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# APPEAL APPLICATION

Walked-In  
9:45 a.m.

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MAY 28 2024

Anna Mahis

CITY OF SANTA ROSA  
CITY CLERK'S OFFICE

make see below for correction

GENERAL	LOCATION OF PROJECT (ADDRESS) <u>2777 4th Street Santa Rosa</u>		Note: This form is for appeals of Department actions only. Appeals of Commission and Board actions are filed in the City Manager's Office.	
	NAME OF PROJECT <u>SPRIS COURT file #CUP23-066</u>			
	APPELLANT NAME <u>The Club at Flamingo Global Court</u>		DAYTIME PHONE ( ) - ( ) - ( )	HOME PHONE ( ) - ( ) - ( )
	APPELLANT ADDRESS <u>2777 4th Street</u>		CITY <u>Santa Rosa</u>	STATE <u>CA</u>
			ZIP <u>95404</u>	

To the Chairman and Members of the Planning Commission / Design Review Board/Cultural Heritage Board:

The undersigned: Mark Hulsman does hereby appeal to the Planning Commission /

Design Review Board/Cultural Heritage Board the decision of the Department of Planning and Economic Development made on 5/16/24 (Date)

which approved the application of The Club at Flamingo Global Court (approved, denied, other) (Name of property owner or developer)

for a minor conditional use permit (State nature of request made to the Planning and Economic Development Department)

on property situated at 2777 4th Street Santa Rosa CA 95404 (Street address of subject property)

A. The grounds upon which this appeal is filed are: (list all grounds relied upon in making this appeal. Please attach additional sheets if more space is needed.)

1. See attached - sheet #1 with nine items to be considered.

2. \_\_\_\_\_

B. The specific action which the undersigned wants the City Planning Commission/Design Review Board/Cultural Heritage Board to take is:

\_\_\_\_\_

Mark Hulsman  
Appellant's signature

5-26-2024  
Date

Home. 707-542-5258

707-486-0656

Appellant Name: MARK HULSMAN  
Appellant Address: 2170 ROGERS WY.  
SANTA ROSA, CA.

make

95404

1. The minor conditional use permit for eight pickle ball courts is five feet away from a residential property line. A permit for this type of use has never been granted at this distance in the City of Santa Rosa. This is setting precedent and we do not believe this use is consistent with the general plan use designation for outdoor sports courts. The operating characteristic of this project is not compatible with future land use in the vicinity. Future development of this property would allow for multi-unit residential dwellings including two story units. The mitigations would not address this.
2. The City of Santa Rosa noise test done on October 14, 2023, showed that the decibel rating solely from the pickle ball playing exceeded code compliance. Also, the loudest decibel rating to 71 is where they propose no sound mitigations. The sound testing was also done when the courts were wet, which changes the decibel ratings significantly.
3. The study of the acoustic sound barrier curtains in Walnut Creek has no bearing on the project being proposed at the Flamingo. The ambient noise, the surrounding topography and the actual distances between residential property and their pickle ball courts are quite different.
4. The applicant has described the use of these courts as an informal, round robin, social kind of play used by members of the club and guests of the hotel. They have also stated there will be no tournament play on these courts. Therefore, we are wondering why eight courts are proposed instead of the original four courts that were played on. We propose four courts instead of eight, and no out-of-town tournament play be permitted.
5. Proposed future additional outdoor lighting for the courts has already been rejected by the City of Santa Rosa in 1991 as not being compatible with the surrounding residential neighborhoods. The reasoning for the rejection has not since changed.
6. The hours proposed for pickle ball play need to be amended in that the term "dusk" or "sunset" is too open ended, ambivalent and will be open to disagreements on both sides.
7. The tennis courts #1 and #2 were originally oriented north to south. After the pool approval was given the tennis courts were reoriented to run east and west without any approval or mitigation by the Flamingo. This has resulted in thousands of tennis balls landing on our property. Repeated requests for removal of the layers of tennis balls and gone unanswered.
8. The 473 feet of acoustic eight-foot fencing was a mandated condition for the approval for past Flamingo projects and this fencing has been in disrepair and can be considered dangerous for the past eight years.
9. We contest the determination that granting this permit would not constitute a nuisance or be injurious or detrimental to persons or property or improvements in the vicinity in which the project is located. The noise component, and this is all about noise, has considerably increased over the past two years between the loud amplified music and bar area, the pickle ball play, and the amplified sounds from the events, front and back.