

From: garayllc@pacbell.net
To: [CityCouncilListPublic](#)
Cc: [Rogers, Natalie](#); [MacDonald, Dianna](#); [Alvarez, Eddie](#); [Fleming, Victoria](#); [Okrepkie, Jeff](#); [Banuelos, Caroline](#); [Stapp, Mark](#)
Subject: [EXTERNAL] Late Mail - 25-0370 - Staff Report June 3, 2025 General Plan Amendment 3150 Dutton Ave - Conditions of Approval
Date: Sunday, June 1, 2025 6:48:30 PM
Attachments: [image001.png](#)
[3150 Dutton Ave - Staff Report - Conditions of Approval.Red.docx](#)

Honorable Mayor, and Council Members,

My family and I are the owners of the property at 3150 Dutton Avenue – 25-0370.

My apology for this late mail, but I learned on Friday that Staff was requesting the addition of some new Conditions of Approval that were not a part of the record at the Planning Commission. I object to the inclusion of those Conditions of Approval as written and would urge you to deny them. In the alternative, I have edited those Conditions of Approval to create more clarity and equity, and if you do wish to include them, please do so as edited in the attachment.

In considering your decision, please note the following undisputed facts,

1. This site has an approved MMRP which currently has ample provisions to safeguard in the event Archaeological Resources are encountered during excavation, without the addition of the new Conditions of Approval.

25-0370 - Attachment 8 - Approved MMRP					
4 / 9 — 100%					
Cultural Resources					
COA-CUL-1: Archaeological Resources If archaeological remains are uncovered, work at the place of discovery should be halted immediately until a qualified archaeologist can evaluate the finds. Prehistoric archaeological site indicators include: obsidian and chert flakes and chipped stone tools; grinding and mashing implements (e.g., slabs and handstones, and mortars and pestles); bedrock outcrops and boulders with mortar cups; and locally darkened midden soils. Midden soils may contain a combination of any of the previously listed items with the possible addition of bone and shell remains, and fire affected stones. Historic period site indicators generally include: fragments of glass, ceramic, and metal objects; milled and split lumber; and structure and feature remain such as building foundations and discrete trash deposits (e.g., wells, privy pits, dumps).	If archaeological remains are uncovered, work at the place of discovery should be halted immediately until a qualified archaeologist can evaluate the finds. Department of Planning and Economic Development shall be notified.	During any construction period ground disturbance.	Project applicant or his designee for notification.		

2. Tom Origer and Associates – Archaeology / Historical Research, conducted a Cultural Resource study “Intensive Survey” of the site in 2017 in connection with the approved MND, of which the Graton Rancheria received notice. The study concluded “No historical resources were found during our survey and no recommendations are warranted.”
3. The site is surrounded on all sides by development and there has been no discovery of any Archaeological Resources anywhere nearby.
4. Susie Murry confirmed by email on 4/02/2025 that at her meeting with the tribal representatives of Graton Rancheria, they “acknowledged that there are no known cultural resources at this site”.

Please see the proposed redline edited Conditions of Approval version attached.

In summery, the requested Conditions of Approval, which Staff describes as “protective” are unnecessary, redundant, untimely, vague, and will add a immediate substantial unnecessary financial cost to this project, whether or not subsurface objects are discovered. They result in immediate unnecessary expenses and not as Staff writes in the Staff Report “...*three protective measures to address and provide direction in the unlikely event that unknown subsurface objects are discovered during project construction.*” describing them as being triggered only upon the “unlikely” discovery.

Making development that is intended to bring jobs and tax revenue to the community more expensive is in no ones interest.

Thank you for your consideration,

Sincerely,

Mark M. Garay, Esq

25-0370 - Staff Report - Dutton Avenue General Plan Amendment and Rezoning

- The Federated Indians of the Graton Rancheria requested consultation pursuant to SB 18. As a result of tribal consultation, the Tribe requested, and the City agreed in good faith, to add three protective measures to address and provide direction in the unlikely event unknown subsurface objects are discovered during project construction. These measures have been added as conditions of approval:

a. Prior to any ground disturbing activities for future development at the project site, a qualified archaeologist shall prepare a Cultural Resources Monitoring Plan for review by and in consultation with the Federated Indians of Graton Rancheria, and approval by the City. The Plan shall identify the type of archaeological material that could potentially be found within the Project site and procedures to follow should any material be encountered during ground disturbing activities. The Plan shall provide procedures and guidelines for in-field assessment of the significance of any archaeological material identified during monitoring. (No Objection)

b. Upon discovery of any suspected Cultural Resources, A qualified professional archaeologist shall be retained to monitor all initial ground disturbing and grading work for future development. The archaeologist must meet the Secretary of Interior's Professional Qualification Standards for archaeology. The archaeologist shall have the authority to halt construction activities at the location of a discovery to review possible archaeological material and to protect the resource while the materials are being assessed. At no cost to the Property Owner, a Tribal Monitor with appropriate credential in Cultural Resource Monitoring shall have the right to observe the grading work and consult with the archaeologist. Monitoring shall continue until, in the archaeologist's judgement, in consultation with the tribal monitor, additional archaeological resources are not likely to be encountered. If no archaeological resources are discovered during construction, the archaeologist shall prepare a report to document the negative findings after construction is complete.

c. Work shall halt within 50 feet if human remains are uncovered during construction. The significance of the find shall be assessed, and the appropriate management shall be pursued. California law recognizes the need to protect interred human remains, particularly Native American burials and items of cultural patrimony, from vandalism and inadvertent destruction. The procedures for the treatment of discovered human remains are contained in California Health and Safety Code §§ 7050.5 and 7052 and PRC § 5097. If remains are uncovered, the City and the County coroner shall be notified immediately. The coroner is required to examine all discoveries of human remains within 48 hours of receiving notice of a discovery on private or State lands (Health and Safety Code § 7050.5[b]). If the coroner determines that the remains are those of a Native American, he or she must contact the Native American Heritage Commission (NAHC) by phone within 24 hours of making that determination (Health and Safety

Code § 7050[c]). The City and the professional archaeologist shall contact the Most Likely Descendent, as determined by the NAHC, regarding the remains. The Most Likely Descendant, in cooperation with the City, shall determine the ultimate disposition of the remains and any associated artifacts. Consultation was closed on May 2, 2025. (No Objection)

From: [Wendy Krupnick](#)
To: [_CityCouncilListPublic](#)
Subject: [EXTERNAL] Santa Rosa General Plan 2050
Date: Monday, June 2, 2025 9:56:04 AM
Attachments: [Letter to Santa Rosa City Council 5.30.25.pdf](#)

Dear Santa Rosa City Council members,

Please find the attached letter from the Sonoma County Food System Alliance regarding item #16.2 on your agenda for June 3, 2025, General Plan 2025.

Please include our comments in the public record.

Thank you,
Wendy Krupnick on behalf of the Sonoma County Food System Alliance



June 1, 2025

Santa Rosa City Council
100 Santa Rosa Avenue, Room 10
Santa Rosa, CA 95404

Re: Support for the Draft Santa Rosa General Plan 2050

Dear Mayor Rogers and Members of the City Council,

On behalf of the [Sonoma County Food System Alliance](#), we write to express our strong support for the draft Santa Rosa General Plan 2050. We commend the City of Santa Rosa for its visionary and inclusive planning process, and in particular, we wish to recognize the exemplary work of the Planning and Economic Development Department staff.

Throughout the process of drafting the General Plan, Planning staff consistently demonstrated a genuine commitment to community engagement. We are especially grateful that they listened to and thoughtfully incorporated feedback from our Alliance and other local stakeholders who are working to strengthen the local food system. Their willingness to collaborate has resulted in policy proposals that will meaningfully support urban agriculture, equitable food access, and the local food economy—key elements of a resilient and thriving Santa Rosa.

We urge the City Council to maintain the strength of these food system policies as you move toward final adoption of the General Plan. These provisions are not only vital to the health and well-being of our residents, but they also contribute to broader climate, economic, and equity goals. A strong local food system is essential infrastructure, and this Plan rightly acknowledges it as such.

Thank you for your leadership and your commitment to a sustainable, equitable, and food-secure future for Santa Rosa. We look forward to continuing our collaboration and offer our assistance with the development of specific policies and programs as the General Plan is implemented.

Respectfully submitted on behalf of the Sonoma County Food System Alliance membership,

Phina Borgeson
Interfaith Sustainable Food Collaborative

Suzi Grady
Petaluma Bounty

Wendy Krupnick
Chiatri de Laguna Farm