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From: Sonia Taylor <great6@sonic.net>

Sent: Thursday, August 09, 2018 11:33 AM

To: _PLANCOM - Planning Commission <planningcommission@srcity.org>

Cc: _CityCouncilListPublic <citycouncil@srcity.org>; Guhin, David <dguhin@srcity.org>; Broad, Gary <GBroad@srcity.org>; Kevin McCallum <kevin.mccallum@pressdemocrat.com>; Jim Sweeney -Press Democrat <jim.sweeney@pressdemocrat.com>; Teri Shore <tshore@greenbelt.org>; Daisy Pistey-Lyhne - SCCA <daisy@conservationaction.org>; ADC Steering Committee <ADCSteering@yahoogroups.com>; SCTL list <sctlc-list@lists.sonic.net>; HAG <sc-hagsters@googlegroups.com>

Subject: Re: Item 10.1, Round Barn Village, Planning Commission Agenda, 8/9/18

Chair Edmondson and members of the Santa Rosa Planning Commission:

Attached please find my letter regarding the Round Barn Village proposed project, which is Item 10.1 on today's agenda.

Please do not hesitate to contact me if you have any questions or would like additional information.

Sonia

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9 August 2018

Casey Edmondson, Chair
Karen Weeks, Vice Chair
Patti Cisco
Vicki Duggan
Curt Groninga
Akash Kalia
Julian Peterson
Santa Rosa Planning Commission

Via email

Re: Planning Commission Agenda Item 10.1, Round Barn Village, 8/9/18 Meeting

Dear Chair Edmondson and Members of the Santa Rosa Planning Commission:

First, I want to thank the developer, City Ventures, for being willing to meet and discuss their project.

There is no question that if this proposed project was in any other location in Santa Rosa, I would be much more sanguine about it. I would only be requesting more affordable units, a better level of affordability (a few low income vs. all moderate income), and traffic mitigations, because many aspects of the proposed project are excellent.

Unfortunately, however, this project is proposed for a very high fire danger area in Santa Rosa, and is new construction in that area. Further, the environmental review for this project has been – from the very beginning – fatally flawed and not in compliance with CEQA. And it remains that way to this day.

I refer you to my letter of November 29, 2017 (copy attached hereto) for specifics on the failures of the initial CEQA review.

The alleged current CEQA review is just as bad, and is just as inadequate.

First, the Addendum to the Initial Study, which you are being asked to adopt tonight, makes a statement that is completely unsupported by any evidence in the record. At page 1 of the Addendum (page 5 of the pdf document), the statement is made that:

“Pursuant to Public Resources Code Section 21166, and CEQA Guidelines Sections 15162 and 15164, subd. (a), FirstCarbon Solutions has reviewed the checklist categories provided in Appendix G of the CEQA Guidelines, and has determined that no substantial changes in the project, substantial changes in circumstance, or new information of substantial importance would occur with the proposed project (see Appendix A).”

In Appendix A of the Addendum, at page 24 of the pdf document, in the review of the Hazards section of the CEQA checklist, the following statement is made with regard to the fire hazards on the site:

“See supplemental MND data provided to commission and council to clarify the project’s location the WUI Zone and all the applicable city and fire code requirements for building in the WUI”

I have confirmed with staff that the “supplemental MND data” is contained within “Attachment 13 – Site Conditions Post Fire.”

There is absolutely no statement in Attachment 13 that says anything that clarifies the project’s location in the Wildland Urban Interface zone, or that references in any way fire code requirements for building in the WUI.

As stated in my attached November 29, 2017 letter, the original Mitigated Negative Declaration for this project is completely and totally inadequate because it fails to identify this project’s location as being in a very high fire danger zone, and also fails completely to require mitigations as a result of that location. Neither Attachment 13 nor the Addendum you are being asked to adopt today resolve that inadequacy.

In fact, Attachment 13 clearly states that although the proposed project site survived in “relatively good shape in terms of remaining vegetation,” it is abundantly clear that the site did have burn damage.

Since the adopted Mitigated Negative Declaration, Attachment 13 to your packet, and the Addendum to the Mitigated Negative Declaration do **not** even admit that this project is in a very high fire danger location, let alone properly address the significant effects and consequences of this project’s location in a very high fire danger zone, a new environmental document is required.

Regardless of what the developer is voluntarily proposing to do to attempt to mitigate the effects of their development being located in this very high fire danger zone, the fact remains that the CEQA documentation for this proposed project – all of it – is completely inadequate.

Additionally, there have been two very recent court decisions where project CEQA documentation has been found to be inadequate because of lack of discussion of and planning for fire evacuation measures/procedures, and there have been no mitigations for that significant effect required, or even proposed for this project.

It is obvious that this proposed project location will burn again in the future, and if this project is built, as many as 715 (or more) new residents will be living in harm’s way. It is also obvious that the CEQA documentation prepared for this project fails and refuses to even admit that that is a possibility, and fails to require appropriate mitigation measures.

Therefore, in spite of the fact that this is otherwise a reasonably good project, I hereby request that you deny the Addendum to the Initial Study/Mitigated Negative Declaration and deny the Tentative Map, Minor Use Permit and Hillside Development permit for this project. I further request that you require that an adequate CEQA document be prepared for this proposed project.

Thank you for your consideration. As always, please do not hesitate to contact me if you have any questions.

Sincerely,

Sonia E. Taylor

Cc: Mayor Chris Coursey
Vice Mayor Chris Rogers
Councilmember Julie Combs
Councilmember Ernesto Olivares
Councilmember John Sawyer
Councilmember Tom Schwedhelm
Councilmember Jack Tibbetts
David Guhin, Director of Planning and Economic Development
Gary Broad, Planning Consultant
Kevin McCallum, Press Democrat
Jim Sweeney, Press Democrat
Greenbelt Alliance
Sonoma County Conservation Action
Accountable Development Coalition
Sonoma County Transportation and Land Use Coalition
Housing Advocacy Group

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29 November 2017

Patti Cisco, Chair
Casey Edmondson, Vice Chair
Vicki Duggan
Curt Groninga
Julian Peterson
Peter Rumble
Karen Weeks
Santa Rosa Planning Commission

Via email

Re: Planning Commission Agenda Items 8.1 and 8.4, 11/30/17 Meeting

Dear Chair Cisco and Members of the Santa Rosa Planning Commission:

On your November 30th agenda you have two items that I find concerning.

Item 8.1 is a request by Oakmont Senior Living/OSL Santa Rosa Properties LLC requesting approval of Oakmont of Emerald Isle Assisted Living's request for a Conditional Use Permit for construction and operation of a 49-unit assisted living facility, for a Hillside Development Permit for the same project, and for adoption of a Mitigated Negative Declaration for the same project.

Item 8.4 is a request by City Ventures/Arterial Vascular Engineering, Inc. for the "Round Barn" project, requesting approval of a General Plan Amendment and Rezoning of the site, and for adoption of a Mitigated Negative Declaration for the site (ultimately to be approved by the City Council).

Both of these proposed actions are for properties in Fountaingrove. Not to overstate the obvious, but substantial portions of Fountaingrove burned during the Tubbs fire, including existing properties in the immediate vicinity of the properties on which you are requested to take actions.

APPROVALS ARE PREMATURE

Santa Rosa, as a community, has agreed that burned properties should be allowed to rebuild, and agreed to expedite that rebuilding. That discussion has taken place, and the City Council has confirmed that community decision.

These two proposals, however, are for **new** development in an area substantially burned. Neither the community, nor the City Council, has as yet had an opportunity to discuss whether and/or what we want to do about **new** development in areas such as Fountaingrove, and I believe it is necessary to have that

discussion prior to approving actual new development (the Emerald Isle proposal) or a General Plan Amendment/Rezoning that will inevitably lead to new development (the Round Barn proposal).

It is premature to consider, let alone approve, either of these projects. Not only does our community and the City Council deserve the right to have the conversation about new development in burned areas, but I strongly believe that it would be prudent to wait until Cal Fire and Santa Rosa have had the time and opportunity to fully evaluate and assess the Tubbs fire, and potentially revise maps and other building regulations, prior to taking any actions that would result in new construction on vacant lands in Fountain Grove.

I would request that you put Items 8.1 and 8.4 on hold for at least six months to allow for such community conversation and assessment of the impacts of the Tubbs fire.

THE MITIGATED NEGATIVE DECLARATIONS ARE INACCURATE AND INADEQUATE

Both of the Mitigated Negative Declarations for 8.1 and 8.4 (coincidentally prepared by the same firm – FirstCarbon Solutions), and the November 6, 2017 Memo from FirstCarbon Solutions responding to the Tubbs fire with regard to the Emerald Isle project, state that there is **Less than a Significant Impact** for any significant risk of loss, injury or death from wildland fires for both proposals, in virtually identical language.

Because their conclusion, for both projects, is that those actions will have a Less than a Significant Impact, there are no mitigation measures proposed in the Mitigated Negative Declarations.

I do not believe that these assertions are accurate, based both on the information they provide (and don't provide), as discussed below, and based on the real life experience we have with the Tubbs fire. In fact, I believe that both of these Mitigated Negative Declarations are disingenuous, at best.

Both of the Mitigated Negative Declarations reference a variety of materials in support of their conclusions that these project sites are located in **“Non-Very High Fire Hazard Severity Zone.”** Unfortunately, they neglect to reference the two documents that actually matter in this regard:

1. **City of Santa Rosa Local Hazard Mitigation Plan, dated October 2016** (they do reference an earlier version of this Plan, but fail to reference the most current version, or any pages that I believe would be useful to your decision making). This report is available at: <https://srcity.org/DocumentCenter/View/3982>

2. **City of Santa Rosa Wildland – Urban Interface Fire Area Map, dated 28 January 2009** This map is available at: <https://srcity.org/DocumentCenter/View/4775>

Fire Hazard Severity Zones/Wildland-Urban Interface Fire Areas:

Both Mitigated Negative Declarations reference the CalFire “Very High Fire Hazard Severity Zones in LRA [Local Responsibility Area]” map, and use that map (along with a similar U.S. Forest Service Wildfire Hazard potential map) to support their contention that neither of the project locations is in a Very High Fire Hazard Severity Zone.

While I agree that those maps do support that conclusion, I do not believe that those maps are the best information that should have been used in the preparation of these Mitigated Negative Declarations, leading to what I believe are erroneous and potentially dangerous conclusions.

If you refer to the October 2016 Local Hazard Mitigation Plan, you will discover on page 59 (page 63 of the pdf document) that:

... On February 24, 2009 the Santa Rosa City Council approved an amendment to Chapter 47 Section 18-44.4702.1 of the 2007 California Fire Code (CFC) defining a Wildland Urban Interface Fire Area as follows:

"Wildland-Urban Interface Fire Area is a geographical area in the City of Santa Rosa at significant risk from wildfires as designated on the map titled Wildland-Urban Interface Fire Area, dated January 28, 2009 and retained on file in the City Geographic Information System and in the Office of the City's Fire Marshall. The Wildland-Urban Interface Fire Area shall include Very High Fire Hazard Severity Zones recommended by the Director of the California Department of Forestry and Fire Protection pursuant to Public Resource Code sections 4201 – 4204 and Government Code sections 51175 – 51189." (emphasis added)

If you refer to Santa Rosa's current Wildland-Urban Interface Fire Area Map, you will see that both of the potential projects you are being requested to approve are within this area of "significant risk from wildfires."

Further, at page 63 of the Local Hazard Mitigation Plan (page 67 of the pdf document), the following statement is made:

Exposure to future wildfires is expected to increase. Areas in Santa Rosa with higher potential for wildfire risks include hillside residential neighborhoods in the northern and eastern areas of the City with tall grasses and chaparral, which provide fuel for wildfires. With population growth and urbanization, a larger number of people and homes may be located in areas of wildfire risk. However, the General Plan designates the density of homes in Santa Rosa's WUI as primarily low density, including Very Low Density Residential (0.2–2.0 units per acre), Land Low Density Residential (2.0-8.0 units per acre).

Both of the proposals before you would increase residential density in the current Wildland-Urban Interface Fire Area, and the Emerald Isle proposal would increase it with a population of elderly and disabled residents.

In the November 6, 2017 Memo prepared for the Emerald Isle project, to discuss the CEQA evaluation after the Tubbs fire, the following statements are made:

Implementation of the proposed Project would not substantially alter the risk of wildfire on the site, and continued implementation of existing wildfire mitigation strategies by responsible agencies in the area as well as implementation of any additional strategies to be developed and implemented in the coming months would be sufficient to ensure that the associated impacts from Project implementation remain less than significant. Therefore the analysis contained in the Draft ISMND remains valid.

While I agree that the risk of a wildfire remains substantially the same whether this project is built or not, I strongly object to the reaffirmed conclusion that this project is in a **“Non-Very High Fire Hazard Severity Zone.”** In fact, since the Mitigated Negative Declaration declares this to be “Less than a Significant Impact,” no mitigation measures are proposed. Any future “additional strategies to be developed and implemented in the coming months” are in fact mitigation measures that must be included in the Mitigated Negative Declaration so that the Planning Commission can evaluate the adequacy of said possible mitigations. Of course, they can’t be included, because said mitigation measures are presently unknown.

I believe that the evidence available indicates that there may be a significant environmental impact of fire danger for both of these proposed projects. I would even go further, and state that there is no question that fire danger is unquestionably a significant environmental impact for both of these proposed projects.

Since both of the Mitigated Negative Declarations fail to properly evaluate or even acknowledge that environmental impact, they are inaccurate, inadequate, and you should reject them both.

PROJECT SPECIFIC COMMENTS

Emerald Isle Project, Item 8.1:

Beyond the fact that neither the community, nor the City Council, has had the opportunity to have the conversation about permitting new development in burned areas, I have one very specific problem with this proposal.

This project is built on a cul-de-sac. There is only one way in and one way out of the project. As we all learned through our experience with the recent fires, safe evacuation is both difficult and extremely important. To permit a project of entirely elderly and disabled residents on a cul-de-sac is a very poor idea. I am quite sensitive to this problem, since I live on a dead end street, and only have one way in and one way out of my home – this was very challenging and frightening during the fires.

I would request that you require that this project – if/when it comes back to you after the community conversation has taken place, and after the Mitigated Negative Declaration has been corrected – have two means of egress. A cul-de-sac is a terrible idea, particularly for this sensitive population of residents.

Round Barn Project, Item 8.4:

First, I generally dislike General Plan Amendments and Rezoning that come forward without an actual project that will be built.

Second, assuming the community wants to approve new development in Fountaingrove, I very much oppose the General Plan amendment to medium low density residential and rezoning of this property to R-1-6, single family residential. Although City Ventures has a plan for potential townhomes in the future, they may or may not come to fruition. This redesignation and rezoning could permit building of more single family homes at some point in the future, and because of the location, it is likely that they would in no way be affordable.

If there is agreement to permit new residential development in Fountaingrove, I believe it more appropriate that this property be redesignated and rezoned for at least medium density residential, and no project should be approved without a requirement for legally affordable housing to be built as part of the ultimate development. Although City Ventures' proposed project would be for units that would be "more affordable" by design (since they will not be single family homes), I do not believe that they have made any provision for legally affordable units.

I would request that you require that this project – if/when it comes back to you after the community conversation has taken place, and after the Mitigated Negative Declaration has been corrected – be required to be for medium density housing, and that you make clear that you want to see any development project coming back on this property with legally affordable housing as part of the proposal.

Thank you for your consideration. As always, please do not hesitate to contact me if you have any questions.

Sincerely,

Sonia E. Taylor

Cc: Mayor Chris Coursey
Vice Mayor Jack Tibbetts
Councilmember Julie Combs
Councilmember Ernesto Olivares
Councilmember Chris Rogers
Councilmember John Sawyer
Councilmember Tom Schwedhelm
David Guhin, Director of Planning and Economic Development
Clare Hartman, Deputy Director, Planning
William Rose, Supervising Planner
Aaron Hollister, Planner
Patrick Streeter, Planner
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