

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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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

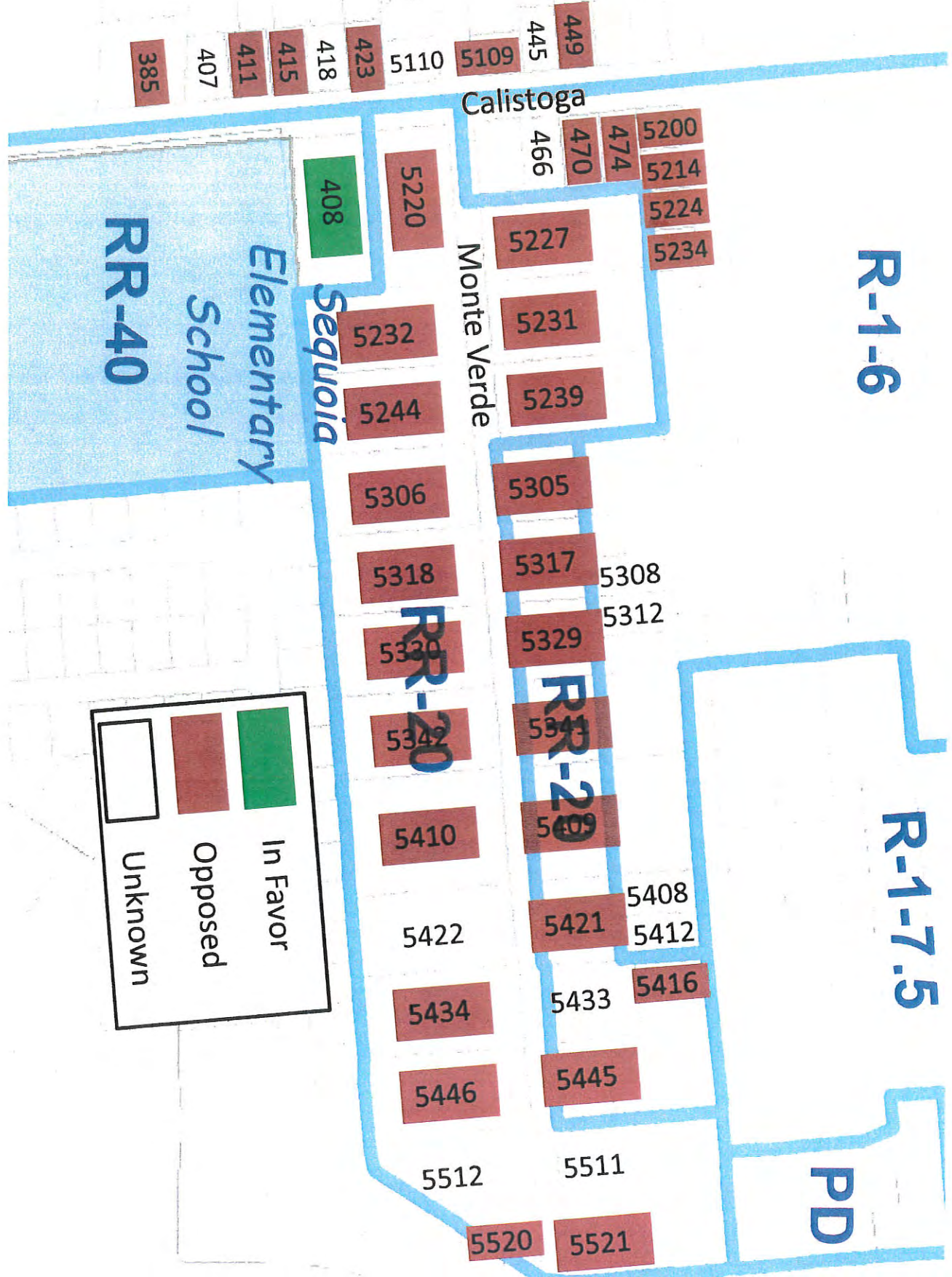
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Name	Address
CHRIS JOHANNESSEN	411 CALISTOGA RD
John Daly	5306 Monte Verde Dr.
KENNY GRANDALL	5220 MONTE VERDE DR.
KAREN GRANDALL	5220 MONTE VERDE DR.

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 Residents 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

When embossed this is certified to be a true copy of the
Records of the Sonoma County Recorder's office.

BERNICE A. PETERSON, Recorder

By

P. J. Laughlin

Deputy

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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 residedⁱⁿ 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