects and emergency shelters.” (§ 65589.5, subd. (a)(2)(K).) *Reznitskiy v. Cnty. of Marin* (2022) 79 Cal.App.5<sup>th</sup> 1016, 1020.

In addition to the Housing Accountability Act, the state’s Density Bonus Law and your own zoning ordinances mandate project approval with the density increases that are calculated based on the level of affordability offered. As your staff has stated, the bonus here is thirty-two percent (32.%). The state Density Bonus Law, Government Code §65915, specifically states that the applicable bonus “shall” be granted. The limited exceptions are rare and not applicable here.

Beyond the density increase, the Density Bonus statute requires a city to grant a number of incentives or concessions, again, based on the level of affordability, here that number is two. The same is true with requested waivers of development standards. The Project is entitled to a waiver of any development standard that would, if imposed, preclude development at the density allowed, including normal project amenities.

An applicant is not required to demonstrate or prove that the incentives or waivers are necessary to render the project feasible. They are presumed to do so. To emphasize this point, a city is prevented from requiring proof that they are needed, and the burden falls to the city to prove otherwise. Here, of course, your staff has reviewed the request and concur with the applicant.

Recent amendments to the Housing Accountability Act have expanded the mandate by making it clear that even though a project must be consistent with objective development standards and requirements, the adoption of incentives or the granting of concessions and waivers from the standards do not remove a project from the HAA mandate requiring project approval.

Based on the foregoing, it is abundantly clear that this Project requires approval at the proposed density and with the requested incentives and waivers.

Eddie Alvarez  
Santa Rosa City Council  
February 19, 2026  
Page 3

Your attention and consideration of this matter is greatly appreciated.

Very truly yours,

Leslie R. Perry

LRP:kh

cc: Santa Rosa City Council via email [citycouncil@srcity.org](mailto:citycouncil@srcity.org)  
City Clerk via email [cityclerk@srcity.org](mailto:cityclerk@srcity.org)

P  
J  
A  
M  
&  
M

**From:** [Kate E. Hutchins](#)  
**To:** [MacDonald, Dianna](#)  
**Cc:** [Les Perry](#); [\\_CityCouncilListPublic](#); [City Clerk](#)  
**Subject:** [EXTERNAL] Lago Fresco  
**Date:** Thursday, February 19, 2026 8:30:37 AM  
**Attachments:** [2026 02-18 Letter to MacDonald.pdf](#)

---

Dear Councilmember MacDonald,

Attached please find today's correspondence from Les Perry. Thank you for your attention to this matter.

**Kate Hutchins, Legal Administrator**

Pronouns: she, her, hers

PERRY, JOHNSON, ANDERSON, MILLER & MOSKOWITZ LLP

438 First Street., 4<sup>th</sup> Floor

Santa Rosa, CA 95401

Tel: (707) 525-8800 Fax: (707) 545-8242

Email: [hutchins@perrylaw.net](mailto:hutchins@perrylaw.net) Website [www.perrylaw.net](http://www.perrylaw.net)

CONFIDENTIALITY NOTICE: This e-mail and any attachments are confidential and may be protected by legal privilege. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of this e-mail or any attachment is prohibited. If you have received this e-mail in error, please notify us immediately by returning it to the sender and delete this copy from your system. Thank you for your cooperation.

LAW OFFICES OF

**PERRY, JOHNSON, ANDERSON,  
MILLER & MOSKOWITZ LLP**

438 First Street, 4th Floor, Santa Rosa, CA 95401

February 19, 2026

**VIA ELECTRONIC MAIL ONLY**

Dianna MacDonald  
Santa Rosa City Council  
Santa Rosa City Hall  
100 Santa Rosa Avenue  
Santa Rosa, CA 95404  
Email: dmacdonald@srcity.org

Re: Lago Fresco

Dear Councilmember MacDonald:

Our office has been asked to assist with the approval of the Lago Fresco housing project. Since the Project has benefited from extensive staff review and support as well as a unanimous recommendation for approval by the Planning Commission, our role is to simply supply an overview of State housing legislation.

This Project is presented to you at a unique time in the history of housing land use law. There has been an evolution of housing legislation over the last couple of decades, all attempting to address the well documented housing crisis. Each iteration has chipped away at barriers and offered opportunities. To a large extent, this ongoing effort has been less than successful. But the legislature has been undeterred. With each legislative session we have seen implementation of additional opportunities for housing development and mandates requiring approvals. The long history of housing legislation has brought us to a point where the deliberations and outcome on this Project are, to a very real degree, dictated.

The progress toward housing development started with the Housing Accountability Act (Government Code §65589.5) which mandates approval of a housing development that is consistent with the general plan and zoning. Here, the Project is consistent with both.

The statute aims “to significantly increase the approval and construction of new housing for all economic segments of California's communities by meaningfully and effectively curbing the capability of local governments to deny, reduce the density for,

E. Page Allinson

David F. Beach

Daphne A. Beletsis

Deborah S. Bull

Traci L. Carrillo

Chad O. Dorr

Isaac M. Gradman

Martin L. Hirsch

Nicole M. Jaffee

John E. Johnson

Marla Keenan-Rivero

Scott A. Lewis

Michael G. Miller

Lawrence A. Moskowitz

Leslie R. Perry

Burton H. Fohrman

Sarah Jane T.C. Truong

Kelsey L. O'Rourke

Alexander A. Wiegel

Jennifer H. Alexander

Kristine Tellefsen

Michael E. Tracht

Regan V. Masi

Zsuzsanna Veres

Amanda M. Galvin

Nathan M. Siedman

Nickolas M. Rineberg

Sheryl L. Schaffner

Gaya K Murthy

Kim Marois

Kit Marois Driscoll

Gina Fortino Dickson

TELEPHONE

(707) 525•8800

FACSIMILE

(707) 545•8242

E-MAIL

perry@

perrylaw.net

P  
J  
A  
M  
&  
M

or render infeasible housing development projects and emergency shelters.” (§ 65589.5, subd. (a)(2)(K).) *Reznitskiy v. Cnty. of Marin* (2022) 79 Cal.App.5<sup>th</sup> 1016, 1020.

In addition to the Housing Accountability Act, the state’s Density Bonus Law and your own zoning ordinances mandate project approval with the density increases that are calculated based on the level of affordability offered. As your staff has stated, the bonus here is thirty-two percent (32.%). The state Density Bonus Law, Government Code §65915, specifically states that the applicable bonus “shall” be granted. The limited exceptions are rare and not applicable here.

Beyond the density increase, the Density Bonus statute requires a city to grant a number of incentives or concessions, again, based on the level of affordability, here that number is two. The same is true with requested waivers of development standards. The Project is entitled to a waiver of any development standard that would, if imposed, preclude development at the density allowed, including normal project amenities.

An applicant is not required to demonstrate or prove that the incentives or waivers are necessary to render the project feasible. They are presumed to do so. To emphasize this point, a city is prevented from requiring proof that they are needed, and the burden falls to the city to prove otherwise. Here, of course, your staff has reviewed the request and concur with the applicant.

Recent amendments to the Housing Accountability Act have expanded the mandate by making it clear that even though a project must be consistent with objective development standards and requirements, the adoption of incentives or the granting of concessions and waivers from the standards do not remove a project from the HAA mandate requiring project approval.

Based on the foregoing, it is abundantly clear that this Project requires approval at the proposed density and with the requested incentives and waivers.

Dianna MacDonald  
Santa Rosa City Council  
February 19, 2026  
Page 3

Your attention and consideration of this matter is greatly appreciated.

Very truly yours,

Leslie R. Perry

LRP:kh

cc: Santa Rosa City Council via email [citycouncil@srcity.org](mailto:citycouncil@srcity.org)  
City Clerk via email [cityclerk@srcity.org](mailto:cityclerk@srcity.org)

P  
J  
A  
M  
&  
M

**From:** [Kate E. Hutchins](#)  
**To:** [Fleming, Victoria](#)  
**Cc:** [Les Perry](#); [\\_CityCouncilListPublic](#); [City Clerk](#)  
**Subject:** [EXTERNAL] Lago Fresco  
**Date:** Thursday, February 19, 2026 8:32:40 AM  
**Attachments:** [2026 02-19 Letter to Fleming.pdf](#)

---

Dear Councilmember Fleming,

Attached please find today's correspondence from Les Perry. Thank you for your attention to this matter.

**Kate Hutchins, Legal Administrator**

Pronouns: she, her, hers  
PERRY, JOHNSON, ANDERSON, MILLER & MOSKOWITZ LLP  
438 First Street., 4<sup>th</sup> Floor  
Santa Rosa, CA 95401  
Tel: (707) 525-8800 Fax: (707) 545-8242  
Email: [hutchins@perrylaw.net](mailto:hutchins@perrylaw.net) Website [www.perrylaw.net](http://www.perrylaw.net)

CONFIDENTIALITY NOTICE: This e-mail and any attachments are confidential and may be protected by legal privilege. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of this e-mail or any attachment is prohibited. If you have received this e-mail in error, please notify us immediately by returning it to the sender and delete this copy from your system. Thank you for your cooperation.

LAW OFFICES OF

**PERRY, JOHNSON, ANDERSON,  
MILLER & MOSKOWITZ LLP**

438 First Street, 4th Floor, Santa Rosa, CA 95401

February 19, 2026

**VIA ELECTRONIC MAIL ONLY**

Victoria Fleming  
Santa Rosa City Council  
Santa Rosa City Hall  
100 Santa Rosa Avenue  
Santa Rosa, CA 95404  
Email: vfleming@srcity.org

Re: Lago Fresco

Dear Councilmember Fleming:

Our office has been asked to assist with the approval of the Lago Fresco housing project. Since the Project has benefited from extensive staff review and support as well as a unanimous recommendation for approval by the Planning Commission, our role is to simply supply an overview of State housing legislation.

This Project is presented to you at a unique time in the history of housing land use law. There has been an evolution of housing legislation over the last couple of decades, all attempting to address the well documented housing crisis. Each iteration has chipped away at barriers and offered opportunities. To a large extent, this ongoing effort has been less than successful. But the legislature has been undeterred. With each legislative session we have seen implementation of additional opportunities for housing development and mandates requiring approvals. The long history of housing legislation has brought us to a point where the deliberations and outcome on this Project are, to a very real degree, dictated.

The progress toward housing development started with the Housing Accountability Act (Government Code §65589.5) which mandates approval of a housing development that is consistent with the general plan and zoning. Here, the Project is consistent with both.

The statute aims “to significantly increase the approval and construction of new housing for all economic segments of California's communities by meaningfully and effectively curbing the capability of local governments to deny, reduce the density for,

E. Page Allinson

David F. Beach

Daphne A. Beletsis

Deborah S. Bull

Traci L. Carrillo

Chad O. Dorr

Isaac M. Gradman

Martin L. Hirsch

Nicole M. Jaffee

John E. Johnson

Marla Keenan-Rivero

Scott A. Lewis

Michael G. Miller

Lawrence A. Moskowitz

Leslie R. Perry

Burton H. Fohrman

Sarah Jane T.C. Truong

Kelsey L. O'Rourke

Alexander A. Wiegel

Jennifer H. Alexander

Kristine Tellefsen

Michael E. Tracht

Regan V. Masi

Zsuzsanna Veres

Amanda M. Galvin

Nathan M. Siedman

Nickolas M. Rineberg

Sheryl L. Schaffner

Gaya K Murthy

Kim Marois

Kit Marois Driscoll

Gina Fortino Dickson

TELEPHONE

(707) 525•8800

FACSIMILE

(707) 545•8242

E-MAIL

perry@

perrylaw.net

P  
J  
A  
M  
&  
M

or render infeasible housing development projects and emergency shelters.” (§ 65589.5, subd. (a)(2)(K).) *Reznitskiy v. Cnty. of Marin* (2022) 79 Cal.App.5<sup>th</sup> 1016, 1020.

In addition to the Housing Accountability Act, the state’s Density Bonus Law and your own zoning ordinances mandate project approval with the density increases that are calculated based on the level of affordability offered. As your staff has stated, the bonus here is thirty-two percent (32.%). The state Density Bonus Law, Government Code §65915, specifically states that the applicable bonus “shall” be granted. The limited exceptions are rare and not applicable here.

Beyond the density increase, the Density Bonus statute requires a city to grant a number of incentives or concessions, again, based on the level of affordability, here that number is two. The same is true with requested waivers of development standards. The Project is entitled to a waiver of any development standard that would, if imposed, preclude development at the density allowed, including normal project amenities.

An applicant is not required to demonstrate or prove that the incentives or waivers are necessary to render the project feasible. They are presumed to do so. To emphasize this point, a city is prevented from requiring proof that they are needed, and the burden falls to the city to prove otherwise. Here, of course, your staff has reviewed the request and concur with the applicant.

Recent amendments to the Housing Accountability Act have expanded the mandate by making it clear that even though a project must be consistent with objective development standards and requirements, the adoption of incentives or the granting of concessions and waivers from the standards do not remove a project from the HAA mandate requiring project approval.

Based on the foregoing, it is abundantly clear that this Project requires approval at the proposed density and with the requested incentives and waivers.

Victoria Fleming  
Santa Rosa City Council  
February 19, 2026  
Page 3

Your attention and consideration of this matter is greatly appreciated.

Very truly yours,

Leslie R. Perry

LRP:kh

cc: Santa Rosa City Council via email [citycouncil@srcity.org](mailto:citycouncil@srcity.org)  
City Clerk via email [cityclerk@srcity.org](mailto:cityclerk@srcity.org)

P  
J  
A  
M  
&  
M

**From:** [Kate E. Hutchins](#)  
**To:** [Banelos, Caroline](#)  
**Cc:** [Les Perry](#); [\\_CityCouncilListPublic](#); [City Clerk](#)  
**Subject:** [EXTERNAL] Lago Fresco  
**Date:** Thursday, February 19, 2026 8:34:47 AM  
**Attachments:** [2026 02-19 Letter to Banelos.pdf](#)

---

Dear Councilmember Bañuelos,

Attached please find today's correspondence from Les Perry. Thank you for your attention to this matter.

**Kate Hutchins, Legal Administrator**

Pronouns: she, her, hers  
PERRY, JOHNSON, ANDERSON, MILLER & MOSKOWITZ LLP  
438 First Street., 4<sup>th</sup> Floor  
Santa Rosa, CA 95401  
Tel: (707) 525-8800 Fax: (707) 545-8242  
Email: [hutchins@perrylaw.net](mailto:hutchins@perrylaw.net) Website [www.perrylaw.net](http://www.perrylaw.net)

CONFIDENTIALITY NOTICE: This e-mail and any attachments are confidential and may be protected by legal privilege. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of this e-mail or any attachment is prohibited. If you have received this e-mail in error, please notify us immediately by returning it to the sender and delete this copy from your system. Thank you for your cooperation.

LAW OFFICES OF

**PERRY, JOHNSON, ANDERSON,  
MILLER & MOSKOWITZ LLP**

438 First Street, 4th Floor, Santa Rosa, CA 95401

February 19, 2026

**VIA ELECTRONIC MAIL ONLY**

Caroline Bañuelos  
Santa Rosa City Council  
Santa Rosa City Hall  
100 Santa Rosa Avenue  
Santa Rosa, CA 95404  
Email: cbanuelos@srcity.org

Re: Lago Fresco

Dear Councilmember Bañuelos:

Our office has been asked to assist with the approval of the Lago Fresco housing project. Since the Project has benefited from extensive staff review and support as well as a unanimous recommendation for approval by the Planning Commission, our role is to simply supply an overview of State housing legislation.

This Project is presented to you at a unique time in the history of housing land use law. There has been an evolution of housing legislation over the last couple of decades, all attempting to address the well documented housing crisis. Each iteration has chipped away at barriers and offered opportunities. To a large extent, this ongoing effort has been less than successful. But the legislature has been undeterred. With each legislative session we have seen implementation of additional opportunities for housing development and mandates requiring approvals. The long history of housing legislation has brought us to a point where the deliberations and outcome on this Project are, to a very real degree, dictated.

The progress toward housing development started with the Housing Accountability Act (Government Code §65589.5) which mandates approval of a housing development that is consistent with the general plan and zoning. Here, the Project is consistent with both.

The statute aims “to significantly increase the approval and construction of new housing for all economic segments of California's communities by meaningfully and effectively curbing the capability of local governments to deny, reduce the density for,

**E. Page Allinson**

**David F. Beach**

**Daphne A. Beletsis**

**Deborah S. Bull**

**Traci L. Carrillo**

**Chad O. Dorr**

**Isaac M. Gradman**

**Martin L. Hirsch**

**Nicole M. Jaffee**

**John E. Johnson**

**Marla Keenan-Rivero**

**Scott A. Lewis**

**Michael G. Miller**

**Lawrence A. Moskowitz**

**Leslie R. Perry**

**Burton H. Fohrman**

**Sarah Jane T.C. Truong**

**Kelsey L. O'Rourke**

**Alexander A. Wiegel**

**Jennifer H. Alexander**

**Kristine Tellefsen**

**Michael E. Tracht**

**Regan V. Masi**

**Zsuzsanna Veres**

**Amanda M. Galvin**

**Nathan M. Siedman**

**Nickolas M. Rineberg**

**Sheryl L. Schaffner**

**Gaya K Murthy**

**Kim Marois**

**Kit Marois Driscoll**

**Gina Fortino Dickson**

TELEPHONE

(707) 525•8800

FACSIMILE

(707) 545•8242

E-MAIL

perry@

perrylaw.net

P  
J  
A  
M  
&  
M

or render infeasible housing development projects and emergency shelters.” (§ 65589.5, subd. (a)(2)(K).) *Reznitskiy v. Cnty. of Marin* (2022) 79 Cal.App.5<sup>th</sup> 1016, 1020.

In addition to the Housing Accountability Act, the state’s Density Bonus Law and your own zoning ordinances mandate project approval with the density increases that are calculated based on the level of affordability offered. As your staff has stated, the bonus here is thirty-two percent (32.%). The state Density Bonus Law, Government Code §65915, specifically states that the applicable bonus “shall” be granted. The limited exceptions are rare and not applicable here.

Beyond the density increase, the Density Bonus statute requires a city to grant a number of incentives or concessions, again, based on the level of affordability, here that number is two. The same is true with requested waivers of development standards. The Project is entitled to a waiver of any development standard that would, if imposed, preclude development at the density allowed, including normal project amenities.

An applicant is not required to demonstrate or prove that the incentives or waivers are necessary to render the project feasible. They are presumed to do so. To emphasize this point, a city is prevented from requiring proof that they are needed, and the burden falls to the city to prove otherwise. Here, of course, your staff has reviewed the request and concur with the applicant.

Recent amendments to the Housing Accountability Act have expanded the mandate by making it clear that even though a project must be consistent with objective development standards and requirements, the adoption of incentives or the granting of concessions and waivers from the standards do not remove a project from the HAA mandate requiring project approval.

Based on the foregoing, it is abundantly clear that this Project requires approval at the proposed density and with the requested incentives and waivers.

Caroline Bañuelos  
Santa Rosa City Council  
February 19, 2026  
Page 3

Your attention and consideration of this matter is greatly appreciated.

Very truly yours,

Leslie R. Perry

LRP:kh

cc: Santa Rosa City Council via email [citycouncil@srcity.org](mailto:citycouncil@srcity.org)  
City Clerk via email [cityclerk@srcity.org](mailto:cityclerk@srcity.org)

P  
J  
A  
M  
&  
M

**From:** [Kate E. Hutchins](#)  
**To:** [Rogers, Natalie](#)  
**Cc:** [Les Perry](#); [\\_CityCouncilListPublic](#); [City Clerk](#)  
**Subject:** [EXTERNAL] Lago Fresco  
**Date:** Thursday, February 19, 2026 8:38:39 AM  
**Attachments:** [2026 02-19 Letter to Rogers.pdf](#)

---

Dear Councilmember Rogers,

Attached please find today's correspondence from Les Perry. Thank you for your attention to this matter.

**Kate Hutchins, Legal Administrator**

Pronouns: she, her, hers

PERRY, JOHNSON, ANDERSON, MILLER & MOSKOWITZ LLP

438 First Street., 4<sup>th</sup> Floor

Santa Rosa, CA 95401

Tel: (707) 525-8800 Fax: (707) 545-8242

Email: [hutchins@perrylaw.net](mailto:hutchins@perrylaw.net) Website [www.perrylaw.net](http://www.perrylaw.net)

CONFIDENTIALITY NOTICE: This e-mail and any attachments are confidential and may be protected by legal privilege. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of this e-mail or any attachment is prohibited. If you have received this e-mail in error, please notify us immediately by returning it to the sender and delete this copy from your system. Thank you for your cooperation.

LAW OFFICES OF

**PERRY, JOHNSON, ANDERSON,**  
**MILLER & MOSKOWITZ LLP**

438 First Street, 4th Floor, Santa Rosa, CA 95401

February 19, 2026

**VIA ELECTRONIC MAIL ONLY**

Natalie Rogers  
Santa Rosa City Council  
Santa Rosa City Hall  
100 Santa Rosa Avenue  
Santa Rosa, CA 95404  
Email: nrogers@srcity.org

Re: Lago Fresco

Dear Councilmember Rogers:

Our office has been asked to assist with the approval of the Lago Fresco housing project. Since the Project has benefited from extensive staff review and support as well as a unanimous recommendation for approval by the Planning Commission, our role is to simply supply an overview of State housing legislation.

This Project is presented to you at a unique time in the history of housing land use law. There has been an evolution of housing legislation over the last couple of decades, all attempting to address the well documented housing crisis. Each iteration has chipped away at barriers and offered opportunities. To a large extent, this ongoing effort has been less than successful. But the legislature has been undeterred. With each legislative session we have seen implementation of additional opportunities for housing development and mandates requiring approvals. The long history of housing legislation has brought us to a point where the deliberations and outcome on this Project are, to a very real degree, dictated.

The progress toward housing development started with the Housing Accountability Act (Government Code §65589.5) which mandates approval of a housing development that is consistent with the general plan and zoning. Here, the Project is consistent with both.

The statute aims “to significantly increase the approval and construction of new housing for all economic segments of California's communities by meaningfully and effectively curbing the capability of local governments to deny, reduce the density for,

**E. Page Allinson**

**David F. Beach**

**Daphne A. Beletsis**

**Deborah S. Bull**

**Traci L. Carrillo**

**Chad O. Dorr**

**Isaac M. Gradman**

**Martin L. Hirsch**

**Nicole M. Jaffee**

**John E. Johnson**

**Marla Keenan-Rivero**

**Scott A. Lewis**

**Michael G. Miller**

**Lawrence A. Moskowitz**

**Leslie R. Perry**

**Burton H. Fohrman**

**Sarah Jane T.C. Truong**

**Kelsey L. O'Rourke**

**Alexander A. Wiegel**

**Jennifer H. Alexander**

**Kristine Tellefsen**

**Michael E. Tracht**

**Regan V. Masi**

**Zsuzsanna Veres**

**Amanda M. Galvin**

**Nathan M. Siedman**

**Nickolas M. Rineberg**

**Sheryl L. Schaffner**

**Gaya K Murthy**

**Kim Marois**

**Kit Marois Driscoll**

**Gina Fortino Dickson**

TELEPHONE

(707) 525•8800

FACSIMILE

(707) 545•8242

E-MAIL

perry@

perrylaw.net

P  
J  
A  
M  
&  
M

or render infeasible housing development projects and emergency shelters.” (§ 65589.5, subd. (a)(2)(K).) *Reznitskiy v. Cnty. of Marin* (2022) 79 Cal.App.5<sup>th</sup> 1016, 1020.

In addition to the Housing Accountability Act, the state’s Density Bonus Law and your own zoning ordinances mandate project approval with the density increases that are calculated based on the level of affordability offered. As your staff has stated, the bonus here is thirty-two percent (32.%). The state Density Bonus Law, Government Code §65915, specifically states that the applicable bonus “shall” be granted. The limited exceptions are rare and not applicable here.

Beyond the density increase, the Density Bonus statute requires a city to grant a number of incentives or concessions, again, based on the level of affordability, here that number is two. The same is true with requested waivers of development standards. The Project is entitled to a waiver of any development standard that would, if imposed, preclude development at the density allowed, including normal project amenities.

An applicant is not required to demonstrate or prove that the incentives or waivers are necessary to render the project feasible. They are presumed to do so. To emphasize this point, a city is prevented from requiring proof that they are needed, and the burden falls to the city to prove otherwise. Here, of course, your staff has reviewed the request and concur with the applicant.

Recent amendments to the Housing Accountability Act have expanded the mandate by making it clear that even though a project must be consistent with objective development standards and requirements, the adoption of incentives or the granting of concessions and waivers from the standards do not remove a project from the HAA mandate requiring project approval.

Based on the foregoing, it is abundantly clear that this Project requires approval at the proposed density and with the requested incentives and waivers.

Natalie Rogers  
Santa Rosa City Council  
February 19, 2026  
Page 3

Your attention and consideration of this matter is greatly appreciated.

Very truly yours,

Leslie R. Perry

LRP:kh

cc: Santa Rosa City Council via email [citycouncil@srcity.org](mailto:citycouncil@srcity.org)  
City Clerk via email [cityclerk@srcity.org](mailto:cityclerk@srcity.org)

P  
J  
A  
M  
&  
M

**From:** [Cheryl Dunn](#)  
**To:** [CityCouncilListPublic](#)  
**Subject:** [EXTERNAL] Concerns RE: Lago Fresca Apartments  
**Date:** Thursday, February 19, 2026 2:17:58 PM  
**Attachments:** [Concerns for SR City Council Meeting.docx](#)

---

TO:  
Mark Stapp, Mayor  
Jeff Okrepkie, Vice Mayor  
Eddie Alvarez, Council Member  
Dianna MacDonald, Council Member  
Victoria Fleming, Council Member  
Caroline Bañuelos, Council Member  
Natalie Rogers, Council Member

FROM: Cheryl Dunn, Concerned Resident of Sierra Creek Village Homeowners Association

RE: Lago Fresca Apartments

ATTACHED IS A SUMMARY OF MY CONCERNS FOR YOUR REVIEW BEFORE THE NEXT CITY COUNCIL MEETING ON TUESDAY, FEBRUARY 24, 2026

Thank you,

Cheryl Dunn

[REDACTED]  
Santa Rosa, CA 95405

[REDACTED]

February 19, 2026

To: Santa Rosa City Council Members

From: Cheryl Dunn, SR Resident, Sierra Creek Village

Re: Concerns regarding the proposed Lago Fresca Apartments

My name is Cheryl Dunn and I live in the Sierra Creek Village housing development near the proposed Lago Fresca Apartment project, 2445 Summerfield Rd. I'm writing with serious concerns and objections regarding the addition of the Lago Fresca project in this neighborhood. The property where Lago Fresca would exist IS prime property and SHOULD be developed to benefit Santa Rosa, but a 4-story multi residential building is NOT the answer.

### **1. SAFETY: More parked vehicles, More congestion, Decreased visibility**

The eastern end of Hoen Ave (where Lago Fresca is planned) is both residential and commercial:

- a) Sierra Creek Village (behind Santa Rosa Post Acute nursing home) has 114 residential units (most owners with more than one vehicle). Owner, tenant, visitor, delivery, repair, and maintenance vehicles are in and out throughout the day. **(PERSONAL NOTE: I HAVE HAD MANY near misses exiting Sierra Creek Village.)**
- b) On the north side of Hoen Ave. there are many duplexes without adequate on-site parking: many residents use Hoen Ave for additional parking.
- c) Directly in front of Sierra Creek Village is Santa Rosa Post Acute, nursing home, rehab and long term care facility. This facility has a 99-bed capacity, with numerous employees on-duty 24 hours/day. There are also several deliveries to this facility each day along with many visitors needing parking. There is on-site parking for some staff and visitors, but many must use Hoen Ave. Additionally, emergency vehicles are often in and out of this facility. Access for these vehicles **must be safeguarded.**
- d) The property adjacent to Sierra Creek Village is now home to Redwood Gospel Missions/Family Campus (formerly Warrick Hospital and later SAY and Ceres). This facility also attracts daily deliveries, visitors, etc.
- e) There are a number of Sutter Health Care service offices/labs in the buildings next to Redwood Gospel Missions, all necessitating in/out traffic and parking.
- f) Complicating this already congested area are number of commercial offices with clients and delivery trucks coming and going throughout the day.
- g) Lago Fresca tenants will have to pay for up to two on-site parking spaces. Given the high cost of rent, tenants will most likely opt to pay for only one space, and thus, use Hoen Ave for additional parking.
- h) **CONCLUSION : With the addition of MORE parked vehicles, more in/out traffic, more congestion, decreased visibility, SAFETY WILL BE COMPROMISED. THIS IS NOT SMART PLANNING.**

### **2. SAFETY: Emergency evacuation compromised further**

- a) There are ONLY 3 east/west surface routes in Santa Rosa east of Farmers Lane (Hwy 12 not included): Montgomery Dr., Sonoma Ave, and Hoen Ave. These 3 routes experience HEAVY traffic many hours of each day, particularly early morning and mid afternoon.
- b) These 3 roads are the main routes to Montgomery Hospital, Montgomery High School, Herbert Slater Elementary School, Yulupa Elementary School, and a number of smaller schools and doctors' offices/medical services. Traffic on Hoen Avenue is often backed up from Yulupa Ave to the Sierra Creek Village entrance streets. The addition of a 4-story, 50 unit housing development will add numerous vehicles on already overcrowded streets. **THIS IS NOT SMART PLANNING.**
- c) In the event of a mandatory evacuation (as was the Tubbs Fire in 2017 and the Kincade fire in 2019) these 3 surface roads are already inadequate to support the residents of the area. Safety of Santa Rosa residents SHOULD BE the highest priority of the Santa Rosa City Council. **I urge you to REJECT the Lago Fresca Apartments project, and protect this already congested part of eastern Santa Rosa from unnecessary expansion. THIS IS NOT SMART PLANNING.**

**From:** [Omar Lopez](#)  
**To:** [City Council Public Comments](#)  
**Cc:** [Jen Klose](#)  
**Subject:** [EXTERNAL] Public Comment on Item 16.1: Appeal for Lago Fresca - 2/24 Agenda  
**Date:** Thursday, February 19, 2026 3:22:54 PM  
**Attachments:** [Generation Housing Public Comment on Item 16.1.pdf](#)  
[Lago Fresca Endorsement Letter.pdf](#)  
[attachment.png](#)

---

Good afternoon,

Attached below is public comment from Generation Housing in support of the staff recommendation for Item 16.1: Appeal for Lago Fresca on the 2/24 agenda.

All the best,

\_\_\_\_\_  
Omar Lopez | Policy Coordinator  
He/Him/His/El  
[Generation Housing](#)

(707)237-4792 | 427 Mendocino Ave, Suite 100 | Santa Rosa, CA 95401

[Register for the March 5 Housing Action Summit Here!](#)





427 Mendocino Ave, Suite 100  
Santa Rosa, CA 95404

(707) 900-4364  
info@generationhousing.org

February 19, 2026

**Santa Rosa City Council**

Council Chambers, City Hall  
100 Santa Rosa Ave, Santa Rosa

**RE: Item 16.1: Appeal for Lago Fresca**

Dear Mayor Stapp, Vice Mayor Okrepkie, Council Members, and Staff

Generation Housing respectfully urges the Council to support the staff recommendation denying the appeal, and upholding the approvals for the Lago Fresca Apartments project.

**Lago Fresca advances the City's adopted goals and priorities, including those outlined in its Housing Action Plan and subsequent housing policies,** which emphasize increasing housing production, supporting affordability at multiple income levels, and encouraging infill development in areas already served by infrastructure. By delivering 50 new homes, including deed-restricted very-low-income units, on a well-located infill site, this project puts those commitments into action. We have attached our original endorsement letter for reference.

**Public hearings often amplify opposition, but they do not necessarily reflect the full community.** Many residents who support additional housing, or who simply view this project as inconsequential, do not attend meetings. Their absence should not be mistaken for opposition. There are many people in Santa Rosa who want more housing options and expect the City to follow through on its adopted goals.

We recognize that neighbors have raised concerns about traffic, parking, and wildfire evacuation. **Land use decisions are not easy,** especially when neighborhoods are affected. But the City's process is designed to evaluate projects based on adopted standards, technical review, and policy. At public hearings, the Planning Commission found the project consistent with the General Plan and zoning and not detrimental to the public interest. The Commission concluded that denial is not supported.

**For these reasons, Generation Housing requests the Council to deny the appeal, support the appeal and uphold the prior approvals for the project. Thank you for your continued support.**

In partnership,

A handwritten signature in black ink that reads "Stephanie Bowen".

Stephanie Picard Bowen  
Deputy Director, Generation Housing



427 Mendocino Ave  
Suite 100  
Santa Rosa, CA 95401

(707) 900-4364  
info@generationhousing.org

23 August 2022

Dear Ingrid,

Thank you for submitting Lago Fresca Apartments for review and endorsement. **After scoring the project against our criteria, I'm happy to share that Generation Housing will be endorsing Lago Fresca.**

We were pleased to see several elements in your project proposal that promote best housing policies/practices. In particular, we appreciated seeing the following:

- Six units of affordable housing for low-income residents (60% AMI), four of which will be 4-bedroom units
- Project promotes walkability/bikeability with close proximity to several local transit options
- Inclusion of a rooftop terrace and other amenities such as a Community Room with a kitchenette, fireplace and lounge - all of which promote community cohesion
- Project promotes a healthy lifestyle with close proximity to a full-service grocery store, major city park, medical services, and several local schools

Based on your score of 86 out of 100, our level of and commitment to advocacy includes the following:

1. Endorsement
2. Letter of Support
3. Public statement at commission/council
4. Online petition + social media
5. Community mobilization

Please be in touch to let us know ahead of time when you are scheduled for public hearings and keep us apprised of any barriers or opposition to your project. I look forward to coordinating with you in advocating for this important housing development.

Thanks for all of your work on this and we look forward to seeing this project come to fruition.

Best,

A handwritten signature in blue ink, appearing to read "Jen Klose".

Jen Klose  
Executive Director, Generation Housing



**From:** [Ingrid Anderson](#)  
**To:** [Omar Lopez](#); [City Council Public Comments](#)  
**Cc:** [Jen Klose](#)  
**Subject:** [EXTERNAL] RE: Public Comment on Item 16.1: Appeal for Lago Fresca - 2/24 Agenda  
**Date:** Thursday, February 19, 2026 5:05:21 PM  
**Attachments:** [image001.png](#)

---

The endorsement is great, thank you!

Just one small correction – the affordable set aside was changed from 6 units low income to 4 units very low income.

I wanted to catch that up with you to make sure the number of affordable units shows up in any documents that go public or it changes the scoring on the project for Gen H's endorsement.

You guys are awesome!

Ingrid



**Ingrid Anderson**

Principal Architect

**Anderson Architecture & Planning**

**Phone** 707-523-7010 x101 **Mobile** 707-318-3162

**Email:** [ingrid@andersonarchplan.com](mailto:ingrid@andersonarchplan.com)

4752 Stonehedge Dr., Santa Rosa, CA 95405

---

**From:** Omar Lopez <[omar@generationhousing.org](mailto:omar@generationhousing.org)>  
**Sent:** Thursday, February 19, 2026 3:22 PM  
**To:** [cc-comment@srcity.org](mailto:cc-comment@srcity.org)  
**Cc:** Jen Klose <[jen@generationhousing.org](mailto:jen@generationhousing.org)>  
**Subject:** Public Comment on Item 16.1: Appeal for Lago Fresca - 2/24 Agenda

Good afternoon,

Attached below is public comment from Generation Housing in support of the staff recommendation for Item 16.1: Appeal for Lago Fresca on the 2/24 agenda.

All the best,

---

Omar Lopez | Policy Coordinator  
He/Him/His/El  
[Generation Housing](#)

(707)237-4792 | 427 Mendocino Ave, Suite 100 | Santa Rosa, CA 95401

[Register for the March 5 Housing Action Summit Here!](#)



**From:** [Adrian Covert](#)  
**To:** [\\_CityCouncilListPublic](#); [Lauren Fuhry](#)  
**Subject:** [EXTERNAL] Agenda Item 16.1  
**Date:** Friday, February 20, 2026 11:59:23 AM  
**Attachments:** [02.20 LagoFresca.pdf](#)

---

Greetings Councilmembers,

Please see the attached letter from Santa Rosa YIMBY against the appeal of the proposed Lago Fresca project. Happy to discuss if you have any questions.

Sincerely,

Adrian Covert + Lauren Fuhry  
Local Leads  
Santa Rosa YIMBY



February 20, 2026

The Honorable Mark Stapp, Mayor  
Santa Rosa City Council  
100 Santa Rosa Ave  
Santa Rosa, CA 95404

**Re: Agenda item 16.1, Lago Fresca Project (SUPPORT)**

Dear Mayor Stapp and Councilmembers,

Santa Rosa YIMBY, an all-volunteer association of Santa Rosa residents dedicated to saying “Yes-in-my-backyard” to new housing to help build Santa Rosa into an affordable, vibrant, and low-carbon city for all, respectfully requests you deny the appeal against the Lago Fresca Project.

Santa Rosa currently faces at least three concurrent crises: (1) a fiscal crisis that threatens essential city services; (2) a bureaucratic and demographic crisis that’s threatening city schools with state receivership; and (3) a homelessness crisis that undermines public health, safety, and downtown revitalization efforts. All three of these crises are downstream of the failure to build sufficient housing. Under the city’s current housing element, Santa Rosa is legally obligated to allow for the construction of at least 4,685 housing units between now and 2031.

The proposed 50-unit multi-family development at 4744 Hoen Ave and 2445 Summerfield Road is critical for meeting Santa Rosa’s housing and affordability goals and is consistent with the criteria for CEQA exemptions for infill housing. Furthermore, each of the developer’s five zoning standards waiver requests are consistent with creating more affordability by optimizing infill parcels to house people over cars. Approving projects like this is critical for the city’s growth strategy to overcome structural deficits and school closures, as such developments increase property tax revenue and allow more families to stay, and grow, in Santa Rosa.

Finally, one of us live on Summerfield Road just down the street from the proposed development and look forward to meeting the new neighbors.

For these reasons, we respectfully request Council members follow the Planning and Economic Development Department’s recommendation and deny the appeal.

Sincerely,

Adrian Covert  
Local Lead  
Santa Rosa YIMBY

Lauren Fuhry  
Local Lead  
Santa Rosa YIMBY

**From:** [Brendan Brown](#)  
**To:** [\\_CityCouncilListPublic](#)  
**Subject:** [EXTERNAL] Lago Fresca  
**Date:** Saturday, February 21, 2026 7:37:55 PM

---

Sent from my iPhone

Please reconsider your approval.

I remember the recent fire evacuation when the Hoen Summerfield intersection was jammed. I cannot imagine adding 50-100 or more cars during an emergency.

Also the proposal only includes one way out of the complex very close to the intersection seriously impacting traffic on a daily basis.

Thank you

Brendan and Tish Brown



**From:** [sky\\_matula](#)  
**To:** [Stapp, Mark](#); [Okrepkie, Jeff](#); [Alvarez, Eddie](#); [Fleming, Victoria](#); [Rogers, Natalie](#); [MacDonald, Dianna](#); [Banuelos, Caroline](#); [\\_CityCouncilListPublic](#)  
**Cc:** [sky\\_matula](#)  
**Subject:** [EXTERNAL] Re: Lago Fresco housing project proposed for 4744 Hoen Avenue  
**Date:** Sunday, February 22, 2026 1:06:03 PM

---

Dear Members of the City Council and Planning Staff,

I am writing in regards to the Lago Fresco housing project proposed for 4744 Hoen Avenue and to request reconsideration of the project's parking and traffic impacts.

I want to be clear that I am not opposed to additional housing. Our community absolutely needs more apartments and townhomes, and I support thoughtful residential development that increases supply and affordability. My concern is not with housing itself, but with planning assumptions that do not reflect the transportation realities of our city.

The current proposal provides only 63 parking spaces for approximately 50 units consisting of one-, two-, and three-bedroom apartments. This is far below what is realistically needed for a car-dependent community like ours. While long-term visions of mass transit and reduced car usage are admirable, they are not viable in the near or even medium term. Over the next 20–50 years, most residents will still rely on personal vehicles for commuting, school, shopping, and daily life. Basing parking requirements on a future transit model that does not yet exist creates immediate, real-world problems for surrounding neighborhoods.

Without adequate on-site parking, overflow will inevitably spill onto Hoen Avenue, Summerfield Road, and adjacent residential streets. This will create congestion, safety issues, and frustration for existing residents, while also increasing conflicts between neighbors and new tenants.

Additionally, this development will add meaningful traffic to the already busy intersection of Hoen and Summerfield. Residents who rely on this intersection daily will experience longer delays and reduced safety. Insufficient parking will only compound these impacts as vehicles circulate and compete for limited street spaces.

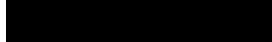
To responsibly address these concerns, I strongly urge the Council to require a minimum of one on-site parking space per bedroom constructed, plus at least 20% additional capacity for guests and multi-vehicle households. This standard better reflects actual vehicle ownership patterns and would prevent avoidable spillover and congestion.

Anything less is inadequate and inappropriate for the current design and transportation structure of our city and region. Until reliable, high-frequency public transit truly exists and significantly reduces car dependence, developments must be planned for the reality we live in today - not an idealized future.

Thank you for your time and for your service to our community. I respectfully request that the approval be reconsidered or modified to include appropriate parking requirements that protect both new residents and existing neighbors.

Sincerely,

Mr. Sky Matula



Santa Rosa, CA 95405

Life is what you make it. Make it awesome!

**From:** [Sheikhali, Monet](#)  
**To:** [City Council Public Comments](#)  
**Subject:** FW: [EXTERNAL] Comments: Lago Fresca Apartments  
**Date:** Monday, February 23, 2026 8:05:49 AM  
**Attachments:** [Comments Lago Fresca Apartments.pdf](#)

---

---

**From:** c [REDACTED] <[REDACTED]>  
**Sent:** Saturday, February 21, 2026 10:00 AM  
**To:** Sheikhali, Monet <msheikhali@srcity.org>  
**Cc:** [REDACTED]  
**Subject:** [EXTERNAL] Comments: Lago Fresca Apartments

Hi Monet,

We understand there is an appeal to the city's approval of this project. We are submitting our comments in the attached document to be included for consideration by the City Council.

Thanks,  
Chris

Chris Millard | [REDACTED]

RE: Comments on Lago Fresca Apartments – 2445 Summerfield Rd & 4744 Hoen Ave

To the Planning Commission and Design Review & Preservation Board,

Thank you for the opportunity to provide comments on the proposed Lago Fresca Apartments project. We are supportive of adding new housing in Santa Rosa, including affordable housing, and recognize the critical need for more supply. However, we have concerns with the project in its current form that we believe should be addressed before approval.

### **1. Traffic and Circulation Impacts**

Traffic in this area is already heavily congested during peak hours. In particular, Hoen Avenue during the morning and afternoon commute hours is already heavily impacted. Adding 50 units will reasonably introduce an estimated 75–150 additional vehicles, and without meaningful mitigations, the project will only make current congestion worse. We ask the City to fully evaluate these circulation impacts and consider mitigations or a reduced density that better aligns with local traffic conditions.

### **2. Building Height and Scale**

The renderings show a four-story structure. No other buildings in the immediate neighborhood reach this height, and the scale would be out of character with surrounding development. A maximum of two stories would be more consistent with the existing built environment and less imposing for adjacent homes and businesses.

### **3. Architectural Compatibility**

The modern, flat-roof design shown in the image does not reflect the architectural character of nearby homes and buildings. We request that the design be reconsidered to better match the traditional styles in the neighborhood, ensuring the project blends with the existing community rather than contrasting sharply with it.

### **In Summary**

We support housing growth and the inclusion of affordable units, but believe this project needs modifications to height, design, and traffic impacts to be compatible with the neighborhood. We respectfully ask the City to require these adjustments before moving the project forward.

Thank you for considering our comments.

Sincerely,

Chris & Christina Millard



Santa Rosa, CA 95405

**From:** [Sheikhali, Monet](#)  
**To:** [City Council Public Comments](#)  
**Subject:** FW: [EXTERNAL] Lago Fresco Apartments Appeal  
**Date:** Monday, February 23, 2026 8:21:32 AM

---

-----Original Message-----

From: Kathy Brody-Tamblin <[REDACTED]>  
Sent: Sunday, February 22, 2026 10:46 AM  
To: Sheikhali, Monet <msheikhali@srcity.org>  
Cc: Ann Butler <[REDACTED]>  
Subject: [EXTERNAL] Lago Fresco Apartments Appeal

To: City of Santa Rosa City Council

Thank you for listening to City of Santa Rosa Residents regarding the Lago Fresco Apartments proposed for the Summerfield/Hoen area of Bennett Valley.

We are residents of the area (along with other extended family members who live nearby). Our grandsons often ride their bikes from their home near Summerfield Ave/Wyoming Street and our home near the Summerfield/Hoen intersection where the Lago Fresco Apartments are proposed. A mere 3 blocks. We are concerned for their safety.

Traffic in the area is already congested, especially during rush hours and school start/stop times. Adding more vehicles to this area seems like a bad idea on so many levels.

We have seen pedestrians killed in this area, including a young neighbor child as he walked to school.

We regularly see accidents along Hoen Avenue between Summerfield and the on ramp to Highway 12.

Emergency vehicles frequent the area due to the existing Skilled Nursing Facility and the Rehabilitation Hospital located yards away from the Summerfield/Hoen intersection.

It is our opinion that adding more vehicles, residents, and congestion to an already over populated intersection will only make matters worse. If the apartments are allowed, we will likely be looking for a resolution to the increase in accidents regarding pedestrians, cyclists, and vehicles.

In the event of a dire emergency and possible evacuation, moving people, vehicles and emergency equipment will be a logistical nightmare and lives could be risk.

As residents of the area, please consider the long-term negative affects of added congestion and the problems it creates along the way. Adding housing in the area might solve one problem and create so many more in the weeks, months and years to come.

We oppose the development and request our voices be heard.

I copied a member of my HOA so that she can mention and or reiterate our concerns att the Public Hearing on Feb 24, 2026

Thank you.

Tim Tamblin and Kathy Brody-Tamblin [REDACTED] Santa Rosa 95405 [REDACTED]  
[REDACTED]

Kathy Brody-Tamblin



**From:** [Sheikhali, Monet](#)  
**To:** [City Council Public Comments](#)  
**Subject:** FW: [EXTERNAL] Lago fresca  
**Date:** Monday, February 23, 2026 8:24:32 AM

---

---

**From:** Nathan Clark <[REDACTED]>  
**Sent:** Saturday, February 21, 2026 8:11 PM  
**To:** Sheikhali, Monet <msheikhali@srcity.org>  
**Subject:** [EXTERNAL] Lago fresca

I'll start by saying this is the most idiotic the city has had yet. Putting a 4 story complex at a busy intersection, seriously? There's a 2 story on the corner of hoen and yulupa and those cars have trouble getting out and that intersection is a mess. Speaking of parking wtf are people gonna park??? In surrounding neighborhoods so people can't park in front of their own house?? And a 4 bedroom place. There will be 8 people living there with 10 cars. As the planner I can tell you've done a terrible job and I'll be doing my part to shit this stupid project down. Clearly you're not capable of understanding the stupidity of this.

Nathan Clark

[Sent from Yahoo Mail for iPhone](#)

**From:** [Sheikhali, Monet](#)  
**To:** [City Council Public Comments](#)  
**Subject:** FW: [EXTERNAL] Summerfield-Hoen apartments  
**Date:** Monday, February 23, 2026 10:55:17 AM

---

---

**From:** Frank and Dianne Hodges <[REDACTED]>  
**Sent:** Monday, February 23, 2026 8:07 AM  
**To:** Sheikhali, Monet <msheikhali@srcity.org>  
**Subject:** [EXTERNAL] Summerfield-Hoen apartments

Dear Monet,

The proposed apartments at this location are a good idea.

BUT I am very concerned about the 4 story height .

If you look at the buildings East of Farmers Lane all the way to the City limits ..there are no buildings over 2 stories. This proposed project height is completely out of context with the area and will be an eye sore to this part of Santa Rosa. This is not Mendocino Ave or Santa Rosa AVE this is mixed use area with high end homes.

Also as far as the need for more apartments....there are already apartments for rent on Yulupa and Hoen and Bethards and Yulupa. So 50 more apartments in this part of town are not needed.

Thank you, Dr. Frank Hodges

**From:** [Sheikhali, Monet](#)  
**To:** [City Council Public Comments](#)  
**Subject:** FW: [EXTERNAL] Opposition to Lago Fresca project  
**Date:** Monday, February 23, 2026 11:17:44 AM  
**Attachments:** [Lago Fresca.pdf](#)

---

**From:** [REDACTED]  
**Sent:** Friday, February 20, 2026 10:56 AM  
**To:** diannamacdonald@aol.com; Fleming, Victoria <VFleming@srcity.org>; Rogers, Natalie <NRogers@srcity.org>; Alvarez, Eddie <EAlvarez@srcity.org>; Stapp, Mark <MStapp@srcity.org>; Okrepkie, Jeff <JOkrepkie@srcity.org>; Sheikhali, Monet <msheikhali@srcity.org>  
**Cc:** [REDACTED]  
**Subject:** [EXTERNAL] Opposition to Lago Fresca project

I am writing to express my opposition to the Lago Fresca project 4744 Hoen Ave. I have attached a statement of my concerns and I have copied the same information into the body of this email. Thank you for your consideration.

My name is Susan Garritson and my address is [REDACTED], Santa Rosa 95405 District 3.

Please do not distribute my name or contact information without permission.

I am writing to express my opposition to the Lago Fresca project being planned for 4744 Hoen Ave. Santa Rosa. I understand that the State Bonus Density Law gives the developer relief from a number of regulations that apply to everyone else and that contribute to the quality of life in our Summerfield-Hoen neighborhood. I have read the various analyses rationalizing and justifying the requested relief. The assumptions that this development is located near community services and employment and the justifications for waiver of set-backs, parking (both on-site in under-sized parking spaces and in the surrounding neighborhoods), traffic impact on Summerfield and Hoen, and disaster evacuation impact are short-sighted. There are limited employment and community services on this east side of Santa Rosa. This neighborhood is suburban and people travel by car to employment and service destinations. Your plan for undersized parking assumes "low turn-over" and assumes that occupants will use bikes and buses instead of cars as their primary transportation. These assumptions are unfounded. The City has already disrupted traffic on Hoen Ave by creating under-used bike lanes. People primarily use cars to navigate this east side of Santa Rosa. To conclude that more cars on Hoen during commute hours won't worsen the already ridiculous amount of time it takes to travel between Summerfield and Farmers Lane indicates that your traffic impact report was not performed during peak-use hours. Furthermore, the traffic analysis, which primarily refers to parking and congestion on Hoen, is silent regarding the impact on neighborhoods east of Summerfield or volume of cars on Summerfield Rd. As tenants are forced to exit right from the one Hoen Ave driveway they will obviously be forced to

again turn right on Summerfield Rd and are likely to need to make U-turns at Stonehedge or Parktrail in order to travel their desired direction. This pattern impacts congestion and pedestrian safety along this major roadway. The under-sized parking spaces will force anyone with a standard- sized SUV or pick-up to park in the neighborhoods because the 9' allocated space will be too small to get in and out of the vehicle even if the space is adequate to park the vehicle. To dismiss and conveniently disregard the impact of parking in all the neighborhoods by saying this these are public streets and outside your purview suggests lack of concern for the impact on the surrounding community or for your tenants' safety since they will need to regularly cross major roadways. To conclude there is no emergency wildfire risk because the acreage is rated 'low risk' ignores the fact that the 4755 Hoen Ave location is just across the road from neighborhoods with higher risk that required forced evacuation during recent fires and that have limited egress routes. Allowing this project to proceed with these cherry-picked explanations and excuses will give pretext to applying this same reasoning to other developments in our neighborhood and will erode the quality of life, nature of the community, and safety that has made this area a desirable place to live. Certainly these issues pose enough safety concern to merit the City's reconsideration of this project.

**From:** [Richard F Hunt Sr.](#)  
**To:** [City Council Public Comments](#)  
**Cc:** "Richard Hunt"; [dick@datumtechnologiesinc.com](mailto:dick@datumtechnologiesinc.com); [analisa@datumtechcnc.com](mailto:analisa@datumtechcnc.com)  
**Subject:** [EXTERNAL] Lago Fresca Appeal Updated Files for Submittal- Public Comment  
**Date:** Monday, February 23, 2026 3:42:43 PM  
**Attachments:** [image004.png](#)  
[Lago Fresca Transmittal Letter 022326.docx](#)  
[1 - Lago Fresca Safety Summary.docx](#)  
[2 - Lago Fresca Comment Letter - UPDATED 022326.docx](#)  
[4 - Lago Fresca WTrans Response Attachment - UPDATED 022326.docx](#)  
[3 - Lago Fresca Density Bonus Supplemental 02232602.docx](#)

---

Dear Mayor and Councilmembers,

On behalf of the Residents of the Bennett Valley Community Against Lago Fresca Project, please find attached our UPDATED public comment materials for the appeal hearing on Agenda Item 16.1, February 24, 2026.

Our central concern is Public Safety. The project's own traffic consultant's updated data documents an above-average injury rate on Hoen Avenue, queue spillback blocking the project's only driveway during both peak periods, and egress conditions the consultant concedes are "challenging." No evacuation analysis has been performed. Census data shows this neighborhood's vehicle ownership is 85% higher than the parking study assumes, and the project provides 9 fewer spaces than even the Density Bonus Law's own reduced standard requires.

Attached:

1. Transmittal Letter
2. Public Safety Summary (1 page)
3. Comment Letter — comprehensive analysis with Census data
4. Response to W-Trans Appeal Comments (Agenda Attachment 17)
5. Supplemental Letter — Density Bonus Law analysis

We respectfully urge the Council to grant this appeal and require the corrections documented in our materials. We are not asking you to deny housing. We are asking you to make it safe.

The residents of the Bennett Valley Community Against Lago Fresca Project

Best regards,

*Richard F. Hunt Sr.*

President/CFO/Owner

[www.datumtechcnc.com](http://www.datumtechcnc.com) [dick@datumtechcnc.com](mailto:dick@datumtechcnc.com)

707-738-3914

*Analisa E. Hunt*

CEO/Owner



AS9100:2016/ISO9001:2015 Certified  
Made in U.S.A.

OIN: 6108907520

[SAM.GOV](http://SAM.GOV) Unique ID: VHE1HDE3EDV5

NAICS Code: 332710

CAGE Code: 5BH49

DFARS NIST SP 800-171 COMPLIANT  
Small Business Classifications: WOSBE, MBE, WBE  
AS9100:2016 & ISO9001:2015 Certification # 58261  
ITAR Registration # M36937



CONFIDENTIALITY NOTICE: This email and any attachments are for the sole use of the intended recipient and may contain material that is proprietary, confidential, privileged or otherwise legally protected or restricted under applicable government laws. Any review, disclosure, distributing or other use without expressed permission of the sender is strictly prohibited. If you are not the intended recipient, please contact the sender and delete all copies without reading, printing, or saving.

February 24, 2026

Mayor and Members of the City Council

City of Santa Rosa

100 Santa Rosa Avenue

Santa Rosa, CA 95404

*Via email: cc-comment@srcity.org*

**Re: Appeal of Lago Fresca Apartments Approvals — Agenda Item 16.1**

Dear Mayor and Councilmembers,

On behalf of the Residents of the Bennett Valley Community Against Lago Fresca Project, we respectfully submit the enclosed documents for the public hearing on the appeal of the Lago Fresca Apartments project (PRJ22-019), scheduled as Agenda Item 16.1 on February 24, 2026.

The Lago Fresca project proposes 50 residential units on a 1.31-acre site at 2445 Summerfield Road and 4744 Hoen Avenue, served by a single driveway on Hoen Avenue. The project was approved unanimously by the Planning Commission on December 11, 2025 and by the Design Review and Preservation Board on a 4-1-1 vote on December 18, 2025. This appeal was filed on December 19, 2025.

**Our central concern is public safety.** The project's own traffic consultant's updated data shows an above-average injury collision rate on Hoen Avenue, queue spillback reaching the project's only driveway during both morning and evening peak periods, and left-turn egress conditions the consultant concedes are "challenging" and "not ideal." No evacuation analysis has been performed for a single-access, 50-household development in a community that experienced the Tubbs Fire. U.S. Census data for this specific tract documents vehicle ownership at 2.40 per household — 85% higher than the rate assumed in the parking study — resulting in a projected 40 to 60 overflow vehicles directed by the Parking Management Plan onto the same corridor with the above-average injury rate.

The California Density Bonus Law (Government Code Sections 65915–65918) entitles the developer to a 32.5% density bonus, which we do not dispute. However, the same statute provides that the City is not required to grant concessions or waivers that create specific adverse impacts on public health and safety. The City's own Density Bonus approval letter calculates that the state's reduced parking standard requires 72 spaces for this unit mix. The developer used a

concession to reduce to 63 — 9 spaces below the state’s own floor. That concession is subject to the health-and-safety exception. We ask the Council to exercise the authority the statute provides.

### **Enclosed Documents**

We submit the following four documents for the record:

1. **Public Safety Summary** (1 page) — Executive overview of the safety issues and the Council’s authority to act under the Density Bonus Law.
2. **Comment Letter** — Comprehensive analysis of parking demand (including Census Tract 1515.04 vehicle ownership data), the Parking Management Plan, the W-Trans traffic study, single-access driveway and evacuation concerns, building design and massing, proportionality of concessions and waivers, and the CEQA Class 32 exemption.
3. **Response to W-Trans Appeal Comments** (Council Agenda Attachment 17) — Point-by-point review of W-Trans’s January 22, 2026 response, identifying where their own updated data confirms our concerns, where our Census-based analysis presents new evidence not addressed in their response, and where critical issues remain unanalyzed.
4. **Supplemental Letter: The Density Bonus Law Supports Correcting This Project** — Analysis of the statutory provisions under which the City retains authority to require project modifications, including the health-and-safety exceptions in Sections 65915(d)(1)(B) and (e)(1), the on-street parking limitation in Section 65915(p)(5), and the local parking study provision in Section 65915(p)(8).

### **Requested Action**

We respectfully ask the Council to grant this appeal and reverse the approvals of the Conditional Use Permit and Design Review, with direction to require:

5. A supplemental parking demand analysis using Census Tract 1515.04 vehicle ownership data rather than generic ITE national averages.
6. The statutory minimum of 72 on-site parking spaces, or a parking study under Section 65915(p)(8) demonstrating that fewer spaces are adequate for this location.
7. A timed evacuation analysis for the single-access driveway, reviewed by the Fire Department.
8. Enforceable parking monitoring with annual reporting and developer-funded remediation if overflow exceeds defined thresholds.
9. Current traffic counts and an updated intersection operations analysis.

10. Reconsideration of the CEQA Class 32 exemption given the unusual circumstances documented in the enclosed materials.

We are not asking the Council to deny housing or to override state law. We are asking the Council to use the protections that state law provides to ensure this project is safe for its future residents and the existing community.

Respectfully,

Richard F. Hunt Sr. & Analisa E Hunt  
4801 Lucy Court, Santa Rosa, CA 95405  
Resident of the Bennett Valley Community Against Lago Fresca Project

On behalf of the Residents and Property Owners  
of the Hoen Avenue / Summerfield Road Neighborhood  
Santa Rosa, California

**cc:** Planning Commission, City of Santa Rosa  
Design Review and Preservation Board  
Monet Sheikhali, Supervising Planner

**Enclosures:**

1. Public Safety Summary
2. Comment Letter — Lago Fresca Apartments Appeal
3. Response to W-Trans Appeal Comments (Agenda Attachment 17)
4. Supplemental Letter — Density Bonus Law Analysis

## PUBLIC SAFETY SUMMARY

Lago Fresca Apartments — 2445 Summerfield Road / 4744 Hoen Avenue — PRJ22-019

**This corridor has an above-average injury rate.** The project’s own traffic consultant, W-Trans, updated the collision data for Hoen Avenue between Yulupa and Summerfield in January 2026. Their finding: while fewer crashes occur than the statewide average, **more of those crashes result in injuries than is typical.** W-Trans itself recommends “focused enforcement along this corridor.” This is the corridor that will absorb 227 additional daily vehicle trips and 40 to 60 overflow parking vehicles from this project.

**One driveway. Fifty households. Queue blockage during both peak periods.** The project’s sole point of access is a single driveway on Hoen Avenue, approximately 170 feet from the Summerfield Road intersection. W-Trans’s own updated Synchro analysis using 2024 traffic counts shows 95th-percentile eastbound queues of **174 feet in the morning and 183 feet in the evening** — reaching or exceeding the driveway during both commute periods. Residents will face periodic driveway blockage every workday, morning and evening. W-Trans concedes the left-turn egress is “challenging” and “not ideal.”

**No one has analyzed whether these residents can evacuate.** This community lost 22 lives in the 2017 Tubbs Fire. No professional in the record — not W-Trans, not the Fire Department, not the applicant — has performed a timed evacuation analysis for 50 households and 100-plus vehicles exiting through a single driveway onto Hoen Avenue during an emergency. W-Trans explicitly declined to address evacuation. The driveway that is blocked by routine commute traffic will be far more congested during a large-scale evacuation when thousands of residents are fleeing simultaneously.

**The project is designed to put overflow vehicles on this corridor.** U.S. Census data for the specific tract where this project will be built shows 2.40 vehicles per household — 85% higher than the rate assumed by the parking study. Four independent projection methods yield demand of 97 to 120 vehicles for 63 on-site spaces. The Parking Management Plan explicitly caps residents at two on-site vehicles and directs all excess vehicles to park “off the Premises” — on the same corridor with the above-average injury rate. This is not incidental overflow. It is a design feature.

**The Density Bonus Law authorizes you to act.** Sections 65915(d)(1)(B) and 65915(e)(1) provide that the City is **not required to grant concessions or waivers that create specific adverse impacts on public health and safety.** The City’s own Density Bonus approval letter calculates that the state’s reduced parking standard requires 72 spaces for this unit mix. The developer used a concession to reduce to 63. That concession is subject to the health-and-safety exception. The evidence for a safety finding is in the project’s own record.

### **We are not asking you to deny housing. We are asking you to require a safe project.**

Grant the density bonus — the developer is entitled to it. But exercise the authority the Density Bonus Law gives you: require the 72 parking spaces the state’s own schedule provides for this unit mix. Require an evacuation analysis. Require a parking study calibrated to this neighborhood’s actual vehicle ownership. And ensure this project can function safely for its future residents and the existing community before it is approved.

*The accompanying comment letter, W-Trans response, and Density Bonus Law supplemental letter provide the full evidentiary record supporting this summary.*

## PUBLIC COMMENT — APPEAL HEARING

Lago Fresca Apartments — PRJ22-019

(CUP22-050, DR22-037, DB22-004)

2445 Summerfield Road and 4744 Hoen Avenue, Santa Rosa, CA 95405

*Submitted to the Santa Rosa City Council — Public Hearing, February 24, 2026*

---

February 24, 2026

Mayor and Members of the City Council

City of Santa Rosa

100 Santa Rosa Avenue

Santa Rosa, CA 95404

### **Re: Appeal of Lago Fresca Apartments Approvals — Agenda Item 16.1**

Dear Mayor and Councilmembers,

This letter is submitted on behalf of the Residents of the Bennett Valley Community Against Lago Fresca Project and the residents and property owners of the neighborhoods surrounding the proposed Lago Fresca Apartments at 2445 Summerfield Road and 4744 Hoen Avenue. We respectfully urge the City Council to grant the appeal, reverse the approvals of the Conditional Use Permit and Design Review, and direct the applicant to revise this project to address the significant concerns documented herein.

On December 11, 2025, the Planning Commission approved the Major Conditional Use Permit unanimously. On December 18, 2025, the Design Review and Preservation Board approved Design Review by a 4-1-1 vote, with one member voting no and one member absent. The dissenting vote and the concerns raised during both hearings reflect the serious, unresolved issues this project presents. The appeal was filed on December 19, 2025 because we believe these approvals were granted without adequate consideration of the traffic, parking, safety, and neighborhood compatibility evidence in the record.

**We state clearly at the outset: the appellants are not opposed to development on this site, nor are we opposed to affordable housing.** Many of us have children and family members who struggle to afford housing in Santa Rosa. We support thoughtful, well-designed residential development that contributes to the community. What we cannot support is a project that creates foreseeable hazards, offloads its parking burden onto public streets, and imposes building scale

and design quality that is fundamentally at odds with the surrounding neighborhood — all to facilitate just four affordable units out of fifty.

Our concerns are grounded in data. We have conducted an independent analysis of U.S. Census Bureau data for Census Tract 1515.04 — the tract in which this project is located — using 2020 Decennial Census and 2024 American Community Survey 5-Year Estimates. We have also reviewed the W-Trans Focused Traffic Study, its December 2025 Addendum, and the applicant’s Parking Management Plan. What this analysis reveals is a fundamental disconnect between the assumptions underlying the project’s traffic and parking studies and the documented demographic reality of this neighborhood.

### **1. The Parking Analysis Uses National Averages That Do Not Reflect This Neighborhood**

The W-Trans traffic study estimates peak parking demand using ITE Parking Generation (5th Edition) rates for “Multifamily Housing (Mid-Rise)” at **1.3 spaces per dwelling unit** for market-rate units and 1.0 for affordable units, producing a projected peak demand of 64 spaces. The study then concludes that the proposed 63 on-site spaces, combined with available on-street parking on Hoen Avenue, are adequate.

This conclusion is built on national average data that bears no resemblance to the vehicle ownership patterns documented in this Census Tract. The 2024 ACS 5-Year Estimates (Table B08201 and DP04) reveal the following about Census Tract 1515.04:

Vehicle Ownership Metric	Tract 1515.04	Santa Rosa
Avg vehicles per household	2.40	1.93
Households with 2+ vehicles	89.0%	61.7%
Households with 3+ vehicles	33.0%	24.9%
Households with zero vehicles	2.3%	6.2%
Avg renter household size	3.41 persons	2.54 persons
<b>ITE rate used in W-Trans study</b>	<b>1.3 spaces/unit</b>	<b>N/A</b>

The ITE rate of 1.3 vehicles per unit assumes roughly 1.3 vehicles per household. The Census documents 2.40 vehicles per household in this tract — nearly **double** the ITE assumption. Even applying a conservative 15% discount to account for potential differences between current tract homeowners and future renters, the adjusted rate of 2.04 vehicles per unit still produces a demand of **102 vehicles for 63 spaces**.

Using four distinct Census-based methodologies, we project vehicle demand for 50 units as follows:

Projection Method	Projected Vehicles	Deficit vs. 63 Spaces
Method 1: Tract rates by unit/HH size	115	-52
Method 2: Tract average (2.40 veh/HH)	120	-57
Method 3: Citywide average (1.93 veh/HH)	97	-34
Method 4: Renter-adjusted (2.04 veh/HH)	102	-39
<b>W-Trans / ITE estimate</b>	<b>64</b>	<b>-1</b>
<b>Zoning Code requirement</b>	<b>109</b>	<b>-46</b>

It is worth noting that the City’s own Zoning Code requirement of 109 spaces falls squarely within the range of our Census-based projections. The Code standard was not arbitrary — it was calibrated to real-world conditions. The projected deficit of **34 to 57 vehicles** will spill onto Hoen Avenue and surrounding residential streets as a chronic, permanent condition — not an occasional inconvenience.

#### The Affordable Unit Parking Assumption Is Particularly Flawed

The W-Trans Addendum applies a rate of **1.0 parking space per affordable unit**, producing an allocation of just 4 parking spaces for the 4 affordable units. But review of the architectural plans reveals that these four units consist of one 608-square-foot one-bedroom apartment and **three four-bedroom apartments** of 1,389 to 1,404 square feet. The City’s own Density Bonus approval letter reveals that these units are intended as sober living housing, where multiple adults in recovery share apartments and support each other. The ITE affordable housing rate of 1.0 was developed across a national sample that includes urban locations near heavy rail transit where low-income households may not own vehicles. Four-bedroom sober living apartments in suburban Santa Rosa will house multiple working adults, each with independent employment and transportation needs. A realistic estimate for one 1-bedroom and three 4-bedroom sober living units in this tract would be 10–12 vehicles — not 4. Notably, the City’s own Density Bonus approval letter calculates 2.5 parking spaces per four-bedroom unit under the statutory ratio — 12.5 spaces for the five four-bedroom units. The W-Trans study allocates approximately 5 spaces to those same units. The parking study understates demand from the affordable units alone by 6–8 vehicles.

#### Tandem and Covered Parking Will Not Function as Counted

The project's 63-space parking supply includes **20 covered tandem stalls**, 17 standard covered stalls, and 26 uncovered spaces. The tandem configuration — where two vehicles park end-to-end in a single lane — requires constant coordination between the occupants of the front and rear spaces. When one vehicle blocks another, the blocked driver must locate the other driver and arrange a vehicle shuffle before they can leave. This is widely documented as a significant source of resident frustration and management conflict in multifamily housing.

More critically, the tandem configuration predictably results in **loss of functional parking capacity**. In practice, residents assigned to the rear position of a tandem stall must coordinate every departure and arrival with the occupant of the front position. When schedules conflict — as they inevitably do in households with working adults, school-age children, and shift workers — the rear space becomes impractical for daily vehicle storage. The result, well-understood by every multifamily property manager, is that **the rear tandem space is converted to household storage**: bicycles, seasonal items, boxes, furniture, strollers, and the overflow of personal belongings that cannot fit inside tight apartment units.

This tendency is amplified when living spaces are small relative to household size. At Lago Fresca, three of the four-bedroom units are under 1,400 square feet — housing families of five to seven persons in less than 280 square feet per person. The market-rate units in Building D have depths of only 15–17 feet from corridor to exterior wall, producing floor plans that severely constrain interior storage. The 44 units with outdoor storage closets receive a small closet for bicycle storage, but no meaningful household storage beyond what the unit interiors provide. When families in tight living quarters have access to a covered parking space that is inconvenient for its intended purpose, they will use it for storage. This is not speculation — it is the predictable outcome of the design choices this project has made.

If even 25% of the 38 covered spaces (including the 20 tandem stalls) are functionally lost to storage conversion — a conservative estimate given the unit sizes and household demographics documented here — the project's effective parking supply drops from 63 to approximately **53 functional spaces**. Combined with the already-documented demand of 102 to 120 vehicles, the real-world parking deficit could reach **50 to 67 vehicles** seeking on-street parking every night. Neither the W-Trans traffic study nor the Parking Management Plan acknowledges this predictable dynamic, let alone accounts for it.

Notably, the Parking Management Plan states that “under no circumstances will a Tenant be permitted to park more than two (2) vehicles on Premises” and that “all other vehicles, Tenant or guest-owned or operated, must be parked off the Premises.” This policy does not eliminate

vehicles — it simply directs them to public streets. It is an explicit acknowledgment that the project cannot accommodate the vehicles its residents will own.

### **The Parking Management Plan Does Not Bridge the Gap**

The applicant's Parking Management Plan proposes to address overflow through a car-share program, discounted transit passes, and bicycle storage. While these are commendable amenities, they do not constitute a credible parking mitigation strategy for this location. The Plan cites research by UC Berkeley Professor Susan Shaheen suggesting each shared vehicle eliminates 9 to 13 privately owned vehicles. However, a careful reading of Professor Shaheen's own published research (Cohen, Shaheen, and McKenzie, "Carsharing: A Guide for Local Planners," American Planning Association, May/June 2008) reveals a critical distinction the Plan ignores: the vehicle reduction occurs primarily because car-share members **"sell a vehicle or forgo a planned purchase"** — that is, they decide not to buy a *future* car, not that they get rid of existing vehicles upon moving in. Residents will arrive at Lago Fresca with the vehicles they already own. A single car-share stall does not make those vehicles disappear.

Professor Shaheen's own guide further states that car-sharing is **"most suited to walkable, high-density, mixed use urban areas with convenient transit nearby"** and that "there will be large areas of any metro area that simply cannot sustain even a low level of carsharing service without ongoing subsidy." A 50-unit apartment complex in a single-family residential neighborhood, served by a bus route with half-hour weekday headways and limited weekend service, does not meet these threshold conditions. The primary car-share service studied in the literature cited by the Plan — Car2Go (later Share Now, a joint venture of Daimler and BMW) — **exited the entire North American market in February 2020**, citing the volatility of the mobility landscape and infrastructure complexities. The Parking Management Plan is relying on a model that has demonstrably failed in far larger and denser markets than Santa Rosa.

The Plan's reliance on 29 on-street spaces on the south side and 23 on the north side of Hoen Avenue is an admission that the project cannot accommodate its own parking demand. These are public streets serving existing residents, medical offices, and businesses. They were not designed to function as overflow parking for a 50-unit apartment complex.

Moreover, the on-street parking survey underlying these conclusions was conducted on **November 2–4, 2021** — over four years before the project hearing. The survey reflects conditions without 50 new households competing for street parking. The study's finding of zero-percent evening occupancy on Segments 5 and 6 will obviously not persist once 100+ vehicles are seeking parking nightly.

## 2. The Traffic Study Contains Significant Methodological Vulnerabilities

### The VMT Analysis Relies on a Density Credit That May Be Inappropriate

The project’s “less-than-significant” VMT finding — which is critical to the CEQA Class 32 exemption — is achieved almost entirely through a **30% density adjustment** applied because the project achieves 38.2 units per acre. Without this single adjustment, the project’s base VMT of 18.29 per capita would exceed the significance threshold of 14.01 by 31%.

The density-VMT reduction methodology (from CAPCOA) was developed from research showing that *genuinely dense, urban, transit-served locations* generate less per-capita driving. The underlying logic is that in dense areas, residents walk more, use transit more, and drive less because services, employment, and amenities are nearby. But the Lago Fresca site does not exhibit these characteristics. It is a 1.31-acre parcel surrounded by single-family homes and medical offices, served by a bus route with half-hour headways that operates limited weekend service. The project’s high density is an artifact of cramming 50 units onto a small site — not evidence of the urban context that produces genuine VMT reductions. Applying a 30% density credit under these circumstances may significantly overstate the project’s VMT performance.

### Trip Generation Ignores the Family-Oriented Unit Mix

The W-Trans study explicitly states that trip generation was based on 50 units “irrespective of the specific bedroom count for each unit.” This matters because 34 of the 50 units are two bedrooms or larger, including 4 three-bedroom and 5 four-bedroom units designed for families. The 2024 ACS shows renter households in this tract average 3.41 persons — 34% larger than the citywide renter average of 2.54. Larger households generate more trips. Applying a flat per-unit rate across a family-oriented unit mix understates the actual trip generation.

### Traffic Counts Are Seven Years Old

The base traffic volume of 15,100 vehicles per day on Hoen Avenue comes from **February 2019** counts. The study justifies this by asserting pre-COVID counts are generally higher than current volumes. We are now seven years past those counts, post-pandemic traffic has broadly recovered in suburban California, and the analysis does not account for development that has occurred since 2019. The Council should require current traffic counts before accepting the study’s conclusions.

## 3. Single Point of Access Creates a Life-Safety Hazard

All 50 units are served by a single driveway on Hoen Avenue, located approximately 170 feet from the signalized Summerfield Road intersection. The project’s own traffic study confirms that

eastbound queue lengths at this intersection reach **188 feet at the 95th percentile** during PM peak based on 2019 data — extending past the project driveway. W-Trans’s own January 2026 update using 2024 counts shows queues of 174 feet in the AM and 183 feet in the PM, confirming that queue spillback reaches the driveway during both peak periods. The Synchro analysis further flags the northbound left-turn movement with a “#” notation, indicating volumes that exceed capacity where queues may be even longer than modeled.

The study’s recommended mitigation — extending dashed striping in the bike lane buffer so westbound vehicles can bypass left-turning traffic — effectively converts bicycle safety infrastructure into a vehicle bypass lane. This trades cyclist safety for driver convenience to solve a problem created by the project’s single access point.

More critically, this is a life-safety issue that transcends daily traffic inconvenience. Many of the residents submitting this letter survived the **Tubbs Fire of October 2017**, which devastated neighborhoods in Santa Rosa and resulted in the loss of 22 lives and over 5,600 structures in Sonoma County. The central lesson of that disaster was that evacuation capacity is a matter of life and death.

A 50-unit development with an estimated 147 to 170 residents, served by a single driveway that is periodically blocked by intersection queuing, represents a foreseeable evacuation bottleneck. The Staff Report states the Fire Department has “reviewed and conditioned” the plans, but there is no evidence of a formal evacuation capacity analysis. Standard fire access review — focused on truck turning radii and hydrant placement — is not an evacuation analysis for a large-scale disaster event. Given this community’s direct experience with wildfire evacuation failures, this demands more than routine review.

#### **4. Building Design Reflects Site Constraints, Not Quality Housing**

A careful review of the architectural plans reveals that the project’s design is fundamentally driven by the challenge of fitting 50 units onto 1.31 acres — and the results are visible in every building.

##### **Building D: A Dormitory-Style Apartment Building in a Residential Neighborhood**

Building D contains 36 of the project’s 50 units — 72% of the entire development — in a four-story structure reaching 45 feet. The floor plans reveal a **double-loaded corridor building** with units accessed from interior hallways served by a single stair and elevator core. This is a building type found in urban apartment complexes, college dormitories, and hotels. It is not a building type found in residential neighborhoods adjacent to single-family homes.

The upper floors of Building D visibly overhang the ground floor, where the footprint is consumed by parking and circulation. The architect has gained living space by cantilevering upper stories beyond the ground-floor envelope — a direct consequence of trying to maximize unit count on a site where ground-level area is devoted to vehicles. The resulting units appear to have depths of approximately 15–17 feet from corridor to exterior wall, producing floor plans that are wide and shallow — a layout that constrains livability and furniture placement.

### **Buildings A and B: Genuine Townhouse Design, But Only 8 Units**

Buildings A and B contain just 8 units in a more traditional townhouse configuration with direct ground-floor access and individual staircases. These buildings are the most appropriate for the neighborhood context — but they represent only 16% of the project. The contrast between these well-designed units and the corridor-access Building D underscores how the density requirement has forced incompatible building types onto the site.

### **Building C: Segregated Affordable Housing**

Building C contains 6 units including all four deed-restricted affordable units, concentrated in a single building through a density bonus concession. While the staff report notes the same materials will be used across all buildings, the physical separation of affordable units into a distinct, smaller structure adjacent to the parking area raises questions about equitable integration.

### **Neighborhood Context and Character**

The 2024 ACS confirms that Census Tract 1515.04 is **91.0% single-family detached homes** — compared to 57.9% citywide. It is 80.3% owner-occupied with a median home value of \$758,300. The median gross rent in this tract is \$2,715, and 84.3% of renters pay \$2,000 or more per month. This is an established, predominantly single-family homeowner neighborhood.

Placing a four-story, 45-foot corridor-access apartment building with a 7-foot setback from Summerfield Road — directly adjacent to single-family homes — is a fundamental mismatch of building typology and neighborhood context. The Design Review findings require a determination that the project is “compatible with the character of the surrounding neighborhood” and will “not interfere with the use and enjoyment of neighboring existing or future developments.” The Design Review Board made this finding by a 4-1-1 vote, but the dissenting member and the concerns raised during that hearing demonstrate that the finding is not supported by substantial evidence. We respectfully submit that the Council should reach a different conclusion.

### **Livability and Rent Sustainability**

At the rent levels this tract commands (\$1,800–\$2,800+ per month), tenants will be working professionals and families who expect functional, well-proportioned living spaces. The constrained unit layouts in Building D — a product of fitting 36 units into a single structure on a tight site — may lead to higher turnover as residents discover the limitations of the floor plans. Higher turnover means more frequent move-in and move-out activity, additional strain on the already-inadequate parking supply, and an unstable residential community. This is not the outcome that good design should produce.

### **5. Four Affordable Units Are Driving Disproportionate Impacts**

The project provides four very low-income affordable units out of 50 total — 8% of the development. To accommodate these four units, the applicant has obtained or requested two concessions and five waivers:

- A parking reduction from 109 spaces (Zoning Code) to 63 spaces — below even the Density Bonus Law’s own reduced standard of 72 spaces, achieved through a concession
- Concentration of all affordable units in a single building (second concession)
- A 29% increase in maximum building height (35 to 45 feet)
- A 53% reduction in the Summerfield Road setback (15 to 7 feet)
- A 33% reduction in the Hoen Avenue setback (15 to 10 feet)
- A 24% reduction in required covered parking (50 to 38 spaces)
- A reduction in covered parking space width (9.5 to 9 feet)

We recognize the protections the California Density Bonus Law provides. However, the law does not require cities to grant concessions that result in specific, identifiable adverse impacts on public health or safety. We believe the parking concession creates precisely such an impact, as documented by the Census data presented above.

Moreover, the Density Bonus Law requires that concessions result in identifiable, financially sufficient cost reductions necessary to make the affordable units feasible. **Has the applicant demonstrated that a 42% parking reduction is necessary for the financial feasibility of four affordable units?** Or is this concession a mechanism to maximize market-rate unit count and reduce per-unit construction costs? This site can be developed at a scale consistent with the neighborhood without any density bonus concessions or waivers. The in-lieu affordable housing

fees from a smaller, code-compliant project would fund affordable units at locations with the infrastructure and transit access to properly support them.

## **6. The CEQA Class 32 Exemption Should Be Reconsidered**

The City is applying a CEQA Class 32 Infill Exemption, concluding no further environmental review is required. CEQA Guidelines Section 15300.2 provides that categorical exemptions cannot be used where unusual circumstances create a reasonable possibility of significant effects. We submit the following combination constitutes unusual circumstances:

- A 42% parking reduction on a 1.31-acre site where Census data documents vehicle ownership nearly double the rate assumed by the traffic study.
- A single vehicular access point onto a congested arterial, approximately 170 feet from a signalized intersection, with documented 95th-percentile queue spillback past the driveway during both AM and PM peak periods under 2024 traffic counts.
- Location in a community with catastrophic wildfire evacuation experience, with no formal evacuation capacity analysis in the record.
- A VMT finding that depends on a 30% density credit of questionable applicability to this suburban site, without which the project would exceed the VMT significance threshold by 31%.
- Census data showing renter household size 34% above the city average and vehicle ownership 24% above citywide rates, indicating generic assumptions materially underestimate project impacts.

We request that the Council reconsider the Class 32 exemption and that at minimum an Initial Study be prepared. If the exemption is maintained, the record should include a detailed analysis of why these combined factors do not constitute unusual circumstances under Section 15300.2.

## **Summary of Requested Actions**

We respectfully request the City Council grant the appeal and take the following actions:

1. Reverse the approvals of the Conditional Use Permit and Design Review and remand the project to the Planning Commission and Design Review Board with direction to require a supplemental parking demand analysis using Census Tract 1515.04 vehicle ownership data (2024 ACS Table B08201 and DP04) rather than generic ITE national averages.

2. Require enforceable parking conditions of approval with monitoring, reporting, and remediation measures — including developer-funded residential parking permit programs — if on-street overflow exceeds defined thresholds.
3. Require a formal Emergency Evacuation Analysis and a secondary emergency access point (such as a gated emergency access onto Summerfield Road) as a condition of approval.
4. Require current traffic counts (replacing the 2019 data) and a localized intersection operations analysis addressing driveway access and queue spillback.
5. Require the applicant to demonstrate the financial necessity of each concession and waiver for the four affordable units' feasibility, as required by the Density Bonus Law.
6. Reconsider the CEQA Class 32 exemption given the unusual circumstances documented herein, or provide a detailed record supporting its application.
7. Evaluate design modifications to Building D to address the massing, height, and corridor-access configuration that is incompatible with the adjacent residential neighborhood — including upper-floor stepbacks at the Summerfield Road boundary.

Our goal is not to prevent development. Our goal is to ensure that what is built here is safe, functional, and respectful of the community it will join. The density bonus framework is an important tool for expanding affordable housing, but it must be applied with due consideration for the specific conditions of each site. At 1.31 acres with a single access point on a congested corridor in a wildfire-prone community, where Census data documents vehicle ownership nearly double the rate assumed by the project's traffic study, this site demands a project design that takes those realities seriously.

The Planning Commission and Design Review Board approved this project, but the concerns raised during those hearings — and the dissenting vote on the Design Review Board — demonstrate that these issues were not resolved. The City Council is the appellants' last opportunity for meaningful review. We ask you to exercise the authority vested in you, grant this appeal, and require a project that serves both the future residents and the existing community well.

Respectfully submitted,

Richard F. Hunt Sr. & Analisa E. Hunt  
[REDACTED], Santa Rosa, Ca 95405

On behalf of the Residents and Property Owners  
of the Hoen Avenue / Summerfield Road Neighborhood

Santa Rosa, California

**Data Sources Cited:**

- U.S. Census Bureau, 2020 Decennial Census, Table H12: Tenure by Household Size
- U.S. Census Bureau, 2020 Decennial Census, Table H4: Tenure
- U.S. Census Bureau, 2024 ACS 5-Year Estimates, Table B08201: Household Size by Vehicles Available
- U.S. Census Bureau, 2024 ACS 5-Year Estimates, Table DP04: Selected Housing Characteristics
- W-Trans, Final Focused Traffic Study for the Lago Fresco Project, December 28, 2023
- W-Trans, Addendum to the Final Focused Traffic Study, December 1, 2025
- Lago Fresca Parking Management Plan (undated, submitted as Attachment 10)
- Anderson Architecture & Planning, Architectural Plans (Sheets A1.1, A2.1–A2.4b), August 20, 2024

**cc:** Planning Commission, City of Santa Rosa  
Design Review and Preservation Board  
Monet Sheikhal, Supervising Planner

February 24, 2026

Mayor and Members of the City Council

City of Santa Rosa

100 Santa Rosa Avenue

Santa Rosa, CA 95404

**Re: Supplemental Letter — The Density Bonus Law Supports Correcting This Project**

Dear Mayor and Councilmembers,

This supplemental letter accompanies our primary comment letter on the Lago Fresca Apartments appeal. We write separately on this topic because we believe it is important for the Council to understand a point that may be lost in the proceedings tonight: **the California Density Bonus Law does not require the City to approve this project as submitted.** To the contrary, the Density Bonus Law contains specific provisions that support — and in some respects compel — the Council to require corrections before this project moves forward.

We want to be direct about our position. We are not challenging the Density Bonus Law. We are not asking the Council to deny the developer any benefit to which state law entitles them. The density bonus itself, the incentive and concession framework, and the reduced parking provisions are important tools for expanding housing production in California. We support their use.

What we are asking the Council to recognize is that the Legislature, when it wrote these tools, was careful to include guardrails. The law says: produce housing, but not at the expense of public safety. Reduce parking where appropriate, but not to levels that create shortages. Waive development standards where needed, but not when the result is a project that harms the community. These are not loopholes we have discovered. They are fundamental features of the statute, and they apply directly to Lago Fresca.

**The Density Bonus Law Gives the City the Authority to Require Changes**

The Density Bonus Law (Government Code Sections 65915–65918) requires the City to grant a density bonus when a developer provides a qualifying percentage of affordable units. Lago Fresca’s base density is 40 units (1.31 acres at 30 units per acre). Four very low-income units represent 10% of the 40 base units, which entitles the developer to a 32.5% density bonus, two incentives or concessions, development standard waivers, and reduced parking ratios. The City’s own Density Bonus approval letter of November 12, 2025 confirms these calculations. We do not dispute any of this.

But the same statute that requires these benefits also says, in plain language, that the City is **not required to grant concessions, incentives, or waivers that would create specific adverse impacts on public health and safety**. This exception appears twice in the statute — once for incentives and concessions (Section 65915(d)(1)(B)) and once for development standard waivers (Section 65915(e)(1)). The Legislature did not include these protections as an afterthought. They are structural. They reflect the recognition that not every site can safely absorb every possible combination of density, height, reduced setbacks, and reduced parking.

This exception is directly relevant to the parking at Lago Fresca. The City’s own Density Bonus approval letter calculates that the statutory parking ratio under Section 65915(p)(1), applied to this project’s actual unit mix, yields **72 required spaces**. The developer then used one of its two concessions to reduce from 72 to 63 spaces — a reduction of 9 spaces below the Density Bonus Law’s own reduced parking standard. **That concession is subject to the health-and-safety exception**. Under Section 65915(d)(1)(B), the City is not required to grant a concession that would cause a specific adverse impact on public health and safety. The question before the Council is whether reducing parking 9 spaces below the state’s own floor, at a site where Census data documents vehicle ownership nearly double the assumed rate, creates such an impact.

The standard for invoking this exception is a “specific, adverse impact” — defined elsewhere in state housing law as “a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions.” That is a real standard with real teeth. It requires evidence, not speculation. But it is not an impossible standard. And we believe the evidence now before the Council meets it.

## **The Evidence Supports a Health and Safety Finding**

Our primary comment letter documents the following, all based on publicly available data:

Census Tract 1515.04 — the specific tract where this project will be built — has an average vehicle ownership rate of **2.40 vehicles per household**. That is 85% higher than the 1.3-per-unit rate used in the project’s parking study. It is also 24% higher than the Santa Rosa citywide average of 1.93. Eighty-nine percent of households in this tract own two or more vehicles. Only 2.3% own zero vehicles. This is a car-dependent, suburban neighborhood, and the Census data proves it.

Applied to Lago Fresca’s 50 units, this data yields projected parking demand of **97 to 120 vehicles**. The project provides 63 spaces. That is a shortfall of 34 to 57 vehicles before accounting for the predictable loss of tandem spaces to storage use. After that adjustment, the real-world deficit is 40 to 67 vehicles that will need to park somewhere in the neighborhood.

W-Trans’s own updated analysis, submitted in January 2026, shows that eastbound queues at the Hoen Avenue/Summerfield Road intersection now reach **174 feet in the morning peak and 183 feet in the evening peak** — reaching or exceeding the approximately 170-foot distance to the project’s only driveway. The single point of access will be periodically blocked by queue spillback during both commute periods.

W-Trans’s own updated collision data shows that the **injury rate on Hoen Avenue between Yulupa and Summerfield exceeds the statewide average**. When crashes happen on this corridor, they are more likely to result in injuries than is typical. W-Trans itself recommends “focused enforcement” on this stretch of road. This is the corridor that will absorb 227 additional daily vehicle trips and 40 to 60 overflow parking vehicles.

No professional in the record has performed an evacuation analysis for a 50-household development with a single driveway, in a community that lost 22 lives in the 2017 Tubbs Fire.

Additionally, the City’s Density Bonus approval letter reveals that the four affordable units are intended as **sober living housing**, where multiple adults in recovery share four-bedroom apartments. The approval letter states the program “aims to offer sober living housing, where people benefit from living together in four-bedroom family apartments and supporting each other.” Sober living programs typically house multiple working adults, each with independent employment and transportation needs. Allocating 1.0 parking space per unit for housing that may contain three to four working adults with separate vehicles is particularly unrealistic.

This is not speculation. This is Census data, the project’s own traffic consultant’s updated analysis, and the architectural plans for the affordable units. It is exactly the kind of “objective, identified” evidence the Density Bonus Law contemplates when it allows the City to require changes.

### **The Parking Provisions Actually Work in Our Favor**

There is a widespread assumption that the Density Bonus Law strips the City of any authority over parking. That is incorrect. The City’s own Density Bonus approval letter demonstrates exactly why.

#### **The City already calculated the statutory parking requirement — and the project falls short of it.**

The City’s November 12, 2025 approval letter includes a table applying the Section 65915(p)(1) ratios to the Lago Fresca unit mix: 16 one-bedroom units at 1.0 space (16 spaces), 25 two-bedroom and 4 three-bedroom units at 1.5 spaces (43.5 spaces), and 5 four-bedroom units at 2.5 spaces (12.5 spaces) — totaling **72 spaces**. That is the Density Bonus Law’s own reduced parking standard for this project. The developer then requested a concession to reduce from 72 to 63 — 9 spaces below the statutory floor. The City granted this concession.

This means the 63-space parking supply is not the result of applying the Density Bonus Law's parking schedule. It is the result of the developer using one of its two concessions to go *below* that schedule. The distinction matters because concessions are subject to the health-and-safety exception in Section 65915(d)(1)(B). The density bonus parking ratios themselves are not easily challenged — but a concession to go below them can be denied if the City finds it would create a specific adverse impact on public health and safety.

**The Legislature's parking schedule recognizes that larger units need more parking.** The statutory ratios are tiered: 1.0 space for studios and one-bedrooms, 1.5 for two- and three-bedrooms, and 2.5 for four-bedrooms. The Legislature clearly understood that a four-bedroom unit generates substantially more vehicles than a studio. Yet the W-Trans parking study applies a flat ITE rate of 1.0 space to the four-bedroom affordable units — the same rate as a studio. Three of the project's four affordable units are four-bedroom apartments. The City's own table allocates 2.5 spaces per four-bedroom unit. The W-Trans study allocates 1.0. That disconnect is not a rounding difference — it is 7.5 spaces of unaccounted demand from the affordable units alone.

**On-street parking is not intended to serve as the project's parking supply.** Section 65915(p)(5) states that a density bonus project “may provide onsite parking through tandem parking or uncovered parking, but not through onstreet parking.” The Lago Fresca Parking Management Plan explicitly limits residents to two vehicles on-site and directs all additional vehicles to park “off the Premises.” The City's Density Bonus letter notes that the W-Trans study found 58 to 67 unoccupied on-street spaces available — and presents this as evidence that overflow parking is “a viable option.” But the statute says the project's parking cannot be provided through on-street spaces. A project that is designed from the outset to direct overflow to public streets is relying on a parking source the statute does not recognize.

**The statute allows the City to require more parking based on local data.** Section 65915(p)(8) provides that if the City or an independent consultant has conducted an areawide parking study, the City may impose higher parking ratios — up to the statutory maximums — based on substantial evidence. The Census data in our primary comment letter provides the foundation for such a study. We are asking the Council to direct that a formal parking study be conducted using Census Tract 1515.04 vehicle ownership data before the parking concession is finalized.

### **Even the Law's Own Practitioners Warn Against This**

Meyers Nave, the California law firm that has published the leading practitioner guide to the Density Bonus Law and has represented numerous cities and developers in density bonus matters, includes this warning in its analysis of the reduced parking provisions:

*“While this provision of the density bonus statute can be used to reduce excessive parking requirements, care must be taken not to impact the project’s marketability by reducing parking to minimum requirements which lead to parking shortages.”*

That is not our characterization. That is the advice of the attorneys who wrote the book on this law. And it describes the Lago Fresca project precisely. The parking has been reduced to a level that will create a documented shortage — not a theoretical one, but one that can be measured against Census data for the specific neighborhood. The Density Bonus Law’s own advocates recognize that parking reductions must be calibrated to local conditions. This project has not done that.

### **What We Are Asking the Council to Do**

We are asking the Council to use the authority that the Density Bonus Law gives it. Specifically:

1. **Grant the density bonus.** The developer is entitled to a 32.5% bonus. We do not dispute this.
2. **Reconsider the parking concession.** The Density Bonus Law’s own parking schedule requires 72 spaces for this unit mix. The developer used one of two concessions to reduce to 63. That concession is subject to the health-and-safety exception in Section 65915(d)(1)(B). The Census data documenting 2.40 vehicles per household in this tract provides substantial evidence that a 9-space reduction below the statutory floor will create a specific adverse impact.
3. **Require a parking study using local data,** as authorized by Section 65915(p)(8). Direct the applicant or an independent consultant to prepare a study calibrated to Census Tract 1515.04 vehicle ownership conditions. The Census data in our comment letter provides the foundation.
4. **Exercise the health-and-safety exception** for any concession or waiver that contributes to a project unable to park its own residents on-site, that directs overflow to public streets in a manner inconsistent with Section 65915(p)(5), and that funnels all traffic through a single driveway blocked by queue spillback on a corridor with an above-average injury rate.
5. **Require an evacuation analysis** before approving a single-access project for 50 households in a community that experienced the Tubbs Fire. The statute does not require the City to waive safety standards. An evacuation study is a safety standard.
6. **Ensure the project’s parking supply is consistent with the Density Bonus Law.** At minimum, the project should provide the 72 spaces calculated under the City’s own

application of Section 65915(p)(1). If the Council grants the parking concession, it should do so only with enforceable monitoring and remediation conditions.

**This Is Not About Stopping Housing. This Is About Getting It Right.**

We understand the pressure the Council faces to approve housing. We understand that the Density Bonus Law was written to overcome local resistance to higher-density projects. We support that goal. But the Legislature was clear: produce housing, yes — and protect public safety. Both.

The Density Bonus Law does not ask the City to approve a parking concession that reduces supply below the statute’s own floor when Census data shows demand will be nearly double the assumed rate. It does not ask the City to accept a Parking Management Plan that directs overflow to public streets in a manner inconsistent with the statute’s prohibition on on-street parking. It does not ask the City to grant five development standard waivers without considering whether their cumulative effect creates a hazard. And it does not ask the City to forgo an evacuation analysis for a single-access development in a community scarred by the Tubbs Fire.

The law gives you the tools to require a better project. We are asking you to use them.

Respectfully,

Richard F. Hunt Sr. & Analisa E. Hunt  
[REDACTED], Santa Rosa, Ca 95405  
Resident of the Bennett Valley Community against Lago Fresca Project

On behalf of the Residents and Property Owners  
of the Hoen Avenue / Summerfield Road Neighborhood  
Santa Rosa, California

cc: Planning Commission, City of Santa Rosa  
Design Review and Preservation Board  
Monet Sheikhali, Supervising Planner

## SUPPLEMENTAL ATTACHMENT

### Response to W-Trans Comments on Appeal

Lago Fresca Apartments — PRJ22-019 — Agenda Item 16.1  
Submitted to the Santa Rosa City Council — February 24, 2026

---

On January 22, 2026, W-Trans submitted a response to comments raised in the appeal filed by the Bennett Valley Community Against Lago Fresca Project (Council Agenda Attachment 17). W-Trans addressed nine numbered comments from the original appeal. This supplemental attachment reviews the W-Trans responses and identifies where they confirm, fail to address, or are superseded by the data and analysis presented in our primary comment letter.

Critically, the W-Trans response was prepared before the appellants completed their Census data analysis of parking demand in Census Tract 1515.04. **W-Trans has never been asked to respond to the local vehicle ownership data that is the centerpiece of our comment letter.** The Council should understand that our primary comment letter presents new, data-driven evidence that was not part of the original appeal and has not been addressed by any traffic professional in the record.

### 1. Traffic Volumes and Parking Data Timing

*W-Trans Appeal Comment Summary: The parking data from November 2021 was collected after offices reopened and the overall on-street supply would have been similar to current conditions. Traffic volumes were updated using 2024 counts; the updated queuing shows the original 2019 analysis slightly overstated the PM peak queue (188 ft vs. 183 ft) and therefore remains valid.*

#### Our Response

W-Trans's updated queuing analysis using 2024 counts actually reveals a problem they do not acknowledge. Under the original 2019 data, the AM peak eastbound queue was **77 feet** — well short of the 170-foot driveway distance. Under the 2024 data, that same queue has increased to **174 feet** — a 126% increase that now exceeds the driveway distance. The driveway access problem has gone from a PM-only issue to an **all-day issue**. W-Trans frames this as immaterial because the AM queue is "still less than" the PM peak. But for the residents of Lago Fresca trying to enter and exit their only driveway, the relevant fact is that they will face queue blockage during both morning and evening commute periods, not just one.

The updated Synchro output also confirms that the **northbound left-turn lane (NBL) remains flagged with "#"** in both the AM and PM peak periods. This notation means the 95th percentile volume exceeds capacity and the actual queue may be longer than the model shows. In the AM peak, the modeled NBL queue is 207 feet. This is the movement from Summerfield Road turning

left onto Hoen Avenue — traffic that backs up toward the project site from the intersection. W-Trans does not discuss this capacity exceedance.

Regarding the on-street parking survey, W-Trans argues that remote workers parking at home during COVID offset the reduction in office parking, so the total on-street supply was “similar.” This is speculative and unverified. More importantly, **a parking survey from November 2021 cannot capture the parking conditions that will exist after 50 new households with 102 to 120 vehicles are added to the neighborhood.** The relevant question is not what on-street parking looked like in 2021 — it is what it will look like after this project is occupied. The W-Trans survey does not and cannot answer that question.

## 2. Parking Demand and On-Street Overflow

*W-Trans Appeal Comment Summary: The ITE parking rate projects demand of 64 spaces; 63 are proposed. Supply and demand are “well-balanced.” The City’s parking requirements “were generally developed in the mid-1900’s and reflect an autocentric society with higher parking needs.” “No evidence to the contrary has been presented in the appeal.”*

### Our Response

**Evidence to the contrary is now before the Council.** Our primary comment letter presents 2024 American Community Survey data from Census Tract 1515.04 — the specific tract in which this project is located — documenting the following:

- Average vehicles per household in the tract: **2.40** (vs. 1.93 citywide)
- Households with 2 or more vehicles: **89.0%**
- Households with zero vehicles: **2.3%** (vs. 5.8% citywide)
- Average renter household size: **3.41 persons** (vs. 2.54 citywide)

Four independent Census-based projection methods yield parking demand of **97 to 120 vehicles** for 50 units — compared to W-Trans’s ITE-based estimate of 64. The City’s own Zoning Code requires 109 spaces for this unit mix. The ITE rate of 1.3 vehicles per unit reflects a national average that includes dense urban transit-served locations where vehicle ownership is fundamentally lower. Census Tract 1515.04 is not such a location. It is a suburban, car-dependent neighborhood with vehicle ownership rates **85% higher** than the ITE rate assumes.

W-Trans’s characterization of the City’s parking requirements as relics of “an autocentric society” is an argument about policy direction. It does not respond to the factual question of whether this project, in this neighborhood, with this unit mix, will generate more vehicles than

63 spaces can accommodate. The Census data answers that question clearly: it will. The ITE Parking Generation manual itself recommends that **local data should be used where available and where study site conditions differ materially from the national sample**. An 85% gap between the ITE assumption and documented local vehicle ownership is not a marginal difference — it is a different neighborhood than the model was built for.

W-Trans also does not address the bedroom mix of the affordable units. Three of the four affordable units are **four-bedroom apartments** of 1,389 to 1,404 square feet. The study applies a flat rate of 1.0 parking space per affordable unit. A four-bedroom very low-income apartment in this tract will house a large working family. The assumption that each generates just one vehicle is not credible.

### 3. On-Street Parking Safety

*W-Trans Appeal Comment Summary: It is “reasonable to assume that it would not be any more dangerous for the new residents to park on Hoen Avenue than it is for existing residents and office workers to park there.” A crosswalk with RRFBs will be installed.*

#### Our Response

This response treats the parking overflow as a marginal addition of a few vehicles. Our Census-based analysis shows the overflow will be **40 to 60 vehicles** — not a handful. Adding 40 to 60 vehicles competing for on-street spaces on a corridor that already carries 15,100 vehicles per day, where the injury collision rate already exceeds the statewide average (as W-Trans’s own updated data confirms), is a qualitatively different condition than individual residents or office workers parking occasionally on Hoen Avenue.

Moreover, the Parking Management Plan explicitly states that “under no circumstances will a Tenant be permitted to park more than two (2) vehicles on Premises” and that “all other vehicles ... must be parked off the Premises.” This is not incidental overflow — it is a **design feature of the project** that directs excess vehicles to public streets as a matter of policy. The safety of that policy should be evaluated based on the actual number of vehicles involved, not on the generic assumption that on-street parking is always safe.

### 4. Left-Turn Egress and Driveway Operations

*W-Trans Appeal Comment Summary: Turning left out of the driveway “would be challenging” and the situation is “not ideal,” but it is “not inherently unsafe as drivers throughout Santa Rosa and elsewhere have learned to negotiate similar conditions safely.”*

#### Our Response

W-Trans concedes the left-turn egress is “challenging” and “not ideal.” What their response does not address is the **volume** of vehicles that will face this condition. This is the sole access point for 50 households generating an estimated 227 daily vehicle trips. The comparison to the adjacent driveway at 4750 Hoen Avenue is inapt — that is a low-volume office driveway, not the primary access for 150 or more residents.

W-Trans’s own updated 2024 data now shows 95th percentile eastbound queues of **174 feet in the AM peak and 183 feet in the PM peak** — reaching or exceeding the approximately 170-foot driveway distance. The driveway will be periodically blocked by queued traffic during both commute periods. Residents attempting left turns must cross two lanes of queued or moving eastbound traffic with restricted sight lines. W-Trans acknowledges this is “not ideal” but offers no mitigation beyond the bike lane striping modification — which converts cyclist safety infrastructure into a vehicle bypass lane to solve a problem created by the single access point.

## 5. Transit Service

*W-Trans Appeal Comment Summary: Route 8 runs at half-hour headways and Route 18 runs hourly, providing approximately three buses per hour combined. Bus stops are within a half mile.*

### Our Response

W-Trans’s correction on transit frequency is noted. However, three buses per hour on two routes — with stops approximately a half mile from the site — does not constitute the level of transit service that supports either the VMT density credit applied in the traffic study or the assumption in the Parking Management Plan that transit passes and car-sharing will meaningfully reduce vehicle ownership. Census Tract 1515.04 data shows that **only 2.3% of households have zero vehicles and 89% own two or more**. The existing residents of this tract — who have access to the same bus routes — overwhelmingly choose to own and drive personal vehicles. There is no basis to assume that future Lago Fresca residents, paying \$2,000 to \$3,000 per month in rent, will behave differently.

## 6. Emergency Evacuation

*W-Trans Appeal Comment Summary: W-Trans states that “comments numbered 4 and 8 are not about the traffic study, so are not addressed herein.”*

### Our Response

**Evacuation capacity has not been analyzed by any professional in the record.** W-Trans declined to address it because it falls outside their traffic study scope. The Fire Department reviewed driveway width and turnaround geometry but did not perform a timed evacuation analysis. No

one has modeled what happens when 100 or more vehicles attempt to exit a single driveway onto Hoen Avenue during a wildfire evacuation while thousands of other residents are simultaneously fleeing on the same road.

W-Trans's own updated queuing data shows that the driveway is periodically blocked by intersection queue spillback during **normal peak-hour conditions**. During a large-scale emergency evacuation, when traffic volumes on Hoen Avenue would far exceed normal peaks, the blockage would be more severe and more prolonged. This community experienced the Tubbs Fire in 2017, which killed 22 people in Sonoma County. The question of whether 50 households can safely evacuate through a single driveway onto a congested corridor is not academic — it is a life-safety issue that requires professional analysis before this project is approved.

## 7. Updated Collision Data

*W-Trans Appeal Comment Summary: Updated 2020–2024 collision data shows the intersection rate (0.25 c/mve) is below the statewide average (0.33), and the segment rate (0.94 c/mvm) is below the statewide average (1.61). However, the injury rate is above average.*

### Our Response

W-Trans's own updated collision data reveals that while the overall crash rate on Hoen Avenue between Yulupa and Summerfield is below average, the **injury rate exceeds the statewide average**. When crashes occur on this corridor, they are more likely to result in injury than is typical statewide. W-Trans themselves recommend that “the City may wish to implement focused enforcement along this corridor to reduce the incidence of crashes resulting in injury and help eliminate the potential for fatalities.”

This is the corridor that the project proposes to burden with 227 additional daily vehicle trips, 40 to 60 overflow parking vehicles, and a driveway that W-Trans concedes will create “challenging” conditions for left-turning drivers. Adding these demands to a corridor that already has an above-average injury rate — without any additional safety improvements beyond a crosswalk and striping modifications — warrants more careful analysis than this project has received.

## 8. Issues Not Addressed by W-Trans

The following issues raised in our primary comment letter are not addressed anywhere in the W-Trans response or in any other technical document in the record:

**a. Census-based parking demand:** No response to the documented 2.40 vehicles per household in Census Tract 1515.04, nor to the four independent projection methods yielding demand of 97–120 vehicles vs. 63 spaces provided.

**b. Affordable unit bedroom mix:** No response to the fact that three of four affordable units are four-bedroom apartments, making the 1.0 space per affordable unit assumption unrealistic for this project.

**c. Tandem parking and storage conversion:** No analysis of the predictable loss of functional parking capacity from the 20 covered tandem stalls, given unit sizes that are small relative to documented household sizes in this tract.

**d. VMT density credit methodology:** No response to the concern that the 30% density adjustment — which is the primary factor allowing the project to achieve a less-than-significant VMT finding — is being applied to a suburban site where the high density is an artifact of site constraints rather than urban context.

**e. Car-share program viability:** No response to the fact that the car-share research cited in the Parking Management Plan documents future avoided vehicle purchases, not reductions in existing vehicle ownership; nor that the primary car-share service model studied (Car2Go/Share Now) exited the entire North American market in 2020.

**f. Emergency evacuation capacity:** No timed evacuation analysis, no modeling of simultaneous resident egress, and no wildfire scenario evaluation for a community that experienced the Tubbs Fire.

## Conclusion

The W-Trans response to the original appeal addresses procedural and technical points raised by the appellants in December 2025. It does not — and could not — address the Census data analysis, affordable unit bedroom mix, tandem parking concerns, VMT methodology critique, and car-share viability evidence presented in our primary comment letter, because that analysis had not yet been completed.

We respectfully submit that the Council cannot rely on the W-Trans response as a complete answer to the parking and traffic concerns raised by this appeal. The most significant evidence in the record — U.S. Census data documenting vehicle ownership in this specific tract at nearly double the rate assumed by the traffic study — **has never been reviewed or responded to by any traffic professional.** We renew our request that the Council require a supplemental parking demand analysis calibrated to local data before acting on this project.

Respectfully submitted,

Richard F. Hunt Sr & Analisa E. Hunt

██████████, Santa Rosa, Ca 95405

Resident of the Bennett Valley Community Against Lago Fresca Project