

CITY OF SANTA ROSA
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL
FROM: JASON NUTT, ASSISTANT CITY MANAGER
SUBJECT: DECLARING THE FUTURE SOUTHEAST GREENWAY
PROPERTY FOR A PUBLIC PURPOSE, APPROVING A DEED
RESTRICTION FOR SAME, AND ESTABLISHING PARK LAND
REQUIREMENTS FOR LAND RETAINED BY THE CALIFORNIA
DEPARTMENT OF TRANSPORTATION

AGENDA ACTION: RESOLUTION

RECOMMENDATION

It is recommended by Real Estate Services, the Transportation and Public Works and Recreation and Parks Departments that the Council, by resolution: 1) declare that the future Southeast Greenway Property will be used for a public purpose in perpetuity; 2) approve a deed restriction to be recorded upon the transfer of the Southeast Greenway Property for same; 3) declare that the future development of one or more dwelling units located within the Developable Parcels (as described below) shall not be required to comply with Santa Rosa City Code Sections 19-70.020 through 19-70.050 pertaining to park land dedication; 4) authorize the Real Property Manager to negotiate the price and terms of the agreement ; and 5) authorize the City Manager to execute an agreement with the California Department of Transportation for the purchase and sale of the Southeast Greenway Property.

EXECUTIVE SUMMARY

The City of Santa Rosa desires to purchase approximately 49 acres of the approximate 58 acres of State-rescinded Route 12 excess lands owned by Caltrans and located between Farmers Lane and Spring Lake Regional Park for the future development of the Southeast Greenway Project ("Project"). As a condition of purchase required by Caltrans, the City will need to declare that the Southeast Greenway Property will be used for a public purpose in perpetuity, and agree to a deed restriction upon transfer for same. Caltrans will retain the remaining approximate 9 acres of excess lands for housing development. City recognizes that these 9 acres of future housing will have adequate park space from the Southeast Greenway Project and agrees that future residential development on that property will not be required to comply with Santa Rosa City Code Sections 19-70.020 through 19-70.050 pertaining to park land dedication.

DECLARING THE FUTURE SOUTHEAST GREENWAY PROPERTY FOR A PUBLIC PURPOSE, APPROVING A DEED RESTRICTION FOR SAME AND ESTABLISHING PARK LAND REQUIREMENTS FOR LAND RETAINED BY THE CALIFORNIA DEPARTMENT OF TRANSPORTATION
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BACKGROUND

The California Department of Transportation (“Caltrans”) is the owner of approximately 58 acres of real property that was originally acquired to construct the extension of State Route 12 (“Caltrans Project”) between Farmers Lane and Spring Lake Regional Park (the “Property”). On August 20, 2014, Caltrans adopted a resolution to rescind the freeway adoption, allowing the Property to be transferred or sold as excess lands (“Excess Lands”).

On June 17, 2014, the City Council of the City of Santa Rosa (“Council”) adopted a Mutual Letter of Intent and City of Santa Rosa joined the Southeast Greenway Community Partnership, a partnership of Sonoma Water, Sonoma County Regional Parks, Southeast Greenway Campaign, Sonoma Land Trust and LandPaths (together with City, collectively, the “Partnership”), to work together to facilitate the future transfer of the Property for use as a linear park, commercial and housing development, and other compatible uses, commonly referred to as the “Southeast Greenway Project”.

On July 7, 2015, Council approved a Memorandum of Understanding (as amended, “2015 MOU”) between Caltrans and the Southeast Greenway Partnership regarding the proposed future transfer of the Excess Lands for the Southeast Greenway Project.

In addition, the Planning and Economic Development Department, along with the Partnership, led the planning efforts for the Southeast Greenway Project.

On July 9, 2019, the Council certified the Southeast Greenway Project Environmental Impact Report, adopted findings of fact, a mitigation monitoring and reporting program, and statement of overriding considerations pursuant to the California Environmental Quality Act and adopted a General Plan Amendment and Rezoning for the Property.

These efforts paved the way for Real Estate Services, along with the Partnership to continue the work necessary to map the Excess Lands, create parcels, appraise them and to eventually negotiate a purchase and sale agreement for the proposed transfer of the Southeast Greenway Property (defined below) to the City.

PRIOR CITY COUNCIL REVIEW

On June 17, 2014, Council approved a Letter of Intent with members of the Partnership.

On July 7, 2015, Council adopted Resolution No. 28666 approving the 2015 MOU between Caltrans and the Partnership.

On July 9, 2019, Council certified the Southeast Greenway Project EIR, approved a General Plan Amendment and adopted zoning for the Southeast Greenway area.

DECLARING THE FUTURE SOUTHEAST GREENWAY PROPERTY FOR A PUBLIC PURPOSE, APPROVING A DEED RESTRICTION FOR SAME AND ESTABLISHING PARK LAND REQUIREMENTS FOR LAND RETAINED BY THE CALIFORNIA DEPARTMENT OF TRANSPORTATION
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On July 7, 2020, Council approved a first amendment to the 2015 MOU.

ANALYSIS

The City now desires to purchase approximately 49 acres of the Property (“Southeast Greenway Property”) which is referred to as Tracts 3A&B, 4A&C, 5A, B&C, 6A&B and 7A, B&C of the Right of Way Appraisal Map dated March 28, 2023, which is attached to the proposed resolution as Exhibit A (“Appraisal Mapping”).

Over the past several years Real Estate Services and the Partnership have worked with Caltrans on the transfer requirements of the Southeast Greenway Property, and recently the California Department of General Services (“DGS”) approved the sale of the Southeast Greenway Property to the City, as currently mapped, a State requirement and a major milestone in Southeast Greenway Project progress.

Council approval of the recommendations set forth in this report, is one of the required next steps in the acquisition process, including a declaration by City Council that the Southeast Greenway Property will be used for a public purpose in perpetuity, and approval of a deed restriction upon transfer of the property for the same.

The purpose and intent of the purchase of the Southeast Greenway Property is for a public purpose, which may include but is not limited to, bicycle and pedestrian paths, community gardens, parks, sport courts, sport fields, major playgrounds, native plant restorations, opportunities for community gatherings, water supply facilities, utility infrastructure, opportunities for educational programs, creation of walkable neighborhoods, dog parks, disc golf, and community/cultural areas.

Additionally, as is the case with many other City Parks, the grant funds that will be used to purchase the property will also require deed restrictions and easements for specific public uses.

As was approved by DGS and laid out in the community meetings, environmental and zoning process, Caltrans will retain the remaining approximately 9 acres of the Property as identified in the Appraisal Mapping as Tracts 1, 2, and 4B for housing development (the “Developable Parcels”).

City Code states that development of one or more dwelling units located within the Developable Parcels shall be required to comply with Santa Rosa City Code sections 19-70.020 through 19-70.050. The Developable Parcels are directly adjacent to the Southeast Greenway Project and Staff recognizes that any future residents of the area will be adequately served by this park land and therefore recommends that these parcels not be required to comply with the above-mentioned City Code sections pertaining to park land dedication.

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Development of one or more dwelling units located within the Developable Parcels shall still be required to comply with Santa Rosa City Code sections, 19-70.050, 19-70.090, and 19-70.100 pertaining to park impact fees and all other applicable sections of City Code.

To move the Project forward, Staff will work with Caltrans to negotiate a Purchase and Sale Agreement (the "Agreement") within price and term parameters approved by Council in closed session, for the purchase of the Southeast Greenway Property from Caltrans. Staff requests that Council authorize the Real Property Manager to negotiate, and the City Manager to execute the Agreement, approved as to form by the City Attorney.

FISCAL IMPACT

Approval of this action does not have a fiscal impact on the General Fund.

ENVIRONMENTAL IMPACT

On July 19, 2019, Council certified an Environmental Impact Report (EIR) for the Southeast Greenway Project, which analyzed the environmental impacts of the project in compliance with the California Environmental Quality Act (CEQA). Continued efforts are all within the scope of the project analyzed in the EIR and therefore, no additional analysis or documentation is required.

BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

Not applicable.

NOTIFICATION

Not applicable.

ATTACHMENTS

- Attachment 1 – Southeast Greenway Illustrative Map
- Resolution/Exhibit A – Appraisal Mapping

PRESENTER

Jill Scott, Real Property Manager