

# Appeal of Minor Conditional Use Permit: 5761 Mountain Hawk Dr.

## REQUEST

**Overturn the Planning Commission approval based on  
Use Incompatibility, Scale and Operator**



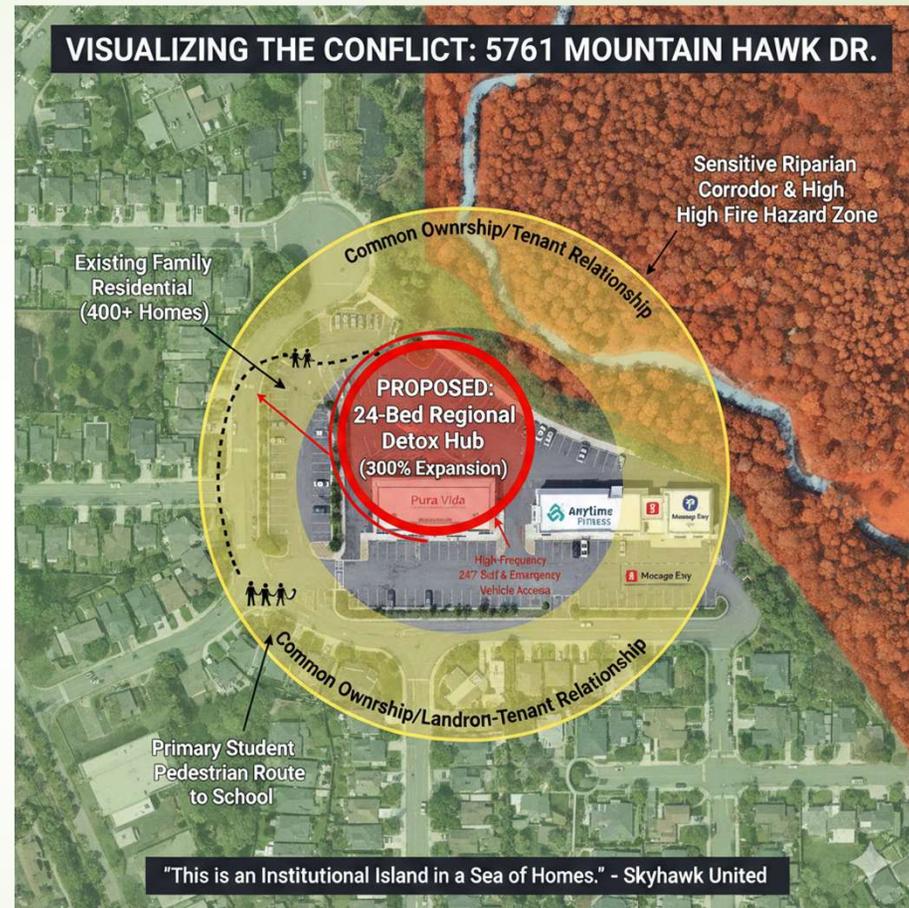


## Summary of Appellant's Position

- ▶ We support recovery services, but **location and scale matter and are appropriate bases for denial.**
- ▶ The proposal is no longer a "neighborhood home" — it is a **Regional Institutional Hub.**
  - ▶ Quadrupling capacity (from 6 to 24 beds) **changes the fundamental nature of the land use.**
  - ▶ Eliminating much needed 7 **affordable housing units** in our community.

# Conflict Map

- "Institutional Island" in a residential sea.
- Directly on a primary student walking route.
- Adjacent to a sensitive Riparian Corridor/Fire Zone.





## Zoning Integrity (The General Plan)

**Neighborhood Commercial (CN) Goal:** To serve the **day-to-day needs** of local residents.

- **The Mismatch:** The proposed expansion provides zero daily services to Skyhawk residents.
- **Precedent:** If CN zoning allows a regional institution here, no local plaza in any district is protected.



## Intensity vs. Physical Suitability

From 6 to 24 beds: **quadrupling the intensity.**

- ▶ 24/7 rotating staff shifts, medical deliveries, and emergency vehicle frequency.
- ▶ The site was designed for small-scale retail, not high-turnover institutional care.
- ▶ Lack of solution of smoking for 24 patients and staff
- ▶ Overconcentration: 500 feet away from another community care facility

# Discrediting "Independent" Support- PC Findings Unsupported by Evidence

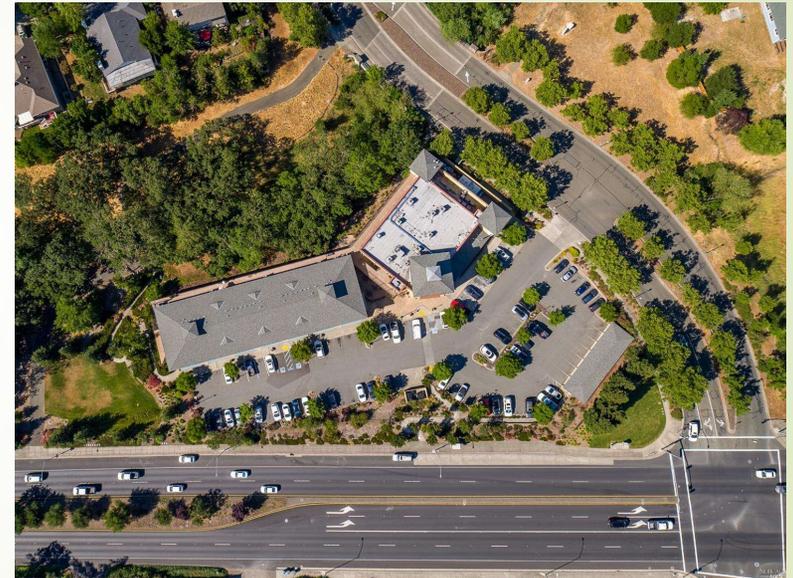
Planning Commission was told "businesses support this"

- **The Truth:** The applicant is the **landlord** for these businesses.
- Tenant support is a financial byproduct, not a community consensus.



# Safety & Fire Evacuation Risks- No Evaluation of Impacts

- 24 clients + staff at a single exit point in a fire-prone area is a **liability**.
- Detox patients are "under care" and cannot evacuate themselves independently.
- Making evacuation thru Hwy 12 exit **worse for 400+ homes**





## Pura Vida Practice & Impact on Neighborhood

- ▶ 10+ loud people smoking on front porch multiple times a day
- ▶ Neighbors are very unhappy about the noises
- ▶ Neighbors are very unhappy the amount of parking the staff take up
- ▶ 6-bed Townview Facility (1506 Rone Dr) is used for day programming for all three existing Pura Vida detox facilities
  - ▶ Up to 18 clients for day programming here
- ▶ Neighboring houses have been on and off the market for many years without a sale after several price reductions.

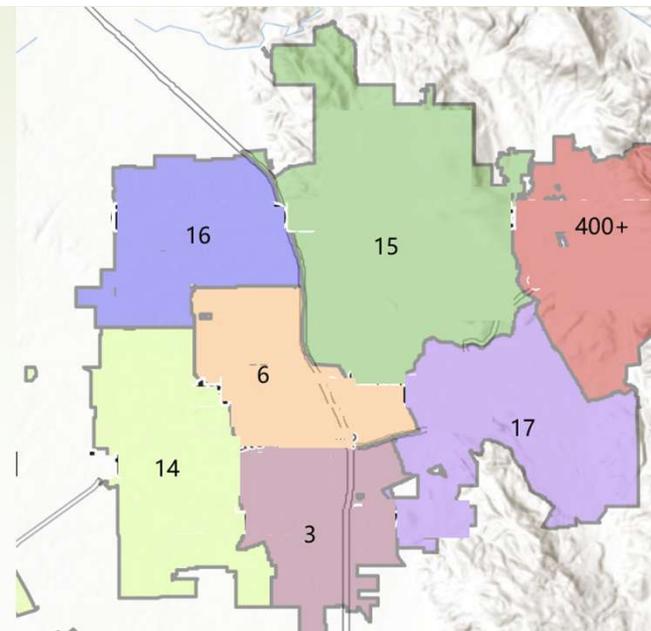


## Commissioners' Dissenting Voice – Skyhawk Neighborhood was unrepresented

- ▶ **Commissioner Carter:** Noted site is **unsuitable** for this intensity.
- ▶ **Commissioner Sanders:** Questioned the **lack of data showing a need to expand** for *this* specific location.
- ▶ **Missing Voice:** District 5's appointee (Horton) was absent.

# Collective Community Voice

- 500+ people opposed
- 120+ submitted written objections to City Council and Planning Commissioners
- Constituent opposition across **all 7 Districts.**
- This is a **city-wide mandate to protect neighborhood Commercial zoning.**



DC-8

**Petition to Stop the Skyhawk Rehab Project**

Petition summary and background: The rehab project will (1) put residents at risk, (2) affect Santa Creek Elementary school, (3) cause traffic congestion, (4) drive down property values and (5) harm small businesses in Skyhawk Village. We, the undersigned, are concerned residents who urge the City of Santa Rosa Planning and Economic Development to act now to stop the proposed Rehab Project in the Skyhawk Village.

Signatures	Printed Name	Street Address	E-mail address	Date
	ALEX WANG	5781 Ashfield Ave	alexwang@yandex.com	11/16/22
	Jose Vitero	5711 Toulon Ln	javitero@comcast.net	11/16/22
	Scott Poirier	5746 2nd St NW	scott@scottpoirier.com	11/16/22
	MIKE CLARK	5779 2nd St NW	mclark@comcast.net	11/16/22
	JOHN LUDAS	5777 2nd St NW	jludas@comcast.net	11/16/22
	Rachel Poirier	2465 2nd St NW	rachel@scottpoirier.com	11/16/22
	Banks Atene	5456 Prudell Ct	banks@comcast.net	11/16/22
	Hina Patel	5625 Birch Way	hina@comcast.net	11/16/22
	Jessica Chen	5876 Mountain Heights	jchen@comcast.net	11/16/22
	JAMES CHEN	5876 Mountain Heights	james@comcast.net	11/16/22
	Thomas Murrell	5777 2nd St NW	tmurrell@comcast.net	11/16/22
	CHRISTINA MONTEN	5777 2nd St NW	monten@comcast.net	11/16/22



# Conclusion

The Council cannot make Finding "C" (Compatibility) or Finding "D" (Suitability).

- ▶ The project violates the spirit of the "Complete Neighborhood" vision.
- ▶ Council has the discretion and ability to say no to this proposal
- ▶ **Request:** Uphold the Appeal. Deny the Permit.