



**From:** [Jim Lockington](#)  
**To:** [Murray, Susie](#); [Olivia Ervin](#); [Zach Lauterbach](#)  
**Subject:** RE: [EXTERNAL] In & Out project  
**Date:** Tuesday, January 12, 2021 11:29:42 AM

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Thank you for passing this along Susie.

Mr. Natoli expresses valid concerns. Fortunately, sharing the Traffic Report with him should give him comfort as the drive-through queue is addressed in detail on pages 28-30 in the report and concludes that the queue is adequate.

Further, our proposed second Santa Rosa location has better circulation, more parking, and a significantly longer dedicated onsite drive-thru queue than the Rohnert Park or Steele Ln locations referenced in Mr. Natoli's letter. FYI, I intend to include in my presentation a powerpoint animation that shows how the drive-thru queue will be managed in order to avoid cars stacking onto Santa Rosa Avenue even if the dedicated onsite 30 car drive-thru queue is exceeded.

I will endeavor to send you the powerpoint by mid-day on Thursday by email so that it can be loaded into the City's computer to accompany my oral presentation. By the way, how many minutes would you recommend that I limit my presentation to the Commission to? I can see easily needing 15 minutes or so.

Thank you,

**Jim E Lockington** | Manager, New Store Development  
o 626 813 8289 | m 626 483 6795

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**From:** Murray, Susie <SMurray@srcity.org>  
**Sent:** Tuesday, January 12, 2021 10:37 AM  
**To:** Olivia Ervin <OErvin@m-group.us>; Jim Lockington <JLockington@innout.com>; Zach Lauterbach <zlauterbach@evgre.com>  
**Subject:** FW: [EXTERNAL] In & Out project

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Olivia & Jim,

I received the email below this morning. No surprise; I think traffic will be the primary issue.

Zach,

I received the check yesterday. I plan to deliver the NOD on Friday.

Susie

**Susie Murray | Senior Planner**

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

Tel. (707) 543-4348 | Fax (707) 543-3269 | [smurray@srcity.org](mailto:smurray@srcity.org)



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**From:** [PhilNatoli@comcast.net](mailto:PhilNatoli@comcast.net) <[PhilNatoli@comcast.net](mailto:PhilNatoli@comcast.net)>

**Sent:** Tuesday, January 12, 2021 10:15 AM

**To:** Murray, Susie <[SMurray@srcity.org](mailto:SMurray@srcity.org)>

**Cc:** Rose, William <[WRose@srcity.org](mailto:WRose@srcity.org)>

**Subject:** [EXTERNAL] In & Out project

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We have seen it happen at the other Sonoma County In and Out drive throughs both up on Stelle Lane and in Rohnert Park. The adjacent properties access becomes blocked and the property is negatively impacted and tenants are not able conduct their business.

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Would you please provide any traffic study that was conducted that addresses these issues.

Thank you,

Phil Natoli

**From:** [Jim Lockington](#)  
**To:** [Murray, Susie](#); [Adams, Nancy](#); [Sprinkle, Rob](#); [Dalene Whitlock](#)  
**Cc:** [Olivia Ervin](#); [Zach Lauterbach \(zlauterbach@evgre.com\)](mailto:zlauterbach@evgre.com)  
**Subject:** RE: [EXTERNAL] In & Out project  
**Date:** Tuesday, January 12, 2021 3:08:26 PM

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Thanks for the cc Susie.

The W-Trans report clearly concludes there is no significant impact at the SR/Yolanda intersection due to the added In-N-Out traffic.

I suspect that Mr. Natoli's customers make the same U-Turn that he references. Also, repeat In-N-Out customers will find that they have an alternative to a U-Turn at the intersection - they can turn left on Yolanda and then turn left into the In-N-Out Yolanda driveway. That is the beauty of our having access driveways on both Santa Rosa and Yolanda.

And, while I completely agree that "other businesses on SR Ave deserve to be able to continue to function with reasonable access..." it is also true that raw land deserves to be developed to serve the community if, as was done for the In-N-Out Project, a reasonable and competent environmental analysis concludes that there are no significant impacts due to that development.

Respectfully,

**Jim E Lockington** | Manager, New Store Development  
o 626 813 8289 | m 626 483 6795

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**From:** Murray, Susie <SMurray@srcity.org>  
**Sent:** Tuesday, January 12, 2021 2:45 PM  
**To:** Adams, Nancy <NAdams@srcity.org>; Sprinkle, Rob <RSprinkle@srcity.org>; Dalene Whitlock <dwhitlock@w-trans.com>  
**Cc:** Jim Lockington <JLockington@innout.com>; Olivia Ervin <OErvin@m-group.us>  
**Subject:** FW: [EXTERNAL] In & Out project

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FYI

**Susie Murray** | Senior Planner

Planning & Economic Development | 100 Santa Rosa Avenue | Santa Rosa, CA 95404  
Tel. (707) 543-4348 | Fax (707) 543-3269 | [smurray@srcity.org](mailto:smurray@srcity.org)



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---

**From:** [PhilNatoli@comcast.net](mailto:PhilNatoli@comcast.net) <[PhilNatoli@comcast.net](mailto:PhilNatoli@comcast.net)>

**Sent:** Tuesday, January 12, 2021 2:42 PM

**To:** Murray, Susie <[SMurray@srcity.org](mailto:SMurray@srcity.org)>

**Subject:** RE: [EXTERNAL] In & Out project

Hi Susie, after reviewing the report, I noticed that in the report, the intersection on Yolanda / SR Ave. had a higher rate of traffic accidents than the state average.

The report did not address our biggest concern which is that Northbound traffic on SR Ave. en route to In & Out will be making U-turns at this intersection in order to take the quickest route to the entrance of the restaurant which they will see while driving north bound on SR Ave. The increased number of cars making U-turns at this intersection will cause real traffic issues that may not be able to be mitigated. We have seen many near misses and accidents alike at this light when cars driving west on Yolanda don't anticipate that cars on SR Ave. are making a U-turn in the intersection to go North..

The W-Trans report only suggested that the City of SR consider Investigating improvements on this intersection, no suggestion or conclusions offered..

This is a real problem area that should be examined for possible improvements before its too late and before more traffic is compounded in the area in order to make sure that we don't end up with gridlock at this intersection.

Other businesses on SR Ave. in this area deserve to be able to continue to function with reasonable access and to allow their customers ease of access since its already tough enough as it is in retail business today without these issues.

Best Regards,

Phil Natoli

2612 Santa Rosa Ave.

Santa Rosa,

707 292-4114

---

**From:** Murray, Susie <[SMurray@srcity.org](mailto:SMurray@srcity.org)>  
**Sent:** Tuesday, January 12, 2021 11:51 AM  
**To:** [PhilNatoli@comcast.net](mailto:PhilNatoli@comcast.net); [lisanatoli@comcast.net](mailto:lisanatoli@comcast.net)  
**Subject:** FW: [EXTERNAL] In & Out project

Phil,

Please see comments in response to you email from the applicant.

Susie

**Susie Murray | Senior Planner**

Planning & Economic Development | 100 Santa Rosa Avenue | Santa Rosa, CA 95404  
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**From:** Jim Lockington <[JLockington@innout.com](mailto:JLockington@innout.com)>  
**Sent:** Tuesday, January 12, 2021 11:30 AM  
**To:** Murray, Susie <[SMurray@srcity.org](mailto:SMurray@srcity.org)>; Olivia Ervin <[OErvin@m-group.us](mailto:OErvin@m-group.us)>; Zach Lauterbach <[zlauterbach@evgre.com](mailto:zlauterbach@evgre.com)>  
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**Sent:** Tuesday, January 12, 2021 10:15 AM  
**To:** Murray, Susie <[SMurray@srcity.org](mailto:SMurray@srcity.org)>  
**Cc:** Rose, William <[WRose@srcity.org](mailto:WRose@srcity.org)>  
**Subject:** [EXTERNAL] In & Out project

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Thank you,  
Phil Natoli

**From:** [Murray, Susie](#)  
**To:** ["PhilNatoli@comcast.net"](mailto:PhilNatoli@comcast.net)  
**Cc:** [Rose, William](#); [Trippel, Andrew](#)  
**Subject:** RE: [EXTERNAL] In & Out project  
**Date:** Tuesday, January 12, 2021 10:23:00 AM  
**Attachments:** [Attachment 7 - Traffic Study.pdf](#)

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Phil,

I've added Andrew Trippel to the conversation and will take Bill Rose off future responses. Andrew is my supervisor as well as the Board Liaison to the Planning Commission. I will also provide a copy of your comments to the Planning Commission for its consideration prior to acting on the requested CUP.

I've attached the Traffic Study as requested. This document, along with all the other documents can be accessed from the Planning Commission agenda, which is available [here](#).

Susie

**Susie Murray | Senior Planner**

Planning & Economic Development | 100 Santa Rosa Avenue | Santa Rosa, CA 95404  
Tel. (707) 543-4348 | Fax (707) 543-3269 | [smurray@srcity.org](mailto:smurray@srcity.org)



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**From:** [PhilNatoli@comcast.net](mailto:PhilNatoli@comcast.net)  
**To:** [Murray\\_Susie](mailto:Murray_Susie)  
**Subject:** RE: [EXTERNAL] In & Out project  
**Date:** Tuesday, January 12, 2021 2:41:39 PM

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**Sent:** Tuesday, January 12, 2021 11:51 AM  
**To:** PhilNatoli@comcast.net; lisanatoli@comcast.net  
**Subject:** FW: [EXTERNAL] In & Out project

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**From:** Jim Lockington <[JLockington@innout.com](mailto:JLockington@innout.com)>  
**Sent:** Tuesday, January 12, 2021 11:30 AM  
**To:** Murray, Susie <[SMurray@srcity.org](mailto:SMurray@srcity.org)>; Olivia Ervin <[OErvin@m-group.us](mailto:OErvin@m-group.us)>; Zach Lauterbach <[zlauterbach@evgre.com](mailto:zlauterbach@evgre.com)>  
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Thank you,

Phil Natoli

**From:** [Murray, Susie](#)  
**To:** [Day, Melanie@Wildlife](mailto:Day.Melanie@Wildlife)  
**Cc:** [Brady, Steve \(SBrady@srcity.org\)](mailto:SBrady@srcity.org); [Olivia Ervin](#); [Jim Lockington](#)  
**Subject:** In-N-Out Response to CDFW Comments  
**Date:** Friday, January 8, 2021 12:07:00 PM  
**Attachments:** [Response to Comments Final IS MND In-N-Out Restaurant \(December 2020\).pdf](#)

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Melanie,

The City of Santa Rosa has received and considered the comments provided by the Department of Fish and Wildlife on the Draft IS/MND for the In-N-Out Restaurant Project. The Department's comments are addressed in the Response to Comments Document and Final IS/MND which are attached here and have been posted to the SCH.

I trust that the information provided in the attached response to comments materials and the revisions made in the Final IS/MND + MMRP adequately address the CDFW concerns with the redevelopment of the In-N-Out project site. The CDFW comment letter and responses will be provided to the Planning Commission for consideration during the scheduled hearing on January 14, 2021. Please let me know if CDFW has any further comments on this project.

Thank you.

**Susie Murray | Senior Planner**

Planning & Economic Development | 100 Santa Rosa Avenue | Santa Rosa, CA 95404  
Tel. (707) 543-4348 | Fax (707) 543-3269 | [smurray@srcity.org](mailto:smurray@srcity.org)



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**From:** [Murray, Susie](#)  
**To:** [Isabella.Roman@dtsc.ca.gov](mailto:Isabella.Roman@dtsc.ca.gov)  
**Cc:** [Olivia Ervin](#); [Jim Lockington](#); [Robbins, Kemplen](#); [Lowenthal, Paul](#)  
**Subject:** FW: [EXTERNAL] In-N-Out Restaurant Project IS/MND Comment  
**Date:** Friday, January 8, 2021 11:52:00 AM  
**Attachments:** [Response to Comments Final IS MND In-N-Out Restaurant \(December 2020\).pdf](#)

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Isabella,

The City of Santa Rosa has received and considered the comments provided by the DTSC on the Draft IS/MND for the In-N-Out Restaurant Project proposed at 2532 Santa Rosa Avenue. The comments are addressed in the Response to Comments Document and Final IS/MND which are attached here and have been posted to the SCH. The response to comments relies on information provided in Phase I and Phase II Reports as well as a letter received by the project applicant, Jim Lockington (included as part of the attached). The City's response to DTSC comments is summarized below.

The DTSC suggests that additional sampling may be warranted to fully characterize the site with regard to past agricultural and trucking uses in order to protect workers during construction and employees and customers during operation. As provided in the Hazards/Hazardous Materials Setting section of the Public Draft IS/MND and as further detailed in the Limited Phase II Subsurface Investigation, several soil samples were collected to assess historic agricultural use of the site, including areas of the footprint of the proposed restaurant building. Results of soil sampling indicated elevated levels of the pesticide chlordane, and conclude that the extent of the impacted area is limited. Samples collected as part of the Limited Phase II Subsurface Investigation adequately characterize the site with regard to previous agricultural uses and recommendations intended to address contamination onsite contained therein were incorporated as mitigation measures to ensure the protection of workers during construction and employees and customers at project operation (e.g. the Site Management Plan).

Additionally, the DTSC states that though the Phase II focused on sampling related to the USTs, the samples do not appear to have been analyzed for total petroleum hydrocarbons (TPHs). As detailed in the Phase I ESA reports, the site is listed as a closed Leaking Underground Storage Tank (LUST) cleanup site under the oversight of the Regional Water Quality Control Board (RWQCB). As noted in the reports and summarized in Mr. Lockington's response letter, site investigation and remediation took place between 1988 and 2016, culminating in a No Further Action recommendation from the RWQCB in January 2017. Given the size of the property and limited sampling area, the RWQCB required the preparation of a Soil and Groundwater Management Plan (SGMP) prior to case closure. The SGMP dated May 12, 2017, Appendix I of the Public Draft IS/MND, was approved by the RWQCB and a No Further Action letter was issued for the site on June 26, 2017. Given the limited amount of work to be performed on the area of the site where residual contamination exists as a result of the former transportation use and the required implementation of the SGMP, which includes measures to reduce risks associated with residual contamination, the conclusions and recommendations contained in the Phase I and Phase II reports as well as the Public Draft IS/MND adequately characterize and analyze the site and no further analysis of contamination, including TPH is needed.

Finally, DTSC notes that the IS/MND does not include a discussion of the use of hazardous materials such as cleaners, paints, fuels, and/or pesticides at project operation. A brief discussion on the use of common cleaners, solvents, and other products associated with the proposed restaurant use have been added to the Final IS/MND and concludes that impacts related to the routine transport of hazardous materials and hazardous waste at project operation will be less than significant.

I hope this response and additional information provided in the attached response to comments materials adequately address the DTSC concerns with the redevelopment of the In-N-Out project site. The DTSC comment and responses will be provided to the Planning Commission for consideration during the scheduled hearing on January 14, 2021.

Please do not hesitate to contact me to further discuss as need be.

Thank you,

**Susie Murray | Senior Planner**

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*I am working remotely during this time. The City of Santa Rosa has restricted City facilities to the public and is [offering in-person City Hall support by appointment only](#). The Planning and Economic Development Department has recently launched its [Planning Application Portal](#) which contains process checklists for the majority of planning entitlements. You can also check on the status of your permit application [here](#). For general planning inquiries, please contact [planning@srcity.org](mailto:planning@srcity.org). To submit permit application materials, please submit all required documents to [permitsubmittal@srcity.org](mailto:permitsubmittal@srcity.org).*

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**From:** Roman, Isabella@DTSC <[Isabella.Roman@dtsc.ca.gov](mailto:Isabella.Roman@dtsc.ca.gov)>  
**Sent:** Monday, November 30, 2020 4:30 PM  
**To:** Murray, Susie <[SMurray@srcity.org](mailto:SMurray@srcity.org)>  
**Subject:** [EXTERNAL] In-N-Out Restaurant Project IS/MND Comment

Hello,

I represent the Department of Toxic Substances Control reviewing the Initial Study/Mitigated Negative Declaration (IS/MND) for the In-N-Out Restaurant Project.

The IS/MND text summarizes findings of the *Phase I Environmental Site Assessment* (Phase I) and the *Limited Phase II Subsurface Investigation* (Phase II). The Phase I found several things including historical use of the Site for agricultural purposes, multiple underground storage tanks (USTs) at the adjacent property and use of the Site for truck service/repair. The Phase II collected soil and soil gas samples near the USTs. The rest of the property remains uncharacterized, including the footprint of the proposed restaurant. Additionally, the collected samples ran limited laboratory analyses. Soil samples were only analyzed for organochlorine pesticides (OCPs) and select metals (arsenic and lead), and soil gas samples were only analyzed for volatile organic compounds (VOCs). Past land uses could indicate the need for conducting additional sampling activities. Samples were collected as part of the Phase II, but did not investigate the remaining property and did not investigate other potential issues unrelated to the UST. Agriculture use could be associated with elevated pesticides and VOCs. Truck repair use could be associated with elevated metals and VOCs. Although the USTs were the focus of the Phase II, these samples don't appear to have been analyzed for total petroleum hydrocarbons (TPHs). Additional sampling may be warranted to fully characterize the Site in order to protect construction workers during construction work as well as to protect future workers and customers during project operation.

Additionally, the text states that no hazardous materials would be used during project operation.

Most projects of this sort, typically use hazardous materials such as cleaners, paints, fuels and/or pesticides. These would be in minimal quantities and should be used in accordance with applicable regulations. This should be discussed in the text.

Please feel free to reach out if you have any questions or concerns.

Sincerely,

Isabella Roman  
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