

CITY OF SANTA ROSA
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL
SUBJECT: CALISTOGA COTTAGES APPEAL
STAFF PRESENTER: SUSIE MURRAY, CITY PLANNER
COMMUNITY DEVELOPMENT DEPARTMENT

AGENDA ACTION: RESOLUTIONS/ORDINANCE INTRODUCTION

ISSUE(S)

Should the City Council, by resolutions, deny the Appeal and adopt the Mitigated Negative Declaration for Calistoga Cottages and deny the Appeal and approve a General Plan diagram amendment from Very Low Density Residential (0.2 to 2.0 units per acre) to Low Density Residential (2.0 to 8.0 units per acre); introduce an ordinance denying the Appeal and rezoning the property located at 408 Calistoga Road from RR-40 (Rural Residential) to R-1-6 (Single Family Residential); and, by resolution, deny the Appeal and approve the Tentative Parcel Map subdividing the 0.99-acre parcel into four single family residential lots.

BACKGROUND

1. Surrounding Land Uses

North: Single Family Residential (Very Low Density and Low Density Residential)
South: Elementary School (Public/Institutional)
East: Single Family Residential (Low Density Residential)
West: Single Family Residential (Low Density Residential)

2. Existing Land Use – Project Site

The subject site is currently developed with an approximately 1,630-square foot single family home built in 1952. The existing home will remain.

3. Project History

In 1999, the property and surrounding neighborhood was annexed into Santa Rosa.

In 2005, the properties directly north and east, and continuing east along Monte Verde, were rezoned to the RR-20 zoning district.

On October 1, 2013, an application for General Plan Amendment was submitted to Community Development.

On October 30, 2013, a neighborhood meeting was held.

On December 10, 2013, companion applications, including a Rezoning and Tentative Parcel Map, were submitted to the Community Development Department.

On December 18, 2013, a Notice of Application was mailed.

On May 23, 2014 a Mitigated Negative Declaration was posted; comment period ending on June 22, 2014.

On June 26, 2014, the Planning Commission approved (5-0-2) four resolutions, as shown below:

- a. Adopting a Mitigated Negative Declaration, Resolution No. 11676;
- b. Recommending to the City Council approval of a General Plan Amendment changing the designated land use from Very Low Density to Low Density residential, Resolution No. 11677;
- c. Recommending to the City Council approval of a request to rezone the 0.99-acre parcel from RR-40 (Rural Residential) to R-1-6 (Single Family Residential), Resolution No. 11678; and
- d. Approving a Tentative Parcel Map, Resolution No. 11679.

On July 7, 2014, an Appeal application was submitted to the City Manager's Office.

On July 29, 2014, the City Council continued the public hearing to September 16, 2014.

4. Project Description

Subdivide the existing 0.99-acre parcel into four single-family residential lots, retaining the existing home. The project includes a General Plan Amendment from Very Low Density Residential (0.2-2.0 units per acre) to Low Density Residential (2.0-8.0 units per acre), Rezoning from the RR-40 (Rural Residential) district to the R-1-6 (Single Family Residential) district, and a Tentative Parcel Map. While no conceptual plans were included part of the project submittal, three new residential units will likely be built. Access to the lots will be made via a common drive off Calistoga Road.

ANALYSIS

1. General Plan

The General Plan land use designation for the site is Very Low Density Residential, which allows 0.2-2.0 units per acre. The proposed General Plan Amendment would change the land use designation to Low Density Residential, allowing 2.0-8.0 units per acre. The approved Tentative Parcel Map limits this site to a maximum of four single family residential lots; the existing home will remain.

Applications for a General Plan Amendment must address four questions as shown below with applicant responses:

Question: Why do you want a General Plan Amendment?

Response: The City's encouraged infill development. It's serviced by transit routes.

Question: What changes or events have occurred or what new evidence has arisen since the General Plan was adopted which now warrant a change?

Response: The need for housing. Infill housing is a method to achieve this.

Question: Have detailed neighborhood plans or other studies revealed the need for a General Plan Amendment?

Response: Not that we're aware of.

Question: Describe the effect the proposed change will have on the surrounding uses. Describe how the proposed change will affect achievement of the General Plan in this and the surrounding area.

Response: Impacts to the neighbors are negligible. The site takes its access off Calistoga road with a minor adjustment to the existing driveway. When compared to surrounding sites by using a current aerial view, this proposal is consistent in terms scope and scale. Infill on this site will provide additional needed housing opportunities.

The following General Plan Goals & Policies are supported:

LUL-A Foster a compact rather than a scattered development pattern in order to reduce travel, energy, land, and materials consumption while promoting greenhouse gas emission reductions citywide.

LUL-E Promote livable neighborhoods by requiring compliance with green building programs to ensure that new construction meets high standards of energy efficiency and sustainable material use. Ensure that everyday shopping, park and recreation facilities, and schools are within easy walking distance.

- LUL-E-4 Protect the rural quality of the Very Low Density areas within the Urban Growth Boundary through design and development standards in the Zoning Code and development review.
- UD-F Maintain and enhance the diverse character of Santa Rosa's neighborhoods. Promote the creation of neighborhoods – not subdivisions – in areas of new development.
- UD-G Design residential neighborhoods to be safe, human-scaled, and livable by addressing compact development, multi-modal connectivity and reducing energy use.
- GM-A Prevent urban sprawl by focusing growth within the Urban Growth Boundary.
- H-A Meet the housing needs of all Santa Rosa residents.
- H-A-2 Pursue the goal of meeting Santa Rosa's housing needs through increased densities, when consistent with preservation of existing neighborhoods.

Zoning Code Section 20-64.050, Findings - An amendment to the General Plan, may be approved only if all of the following findings are made, as applicable to the type of amendment.

A. Findings for General Plan amendments.

- The proposed amendment ensures and maintains internal consistency with the goals and policies of all elements of the General Plan;
- The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City;
- The site is physically suitable (including absence of physical constraints, access, compatibility with adjoining land uses, and provision of utilities) for the requested/anticipated land use developments; and
- The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA).

Staff response: The Calistoga Cottages Subdivision maintains internal consistency with and furthers the goals of the General Plan. It is surrounded by similar residential uses and the increased density along an arterial street provides housing opportunities within walking distance of public transportation, a commercial center, schools and recreation areas. The commercial center offers a grocery store, dining, and a variety of other retail and commercial services.

Nearby schools include Maria Carrillo High, Sequoia Elementary, and Rincon Valley Middle School.

The site is physically suitable for the increased density.

- Water service, sewer treatment, and other utilities are available.
- Emergency services including Police and Fire are available.
- Community shopping center, including a grocery store, restaurants, and several other retail & commercial services is within walking distance.
- Public transit is readily available.
- Access will be taken directly off Calistoga Road with an anticipated increase of 29 vehicle trips per day.

The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City and an Initial Study has been conducted resulting in Mitigated Negative Declaration.

2. Zoning

The current zoning for the subject site is RR-40 (Rural Residential), with a minimum lot size of one acre.

North: RR-20 and R-1-6 (both single family residential)

South: RR-40 (Sequoia Elementary School)

East: RR-20 (single family residential)

West: R-1-6 (single family residential)

The following Zoning Code Sections are applicable to the project:

20-22.020(B) Purposes of the residential zoning districts - The R-1 zoning district applies to areas of the City intended to be maintained as residential neighborhoods comprised of detached and attached single family houses, clustered residential hillside projects, and small multi-family projects, together with compatible accessory uses. The R-1 zoning district implements and is consistent with the Low Density Residential land use classification of the General Plan.

20-22.040 (Table 2-3) Residential Zoning District Parcel Size and Density –

- Gross Area (minimum lot size): Interior lots 6,000 sf, corner lots 7,000 sf
- Width (measured midway between front and rear lot lines): Interior lots 60 ft., corner lots 70 ft.

20-64.030(A) Commission action on amendments – A recommendation to the Council for the approval of a proposed amendment shall be by resolution, and carried by the affirmative vote of at least four Commissioners; otherwise the proposal shall be deemed denied.

20-64.050 Findings - An amendment to the Zoning Map may be approved only if all of the following findings are made, as applicable to the type of amendment.

1. Findings required for all Zoning Code/Map amendments:

- The proposed amendment is consistent with the goals and policies of all elements of the General Plan, and any applicable specific plan;
- The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City; and
- The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA).
- The site is physically suitable (including absence of physical constraints, access, compatibility with adjoining land uses, and provision of utilities) for the requested zoning designations and anticipated land use/developments.

Staff Response: The requested rezoning will reduce the minimum lot size from one acre to 6,000 square feet. The approved Tentative Parcel Map has four lots ranging in size from 7,833 square feet to 13,705 square feet. The site is surrounded to the north and east, along Monte Verde Drive, by the RR-20 zoning district which allows a minimum lot size of 20,000 sf. Properties to the west, across Calistoga Road, are within the R-1-6 zoning district which allows a minimum lot size of 6,000 sf. It is bordered to the south by Sequoia Elementary School. The proposed subdivision will be accessed off Calistoga Road via a private common driveway.

The proposed General Plan Amendment coupled with the Rezoning is necessary to maintain internal consistency. The change would further the goals and policies of the General Plan, has been reviewed in compliance with the California Environmental Quality Act resulting in a Mitigated Negative Declaration, and would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.

The site is physically suited for the proposed change. Water, sewer, and other utilities are available; public transit is available; it is in close proximity to several schools and recreation areas, and a commercial center with a grocery store, dining opportunities, and many other services are within walking distance.

3. Environmental Review

An Initial Study was conducted in compliance with the California Environmental Quality Act (CEQA) resulting in a Mitigated Negative Declaration which concludes that, with the implementation of identified mitigation measures, the proposed project would have no significant environmental impacts. A Notice of Intent was posted for a 30-day period, from May 23, 2014 to June 23, 2014. No comments were received during that time.

In terms of the analysis, the project includes a General Plan Amendment, Rezoning, and Tentative Parcel Map. The application submittal did not include any proposed floor plans or conceptual drawings for future homes; however, the analysis did consider the future construction of three new homes. As a result, environmental factors potentially affected included biological resources, air quality, and noise. Standard mitigation measures have been implemented reducing all impacts to a less than significant level. Plans consistent with the R-1-6 development standards will be subject to a ministerial review through the building permit process.

The Initial Study includes discussion regarding biological resources, cultural resources, traffic impacts, and the existing residence. There are four studies that support these topics: Biological Assessment prepared by Laurence P. Stromberg, Ph.D. dated March 6, 2014; Arborist's Report prepared by Becky Duckles, Landscape Consultant & Arborist, dated February 28, 2014; Traffic Study prepared by W-Trans, dated February 28, 2014; and Cultural Resources Study prepared by Dawn Meeks and Janine M. Origer, M.A./R.P.A., dated May 13, 2014

4. Comments/Actions by Other Review Boards/Agencies

On June 26, 2014, the Planning Commission held a public hearing regarding Calistoga Cottages which proposes to subdivide a 0.99-acre parcel into four individual lots. Presentations were made by staff and the applicant. Additional public comments were heard, some of which included PowerPoint slides, and several neighbors opposed the project. The Planning Commission adopted the Mitigated Negative Declaration, approved two resolutions recommending to the City Council to approve both a General Plan Amendment from Very Low Density Residential to Low Density Residential and the Rezoning from RR-40 (Rural Residential) to R-1-6 (Single Family Residential), and approved the Tentative Parcel Map.

The Commission concluded that the proposed subdivision, which takes access off Calistoga Road, does not impede onto Monte Verde Drive, has access readily available to public services, is in close proximity to a commercial center, and has

access to public transit readily available. They further commented that the subject site is ideal for infill.

5. Appeal Request

On July 7, 2014, an Appeal application was submitted by Paul Bussard and Lynn Denley-Bussard to the City Manager's Office of which a complete copy is included with this report. To summarize, they are appealing the action taken by the Commission including the adoption of a Mitigated Negative Declaration, approval of the Tentative Parcel Map, and the recommendation to the Council approve both General Plan Amendment and Rezoning. The grounds upon which the appeal is filed are:

Number 1: The deed restrictions (CC&Rs) for this neighborhood prohibit subdivision of the property at 408 Calistoga Road into a lot size of less than 1 acre and only allow one residential unit per acre.

Staff Response: The City does not enforce Covenants, Conditions and Restrictions (CC&Rs). The subject property is one of 21 properties within the boundaries of the CC&Rs that are less than one acre in size. All 39 parcels within the boundaries are zoned RR-20 (Rural Residential) which allows a minimum parcel size of 20,000 square feet.

Number 2: The city policy of ignoring CC&Rs discriminates against the other property owners in the subdivision, especially the elderly who are on fixed incomes.

Staff Response: CC&R's involve a private civil matter which the City does not enforce.

Number 3: Development of 408 Calistoga Road would violate the City's ordinance protecting heritage Valley Oak trees.

Staff Response: During the project review, the site plan was modified to protect existing trees. The Mitigation Monitoring Program, established as part of the Mitigated Negative Declaration, includes measures for tree protection which require appropriate fencing and maintaining of existing grade within those fenced areas. In the event a tree needs to be removed in the future, a tree removal permit may be required to comply with the City's Tree Ordinance, Section 17-24.050.

Number 4: Real Equity Partners LLC is no longer the owner of 408 Calistoga Road.

Staff Response: Real Equity Property Holdings LLC is the new Primary Owner, but has the same controlling parties. A new Disclosure Form is included with this packet.

6. Neighborhood Comments

At the neighborhood meeting, held on October 30, 2013, 12 neighbors attended. Their concerns included:

- Increased density
- Disruption of the rural nature
- Traffic impacts to both Monte Verde Road and Sequoia Elementary School

In addition to the issues mentioned above, several comments were received from neighbors along Monte Verde Drive raising concern about the enforcement of the Conditions, Covenants, and Restrictions (CC&Rs). The applicant is aware of those comments and the City does not enforce CC&Rs.

A neighborhood petition, representing 35 properties located predominately along Monte Verde Drive, opposing the project was received.

7. Public Improvements/On-Site Improvements

The following public and site improvements shall apply:

- Calistoga Road will be improved to meet Boulevard Standards along the project frontage, and will include decorative street lighting.
- Street trees will be required, planted by the developer, and maintained by the property owners.
- The subdivision will include a public water main and public sewer main in the private drive
- The private drive will be a minimum of 20 feet wide and built to City Minor Street structural standards, and include a turn-around for emergency vehicle access.
- Because all residences of this subdivision will access Calistoga Road by way of the proposed common private drive, it will be covered by a separate joint maintenance agreement.

- All landscape and irrigation plans will comply with the City's Water Efficient Landscape Ordinance.

8. Issues

Traffic on Monte Verde Drive – Many residents along Monte Verde Drive are concerned about the potential increase in traffic along their street. The only access to the proposed subdivision will be off Calistoga Road. A direct path of travel to a nearby commercial center, many schools and recreation areas, and to Highway 12 will not require the use of Monte Verde Drive. The level of traffic along Monte Verde Drive is not anticipated to increase.

Increased traffic levels near Sequoia Elementary School – In a traffic study prepared by W-Trans, dated February 28, 2014, the proximity of the Calistoga Cottages in relation to Sequoia Elementary School was evaluated. Per the study, "In this vicinity, Calistoga Road is straight and flat, and has one travel lane, a bike lane and a parking lane in each direction, together with a center turn lane. The posted speed limit on Calistoga Road is 35 mph, though the site is located within a school zone with a posted speed 25-mph speed limit when children are present. Because of the geometrics and alignment of Calistoga Road, sight lines for drivers entering and exiting the driveway substantially exceed the 250 feet of stopping sight distance suggested in the Caltrans Highway Design Manual for a 35-mph approach speed."

Protect the rural nature of the existing Monte Verde Road area – The proposed 4-lot subdivision will provide a gradual transition between the rural residential neighborhood located to the east along Monte Verde Drive and the higher density residential neighborhood to the west along Calistoga Road.

Cultural Resources – Graton Rancheria expressed concern that the site may contain buried cultural resources. A cultural resource study was prepared by Dawn Meeks and Janine M. Origer, M.A./R.P.A., dated May 13, 2014. The study included the digging of three auger borings, located at the front, center and rear of the site, during which no evidence of cultural resources were found.

Ms. Origer further explained that areas located within 200 meters of a historic lake or stream are generally considered to have a greater potential to contain buried resources. Areas located more than 200 meters from a sustainable source of freshwater have moderate to low potential for buried deposits. The nearest reliable source of fresh water for the property is more than 500 meters to the south. This fact, combined with the results of the field survey lead to the conclusion that no additional subsurface work is warranted. The tribe was satisfied with the recommendation.

Ground Water Recharge – Nearby neighbors that rely on wells for potable water are concerned about the site being a valuable recharge area. The site is currently developed with a home, garage and driveway rendering approximately 8% of the surface area impermeable. The addition of three more homes could increase the impermeable surface to approximately 50%. The project itself is not large enough to trigger Low Impact Development (LID) or Standard Urban Stormwater Mitigation Plan (SUSMP) requirements. Future building permits will, however, be required to comply with the City's Water Efficient Landscape Ordinance (WELO) and CALGreen, Tier 1.

Conditions, Covenants, and Restrictions (CC&Rs) – There are CC&Rs for the Monte Verde Subdivision, which includes the subject site that limit development to one home per acre. There were several comments voicing concern about compliance with the CC&R's; however, the City does not enforce them.

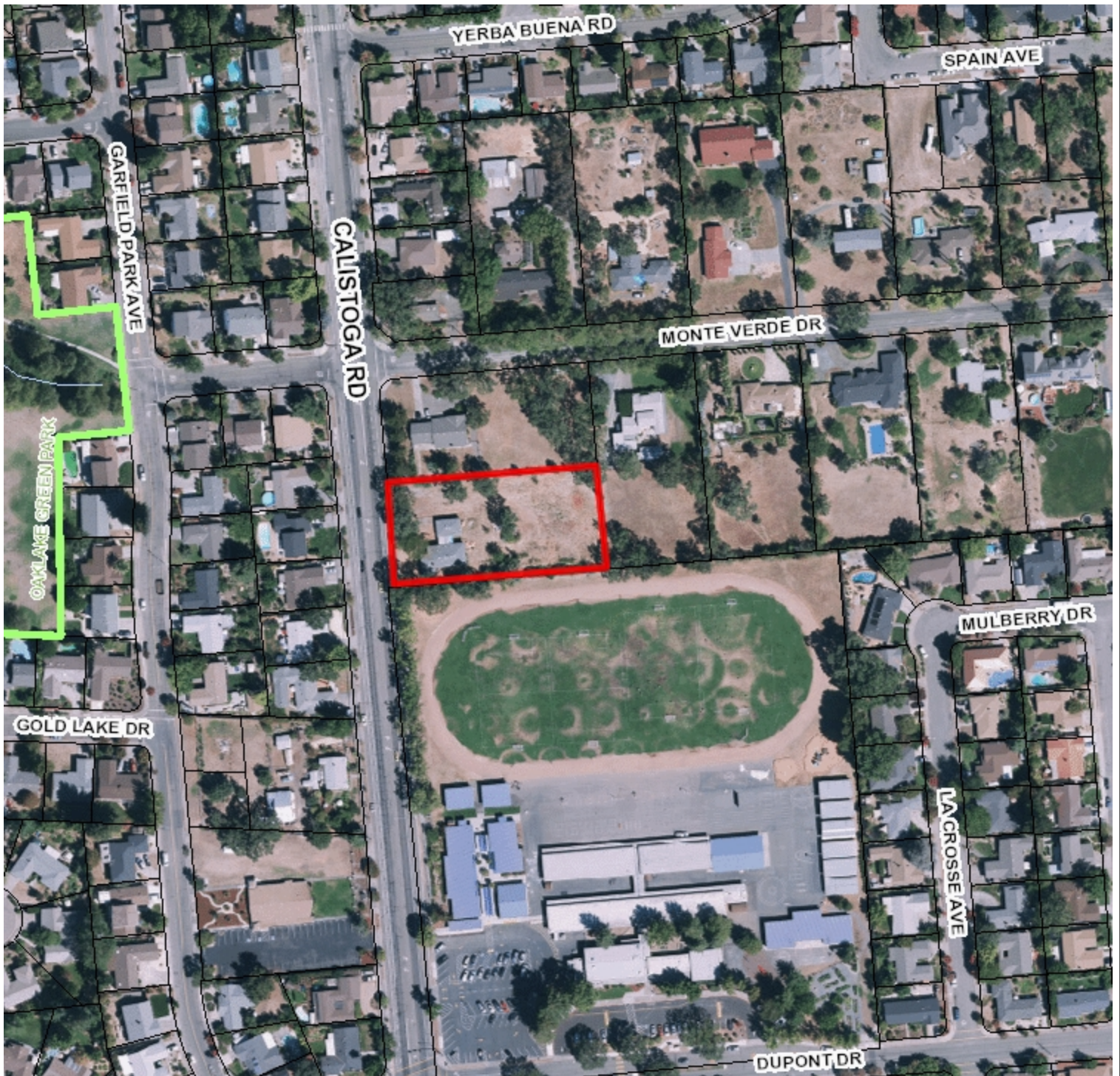
RECOMMENDATION

It is recommended by the Planning Commission and Department of Community Development that the Council, by three resolutions, deny the Appeal and adopt the Mitigated Negative Declaration for Calistoga Cottages and deny the Appeal and approve a General Plan diagram amendment from Very Low Density Residential (0.2 to 2.0 units per acre) to Low Density Residential (2.0 to 8.0 units per acre); introduce an ordinance denying the Appeal and Rezoning the property located at 408 Calistoga Road from RR-40 (Rural Residential) to R-1-6 (Single Family Residential); and, by resolution, deny the Appeal and approve the Tentative Parcel Map subdividing the 0.99-acre parcel into four single family residential lots.

Author: Susie Murray

Attachments:

- Attachment 1 - Aerial and Location Map
- Attachment 2 - Disclosure Form
- Attachment 3 - General Plan/Zoning Map
- Attachment 4 - Site Analysis Map
- Attachment 5 - Tentative Map
- Attachment 6 - Attachment 4 - Petition and Public Comments
- Attachment 7 - Initial Study/Mitigated Negative Declaration (including the Biological Study, Arborist's Report, and Traffic Study)
- Attachment 8 - Cultural Resources Study
- Attachment 9 - Clarification memo to Planning Commission
- Attachment 10 - Planning Commission Resolution Nos. 11676, 11677, 11678, and 11679
- Attachment 11 - Planning Commission Draft June 26, 2014 Meeting Minutes
- Attachment 12 - Cultural Resources & Traffic Follow-up Information
- Attachment 13 - Appeal Application



408 Calistoga Road
General Plan Amendment, Rezoning, and
Tentative Parcel Map
MJP13-007



5/6/2014

Scale 1: 2,400

0 Miles 0.04



DISCLOSURE FORM

Please Type or Print


File No.	Quad.
Related Files	
DEPARTMENT USE ONLY	

www.srcity.org

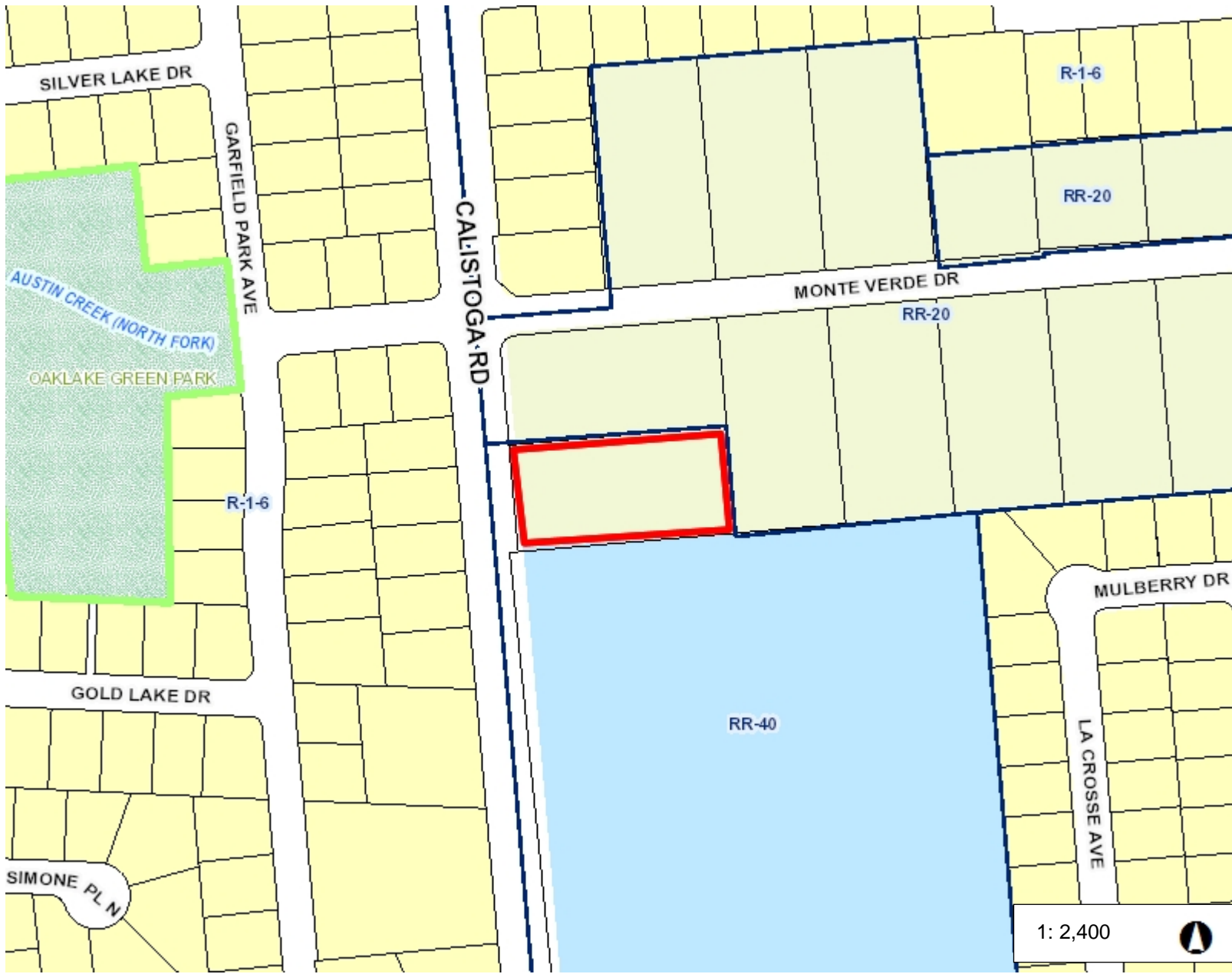
DISCLOSURE FORM	Project Title: <u>Calistoga Cottages. 408 Calistoga Road, Santa Rosa, Ca 95409</u> (Include site address)	
	Please provide the name of each individual, partnership, corporation, LLC, or trust who has an interest in the proposed land use action. Include the names of all applicants, developers, property owners, and each person or entity that holds an option on the property.	
	Individuals:	Identify all individuals
	Partnerships:	Identify all general and limited partners
	Corporations:	Identify all shareholders owning 10% or more of the stock and all officers and directors (unless the corporation is listed on any major stock exchange, in which case only the identity of the exchange must be listed.
	LLCs:	Identify all members, managers, partners, officers and directors.
	Trusts:	Identify all trustees and beneficiaries.
	Option Holders:	Identify all holders of options on the real property.
	Full Name:	Address:
	Ted Hollen III	Managing Member of Real Equity Partners, LLC 50% owner
Jeff Komar	Managing Member of Real Equity Partners, LLC 50% owner	
Ted Hollen III	Managing Member of Real Equity Property Holdings, LLC 50% owner	
Jeff Komar	Managing Member of Real Equity Property Holdings, LLC 50% owner	
In addition, please identify the name of each civil engineer, architect, and consultant for the project.		
Full Name:	Address:	

Additional names and addresses attached: Yes No

The above information shall be promptly updated by the applicant to reflect any change that occurs prior to final action.

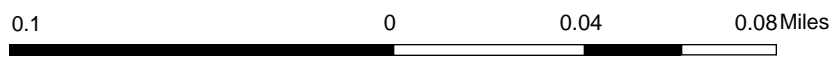
I certify that the above information is true and correct:  Applicant 7/9/14 Date

Land Use & Zoning Districts



Legend

- Zoning
- Urban Growth Boundary
- City Boundary
- Creek**
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- Park**
- Park
- Historic
- Open Space
- Trail
- + Rail Road
- Parcels
- County
- GP Land Use**
- Country Residential
- Very Low Density Residential
- Low Density/Open Space
- Low Density Residential
- Medium Low Density Residential
- Medium Density Residential
- Medium High Density Residential
- Mobile Homes
- Retail & Business Services
- Retail/Medium Residential Mixed U
- Retail/High Residential Mixed Use
- Office/High Residential Mixed Use
- Office/Med Residential
- Lt Ind/Med Residential Mixed Use
- Office

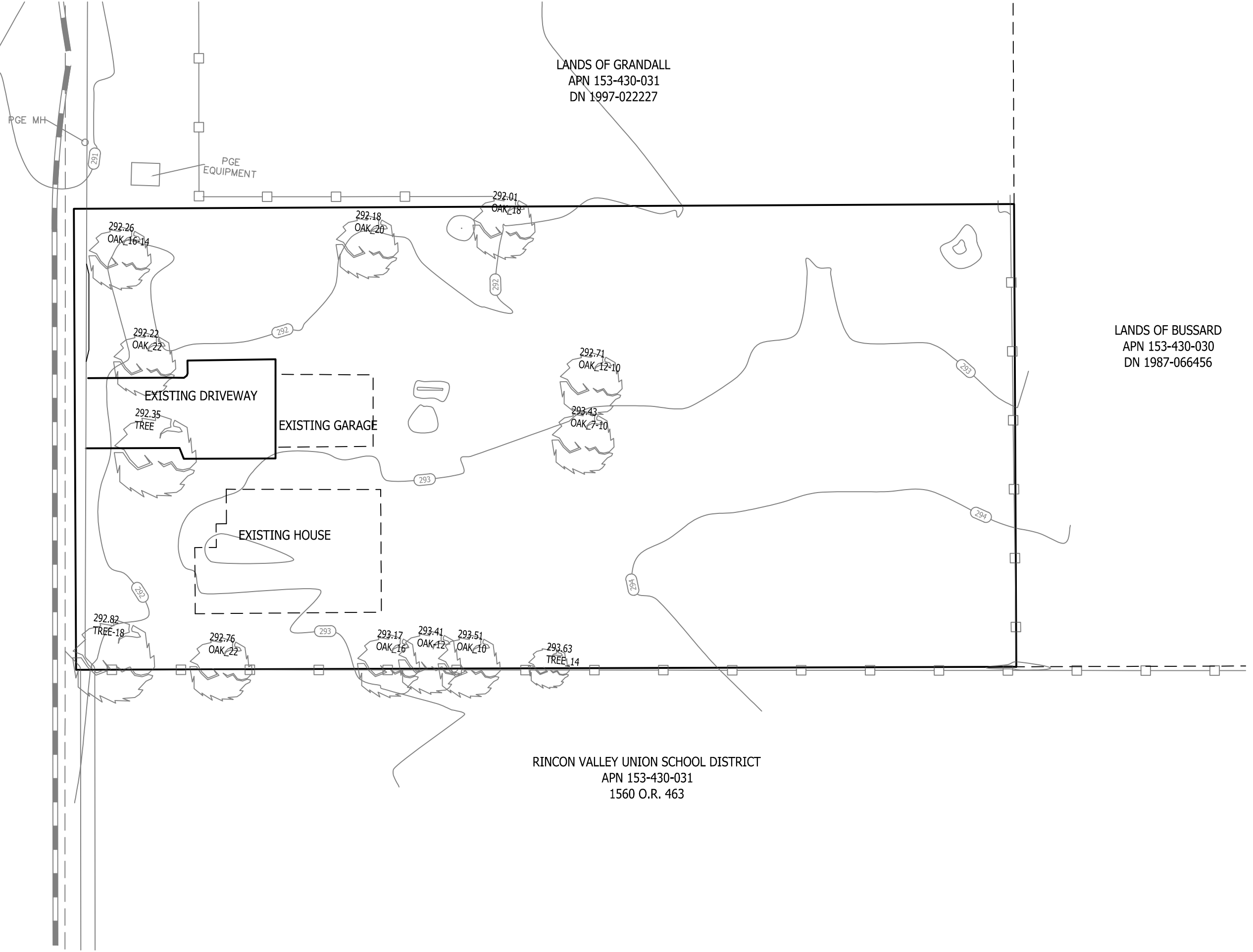


This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
 THIS MAP IS NOT TO BE USED FOR NAVIGATION

1: 2,400

Notes
 408 Calistoga Road
 MJP13-007

CALISTOGA ROAD



LANDS OF GRANDALL
APN 153-430-031
DN 1997-022227

LANDS OF BUSSARD
APN 153-430-030
DN 1987-066456

RINCON VALLEY UNION SCHOOL DISTRICT
APN 153-430-031
1560 O.R. 463

SITE ANALYSIS
CALISTOGA COTTAGES
408 CALISTOGA ROAD

SANTA ROSA, CA

T.D.G. CONSULTING CIVIL ENGINEERS, INC.

3628 AIRWAY DRIVE
SANTA ROSA, CALIF. 95403
(707) 577-0435



Submitted

R.C.E. 43079

Date 12/23/2013

Scale 1"=30'

Draw DVS

Designed CCT

Job No. 13104

Sheet **1**

of 1 Sheets

PROPOSED	EXISTING

LEGEND

GENERAL NOTES

GRADING SHALL BE IN ACCORDANCE WITH CALIFORNIA BUILDING CODE CHAPTER 18 AND APPENDIX J, LATEST EDITION.
 EXISTING WELLS AND OR SEPTIC SYSTEMS TO BE ABANDONED AS REQUIRED BY THE SONOMA COUNTY PERM.
 ALL EXISTING STRUCTURES AND TREES ARE TO BE SAVED UNLESS OTHERWISE NOTED.
 ENGINEER IS NOT AWARE OF ANY HAZARDOUS MATERIALS ON THIS SITE. THIS SITE DOES NOT LIE WITHIN A 100 YEAR FLOOD ZONE.
 CONTOURS SHOWN ARE FOR REFERENCE PURPOSES ONLY.
 COMMON DRIVEWAYS WILL BE MAINTAINED THROUGH A DRIVEWAY MAINTENANCE AGREEMENT AS PART OF THE CORRS.
 HOUSES TO BE SAVED WILL NEED TO BE INSPECTED.
 ENGINEER IS NOT AWARE OF ANY ADVERSE SOILS CONDITION THAT WOULD PRECLUDE THIS TYPE OF DEVELOPMENT.
 A SOILS REPORT SHALL BE DONE PRIOR TO FINAL DESIGN STAGE.

PROJECT DATA

OWNER/DEVELOPER:
 REAL EQUITY PARTNERS LLC
 1301 FARMERS LANE #302
 SANTA ROSA, CA 95405
 707-577-9425

BLANNER:
 SCOTT SCHELENGER, CSW LAND
 LIC
 P.O. BOX 921
 SANTA ROSA, CA 95402
 707-921-5000

ENGINEER: T.D.G. CONSULTING
 SCOTT SCHELENGER, INC.
 SANTA ROSA, CA 95403
 707-577-4425

SITE ADDRESS:
 408 CALISTOGA ROAD
 SANTA ROSA, CA 95409

A.P. NO. 153-430-032

DOC. NO. 2013-35441

SITE AREA: 0.99 ACRES

PRESENT ZONING - RR-40

PROPOSED ZONING - R-1-6

NUMBER OF LOTS = 4

MINIMUM LOT SIZE: 7,833 S.F.

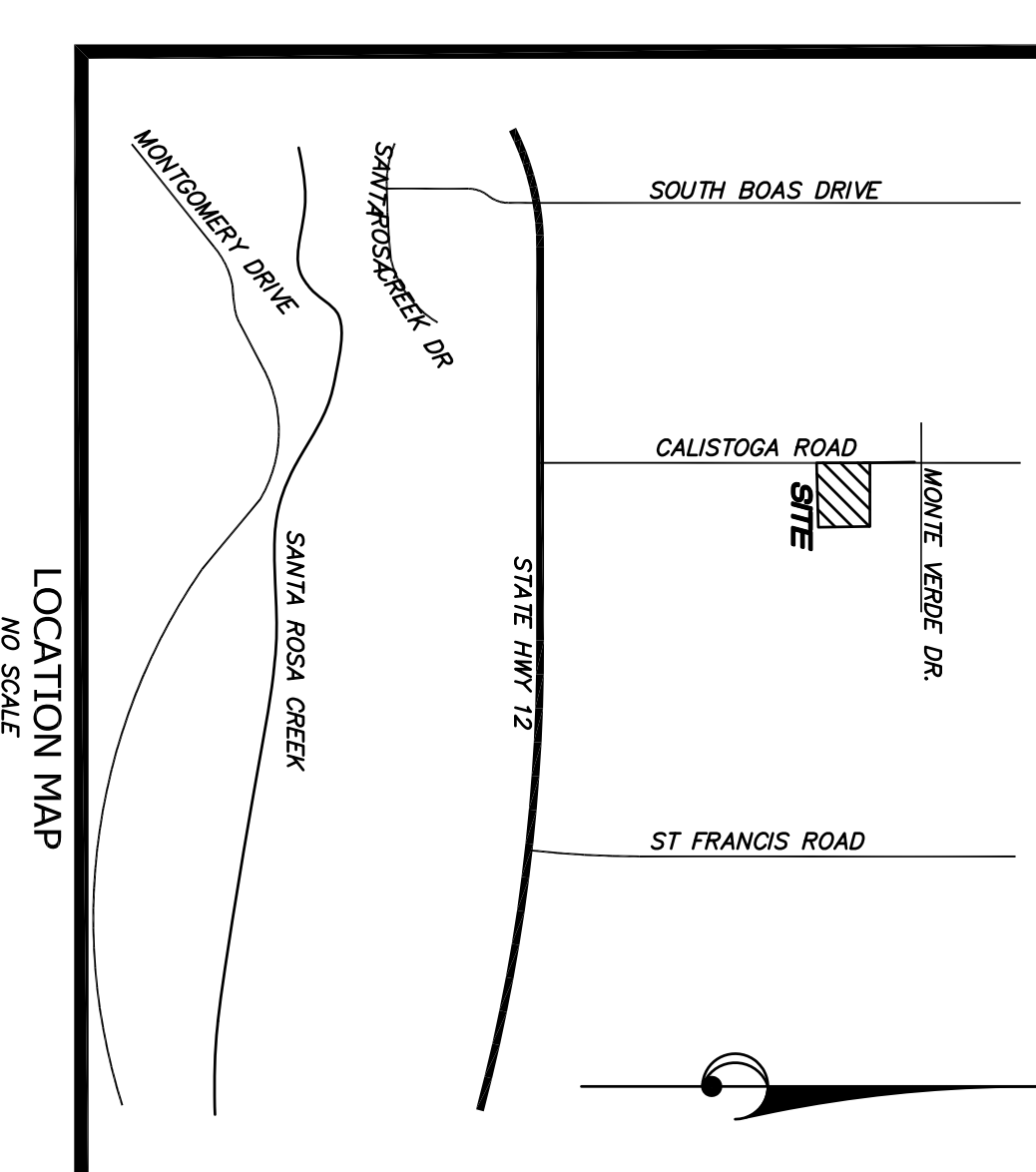
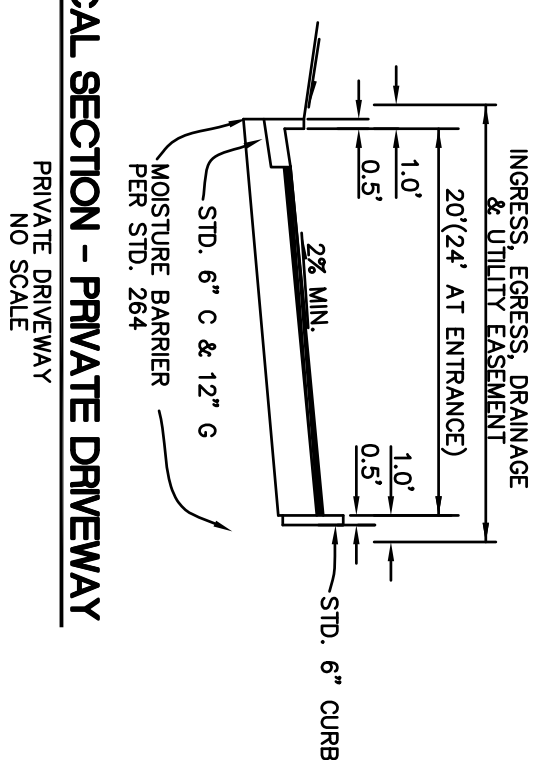
MAXIMUM LOT SIZE: 13,205 S.F.

AVERAGE LOT SIZE: 10,812 S.F.

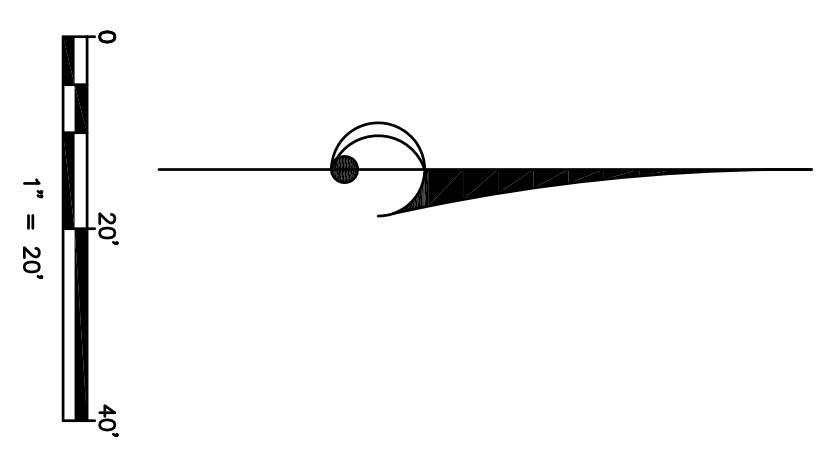
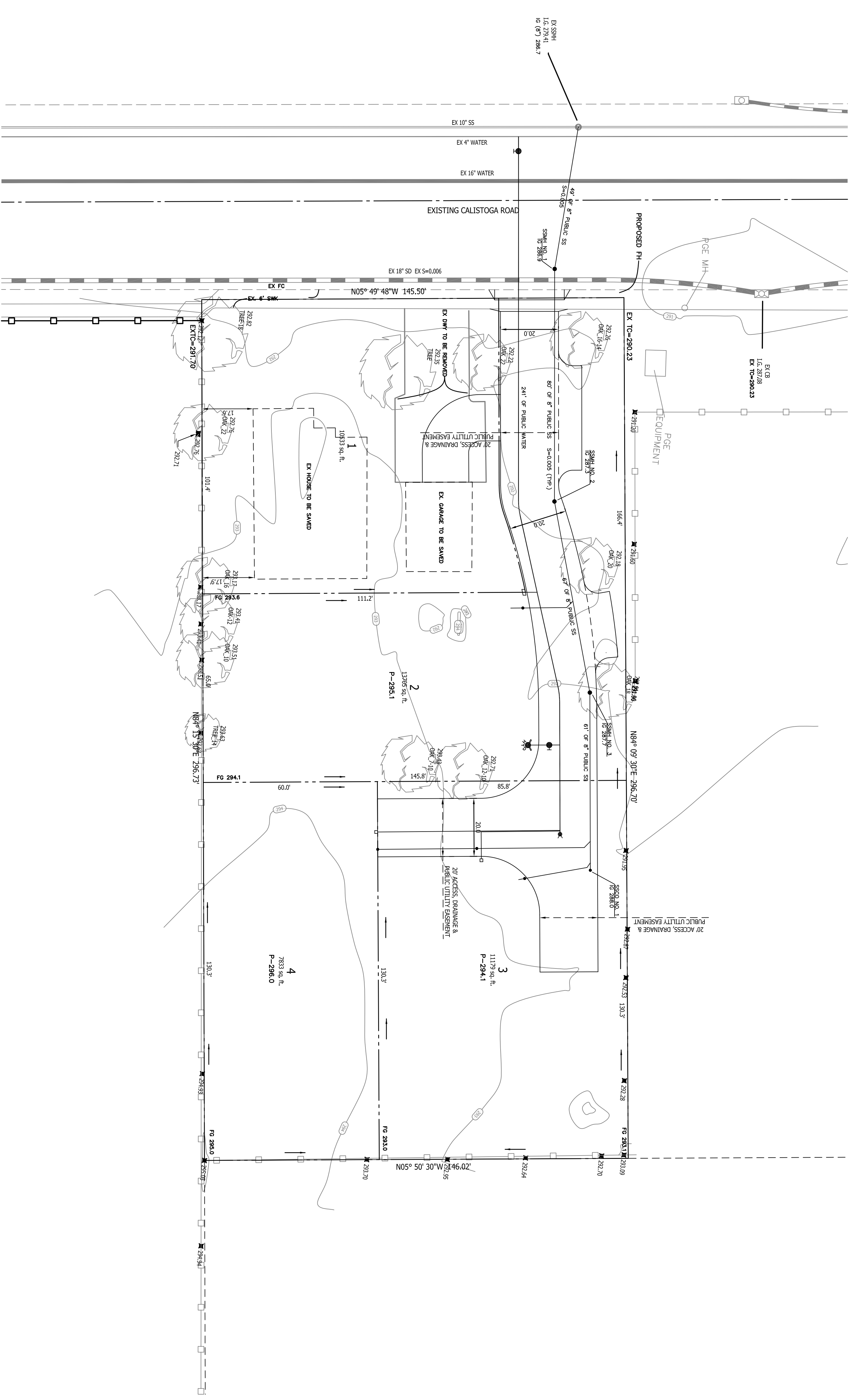
NUMBER OF UNITS = 1 EXISTING AND 3 FUTURE CUSTOM HOMES

DENSITY 4.04 UNITS PER ACRE

TYPICAL SECTION - PRIVATE DRIVEWAY



LOCATION MAP
NO SCALE



LANDS OF
CALISTOGA COTTAGES
 408 CALISTOGA ROAD
 TENTATIVE PARCEL MAP
 SANTA ROSA, CA

T.D.G. CONSULTING CIVIL ENGINEERS, INC.
 3628 AIRWAY DRIVE
 SANTA ROSA, CALIF. 95403
 (707) 577-0425

Submitted R.C.E. 43079

Date	4/2/2014
Scale	1"=20'
Drawn	DVS/JRM
Designed	CT
Job No.	13104
Sheet	1
of 1	Sheets

November 14, 2013

To: Susie Murray, Department of Community Development
100 Santa Rosa Avenue, Room 3
Santa Rosa, CA 95404

From: Residents of Monte Verde Drive, Calistoga Road, Spain Avenue and
Yerba Buena Avenue

Re: Calistoga Cottages – 408 Calistoga Road, Santa Rosa
File No. GPAM13-00/PRAP13-008

Contents:

1. A petition from residents of our neighborhood who are strongly opposed to a change in the General Plan to allow for the construction of additional single-family dwellings at 408 Monte Verde Drive.
2. A map indicating the location and street number of the residents who signed the petition.
 - a. Residents who are opposed to changing the General Plan are coded in red.
 - b. Residents in favor of changing the General Plan are coded in green.
 - c. Residents we were unable to contact are coded in white.
3. A copy of the Conditions, Covenants and Restrictions that apply to 408 Calistoga Road and the other 26 lots of the Monte Verde Subdivision is provided for your reference.

CITY OF SANTA ROSA
Santa Rosa, CA

NOV 14 2013

DEPARTMENT OF
COMMUNITY DEVELOPMENT

Re: Calistoga Cottages – 408 Calistoga Road, Santa Rosa (File No. GPAM13-00-PRAP13-008)

We, the undersigned, are against a change in the General Plan designation for 408 Calistoga Road from RR-40 to R-2-8 because:

1. The Monte Verde subdivision, which includes 408 Calistoga Road, was created in 1948 with lot sizes from 1 to 1.6 acres. The Conditions, Covenants and Restrictions for this neighborhood limit building to one single-family residence per acre. A copy of those Conditions, Covenants and Restrictions are attached.
2. The RR-40 zoning protects the rural lifestyle of our neighborhood and allows families to raise goats, chickens, ducks, miniature horses and other small livestock. It also provides a green-belt along the northern border of Sequoia Elementary School and creates a natural habitat for wildlife
3. We are strongly opposed to higher density developments in our neighborhood. The properties adjacent to 408 Calistoga Road are zoned RR-20 & RR-40. The properties across Calistoga Road are zoned R-1-6. The only properties along Calistoga Road that are designated R-2-8 in the General Plan are two mobile-home parks, over a mile away, near the intersection of Calistoga Road and Montecito Blvd.
4. The developer's conceptual design for 408 Calistoga Road, as presented at the neighborhood meeting, is for the construction of 3 homes behind the existing residence. Currently, no other home along this section of Calistoga Road has a second residence built behind it.
5. The orientation of the lot requires each of the 3 new homes to share a driveway. There are no other homes in the area that share a driveway. All the other homes, including the small lots in the mobile home parks, have their own driveways.

Name	Address
Paul & Lynn Bussard	5232 Monte Verde Drive
Gloria Pennato (Gloria)	5244 Monte Verde Drive
Paul Kretscholtz's Jo (owner)	5342 Monte Verde Drive
Bryan and Meg Carr	5410 Monte Verde Drive
John Ely (John Gotts)	5434 Monte Verde Drive
Emma A. Chance EMMA A. CHANCE	5446 Monte Verde Dr Santa Rosa
LINDA ATTERBURY	5520 Monte Verde Dr Santa Rosa
Josh McGarva	5330 Monte Verde Dr, Santa Rosa

Re: Calistoga Cottages – 408 Calistoga Road, Santa Rosa (File No. GPAM13-00-PRAP13-008)

We, the undersigned, are against a change in the General Plan designation for 408 Calistoga Road from RR-40 to R-2-8 because:

1. The Monte Verde subdivision, which includes 408 Calistoga Road, was created in 1948 with lot sizes from 1 to 1.6 acres. The Conditions, Covenants and Restrictions for this neighborhood limit building to one single-family residence per acre. A copy of those Conditions, Covenants and Restrictions are attached.
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Name	Address
Kathleen Wilcox	5318 Monte Verde Dr
Bill Schorauer	476 Calistoga Road
Harold Brown	114 Brooklet trail
ANGELICA MARTINEZ	5200 YERBA BUENA RD
Jacquelyn Jones	5224 Yerba Buena Rd
Jim W. Jones	5224 YERBA BUENA RD
Jose Santiago	423 Calistoga Rd
Mary Palengat	415 Calistoga Rd

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Name	Address
Toni Kehr	5521 MONTE VERDE DR
ROBIN HOLT	5445 MONTE VERDE DR
Kevin Wolski-	5421 Monte Verde
MICHAEL REID	5416 SPAEN AVE
DEBORAH REID	5416 SPAEN AVE
Leslie Wolski:	5421 Monte Verde
BILL BORNSTEIN	5317 MONTEVERDE
ROBIN ANGERER FRAN ANGERER	5239 MONTE VERDE DR

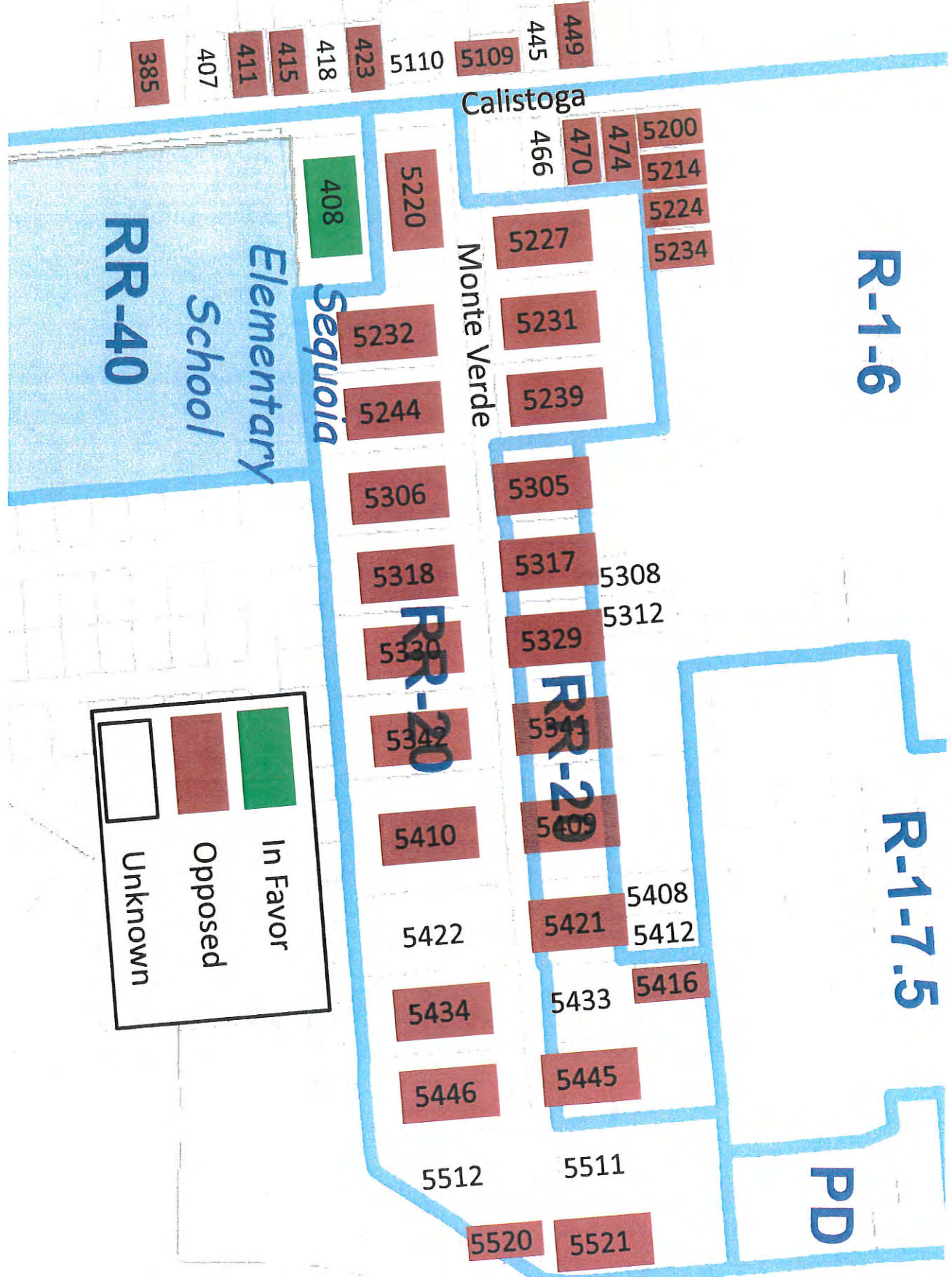
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5. The orientation of the lot requires each of the 3 new homes to share a driveway. There are no other homes in the area that share a driveway. All the other homes, including the small lots in the mobile home parks, have their own driveways.

Name	Address
CHRIS JOHANNESSEN	411 CALISTOGA RD
John Daly	5306 Monte Verde Dr.
KENNY GRANDALL	5220 MONTE VERDE DR.
KAREN GRANDALL	5220 MONTE VERDE DR.

Name	Address
Becky Thueber Kuhlman.	5231 Monte Verde Dr.
Benjamin Kuhlman.	5231 Monte Verde Dr.
Andy Villagante	5227 Monte Verde Dr.
Yam Villagante	5227 Monte Verde Dr.
LEON SPAMER	474 Calistoga Rd
Katherine Larson	5214 Yerba Buena Rd.
COREY LARSON	5214 Yerba Buena Rd.
Art Horner	5234 Yerba Buena Rd
Lourdes Lopez	5234 Yerba Buena Rd
Mabel Riza	449 Calistoga Road
Jesus de la Ossa	5109 Monte Verde Dr.
Jose de la Ossa	5109 Monte Verde Dr.
Alec Rich	385 Calistoga Dr.



Monte Verde Residents Opposed to Calistoga Cottages Project, January 2014			
Address	Name	Signed	Opposed
North Side		Petition	did not sign petition
5521	Toni Kehr	x	
5511	Robert & Dorthy Pawley		
5445	Gannon & Robin Holt	x	
5433			
5421	Kevin & Leslie Wolski	x	
5409	Raymond & Gladys Widdifield	x	
5341	Congeta Aime		x
5329	Sarrubi Trust (Vido)		x
5317	Art & Charlene Bornstein	x	
5305	George & Karen Dib		x
5239	Francis & Robin Angerer	x	
5231	Ben Kuhlman & Becky Thurber	x	
5227	Andrew & Karine Villegiante	x	
5110	Mary Edith Dahl	x	
5109	Jesus & Joyce de la Ossa	x	
South Side			
5520	Philip & Linda Atterbury	x	
5512	Walker & Helen Atterbury		x
5446	Emma Chance	x	
5434	John & Carol Gotts	x	
5422	Roy & Janice Memeo		
5410	Bryan & Meg Carr	x	
5342	Paul Kruetzfeldt & Joann Conant	x	
5330	Josh & Stacey McGarva	x	
5318	David Hoffman & Kathy Wilcox	x	
5306	John & Kelly Daly	x	
5244	Gloria Pennato	x	
5232	Paul & Lynn Bussard	x	
5220	Ken & Karen Grandall	x	

Calistoga Road Residents Opposed to Calistoga Cottages Project, January 2014

385	Alec Rich	x	
407	Ric Bartolome	x	
411	Chris Johannesen	x	
415	Mary Palengat	x	
418			
423	Joe Santiago	x	
445			x
449	Mike & Candice Herfurth	x	
470	Bill Scherrer	x	
474	Leon Spamer	x	

Spain Avenue Residents Opposed to Calistoga Cottages Project, January 2014

5416	Michael & Deborah Reed	x	
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Yerba Buena Resients Opposed to Calistoga Cottages Project, January 2014

5200	Angelica Martinez	x	
5214	Corey & Katherine Larsen	x	
5224	Jim & Jacqueline Jones	x	
5234	Art Horner & Lourdes Lopez	x	

Other Residents Opposed to Calistoga Cottages Project, January 2014

114	Brooktrail Ct. Harold Brown	x	
Total		35	5

P. J. Laughlin

BOOK 810 PAGE 254

DECLARATION OF CONDITIONS AND RESTRICTIONS

1
2
3 WHEREAS, the undersigned are the owners or have an
4 interest in a certain tract of land situated in the County of
5 Sonoma, State of California, and particularly described as follows,
6 to-wit:

7 "Being a portion of the Rancho Los Guilicos, said
8 portion being more particularly described as follows:
9 Commencing at a point on the Rancho line between the
10 Rancho Los Guilicos and Rancho Cabeza de Santa Rosa, said point
11 being South 5° 45' East, a distance of 3463.02 feet from the
12 common Northerly corner of said Ranchos; thence North 84° 09' 30"
13 East and along the Southerly line of the 20.40 acre parcel of
14 land conveyed to C. L. Carlton and wife by Deed recorded November
15 28, 1942 in Book 585 of Official Records, page 163, Recorder's
16 Serial No. B-53312, Sonoma County Records, a distance of 30 feet
17 to a point, said point being the point of beginning of the parcel
18 of land to be herein described; thence from said point of beginn-
19 ing North 84° 09' 30" East and continuing along the Southerly
20 line of said 20.40 acre parcel of land, 2147.96 feet; thence South
21 5° 58' 10" East, 305.20 feet; thence South 10° 39' 10" West 58.23
22 feet; thence South 31° 26' 30" West 361.07 feet; thence South 84°
23 15' 30" West 1914.42 feet; thence North 5° 45' West, 645 feet,
24 more or less, to the point of beginning.

25 RESERVING over said 31.19 acre tract of land an easement
26 for an open and unobstructed right of way for all general road
27 purposes and for the joint use and benefit of all parties hereto
28 and their successors in interest, over and along a strip of land
29 40 feet in width, said strip of land being described as:

30 COMMENCING at a point in the center of the County Road
31 leading from Santa Rosa to Calistoga, said point being the North-
32 westerly corner of the hereinabove described 31.19 acre tract of
33 land; thence from said point of commencement, South 5° 45' East,
34 327.50 feet, to the center of a 40 foot road, as now constructed,
35 said point being the point of beginning of the strip of land to
36 be herein described; thence from said point of beginning, North
37 84° 09' 30" East, and along the center of said 40 foot right of
38 way, a distance of 2176 feet, more or less, to the Easterly line
39 of the hereinabove described 31.19 acre tract of land, as reserved
40 in the Quitclaim Deed dated July 6, 1948 and made by Reynolds Bu-
41 zard and Dorothy M. Buzard, his wife, to Peter J. Wegesser and
42 Inez M. Wegesser, his wife, and thereafter recorded in the office
43 of the County Recorder of Sonoma County, California.

44 WHEREAS, the undersigned are about to sell property
45 hereinabove described which they desire to subject to certain
46 restrictions, conditions, covenants and agreements between it and
47 the purchasers of said property as hereinafter set forth.

48 NOW, THEREFORE, the undersigned do hereby declare that
49 the above described property is held and shall be conveyed and
50 hereafter owned subject to the restrictions, conditions, covenants
51 and agreements between it and the purchasers of said property and
52 their heirs, executors, administrators, successors and assigns

1 as hereinafter set forth:

2 1. Said real property is declared to be residential in
3 character and no building shall be erected upon any part thereof
4 except single family dwellings of not more than two stories, to-
5 gether with appropriate out-houses and garages for private use.

6 2. The main dwelling on any parcel of said real prop-
7 erty shall be originally constructed thereon and no building or
8 structure shall be moved onto any parcel of said real property
9 to be used or occupied as a main dwelling.

10 3. No trade whatsoever, of any type, nature or descrip-
11 tion, craft, commercial or manufacturing enterprise shall be
12 conducted upon any of said real property nor within any building
13 thereon, nor shall anything be done which may be or become an
14 annoyance or nuisance to the neighborhood.

15 4. No part of said property, nor any building erected
16 thereon shall be occupied or resided/or used in any instance
17 by any person not of the white Caucasian race, domestic servants
18 of a reasonable number being an exception hereunder.

19 5. No more than one residential unit shall be construc-
20 ted on any one acre parcel of said property within the subdivision
21 and no parcel of land within the subdivision shall be resubdivided
22 into building plots having less than one acre of area. Nothing
23 herein, however, shall prevent the owner of any parcel in said
24 subdivision from constructing guest cottages or similar struc-
25 tures in connection with his principal dwelling.

26 6. No hogs, cattle, cows or any other livestock shall
27 be kept or maintained upon said property except the following:
28 Chickens, pigeons, rabbits and other similar small livestock not
29 exceeding 50 of each kind for each acre provided that such live-
30 stock must be properly enclosed upon the owner's property; saddle
31 horses not exceeding two for each acre. Said restriction will
32 not prohibit the keeping of individual household pets such as dogs
and cats.

7. The principal dwelling house to be constructed upon
any parcel of said real property shall be not less than 750 Sq.ft.
in area.

8. No trailer, other than the permanent interim dwelling,
tent, shack, garage, barn, or other outbuilding erected within
the subdivision for longer than a period of three years beginning
from the date such premises are first occupied, shall at any time
be used or occupied as a residence for longer than a period of
three years beginning from the date such premises are first occu-
pied.

9. No cesspool, privy or privy vault or receptacle of
any kind for the purpose of storage of liquid waste, except septic
tanks of a type approved by the Sonoma County health officer, shall
be built or maintained upon any part of said property, excepting
that temporary privies may be permitted during the course of the
construction of a building. Septic tanks shall be constructed not
closer than thirty(30) feet to any property line. All septic tanks
and drains shall be maintained so that no offensive odors reach
the surface of the ground. However, septic tanks of the type
herein designated must be constructed, maintained, and used in

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cases where said property is continually used, occupied and re-
sided upon, even though the main dwelling may not be completed.

10. The main building or structure on any parcel of
land shall be not less than fifty(50)feet from the front line of
each building parcel.

11. No commercial or advertising signs or placards of
any description shall be constructed, maintained, placed upon
or suffered to be maintained or placed upon any of the property
within said subdivision.

12. All of the restrictions, conditions, covenants and
agreements contained herein shall be and are made and imposed
upon the property within the subdivision for the direct mutual
and reciprocal benefit of each and every parcel of said subdivi-
sion and shall bind the grantees of each of said parcels, their
heirs, successors and assigns.

13. The undersigned do hereby covenant and promise
themselves, their heirs, and assigns that all of and each part
of the above described property shall be held, sold, leased, used
alienated, or encumbered subject to the restrictions, conditions,
covenants, and agreements contained herein, and that the benefit
of the undersigned's covenants shall extend to all of or each
part or parcel of the above described property. It is further
understood and agreed that each and every person who may pur-
chase, take, receive, or is granted any or all of the above de-
scribed property does take subject to and with knowledge of the
conditions, restrictions, covenants, and agreements contained
herein and does hereby covenant and promise for themselves,
their heirs, and assigns that all of and each part of the above
described property shall be held, used, sold, leased, alienated,
or encumbered subject to the restrictions, conditions, covenants,
and agreements contained herein, and that the benefit of such
covenants shall extend to all of or each part or parcel of the
above described property.

14. If the parties hereto, or any of them or their
heirs or assigns shall violate or attempt to violate any of the
covenants or restrictions herein, it shall be lawful for any
other person or persons owning any other lots in said tract of
land to prosecute any proceedings at law or equity against the
person or persons violating or attempting to violate any such
covenant or restriction and either to prevent him or them from
so doing, or to recover damages or other dues for such violations.

15. Invalidation of any one of these covenants by judg-
ment or court order shall in no wise affect any of the other
provisions which shall remain in full force and effect.

Peter J. Wegesser
Inez M Wegesser

Murray, Susie

From: ldenley-bussard@comcast.net
Sent: Monday, January 13, 2014 4:57 PM
To: Murray, Susie
Cc: Denley-Bussard, Lynn; Karine Villeggiante; Becky Thurber; Benjamin Kuhlman; Paul Bussard-Gmail
Subject: Re: Calistoga Cottages MJP13-007 (GPAM13-003/MIN13-002/REZ13-007
Attachments: petition-opposed-calistoga-cottages-01-13.pdf; residents-opposed.xlsx

Hi Susie,

In answer to your questions:

1. Some of the home owners who are opposed to the Calistoga Cottages Project did not sign the petition. We are enclosing a spreadsheet of the 35 names and addresses of home owners who signed the petition and the 5 homeowners who did not sign, but are still opposed to the project. We are also sending an additional petition of homeowners in the neighborhood who signed a petition against the project this afternoon.

2. Please use the Powerpoint graphic with the legend. We will update the graphic before the public hearing.

Let us know if you have any additional questions.

Thanks,

Lynn & Paul Bussard

From: "Susie Murray" <SMurray@srcity.org>
To: ldenley-bussard@comcast.net
Sent: Monday, January 13, 2014 8:21:10 AM
Subject: RE: Calistoga Cottages MJP13-007 (GPAM13-003/MIN13-002/REZ13-007

Hello Mrs. & Mr. Bussard,

I've added this to the file. I have a couple questions:

1. Is this regarding the petition I already received? If so, there are more signatures than red boxes.
2. The attachment PowerPoint graphic had two slides, both relatively the same, the legend being the only difference I can see. I've saved them both but wanted to make sure that was intentional.

Thank you.

Susie Murray | City Planner
Community Development | 100 Santa Rosa Avenue | Santa Rosa, CA 95404
Tel. (707) 543-4348 | Fax (707) 543-3269 | smurray@srcity.org



From: ldenley-bussard@comcast.net [mailto:ldenley-bussard@comcast.net]

Sent: Sunday, January 12, 2014 10:13 PM

To: Murray, Susie

Cc: Denley-Bussard, Lynn; Karine Villeggiante; Becky Thurber; Benjamin Kuhlman; Paul Bussard-Gmail

Subject: Calistoga Cottages MJP13-007 (GPAM13-003/MIN13-002/REZ13-007)

Hi Susie,

Here is a copy of the parcel map showing the addresses of the 35 home owners located on Calistoga Road, Yerba Buena and Monte Verde Drive who signed the petition opposed to the Calistoga Cottages Project. Please add any individual letters or emails sent by residents in response to the initial neighborhood meeting in your file for this project as it moves forward through the process.

Thanks for all your help.

Sincerely,

Lynn & Paul Bussard
5232 Monte Verde Drive

Re: Calistoga Cottages – 408 Calistoga Road, Santa Rosa
File Numbers: (MJP13-007 GPAM13-003/MIN13-002/REZ13-007)

We, the undersigned, are against a change in the General Plan designation for 408 Calistoga Road from RR-40 to R-2-8 because:

1. The RR-40 zoning protects the rural lifestyle of our neighborhood and allows families to raise goats, chickens, ducks, miniature horses and other small livestock. It also provides a green-belt along the northern border of Sequoia Elementary School and creates a natural habitat for wildlife
2. The properties adjacent to 408 Calistoga Road are zoned RR-20 & RR-40. The properties across Calistoga Road are zoned R-1-6.
3. The conceptual design for 408 Calistoga Road, as presented at the neighborhood meeting, is for the construction of 3 homes behind the existing residence. Currently, no other home along this section of Calistoga Road has a second residence built behind it.
4. The orientation of the lot requires each of the 3 new homes to share a driveway. There are no other homes in the area that share a driveway. All the other homes, including the small lots in the mobile home parks, have their own driveways.

Name	Address
Raymond & Gladys Widdifield	5109 Monte Verde Dr
Mary Edith Dahl	5110 Monte Verde Dr.
R. C. Bartolome	407 Calistoga Rd.

Murray, Susie

From: Sheila Weese <sheilaweese@gmail.com>
Sent: Monday, January 13, 2014 10:27 AM
To: Murray, Susie
Subject: Calistoga Cottages - 408 Calistoga Road, Santa Rosa

To: Santa Rosa Department of Community Development
Re: Calistoga Cottages - 408 Calistoga Road, Santa Rosa File Numbers: MJP13-007 (GPAM13-003/MIN13-002/REZ13-007)

We have resided at 233 Calistoga Road for 35 years. We are very much aware of the property in question and totally oppose the General Plan Amendment.

The traffic on Calistoga Road has been a problem for years. I am sure if you review the traffic accidents and deaths that have occurred within a few blocks radius of 408 Calistoga Road, you will see why we believe allowing up to 8.0 units on this property would be a mistake. Even the 4 proposed homes would generate possibly 8 more cars entering and exiting a very busy thoroughfare. The traffic is especially impacted by the two schools which both border Calistoga Road within less than a mile of the property. Sequoia School is directly next door to the property in question. An example of the traffic in the area are the bike lanes. They are rarely used. People are afraid to use the lanes due to the amount of traffic. Changing the zoning just intensifies the problem.

Our other concern is once you allow one property in the area to change from Very Low Density to Low Density Residential it will open the door for others to also request a change. If one property in our residential area is allowed the change, it would be very hard not to allow all other requests. The families in this area have purchased homes here specifically because of the Very Low Density Residential zoning. Just because one developer wants to make a large profit should not take precedence over all the other property owners in the area.

Thank you for listening to our comments in strong opposition to the General Plan Amendment.
Jim and Sheila Weese
233 Calistoga Road
Santa Rosa, CA 95409
(707) 539-9644

CITY OF SANTA ROSA
P.O. Box 1678
Santa Rosa, CA 95412

D

Ms Mary E Dahl
5110 Monte Verde Dr
Santa Rosa, CA 95409-3745

JAN 8 2014

DEPARTMENT OF
COMMUNITY DEVELOPMENT

January 7, 2014

Dear Susie Murray, City Planner,

RE, Calistoga Cottages - 408 Calistoga Road, Santa Rosa
File #'s: HJP 13-007 (GPAM 13-003/HIN 13-002/REZ 13-007)

I, Mary Edith Dahl, a homeowner on the corner of Monte Verde Dr & Calistoga Rd am highly opposed to any further building, Cottages etc to be built at 408 Calistoga Rd.

Throughout 44 yrs in my home, I've seen that property become a place of many problems - many times the police, sheriffs have been called, shootings, drugs, but buildings pieced together with odds & ends of material, being rented out without proper clearance, not maintained, cars, motorcycles being repaired all times of the day and night, and heaven only knows what else went on there.

We do not need any more cars trying to pull out from the property onto Calistoga Road. It's highly congested now, with school traffic etc. let alone more pollution.

No, we don't need any more buildings on that property.

Thank you

Miss Mary E. Dahl

Murray, Susie

From: Kevin Wolski <Kevin@indyhg.com>
Sent: Friday, November 15, 2013 12:30 AM
To: Murray, Susie
Subject: Monte Verde

A little late but weighing in on Proposal to rezone from 2 homes per acre to 8. EIGHT???? That's crazy. Just because some developer wants to make some money? The onus should be on them-not us to have to fight this ludicrous proposal. It's silly for this street/neighborhood.

Kevin Wolski
Independent Hotel Group
(707) 526-1553

Murray, Susie

From: Mike and Debbie Reid <rmikedeb@comcast.net>
Sent: Thursday, November 14, 2013 11:09 PM
To: Murray, Susie
Subject: Opposition to rezoning application for property at 408 Calistoga Rd.

Dear Ms. Susie Murray,

I am writing to let you know that my wife and I are opposed to the rezoning of the property at 408 Calistoga Road as it is a single family lot as it should be. I have spoken with some of my neighbors and we do not want to see our neighborhood turned into an area where people buy single family homes so they can cram multiple dwellings on a lot and thereby increase traffic and population density around our homes and schools.

It is not feasible for all the lots in this area to go from one dwelling to potentially eight dwellings when considering traffic and the potentially negative effect on such a huge increase in population density. If you approve one application like this then how can you reject future applications that attempt the same thing?

This is exactly the type of application that your office should be rejecting as it serves only the interest of the person who bought this property to turn a short term profit without regard for the long term consequences of the other people who have chosen to make this neighborhood their home.

Thank you for your consideration and service.

Michael and Deborah Reid
5416 Spain Ave. Santa Rosa

Murray, Susie

From: Robin Angerer <adlogo@icloud.com>
Sent: Thursday, November 14, 2013 7:25 PM
To: Murray, Susie
Subject: Zoning change 408 Calistoga Raod

Hi Susie, Fran and I are in strong opposition to the proposed zoning change at the property located at 408 Calistoga Road and will do whatever it takes to stop this from happening. We have lived here for 13 years and like the openness of our area. We now have 5 grandchildren who I watch on a regular basis at our house at 5239 Monte Verde Drive. It is a safe place for them to play but might not be if more cars are going and coming. Monte Verde Drive is all ready a very busy road with cars going as fast as 50 to 60 miles a hour up & down our road. Thank you Fran & Robin Angerer 5239 Monte Verde Drive

Sent from my iPad

Dear Susie,

I am writing to you in regards to the proposed zoning change at 408 Calistoga Road. My family moved into the neighborhood just over three years ago with the hope to have a little 'country' in the city. My son attended the local elementary school – Sequoia – located adjacent to the property noted above. He was able to walk to school safely and securely – something not everyone can say anymore. In the future our daughter will attend their as well. I think it is important to note that we are not new to Santa Rosa or to Rincon Valley. In fact we owned a home only 3 miles away which was located behind Madrone Elementary school. While living in such close proximity to multi-family dwellings seemed like a blessing with the idea of more kids for my son to play with – what we ultimately learned is that this lead to more crime and safety concerns. My son did attend Madrone Elementary School for a few years. After the last 3 'Lock Downs' (just a few of many) at the school due to the nearby home crimes – we made a decision to look elsewhere for a better home for our family.

Our decision to relocate was not taken lightly and was a significant cost for us – but was done for the safety of our growing family. I believe that if we begin to allow changes to zoning in this area, it will turn into yet another overdeveloped area of Santa Rosa that will quickly become undesirable. What is to stop other developers from buying all the properties around us and doing the same thing? Allowing the potential of 2-8 units on just under an acre is absurd within the confines of this neighborhood. There is no precedence and/or any other homes that are even close to this type of set-up for several miles.

My children and many others located north of the local school will have their minimal freedom of walking to school challenged by this one significant change in the neighborhood. With only one driveway on this property – every child will have to pass carefully in hopes of not being 'in the way' of the many vehicles that could enter and exit this location.

In a time when the safety of our children – especially near schools – is at the top of everyone's minds in Sonoma County – this is NOT a decision to be taken lightly. I will not rest until I know everything has been done by any and all counsel members to not only address my investment in the neighborhood, but most importantly all the children that could be affected by the change. I feel the RR-40 zoning is critical to retaining the unique rural character of our neighborhood – this is what I came here for.

Please feel free to contact me with any questions regarding my plea and I look forward to attending all meetings regarding 408 Calistoga Rd.

Thank you for your attention to this matter,

Benjamin & Becky Kuhlman

Andrew & Slater too...

5231 Monte Verde Drive

707-758-4528

Murray, Susie

From: Phil Atterbury <philatt@sonic.net>
Sent: Tuesday, October 29, 2013 7:40 PM
To: Murray, Susie
Subject: Calistoga Cottages (File No. GPAM13-00/PRAP13-008)

Susie Murray
Department of Community Development
100 Santa Rosa Ave, Room 3
Santa Rosa, Ca. 95404

Dear Susie,

My name is Philip Atterbury. I reside at 5520 Monte Verde Dr, Santa Rosa, Ca. 95409. I am writing in response to the "Notice of Neighborhood Meeting" regarding the proposed land use change of the General Plan. The property location is 408 Calistoga Rd.

I want to present my opposition to this proposed change. The RR-40 designation is in keeping with the long standing environment of this area. Higher density housing rezoning for this and other parcels in the local area is a significant change to the character of the neighborhood. The increased traffic and street access along with related safety issues do not make sense. The current land use zoning designation as "Very Low Density Residential" should be maintained.

Thank you,

Sincerely,

Philip G. Atterbury

Murray, Susie

From: Murray, Susie
Sent: Wednesday, October 30, 2013 4:12 PM
To: 'ldenley-bussard@comcast.net'
Subject: FW: Calistoga Cottages - 408 Calistoga Road, Santa Rosa (File No. GPAM13-00/PRAP13-008)

Hello Lynn,

Thank you for comments and the list of addresses; I've added them to the file and mailing list, respectively.

Susie Murray | City Planner

Community Development | 100 Santa Rosa Avenue | Santa Rosa, CA 95404
Tel. (707) 543-4348 | Fax (707) 543-3269 | smurray@srcity.org



From: ldenley-bussard@comcast.net [<mailto:ldenley-bussard@comcast.net>]
Sent: Tuesday, October 29, 2013 9:45 AM
To: Murray, Susie
Cc: karinev@sbcglobal.net; Ben Kuhlman; Becky Thurber; Lynn Denley-Bussard
Subject: Calistoga Cottages - 408 Calistoga Road, Santa Rosa (File No. GPAM13-00/PRAP13-008)

Dear Susie,

I am writing to you in regards to the proposed zoning change at 408 Calistoga Road. This one-acre parcel is part of the Monte Verde subdivision, created in the early 1950's, and is subject to deed restrictions that apply to all lots in the subdivision.

Item five of the restrictions, conditions, covenants and agreements state: "No more than one residential unit shall be constructed on any one acre parcel of land". Members in the neighborhood have retained legal counsel in the past and courts consistently uphold CC&Rs and rule in favor of homeowner associations on these issues.

Yesterday, Karine Villegiante and I walked the neighborhood and passed out copies of the information that you sent to us. All of the property owners that we spoke to oppose a change in zoning. They feel the RR-40 zoning is critical to retaining the unique rural character of our neighborhood.

However, they are willing to compromise and allow a second home behind 408 Calistoga Road. This second residence should have its own driveway and blend in with the other homes along Calistoga Road.

Several property owners in the Monte Verde subdivision plan to attend the meeting on Wednesday to express their opinions. Those who are elderly or infirm have asked me to speak for them.

Murray, Susie

From: Karine Villeggiante <karinev@sbcglobal.net>
Sent: Tuesday, October 29, 2013 3:36 PM
To: Murray, Susie; Lynn Bussard; Ben Kuhlman; Becky Thurber; Robin Angerer
Subject: Calistoga Cottages - 408 Calistoga Road, Santa Rosa (File No. GPAM13-00/PRAP13-008)

Dear Ms. Susie Murray,

I am writing in strong opposition to the proposed zoning change at the property located at 408 Calistoga Rd.

This property is located within the Monte Verde subdivision as is our home at 5227 Monte Verde Drive. We have lived here since 1997 and specifically purchased this property because we greatly love and value the rural aspect of the neighborhood, as do the 24 other neighbors in our subdivision. Our neighborhood has fought hard and retained legal counsel in order to protect and preserve the RR-40 zoning and rural appearance of our beautiful street. Our street is highly valued by the surrounding neighborhoods and brings distinction to the Rincon Valley area.

The current application is for the new owner/developer to split their one-acre lot into four lots and build three additional homes behind their existing home. However, this proposed zoning change would pave the way for this developer to potentially increase the density up to eight homes. Our zoning and neighborhood restrictions only allows for one dwelling on each property located within the Monte Verde Subdivision.

This developer has no vested interest in our neighborhood other than financial gain. He will maximize his profit and move on to another project leaving this neighborhood to live with the impact of increased traffic, crime due to higher density housing, fire danger due to the flag lot and health and safety risks to the children of Sequoia Elementary School located right next to the subject property..

I walked the neighborhood yesterday and hand delivered a copy of the Notice of Neighborhood Meeting. I was shocked to learn how many of my neighbors did not receive a copy of this notice from the City of Santa Rosa.

The RR-40 zoning is critical to retaining the unique rural character of our neighborhood and everyone I spoke with was in strong opposition. Many will be attending the meeting on Wednesday.

Sincerely,
Karine & Andrew Villeggiante

Please note, as of November 1st, my First Priority Financial (FPF) email address is now:
karine.villeggiante@fpfmail.com

This new email provides additional FPF-security to protect the data and communications of our clients. I will continue to use karinev@sbcglobal.net as my personal email address.

KARINE VILLEGGIANTE

Real Estate Lending Services
CA DRE# 01423844 / NMLS# 230197

Tel: 707 291-5889
Fax: 707 578-3995

First Priority Financial, Inc.
3554 Round Barn Boulevard, Suite 205, Santa Rosa, CA 95403
First Priority Financial, Inc. is licensed by the CA Dept. of RE, license #00654852

October 29, 2013

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Item five of the restrictions, conditions, covenants and agreements state: "No more than one residential unit shall be constructed on any one acre parcel of land". Members in the neighborhood have retained legal counsel in the past and courts consistently uphold CC&Rs and rule in favor of homeowner associations on these issues.

Yesterday, Karine Villegiante and I walked the neighborhood and passed out copies of the information that you sent to us. All of the property owners that we spoke to oppose a change in zoning. They feel the RR-40 zoning is critical to retaining the unique rural character of our neighborhood.

However, they are willing to compromise and allow a second home behind 408 Calistoga Road. This second residence should have its own driveway and blend in with the other homes along Calistoga Road.

Several property owners in the Monte Verde subdivision plan to attend the meeting on Wednesday to express their opinions. Those who are elderly or infirm have asked me to speak for them.

In the future, please include all of the property owners in the Monte Verde subdivision in your mailings. I have attached a list of addresses for your convenience.

Sincerely,



Lynn Denley-Bussard
5232 Monte Verde Drive

CITY OF SANTA ROSA
P.O. Box 1678
Santa Rosa, CA 95402
OCT 30 2013
DEPARTMENT OF
COMMUNITY DEVELOPMENT

Monte Verde Subdivision

5220 Monte Verde Drive
5227 Monte Verde Drive
5231 Monte Verde Drive
5232 Monte Verde Drive
5239 Monte Verde Drive
5244 Monte Verde Drive
5305 Monte Verde Drive
5306 Monte Verde Drive
5317 Monte Verde Drive
5318 Monte Verde Drive
5329 Monte Verde Drive
5330 Monte Verde Drive
5341 Monte Verde Drive
5346 Monte Verde Drive
5409 Monte Verde Drive
5410 Monte Verde Drive
5421 Monte Verde Drive
5422 Monte Verde Drive
5434 Monte Verde Drive
5445 Monte Verde Drive
5446 Monte Verde Drive
5511 Monte Verde Drive
5512 Monte Verde Drive
5520 Monte Verde Drive
5521 Monte Verde Drive

November 14, 2013

To: Susie Murray, Department of Community Development
100 Santa Rosa Avenue, Room 3
Santa Rosa, CA 95404

From: Residents of Monte Verde Drive, Calistoga Road, Spain Avenue and
Yerba Buena Avenue

Re: Calistoga Cottages – 408 Calistoga Road, Santa Rosa
File No. GPAM13-00/PRAP13-008

Contents:

1. A petition from residents of our neighborhood who are strongly opposed to a change in the General Plan to allow for the construction of additional single-family dwellings at 408 Monte Verde Drive.
2. A map indicating the location and street number of the residents who signed the petition.
 - a. Residents who are opposed to changing the General Plan are coded in red.
 - b. Residents in favor of changing the General Plan are coded in green.
 - c. Residents we were unable to contact are coded in white.
3. A copy of the Conditions, Covenants and Restrictions that apply to 408 Calistoga Road and the other 26 lots of the Monte Verde Subdivision is provided for your reference.

CITY OF SANTA ROSA
Santa Rosa, CA

NOV 14 2013

DEPARTMENT OF
COMMUNITY DEVELOPMENT

Re: Calistoga Cottages – 408 Calistoga Road, Santa Rosa (File No. GPAM13-00-PRAP13-008)

We, the undersigned, are against a change in the General Plan designation for 408 Calistoga Road from RR-40 to R-2-8 because:

1. The Monte Verde subdivision, which includes 408 Calistoga Road, was created in 1948 with lot sizes from 1 to 1.6 acres. The Conditions, Covenants and Restrictions for this neighborhood limit building to one single-family residence per acre. A copy of those Conditions, Covenants and Restrictions are attached.
2. The RR-40 zoning protects the rural lifestyle of our neighborhood and allows families to raise goats, chickens, ducks, miniature horses and other small livestock. It also provides a green-belt along the northern border of Sequoia Elementary School and creates a natural habitat for wildlife
3. We are strongly opposed to higher density developments in our neighborhood. The properties adjacent to 408 Calistoga Road are zoned RR-20 & RR-40. The properties across Calistoga Road are zoned R-1-6. The only properties along Calistoga Road that are designated R-2-8 in the General Plan are two mobile-home parks, over a mile away, near the intersection of Calistoga Road and Montecito Blvd.
4. The developer's conceptual design for 408 Calistoga Road, as presented at the neighborhood meeting, is for the construction of 3 homes behind the existing residence. Currently, no other home along this section of Calistoga Road has a second residence built behind it.
5. The orientation of the lot requires each of the 3 new homes to share a driveway. There are no other homes in the area that share a driveway. All the other homes, including the small lots in the mobile home parks, have their own driveways.

Name	Address
Paul & Lynn Bussard	5232 Monte Verde Drive
Gloria Pennato (Gloria)	5244 Monte Verde Drive
Paul Kretzfeldt's Jo Court	5342 Monte Verde Drive
Bryan and Meg Carr	5410 Monte Verde Drive
John Ely (John Gotts)	5434 Monte Verde Drive
Emma A. Chance EMMA A. CHANCE	5446 Monte Verde Dr Santa Rosa
LINDA ATTERBURY	5520 Monte Verde Dr Santa Rosa
Josh McGarva	5330 Monte Verde Dr, Santa Rosa

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5. The orientation of the lot requires each of the 3 new homes to share a driveway. There are no other homes in the area that share a driveway. All the other homes, including the small lots in the mobile home parks, have their own driveways.

Name	Address
Kathleen Wilcox	5318 Monte Verde Dr
Bill Schorauer	476 Calistoga Road
Harold Brown	114 Brooklet trail
ANGELICA MARTINEZ	5200 YERBA BUENA RD
Jacquelyn Jones	5224 Yerba Buena Rd
Jim W. Jones	5224 YERBA BUENA RD
Jose Santiago	423 Calistoga Rd
Mary Palengat	415 Calistoga Rd

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Name	Address
Toni Kehr	5521 MONTE VERDE DR
ROBIN HOLT	5445 MONTE VERDE DR
Kevin Wolski-	5421 Monte Verde
MICHAEL REID	5416 SPAEN AVE
DEBORAH REID	5416 SPAEN AVE
Leslie Wolski:	5421 Monte Verde
BILL BORNSTEIN	5317 MONTEVERDE
ROBIN ANGERER FRAN ANGERER	5239 MONTE VERDE DR

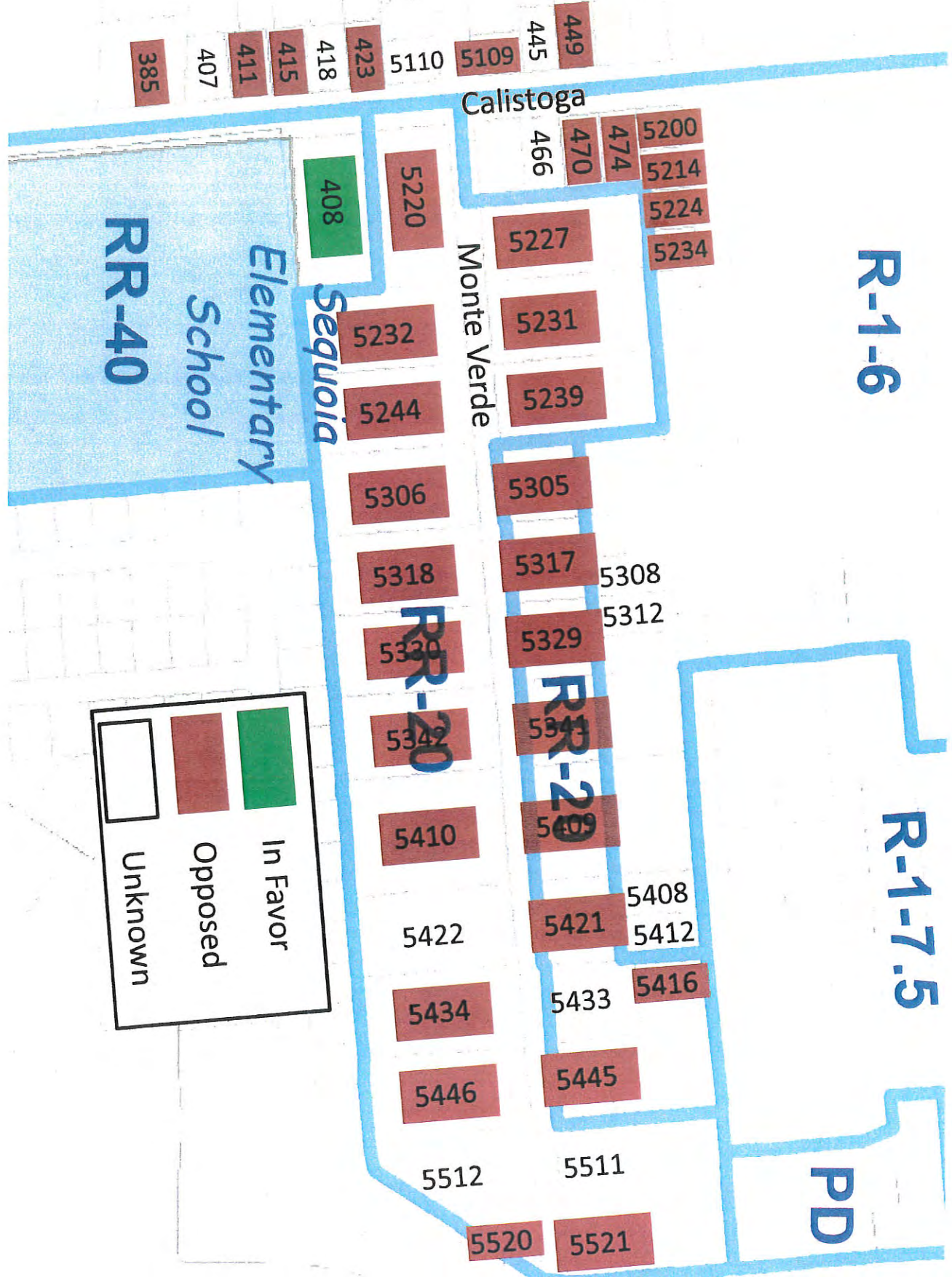
Re: Calistoga Cottages – 408 Calistoga Road, Santa Rosa (File No. GPAM13-00-PRAP13-008)

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Name	Address
CHRIS JOHANNESSEN	411 CALISTOGA RD
John Daly	5306 Monte Verde Dr.
KENNY GRANDALL	5220 MONTE VERDE DR.
KAREN GRANDALL	5220 MONTE VERDE DR.

Name	Address
Becky Thueber Kuhlman.	5231 Monte Verde Dr.
Benjamin Kuhlman.	5231 Monte Verde Dr.
Andy Villagante	5227 Monte Verde Dr.
Yam Villagante	5227 Monte Verde Dr.
LEON SPAMER	474 Calistoga Rd
Katherine Larson	5214 Yerba Buena Rd.
COREY LARSON	5214 Yerba Buena Rd.
Art Horner	5234 Yerba Buena Rd
Lourdes Lopez	5234 Yerba Buena Rd
Mabel Riza	449 Calistoga Road
Jesus de la Ossa	5109 Monte Verde Dr.
Jose de la Ossa	5109 Monte Verde Dr.
Alec Rich	385 Calistoga Dr.



Monte Verde Residents Opposed to Calistoga Cottages Project, January 2014			
Address	Name	Signed	Opposed
North Side		Petition	did not sign petition
5521	Toni Kehr	x	
5511	Robert & Dorthy Pawley		
5445	Gannon & Robin Holt	x	
5433			
5421	Kevin & Leslie Wolski	x	
5409	Raymond & Gladys Widdifield	x	
5341	Congeta Aime		x
5329	Sarrubi Trust (Vido)		x
5317	Art & Charlene Bornstein	x	
5305	George & Karen Dib		x
5239	Francis & Robin Angerer	x	
5231	Ben Kuhlman & Becky Thurber	x	
5227	Andrew & Karine Villegiante	x	
5110	Mary Edith Dahl	x	
5109	Jesus & Joyce de la Ossa	x	
South Side			
5520	Philip & Linda Atterbury	x	
5512	Walker & Helen Atterbury		x
5446	Emma Chance	x	
5434	John & Carol Gotts	x	
5422	Roy & Janice Memeo		
5410	Bryan & Meg Carr	x	
5342	Paul Kruetzfeldt & Joann Conant	x	
5330	Josh & Stacey McGarva	x	
5318	David Hoffman & Kathy Wilcox	x	
5306	John & Kelly Daly	x	
5244	Gloria Pennato	x	
5232	Paul & Lynn Bussard	x	
5220	Ken & Karen Grandall	x	

Calistoga Road Residents Opposed to Calistoga Cottages Project, January 2014

385	Alec Rich	x	
407	Ric Bartolome	x	
411	Chris Johannesen	x	
415	Mary Palengat	x	
418			
423	Joe Santiago	x	
445			x
449	Mike & Candice Herfurth	x	
470	Bill Scherrer	x	
474	Leon Spamer	x	

Spain Avenue Residents Opposed to Calistoga Cottages Project, January 2014

5416	Michael & Deborah Reed	x	
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Yerba Buena Resients Opposed to Calistoga Cottages Project, January 2014

5200	Angelica Martinez	x	
5214	Corey & Katherine Larsen	x	
5224	Jim & Jacqueline Jones	x	
5234	Art Horner & Lourdes Lopez	x	

Other Residents Opposed to Calistoga Cottages Project, January 2014

114	Brooktrail Ct. Harold Brown	x	
Total		35	5

P. J. Laughlin

BOOK 810 PAGE 254

DECLARATION OF CONDITIONS AND RESTRICTIONS

1
2
3 WHEREAS, the undersigned are the owners or have an
4 interest in a certain tract of land situated in the County of
5 Sonoma, State of California, and particularly described as follows,
6 to-wit:

7 "Being a portion of the Rancho Los Guilicos, said
8 portion being more particularly described as follows:
9 Commencing at a point on the Rancho line between the
10 Rancho Los Guilicos and Rancho Cabeza de Santa Rosa, said point
11 being South 5° 45' East, a distance of 3463.02 feet from the
12 common Northerly corner of said Ranchos; thence North 84° 09' 30"
13 East and along the Southerly line of the 20.40 acre parcel of
14 land conveyed to C. L. Carlton and wife by Deed recorded November
15 28, 1942 in Book 585 of Official Records, page 163, Recorder's
16 Serial No. B-53312, Sonoma County Records, a distance of 30 feet
17 to a point, said point being the point of beginning of the parcel
18 of land to be herein described; thence from said point of beginn-
19 ing North 84° 09' 30" East and continuing along the Southerly
20 line of said 20.40 acre parcel of land, 2147.96 feet; thence South
21 5° 58' 10" East, 305.20 feet; thence South 10° 39' 10" West 58.23
22 feet; thence South 31° 26' 30" West 361.07 feet; thence South 84°
23 15' 30" West 1914.42 feet; thence North 5° 45' West, 645 feet,
24 more or less, to the point of beginning.

25 RESERVING over said 31.19 acre tract of land an easement
26 for an open and unobstructed right of way for all general road
27 purposes and for the joint use and benefit of all parties hereto
28 and their successors in interest, over and along a strip of land
29 40 feet in width, said strip of land being described as:

30 COMMENCING at a point in the center of the County Road
31 leading from Santa Rosa to Calistoga, said point being the North-
32 westerly corner of the hereinabove described 31.19 acre tract of
33 land; thence from said point of commencement, South 5° 45' East,
34 327.50 feet, to the center of a 40 foot road, as now constructed,
35 said point being the point of beginning of the strip of land to
36 be herein described; thence from said point of beginning, North
37 84° 09' 30" East, and along the center of said 40 foot right of
38 way, a distance of 2176 feet, more or less, to the Easterly line
39 of the hereinabove described 31.19 acre tract of land, as reserved
40 in the Quitclaim Deed dated July 6, 1948 and made by Reynolds Bu-
41 zard and Dorothy M. Buzard, his wife, to Peter J. Wegesser and
42 Inez M. Wegesser, his wife, and thereafter recorded in the office
43 of the County Recorder of Sonoma County, California.

44 WHEREAS, the undersigned are about to sell property
45 hereinabove described which they desire to subject to certain
46 restrictions, conditions, covenants and agreements between it and
47 the purchasers of said property as hereinafter set forth.

48 NOW, THEREFORE, the undersigned do hereby declare that
49 the above described property is held and shall be conveyed and
50 hereafter owned subject to the restrictions, conditions, covenants
51 and agreements between it and the purchasers of said property and
52 their heirs, executors, administrators, successors and assigns

1 as hereinafter set forth:

2 1. Said real property is declared to be residential in
3 character and no building shall be erected upon any part thereof
4 except single family dwellings of not more than two stories, to-
5 gether with appropriate out-houses and garages for private use.

6 2. The main dwelling on any parcel of said real prop-
7 erty shall be originally constructed thereon and no building or
8 structure shall be moved onto any parcel of said real property
9 to be used or occupied as a main dwelling.

10 3. No trade whatsoever, of any type, nature or descrip-
11 tion, craft, commercial or manufacturing enterprise shall be
12 conducted upon any of said real property nor within any building
13 thereon, nor shall anything be done which may be or become an
14 annoyance or nuisance to the neighborhood.

15 4. No part of said property, nor any building erected
16 thereon shall be occupied or resided/or used in any instance
17 by any person not of the white Caucasian race, domestic servants
18 of a reasonable number being an exception hereunder.

19 5. No more than one residential unit shall be construc-
20 ted on any one acre parcel of said property within the subdivision
21 and no parcel of land within the subdivision shall be resubdivided
22 into building plots having less than one acre of area. Nothing
23 herein, however, shall prevent the owner of any parcel in said
24 subdivision from constructing guest cottages or similar struc-
25 tures in connection with his principal dwelling.

26 6. No hogs, cattle, cows or any other livestock shall
27 be kept or maintained upon said property except the following:
28 Chickens, pigeons, rabbits and other similar small livestock not
29 exceeding 50 of each kind for each acre provided that such live-
30 stock must be properly enclosed upon the owner's property; saddle
31 horses not exceeding two for each acre. Said restriction will
32 not prohibit the keeping of individual household pets such as dogs
and cats.

7. The principal dwelling house to be constructed upon
any parcel of said real property shall be not less than 750 Sq.ft.
in area.

8. No trailer, other than the permanent interim dwelling,
tent, shack, garage, barn, or other outbuilding erected within
the subdivision for longer than a period of three years beginning
from the date such premises are first occupied, shall at any time
be used or occupied as a residence for longer than a period of
three years beginning from the date such premises are first occu-
pied.

9. No cesspool, privy or privy vault or receptacle of
any kind for the purpose of storage of liquid waste, except septic
tanks of a type approved by the Sonoma County health officer, shall
be built or maintained upon any part of said property, excepting
that temporary privies may be permitted during the course of the
construction of a building. Septic tanks shall be constructed not
closer than thirty(30) feet to any property line. All septic tanks
and drains shall be maintained so that no offensive odors reach
the surface of the ground. However, septic tanks of the type
herein designated must be constructed, maintained, and used in

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cases where said property is continually used, occupied and re-
sided upon, even though the main dwelling may not be completed.

10. The main building or structure on any parcel of
land shall be not less than fifty(50)feet from the front line of
each building parcel.

11. No commercial or advertising signs or placards of
any description shall be constructed, maintained, placed upon
or suffered to be maintained or placed upon any of the property
within said subdivision.

12. All of the restrictions, conditions, covenants and
agreements contained herein shall be and are made and imposed
upon the property within the subdivision for the direct mutual
and reciprocal benefit of each and every parcel of said subdivi-
sion and shall bind the grantees of each of said parcels, their
heirs, successors and assigns.

13. The undersigned do hereby covenant and promise
themselves, their heirs, and assigns that all of and each part
of the above described property shall be held, sold, leased, used
alienated, or encumbered subject to the restrictions, conditions,
covenants, and agreements contained herein, and that the benefit
of the undersigned's covenants shall extend to all of or each
part or parcel of the above described property. It is further
understood and agreed that each and every person who may pur-
chase, take, receive, or is granted any or all of the above de-
scribed property does take subject to and with knowledge of the
conditions, restrictions, covenants, and agreements contained
herein and does hereby covenant and promise for themselves,
their heirs, and assigns that all of and each part of the above
described property shall be held, used, sold, leased, alienated,
or encumbered subject to the restrictions, conditions, covenants,
and agreements contained herein, and that the benefit of such
covenants shall extend to all of or each part or parcel of the
above described property.

14. If the parties hereto, or any of them or their
heirs or assigns shall violate or attempt to violate any of the
covenants or restrictions herein, it shall be lawful for any
other person or persons owning any other lots in said tract of
land to prosecute any proceedings at law or equity against the
person or persons violating or attempting to violate any such
covenant or restriction and either to prevent him or them from
so doing, or to recover damages or other dues for such violations.

15. Invalidation of any one of these covenants by judg-
ment or court order shall in no wise affect any of the other
provisions which shall remain in full force and effect.

Peter J. Wegesser
Inez M Wegesser

Murray, Susie

From: ldenley-bussard@comcast.net
Sent: Monday, January 13, 2014 4:57 PM
To: Murray, Susie
Cc: Denley-Bussard, Lynn; Karine Villeggiante; Becky Thurber; Benjamin Kuhlman; Paul Bussard-Gmail
Subject: Re: Calistoga Cottages MJP13-007 (GPAM13-003/MIN13-002/REZ13-007
Attachments: petition-opposed-calistoga-cottages-01-13.pdf; residents-opposed.xlsx

Hi Susie,

In answer to your questions:

1. Some of the home owners who are opposed to the Calistoga Cottages Project did not sign the petition. We are enclosing a spreadsheet of the 35 names and addresses of home owners who signed the petition and the 5 homeowners who did not sign, but are still opposed to the project. We are also sending an additional petition of homeowners in the neighborhood who signed a petition against the project this afternoon.

2. Please use the Powerpoint graphic with the legend. We will update the graphic before the public hearing.

Let us know if you have any additional questions.

Thanks,

Lynn & Paul Bussard

From: "Susie Murray" <SMurray@srcity.org>
To: ldenley-bussard@comcast.net
Sent: Monday, January 13, 2014 8:21:10 AM
Subject: RE: Calistoga Cottages MJP13-007 (GPAM13-003/MIN13-002/REZ13-007

Hello Mrs. & Mr. Bussard,

I've added this to the file. I have a couple questions:

1. Is this regarding the petition I already received? If so, there are more signatures than red boxes.
2. The attachment PowerPoint graphic had two slides, both relatively the same, the legend being the only difference I can see. I've saved them both but wanted to make sure that was intentional.

Thank you.

Susie Murray | City Planner
Community Development | 100 Santa Rosa Avenue | Santa Rosa, CA 95404
Tel. (707) 543-4348 | Fax (707) 543-3269 | smurray@srcity.org



From: ldenley-bussard@comcast.net [mailto:ldenley-bussard@comcast.net]

Sent: Sunday, January 12, 2014 10:13 PM

To: Murray, Susie

Cc: Denley-Bussard, Lynn; Karine Villeggiante; Becky Thurber; Benjamin Kuhlman; Paul Bussard-Gmail

Subject: Calistoga Cottages MJP13-007 (GPAM13-003/MIN13-002/REZ13-007)

Hi Susie,

Here is a copy of the parcel map showing the addresses of the 35 home owners located on Calistoga Road, Yerba Buena and Monte Verde Drive who signed the petition opposed to the Calistoga Cottages Project. Please add any individual letters or emails sent by residents in response to the initial neighborhood meeting in your file for this project as it moves forward through the process.

Thanks for all your help.

Sincerely,

Lynn & Paul Bussard
5232 Monte Verde Drive

Re: Calistoga Cottages – 408 Calistoga Road, Santa Rosa
File Numbers: (MJP13-007 GPAM13-003/MIN13-002/REZ13-007)

We, the undersigned, are against a change in the General Plan designation for 408 Calistoga Road from RR-40 to R-2-8 because:

1. The RR-40 zoning protects the rural lifestyle of our neighborhood and allows families to raise goats, chickens, ducks, miniature horses and other small livestock. It also provides a green-belt along the northern border of Sequoia Elementary School and creates a natural habitat for wildlife
2. The properties adjacent to 408 Calistoga Road are zoned RR-20 & RR-40. The properties across Calistoga Road are zoned R-1-6.
3. The conceptual design for 408 Calistoga Road, as presented at the neighborhood meeting, is for the construction of 3 homes behind the existing residence. Currently, no other home along this section of Calistoga Road has a second residence built behind it.
4. The orientation of the lot requires each of the 3 new homes to share a driveway. There are no other homes in the area that share a driveway. All the other homes, including the small lots in the mobile home parks, have their own driveways.

Name	Address
Raymond & Gladys Widdifield	5109 Monte Verde Dr
Mary Edith Dahl	5110 Monte Verde Dr.
R. C. Bartolome	407 Calistoga Rd.

D Ms Mary E Dahl
5110 Monte Verde Dr
Santa Rosa, CA 95409-3745

CITY OF SANTA ROSA
P.O. Box 1678
Santa Rosa, CA 95402

JUN 23 2014

DEPARTMENT OF
COMMUNITY DEVELOPMENT

June 20, 2014

Dear Ms. Susie Murray, City Planner.

This letter is in regards to the issue of subdividing property located at 408 Calistoga Rd., APN 153-430-032, File No MSP 13-007.

I, Mary Edith Dahl have lived for over 44 yrs on the corner of Monte Verde Dr and Calistoga Rd. I've seen Calistoga Rd. grow from a quiet rural road to a very busy "highway." The traffic is horrendous, stop & go, back ups, etc. all the time. It's a nightmare when schools are in session. Traffic is blocked for many blocks while children cross at the signals. Children, families walking, bicycles trying to navigate the road, not to mention all the Emergency Vehicles, it's a wonder there's not more accidents. Then all those who need to turn off Calistoga to get to their homes can take many minutes to get thru.

Building three more homes on said property is ridiculous - to close to Sequoia School where children play near the fence - anything could happen - it's not safe.

That property, for years, has had squatters, drug raids, shootings, etc. For four buildings that average about two plus cars per dwelling, where will they enter and spit? Not on Calistoga or Monte Verde Dr.

For months, the building, noise, traffic for all the equipment etc. to build - where will these vehicles get on and off the property?

Certainly not from Calistoga or Monte Verde Dr.

I SAY NO TO THIS PROPOSAL!

Sincerely
Ms. Mary Edith Dahl
539-4484

CITY OF SANTA ROSA
JUN 23 2014
DEPT OF COMMUNITY DEVELOPMENT

June 23 2014
Emma Chance
5446 Monte Verde Dr
Santa Rosa, Ca

Susie Murry, Project Planner
City of Santa Rosa
100 Santa Rosa Ave, Room 3
Santa Rosa, Ca

I am a resident of 5446 Monte Verde Dr and
I am Against the Calistoga Cottage Subdivision.

I believe the project represents a spot zoning.
The project requires not only a rezoning but a
general Plan ammendment inconsistent with the
historic residential development of this area.

The concerns I have is the location of the access
driveway for the three (3) new residential homes
in close proximity of Monte Verde Dr. (within
100 feet) This would create a traffic
impact for cars driving in and out of
Monte Verde.

Reviewing the City Project description states no new
homes are proposed, but this is a subdivision
creating three new residential lots ????

This project represents a departure from the historic
development of the Calistoga Hood area, and would
have a negative impact on those living in the immediate
area.

I am against this Project. Emma Chance



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Murray, Susie

From: Meg Carr <megcarr@sbcglobal.net>
Sent: Monday, June 23, 2014 12:51 PM
To: Murray, Susie
Subject: Calistoga Cottage proposal - Oppose proposal

Good afternoon,

I am writing to submit my vote **against** the Calistoga Cottages project at 408 Calistoga Road, APN 153-430-032.

I am a concerned parent with kids that attend Sequoia Elementary. The intersection of Calistoga and Monte Verde is so busy at all hours of the day that intentionally adding traffic will greatly disrupt the area and creates a serious safety concern for students, commuters, pedestrians, and pets.

I am also a homeowner in the area and am concerned about changing the rules for a developer. There are many lots in the area that have been split, and a single-family home has been build on the split portion. I think this developer should be held to the same standards and requirements, rather than having the requirements change for their revenue stream. There are many other places in Santa Rosa, and specifically Rincon Valley, where multi-family living can be more readily incorporated; the developer can purse opportunities in those areas.

By only building a single-family home on this lot (rather than multi-family housing), this will maintain the integrity of the safety of the neighborhood.

Thank you for your consideration.



June 23, 2014

Dear Susie,

Attached is a map of the property owners on Calistoga Road, Monte Verde Drive and Yerba Buena who are opposed to this General Plan Amendment and the Intent to Adopt a Mitigated Negative Declaration for the Calistoga Cottages project.

The properties adjacent to 408 Calistoga Road are zoned Rural Residential. Most of the property owners in the neighborhood feel that a Rural Residential zoning is critical to retain the unique character of our neighborhood. The RR-40 zoning protects the rural lifestyle of our neighborhood and allows families to raise goats, chickens, ducks, miniature horses and other small animals. It also provides a green-belt along the northern border of Sequoia Elementary School and creates a natural habitat for wildlife. For these reasons, the majority of the homeowners in the neighborhood are opposed to the General Plan Amendment. And, as far as we know, there is only one property owner in favor - the developer.

The property at 408 Calistoga Road is part of a natural Valley Oak grove, one of the last in Rincon Valley. Scott Carothers from Bartlett Tree Experts came out last week to inspect the trees. Valley Oaks grow to 70 feet in height and have a canopy and root system that is 100 feet wide. No trenching, digging, paving, soil compacting, or construction should be allowed within 50 feet of these trees. Otherwise, the buttress roots will not grow wide enough to structurally support them. Before there is any proposed development at 408 Calistoga Road, there should be an Environment Impact Report to ensure the health of these trees. Otherwise, there is a potential danger to anyone building and living within the "fall zone" of these trees.

The conceptual design for 408 Calistoga Road is for the construction of 3 homes behind the existing residence. Currently, no other home along this section of Calistoga Road has a second residence built behind it.

The orientation of the lot requires each of the 3 new homes to share a driveway. There are no other homes in the area that share a driveway. All the other homes, including the small lots in the mobile home parks, have their own driveways. This use of a single driveway by three homes increases the safety risks of children walking to and from Sequoia Elementary by 300%.

The City of Santa Rosa protects the unique character of its local neighborhoods. The property at 408 Calistoga Road is part of the Monte Verde subdivision, created in 1951, and is limited to one-house per acre. Item five of the restrictions, conditions, covenants and agreements state: "No more than one residential unit shall be constructed on any one acre parcel of land". Members in the neighborhood have retained legal counsel in the past and courts consistently uphold CC&Rs and rule in favor of homeowners on these issues. So, this General Plan Amendment violates the CC&Rs for this parcel.

Please do not change the zoning for this parcel.

Sincerely,



Lynn Denley-Bussard
5232 Monte Verde Drive

R-1-6

R-1-7.5

PD





Calistoga

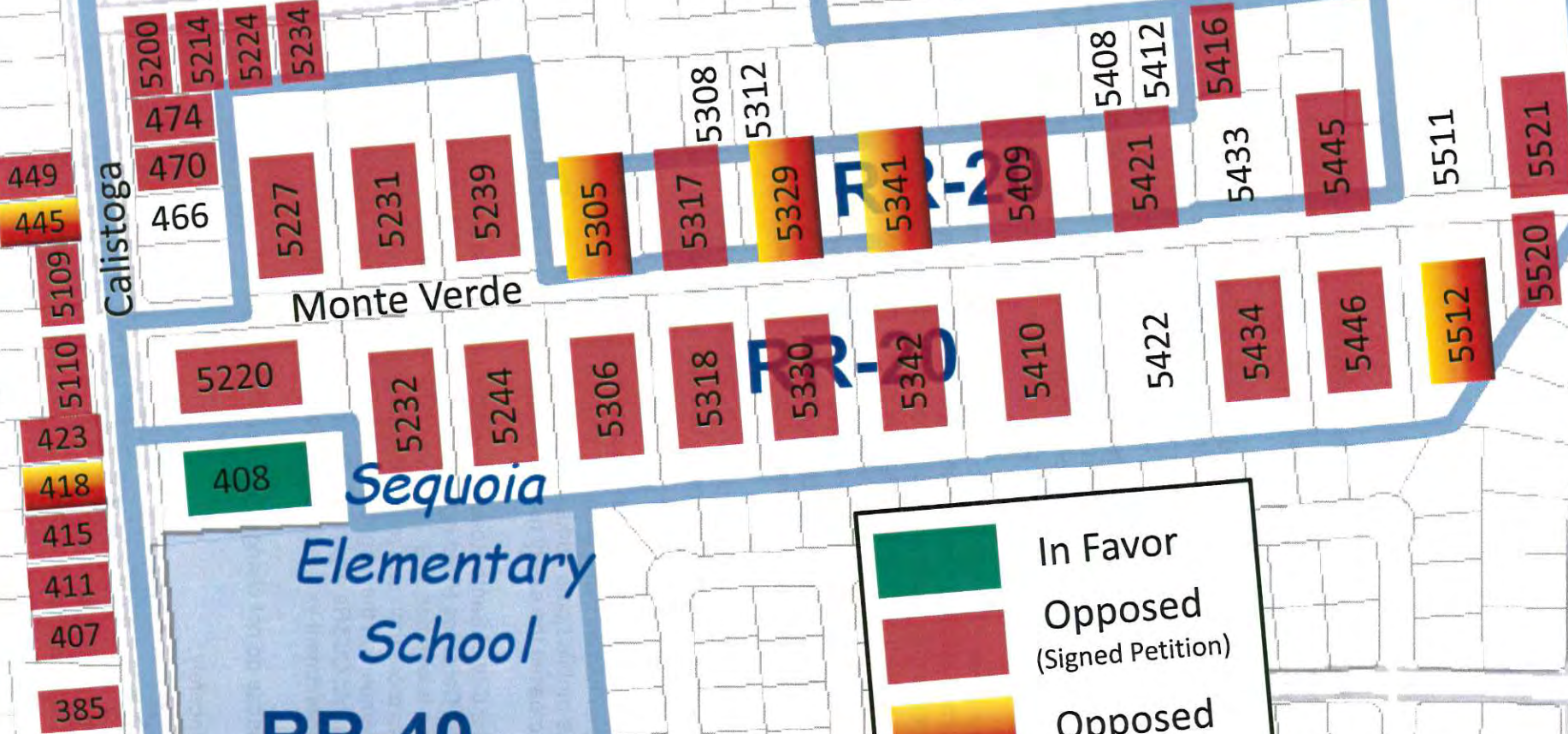
Monte Verde

Sequoia

Elementary School

RR-40

	In Favor
	Opposed (Signed Petition)
	Opposed
	Unknown



A Unique Neighborhood

Lynn Denley-Bussard
Planning Commission Meeting
June 26, 2014

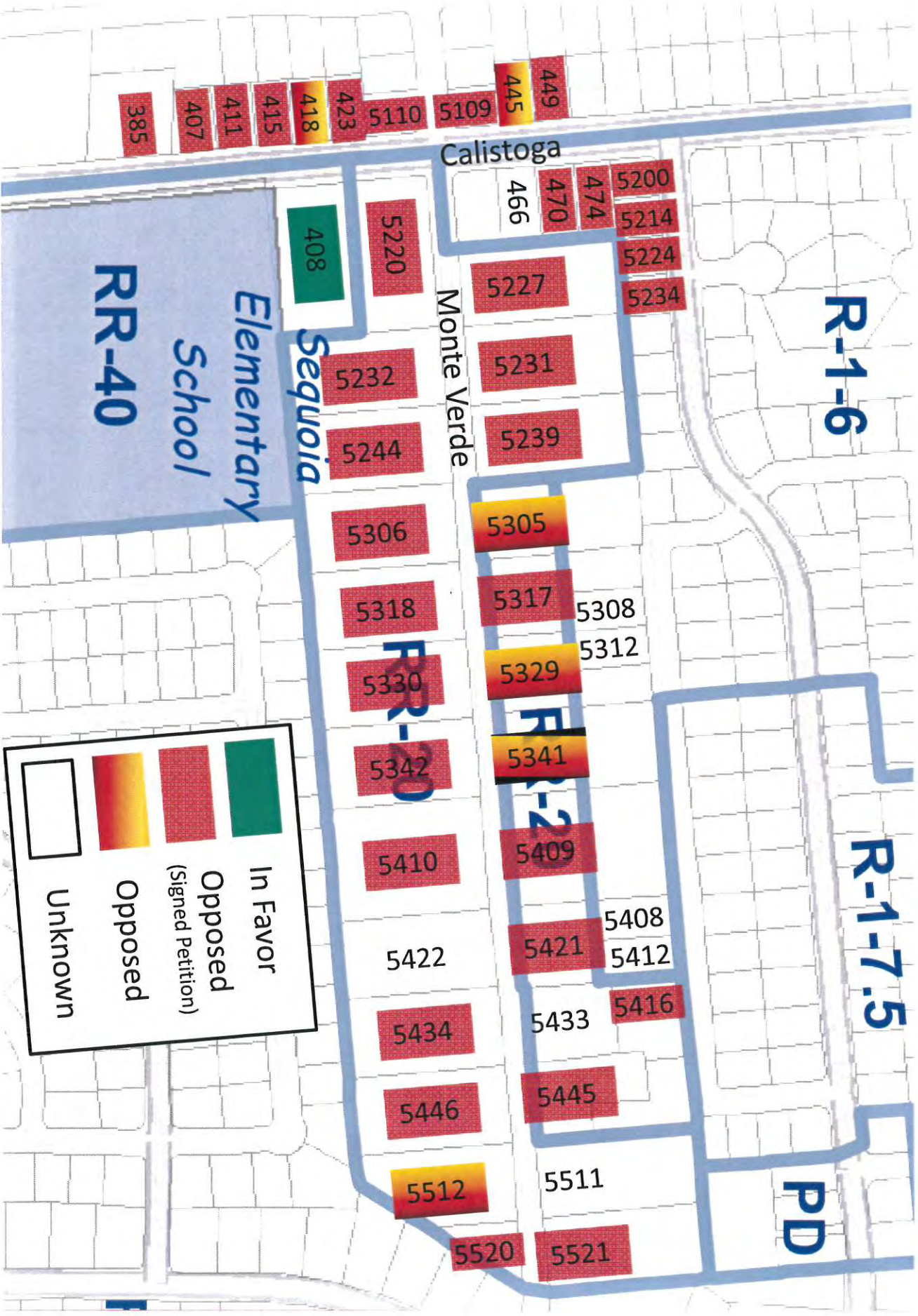
Neighborhood Created in 1951





- A 31.19-acre parcel was subdivided into 28 parcels
- All the properties in this subdivision are subject to the conditions, covenants and restrictions (CC&Rs), which applied to the original and all subsequent owners of the property
- “No more than one residential unit shall be constructed on any one acre parcel”
- “No parcel within the subdivision shall be re-subdivided into building plots having less than one-acre of area.”



Annexation History

- This neighborhood is surrounded by R-1-6, R-1-7.5 and PD zones on the north and RR-40 and R-1-6 on the south, so it is already a diverse neighborhood
- In 1987 the Community Development Department recommended Rural Residential zoning for this neighborhood and the Planning Commission approved it
- Protecting the rural nature of this neighborhood was so important to residents that annexation was delayed 13 years until these properties were designated Rural Residential in the General Plan
- After this designation, residents voted for annexation in 2000
- Residents in the area don't want the General Plan changed to accommodate a developer who doesn't live in the neighborhood and doesn't value its history or its lifestyle



	In Favor
	Opposed (Signed Petition)
	Opposed
	Unknown

This is Encroachment into our Neighborhood



This Rare Grove of Valley Oaks Provides a Neighborhood Ambiance like the SRJC Campus





- This heritage Valley Oak just outside the northeast corner of 408 Calistoga Road is 60 years old and has a circumference of 7 ft
- It will grow to 70 ft tall and 100 ft wide, so this tree needs a “life zone” of 50 ft from the trunk in all directions

These Valley Oaks make Development Impractical



In Summary

- Please retain the Rural Residential character of our neighborhood by not approving this General Plan Amendment
- Protect these rare Valley Oak trees by not allowing any grading, trenching, paving or construction within 50 feet; otherwise,
“the buttress roots – that support the weight of the tree – will not develop adequately and it will become structurally unsound” – Scott Carothers, Bartlett Tree Experts

Protecting our Water Resources

Paul Bussard

Planning Commission Meeting

June 26, 2014

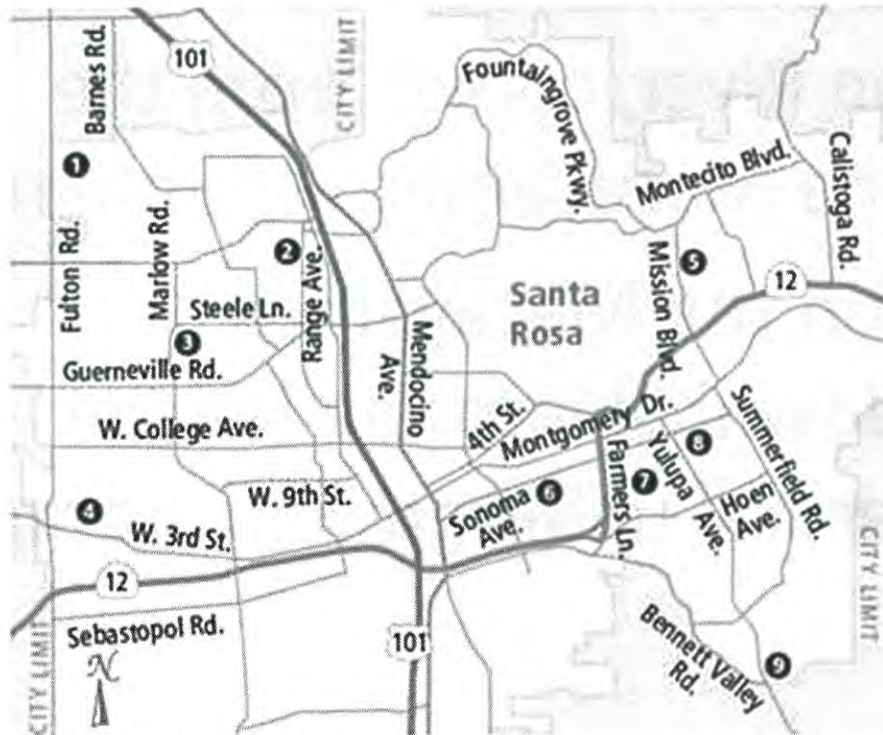
Water is a Scarce Resource

- The City of Santa Rosa relies on groundwater wells during the summer months.
- The City has drilled 9 test wells since 2006 to find other sources of water. Only two wells on the east side of Santa Rosa showed promise
- We need to protect our existing water resources especially given the present drought conditions

The Search for Water in Santa Rosa

Drilling for water

Santa Rosa has drilled nine test wells since 2006 hunting for potential sites for emergency backup wells to protect the city against interruption in its supply of drinking water from the Russian River. A few on the east side of the city have shown promise.



SOURCE: Santa Rosa Groundwater Master Plan

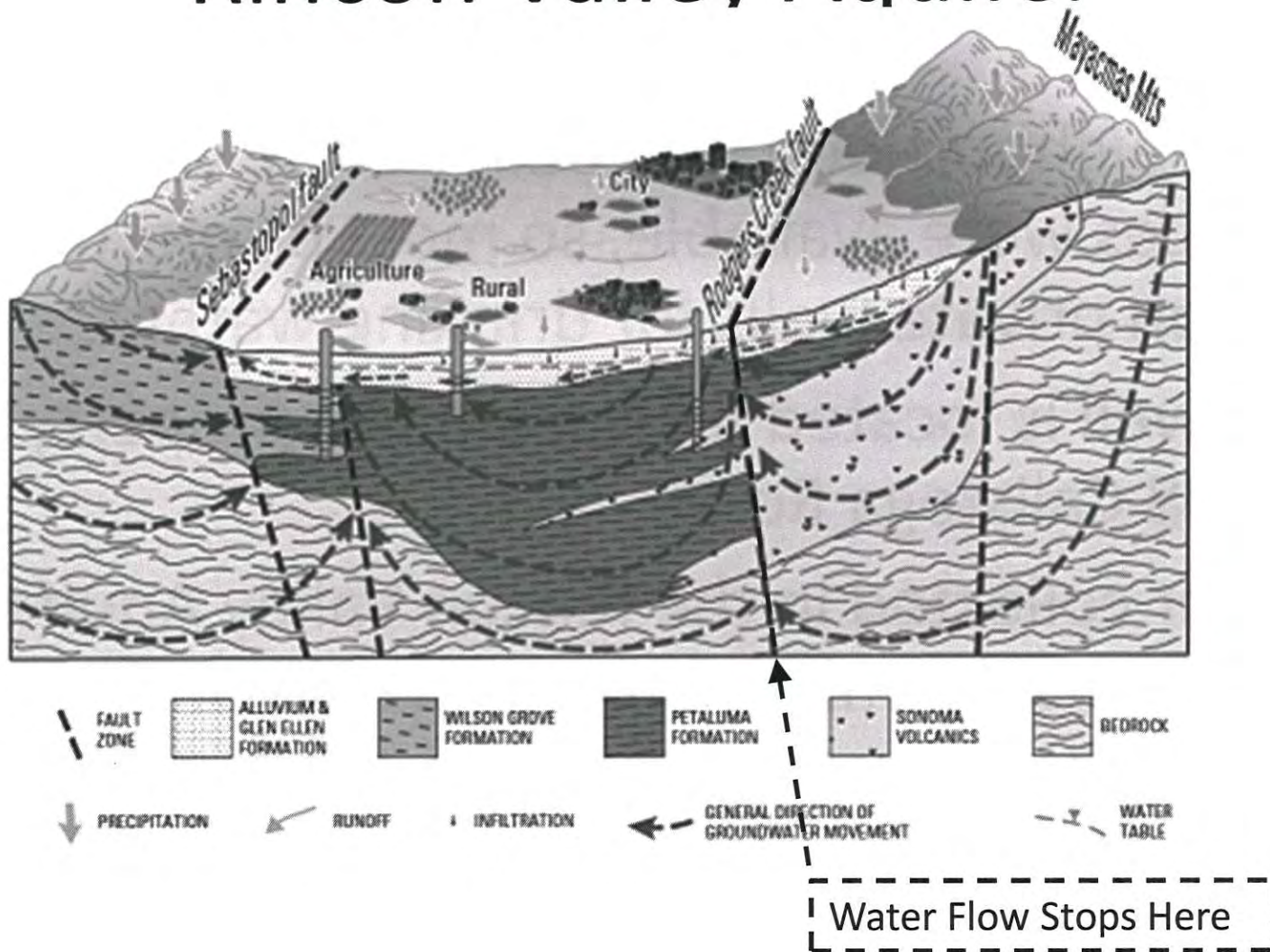
- 1 North Village, 360 ft., 60-80 gallons per minute
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LOREN DOPPENBERG / For The Press Democrat

The Rincon Valley Aquifer

- The USGS Scientific Investigations 2014 concluded that the only real source of water, besides the Russian River, comes from the western slope of the Macayamas Mountains
- Every winter, rain on the Macayamas Mountains flows downhill into the Rincon Valley aquifer, a natural underground storage tank

Rincon Valley Aquifer

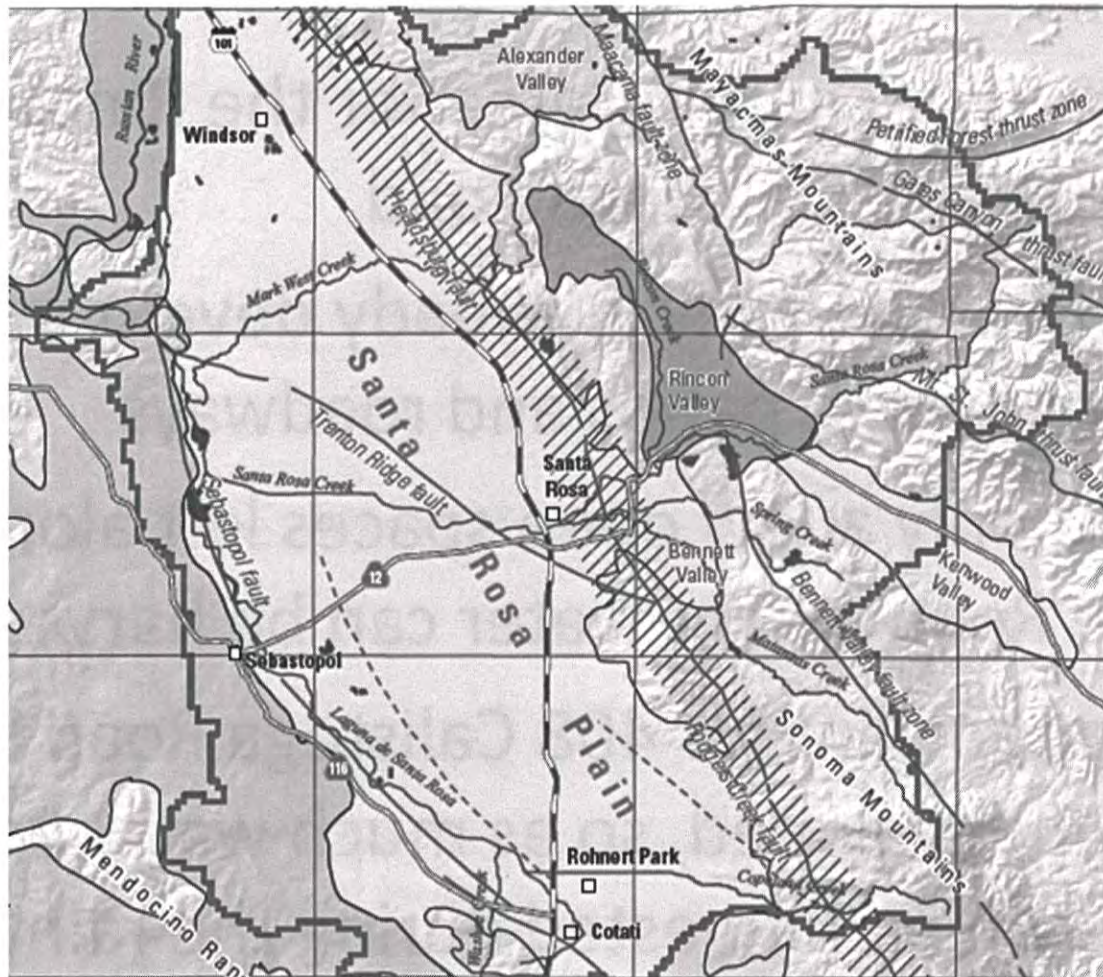


USGS Scientific Investigations Report 2014 – 5052, page 13

Water Flow Pattern

- Our neighborhood was built before City services were available, so most properties rely on private wells for drinking water
- Our well is located 57 ft from the property line of 408 Calistoga Road
- Water collected in the Rincon Valley Aquifer also flows downhill through creeks and underground pathways to the City wells, located at Farmer's Lane and Sonoma Avenue

Rincon Valley Aquifer

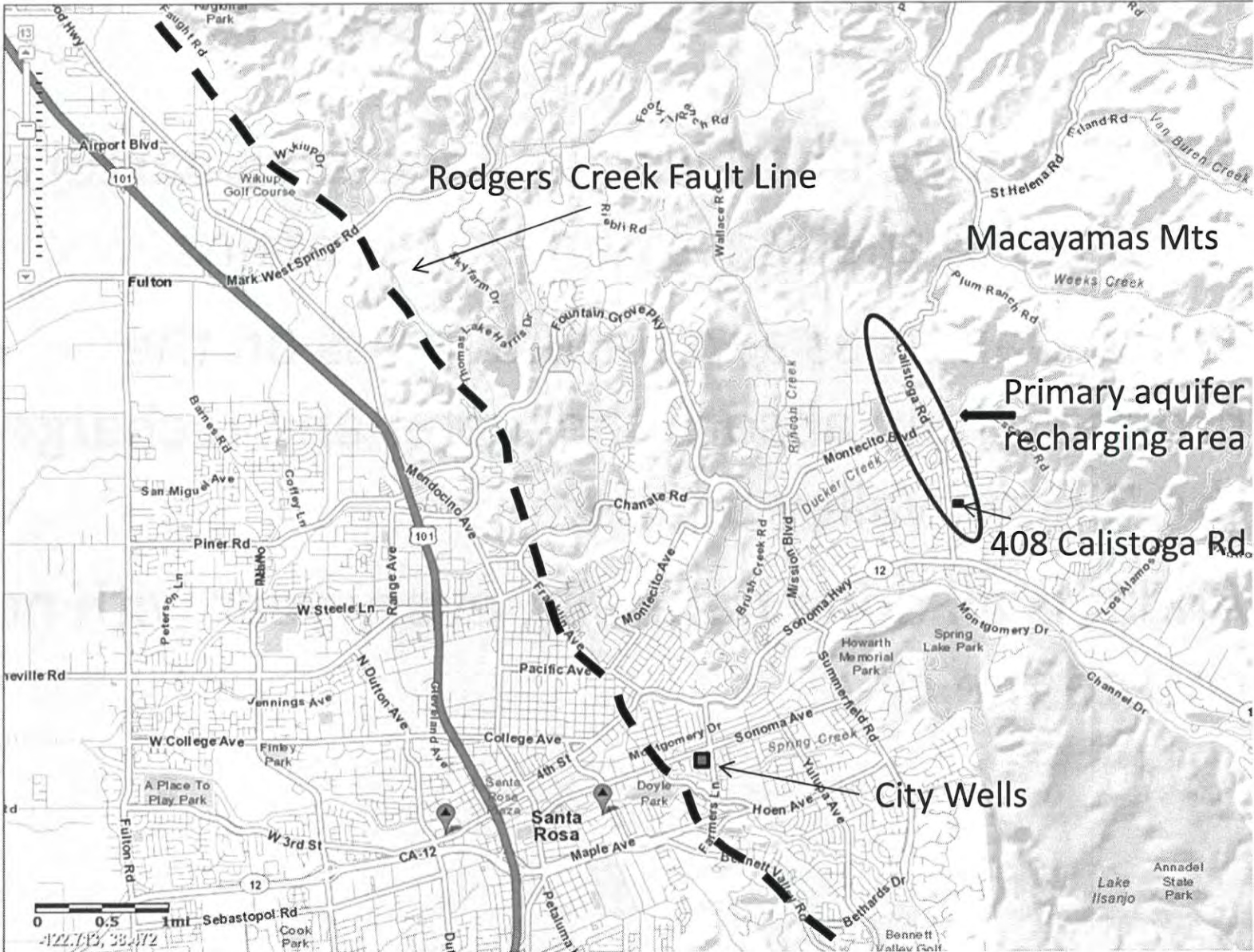


USGS Scientific Investigations Report 2014 – 5052, page 8

Water Recharging Area

- The primary recharging area for the Rincon Valley Aquifer is along Calistoga Road
- Most of Rincon Valley is already developed with paved driveways, patios and roadways
- There are only a few open spaces left along Calistoga Road where water can be harvested
- So, it is important for 408 Calistoga Road to remain undeveloped, so as much water as possible can be harvested during the rainy season

Rincon Valley Aquifer



Recharging the Aquifer

- 408 Calistoga Road is a flat, one-acre parcel at the base of the Macayamas Mountains
- Valley Oak trees and natural grass on the property help absorb the water and recharge the Rincon Valley aquifer
- And it is all done naturally, every year with no cost to the city

Water Recharging at Work



408 Calistoga Road

408 Calistoga Road

- Is currently zoned RR-40, which is one house per acre
- The feeder roots of the Valley Oaks break up the hard clay soil and keep it porous – like a sponge, so it can absorb the maximum amount of water
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How Important is 1 Acre?

- An **acre-foot** is a unit of volume commonly used in reference to water resources.
- An acre-foot of water = 325,851 gallons
- The average rainfall in Rincon Valley is from 32" to 40" per year*, so one-acre of flat, open land in the primary recharging area gathers ~870,000 to 1,080,000 gallons of water every year

*California's Groundwater Bulletin 118, page 1

Groundwater Harvesting Areas



Sequoia Elementary and the adjoining neighborhood of one-acre parcels harvests ~30 million gallons of water every year for the Rincon Valley Aquifer

Protecting Our Water Resources

- Good quality water is in short supply
- The Rincon Valley Aquifer is a significant water resource that should be protected for the benefit of all city residents
- There are only a few water-recharging properties left along Calistoga Road
- So, an Environmental Impact Report is essential before there is any development at 408 Calistoga Road
- The Mitigated Negative Declaration EIR should not be approved
- Our opinion is this property should remain zoned RR-40 and the proposed site improvements should not be permitted



A Unique Neighborhood

Lynn Denley-Bussard
Planning Commission Meeting
June 26, 2014

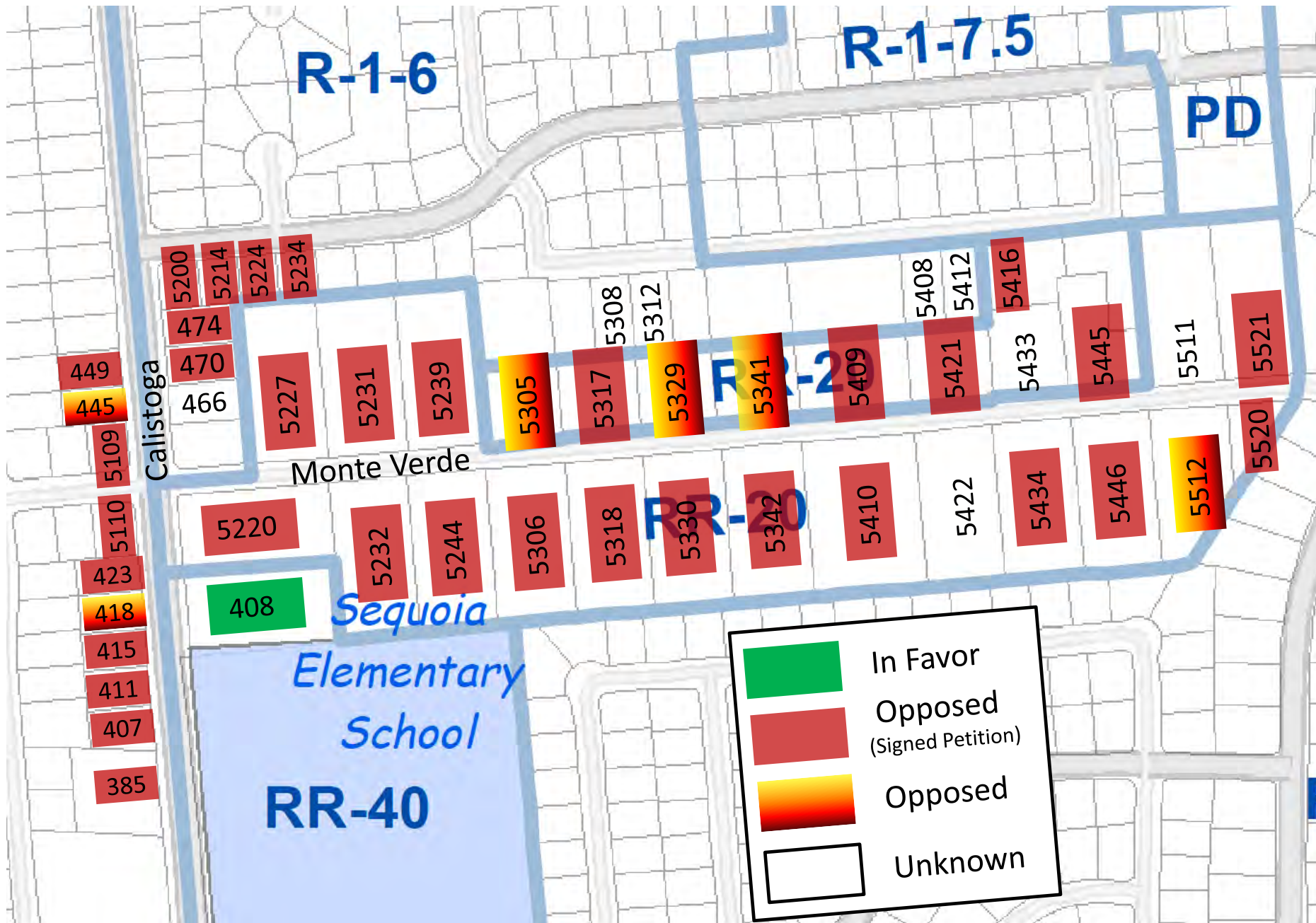
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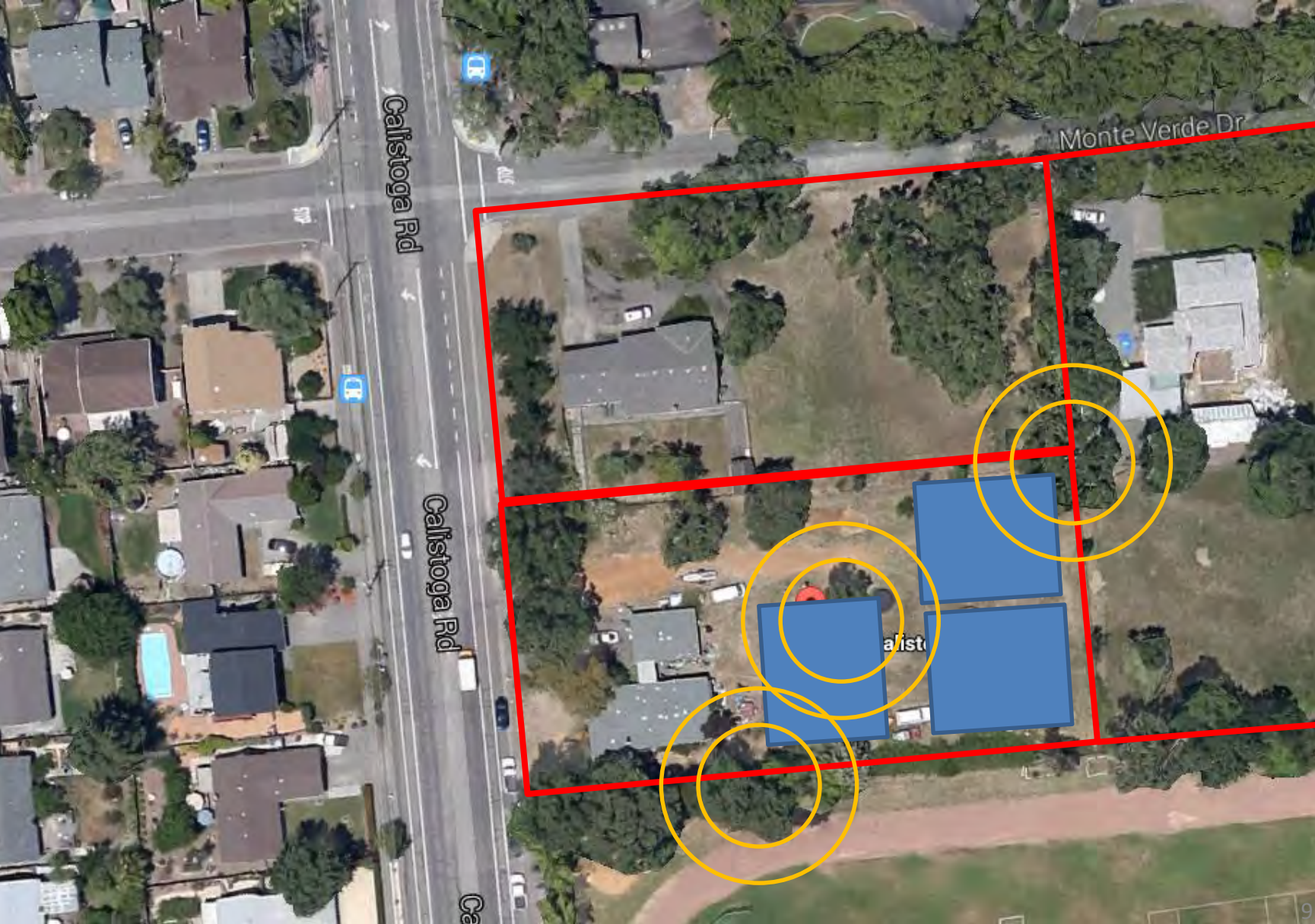
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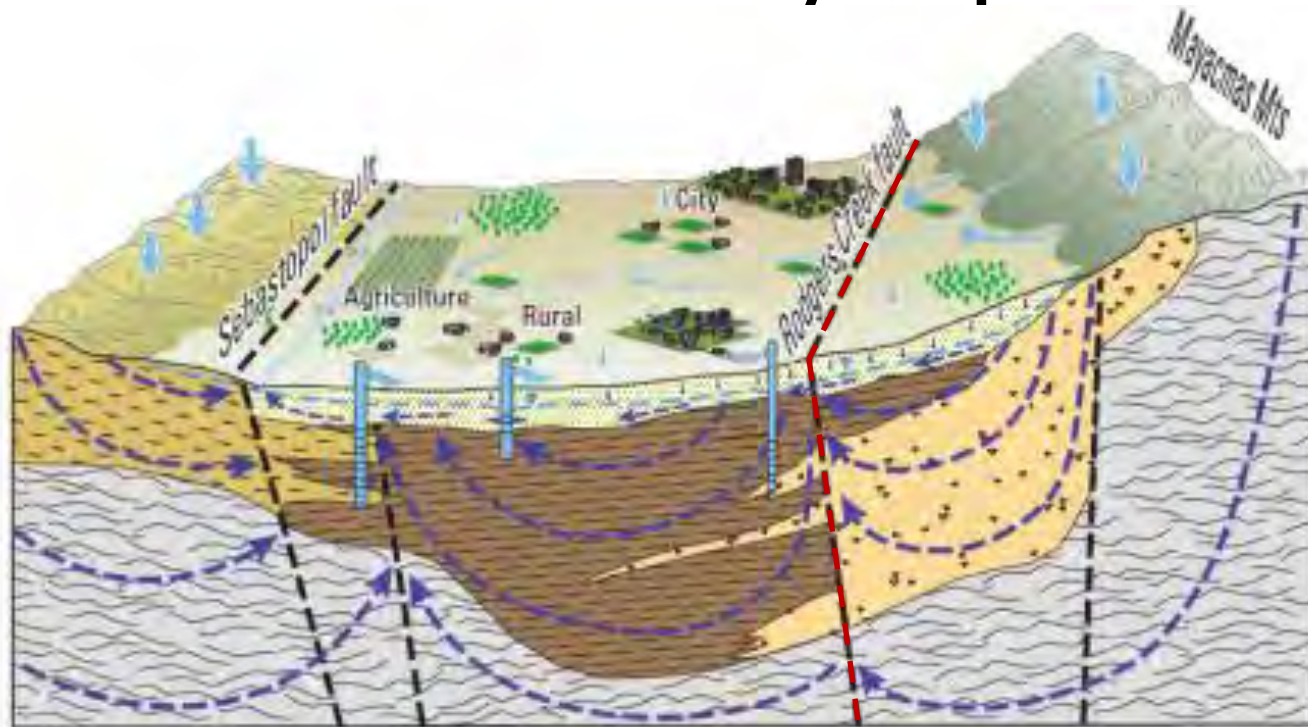
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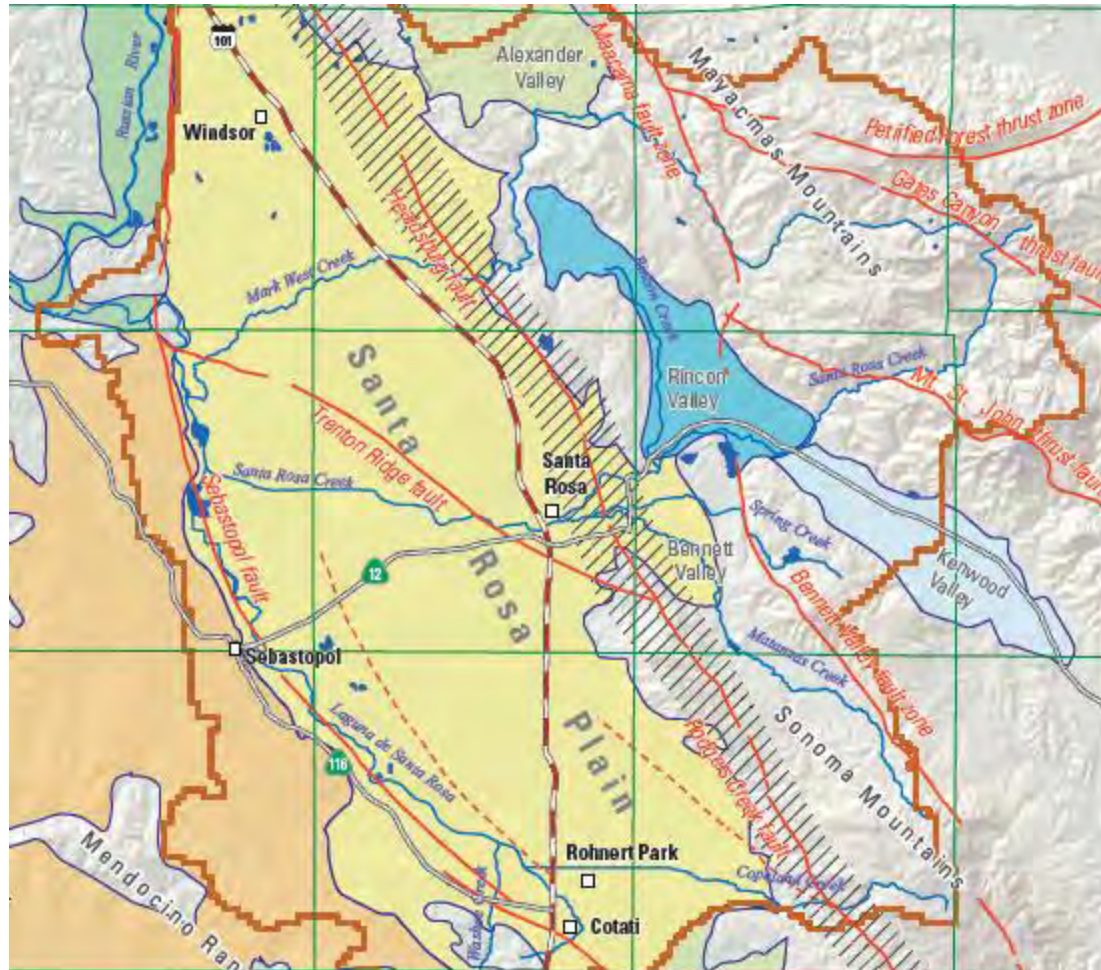


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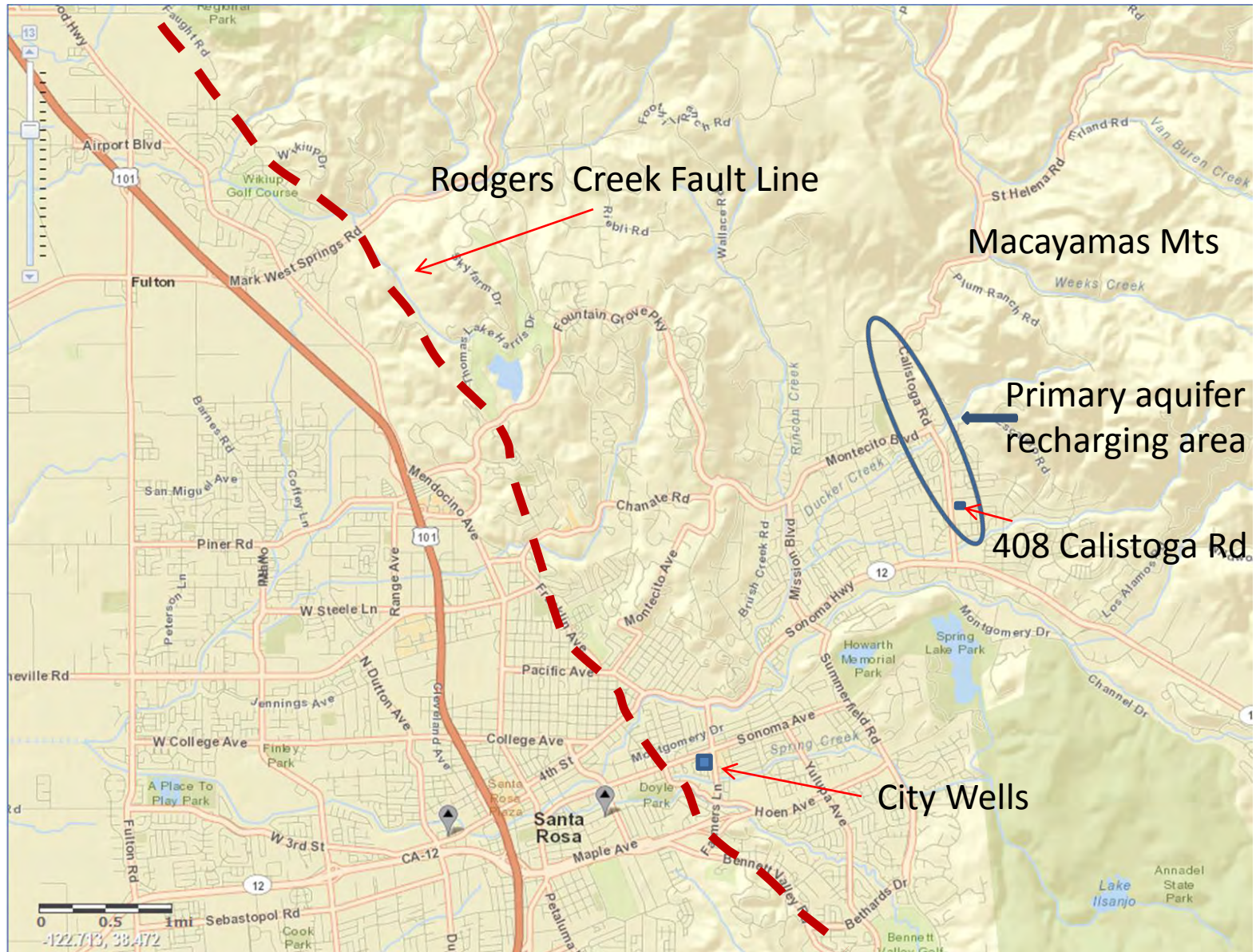
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