Final Environmental Impact Report
Elnoka Village Project
State Clearinghouse No. 2009052079

City of Santa Rosa • November 29, 2010
FINAL
Environmental Impact Report
Elnoka Village Project
City of Santa Rosa, Sonoma County, California
SCH No. 2009052079

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SECTION 1: INTRODUCTION

1.1 - Summary of Elnoka Village Project Changes

In accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15088, the City of Santa Rosa, as the lead agency, evaluated the comments received on the Elnoka Village Project Draft Environmental Impact Report (Draft EIR) (State Clearinghouse No. 2009052079). In response to comments raised about aesthetics impacts, traffic, and creek setback requirements, several changes have been made to the project. As a result of these changes, all significant and unavoidable impacts have been reduced to less than significant with mitigation. Since these changes to the project do not result in any new significant impacts, recirculation of the Draft EIR is not required.

The project’s frontage to Sonoma Highway (Highway 12) has been improved. An additional setback from this scenic corridor of 10 feet has been provided. This additional area (planter width) will allow sufficient space in which to construct a Class I bicycle trail planned by Sonoma County Regional Parks, avoiding the need to remove landscaping that is specifically designed to screen views of project buildings from Sonoma Highway. One additional tree on the south side of the townhouses will need to be removed to accommodate this change. However, there will be no additional impacts to biological resources. In addition to this setback width change, vegetation will be planted along Sonoma Highway, on the west side of Elnoka Lane, on land owned by the applicant to effectively screen views of the main condominium building (Building A) as viewed from Sonoma Highway. As a result of these changes, the impact conclusions in reference to scenic highways, scenic vistas, and visual character of the project site have all been changed from significant and unavoidable to less than significant with mitigation. The visual simulations were updated to reflect the revised project and to correct View 2 (Exhibit 3.1-3b in the Draft EIR). View 2 now places the main building behind the grove of oak trees along the creek where it belongs. View 1 (Exhibit 3.1-3a in the Draft EIR) now incorporates the request for the additional 10 feet of landscaping along Sonoma Highway and replaces the maple trees with a native species. View 4 was not depicted in the Draft EIR and shows native vegetation plantings that are required by mitigation, as well as the roofline and towers for Building A. View 5 was not depicted in the Draft EIR and shows a view similar to View 4, but from a different viewpoint. Finally, View 3 has not changed since the Draft EIR but is provided as part of the Final EIR for easy reference. These project changes are found in Exhibits 3.1-3e, 3.1-3f, 3.1-3g, 3.1-3h, and 3.1-3i of this FEIR.

Two other project changes pertain to transportation. One change is that Elnoka Lane and the connector road (Road A) to Melita Road will be public streets rather than private streets. This change has been made in response to the City’s engineering design standards, which state that a private road cannot connect two public roads. Since the project’s connector roads Elnoka Lane (Road B) and Road A each connect to a public road, these must be public roads. The change from private to public roads requires adding 7 feet of width to the west side of Road B and the south side of Road A. This
change in road width will not result in any new environmental impacts. The two bridges (one each on Road A and Road B) will not be widened; therefore, there will be no new impacts to biological resources or water quality. Road widening will occur in areas that have already been graded, and no additional trees will be removed to accommodate the road widening. There will be Class II bicycle lanes along these roads, delineated by a solid white line, which will help address the importance of and growing demand in Santa Rosa for a bicycle network. The roundabout structure depicted in the original site plan will be retained (see new site plan Exhibit 2-9) as a traffic calming device and will help maintain public safety. Changing the roads from private to public will facilitate access to future development that may occur on the parcels adjacent to Road A and Road B.

Another change is that a traffic light signal will be installed at Elnoka Lane and Sonoma Highway in response to concerns raised by City Engineering and Planning staff, as well as the California Department of Transportation (Caltrans). Installing a traffic light signal with a crosswalk at this intersection will allow a safe crossing to the other side of the highway to access the westbound bus. Installing a traffic light signal at the intersection of Elnoka Lane and Sonoma Highway requires that a short, dedicated, left-turn lane be added to Elnoka Lane; this change is also depicted on the new site plan (Exhibit 2-10). This change has been made in response to a comment letter submitted by Caltrans. Adding a traffic signal with a crosswalk reduces the impact to pedestrian safety from significant and unavoidable to less than significant with mitigation.

Finally, to be consistent with the City’s creek setback requirements, the location of the proposed public sewer lift station has been relocated out of the creek setback zone, and this change is depicted on the revised site plan (Exhibit 2-9). Additionally, the project’s stormwater treatment plan has been revised to implement Low Impact Development stormwater treatment and volume capture requirements.

The Santa Rosa Planning Commission will consider the Final EIR and provide a recommendation to the City Council on whether to certify the Draft EIR, at its regularly scheduled meeting on October 14, 2010 at the Santa Rosa City Council Chambers, 100 Santa Rosa Avenue. The City Council will consider certification of the EIR at a regularly scheduled future meeting. The City Council meetings are held in the same location referenced above. To certify the Final EIR, the Council must find that:

- The Final EIR has been completed in compliance with CEQA; and
- The Final EIR was presented to the decision-making body of the lead agency and that the decision-making body reviewed and considered the information contained in the Final EIR prior to the selection of a project (CEQA Guidelines Section 15090).

Most of the project’s development permits would be considered by the Planning Commission; the Design Review Board would be responsible for design review. The City Council would consider the
Density Bonus associated with the project and would be responsible for final project decisions if the decisions of the Planning Commission and/or Design Review Board were appealed.

At the time of project approval, the City Council, as the decision-making body, must consider the information presented in the FEIR. A public agency may not decide to approve a project unless the agency has (a) eliminated or substantially lessened all significant effects on the environment, and/or (b) determined that any remaining significant effects are acceptable, due to benefits of the project that override the remaining effects. The decision makers must balance the benefits of the project against its unavoidable environmental risks. If it is determined that benefits outweigh the unavoidable adverse environmental effects, those effects may be considered “acceptable.” If the Council makes such a determination, it must support the action by adopting a written Statement of Overriding Considerations (SOC) citing the basis for its decision, and include the SOC in the record of project approval (CEQA Guidelines Section 15093).

1.2 - Public Involvement

On May 21, 2009, a Notice of Preparation of an EIR was mailed to interested individuals, organizations, and neighbors of the subject property at Elnoka Lane and Sonoma Highway. On May 24, 2009, the NOP was distributed by the State Clearinghouse to the reviewing state agencies, triggering the beginning of a 30-day scoping period. On June 10, 2009, the City held a scoping meeting at Douglas Whited Elementary School in Santa Rosa to obtain input regarding the issues that should be addressed in the Draft EIR. The scoping period ended on June 24, 2009. In response to scoping, 12 letters were received: six from local or state agencies and six from individuals or organizations. Six of the letters were received by mail, one by fax, and six by email (one organization provided both emailed and hard copy, mailed responses).

The public comment period for the Draft EIR began on December 11, 2009 and ended on February 3, 2010. A Notice of Availability of the Draft EIR was mailed to various interested groups and individuals, and it was published in the Press Democrat and posted with the Sonoma County Clerk on December 11, 2009. Additionally, the Draft EIR was made available at City Hall and the Downtown and Rincon Valley libraries. On January 14, 2010, a public hearing on the Draft EIR was held before the Santa Rosa Planning Commission. During the 55-day comment period, the City received comment letters from 33 individuals or organizations, which included 232 comments on the Draft EIR. Eleven members of the public and the members of the Planning Commission presented 38 comments on the Draft EIR during the January 14, 2010 public hearing.

1.3 - Consideration of Recirculation

If significant new information is added to an EIR after public review, the lead agency is required to re-circulate the revised document (CEQA Guidelines Section 15088.5). “Significant new information” may include a new significant environmental impact or a substantial increase in the
severity of a significant impact. New information is not considered significant unless the document is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect that the proponent has declined to implement. No new information has been submitted to indicate that the project would cause a new significant impact or a substantially more severe impact. Rather, the new information referenced above is such that several significant and unavoidable impacts to aesthetic resources have been reduced to less than significant with mitigation. Additionally, the installation of a traffic signal at the intersection of Elnoka Lane and Sonoma Highway has reduced a significant and unavoidable impact to alternative transportation plans, policies, or programs to less than significant. Therefore, there is no need to re-circulate a revised Draft EIR for this project.

1.4 - Document Organization

This Final Environmental Impact Report is organized into these sections:

- **Section 1** – Introduction.
- **Section 2** – Master Responses: Provides comprehensive responses to similar comments made by multiple authors.
- **Section 3** – Responses to Written Comments on the Draft EIR: Provides a list of the agencies, organizations, and individuals who commented on the Draft EIR. Copies of all of the letters received regarding the Draft EIR and responses thereto are included in this section.
- **Section 4** – Errata: Includes an addendum listing refinements and clarifications on the Draft EIR, which have been incorporated.

Because of its length, the text of the Draft EIR is not included with these written responses; however, it is included by reference in this Final EIR. As stated above, none of the corrections or clarifications to the Draft EIR identified in this document constitutes “significant new information” pursuant to CEQA Guidelines Section 15088.5. As a result, a recirculation of the Draft EIR is not required.
SECTION 2: MASTER RESPONSES

2.1 - Introduction

Master responses address similar comments made by multiple persons through written comments submitted to the City of Santa Rosa. Master responses are provided in the order in which they are referenced in the responses in Section 3, Responses to Comments.

Below is a list of the master responses.

- Master Response 1 – Aesthetic Impacts
- Master Response 2 – Approach to Land Use Consistency Analysis
- Master Response 3 – Land Use Consistency Impact Conclusion
- Master Response 4 – Project Consistency with General Plan Policy H-A-4
- Master Response 5 – Location of the Proposed Project
- Master Response 6 – Traffic Impacts
- Master Response 7 – All-age Development versus Senior Lifestyle Development

2.2 - Master Responses

Master Response 1 – Aesthetic Impacts

Several commenters expressed concern regarding degradation of visual quality and scenic vistas due to new development. Contrary to some impacts determined potentially significant in the DEIR, changes to the proposed project and further analysis and review of revised and new visual simulations determined that the visual impacts on scenic vistas and scenic corridors would be less than significant with mitigation. Proposed project landscaping and buildings would partially obstruct views of Annadel State Park as seen from some viewpoints along Sonoma Highway, and from some residences to the north of the project site. However, the project has been revised to incorporate a new landscaped area along Sonoma Highway west of Elnoka Lane, which will provide vegetative screening of the view from the highway onto the developed area of the project site. In addition, the project has been redesigned to widen the landscape strip between the parking lot serving the mixed-use building and the highway. Further, much of the ridgeline is still visible from the above-referenced locations; as a result, this does not represent a substantial adverse effect on a scenic vista. The landscaping depicted in the new, revised visual simulations is necessary to mitigate impacts to the scenic corridor associated with Sonoma Highway. Details on methods of analysis and how impact conclusions were reached are given below.

The methods for aesthetics impact analysis are explained in Table 3.1-1 on page 3.1-13 of the DEIR. However, to provide additional clarification on MBA’s methodology, key elements from the Table 3.1-1 are summarized below. Two of the three evaluation criteria from the table require an analysis
of the level of visual contrast. The third evaluation criterion pertains to light and glare effects and is not relevant to this discussion. Regarding the first two evaluation criteria in Table 3.1-1, for an impact to be significant, there must be a strong visual contrast. A strong visual contrast is defined as “regarded land forms are flat with little to no contour; line of major ridgeline is altered and not consistent with surrounding ridgelines or minor ridgelines are eliminated; inconsistent color with adjacent landscape character; elimination of landscape texture created by exposed soil or removal of vegetation; form of project grossly exceeds scale of natural land forms” (page 3.1-13 of the DEIR).

The first part of the definition does not apply, since the regarded landform in this case is a major ridgeline located in Annadel State Park, which was the focus of the impact analysis. Regarding the potential for color contrast, the colors of the proposed buildings blend well with the adjacent landscape character. The proposed stucco colors would be earth tones such as tan, stone, and terracotta and would blend in with existing surroundings of the area. Landscape texture would be temporarily changed during grading by exposing soil. After landscaping is planted and becomes established, views of exposed soil would be eliminated. Finally, the last part of the high-contrast definition requires that the scale of the project be compared with the scale of the ridgeline, and that the scale of the project should not grossly exceed the scale of the natural landform, which in this case is the ridgeline. Therefore, the evaluation of impacts focused on potential alteration of the ridgeline, and on the scale of the project relative to the scale of the ridgeline.

Methods for visual simulations involved three steps. The first step is to create a three-dimensional model using the location at which the photo was taken and topographic information. The second step is to develop a three-dimensional model of the proposed facilities. The facilities are scaled to items in the photograph such as telephone poles so that their dimensions and features are accurately depicted. The third step is to integrate a virtual camera into the three-dimensional model. This includes the coordinates at which the photo was taken, the focal length of the camera, and the height at which the camera was held to take the photo. The result of this third step is that the visual simulation accurately depicts the area seen from the viewpoint and the distance at which the picture was taken.

The visual simulation of View 1 was used to assess impacts to the Sonoma Highway scenic corridor. The visual simulations of Views 2 through 5 were used to assess impacts to the site’s visual character, the scenic corridor, and the ridgeline in Annadel State Park.

The visual simulation for View 1 (Exhibit 3.1-3e in the FEIR) shows a view that motorists would see when traveling westbound on Sonoma Highway. This view is located along Sonoma Highway near the eastern boundary of the project area. The project frontage can be viewed to the left and required landscaping can be seen. The landscaping screens some of the buildings that front Sonoma Highway. Annadel Ridge is not visible in this simulation.

The visual simulation for View 2 (Exhibit 3.1-3f in the FEIR) shows a view that motorists would see when traveling eastbound on Sonoma Highway. Building A is visible in the foreground, and the
ridge in Annadel State Park is visible in the background. This view is located along Sonoma Highway west of the intersection of Elnoka Lane and Sonoma Highway. Some of the ridgeline is obstructed by features of Building A, but the ridgeline itself is not altered. Other portions of the ridgeline are obstructed by required landscaping—in particular, two trees that appear on the south side of Sonoma Highway along the project frontage.

The visual simulation for View 3 (Exhibit 3.1-3g) shows a view that neighboring residents would see from their residences. Building A is visible in the foreground, but the ridge in Annadel State Park is not visible.

The visual simulation for View 4 (Exhibit 3.1-3h in the FEIR) shows a view that motorists would see when traveling eastbound on Sonoma Highway. The viewpoint for View 4 is located west of the viewpoint for View 2. In the foreground, native vegetation plantings that are required by mitigation is visible, as well as the rooftop and towers for Building A. Annadel Ridge is visible in the background and none of the project features obstruct the view of the ridge.

The visual simulation for View 5 (Exhibit 3.1-3i in the FEIR) shows a view that motorists would see when traveling eastbound on Sonoma Highway. The viewpoint for View 5 is located west of the viewpoint for View 4. In the foreground, native vegetation plantings that are required by mitigation are visible, and in the foreground, the rooftop and towers for Building A are visible. Annadel Ridge is visible in the background, but none of the project features obstruct the view of the ridge.

In summary, the visual simulations demonstrate the proposed project would not significantly alter existing views of the Annadel State Park ridgelines from the Oakmont Senior Community or from Sonoma Highway. Although tower features of Building A are visible, they do not block views of the ridgeline from most of the vantage points. As seen from the viewpoint depicted in Exhibit 3.1-3f, required vegetation screening would block views of the parking lot from Sonoma Highway and views of the more distant ridgeline in Annadel State Park (Mitigation Measure AES-2). However, the ridgeline would not be blocked by vegetation screening or project features at three of the other viewpoints used in visual simulations. Based on the addition of new mitigation and the results of the new visual simulations, impacts to aesthetic resources were changed from significant and unavoidable to less than significant with mitigation.

Please note that although the proposed project is consistent with most policies governing site design, the height of the project is still inconsistent with the height of surrounding residences. However, since the site is already visually degraded due to fencing, grading, and a road, and because the view of the new development will be screened by existing and new landscaping, the impact conclusion regarding substantial degradation of the site’s visual character has been changed to less than significant.
Master Response 2 – Approach to Land Use Consistency Analysis

Some commenters questioned the method with which the project’s consistency with General Plan Goals and Policies was determined. MBA used several resources to determine consistency or inconsistency, including independent review of Goals and Policies; technical reports prepared for the project; and input from public service providers such as the Santa Rosa Police Department, the Santa Rosa Fire Department, and local school districts. MBA also considered comments from City staff that allowed MBA to more accurately interpret the City’s intent, its concern for the safety of its residents, and its desire to meet the housing goals of the City. The evaluation of the project’s consistency or inconsistency with General Plan Goals and Policies was based on all of the above.

Because the purpose of a Draft EIR is to provide enough information for decision makers to approve or disapprove a project and to disclose the environmental impacts of that project, consistencies and inconsistencies were identified in an effort to provide a comprehensive analysis. In some cases, several objectives are represented in one General Plan policy, some of which the project may be consistent with while with others it is not. In an effort to accurately represent the project, consistencies as well as inconsistencies for each policy were identified regardless of the overall determination. Few projects are completely consistent with every goal and policy in a General Plan, nor are they required to be for approval. Please refer to individual letters for detailed responses to specific comments that pertain to land use consistency analysis.

Master Response 3 – Land Use Consistency Impact Conclusion

Some commenters asked how the Draft EIR reached a conclusion of less than significant with regard to Land Use Consistency when the project was found to be inconsistent with one or more 2020 and 2035 General Plan Goals and Policies. As stated on page 3.8-19 of the Draft EIR, the project’s inconsistencies with General Plan Goals and Policies were identified in Sections 3.1 and 3.12 of the Draft EIR, and a discussion of these impacts was included in the Land Use section on pages 3.8-18 and 3.8-19. Since the project was generally consistent with the majority of 2020 and 2035 General Plan policies, a conclusion was reached of a less than significant impact. There were no additional impacts with regard to land use other than those already identified. As such, no additional impacts were stated.

Master Response 4 – Project Consistency with General Plan 2020 Policy H-A-4

Several commenters expressed concern that the Elnoka Village project is not consistent with this policy and asked why the project’s consistency with this policy was not analyzed in the Draft EIR. General Plan Policy H-A-4 states that the City shall pursue the goal of meeting Santa Rosa’s housing needs through increased density, when consistent with the preservation of existing neighborhoods. Development of these sites or proposals for new higher density sites must be designed in context with existing, surrounding neighborhoods.
The project was not initially evaluated for consistency with this policy because most of the project site is already designated for Medium Density Residential, which is one of the City’s higher density land use classifications; that area of the site was rezoned in 2008 to R-3-18 Multifamily Residential in order to bring the site’s zoning into consistency with the General Plan. Staff initially concluded that the issue of increased density on the project site was addressed during the 2002 General Plan update and subsequent rezoning, and that the second part of the policy pertaining to the design of the project is fully addressed by the City’s Design Guidelines. The impact of rezoning the subject parcels on land use was evaluated in a Negative Declaration prepared by the City in 2008. The conclusion was made of “No Impact” with regard to consistency with land use plans. Additionally, during its early development, the project was redesigned to address compatibility with surrounding uses, including a significantly enhanced setback from the existing Oakmont community, inclusion of underground parking to reduce the visual impacts of surface parking on surrounding uses, and the stepping and lowering of the building relative to existing site grades to assist with reducing the apparent mass of the building relative to surrounding uses. Prior to the currently proposed project, the Pacific Lifecare project, with more intensive land uses, was considered for development on adjacent parcels. If it had been approved, the Pacific LifeCare Project would have occupied parcels surrounding the proposed project, and these parcels are zoned as Planned Development (please refer to Table 3.8-1 in the Land Use section of the DEIR). The Planned Development zoning allows for smaller setbacks and greater building heights than those associated with the proposed project. It is acknowledged that the second part of this policy is relevant to the City’s evaluation of the project design. Accordingly, the text on page 3.8-18, and Table 1 of Appendix J of the Draft EIR have been revised to include this policy; refer to Section 4, Errata. Also see Master Response 6, Location of the Proposed Project and Master Response 2, Approach to Land Use Consistency Analysis.

**Master Response 5 – Location of the Proposed Project**

Several commenters suggested that the project would be more appropriate in another location. The proposed project’s land use is consistent with the 2020 and 2035 General Plan land use designations and the zoning designations for the project site. In addition, the proposed project would help the City fulfill its regional housing needs allocation as identified by the California Department of Housing and Community Development and administered by the Association of Bay Area Governments. The regional housing need allocations are reflected in the City’s Housing Element of the General Plan and accomplished through the Goals and Policies therein. Housing needs are also accomplished through Santa Rosa’s Housing Allocation Plan. Two main goals that recur in the 2020 and 2035 General Plans and the Housing Allocation Plan referenced above are the need to provide housing for all Santa Rosa’s residents (particularly low-income residents) and the need to maintain a balance of various housing types in each neighborhood. As the proposed project area is lacking in both multi-family housing and low-income housing, the housing proposed by the project is consistent with Santa Rosa’s housing goals specific to providing housing according to its regional housing allocation while providing various types of housing throughout the City.
The size and scale of the Elnoka Village project allows the project to provide low-income housing while preserving sensitive areas of the project site (Melita Creek and oak groves), and providing amenities to its residents as is required by the City’s Design Guidelines. The proposed project is consistent with density bonuses outlined in Government Code 65915-65918. Economic feasibility and space constraints such as required setbacks for Melita Creek, landscape requirements, preservation of existing oak groves, and the inclusion of residential amenities, make the size, scale, and height of proposed buildings appropriate to achieve the objectives of the proposed project.

The Draft EIR acknowledges that the proposed project is consistent with applicable setback and height requirements for the project site, and is consistent with the City’s housing goals. The Draft EIR also acknowledges that the scale and mass of the proposed project are not consistent with surrounding development (refer to AES-3 on pages 3.1-27 and 3.1-28 of the Draft EIR. Also see Master Response 4, Project Consistency with General Plan Policy H-A-4 and Master Response 1, Aesthetic Impacts.

**Master Response 6 – Traffic Impacts**

Several commenters expressed concern regarding increased traffic and safety. A Traffic Study was conducted and a report prepared by the Crane Transportation Group to address circulation impacts of the proposed project. The analysis included counts of traffic volumes on roadways to identify existing conditions and modeling projections of future conditions under near-term (2011) and long-term (2035) scenarios for intersection operation and corridor operation. For this project, the test for Peak Hour Volumes (Warrant #3) was conducted at the Melita Road/Los Alamos Road intersection to determine if existing traffic volumes at that intersection warranted a signal. Long-term (2035) scenarios included analysis of the City’s planned improvement of widening Sonoma Highway near the project area to four lanes, and an analysis of Sonoma Highway without lane widening. Trip generation and distribution projections were made for approved/pending developments expected to be built and occupied by 2011 in the vicinity of the Elnoka site.

Traffic analysis shows that the addition of project traffic would not change level of service to unacceptable levels at the Sonoma Highway/Melita Road or the Melita Road/Los Alamos Road intersections. Signalized operation at Sonoma Highway/Melita Road would be an acceptable LOS B during the AM peak hour and an acceptable LOS C during the PM peak hour, while unsignalized operation at the Melita Road/Los Alamos Road intersection would remain an acceptable LOS A during the AM peak hour and an acceptable LOS B during the PM peak hour. The project’s road access intersection with Melita Road would have LOS A operation during both peak hours. At the project access road intersection with Sonoma Highway, overall operation would be LOS A during both the AM and PM peak hours, while the access road stop sign-controlled approach right turns would operate at an acceptable LOS C during both the AM and PM peak hours.

As noted in Section 1 of this Final EIR, there has been a project change pertaining to left turns from Elnoka Lane to Sonoma Highway. Based on additional clarifications of the signal warrant analysis.
(Appendix M-3), a traffic light signal would be installed at Elnoka Lane and Sonoma Highway as part of the project in response to concerns raised by City Engineering and Planning staff as well as the California Department of Transportation (Caltrans). Installing a traffic signal with a crosswalk at this intersection will allow a safe crossing to the other side of the highway to access the westbound bus. Installing a traffic signal at the intersection of Elnoka Lane and Sonoma Highway requires that a short, dedicated, left-turn lane be added to Elnoka Lane; this change is also depicted on the new site plan (Exhibit 2-10) and has been made in response to a comment letter submitted by Caltrans. Adding a traffic signal with a crosswalk reduces the impact to pedestrian safety from significant and unavoidable to less than significant with mitigation. Based on additional correspondence with the applicant’s traffic consultant, adding a traffic signal at Elnoka Lane and Sonoma Highway would change trip distribution, reducing the amount of traffic that would exit the project site from Melita Road (see Appendix P).

Two safety issues were raised during the public review period: line of sight issues on Melita Road and the number of collisions along Sonoma Highway. With regard to line of sight issues on Melita Road, as stated on page 3.12-43 of the DEIR, the applicant shall remove all trees and bushes along the Melita Road frontage that may block sight lines for drivers exiting the project site. (Refer to Appendix L, Traffic Impact Study of the Draft EIR, which was prepared in June 2009 by Crane Transportation Group, page 20). With regard to collisions on Sonoma Highway, a study conducted by W-Trans for the Spring Lake Village EIR compared vehicle collision rates per millions of vehicles (mve) entering the intersection. The study examined collision rates for eight intersections, including the intersections of Sonoma Highway and Los Alamos Road, and Sonoma Highway and Melita Road. The collision rate for Sonoma Highway and Los Alamos Road was 0.22 collision per mve (approximately half the statewide average of 0.43 for similar intersections), while for the intersection closest to the project—Sonoma Highway and Melita Road—the collision rate was 0.22 collision per mve, which is about one-third the statewide average collision rate, 0.73 collisions mve, for similar intersections. Additional details about the collision history of intersections in the project vicinity may be found in Appendix Q.

As noted in Section 1 of this Final EIR, there also has been a change relative to project’s internal roads. Elnoka Lane and the connector road (Road A) to Melita Road will be public streets rather than private streets. This change has been made in response to the City’s engineering standards, which state that a private road cannot connect two public roads. Since the project’s connector roads Elnoka Lane (Road B) and Road A each connect to a public road, these must be public roads. The change from private to public roads requires adding 7 feet of width to the west side of Road B and the south side of Road A. This change in road width will not result in any new environmental impacts. The two bridges (one each on Road A and Road B) will not be widened; therefore, no new impacts will occur to biological resources or water quality. Road widening will occur in areas that have already been graded, and no additional trees will be removed to accommodate the road widening. There will be Class II bicycle lanes along these roads, delineated by a solid white line, which will help address...
the importance of—and growing demand in Santa Rosa for—bicycle trails. The roundabout structure depicted in the original site plan will be retained (see new site plan Exhibit 2-9) as a traffic calming device and will help maintain public safety. Changing the roads from private to public will facilitate access to any possible or planned future developments that may occur on the parcels adjacent to Road A and Road B.

Finally, Elnoka Village will be located adjacent to Central Sonoma Valley Trail, a proposed Class I bicycle facility, and the proposed Class II bicycle facility that will run along with Sonoma Highway. In addition, the project would be conditioned to provide a public access easement for a planned Class I Bikeway along Sonoma Highway with a minimum of 15 feet, as described in the Countywide Bicycle and Pedestrian Master Plan, consistent with General Plan 2020 Policies T-J-1 and T-L-9 (see the Land Use section of Section 4, Errata, page 3.-8-18, last paragraph).

**Master Response 7 – All-age Development versus Senior Lifestyle Development**

Several commenters requested that the site be developed with uses that accommodate the needs of the senior community (residential care and services), as was previously planned by the Santa Rosa Pacific LifeCare planned development. Some commenters asserted that the future uses of the project factored strongly in their decision to purchase homes in the Oakmont Senior Community. A CEQA analysis must evaluate the proposed project according to the existing conditions. As stated on page 2-15 of the Draft EIR, in 2002, the site was designated for Medium Density Residential as part of the 2002 General Plan Update in order to meet the City’s housing goals and state requirements. In 2008, the site was rezoned as Multi-Family Residential to be consistent with the General Plan designation. The proposed project is consistent with those designations. Evaluation of previous designations and plans for use of the project site are outside the scope of this document.
SECTION 3: RESPONSES TO COMMENTS

3.1 - List of Commenters

A list of public agencies, organizations, and individuals that provided comments on the Draft Environmental Impact Report (Draft EIR) is presented below. Each comment has been assigned a code. Individual comments within each communication have been numbered so comments can be cross-referenced with responses. Following this list, the text of the communication is reprinted and followed by the corresponding response. In addition to comment letters, meeting notes reflecting the comments of the City Planning Commission have been included with responses prepared for each comment. The bracketed Planning Commissioner Meeting notes and responses to their comments follow the list of commenters referenced in Table 3-1. A presentation by Bob Walker, who was one of the public speakers at the Planning Commission meeting, is included as Appendix N in the Final EIR. The responses to Mr. Walker’s presentation are summarized in the responses to the Planning Commission letter Response to Comment PC-4.

Table 3-1: List of Commenters

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<th>Commenter</th>
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<td>Patrick and Linda Smithson</td>
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3.2 - Responses to Comments

3.2.1 - Introduction

In accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15088, the City of Santa Rosa, as the lead agency, evaluated the comments received on the Draft EIR (State Clearinghouse No. 2009052079) for the Elnoka Village Project, and has prepared the following responses to the comments received. This Response to Comments document becomes part of the Final EIR for the project in accordance with CEQA Guidelines Section 15132.

3.2.2 - Comment Letters and Responses

The comment letters reproduced in the following pages follow the same organization as used in the List of Commenters.
January 20, 2010

Ms. Erin Morris  
City of Santa Rosa  
100 Santa Rosa Avenue, Room 3  
Santa Rosa, CA 95404

Dear Ms. Morris:

Subject: Elnoka Village Project. Draft Environment Impact Report, SCH #2009052079,  
City of Santa Rosa, Sonoma County

The Department of Fish and Game (DFG) has reviewed the draft Environmental Impact Report (EIR) for the Elnoka Village Project (Project). The Project proposes to develop multi-family residential housing, neighborhood center uses, parking, landscaping, and amenities. A portion of the Project area would be utilized as open space and recreation area. In addition, the proposed Project would develop roadways, a detention basin, a public lift station, and a new arched culvert crossing of Melita Creek.

Mitigation Measure BIO-1a states that a 50-foot radius shall be established around each potential bat habitat tree or group of trees. Construction activities that occur too close to trees occupied by maternity colonies could cause reproductive female bats to abandon their young-of-the-year while disturbance during hibernation can reduce a bat's energy supply to a point where survival of the individual is not possible. DFG recommends a buffer of 100 to 150 feet be established around all trees suitable for use by bats.

Mitigation Measure BIO-1c states if suitable nesting habitat for sharp-shinned hawk, white-tailed kite, loggerhead shrike, tricolored blackbird, or other birds protected by the Migratory Bird Treaty Act is intended to be removed during the nesting season, a qualified biologist shall conduct a nesting bird survey to identify any potential nesting activity within seven days of construction. Fish and Game Code § 3503.5 states it is unlawful to take, possess, or destroy any birds in the orders of Falconiformes or Strigiformes (birds-of-prey or raptors) or take, possess, or destroy the nest or eggs of any such bird. Also, Fish and Game Code § 3503 states that is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird. DFG recommends Mitigation Measure BIO-1c be revised to state that a qualified biologist conduct a nesting bird survey to identify any potential nesting activity within seven days of construction if construction activities will occur during the nesting season (February 1 through August 31).

The Project is located in an area that has suitable habitat for the Northern Pacific pond turtle (NPPT; Actinemys marmorata), a California Species of Special Concern. Although NPPT spend much of their lives in water, they require terrestrial habitat for nesting and utilize uplands for over wintering and aestivation. NPPT are known to nest up to 328 feet from
water. Females lay their eggs in open areas with good sun exposure typically between May and June but as early as April and as late as August. Incubation takes roughly 73 to 132 days and the hatchlings may over-winter in the nest. The California Natural Diversity Database has a record of occurrence for the NPPT approximately 1950 feet from the Project site. The draft EIR also shows this occurrence in Exhibit 3.3 but does not address this species in the wildlife species discussion. The California Environmental Quality Act (CEQA) Guidelines Section 15380(d) states that species that are not presumed to be endangered, rare, or threatened as identified in Section 15380(c) shall be considered to be endangered, rare or threatened, if the species can be shown to meet the criteria in Section 15380(b). The draft EIR also reiterates this on page 3.3-5 and states that species that are California Species of Special Concern are generally included as a special-status species under CEQA. Thus, DFG recommends that areas of impact located within 350 feet of all streams and ponds be surveyed for nests and for over wintering and aestivating NPPT. If a nest site or turtle is located, then buffers of at least 100 feet should be established.

If you have any questions, please contact Ms. Stephanie Buss, Environmental Scientist, at (707) 944-5502; or Mr. Richard Fitzgerald, Coastal Habitat Conservation Supervisor, at (707) 944-5568.

Sincerely,

[Signature]

for Charles Armor
Regional Manager
Bay Delta Region

cc: State Clearinghouse
State Agencies

California Department of Fish and Game, Charles Armor, Regional Manager (CDFG)

Response to Comment CDFG-1

The commenter expressed concern with a construction buffer on trees that are potential habitat trees for sensitive bat species. We agree with the assessment of a larger buffer during construction. The mitigation measure has been changed in the Biological Resources section of Section 4, Errata to reflect the buffer concern during construction.

On page 3.3-20 of the Draft EIR, the text of Mitigation Measure has been revised as follows:

**MM BIO-1a**  
Removal of snags or trees suitable for special-status bat species shall only be removed from March 1 to April 15, or from August 15 to October 15. Prior to any tree removal, a qualified bat biologist shall conduct an onsite habitat assessment to identify any trees that provide potential habitat. A 100- to 150-foot radius shall be established around each potential habitat tree or group of trees to the satisfaction of the Department of Fish and Game.

Response to Comment CDFG-2

The commenter expressed concern regarding compliance with the Migratory Bird Treaty Act and Fish and Game Code 3503.5 regarding nesting birds. Please note that the Mitigation Measure MM BIO-1c in the Draft EIR on page 3.3-21 states the same.

**MM BIO-1c**  
If suitable avian nesting habitat for sharp-shinned hawk, white-tailed kite, loggerhead shrike, tricolored blackbird, or other birds protected by the Migratory Bird Treaty Act is intended to be removed during the nesting season—from February 1 through August 31—a qualified biologist shall conduct a nesting bird survey to identify any potential nesting activity within 7 days of construction. If no nesting birds are observed, no further action is required and grading shall occur within 1 week of the survey to prevent “take” of individual birds that could begin nesting after the survey. If passerine birds are found to be nesting, a 100-foot exclusion buffer shall be required around the nests. No vegetation removal or ground disturbance shall occur within the 100-foot exclusion buffer until the young have fledged. For raptor species—birds of prey such as hawks and owls—this exclusion buffer shall be 300 feet. To delineate the buffer zone around a nesting tree, orange construction fencing shall be placed at the specified radius from the base of the tree within which no machinery or workers shall intrude. A qualified biologist shall monitor the nests closely until it is determined that the nests are no longer active, at which time construction activities may commence within the exclusion buffer. Tree and vegetation removal outside of the nesting season, September 1 through January 31, is not subject to this mitigation measure.
Response to Comment CDFG-3

The commenter expressed concern with Northern Pacific pond turtle (*Actinemys marmorata*)—a California Species of Concern (identified as the Northwestern pond turtle (*Emys [Clemmys] marmorata marmorata*) in Appendix D-3 of the Draft EIR) and recommend a 100-foot buffer from any drainage feature if surveys find turtles or nest sites. The Biological Assessment Report (WRA 2009) in Appendix D of the EIR states that while documented occurrences have occurred within 5 miles of the project site, there is no suitable habitat for the species onsite. The project site contains highly eroded ephemeral drainage features. These drainages only receive flows during and immediately following large storm events. Based on the photo from the biological report, the exposed roots and large cobble deposits within the channel indicate that large volumes of water flow within the highly erosive channel system. There is no evidence of localized ponding within the channel. Northern Pacific pond turtle requires a permanent or nearly permanent water source to carry out its life cycle. This species spends most of its life within an aquatic environment and is known to overwinter in upland areas adjacent to the aquatic habitat. It has been observed nesting up to 328 feet from suitable aquatic habitat. The project site is located well over 600 feet uphill of any suitable Northern Pacific pond turtle habitat; therefore, suitable habitat for this species does not exist onsite. The lack of suitable habitat negates the need for any protocol surveys for the Northern Pacific pond turtle.
February 25, 2010

Ms. Erin Morris
City of Santa Rosa
Community Development Department
100 Santa Rosa Avenue, Room 3
Santa Rosa, CA 95404

Dear Ms. Morris:

Elnoka Village Project – Draft Environmental Impact Report (DEIR)

Thank you for continuing to include the California Department of Transportation (Department) in the environmental review process for the proposed project. We have reviewed the DEIR and have the following comments to offer.

Design
1) Right-of-way (ROW) is needed for intersection expansion, dedicated to the State at the intersection of Elnoka Lane and State Route (SR) 12. For planned access, provision should be made for 3 lanes on Elnoka Lane, including left and right-turn lanes on SR-12 into and out of the development.
2) The basic intersection should be designed per Highway Design Manual (HDM), Figure 405.7. Provide standard shoulders across the frontage of SR-12.
3) All standards for Americans with Disabilities Act access must be met and comply with HDM design standards on State Highway frontage and intersections.

Traffic Forecasting
The A.M. and P.M. trip generations for the project are at the very low end. Please explain.

Traffic Safety
1) Project access to SR-12 should be a public road.
2) Project access to SR-12 should be a full access with signals allowing all turn movements since the signal is warranted when combined with traffic using the proposed Melita Road connection. (Figures 21 and 22 of the Traffic Impact Study by Crane Transportation Group dated June 9, 2009).
3) The proposed access with no left-turn out allowed creates an enforcement problem that may not be enforced.

"Caltrans improves mobility across California"
4) The following comment from our letter dated November 15, 2007 still applies: “1. Relocate the utility poles outside the clear recovery zone along the property frontage on State Route (SR) 12 (20-feet from the edge of the travel way).”

**Cultural Resources**

The Cultural Resources Study for this project satisfies the Department’s legal requirements for cultural resource identification for project activities within State Right-of-Way (ROW). There are no known archaeological sites identified within State ROW within the current project limits. Should ground-disturbing activities take place as part of this project within State ROW and there is an inadvertent archaeological or burial discovery, in compliance with California Environmental Quality Act, Public Resources Code 5024.5 and the Department’s Standard Environmental Reference Chapter 2 (at http://ser.dot.ca.gov), all construction within 50 feet of the find shall cease. The Department’s Office of Cultural Resources Studies, District 4, shall be immediately contacted at (510) 286-5618. A staff archaeologist will evaluate the finds within one business day after contact.

Should you require further information or have any questions regarding this letter, please contact Jose Olveda of my staff at (510) 286-5535 or jose_olveda@dot.ca.gov.

Sincerely,

Lisa Carboni
District Branch Chief
Local Development – Intergovernmental Review

c. Scott Morgan (State Clearinghouse)
California Department of Transportation, Lisa Carboni, District Branch Chief (CALTRANS)

Response to Comment CALTRANS1-1

The commenter raised two points. With respect to road design, the commenter indicated a right-of-
way is needed for intersection expansion at Elnoka Lane and Sonoma Highway. The commenter also
stated provisions should be made for three lanes on Elnoka Lane. The first point is noted. Regarding
the second point, a revised drawing (Exhibit 2-9) has been prepared that depicts the revised
configuration of the Elnoka Lane approach and the required ROW is found in the Errata section.

Response to Comment CALTRANS1-2

The commenter stated the Elnoka Lane and Sonoma Highway intersection should be designed in
accordance with the Highway Design Manual, Figure 405.7. Figure 405.7 assumes that the state
highway is a two- lane roadway, and that no right-turn deceleration lane for exiting traffic exists. The
current configuration of Sonoma Highway along the project frontage is a travel lane in each direction,
and a dedicated two way left turn lane separating the travel lanes. The above-referenced right turn
deceleration and acceleration lanes at the proposed intersection already exist, having been constructed
pursuant to the City and Caltrans-approved plans in 2008. Moreover, since a traffic light will be
provided at the intersection of Elnoka Lane and Sonoma Highway, the intersection has been
redesigned to accommodate a left-turn lane (Exhibit 2-9). Additional details associated with the
change of Elnoka Lane from a private to a public road are found in Section 1 of this Final EIR. Also
refer to Master Response 6, Traffic Impacts.

Response to Comment CALTRANS1-3

The commenter stated that all standards for Americans with Disabilities Act access must be met and
must comply with HDM standards on state highway frontage and intersections. There are no site-
specific constraints at the Elnoka Lane/Sonoma Highway intersection that would present any unusual
obstacles to ADA compliance. Sidewalks will be constructed with a maximum cross slope of 2
percent, compliant ramps will be provided at all crossing locations, and will be provided with
detectable warning surfaces consistent with current standards. The intersection will be signalized and
equipped with standard pedestrian lighting and striped crosswalks.

Response to Comment CALTRANS1-4

The commenter indicated the AM and PM trip generations for the project are at the very low end and
require explanation. City Traffic Engineering staff have reviewed all of the traffic reports for the
project that were prepared by Crane Transportation Group and found that the reports are adequate.

Response to Comment CALTRANS1-5

The commenter stated project access to Sonoma Highway should be a public road. The project has
been revised to include public roads providing access to the site from Sonoma Highway and Melita
Road.
Response to Comment CALTRANS1-6
The commenter stated that the project access should be a full access with signals allowing all turning movements. In response to this comment and input from City staff, the applicant has revised the project to include a traffic signal at the intersection of Sonoma Highway and Elnoka Lane.

Response to Comment CALTRANS1-7
The commenter stated the currently proposed access with no left turn allowed will create an enforcement problem. Please refer to Response to Comment Caltrans-6; the new signal will provide a signalized left turn from Elnoka Lane to westbound Sonoma Highway.

Response to Comment CALTRANS1-8
The commenter reiterated a comment from a previous letter that utility poles should be located outside the clear recovery zone along the property frontage (20 feet from the edge of the travelway). The comment is noted.

Response to Comment CALTRANS1-9
The commenter stated that should there be ground-disturbing activities and there is an inadvertent discovery, all construction within 50 feet of the discovery shall cease. This comment is addressed in Mitigation Measure CUL-1a on page 3.4-8 of the Draft EIR.
June 9, 2010

Ms. Erin Morris
City of Santa Rosa
Community Development Department
100 Santa Rosa Avenue, Room 3
Santa Rosa, CA. 95404

Dear Ms. Morris:


Thank you for continuing to include the California Department of Transportation (Department) in the environmental review process for the proposed project. This letter is responding to your March 9, 2010 written response to our comments on the DEIR letter dated February 25, 2010 for the Elnoka Village Project.

The Department would approve a signal installation when the signal warrants are satisfied. Please include the Signal Warrants Study per California Manual of Uniform Traffic Control Devices 2006 (CA MUTCD) for our review.

Encroachment Permit

Please be advised that any work or traffic control that encroaches on State Right of Way (ROW) requires an encroachment permit issued by the Department. Further information is available on the following website: http://www.dot.ca.gov/hq/traffops/developserv/permits/

To apply, a completed encroachment permit application, environmental documentation, and five (5) sets of plans clearly indicating State ROW must be submitted to the address below. Traffic-related mitigation measures should be incorporated into the construction plans during the encroachment permit process.

Office of Permits
California DOT, District 4
P.O. Box 23660
Oakland, CA 94623-0660
Ms. Erin Morris  
June 9, 2010  
Page 2

Should you have any questions regarding this letter, please call Connery Cepeda of my staff at (510) 286-5535.

Sincerely,

LISA CARBONI  
District Branch Chief  
Local Development – Intergovernmental Review

c: Scott Morgan (State Clearinghouse)

"Caltrans improves mobility across California"
Ms. Erin Morris  
June 9, 2010  
Page 3

bc:  LCarboni/ CCepeda/ File/ Chron File

"Caltrans improves mobility across California"
California Department of Transportation, Lisa Carboni, District Branch Chief (CALTRANS)

Response to Comment CALTRANS2-1
The comment letter is in response to the written responses on the Draft EIR letter dated February 25, 2010. Comment noted.

Response to Comment CALTRANS2-2
The commenter indicated that signal installation will be approved when signal warrants are satisfied. The commenter also requested that the signal warrant study as outlined by CA MUTCD be included. A memorandum dated July 21, 2010 was prepared clarifying results of the signal warrant study and that a traffic signal is justified. The memorandum is found in Appendix M-3 of this Final EIR section. The memorandum has been reviewed and accepted by the City. In addition, the Draft EIR, page 3.12-26, states that the Signal Warrant definitions, standards, and worksheets prepared for the proposed project are available in the Traffic Impact Study provided in Appendix L of that document. For a complete description of signal warrant analysis, refer to the 2003 Manual on Uniform Traffic Control Devices by the Federal Highway Administration.

Response to Comment CALTRANS2-3
The commenter stated that any work or traffic controls that encroach on state ROW require an encroachment permit and provides information on the permit application process. Comment noted. The Draft EIR acknowledges requirement of encroachment permit from Caltrans (Draft EIR pages 2-40, 3.12-1, and 3.12-15).
January 26, 2010

Ms. Erin Morris
City of Santa Rosa
100 Santa Rosa Avenue, Room 3
Santa Rosa, CA 95404

Dear Ms. Morris:

Subject: Comments on the Draft Environmental Impact Report for the Elnoka Village Project, Sonoma County, SCH No. 2009052079

Thank you for the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the Elnoka Village Project. The North Coast Regional Water Quality Control Board (Regional Water Board) is a responsible agency for this project, with jurisdiction over the quality of ground and surface waters (including wetlands) and the protection of beneficial uses of these waters.

The Elnoka Village project consists of the development of 209 multifamily residential units and 5000 square feet of commercial space on a parcel 9.20 acres in size. The project would also involve the development of roads, parking areas, and a crossing of Melita Creek, as well as landscaping activities. The site is currently undeveloped, although portions were previously graded, and Melita Creek flows across the site from east to west with depths between 3 and 8 feet.

The Regional Water Board submitted general comments on June 10, 2009, in response to the Notice of Preparation of an Environmental Impact Report. After reviewing the Draft Environmental Impact Report, we have further comments and reservations regarding the project design and implementation.

Surface Waters and Biological Resources

Impaired Surface Waters

Page 3.7-2 states that "Melita Creek and Santa Rosa Creek are not listed on the 303(d) list of impaired water bodies." This statement is incorrect and must be excised from the DEIR prior to its finalization. Santa Rosa Creek, the Middle Russian River HA, and the Russian River watershed are listed on pages 25 and 26 of the 303(d) list for the North
Coast region as impaired due to pathogens, sedimentation/siltation, and water temperature. This information is significant, as it outlines the precarious state of the project site’s watershed and identifies potential sources of this impairment. Potential sources for sedimentation/siltation include land development, construction, urban runoff, storm sewers, hydromodification, removal of riparian vegetation, channel erosion, and streambank modification. Potential sources for water temperature increases include hydromodification, removal of riparian vegetation, and streambank modification and destabilization. All of these potential sources could be created or increased through development of the Einoka Village project. This information was noted in our comment letter of June 10, 2009.

Riparian buffers and setbacks

Page 3.3-21 states “the proposed project would avoid disturbance to the creek by preserving its banks and channels with a 50-foot setback.” A 50-foot setback is not a sufficient buffer area for Melita Creek and its surrounding riparian habitat. The United States Environmental Protection Agency (EPA) recommends a minimum setback of 100 feet for surface water features, and the Regional Water Board supports this standard. The DEIR provides neither justification nor mitigation for a 50 percent reduction from the minimum appropriate setback. Without a clear description of why a significantly reduced setback is required, and mitigation provided for the potential impacts upon the riparian area, the Regional Water Board cannot support a setback of 50 feet.

In addition, it is important to clarify the method for measuring the setback, as the actual size and effectiveness of the setback varies depending on whether it is measured from the top of bank or from the centerline of the stream. The Regional Water Board strongly recommends measuring from the top of bank, as this provides the most accurate basis from which to determine if the setback is sufficient.

Revegetation

Mitigation Measure BIO-2 provides for riparian habitat restoration, including removal of noxious species, bank stabilization, and revegetation. The Regional Water Board strongly recommends utilizing drought tolerant and native plants in revegetation efforts. The use of native species greatly reduces the need for pesticides, herbicides, and other potentially toxic chemicals, which can discharge to receiving waters. Additionally, any revegetation effort needs to include a monitoring and reporting plan, which generally requires annual reports to the Regional Water Board for at least five years, and survival of the planted species to be at least at 85% or higher of thriving vegetation.

Waters of the state

Page 3.3-14 should provide a definition of “waters of the state” in addition to the definition of “waters of the United States.” This recommendation was made in our previous comment letter of June 10, 2009: “The DEIR should acknowledge the definition and jurisdictional delineation of waters of the state and the United States when

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discussing potential impacts to streams or wetlands (Biological Resources section). The Regional Water Board’s Water Quality Control Plan for the North Coast Basin (Basin Plan) and the California Water Code (Water Code) define waters of the state as follows: “Waters of the state’ means any surface water or groundwater, including saline waters, within the boundaries of the state (Water Code §13050 (e)).”

Compensatory Mitigation

Page 3.3-23 states: “Mitigation as required by the RWQCB for issuing a 401 water quality permit requires a 2:1 compensation ratio for any jurisdictional features lost.” This statement is not necessarily accurate. As previously stated in our letter of June 10, 2009: “Regional Water Board staff may require a mitigation ratio significantly greater than 1:1 as a condition of project approval, and/or require that the quality of the mitigation for impacted waters or disturbed/filled waters be higher.” The ratio for compensatory mitigation may be more or less than 2:1, depending on the site’s characteristics, type of mitigation available, and other factors. The requirement for mitigation will require consultation with Regional Water Board staff during the 401 Water Quality Certification permitting process.

Hydrology and Water Quality

Storm Water Runoff

We do not feel that the assessment of impacts to Hydrology and Water Quality is sufficient. The potential impacts of increased storm water runoff flows upon receiving waters are not addressed or mitigated. Section (e) of the Thresholds of Significance for Hydrology and Water Quality on the CEQA Environmental Checklist is not addressed. Section (e) requests an analysis of the project’s potential to “create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff.” The DEIR must address the project’s potential to provide substantial additional sources of polluted runoff.

The Elnoka Village project will increase impervious surface on the project site by 319,552 square feet, or 7.3 acres. This is a significant increase. Increases in impervious surface increase the quantity and impair the quality of storm water runoff. If these flows are routed to storm drainage systems, as the DEIR proposes, they will introduce significant amounts of polluted runoff into a watershed that is already impaired.

No additional runoff should be released into Melita Creek. Rather, the project should utilize Low Impact Development (LID) techniques to mitigate for potential impacts. Emphasis should be placed on infiltration, evapotranspiration and biofiltration, and methods that retain and infiltrate runoff onsite should be incorporated into the project design. For example, the roof drains mentioned on page 3.7-11 should be routed into
planter boxes or rain gardens rather than to the storm drain system. We have included a list of storm water and LID resources at the end of this letter for your reference.

Furthermore, impoundment and controlled release of storm water runoff, as proposed on page 3.7-12, only addresses the risk of flooding. Impoundment and controlled release may not assist in protecting water quality; rather, they potentially can contribute to streambank erosion and channelization, both of which are sources of sedimentation and siltation.

The Draft Environmental Impact Report should demonstrate that all runoff generated by the project can be infiltrated onsite. If this is not possible, the DEIR should demonstrate the infeasibility and provide mitigation to ensure that runoff leaving the site has been treated to the greatest possible extent.

If you have any questions or comments regarding 401 Water Qualification Certification, please contact Stephen Bargsten at (707) 576-2653 or sbargsten@waterboards.ca.gov. If you have any questions or comments regarding storm water, please contact me at (707) 570-3761 or mdougherty@waterboards.ca.gov.

Sincerely,

Mona Dougherty
Water Resources Engineer

cc: Mr. Richard Fitzgerald, California Department of Fish and Game, P.O. Box 47, Yountville, CA 94599

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Low Impact Development Resources

State Water Board Low Impact Development and Sustainable Storm Water Management:

State Water Board Resolution on LID and Sustainable Water Resources Management:

Resolution of the California Ocean Protection Council Regarding Low Impact Development:
http://www.resources.ca.gov/copc/05-15-08_meeting/05_LID/0805COPC05_%20LID%20Res%20amended.pdf

Puget Sound LID manual:

Low Impact Development Center:
http://www.lowimpactdevelopment.org/

Green Infrastructure Municipal Handbooks:
http://cfpub2.epa.gov/npdes/greeninfrastructure/munichandbook.cfm

Marin County's LID manual:
http://www.mcstopp.org/acrobat/GuidanceforApplicantsv_2-5-08.pdf

San Diego County's LID manual – has a section on LID for roads:

Low Impact Development – Sustainable Storm Water Management:
http://www.waterboards.ca.gov/water_issues/programs/low_impact_development/

EPA Green Infrastructure Basic Information:
http://cfpub.epa.gov/npdes/greeninfrastructure/information.cfm

Managing Wet Weather with Green Infrastructure:
http://cfpub.epa.gov/npdes/home.cfm?program_id=298

Contra Costa Manual and Guidance to Municipalities:

Contra Costa approach powerpoint to implement LID:
http://www.cccleanwater.org/Publications/StormCon-5-06/5-ContraCostaApproach-I-Dalziel-Cloak.ppt

State Water Board Funded Projects That Include Low Impact Development:
http://www.waterboards.ca.gov/water_issues/programs/grants_loans/low_impact_development/

City of Portland's Sustainable Storm Water Management Program – LID for streets:
http://www.portlandonline.com/bes/index.cfm?c=34598

Low Impact Development Center – Green Highways and Green Infrastructure:
http://www.lowimpactdevelopment.org/green_highways.htm

Streetscape improvements and water quality design:
http://www.lowimpactdevelopment.org/nhb/lid.htm

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LID Urban Design tools – has design software for different BMPs:
http://www.lid-stormwater.net/homedesign.htm

LID design fact sheet:
http://www.coastal.ca.gov/nps/lid-factsheet.pdf

Storm Water Runoff Calculator:
http://www.stormulator.com

LID Training Program for Linear Transportation Projects:
http://www.lowimpactdevelopment.org/epa03_transportation.htm

Storm Water Management and LID at EPA headquarters – BMP choice and design:
http://www.epa.gov/owow/nps/lid/stormwater_hq/

http://sustainablesites.org/

A Review of Low Impact Development Policies: Removing Institutional Barriers to Adoption:
http://www.waterboards.ca.gov/lid/docs/ca_lid_policy_review.pdf

**Storm Water Resources:**

The CASQA Construction BMP manual:
http://www.cabmphandbooks.com/Construction.asp

North Coast Regional Water Board Municipal Storm Water:
http://www.waterboards.ca.gov/northcoast/water_issues/hot_topics/santa_rosa_ms4_npdes_stormwater_permit/

State Water Board Storm Water Program:
http://www.waterboards.ca.gov/water_issues/programs/stormwater/

Erase the Waste Campaign – California Storm Water Toolbox:
http://www.waterboards.ca.gov/water_issues/programs/outreach/erase_waste/

State Water Board Storm Water Grant Program:
http://www.waterboards.ca.gov/water_issues/programs/grants_loans/prop84/index.shtml

The San Francisco Regional Water Board storm water website:
http://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/stormwater/avail_docs.shtml

EPA Storm Water Program:
http://cfpub.epa.gov/npdes/home.cfm?program_id=6

Federal Funding Sources for Watershed Protection:
http://cfpub.epa.gov/fedfund/

California Stormwater Quality Association:
http://www.casqa.org/

Stormwater Manager's Resource Center:

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http://www.stormwatercenter.net/

Post Construction BMPs:
http://www.stormwaterauthority.org/library/library.aspx?id=190

For more information, please contact Mona Dougherty at mdougherty@waterboards.ca.gov or John Short at jshort@waterboards.ca.gov
California Regional Water Quality Control Board, North Coast Region, Mona Dougherty, Water Resources Engineer (RWQCB)

Response to Comment RWQCB-1
The RWQCB commented that the Draft EIR incorrectly states the 303(d) (Impaired Water Bodies) status of Melita and Santa Rosa Creek. As noted by the RWQCB, Santa Rosa Creek is 303(d) listed, and though Melita Creek is not specifically named on the 303(d) list, it is located within the Russian River watershed, which is a 303(d) listed system. The clarification regarding water bodies and additional information has been added to the Hydrology section of Section 4, Errata.

Response to Comment RWQCB-2
The RWQCB has identified that the Elnoka Project may result in creation of stressors/pollutants identified as contributing to stresses on 303(d) listed water bodies. These potential sources of stress are identified in Table 3.7-2 in the Hydrology section of Section 4, Errata. Amendments have been made to the respective sections to identify these stressors as they relate to both construction related and long-term water quality. Please see the Hydrology section in the Errata for more information.

Response to Comment RWQCB-3
The RWQCB has requested that the project proponent justify a 50-foot creek setback, instead of the 100-foot recommended requirement.

The City setback requirement is incompletely summarized in the Draft EIR. The 50-foot requirement is a minimum distance measured from the top of the highest bank; however, when the slope of the bank is steeper than 2.5:1, the measurement is measured from a projection of a 2.5:1 slope from the toe of the stream bank plus 50 feet. This secondary requirement provides added protection accounting for potential erosion and instability in natural or modified natural creek/drainage systems and typically establishes a buffer extending significantly beyond the buffer that otherwise would be measured from the “top of highest bank.” Please see the Biological Resources section in the Errata Section for related amendments.

The RWQCB also asserted that it now is requiring a minimum 100-foot setback for streams and their riparian habitat (unless the project proponent can provide a “clear description” explaining why a reduced setback is required). The RWQCB asserted that this requirement is consistent with United States Environmental Protection Agency (EPA) minimum setback recommendations.

A review of the North Coast Region Basin Implementation Plan (2007 Update) did not reveal any watershed specific or general requirements establishing a 100-foot buffer waste discharge requirements that would apply to the Elnoka Village Project and Melita Creek.

The Basin Plan does establish general setback requirements for perennial streams that may extend 100 feet from the 10-year frequency flood, or in Ephemeral Streams, 50 feet as measured from the edge of the watercourse. However, these setback requirements have been established for leach fields for onsite waste treatment and disposal practices (see the 2007 RWQCB Basin Plan on pages 4-10 to
4-12, Table 4-1). The Elnoka Village Project proposes to connect to the City of Santa Rosa wastewater system; as such, leach field and waste treatment setbacks requirements do not apply.

The project’s proposed setback (50-foot buffer) is consistent with City setback requirements for natural waterways. As identified in the Draft EIR and in the Preliminary Stormwater Management Plan (2010, included as Appendix M-2 in this Final EIR), the proposed project Best Management Practices (BMPs) will adequately prevent significant degradation of surface waters within the basin and will not contribute to further impairment of 303(d) listed waters. With respect to onsite buffers and wetland/terrestrial interface, it should be noted that the project development footprint was specifically designed to avoid existing riparian and oak woodland habitat appurtenant to the onsite stream course. These areas will be preserved in perpetuity as dedicated open space, substantially maintaining function and value within the hydrologic system.

The commenter indicated an explanation is needed regarding how a 50-foot setback would affect the project, and how impacts to riparian habitat would be mitigated. Regarding the first point, imposition of requirements establishing a 100-foot stream buffer would have a significant impact on the project in several ways. Most importantly, the requirement would eliminate the mixed use portion of the project located between Sonoma Highway and Melita Creek, leaving only the townhomes, and would functionally eliminate the proposed parking area southwest of the creek, requiring significant project redesign with a likelihood that the redesigned project may not meet general plan density goals and housing affordability goals of the general plan. If the project could be redesigned to accommodate a 100 ft creek setback, it would be necessary to significantly reduce the setback that is currently proposed between the east property line (existing Oakmont Community) and the main building.

Regarding mitigation of impacts to riparian habitat along Melita Creek (Exhibit 3.3-1 in the Draft EIR), mitigation measures are specified in MM BIO-2 on page 3.3-22 of the Draft EIR. At the request of the RWQCB, additional language about the types of plants to be used in revegetation efforts and in monitoring and confirming the appropriate survival rates is found in the Errata section. Finally, Exhibit 3.3-1 in the Biological Resources section of the Draft EIR shows that beyond the 50-foot creek setback zone, the vegetation type is non-native grasslands, not riparian habitat. Based on the mapped vegetation types and the revised mitigation measures, the proposed 50-foot creek setback zone should be sufficient.

Response to Comment RWQCB-4
The RWQCB requested clarification on whether buffers are measured from the “top of bank” or from the “centerline of the stream.”

Page 3.3-21 of the Draft EIR City of Santa Rosa Zoning Code (Title 20-30.040) establishes that the “top of the highest bank” is used for determining buffer unless the bank is steeper than 2.5:1, in which case the exterior setback boundary shall be measured by the projections of a slope of 2.5:1 from the toe of the stream bank to ground level, plus 50 feet.
Response to Comment RWQCB-5

The RWQCB requested that any onsite mitigation include the removal of noxious species and utilize drought-tolerant native plants in any revegetation plan. Native plants greatly reduce the need for pesticides, herbicides, and other potentially toxic chemicals, which can discharge to receiving waters.

Mitigation Measure BIO-2 has been amended to state that riparian habitat restoration efforts will include the removal of noxious species (including acacia, which is present onsite) with replacement/revegetation utilizing a plant pallet containing a mix of drought tolerant native plants. Similarly, the text of the Impact BIO-3 impact analysis (2nd paragraph) referring to Fish and Game Section 1602 has been rewritten for clarification. Please see the Biological Resources section in the Errata Section.

Response to Comment RWQCB-6

The RWQCB has requested that a proper definition for “Waters of the State” be provided. The Draft EIR should also acknowledge or otherwise provide a discussion of “Waters of the State” as appropriate.

As defined in the Water Code Section 13050(e), “Waters of the state means any surface water or groundwater, including saline waters within the boundaries of the state.”

Since the U.S. Supreme Court Decision in Solid Waste Agency of Northern Cook County (SWANCC) v. Corps (2001) eliminated the “Migratory Bird Rule” and greatly curtailed the reach of federal jurisdiction over waters, Section 13050 has been used to “fill in” the jurisdictional gap, particularly over isolated waters (SWRCB Water Quality Order No. 2004-0004-DWQ). Typically, the State will assume jurisdiction over “isolated waters” (no federal nexus) that have beneficial uses to the State. With respect to Elnoka Village, the jurisdictional delineation (JD) revealed one drainage system (Melita Creek) and five adjacent wetlands ranging in size from 0.006 to 0.28 acre, totaling 0.40 acre. The JD asserted that all features were subject to federal jurisdiction under Section 404 of the Clean Water Act. The JD did not identify any isolated features (drainages, wetlands, ponds, etc.) that would be excluded from federal jurisdiction but might be subject to state jurisdiction under Section 13050. As such, the proper inclusion and application of Section 13050 jurisdiction to the Elnoka Village project will not result in an increase of jurisdictional waters beyond what is already represented in the JD and the EIR.

Appropriate sections of the EIR have been amended to include the definition for “waters of the state” as set forth in the Water Code Section 13050(e) (Porter Cologne). Please see the Biological Resources section in the Errata Section.

Response to Comment RWQCB-7

The RWQCB has commented that the Draft EIR is incorrect in stating that issuance of a 401 water quality permit requires a 2:1 compensation ratio for any jurisdictional features lost.
Actions requiring a Dredge and fill and water quality certification pursuant to Clean Water Act Sections 404 and 401 are subject to the “non-net loss” policy set forth in the CWA (U.S. Army Corps of Engineers and Environmental Protection Agency) regulations. Fundamentally, when impacts to jurisdictional resources cannot be avoided, these regulations require a mitigation compensation ratio of at least 1:1. However, an adequate compensation ratio will depend on whether the selected mitigation is in-kind and takes into account differences in function and value between the impacted area and the area targeted for mitigation. The suggested 2:1 mitigation ratio in the EIR is a suggested and advisory, and is not meant to suggest final mitigation requirements that will be a condition of approval of either the 404 or 401 permits. Based on these criteria, the mitigation requirement may be more or less than 2:1. The appropriate section of the Draft EIR has been amended accordingly.

Please see the Biological Resources section in the Errata Section.

Response to Comment RWQCB-8

RWQCB comments 8 through 12 are discussed together because they relate generally relate to the increase in impervious cover and the potential impact from the project on the quantity and quality (pollutant loading) of water entering the (already) impacted Melita Creek, and the potential for streambank erosion and channelization.

The RWQCB asserted that the assessment of impacts to Hydrology and Water Quality is insufficient. Specifically, the RWQCB states that the potential impacts of increased stormwater runoff flows upon receiving waters are not addressed or mitigated. Section (e) of the Thresholds of Significance for Hydrology and Water Quality on the CEQA Environmental Checklist is not addressed. Section (e) requests an analysis of the projects potential to “create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff.” The RWQCB requested that the Draft EIR address the projects potential to provide substantial additional sources of polluted runoff.

Comment RWQCB-9 asserted the significant increase in impervious cover (336,540 square feet, Brelje & Race 2010) will increase the quantity and impair the quality of stormwater runoff if these flows are routed to storm drainage systems, and will introduce significant amounts of polluted runoff into a water shed that is already impaired (303(d) listed).

Comment RWQCB-10 is a request that no additional runoff should be released into Melita Creek. Rather, the project should utilize Low Impact Development (LID) techniques to mitigate for potential impacts. Emphasis should be placed on infiltration, evapotranspiration, and biofiltration, and methods that retain and infiltrate runoff onsite should be incorporated into the project design.

Comment RWQCB-11 asserted that impoundment and controlled release may not assist in protecting water quality; rather, they potentially can contribute to streambank erosion and channelization, both of which are sources of sedimentation and siltation.
In Comment RWQCB-12, the RWQCB requested that the Draft EIR demonstrate that all runoff generated by the project can be infiltrated onsite, or alternatively explain why onsite infiltration is not feasible.

In response to these comments, the Preliminary Water Quality Management Plan (WQMP) for the project has been updated (Brelje & Race, April 2010). The updated WQMP is consistent with the City of Santa Rosa MS4 permit compliance design guidelines implemented in January 2010. Fundamentally, and consistent with RWQCB requests, the conceptual design has been revised to include the definition of a number of locations on the site intended to intercept and treat potentially polluted stormwater prior to infiltration into the soil or release into Melita Creek, to the maximum extent practicable.

Volumetric control of runoff for the project will focus on the City of Santa Rosa standard of retaining the excess over the pre-development volume of runoff generated by the 85th percentile 24-hour storm event as a post-construction design goal, to be mitigated by the use of low-impact development strategies and hydromodification control BMPs.

The conversion of existing acreage of project area into impervious surfaces creates the need to capture and retain the associated increase in runoff volume within the boundaries of the site to be infiltrated or otherwise reintroduced to the natural hydrological cycle other than being allowed to exit the project as drainage flow. Analysis of the proposed project results in an estimated volume of 10,860 cubic feet of volume to be retained or otherwise “credited” as the amount of increase over pre-development conditions. Assuming the detention pond adjacent to the Lift Station parcel is given no credit for infiltration, the remaining areas in Lots 1 & 2 of the project will incorporate depressed rain gardens, tree wells, and treatment features in the landscaped areas that also will facilitate infiltration into the surrounding soils as it is temporarily held and treated in these features. The proposed underground pipe manifold detention structure north of Building A is also a potential means by which stormwater may be allowed to infiltrate into the surrounding Type B soils, by replacing solid wall pipe volume with any of several products available for large-scale volumetric containment and infiltration. The areas of existing tree canopy to be retained with the project as well as tree well-filtered inlets to be integrated into the site storm drain system represent a contribution to volumetric control, and the area of greater than 12-inch tree canopy to remain was applied as a credited reduction to the post-construction impervious area in the calculation of post-construction runoff volume.

The WQMP provide runoff volume calculations for various combinations of land use, land condition, soil group type, and percentage of impervious surface found within the subdivision project boundary.

Accordingly, the Draft EIR has been amended. Please see the Hydrology section in the Errata Section.
Response to Comment RWQCB-9
With respect to the RWQCB comment pertaining to the significant increase impervious surface (cover) and the potential to introduce significant amounts of polluted runoff into the impaired Russian River watershed, see comprehensive response RWQCB-8.

Response to Comment RWQCB-10
With respect to the RWQCB comment pertaining to inclusion of Low Impacts Development (LID) techniques to mitigate potential impacts, see comprehensive response RWQCB-8.

Response to Comment RWQCB-11
With respect to the RWQCB comment pertaining to impoundment and controlled release of stormwater runoff and potential contribution to streambank erosion and channelization and sedimentation/siltation within the watershed, please refer to comprehensive response RWQCB-8

Response to Comment RWQCB-12
With respect to the RWQCB comment pertaining to onsite infiltration of all runoff generated by the project, all runoff must be treated to the greatest extent possible, please refer to comprehensive response RWQCB-8.
January 28, 2010

Erin Morris, Senior Planner  
City of Santa Rosa  
Community Development  
100 Santa Rosa Avenue, Room 3  
Santa Rosa, Ca  95404

Re:  Draft Environmental Impact Report  
Elnokea Village Project  
SCH No. 2009052079

Dear Ms. Morris:

Thank you for the opportunity to review and comment on the Draft Environmental Impact Report for the Elnokea Village Project.

Pages 3.2-11 and 3.12-15
On these two pages, the report states “Elnokea Village will be located adjacent to the existing Kenwood-Santa Rosa Trail, a Class I bicycle facility...” This statement is incorrect. It should state “Elnokea Village will be located adjacent to the proposed Central Sonoma Valley Trail, a Class I bicycle facility...”. Please note that the proposed County trail begins at Maxwell Farms Regional Park and continues north to Santa Rosa City limits.

Page 3.8-18 and Exhibit 2-8
The second paragraph states “In addition, the project would be conditioned to provide an easement for a planned Class I Bikeway along Sonoma Highway...” For clarification, we recommend the sentence be revised to state “In addition, the project would be conditioned to provide a public easement for a planned Class I Bikeway along Sonoma Highway...”

Based on Exhibit 2-8 (Preliminary Landscape Plan), there appears to be insufficient space to accommodate a Class I bicycle facility paralleling Sonoma Highway. Some of the proposed landscape and other improvements may need to be modified.

Please note the name of the planned Class I Bikeway along Sonoma Highway is Central Sonoma Valley Trail as depicted in the attachment. The minimum width of the trail easement should be 15 feet wide.

Class I bicycle connection from Sonoma Highway to Channel Drive/Annadel State Park
It appears that the project owner owns four parcels that border Channel Drive and are located outside of the project limits. Annadel State Park fronts Channel Drive.

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This is an opportunity to provide a future Class I bicycle connection through Elnoka Village from Sonoma Highway to Annadel State Park. The City can obtain an OTD (Offer to Dedicate) public easement along the Elnoka Lane corridor from the property owner that will allow for the future development of a Class I bicycle facility.

If you have any questions, please call me at 707-565-3348.

Sincerely,

Kenneth Tam
Park Planner II

Enclosure: Exhibit 2-6a Site Plan – Comments noted by Regional Parks

c: Sonoma County Regional Parks: Jim McCray, Elizabeth Tyree, Michelle Julene, Steve Ehret
   Steven Schmitz, Sonoma County Transit, SCBPAC, CBPAC
Local Agency

Sonoma County Regional Parks, Kenneth Tam, Park Planner II (SCRP)

Response to Comment SCRP-1
The commenter noted that the references to the existing Kenwood-Santa Rosa Trail, a Class I bicycle facility, on pages 3.2-11 and 3.12-15 are in error. According to the Sonoma County Transportation Authority (SCTA) Countywide Bicycle and Pedestrian Master Plan, the project site is adjacent to the proposed Central Sonoma Valley Trail. This is shown as a Class I bicycle facility. There is also a Class II facility shown along Sonoma Highway. The Santa Rosa Administrative Draft Bicycle and Pedestrian Master Plan show the same proposed Central Sonoma Valley Trail and Class II facility. These changes have been included in Section 4, Errata, in the Air Quality, Transportation, and Biological Resources sections.

Response to Comment SCRP-2
The commenter recommended that the fifth sentence of the second paragraph be revised to include the word public. The sentence now reads:

In addition, the project would be conditioned to provide a public access easement for a planned Class I Bikeway along Sonoma Highway with a minimum width of 15 feet, as described in the Countywide Bicycle and Pedestrian Master Plan, consistent with General Plan Policies T-J-1 and T-L-9.

This change has been included in the Land Use section of Section 4, Errata.

Response to Comment SCRP-3
The commenter expressed concern about having sufficient area to accommodate the planned Class I Bikeway. As depicted on the new partial site plan there is now enough width to accommodate a future bike trail within the revised planter strip, while retaining landscaping that would separate the roadway and bikeway from the parking lot. Please see revised text on changes to the Project Description and the new partial site plan (Figure 2-10) in the Errata Section.

Response to Comment SCRP-4
The commenter noted the name and width of the Class I Bikeway along Sonoma Highway. Please refer to Response to Comment SCRP-2

Response to Comment SCRP-5
The commenter stated that the City could obtain an Offer to Dedicate public easement along the Elnoka corridor from the property owner that would allow future development of the Class I bicycle trail. Page 3.8-18 of the Draft EIR states that the project would include a Public Bicycle Access Easement and a Public Pedestrian Easement along Elnoka Lane and the 1,000-foot access road (Road A).
January 27, 2010

VIA E-MAIL

Erin Morris  
Senior Planner  
City of Santa Rosa  
Community Development Department  
100 Santa Rosa Avenue, Room 3  
Santa Rosa, CA 95404

Re: Comments on Draft Environmental Impact Report for the Elnoka Village Project

Dear Ms. Morris:

This comment letter is submitted on behalf of the Lytton Rancheria of California (hereinafter, “Lytton Tribe”), a federally recognized Indian tribe and sovereign government. The Lytton Tribe submits the following comments on the Draft Environmental Impact Report (DEIR) for the Elnoka Village Project. We request that these comments, as well as any subsequent comments submitted by the Lytton Tribe, be included in the record for approval of the Project.

LYTTON TRIBAL CULTURAL AFFILIATION TO THE PROJECT AREA AND PROJECT IMPACTS TO CULTURAL RESOURCES

The Lytton Band is not opposed to this project. The Tribe’s primary concerns stem from the project’s likely impacts on Native American cultural resources. The Lytton Band has a legal and cultural interest in the proper protection of sacred places and all Pomo cultural resources. The Tribe is concerned about both the protection of unique and irreplaceable cultural resources, such as Pomo village sites and archaeological items which would be displaced by development, and with the proper and lawful treatment of cultural items, Native American human remains and sacred items likely to be discovered in the course of development and improvements the Project Area.

The Pomo people traditionally occupied the geographical area known today as the County of Sonoma for thousands of years, including the City of Santa Rosa. This is verified through stories and songs of the Pomo people that are cultural evidence of the Tribe’s cultural affiliation with these lands. Occupation is also evidenced through the location of the Tribe’s
prior reservation, anthropological studies, archaeological studies, and histories of the area. In addition, Tribal ties to these territories have been maintained to the present day through cultural and governmental actions.

While no resources were found within the Project area, pursuant to the archaeological survey, there are at least two known prehistoric sites within six hundred (600) feet of the Project area. Further, the Project area lies close to the Santa Rosa Creek which has numerous prehistoric sites situated near it. Given that Native American cultural resources may be affected by the Project, the Tribe requests to continue to be involved throughout the duration of the Project and to participate with the City of Santa Rosa in developing all monitoring and mitigation plans for the duration of the Project.

Finally, the Tribe believes that if human remains are discovered, State law would apply and the mitigation measures for the Project must account for this. According to the California Public Resources Code, § 5097.98, if Native American human remains are discovered, the Native American Heritage commission must name a “most likely descendant,” who shall be consulted as to the appropriate disposition of the remains.

DRAFT EIR AND MITIGATION MEASURES

Environmental Impact Reports must provide adequate protection for significant archaeological and cultural sites and adequately follow the provisions of CEQA and its Guidelines, including Calif. Pub. Res. Code § 21083.2(b) (avoidance as preferred method of preservation of archaeological resources), CEQA Guidelines § 15126.4(b)(3) (agencies should avoid effects on historical resources of archaeological nature), and CEQA Guidelines § 15020 (lead agency responsible for adequacy of environmental documents).

The Tribe appreciates the City’s prior consultations with it and the inclusion of requested mitigation measures by the Tribe. In general, the discussions in the DEIR and the proposed mitigation measures.

The Lytton Tribe looks forward to working together with the City of Santa Rosa and other interested agencies in protecting any invaluable Pomo cultural resources which may be found in the Project area. Should you have any questions, please do not hesitate to contact me.

Very truly yours,

TOMARAS & OGAS, LLP

Brenda L. Tomaras
Attorneys for the Lytton Rancheria of California
Tomara and Ogas, LLP on behalf of Lytton Tribe (LYTT)

Response to Comment LYTT-1
The commenter expressed concern about the impacts on Native American cultural resources. The commenter’s concerns are noted.

Response to Comment LYTT-2
The commenter provided information about the tribal ties to the project area. Historical information provided by the commenter is noted. The Draft EIR also acknowledges the Pomo people as the primary inhabitants of the area at the time of European settlement (page 3.4-2). Tribal ties to the area are also noted.

Response to Comment LYTT-3
The commenter stated there are two known prehistoric resources within 600 feet of the project area. Page 6 of the Cultural Resources Survey (available in Appendix E, Cultural Resources Report) identifies two previously discovered sites approximately 600 feet from the project site and numerous sites along Santa Rosa Creek. As such, the Draft EIR identified impacts to historical resources as a potentially significant impact (refer to page 3.4-7 of the Draft EIR).

Response to Comment LYTT-4
The commenter requested to be involved through the project duration. The Lytton Rancheria will be kept apprised of the project’s status.

Response to Comment LYTT-5
The commenter indicated if human remains are found, particular mitigation measures as stated in Public Resources code Section 5097.98 would apply. Mitigation Measure CUL-4 requires that if any discovered remains are identified as Native American, the Native American Heritage Commission will be contacted and the most likely descendant identified (refer to page 3.4-10 of the Draft EIR).

Response to Comment LYTT-6
The commenter indicated EIRs must provide for adequate protection for significant archaeological and cultural resources. The Draft EIR includes Mitigation Measures CUL-1a, CUL-1b, CUL-1c, CUL-1d, CUL-1e, CUL-3, and CUL-4, to ensure these provisions of CEQA are met.

Response to Comment LYTT-7
The commenter expressed appreciation. Comment noted.
February 3, 2010

Erin Morris
City of Santa Rosa
Planning Department
PO Box 1678
Santa Rosa, CA 95402

Re: Response to Comments on Elnoka Village Draft Environmental Impact Statement

Dear Erin,

We assert that the draft environmental impact report (DEIR) incorrectly concluded that there are significant and unavoidable impacts with regard to aesthetic resources and consistency with alternative transportation plans and policies. We also assert that none of the alternatives analyzed in the DEIR beyond the proposed project were evaluated for feasibility. Additionally, there was not an adequate comparison analysis of the alternatives to project objectives described on page 2-40 of the DEIR. These three topics are discussed below.

1. Aesthetic Resource Analysis

The DEIR presumptuously concludes that there are significant and unavoidable impacts with regard to: scenic vistas, scenic highways and visual character of the site. As it is reasonable to conclude that the project will have an impact to the current visual experience that is observed by aesthetic viewers, it is with un-substantiated non-subjective evidence that the DEIR concludes that the proposed project will result in significant unavoidable impacts.

According the Federal Highway Administrations guidance on Visual and Aesthetic Impact analysis, the term “aesthetics” is defined as a “subjective science or philosophy concerned with the quality of visual experience.” To date there is no adopted visual impact resource methodology of thresholds that has been approved by the City of Santa Rosa City Council or Planning Commission. Therefore, the City’s finding of significant and unavoidable impacts to scenic vistas, scenic highways and visual character as currently presented in the DEIR is unsubstantiated.

Aesthetically significant features can occur in a diverse array of environments ranging from urban centers to rural agricultural lands to natural woodlands like the project site. A project can have positive impacts on visual quality of an environment which is subjective to the viewer. An element that wasn’t fully considered with regards to the project impacts to visual resources is the
proposed project’s efforts to preserve and improve the visual quality of the landscape by not destroying vegetation, restricting building heights, and the emphasis that was placed on constructing a building in an architectural style that does not conflict with the existing setting.

To that end, we offer the following:

**Scenic Vista Analysis**

The CEQA checklist item “a” with regard to scenic vistas specifically states:

> "Will the Project have a substantial adverse effect on a scenic Vista?"

On page 3.1-15 of the DEIR it is stated that project buildings would obstruct views of a ridgeline in or nearby Annadel State Park, as seen from Sonoma Highway. However, a review of Exhibit 3.1-3a indicates the majority of the ridgeline is visible when traveling in an eastbound direction. The only exception is the tower element on the roof of the townhouse building obstructing a small portion of the ridgeline. Furthermore, the visual simulation provided does not provide a realistic view from the residential land uses north of Sonoma Highway as the simulations were developed from road level and do not take into account the existing vegetation on the northern side of Sonoma Highway, which currently already obstructs ridgeline views to Annadel State Park. A more realistic visual representation is provided by the DEIR exhibit 3.1-3c, which clearly shows existing vegetation obstructs the views of the Annadel State Park ridge line. Furthermore, a more accurate representation of the visual impacts of the project should separate out the temporary viewers such as those traveling by automobile on Sonoma Highway to those that are in a fixed position.

Passing motorists would only have a few seconds to view the entire ridgeline while driving past the project site. However, motorists would still enjoy unobstructed views of Annadel State Park for 99.9% of the drive along Sonoma Highway, until such time as they approach the project. Additionally, this impact would appear to be isolated to eastbound vehicles, since those traveling in a westerly direction will have their view of the ridgeline obstructed by trees in the Melita creek corridor. Therefore, these impacts do not appear to meet the conditions of “substantial” or “adverse” and this position is supported in the DEIR as presented on page 3.1-27:

> “As discussed in Impact AES-1, the proposed project would not result in **strong visual contrast** with the surrounding area and **would not destroy onsite scenic resources**; however, it would **partially block** views of Annadel State Park as seen from Sonoma Highway.”

The conclusion that the project would “partially block views” should be further clarified to conclude that the project would “partially block views” for a temporary period while traveling along Sonoma Highway. To that extent only a small portion of viewers’ experience of the entire ridgeline is temporally obstructed by one project element. As such, we do not believe that having a small portion of the entire ridgeline obstructed when viewed from Sonoma Highway would lead to the finding that there is a significant and unavoidable impact. Furthermore, conventional visual analysis indicates that impacts to scenic vistas are most severe in instances where the viewer is a tourist or visitor to the area. It is our belief that the great majority of the vehicular traffic along this portion of SR-12 is comprised of commuters, not visitors to the Santa Rosa area.
Due to this project’s large affordable component, it falls under Government Code Section 65915, which states that city and county jurisdictions will approve density bonus projects as long as they stay in conformance with the State Health and Safety Code which does not take into account scenic vistas or visual character, but is solely based on public health and safety issues. Please clarify how the city conforms with this code section.

In summary, we believe the impact conclusion of “significant and unavoidable” is not supported by the analysis and that there was no attempt to mitigate the perceived impact presented in the DEIR.

Scenic Highways

The CEQA checklist item “b” states:

“Will the Project substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?”

With regard to rock outcroppings and historic buildings, neither of these features are found along Highway 12 in the vicinity of the proposed Project. The Project would involve the removal of two trees within 50 feet of Highway 12. The tree closest to Hwy 12 is a Douglas Fir, the other (actually further than 50 ft from Hwy 12) is a Madrone. Any trees removed during construction would be replaced at ratios specified in Chapter 17-24 of the City Code, suggesting that the removal of these two trees within the scenic corridor would be mitigated to a level of less than significant.

There are conflicting policies and statements in the City’s various documents about scenic roadways. The design guideline sections of the DEIR (pg. 3.1-9, C3) allows parking lots that front a scenic highway as along as they are appropriately screened, and the project is providing the recommended width of planter strip for screening (pg. 3.1-9, C1). It is widely accepted that no project can ever comply with all General Plan goals and other city policies, at least in part due to internal conflicts between some of those goals and policies. It is further noted in the DEIR (pg. 3.1-12) that Highway 12 is an officially designated state scenic highway beginning 0.3 miles east of the project site and that the Santa Rosa General Plan makes this designation for this highway in the “vicinity” of the project. Certainly the City considered these designations when they designated the project site for Medium Density Residential (MDR) uses as part of the 2002 General Plan Update. Furthermore, this was also addressed when the property was recently rezoned to comply with the General Plan.

MDR uses have setback, height and coverage parameters which the current project meets and typically exceeds. Specifically, refer to pg. 3.8-4 of the DEIR defining Medium Residential Density land, and pg. 3.8-12, confirming that we meet or exceed all of the minimum setback requirements for MDR and are within the defined height limits.

Given that there are very few scenic resources (two trees) within the scenic corridor that would be affected, given the current land use designation and zoning for the project site and given that this project meets or exceeds setback and height requirements, a conclusion of significant and unavoidable is not supportable.
We would like to see clarification of the subject pertaining to protection of private views. We have been unable to find any documents, ordinances or zoning codes where it is Santa Rosa’s policy to protect private views.

Visual Character

The CEQA checklist item “c” states:

“Will the Project substantially degrade the existing visual character or quality of the site and its surroundings?”

It should be noted that the project site as it exists at the time of this writing is partially developed. The site is fenced and has been previously rough graded (pp. 3.1-1, 3.1-2). It also has an arched culvert crossing of Melita Creek as well as stormwater drainage and sanitary sewer features and the SCWA aqueduct. There is engineering fill on the site. As indicated in the Phase I site assessment report, the site has been previously used as a nursery, and supported up to eight residences, at least one of which was removed as recently as 2006. On the basis of these site conditions, our conclusion is the site has already been visually altered. Regarding the site’s surroundings, there are existing developments to the north, west, and east of the project site, suggesting the project vicinity has also been significantly altered. As stated previously, this area is designated for MDR land uses, implying at some future date the site will be developed. Furthermore, the site does not contain any unique visual features (e.g., water bodies, rock outcroppings, ridges) that distinguish it from other sites in the project vicinity.

With the addition of landscaping along Highway 12 and creek restoration near the Melita Road access, one could just as easily subjectively conclude the visual character of the site will be altered in a beneficial manner rather than an adverse manner; however, the analysis presented in the DEIR assumes a negative impact. Furthermore, any trees removed on the project site for construction will be replaced as per City Code Chapter 17-24, suggesting that mitigation of impacts to less than significant is possible. Based on the current condition of the site, the current land use designation and the potential visual enhancements being proposed, and the project’s context-sensitive solutions to reduce visual impacts through building placement, landscaping, architecture and materials conclude that impacts to visual character are not significant and unavoidable.

2. Consistency with Alternate Transportation Plans and Policies

We disagree with the finding of a significant and unavoidable impact regarding adherence to alternative transportation policies. More specifically, we disagree with the conclusion pertaining to a lack of access to the westbound bus route along SR-12. The overall finding of significant and unavoidable impact regarding land use plan consistency ignores all of the other alternative transportation measures that are incorporated into the project (pg. 2-25). The details of the text suggest that the potential impact with regard to access to the westbound bus route could be mitigated by construction of a traffic signal at the Elnoka Road and SR-12 intersection and entrance to the project. Given all of the other alternative transportation initiatives proposed for this project, and given that the City’s 2035 General Plan envisions widening SR-12 to four lanes, it is reasonable to argue that instead of requiring the installation of a signal to resolve a perceived short-term impact associated with this project, it would be more prudent to accept other measures such as boarding a westbound bus in the adjacent senior development or at the existing Melita
Road westbound bus stop by constructing an asphalt pathway adjacent to the southbound travel lane of Melita Road, from the project entrance roadway to SR-12, and allow for the possibility of a traffic signal to be installed in conjunction with the planned widening of this portion of SR-12 to four lanes. Should a traffic signal be installed for this project, any future work done for signal installation during the planned widening of SR-12 would likely require removal or reconstruction of the entire signal. OSL has stated to the City their willingness to install a signal at this location in conjunction with project build-out if the City is responsible for obtaining written concurrence from Caltrans that they would, with certainty, approve the installation of a signal at this location. To date, the City has not secured approval from Caltrans to a sufficient level of certainty to ensure that the signal could, in fact, be built if it becomes a mitigation measure. It appears that drawing conclusions other than significant and unavoidable is possible for the land use consistency analysis.

We therefore suggest that it would be possible to mitigate this potential impact with an either/or type of mitigation measure, requiring either the construction of a signal at the Elnoka Road intersection in conjunction with the development of the project, or providing an asphalt pathway within the existing right-of-way of Melita Road from the western project entrance road to the existing westbound bus stop at SR-12 and Melita Road.

3. Inadequate Alternatives Development and Analysis

We have several significant concerns regarding alternatives development and analysis. As a context for discussing our concerns, we cite the following language from Section 15126.6 of the CEQA Guidelines:

“An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives.”

“The range of potential alternatives to the proposed project shall include those that could feasibly accomplish most of the basic objectives of the project, and could avoid or substantially lessen one or more of the significant effects.”

“Feasibility. Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and whether the proponent can reasonably acquire, control, or otherwise have access to the alternative site (or the site is already owned by the proponent).”

We believe that none of the alternatives meet the CEQA feasibility guidelines referenced above, fail to meet several of the project objectives, and do not clearly demonstrate a logical nexus to the reduction in environmental impacts that would allow a reasonable person to identify the environmentally superior alternative. Each alternative is discussed below.

Alternative 1: No Project/General Plan Build-out

The general plan build-out alternative is flawed because it makes unsubstantiated assumptions that this alternative would have a smaller footprint than the proposed project. This assumption is incorrect because should a single building be constructed with 120 units, it is not economically
viable to construct underground parking, a significant feature of the proposed project. Instead, additional paving would be needed for above ground parking for a minimum of 180 parking spaces (1.5 spaces per two bedroom unit per Santa Rosa City Code 20-36.040). Compared to the proposed project with underground parking, the aboveground parking associated with this alternative would have greater impacts on geology and soils and hydrology and water quality due to greater requirements for site disturbance associated with grading, and the creation of additional impervious surfaces.

The number of units associated with this alternative would not allow for construction of affordable housing, nor would it allow for the creation of recreational and open space amenities associated with the proposed project. Absent these features, Alternative 1 would fail to meet several of the project objectives (refer to Table 1). The project would not respond to state (Government Code 65915) or city HAP requirements for affordable housing. Nor could the project be constructed to the higher “Build it Green” standards that are proposed under the current application. Finally, this project would not meet the project objective of providing a livable neighborhood (Refer to Table 1). Furthermore, this alternative would not result in measurable reductions in environmental impacts (Refer to Table 2). For example, although traffic impacts would be reduced, the changes in air quality criteria pollutants and changes in ambient, operational noise would be negligible. It should be noted that for air and noise no significant and unavoidable impacts were identified (pp. ES-6, ES-7, ES-18 in the DEIR).

In conclusion, Alternative 1 is a poorly conceived alternative that is not economically feasible as currently depicted in the DEIR, fails to meet three project objectives, and does not result in measurable reductions in environmental impacts with regard to air and noise.

**Alternative 2: Low Rise Development**

Alternative 2 is not feasible for numerous reasons. Similar to Alternative 1, this alternative is not economically viable. Multiple buildings with smaller numbers of units in each (65-70 units per building as opposed to 196 units in a single building), would require all underground parking spaces in the proposed project to be above ground. Moreover, this alternative simply does not “fit” into the space available. Building this alternative as it is conceived in the DEIR would violate City land use policies, such as having buildings within the creek setback zone. It would also require that project features would need to be moved much closer to the existing Oakmont development, another potential inconsistency with City land use policies. In contrast, the proposed project is 130 feet away from the Oakmont development. The proposed project was carefully designed to optimize the available space on Lots 1 and 2. In contrast, this alternative does not consider the amount of space required to build the project as conceived and depicted in the DEIR. In summary this alternative is not economically feasible, does not conform to the available space on Lots 1 and 2, and is not consistent with City land use policies.

If somehow all the project features associated with this alternative could be feasibly located on Lots 1 and 2, it would have substantially more impacts than the proposed project. The need to provide above ground parking for 294 parking spaces would require substantially more site disturbance, and possibly require more trees be removed. This would result in more impacts to air quality, biological resources, cultural resources, geology and soils, and hydrology and water quality. We also disagree that this alternative would reduce visual impacts compared to the proposed project. The DEIR does not specify how the parking lot, the retail/commercial and townhouse buildings cause impacts to the scenic corridor, but instead describes impacts to the
view from SR-12 of a distant ridgeline that are the result of the tower element on Building A. (pg. 3-1-16 and 3-1.27 in the DEIR). Therefore, it is not possible to determine how changing the site design by moving the parking lot and eliminating the retail/commercial building would reduce visual impacts. On the basis of information provided in the DEIR we conclude visual impacts would be the same as for the proposed project.

Finally, Alternative Two does not meet five out of seven project objectives. With the elimination of the retail/commercial portion of the project and the reduction in housing units, it would not be economically feasible for this alternative to provide affordable housing. Nor would this severely constrained alternative be able to provide any amenities (open space, swimming pool, rec center, community gardens, children’s play area) that would address the objective of providing a livable neighborhood.

In conclusion, Alternative 2 is a poorly conceived alternative. It is not economically feasible as currently depicted in the DEIR, would not fit in the available space on Lots 1 and 2, fails to meet five project objectives, and increases environmental impacts with regard to air quality, biological resources, cultural resources, geology and soils, hydrology and water quality, and construction related noise.

Alternative 3: Senior Lifestyle Residential

Alternative 3 is flawed because it too is not feasible, because it does not meet all the project objectives and does not reduce visual or other types of impacts as stated in the DEIR. This alternative is not feasible from an economic perspective. There is no description in this alternative as to how the developer would finance the affordable housing component of the project. Without the addition of affordable units, this alternative would not be financially viable, as the inclusion of affordable units allows for the density bonus, more favorable project financing terms, and eliminates the need to pay in lieu affordable housing fees. Eliminating the retail/commercial building would further decrease economic viability of this alternative. From a regulatory perspective, restricting use to only seniors violates Government Code 65915 (c)(1) as well state and federal fair housing laws.

This alternative fails to meet four of the seven project objectives. This alternative would not provide affordable housing, would not develop land to its highest and best use, and would not have any “green” features associated with it, such that it would not meet Objective 4. Nor would this alternative provide a livable neighborhood or result in a diversity of housing types.

This alternative would not reduce environmental impacts. The alternative proposes to reduce visual impacts (pg. 5-2 in the DEIR). However, whatever visual impacts there are associated with the proposed project are due to the mass and scale of Building A, and this alternative does not propose changes to the mass and scale of this building. The alternative fails to provide sufficient detail to demonstrate a reduction in vehicle trips. It does not account for trips made by Daycare Facility workers, or any bus trips required to transport seniors to this facility. Furthermore, the alternative does not account for any trips senior residents would need to make to purchase good and services off-site, that would have been purchased at the retail/commercial establishment associated with the proposed alternative. Without an overall reduction in vehicle trips it cannot be demonstrated that this alternative would reduce air quality and noise impacts.
In conclusion, this alternative is flawed because it is economically infeasible, violates Government Code 65915 and fair housing laws, only meets three of the project objectives, and does not reduce environmental impacts.

Table 1. Project Alternatives met by Alternatives

<table>
<thead>
<tr>
<th>Project Objectives</th>
<th>Alternative 1: No Project/General Plan Build-out</th>
<th>Alternative 2: Low Rise Development</th>
<th>Alternative 3: Senior Lifestyle Residential Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Fulfill city’s objective of providing medium density housing on project site.</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>2. Provide affordable housing in accordance with City’s RHNA, City’s HAP, and Government Code 65915.</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>3. Develop land to its highest and best use.</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>4. Serve as example of City’s “Build it Green” program.</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>5. Provide a livable neighborhood with an appropriate street design, connections to transit, parks, and recreation and diversity of housing types.</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>6. Provide new development consistent w/ City’s General Plan policies that encourage new projects to enhance scenic roads such as Melita Road and Sonoma Highway.</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>7. Provide new development that respects existing natural features such as Melita Creek.</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
</tr>
</tbody>
</table>

Table 2. Summary of Environmental Impacts by Alternative

<table>
<thead>
<tr>
<th>Topical Area</th>
<th>Alternative 1: No Project/General Plan build-out</th>
<th>Alternative 2: Low Rise Development</th>
<th>Alternative 3: Senior Lifestyle Residential</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aesthetics</td>
<td>Similar</td>
<td>Similar</td>
<td>Similar</td>
</tr>
<tr>
<td>Air Quality</td>
<td>Similar</td>
<td>More</td>
<td>Similar</td>
</tr>
<tr>
<td>Biological resources</td>
<td>Similar</td>
<td>More</td>
<td>Similar</td>
</tr>
<tr>
<td>Cultural resources</td>
<td>Similar</td>
<td>More</td>
<td>Similar</td>
</tr>
<tr>
<td>Geology, Soil, and Seismicity</td>
<td>More</td>
<td>More</td>
<td>Similar</td>
</tr>
<tr>
<td>------------------------------</td>
<td>------</td>
<td>------</td>
<td>---------</td>
</tr>
<tr>
<td>Hazards and Hazardous materials</td>
<td>Similar</td>
<td>Same</td>
<td>Similar</td>
</tr>
<tr>
<td>Hydrology and Water Quality</td>
<td>More</td>
<td>More</td>
<td>Similar</td>
</tr>
<tr>
<td>Land Use</td>
<td>Similar</td>
<td>More</td>
<td>Similar</td>
</tr>
<tr>
<td>Noise</td>
<td>Same</td>
<td>More</td>
<td>Similar</td>
</tr>
<tr>
<td>Public Service and Utilities</td>
<td>Similar</td>
<td>Same</td>
<td>Similar</td>
</tr>
<tr>
<td>Transportation</td>
<td>Similar</td>
<td>Same</td>
<td>More</td>
</tr>
<tr>
<td>Climate Change</td>
<td>Similar</td>
<td>Same</td>
<td>Similar</td>
</tr>
</tbody>
</table>

In conclusion, we believe that the City needs to re-analyze impacts to visual resources with full consideration of potential mitigation measures to reduce those impacts to less than significant. We also believe the City needs to re-evaluate alternatives development and analysis, placing a greater emphasis on the various feasibility considerations raised in this letter.

Sincerely,

William R. Mabry
Partner/Project Development
Private Organizations

Oakmont Senior Living, LLC, William R. Mabry, Partner/Project Development (MABRY)

Response to Comment MABRY-1
The commenter indicated that the City’s significant and unavoidable impacts to aesthetics resources as currently presented are unsubstantiated. The analysis method used to evaluated aesthetics impacts is found on pages 3.1-12 and 3.1-13 in the Draft EIR. In particular, Table 3.1-1 on page 3.1-13 provides explicit guidance for identifying and evaluating visual contrasts. The sources of each evaluation criterion are listed in the fourth column of the table. Additionally, based on the revisions to the project and the updated and new visual simulations, the impacts evaluation and conclusions regarding impacts to scenic vistas and scenic corridors have been changed and are included in the Errata section.

Response to Comment MABRY-2
The commenter indicated the majority of the ridgeline in the background is not obstructed from Sonoma Highway, as indicated in the Draft EIR exhibit. The ridgeline is obstructed to a large extent by the trees in the foreground, and to a lesser extent from the tower element. Exhibits 3.1-3a and 3.1-3b indicate a substantial portion of the ridgeline is blocked by trees that are required to be planted along the frontage of Sonoma Highway. The commenter asserted the simulations presented in the Draft EIR did not consider vegetation on the north side of Sonoma Highway.

Following the close of the public comment period, the applicant revised the project description to include additional screening landscaping and provided updated visual simulations and visual simulations from two additional viewpoints. These simulations demonstrate the ridgeline in the background is only partially obstructed from one viewpoint. A description of the new visual simulations and changes in impacts conclusions for the Aesthetics section are found in the Errata section.

Response to Comment MABRY-3
The commenter indicated passing motorists would only have a few seconds to view the ridgeline, impacts are isolated to eastbound traffic, and that there are many other locations along Sonoma Highway to enjoy views of the ridgeline near or in the Annadel State Park. The City did not consider viewing time in its evaluation of impacts to the view of the ridgeline in question. The City as the lead agency has the authority to select its own evaluation criteria, and length of viewing time was not considered. See Response to Comment Mabry-1 regarding the method of analysis used to determine significance.

Response to Comment MABRY-4
The commenter stated that temporary and partial obstruction of the ridgeline does not conclude a significant and unavoidable impact. Following the close of the comment period for the Draft EIR, the applicant revised the project description, the City conducted an additional site visit and established additional viewpoints along Sonoma Highway, and revised and additional visual simulations were
developed. The new viewpoints and revised visual simulations were based on the revised project description are found in the Aesthetics section of Section 4, Errata. The City’s intention in developing the new viewpoints was to ensure potential visual impacts were evaluated from multiple viewpoints that represent what the general public would see traveling along Sonoma Highway. The visual simulations were revised to correctly depict the riparian vegetation in front of the main building and to depict the revised project description, which includes an additional landscaped area along Sonoma Highway that would buffer views of the project with new, native vegetation and a wider landscaped area between the mixed-use building and Sonoma Highway.

Response to Comment MABRY-5
The commenter indicated that distance from the potential project and the type of viewer influence the severity of the impact. The evaluation method employed in the Draft EIR focused on the level of contrast between the existing environment and the proposed project. This method is well documented with regard to each criterion evaluated, as depicted in Table 3.1-1.

Response to Comment MABRY-6
Commenter indicated that, due to the proposed project’s affordable housing component, it falls under Government Code Section 65915. The commenter further stated the City must approve a density bonus project as long as it conforms to the State Health and Safety Code. The commenter requested that the City clarify how it conforms to Government Code Section 65915.

Government Code 65915(a) states that cities and counties must adopt an ordinance that demonstrates how they will implement this section of the Code. The City has such an ordinance, which is currently undergoing revision. Based on a complete review of Section 65915, it appears the commenter has misinterpreted the City’s role in approving or not approving the proposed project. For example, Section 65915(d)(3) indicates the local government need not grant an incentive or concession for a project that has a specific, adverse impact on the physical environment, for which there is no feasible mitigation measure. Moreover, Section 65589.5 identifies a number of situations that allow a local agency to disapprove an affordable housing development project if written findings are made based on substantial evidence. One such condition is the local agency’s need to comply with specific state and federal laws. Another condition is if there is insufficient water to serve the project. Finally, Section 655895(e) indicates local agencies are not relieved from making findings under the California Environmental Quality Act for affordable housing projects. In summary, the commenter’s assertion that a density bonus housing project must be approved so long as it conforms to the State Health and Safety Code appears to be incorrect.

Response to Comment MABRY-7
The commenter correctly stated there would no impacts to trees, rock outcrops, or historic buildings within a scenic highway corridor. However, the exact wording of the evaluation criterion referred to by the commenter reads, in part, “including but not limited to, trees, rock outcroppings and historic buildings . . . “ The commenter does not mention that the impact being referenced is the partial
obstruction of a view of a ridgeline near or in Annadel State Park, as seen from a scenic highway corridor, not trees or rock outcroppings.

The commenter also references several City land use policies and how the project complies with most. However, the impact section (pages 3.1-16 through 3.1-27 of the Draft EIR) focuses exclusively on the views of the ridgeline. Therefore, most of the text on consistency with land use planning policies is not relevant to the specific impact being analyzed.

Based on the revised project description and the new information contained in the updated and new visual simulations, the conclusion of significant and unavoidable has been changed to less than significant with mitigation. Please refer to the Aesthetics section in Section 4, Errata for the narrative associated with the changed impact conclusion.

Response to Comment MABRY-8
The commenter requested clarification on the subject of protecting private views from aesthetic impacts. The City does not have a policy on protecting private views and did not evaluate private views separately. Rather, the project’s visual impacts were evaluated as a whole and the impacts were found to be significant and unavoidable. For the aesthetics section of the Draft EIR, the City evaluated potential visual impacts from multiple observation points, one of which was a view from a private residence. Following the close of the comment period for the Draft EIR, the applicant revised the project description, the City conducted an additional site visit and established additional viewpoints along Highway 12, and updated and new visual simulations were developed. The updated visual simulations and new viewpoints are found in the Aesthetics section in Section 4, Errata.

Response to Comment MABRY-9
The commenter indicated the site is partially developed, and that the proposed project would actually improve the visual character of the site. The factual statements about the project’s existing developed character (e.g., site is partially graded and fenced) are not readily apparent to casual observers, who are the focus of the visual impacts analysis. To the casual observer the site appears in a natural, undeveloped state, as seen in Exhibit 2-5 (follows page 2-12 in the Draft EIR).

The commenter further indicated that proposed improvements would enhance the visual character of the site. However, this conclusion is not consistent with the contrast analysis method that was used to evaluate aesthetic resource impacts. Straight-line features are typically considered “contrasts” in aesthetic resource analysis.

Response to Comment MABRY-10
The commenter indicated the finding of “significant and unavoidable” impact ignores other alternative transportation measures incorporated into the project. The applicant’s proposal to install a traffic signal at Sonoma Highway and Elnoka Lane, which occurred after the Draft EIR circulated for public review and public comments were collected, provides the basis for changing the impact conclusion. When including the traffic signal as a condition of approval or mitigation measure, the
significant and unavoidable impact with respect to alternate transportation policies is reduced to less than significant. This changed impact conclusion is provided in the Transportation section of Section 4, Errata.

Response to Comment MABRY-11
The commenter indicated it is reasonable to accept other alternative transportation features in lieu of concluding an impact, due to lack of safe pedestrian access to the westbound bus route. Please refer to Response to Comment MABRY-10.

Response to Comment MABRY-12
The commenter indicated the City has not secured approval from Caltrans to ensure that a traffic signal may be installed. Please refer to Response to Comment MABRY-10. Please note that it is not the City’s role to secure written approval, with certainty, from Caltrans. Instead, project applicants are responsible for applying for an encroachment permit from Caltrans as part of project construction; it is the approved encroachment permit that provides certainty. Caltrans does not issue encroachment permits for new signals absent submittal of an application by the project proponent (applicant), completion of environmental review, and review of engineering drawings and other technical information that is provided by the applicant as part of the encroachment permit process. In response to this particular comment from the applicant, the City engaged in additional written correspondence with Caltrans and obtained a letter from Caltrans (dated June 9, 2010) that provides favorable comments regarding the traffic signal.

Response to Comment MABRY-13
The commenter suggested the applicant’s willingness to install a traffic light at Elnoka Road, provided there is sufficient certainty of approval from Caltrans. Please refer to Response to Comments MABRY-10 and MABRY-12.

Response to Comment MABRY-14
The commenter made three points about the alternatives: the alternatives are not feasible, the alternatives fail to meet several of the project objectives, and they do not demonstrate a logical connection to a reduction in environmental impacts. The issue of alternatives feasibility is addressed in the introductory text for each alternative in the Errata section. The Draft EIR acknowledges that not all project objectives would be met under the alternatives on pages 5-6, 5-9, and 5-13. However, to clarify which project objectives are met by each alternative, additions have been made to the conclusions for the alternatives in the Errata section. Alternatives text that has been included in the Errata section more fully describes each alternative, thus establishing a logical connection between each alternative and the reduction of environmental impacts.

Response to Comment MABRY-15
The commenter stated the No Project Alternative is flawed, since it makes unsubstantiated assumptions that this alternative would have a smaller footprint than the proposed project, and that 180 aboveground parking spaces would be needed. As noted on page 2-16 of the Draft EIR, the
The proposed project would have 201 aboveground parking spaces. Thus, it seems logical to conclude that having only 180 aboveground parking spaces (as well as a lower number of residential units) in the No Project Alternative would have a smaller footprint.

Response to Comment MABRY-16
The commenter indicated that the need for greater aboveground parking would have greater impacts on geology and soils, hydrology and water quality, due to an increased amount of site disturbance. Please refer to Response to Comment MABRY-15.

Response to Comment MABRY-17
The commenter made three points. One point is that the No Project Alternative would not allow construction of affordable housing units. The second point is this alternative would only meet several of the objectives.

Page 5-3 of the Draft EIR acknowledges that this alternative would not include affordable housing. Page 5-6 of the Draft EIR concludes that this alternative would not meet most of the project objectives.

The third point made by the commenter is that the No Project Alternative would not result in measurable reductions in environmental impacts. The rationale for evaluating the magnitude of impact changes associated with alternatives compared with the project is found on page 5-2 of the Draft EIR, which states, “the actual degree of impact may be slightly different . . . and this difference is the conclusion of greater or lesser impacts.”

Response to Comment MABRY-18
The commenter made a summary statement about why the No Project Alternative is poorly conceived. Please see Responses to Comments Mabry-16 and Mabry-17.

Response to Comment MABRY-19
The commenter made two points in reference to Alternative Two.

One point is that the alternative is not economically viable. CEQA Guidelines Section 15126.6(b) states, “The discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly.” The commenter has indicated the Alternative Two could be more costly but has not provided specific evidence that this alternative is economically infeasible. No further response is required.

The second point made by the commenter is that for Alternative Two the proposed project buildings, using the currently designed project features, do not fit into the space available. New information indicates that only two 2-story buildings with 68 units each can fit onsite.
In developing the alternatives, it was assumed that each floor of each building could house 33 to 35 residential units, at an average square footage of 1,778. This assumption is based on the footprint of Building A, which occupies 1.96 acres and would have about 48 units per floor, or 1,778 square feet per unit. Constructing three buildings on Lot 1 with 65 to 70 units per building would require 1.4 acres per building, assuming the average square footage per unit remains constant. This alternative may not meet all General Plan requirements for setbacks from the Oakmont property line, nor is it likely it would meet the setback requirement for Melita Creek. Based on this assumption, three buildings totaling 4.2 acres could fit on Lot 2 (6.8 acres), even if the amount of parking space is increased from 1.2 to 1.8 acres. This clarification has been added to the Alternatives section in Section 4, Errata.

Response to Comment MABRY-20

The commenter made two points with regard to the Low Rise Alternative. If the necessary buildings could all be located onsite, there would be a need to construct 294 aboveground parking spaces, resulting in more environmental impacts.

Please see Response to Comment Mabry-17. Although the significance of impacts would not change, there would be more impacts to geology and soils, and hydrology and water quality. Therefore, the impact conclusions will be changed in the Errata section. Regarding other resource categories referenced by the commenter, the impacts to biological resources, cultural resources, and air quality would not change as demonstrated in the summary of impacts by alternatives found in Table 5-2, on page 5-13 of the Draft EIR.

The second point is that Alternative Two would not reduce visual impacts. Please see the Errata section regarding the revised impact conclusions concerning aesthetic impacts.

Response to Comment MABRY-21

The commenter stated that Alternative Two would not meet five out of seven project objectives. Please refer to page 5-9 of the Draft EIR, where the conclusion is made that Alternative Two meets most of the project objectives. The rationale for this conclusion is discussed in the Errata section.

Response to Comment MABRY-22

The commenter summarized his conclusions about Alternative Two. Please refer Response to Comments MABRY-19, MABRY-20, and MABRY-21.

Response to Comment MABRY-23

The commenter made two points about Alternative Three, Senior Lifestyle Residential. The first point is that without an affordable housing component, this alternative would not be financially feasible. Please refer to Response to Comment MABRY-19.

The second point is that restricting use to only seniors violates Government Code 65915c(1) as well as state and federal fair housing laws. Please see Response to Comment GRAB-14 in reference to
violation of Government Code 65915. Regarding the comment about violating state and federal fair housing laws, since specific laws are not mentioned, it is not possible to respond to this assertion.

**Response to Comment MABRY-24**
The commenter stated that Alternative Three, Senior Lifestyle Residential fails to meet four of the seven project objectives. Please refer to page 5-9 of the Draft EIR and changes made to the conclusion in the Alternatives section of Section 4, Errata.

**Response to Comment MABRY-25**
The commenter made two points. The first point is that Alternative Three would not reduce aesthetic impacts, specifically referring to impacts associated with the mass and scale of Building A. The aesthetic impacts that would be reduced by Alternative Three are in reference to impacts to a scenic corridor from a parking lot that would front Sonoma Highway. Please refer to page 5-9 of the Draft EIR.

**Response to Comment MABRY-26**
The commenter made conclusions about Alternative Three. Please refer to responses to Comments MABRY-23, MABRY-24, and MABRY-25.

**Response to Comment MABRY-27**
The commenter made concluding statements about the need to re-evaluate aesthetic impacts and alternatives development. Subsequent to the provision of these comments, the project applicant revised the project description and additional analysis was conducted based on the revised project description. See the Aesthetics section of Section 4, Errata. Additional information on alternatives development is also found in the Errata Section.
January 14, 2010

Chairperson Duggan
Members of the Planning Commission
City of Santa Rosa
100 Santa Rosa Avenue
Santa Rosa, CA 95404


Chairperson Duggan and Members of the Planning Commission:

The Oakmont Village Association would like to thank staff for the time and cooperation they have afforded us through the review process of the Elnoka Village Project. We appreciate their responsiveness, knowledge and courtesy. The Oakmont Village Association is fully aware that the subject property and its surrounding lands will be developed. We are not opposed to this. However, the Association has an expectation that this unique, sensitive and last remaining undeveloped area, which adjoins our community, will be developed with the utmost of care and in full conformance with city adopted General Plan, Design Guidelines and Zoning regulations.

The purpose of this letter is to comment on the Draft Environmental Impact Report prepared for the Elnoka Village Project. Upon review, we have questions and concerns regarding the following Issue Areas; Aesthetics, Light and Glare, Land Use, Noise, Traffic and Project Alternatives. We submit the following for your consideration:

**Aesthetics, Light and Glare**

**Impact AES-1:** The analysis of the potential for the project to obstruct views lacks certainty. Language such as “would not likely obstruct” are repeated throughout the text. A greater degree of certainty for the environmental consultants as well as staff, the neighbors, the Planning...
Commission, Design Review and City Council would be achieved through the use of storey poles and site reviews. We request that this tool be used to improve the analysis of the project’s visual impact. Impact AES-1 finds that the “projects colors, textures, and scale would not create strong visual contrast compared with the surrounding area.” (p. 3.1-15). This conclusion is not substantiated by fact or the analysis preformed under Impact Sections AES-2 and 3. The scale of the project creates an overbearing, incompatible and strong visual contrast for its neighbors to the east and the Very Low Density residential lands to the south. This strong visual contrast of scale between low scale single-family residential use to the east and the project is depicted in Visual Simulation Exhibit 3.1-3c (p. 3.1-25). The incongruity between the city’s least intense land use category and the project as proposed is clearly seen in Visual Stimulation Exhibit 3.1-3d (p. 3.1-26).

We do concur with the finding of the DEIR that the +4-story building will create a significant impact on the surrounding community that cannot be mitigated.

Impact AES-2: The requirement to set the building back 100 ft. from State Highway 12 did not necessitate locating the parking along the Highway frontage in conflict with General Plan policies and Design Guidelines. The project appears to have been developed under a design directive, which does not mandate full adherence to regulatory and policy restrictions not the imposition of a setback.

We concur with the conclusion that the impact of the scale and mass of the proposed project is significant and unavoidable. However, a mitigation that requires a substantial redesign of the project in order to comply with the regulatory requirements, policies and the city’s design guidelines is feasible and does not conflict with the project’s stated objectives.

Impact AES-3: It is very peculiar for a DEIR to stipulate that a project is “generally consistent with the site’s zoning regulations, the planned uses for the site, and most General Plan and Design Guidelines.” (p. 3.1-28). As discussed above and will be discussed under “Land Use”, the project, as designed, is inconsistent with zoning regulations as well as General Plan and city Design policies. Although a balance is sometimes considered when
weighing the consistency of a project with General Plan policies and Design Guidelines, this balancing is neither presented nor consistent with the DEIR's Significance Criteria. Furthermore, "generally consistent" is not an option available in regards permitted uses and similar restrictions under the Zoning Code and General Plan land use categories.

We concur and support the DEIR conclusion that "the scale of the proposed project would present a massive appearance that is not consistent with surrounding development", the project is "inconsistent with surrounding development" and that this is a "significant and unavoidable impact". (p. 3.1-28).

Impact AES-4: The project, as proposed, removes 21 trees along the eastern property line with the neighboring Oakmont Community. It locates a dog park, community garden and playground along this adjoining property boundary as well as a roadway and over 50 parking spaces. However, the DEIR provides no discussion or analysis of the possible visual pollution from headlights or the potential for the use of lights in these various activity areas. This needs to be added to the EIR.

**Land Use**

Impact LU-2: The DEIR establishes the following as the Threshold of Significance for evaluating an impact to Land Use:

b.) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect. (p. 3.8-15) (emphasis added).

Impact LU-2 concedes that the project, as proposed, is NOT consistent with all of the applicable provisions of the General Plan but, in spite of this, finds the impact to be less than significant.

We find the DEIR analysis on Land Use to be incomplete and the conclusion of no significant impact to be untenable.
Project Rezoning

On July 8, 2008, 8.9 acres of the ±68 acre former Pacific LifeCare site was rezoned from PC (Planned Community) to R-3-18. Although staff documents refer to ±9.2 acres, City Council Ordinance No. 3884 is very specific, that is, it rezoned Assessor’s Parcel Number 031-050-062, specifically and exclusively. Only 8.9 acres are zoned R-3-18. Only 8.9 acres are designated Medium Density Residential in the city’s General Plan.

The subject property was rezoned to the R-3-18 zoning district to achieve consistency with the Medium Density Residential land use designation in the General Plan. The Planning Commission and the City Council were told that they were obligated to rezone the property to the R-3-18 district because of an earlier General Plan action. Inextricably tied to the re-designation of the site to medium density residential is General Plan policy H-A-4. This policy is also part of the adopted Negative Declaration for the rezoning of the parcel. The policy reads:

H-A-4  Pursue the goal of meeting Santa Rosa’s housing needs through increased densities, when consistent with preservation of existing neighborhood. Higher density sites are illustrated on the General Plan Land Use Diagram, which will allow the development of dwellings for 264 very low income household annually, as outlined in Table 4-28: Quantified Objectives. Development of these sites or proposals for new higher density sites must be designed in context with existing, surrounding neighborhoods. The number of affordable units permitted annually and the adequacy of higher density sites shall be reported as part of the General Plan Review.

(Emphasis added)

This policy is specific to the subject parcel and is part of its Medium Density Residential land use designation. The language is not advisory but mandatory. Compliance with this policy was assumed in the Negative Declaration adopted for the rezoning of the subject parcel to R-3-18 (See Initial Study). Furthermore, in his rebuttal to the City Council during the public hearing on the rezoning, Attorney Clay Clement, acting as representative for the applicant, made the following assertions: "Any parcel, in its
entirety, must conform with the General Plan. Textural policies relating to consistency with the neighborhood (referencing policy H-A-4) will be applicable” (City Council Public Hearing, July 1, 2008).

The administrative record shows that Policy H-A-4 was adopted as an environmental mitigation at the General Plan land use level and upon approval of the rezoning of the project site. Conflict with this policy meets the Threshold of Significance criteria established in the DEIR (Section 3.8.5). However, neither the Land Use section of the DEIR or Appendix J mentions policy H-A-4.

As seen under Impact AES-3, the DEIR found that the “proposed project would present a massive appearance that is not consistent with surrounding development”. Therefore, the project cannot be consistent with policy H-A-4. This is a significant unavoidable Land Use impact.

Zoning:

The project is in conflict with the R-3-18 regulations, the land uses permitted under the PC zoning and the uses envisioned by the Very Low Density Residential land use category of the General Plan.

As indicated, 8.9 acres are zoned R-3-18. However, 65 parking spaces belonging to this R-3-18 project, portions of its swimming pool, walkways, recreational areas and residential units are located on adjoining parcels (Exhibit 2-4). The applicant proposes and the DEIR appears to agree that this can be remedied through a lot line adjustment. A lot line adjustment can be done between two different zoning districts. However, a lot line adjustment does not automatically change or expand land use or zoning. You cannot locate components of an R-3-18 project in a zoning district and a land use category that does not allow the use. Section 20-22.050 of the city’s Zoning Code requires the provision of parking as part of the Development Standards for the R-3-18 district.

The zoning on the surrounding parcels is Planned Community (PC). The allowed uses of this PC district are spelled out in the adopted “PacificLife Care” Policy Statement. The PacificLife Care policy statement identifies the areas of encroachment as Open Space, Cluster Residential and Community Care Residential. All Uses in the PacificLife
Care PC district require a Use Permit. The only principle use allowed, by use permit, in this PC district is Residential Care housing (RCFE). This is not the use proposed. The existing PC zoning does not permit the proposed use. Hence, this results in a significant unavoidable Land Use impact.

The corresponding land use category for the project’s “expansion area” to the south is Very Low Density Residential. The R-3-18 zoning district is inconsistent with this land use designation. A parking lot for an R-3-18 project cannot be located in this land use category. This too results in a significant unavoidable impact.

Noise

The project, as designed, locates a dog park, community garden and a playground along a property line, which adjoins a Senior Retirement community. A roadway with two banks of parking is also proposed along this eastern edge. Furthermore, the development includes an outdoor swimming/recreational area.

The DEIR has not addressed the potential noise impacts of these uses on the adjoining neighborhood. Based on the findings of the analysis, the project, as proposed, could create conflicts with General Plan policies NS-B-3 and NS-B-5. This analysis should be incorporated into the EIR.

Traffic

Melita Road is a two-lane rural roadway. Melita Road and Los Alamos Road are used to access Montgomery Drive, which serves as an alternative travel route to Sonoma Highway into central Santa Rosa. The DEIR examined the AM and PM peak traffic at various intersections to determine Levels of Service and form conclusions regarding the severity of traffic impacts. The DEIR also studied Corridor Level of Service for Sonoma Highway (Highway 12). What the DEIR did not study was the intersection of Los Alamos Road and Highway 12 as well as the operational capacity (corridor level of service) of Melita Road and Montgomery. It appears that the intersection of Sonoma Highway and Los Alamos Road was only studied to determine time of peak hour. This appears as a deficiency in the report.
Likewise, daily traffic volumes on Highway 12 were obtained from CalTrans. However, daily traffic volumes on Melita Road were “projected [from] the same PM peak hour to daily traffic volume relations as found on Sonoma Highway.” (p. 3.12-2). These traffic volumes, as shown in Table 3.12-1, appear to conflict with the “Typical Weekday Traffic Volume” published by the city of Santa Rosa, which could be up to 4 years old. Given the potential impact the proposed project will have on Melita Road, why were traffic volumes not determined by traffic counts? Accuracy of information is essential.

Another questionable assumption in the DEIR is the use of turning movements from the Brand Road subdivision onto Melita Road to determine trip distribution. That subdivision in no way mirrors the proposed project. At the very least, the DEIR must explain why these trip distribution numbers can be considered reliable. The reported trip distribution numbers do not seem to be representative of the neighbor’s experiences.

The project will generate 1,466 vehicle trips. The DEIR states that only 55.2% of those total trips will exit the project onto Melita Road. If a signal light is not installed at Elnoka Lane and Highway 12 we believe that a far greater percentage of vehicle trips will use Melita Road as the primary point of ingress and egress. If, however, one assumes the numbers in the DEIR to be correct, the DEIR shows that 1,060 vehicles will be added to the daily traffic volume currently present on Melita Road and 43.6% of these additional trips will drive over the Melita bridge.

The DEIR does not address whether or not this amount of additional traffic (or potentially even greater traffic) will require upgrades to Melita Road, particularly the bridge. Nor does the DEIR address the resultant impact this amount of additional traffic will have on the existing neighborhoods.

**Project Alternatives**

With a minor modification to Alternative 3, the Senior Lifestyle Residential Alternative becomes the environmentally superior project alternative. The DEIR chose Alternative 2 – Low Rise Development as the environmentally superior alternative because the ±4-story
building on Lot 2 was replaced with three 2-story buildings. Three 2-story buildings can easily be used in the Senior Lifestyle Residential Alternative.

The Senior Lifestyle Residential Alternative results in the reduction of additional significant impacts due to the reduction in required parking and the fact that senior housing is a special needs housing group in the Santa Rosa General Plan. The Senior Lifestyle Residential Alternative would also have the advantage of meeting all of the applicants Project Objectives as stated in Section 5.2 of the DEIR. We believe that this is the Environmentally Superior Alternative. It should be noted that the applicant’s proposed project does not meet all of his stated objectives.

Thank you for considering this information. We look forward to the response of the EIR consultant and the subsequent public hearings on the merits of the project.

Sincerely,

Oakmont Village Association

[Signature]

Susan Millar, President

Cc  Santa Rosa City Council
    OVA Board of Directors
    Oakmont Property Development Committee
    J. Kapolchok
Oakmont Village Association, Susan Miller, President (OVA)

Response to Comment OVA-1

The commenter requested that the City use storey poles and site reviews to assess aesthetic impacts. Following the close of the public review period, the City conducted an additional site review and established additional photopoints to create new visual simulations. Those visual simulations, combined with updated visual simulations that reflect the revised project description, were used to re-evaluate aesthetic impacts, and are fully described in the Errata section of the Final EIR.

Response to Comment OVA-2

The commenter indicated that the requirement for a 100-foot setback from Sonoma Highway for the new buildings did not necessitate locating parking along the Highway 12 frontage and that the location of the parking lot is inconsistent with General Plan policies and Design Guidelines. These issues were addressed in the Land Use section on page 3.8-18 of the Draft EIR, where the parking lot location issue was discussed. Following close of the public review period, the project applicant revised the project to increase the setback from Sonoma Highway to accommodate permanent vegetation screening while allowing sufficient width to construct a future bike path. Please refer Exhibit 2-10 in the Errata section of the Final EIR.

Response to Comment OVA-3

The commenter requested mitigation of aesthetic impacts that would substantially redesign the project. Several changes to the project have been made. Refer to Master Response 1 and Exhibits 2-9 and 2-10 in the Errata section of the Final EIR.

Response to Comment OVA-4

The commenter indicated it is unusual for the Draft EIR to stipulate a project is “generally consistent” with zoning regulations, planned land uses, and General Plan and Design Guidelines. The Draft EIR is meant to be used as an informational document to disclose environmental impacts of a project and to provide decision makers with enough information to make findings for the proposed project. As such, both consistencies and inconsistencies of the project to specific General Plan policies as well as zoning designations and design guidelines are included in the Draft EIR. In many cases, statements of consistency that are too simplified would not reflect a comprehensive analysis. Therefore, if the project were mostly but not completely consistent, this was stated as such in the Draft EIR. Discussions regarding consistencies and inconsistencies are provided in most if not all sections of the Draft EIR and correspond to significance criteria. Applicable goals, policies, zoning designations and design guidelines are provided in every section of the Draft EIR. Furthermore, in Appendix J, Land Use Consistency Tables, every applicable goal and policy is subjected to an independent analysis. Accordingly, the Draft EIR makes every attempt to achieve sufficient due diligence in addressing the proposed projects consistency with applicable guidelines. Also refer to Master Response 2, Approach to Land Use Consistency Analysis, and Section 4, Errata.
Response to Comment OVA-5
The commenter concurs with the conclusion on page 3.1-28 of the Draft EIR of a significant and unavoidable impact. Please refer to Response to Comment OVA-1.

Response to Comment OVA-6
The commenter characterizes some of the actions that would occur if the proposed project is implemented. The proposed project would remove approximately five trees, none of which would be removed from the eastern boundary of the project site, and as stated on page 3.3-27 of the Draft EIR, all tree removal shall comply with the provisions of Santa Rosa City Code Chapter 17-24. The pet park, community garden, and playground are allowed uses according to the zoning for the site. The playground would be approximately 160 feet from the nearest residence, and the pet park and community garden would be approximately 60 feet and 40 feet, respectively, from the nearest residence; refer to Exhibit 2-8, Preliminary Landscape Plan. In addition, existing trees and vegetation along the eastern boundary of the project site would help to buffer the residents along this boundary from the proposed project.

Additionally, a children’s play area and other common space areas are recommended for inclusion in the proposed multi-family developments by the City of Santa Rosa Design Guidelines. The proposed project’s light and glare impacts, including those resulting from headlights and lighting, are addressed on page 3.1-29.

Response to Comment OVA-7
The commenter believes the Draft EIR analysis on land use to be incomplete and the conclusion of no significant impact untenable. Please refer to Master Response 3, Land Use Consistency Impact Conclusion.

Response to Comment OVA-8
The commenter believes the correct conclusion for land use with regard to Policy H-A-4 is significant and unavoidable. With regard to General Plan Policy H-A-4, please refer to Master Response 4, Project Consistency with General Plan Policy H-A-4. With regard to inconsistency with land use policies, please refer to Master Response 3, Land Use Consistency.

Response to Comment OVA-9
The commenter believes a parking lot cannot be located on an area that has a General Plan designation of Very Low Density Residential. Parking for residential uses is allowed in the Planned Development zoning district. This issue will be further addressed in the development review process for the project.

Response to Comment OVA-10
The commenter stated the Draft EIR did not analyze noise impacts from a dog park, community garden, and playground that would be located near the property line of the Oakmont property. The noise analysis included in CEQA documents is based on a set of determined thresholds of
significance. The City of Santa Rosa has adopted Appendix G, Environmental Checklist of the CEQA Guidelines as the basis for CEQA analysis for projects within the City. Those thresholds are listed beginning on page 3.9-17 of the Draft EIR. Any sound or noise is not necessarily considered a significant impact according to CEQA analysis. Exhibit 3.9-2 (page 3.9-11 of the Draft EIR) displays land use compatibility standards for a variety of land uses. Land uses such as playgrounds and neighborhood parks are considered “normally acceptable” so long as noise levels do not exceed 68 dBA. In an addendum to an EIR for a Parks Master Plan for Lafayette, California, it was concluded that neighborhood parks that only allowed passive recreation would not result in noise impacts to nearby residences. Moreover, park-related noise would not be allowed to exceed 50 dBA, per the City’s noise ordinances. Though the Draft EIR does not conclude that the location of the dog park and associated activity would result in an environmental impact with respect to noise, the location of the dog park will be further evaluated through the development review process.

The commenter also indicated that the above referenced land uses may conflict with 2020 General Plan Policies NS-B-3 and NS-B-5. In reference to potential conflicts with noise policies in the General Plan, in the Appendix G, Noise Study, on pages 495 and 496 of the Draft EIR appendices document, it was concluded that the project is consistent with 2020 General Plan policies NS-B-3 and NS-B-5.

**Response to Comment OVA-11**

The commenter indicated that the intersection of Sonoma Highway and Los Alamos Road was only studied to determine time of peak-hour traffic, and that this is a deficiency in the traffic report. The intersections studied were those most likely to be affected by project-generated traffic. The intersections studied for traffic analysis are found on page 3.12-29 of the Draft EIR. Traffic analyses demonstrated acceptable levels of service at these intersections for near-term (page 3.12-30) and buildout conditions (page 3.12-31) of the Draft EIR.

**Response to Comment OVA-12**

The commenter made two points. One point is that traffic volumes along Melita Road were not determined by direct counts but were projected from other counts obtained in the traffic study. The second point is that traffic data could be outdated. In reference to the first point, making projections of traffic from nearby similar intersections is a commonly accepted practice in conducting traffic studies. Regarding the second point, the traffic study was updated with traffic counts obtained in October 2008, as shown on page 5 of the June 2009 traffic report (please refer to Draft EIR Appendix L for complete traffic studies).

**Response to Comment OVA-13**

The commenter indicated that there is a disparity between residents’ experiences and the traffic distribution pattern for Brand and Melita roads. Traffic counts and distribution patterns were developed as described in Appendix L, traffic study, on pages 538 and 557 of the Draft EIR appendix.
It is not possible to explain the disparity in traffic distribution patterns without additional information from the commenter regarding how and when they conducted traffic counts.

**Response to Comment OVA-14**
The commenter made the point that the Draft EIR does not address whether increased traffic traveling on Melita Road will require upgrades to this road. The issue of roadway safety is addressed on pages 3.12-41 through 3.12-43, and a specific mitigation measure, MM TRANS-5, addresses the potential safety issue and need to improve line of sight where the project access road meets Melita Road.

**Response to Comment OVA-15**
The commenter suggested the environmentally superior alternative would be a combination of the three 2-story buildings from Alternatives 2 and 3. The comment is acknowledged.

**Response to Comment OVA-16**
The commenter reiterates that Alternative 3 is the environmentally superior alternative. The comment is acknowledged.
Erin Morris  
Community Development Dept.  
City of Santa Rosa  

February 3, 2010  

Re.: Comments upon the Elnoka Village Draft EIR (DEIR)  

General comments and summary  

These comments are submitted on behalf of the Project applicant.  
The DEIR generally provides an accurate and reasonable discussion of the Project and  
associated potential impacts. However, the document does contain internal inconsistencies that  
need to be corrected, relative to the Project description and the relationship between the DEIR  
and its associated technical studies and appendices. The findings of Significant Unavoidable  
Adverse Impacts are not supported by facts in the record, and rely in large part upon an incorrect  
interpretation of City policies as to Project consistency. The Alternatives Analysis does not  
adequately address the core question as to the relative ability of alternatives to satisfy Project  
Objectives and minimize significant Project impacts as identified in the body of the DEIR. The  
following are specific comments relative to those issues and General Plan consistency  

1) The DEIR incorrectly identifies the Project impacts upon “scenic vistas” as  
inconsistent with the General Plan and resulting in an unmitigated Significant  
Impact on views of Annadel State Park from State Highway 12 and “possibly  
nearby residences”.  

Comment 1-a)  
The DEIR incorrectly determines what is a significant impact on ridge line views by  
citing General Plan policy UD-A-1 relative to “maintain view corridors” (3.1-5). The  
DEIR interprets this to mean any obstruction to any portion of the view of the  
ridgeline constitutes a General Plan inconsistency, and is therefore a significant impact. The  
policy should be taken at face value; view corridors need to be retained. The blocking of  
a limited portion of the views from a limited area clearly does not eliminate all view  
corridors. Expanding that policy to reflect ANY view obstruction would in essence  
impose a new height limit and/or setback line. This is not the intent, and in the case of  
this section of Highway 12, the Scenic Roadway standards provide specific and  
quantified standards to be followed for the purposes of protecting the scenic values of the  
area as viewed from the highway (see Attachment 1)  

Comment 1-b)  
The DEIR assesses various aesthetic impacts based upon “surrounding” development,  
when the only adjacent development is to the east. The area to the west of the Project is  
part of the existing PD District, which provides for comparable levels of development.
Vaulting past the “surrounding” PD District (with its development standards) to compare the Project with more distant and non-adjacent uses is an incorrect use of the standard. At some future date, the residential areas to the west will be assessed as “surrounding development” relative to some proposed development of the adjacent PD parcels. For the purposes of this DEIR, the Project is consistent with “surrounding” development as zoned. (see Attachment 2)

Comment 1-c)
The landscaping required by the General Plan and Scenic Corridor zoning would block the ridge view regardless. The specific of the Scenic Road Combining District relative to this portion of Highway 12 specifically allow development along the corridor subject to setbacks and a requirement for including “dense planting of coniferous tree and shrubs to screen development from view from Highway 12”. So compliance with mandatory requirements of the Zoning Code requires planting vegetation to screen the project from Highway 12, and this constitutes a mitigation for visual impacts. It makes no sense to then turn around and assert that the act of providing the screening landscaping (as required) then comprises a visual impact in its own right.

In addition, General Plan Policy UD-G-9 is more directly applicable to this situation. That policy addresses siting neighborhood centers in projects to encourage a “village character”. The policy notes that parking “should” be located in less visible locations behind buildings and away from the street edge. This is clearly not a mandatory policy, but a preference. That circumstance calls for a balancing of desired goals, not compliance with mandatory standards. In this case, the parking lot position is necessary to comply with mandatory setbacks from the creek and roadway, and the mandatory requirement to provide private amenities in this type of Project. Since the parking lot can be located in the front without violating the General Plan, the parking lot placement cannot be considered a significant unavoidable adverse impact under CEQA.

Comment 1-d)
The DEIR identifies the views to the site from the west as limited to views from one single residential parcel. (DEIR 3.1-2). The DEIR also identifies the views of the Project site from the east as being limited to a handful of residences along the Project boundary with the Oakmont Senior Community. There is a clear distinction between impacts upon a private view, as opposed to a public view. The General Plan speaks to impacts upon adjacent neighborhoods in general, not private residences or property. The impact can properly be addressed by assessing any visual impacts from public spaces, such as streets or active use areas within the Oakmont community. But this does not support applying the “neighborhood” impact issues to private backyards. (see Attachment 3).
2) The Parking lot by Highway 12 is not inconsistent with the General Plan and does not present a significant and unmitigated impact.

Comment 2-a)
The General Plan policy referenced by the DEIR is not applicable. The DEIR repeatedly asserts that parking lots must be located behind buildings, and that having the parking are between the buildings and the street is both a General Plan inconsistency and a significant unavoidable impact under CEQA.

The policy in question is UD-D-2, which states “Maintain a uniform setback of structures from the street. Require parking areas be placed to the side or rear of structures, not in front.” But the DEIR omits the critical Goal statement associated with that policy. Goal UD-D states “avoid strip patterns of commercial development. Improve the appearance of existing commercial strip corridors, such as Santa Rosa Avenue and Sebastopol Road”. A single mixed use neighborhood center is clearly not a commercial “strip”, nor does the zoning on either side of the proposed mixed use site allow for extension of commercial uses.

Since Policy UD-D-2 exists to further Goal UD-D, and Goal UD-D does not apply to the Project uses and location, Policy UD-D-2 does not apply to the Project and cannot be used as a basis for identifying a significant unavoidable adverse impact.

Comment 2-b)
Other General Plan policies that are applicable allow and even require such use. General Plan Goal UD-G states “Design residential neighborhoods to be safe, human-scaled, and livable.” Policy UD-G-9 furthers notes that parking “should” be behind buildings, but it is not required. Since the policy is not required, the policy can properly be balanced against compliance with mandatory policies relative to providing private amenities and complying with required creek and building setbacks.

Comment 2-c)
The location and circumstance of the parking lot does not present a significant environmental impact under CEQA. The lot is screened as required by City policy. The lot is located to the front, contrary to policy preference, but without violation of adopted City policy.

Comment 2-d)
The DEIR addresses the nature of the inconsistency in an inconsistent way. In some cases, the DEIR simply notes policy conflicts resulting from the front parking, by providing no context for how this site utilization evolved. In other locations, the DEIR notes the progression of design responses to compulsory policies that resulted in placement of the parking lot in the front of the Project. The DEIR should consistently provide the multiple policy design aspect that produced the final result, rather than simply note the front parking policy conflict in a vacuum.
3) The discussion of the Lot Line Adjustment and underlying zoning issues needs to be addressed in greater detail.

Comment 3-a)
The current parcel size differs from that assumed and by both the General Plan and Zoning. The intent and expectation was to produce a specific potential yield of housing units based upon acreage and allowed density. The Lot Line adjustment results in the intended outcome of the prior General Plan amendment and subsequent rezoning.

Comment 3-b)
The proposed use of a small amount of PD-zoned land for the Project is offset by a comparable offset of land from the Medium-Density portion of the project. So the relative acreages remain the same. Absent showing that the exchanged acres are of different value or utility, there is no impact. The net exchange of acreage ensures that buildout will not be altered relative to net parcel density or use.

Comment 3-c)
The discrepancy in acreage does not present a potentially significant impact under CEQA. An EIR need only address policy consistency to the extent that a potential inconsistency may result in an environmental impact under CEQA. There is no evidence that the acreage exchange allowed by the Lot Line Adjustment will result in some new CEQA impact not otherwise considered.

Comment 3-d)
Relative to the parking usage on the southern acreage added through the Lot Line adjustment, the proposed use is consistent with the PD Zoning District and the Conceptual Development Plan for the Pacific Life Care project. The PD District allows for a variety of uses in the underlying PD acreage, in support of the primary functions (see Attachment 4). The PD District expressly allows for surface or underground parking. The DEIR already establishes that the Project provides more parking than is required under City standards. By positioning the excess parking at the periphery, it will be equally useable to serve adjacent uses developed under the PD Zoning standards.

Comment 3-e)
Under the PD Zoning District, minor adjustments in the PD Policy Statement and/or the Site Plan can be done without a Conditional Use Permit. Section D notes that “minor modifications to the PC map or adopted Policy Statement, may be approved by staff, if such modification(s) are consistent with the purposes and general character of this PC District”. The minor adjustment of lot lines, combined with the nature of the proposed use for the portion being used by the Project, clearly qualifies as a “minor modification” under the PD Policy Statement and would not trigger a Conditional Use Permit.
4) The lack of a signalized crosswalk to access the west-bound County bus stop opposite the Project site does not create an unmitigated adverse impact under CEQA.

Comment 4-a)
The DEIR states that since the Project does not provide convenient pedestrian access to the west bound County Bus stop (Route 30), the lack of access may “discourage” Project residents from using public transit to reach jobs to the west. This is, at best, a socioeconomic impact that does not belong in an EIR. Before determining that this is a “significant and unavoidable impact”, the DEIR must identify the environmental impacts that would trigger CEQA findings. Yet the DEIR offers nothing other than potentially discouraging people seeking jobs in Santa Rosa (pg 3.12-45).

Comment 4-b)
Even if the secondary environmental impact from this socioeconomic impact upon job seekers could be described, the DEIR would have to provide some estimate of anticipated car ownership in the Project, and from that produce some estimate of what subset of residents would need to take public transit for employment, as opposed to making a discretionary choice to take transit over driving.

Comment 4-c)
In contrast to the DEIR jobs based discussion described above, the actual threshold for Impact Trans-8 is the following:

“The proposed project would conflict with adopted plans, policies, or programs supporting alternative transportation”

Yet the discussion that follows identifies all the positive measures the Project offers relative to promoting alternative transportation modes, and only faults the lack of access to the west-bound bus stop. Nowhere in the Transportation section of the DEIR is there any discussion of how that one pre-existing condition “conflicts” with any existing plans, policies and programs of the City.

Comment 4-d)
The nature of the impact associated with the west-bound access gets further complicated by the General Plan consistency analysis in Appendix J-Land Use Consistency Tables. The Table shows inconsistencies as follows:

Policy T-A-1 based upon bus access (Appendix J, pg 18), which addresses employer TSM programs and other strategies to reduce peak hour car trips (emphasis added)
Policy T-H-3 based upon bus access, which addresses the requirement of new development to provide transit improvements, and has a partial list of improvements that may be provided to address the issue (emphasis added).

Policy T-L-7 cites inconsistency based upon bus access, and addresses promoting bicycle use with other transportation nodes. (Appendix J, pg 30)

The DEIR discussion of the unmitigated impact addresses none of these issues, and instead addresses job seekers. In addition, Policy T-A-1 is specific to reducing peak hour trips only, not for an entire day. Policy T-H-3 is not mandatory in nature, and doesn’t provide a proper basis for making a finding that the Project is in conflict with the policy. (see below for a further discussion of the relationship between policy consistency and CEQA impacts). Lastly, the discussion relative to Policy T-L-7 makes it clear that the Project has provided multiple elements that respond to the general policy. Again, there is no clear requirement that a convenient bus stop compatible with bicycle use must be provided. It may be desirable, but is not mandatory, which means that the Project cannot be found inconsistent with the Policy for the purposes of CEQA.

Comment 4-e) The actual timing of Route 30 buses in the Project vicinity actually will allow a convenient connection to the west-bound route 30 bus by simply boarding the east-bound bus at the Project bus stop, then exit the bus at the Oakmont Drive/White Oak bus stop, then reboard the west-bound Route 30 bus a short time later at the same bus stop.

The 5 east-bound buses between 7:00 AM and the noon hour all provide a convenient transfer from the east-bound bus to the west-bound bus, with an average delay of 15 minutes; the transfer delays during the AM peak hour are all under 10 minutes. The PM routes would primarily be return trips which could directly access the Project bus stop. So while the west-bound bus stop is not immediately convenient on foot, it is easily accessed with a simple and timely bus transfer at the Oakmont bus stop.

5) The explanation of the sequence of traffic studies is unclear and confusing.
Comment 5-a) Various traffic studies have been conducted during the review of the Project. It would clarify how the traffic modeling evolved if a chronology of the Crane studies were provided in the Transportation section of the DEIR, perhaps in the form of a Table. The chronology would demonstrate refining of the traffic data, the scope of study area, and the source of direct sampled data and computer-model based data.

Comment 5-b The Spring Lake Village Expansion DEIR contains additional traffic data regarding current and project traffic volumes and resulting Level of Service. Are the data and
results for the corridors and intersections reflected in both EIRs compatible and consistent with each other?

6) **Various determinations of General Plan inconsistency are not supported or explained.**

Comment 6-a)  
As noted variously above, the DEIR in the body of the analysis cites inconsistencies with policies that are general in nature, that are not mandatory, or that are not applicable to the Project under review. An inconsistency can exist that does not trigger a significant impact if the policy conflict does not result in an environmental impact under CEQA. The significance of Project consistency is related to both certain Thresholds of Impact and certain findings necessary for Project approval (separate and apart from certification of an EIR as adequate). The DEIR should include a discussion of the significance of consistency with plans and policies, and the significance of the nature and specificity of the policy in question.

Comment 6-b)  
The Santa Rosa General Plan contains several statements and definitions that create very specific constraints on determining consistency with General Plan policies. The conclusions of policy consistency found in the body of the DEIR, as well as in Appendix J, should be reexamined in light of the following definitions and guidance:

The General Plan Glossary defines the word “should” as “signifies a directive to be honored if at all possible” (General Plan, pg G-34).

The General Plan Glossary defines the word “policy” as …

“A specific statement of principle or of guiding actions that implies clear commitment but is not mandatory” General Plan, pg. G-29).

The General Plan Introduction distinguishes Goals from Policies as follows:

“Goals present broad policy direction, a larger end-state the city is hoping to achieve”

“Policies provide more specific direction on how to achieve goal. Policies outline actions, procedures, programs, or techniques to attain the Goal.” (General Plan pg. 1-10).

The Santa Rosa Zoning Code includes the following definitions in §20.12.020:

When used in this Zoning Code, the words “shall,” “will,” “is to,” and “are to” are always mandatory. “Should” is not mandatory but is strongly recommended; and “may” is permissive.
Comment 6-c)
The DEIR discussion of "policy" in various impact Sections and in Appendix J treats General Plan "policies" and General Plan "goals" as being of equal weight, which is contrary to the discussion in the General Plan Introduction. "Goals" are general in nature, and reflect a general direction in which the City wishes to go. Policies represent specific refined statements as to how the City will move to the desired "end-state". Clearly a Goal is not the same as a Policy, and is not subject to the same findings of policy consistency under CEQA or California Planning and Zoning law.

However, this DEIR cites the Project as being inconsistent with the General Plan because of conflicts with a General Plan goal. One example is Goal T-A that makes the sweeping generalization to "Provide a safe and sustainable transportation system". The DEIR treats this a project-specific policy, and finds the Project inconsistent based upon the sidewalk termination and the access to the west-bound bus stop. And the DEIR makes that conclusion AFTER acknowledging many more examples of how the Project satisfies that language. The result is a highly subjective decision that any factor that might match less than 100% with the seven word long Goal will be found inconsistent.

There is nothing in the language of that Goal to suggest that it will apply fully to all projects, or that each project must satisfy that generality in all respects. Trigger words such as "require" or "ensure" or must" are not present. The result is that by treating a very general Goal as if it was a very specific and mandatory Policy, the DEIR is reducing both the CEQA process and the General Plan/Zoning consistency process to a highly subjective and arbitrary interpretation. Other broad-based Goals that are treated as project-specific mandatory policies include UD-A, UD-C, T-A, T-B, T-C, T-G, T-H, and PSF-A. The inconsistency determination for all of these Goals should be determined to be consistent, unless there is no aspect, part, program, or component of the Project that addresses the stated Goal.

Comment 6-d)
Similar but distinct from the above are situations where the DEIR determines the Project is inconsistent with a stated General Plan Goal, but then reverses and determines the Project is consistent with all the implementing policies. Since the adopted policies associated with a given Goal reflect the standards for pursuing completion of the Goal, how can a Project be consistent with all the underlying Policies, yet be found to be inconsistent with the overarching Goal which is accomplished through those Policies? One example of the discontinuity is Goal T-C, with which the DEIR determined the Project was inconsistent. Yet Appendix J also shows the Project as consistent with ALL the implementing policies for Goal T-C. So what unstated and arbitrary standard was applied beyond the specific Policies to determine the Project inconsistent with the Goal, while consistent with all the policies?
Comment 6-e)
With respect to testing the Project against individual General Plan policies for the purposes of determining consistency, the DEIR finds a number of policy inconsistencies where policies are neither specific nor mandatory. One example is the DEIR determination that the Project is inconsistent with General Plan Policy T-G-6 relative to providing large setbacks from scenic roads, “as possible” to avoid encroachment of buildings from the “view of the roadway”. The “Consistency Determination dialogue confirms the Project is consistent with the requirements of the Scenic Road Combining District, but then cites the impact on long view of ridgelines in Annadel State Park as a basis for determining inconsistency. The protected view is not of distant landmarks, but of the view “of” the roadway, not “from” the roadway. Moreover, the Policy in questions does not address building massing, screening vegetation, or other aspects, but from providing large setbacks “as possible”. The setbacks are those required by the Scenic Road Overlay Zone for this particular corridor, and the DEIR elsewhere addresses the site constraints that limit the ability to increase the setbacks from that being proposed. The policy is not mandatory, but is limited to that which is possible for the Project. An increased setback from Highway 12 is not feasible for the Project, and consistency with the Policy is satisfied if the maximum feasible setback is being applied. Other examples where conditional policies (meaning less than mandatory in all circumstances) are being interpreted as mandatory include Policy UD-G-9 that will “encourage” a village character for neighborhood centers and says that shops “should” front on streets and that parking areas “should” be located in less visible locations (Appendix J, pg 15). As noted above, the use of the words “should” and “encourage” mean the policy is not mandatory. Therefore, the failure to satisfy those standards does not demonstrate inconsistency with the Policy, since the Policy allows for non-compliance in its wording.. Again, the General Plan consistency determinations need to be revisited to distinguish policy inconsistencies under law from situations where the Project simply fails to satisfy all the parameters of a non-binding policy.

7) The Analysis of Project Alternatives is incomplete.

Comment 7a)
The analysis of alternatives is intended to disclose alternative approaches to the Project that will satisfy most of the Project Objectives and further reduce significant environmental impacts that result. To be able to make such comparison, it is necessary to provide a sufficient level of detail that a comparison is even possible. Relative to traffic impacts, the discussion of the Alternative 3-Senior Lifestyle Residential provides no quantitative analysis or discussion of the associated traffic generation and impacts. Nor is there any discussion of relative importance of public transportation. Since these are key concerns and sources of significant and unmitigated impacts for the Project, any comparison must be able to compare the impacts. Doing so thus requires a discussion, on a quantitative level, of the changes in traffic generation and impacts. Since none are
provided for this Alternative, the comparison is incomplete and the conclusions are not supported.

Comment 7b)
The discussion of alternatives and their relative merits also misses the most important test which is the relative changes in significant impacts. In theory, a Project that presented no significant impacts is not required to prepare a substantive Alternatives analysis, since there is no basis for seeking out alternatives. The DEIR chooses to blur the boundary between significant impacts and insignificant impacts. This is most evident in DEIR Table 5-1, which summarizes each Alternative as having impacts that are “similar” or “less” or “more” for each “Environmental Topic Area”. This suggests that an Alternative that further reduces an already mitigated impact is as valuable as an Alternative that further reduces an identified significant unmitigated impact. In essence, this approach treats insignificant impacts and significant impacts as equally important, which is clearly contrary to a basic objective of CEQA review, which is the avoidance or mitigation of significant impacts. The failure to assess the Alternatives specifically relative to their respective significant impacts compromises the conclusions as to the environmentally superior alternative.

In conclusion, the DEIR does a generally sound and complete description of the Project and the resulting impacts, but is seriously flawed in the manner in which the significance of those impacts is determined. In particular, the somewhat arbitrary and unsupported determinations of policy inconsistencies runs throughout the document, and results in conclusions that are contrary to existing City policy and procedures.

Scot Stegeman
Stegeman and Associates
3. Highway 12 (Calistoga Road to Oakmont). Scenic characteristics consist of the picturesque views of the surrounding hills from the valley floor as one enters and leaves Santa Rosa. The area has a semi-rural character due to the variations in development patterns consisting of rural homes on large lots and suburban subdivisions separated by open pasture. The highway has a boulevard character due to the urban improvements with a landscaped median. As the highway leaves Santa Rosa, the character changes to a rural highway.

a. Minimum setback from Highway 12. The setback shall be measured from the Highway 12 right-of-way, or the back of sidewalk, whichever provides the greater setback:

(1) 50 feet to back-on fencing or one-story structure with a maximum height not exceeding 25 feet;

(2) 100 feet to a two-story structure or one-story with height over 25 feet;

(3) Where an existing dwelling does not comply with the above setbacks, single story additions and single story accessory structures are allowed within the above setbacks provided that an addition or accessory structure does not extend closer to Highway 12 than the existing dwelling, and complies with the setbacks of the primary zoning district;

(4) Nonback-on fences and walls, hedges, swimming pools, uncovered parking, uncovered decks, gazebos, and other decorative type accessory structures need only comply with the setbacks and other standards of the primary zoning district.

b. Require back-on landscaping to include dense planting of coniferous tree and shrubs to screen development from view from Highway 12.
Exhibit 3.8-2
Zoning Map

Source: City of Santa Rosa, September 2009.

CITY OF SANTA ROSA • ELNOKA VILLAGE PROJECT
ENVIRONMENTAL IMPACT REPORT
Santa Rosa LifeCare Community
Pacific LifeCare Corporation

Policy Statement

Prepared for:
City of Santa Rosa
Department of Community Development

Prepared by:
J. Kapolchok and Associates
Land Use Planners
March, 1993
POLICY STATEMENT - Santa Rosa LifeCare Community (SRLC)

I. LOCATION

The Santa Rosa LifeCare Community is planned for a 68 acre area situated in the southeast quadrant of Santa Rosa. The Santa Rosa LifeCare Community (SRLC) site is bordered on the northeast by State Highway 12; on the southeast by Channel Drive and Annadel State park; on the northwest by Melita Road; and on the southeast by the active adult community of Oakmont. The zoning for Annexation SESR 1-91 (which includes the SRLC) is shown on the Zoning Map. The various land uses of the SRLC are shown on the Conceptual Development Plan. These two maps plus the following policy statement are to be considered those documents which constitute the zoning of the SRLC.

II. PURPOSE

A. To develop a project consistent with the goals and policies of the General Plan, particularly in providing residential care and services to the elderly.

B. Identify fundamental development objectives.

C. Establish the underlying development concept and allowed uses.

D. Establish a general land use, circulation, landscape and open space plan.

E. Provide a framework for the Conditional Use Permit.

F. Identify mechanisms for the preservation and maintenance of common building spaces, driveways, roadways, landscape and open space features.

G. Identify mechanisms for the development and revision to the Conceptual Development Plan and Policy Statement.

H. Develop a community which is responsive to the environmental sensitivities of the site and surrounding lands.
III. OBJECTIVES

A. To develop a project which is well planned, creative in its approach to land utilization and building form, and compatible with surrounding land and land uses.

B. Incorporate the mitigation measures of the Pacific LifeCare Community Environmental Impact Report into the SRLC.

C. To develop a project which provides a continuum of residential lifecare services including; assistance and care for residents; accessory and support uses and services; nursing services, medical services, hospice services, and community outreach services.

D. To develop a project which is integrated with the greater community through the provision of services such as outreach programs, a Human Ageing Institute (learning center), programs with CSUS, SRJC and other educational institutions, educational seminars, workshops and programs.

E. To provide a community which encourages the use of alternatives to single occupancy automobiles and may include an on-site child care center.

IV. PHYSICAL CHARACTERISTICS

A. General:

1. The site is dominated by a northwest trending ridge with moderately steep sided slopes immediately surrounded by more gentle terrain. The southern portion of the site is drained by the incised South Fork of Santa Rosa Creek, while the northern portion of the site is drained by the North Fork of Santa Rosa Creek and an unnamed swale which is located along Melita Road.

B. Geology and Soils:

1. A geotechnical investigation of the site prepared by John H. Dalley and dated April 2, 1991 found these soils to be stable. Said report is on file with the City of Santa Rosa Community Development Department.
C. Hydrology:

1. Santa Rosa Creek and the waterway along the westerly boundary of the SRJC adjacent to Melita Road are natural waterways. Setbacks shall be in accordance with City of Santa Rosa Creek Setback Ordinance.

2. The existing drainage ditch at the northern portion of the site will be relocated as a natural swale in accordance with Sonoma County Water Agency Criteria.

3. Detailed drainage and creek preservation plans shall be reviewed and approved as a condition of the Conditional Use Permit.

4. Existing waterway modifications necessitated by site drainage requirements shall be undertaken in accordance with appropriate landscaping and grading plans which preserve and enhance the natural character of the waterway.

D. Utilities:

1. The project will be served by City sewer, by gravity flow.

2. The project will be served by City water.

V. GENERAL PROVISIONS

A. Development within all land use areas shall be in accordance with the standards and criteria set forth in this Policy Statement and shown on the Conceptual Development Plan.

B. Existing structures may remain and be incorporated into the SRJC as RCFE units, child care services, community support areas and/or marketing and sales offices or other similar uses to serve the SRJC.

C. Minimum setbacks for existing structures or existing structures which are subject to minor modifications shall be the setbacks as they exist. Setbacks for existing structures which are subject to major modification shall be established by Conditional Use Permit.

D. The Conceptual Development Plan allocates land uses, open spaces and circulation on a conceptual basis. Actual development within the various land use areas shall be physically arranged pursuant to Conditional Use Permit approval.
VI. CONCEPTUAL DEVELOPMENT PLAN

A. The Conceptual Development Plan is not intended to be specific to the extent that it may be exactly scaled.

B. Open Space:

1. Open space shall be provided throughout the PC pursuant to the Conceptual Development Plan. These areas can be enhanced with paved and non-paved pathways, minor structures such as gazebos etc., fences, lighting, gardens and similar landscape treatment.

2. Open space areas shall be provided within all land use categories through gardens, plazas, courtyards, landscape settings, pathways and active recreation uses.

C. Landscape:

1. A primarily native landscape palette is proposed for the site's overall landscape. Within the natural setting and around building complexes, more formal and ornamental garden courtyards shall exist.

2. Significant trees shall be retained to the extent feasible. Tree removal shall be in accordance with the City of Santa Rosa Tree Ordinance.

3. Trees and other vegetation to be retained shall be protected from construction damage by fencing, trunk wrapping and restricting heavy equipment operations from tree drip line areas. Measures for vegetation protection shall be executed by the project general contractor(s).

D. Architecture:

1. The buildings will vary in form, massing, scale, and materials while maintaining a compatible character.

2. The differences in the terrain shall be utilized in site development. The building designs shall include a variety of visual images, massing and textural quality which will enhance the SRLC site.

3. The extent, scale and massing of the buildings will be
designed in a way so as to allow the natural hillside and creekside backdrops to be expressed throughout the development.

E. Circulation:

1. Street width, alignment, landscaping and other elements shall be related to street function and topography.

2. The roadway system shown on the Conceptual Development Plan is intended to establish a general vehicular traffic flow. Specific design and alignment will be determined at Conditional Use Permit.

3. Roadways are to be designed as private streets.

4. Pedestrian linkages and trails shall be provided within and amongst all land use areas.

5. Parking bays may occur along major roadways.

6. An emergency vehicle access will be established to Channel Drive and Stonebridge Road at Oakmont.

7. A pedestrian/shuttle connection will be provided from the SRLC to Oakmont.

E. Grading:

1. Grading of the site to allow for structures, roadways, and other facilities shall be permitted. Extensive sub-structure grading may occur in building areas designated on the Conceptual Development Plan.

2. While retention of hillside character is a primary objective of the PC district, re-contouring of development areas, wherein large quantities of earthwork may be involved in grading, shall be permitted, if such re-contouring retains the site's general character.

3. Scarred areas shall be seeded, mulched or planted for protection from erosion.

4. Dust control procedures shall be utilized during grading operations.
5. Provisions for disposal of excessive cut and trenched materials shall be incorporated in the project grading plans.

6. Slope rounding and contour grading techniques shall be utilized to the extent feasible.

VII. LAND USE

A. The land use categories of the SRLC shall be:

- CLUSTER RESIDENTIAL (CR)
- CLUSTER RESIDENTIAL - FUTURE (CRF)
- COMMUNITY CENTER RESIDENTIAL (CCR)
- SKILLED AND ASSISTED LIVING (SA)
- RECREATION (R)
- COMMUNITY SUPPORT (CS)

B. Density:

The 68 acre SRLC site shall be developed with a maximum of 460 RCFE units, a Skilled Nursing Facility, community services areas, active recreation areas, private roadways and parking. Over 50% of the SRLC shall be maintained in open space.

1. Residential Care Facility for the Elderly (RCFE)

The total number of RCFE units within the land use categories shall not exceed 460 units and shall be allocated as follows:

- CLUSTER RESIDENTIAL (CR) 300 RCFE units
- CLUSTER RESIDENTIAL - FUTURE (CRF) 50 RCFE units
- COMMUNITY CENTER RESIDENTIAL (CCR) 50 RCFE units
- SKILLED AND ASSISTED LIVING (SA) 60 RCFE units
2. Skilled Nursing Facility (SNF)

The total number of SNF units shall not exceed 99 units and shall be allocated to the Skilled and Assisted Living (SA) land use category.

3. Guest Units

The total number of guest units shall not exceed 21 units and shall be allocated amongst any of the land use categories except Community Support (CS).

C. Land Use Categories:

1. CLUSTER RESIDENTIAL (CR)

   a. Purpose - Cluster Residential

      The intent of the Cluster Residential land use category is to provide areas for units which are primarily residential in nature and are clustered, thereby allowing for the creation of significant open space features. The density range, architectural imagery and building heights shall vary.

   b. Permitted Uses

      1) Residential Care Facility for the Elderly (RCFE) units

      2) Ancillary dining, laundry, lounge, offices, activity areas, guest quarters, housekeeping, home occupations, recreational facilities, storage and greenhouses, accessory structures and similar uses.

   c. Building Height

      43 ft. excepting featured or architectural elements such as spires, lanterns, towers, mechanical penthouses, etc., that are unoccupied spaces.

   d. Setbacks, minimum (excepting APN 31-050-14 - Ford parcel)

      70 ft. from all perimeter property line; 200 ft. from State Highway 12; drainage way setback as determined by the SCWA and the Santa Rosa Creek Ordinance.
e. Setbacks, minimum from APN 31-050-14

If APN 31-050-14 (Ford parcel) is developed as part of the SRLC then the minimum setbacks shall be as described above. If APN 31-050-14 is developed with a use(s) allowed under the very low density designation of the Santa Rosa General Plan then the minimum setbacks from APN 31-050-14 shall be 35 ft.

f. Parking

Subterranean, semi-subterranean and surface.
Ratio
1:1 per RCFE unit, minimum

2. CLUSTER RESIDENTIAL - FUTURE (CRF)

a. Purpose - Cluster Residential - Future

The intent of the Cluster Residential - Future land use category is to provide an area for future development of cluster residential RCFE units in the SRLC program or to allow the area to be developed as allowed under the very low density land use category of the Santa Rosa General Plan.

b. Permitted Uses

All uses permitted under the Cluster Residential land use category of the SRLC or the very low density designation of the Santa Rosa General Plan.

c. Building Height

As established by Conditional Use Permit.

d. Setbacks, minimum

As established by Conditional Use Permit.

e. Parking

As established by Conditional Use Permit.
3. COMMUNITY CENTER RESIDENTIAL (CCR)
   a. Purpose - Community Center Residential

      The intent of the Community Center Residential land use category is to provide areas for the combination of residential, business, retail, office and community service uses primarily to serve the SRLC.

   b. Permitted Uses

      1) All uses permitted under the Cluster Residential (CR) land use category.

      2) Administrative and professional services, retail and business services, offices, dining, leisure and recreational activity areas, child care, learning center, and other similar uses primarily to serve the SRLC.

   c. Building Height

      49 ft. maximum, excepting featured or architectural elements such as spires, lanterns, towers, mechanical penthouses, etc., that are unoccupied spaces.

   d. Setbacks, minimum

      70 ft. from all perimeter property lines.

   e. Parking

      To be determined by Conditional Use Permit.

4. SKILLED AND ASSISTED LIVING (SA)

   a. Purpose - Skilled and Assisted Living

      The intent of the Skilled and Assisted land use category is to provide an area for the creation of facilities whose purpose is to serve primarily the physically and cognitively impaired.

   b. Permitted Uses

      1) All uses permitted under the Cluster Residential (CR) land use category.
2) Skilled nursing, medical offices, examination rooms, care centers, wellness clinic, administrative and professional offices, leisure activity areas, child care, gift shop and similar retail services, personal care, chapel and other similar uses primarily to serve the SRLC.

c. Building Height

49 ft. maximum, excepting featured or architectural elements such as spires, laniens, towers, mechanical penthouses, etc., that are unoccupied spaces.

d. Setbacks, minimum

70 ft. from all perimeter property lines; 200 ft. from State Highway 12; utility easement as determined by the SCWA.

e. Parking

To be determined by Conditional Use Permit.

5. RECREATION (R)

a. Purpose - Recreation

The intent of the Recreation land use category is to be used primarily for recreational activities and guest quarters.

b. Permitted Uses

1) Active and passive recreational activities, guest quarters, outdoor theater, greenhouses, landscape and maintenance facilities, conference rooms, natural history center, administrative offices, exhibit hall, dining and other accessory structures and similar uses primarily to serve the SRLC.

c. Building Height

To be determined by Conditional Use Permit.

d. Setbacks, minimum

70 ft. from all perimeter property lines; drainage way setback.
as determined by the SCWA and the Santa Rosa Creek Ordinance.

e. Parking

To be determined by Conditional Use Permit.

6. COMMUNITY SUPPORT (CS)

   a. Purpose - Community Support

      The intent of the Community Support land use category is to create areas to be used primarily for community operations. The architecture of the structures within this category shall be compatible with the adjacent land uses.

   b. Permitted Uses

      1) Maintenance center, housekeeping, laundry, storage, information center, lounge, administrative offices, marketing and sales offices, recycling center, accessory structures and other similar uses to serve the SRLC.

   c. All outdoor storage shall be screened from public view.

   d. Building Height

      To be determined by Conditional Use Permit.

   e. Setbacks, minimum

      35 ft. from all perimeter property lines; from State Highway 12 to be determined by Conditional Use Permit; drainage way setback as determined by the SCWA and the Santa Rosa Creek Ordinance.

   f. 'Parking

      To be determined by Conditional Use Permit.

D. General:

   1. Modifications

      Modification(s) to the allocation of units amongst the land use categories shall be accomplished pursuant to the Density
Transfer provision of Section IX (C) of this Policy Statement.

2. Associations

Common open spaces, roadways, community areas and the like shall be owned and maintained by PLC. A Community Association shall be formed which shall, among other responsibilities, address matters of residential concern.

VIII. TRANSPORTATION MANAGEMENT SYSTEM

A. Transportation management systems shall be designed to address peak hour traffic contribution, total daily traffic contribution and reduction in on-site parking demand.

B. The SRLC shall contain both design features and incentive programs as measures to reduce traffic generation impacts.

C. Transportation management measures shall be designed and provided to all residents and employees of SRLC.

D. Every effort will be made to coordinate the transportation management systems developed for SRLC with systems developed by the City of Santa Rosa.

IX. PROCEDURES

A. Phasing:

An approximate 2 acre area identified on the Conceptual Development Plan (APN 31-050-14) may be developed at a later date. The general land use for this area shall be either CR or uses allowed in the very low density land use designation of the Santa Rosa General Plan. Fee title access has been provided for this parcel.

B. Ownership Provisions:

All or some of the RCFE units may be available as an equity ownership or entrance fee option. The form (stock cooperative, condominium, etc.), number and location of these equity or entrance fee units shall be determined at the time of the tentative map.
C. Unit Transfer:

The units may be transferred from one residential land use category to another. Provided, however, that the total number of units shall remain as described in Section VII (B).

D. Modifications to Plan

1. Minor modification(s) to the PC map or the adopted Policy Statement, may be approved by staff, if such modification(s) are consistent with the purpose and general character of this PC district.

2. Major modifications to the PC map or adopted Policy Statement, including significant changes in the extent or nature of land use areas, may be approved by the Planning Commission, after public hearing, through the granting of a CUP, if such modifications are consistent with the purpose and general character of this PC district.

X. DEFINITIONS

Building Height shall mean no point of the building, excluding exceptions as indicated in the Policy Statement, shall be higher than the stipulated maximum height as measured from finished grade at the exterior perimeter of the building immediately beneath that point.

NOTE:

H = BUILDING HEIGHT
Residential Care Facility for the Elderly (RCFE) units shall mean units that are regulated by Title 22 of the California Code of Regulations, Sections 87100 et seq. These units require as a condition of licensure numerous physical plant requirements together with extensive administration and staffing requirements. Among other things, the licensee is required to provide prescribed levels of staffing, perform medical and other assessments of the residents, maintain records regarding the residents' needs for assistance and care, assess residents' functional capabilities, mental condition and social needs, provide for incidental medical and dental care, provide meals including modified diets prescribed by a physician, provide assistance with activities such as dressing, eating, bathing, and assistance with medication as needed, arrange transportation for medical appointments, etc. All of these regulations are contained within Division 6 of the Code of Regulations which is entitled "Licensing of Community Care Facilities".
## WEEKDAY SERVICE -- SERVICIO DE SEMANA

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Stegman and Associates, Scot Stegman (STEG)

Response to Comment STEG-1
The commenter indicated that the Draft EIR incorrectly determined what is a significant impact on ridgeline views by the project. Please refer to Response to Comment MABRY-2.

Response to Comment STEG-2
The commenter stated that the project is consistent with surrounding development as zoned. Please refer to Master Response 6, Traffic Impacts.

Response to Comment STEG-3
The commenter indicated that required landscaping to screen views of the project from Sonoma Highway is the cause of impacts to views of the ridgeline in Annadel State Park. The commenter indicated that to evaluate a mitigation measure as an impact does not make sense. Please refer to Response to Comment MABRY-2.

Response to Comment STEG-4
The commenter stated that having a parking lot in front of the commercial and townhouse buildings does not violate the 2020 General Plan. The City’s interpretation of applicable 2020 General Plan policies UD-C-6, UD-D-2, and UD-G-9 as described on page 3.1-16 of the Draft EIR is that parking lots in front of Sonoma Highway are not consistent with the 2020 General Plan.

Response to Comment STEG-5
The commenter questions whether it is appropriate to evaluate aesthetic impacts from a private view. The visual impacts of the project were evaluated as a whole, which means that impacts in the Draft EIR were evaluated from multiple viewpoints, one of which was a private backyard. All other views were from a public highway (Sonoma Highway). For additional discussion on analysis methods for aesthetics, please refer to Master Response 1, Aesthetic Impacts.

Response to Comment STEG-6
The commenter does not believe that the analysis conclusion regarding a parking lot fronting Sonoma Highway results in a significant and unavoidable impact. Please refer to Master Response 1, Aesthetic Impacts and Master Response 2, Approach to Land Use Consistency Analysis for a description of how aesthetic impacts and land use consistency were evaluated.

Response to Comment STEG-7
The commenter suggested that other 2020 General Plan policies pertain to the project. Please refer to Master Response 1, Aesthetic Impacts and Master Response 2, Approach to Land Use Consistency Analysis.
Response to Comment STEG-8
The commenter stated that the parking lot location does not represent a significant environmental impact. Please refer to Master Response 1, Aesthetic Impacts and Master Response 2, Approach to Land Use Consistency Analysis and Response to Comment STEG-4.

Response to Comment STEG-9
The commenter indicated that the Draft EIR is inconsistent in some cases in its analysis of the project’s General Plan consistency. Please refer to Master Response 1, Aesthetic Impacts and Master Response 2, Approach to Land Use Consistency Analysis.

Response to Comment STEG-10
The commenter indicated the Lot Line adjustment results in the intended outcome of the prior General Plan Amendment and subsequent re-zoning. The comment is acknowledged. The discussion of the Lot Line adjustment is found on page 2-3, Exhibit 2-4, and page 3.8-17 of the Draft EIR. In the Land Use section of the Draft EIR (page 3.8-17), the Lot Line Adjustment was found to have a less than significant impact with respect to the project’s consistency with the City of Santa Rosa General Plan.

Response to Comment STEG-11
The commenter stated that proposed use of a small amount of PD zoned land for the project is offset by a comparable offset of land from the Medium Density portion of the project. Please refer to Response to Comment STEG-10.

Response to Comment STEG-12
In reference to the Lot Line adjustment, the commenter stated the discrepancy in acreage does not present a potentially significant impact under CEQA. Please refer to Response to Comment STEG-10.

Response to Comment STEG-13
The commenter stated that the PD District allows for a variety of uses in the underlying PD acreage. Please refer to Response to Comment STEG-10.

Response to Comment STEG-14
The commenter stated the project would not trigger a Conditional Use Permit. The City’s requirement for a Conditional Use Permit is stated on page 2-40 of the Draft EIR.

Response to Comment STEG-15
The commenter made two points in reference to the lack of a signalized crosswalk to reach a westbound County bus stop. The first point is that language about a lack of access discouraging residents from using public transit to seek jobs does not belong in an EIR. The issue of a lack of a signalized crosswalk is mentioned on pages 3.8-18 and 3.12-45 as a safety issue. The reference to
seeking jobs will be removed from the text, as shown in the Transportation section of Section 4, Errata.

The second point is that the Draft EIR must identify the environmental impacts that would trigger a “significant and unavoidable” impact. As indicated in the preceding paragraph, the environmental impacts are impacts to safety, evaluated in the context of land use consistency, and consistency with alternate transportation plans. The revised project includes a traffic signal that will provide pedestrian access across Sonoma Highway to the westbound bus stop.

Response to Comment STEG-16
The commenter stated that in order to evaluate the impact to prospective job seekers, some estimate of car ownership in the project should be provided. Please refer to Response to Comment STEG-15.

Response to Comment STEG-17
The commenter indicated the discussion following Impact Trans-8 lists all the positive measures the project offers relative to promoting alternative transportation modes. Please refer to Master Response 2, Approach to Land Use Consistency Analysis for the overall approach to consistency analysis for General Plan policies. The positive alternate transportation measures do not eliminate or reduce the safety hazard associated with crossing Sonoma Highway to reach a westbound bus stop without a signalized crosswalk. Please see Response to Comment STEG-15.

Response to Comment STEG-18
The commenter indicated the Draft EIR discussion does not address several land use inconsistencies, but instead addresses the impact on job seekers. Please refer to Response to Comment STEG-17 and Master Response 2, Approach to Land Use Consistency Analysis.

Response to Comment STEG-19
The commenter illustrates how a future resident of the Elnoka Village could conveniently board multiple buses to reach Santa Rosa. Comment noted; the City does not agree that the proposal illustrates a convenient connection for residents. Please refer to Response to Comment STEG-17.

Response to Comment STEG-20
The commenter requested that the traffic studies’ chronology and scopes be clarified, as well as the study areas for each study. The study from which Draft EIR traffic findings were taken was conducted in June 2009. Following receipt and review of that study, the City requested additional clarifications and analyses, which were completed in July 2009. The study area for both studies is the same and is referenced in Exhibit 3.12-1 (which follows page 3.12-2 in the Draft EIR). Both studies used existing traffic counts from Caltrans to depict current conditions, and for modeling scenarios for 2011 and 2035. A table clarifying the timing and scope of the two studies is provided in the Errata section, Table 3.12-5a.
Response to Comment STEG-21
The commenter asks whether traffic data and results from the Spring Lake Draft EIR and the Elnoka Village Draft EIR are compatible and consistent with each other. Both the Spring Lake and Elnoka Village Draft EIRs used existing traffic count data to model potential traffic impacts, measured by changes in Level of Service, for corridors and intersections likely to be affected by new project related traffic. Both studies modeled potential traffic impacts for near-term and cumulative conditions. Both studies were reviewed and accepted by City staff.

Response to Comment STEG-22
The commenter indicated the Draft EIR should include a discussion of the significance of consistency with plans and policies, and the significance of the nature and specificity of the policy in question. Please refer to Master Response 2, Approach to Land Use Consistency Analysis for a discussion of how land use consistency analysis was conducted.

Response to Comment STEG-23
The commenter describes elements of the City’s General Plan that dictate how consistency with General Plan policies should be evaluated. Please refer to Master Response 2, Approach to Land Use Consistency Analysis for a discussion of how land use consistency analysis was conducted.

Response to Comment STEG-24
The commenter made several points. He defined the difference between General Plan goals and policies, suggested the analysis of consistency with General Plan goals is inappropriate, and indicated the land use consistency analysis is based on an arbitrary and subjective interpretation. Please refer to Master Response 2, Approach to Land Use Consistency Analysis for a discussion of how land use consistency analysis was conducted.

Response to Comment STEG-25
The commenter indicated the land use consistency analysis, in addition to evaluating consistency based on General Plan goals, evaluates consistency with General Plan policies in some cases. Please refer to Master Response 2, Approach to Land Use Consistency Analysis for a discussion of how land use consistency analysis was conducted.

Response to Comment STEG-26
The commenter cites his opinion of an inappropriate land use consistency analysis in reference to 2020 General Plan Policy T-G-6 regarding setbacks from scenic roads. The comment is noted. The analysis of setback requirements from Sonoma Highway is found on pages 3.1-16 and 3.1-27 of the Draft EIR. Also refer to Master Response 3, Land Use Consistency Impact Conclusion.

Response to Comment STEG-27
The commenter indicated there is no analysis of changes in traffic impacts in the Alternatives section. The analysis demonstrates a reduction in the number of daily vehicle trips, as well as reductions in
impacts to air quality and noise. A quantitative analysis of traffic impacts was completed and is included in the Alternatives section of Section 4, Errata.

**Response to Comment STEG-28**

The commenter made two points. One point is that the distinction between significant and less than significant impacts of the alternatives is “blurred.” The commenter raised another point that the alternatives were not assessed specifically relative to their ability to reduce significant impacts. The approach to analyzing alternatives, and the distinction between significant and less than significant effects are summarized on page 5-2 of the Draft EIR. The alternatives were developed to reduce significant and unavoidable impacts to aesthetic resources. As clarified in the Errata section, impact conclusions for aesthetic resources have been changed to less than significant after mitigation. However, as indicated in Section 1526.6(f), alternatives “shall be discussed and developed in a manner to foster meaningful public participation and informed decision making.” Given the numerous comments raised about potential visual impacts and the consistency of the project with the surrounding environment, development of alternatives that are less visually intrusive and involve less intensive land uses (e.g., elimination of the dog park, children’s park, senior-oriented uses) is justified to foster meaningful public participation and informed decision making.
Morris, Erin

From: georgemck@aol.com
Sent: Wednesday, December 23, 2009 6:44 AM
To: Morris, Erin
Subject: Re: Elnoka Village Draft EIR

Thank you very much for forwarding the CD to me. We have had a chance to review it and generally agree with your conclusions, particularly regarding the inconsistencies related to space development.

The analysis does not actually address our major concern regarding children. We were not concerned about space in the Rincon Valley schools, although that is a valid question and appears to have been answered. We were concerned about three things with regard to children.

First, the isolated nature of the development - particularly with no safe West bound bus stop - combined with very low income residents whose transportation needs would tend to require bus transportation - would mean that children in this small community would have very limited access to libraries, schools, and other city facilities.

Second, that school bus transportation, which I assume from the analysis will be provided, will be very complicated because of the limited nature of the Melitta road access.

Third, again thinking of children, that there is no safe bike transportation except on Route 12 (and I certainly wouldn't want my 4th grade grandson riding his bike alone on Route 12) and the sidewalks will not be completed to Sky Hawk (which is where the school is located), so children will not be able to participate in after school activities unless there is a late bus.

Bottom line, we still don't see how this is consistent with several of the school-related objectives (T-K). Although the school space is available, it is not accessible to the children.

George & Marie McKinney

-----Original Message-----
From: Morris, Erin <EMorris@srcity.org>
To: georgemck@aol.com
Sent: Mon, Dec 14, 2009 8:03 am
Subject: RE: Elnoka Village Draft EIR

Another member of the public was having difficulty downloading it until he switched from Firefox to Internet Explorer-- have you tried that? I can send you the whole document on a CD Rom, if that would be convenient. Please let me know. Thanks!

Erin Morris | Senior Planner
Community Development | 100 Santa Rosa Avenue, Room 3 | Santa Rosa, CA 95404
Tel. (707) 543-3273 | Fax (707) 543-3218 | emorris@srcity.org

City of Santa Rosa
Community Development

From: georgemck@aol.com [mailto:georgemck@aol.com]
Sent: Sunday, December 13, 2009 10:47 AM
To: Morris, Erin
Subject: Re: Elnoka Village Draft EIR

01/14/2010
I tried three times to download the draft EIR, and got an error message each time. It is apparently a very large file.

I am traveling and will not return to Santa Rosa until late January. Is there any way to make this available in smaller increments so it can be downloaded?

Thank you.

George McKinney

--------Original Message--------
From: Morris, Erin <EMorris@srcity.org>
To: georgemck@aol.com
Sent: Fri, Dec 11, 2009 4:05 pm
Subject: Elnoka Village Draft EIR,

Dear Mr. and Mrs. McKinney,

The Elnoka Village Draft EIR was just released for public review. The public review and comment period is for 55 days until February 3, 2010. The DEIR, and associated technical appendices, are available on the City’s web site. Please direct questions/comments to me. Thank you very much!
http://ci.santa-rosa.ca.us/departments/communitydev/development/Pages/ElnokaVillage.aspx

Sincerely,
Erin Morris | Senior Planner
Community Development | 100 Santa Rosa Avenue, Room 3 | Santa Rosa, CA 95404
Tel. (707) 543-3273 | Fax (707) 543-3218 | emorris@srcity.org

City of Santa Rosa | Community Development

01/14/2010
Individuals

George and Marie McKinney (MCK)

Response to Comment MCK-1
The commenter indicated that the analysis does not address concern regarding children. Comment noted.

Response to Comment MCK-2
The commenter raised a concern regarding children’s limited access to public facilities, particularly given the lack of access to a westbound bus. The project has been revised to provide a traffic signal that would provide safe pedestrian access to a westbound bus, and the proposed project would develop a bus pullout and shelter near the project entrance.

Response to Comment MCK-3
The commenter raised a concern about the school bus transport, due to limited Melita Road access. It is not known at this time where the school bus stop would be located. At the time of occupancy of the site, students would be instructed where to catch the bus at an existing location, or a new appropriate location would be established.

Response to Comment MCK-4
The commenter stated that no safe bike transportation or sidewalks to school will be available to the children. The proposed project is not required to complete bicycle facilities from the site to schools. However, as stated on page 3.12-45 of the Draft EIR, the project would be conditioned by the City to provide an easement for future bicycle facilities envisioned by the City’s Bicycle and Pedestrian Master Plan. In addition, the proposed project would develop a bus pullout and shelter at the entrance to the project and would provide a traffic signal at the intersection of Elnoka Lane and Sonoma Highway, which would improve public transit access in the area.

Response to Comment MCK-5
The commenter stated that the proposed project is inconsistent with several school objectives. As discussed on pages 3.3.11-15 through 3.11-16, the proposed project would be subject to applicable school impact fees, which, according to SB 50, fully mitigate a project’s impacts to schools under CEQA, and impacts would be less than significant.
Fred Mehrten
240 Silver Creek Circle
Santa Rosa, Ca 95409

Erin Morris
Community Development
100 Santa Rosa Avenue Room 3
Santa Rosa, Ca 95404

Subject: Elnoka

Dear Erin,

I reside on Silver Creek Circle which backs up to the Elnoka Property. Mr. Gallaher built these houses and we bought one from his agents. We were assured that the Elnoka property would be developed only for seniors.

When 3 Bridges planned the senior development, they held numerous meetings with Oakmonters obtaining their views and making changes as requested. Unfortunately the development did not occur.

Mr. Gallaher, two and a half years ago, without any meetings with the immediate neighbors, put forth his ideas of development. In spite of a packed council chambers voicing concern over his plan he has decided to ram through his development with only a minor change.

He still has a dog park, children playground and a community garden right behind the backyard fences of Oakmont. We bought in Oakmont for Senior Living. Had we wanted another life style, we would have located elsewhere.

Our second concern, traffic. This past year we had accidents on Highway 12 completely shutting down any westbound traffic into Santa Rosa. We had to drive south to Kenwood and then via Warm Springs Road to Bennett Valley Road. Emergency vehicles such as ambulances into Oakmont are at risk. A good number of the proposed resident drivers may attempt a left hand turn onto Highway 12 into speeding traffic from the base of the development even though a sign may be posted.

There is virtually no Police presence in Oakmont, due to it being a senior area. You can be assured if this project is approved as submitted, you can permanently assign an officer to this area for noise and other complaints that occur elsewhere in Santa Rosa.

Sincerely yours,

Fred Mehrten
Fred Mehrten (MEHR)

Response to Comment MEHR-1
The commenter raised concern about the type of proposed development. A CEQA analysis must evaluate the proposed project according to the existing condition. As stated on page 2-15 of the Draft EIR, the site was designated in 2002 for Medium Density Residential as part of the General Plan Update in order to meet the City’s housing goals and state requirements. In 2008, the site was rezoned as Multi-Family Residential to be consistent with the General Plan designation. The proposed project is consistent with those designations. Evaluation of previous designations and plans for use of the project site are outside the scope of this CEQA analysis.

Response to Comment MEHR-2
The commenter mentioned a development previously planned but did not occur. This comment addresses issues that are beyond the scope of this analysis.

Response to Comment MEHR-3
The commenter raised concern about the manner in which the project applicant has pursued the approval of the project. This comment addresses issues that are beyond the scope of this analysis.

Response to Comment MEHR-4
The commenter raised concern about the type of proposed development—in particular, the recreational amenities (pet park, community garden, and playground)—proposed adjacent to the Oakmont development. The Draft EIR evaluates the environmental effects of the project, and it concluded that the recreational amenities do not trigger significant environmental effects. However, the location of the recreational amenities will be further evaluated as part of the development review process.

Response to Comment MEHR-5
The commenter raised multiple concerns about traffic. Results of the traffic report indicate less than significant impacts with respect to levels of service for corridor and intersection operations. Results also indicate less than significant impacts with regard to emergency access. Finally, the applicant has revised the project description to include a traffic signal at Sonoma Highway and Elnoka Lane. See Master Response 6.

Response to Comment MEHR-6
The commenter stated that the project will require a permanent officer on duty to address complaints. With regard to police services, as stated on page 3.11-15 of the Draft EIR, in a letter dated August 10, 2009, the Santa Rosa Police Department indicated that it is currently meeting their response time goals and did not identify any specific concerns regarding the proposed project. The letter is available in Appendix K of the Draft EIR.
Morris, Erin

From: WILLIAM GREENE [pilotgreene@sbcglobal.net]
Sent: Friday, January 08, 2010 11:57 AM
To: Morris, Erin
Subject: Enoka DEIR

I am in complete agreement with the DEIR as to the "significant unavoidable impacts" items. The entrance to the Valley of the Moon is no place for 4 story buildings or 209 living units and a commercial space near the highway. I also find the children's play area, recreation center and pet parks unacceptable. And why would you want to build 42 "affordable housing" units with very limited access to public transportation. This project should never be allowed without major modifications.

Bill Greene
6355 Meaddowstone Dr
538-2843
**Bill Greene (GREENE)**

*Response to Comment GREENE-1*

The commenter expressed concern about project location. Agreement with significant and unavoidable impacts is noted. See Response to Comment MEHR-4 for the response to concerns about proposed recreational amenities. In response to the comment regarding access to location of affordable housing and public transportation, the proposed project would help the City fulfill two of its housing goals: to provide housing for all Santa Rosa’s residents (particularly low-income residents) and to maintain a balance of various housing types in each neighborhood. Please refer to page 2-40 and Master Response 6, Location of the Proposed Project, Location of the Proposed Project. Alternative transportation is available, and the proposed project would develop a bus pullout and shelter near the project entrance. The Draft EIR acknowledged that safe access to the westbound bus stop does not currently exist and is not provided by the proposed project (refer to page 3.12-45 of the Draft EIR). However, the project has been revised to include a traffic signal at Sonoma Highway and Elnoka Lane; see Master Response 6.

*Response to Comment GREENE-2*

The commenter indicated that the project needs major modifications. Comment noted.
Morris, Erin

From: Betty Seacord [seacords@comcast.net]
Sent: Monday, January 11, 2010 1:19 PM
To: Morris, Erin
Subject: EIR, Elnoka Project

Being a resident of Oakmont driving alone on Highway 12 frequently days and evenings I cannot help but feel this project will certainly add to the congestion and traffic on Highway 12.

For each household you allow there probably will be two cars, with mixed development adds bicycles, pedestrians and possible unknown developments with children of the neighborhood. The speed limit is much too high there now as it is. The barrier at Melita road should still be extended as two of the blockers were apparently removed again so they could turn into the gas station directly from the highway while going east instead of using the turning signal just ahead. They are still passing in the no passing lane to avoid a second or two delay getting somewhere. To add hundreds of new cars daily, evenings and possibly nights certainly will bring on additional yet unknown problems especially their needing to turn left to come into town instead of into the flow of traffic easterly.

That property was originally set up by the City of Santa Rosa to be a Senior development which no doubt indicates less automobiles in an out on Highway 12 daily. I strongly feel your allowing mixed housing, family use would be a huge mistake adding many new traffic problems to this accident prone area of Santa Rosa.

An exit on Melita Road somewhere certainly brings to mind problems with traffic alone not to mention bicycle and pedestrian use. There of course, must be an additional School bus turnoff or two, no doubt extra foot traffic across the busy highway to get to the Melita Business Section which conjures up more new problems for us to possibly face in the future as well as additional teenaged drivers on Highway 12.

I can only hope you will sensibly give much thought to what could arise with your giving approval to changes in the Elnoka area at this or any other time the City of Santa Rosa and/or County of Sonoma thinks about developing the Elnoka area.

Thank You for listening and I hope in your saying No to the changes now being suggested in the Elnoka area for the City of Santa Rosa to consider.

Betty C. Seacord
6320 Stone Bridge Road
Santa Rosa, CA 95409-5824
(707) 539-5820
Betty C. Seacord (SEA)

Response to Comment SEA-1
The commenter expressed concern about the project creating traffic impacts along Sonoma Highway. As discussed beginning on page 3.12-27 of the Draft EIR, according to the Traffic Impact Study prepared for the project, additional vehicle trips generated by the proposed project would not result in unacceptable intersection corridor operation in the existing, near-term, or long-term condition. Also see Master Response 6, Traffic Impacts.

Response to Comment SEA-2
The commenter indicated that the project will cause unknown traffic problems. Additional traffic generated by a project does not necessarily indicate an adverse impact under CEQA. A Traffic Impact Report was prepared for the proposed project using standard analysis practices for estimating trips resulting from the proposed project and concluded that the proposed project would not result in unacceptable intersection corridor operation under near term or cumulative, buildout conditions. The methodology for trip generation is discussed beginning on page 3.12-20 of the Draft EIR. Also see Master Response 6, Traffic Impacts.

Response to Comment SEA-3
The commenter expressed concern that the mix of proposed land uses will add many new traffic problems. The proposed project is consistent with the General Plan and zoning designations for the site, and, as stated above, the proposed project is not expected to result in adverse traffic impacts.

Response to Comment SEA-4
The commenter further stated concerns about project traffic impacts. Please refer to Response to Comment SEA-2.
Morris, Erin

From: Carol Jones [grammynj714@comcast.net]
Sent: Wednesday, January 13, 2010 1:36 PM
To: Morris, Erin
Cc: Jones, Carol
Subject: Elnoka Village

Mayor Susan Gorin spoke @ Oakmont January 6, 2010. She explained clearly the serious budget problems Santa Rosa faces. Mayor Gorin was careful to make sure we understood the upcoming cuts to Fire Services with one Fire Station closing daily on a rotating basis. She told us how the closure of Oakmont's Fire Station will increase response an average of 20 minutes.

Mayor Gorin outlined how scarce water is and how prices will rise despite efforts to conserve water. It was a chilling picture to contemplate for 2010

My question is: how can approval for Elnoka be considered for more housing when East Santa Rosa is served by a 2 lane road? (Sonoma Highway) This road is congested most times of the day and is "bumper to bumper" daily at "rush hours." I see no proposal for the highway to be widened along Sonoma Highway to relieve congestion.

With already poor public transportation services to East Santa Rosa how will the new residents get to jobs and shopping? Bus service is being reduced as reported in the Press Democrat.

How can the addition of 209 multi family units be practical for East Santa Rosa? Where is the additional water to come from and who will pay for it? Will low income families be able to afford the water they consume?

I am opposed to any development of Elnoka Village. Thanks for making the proposed EIR draft available at Oakmont OVA for review.

Carol L. Jones
174 Valley Lakes Drive
Santa Rosa, CA 95409
Carol L. Jones (JONES)

Response to Comment JONES-1
The commenter expressed concern regarding fire services and water, which are already impacted by budget cuts and scarcity, respectively. The project applicant would be required to participate in the Citywide Special Tax District 2006-1, which would provide needed revenue to the Fire Department and would offset project impacts (refer to page 3.11-14 of the Draft EIR). With regard to available potable water, the City of Santa Rosa provided a letter indicating that it has available potable water to serve the proposed project; the letter is available in Appendix K of the Draft EIR. In addition, the proposed project would be required to adhere to the city water conservation ordinances (refer to the discussion beginning on page 3.11-18 of the Draft EIR).

Response to Comment JONES-2
The commenter indicated that the project will increase congestion on East Santa Rosa roads. The proposed project’s impacts to intersection and corridor operations (including Sonoma Highway) were found to be less than significant (refer to page 3.12-28 of the Draft EIR). Under all scenarios that include development of the proposed project (Base Case Plus Project and Base Case Plus Project Plus Planned Development), the Sonoma Highway Corridor would operate under acceptable conditions. Refer to Table 3.12-10 of the Draft EIR. Also see Master Response 6, Traffic Impacts.

Response to Comment JONES-3
The commenter raised concern with regard to the public transportation system. The proposed project incorporates several features that encourage alternative transportation as an option to driving a personal vehicle. After the close of the public comment period, the applicant agreed to add a traffic signal at the intersection of Elnoka Lane and Sonoma Highway. Adding this traffic signal with a crosswalk at this intersection will allow a safe crossing to the other side of the highway to access the westbound bus. In addition, the proposed project would provide covered bicycle parking and storage and would implement a car-sharing program. Please refer to page 2-39 of the Draft EIR for a list of alternative transportation features the project would provide.

Response to Comment JONES-4
The commenter expressed concern regarding water availability to the new houses and population. Refer to Response to Comment JONES-1. Residents of the Elnoka Village would be required to pay for their water consumption.

Response to Comment JONES-5
The commenter expressed opposition for the proposed project. Comment noted.
Morris, Erin

From: Randy Ruark [randyruark@comcast.net]
Sent: Tuesday, January 19, 2010 10:39 AM
To: Morris, Erin; Alec Peters
Subject: ELNOKA

Ms Morris, would you please forward this to all members of the Planning Commission and to the City Council.

January 2010
Re: ELNOKA VILLAGE ENVIRONMENTAL IMPACT REPORT

I have lived within the area affected by this project for 45 years, and have followed it from the time it was annexed into the city and zoned for a planned Senior community. We are currently residents of Oakmont.

I own a copy of the Santa Rosa General Plan as well as the amendment made by the City Council in 2002 designating a portion of the land to high density residential, which allows the four story height and the number of units. The owners of the land, requested a rezoning of that portion of the 67 acres in 2009 to comply with the General Plan and the City Council approved it.

The General Plan change was made without proper public notice and was done in a closed door session by the then city council.

The developer purchased the land based upon the General Plan and later requested and received a zoning change that conformed to the General Plan. Obviously the General Plan trumped!

Since the General Plan trumps, shouldn't the developer be required to comply with it, not simply pick and choose what they wish to comply with? The following issues are in the General Plan which the developer has chosen to ignore to date.

1. City Entries and corridors,
4. Transportation, Preserving Scenic roads.

The City Council, the Planning commission, and the City Planning staff have all changed, but the developer's plan has not.

The plan resubmitted on several different occasions still contains a massive 4 story building that would block views in all four directions. There is nothing higher than two stories for several miles other than Oakmont Gardens a senior living structure that has been there for over 30 years. Note I said "Senior".

The buildings should be shortened in height to no more than two stories above ground.

A traffic light should be installed at the entrance on Highway 12.

A bus stop should be installed at the entrance or very nearby.

A cross walk painted near the light.

I believe if these conditions were met, most in not all resistance to the plan would stop.

02/03/2010
If there is any doubt as to how the views would be impacted, story poles should be constructed. The county requires storypoles for all buildings. The Planning Commission can require them for this project and the city of Santa Rosa should require them for projects that in anyway are not in compliance with the General Plan.

Removing mature trees and replacing those trees with young saplings is less than ideal.

Randy Ruark
409 Pythian Road
Santa Rosa, CA 95409
Randy Ruark (RUARK)

Response to Comment RUARK-1
The commenter stated prior General Plan amendments and rezoning for the project site. The 2002 change in designation for the project site is outside the scope of this analysis.

Response to Comment RUARK-2
The commenter indicated the proposed project has ignored General Plan requirements in reference to City entry and corridors, Goals and Policies regarding City image and character, neighborhood design, and preserving scenic roads and transportation. The comment is noted. All of the identified issues are discussed in the Draft EIR.

Response to Comment RUARK-3
The commenter indicated the proposed four-story building is much taller than other surrounding buildings. The comment is noted. Please note that the Draft EIR contains two alternatives (Alternatives 2 and 3) that do not feature four-story buildings. A description of those alternatives is provided on pages 5-2, 5-6, and 5-9 of the Draft EIR.

Response to Comment RUARK-4
The commenter requested that the buildings for the proposed project be no more than two stories high and that a traffic signal and related infrastructure be installed as part of the project. Please see Response to Comment RUARK-3 and Response to Comment MCK-4. Also note that the project has been revised to include installation of a traffic signal.

Response to Comment RUARK-5
The commenter requested that the City use storey poles to help better display how the project would appear. The City does not typically utilize storey poles to evaluate visual impacts but instead relies upon visual simulations. Please refer to Master Response 1, Aesthetic Impacts regarding visual simulations.

Response to Comment RUARK-6
The commenter raised concern on replacing mature trees with young saplings. As stated on page 3.3-27 of the Draft EIR, all tree removal shall comply with the provisions of Santa Rosa City Code Chapter 17-24.
Morris, Erin

From: Tom Arens [tarens@sonic.net]
Sent: Thursday, January 21, 2010 9:27 AM
To: Morris, Erin
Subject: letter regarding Elnoka project

Erin Morris, Senior Planner
Community Development
100 Santa Rosa Ave., Rm. 3, Santa Rosa CA 95404

Thank you for the opportunity to comment on the Elnoka Village Project.

The recently completed environmental report raises a major concern. The project being evaluated is based on the proposed project site of 12 acres, and does not take into consideration the balance of the Elnoka property which butts up against this site. The future use of this property should also be considered because the project site’s access road runs through the contiguous area (of 55 acres reportedly “for sale”) and connects the site to Melita Road, as clearly shown in the map.

Can the City of Santa Rosa assure the public that there will be no future development in the contiguous area without first conducting a further environmental impact study which evaluates increased traffic and noise along Melita Road, and the option of a traffic light installation on Hwy 12 and Elnoka?

Traffic was not an issue for residents of Melita Road when the Elnoka site was initially conceived and developed for Pacific Life Care retirement facilities – consistent with this area running from Spring Lake Village on Montgomery Drive to the Oakmont Senior Community. But now with modification in zoning to medium density, and proposal to make the access road to Melita the main entrance-exit to the Elnoka site, the potential for traffic is now much higher.

Given the poor public transit in this area – and no proposal to improve public access – it seems to me that it would be preferable to concentrate medium density development along the SMART corridor and in areas where bus service is presently available.

Thank you for your consideration,

Tom Arens
5877 Melita Road
Santa Rosa, CA 95409

02/03/2010
Tom Arens (ARENS)

Response to Comment ARENS-1
The commenter requested analysis of land adjoining the project site. No application for development on the adjacent parcels has been filed with the City; as such, the lack of project details precludes analysis of impacts resulting from development on these parcels. However, General Plan buildout of Parcel 031-050-060 (Lot 60) was assumed in the cumulative analysis of this project to provide a conservative estimate of future conditions (refer to page 4-1 of the Draft EIR). In particular, cumulative analysis for traffic considered this project as well as the Pacific LifeCare project, with 600 retirement units and 45 condominiums. When an application is filed in the future, the applicant will be required to prepare the appropriate CEQA documentation for development on these adjoining parcels.

Response to Comment ARENS-2
The commenter requested that any future development will be subject to a traffic and noise analysis. Development of adjacent parcels would be required to comply with the requirements of CEQA and potential environmental effects of new development would be analyzed at the project level of detail. Also see Response to Comment Arens-1.

Response to Comment ARENS-3
The commenter expressed concern that the potential for traffic impacts is high given the land uses of the proposed project. As discussed beginning on page 3.12-27 of the Draft EIR, according to the Traffic Impact Study prepared for the project, additional vehicle trips generated by the proposed project would not result in unacceptable intersection corridor operation in the existing, near-term, or long-term condition. Also see Master Response 6., Traffic Impacts.

Response to Comment ARENS-4
The commenter indicated that bus service is poor around the project site area. As indicated in General Plan Policy LUL-F-3, one of the City’s goals is to provide a “balance of various housing types in each neighborhood.” The Elnoka Village project would provide medium-density, multi-family housing in an area that is lacking that type of housing on a parcel that was specifically designated and zoned for those uses. In addition, the proposed project would improve public transit services in the community by providing an eastbound bus pullout and shelter on Elnoka Lane, and a traffic signal providing access to westbound bus service.
Morris, Erin

From: robing@sonic.net
Sent: Sunday, January 24, 2010 2:40 PM
To: Morris, Erin
Subject: Elnoka "Village" EIR
Attachments: Elnoka Village dev 23 Jan.doc
Dear Mr Morris

Referring to the EIR for the proposed Elnoka Village development, my major concerns are:

1) Elnoka Village is less than 25% of the site. The site should not be developed piecemeal but with a coherent plan for the total area. In that plan particular consideration should be given to transportation and aesthetics

2) The proposed location of EV has a very high visibility as it will be at the entrance to Santa Rosa from the Sonoma Valley Wine Country. The high physical profile project is ill conceived and out of character with the surrounding property.

This ugly development will have a negative influence on tourism:

3) The transportation plan is inadequate for the 14 acre proposal.

Westbound traffic is indicated to exit onto Melita Road, a scenic corridor with a narrow bridge that already gives rise to frequent collisions at the current traffic flows. The road is not suitable for high volumes of vehicles.

4) The traffic report dates to 2006. Why is an outdated report containing traffic flow data, which I understand, is not independently replicable, being used?

5) Bicycle lanes are not existent on Melita Road, crossing the bridge now, with current traffic, is hazardous to both cyclists and pedestrians.

A development of the type proposed, with the potential for a high number of residents for the total site, should not be placed on the perimeter of Santa Rosa but near the transportation corridor of 101 and SMART. At the present location it will significantly compound existing traffic problems.

Thank you for your attention,

Gordon Granshaw
Gordon Granshaw (GGRAN)

Response to Comment GGRAN-1

The commenter stated that the site should not be developed piecemeal and special consideration should be given to transportation and aesthetics. The project site is a discrete parcel that is designated for Medium Density Residential by the Santa Rosa General Plan and zoned for R-3-18 Multi-family Residential. The proposed project is consistent with the General Plan designation and the zoning designation for the project site. The Draft EIR discusses and mitigates for development of the proposed project only. No application for development on the adjacent parcels has been filed with the City; as such, the lack of project details precludes analysis of impacts resulting from development on these parcels. However, General Plan Buildout of Parcel 031-050-060 (Lot 60) was assumed in the cumulative analysis of this project to provide a conservative estimate of future conditions (refer to page 4-1 of the Draft EIR). Development of adjacent parcels will be subject to CEQA review when an application is submitted for development on those parcels.

Response to Comment GGRAN-2

The commenter raised concern about aesthetics of the proposed development. Refer to Master Response 1, Aesthetic Impacts.

Response to Comment GGRAN-3

The commenter stated that Melita Road is not suitable to high traffic volumes. Project impacts to roadway safety, and the Melita Road Bridge in particular, are discussed on pages 3.12-41 and 3.12-42 of the Draft EIR. A potentially significant impact is acknowledged and a mitigation measure on page 3.12-43 will reduce it to a less than significant impact.

Response to Comment GGRAN-4

The commenter stated that an outdated traffic report that is not replicable was used. An updated traffic study was completed in June 2009, and revisions and modifications to that report were made in July 2009. This report may be found in Appendix L of the Draft EIR.

Response to Comment GGRAN-5

The commenter stated that bicycle lanes are not existent on Melita Road, and that crossing Melita Bridge is hazardous to pedestrians and cyclists. Please see Response to Comment GGRAN-3.

Response to Comment GGRAN-6

The commenter indicated the location of the project, as proposed, is inappropriate. Refer to Master Response 5, Location of the Proposed Project.
January 25, 2010

Erin Morris  
Community Development  
City of Santa Rosa  
100 Santa Rosa Avenue, Room 3  
Santa Rosa, CA 95404  
Sent by email to: emorris@srcity.org


Dear Ms. Morris,

Along with many other residents of my community of Oakmont I want to express my opposition to the Elnoka Village Project. I have reviewed the plans and although I am far from an expert it is easy to see that this project is incompatible with the existing neighborhoods.

I understand the need to meet the housing needs in Santa Rosa and increased density typically is the solution. But it needs, as H-A-4 says, to be consistent with preservation of existing neighborhoods. Development of the Elnoka Village project would not be consistent. Without a doubt a four story building with parking along the highway frontage contrasts sharply with the rural feeling of Highway 12.

The plan proposes to locate a dog park, community garden and playground along the adjoining property boundary to Oakmont. While I am a lover of dogs, flowers and children the placement of these types of facilities adjacent to a senior living community seems thoughtless.

In addition a road with two rows of parking along this eastern edge also would contribute to noise. Although I am on the younger side of many of my fellow Oakmonters, we have a growing concern about security. The increased activity and access adjacent to our homes is cause for concern on the part of many of us. Currently we require little assistance from City police as crime has been at a minimum in our area. Increased activity and access can and likely would change our reliance on this city service.

Highway 12 has many attributes. It is the gateway to Santa Rosa and the rural feeling of the vineyards, small business and single story homes helps to set the tone for both residents and tourists entering the City. I’m sure that’s why it has a scenic designation. At the same time, as someone who drives that road daily, I cannot help but notice the informal monuments and signs of tragic car accidents that dot the shoulders of this roadway. While accidents can never be totally prevented, intentionally contributing to increased traffic on this stretch can only result in more unfortunate accidents.
Many years ago a project was proposed on the Elnoka site that would have been limited to seniors. Something of this nature, one storied buildings, with a lower impact on the roadways and adjacent neighborhoods still makes some sense to me. I hope that enough concern is raised by citizens and enough fault found by City officials to deny this project and cause the developer to reconsider another that works for everyone.

Sincerely,

Pat Amedeo
7618 Oak Leaf Drive
Santa Rosa, CA 95409
Pat Amedeo (AMED)

Response to Comment AMED-1
The commenter stated that the project is incompatible with existing neighborhoods. The commenter’s opposition is noted. The proposed project’s inconsistencies with the surrounding neighborhood have been identified on pages ES-2, 3.1-28, 3.8-18, and 6-1 of the Draft EIR.

Response to Comment AMED-2
The commenter stated that high-density development is incompatible with rural character of Sonoma Highway. The proposed project’s inconsistencies with the surrounding neighborhood have been identified on pages ES-2, 3.1-28, 3.8-18, and 6-1 of the Draft EIR. However, it should be noted that the proposed project is consistent with the General Plan designation and zoning for the project site. Please refer to page 3.8-17 in the Draft EIR.

Response to Comment AMED-3
The commenter stated that location of the dog park, the community garden, and the playground is incompatible with adjacent senior housing. The project is adjacent to a small area of the Oakmont Senior Community. The project would be adjacent to four lots on the western boundary of the community, which is a very small percentage of the total community, consisting of approximately 3,000 single- and multi-family residences. The pet park, community garden, and playground are allowed uses according to the General Plan designation and zoning for the site. The playground would be approximately 160 feet from the nearest residence, and the pet park and community garden would be approximately 60 feet and 40 feet, respectively, from the nearest residence. In addition, existing trees and vegetation along the eastern boundary of the project site would help to buffer the residents along this boundary from the proposed project.

Response to Comment AMED-4
The commenter expressed concern regarding noise. The proposed project’s noise impacts were found to be either less than significant or less than significant with mitigation (refer to Section 3.9 Noise). The parking area would be set back approximately 30 feet from the Oakmont Senior Community, which is greater than the 15-foot setback required by the zoning code. With regard to police services, as stated on page 3.11-15 of the Draft EIR, in a letter dated August 10, 2009, the Santa Rosa Police Department indicated that it is currently meeting their response time goals and did not identify any specific concerns regarding the proposed project. The letter is available in Appendix K of the Draft EIR.

Response to Comment AMED-5
The commenter raised concern regarding visual impacts to Sonoma Highway. As stated in Section 1 of this Final EIR, there have been two changes to the project that changed the conclusions about visual impacts. The project’s frontage to Sonoma Highway (Highway 12) has been improved. An additional setback from this scenic corridor of 10 feet has been provided. In addition to this setback width change, vegetation will be planted along Sonoma Highway, on the west side of Elnoka Lane,
on land owned by the applicant to effectively screen views of the main condominium building (Building A) as viewed from Sonoma Highway. Also relevant to visual impacts are the new, revised visual simulations that have been prepared to reflect the revised project and to correct View 2 (Exhibit 3.1-3b in the Draft EIR). View 2 now places the main building behind the grove of oak trees along the creek where it belongs. View 1 (Exhibit 3.1-3a in the Draft EIR) now incorporates the request for the additional 10 feet of landscaping along Sonoma Highway and replaces the maple trees with a native species. These project changes are found in Exhibits 3.1-3, 3.1-3e, 3.1-3f, 3.1-3g, 3.1-3h, and 3.1-3i of this Final EIR. As a result of these changes, visual impacts to scenic vistas, scenic corridors, and visual character of the site have been reduced from significant and unavoidable to less than significant with mitigation.

Response to Comment AMED-6
The commenter expressed concern regarding traffic. The proposed projects traffic impacts along Sonoma Highway were found to be less than significant. Refer to the discussion beginning on page 3.12-27, Transportation Section, of the Draft EIR. Also see Master Response 6, Traffic Impacts.

Response to Comment AMED-7
The commenter suggested a different development scenario. Refer to Master Response 7, All-age Development versus Senior Lifestyle Development.
Morris, Erin

From: Kerry Granshaw [kerryjg@gmail.com]
Sent: Wednesday, January 27, 2010 4:29 PM
To: Morris, Erin
Subject: Elnoka Village EIR

Dear Ms. Morris,

The medium density housing planned for Elnoka Village is out of character with the semi-rural area surrounding it. The three and four story buildings will tower over the homes nearby. Santa Rosa’s aims to reduce pollution and greenhouse gases would be served by having this type of development close to SMART.

This plan covers approximately 20% of the total area available. Traffic flow will be considerably increased on Melita Road, even with the units planned. This part of Melita Road is a scenic corridor, has a lot of charm and is unsuited to a high volume of traffic. The road bridge over the creek is old and at an awkward angle, and there are several blind entrances onto the road. The council has a responsibility for the safety of the residents of Melita Road.

Such housing at the entrance to the Sonoma Valley will give visitors a poor impression of Santa Rosa. I can’t imagine they will be delighted to see the first of many Santa Rosa strip malls either. They may well turn around and seek accommodation and restaurants elsewhere.

Do we really need another strip mall in Santa Rosa?

Thank you for taking note of my concerns.

Kerry Granshaw
Kerry Granshaw (KGRAN)

Response to Comment KGRAN-1

The commenter stated that the proposed project is incompatible with the surrounding area. Please refer to Master Response 6, Location of the Proposed Project, and Master Response 1, Aesthetic Impacts regarding new visual simulations.

Response to Comment KGRAN-2

The commenter stated concern regarding increased traffic. No application for development on the adjacent parcels has been filed with the City; as such, the lack of project details precludes analysis of impacts resulting from development on these parcels. However, General Plan Buildout of Parcel 031-050-060 (Lot 60) was assumed in the cumulative analysis of this project to provide a conservative estimate of future conditions (refer to page 4-1 of the Draft EIR). When an application is filed, the applicant will be required to prepare the appropriate CEQA documentation for development on these parcels. As discussed beginning on page 3.12-27 of the Draft EIR, according to the Traffic Impact Study prepared for the project, additional vehicle trips generated by the proposed project would not result in unacceptable intersection corridor operation in the existing, near-term, or long-term condition.

Response to Comment KGRAN-3

The commenter expressed concern that the development will look like strip mall. The proposed project is consistent with the current General Plan and zoning designations for the site. The proposed Neighborhood Center does not fit the definition of a strip mall, and no strip malls are proposed. The final design of the project will be reviewed by the Design Review Board for consistency with the City’s design guidelines for mixed-use developments. Proposed commercial uses are described on page 2-22 of the Draft EIR.
Morris, Erin

From: Wally Schilpp [wallyschilpp1@peoplepc.com]
Sent: Wednesday, January 27, 2010 10:48 AM
To: Morris, Erin
Cc: Wboyd12@aol.com; jkapolchok@sbcglobal.net; PAmedeo@aol.com; susanmillar@comcast.net; ova@sonic.net
Subject: Elnoka

Erin,

On the applicants' Tentative Map sheet C1, note 14 reads "A lot line adjustment involving parcels APN 031-050-062 and 063 is proposed to be processed concurrent with this tentative map. Lot areas shown reflect the adjustment. Preliminary approval of this adjustment has been granted by Community Development Engineering".

The last sentence is new. Assuming this is correct, does this indicate approval of placing a portion of building A, the pool deck, and parking spaces on parcel 063, which remains very low density and does not allow this use?

Wally

PeoplePC Online
A better way to Internet
http://www.peoplepc.com
Wally Schilpp (SCHILPP2)

Response to Comment SCHILPP2-1

The commenter raised a question about whether the City Engineer’s preliminary approval of a lot line adjustment indicates approval of the project’s proposed land uses in the vicinity of Parcel 63. The lot line adjustment does not approve land uses; the project’s discretionary development permits will address allowed uses in the various areas of the site.
Hello, Ms. Morris.

I communicated with Bill Rose about the subject project several times over the last few years. I would like to think he shared with you those emails and the content of a phone discussion but, in the event he did not, I plan to forward a particular email to you (that is, if I can find it). In the meantime I have included below the essence of an email I recently sent to Planning Commissioner Michael Allen.

*I attended a portion of yesterday’s planning commission meeting and was pleased to hear you comment on the scenic corridor status of Hwy 12 relative to the Elnoka Village project. You echoed one of what I consider to be the strongest arguments for rejecting the project.*

*At this time I am letting you know that I have strong objections to the proposed development. Over the last two years or so I have observed the steady erosion of protections/restrictions related to these parcels. I commute from Oakmont into downtown Santa Rosa every day and have experienced increasing traffic back-ups at Melita. However, while the traffic and safety issues are troubling, they are not my greatest concerns; the overall environmental issues are.*

*I do not understand how the City of Santa Rosa can allow this or any development to destroy the jewel that this gateway to the Valley of the Moon is. Also, the unique ambience of that portion of Melita should be valued and preserved. Once such a project is done, it cannot be undone. If it must be developed, it should be a project that is low profile, low density, respectful of the fact that this property serves as a buffer between Annadel and Hwy 12 (for wildlife and everyone). I feel strongly that it is the responsibility of the Planning Commission, the City’s Community Development Department, and the Santa Rosa City Council to ensure that this developer is not permitted to destroy the beauty and ambience of an area that currently brings pleasure to so many people, including tourists, nearby residents, the broader citizenry of Santa Rosa and the surrounding communities. The developer likely doesn’t care about anything but making money; i.e., there is no concern about the legacy left behind once the money is made.*

*I have more than once watched the General Plan (and an Area Plan) be changed to serve the needs of some special interest without regard to the larger community. If these Plans can be changed for the worse, why can’t they be changed for the better? Someone in a leadership position needs to fight this good fight. The development community needs to be sent a different and better message, and the larger community deserves to see evidence that its best interests are of concern to the City’s leadership.*

*Please let me know of others, who have input to and can influence the outcome, to whom I can direct my objections. Please also let me know your and/or the City’s Community Development Department’s position on the matter; i.e., whether or not you intend to recommend against it (particularly, in light of its obvious “inconsistency with the surrounding neighborhood”).*

Thank you for your time.

Elaine Bennett

02/03/2010
Morris, Erin

From: Elaine Bennett [e_bennett@sbcglobal.net]
Sent: Friday, January 29, 2010 11:11 AM
To: Morris, Erin
Subject: Fw: Elnoka Village

Here's the email forward I mentioned in my other email to you. This one went to Bill Rose in mid-2007 after a telephone discussion.

--- On Sun, 8/5/07, Elaine Bennett <e_bennett@sbcglobal.net> wrote:

From: Elaine Bennett <e_bennett@sbcglobal.net>
Subject: Elnoka Village
To: wrose@srcity.org
Date: Sunday, August 5, 2007, 3:59 PM

Hi, Bill.

This email is to reiterate in writing the sentiments I expressed in our recent telephone discussion concerning the subject project.

* The Melita area of Santa Rosa is one of the City's "jewels." To develop this area as currently proposed by Aegis is unconscionable. The existing "newer" properties on the north/west side of Melita as one approaches Highway 12 are currently valued at well over $1M because they fit beautifully with the rural nature of the area. Those on the south/east side of Melita in the same vicinity are "sprawling," on the relative scale. I believe one would call these subdivisions very low density, which is what the Elnoka property should be zoned/designated as well. I question why the General Plan does not currently reflect this designation. Perhaps it was modified years ago when designating it for seniors.

* The earlier plans to develop the property for senior housing were at least in keeping with the adjacent Oakmont development and many people purchased in the west end of Oakmont with precisely this understanding and sense of security. Such changes often lay the foundation for a progression toward a result that is so far removed from what was the better, original thinking of City staff. As I heard Aegis' representative say in the recent neighborhood meeting, "The City designates this area "medium density." I expressed to you my disgust that this developer implied medium density translates into "all ages." The City has a responsibility to the general public to maintain the rural feel (beauty) of the area and not break its commitment to its senior community. (I would have appreciated City staff clarifying for the people at that meeting that medium density does not equate to all-age housing, but I understand there are other considerations however objectionable I may find them.)

* Because of the proximity to Annadel State Park and the buffer (from Hwy 12, etc.) the Elnoka property currently affords area wildlife, the City should consider acquiring the property and preserving its undeveloped status. I observed it was recently used for firefighter training.

* Ideally, the City, in response to public outcry, will change the zoning/designation to
something "undvelopable."

These are issues that for me are even more important to quality of life than the obvious issues of traffic, water, etc. There are plenty of examples of shortsightedness; let's not make this another.

Thank you for your time and consideration.

E. Bennett
537-8775
Elaine Bennett (BENN1)

Response to Comment BENN1-1
The commenter expressed concern regarding environmental issues, in particular, traffic. Please refer to Master Response 6 regarding the traffic study.

Response to Comment BENN1-2
The commenter expressed general opposition regarding the proposed development and its impacts on the surrounding area. The comments are noted. The project referenced impacts to wildlife; these issues are discussed in Section 3.3 of the Draft EIR on pages 3.3-1 through 3.3-27. Development of low-density housing on the site would be inconsistent with General Plan and zoning designations for the site. Also see Master Response 1, Aesthetic Impacts.

Response to Comment BENN1-3
The commenter stated that the General Plan should be changed to serve the larger community. The comment regarding desired changes to the General Plan designations is noted; however, the comment addressed issues that are outside the scope of this project.

Response to Comment BENN1-4
The commenter requested information on additional contacts. Comment requesting additional contacts is noted.

Response to Comment BENN1-5
The commenter questions the General Plan designation for the proposed project. Refer to Master Response 7, All-age Development versus Senior Lifestyle Development.

Response to Comment BENN1-6
The commenter expressed concern about impacts on senior housing. Refer to Master Response 7, All-age Development versus Senior Lifestyle Development.

Response to Comment BENN1-7
The commenter suggested that the City acquire the project site. The comment is noted; however, the comment addressed issues that are outside the purview of CEQA for this project.

Response to Comment BENN1-8
The commenter stated that the City should change the zoning designation for the project site in response to public opposition. Comment is noted; however, the comment addressed issues that are not part of this project.
I would like to submit my 2008 Press Democrat, Sonoma-Index Tribune, and Kenwood News article Sonoma Valley's Dilemma: Highway 12 for your perusal and to serve as a comment within the 55 day comment period ending February 3rd regarding the Draft EIR for Elnoka Village. Unfortunately, death, injuries, and accidents have increased exponentially since this was published. I can come up with updated stats from CHP but not within your comment period. If, however, I can submit after this period, please let me know. Thanks for your consideration.

Dick Starr
7211 Oak Leaf Drive
Santa Rosa, CA 95409
(707) 538-2692
djstarre@sbcglobal.net
Sonoma Valley’s Dilemma: Highway 12

by dick starr

Certainly, Sonoma Valley’s earliest inhabitants – including Miwok, Pomo, and Wintun, followed by the Spanish, Mexicans, and a band of Americans in 1846 under Col. John Fremont – would not recognize the present valley.

Sonoma Valley is presently home to Schellville, Boyes Hot Springs, Glen Ellen, Kenwood, Oakmont Village, the Sonoma Valley Film Festival, regional and state parks including the home of Jack London, dozens of vineyards and wineries and a rapidly growing population.

Despite the proliferation of wineries with their escalating number of special events, the Valley of the Moon still offers a unique wealth of history and splendor. Sonoma Vintners and Growers Association has over 350 members, scores of them in the valley accessing Highway 12. Sonoma Valley has also been designated as an American Viticultural Area (AVA): a geographic area designated by a branch of the Federal Government as a wine growing region.

Defining the valley and connecting Santa Rosa to Sonoma, a section of Highway 12 cuts a swath between two mountain ranges, the Mayacamas to the east and the Sonoma Mountains to the west. Rising regally from the valley floor are Hood, Sugar Loaf, and Sonoma mountains with their bucolic trails.

Winding through some of the most idyllic and stunning venues Sonoma has to offer, this contentious thoroughfare has endured a toll of increasing trucks, as well as commercial, tourist and commuter traffic that tasks the original structural road design and presents one of the most hazardous stretches in the county. In addition to the increasing glut of traffic, the roadway is plagued by a string of vehicles pulling out of side roads, wineries and residences into fast moving traffic as well as vehicles turning left off of the highway without adequate signaling.

This has created an increase in law enforcement and emergency vehicles responding to medical assistance, heightened crime, speeding, DUIs, accidents and death.
Last September, Kenwood firefighter Brian Fletcher was killed at Highway 12 and Adobe Canyon Road in an attempt to avoid a vehicle driven by a 72 year old woman turning left in front of his motorcycle.

Statistics reported by the Press Democrat last fall reveals 15 deaths between 2000 and 2007. CHP reports over 186 accidents between Los Alamos and Trinity roads between January 2005 and April 2008. Of those, 21 collisions have occurred since October 2007 comprising 4 DUIs and 7 injury producing accidents leaving 8 people injured.

At last count, Sonoma County has one of the highest bicycle vehicle death rates in the Bay Area, as reported by the CHP. While biking on Highway 12 several years ago, Alan Liu and Jill Mason were hit by a drunk driver killing Liu and paralyzing Mason.

With these concerns in mind, an Oakmont group has recently made overtures to address speed reduction and to lower the noise level and carbon emissions leaching from Highway 12 through an aging and porous fence perimeter extending about one mile between Oakmont Drive and Pythian Road. The group hopes to rally relevant local, county, and state factions together in an attempt to implement measures for change.

There have been encouraging responses from State Assembly member Noreen Evans, State Senator Pat Wiggins, and Susan Smith with the Sonoma County Transportation Authority. Planned is to arrange a meeting with the Santa Rosa Police, CalTrans, the CHP, the Sonoma County Transportation Authority, and Santa Rosa Mayor Bob Blanchard.

While previous efforts from Oakmont have been for naught, perhaps, because of the increasing numbers of concerned Valley occupants, the current endeavor will bear fruit.
Dick Starr (STARR)

Response to Comment STARR-1

The commenter expressed concerns about traffic. Please see the Master Response 6, Traffic Impacts regarding the traffic study.
Morris, Erin

From: Patricia Steele [queenbee@pacbell.net]
Sent: Friday, January 29, 2010 10:32 AM
To: Morris, Erin
Subject: Elnoka Village EIR

Dear Ms. Morris,

I am writing to give you a few concerns about this proposed development.

Since I live in the Melita Meadows home development, I see a few concerns with increasing the density in this area. Cars and trucks routinely use this small extension of Melita Road to avoid Hwy 12 between Los Alamos Road and the Hwy 12 light at Melita Road. We already experience many speeders, litter throwers, and dangerous drivers who turn wide to avoid the sharp corner at the road bridge that covers Santa Rosa creek. My son barely avoided a driver who was in his lane while crossing that bridge. I would hate to see an accident that could be avoided with proper planning.

The development was originally scheduled to be seniors only but has changed to include low income and medium density. The main entrance should be off of Hwy 12, and Melita Road should only have an emergency road for fire and other emergency vehicles.

I would welcome your questions and would be delighted to speak to you or correspond via email. Thank you for all the work you do to keep Santa Rosa a wonderful city to live in.

Regards,

Patricia Steele
538-9040
Patricia Steele (STEELE)

Response to Comment STEELE-1
The commenter raised traffic safety concerns that are due to high-density development. Please refer to Master Response 6, Traffic Impacts regarding the traffic study.

Response to Comment STEELE-2
The commenter stated that the proposed project has been changed to include low-income and medium-density housing from senior housing. The Draft EIR does not analyze the previous General Plan or zoning designations for the property but is instead limited to evaluating the environmental effects of the proposed project, which is consistent with the General Plan designation and zoning for the site. Also refer to Master Response 7, All-age Development versus Senior Lifestyle Development.

Response to Comment STEELE-3
The commenter stated that the main entrance to the project should be from Sonoma Highway and that Melita Road should be used for emergency access only. The proposed project would have ingress and egress to Sonoma Highway and to Melita Road via an approximately 1,000-foot roadway (Road A) extending west on an easement obtained from the property owner to the south. These two points of access would allow emergency responders to enter the proposed project from either side of the site, which would provide adequate emergency access. In addition, the proposed project would offer an emergency access easement to the neighboring Oakmont community, which currently relies entirely on Sonoma Highway for emergency access. Also refer to Master Response 6, Traffic Impacts and Response to Comment STEELE-1.
January 30, 2010

Dear Erin Morris,

This is regarding ELNOKA VILLAGE draft EIR.

I live at 6070 Melita Road and have great concern regarding vehicular access from Melita Road.

Having lived on Melita Road since 1975, I have seen many changes over the years.

Initially traffic was light. It was very rural then, with lots of horse properties and traffic was slow. (This was mainly due to potholes, which worked as effective speed bumps.)

When Melita was paved, everything changed. Traffic speeded up and we started having accidents. Cars crashed into our pasture and into our Oak trees. We had at least four crashes on our property. Our neighbors, too, had cars land on their property.

As a result of these accidents, signs were put i.e. warning narrow bridge 20 mph, 30 mph, curve 20 mph.

Today we have more traffic and many drivers do not observe the speed limit. Last year there were two accidents on my property. On vehicle crashed into the power pole. This November a car crashed into my pasture fence and the live Oak. Fortunately, the animals were in another pasture.

To consider using Melita Road as access to Elnoka would truly have a negative impact on our lives. It would create more traffic, more speeding cars and more safely concerns for us.

For these reasons, I sincerely hope you deny using Melita Road as access for the Elnoka Project.
Yours truly,

Gertrude Reynaud
Gertrude Reynaud (REY)

Response to Comment REY-1
The commenter noted that traffic conditions have changed on Melita Road. The comment is noted.

Response to Comment REY-2
The commenter noted that current traffic has increased and that she has had traffic accidents on her property. The comment is noted.

Response to Comment REY-3
The commenter stated that using Melita Road for access to the Elnoka project site would have traffic impacts. Please refer to Master Response 6 regarding traffic impacts.

Response to Comment REY-4
The commenter hopes the City will deny using Melita Road as access to the Elnoka project site. The comment is noted.
January 30, 2010

Chairperson Duggan,
Santa Rosa Planning Commission
City of Santa Rosa
100 Santa Rosa Ave,
Santa Rosa, CA 95404

Re: DEIR, Elnoka Village Project

Dear Sirs:

Under Land use (LU-2), the DEIR concedes that the project as proposed is NOT consistent with all the applicable provisions of the General Plan, but the impact, in spite of this, is LESS Than Significant.

How could allowing a huge 4-story building, 1466 additional vehicle trips and an overbearing and incompatible project of this kind be construed as of NO Significant Impact?

Please see that this development conforms to the General Plan and local zoning ordinances for the Oakmont area of Santa Rosa.

Sincerely,

Will Haymaker
Will Haymaker (HAY)

Response to Comment HAY-1
The commenter stated that the proposed project is inconsistent with applicable provisions of the General Plan. Refer to Master Response 3, Land Use Consistency Impact Conclusion.

Response to Comment HAY-2
The commenter raised concern about traffic and incompatible building size. With regard to traffic, please refer to the Master Response 5 about the traffic study. With regard to the size of the building, refer to Master Response 1, Aesthetic Impacts. Please note that the Draft EIR concludes that the height of the project is inconsistent with the height of surrounding residences.

Response to Comment HAY-3
The commenter requested that the project conform to the General Plan and zoning ordinances for the Oakmont area of Santa Rosa. With very few exceptions, the proposed project is consistent with the General Plan and zoning designations for the project site. It is not required for a project to be completely consistent with all applicable ordinances.
Morris, Erin

From: Robert Bissiri [bobjohn3@gmail.com]
Sent: Sunday, January 31, 2010 4:03 PM
To: Morris, Erin
Subject: Melita Road Bridge

Sir,
I wish to call to your attention to the traffic impact upon the narrow Milita Road Bridge located a short distance from the proposed Elnoka Project, on Melita Rd. crossing the Santa Rosa Creek. This bridge is listed as one of the historic bridges of the U.S. in Santa Rosa County and was built in 1915 almost 100 years ago. It should be preserved intact but increased traffic on Melita Rd. by approving Elnoka could in the future spell its demise. Please consider the future as when the little bridge is gone its gone for good.

Most respectfully yours,
Robert Bissiri
Calif. Native Son
Robert Bissiri (BISS)

Response to Comment BISS-1

The commenter raised concern that the traffic would impact the Melita Road Bridge. CEQA analysis of impacts to historical resources is limited to impacts that would cause a substantial change to the historical significance of the resource (refer to Thresholds of Significance on page 3.4-7 of the Draft EIR). The proposed project does not include any alterations to Melita Bridge that would affect its significance as a historical resource; therefore, no impact would occur from implementation of the proposed project. Also note that any unrelated repairs or alterations to the bridge would be required to comply with applicable regulations that consider the historical significance of the Melita Bridge.
January 31, 2010

Erin Morris, Senior Planner and
Chairperson Vicki Duggan and
Members of the Planning Commission

Re: Draft Environmental Impact Report
Elnoka Village Project

Erin Morris, Senior Planner,
Vicki Duggan Chair and Members of the Planning Commission:

The scale of the proposed project, much of it immediately adjacent to the backyards of Oakmont Seniors, is dramatic in its size and scale and totally inconsistent with the adjacent Oakmont homes and the buildings and developments in the surrounding area. In addition, the developer is planning to locate a dog park, playground and parking for 50 cars, plus the removal of 21 trees (which could serve as buffers for any future development) in the area directly adjacent to Oakmont residences. This is totally incomprehensible and defies all reason. How could the developer expect the seniors of Oakmont to live out their remaining years adjacent to a dog park, or a parking lot that is illuminated day and night? Is this how we treat our seniors? Would you like the property next to your home rezoned for a dog park or parking lot with a 3 to 4 story apartment complex? Would you want this project placed directly next to your parents retirement home?

It was not too long ago, (actually these homes were built around 1992 and are known as Gallaher homes in Oakmont) that the purchasers of these properties were assured by the representatives of the developer that the Elnoka property, then named “Three Bridges,” was zoned Senior Living. How times have changed. After the present owner and developer threatened the city of Santa Rosa with a law suit, the City Council caved in and changed the zoning to R-3-18 (Medium Density Residential).

Several months ago, Cittaslow, an International Group, selected Sonoma Valley (and the City of Sonoma) as the first area of the United States to be designated a “Slow City.” Cittaslow, translated from the Italian as “slow city,” espouses a philosophy of sustainability and restrained growth. Sonoma, the town as well as the Valley, joins 129 communities in 29 countries to be so designated. Officials have said this designation will add to the tourist appeal of this beautiful area. How does the Elnoka developer justify building this totally incompatible development with 3 to 4 story apartment buildings plus a commercial component immediately adjacent to a senior residential community in the Sonoma Valley. Do we want to destroy the appeal of this Valley by building 3 to 4 story apartments on 9 acres immediately adjacent to the homes of senior citizens (who by the
way purchased their homes in good faith from the same developer that now threatens their peace and quiet with a 3 to 4 story apartment complex and commercial components, plus a dog runs, play ground, etc. immediately adjacent to their homes?.

If the Environmental Impact Report and the Planning Commission do not come to the conclusion that the Elnoka Development as proposed has an enormous negative (aesthetically and visually) impact on the quality of life in the Sonoma Valley and the project is allowed to proceed as proposed, we can only shake our head and say to the developer and the city of Santa Rosa: “Is this how we treat the residents of a model Senior Community?” Our concerns have not even addressed the traffic impact of this project on Highway 12, which as everybody that travels on Hwy 12 knows, will be horrendous.

Respectfully submitted,

[Signature]

Elisabeth and James Keating
6327 Meadowridge Drive
Santa Rosa, Ca. 95409
Tel. 707-538-4193
Elizabeth and James Keating (KEAT)

Response to Comment KEAT-1
The commenter expressed concern regarding incompatible land use and light and illumination. The proposed project is consistent with the General Plan designation and the zoning designation for the project site. The size and scale of the Elnoka Village project allows the project to provide low-income housing while preserving sensitive areas of the project site (Melita Creek and oak groves), and providing amenities to its residents as is required by the City’s Design Guidelines. The General Plan designation and zoning for the site allow residential accessory uses such as a pet park, a children’s play area, and required parking areas. As stated on pages 3.1-14 and 3.3-19 of the Draft EIR, only five trees would be removed by the proposed project, and as stated on page 3.3-27, all tree removal shall comply with the provisions of Santa Rosa City Code Chapter 17-24. Over half of the required parking on Lot 2 would be provided in an underground parking garage. Illumination associated with the parking adjacent to the Oakmont Senior Community would be buffered by existing trees and vegetation along the eastern boundary of the project site. Also, please refer to Master Response 1, Aesthetic Impacts regarding new visual simulations.

Response to Comment KEAT-2
The commenter mentioned that the previous zoning was Senior Living. The comment is noted. A CEQA analysis must evaluate the proposed project according to the existing condition. As stated on page 2-15 of the Draft EIR, in 2002, the site was designated for Medium Density Residential as part of the General Plan Update in order to meet the City’s housing goals and state requirements. In 2008, the site was rezoned as Multi-Family Residential to be consistent with the General Plan designation. The proposed project is consistent with those designations. Evaluation of previous designations and plans for use of the project site are outside the purview of CEQA for this project.

Response to Comment KEAT-3
The commenter remarked that the Sonoma Valley was designated as “Slow City” and raised concern regarding incompatible land use. Only governmental designations are recognized by a CEQA analysis. Regarding the location of the proposed project, refer to Master Response 5, Location of the Proposed Project. Regarding the pet park and playground, refer to the Response to Comment KEAT-1.

Response to Comment KEAT-4
The commenter remarked that the proposed project would have negative environmental impacts. Comment noted.

Response to Comment KEAT-5
The commenter expressed concern about bad traffic conditions on and impacts to Sonoma Highway. Please refer to Master Response 6, Traffic Impacts concerning the traffic impact study.
Morris, Erin

From: Joe Wieght [jwiegert@sbcglobal.net]
Sent: Sunday, January 31, 2010 10:17 AM
To: Morris, Erin
Subject: EIR report for Elinoka Village

To whom it may concern,

Regarding the EIR report for the Elinoka Village planned development project off Highway 12 in Santa Rosa, the architectural design of the proposed development does not appear to conform to any current development along the scenic Highway 12 corridor. I know of no 4 story building, underground parking or mix use condo development. The absence of these types of developments are not accidental, but decisions by the planning commissions to preserve the semi-rural feel of the area. First impressions are often the lasting impression and I don’t believe that having a first visitor’s impression of Santa Rosa being a large four story building obstructing the view of the Annadel Park to be the image of Santa Rosa that we want to project.

Regarding the traffic flow of West bound travel out of Elinoka Village onto Melita Road, they is no way the 209 condos and a commercial development will not have an impact on the traffic on Melita Road. Any traffic going West will be required to exit Elinoka Village onto Melita Road. Drivers will turn left and travel down Melita Road and over the bridge rather than wait for the stop light on Highway 12. The residents on Melita Road have been working with the county on traffic claming issues for a few years with no viable solution. Adding addition traffic will only make the problem worse.

Thank you for your consideration,

Jerome Wieght
Jerome Wiegert (WIEG)

Response to Comment WIEG-1
The commenter expressed concern that the project does not conform to surrounding development, and expressed his opinion about City Planning Commission decisions to preserve the semi-rural feel of the area. Regarding conformity with existing, surrounding development, please refer to Master Response 4, Project Consistency with General Plan policy H-A-4. Regarding the intended land use and character of the proposed project, refer to Master Response 5, Location of Proposed Project.

Response to Comment WIEG-2
The commenter expressed a concern about the impression the proposed project would give and that the project obstructs views of Annadel State Park. Please see Master Response 1, which discusses aesthetic impacts on ridgelines.

Response to Comment WIEG-3
The commenter expressed concern that the project will have traffic impacts on Melita Road. Please refer to the Master Response 6, Traffic Impacts regarding the traffic impact analysis.
Hi, Erin.

In light of the time constraint, please do treat my emails as responses to the Draft EIR. Please also include this email and reply confirming its timely receipt for inclusion in the Final EIR (per your guidance below).

I have in my possession a copy of the January 12, 2010 8-page letter from the Oakmont Village Association RE: Comments on the Draft Environmental Impact Report - The Elnoaka Village Project, which was directed to Chairperson Duggan and the Members of the Planning Commission. Based on its content and the comments made by the planning commissioners at the meeting on January 14th, I had concluded the DEIR is inadequate, if not inaccurate. Accordingly, I'm having difficulty with your mentioning certification of it in its present form. I do not want to offend you, however, there is a lot at stake here. I understand that you and other City staff have put a great deal of effort into this document but can you please explain to me how/why it doesn't address General Plan Policy H-A-4, which speaks to the requirement that the development be designed in context with the existing, surrounding neighborhood?

Thank you,

Elaine

----- Original Message ----- 
From: Morris, Erin
To: Elaine Bennett
Sent: Monday, February 01, 2010 10:53 AM
Subject: RE: Elnoaka Village

Hi Elaine,

I received your e-mails (including the 2007 e-mail) and will do my best to respond. If it would be helpful to you, I am available to converse by phone; I have often found that dialogue is superior to e-mail exchanges in certain instances, although e-mails are great for many purposes as well.

At this time, the City is in the midst of the Environmental Impact Report process for the Elnoaka Village project. This means that my efforts as the City's project manager are focused on the EIR, which is currently circulating for public review and comment (the comment period ends this Wednesday, February 3). A considerable amount of my effort went into the Draft EIR, because it is intended to be a helpful, informational document that will be useful to City staff and future decision makers for the project itself. My efforts (and the efforts of other development review staff in other departments) related to the project will resume once the EIR is certified.

My best advice to you is to read the Draft EIR, which is available at multiple locations and on-line, and provide written comments regarding the document and the environmental effects of the project. Any comments that you provide, by e-mail or mail, by February 3 will be included in the Final EIR with a written response. The Final EIR, which includes the Draft EIR, the comments, and the response to comments, will go to Planning Commission and Council ahead of the project.

If the e-mail below, or the one you forwarded to me, is intended to provide comments on the EIR, please let me know right away and I will ensure that these items are included in the Final EIR.

I hope this message is responsive to your comments and questions, but feel free to write back or call if I can

02/03/2010
Elaine Bennett (BENN2)

Response to Comment BENN2-1

February 1, 2010

Erin Morris, Senior Planner  
City of Santa Rosa  
100 Santa Rosa Avenue, Room 3  
Santa Rosa, CA 95494

Re: Elnoka Village Draft Environmental Impact Report

Dear Ms. Morris and other members of the City of Santa Rosa Planning Commission:

As residents of Santa Rosa living in the neighborhood directly across the highway from the Elnoka Village Project, we would like to express our strong opposition to the proposed project. The idea of a multi-story residential complex with additional retail business structures going up in that location is disturbing. The project site is located on Hwy 12, at the end of the Valley of the Moon scenic route, and is part of the eastern entrance to the city of Santa Rosa. A project of this type does not fit in here aesthetically, as this area serves as more of a transitional area between the picturesque vineyards, wineries, and mountains, and a large suburban city.

A mistake like this happened before when the Valley of the Moon Shopping Center (corner of Melita Road and Hwy 12) was approved several years ago. Even some city officials agreed that seeing a Taco Bell and a 24-hour mini-mart there was not an aesthetically pleasing sight to see when entering Santa Rosa from the east. That project should never have been approved for many of the same reasons that the Elnoka Village Project should not be.

However, it is there now, and those of us who live in the surrounding neighborhood have had to live with it - the additional garbage on our streets (from the mini-mart and formerly from the Taco Bell and Baja Taco fast food chains that used to be there), much more noise and traffic, and people parking/loitering on our streets while they eat/drink. Moreover, when the mini-mart sold liquor, we frequently saw beer bottles strewn along Somerville and Melita Roads and drunk drivers drinking in their cars at all hours.

This is a quiet, rural neighborhood, and as you can see, that project created a number of problems for those of us who live here. I hope you can understand our concerns, as it is nearly cattycorner from the proposed Elnoka Village Project.

With regard to the Elnoka Project itself, there is much to be concerned about. It would be aesthetically unappealing to see a two- three- or four-story building go up in such a rural, scenic area - and even more so when you add that it would stand higher because it is on a hillside. There would also be glare issues with all the windows necessary for such a project. The additional businesses and residences would create much more noise and traffic that would bog down this already strained two-lane highway and potentially cause air quality issues for those of us who live here. In our neighborhood, we all rely on individual wells for our water sources. Could the additional traffic, pollution, business waste, and such do harm to our wells or water quality?

This project is simply not appropriate for the location. Please do not allow this beautiful transition area, at the eastern entrance to the city of Santa Rosa, to be marred by a project that is better suited to another part of the city.

Sincerely,

Steve & Lisa King  
200 Somerville Road  
Santa Rosa, CA 95409
Steve and Lisa King (KING)

Response to Comment KING-1
The commenter’s opposition to the proposed project is noted. With regard to the location of the project, refer to Master Response 6, Location of Proposed Project.

Response to Comment KING-2
The commenter identified some issues with a previous project. With regard to the Valley of the Moon Shopping Center, this CEQA analysis addresses only the proposed Elnoka Village project.

Response to Comment KING-3
The commenter expressed a concern about the project’s consistency with the surrounding development and its aesthetic impacts. With regard to consistency with the surrounding development for 2020 General Plan Policy H-A-4, please refer to Master Response 4, Project Consistency with General Plan Policy H-A-4. With regard to aesthetic impacts, light and glare impacts are addressed on page 3.1-29 of the Draft EIR and were found to be less than significant.

Response to Comment KING-4
The commenter raised concern regarding traffic, noise, air quality, wells and water quality. The proposed project’s noise impacts were found to be less than significant. Refer to Section 3.9, Noise, beginning on page 3.9-1 of the Draft EIR, particularly Impact NOI-2, beginning on page 3.9-20 as it addresses noise impacts resulting from additional traffic. The proposed project’s air quality impacts were found to be less than significant. Refer to Section 3.2, Air Quality, beginning on page 3.2-1 of the Draft EIR, particularly Impact AIR-2, beginning on page 3.2-26, as it addresses carbon monoxide from vehicle exhaust. With regard to water quality and wells, potentially significant impacts were analyzed on pages 3.7-8 through 3.7-12. Each impact was found to be less than significant with mitigation. In addition, the applicant’s engineer has prepared a new stormwater management plan that reflects more rigorous requirements for onsite infiltration of stormwater. This revised plan is included as Appendix M-2 of the Final EIR.

Response to Comment KING-5
The commenter believes the project is inappropriate on the proposed location. Please refer to Master Response 5, Location of Proposed Project.
Erin Morris  
Senior Planner  
Dept. of Community Development  
City of Santa Rosa

I am at a loss to understand why this DEIR omits any reference Santa Rosa General Plan Policy H-A-4 (H-A-2 in the 2035 draft GP). This is the policy under which parcel APN-031-050-062 was rezoned in the General Plan from very low residential density to medium density residential in 2002.

In the draft EIR, Land Use Section 3.8.5, under the heading Thresholds of Significance, states that "...land use impacts resulting from implementation of the proposed project would be considered significant if the project would:

a.) ____________________

b.) Conflict with any applicable land use plan, policy, ............ (including ..... the general plan ......) adopted for the purpose of avoiding or mitigating an environmental effect?" 

The draft EIR, on page 3.8-15, General Plan Consistency, states in the Summary section on page 3.18-19, "The proposed project is consistent with most General Plan policies and the applicable zoning requirements. As discussed above, significant and unavoidable impacts were indentified in Section 3.1, Aesthetics and Section 3.12, Transportation related to inconsistency with General Plan, Design Guideline, and Transportation Policies. ............... With the exception of those previously identified impacts, no new impacts related to consistency with applicable land use plans or policies were indentified. Accordingly, impacts would be less than significant.

This project is in a highly significant conflict with General Plan Policy H-A-4, yet completely ignored in this draft EIR! Why?

Sincerely,
Wally Schilpp
252 Belhaven Ct.
Santa Rosa 95409

PeoplePC Online
A better way to Internet
http://www.peoplepc.com
Wally Schilpp (SCHILPP)

Response to Comment SCHILPP1-1
The commenter wants to know why an evaluation of the project’s consistency with 2020 General Plan Policy H-A-4 was not included in the Draft EIR. An evaluation of 2020 General Plan Policy will be included in the Errata section. Also refer to Master Response 4, Project Consistency with General Plan Policy H-A-4; Master Response 3, Land Use Consistency; and Master Response 2, Approach to Land Use Consistency Analysis.

Response to Comment SCHILPP1-2
The commenter stated that project is in conflict with the Policy H-A-4. Refer to response to SCHILPP1-1.
Mrs. Morris: I reside at 6003 Melita Road, am a widow, and dearly dread the funneling of the proposed residents into our countryside road. This a narrow, crooked, country road was never intended for heavy traffic. There is no way to believe that intended residences of Elnoka Village will turn left from Melita to Highway 12 when a "Indy 500" is available! Recently, a stop sign has been installed at the convergence of Los Alamos and Melita Road. This has helped somewhat by forcing (if they think no one is watching) a stop at that intersection, but has not stopped the speeding. Because I am an ardent gardener, I witness many a speeder.

This is a rural area. Why large apartment-type buildings? In today's environment many will go vacant, causing a ghetto. Santa Rosa should be ashamed! What we do for additional TAXES without full impact consideration!

This past year to the present, deer, skunks, and turkeys have been killed just in the short span of approximate one mile. All occurring in daylight hours. Entrance to my shared driveway demands I slow down considerably before making my turn. Even with signals on, I have had many a teen or pickup driver come close to rear-ending me (or worse, pass!)

Many of the residents of our area are seniors, as am I. The accidents which have occurred have not been caused by them, but by speeders. Allowing additional potential problems to exit onto this small portion of Melita Road will certainly not help;

a) Accident prevention
b) The potential of additional policing of this small portion of Melita,
c) Continuation of country environment - the main reason my husband and I moved here.

At present, I am very upset with Santa Rosa management of this problem. It could have been handled differently.

Mrs. Anthony Estrada
537-8490 (unlisted)
Vivian Estrada (ESTRADA)

Response to Comment ESTRADA-1
The commenter raised concerns about traffic along Melita Road. Please refer to the Master Response 6 regarding the traffic impact analysis.

Response to Comment ESTRADA-2
The commenter raised concern regarding location and type of development. In response to the question, “Why large apartment-type buildings?”, as stated on page 2-15 of the Draft EIR, in 2002, the site was designated for Medium Density Residential as part of the General Plan Update in order to meet the City’s housing goals and state requirements. In 2008, the site was rezoned as Multi-Family Residential to be consistent with the General Plan designation. The proposed project is consistent with those designations. Also see Master Response 5, Location of the Proposed Project.

Response to Comment ESTRADA-3
The commenter raised concerns about traffic in the project vicinity. Please refer to Master Response 6, Traffic Impacts regarding the traffic impact analysis.

Response to Comment ESTRADA-4
The commenter raised concerns about traffic along Melita Road. Please refer to the Master Response 6 regarding the traffic impact analysis.
February 2, 2010

Helene Morneau & Bob Landman
6066 Melita Road
Santa Rosa, CA 95409

To: Erin Morris, Project Planner
Subject: Elnoka Village Project: comments to Draft EIR

Dear Ms. Morris,

I have reviewed the DRAFT EIR for the above project and wish to share my comments and concerns with you.

**Scenic Vistas/Scenic Highways:** I am deeply concerned with the visual impact this project will have along our scenic corridor. As you drive into Santa Rosa from the east, this is one of the last large, beautiful pieces of land remaining as you enter the city limits. As you leave the city, it marks the beginning of the beautiful drive through Valley of the Moon. The oak trees, creek, rolling hills and distant vistas of Anadel State Park, all contribute to the beauty of this site and encapsulate the essence of Sonoma County. The site is surrounded by rural residential properties, state park and Oakmont Senior Center. The addition of three ‘large’ two, three and four story buildings and parking is a jarring, visual insult. This project, if built as proposed, will greatly degrade the beauty and character of the surrounding areas.

**Alternative Transportation:** The lack of pedestrian access to the westbound bus stop at Melita/Hwy.12 is an obvious gap. The lack of current bicycle routes is another weak factor which I don’t believe the DEIR addresses accurately. The DEIR states there are bicycle routes along Hwy 12 and Montgomery Drive. Both of these statements are true but only in part. The bike lanes on Hwy 12 do exist but with great safety concerns due to 55-mile per hour vehicles speeding by you. The statement about bike lanes along Montgomery Drive is misleading. Yes, while there are current bike lanes, it is so for a very short distance. The bike lanes start west of Los Alamos and end shortly west of Spring Lake Court where Montgomery becomes a very narrow, two-lane road with no room for a cyclist to safely and comfortably ride. I don’t anticipate this changing any time soon given the constraints of this segment of road. The bike lanes do not resume again until you approach Mission Dr.

**Transportation:** I’m a bit puzzled that the DEIR finds levels of ‘less than significant impact’ w/ an average of 1,214 additional daily trips. I’m also unclear as to whether I’m correctly understanding when the data was taken. If the survey was done in 2000, I find it unfathomable that a project of this scale, would use data so outdated. My main concern w/ the project’s handling of its traffic flow, is the absence of a traffic signal at Hyw 12. It is inconceivable that so many cars would exit on to Melita Rd. rather than Hyw 12, due to their inability to make a left hand turn to head west when leaving the project. The DEIR traffic study estimates that a mere 25% would head south on Melita while 65% would head north to the traffic light at Melita and Hwy. 12. I find this assumption totally erroneous. In the number of years we have lived here, traffic has increased greatly as it has throughout the county. I know that Melita Rd. has become a shortcut to many as a way to bypass some parts of Hwy 12. I also realize that Melita Rd. will remain a ‘shortcut’ for many heading out of Elnoka but to encourage and divert them out that route, is ludicrous. Not only is it not appropriate to impact the rural neighborhood in this way, but the safety issues are a huge concern. As it is now, the narrow two-lane bridge crossing on Melita is a bit treacherous as a pedestrian. The 3-way stoplight that has
been added at the Melita/Los Alamos intersection has helped to slow down traffic. However, visibility is still poor and it still remains a very narrow passageway that poses great safety threats. Neither of these critical factors can be changed do to the nature of this bridge. We will greatly feel the impacts of the additional traffic, regardless of what the DEIR states. They could however, be minimized to a certain degree with the addition of a traffic signal at the main entrance of the project.

**Grading/ground water concerns**: The DEIR states that the project does not require extensive grading. The grading cuts at the buildings as seen on the sections look fairly significant to me. Also, does not underground parking require a fair amount of grading? The DEIR also states that wells will be abandoned appropriately. My concern is that of disrupting groundwater supplies and/or interfering with ground water flows. As you may know, there are many of us who draw water from our wells throughout the surrounding area. How can we be assured that our water will not be adversely impacted by the grading being done on the site? The DEIR states that ground water was found at a depth of 11.5’ while an earlier study found water as shallow as 3’.

**Green Project**: I find that it is a bit of a stretch for the developers to call this a green project. The mere fact that most of these young families will have to get in their cars everyday to go to work and to access most services makes this anything but green. I seriously doubt that the commercial portion of this project will reduce these daily trips significantly. A commuter/transit oriented program would do far more to create a ‘green’ project than having a hair salon nearby. I did not see in the DEIR anything about reducing energy use thru use of solar panels, etc. I also noted that the DEIR refers to Santa Rosa has having an annual rainfall of 30”. It’s been a few years since we have seen this kind of rainfall and even if we appear to be having a wet winter, it is unlikely that we will make up for past years. Shouldn’t the DEIR be current with its data on something as critical as water?

In concluding, I believe that the best alternative for this project is Alternative 3. In addition to what the DEIR states as reasons to consider, I believe that it is the alternative that best preserves the character of the area (second of course to Alternative 1 which is doing nothing). It is the alternative that is most compatible to its close neighbor, Oakmont. It is the alternative that would be the kindest project to the environment as it would minimize traffic and noise impacts.

I also wish to add that it is a gross oversight on the part of the City of Santa Rosa to not demand a more wholesome and complete overview of this property. All of these findings and recommendations are based on a project that is addressing a quarter of the entire property. How can the City make intelligent, long-term decisions for the community without knowing what the remaining 45 plus acres hold? How do you adequately address traffic impacts? Water use? Greenhouse gases?

This is one of the last remaining, beautiful and unique, parcel of property in this area of the county and its future should be planned thoughtfully and responsibly.

Thank you for considering my comments and I hope you will pass this on to members of the Planning Commission.

Best Regards,

Helene Morneau
Helene Morneau (MORN)

Response to Comment MORN-1
The commenter raised concern regarding visual quality of the area. Please refer to the Master Response 1, Aesthetic Impacts regarding the project’s aesthetic impacts, and Response to Comment AMED-5.

Response to Comment MORN-2
The commenter expressed concern about analysis of impacts on alternate forms of transportation, including pedestrian access to the westbound bus stop and bicycle routes. As stated in Section 1 of this Final EIR, after the close of the public comment period the applicant agreed to add a traffic light at the intersection of Elnoka Lane and Sonoma Highway, which permits safe left turns onto westbound Sonoma Highway, and will provide pedestrian access across Sonoma Highway. This change will reduce a significant and unavoidable impact to alternative forms of transportation to a less than significant impact. Also please refer to Master Response 6 regarding traffic impacts, and Response to Comment JONES-3.

Response to Comment MORN-3
The commenter expressed concern about the impacts of project related traffic. Please refer to the Master Response 5 regarding traffic impact analysis.

Response to Comment MORN-4
The commenter raised concern that grading will impact groundwater and wells. The proposed project’s impacts with regard to grading and erosion are discussed beginning on page 3.5-10 of the Draft EIR. As stated, a Stormwater Pollution Prevention Plan (SWPPP) would be prepared for the project and Best Management Practices (BMPs) would be implemented. Mitigation Measure HYD-1 on page 3.7-9 of the Draft EIR would insure that an SWPPP and BMPs are conducted and that impacts with regard to erosion and water quality would be less than significant. Impacts resulting from improper abandonment of wells are discussed beginning on page 3.7-11 of the Draft EIR. Mitigation Measure HYD-3 is proposed to ensure the effects of the well removal would not impact groundwater. With regard to disruption of groundwater supplies or flows, as discussed on page 3.7-12 of the Draft EIR, the proposed project will obtain potable water from the City of Santa Rosa’s water system, which relies primarily on surface water supplies; the detention basin and permeable asphalt pavement proposed in the parking spaces near Building A would promote groundwater recharge. The recharge capability of Melita Creek would not be altered. For these reasons, the proposed project would not cause significant adverse effects on groundwater supplies. With regard to groundwater flows, the previous investigation indicated groundwater from 3 to 38 feet below grade, which is stated in the Draft EIR on page 3.5-6. The proposed project would be designed according to the data and recommendations contained in the Geotechnical Report, Earthwork and Observation report, and the Soils Investigation Report. According to the Geotechnical Report, groundwater was not expected to be affected by the proposed project with the exception of some seepage for deep
excavations. Considering the minor extent that project would encounter groundwater, it is unlikely that the proposed project would impact groundwater flows in any way.

Response to Comment MORN-5
The commenter stated that the proposed project does not appear to be a Green project and that the rainfall data stated in the EIR is not current. As stated on page 2-39 of the Draft EIR the proposed project would obtain a “GreenPoint Rated” certification from Build It Green, a third-party certification program that focuses on residential green building and construction. More information can be found at the following website: http://www.builditgreen.org/greenpoint%2Drated/. Regarding rainfall, average rainfall is more representative of regional hydrology and more useful for planning purposes because of the variation in rainfall from year to year. According to the Western regional Climate Center, Santa Rosa’s average annual rainfall is 30.14 inches; refer to Table 3.7-1 of the Draft EIR. This average spans over 100 years and reflects both wet and dry years.

Response to Comment MORN-6
The commenter stated that Alternative 3 is the best. Alternative 3 is a feasible alternative; however, it would not meet project or General Plan objectives regarding affordable housing and providing a balance of housing types in neighborhoods. Refer to Section 3.10, Population and Housing of the Draft EIR for further discussion. Also refer to Master Response 7, All-age Development versus Senior Lifestyle Development.

Response to Comment MORN-7
The commenter stated that the EIR is not the complete overview of the property. No application for development on the adjacent parcels has been filed with the City; as such, the lack of project details precludes analysis of impacts resulting from development on these parcels. However, General Plan Buildout of Parcel 031-050-060 (Lot 60) was assumed in the cumulative analysis of this project to provide a conservative estimate of future conditions (refer to page 4-1 of the Draft EIR), and, as stated on page 3.12-22, trip generation for assumed development on adjacent parcels was included in the Traffic Impact Study. Development of adjacent parcels will be subject to CEQA review when an application is submitted for development on those parcels.

Regarding long-term decisions for communities, cities and counties use general plan and zoning designations to provide a framework for community structure, and they cooperate and comply with other planning agencies such as the Sonoma County Transportation Authority, the Bay Area Air Quality Management District, and other responsible agencies when making long-term planning decisions.
Morris, Erin

From: Sprthsrch@aol.com
Sent: Wednesday, February 03, 2010 11:17 AM
To: Morris, Erin
Subject: Proposed Elnoka Project

Dear Ms. Morris,

First I just want to let you know I received no notice about the meeting held to discuss the Elnoka Project. I live at 6231 Melita Rd., and I feel I should have been included in that notification.

Here are some feelings I have about the project. As currently proposed, it doesn't even fit into the area. That info I got from one neighbor who called me after attending the meeting and hearing from the attorney who was representing the opposition.

I am not against there being some sort of development there, but it needs to fit into the character of the neighborhood. I feel it is very irresponsible to propose a 4-STORY condominium or apartment building. 2-story should be enough. Why continue to obscure our beautiful state park, Anandel. Also, Skyhawk Village Market has not been able to generate the income it needed to operate as started. I received an 3-mail from the owner/manager saying that they were either going out of business or restructuring. To propose another market so close to Skyhawk seems ridiculous to me, what to only go out of business. Some shops are OK to support the community, but having a flat, ugly parking lot up against Hwy. 12 which is supposed to be part of a scenic corridor and so out of context to the neighbor adjacent and immediately across the highway seems insulting to the neighborhood.

Most of all, I believe the whole project needs to be downsized and better designed to fit into the neighborhood.

Thank you for your attention to my comments,

Veronica Berg
Veronica Berg (BERG)

Response to Comment BERG-1
The commenter indicated she did not receive a notice about the meeting for the Elnoka Village project. Notices were mailed to property owners within 400 feet and to all people who have contacted the City requesting notification. In addition, blue signs were posted on the site announcing the availability of the EIR. Residents interested in the Elnoka Village project may contact Planning Staff at the City to be added to the mailing list.

Response to Comment BERG-2
The commenter stated that the project is incompatible with the area. The comment is noted. The proposed project is consistent with the provisions of the General Plan designation and zoning requirements for the site. The Draft EIR acknowledges that the size and scale of the proposed project are not consistent with surrounding development (page 3.1-28 of the Draft EIR). Refer to Master Response 5, Location of the Proposed Project for further discussion.

Response to Comment BERG-3
The commenter recommended a two-story structure instead of a four-story structure. Pages 5-2, 5-6, and 5-9 of the Draft EIR describe two alternatives (Alternatives 2 and 3) that feature two-story buildings. Also please refer to Master Response 5, Location of the Proposed Project for further discussion.

Response to Comment BERG-4
The commenter stated that there is not enough customer base in the project area. It is beyond the scope of this analysis to determine what factors may have affected the economic success or failure of the Skyhawk Village Market. In addition, specific businesses for the Elnoka Village Neighborhood Center have not been determined. Therefore, it is not possible to compare the potential success or failure of future businesses that may tenant the Elnoka Village Neighborhood Center to that of the Skyhawk Village Market. Success or failure of nearby businesses is outside the scope of this analysis. Neighborhood shopping centers are encouraged in new developments according to vision expressed in the 2020 General Plan and 2035 Draft General Plan (refer to pages 10-1 of both plans and General Plan policies LUL-E, LUL-E-2, LUL-G, and LUL-J-3. Neighborhood Centers also help to attain air quality goals by providing services within walking distance of neighborhoods.

Response to Comment BERG-5
The commenter raised concern regarding visual impacts of the parking lot. As stated in Section 1 of this Final EIR, there have been two changes to the project that changed the conclusions about visual impacts. The project’s frontage to Sonoma Highway (Highway 12) has been improved. An additional setback from this scenic corridor of 10 feet has been provided. In addition to this setback width change, vegetation will be planted along Sonoma Highway, on the west side of Elnoka Lane, on land owned by the applicant to effectively screen views of the main condominium building (Building A) as viewed from Sonoma Highway. Also relevant to visual impacts are new, revised
visual simulations that have been prepared to reflect the revised project and to correct View 2 (Exhibit 3.1-3b in the Draft EIR). Also please refer to Response to Comment AMED-5, and Master Response 1 regarding aesthetic impacts.

Response to Comment BERG-6
The commenter recommended that project be downsized. Comment noted. Also refer to Master Response 5, Location of the Proposed Project.
February 3, 2010

Erin Morris, Senior Planner
Department of Community Development
City of Santa Rosa City Hall
50 Santa Rosa Avenue
Santa Rosa, CA 95404

Re: Elnoka Village EIR - Alternatives Analysis

Dear Ms. Morris,

I’ve reviewed the three “Project Alternatives” analyses which are included in the Elnoka Village Draft EIR and would offer the following comments.

All three of the Project Alternatives would make it much more difficult or impossible to incorporate a range of housing affordability in the project. This has been one of the major goals of this and other residential development projects undertaken by Oakmont Senior Living (“OSL”) in recent years. The Elnoka proposal includes a commitment by OSL to restrict 30% of the residential units in the project to very low, low and moderate income residents. This extremely generous affordability commitment will contribute over 60 units of much-needed affordable housing to the City’s housing supply. A non-profit developer would typically require public subsidies of $100,000 to $200,000 per unit to build a 60-unit project with equivalent affordability levels. These 60+ units represent a gain of roughly $10 million in new affordable housing units for lower income households in Santa Rosa.

The CEQA Guidelines require that the Project Alternatives (other than “no project”) must be able to satisfy “most of the basic objectives of the project.” See §15126.6(a)-(b). The discussion of Alternatives in the EIR fails to mention the “basic objective” of providing a range of affordable housing opportunities in the project.

An EIR should describe a reasonable range of alternatives to the proposed project that would feasibly attain “most” of the project’s basic objectives while reducing or avoiding any of its significant environmental effects. The EIR must evaluate the comparative merits of those alternatives. 14 Cal Code Regs §15126.6(a) and include enough information about each alternative to allow evaluation, analysis, and comparison with the proposed project. 14 Cal Code Regs §15126.6(d).

Decision-makers can approve an alternative to the project as proposed because they have "the flexibility to implement that portion of a project that satisfies their environmental concerns."
Erin Morris, Senior Planner
February 3, 2010
Page 2 of 5


The three Alternatives described in the Elnoka EIR are:

- No project
- Low-rise development
- Senior ‘lifestyle’ residential project

According to CEQA Guidelines, “[t]he purpose of describing and analyzing a No Project alternative is to allow decisionmakers to compare the impacts of approving the proposed project with the impacts of not approving the proposed project.” (Guidelines §15126.6(e)(1)). The Elnoka EIR explains that the “no project” alternative does not mean that the site would be undeveloped. Disapproval of the project will simply mean that a proposal for some other project will come forward, and that the environmental impacts of that potential project may or may not be different from the impacts from the Elnoka Village project. See _Mira Mar Mobile Community v. City of Oceanside_ (2004) 119 CA4th 477, 14 CR3d 308. This comports with Guideline §15126.6(e)(3)(C) which says the EIR should:

“analyze the impacts of the no-project alternative by projecting what would reasonably be expected to occur in the foreseeable future if the project were not approved, based on current laws and consistent with available infrastructure and community services.”

The City’s denial of the Elnoka project will clearly not preserve existing environmental conditions, and would deprive the City of at least 60 much-needed units of affordable housing.

The _Low-Rise Development_ project alternative would reduce the density of the project; the _Senior ‘Lifestyle’ Development_ project alternative would restrict the new units to “over 55” seniors. Both would increase the setbacks from Sonoma Highway and eliminate the ‘mixed use’ component of the project. Both would make it essentially impossible to provide the number of affordable units and the range of afforabilities which the Elnoka developer proposes.

Government Code §65915 provides that where a developer proposes to include the specified percentage of affordable units in the project, the local government cannot reduce the density or impose conditions which would make it more financially burdensome to include the affordable units. OSL has previously requested the City to allow commercial uses in the project as a “concession or incentive.” Approval of mixed uses in the development is one of the concessions or incentives which the City must approve under §65915(k)(2). The City’s General
Plan strongly encourages including mixed uses in residential developments. The City’s own density bonus ordinance (Ordinance 3630) specifically allows a developer to request “regulatory incentives” including “if the approval of mixed uses in conjunction with the proposed housing development even though one or more of the mixed uses is not permitted by the applicable zoning regulations.” (§21-07.050(2)) (§65915(j)). The fact that the mixed use aspect of the development may be subjectively perceived by some people as less attractive than some other use is not a legitimate basis for overriding the requirements of state law, the City’s General Plan, and Ordinance 3630.

The second alternative project in the EIR proposes reducing the density of the project by decreasing building heights and reconfiguring the project. Government Code §65589.5 provides in relevant part: “[w]hen a proposed housing development project complies with the applicable general plan, zoning, and development policies,” a local agency may not require as a condition of approval that the project be developed at a lower density, unless the project “would have a specific, adverse impact upon the public health or safety” that cannot be mitigated without lowering the density. (Gov. Code, § 65589.5 (j)(1).) This enactment is not a legislative will-o’-the-wisp. Rather, it is based on a legislative finding that “The lack of affordable housing is a critical problem which threatens the economic, environmental, and social quality of life in California.” (Gov. Code, § 65589.5(a)(1).) See Sequoia Hills Homeowners Ass’n v. City of Oakland (1993) 23 CA4th 704, 29 CR2d 182.

Requiring a reduction in density would make it difficult or impossible to provide the number of affordable units which OSL is proposing to include in the project, and would clearly violate §65589.5. The Sequoia case involved a CEQA challenge to an affordable housing development which opponents claimed would have visual impacts on views of the Oakland hills. The Court ruled that visual impacts do not constitute “a specific adverse impact upon public health or safety” which would allow the City to require a reduction in the proposed density as a condition of approving the development.

The third project alternative — “Senior Lifestyle Residential” — would require the developer to eliminate the commercial mixed use component and restrict the units to seniors. Providing housing for families — some but not all of which may include seniors — is one of the

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1 LUL-J-3 provides:

“Allow small neighborhood convenience centers with less than 5,000 square feet of total retail floor area, that include corner groceries, cleaners, and similar establishments, where they can be supported, within walking distance of residential uses. Ensure that neighborhood centers do not create unacceptable traffic or nuisances for residents due to the hours and nature of their operation, and are designed to facilitate walking and bicycling. *Residential developments which are not within walking distance of convenience shopping are encouraged to provide small centers envisioned by this policy.* ”
basic objectives of this project. Restricting these units to seniors in an area of the city which is already heavily saturated with senior housing would be contrary to this basic objective. The EIR does not analyze whether restricting the project to seniors would be economically feasible. The Elnoka Village project is adjacent to the 7,000+ resident Oakmont development, and would be in direct competition with that much larger development for residents if it were restricted to seniors. It would also worsen the over-concentration of the area with senior-restricted housing.

The EIR states that this alternative “would demonstrate greater consistency with the City’s General Plan because it would meet setback requirements for parking relative to Sonoma Highway [and] reduce daily vehicle trips...” The “setback requirements for parking” are required to be waived on request under Government Code §65915. The alternative also proposes an “Adult Daycare Facility” in the project, the feasibility of which is not discussed.

While the vehicle trips from the OSL proposed project are considered to be “less than significant” in terms of air quality impacts and noise, this alternative is claimed to generate a lesser number of daily vehicle trips – presumably because fewer seniors would not be commuting to work. The alternative does not account for trips generated by staff and patients coming and going to the daycare facility. It also does not account for an increased number of trips due to elimination of the proposed on-site commercial uses. Residents will have to drive several miles to buy groceries. Restricting all new housing in the City to seniors would probably reduce traffic, but it would not address the housing needs of 80% of the city’s population and 90% of its workforce.

The EIR also states that the third alternative could include approximately the same number of units and same percentage of affordable units as OSL proposes. There is no discussion of how OSL proposes to finance its affordable component, or whether the same financing mechanisms would allow inclusion of affordable units in a “Senior Lifestyle Residential” project with equivalent levels of affordability.

No city has never, to our knowledge, required a developer to restrict new units to seniors in order to reduce environmental impacts. A municipal requirement that a new housing development be restricted to seniors as a condition of project approval would constitute unlawful housing discrimination against families with children. Restricting the project to seniors would additionally violate Government Code §65915(c)(1) which provides in relevant part:

“In no case may a city, county, or city and county apply any development standard

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2 “Feasible” is defined in Guideline §15126.6(a) as “capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors.”

3 It goes without saying that many seniors prefer not to live in housing developments restricted exclusively to seniors.
that will have the effect of physically precluding the construction of a
development meeting the criteria of subdivision (b) at the densities or with the
concessions or incentives permitted by this section...."

In sum, each of the EIR's three Alternative Projects would require Oakmont Senior
Living to forego basic objectives of the Elnoka project. Each would place the City in violation of
its obligations under Government Code §65915. Requiring the development to be modified per
the Second Alternative would violate §65584.9. The Third Alternative would also violate state
and federal fair housing laws. Moreover, the EIR cites no evidence on which the City could base
a finding that any of the three Alternative Projects would, in fact, be environmentally superior to
OSL's Elnoka Village proposal.

If you have any questions, or would like me to provide additional information, please do
not hesitate to contact me.

Yours truly,

David Grabill
David Grabill, Law Office of David Grabill (GRAB)

Response to Comment GRAB-1
The commenter indicated that Project Alternatives would make it much more difficult or impossible to incorporate a range of affordable housing in the project. On page 5-2 of the Draft EIR, under the No Project alternative discussion, it is acknowledged that this alternative assumes that affordable housing would not be provided. However, on page 5-2 of the Draft EIR, under Alternative 2, the proposed number of residential units is the same as the proposed project (209 units), and under Alternative 3, the number of residential units is slightly less than those in the proposed project, 196 units. Alternatives 2 and 3 did not assume there would be any limitations in providing affordable housing, given economies of scale associated with developing the same or a similar number of residential units to the proposed project.

Response to Comment GRAB-2
The commenter indicated that the discussion of alternatives does not mention the “basic objective” of providing a range of affordable housing opportunities in the project. On page 5-2 of the Draft EIR, under Project Objectives, one of the objectives listed is to “Provide affordable housing in accordance with the City’s Regional Housing Needs Allocation, the City of Santa Rosa Housing Allocation Plan, and Government Code 65915/SB 1818.”

Response to Comment GRAB-3
The commenter indicated that an EIR should describe a reasonable range of alternatives that would feasibly attain “most” of the project’s basic objectives while reducing or avoiding any of its significant environmental effects. The commenter appears to be summarizing requirements for alternatives development under CEQA. No further response is required.

Response to Comment GRAB-4
The commenter described the CEQA requirements for developing and analyzing a No Project alternative. No further response is required.

Response to Comment GRAB-5
The commenter expressed his opinion that denial of the Elnoka project will not preserve existing environmental conditions and would deprive the City of at least 60 affordable housing units. No decision has been made as to whether the project or an alternative to the project will be selected. In the Draft EIR, the environmental effects of each alternative are summarized in Table 5-1 on page 5-13. Additionally, environmental effects are disclosed by topical area for each alternative on pages 5-3 to 5-12 of the Draft EIR. The conclusions for each alternative are that they would reduce environmental effects compared with the project.

Response to Comment GRAB-6
The commenter stated both Alternatives 2 and 3 would make it essentially impossible to provide the number of affordable units and the range of affordability proposed by the developer. Please refer to Response to GRAB-1.
Response to Comment GRAB-7

The commenter interpreted Government Code Section 65915(k)(2) and concluded the City must approve the mixed-use portion of the project as a concession or incentive. For reference, the subject section is included below.

(k) For the purposes of this chapter, concession or incentive means any of the following:

1. A reduction in site development standards or a modification of zoning code requirements or architectural design requirements that exceed the minimum building standards approved by the California Building Standards Commission as provided in Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code, including, but not limited to, a reduction in setback and square footage requirements and in the ratio of vehicular parking spaces that would otherwise be required that results in identifiable, financially sufficient, and actual cost reductions.

2. Approval of mixed use zoning in conjunction with the housing project if commercial, office, industrial, or other land uses will reduce the cost of the housing development and if the commercial, office, industrial, or other land uses are compatible with the housing project and the existing or planned development in the area where the proposed housing project will be located.

3. Other regulatory incentives or concessions proposed by the developer or the city, county, or city and county that result in identifiable, financially sufficient, and actual cost reductions.

This section of the Government Code simply defines concessions or incentives, but it does not state that a particular element of a project must be approved as a concession or incentive. The project applicant did not request any specific incentives or concessions as part of the project, as required by the Zoning Code; therefore the Draft EIR did not evaluate such incentives or concessions. No further response is required.

Response to Comment GRAB-8

The commenter stated that the second alternative project proposes a reduction in density of the project. However, under Alternative 2, as described on page 5-2 of the Draft EIR, the number of proposed residential units would remain the same as for the project.

Response to Comment GRAB-9

The commenter stated that restricting housing to seniors under Alternative 3 would not meet the basic objective of providing housing for families. Project objectives are found on pages 2-40 and 5-3 of the Draft EIR, and none of the objectives explicitly state “providing housing for families.” On page 5-13 of the Draft EIR, the conclusion about Alternative 3 is that it would meet most of the project objectives.
Response to Comment GRAB-10
The commenter indicated parking setback requirements are to be waived pursuant to Government Code Section 65915. The applicant has not requested a reduced parking setback as part of the project. Please see response to GRAB-7.

Response to Comment GRAB-11
The commenter stated that, in reference to Alternative 3, the feasibility of an “Adult Daycare Facility” is not discussed. CEQA Guidelines Section 15126.6 defines feasibility as consisting of multiple factors, including site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, and jurisdictional boundaries. The majority of these factors were considered in developing Alternative 3, as was the opportunity to reduce environmental impacts by reducing daily vehicle trips to and from the site.

Response to Comment GRAB-12
The commenter stated that vehicle trips analysis does not account for trips generated by staff and patients coming to the facility. The vehicle trip analysis for Alternative 3 assumed there would be 55 daily trips to the Adult Daycare Facility: 10 from employees and 45 from users of the facility. This has been clarified in the Errata section.

Response to Comment GRAB-13
The commenter stated there is no discussion of how Oakmont Senior Living (OSL) proposes to finance its affordable component of this alternative. Please see response to GRAB-1.

Response to Comment GRAB-14
The commenter stated that Alternative 3 would violate Government Code 65915(c)(1) by requiring “seniors only residences.” However, this section of the Code does not mention any restrictions on all senior-type residences. Moreover, the assumption in developing Alternative 3 is that affordable housing would still be provided. This has been clarified in the Alternatives portion of the Errata section.

Response to Comment GRAB-15
The commenter made several points. The first point is that each alternative would require OSL to forego basic projective objectives. Pages 5-6, 5-9, and 5-13 of the Draft EIR indicate the extent to which project objectives are met for the No Project Alternative, Alternative 2, and Alternative 3, respectively. Only analysis of the No Project Alternative concludes that most of the project objectives would not be met. The conclusions for Alternatives 2 and 3 are that most project objectives would be met. The second point made by the commenter is that Alternative 2 would violate Government Code 65584.9. A search of government codes did not find Government Code 65584.9. Government Code 65584.09 addresses the requirement of cities to meet their regional housing needs allocation. However, it is uncertain if the commenter is referring to this Code or some other Code. The third point made by the commenter is that the EIR does not provide evidence that
any of the three alternatives would be environmentally superior to the project. Regarding this last point, please refer to Response to Comment GRAB-5.
Morris, Erin

From: linda smithson [lmsmithson@hotmail.com]
Sent: Wednesday, February 03, 2010 7:23 AM
To: Morris, Erin
Subject: Hwy 12/Elknoka

Ms Morris,

I am writing to voice my grave concerns against the Hwy 12/Elknoka project. I did not buy my house yrs ago to look out at a development. I look out at Annadel in the front and Hood Mt. in the back, those views affect my property value. This area is rural residential, not high density. The traffic getting in and out of the proposed development on Hwy 12 will be horrendous, making a left turn onto the highway? How is that safe.? There have already been numerous accidents along that part of the road, adding tons more people and cars is not going to help. Routing thru to a small country road, thru a neighborhood? Wha a traffic burden and I'm sure not what the neighbors had in mind when they bought their homes. A shopping center?? Safeway is just 2 miles down the road, shop there. Trot on down to Kenwood to that market. Java Joe's on the corner has been vacant so long due to lack of business, and, that whole development on the corner was a big mistake between the City and the County. That never should have been allowed. 2 wrongs do not make a right. Skyhawk Market didn't last, what makes the developer think a shopping center will do well there? Bus service is not user friendly, once an hr and bus services are being cut, how are low income families to get to school and jobs?? I am concerned about all the lights and how that will affect the night sky. This is a rural area, we didn't pick this property to see city lights on at night or have a view of a 4 story complex, shopping center and parking lot. This project does not fit this area at all, it is better suited in town where more amenities available. This part of Hwy 12 is at the beginning of a scenic corridor, how scenic is to to see a strip mall and housing complex? This project is wrong for this site on so many levels. I am also unhappy that I was not notified by mail of any of the meetings as my neighbors were. How did that happen? Please include me on any mailings from now on.

Thank you,

Patrick and Linda Smithson
6293 Melita Rd.
SR 95409

Hotmail: Trusted email with powerful SPAM protection. Sign up now.

02/03/2010
Patrick and Linda Smithson (SMITH)

Response to Comment SMITH-1
The commenter raised concern regarding property value that are due to change in visual quality. Impacts to private property values are not an environmental impact that is evaluated by the City as part of the CEQA process. For an explanation of the City’s review of aesthetic impacts of the proposed project, see Master Response 1, Aesthetic Impacts.

Response to Comment SMITH-2
The commenter raised concerns about the project’s traffic impacts on surrounding neighborhoods. Please refer to the Master Response 6, Traffic Impacts concerning the traffic impact analysis.

Response to Comment SMITH-3
The commenter stated that the nearby existing businesses are not doing well. Please see Response to Comment BERG-4.

Response to Comment SMITH-4
The commenter stated that the bus service is not adequate for low-income groups. As stated on page 3.12-14, Sonoma County Transit has bus stops near the project site. A bus pullout and shelter would be constructed near the project entrance as described on page 2-25 of the Draft EIR, and the proposed traffic signal would provide pedestrian access across Sonoma Highway to the existing westbound bus stop. The proposed project also includes a car-sharing program.

Response to Comment SMITH-5
The commenter raised concern regarding additional light sources and their effect on the night sky. As stated on page 3.1-29 of the Draft EIR, light standards would be shielded, and all lighting fixtures would comply with the provisions of Santa Rosa City Code Chapter 20-30.080, which includes but is not limited to provisions to reduce light impacts from development. The Neighborhood Center proposed by the project is not considered strip-mall development. Moreover, the proposed project is consistent with General Plan and zoning designations.

The commenter’s request to be included on mailings has been noted.
E. Wayne Parsons - Mr. Parsons is an Oakmont resident. He recommends that the City dedicate the subject parcel(s) to open space. He cited an example of this being done in the Blackhawk area in Danville. Mr. Parsons supports the idea of dedicating the parcels as open space, then adding them to Annadel State Park. He indicated there is Sonoma County open space funding available for open space acquisition, and that some Oakmont residents may be willing to contribute to property acquisition for this purpose.

Mr. Parsons is also concerned about safety issues associated with the Elnoka project. He believes there will be four additional deaths associated with increased traffic along Sonoma Highway. He is also concerned that placing the Elnoka Village next to Oakmont will cause a decline in property values.

Bob Walker - Mr. Walker gave a brief powerpoint presentation (Note: City and MBA provided a copy of this presentation) summarized his comments. He indicated he has problems with analysis presented in the traffic report. He indicated that left turns from Elnoka Lane to Sonoma Highway are a safety problem. He understands the project as conceived would prohibit left turns, but is skeptical that this prohibition is enforceable. Mr. Walker also is skeptical of how well the traffic modeling reflects actual traffic conditions for this project. The estimated traffic distribution for the intersection of Elnoka Lane and Sonoma Highway is inaccurate; Mr. Walker presented some actual data on traffic distribution at this location and demonstrated it is different than modeled traffic distribution. Mr. Walker also indicated the original intent of Elnoka Lane was not to accommodate traffic from a residential development, but instead was to only be used by support staff for the previously proposed life care development. He wants a traffic light installed at this intersection, and wants it synchronized with the traffic light at Sonoma Highway and Melita Road.

Wally Schilpp - Mr. Schilpp indicated he has “many problems” with the DEIR. The traffic study conducted in 2006, was done before any details about the proposed project were made publicly available. The most recent traffic study was completed in May, 2009, and the study does not follow the City’s traffic study that was completed for Melita Road. He doesn’t like the idea of traffic modeling since it does not accurately reflect what is occurring or could occur on the project site in the future. He also indicated that traffic is already bad at the Elnoka site.

Jean Kapolchok, Oakmont Village Association - She indicated that the project design’s impact on aesthetics is not consistent with General Plan policy H-A-4. She also does not agree that one can conclude (as was the case in the DEIR) that a proposed project is generally consistent with the City’s General Plan. Another concern is that the project does not fit on parcel -063. She indicated the project cannot spillover onto an adjacent parcel with zoning of very low density residential. She does not believe the lot line adjustment can be done with this DEIR. (Note: She had indicated at the scoping meeting
that a lot line adjustment requires a General Plan Amendment). Ms. Kapolchok also indicated noise associated with the community garden, children’s play area, and parking located nearby is a problem.

**Comments from Planning Commission**

**Comments from Commissioner Caston:** Mr. Caston stated he had concerns about the Greenhouse gas analysis. He indicated the GHG analysis did not analyze the effects of loss of use of the westbound bus route on Sonoma Highway on greenhouse gases. Nor did the GHG analysis consider effects of outbound commutes from the project site to Napa County as well as work sites in Santa Rosa. Mr. Caston indicated more specifics on emissions analysis are needed in the GHG analysis. He also stated that more than two mitigation measures are needed regarding greenhouse gases. He also stated the GHG benefits associated with the project’s various “green” features were not considered in the GHG analysis but should be.

**Comments from Commissioner Cisco:** The site plan exhibit was difficult to read. Ms. Cisco was curious to know should the City grant any design concessions could they be applied as mitigation measures to address aesthetics impacts? She was concerned that adjacent neighborhoods that use Melita Road could be affected by project-related traffic. She also wanted to know the impact of underground parking on nearby septic systems and groundwater. Ms. Cisco also wants to know what is the current distribution of affordable housing for the very low income bracket throughout Santa Rosa.

**Comments from Commissioner Bañuelos:** Ms. Bañuelos expressed a concern about safety relative to traffic levels generated by the project. She wanted to know if other, nearby developments were considered in the traffic analysis, such as for the property behind the Safeway on Calistoga. Ms. Bañuelos also wanted to know more about the impacts to safety associated with making a left turn at Sonoma Highway and Elnoka Lane. She questioned whether Melita Road-Sonoma Highway is the best place for a bike path, and suggested that a bike part along Melita Road to Montgomery Road would be safer.

She liked the idea of merging Alternatives 2 and 3. She wanted to know what happened to discussion(s) on affordable housing? Those discussions are not evident in the DEIR. Ms. Bañuelos believes there are too many significant and unavoidable impacts associated with this project.

**Comments from Commissioner Allen:** The DEIR is very readable. He had concerns about aesthetic impacts in the scenic corridor, and suggested the DEIR needs to focus on this lost of scenery within the corridor. Mr. Allen also stated the subjective impacts of traffic that are felt by drivers are not adequately represented by traffic modeling. He wanted more details on how the project could be designed better to fit into the existing neighborhood in the project vicinity. “Brownouts” are a problem in terms of providing adequate public services to the project area given that we are in a continuing recession.
Mr. Allen also wanted to know what happened to the discussion of affordable housing under Alternative 2.

**Comments from Commissioner Poulsen:** Mr. Poulsen indicated that his comments are similar to those expressed by other commissioners, and that the exhibits are hard to read.

**Comments from Commissioner Bartley:** He indicated the DEIR is very readable. He would like more details on how visual simulations are developed, and whether the visual simulations are realistic. He expressed a concern about the City possibly setting precedent with this project about protecting private views, and is not sure this is appropriate for the City.

**Comments from Commissioner Duggan:** Commissioner Duggan indicated there is a misprint on a parcel number on page 2-2, it should be -063. The site plan exhibit is unreadable. On pg. 2.2-8 regarding recreation amenities, what is the distance from these amenities to Oakmont Village? On pg. 2.3-9, second bullet states “a significant portion of the project site would be set aside as open space.” She wants to know how “significant” is defined in the DEIR. Regarding the proposed car/ride share program, who would be responsible for implementation? There is a statement in the DEIR on pg. 3.1-15 that indicates the project would not require extensive grading; she is not sure this is correct and wants better clarification of what is meant by “extensive grading.” On pg. 3.2-11, a bike trail is referenced as being adjacent to the project site, yet she cannot find this bike trail on any exhibits. The document should quantify the distance of this bike path location to the location of the project site. On pg. 3.8-18, the DEIR needs to clarify if there will a crosswalk from Road A across to the west side of Melita Road. On page 3.1-12, the description of a bike path on Montgomery Drive is inaccurate. On pg. 3.12-27, under Thresholds of Significance, do traffic impacts evaluated account for effects on school traffic associated with Austin Creek Elementary School? On page 4-9, there is mention about widening Sonoma Highway to 4 lanes, and she wants to know what would the effect of this action be on the project setbacks from Sonoma Highway? Has this anticipated highway widening already been considered in the project design? On page 5-3, the information presented on each alternative needs to follow the same format. In reference to table 6-4, a footnote is needed explaining how the proportion of cars, trucks, etc, were determined. In Appendix A, regarding site drawings the distance from the lift station location to Melita Creek is not depicted. The 1993 study in Appendix F seems to be for another project. Need to explain the study’s relevance, or remove from the document. In Appendix A, the setback distance from the lift station to Melita Creek is needed. A parcel map is needed in the DEIR.
Planning Commission Meeting Minutes, January 14, 2010 month date, year (PC)

Response to Comment PC-1
This commenter suggested that the City dedicates the subject parcel(s) to open space. Comment noted.

Response to Comment PC-2
The commenter raised concern about increased traffic along Sonoma Highway. The proposed project’s traffic impacts along Sonoma Highway were found to be less than significant. Refer to the discussion beginning on page 3.12-27, Section 3.12 Transportation of the Draft EIR. The issue of roadway safety is also addressed on pages 3.12-41 through 3.12-43, and a specific mitigation measure MM TRANS-5 addresses the potential safety issue and need to improve line of sight where the project access road meets Melita Road. Also refer to Master Response 6, Traffic Impacts.

Response to Comment PC-3
The commenter expressed concern regarding property values. Comment noted. As defined by CEQA, the purpose of an EIR is to analyze physical impacts on the environment (Pub. Res. Code Section 21082.2). Issues pertaining to property values or quality of life are considered social or economic issues and, as such, are not addressed as significant effects on the environment in an EIR. See CEQA Guidelines Section 15131(a), which states that “economic or social effects of a project shall not be treated as significant effects on the environment.”

Response to Comment PC-4
The commenter expressed numerous concerns regarding traffic issues in a presentation found in Appendix N. Please refer to Master Response 6, Traffic Impacts.

Response to Comment PC-5
The commenter expressed numerous concerns regarding traffic issues. Please note that the scope of services for the traffic study was prepared in consultation with the City of Santa Rosa Public Works Department. For signalized intersections, the 2000 Highway Capacity Manual (Transportation Research Board, National Research Council) methodology was utilized. For unsignalized (all-way stop-controlled and side-street stop controlled) intersections, the Manual’s methodology for unsignalized intersections was utilized. Also refer to Master Response 6, Traffic Impacts.

Response to Comment PC-6
The commenter raised concerns regarding consistency with Policy H-A-4, General Plan Consistency, and lot line adjustment. Parking for residential uses is allowed in the Planned Development zoning district. This issue will be further addressed in the development review process for the project.

Response to Comment PC-7
The commenter expressed concerns regarding noise from common areas. The noise analysis included in CEQA documents is based on a set of determined Thresholds of Significance. The City of Santa Rosa has adopted Appendix G, Environmental Checklist of the CEQA Guidelines as the basis for
CEQA analysis for projects within the city. Those thresholds are listed beginning on page 3.9-17 of the Draft EIR. Exhibit 3.9-2 (page 3.9-11 of the Draft EIR) displays land use compatibility standards for a variety of land uses. Land uses such as playgrounds and neighborhood parks are considered “normally acceptable,” so long as noise levels do not exceed 68 dBA. An EIR addendum prepared for the City of Lafayette, California’s Recreation Master Plan evaluated potential noise impacts of two passive recreation parks on nearby residences. It concluded that there would be less than significant noise impacts and that all park activities would need to comply with the City’s noise ordinances, which have an outdoor noise level for residences of 50 dBA. In the Draft EIR for this project, noise impacts were found to be either less than significant or less than significant with mitigation (refer to Section 3.9 Noise). The parking area would be set back approximately 30 feet from the Oakmont Senior Community, which is greater than the 15-foot setback required by the zoning code.

Response to Comment PC-8
Commissioner Caston was concerned about greenhouse gases. He indicated the greenhouse gas analysis did not analyze the effects of loss of use of the westbound bus route on Sonoma Highway on greenhouse gases. Nor did the greenhouse gas analysis consider effects of outbound commutes from the project site to Napa County as well as work sites in Santa Rosa. He indicated more specifics on emissions analysis are needed in the greenhouse gas analysis. He also stated that more than two mitigation measures are needed regarding greenhouse gases. He also stated the greenhouse gas benefits associated with the project's various green features were not considered in the greenhouse gas analysis but should be.

Mixed-use projects such as this are expected to increase overall bus usage even with a change in bus routing. After the close of the public comment period, the applicant agreed to install a traffic signal at the intersection of Elnoka Lane and Sonoma Highway that will allow for safe left turns onto westbound Sonoma Highway. This action will reduce the significant and unavoidable impact to alternative forms of transportation to a less than significant impact. The intersection will have a crosswalk that will allow safe access to the westbound bus stop. This change in the project will help increase overall bus usage.

The analysis uses average trip lengths that account for short and long commute trips. The actual number of future project residents is unknown; however, the expectation is that their commute behavior would be similar to current residents of Santa Rosa such that the average trip length for the City would not change.

The project includes many design features that help to mitigate greenhouse gas emissions in addition to the two mitigation measures. Since the applicant has included the design features in the project description as project components, a separate mitigation measure requiring them is not needed to ensure their construction.
Although most greenhouse gas analyses have not quantified emission reductions, the California Air Pollution Control Officers Association (CAPCOA) has compiled emission reduction estimates for many measures and design features that could be used to provide a rough quantification their benefits. The green features and estimates of percent reduction for the features are provided in Table 3.13-5 below where available. This table replaces Table 3.13-5 in the Draft EIR and is included in the Errata section.

Table 3.13-5: Project Design Feature or Mitigation Measures that Reduce Greenhouse Gas Emissions

<table>
<thead>
<tr>
<th>Design Feature</th>
<th>Emission Reduction</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mixed use design</td>
<td>3%-9%: Sacramento Metropolitan Air Quality Management District (SMAQMD) presents this % reduction.</td>
</tr>
<tr>
<td>GreenPoint Rated certification from Build It Green</td>
<td>1%: SMAQMD presents this % reduction for projects that exceeds Title 24 requirements by 20%. Projects constructed with green building materials are estimated to be 25-30% more efficient on average.</td>
</tr>
<tr>
<td>Irrigation with reclaimed water</td>
<td>Not among the CAPCOA measures; however, reclaimed water may require less energy for transport and pumping than regular surface or groundwater. Tertiary treatment requires more energy than secondary treatment; however, if tertiary treatment is required for water quality purposes, the energy from treatment would be considered in the baseline.</td>
</tr>
<tr>
<td>Recycling program</td>
<td>NA/Low. No reductions estimated provided by CAPCOA; however, increased recycling provides energy savings from mining, processing, raw materials and can reduce emissions from landfills from organic matter. Not currently quantified, because of insufficient data to determine if a project would help the City exceed state recycling/diversion mandates such that they are in excess of requirements.</td>
</tr>
<tr>
<td>Car-sharing program</td>
<td>No CAPCOA reductions provided for this measure. Reductions would result from people in the sharing program driving less than people that have invested in their own car.</td>
</tr>
<tr>
<td>Community garden</td>
<td>No CAPCOA reductions provided for this measure. A community garden would save energy from transporting the produce from long distances. Insufficient data is available to determine the volume of produce transported, the distance transported, and the mode of transport.</td>
</tr>
</tbody>
</table>
Table 3.13-5 (cont.): Project Design Feature or Mitigation Measures that Reduce Greenhouse Gas Emissions

<table>
<thead>
<tr>
<th>Design Feature</th>
<th>Emission Reduction</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bicycle parking</td>
<td>1%-5%: Center for Clean Air Policy (CCAP) presents combined % reductions for a range of mitigation measures. SMAQMD allocates combined reductions among individual measures (e.g., 2.5% reduction for all bicycle-related measures and one quarter of 2.5% for each individual measure)</td>
</tr>
<tr>
<td>Bus shelter</td>
<td>1%-2%: CCAP presents these % reductions. SMAQMD assigns from .25%-1%, depending on headway frequency.</td>
</tr>
<tr>
<td>Integrated parks</td>
<td>No CAPCOA reduction provided for this specific measure. However, the CAPCOA measure – Suburban Mixed Use lists parks as one of the uses that contribute to the pedestrian orientation of development and lower vehicle trips and a reduction of 3%.</td>
</tr>
</tbody>
</table>

Response to Comment PC-9
The commenter indicated the Site Plan exhibit was difficult to read. Comment noted. The Site Plan exhibit 2-6a Site Plan on page 2-17 of the Draft EIR was created from the available, large-scale engineering drawings. Since the drawings were reduced to be compatible with the EIR document, some information was lost.

Response to Comment PC-10
The commenter wanted to know if design concessions can be applied as mitigation measures. At this time, no design concessions have been requested by the applicant as part of the project; therefore, an analysis is not feasible.

Response to Comment PC-11
The commenter raised concerns regarding project-related traffic on Melita Road. Please refer to Master Response 6, Traffic Impacts.

Response to Comment PC-12
The commenter raised concerns about groundwater and septic tanks that are due to underground parking. The underground parking walls will be waterproofed to prevent the intrusion of groundwater, and the foundation system will likely have perimeter drains that will connect to the storm drain system to collect nuisance water from the perimeter foundation area during the dry months. The amount of excavation from existing grade to the garage floors varies with terrain and location, from 8 to 15 feet, the approximate anticipated depth to groundwater. As a result of these features, it is not anticipated there will be any impacts to groundwater or septic tanks from the underground parking.
Response to Comment PC-13
The commenter wanted to know the current distribution of very low-income housing in Santa Rosa. This information has been provided and is found in Appendix M-1 of this Final EIR.

Response to Comment PC-14
The commenter raised numerous concerns regarding traffic. One of the issues raised by this commenter was the ability to make left turns from Elnoka Lane to Sonoma Highway. As noted in Section 1 of this Final EIR, there have been several changes to the project since the close of the public comment period. One of those changes is that the applicant agreed to install a traffic light at the intersection of Elnoka Lane and Sonoma Highway. Regarding other traffic issues, please refer to Master Response 5, Traffic Impacts.

Response to Comment PC-15
The commenter liked the idea of merging Alternatives 2 and 3. In addition, the commenter raised concern on affordable housing discussion and stated that the project results in many significant impacts. Comment noted. The proposed project includes affordable housing as one its components. Of the 209 units, 42 would be set aside for very-low-income households consistent with the City’s and the State’s affordable housing requirements. One of the project objectives states, “Provide affordable housing in accordance with the City’s Regional Housing Needs Allocation, the City of Santa Rosa Housing Allocation Plan, and Government Code 65915/SB 1818” (Draft EIR, page 2-40). The Draft EIR was prepared by the City of Santa Rosa to assess the potential environmental impacts that may arise in connection with actions related to implementation of the proposed project pursuant to CEQA Guidelines. The required environmental review imposes both procedural and substantive requirements. Majority of the environmental impacts were determined to be less than significant after implementation of the mitigation measures.

Response to Comment PC-16
The commenter stated that the Draft EIR is readable and raised concern regarding aesthetic impacts in a scenic corridor. Comment noted. Please refer to Master Response 1, Aesthetic Impacts.

Response to Comment PC-17
The commenter stated that the subjective impacts of traffic are not adequately addressed. The traffic model is based on Trip Generation-8th Edition, published by the Institute of Transportation Engineers (ITE) in 2008. Traffic counts and distribution patterns were developed as described in the traffic study, Appendix L, on pages 538 and 557 of the Draft EIR appendix. It is not possible to analyze other traffic impacts without additional information about which subjective impacts are being referenced by the commenter.

Response to Comment PC-18
The commenter wanted more details on how the project can be designed better to fit in the community. Several changes to the project have been made. Please refer Exhibit 2-10 in the Errata...
section of the Final EIR and Master Response 1, Aesthetic Impacts and Master Response 6, Traffic Impacts.

Response to Comment PC-19
The commenter raised concern about adequate public services. The project applicant would be required to participate in the Citywide Special Tax District 2006-1, which would provide needed revenue to the Fire Department and would offset project impacts (refer to page 3.11-14 of the Draft EIR). With regard to available potable water, the City of Santa Rosa provided a letter indicating that it has available potable water to serve the proposed project; the letter is available in Appendix K of the Draft EIR. In addition, the proposed project would be required to adhere to city water conservation ordinances (refer to the discussion beginning on page 3.11-18 of the Draft EIR). With regard to police services, as stated on page 3.11-15 of the Draft EIR, in a letter dated August 10, 2009, the Santa Rosa Police Department indicated that it is currently meeting its response time goals and did not identify any specific concerns regarding the proposed project. The letter is available in Appendix K of the Draft EIR.

Response to Comment PC-20
The commenter asked why the discussion on affordable housing was missing from Alternative 2. The intent of this alternative is to include affordable housing with the same number of affordable units as in the proposed project. This clarification has been made in Alternatives section of Section 4, Errata.

Response to Comment PC-21
The commenter indicated the Draft EIR exhibits are hard to read. This comment is acknowledged. Since several of the exhibits are based on engineering drawings, some of the project details are difficult to read on exhibits that are on 8½ x 11-inch paper.

Response to Comment PC-22
The commenter requested more details on how the visual simulations were developed, and whether or not they are realistic. He also expressed a concern about whether the City is setting a precedent with this project for protecting private views. In reference to the first point, a summary is provided below, with additional detail in a letter from The Digital Realm to Aegis Senior Living, dated March 7, 2007. This letter is included in Appendix M-4. The accuracy of visual simulations is assured by modeling the buildings with three-dimensional software to the nearest inch. Photographs are taken with a 35-mm digital camera with a 50-mm lens. The two digital files (the building, and the location where building would occur) are matched and scaled to give the simulated image a realistic look.

In reference to the second point, the Draft EIR evaluates the visual impacts of the project as a whole; the Errata section contains the updated and new visual simulations, and only one view is from a private residence. The purpose in choosing this particular location was (1) to give the reader a short-distance view of how project features would appear, and (2) to ensure a variety of viewpoints were examined in assessing impacts to aesthetic resources as a whole.
Response to Comment PC-23
The commenter pointed out an error on a parcel number on page 2-2 of the Draft EIR. The parcel number should read -063. This correction is included in the Project Description section of Section 4, Errata.

Response to Comment PC-24
The commenter mentioned that the site plan exhibit is unreadable. Please refer to Response to Comment PC-21.

Response to Comment PC-25
The commenter wanted clarification about what is meant by “significant portion of the project site would be set aside as open space” in the second bullet on page 2.39 of the Draft EIR. The amount of open space, landscaping, or pocket parks that would be set aside is approximately 4.2 acres. This has been clarified in the Project Description section of Section 4, Errata.

Response to Comment PC-26
The commenter wanted to know who would be responsible for implementing the car/ride share program. The management company that is retained to operate the complex will be responsible for establishing and implementing a car/ride share program. This clarification has been made in the Project Description section of Section 4, Errata.

Response to Comment PC-27
The commenter wanted clarification on what is meant by “extensive grading” as it is referenced on page 3.1-15 of the Draft EIR. The specific sentence was intended to say that since the site has already been graded for a previous project, it would not require extensive grading. This clarification has been made in the Aesthetics section of Section 4, Errata.

Response to Comment PC-28
The commenter stated she could not find a bike trail referenced on page 3.2-11 in any of the exhibits. The trail in question is a proposed Class I bike trail, and its proposed status has been clarified in the Project Description section of Section 4, Errata.

Response to Comment PC-29
The commenter indicated that on page 3.8-18 of the Draft EIR, clarification is needed as to whether there will be crosswalk from Road A across to the west side of Melita Road. At the time of this writing, a crosswalk is not planned from Road A to the west side of Melita Road.

Response to Comment PC-30
The commenter stated that the description of a bike path on Montgomery Drive on page 3.12-2 of the Draft EIR is inaccurate. The text of the Draft EIR is revised to indicate that there are intermittent bike lanes along Montgomery Drive in the vicinity of Melita Road.
Response to Comment PC-31
The commenter asked if traffic impacts account for effects on school traffic associated with Austin Elementary School. A component of the AM peak-hour project traffic assigned to Sonoma Highway west of the project site included traffic associated with Austin Creek Elementary School.

Response to Comment PC-32
The commenter wanted to know the effect of projected widening of Sonoma Highway to four lanes on project setback requirements. The projected widening was not accounted for in project design because the California Department of Transportation has no current plans to widen this section of road. If widening were to occur, it is unclear at this time whether the north, south, or both sides of highway would be widened.

Response to Comment PC-33
The commenter indicated the information presented on each alternative on page 5-3 needs to follow the same format. The alternatives have been edited so they are in a consistent format, and these edits are found in the Alternatives section of Section 4, Errata.

Response to Comment PC-34
The commenter indicated that for Table 6-4, a footnote is needed to explain how the proportion of cars, trucks, and other vehicles was determined. The determination of vehicle composition that would be associated with the project was based on air quality (URBEMIS) modeling data found in Appendix C.1 of the Draft EIR. A footnote has been added to Table 6-4 to clarify how vehicle composition was determined and is found in the Other CEQA Considerations of Section 4, Errata.

Response to Comment PC-35
The commenter noted that the site drawings in Appendix A of the Draft EIR do not display the distance from the lift station location to Melita Creek. This drawing has been corrected to display the distance from the lift station to Melita Creek and is found in the Errata section on Exhibit 2-9.

Response to Comment PC-36
The commenter indicated the study in Appendix F appears to be for another project. The study in question is a geotechnical and soils report for a previous project on the same project site. Since the information pertains to soil and geologic conditions, it is relevant to and was used for the analysis of the current proposed project.

Response to PC-37
The commenter commented that the setback distance from the lift station to Melita Creek is needed. The applicant’s engineer has provided a new site plan with the appropriate distances depicted, referenced as Exhibit 2-9, that has been included in the Errata section.
Response to PC-38

The commenter commented that a parcel map is needed in the Draft EIR. A parcel map may be found in the Project Description section of the Draft EIR, referenced as Exhibit 2-3, Parcel Summary.
SECTION 4: ERRATA

The following are revisions to the Draft EIR. The majority of these revisions are minor modifications and clarifications to this document and do not change the significance of any of the environmental issue conclusions within the Draft EIR, except for Aesthetics\(^1\), and one impact conclusion regarding alternate transportation policies. The revisions are listed by page number. All additions to the text are underlined (underlined) and all deletions from the text are stricken (stricken).

4.1 - Changes in Response to Specific Comments

Section 2: Project Description

In response to comments raised about aesthetics impacts, traffic, and creek setback requirements, several changes have been made to the project and are summarized below. These changes are described in greater detail in several portions of the Project Description, as well as in Section 1 of this Final EIR.

The project’s frontage to Sonoma Highway (Highway 12) has been improved. An additional setback from this scenic corridor of 10 feet has been provided. In addition to this setback width change, vegetation will be planted along Sonoma Highway, on the west side of Elnoka Lane on land owned by the applicant, to effectively screen views of the main condominium building (Building A) as viewed from Sonoma Highway. The visual simulations were updated to reflect the revised project and to correct View 2 (Exhibit 3.1-3b in the Draft EIR). View 2 (Exhibit 3.1-3f in the Errata section of the FEIR) now places the main building behind the grove of oak trees along the creek where it belongs. View 1 (Exhibit 3.1-3a in the Draft EIR) now incorporates the request for the additional 10 feet of landscaping along Sonoma Highway and replaces the maple trees with a native species (Exhibit 3.1-3e in the Errata section of the Final EIR). View 3 has not changed since the Draft EIR but is provided as part of the Final EIR for easy reference (Exhibit 3.1-3g in the Errata section of the Final EIR). View 4 was not depicted in the Draft EIR and shows native vegetation plantings that are required by mitigation, as well as the rooftop and towers for Building A (Exhibit 3.3-3h in the Errata section of the Final EIR). View 5 was not depicted in the Draft EIR and shows a view (Exhibit 3.3-3i in the Errata Section of the Final EIR) similar to View 4, but from a different viewpoint.

Two other project changes pertain to transportation. One change is that Elnoka Lane and the connector road (Road A) to Melita Road will be public streets rather than private streets. This change has been made in response to the City’s engineering design standards, which state that a private road cannot connect two public roads. Since the project’s connector roads Elnoka Lane (Road B) and Road A each connect to a public road, these must be public roads. The change from private to public roads requires adding 7 feet of width to the west side of Road B and the south side of Road A.

\(^1\) Following the close of the public comment period, new visual simulations from two additional viewpoints were conducted, and the impact conclusion was therefore, changed. Please see Exhibits 3.1-3e, 3.1-3f, 3.1-3g, 3.1-3h, and 3.3-1i.
Another change is that a traffic light signal will be installed at Elnoka Lane and Sonoma Highway in response to concerns raised by City Engineering and Planning staff, as well as the California Department of Transportation (Caltrans). Finally, to be consistent with the City’s creek setback requirements, the location of the proposed public sewer lift station has been relocated out of the creek setback zone, and this change is depicted on the revised site plan (Exhibit 2-9).

**Page 2-2, First Paragraph**
The paragraph has been changed to correct a typographical error.

The five secondary parcels consist of APNs 031-050-060, 031-050-061, 031-050-062, 031-050-069, 031-050-070.

**Page 2-16, Lot 1**
Text has been added clarifying that Lot 1 will have 45 parking spaces.

Lot 1 is 2.4 acres and would be located adjacent to Sonoma Highway and would contain two buildings, a townhouse building with seven townhouse style condominiums including four affordable units, and a mixed-use building with six affordable condominiums on the upper level and 5,000 square feet of neighborhood commercial uses on the lower level. All uses on Lot 1 would be accessed by Elnoka Lane. Associated parking would be provided by a parking lot near the project frontage adjacent to Sonoma Highway and individual garages and driveways in front of the townhouse building. Lot 1 would have 45 parking spaces.

**Page 2-21, Affordable Housing**
Text has been added to reference a new Appendix M-1 showing the current distribution of affordable housing in Santa Rosa, and to reference an additional Government Code relevant to affordable housing.

The applicant would develop affordable housing units and is therefore entitled to a density bonus, according to California Government Code 65915 and the City of Santa Rosa’s Housing Allocation Program (HAP). The current distribution of affordable housing for the City is found in Appendix M-1.

**Page 2-21, Affordable Housing, last paragraph**
Text has been added clarifying that the City is revising its Code to comply with State Housing law, and to reference an additional Government Code relevant to affordable housing.

Chapter 21-07 of Santa Rosa City Code is currently in the process of being revised to ensure that it complies with State law. Government Code Section 65589.5 limits the ability of the City to deny an affordable housing project unless specific findings are made.

California Government Code 65915 and 65589.5
Page 2-23, Roadways
A project change has been added clarifying that the project roads need to be public rather than private to comply with city policy.

Both Elnoka Lane and the connector road (Road A) to Melita Road will be public streets. Since the project’s connector roads Elnoka Lane (Road B) and Road A each connect to a public road, these must be public roads to comply with City policy. The change from private to public roads requires adding 7 feet of width to the west side of Road B and the south side of Road A. This change in road width will not result in any new environmental impacts. The two bridges (one each on Road A and Road B) will not be widened; therefore, there will be no new impacts to biological resources or water quality. Road widening will occur in areas that have already been graded, and no additional trees will be removed to accommodate the road widening.

Page 2-24, Infrastructure and Utilities, Sewer
Text from the Detention Basin section has been moved to the Sewer section.

Construction of infrastructure sized to accommodate portions of anticipated future development on adjacent parcels is consistent with city policy requiring the sewer lift station to be a public lift station and to be sized to meet the needs of all adjacent properties. At this time, no specific plans for development on parcels to the west and south have been submitted to the City.

Page 2-24, Detention Basin
Text has been added to reference a new exhibit (Exhibit 2-9) depicting the location of the revised detention pond and to clarify that the detention basin would be sized to accommodate a portion of future development.

The proposed project would construct a stormwater detention pond on Lot 61 that would be sized to accommodate the proposed project as well as a portion of the future development on adjacent parcel Lot 14 (refer to Exhibit 2-3 for location of Lot 14 and Exhibit 2-9 for specific location of the detention pond).

Page 2-25, Drainage
Text has been added to correct some information about storm drainage requirements.

The proposed project would complete the existing, unfinished storm drainage system and would add a detention basin within an easement on Lot 61. Large-diameter storm drains to supplement the detention capabilities of the detention pond would be located under the parking lot on the north side of Building A. The project’s stormwater treatment plan has been revised to implement Low Impact Development stormwater treatment and volume capture requirements. The project’s storm drainage system would be sized to accommodate runoff from a 2-year, 24-hour, 10-year storm and would regulate the release of stormwater flows into Melita Creek at a rate no greater than the existing pre-
development condition of the site. Stormwater filtration units would be used to filter runoff from a 2-year, 24 hour storm from the project roadways before it enters Melita Creek. Improvement plans associated with the crossings of Melita Creek were approved by the City in 1996; these plans included two arch-pipe crossings of Melita Creek, one of which has already been constructed, and bank stabilization and creek flow capacity improvements to stabilize badly eroded portions of Melita Creek.

**Page 2-25, Vehicular Access**

Text has been added to note the project has changed by adding a traffic signal and to clarify vehicle circulation patterns and design for Class II bicycle lanes.

Vehicular access to the project site would occur from Elnoka Lane connecting with Sonoma Highway to the north and Road A connecting Elnoka Lane and Melita Road to the west. The Melita Road access point would be “Tee” connection that would be controlled by a stop sign. As proposed by the applicant, westbound left turns in and out of the project main entrance would be prohibited from facilitated by a traffic signal at the intersection of Elnoka Lane and Sonoma Highway. There will be Class II bicycle lanes along roads A and B (Elnoka Lane), delineated by a solid white line, which will help address the importance of and growing demand in Santa Rosa for a bicycle trails network. The roundabout structure depicted in the original site plan will be retained (see new site plan in Exhibit 2-9) as a traffic calming device and will help maintain public safety. Changing the roads from private to public will facilitate access to any possible or planned future developments that may occur on the parcels adjacent to Road A and Road B. On the project’s Melita Road frontage, Melita Road would be widened to provide a 12-foot travel lane from the centerline to the curb in the vicinity of Road A.

**Page 2-26, Alternative Transportation/Pedestrian and Bicycle Facilities, Seventh and New Bullets**

For the seventh bullet, text has been changed to state that the phrase rights of way to replace the word easements. A new bullet has been added stating the planter strip width would be increased and to reference a new exhibit (Exhibit 2-10).

- As proposed, Elnoka Lane and Road A would include public pedestrian and bicycle rights of way easements.

The planter strip located between the parking lot and Sonoma Highway would be increased from 15 to 25 feet in width to accommodate planting as well as possible future construction of a Class I bicycle path. This revision is reflected in Exhibit 2-10, below.
Page 2-26, Design and Appearance, Siting and Configuration, First Paragraph
The paragraph has been changed to reflect a change in setback distance that is due to increasing the width of the planter strip. The parking lot would be set back approximately 30-40 feet from Sonoma Highway.

Page 2-26, Design and Appearance, Siting and Configuration, Second Paragraph
Text has been added to clarify that the parking lots will also have a creek setback of 50 feet.

Building A and associated parking lots would be set back from Melita Creek 50 feet, as required by the Zoning Code, it would be set back from Sonoma Highway by approximately 400 feet and it would be set back from the nearest single-family residential property line (within the adjacent Oakmont Senior Community) by approximately 125 feet.

Page 2-28, Landscape and Hardscape, First and Fourth Bullets
Text in the first bullet has been clarified to reflect the fact that five rather than four oak trees will be removed to accommodate a wider planter strip. Text in the fourth bullet has been changed to reflect the fact that native vegetation will be planted to screen views of Building A from Sonoma Highway.

- All but four of the valley oaks in the northeastern portion of the property would be preserved.
- Native landscaping including groundcover, medium shrubs, and 24-inch box live oak trees would be planted along the Sonoma Highway frontage. In addition, valley oaks or similar trees would be planted along the Sonoma Highway frontage. Trees planted east of Elnoka Lane will screen views of the mixed-use portion of the project, while trees planted west of Elnoka Lane will screen views of Building A.

Page 2-28, Earthwork
The second sentence has been changed to clarify that all excess fill will be removed from the project site.

Approximately 35,000 yards of all the excess fill material would be exported from the site to a location that is yet to be determined.

Page 2-39, Second Bullet
The bullet has been modified to specify the amount of land on the project site to be set aside as private open space.

- A significant portion of the project site would be set aside as private open space, landscaping, or pocket parks.
Page 2-39, Sustainability Features, Seventh Bullet

The bullet has been modified to specify responsibility for implementing the ride-share program.

• The management company that is retained to operate the complex will be responsible for establishing and implementing a car ride-share program.

Section 3.1: Aesthetics

Page 3.1-13, Last Paragraph

The paragraph has been modified to reflect that an additional site visit was made following the close of the public review period, and that additional and revised visual simulations have been developed.

MBA personnel visited the project site and surrounding land uses in June 2009 and March 2010 and documented the site conditions through photographs and notation.

Building elevations and visual simulations prepared by The Digital Realm for five viewpoints were used to evaluate the change in views and visual character that would occur from development of the proposed project.

Page 3.1-14, Scenic Vistas

The impact conclusion has been changed, based on information from the new, revised visual simulations.

| Impact AES-1 | The proposed project would not have a substantial adverse effect on a scenic vista. |

Page 3.1-15, First Paragraph

The paragraph has been changed to clarify that the project site has been graded previously.

Since the site has already been graded for a previous project, the proposed project would not require extensive grading.

Page 3.1-15, Third Paragraph

The paragraph has been changed, based on the results of the new visual simulations.

All building heights would be within the 45-foot maximum height permitted by the Zoning Ordinance for the project site. The decorative entry tower of Building A may exceed the R-3-18 Multi-Family Residential zoning district height limitation of 45 feet. Santa Rosa City Code Section 20-30-070 exempts towers and similar structures from height limitations with Design Review approval. Design Review would ensure that the proposed project is consistent with height requirement. Existing trees partially obstruct views of Annadel State Park as seen from Sonoma Highway and residential land uses to the north of Sonoma Highway. Graphic representations of proposed building heights are provided in Exhibits 2-7a, 2-7b, 2-7c, and 2-7d, and Exhibit 3.1-2 shows the height of the proposed...
buildings compared with the existing tree canopy along Melita Creek. Building heights would are not likely to obstruct views as seen from the residences to the west, but may obstruct views of ridgelines to the north from the nearest single-family residence adjacent to Lot 60. Building heights are not likely to obstruct views as seen from the residences to the southwest, as they are at a higher elevation than the project site. However, as shown in Exhibits 3.1-3a and 3.1-3b, project buildings landscaping would partially obstruct views of Annadel State Park as seen from two viewpoints along Sonoma Highway, and from the residences to the north. Much of the ridgeline is still visible; as a result, this does not represent a substantial adverse effect on a scenic vista. This landscaping is needed to mitigate impacts to the scenic corridor associated with Sonoma Highway. In addition, as shown in Exhibits 3.1-3c and 3.1-3g, Building A would significantly alter views of the project site from one residences of the Oakmont Senior Community that borders the property boundary with the project site. However, it would not alter the view of the ridgeline from this particular residential location because the ridgeline is not visible, even without the presence of Building A. Exhibit 2-3 shows there are three residences with west-facing views that would likely be able to view Building A. Since Annadel State Park is located to the south, it is not likely that Building A located to the west would block views of the park. Exhibit 3.1-3e represents a visual simulation from another viewpoint along Sonoma Highway. Although tower features of Building A are visible, they do not block views of the ridgeline in Annadel State Park. Exhibit 3.1-3f depicts a visual simulation from another viewpoint slightly further to the southeast along Sonoma Highway. Although building features contrast with the existing environment, they do not block views of the ridgeline in Annadel State Park. Exhibits 3.1-3h and 3.1-3i show Building A from two different viewpoints along Sonoma Highway with screening vegetation added for mitigation. This screening substantially reduces the contrast effect associated with the features of Building A. With this vegetation screening added to the project site, potentially significant impacts from view obstruction viewed from Sonoma Highway are reduced to less than significant. Therefore, view obstruction is a significant impact.

Page 3.1-16, Summary

The summary has been changed, based on the results of the new visual simulations. However, it would partially block views of scenic resources (Annadel State Park) as seen from two viewpoints along Sonoma Highway, and possibly some residences of the Oakmont Senior Community. New, revised visual simulations demonstrate that at other viewpoints along Sonoma Highway, views of scenic resources are not blocked.

Page 3.1-16, Mitigation Measures

A mitigation measure has been added, based on results of the March 2010 site visit and the new visual simulations.

No mitigation is available.

MM AES-1a The applicant shall plant and maintain new vegetation, consisting of native species, on Lot 61, to screen views of Building A as depicted in Exhibit 3.1-3h.
Page 3.1-16, Level of Significance After Mitigation
The level of significance has been changed, based on the application of MM-AES-1a mitigation measure.

Significant and unavoidable impact. Less than significant impact.

Page 3.1-16, State Scenic Highways
The impact conclusion has been changed, based on revisions to the project and review of the new and revised visual simulations.

| Impact AES-2: | The project would partially block views of scenic resources, including but not limited to trees, rock outcroppings, and historic buildings, a scenic resource within a state scenic highway. |

Page 3.1-16, Third Paragraph
Text has been added to the paragraph to reflect the fact that the parking lot would be screened.

Although the project would locate parking along Sonoma Highway frontage, which is not consistent with 2020 General Plan policies UD-C-6, UD-D-2, and UD-G-9 that discourage parking along the street frontage, the views of the parking lot from Sonoma Highway would be screened by plantings consisting of trees and shrubs (Exhibit 3.1-3b).

Page 3.1-27, Second Paragraph
The paragraph has been changed in response to revisions to the project description and the results of the new, revised visual simulations.

As discussed in Impact AES-1, the proposed project would not result in strong visual contrast with the surrounding area and would not destroy onsite scenic resources; however, it. Building A would partially block views of Annadel State Park as seen from two viewpoints from Sonoma Highway as depicted in Exhibits 3.1-3a and 3.1-3b. This is considered a significant impact. However, for the other viewpoints along Sonoma Highway as depicted in Exhibits 3.1-3e, 3.1-3f, and 3.1-3h, views of the ridgeline in Annadel State Park would be unobstructed.

Page 3.1-27, Summary
The summary has been changed to reflect that required vegetation screening along Sonoma Highway is the feature that partially blocks views of Annadel State Park.

However, because the project would locate parking along the frontage of Sonoma Highway within a scenic corridor (which is inconsistent with City policy) and would partially block scenic vistas, this is considered a significant impact. At the viewpoint depicted in Exhibit 3.1-3b, required vegetation screening would block views of the parking lot from Sonoma Highway and would partially block views of the more distant ridgeline in Annadel State Park. However, the ridgeline would not be blocked by vegetation screening or project features at the other viewpoints used in visual simulations.
Exhibit 3.1-3i
View 5, with native landscaping for mitigation of impacts to scenic corridor and visual character
Page 3.1-27, Mitigation Measures

A new mitigation measure has been added, based on results of the March 2010 site visit.

No mitigation is available

MM AES-2a In consultation with the City’s arborist and planning staff, the applicant shall plant vegetation that effectively screens the view of the parking lot that fronts Sonoma Highway.

Page 3.1-27, Level of Significance After Mitigation

The conclusion about level of significance has been changed to reflect implementation of MM-AES-2a.

Significant and unavoidable impact. Less than significant impact.

Page 3.1-27, Visual Character

The impact conclusion has been changed to reflect the fact that site is already changed from its natural state, due to existing fencing and previous site grading.

Impact AES-3: The proposed project would change but permanently change would not substantially degrade the existing visual character or quality of the project site.

Page 3.1-28, Impact Analysis, Third Paragraph

The paragraph has been changed to clarify the specific nature of the impact, and to change the impact conclusion based on new, additional mitigation depicted in Exhibit 3.1-3h. This new mitigation will require planting vegetation on Lot 61 (Exhibit 2.3 in the DEIR) to screen views of the four-story building as seen when traveling eastbound on Sonoma Highway.

However, even with these features, the height scale of the proposed project would present a massive appearance result in a strong contrast that is not consistent with surrounding development currently consisting of single-family housing developments and rural residences. However, since the site is already degraded from previous grading, and since MM-AES-1a will be added, the project would not substantially degrade the existing visual character of the site.

Page 3.1-28, Summary

The summary has been changed to be consistent with the above-referenced impact description.

In conclusion, Although the proposed project is consistent with most policies governing site design, the height and mass of the project is inconsistent with the height and mass of surrounding residences. Development.

However, since the site is already degraded as discussed above, and because the project includes new vegetation that will partially screen views of the project from the scenic highway, the height and mass
of the four-story building would not substantially degrade the existing visual character of the site. This is a less than significant impact.

Page 3.1-28, Level of Significance Before Mitigation
As a result of changes to the project and review of the new, revised visual simulations, the impact conclusion has been changed from a significant and unavoidable impact to a less than significant impact.

Significant and unavoidable impact. Less than significant impact.

Page 3.1-28, Mitigation Measures
Based on the new, revised visual simulations a mitigation measure has been added.

No mitigation is available. MM AES 1a shall be implemented.

Page 3.1-29, Level of Significance After Mitigation
As a result of new, revised visual simulations, the impact conclusion has been changed from a significant and unavoidable impact to a less than significant impact.

Significant and unavoidable impact. Less than significant impact.

Section 3.2: Air Quality
Page 3.2-11, Third Paragraph
The paragraph has been changed to clarify an error regarding the trail name.

Elnoka Village will be located adjacent to the existing Kenwood-Santa Rosa Central Sonoma Valley Trail, a proposed Class I bicycle facility. The Central Sonoma Valley Trail will begin at Maxwell Farms Regional Park and continue north to the Santa Rosa city limits.

Section 3.3: Biological Resources
Pages 3.3-9 and 3.3-10, Table 3.3-1
Since MBA’s CNDDB search found documented occurrences of the Northwestern Pacific Pond Turtle within 5 miles of the project site, this species has been added to the table.
Table 3.3-1: Special-Status Wildlife Species

<table>
<thead>
<tr>
<th>Name</th>
<th>Status</th>
<th>General Habitat</th>
<th>Potential for Presence</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pallid bat (Antrozous pallidus)</td>
<td>CDFG Species of Special Concern; Western Bat Working Group High Priority Species</td>
<td>Occupies a variety of habitats at low elevation, including grasslands, shrublands, woodlands, and forests.  Most common in open, dry habitats with rocky areas for roosting.</td>
<td>Moderate Potential. Typical habitat is available throughout site. Likely forages over project site. Documented occurrence within five miles (CNDDB 2009)</td>
</tr>
<tr>
<td>Townsend’s Western big-eared bat (Corynorhinus townsendii townsendii)</td>
<td>CDFG Species of Special Concern; Western Bat Working Group High Priority Species</td>
<td>Primarily found in rural settings in a wide variety of habitats, including oak woodlands and mixed coniferous-deciduous forest. Day roosts highly associated with caves and mines. Very sensitive to human disturbance.</td>
<td>Moderate Potential. Typical oak woodland habitat is present in riparian areas onsite. Project site is subject to human disturbance. May forage over project site.</td>
</tr>
<tr>
<td>Sharp-shinned hawk (nesting) (Accipiter striatus)</td>
<td>CDFG Species of Special Concern</td>
<td>Found in ponderosa pine, black oak, riparian deciduous, mixed conifer and Jeffrey pine habitats. Prefers riparian areas. North-facing slopes, with plucking perches are critical requirements. Nests usually within 275 feet of water.</td>
<td>Moderate Potential. Typical nesting habitat limited to riparian portions of project site. May forage in project site in winter.</td>
</tr>
<tr>
<td>White-tailed kite (Elanus leucurus)</td>
<td>CDFG Fully Protected Animal</td>
<td>Yearlong resident of coastal and valley lowlands; rarely found away from agricultural areas. Preys on small, diurnal mammals and occasional birds, insects, reptiles, and amphibians.</td>
<td>Moderate Potential. Fragmented foraging habitat is present onsite. Suitable nesting habitat is present in large trees and riparian portions of project site.</td>
</tr>
<tr>
<td>Loggerhead shrike (Lanius ludovicianus)</td>
<td>CDFG Species of Special Concern</td>
<td>Prefers open habitats with scattered shrubs, trees, posts, utility lines from which to forage for large insects. Nest well concealed above ground in densely foliated shrub or tree.</td>
<td>Moderate Potential. Typical foraging habitat is present but fragmented. Prey species abundant onsite. Suburban development surrounding site may inhibit the abundance of this species.</td>
</tr>
<tr>
<td>Tricolored blackbird (Agelaius tricolor)</td>
<td>CDFG Species of Special Concern; USFWS Birds of Conservation Concern</td>
<td>Usually nests over or near freshwater in dense cattails, tules, or thickets of willow, blackberry, wild rose or other tall herbs.</td>
<td>Moderate Potential. Suitable habitat is present in blackberry thickets in northeastern corner of project site.</td>
</tr>
</tbody>
</table>
Table 3.3-1 (cont.): Special-Status Wildlife Species

<table>
<thead>
<tr>
<th>Name</th>
<th>Status</th>
<th>General Habitat</th>
<th>Potential for Presence</th>
</tr>
</thead>
<tbody>
<tr>
<td>California red-legged frog</td>
<td>Federal Threatened; CDFG Species of Special Concern</td>
<td>Associated with quiet perennial to intermittent ponds, stream pools, and wetlands. Prefers shorelines with extensive vegetation. Documented to disperse through upland habitats after rains.</td>
<td>Moderate Potential. Suitable aquatic habitat is present in the intermittent drainage running through the project site. Upland estivation habitat is also present. Documented occurrence within 5 miles (CNDDB 2009).</td>
</tr>
<tr>
<td>Northwestern Pacific Pond Turtle (Clemmys marmorata marmorata)</td>
<td>CDFG Species of Special Concern</td>
<td>Associated with permanent or nearly permanent water in a wide variety of habitats. Requires basking sites. Nest sites may be found up to 0.3 miles from water</td>
<td>Unlikely. No perennial aquatic habitat present on site. Documented occurrences within 3 miles (CNDDB 2009)</td>
</tr>
</tbody>
</table>


Page 3.3-14, Second Paragraph

A definition of “Waters of the State” will be added as a final paragraph in the “Wetlands” sub-section (second paragraph) on page 3.3-14 as follows:

As defined in the Water Code Section 13050(e), “Waters of the state means any surface water or groundwater, including saline waters within the boundaries of the state.” Since the U.S. Supreme Court Decision in Solid Waste Agency of Northern Cook County (SWANCC) v. Corps (2001) eliminated the “Migratory Bird Rule” and greatly curtailed the reach of federal jurisdiction over waters, §13050 has been used to “fill-in” the jurisdictional gap, particularly over isolated waters (SWRCB Water Quality Order No. 2004-0004-DWQ). Typically, state will assume jurisdiction over “isolated waters” (no federal nexus) that have beneficial uses to the state.

Page 3.3-17, Santa Rosa City Code

The City of Santa Rosa setback requirement (Title 20-30.040) is incompletely summarized in the Draft EIR. The 50-foot requirement is a minimum distance measured from the top of the highest bank; however, when the slope of the bank is steeper than 2.5:1, the measurement is measured from a projection of a 2.5:1 slope from the toe of the stream bank plus 50 feet. This secondary requirement provides added protection, accounting for potential erosion and instability in natural or modified natural creek/drainage systems, and typically establishes a buffer extending significantly beyond the buffer that otherwise would be measured from the “top of highest bank.” The second paragraph in the referenced section is amended accordingly.

Chapter 20-30 of the Santa Rosa City Code establishes requirements for minimum setbacks from waterways for new structures, to provide reasonable protection to owners of riparian property and the
public from the hazards of stream bank failures and flooding, while allowing owners of property near waterways reasonable use of and the opportunity to improve their properties consistent with general safety. Provisions include that the exterior boundary of the setback area on each side of a natural or modified natural waterway shall be 50 feet from the top of the highest bank on that side of the waterway. Alternatively, when the bank of a natural or modified natural waterway is steeper than 2.5:1, the exterior setback boundary shall be measured by the projections of a slope of 2.5:1 from the toe of the stream bank to ground level, plus 50 feet.

Page 3.3-20, Impact BIO-1

The following modifications have been made to Mitigation Measures BIO-1a and BIO-1b:

**MM BIO-1a**
Removal of snags or trees suitable for special-status bat species shall only be removed from March 1 to April 15, or from August 15 to October 15. Prior to any tree removal, a qualified bat biologist shall conduct an onsite habitat assessment to identify any trees that provide potential habitat. A 100- to 150-foot radius shall be established around each potential habitat tree or group of trees.

**MM BIO-1b**
Any trees that have been identified for removal and do not provide bat habitat but occur within a 100- to 150-foot radius of potential habitat trees shall be removed 1 day prior to removing potential habitat trees. Removal of non-habitat trees should be done in a manner that does not damage any nearby habitat trees. On the following day, potential habitat trees may be removed, starting with branches and limbs that do not contain cavities. The noise and vibration from this activity should cause the bats to abandon their roosts. On the next day, the remainder of the potential habitat tree may be removed.

Pages 3.3-21 and 3.3-22, Riparian Habitat/Sensitive Natural Communities

For clarification purposes, paragraph 2 of the Impact Analysis will be amended as follows:

The proposed project would protect the creek and its associated riparian habitat with a 50-foot setback; however, the proposed project would include the construction of one roadway crossing, specifically, an arch culvert near the intersection of Road A and Melita Road, in addition to the existing crossing at the entrance to the project site from Sonoma Highway, which is 28 linear feet and occupies 0.08 acre. This is a potentially significant impact requiring mitigation. Mitigation is proposed that would require the applicant to obtain a 1602 Streambed Alteration Agreement from the California Department of Fish and Game (CDFG). The implementation of this mitigation would reduce potential impacts to a level of less than significant. The proposed mitigation measure (MM BIO-2) requires the applicant to obtain a Fish & Game Code Section 1602 Lake and Streambed Alteration Agreement (LSAA) for impacts to Melita Creek and to the surrounding riparian vegetation. Pursuant to this LSAA authorization, the California Department of Fish and Game (CDFG) will require compensatory mitigation for any impacts. Typically, compensatory mitigation will be onsite.
or by purchase into an offsite, approved mitigation bank or In-Lieu Fee Program. The implementation of this mitigation would reduce potential impacts to a level of less than significant.

Mitigation Measure BIO-2 will be amended to reflect the intent to create a restoration program wherein any onsite mitigation will utilize “native” and (where appropriate) drought-tolerant plants for revegetation. The plan will also establish long-term restoration goals and provide for monitoring and reporting.

**MM BIO-2**

Prior to the commencement of construction, the applicant shall obtain a 1602 Streambed Alteration Agreement from CDFG. The requirements of the 1602 permit shall be incorporated into the project. Loss of riparian habitat within the project boundaries shall be mitigated onsite. Prior to project construction, a riparian habitat restoration and enhancement mitigation and monitoring plan (Restoration Plan) shall be prepared and submitted to CDFG for approval. The plan shall include the following:

a) The plan shall identify those portions of Melita Creek within the project area that would benefit most from riparian restoration and enhancement activities. This includes removal of trash during and after completion of construction, removal of noxious weed species, identification of areas requiring bank stabilization, and identification of areas most suitable for revegetation and a list of plants suitable for those areas. **Revegetation will utilize a plant pallet containing a mix of drought-tolerant native plants suitable and appropriate for the planting area.**

b) **Restoration:** Immediately following completion of construction, trash within the drainage shall be removed and suppression of noxious weed species shall be implemented. This shall be completed prior to planting any additional plants. The Restoration Plan will set forth restoration goals for the survival of planted species to be at least 85 percent or higher of thriving vegetation.

c) **Replacement:** Replacement of all permanently affected riparian habitats shall occur at a ratio of no less than 1:1.

d) **Monitoring:** The Restoration Plan will also include a monitoring and reporting schedule, which will generally provide for annual reports to the resource agencies (CDFG, RWQCB, USACE) for at least 5 years. Monitoring will also verify compliance with restoration goals (85 percent).

**Page 3.3-23, Wetlands/Jurisdictional Features**

The second paragraph of sub-section titled “Wetlands/Jurisdictional Features” incorrectly states that mitigation for impacts to jurisdictional resources will require mitigation compensation at a ratio of 2:1. In practice, appropriate compensatory mitigation ratios will be determined by a number of
factors that will be assessed during the (404, 401) permit approval process. The referenced paragraph will be amended as follows:

Development of the proposed project includes the aforementioned roadway crossing of Melita Creek and may result in substantial adverse impacts on 0.4 acre of jurisdictional features that is located on both sides of the creek for a distance of approximately 160 feet, and on the north side of the creek for a distance of about 600 feet. Therefore, this is a potentially significant impact requiring mitigation. Mitigation is proposed that would require the applicant to obtain a Section 404 permit from the United States Army Corps of Engineers (USACE). Because there is less than 0.5 acre of jurisdictional features onsite, the proposed project may be able to obtain coverage under Nationwide Permit #14, Linear Transportation Projects. However, the USACE would ultimately determine if this is possible. Additionally, mitigation as required by the RWQCB for issuing a 401 water quality permit requires a 2:1 compensation ratio for any jurisdictional features lost. Possible mitigation includes expanding the 0.28-acre wetland feature located along the creek (see Exhibit 3.3-1), or construction of a bioswale upslope of the creek. The implementation of this mitigation to satisfy the USACE and RWQCB requirements would reduce potential impacts to a level of less than significant.

The 0.4 acre of impacts is below the 0.5-acre USACE limit established for 404 authorization under the Nationwide Permit (NWP) program for either Linear Transportation Projects (NWP-14), or Residential Projects (NWP-29). Mitigation is proposed that would require the applicant to obtain a Section 404 permit from the United States Army Corps of Engineers (USACE). Actions requiring a “dredge and fill permit” and “water quality certification” pursuant to Clean Water Act sections 404 and 401 are subject to the “non-net loss” policy set forth in the CWA (USACE and EPA) regulations. Fundamentally, when impacts to jurisdictional resources cannot be avoided, these regulations require a mitigation compensation ratio of at least 1:1. However, an adequate compensation ratio will depend on whether the selected mitigation is in-kind and takes into account differences in function and value between the impacted area and the area targeted for mitigation. An appropriate compensatory mitigation ratio will be determined by agreement with the resources agencies (USACE and RWQCB) pursuant to their evaluation of the project during the permit application/approval process. Possible onsite mitigation opportunities include expanding the 0.28-acre wetland feature located along the creek (see Exhibit 3.3-1), or construction of a bioswale upslope of the creek. The implementation of this mitigation to satisfy the USACE and RWQCB requirements would reduce potential impacts to a level of less than significant.
Section 3.7: Hydrology and Water Quality

Page 3.7-1, Introduction

The reference in the introduction to Elnoka Village’s Preliminary Storm Water Mitigation Plan (SWMP), revised 2008, is now obsolete. A new preliminary Low Impact Development Stormwater Treatment Plan for the project has been prepared by Brelje & Race Consulting Engineers (April 2010); the paragraph has been amended accordingly. The new preliminary Low Impact Development Stormwater Treatment Plan is included as Appendix M-2 in the Final EIR.

This section describes the existing hydrology and water quality setting and potential effects from project implementation on the site and its surrounding area. Descriptions and analysis in this section are based information obtained from the California Department of Water Resources, the Regional Water Quality Control Board, the Standard Urban Stormwater Management Plan (SUSMP), Elnoka Village’s Preliminary Storm Water Mitigation Plan (revised 2008 Brelje & Race, April 2010), the City of Santa Rosa General Plan, and the City of Santa Rosa’s Urban Water Management Plan (2005).

Page 3.7-2, Surface Water Quality

The first sentence for Section 3.7-2 incorrectly states that the Melita Creek and its receiving water Santa Rosa Creek are not 303(d) listed. The paragraph will be replaced and a new table (Table 3.7-2) will be added to clarify the listing status and pollutant/stressors affecting the resources. Similarly, the table will also indicate the potential pollutants/stressors that might result from the proposed Elnoka Village Project.

Surface Water Quality

Melita Creek and Santa Rosa Creek are not listed on the 303(d) List of Impaired Water Bodies.

The onsite drainage feature (Melita Creek) is not specifically listed on the 303(d) list of impaired (polluted) water bodies; however, the creek is within the Middle Russian River Hydrologic Area (HA), which is listed. Similarly, Santa Rosa Creek, the receiving water for Melita Creek, is also 303(d) listed as polluted. Table 3.7-2 identifies the pertinent 303(d) listed waterbodies, their proximity to the project site, identified pollutant/stressors, and the potential contributing sources of stress.
Table 3.7-2: Identification of Pertinent 303(d) Listed (Polluted) Impaired Water Bodies

<table>
<thead>
<tr>
<th>Name of Surface Feature</th>
<th>Distance from Site (linear feet/river miles)</th>
<th>Pollutant and/or Stressor</th>
<th>Potential Sources of Stress</th>
</tr>
</thead>
<tbody>
<tr>
<td>Middle Russian River HA (including Melita Creek)</td>
<td>0</td>
<td>Temperature(^1)</td>
<td>Hydromodification, removal of riparian vegetation, streambank modification/destabilization.(^1)</td>
</tr>
<tr>
<td>Santa Rosa Creek (receiving water for Melita Creek)</td>
<td>3,070/0.5814</td>
<td>Pathogens</td>
<td>Nonpoint source, and point source (urban runoff)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Sedimentation/siltation</td>
<td>Hydromodification, construction/land development, habitat modification, removal of riparian vegetation, streambank modification/destabilization, drainage/filling of wetlands, channel erosion, erosion/siltation, highway maintenance and (urban) runoff,</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Temperature</td>
<td>Hydromodification, upstream hydromodification, removal of riparian vegetation, streambank modification/destabilization.</td>
</tr>
</tbody>
</table>

Notes: Though Melita Creek is not specifically identified on the 303(d) list of impaired waters, the entire Russian River watershed (including Melita Creek) is listed for temperature with potential sources as noted above. Source: 202 CWA Section 303(d) List of Water Quality Limited Segments, Approved by USEPA July, 2003.

Page 3.7-8, Impact HYD-1

The following is an additional paragraph concerning potential stresses to 303(d) resulting from the proposed Elnoka Village Project that will be added to the Draft EIR section concerning construction-related impacts to water quality.

**Impact Analysis**

Melita Creek and its receiving water, Santa Rosa Creek, are 303(d) listed with temperature and/or pathogens, and sedimentation/siltation identified as pollutants/stressors. Generally, construction-related activities including grading, removal of vegetation, streambank modification/stabilization, and construction runoff are known to potentially aggravate these stressors.

Page 3.7-10, Impact HYD-2

New paragraphs concerning potential stresses to 303(d) resulting from the proposed Elnoka Village Project are added to the Draft EIR section concerning operational activities that may result in long-term water quality impacts.

The Preliminary Storm Water Mitigation Plan (SWMP) (2008) has been updated to incorporate Low Impact Development stormwater treatment and volume capture requirements (Brelje & Race, April 2010). The updated SWMP includes new calculations on impervious surface cover that will be
generated by the project. According to the 2010 SWMP, impervious cover will increase from 319,552 square feet (7.30 acres) to 336,540 square feet (7.73 acres). Similarly, the post-project design has been changed so that the post-construction design captures and retains the increase in runoff volume within the boundaries of the site to be infiltrated or otherwise reintroduced to the natural hydrological cycle, rather than allowing it to exit the project as drainage flow. The applicable paragraphs have been addressed accordingly.

**Impact Analysis**

Melita Creek and its receiving water, Santa Rosa Creek, are 303(d) listed because their temperature and/or pathogens, and sedimentation/siltation are identified as pollutants/stressors. Generally, long-term operational activities may facilitate the introduction of sediment and other pollutants that may potential aggravate these stressors.

The proposed project would result in a net increase in impervious surface coverage of the project site by approximately 319,552 336,540 square feet, or 7.73 acres (Brelje & Race 2010). The increase in impervious surface coverage would create the potential for additional discharge of urban pollutants into downstream waterways. Leaks of fuel or lubricants, tire wear, and fallout from exhaust contribute petroleum hydrocarbons, heavy metals, and sediment to the pollutant load in runoff being transported to receiving waters. In addition, runoff from the proposed landscaped areas may contain residual pesticides and nutrients, including nitrogen and phosphorus.

Volumetric control of runoff for the project will focus on the City of Santa Rosa standard of retaining the excess over the pre-development volume of runoff generated by the 85th percentile 24-hour storm event as a post-construction design goal, to be mitigated by the use of low-impact development strategies and hydromodification control Best Management Practices. The Preliminary Water Quality Management Plan for the project (Brelje & Race 2010) estimates that the post-construction storm runoff volume will result in a net volume increase of 10,860 cubic feet over the pre-construction volume. This volume includes runoff from the primary project development area as well as all proposed access roads.

To ensure that water quality is not degraded by operational activities, mitigation is proposed that would require the project applicant to prepare and submit a stormwater quality management plan to the City of Santa Rosa for review and approval. According to a preliminary stormwater assessment (B& R, 2007), the proposed project would complete the existing unfinished storm drainage system and add a detention basin on the detention basin parcel. Large-diameter storm drains would be located under the parking lot on the north side of Building A. The project’s storm drainage system would be sized to accommodate runoff from a two-year, 24-hour storm and would regulate the release of stormwater flows into Melita Creek at a rate no greater than the existing pre-development condition of the site. This would reduce the amount of offsite surface runoff from the site to the existing pre-developed condition and, therefore, reduce the potential for downstream flooding. In addition, the plan would require the project applicant to document various stormwater quality control...
measures that would be in effect during project operations to ensure that water quality in downstream water bodies is not degraded. With the implementation of mitigation, impacts would be reduced to a level of less than significant.

To ensure that water quality is not degraded by operational activities, mitigation is proposed that would require the project applicant to prepare and submit a stormwater management plan (SWMP) to the City of Santa Rosa for review and approval. According to a preliminary stormwater assessment (Brelje and Race 2010), the proposed project would complete the existing, unfinished storm drainage system and add a detention basin on the detention basin parcel. The project would incorporate a series of low-impact design (LID) features, including a network of rain gardens and treebox inlet structures, that would capture and infiltrate the bulk of the estimated 10,860 cubic feet net volume. A treebox is a drainage inlet filled with soil and a tree or other vegetation. The soil is typically a mixture of sand and compost, soil, and/or woodchips. The soil has a high permeability rate to capture stormwater runoff. Excess volume beyond this net volume will be directed to the proposed detention basin (bioswale).

Runoff from parking areas and roofs—potential sources of sedimentation/siltation—will be filtered or detained to the LID features that will be located along the proposed access roads and will surround the primary project site. Redirection of road and parking lot runoff to LID features will also prevent oil/grease and heavy metals from entering Melita Creek. The LID features will also intercept nuisance flows, including excess irrigation runoff that might otherwise convey fertilizers (nitrogen and phosphorus) from the project site to Melita Creek. Additional operational controls will applied to limit or otherwise control the application of fertilizers onsite.

Limiting the volume of water released to the pre-project quantities will also protect against increased bank erosion in Melita Creek and prevent the downstream siltation/sedimentation in downstream (impaired) waterbodies.

With the implementation of mitigation, impacts would be reduced to a level of less than significant.

The following modifications have been made to Mitigation Measure HYD-2:

**MM HYD-2**

Prior to the issuance of building permits, the project applicant shall submit a stormwater quality management plan to the City of Santa Rosa for review and approval. The stormwater quality management plan shall identify operational pollution prevention measures and practices to prevent polluted runoff from leaving the project site. The pollution prevention measures shall be implemented into the proposed project. Examples of stormwater pollution prevention measures and practices to be contained in the plan include but are not limited to:
• Bioswales provided as a low-flow treatment device in the bottom of the detention basin and landscaped areas that promote percolation of runoff
• Roof drains, most of which would be tied to the storm drain system to prevent foundation damage
• Roof drains and access road runoff that will be tied to low-impact design features, including rain gardens and treebox inlet structures
• Trash enclosures with screen walls and roofs
• Stenciling on storm drains
• Curb cuts in parking areas not adjacent to creek setback areas to allow runoff to enter landscaped areas
• Catch basins
• Stormwater filtration units to treat runoff prior to discharge from the project site
• Regular sweeping of parking areas and cleaning of storm drainage facilities
• Employee training to inform store personnel of stormwater pollution prevention measures

Page 3.7-12, Impact HYD-4

The Preliminary Storm Water Mitigation Plan (SWMP) (2008) has been updated (Brelje & Race, April 2010). The updated SWMP includes new calculations on impervious surface cover that will be generated by the project. According to the 2010 SWMP, impervious cover will increase from 319,552 (7.30 acres) square feet to 336,540 square feet (7.73 acres). Similarly, the post-project design has been changed so that the post-construction design captures and retains the increase in runoff volume within the boundaries of the site to be infiltrated or otherwise reintroduced to the natural hydrological cycle, rather than allowing it to exit the project as drainage flow. The applicable paragraphs have been addressed accordingly.

Impact Analysis

The Elnoka Village Development will result in 336,540 square feet (7.73 acres). The WQMP for the project (Brelje & Race 2010) estimates that the post-construction storm runoff volume will result in a net volume increase of 10,860 cubic feet over the pre-construction volume. This volume includes runoff from the primary project development area as well as all proposed access roads.

Implementation of the proposed project would increase impervious surfaces on the project site, resulting in an increase of stormwater runoff from the project site. The project site is currently undeveloped; however, a storm drain system designed for the previous Three Bridges LifeCare Community project was substantially installed during the 1996–1997 construction season. According to preliminary drainage plans for the proposed project, the existing unfinished storm drainage system would be completed, and a detention basin would be added. Large-diameter storm drains would be located under the parking lot on the north side of Building A. The project’s storm drainage system
would be sized to accommodate runoff from a two-year, 24-hour storm. Additionally, project storm
drainage facilities would contain stormwater filtration units at outfalls to Melita Creek. Mitigation is
proposed that would require the project applicant to prepare and submit a final drainage plan that
identifies onsite drainage facilities that impound runoff and ensure that the release of stormwater
flows into Melita Creek is at a rate no greater than the existing pre-development condition of the site
and, therefore, reduce the potential for downstream flooding.

The Project will also incorporate low impact development (LID) features, including rain gardens and
treebox inlet structures, to capture the net post-construction runoff created by the 24-hour 85th
percentile stormwater runoff volume (10,860 cubic feet) (Brelje and Race 2010).

The incorporation of this mitigation into the project would ensure that the proposed project would not
create substantial sources of runoff. As such, impacts after mitigation would be less than significant.

The following modifications have been made to Mitigation Measure HYD-4:

**MM HYD-4**

Prior to issuance of grading permits, the project applicant shall retain a qualified civil
engineer to prepare and submit a final drainage plan to the City of Santa Rosa that
identifies onsite drainage facilities that will ensure that runoff from the project site is
released at a rate no greater than that of the pre-development condition. In addition,
the proposed storm drainage treatment and filtration system shall be sized to fully
treat stormwater runoff from a two-year, 24-hour storm. The storm drain system
shall be sized to accommodate the 10-year storm event pursuant to Sonoma County
Water Agency design criteria. Project storm drainage facilities shall contain
stormwater filtration units at outfalls to Melita Creek. The project will also
incorporate low impact development (LID) features, including rain gardens and
treebox inlet structures, to capture the net post-construction runoff created by the 24-
hour 85th percentile stormwater runoff volume (10,860 cubic feet) (Brelje and Race
2010). The City of Santa Rosa shall review and approve the drainage plan, and the
project applicant shall incorporate the approved plan into the proposed project plans.

**Section 3.8: Land Use**

**Page 3.8-11**

Text has been added right before the heading “Santa Rosa City Code” to include goals and policies
from the Santa Rosa General Plan 2035 that are relevant to the land use section, and differ in meaning
from those in the 2020 General Plan.

**City of Santa Rosa General Plan 2035 Draft**

The City of Santa Rosa Draft General Plan was reviewed to determine if any new policies or
significant changes to existing policies may be adopted that could affect the General Plan consistency
analysis of the proposed project. The following is a new policy that applies to the proposed project.
Table J-2, Consistency Analysis with Draft 2035 General Plan is available in Appendix J of the DEIR and provides a complete list of the relevant policies and changes to policies being considered for adoption in the 2035 General Plan as well as an analysis of the proposed project’s consistency with those policies.

- **Policy UD-A-12**: Promote green building design and low impact development projects.

The following text has been modified to clarify that the 2020 General Plan is being referred to for General Plan consistency analysis.

**Page 3.8-15, Impact LU-2, General Plan and Zoning Consistency, First Paragraph**
The City of Santa Rosa 2020 General Plan designates APN 031-050-062 (Lots 1 and 2) for Medium Density Residential uses, which has an allowed density of 8.0 to 18.0 dwelling units per acre.

**Page 3.8-16, Consistency Analysis, First Paragraph**
The proposed project would develop multi-family residential units on Lots 1 and 2, which is consistent with the 2020 General Plan and zoning designation for that parcel. Small portions of the surface parking and the community garden would spill over onto Lot 63. As discussed below and in Section 2, Project Description, this does not affect the density calculation for the project, nor is it inconsistent with the 2020 General Plan or zoning designation for Lot 63 (Very Low Density Residential).

**Page 3.8-16, Consistency Analysis, Second Paragraph**
Under the maximum density allowed by the 2020 General Plan, the proposed project would be allowed to develop up to 18 units per acre, or up to 161 dwelling units on APN-031-050-062 (Lots 1 and 2).

**Page 3.8-17, Fifth Paragraph**
Residential units would be developed at higher than the mid-point range (mid-point is 13 units per acre) of the Medium Density Residential land use designation, which is consistent with 2020 General Plan policy LUL-F-2 and with state law regarding Density Bonuses for affordable housing. The proposed project would develop multi-family, Medium Density Residential uses in an area that is predominately Low or Very Low Density Residential, thus providing a variety of housing types in the neighborhood, consistent with 2020 General Plan Policy LUL-F-3.

**Page 3.8-18, First Paragraph**
However, the project would locate parking along the Sonoma Highway frontage, which is not consistent with 2020 General Plan policies UD-C-6, UD-D-2, and UD-G-9, which discourage parking along the street frontage, nor is it consistent with residential development envisioned in the Very Low Density Residential land use designation. Only very small portions of the proposed project would be located on property zoned for Very Low Density Residential, but many of the surrounding parcels fall
under this category. The proposed parking location is necessary to provide building setbacks from Sonoma Highway in accordance with Santa Rosa City Code Chapter 20-28-050, which requires a 100-foot setback for two-story buildings, and to comply with the 50-foot setback from Melita Creek as required by Santa Rosa City Code Chapter 20-30.040. Nevertheless, the proposed project is inconsistent with this policy. The proposed project would also partially block views of Annadel State Park and ridgelines to the north as seen from surrounding residences and from Sonoma Highway, which is inconsistent with 2020 General Plan Policy UD-A-1. The project scale and mass were found to be inconsistent with the surrounding neighborhood, which is inconsistent with the City’s Design Guidelines. These inconsistencies have been discussed in Section 3-1, Aesthetics: Impacts AES-1, AES-2, and AES-3 and were identified as significant and unavoidable impacts.

Page 3.8-18, Last Paragraph

The proposed project proposes several components that would encourage use of public transit and increase pedestrian and bicycle access. A pedestrian walkway would be constructed along the 1,000-foot access road (Road A) to Melita Road, which would provide access to an existing pedestrian walkway on the opposite side of Melita Road from the project; pedestrians would be required to cross Melita Road. The proposed project also includes pedestrian walkways throughout the site and linking the neighborhood center uses on Lot 1; these improvements are consistent with 2020 General Plan Policy T-K-1 and T-K-4. The proposed project would provide covered bike parking and storage with capacity for 55 bicycles, and would include a Public Bicycle Access Easement and a Public Pedestrian Easement along Elnoka Lane and the 1,000-foot access road (Road A) that are consistent with General Plan Policy T-L-8. In addition, the project would be conditioned to provide an a public access easement for a planned Class I Bikeway along Sonoma Highway with a minimum of 15 feet, as described in the Countywide Bicycle and Pedestrian Master Plan, consistent with 2020 General Plan Policies T-J-1 and T-L-9. The proposed project would construct an eastbound bus pullout and shelter accessed from the project site by a sidewalk segment along Sonoma Highway just to the east of the project access roadway consistent with 2020 General Plan Policy T-H-3. However, the pedestrian path would end at the proposed bus pullout shelter and would not extend along the project entire frontage with Sonoma Highway; in addition, no crosswalk is available to access the westbound bus stop located near Melita Road east of the site. As such, it would be difficult for residents of Elnoka Village to safely cross Sonoma Highway to ride a westbound bus. This is inconsistent with 2020 General Plan Policies that encourage use of alternative transportation. In addition, by prohibiting left turns from the project onto Sonoma Highway, through traffic would be routed onto Melita Road through a residential neighborhood, which is inconsistent with 2020 General Plan Policies T-B-1 and T-C-1. Refer to Section 3.12, Transportation for further discussion.

Page 3.8-19, New Paragraph Before Summary

The following text has been added to response to multiple comments about the proposed project’s consistency with 2020 General Plan policy H-A-4:
General Plan Policy H-A-4 states that the City shall pursue the goal of meeting Santa Rosa’s housing needs through increased density, when consistent with the preservation of existing neighborhoods. Most of the project site is already designated for Medium Density Residential, which is one of the City’s higher-density land use classifications; that area of the site was rezoned in 2008 to R-3-18 Multifamily Residential in order to bring the site’s zoning into consistency with the General Plan. This policy was examined during the 2002 General Plan update and subsequent rezoning, and the second part of the policy pertaining to the design of the project was fully addressed by the City’s Design Guidelines. Therefore, the project is consistent with 2020 General Plan Policy H-A-4.

Page 3.8-19, Summary
The proposed project is consistent with most 2020 General Plan policies and the applicable zoning requirements.

Section 3.12: Transportation
Page 3.12-2, Montgomery Drive
The first sentence has been changed to accurately reflect the intermittent nature of the bike lanes on Montgomery Drive.

Montgomery Drive is a well-paved, two-lane roadway with intermittent bike lanes and a 40-mile per hour posted speed limit.

Page 3.12-15, First Paragraph
The third sentence of the first paragraph incorrectly references the adjacent bicycle trails. Accordingly, the text has been revised as follows:

Elnoka Village will be located adjacent to the existing Kenwood-Santa Rosa Central Sonoma Valley Trail, a proposed Class I bicycle facility, and the proposed Class II bicycle facility that will run along with Sonoma Highway (SCTA 2009). The Central Sonoma Valley Trail will begin at Maxwell Farms Regional Park and continue north to the Santa Rosa city limits.

Page 3.12-15, Bicycle and Pedestrian Facilities, First Paragraph
The text has been changed to reference the correct name of the trail.

Elnoka Village will be located adjacent to the existing Kenwood-Santa Rosa Central Sonoma Valley Trail, a proposed Class I bicycle facility). The Central Sonoma Valley Trail will begin at Maxwell Farms Regional Park and continue north to Santa Rosa city limits.

Page 3.12-20, Methodology
In response to a request made by a commenter, Table 3.12-5a is included to clarify the timing and scope of the two traffic studies.
Table 3.12-5a: Traffic Study Summary

<table>
<thead>
<tr>
<th>Name</th>
<th>Date</th>
<th>Scope</th>
</tr>
</thead>
<tbody>
<tr>
<td>Traffic Impact Study, Elnoka Site, Clarification on Signal Warrant</td>
<td>July 21, 2010</td>
<td>• Verify signal warrants evaluated for a traffic signal at the</td>
</tr>
<tr>
<td>Evaluation</td>
<td></td>
<td>intersection of Elnoka Lane and Sonoma Highway.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Clarify conditions evaluated.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Provide supporting graphical and tabular information.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Update conclusion regarding the need for a traffic signal at</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Elnoka Lane and Sonoma Highway.</td>
</tr>
<tr>
<td>Memorandum - Responses to June 24, 2009 Memo from Jason Nutt, Santa</td>
<td>July 6, 2009</td>
<td>This memo was in response to the questions raised by Jason Nutt,</td>
</tr>
<tr>
<td>Rosa Deputy Director of Public Works, to Lee Taylor</td>
<td></td>
<td>Santa Rosa Deputy Director of Public Works, after his review of the</td>
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<td></td>
<td></td>
<td>June 9, 2009 Traffic Impact Study for the Elnoka project. The purpose</td>
</tr>
<tr>
<td></td>
<td></td>
<td>of the memo was to re-evaluate signal warrants based on an assumption</td>
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<td></td>
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<td>that Sonoma Highway would remain two lanes in 2035.</td>
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<tr>
<td>Traffic Impact Study, Elnoka Site</td>
<td>June 9, 2009</td>
<td>• Conducting of weekday AM and PM peak-period counts at all</td>
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<td></td>
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<td>intersections near the project site and determination of existing</td>
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<td></td>
<td>intersection operating conditions. In addition, conducting of daily</td>
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<td></td>
<td></td>
<td>traffic counts along SR-12 adjacent to the project site, as well as</td>
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<td></td>
<td>conducting of weekday AM and PM peak-period traffic counts at all</td>
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<td></td>
<td>signalized intersections along SR-12, between and including Oakmont</td>
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<td></td>
<td></td>
<td>Drive and Calistoga Road, in order to determine existing SR-12</td>
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<td></td>
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<td>corridor operation.</td>
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<td></td>
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<td>• Determination of traffic operating conditions due to completion of</td>
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<td></td>
<td></td>
<td>all local area approved development that would likely be constructed</td>
</tr>
<tr>
<td></td>
<td></td>
<td>in the same timeframe as completion of the Elnoka project (by 2011).</td>
</tr>
<tr>
<td></td>
<td></td>
<td>This is referred to as the near-term horizon Base Case condition.</td>
</tr>
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<td></td>
<td></td>
<td>• Determination of traffic operating conditions due to buildout of</td>
</tr>
<tr>
<td></td>
<td></td>
<td>the City’s year 2035 General Plan. This is referred to as the long</td>
</tr>
<tr>
<td></td>
<td></td>
<td>term horizon Base Case condition.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Determination of trip generation and circulation impacts due to</td>
</tr>
<tr>
<td></td>
<td></td>
<td>development of the Elnoka project in relation to both existing</td>
</tr>
<tr>
<td></td>
<td></td>
<td>near-term horizon (2011) and long-term horizon (year 2035 General</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Plan buildout) Base Case conditions.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Determination of near- and long-term horizon circulation impacts</td>
</tr>
<tr>
<td></td>
<td></td>
<td>due to the addition of traffic from other planned (but not approved)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>development that will affect the internal roadway system to be used</td>
</tr>
<tr>
<td></td>
<td></td>
<td>by the project.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Determination of whether volumes at the unsignalized Sonoma Highway</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Elnoka site access, Melita Road/Elnoka site access, or Melita Road/</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Los Alamos Road intersection will meet signal warrant criteria levels.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Evaluation of onsite circulation.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Evaluation of sight lines at project access intersections with</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Melita Road and Sonoma Highway.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Development of measures to mitigate any significant circulation or</td>
</tr>
<tr>
<td></td>
<td></td>
<td>parking impacts due to the proposed project.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Evaluation of safety concerns on the local roadway network.</td>
</tr>
</tbody>
</table>
Page 3.12-45, Public Transit, Pedestrian, and Bicycle Facilities
The impact conclusion has been changed to reflect the fact that Caltrans will require a traffic light at the intersection of Elnoka Lane and Sonoma Highway.

| Impact TRANS-8: | The proposed project would not conflict with adopted plans, policies, or programs supporting alternative transportation. |

Page 3.12-45, Fourth Paragraph
The text has been changed to reflect the fact that Caltrans will require a traffic light at the intersection of Elnoka Lane and Sonoma Highway, based on an updated memo prepared by the applicant’s traffic engineer (Appendix M-3).

This lack of convenient westbound bus stop access may discourage future residents of the Elnoka Village project from using public transportation to access employment centers to the west. Installation of a traffic signal at Sonoma Highway and Elnoka Lane could provide a safe pedestrian crossing to the westbound bus stop, but it is not part of the project proposal.

Page 3.12-45, Level of Significance Before Mitigation
The impact conclusion for TRANS-8 has been changed to reflect the fact that Caltrans will require a traffic light at the intersection of Elnoka Lane and Sonoma Highway.

Significant and unavoidable impact. Less than significant impact.

Page 3.12-45, Mitigation Measures
The text has been changed to be consistent with the impact conclusion for TRANS-8.

No mitigation is available. None required.

Page 3.12-46, Level of Significance After Mitigation
The text has been changed to be consistent with the impact conclusion for TRANS-8.

Less than significant impact. Significant and unavoidable impact.

Section 3.13: Climate Change
Page 3.13-18, Table 3.13-5
A revised Table 3.13-5 has replaced the table in the Draft EIR to reflect more current project design features.
### Table 3.13-5: Project Design Features or Mitigation Measures that Reduce Greenhouse Gas Emissions

<table>
<thead>
<tr>
<th>Design Feature</th>
<th>Emission Reduction</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mixed use design</td>
<td>3%-9%: Sacramento Metropolitan Air Quality Management District (SMAQMD) presents this % reduction.</td>
</tr>
<tr>
<td>GreenPoint Rated certification from Build It Green</td>
<td>1%: SMAQMD presents this % reduction for projects that exceeds Title 24 requirements by 20%. Projects constructed with green building materials are estimated to be 25-30% more efficient on average.</td>
</tr>
<tr>
<td>Irrigation with reclaimed water</td>
<td>Not among the CAPCOA measures; however, reclaimed water may require less energy for transport and pumping than regular surface or groundwater. Tertiary treatment requires more energy than secondary treatment; however, if tertiary treatment is required for water quality purposes, the energy from treatment would be considered in the baseline.</td>
</tr>
<tr>
<td>Recycling program</td>
<td>NA/Low. No reductions estimated provided by CAPCOA; however, increased recycling provides energy savings from mining, processing, raw materials and can reduce emissions from landfills from organic matter. Not currently quantified, because of insufficient data to determine if a project would help the City exceed state recycling/diversion mandates such that they are in excess of requirements.</td>
</tr>
<tr>
<td>Car-sharing program</td>
<td>No CAPCOA reductions provided for this measure. Reductions would result from people in the sharing program driving less than people that have invested in their own car.</td>
</tr>
<tr>
<td>Community garden</td>
<td>No CAPCOA reductions provided for this measure. A community garden would save energy from transporting the produce from long distances. Insufficient data is available to determine the volume of produce transported, the distance transported, and the mode of transport.</td>
</tr>
<tr>
<td>Bicycle parking</td>
<td>1%-5%: Center for Clean Air Policy (CCAP) presents combined % reductions for a range of mitigation measures. SMAQMD allocates combined reductions among individual measures (e.g., 2.5% reduction for all bicycle-related measures and one quarter of 2.5% for each individual measure)</td>
</tr>
<tr>
<td>Bus shelter</td>
<td>1%-2%: CCAP presents these % reductions. SMAQMD assigns from .25%-1%, depending on headway frequency.</td>
</tr>
<tr>
<td>Integrated parks</td>
<td>No CAPCOA reduction provided for this specific measure. However, the CAPCOA measure – Suburban Mixed Use lists parks as one of the uses that contribute to the pedestrian orientation of development and lower vehicle trips and a reduction of 3%.</td>
</tr>
</tbody>
</table>
Section 5: Alternatives

Page 5.3, Project Objectives
The objective pertaining to highest and best use has been deleted to be consistent with the stated objectives in the Project Description.

- Develop land to its highest and best use.

Page 5.3, Alternative 1 – No Project/General Plan Buildout
Text has been added to clarify the change in total vehicle trips, and the possibility of needing additional, aboveground parking.

In addition, there would be no commercial uses and no affordable housing. As a result of these changes in land uses, total daily vehicle trips would be reduced from 1466 to 697. Trip generation rates were the same used in the Crane Transportation Group traffic study dated June 2009. Economic feasibility limitations associated with constructing underground parking may require more aboveground parking.

Page 5.3, Alternative 1 – No Project/General Plan Buildout
To be consistent with the introduction from Section 5.1.2, Alternative 1, on page 5-1 of the Draft EIR, text from page 5-1 has been added, to replace the text under Alternative 1 on page 5-3 of the Draft EIR.

The current land use designations and zoning would remain unchanged, and the 9.2-acre parcel (APN 031-050-062) would eventually be developed at the mid-point (13 units per acre) of the allowable housing units for Medium Density Residential, which would result in 120 housing units. The townhouse and mixed-use buildings would be eliminated, so all units would be located in a single three-story building that would occupy the same square footage as the main building (Building A) under the proposed project. Because of the reduction in total housing units, it is assumed there would not be any affordable housing offered under this alternative.

Under this alternative, the three primary parcels would be developed according to the General Plan. There would be no change in land use designation or zoning, and Lot 2 would be developed into a single, three-story building that would occupy the same square footage as proposed project’s Building A, and the total housing units would be reduced from 209 to 120. The townhouse and mixed-use components and associated parking lot would be eliminated. In addition, there would be no commercial uses and no affordable housing.

Page 5-6, Alternative 2 – Low Rise Development
Text has been added to clarify the change in total vehicle trips, and to clarify assumptions used to determine if three buildings could fit on Lot 2.
This alternative would eliminate the mixed-use commercial and residential buildings on Lot 1 but would retain the townhouse-style condominium building with seven residential units associated with the proposed project. As a result of these changes in land uses, total vehicle trips would be reduced from 1,466 to 1,179 trips. Trip generation rates were the same used in the Crane Transportation Group traffic study dated June 2009. This alternative would reduce a significant and unavoidable impact to aesthetics to less than significant, and it achieve greater consistency with the City’s 2020 General Plan as a result of meeting setback requirements for parking relative to Sonoma Highway.

This alternative would also maintain the same number of affordable housing units as those in the proposed project. Lot 2 would have three 2-story buildings totaling 201 residential units instead of one 4-story building. This configuration of buildings assumed there would be 33 to 35 units per story, and that the average square footage (1,778 square feet) required per unit is the same as for Building A featured in the proposed project. Based on this average square footage, each building would occupy a footprint of 1.4 acres. As a result of space constraints on Lot 2, a different design of buildings than the single-building design anticipated by the applicant would most likely be needed in order to locate all three buildings, which total approximately 4.2 acres on this 6.8-acre parcel.

Economic feasibility limitations associated with constructing underground parking may require more aboveground parking. The space occupied by aboveground parking on Lot 2 for the proposed project is 1.2 acres, and it is assumed another 0.6 acre would be used for aboveground parking if needed. Additionally, setback requirements would not be met for Melita Creek and the property boundary between the project area property and the Oakmont community. In order to accommodate three buildings and additional aboveground parking, this alternative would not offer some amenities or attractive visual features such as the entry plaza (0.14 acre for the proposed project), courtyard (0.84 acre for the proposed project), and the community garden (0.04 acre for the proposed project). In addition, the amount of landscaping on Lot 2 would be substantially reduced (currently 2.34 acres for the proposed project) in order to ensure the project features can be sited on Lot 2.

**Page 5-2, Alternative 3 – Senior Lifestyle Residential Type**

Text has been changed to be consistent with new impact conclusions drawn in the Aesthetics section.

This alternative would reduce aesthetic impacts and demonstrate greater consistency with the City’s General Plan as a result of meeting setback requirements for parking relative to Sonoma Highway.

**Page 5-6, 5.4.1 – Impact Analysis, Aesthetics, Light and Glare**

Text has been deleted to be consistent with new impact conclusions drawn in the Aesthetics section.

In addition, the buildings onsite would be low-rise (two story) rather than three stories, which would eliminate-reduce the significant and unavoidable impact to scenic vistas.
Page 5-9, 5.4.2, Conclusion, Alternative 2 – Low Rise Development

Text has been deleted to be consistent with the new impact conclusions drawn in the Aesthetics section. Text has been added to clarify specifically which project objectives would be met by this alternative.

This alternative would have fewer visual impacts along Sonoma Highway by moving the parking lot and eliminating the mixed-use building, but it would not eliminate the proposed project’s significant and unavoidable aesthetic impacts related to changes in visual character of the project site. This alternative would meet the following project objectives: (1) fulfill the City’s objective of providing medium-density housing on the project site; provide affordable housing in accordance with the City’s Regional Housing Needs Allocation and other relevant plans; (2) serve as an example of the City’s Build It Green program; (3) provide a livable neighborhood with appropriate street design and connections to transit, parks, and recreation and provide a diversity of housing types; and (4) provide new development that is consistent with the City’s General Plan policies that encourage new projects to enhance scenic roads such as Melita Road and Sonoma Highway. In short, this alternative would meet five of the seven project objectives. This alternative would meet most of the project objectives.

Page 5-9, Alternative 3 – Senior Lifestyle Residential

Text has been added to clarify the assumptions used to estimate changes in vehicle trips.

It would also reduce daily vehicle trips from 1466 to 783, resulting in decreased air quality, noise, and traffic impacts. Since there were no land use codes available for a senior lifestyle land use, it was assumed that five employees would work at the adult daycare center, making a total of 10 daily trips. It was also assumed that a bus to bring seniors to the adult daycare center would make 45 daily trips.

Page 5-9, 5.5.1 Impact Analysis, Aesthetics, Light, and Glare

Text has been deleted to be consistent with the new impact conclusions drawn in the Aesthetics section.

However, the significant and unavoidable impacts associated with loss of visual character and obstructing views of scenic vistas would remain the same, because of the construction of the four-story, 196 housing unit building and adult daycare facility.

Page 5-12, 5.5.2 – Conclusion

Text has been added to clarify specifically which project objectives would be met by this alternative.

This alternative would meet the following project objectives: (1) fulfill the City’s objective of providing medium density housing on the site, (2) provide affordable housing in accordance with the City’s Regional Housing Needs Allocation and other relevant plans, (3) serve as an example of the City’s Build It Green program, and (4) provide new development that is consistent with the City’s General Plan policies that encourage new projects to enhance scenic roads such as Melita Road and
Sonoma Highway. The alternative would partially meet the objective of providing a livable neighborhood with appropriate street design and connections to transit, parks, and recreation but would not provide a diversity of housing types. In short, this alternative would meet four of the seven project objectives, and partially meet the objective concerning livable neighborhoods and diversity of housing types.

Section 6: Other CEQA Considerations

A footnote to the table has been added specifying the proportion of vehicle types used to estimate fuel consumption, and the source of the footnote.

Page 6-12, Table 6-4

Table 6-4: Daily Transportation Related Fuel Consumption

<table>
<thead>
<tr>
<th>Vehicle Category</th>
<th>Proportion of Vehicle Traffic(^1)</th>
<th>Daily Vehicle Miles Traveled</th>
<th>Average fuel Consumption (miles per gallon)</th>
<th>Total Daily Gallons of Fuel Consumed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Passenger car</td>
<td>44.8%</td>
<td>7,018.6</td>
<td>21.6</td>
<td>325</td>
</tr>
<tr>
<td>Light trucks</td>
<td>38.8%</td>
<td>6,078.6</td>
<td>17.2</td>
<td>353</td>
</tr>
<tr>
<td>Heavy trucks</td>
<td>11.9%</td>
<td>1,864.3</td>
<td>6.1</td>
<td>306</td>
</tr>
<tr>
<td>Motorcycles</td>
<td>4.5%</td>
<td>705.0</td>
<td>50.0</td>
<td>14</td>
</tr>
<tr>
<td>Total</td>
<td>100.0%</td>
<td>15,666.5</td>
<td>—</td>
<td>998</td>
</tr>
</tbody>
</table>

Notes:
\(^1\) The proportion of vehicle traffic was derived from URBEMIS output for Air Quality Modeling. The Air Quality modeling results are found in Appendix C.1 of the DEIR

Section 10: References

The following references are added to Section 10.0, References of the Draft EIR to support the new information contained in the Errata section:


Appendix J, Page 16, Table 10-Consistency Analysis with 2020 General Plan

The following policy and consistency analysis has been added to Table 1, following Goal H-A.

<table>
<thead>
<tr>
<th>Element</th>
<th>Goal/Policy No.</th>
<th>Goal/Policy</th>
<th>Consistency Determination</th>
</tr>
</thead>
<tbody>
<tr>
<td>4 - Housing</td>
<td>H-A-4</td>
<td>Pursue the goal of meeting Santa Rosa’s housing needs through increased densities, when consistent with preservation of existing neighborhoods. Higher density sites are illustrated on the General Plan Land Use Diagram, which will allow the development of dwellings for 264 very low and 125 low income households annually, as outlined in Table 4-28: Quantified Objectives. Development of these sites or proposals for new higher density sites must be designed in context with existing, surrounding neighborhoods. The number of affordable units permitted annually and the adequacy of higher density sites shall be reported as part of the General Plan.</td>
<td>General Plan Policy H-A-4 states that the City shall pursue the goal of meeting Santa Rosa’s housing needs through increased density, when consistent with the preservation of existing neighborhoods. Development of these sites or proposals for new higher density sites must be designed in context with existing, surrounding neighborhoods. The project was not initially evaluated for consistency with this policy because most of the project site is already designated for Medium Density Residential which is one of the City’s higher density land use classifications, and that area of the site was rezoned in 2008 to R-3-18 Multifamily Residential in order to bring the site’s zoning into consistency with the General Plan. Staff initially concluded that this policy was examined during the 2002 General Plan update, and subsequent rezoning, and that the second part of the policy pertaining to the design of the project was fully addressed by the City’s Design Guidelines. The project is consistent with this policy.</td>
</tr>
</tbody>
</table>