

From: [Holly J Pierce](#)
To: [_CityCouncilListPublic](#)
Subject: [EXTERNAL] Photos Regarding Elm Tree Station Project
Date: Thursday, August 14, 2025 11:07:41 AM

Dear Council Members,

Attached is my letter to you in JPEG format regarding the Elm Stree Station project. I'm sending it this way because of the photographs included. I'm hoping you might find them useful in your upcoming deliberations.

Sincerely,

Holly Pierce
District 7



Then, before writing this I looked online to find other MD businesses. I was surprised to find seven MD Liquor & Foods in Sonoma County, and even one in San Rafael. There weren't any photos of these businesses online, but there was an MD store close by on Sebastopol Road, right off the next Highway 12 east exit, which is only about a mile from the proposed Elm Tree site. So I decided to go take a look, and here is what I found:



It looks as if this place was originally another store, and they replaced the old name with "MD." They did post a small "Liquor" sign on the side of the building in case someone missed the red, neon "LIQUOR" sign in front (along with the "OPE").

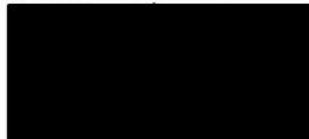
I know that there is concern about the entryways to our city being clean and tasteful. My feeling is that if this store is any indication of how well Elm Tree Station would be maintained, this photo should answer any questions about that.



Finally, I'd like to include this picture. This project was first proposed in 2007 and called the Elm Tree Station in recognition of the stately elm tree there—or was; the tree has since been chopped down because it was too old and a hazard. The same goes for this project.

Thank you and sincerely,

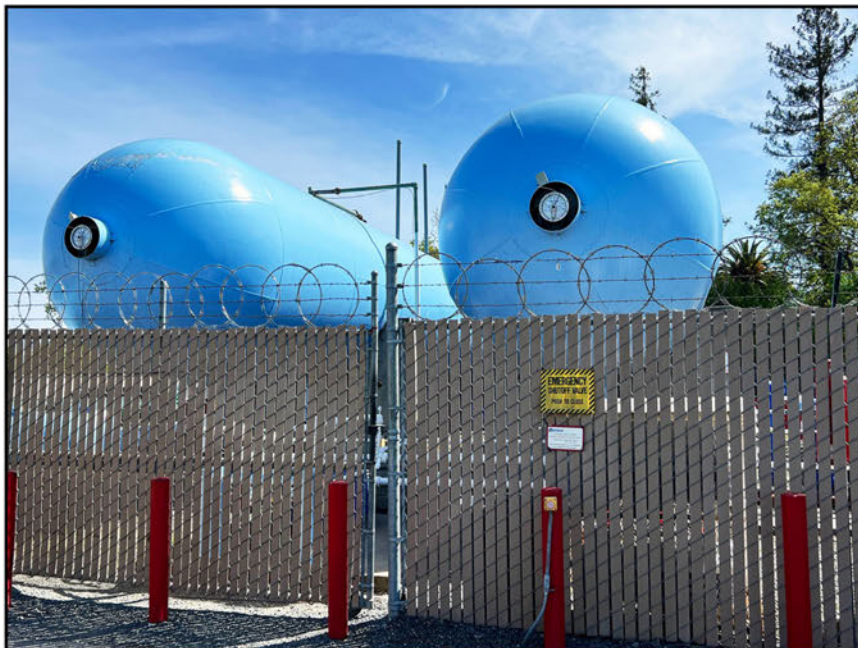
Holly J. Pierce



This next photo shows the site last winter after a rain. Imagine a storage tank submerged here. What if fuel started leaking someday? Bad enough into soil, but much worse into a wetland. And onto whom would fall the very expensive cost of cleaning up such a site?



Next to the proposed Elm Tree Station site is the Blue Star propane company. I know there has been some discussion as to if Blue Star Gas can be categorized as a gas station. To that I include this picture of the public pump there. On the side it says, "Alliance Auto Gas," and if you can't read it, at the top it says, "Propane Vehicle Fuel." I think this qualifies Blue Star as a gas station.

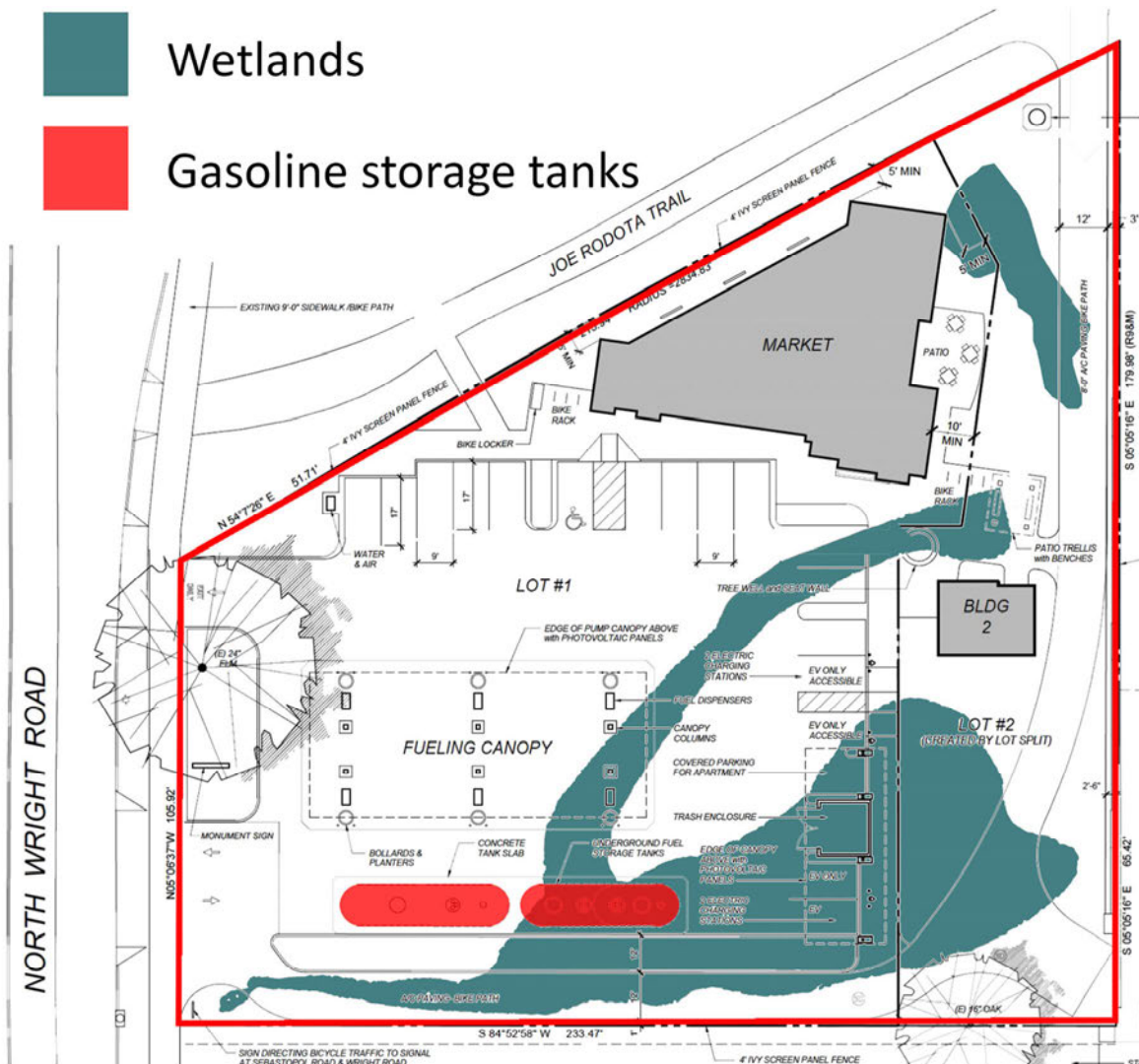


And here are two of the tanks situated next to the Elm Tree site. The smell of propane is in the air. The idea of these two fuel depots cheek to jowl makes me nervous.

Hello,

I live in District 7, close to the corner of Highway 12 and Fulton Road and where it is proposed that a new gas station be built. Along with many others, I am against this project. I know opponents of the proposed Elm Tree Station are planning to address you at your meeting on August 19, and I'm sure they will cover all the points I have in opposition to this proposal. So instead of speaking, and in case you haven't visited the site, I've decided to send you a diagram and some photographs that might help you in your decision.

Here is a visual showing the Army Corps of Engineers' map that outlines the area determined as wetland, and over it the Elm Tree Station schematic. What I find especially disturbing is how one of the fuel tanks is submerged within the officially designated wetland area. It's a known fact that these tanks, no matter how well constructed, often eventually leak. It should be noted that some nearby residents use well water. I feel the possibility of these wells being polluted outweighs the desirability of a new, unneeded gas station.



Notice how one of the red storage tanks is almost completely within the designated wetland.

From: [Carl T](#)
To: [CityCouncilListPublic](#)
Subject: [EXTERNAL] Highway 12 - Wright Road Gas Station
Date: Thursday, August 14, 2025 1:53:43 PM

Honorable Mayor Stapp
Santa Rosa City Councilmembers
Eddie Alvarez
Dianna MacDonald
Victoria Fleming
Caroline Banuelos
Jeff Okrepkie
Natalie Rogers

As a resident of Sebastopol who travels on Highway 12 several times a week, I am strongly urging you to affirm the Planning Commission's unanimous decision to deny the application to build a gas station at 874 N. Wright Road. The (correct) unanimous decision of the Planning Commission was based on numerous concrete facts, including that the use is inconsistent with the applicable provisions of the Santa Rosa Zoning Code, that it is inconsistent with the General Plan goals and policies, it is incompatible with the existing and future land uses in the vicinity (including the Joe Rodota trail), and that it would constitute a nuisance and be injurious and detrimental to the public interest, health and safety.

Conversely, the permit applicant/developer of the project has not offered any compelling reasons to accept the Appeal and approve the Conditional Use Permit. On September 13, 2022, the City Council adopted Ordinance No. ORD-2022-10, which amended the Zoning Code to prohibit new gas station land uses. While the permit applicant may qualify for an exemption from this rule, allowing this project to move forward would be a clear violation of the spirit of this ordinance, which was well thought out and intended to prevent this type of development.

Sincerely,

Carl Tennenbaum
Sebastopol

From: [McKay, Conor](#)
To: [Guasco, Cher](#)
Cc: [Manis, Dina](#); [Jones, Jessica](#); [Brown, Madeline](#)
Subject: Fw: [EXTERNAL] letter I sent to the City Council regarding denying the appeal of the gas station at the Aug 19 meeting
Date: Thursday, August 14, 2025 4:05:46 PM
Attachments: [image.png](#)

It looks like this may be one of the letters Woody is referring to that was sent in June or July.

Conor McKay (he/his) | **Senior Planner**

Planning & Economic Development | 100 Santa Rosa Avenue | Santa Rosa, CA 95404

CTmckay@srcity.org

(707) 543-4351



Coming soon in 2025, the Planning, Building, and Engineering Divisions of the City of Santa Rosa's Planning and Economic Development Department will fully transition to an online application submittal process through the Accela Citizen Access platform. Learn more about the Online Permitting System [here](#), and more information will be coming soon!

From: Jan Kahdeman <kahdeman@yahoo.com>
Sent: Thursday, August 14, 2025 4:00 PM
To: Planning Shared <planning@srcity.org>; McKay, Conor <CTMcKay@srcity.org>; Osburn, Gabe <GOsburn@srcity.org>
Subject: [EXTERNAL] letter I sent to the City Council regarding denying the appeal of the gas station at the Aug 19 meeting

Here is the text of the letter I have sent to each council member, for your records:

> I'm a 43-year resident of West Sonoma County. I'm writing today to express my opposition to a new gas station at the corner of Wright Road and Highway 12 in Santa Rosa. The Santa Rosa Planning Commission recently found the proposed use to be inconsistent with General Plan for many reasons, including its counteracting the City's Climate Action Plan, which is meant to improve air quality and reduce reliance on fossil fuels. Gas stations, with their gasoline and diesel storage tanks, pose inevitable risks to soil and groundwater contamination, especially in a designated wetland. Land that's been used as a location for a gas station becomes an environmental hazard when it's time to reclaim it for another use. This area is a scenic corridor, and a gas station will not enhance the appearance of the City's entryway along Highway 12.

>

> The Planning Commission denied the the project 6-0 in their April 10 meeting. They did so because they were "unable to find that the project would not be injurious to public health and well-being." Nothing has changed. Please uphold their rejection of the project.

>
> Sincerely,
>
> Jan Kahdeman

Jan Kahdeman

From: [Laura](#)
To: [City Council Public Comments](#)
Cc: [Planning Shared](#); [McKay, Conor](#); [Osburn, Gabe](#)
Subject: [EXTERNAL] Vote NO on Elm Street Station
Date: Thursday, August 14, 2025 5:22:37 PM

SR Council Members:

How will yet another gas station benefit this working class neighborhood? Newsflash: it won't.

As a nearby resident, I am opposed to the Elm Tree Station. The project is next to Blue Star Gas and within a less than five minute drive to two other Chevron stations, one on Stony Point Road and one at the entrance to Sebastopol. There are over a dozen other ones within a 5 mile radius. This is obviously not a "gas station desert."

The proposed site is next to the Joe Rodota Trail, which has seen enough issues in the past few years, and is close to the Sam Jones Shelter. There is a small convenience store nearby as well, negating one of the "selling points" of the project - fresh produce and other food. (Not to mention Food Maxx is nearby, with a better selection and lower prices.) And as anyone who's driven in the area already knows, traffic at Hwy 12 and Fulton Rd/Wright Rd is congested enough as it is.

The fact is Elm Street Station is not needed, and so the permit should be denied.

Laura Gonzalez
Santa Rosa
District 7

From: marlabus@sonic.net
To: [City Council Public Comments](#); [PLANCOM - Planning Commission](#); [McKay, Conor](#); [Osburn, Gabe](#)
Subject: [EXTERNAL] Uphold planning commission's denial of CUP re: 874 N Wright Rd gas station
Date: Thursday, August 14, 2025 7:05:42 PM

Dear Mayor and Members of the Santa Rosa City Council,

I'm writing to urge you to uphold the Planning Commission's recent decision to deny the Conditional Use Permit for a gas station at 874 N Wright Rd.

First, I want to thank and applaud the Council for your earlier, forward-thinking decision to prohibit new gas station development in Santa Rosa. That was a courageous step toward a healthier, more sustainable future, and it reflected the priorities of our community.

This particular appeal from the applicant feels especially troubling because so many residents have already voiced their strong concerns. The location in question is within a seasonal wetland area and along a busy traffic corridor. Adding a gas station there would only increase congestion, elevate the risk of accidents, and compromise environmental protections.

It's also unnecessary. Within a five-mile radius, there are already numerous gas stations serving local needs. Building another—especially in such a sensitive and high-traffic location—would offer no meaningful benefit to the community while creating significant risks.

I respectfully ask that you stand with the Planning Commission's decision and with the many residents who have spoken out against this proposal. Please uphold the denial of this permit and continue leading Santa Rosa toward a future that reflects safety, sustainability, and community well-being.

Thank you for your time and for your dedication to our city.

Sincerely,

Marla Charbonneau

Cotati, Ca



From: [Wendy Krupnick](#)
To: [City Council Public Comments](#)
Cc: [Planning Shared](#); [McKay, Conor](#); [Osburn, Gabe](#)
Subject: [EXTERNAL] No to development at 874 North Wright Rd
Date: Thursday, August 14, 2025 8:09:16 PM

Dear Santa Rosa City Council members,

On April 8 of this year I sent the letter below to the City Planning Commission, adding my voice to the chorus of opposition to this completely inappropriate proposal. While I remain committed to the importance of wetlands, when the City posted notice about the flood mapping with request for public input, I realized that this site needs to be included in this critical flood mapping assessment.

As you can see from the attached photos, this site floods in winter. With the prediction for more severe storms dropping higher rainfall amounts in short time periods, there must be places for all that water to go. If this site was developed, the water would go into adjacent roads, businesses and homes.

Please deny this appeal and move forward with the actual needs of your constituency - public safety and resiliency to deal with the climate extremes ahead.

Thank you for considering my views.

Wendy Krupnick

Dear Chair Weeks and Commissioners,

I live on Occidental Rd. 1.5 miles west of Fulton Rd. and am strongly opposed to the proposed gas station and convenience store at 874 North Wright Rd. I ask you to deny the Conditional Use Permit as there would be zero benefit to the community and a long list of negative results that would come from this development.

As you know, the City and most jurisdictions in the county have rightly enacted prohibitions on new gas stations for very good reasons. These reasons pertain to this proposal as well. As the climate crisis has rapidly intensified in recent years, there is ample evidence that a decision that was made in 2013 may not be relevant now, and conditions certainly have changed. There is no need for another gas station at a time when we desperately need to reduce fossil fuel emissions and pollution from all aspects of the oil industry.

We also do not need another convenience store in this location. There are two convenience stores within a mile, and two grocery stores, two liquor stores and two drug stores within three miles.

What we **do** need is protection for and enhancement of wetlands such as this. As we have seen in recent years, rainfall now often comes in intense downpours and increased flood mitigation is a critical need. Wetlands also filter storm water and slowly release it to groundwater.

I urge you to quickly deny this permit and urge the landowner to find support for wetland protections..

Thank you for considering my views,

Wendy Krupnick











From: [Laurie-Ann Barbour](#)
To: [City Council Public Comments](#)
Cc: [Planning Shared](#); [McKay, Conor](#); [Osburn, Gabe](#); [CityCouncilListPublic](#)
Subject: [EXTERNAL] No gas station at 874 N. Wright Road
Date: Thursday, August 14, 2025 9:37:22 PM

Dear Mayor Stapp, Vice Mayor Alvarez, and Council Members,

As a concerned citizen and climate activist, I respectfully urge you to uphold the Planning Commission's April 10 decision to deny a Conditional Use Permit (CUP) for the development of a gas station at 874 N. Wright Road, Santa Rosa and to deny the appeal dated April 18, 2025, filed by the applicant on April 21, 2025.

This gas station is unnecessary and conflicts with current Santa Rosa policies such as the Climate Emergency Resolution and the prohibition on new gas stations. The Planning Commission correctly denied the Conditional Use Permit, please follow suit and uphold their decision. Your constituents, the residents of Santa Rosa, will not benefit from this gas station, in fact may be harmed by it, and do not want it in their community.

Respectfully,
Laurie-Ann Barbour
Cotati, CA

From: [Tony Crabb](#)
To: [CityCouncilListPublic](#)
Subject: [EXTERNAL] Please Uphold the Planning Commission's Decision – No New Gas Station
Date: Friday, August 15, 2025 4:46:17 PM

Dear Mayor and City Council Members,

I'm writing as a concerned citizen and member of the Union of Concerned Scientists to urge you to **uphold the Planning Commission's decision to deny the proposed gas station project** currently under appeal.

This project is fundamentally at odds with Santa Rosa's values and long-term goals:

- It **violates city zoning and land use plans**
- It is **incompatible with the city's Climate Emergency Resolution**
- It would **increase pollution and traffic near the Joe Rodota Trail, multi-family housing, and sensitive wetlands**
- It relies on an **outdated 2013 environmental review**, ignoring recent science about the health risks of gas stations
- And most importantly, **it is the last gas station proposal in Santa Rosa**—denying it is a crucial step toward a fossil fuel-free future

Approving this project would not only compromise public health and environmental safety but also contradict the city's stated climate commitments.

Please stand with the community and affirm the Planning Commission's decision to deny this harmful and unnecessary project.

Sincere Regards, Tony Crabb

Tony Crabb
Puma Springs Vineyards
Healdsburg, CA 95448



www.pumasprings.com



Please consider the environment before printing this email.

From: [Sunny Galbraith](#)
To: [_CityCouncilListPublic](#); [Rogers, Natalie](#); [Okrepkie, Jeff](#); [Banuelos, Caroline](#); [Fleming, Victoria](#); [MacDonald, Dianna](#); [Alvarez, Eddie](#); [Stapp, Mark](#); [Planning Shared](#); [McKay, Conor](#); [Osburn, Gabe](#); [City Clerk](#)
Subject: [EXTERNAL] Agenda item 16.1 for 8/19/25 – Gas Station Proposal at 874 N. Wright Road, Santa Rosa
Date: Friday, August 15, 2025 5:34:46 PM
Attachments: [SRJC Climate Action Night Postcards.pdf](#)

Dear Santa Rosa City Council,

The attached scan of 41 postcards (also included in body of email below), in opposition to the gas station proposal at 874 N. Wright Rd, were written by Santa Rosa Junior College students at the annual [SRJC Climate Action Night](#) on April 24, 2025.

Although most of the postcards say the same thing, it was clear from the students' enthusiasm and eagerness to write their postcards that there is a lot of sentiment among the SRJC students that another gas station in the midst of a climate crisis that threatens their future is a terrible idea.

We have scanned the postcards (below) and provided them to you for the record for the August 19 Public Hearing in this case.

Please let us know if you have any questions.

Sincerely,
Sunny Galbraith
SRJC Climate Action Night Coordinator

August 15, 2025

Subject: Agenda item 16.1 for 8/19/25 – Gas Station Proposal at 874 N. Wright Road, Santa Rosa

Via email: citycouncil@srcity.org

Dear Santa Rosa City Council:


The following 41 scanned postcards, in opposition to the gas station proposal at 874 N. Wright Rd, were written by Santa Rosa Junior College students at the annual [SRJC Climate Action Night](#) on April 24, 2025.

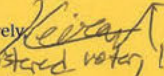
Although most of the postcards say the same thing, it was clear from the students' enthusiasm and eagerness to write their postcards that there is a lot of sentiment among the SRJC students that another gas station in the midst of a climate crisis that threatens their future is a terrible idea.


We have scanned them and provided them to you for the record for the August 19 Public Hearing in this case.

Please let us know if you have any questions.


Sincerely,
Sunny Galbraith,
SRJC Climate Action Night Coordinator

Dear Santa Rosa City Council, 
Please follow the lead of the
planning commission and deny the
appeal to build a gas station on
874 N. Wright Rd. We are counting
on you for climate action.


Sincerely, 
pre-registered voter, 16 City, State: Sebastopol, CA
Zip Code: 95472

Dear Council Members, 
Please follow the
lead of the planning
commission and deny the
appeal to build a gas
station at 874 N. Wright
Rd.

Sincerely, 
City, State: Santa Rosa, CA
Zip Code: 95409

Dear Council members 
Please follow the lead of the
Planning Commission and deny
the gas station proposal at
874 N. Wright Rd.

Sincerely, Collin Borisch 
City, State: Greenville, CA
Zip Code: 95446

Hello ~~board of supervisors~~ ^{COUNCIL MEMBERS} 
Please do not overturn the
appeal for 874 N Wright rd.
in their appeal they lied,
they had adequate time to rebut,
there gas station would only
hurt people! Please do not overturn
the planning commissions decision

Sincerely, 
City, State: Santa Rosa, CA
Zip Code: District 1
05407

Dear Council members:
Please follow the lead
of the planning commission
and deny the appeal to build
a gas station at 874 N.
Wright Rd



Sincerely,

Deborah
Sanger

City, State: Santa Rosa, CA
Zip Code: 95405

Dear Council Members:
Please deny the appeal to
build a gas station at
874 N. Wright Road.
Many thanks
David Erico



Sincerely,

DAVID ERICO

City, State: Cotati, CA
Zip Code: 94951

Dear Council Members,
Please follow the lead of the
planning commission & deny the
appeal to build a gas station
at 874 N. Wright Rd.



Sincerely,

Angel
Pasciua

City, State: Petaluma, CA
Zip Code: 94954

Dear council members: please
follow the lead of the planning
commission and deny the appeal
to build a gas station at 874 N.
Wright Rd.




Sincerely,

Monica Torres

City, State: Santa Rosa, CA
Zip Code: 95401

Dear council members:

Please follow the lead of the Planning commission and deny the appeal to build a gas station at 874 N. Wright Road.

Thank You ♥  ♥

Sincerely, Kalea
Morales

City, State: Sebastopol, CA
Zip Code: 95472



Dear Santa Rosa City Council Members,

Please follow the lead of the planning commission and deny the appeal to build a gas station at 874 N. Wright Rd

Sincerely, Jorgen Go

City, State: Santa Rosa, CA
Zip Code: 95403



Dear council members,

Please follow the lead of the planning commission and deny the appeal to build a gas station @ 874 N. Wright Rd.

Sincerely,
Bridget

City, State: Rohnert Park
Zip Code: CA 94928



Dear council members:

Please Deny the appeal to build a gas station at 874 N. Wright Rd.

Sincerely,
sebastian
Baker

City, State: Santa Rosa, CA
Zip Code: 95404



Dear Council,

We don't need more gas stations, including one proposed at 874 N. Wright Rd. Let's get more creative than that, please.

Sincerely,

Zeke Baker

City, State:
Zip Code:

Santa Rosa, CA
95405



Dear Council members,

Please follow the lead of the planning commission and deny the appeal to build a gas station at 874 N. Wright Rd.

Sincerely,

Lauri Ann Baber

City, State: Cotati, CA
Zip Code: 94931



Dear Council members,

Please support the Coalition Opposing New Gas Stations to prevent the construction of new gas stations in Sonoma County. This will support our transition away from fossil fuels & towards EVs. Thank you!

Sincerely,

Sydney Anderson

City, State: Santa Rosa, CA
Zip Code: 95407



Dear Council members,

Thank you for denying the appeal to build a new gas station on North Wright Road. Please continue to work towards protecting our environment. Our future depends on it, now more than ever.

Sincerely,

Deborah Rarnelli

City, State: Sebastopol
Zip Code: 95472



Dear Council Members

Although I have moved out of Santa Rosa, this was my old neighborhood and it is still very dear to me. Please follow the Planning Commission and deny the appeal to build a gas station at 874 N. Wright Rd



Sincerely,
Denise Cadman

City, State: Forestville, CA
Zip Code:

Dear Council members,

Please follow the lead of the planning commission and deny the appeal to build a gas station at 874 N. Wright Rd.



Sincerely,

A handwritten signature of Denise Cadman.

City, State: ~~Forestville~~ Richmond Park
Zip Code: 94928

Dear council members,

Please deny the permits to build new gas stations. Follow the lead of the planning commission and deny the appeal to build a gas station at 874 N. Wright Rd.



Sincerely,

Charlie Keeney

City, State: Santa Rosa
Zip Code:

Dear council members,

Please follow the lead of the planning commission and deny the appeal to build a gas station at 874 N Wright Rd.

Sincerely,

Viviana
Chaves

Richmont Park, CA
94928

Dear Santa Rosa City Council members:



Please follow the lead of the planning commission and deny the appeal to build a gas station at 874 N. Wright Rd.

Sincerely,

Ashlyn

City, State: *Rohnert Park, CA*
Zip Code: *94928*

Dear Council members,



Please follow the lead of the planning commission and deny the appeal to build a gas station at 874 N. Wright Rd.

Sincerely,

Ashlyn

City, State: *Windsor, CA*
Zip Code: *95492*

To the city council,
Please follow the lead of the planning Commission and deny the appeal to build a gas station at 874 N Wright Rd.



Sincerely, *Jennie Schultz*

City, State: *Santa Rosa Calif*
Zip Code: *95403*

Dear Santa Rosa City Council Members,
Please follow the lead of the planning commission & deny the appeal to build a gas station at 874 N. Wright Rd. We don't need more stations at the decline of the age of fossil fuels. We need clean transportation.



Sincerely,

Kate Ditzinger

City, State: *Sebastopol, CA*
Zip Code: *95472*

re: Dear SR City Council Members
Mark Stapp, Eddie Alvarez,
Dianna MacDonald, Victoria
Fleming, Caroline Barvelos, Jeff
Okrepkie, and Natalie Rogers,
Deny the appeal to build
a gas station at 874 N. Wright
Rd. Instead focus on the
New Greenway
Sincerely,
Elizabeth McCarty
City, State: Santa Rosa, CA
Zip Code: 95404



Dear Santa Rosa City Council Members
Please follow the lead
of the planning commission and
deny the appeal to build a gas
station at 874 N Wright Rd!
I am a high school student in
Sebastopol and I care about my
future. Please make the sustainable choice!
Sincerely,
Lily Wheeler
City, State: Sebastopol, CA
Zip Code: 95472



Dear council members:
Please follow the lead of the
planning commission and deny the
appeal to build a gas station at
874 N. Wright Rd.

Sincerely,

City, State:
Zip Code:



Dear Santa Rosa City Council Members Stapp, Rogers,
Alvarez, MacDonald, Fleming, Barvelos, Okrepkie,
Please follow the lead of the
planning commission and deny
the appeal to build a gas station
at 874 N. Wright Road.

Sincerely,

Kirkley

City, State: Santa Rosa, CA
Zip Code: 95404



Dear Council Members: please follow
the lead of the planning commission &
deny the appeal to build a gas station
at 874 N. Wright Rd"



Sincerely,

Bella Liu

City, State: Heidelberg, CA
Zip Code: 95498

Dear Santa Rosa City
Council Members,
please follow the lead of
the planning commission and deny
the appeal to build a gas station
at 874 N. Wright Rd.



Thank you so much!

Sincerely,

EVAN WEISE

City, State: Santa Rosa, CA
Zip Code: 95404

Dear Santa Rosa City
Council Members,
please follow the lead
of the planning commission,
and deny the appeal to build
a gas station at 874 N. Wright
Rd. Thank you!



Sincerely,

Catherine Kingsbury

City, State: Santa Rosa, CA
Zip Code: 95401

Dear council members, please
follow the lead of the planning
commission and deny the appeal to
build a gas station at 874 N.
Wright Rd.



Sincerely,

Ananda
Rachana

City, State: Cotati, CA
Zip Code: 94931

Dear Members of the City of
Santa Rosa Council:



Please follow the lead of the Planning
Commission and deny the appeal to build
a gas station at 874 N. Wright Road.
Thank you for your service!

Sincerely,

City, State:
Zip Code:

Santa Rosa, CA
95403

Dear Santa Rosa City Council



Please support: Santa Rosa Southeast Greenway,
Coalition opposing new gas stations,
Fire Safe Sonoma, Glyphosate & effluent reforming,
Building the Green North Bay Jobs w/ justice.

Thank you!

Sincerely,

Olivier Girard

City, State: Sebastopol, CA
Zip Code: 95472

Dear Council Members:
Please follow the lead
of the Planning Commission
and deny the appeal to build
a gas station at 874 N.
Wright Rd. Also, support
the Santa Rosa Southeast
greenway!



Sincerely,

Richard Hamilton
City, State: Eureka CA
Zip Code: 94928

re: Deny permits for new gas stations
Dear Santa Rosa City Council members,

Please consider denying the
appeal to build an additional
gas station on Wright Rd. This
already was voted on and the
answer was no new gas stations.
We have plenty of gas infrastructure
and should focus on shifting efforts
to decarbonize and focus on other forms of energy.

Sincerely,

Katie Gerber

Address: 7365 Cove Rd
Forsythe, CA
95436

Dear Council members:
Please follow the lead of
the planning commission and
deny the appeal to build a gas
station at 874 N. Wright Rd



Sincerely, *Cosette
Waferman*

City, State: Santa Rosa, CA
Zip Code: 95404

Dear Council members:
Please follow the lead of
Planning Commission and deny the
appeal to build a gas station at
874 N. Wright Rd



Sincerely, *Sage
Pizzimenti*

City, State: Santa Rosa
Zip Code: 95403

Dear Santa Rosa City Council,



Please support these campaigns

- + Solutions:
- Santa Rosa Southeast Greenway
 - Coalition Opposing New Gas Stations
 - Glyphosate's Affect on Farmworkers
 - Building the Good, NB
 - Job w/ Justice
 - Flex Funding from Hwy's to Transit

Sincerely,

Marina Stiles

City, State: Santa Rosa, CA
Zip Code: 95404

~~Dear~~ Dear council members: Please follow the
lead of the Planning commission and deny the
appeal to build a gas station at 874 N.
Wright Rd.

Sincerely,
Desmond E. Scott

Address: 5381 Arica Way, Santa
Rosa, CA. 95403

Dear Council Members,

Please follow the lead of the planning
commission and deny the appeal to
build a gas station at 874 N. Wright Road.



Sincerely, Madeline W. W. City, State: Santa Rosa, CA
Zip Code: 95409

From: [Wayne and Debbi Yamagishi](#)
To: [City Council Public Comments](#)
Cc: [Planning Shared](#); [McKay, Conor](#); [Osburn, Gabe](#)
Subject: [EXTERNAL] Fwd: sr qtr of appeal
Date: Saturday, August 16, 2025 11:51:40 AM
Attachments: [SR Appeal to srcity.docx](#)

----- Forwarded message -----

From: **Wayne Yamagishi** <wayneby@icloud.com>
Date: Sat, Aug 16, 2025 at 11:38 AM
Subject: sr qtr of appeal
To: debbi Yamagishi <wdyamagishi@gmail.com>

Please add this letter of appeal to the August 19th Santa Rosa City Council public hearing agenda.

--

Debbi Yamagishi

July 6, 2025

Santa Rosa City Council
100 Santa Rosa Ave, Room 10
Santa Rosa, CA. 95404

Dear Council Member Rogers,

I am writing to urge you to reject the appeal of the April 10 Planning Commission decision to deny the Conditional Use Permit for the proposed gas station at 874 North Wright Road in your district (7).

I am a 30 year resident of Santa Rosa (District 7) and have witnessed the transition of our city and the governance of past community leaders to create a community and city that reflects a masterful vision and culture for our city. This is no easy task, as there are many creative and fine ideas and proposals that our citizens have promoted to make our city vital with clean water, air, health programs for all groups. Large and small businesses thrive and are encouraged to seek partnerships with our community.

I am for a community that fosters safety on our streets, playgrounds, schools, leisure activities that encourage kindness, the arts, smiling faces, and those family values of goodwill and neighborly collaboration.

In just a few weeks you will be confronted with a renewed decision regarding the gas station proposal at 874 N. Wright Road. I was ecstatic that the Santa Rosa Planning Commission voted against the gas station. I cheer the Commission for its action on this difficult decision. In their closing remarks they were clear that this proposal did not meet the healthy environmental criteria for our community, nor the city's own policies about our climate.

The Commission heard many speakers comment that there was a clear traffic danger at the intersection of Hwy 12 and Wright Road, where citizens who lived, went to elementary school, and enjoyed walking and biking along the Joe Rodota Trail shared their fears about drivers entering and exiting the gas station and its retail facilities. During Public Comment local citizens addressed the Commission with actual documented details of traffic accidents, injuries, and law enforcement citations of reckless driving at this location.

I support clean air, water and a healthful environment, and I support small business endeavors that do not impose risks and hazards to community health and well being.

The Planning Commission did their due diligence and homework and made the right decision on April 10th. Please affirm that decision when the matter come before you.

Thank You,

Wayne Yamagishi



From: [Dennis Pocekay](#)
To: [City Council Public Comments](#)
Subject: [EXTERNAL] Gas station
Date: Sunday, August 17, 2025 9:26:02 PM

Santa Rosa CC members---

Please uphold the Planning Commission decision to deny the permits for a new gas station at [874 N. Wright Road](#) in Santa Rosa.

Dennis Pocekay

Retired Petaluma City Council member

From: [panna lossy](#)
To: [City Council Public Comments](#)
Cc: [Planning Shared](#); [McKay, Conor](#); [Osburn, Gabe](#)
Subject: [EXTERNAL] No new gas stations
Date: Sunday, August 17, 2025 11:06:19 PM

Dear Santa Rosa City Council

Please uphold the Planning Commission decision to deny the permits for a new gas station at [874 N. Wright Road](#) in Santa Rosa.

Approving new gas stations close to residential housing, especially in a low income neighborhood is just WRONG! Why take the considerable risks of the toxins like benzene polluting the air and ground water? Especially in 2025 when we are trying to move towards cleaner energy sources and transportation.

No. Just say No.

Courage Over Cynicism!
Panna Lossy, MD

From: [Sandra Martensen](#)
To: [_CityCouncilListPublic](#)
Subject: [EXTERNAL] Gas station on Wright Road
Date: Saturday, August 16, 2025 2:53:31 PM

Please reject the appeal filed on April 21 to permit a gas station at 874 North Wright Road. The most important reasons are that it violates city zoning and land use plans. The 2013 environmental report is outdated.

We do not need any more gas stations.

Sandra Martensen



From: [Woody Hastings](#)
To: [City Council Public Comments](#)
Subject: [EXTERNAL] Re: CONGAS Coalition Letter -- corrected version
Date: Monday, August 18, 2025 7:40:52 AM
Attachments: [image001.png](#)
[Coalition Letter to SR City Council - August 19 2025.pdf](#)

Good Morning Dina,

Late Friday we realized we have a small error in our letter. Just an incorrect affiliation for one of our coalition members. A corrected version of the letter is attached. If it is not too late, can you please use the attached version in the late correspondence pdf?

Thank you,

-Woody

On Fri, Aug 15, 2025 at 4:33 PM City Council Public Comments <cc-comment@srcity.org> wrote:

Woody – For future comments like this would you please put the letter into the body of the e-mail or as an attachment?

Due to the uptick in cyber security concerns, my fear is that a link in an email may be categorized a phishing/malicious and not be able to be included in the archives.

Thank you very much,

Dina

Dina Manis, MMC (she/hers) | City Clerk

City Clerk's Office | 100 Santa Rosa Avenue | Santa Rosa, CA 95404

Tel. (707) 543-3126 | Fax (707) 543-3030 | dmanis@srcity.org



From: Woody Hastings <woodyhastings@gmail.com>

Sent: Friday, August 15, 2025 8:24 AM

To: Stapp, Mark <MStapp@srcity.org>; Alvarez, Eddie <EAlvarez@srcity.org>; Rogers, Natalie

<NRogers@srcity.org>; Okrepkie, Jeff <JOkrepkie@srcity.org>; MacDonald, Dianna
<dmacdonald@srcity.org>; Banuelos, Caroline <CBanuelos@srcity.org>; Fleming, Victoria
<VFleming@srcity.org>

Cc: City Council Public Comments <cc-comment@srcity.org>; _CityCouncilListPublic
<citycouncil@srcity.org>; City Clerk <cityclerk@srcity.org>; Planning Shared
<planning@srcity.org>; _PLANCOM - Planning Commission <planningcommission@srcity.org>;
McKay, Conor <CTMcKay@srcity.org>; Osburn, Gabe <GOsburn@srcity.org>; Jones, Jessica
<jjones@srcity.org>; Weeks, Karen <KWeeks@srcity.org>; Duggan, Vicki <VDuggan@srcity.org>;
Horton, Miles <MHorton@srcity.org>; Cisco, Patti <PCisco@srcity.org>; Carter, Charles
<CCarter@srcity.org>; Pardo, Aaron <APardo@srcity.org>

Subject: [EXTERNAL] CONGAS Coalition Letter re Agenda Item 16.1 on 8/19/25 - Gas Station
Proposal at 874 N. Wright Rd.

Good Morning Mayor Stapp, Vice Mayor Alvarez, Councilmembers, and City Staff,

Please see the attached [CONGAS Coalition Letter](#) in support of the Planning Commission's
April 10 decision denying the permit application for a new gas station at 874 North Wright
Road. We urge you to affirm the April 10 decision and deny the appeal.

Please let me know if you have any difficulty opening the attachment, and/or if you have
any questions.

Thank you,

Woody Hastings,

Co-coordinator, Coalition Opposing New Gas Stations





SAFE CITIES **STAND** earth



**extinction
rebellion**
SF BAY AREA



**SIERRA
CLUB**
Sonoma Group



Protect Wild Petaluma



Mayor Mark Stapp and Santa Rosa City Council
City Hall, 100 Santa Rosa Ave,
Santa Rosa, CA, 95404
Via email: citycouncil@srcity.org

August 15, 2025

**Subject: Agenda Item 16.1 – Santa Rosa City Council Meeting on August 19, 2025 – Public Hearing
for 874 North Wright Road Gas Station proposal (File # PRJ21-033)**

Dear Mayor Stapp, Vice Mayor Alvarez, and Council Members,

We, the undersigned groups and individuals, representing thousands of Santa Rosa and Sonoma County residents, urge you to uphold the Planning Commission's April 10 decision to deny a Conditional Use Permit

(CUP) for the development of a gas station at 874 N. Wright Road, Santa Rosa and to deny the appeal dated April 18, 2025, filed by the applicant on April 21, 2025.

The Planning Commission Resolution (Resolution NO. PC-RES-2025-007)¹ lists the project's numerous conflicts with Santa Rosa Zoning Code, the General Plan, future land uses, California Environmental Quality Act standards, and requirements that Commissioners must take into account when weighing a project's Conditional Use Permit (CUP). The Planning Commission used their discretionary authority correctly after considering the requirements for a CUP, City codes, zoning, General Plan, geographical context, the history of this project, community welfare, long-term health, environmental, land use and fiscal impacts, and other factors. Approval of the project would expose the city to legal liability by violating the rules that protect public health, safety, and the environment.

The Coalition Opposing New Gas Stations (CONGAS) along with public comment from a broad and diverse group of Santa Rosa and Sonoma County residents expressed prior to and on April 10 the many ways this proposal is inconsistent with Santa Rosa's existing policies. Many community members expressed their concern about health, safety, and environmental impacts of a new gas station in this location.^{2,3,4} For details on these issues please refer to the comprehensive CONGAS coalition letter, co-signed by many Sonoma County organizations and prominent individuals, that was sent to the Planning Commission on April 9, 2025.⁵

In addition to the local public health and safety concerns, in 2020 the Council adopted the Climate Emergency Resolution⁶ that acknowledged that the climate crisis is real and pledged to join the worldwide effort to transition away from fossil fuels. We applaud the Council for its wisdom and forward thinking in adopting this Resolution and urge you to abide by it.

In 2022, the Council adopted the ordinance permanently prohibiting the construction of new gas stations within city limits. This project was exempted from the ordinance because its permit application was already deemed complete. But that exemption only meant that the project could continue to proceed in the permitting process to be evaluated. Based on the findings of inconsistency with many City codes, plans, and rules, the proposal would necessarily be denied regardless of the 2022 gas station ordinance.

Lastly, the clean up of contamination caused by gas stations often results in hundreds of thousands of dollars in costs to the municipality involved. Contamination that migrates offsite and contaminates water wells could amount to millions of dollars in liability to the city.

Based on the above, on behalf of CONGAS, its 1000+ supporters in Sonoma County, and the co-signing organizations and individuals below, we request that the City Council uphold the Planning Commission's April 10 unanimous decision, deny the MND Addendum and CUP, and deny the Appeal.

Respectfully,

Woody Hastings, Co-coordinator, CONGAS
Jenny Blaker, Co-coordinator, CONGAS

Woody Hastings, Co-coordinator, CONGAS
Jenny Blaker, Co-coordinator, CONGAS

¹ <https://drive.google.com/file/d/1METIEHiKtuz4KfKAEReZNS8w2U2wyHZm/view?usp=sharing>

² <https://www.srcity.org/DocumentCenter/View/45432/Attachment-21---Public-Correspondence-Updated-4-10-25>

³ Late Correspondence uploaded April 8: <https://drive.google.com/file/d/1ku3amwUBU8-lls6Txw0mP5rxuzRX9YqH/view?usp=sharing>

⁴ Late Correspondence uploaded April 10: <https://drive.google.com/file/d/1WhJhoaydFoxmDiniJ5ZEIU0-bW5Om8Mj/view?usp=sharing>

⁵ https://drive.google.com/file/d/1_M04_rQgcIXyJHGfR2whB8EaXETP6XW4/view?usp=sharing

⁶ <https://www.srcity.org/DocumentCenter/View/28039/Climate-Emergency-Resolution>

Wendy Krupnik, Proprietor
Chiatri de Laguna Farm

Laura Neish, Executive Director
350 Bay Area

Christine Hoex, Steering Committee Member
350 Sonoma

Dee Swanhuyser
Sonoma County Rural Alliance

Reuben Weinzveg, Treasurer
Sonoma County Tomorrow

Padi Selwyn, Co-chair,
Preserve Rural Sonoma County

Eris Weaver

Eris Weaver, Executive Director
Sonoma County Bicycle Coalition

Kevin Conway, Santa Rosa
Friends of the Climate Action Plan

Lawrence Jaffe and Nancy Cadigan, Co-Presidents
Sebastopol Grange #306

Steve Birdlebough, Advocate
Sonoma County Transportation and Land Use Committee

Paul Larkin
Citizens' Climate Lobby, Santa Rosa Chapter

Nathan Taft, Senior Campaigner
SAFE Cities with Stand.earth

Leah Redwood
Extinction Rebellion San Francisco Bay Area

Alexa Forrester
Bikeable Santa Rosa

Portia Sinnott, Executive Director
LITE Initiatives, Community Bikes Program

Shirley Johnson, Chair
Sierra Club Sonoma Group

Beverly Alexander
Protect Wild Petaluma 

Sonoma County Climate Activist Network (requested no individual signer)

Ann Hamilton (she/her/ella), North Bay Resilience Manager
Greenbelt Alliance

Neal Fishman, Board President
Sonoma County Conservation Action

Individuals:

Jane Bender, Former Santa Rosa City Councilmember and Mayor, Santa Rosa Resident
Jerry Bernhaut, Environmental Attorney, Santa Rosa Resident
Alaya Babineau, Wilderness Within Sebastopol
Laurie-Ann Barbour, Cotati
Autumn Burnes, MD
Laurel Chambers, Community Health Professional, Santa Rosa Resident, District 7
Marla Charbonneau, Cotati
Rue Furch, Sonoma County Environmentalist
Laura González, Educator, Santa Rosa Resident, District 7
Vin Hoagland, Sonoma County Bicycle and Pedestrian Advisory Committee
Veronica Jacobi, Former Santa Rosa City Councilmember
Jack James, Santa Rosa Resident, District 5
Jan Kahdeman, Sonoma County Resident
Derek Knowles, Santa Rosa Community Advisory Board, Santa Rosa Resident, District 4
Tyler Kruger, Santa Rosa Resident, District 1
Annika Lawson, Santa Rosa Resident
Janus Matthes, Wine & Water Watch
Holly & Richard Pierce, District 7, Residents near the Project site
Steven Pierce, CityClimateDashboard.org
Rebecca Reidelbach, Santa Rosa Resident, District 7
Teri Shore, Sonoma County Environmentalist
Cate Steane, Sonoma County Environmentalist, Santa Rosa Resident, District 4
Marsha Vas Dupre, Ph.D., Former Santa Rosa City Council Vice Mayor, SRJC Trustee
Gail Yamamoto Seymour, Retired Governmental Environmental Scientist, Santa Rosa Resident
Wayne Yamagishi & Debbi Yamagishi, Santa Rosa Residents, District 7

cc:

City Council Clerk
Karen Weeks, Chair, Planning Commission
Vicki Duggan, Vice Chair, Planning Commission
Miles Horton, member, Planning Commission
Charles Carter, member, Planning Commission
Patti Cisco, member, Planning Commission
Aaron Pardo, member, Planning Commission
Terrence Sanders, member, Planning Commission
Gabe Osburn, Director of Planning and Economic Development
Jessica Jones, Deputy Director, Planning
Conor McKay, Senior Planner

From: vin.hoagland@sonoma.edu
To: [City Council Public Comments](#); [Planning Shared](#)
Subject: [EXTERNAL] Support for Planning Commision Denial of Elm Street Gas Station
Date: Monday, August 18, 2025 9:23:28 AM

As a cyclist who uses the Joe Rodota Trail, I am opposed to allowing this gas station to be built. Cyclists and pedestrians going west on the trail must ride or walk south on the east side of N. Wright Road to connect to the trail leading to Sebastopol. Allowing a gas station with entrances from N. Wright Road across this part of the trail is a potential safety concern and has already been denied by the Planning Commision.

Uphold the Planning Commision decision.

Vincent Hoagland

--

Vin Hoagland



From: info.bikepartners.net
To: [City Council Public Comments](#); [Planning Shared](#)
Subject: [EXTERNAL] Deny Permit for North Wright fueling station
Date: Monday, August 18, 2025 9:04:14 AM

Re item 16.1 North Wright gas station

Honorable Members of the City Council and Esteemed Planning Staff:

I strongly urge your denial of the proposed North Wright fueling station permit.

As owner of a bicycle shop in Santa Rosa these past 14 years, focusing on bicycles for daily transportation, I can attest to the need for safe bicycle routes of travel in this community. The Joe Rodota Trail has been an essential transportation link for pedal transportation between Santa Rosa and Sebastopol these many years. Placement of a fueling station at this location on North Wright would seriously jeopardize the safety and aesthetic appeal of this route.

As a bicycle retailer, I have extensive experience dealing with customers who are considering bicycles for transportation. The key impediment to using a bicycle for daily transportation is safety. A Class 1 bike path such as the Joe Rodota Trail should be heralded and protected at all costs. No fueling station please.

Geoffrey Smith

Geoffrey Smith, owner

BikePartners Folding Bikes and Recumbent Trikes

www.bikepartners.net



[Schedule an Appointment](#)

From: [Ariel Muirhead](#)
To: [City Council Public Comments](#)
Cc: [CityCouncilListPublic](#); [Planning Shared](#); [McKay, Conor](#); [Osburn, Gabe](#)
Subject: [EXTERNAL] August 19 City Council Meeting Agenda Item 16.1 - 874 N. Wright Road Gas Station - Oppose
Date: Monday, August 18, 2025 9:35:57 AM
Attachments: [Healthcare Professionals Letter - SR Planning Commission - for 8-19-25.pdf](#)

Dear Mayor Stapp and Council,

I am writing to share with you the Healthcare Professionals Letter, submitted on April 9, 2025, regarding the proposed gas station at 874 North Wright Road in Santa Rosa. The letter is signed by 18 Sonoma County–based healthcare professionals, and our position has not changed: we remain strongly opposed to this project.

We urge you to protect the health of the local community and uphold the Planning Commission’s unanimous decision to deny the permit for this project.

Thank you for your leadership and commitment to community well-being.

With community,

~Ariel Muirhead
Santa Rosa

Gas Stations: A Healthcare Professionals' Perspective

Santa Rosa Planning Commission
100 Santa Rosa Ave,
Santa Rosa, CA 95404
Via email: planningcommission@srcity.org

April 9, 2025

Subject: Gas station proposal at 874 North Wright Road, and gas stations in general – A Healthcare Professionals' Perspective

Dear Santa Rosa Planning Commissioners:

We, the undersigned local healthcare professionals, write to express our dismay that the City of Santa Rosa is entertaining the notion of permitting a new gas station at 874 North Wright Road, just within Santa Rosa city limits.

As healthcare professionals committed to safeguarding public health, we are writing to express our deep concerns regarding the negative health impacts associated with gasoline stations in general, and this particular proposal, specifically.

There are several highly toxic chemicals in gasoline. These harmful compounds, which can escape into the air, include: benzene, toluene, ethyl benzene, and xylene (BTEX). Of these, benzene is the gasoline constituent most harmful to human health. Adverse health effects of benzene include cancer (including leukemia), anemia, increased susceptibility to infections, and low birthweight babies. When babies are born at low birthweight they have higher risks for a range of complications.

In addition to exposure via air, there is the potential for groundwater contamination from leaking underground storage tanks and dispensing operations. According to the California State Water Resources Control Board, in Nov 2024, there were 37,749 leaking storage tanks in California. The hazards posed by these leaking vessels can contaminate drinking water supplies and disproportionately impact vulnerable populations, including children, the elderly, and individuals with respiratory conditions. Wright Charter Elementary School is just 2700 feet away from the site.

Residents and workers near gasoline stations are at a higher risk of inhaling these harmful vapors, particularly when fuel is being transferred or dispensed. Additionally, particulate matter¹ and volatile organic compounds² released from gasoline stations contribute to air pollution, exacerbating respiratory diseases such as asthma and chronic obstructive pulmonary disease.

Underground fuel storage tanks pose a significant risk of soil and groundwater contamination due to potential leaks and spills. The risks are real. Contaminated groundwater can impact local drinking water sources, leading to long-term negative health effects in the community. The environmental burden of such contamination, including remediation, is extremely costly and difficult to accomplish. The location of the proposed gas station is near a residential community where many residents rely on wells for their drinking water. These would be threatened by leaking underground storage tanks.

It has come to our attention that the environmental review upon which your decision will be based was completed in 2013 – twelve years ago. Much has been learned over the past twelve years about the human health impacts of exposure to gasoline and diesel. Instead of calling for a new environmental preview, we call on you to simply reject the proposal. California is on a transition away from using dangerous fossil fuels toward much cleaner and safer electrification. Approving a new gas station in 2025 is an unhealthy deviation from this positive path to healthier forms of transportation. We believe that the people of Santa Rosa are as committed

¹ <https://www.epa.gov/pm-pollution/particulate-matter-pm-basics#>

² <https://www.epa.gov/indoor-air-quality-iaq/what-are-volatile-organic-compounds-vocs#>

to climate healthy choices as we are and given the concerns noted above, we urge the Commission to deny the Conditional Use Permit for the gas station at 874 North Wright Road.

Thank you for your attention and scrutiny on this proposal. We hope that you will make a decision based on the public's health.

Sincerely,

Barbara Sattler, RN, DrPH, FAAN, Professor Emeritus, School of Nursing and Health Professionals, University of San Francisco

Gary Pace, MD, MPH, Local Family Physician

Kenna Lee, RN, PHN, MAS, Public Health Practitioner

David Schneider, MD, Family Physician and Medical Educator

Panna Lossy MD, Local Family Physician

Jenny Fish, MD, HMDC, Local Family Physician

Cynthia Dickinson, RN, retired Nurse Practitioner and member, HPEACE

Ariel Muirhead, RDN, Public Health Registered Dietitian (RDN).

Jacob Wilbur, MDiv, Hospice Chaplain

Mary Wyman, Family Nurse Practitioner and Public Health Nurse

Margaretha D. Fledderus, RN, MSN, retired FNP, Oncology CNS.

Kendall Jones, MD, Local Family Physician

Ember Keighley, MD, MPH

Wendy Kohatsu, MD, ABOIM, Assoc. Clinical Professor, Family & Community Medicine, UCSF

Danny Toub, MD, AAHIVS, Local Family Physician

Jessica Stanton MD, local family physician

Morgan Theis, MD, local family physician

Deirdre Bernard-Pearl MD, local Pediatrician

Note: all of the above-signed individuals are residents of Sonoma County

cc:

- Conor McKay, Senior Planner
- Gabe Osburn, Director of Planning & Economic Development
- Mark Stapp, Mayor, City of Santa Rosa
- Natalie Rogers, Santa Rosa Councilmember, District 7
- Aaron Pardo, Planning Commissioner, District 7

ATTACHMENT

Health letter Attachment: Health Impacts Literature – Post 2022 – Gas Stations

April 9, 2025

- 1) A 2022 study by Allahabady et al showed that the average benzene concentration in the air at the fuel stations was about 5.5 times the standard limit:
Ahmad Allahabady¹ ID , Zabihollah Yousefi² ID , Reza Ali Mohammadpour Tahamtan³ ID , Zohre Payandeh Sharif. Measurement of BTEX (benzene, toluene, ethylbenzene and xylene) concentration at gas stations Ahmad Allahabady¹ ID , Zabihollah Yousefi^{2*} ID , Reza Ali Mohammadpour Tahamtan³ ID , Zohre Payandeh Sharif
- 2) Benzene, toluene, ethylbenzene, and xylenes (BTEX) showed the highest concentrations ranging from 2 to 15 µg/m³, ten times higher than those in the community air:
Jia, C., Fu, X., Chauhan, B. *et al.* Exposure to volatile organic compounds (VOCs) at gas stations: a probabilistic analysis. *Air Qual Atmos Health* 15, 465–477 (2022).
<https://doi.org/10.1007/s11869-021-01124-5>
- 3) The health of gas station workers is affected by exposure to BTEX and gasoline vapor emissions. According to the result of this study, BTEX compounds cause genotoxic changes, chromosomal and genetic abnormalities. (This can result in a number of cancers, birth defects, and other health risks)
- 4) Overall, residence within close proximity to a petrol station, especially one with more intense refueling activity, was associated with an increased risk of childhood leukemia,
Malavolti, M., Malagoli, C., Filippini, T. *et al.* Residential proximity to petrol stations and risk of childhood leukemia. *Eur J Epidemiol* 38, 771–782 (2023): <https://doi.org/10.1007/s10654-023-01009-0>
- 5) Iskandar Muda, Mohammad Javad Mohammadi, Arefeh Sepahvad, Ali Farhadi, RashaFadhel Obaid, Masoume Taherian, Najeh Alali, Shakhawat Chowdhury, Majid Farhadi. Associated health risk assessment assessment due to exposure of BTEX compounds in fuel station workers. *Reviews on Environmental Health*, March 2023
- 6) [Here](#) is a 2023 article from the Government of Canada that expands the range of possible harmful exposures to benzene from the 160 meters we had cited previously to 300 meters.

###

From: [McKay, Conor](#)
To: [City Council Public Comments](#)
Subject: Fw: [EXTERNAL] Affirm Commissions Denial of Use Permit! Re: Deliberations on Elm Street 874 N. Wright Road Appeal
Date: Monday, August 18, 2025 10:40:23 AM
Attachments: [image.png](#)

Conor McKay (he/his) | **Senior Planner**

Planning & Economic Development | 100 Santa Rosa Avenue | Santa Rosa, CA 95404

CTmckay@srcity.org

(707) 543-4351



Coming soon in 2025, the Planning, Building, and Engineering Divisions of the City of Santa Rosa's Planning and Economic Development Department will fully transition to an online application submittal process through the Accela Citizen Access platform. Learn more about the Online Permitting System [here](#), and more information will be coming soon!

From: Jeff Rooney <jrooneymt@gmail.com>
Sent: Sunday, August 17, 2025 8:38 PM
To: McKay, Conor <CTMcKay@srcity.org>; Osburn, Gabe <GOsburn@srcity.org>; Planning Shared <planning@srcity.org>
Subject: [EXTERNAL] Affirm Commissions Denial of Use Permit! Re: Deliberations on Elm Street 874 N. Wright Road Appeal

Dear Members of the Santa Rosa City Council,

I am a Santa Rosa resident who lives off Fulton Road not far from the Wright Road and Hwy 12 junction. This happens to be the place where the Santa Rosa Planning Commission on April 10 2025 unanimously denied a permit for the proposed Elm Street 874 N. Wright Road gas station and store at the southwest facing corner of the junction. I understand that the interested party, Mangal Dhillon, behind the gas station project appealed the commission's decision on April 21. 2025.

I urge you to affirm the commission's denial of the use permit at your upcoming August 19 City Council meeting!

As someone who travels that route frequently I would strongly oppose this simply on the grounds of creating more congestion at an already overloaded eastward turn from my

experience. More importantly, from an ecological standpoint and given the City Council's adoption of the Gas Station Prohibition Ordinance (No. ORD 2022-010) let us not waver from that commitment. The last thing we need in this time of climate and environmental crisis is another gas station in an environmentally sensitive area near [The Laguna de Santa Rosa!](#)

Respectfully,

Jeff Rooney

[REDACTED]

[REDACTED]

From: [Jason Holder](#)
To: [City Council Public Comments](#); [Osburn, Gabe](#)
Cc: [Stapp, Mark](#); [McKay, Conor](#); [Crocker, Ashle](#)
Subject: [EXTERNAL] Agenda Item 16.1 - Elm Street Station: Comments Supporting Denial of Appeal
Date: Monday, August 18, 2025 11:21:23 AM
Attachments: [Letter to City of Santa Rosa re Gas Station Project - Final 081825.pdf](#)

Dear Honorable Members of the City Council, Mayor Stapp, and Director Osburn,

On behalf of the Coalition Opposing New Gas Stations (CONGAS), please find attached our August 18, 2025 comment letter regarding Agenda Item 16.1, the appeal of the Planning Commission's unanimous denial of CUP21-100 ("Elm Tree Station").

Our comments explain why the Council should uphold the Planning Commission's April 10, 2025 decision and reject the appeal. In particular, the letter documents:

- Inconsistencies with the Zoning Code and General Plan;
- Incompatibility with adjacent residential uses and the Joe Rodota Trail;
- Significant unresolved public health and groundwater contamination risks;
- Inadequate CEQA review, especially in light of substantial new scientific information on traffic, air quality, and toxic emissions; and
- The City's own policy commitments under the Climate Action Plan, Climate Emergency Resolution, and Gas Station Prohibition Ordinance.

For these reasons, overturning the Planning Commission's decision would expose the City to unnecessary legal and environmental risks. We respectfully urge the Council to vote no on the appeal and affirm Resolution No. PC-RES-2025-007 denying the CUP.

Thank you for your consideration. Please direct any questions to me at jason@holderecolaw.com or (510) 338-3759.

Sincerely,
Jason Holder

--

Jason W. Holder
Holder Law Group

Important: This electronic mail message, including any attached files, is being sent by or on behalf of a lawyer; it is confidential and it may contain or constitute information protected by the attorney-client and/or the attorney work-product privileges. If the person actually receiving this message, or any other reader of this message, is not the named recipient, or the employee or agent responsible to deliver it to the named recipient, you are not authorized to retain, read, copy or disseminate this communication or any part of it. If you have received this communication in error, please immediately notify Holder Law Group at [\(510\) 338-3759](tel:5103383759). Thank you



Holder Law Group

2940 Summit St, Suite 2D
Oakland, CA 94609-3416

holderecolaw.com

(510) 338-3759
jason@holderecolaw.com

August 18, 2025

VIA EMAIL AND U.S. MAIL

Santa Rosa City Council
Mayor Mark Stapp
Vice Mayor Eddie Alvarez
Councilmember Dianna MacDonald
Councilmember Victoria Fleming
Councilmember Caroline Bañuelos
Councilmember Jeff Okrepkie
Councilmember Natalie Rogers
City of Santa Rosa
100 Santa Rosa Avenue
Santa Rosa, CA 95404
Email (c/o): cc-comment@srcity.org

Gabe Osburn, Director
Planning and Economic Development
100 Santa Rosa Avenue, Room 3
Santa Rosa, CA 95404
Email: gosburn@srcity.org

Re: Agenda Item 16.1 – August 19, 2025 – Appeal of Planning Commission Denial of CUP21-100 (“Elm Tree Station”) – 874 North Wright Road, Santa Rosa

Dear Mayor Stapp, Honorable Councilmembers, and Director Osburn:

On behalf of Coalition Opposing New Gas Stations (“CONGAS”), we submit the following comments urging the City Council to deny the pending appeal and uphold the Santa Rosa Planning Commission’s April 10, 2025 unanimous decision (Resolution No. PC-RES-2025-007) denying Conditional Use Permit CUP21-100 (“CUP”) for the proposed Elm Tree Station gas station project at 874 North Wright Road (“Project”).

As detailed below, the Planning Commission’s denial (1) is supported by substantial evidence in the record, (2) upholds and is consistent with applicable city codes, zoning, and General Plan policies, and (3) reflects the City’s obligations under CEQA and public health and safety mandates. Overturning the Commission’s decision could expose the City to significant and avoidable legal risk under multiple theories of liability.

Accordingly, the City Council should deny the appeal and affirm the Planning Commission’s sound decisions to reject the 2024 Addendum to the 2013 Mitigated Negative Declaration (“2013 MND”) and deny the CUP for the Project.

I. Factual and Procedural Background

A. The Planning Commission Adopted Evidence-Based Findings Supporting Denial of the CUP.

The Project proposes a new gas station with underground fuel storage tanks, two general retail spaces (including an asserted “fresh food” retail market), one on-site residential unit, and associated outdoor amenities on property adjacent to parcels zoned for residential uses and adjoining the Joe Rodota Trail.

The Planning Commission considered the Project for approval on April 10, 2025.¹ After considering the staff report, receiving staff’s and the applicant’s presentations, and taking public comment, the Planning Commission voted unanimously to deny the CUP and to adopt Resolution PC-RES-2025-007. The Planning Commission’s denial was based on multiple independent findings (A–E), made pursuant to Santa Rosa City Code § 20-52.050 (Conditional Use Permit). Each finding, which provides an independent legally sufficient basis for a decision to deny the CUP, is described below together with comments supporting the finding.

Planning Commission Finding	Supporting Explanation and Evidence
Inconsistency with Zoning Code (Finding A) – Gas stations are prohibited from adjoining residential uses (Zoning Code § 20-42.150(A)(2)), and convenience-type retail uses are expressly prohibited in the PD-0435 zoning district.	<p>The Planning Commission correctly found the project inconsistent with Santa Rosa Zoning Code § 20-42.150(A)(2), which prohibits gas stations adjoining residential uses, and with the PD-0435 zoning district’s express prohibition on convenience-markets. Staff’s conclusion that the proposed retail market is a “small grocery store” rather than a “convenience store” is not tied to City Code definitions and mischaracterizes the use: the project description and trip generation assumptions in the applicant’s own traffic study align with ITE Land Use Code 945 (“Convenience Market with Gas Pumps”), not ITE 850 (“Supermarket”), due to the inclusion of ready-to-eat food, traveler-oriented merchandise, and co-location with fueling operations.²</p> <p>The “commercial zone” exception in Zoning Code § 20-42.150(A)(2) does not apply here. For mixed use projects, the Santa Rosa Code states that residential units in combination with any other non-residential land use are</p>

¹ See video of April 10, 2025, Planning Commission meeting, available at: https://santa-rosa.granicus.com/player/clip/3431?view_id=2&redirect=true.

² See W-Trans, Traffic Impact Study for Project, July 2013, p. 12.

Planning Commission Finding	Supporting Explanation and Evidence
	"subject to the standards for mixed use projects in Section 20-42.090." ³ There is no compatibility between the uses of a residential unit and a gas station.
Conflict with General Plan Policies (Finding B) – The Project undermines City objectives for enhancing major entry corridors (Goal UD-C, Policy UD-C-1) and protecting scenic roadways (Goal T-G, Policy T-G-1).	The Planning Commission properly determined the project is inconsistent with General Plan objectives for enhancing major entry corridors and protecting scenic roadways. Appellant's argument that the site's distance from the Highway 12 entry reduces policy applicability ignores that Goal UD-C and Policy UD-C-1 apply to "major entry corridors" extending well beyond the immediate intersection, and the City's General Plan map identifies Fulton Road as such a corridor. (The appellant's appeal letter does not address Planning Commission's findings concerning the Project's inconsistencies with General Plan Goal T-G and T-G-1.) The DRB's prior approval addressed design details only and does not establish General Plan consistency where the underlying land use conflicts with applicable policies.
Incompatibility with Adjacent Uses (Finding C) – The automotive-oriented design is incompatible with the adjacent pedestrian- and cyclist-oriented Joe Rodota Trail.	Staff's claim that trail users could "safely navigate" the site is unsupported by collision risk data. The project's design would require pedestrians and cyclists to cross active fueling area driveways, creating conflict zones in close proximity to motor vehicles. ⁴ These hazards are inconsistent with the City's stated objective of providing safe, comfortable, and protected active transportation facilities. While staff and the applicant highlight the privately maintained park, seating areas, and bike/pedestrian connections as public benefits, these

³ Zoning Code § 20-42.090, subdivision (A), provides, in relevant part that the mixed-use project's "design shall provide for internal compatibility between the different uses" and that "[p]otential noise, hours of operation, odors, glare, pedestrian traffic, and other potentially significant impacts on residents shall be minimized to allow a compatible mix of residential and nonresidential uses on the same site."

⁴ During the Planning Commission meeting, speaker Laurel Chambers expressed concern regarding the safety hazard for children crossing the driveways with cars enter and exiting the site (see meeting video at approximately 1:04:45); also Alexa Forrester of Bikeable Santa Rosa spoke about the bicyclists using the Joe Rodota Trail and the safety issues posed by the increase of cars coming and going with a gas station (see meeting video at approximately 1:22:05).

Planning Commission Finding	Supporting Explanation and Evidence
	amenities do not mitigate the safety conflicts inherent in their location directly adjacent to fueling operations and high-turnover vehicle driveways.
Public Interest, Health and Safety (Finding D) – Underground fuel storage poses soil and groundwater contamination risks; the project would increase air pollution and is contrary to the City’s Climate Action Plan and Climate Emergency Resolution No. 2020-00.	The Planning Commission cited substantial evidence that the project would create unacceptable public health and safety risks. Staff’s reliance on the Health Risk Assessment’s “below threshold” findings is undermined by BAAQMD’s 2022 guidance acknowledging that no safe level of exposure exists for certain carcinogens, including benzene. The HRA also fails to account for cumulative risks from the adjacent Blue Star Gas propane facility and documented LUST sites in the area—factors the Commission properly considered in its nuisance and public health findings. While the applicant cites solar-powered pumps and EV charging as greenhouse gas (“GHG”) reduction measures, these features represent only a negligible offset compared to the lifecycle emissions from fossil fuel sales and do not mitigate the long-term lock-in of fossil fuel infrastructure or the cumulative climate impact of continued gasoline sales that undermine the state’s 2045 decarbonization goals. ⁵ This un rebutted evidence provides an independent basis for denial. ⁶
Inadequate CEQA Review (Finding E) – The proposed Addendum to the 2013 Mitigated Negative Declaration failed to address new and more severe potential impacts in	The applicant’s reliance on the 2024 Addendum to the 2013 MND is legally deficient. Staff’s assertion that updated technical studies justify an Addendum does not satisfy CEQA § 15162, as “below threshold” findings are not determinative where substantial evidence shows a fair argument that impacts may be significant (see

⁵ California decarbonization law: <https://archive.gov.ca.gov/archive/gov39/wp-content/uploads/2018/09/9.10.18-Executive-Order.pdf>.

⁶ Multiple comment letters in the Planning Commission record provide unrefuted evidence the appellant’s April 18, 2025 appeal does not address. For example, a joint letter from 18 healthcare professionals presents recent peer-reviewed studies linking gas station operations to elevated cancer and respiratory risks, especially within 300 meters of fueling, and highlights the site’s proximity to Wright Charter Elementary School and private wells. These letters (1) further reinforce that the Project is incompatible with the City’s zoning, Climate Action Plan, and Climate Emergency Resolution, and (2) provide un rebutted evidence supporting a decision to uphold the Planning Commission’s denial.

Planning Commission Finding	Supporting Explanation and Evidence
traffic, water quality, greenhouse gas emissions, and air quality.	<i>Communities for a Better Environment v. South Coast AQMD</i> (2010) 48 Cal.4th 310). The Addendum’s traffic, air quality, and health risk analyses fail to model cumulative conditions or apply current policy frameworks, including the City’s Climate Emergency Resolution. Staff’s reliance on the 2013 MND’s mitigation measures also fails to account for changed conditions and new scientific information. The applicant’s claim that 70% of vehicle trips are “pass-by” is unsupported and ignores that such trips still generate emissions, GHGs, and safety impacts—effects that CEQA evaluates based on total, not incremental, trip volumes. Finally, reliance on other agency permits (e.g., RWQCB Section 401, USACE Section 404) is misplaced, as such permits address narrow issues and cannot substitute for CEQA’s comprehensive review of cumulative, climate, public health, and land use impacts. CEQA Guidelines §§ 15162–15164 require preparation of a Subsequent EIR under these changed conditions.

B. Additional Considerations Implicated by New Information in Staff Report and Presentation Slides.

The applicant’s projected gas tax and sales tax revenues to the City (described in the presentation for this meeting) do not account for the substantial public costs associated with contamination cleanup, increased police and fire service demands, and the long-term health care costs from increased air pollution exposure. These gas tax and sales tax revenue projections also do not consider the fact that it's not an overall city-wide increase in sales, but merely a shift from other nearby gas stations (where the customer would have made the similar purchase without the existence of Elm Tree Gas station).⁷

This tax revenue argument is also irrelevant to the land use decision: CUP findings focus on public health, safety, and welfare—not net fiscal gain—and economic benefits cannot justify approval where land use, zoning, and environmental standards are not met.

⁷ There are 12 gas stations within 3 miles of 874 Wright Rd. (including a Chevron 1.6 miles to the west and an Arco 1.8 miles to the north) so the business source of this tax revenue would simply shift from one local station to another.

While the applicant and staff presentations highlight “public benefits” such as a privately maintained park, seating areas, and a trail connection, these amenities are located directly adjacent to fueling areas and high-turnover driveways, creating pedestrian and cyclist conflict zones identified in the City’s own Vision Zero Action Plan. Such amenities do not qualify as public benefits when they introduce safety hazards and increase exposure to toxic emissions.

Any claim that the project will serve unmet fueling demand in the area is belied by prior City Council findings on this subject. Specifically, the City Council has already addressed this premise in adopting the 2022 Gas Station Prohibition Ordinance, finding that existing fueling capacity is sufficient and that new fossil fuel infrastructure is contrary to the City’s long-term transportation and climate policy direction.

GHG reductions based on solar-powered pumps and EV chargers would be negligible in the context of the project’s lifecycle greenhouse gas emissions from continued gasoline sales. The presence of EV chargers does not mitigate the lock-in of fossil fuel infrastructure or advance the City toward the Climate Action Plan’s emission reduction targets.

The applicant relies on “pass-by” trip assumptions to downplay traffic and air quality impacts. However, the assumptions are unsupported by independent evidence and ignore that induced and pass-by trips still generate emissions, increase collision risk, and contribute to congestion. CEQA analyses are based on total trip volumes, not only “new” trips.

The Addendum fails to address the Project’s potential to cause traffic safety impacts. As demonstrated in prior comments, the collision history in the project vicinity has worsened since 2013.

Finally, the site’s CalEnviroScreen percentile rankings—combined with local asthma and groundwater threat scores—place it among the City’s most environmentally vulnerable areas under the City’s own Active Transportation Plan Existing Conditions Report. These environmental justice and health vulnerability indicators heighten the public health and safety risks of siting a new fueling station at this location and weigh heavily against approval.

II. Discussion: The Project Poses Significant Risks and Potential Liabilities

A. CEQA Compliance Risks

The applicant’s reliance on the 2024 Addendum to the 2013 MND is both legally and factually deficient. The Addendum asserts that the current proposal is “the same project” reviewed in 2013, with only two changes identified: (1) approval of the final parcel division; and (2) removal of a decayed Chinese elm. Those limited changes obscure the central issue: whether new information of substantial importance has arisen since 2013 requiring further CEQA review. (CEQA Guidelines, § 15162, subd. (a)(3).)

The Addendum itself attaches updated technical studies, but it fails to evaluate them under current CEQA thresholds and regulatory standards. In particular, the revised traffic analysis, air quality and GHG modeling, and Health Risk Assessment constitute significant new information not available at the time the 2013 MND was prepared. CEQA requires subsequent or supplemental review whenever new information shows the project may cause significant environmental effects not previously examined. (*Friends of College of San Mateo Gardens v. San Mateo County Community College Dist.* (2016) 1 Cal.5th 937, 949.) An addendum is not an appropriate vehicle where the prior environmental document did not already address the newly emerging issues. (*Ventura Foothill Neighbors v. County of Ventura* (2014) 232 Cal.App.4th 429, 435–436; *Friends of College of San Mateo Gardens v. San Mateo County Community College Dist.* (2017) 11 Cal.App.5th 596, 609.)

Despite the substantial body of new information, the Addendum fails to:

1. Address water quality impacts. In spite of the high water table and the proposed use of fuel USTs within a census tract that has high levels of threats to the groundwater;
2. Address traffic safety impacts including local collision history;
3. Model air quality and greenhouse gas emissions under current thresholds and applicable policies; and
4. Address new scientific information on toxic air contaminant emissions from fueling operations or the cumulative contamination risk from locating a new petroleum fueling facility in close proximity to an existing propane fueling station.

The Planning Commission correctly determined that the Addendum does not satisfy CEQA's requirements. The April 18, 2025 appeal letter ignores multiple categories of significant new information developed since 2013, including:

- New scientific studies showing gas stations emit more benzene and other toxics than previously recognized, with no safe level of exposure;⁸

⁸ See, e.g., Columbia University, Mailman School of Public Health, *Gas Stations Vent Far More Toxic Fumes Than Previously Thought*, dated October 4, 2018, available at: <https://www.publichealth.columbia.edu/news/gas-stations-vent-far-more-toxic-fumes-previously-thought#:~:text=A%20study%20led%20by%20environmental%20health%20scientists,external%20and%20opens%20in%20a%20new%20window>; see also NIH, *Benzene emissions from gas station clusters: a new framework for estimating lifetime cancer risk*, dated Jan. 7, 2021, available at: <https://pmc.ncbi.nlm.nih.gov/articles/PMC8172828/>.

- Advances in scientific understanding of groundwater contamination, vapor intrusion, and climate-related risks from fossil fuel infrastructure;⁹
- Multiple recent UST leak and explosion incidents underscoring unexamined public health and environmental hazards; and
- The City's adoption of Vision Zero commitments to eliminate severe traffic injuries and fatalities by 2030.

Since 2013, CEQA case law has further clarified the necessity of robust analysis of greenhouse gas emissions and climate change impacts.¹⁰ Courts have repeatedly invalidated project approvals where agencies relied on stale environmental documents and failed to prepare a Subsequent or Supplemental EIR in light of substantial changes or new information. The Council cannot lawfully rely on this Addendum to approve the project in the face of such unaddressed changes and risks.

B. Foreseeable Liability for Groundwater Contamination

Gas stations with underground storage tanks ("USTs") present a well-documented risk of soil and groundwater contamination. EPA estimates that petroleum releases from UST systems remain one of the leading sources of groundwater contamination nationwide, with thousands of new leak cases identified each year.¹¹ The State Water Resources Control Board ("SWRCB") reports that, as of 2024, more than 1,100 Leaking Underground Storage Tank ("LUST") cleanup cases remained open in California.¹²

The appellant does not address the site's location in a census tract in the 96th percentile for groundwater threat (CalEnviroScreen 4.0) and its proximity to multiple LUST cleanup sites.¹³

⁹ See EPA technical guides and academic studies on UST risk, especially regarding vapor intrusion and newer regulatory awareness. (See, e.g., EPA, Petroleum Vapor Intrusion website, available at: <https://www.epa.gov/ust/petroleum-vapor-intrusion>.) The inherent risk of vapor intrusion also supports the Planning Commission's Finding A (concerning co-locating an on-site apartment) as petrol vapors can get inside the residential unit.

¹⁰ See, e.g., *Sierra Club v. County of San Diego* (2014) 231 Cal.App.4th 1152, 1167; see also *Center for Biological Diversity v. Dept. of Fish & Wildlife* (2015) 62 Cal.4th 204; see also *McCann v. City of San Diego* (2021) 70 Cal.App.5th 51, 92.

¹¹ See EPA, Petroleum Brownfields website, available at: <https://www.epa.gov/ust/petroleum-brownfields>; see also EPA, UST website, available at: <https://www.epa.gov/ust/learn-about-underground-storage-tanks>.

¹² See SWRCB, Annual Performance Report website, available at: https://www.waterboards.ca.gov/about_us/performance_report_2324/cleanup/411_cleanup.html.

¹³ This issue was raised in written public comments and during the Planning Commission meeting. (See CONGAS letter to Planning Commission, dated April 9, 2025, p. 4; see also meeting video at 1:04:30 [public testimony by health professional and nearby resident asserting the project site poses heightened environmental health risks not reflected in the applicant's Health Risk Assessment].)

The combination of existing contamination sources and a new high-risk facility creates foreseeable liability for the City under nuisance, negligence, and environmental statutes if contamination occurs.

If a release occurs, the City and/or appellant could face:

- Public nuisance claims under Civil Code §§ 3479–3480 for maintaining or permitting a hazardous condition that endangers public health and water supplies;¹⁴
- Negligence claims for approving and/or implementing the project despite actual or constructive notice of contamination risks documented in the administrative record;
- Property damage and statutory liability under the Porter-Cologne Water Quality Control Act (Wat. Code, § 13000 et seq.) and the federal Resource Conservation and Recovery Act (“RCRA”), including citizen suits under 42 U.S.C. § 6972.

These risks are heightened here given: (1) the site’s location in a census tract rated in the 96th percentile for groundwater threat under CalEnviroScreen 4.0; (2) its proximity to multiple open and recently closed LUST sites; (3) the relatively shallow groundwater table,¹⁵ and (4) the documented presence of another fueling facility (Blue Star Gas) within 500 feet. The combination of multiple high-risk facilities in close proximity to residential uses and sensitive receptors materially increases both the likelihood and potential severity of contamination incidents, fire, explosions, and the City’s liability exposure if the Planning Commission’s decision is reversed and this Project is approved.

C. Inconsistency with the Policies Enacted In the Gas Station Prohibition Ordinance

Although the Project was deemed “exempt” from the 2022 Gas Station Prohibition Ordinance (Ordinance 2022-010) because its application was complete before adoption, the ordinance’s legislative findings remain directly relevant and should be given substantial weight in determining whether to grant discretionary approval.

Those findings—incorporated into Santa Rosa City Code § 20-42.150—explicitly recognize that new gas stations present ongoing risks of groundwater contamination, contribute significantly to greenhouse gas emissions, and are inconsistent with the City’s climate action and sustainability objectives. For example, in 2022, when adopting the Gas Station Prohibition Ordinance, the Council recognized that “the United States Environmental Protection Agency (EPA) has classified gas stations and fuel storage locations as uses that may

¹⁴ See, e.g., *Vedder v. County of Imperial* (1974) 36 Cal.App.3d 654, 661 [rejecting governmental immunity defense against public nuisance claim].

¹⁵ During the Planning Commission meeting, Commissioner Vicki Duggan expressed concern regarding the groundwater beneath the Project site between 7 - 12 feet BGS “which puts the tanks not only atop a seasonal wetland but within the water table, which is problematic.” (See meeting video at approximately 1:58:00.)

result in a brownfield site which are properties where the expansion, redevelopment, or reuse thereof may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant” and determined that: “businesses that support the use of fossil fuels result in the creation of increased air pollution/greenhouse gases, increased traffic congestion, negatively affecting community health outcomes, acceleration of climate change, impacts to water quality, and other negative environmental or indirect effects.”¹⁶

By approving this CUP, the Council would not only disregard the legislative policy judgment it adopted in 2022 but would also create an inconsistent and undermining precedent. The applicant’s April 18, 2025 appeal letter does not address these findings or explain why the Council should disregard its own express determination that additional gas stations are “contrary to the public interest, health, safety, convenience or welfare” (Santa Rosa Ord. No. 2022-016, § 2).

III. Conclusion and Recommendation

The Planning Commission’s denial is well-supported by substantial evidence and prior City Council findings. The determinations protect the City from foreseeable environmental, public health, and legal risks. Approval of the appeal would:

1. Contravene the City’s requirements for conditional use permits and with applicable zoning and General Plan standards;
2. Create significant CEQA vulnerability; and
3. Invite liability for foreseeable contamination impacts.

Therefore, the legally sound and environmentally responsible course is to uphold Resolution No. PC-RES-2025-007 and deny the appeal. On behalf of CONGAS, we respectfully request that the Council take this action to safeguard community health, protect the environment, and ensure the City’s compliance with applicable legal mandates.

Please address any questions and provide all future notices to the undersigned at jason@holderecolaw.com and to CONGAS at congas.contact@gmail.com.

¹⁶ Ord. 2022-010, p. 3 [Finding A].

City of Santa Rosa, City Council
Gabe Osburn, Planning and Economic Development, Director
Re: Comments Supporting Denial of Appeal,
re Elm Street Station Project at 874 North Wright Road

August 18, 2025

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* * *

We appreciate your careful attention to this important matter.

Very Truly Yours,

A handwritten signature in black ink, appearing to be 'JH' followed by a long horizontal stroke.

Jason Holder

cc: (Via e-mail only)
Mark Stapp, Mayor (mstapp@srcity.org)
Conor McKay, Senior Planner (ctmckay@srcity.org)
Ashle Crocker, Deputy City Attorney (acrocker@srcity.org)
Client contacts

From: [Eileen Bill](#)
To: [CityCouncilListPublic](#)
Cc: [Eileen Bill](#)
Subject: [EXTERNAL] Fwd: Gas Station
Date: Monday, August 18, 2025 4:59:21 PM

Dear Santa Rosa City Council Members,

Please stop any work or progress on installing a gas station on North Wright Road and Highway 12. In all cases, this station is not needed. The environment and all life around this area do not need this - in fact, it is detrimental to all. The Planning Commission has denied the permit and I hope you will do the same!

The station goes against the Climate Emergency Resolution (2020) as well as the ban on new gas stations (2022) as Woody Hastings points out (Santa Rosa Press Democrat, April 4, 2025). Woody knows and has been studying this plan as well as being a great steward of the environment for many years! Keep the air cleaner for the surrounding homes, the users of the Joe Rodota Trail and the wetlands.

Please protect our fine City and stop any further development or plans for such a station.

Thanks very much!

[REDACTED]
[REDACTED]
Santa Rosa CA 95405
[REDACTED]