RESOLUTION NO. 2013-15

CITY OF PETALUMA PLANNING COMMISSION

RECOMMENDING TO THE CITY COUNCIL ADOPTION OF A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING PROGRAM FOR THE MARIA DRIVE APARTMENT COMPLEX LOCATED AT 35 MARIA DRIVE
APN 007-280-078 & 077
FILE NO. 12-GPA-0582

WHEREAS, JDA West LLC, submitted applications for a General Plan Amendment, Zoning Map Amendment, and Site Plan and Architectural Review for the Maria Drive Apartments located at 35 Maria Drive (APN 007-280-078 & 077) ("the Project" or the "proposed Project"); and,

WHEREAS, the project is subject to the Petaluma General Plan 2025, adopted by the City on May 19, 2008; and,

WHEREAS, in evaluating certain potential environmental effects of the Project in the Initial Study, the City relied on the program EIR for the City of Petaluma General Plan 2025, certified on April 7, 2008 (General Plan EIR) by the adoption of Resolution No. 2008-058 N.C.S., which is incorporated herein by reference; and,

WHEREAS, the General Plan EIR identified potentially significant environmental impacts and related mitigation measures and the City also adopted a Statement of Overriding Considerations for significant impacts that could not be avoided; and,

WHEREAS, the City prepared an Initial Study dated June 27, 2013 for the proposed Project consistent with CEQA Guidelines sections 15162 and 15163 and determined that a Mitigated Negative Declaration (MND) was required in order to analyze the potential for new or additional significant environmental impacts of the Project beyond those identified in the General Plan EIR; and,

WHEREAS, on or before June 27, 2013, the City’s Notice of intent to Adopt a Mitigated Negative Declaration based on the Initial Study, providing or a twenty (20) day public comment period commencing June 27, 2013 and ending July 17, 2013, and a Notice of Public Hearing to be held on August 13, 2013, before the City of Petaluma Planning Commission, was published.
and mailed to all residents and property owners within 500 feet of the Project, as well as all persons having requested special notice of said proceedings; and,

WHEREAS, on or before July 11, 2013, the City issued a corrected Notice of intent to Adopt a Mitigated Negative Declaration based on the Initial Study, providing a corrected public comment period commencing July 11, 2013 and ending July 31, 2013, and a Notice of Public Hearing to be held on August 13, 2013, before the City of Petaluma Planning Commission, was published and mailed to all residents and property owners within 500 feet of the Project, as well as all persons having requested special notice of said proceedings; and,

WHEREAS, pursuant to the analysis in the Initial Study/MND, the Project does not make a considerable contribution to the significant and unavoidable cumulative traffic and/or noise impacts identified in the General Plan 2025 EIR because of its small size; and,

WHEREAS, pursuant to further analysis in the Initial Study/MND, including evaluation using the Bay Area Air Quality Management District (BAAQMD) CEQA Guidelines and 2010 Clean Air Plan, the Project does not make a considerable contribution to a significant cumulative air quality or greenhouse gas emissions impacts found to be significant and unavoidable in the General Plan 2025 EIR, because of the Project’s small size and lack of significant stationary sources of emissions; and,

WHEREAS, the Planning Commission held a public hearing on August 13, 2013, during which the Commission considered the Project, the Initial Study/MND and supporting documentation referenced in the Initial Study, and received and considered all written and oral public comments on environmental effects of the Project which were submitted up to and at the time of the public hearing; and,

WHEREAS, the Initial Study/MND and related project and environmental documents, including the General Plan 2025 EIR and all documents incorporated herein by reference, are available for review in the City of Petaluma Community Development Department at Petaluma City Hall, during normal business hours. The custodian of the documents and other materials which constitute the record of proceedings for the proposed project, file No. 12-GPA-0582, is the City of Petaluma Community Development Department, 11 English Street, Petaluma, CA 94952, attn: Alicia Giudice, Senior Planner.
NOW, THEREFORE, BE IT RESOLVED THAT:

1. The foregoing recitals are true and correct and incorporated herein by reference.

2. Based on its review of the entire record herein, including the Initial Study/MND, all supporting, referenced and incorporated documents and all comments received, the Planning Commission finds that potential impacts could be avoided or reduced to a level of insignificance by mitigation measures to be attached as conditions of approval. There is no substantial evidence that the Project as mitigated will have a significant effect on the environment, that the MND reflects the City's independent judgment and analysis, and that the Initial Study/MND and supporting documents provide an adequate description of the impacts of the Project and comply with CEQA, the State CEQA Guidelines and the City of Petaluma Environmental Guidelines.

3. The Petaluma Planning Commission recommends to the Petaluma City Council adoption of the Mitigated Negative Declaration

4. The Petaluma Planning Commission further recommends that the City of Petaluma City Council adopt the Mitigation Monitoring and Reporting Program attached as Exhibit 1 hereto and incorporated herein by reference.

ADOPTED this 13th day of August, 2013, by the following vote:

<table>
<thead>
<tr>
<th>Commission Member</th>
<th>Aye</th>
<th>No</th>
<th>Absent</th>
<th>Abstain</th>
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<tbody>
<tr>
<td>Benedetti-Pelanic</td>
<td>X</td>
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<td>Lin</td>
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<td>Marzo</td>
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<tr>
<td>Councilmember Miller</td>
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<td>Chair Fierro</td>
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<td>Wick</td>
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<tr>
<td>Vice Chair Wolpert</td>
<td>X</td>
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Bill Wolpert, Vice Chair
RESOLUTION NO. 2013-16

CITY OF PETALUMA PLANNING COMMISSION

RECOMMENDING THE CITY COUNCIL APPROVE A GENERAL PLAN AMENDMENT TO CHANGE THE LAND USE DESIGNATION FROM MIXED USE TO HIGH DENSITY RESIDENTIAL FOR THE MARIA DRIVE APARTMENT PROJECT (144 UNITS) LOCATED AT 35 MARIA DRIVE, APN'S 007-280-078 & 077
FILE NO. 12-GPA-0582

WHEREAS, JDA West submitted an application for a General Plan Amendment to change the land use designation of the project site located at 35 Maria Drive (APN 007-280-078 & 077) from Mixed Use to High Density Residential; and,

WHEREAS, the City's Planning Commission held a duly noticed public hearing to consider the proposed General Plan amendment on August 13, 2013. A copy of the notice was published in the Argus Courier, provided to residents and occupants within 500 feet of the site in compliance with state and local law, and routed to appropriate agencies listed under Government Code Section 65352; and,

WHEREAS, on August 13, 2013, the Planning Commission reviewed the CEQA documents prepared for the project and approved Resolution No. 2013-15, incorporated herein by reference, recommending the City Council adopt a Mitigated Negative Declaration and Mitigation Monitoring Program, in accordance with the California Environmental Quality Act, the state CEQA Guidelines and the City of Petaluma Environmental Guidelines.

NOW, THEREFORE BE IT RESOLVED that the Planning Commission hereby recommends that the City Council approve a General Plan Amendment changing the General Plan Land Use designation of the subject parcel (APN 007-280-078 & 077) from Mixed Use to High Density Residential based on the following findings:

1. Modification of the land use designation to High Density Residential is consistent with General Plan policies which promote a range of land uses at densities and intensities to serve the community needs within the Urban Growth Boundary (UGB) and to use land efficiently by promoting infill development, at equal or higher density and intensity than surrounding uses.
2. The change in General Plan land use designation is compatible with the neighboring Medium Density Residential and Low Density Residential and would provide a mix of densities within proximity to each other. The project is also in proximity to shopping, park and educational facilities, and transit routes and stops, thereby promoting development in areas that facilitate alternate modes of travel.

3. The General Plan amendment to change the land use designation to High Density residential will not contribute a significant increase in vehicle trips compared to what has been evaluated in the General Plan EIR, as maximum density under the Mixed Use designation and under the High Density Residential designation are both 30 units per acre.

4. The City continues to face a high vacancy rate of approximately 25% for office space. The project site is currently developed as an office complex and has a vacancy rate of about 50%.

5. The change of the land use designation to High Density Residential is consistent with policies of the Petaluma General Plan 2025, which promote residential development within the Urban Growth Boundary and encourage the development of housing on underutilized land.

6. The public interest, public necessity, convenience and general welfare clearly permit and will be furthered by the proposed amendment because the proposed amendment will allow the conversion of highly vacant office complex into a high density residential development within proximity to shopping, park and educational facilities, and transit routes. The site is currently developed with a medical/office complex (constructed in the mid 70's) and associated site improvements such as landscaping and parking lot improvements, which will be demolished/removed. The office complex has had a high vacancy rate for several years, currently at about 50 percent compared to the City's overall office vacancy rate of approximately 25 percent. Absorbing the high vacancy rate for this site will be difficult given the condition of the buildings and vacancy rates for the City in general. According the Economic Development Manager and documentation submitted by the applicant, the vacancy rate for rental housing is currently at approximately 2 percent. In addition, memos prepared by BAE Urban Economics, dated July 25, 2013, and EFA dated July 26, 2013, demonstrate that because the site does not have direct access
to major corridors and is not visible from existing shopping centers occupy this site with retail or office uses is difficult.

7. Government Code Section 65338 allows General Plan amendments when it is deemed in the public interest to do so. The proposed General Plan amendment would allow for development of the property at a density ranging from 18 to 30 units per acre, which is consistent with the density allowed under the existing land use designation. Residential development at this density would support the existing nearby shopping centers due to proximity of the site to these centers. Office vacancy rates within the city are currently at approximately 25 percent and over 50% for this office complex. By comparison vacancy rates for rental units are at approximately 2 percent. The proposed amendment will facilitate the conversion of highly vacant office complex into a high density residential development within proximity to retail shopping centers, park and educational facilities, and transit routes.

8. State law limits the number of times a local agency can amend its general plan to no more than four times per year. No other General Plan Amendments have been approved for 2013.

9. In the public interest associated with the proposed General Plan Amendment, the Planning Commission recommends that the City Council seek agreement from the applicant to incorporate Maria Drive improvements, Washington Creek trail enhancements, and greater green building elements to achieve a minimum of 100 points under the current Build It Green multi-family checklist.

ADOPTED this 13th day of August, 2013, by the following vote:

<table>
<thead>
<tr>
<th>Commission Member</th>
<th>Aye</th>
<th>No</th>
<th>Absent</th>
<th>Abstain</th>
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<td>Councilmember Miller</td>
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<td>Chair Pierre</td>
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<tr>
<td>Vice Chair Wolpert</td>
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ATTEST:

Heather Hines, Committee Secretary

APPROVED AS TO FORM:

Eric Donly, City Attorney
RESOLUTION NO. 2013-17

CITY OF PETALUMA PLANNING COMMISSION

RECOMMENDING THE CITY COUNCIL APPROVE A ZONING MAP AMENDMENT TO REZONE FROM PLANNED UNIT DISTRICT TO R-5 FOR THE MARIA DRIVE APARTMENT COMPLEX (144 UNITS) LOCATED AT 35 MARIA DRIVE, APN'S 007-280-078 & 077 FILE NO. 12-GPA-0582

WHEREAS, JDA West, LLC., submitted an application for Zoning Map Amendment to rezone the project site located at 35 Maria Drive, from Planned Unit District to R-5 for the purpose of constructing 144 apartments and associated common areas including a community room, picnic/BBQ area, playground, swimming pool, on-site parking, carports and garages; and,

WHEREAS, the City’s Planning Commission held a duly noticed public hearing to consider the proposed Zoning Map amendment on August 13, 2013; and,

WHEREAS, on August 13, 2013, the Planning Commission by Resolution No. 2013-15, incorporated herein by reference, recommended to the City Council adoption of a Mitigated Negative Declaration and Mitigation Monitoring Program, in accordance with the California Environmental Quality Act, the state CEQA Guidelines and the City of Petaluma Environmental Guidelines; and,

WHEREAS, on August 13, 2013, the Planning Commission approved Resolution No. 2013-16, incorporated herein by reference, recommending the City Council adopt the related General Plan amendment; and,

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission hereby recommends the City Council approve a zoning map amendment to rezone the subject parcels (APN’s 007-280-078 & 077) from Planned Unit District to R5 for the Project for the following reasons:

1. The proposed zoning map amendment to Rezone the subject parcels from PUD-Planned Unit District (APN’s 007-280-078 & 077) to R-5 is consistent with and implements the proposed High Density Residential Land use classification of the General Plan.
2. The proposed rezoning to R-5 is consistent with the Petaluma General plan Housing Element policies which promote residential development within the Urban Growth Boundary (Policy 11-P-1.1) and encourage the development of housing on underutilized land (Policy 11-P-1.2).

3. The public necessity, convenience and general welfare clearly permit and will be furthered by the proposed amendment because the proposed amendment will allow the conversion of highly vacant office complex into a high density residential development within proximity to shopping, park and educational facilities, and transit routes. The proposed project would also require Site Plan & Architectural Review approval by the Planning Commission for the proposed residential development.

ADOPTED this 13th day of August, 2013, by the following vote:

<table>
<thead>
<tr>
<th>Commission/Member</th>
<th>Aye</th>
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<th>Absent</th>
<th>Abstain</th>
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<td>Benedetti-Petnic</td>
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<td>Vice Chair Wolpert</td>
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Bill Wolpert, Vice Chair

ATTEST:

Heather Hines, Committee Secretary

APPROVED AS TO FORM:

Eric Danly, City Attorney
Planning Commission

City of Petaluma, CA
City Council Chambers
City Hall, 11 English Street
Petaluma, CA 94952
Telephone 707/778-4301 / Fax 707/778-4498
E-Mail edd@ci.petaluma.ca.us
Web Page http://www.ci.petaluma.ca.us

Planning Commission Minutes
Tuesday, August 13, 2013 -
FINAL MINUTES

1. A. ROLL CALL: (07:03 PM)

   Present: Kathy Miller, Richard Marzo, Jocelyn Yeh Lin, J.T. Wick, Gina Benedetti-Petnic, Bill Wolpert
   Absent: Jennifer Pierre

   Chair Wolpert
   Eric Danly, City Attorney

B. Swearing in new Commissioner (07:05 PM)

   Chair Cooper, City Clerk
   Commissioner Benedetti-Petnic

C. Commission Elections (07:06 PM)

   To be continued to next meeting when all Commissioners are present.

D. Committee Liaison Appointments (07:06 PM)

   Chair Wolpert
   Commissioner Wick
   Commissioner Benedetti-Petnic
   Chair Wolpert
   Heather Hines, Planning Manager

2. APPROVAL OF MINUTES: Approval of the July 9, 2013 Planning Commission Minutes. (07:07 PM)

   Motion: Approval of the July 9, 2013 Planning Commission Minutes.
   Moved by Kathy Miller, seconded by J.T. Wick.

   Vote: Motion carried 4-0.
   Yes: Kathy Miller, Richard Marzo; Jocelyn Yeh Lin; J.T. Wick
   Abstain: Gina Benedetti-Petnic; Bill Wolpert
   Absent: Jennifer Pierre

3. PUBLIC COMMENT: The Commission will hear public comments only on matters over which it has jurisdiction. There will be no Commission discussion or action. The Chair will allot no more than three minutes to any individual. If more than three persons wish to speak, their time will be allotted so that the total amount of
time allocated to this agenda item will be 15 minutes. (07:08 PM)

Public Comment Opened

Public Comment Closed

4. PLANNING MANAGER'S REPORT: Receive Planning Manager's Report. (07:09 PM)

Heather Hines, Planning Manager

Council Member Miller

Ms. Hines

5. COMMISSIONER AND LIASION REPORTS: Receive reports from Commissioners and standing Commission Liaisons. (07:11 PM)

Council Member Miller

Commissioner Marzo

Chair Wolpert

6. PUBLIC HEARING OLD BUSINESS - PLANNING COMMISSION: (Item Continued from July 9, 2013 meeting to be continued to a date uncertain). Application for a Tentative Subdivision Map, Zoning Map Amendment, and associated environmental review to create 144 lots and four parcels that would allow the development of a mixed-use neighborhood of commercial, residential and open space land uses served by a network of predominantly public streets on 35.7 acres (39.4 acres including the riverfront park). TITLE: Riverfront ADDRESS: 500 Hopper Street FILE NUMBER: 11-TSM-0130 STAFF: Geoff Bradley (07:12 PM)

Staff Report

Attachment A - Correspondence

Commissioner Wick

Heather Hines, Planning Manager

Chair Wolpert

Motion: continue the Riverfront item to a date uncertain.
Moved by Bill Wolpert, seconded by J.T. Wick.

Vote: Motion carried 6-0.

Yes: Kathy Miller; Richard Marzo; Jocelyn Yeh Lin; J.T. Wick; Bill Wolpert; Gina Benedetti-Petnic

Absent: Jennifer Pierre

7. PUBLIC HEARING NEW BUSINESS - PLANNING COMMISSION: An application for a General Plan Amendment, Zoning Map Amendment, Site Plan and Architectural Review and associated environmental review for construction of a 144-unit apartment complex on an approximately 3.83 acre site located at 35 Maria Drive. The requested General Plan Amendment is to change the property's land use designation from Mixed Use to High Density Residential and a Zoning Map Amendment to change the property’s zoning classification from PUD to R5. TITLE: Maria Drive Apartments ADDRESS: 35 Maria Drive FILE NUMBER: 12-GPA-0582 STAFF: Alicia Giudice (07:13 PM)

Staff Report

Attachment A - Resolution Recommending MND

Exhibit 1 Maria Drive IS-MND/MMRP

Attachment B - Resolution Recommending GPA

8-2
Attachment C - Resolution Recommending Map Amendment
Attachment D - Draft SPAR
Attachment E - MND
Attachment F - Project Narrative
Attachment G - Public Comments
Attachment H - Memo from The Concord Group
Attachment I - BAE Site Evaluation Study
Attachment J - EFA Memo
Attachment K - Diagrammatic Section
Attachment L - Green Initiatives-1
Attachment M - Rental Rolls
Attachment N - City of Petaluma Business Newsletter
Attachment O - Site Plans

Alicia Giudice, Senior Planner
Heather Hines, Planning Manager
Ms. Giudice
Council Member Miller
Commissioner Marzo
Ms. Giudice
Commissioner Marzo
Ms. Giudice
Council Member Miller
Ms. Giudice
Commissioner Lin
Ms. Giudice
Commissioner Wick
Ms. Giudice
Commissioner Benedetti-Petniec
Chair Wolpert
Ms. Giudice
Commissioner Wolpert
Ms. Hines
Eric Danly, City Attorney
Chair Wolpert
Ms. Hines
Marty Brill, JDA West, LLC, applicant
Jonathan Enis, Applicant Architect
Chair Wolpert
Commissioner Benedetti-Petrie
Mr. Enis
Commissioner Benedetti-Petrie
Mr. Enis
Mr. Brill
Ms. Hines
Mr. Enis
Commissioner Wick
Commissioner Lin
Mr. Enis
Mr. Brill
Commissioner Lin
Mr. Enis
Commissioner Marzo
Mr. Brill
Council Member Miller
Mr. Brill
Chair Wolpert
Mr. Brill
Chair Wolpert
Mr. Brill
Chair Wolpert
Mr. Brill
Chair Wolpert
Mr. Enis
Mr. Brill
Chair Wolpert

Public Comment Opened

Terence Garvey, ceded by Victoria Ellencamp
Mary Suzanne Roybal
Richard Roybal
Barbara Detner
Stan Detner
Yvonne Johnson
Brandon Gross
Laura Bouchard
Kathleen Garvy, time ceded by Tom and Rose Leanetti
Heidi Overman, time ceded by Marjan Spaletta
Albert Wong
Monica Nelson
Gina Rodriguez

Public Comment Closed

Ms. Giudice
Chair Wolpert

Council Member Miller

Zach Matley, Traffic Engineer, W-Trans

Chair Wolpert
Mr. Matley
Commissioner Wick
Ms. Giudice
Ms. Hines
Commissioner Wick
Ms. Giudice
Mr. Brill
Commissioner Wick
Chair Wolpert
Commissioner Wick
Chair Wolpert
Council Member Miller
Commissioner Marzo
Commissioner Lin
Commissioner Benedetti-Petnic
Chair Wolpert
Ms. Hines
Mr. Danly

Ms. Hines

Motion: Approve the Resolution recommending the City Council Adopt a Mitigated Negative Declaration and Mitigation Monitoring Program.
Moved by Jocelyn Yeh Lin, seconded by Richard Marzo.

Vote: Motion carried 6-0.
Yes: Kathy Miller; Richard Marzo; Jocelyn Yeh Lin; J.T. Wick; Bill Wolpert; Gina Benedetti-Petnic
Absent: Jennifer Pierre

Mr. Danly
Council Member Miller

Motion: Approve the Resolution recommending the City Council approve a General Plan Amendment to amend the General Plan land use designation from Mixed Use to High Density Residential including proposed staff amendment in the second Whereas in Attachment A read: The project is subject to the Petaluma General Plan 2025, adopted by the City on May 19, 2008.
Moved by Kathy Miller, seconded by Richard Marzo.

Vote: Motion failed 7-0.
Yes: Kathy Miller; Richard Marzo; Jocelyn Yeh Lin; J.T. Wick; Jennifer Pierre; Gina Benedetti-Petnic; Bill Wolpert

Chair Wolpert
Council Member Miller

Ms. Hines
Commissioner Wick
Chair Wolpert
Commissioner Wick
Chair Wolpert
Chair Wolpert
Mr. Danly
Chair Wolpert
Commissioner Lin
Commissioner Wick
Council Member Miller
Memorandum

Project #: 13120.00
To: Ali Giudice, City of Petaluma
CC: Marty Brill, JDA-West, LLC
From: The Concord Group
Date: July 2013
Re: Apartment Market Summary in Relation to a Proposed Multi-Family Apartment Community in Petaluma, California

Dear Ms. Giudice,

In May 2013 JDA West, LLC ("JDA West") engaged The Concord Group ("TCG") to conduct a Strategic Market Opportunity Analysis for a proposed apartment development site in Petaluma, California ("the Site"). As part of this analysis, TCG surveyed and physically inspected ten existing apartment properties in the City of Petaluma to determine age, unit count, occupancy rate, average size, and relative finish level. Please see the table below for a detailed comparison:

<table>
<thead>
<tr>
<th>Project</th>
<th>Property Manager</th>
<th>Building Type (# of floors)</th>
<th>Year Built/Remodeled</th>
<th>Units</th>
<th>Occupancy Rate</th>
<th>Unit Size</th>
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<tbody>
<tr>
<td>Petaluma Apartments</td>
<td>Balboa Street Properties</td>
<td>Mid-rise (3)</td>
<td>2003</td>
<td>43</td>
<td>100%*</td>
<td>792</td>
</tr>
<tr>
<td>Addison Ranch</td>
<td>First Point Management Group</td>
<td>Low-rise (3)</td>
<td>1972/Ongoing</td>
<td>224</td>
<td>20%*</td>
<td>705</td>
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<tr>
<td>Capri Creek Apts</td>
<td>Sask Properties</td>
<td>Low-rise (2)</td>
<td>2000</td>
<td>100</td>
<td>99%</td>
<td>810</td>
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<tr>
<td>Theatre Square</td>
<td>Balboa Street Properties</td>
<td>Mid-rise (3)</td>
<td>2007</td>
<td>56</td>
<td>100%*</td>
<td>826</td>
</tr>
<tr>
<td>Annex</td>
<td>Alliance Residential</td>
<td>Low-rise (3)</td>
<td>2007</td>
<td>147</td>
<td>96%</td>
<td>1,011</td>
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<tr>
<td>Waterfront Apartments</td>
<td>Balboa Street Properties</td>
<td>Mid-rise (4)</td>
<td>2007</td>
<td>90</td>
<td>100%*</td>
<td>985</td>
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<tr>
<td>Park Central</td>
<td>Sequoia Equities</td>
<td>Low-rise (3)</td>
<td>2002</td>
<td>240</td>
<td>99%</td>
<td>1,116</td>
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<tr>
<td>Enclave at Adobe Creek</td>
<td>FPI</td>
<td>Low-rise (3)</td>
<td>1984</td>
<td>492</td>
<td>97%</td>
<td>969</td>
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<tr>
<td>Oak Creek - Pet</td>
<td>J Cyril Johnson</td>
<td>Low-rise (2)</td>
<td>1984</td>
<td>76</td>
<td>100%*</td>
<td>882</td>
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<tr>
<td>Baywood Arms</td>
<td>Privately Managed</td>
<td>Low-rise (2)</td>
<td>1972</td>
<td>172</td>
<td>99%</td>
<td>968</td>
</tr>
<tr>
<td>10 Properties</td>
<td>Total Avg</td>
<td>1,640</td>
<td>98%</td>
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<tr>
<td></td>
<td>Total Apts Available</td>
<td>31</td>
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* Addison Ranch currently undergoing significant interior and exterior renovations; occupancy rate excluded from weighted averages.

The surveyed properties are of a variety of sizes, ranging from as small as 43 units to as large as 492 units. Most apartments in these properties have average unit sizes of between 800 and 900 square feet, with a weighted average of 936 square feet across the entire 1,640 unit set. Occupancy rates also vary, with almost all properties between 96% and 100% occupied. Exclusive of one property currently undergoing substantial renovations, the entire set is occupied at 98% on a weighted average basis. Given that a healthy occupancy rate in the Sonoma County is generally above 92%, currently higher occupancies could be suggestive of an undersupplied market and may be a precursor to future rent increases in the city as inventory tightens amid low supply.

TCG believes the opportunity to develop apartments in Petaluma to be strong. With the total employment picture of the core Bay Area at or above pre-recession levels, and with rising rents in markets to the south, Petaluma is competitively positioned to appeal to a wide range of target renters.

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Data for this study was collected via phone interviews with property managers and site visits to the properties themselves. The survey was done in early May 2013. This assignment was completed by Tyler Evje and Tim Cornwell. If you have any questions, please do not hesitate to call.

With offices in Newport Beach, San Francisco and New York, The Concord Group is among the nation’s premier providers of real estate advisory services to leading U.S. and international developers, homebuilders, financial institutions, and public-sector agencies. Core services include market opportunity analysis, land use programming, and project feasibility. TCG has completed market opportunity advisory services for more than 45,000 multi-family units over the past three years.

JDA West, LLC
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Page 1
July 2012

C-1
Memorandum

To: Alicia Giudice, City of Petaluma  
Cc: Marty Brill, JDA West  
From: Matt Kowta, M.C.P., Principal  
Date: July 25, 2013  
Re: Maria Drive Site Evaluation

Purpose
BAE prepared this memo on behalf of JDA West, LLC. The purpose of this memo is to evaluate the suitability of the site at 35-55 Maria Drive (hereafter, Maria Drive site) as a potential location for ground floor retail space, office space, and live-work units in a mixed use configuration with multifamily residential apartment units. This information is intended to help JDA West and the City of Petaluma in determining the appropriate configuration of uses for redevelopment of the site.

Recommended Uses for Maria Drive Site

- The most suitable use for the Maria Drive site is multifamily residential development. The existence of an elementary school, existing multifamily housing, and ample existing retail and services within close proximity reinforce the use of this site for housing.

- The City of Petaluma zoning currently allows for high density residential (up to 30 dwelling units per acre) and commercial space in a mixed-use project.

- The site is not suitable for mixed-use with retail, office, or artist live-work units.
  - As explained further in this report, as a relatively quiet residential street, Maria Drive cannot provide the visibility and accessibility for shoppers that would be critical to the success of a ground floor retail establishment at this location.
  - Due to the lack of residential density in the surrounding area, there is not a sufficient number of residents in the immediate area to support ground floor retail.
  - There is more than ample existing retail square footage and planned retail square footage, including 720,000 square feet planned or under construction, within a short distance to serve the residents of the proposed Maria Drive Apartments and other nearby residential areas.
The retail components of other existing mixed-use developments in Petaluma, which locations that are superior to the Maria Drive site for retail, have vacancy rates ranging from 14 to 29 percent, significantly higher than the overall Petaluma retail vacancy rate, indicating relatively weak demand for this product type. The Old Elm Village commercial space on Payran Street is an example of ground floor commercial space placed on a secondary street that has not lived up to expectations.

Finally, the Maria Drive site lacks other nearby synergistic uses that could help to draw visitors who would patronize the ground floor retail space.

If ground floor retail space is included at this site, it will most likely struggle to attract tenants, and any tenants who move into the space would most likely struggle to attract sufficient patronage to remain in business on an ongoing basis.

For similar reasons as those cited above for ground floor retail, the site is not suitable for ground floor office users. Nor would the site be suitable for upper floor office uses, since the location would be isolated from other office developments and from other related businesses and support services.

Petaluma has an excessive quantity of vacant office square footage at this time (approximately 823,000 square feet vacant; 25% vacancy rate as of Q1 2013). Historic office vacancy data from the previous eight years indicates that this excessive vacancy has existed since before the start of the recession.

Other approved or proposed office developments could potentially add about three-fourths of a million square feet of additional office space; however, market conditions are such that the owner of an undeveloped office project that has had entitlements for over 10 years will likely try to reposition the project for a different use.

An inferior location such as the Maria Drive site would have to compete on cost per square foot in order to attract office tenants and, given the relatively low rents for office space in Petaluma, this would likely be a money-losing proposition for the development, if the developer could attract any tenants.

As an artists' live-work location, a primary drawback of the Maria Drive site is that the costs of new construction would not allow rents that would be affordable to most artists. In addition, the Maria Drive site would not be as attractive for a live-work location as the downtown area, which provides an ambiance that is more consistent with the live-work style of living. Even in the downtown setting (e.g., Waterfront Apartments), the majority of live-work units are not being utilized for their intended purpose. If live-work units are incorporated into the Maria Drive project, most if not all would likely revert to more typical residential use, rather than being used by artists as true live-work space.
- The City of Petaluma and JDA West can realize most of the benefits of mixed-use development at the Maria Drive site by designing the project so that it helps to create a mixed-use neighborhood, where residents of the apartment units can easily walk to the shopping and services that are offered around the corner in the Washington Square shopping center. This can be accomplished by designing the pedestrian circulation at the Maria Drive site so that there are convenient routes for residents of the proposed apartment project to be able to walk to the Washington Square shopping center.

Analysis of Potential Uses at the Maria Drive Site
The remainder of the memo describes the project site and its surroundings in more detail, presents site suitability criteria used by developers in evaluating potential uses that could be incorporated into a given development, and then draws on those criteria, along with local market information, to assess the potential for retail, office, and live-work units to be successfully developed at the Maria Drive site.

Site Location and Description. The project is located on the east side of Petaluma, at 35-55 Maria Drive, between the intersections of Maria Drive and Greenbriar Circle and Maria Drive and Park Lane. Figure 1 shows the site location within the Petaluma community. The project site currently includes several office buildings, which show signs of obsolescence and deferred maintenance. Tenants include primarily professional services, including medical and dental, as well as personal services establishments such as nail salons. At present, approximately one-half of the complex's office suites are vacant.

Figure 1: Maria Drive Site Location
The project site is to the northeast of the back side of the Washington Square shopping center, which is anchored by a Safeway supermarket and also includes many other neighborhood serving retail and service tenants, including a number of food service tenants, banks, a gas station, and other retail and personal services. Access to the Washington Square center is via E. Washington Street, S. McDowell Blvd., or Maria Drive. The Maria Drive access to the shopping center is located just to the southwest of the project site. Other development near the project site includes the Addison Ranch Apartments, directly across Maria Drive from the project site, a school, and single-family residential neighborhoods. The Addison Ranch Apartments are a collection of small multifamily buildings which are scattered on a large site. South of the project site, and occupying the entire block bounded by Maria Drive, Park Lane, McGregor Avenue, and S. McDowell Blvd. is the McDowell Elementary School. To the north of a drainage corridor that runs along the project site's northern edge is a single-family residential neighborhood.

**Site Suitability Criteria.** In creating plans for a new real estate development project, in addition considering land uses permitted by local zoning regulations, a project developer must also consider the how the project site matches up with the types of site suitability criteria typically associated with the range of potential land uses. In the case of the Maria Drive site, it is zoned for mixed-use development, which means that in addition to multifamily housing development up to 30 dwelling units per acre, the site could also include retail and office space and live-work housing units. Because JDA West is already proposing to develop multifamily rental apartments (25 dwelling units per acre) at this site and has already conducted its assessment of the sites suitability for this use, the focus below is on the retail, office, and live-work land use options.

**Ground Floor Retail.** Successful retail sites are characterized by accessibility, visibility, and synergy with other compatible uses. Accessibility means that it is easy for the greatest possible number of shoppers to travel to the site from the surrounding area. This typically means that the site must be located on a busy thoroughfare that provides convenient vehicular access, or that the site is located within a busy shopping district which functions as a destination for large numbers of shoppers because of a critical mass of establishments that attract visitors on a regular basis, such as in a downtown area or a shopping mall. Visibility means that the site can be easily seen by prospective shoppers and passers-by, who may not be intending to shop at that time, but who would develop an awareness of the establishment for future shopping trips. For retailers, synergy with other uses is very important, whether it is other complimentary retail uses, or proximity to different uses, such as offices, residences, or other developments that attract large numbers of people, such as entertainment venues or public institutions, whose patrons may also find it convenient to visit the retailer while visiting the area. Without synergies with other uses, a retailer must be capable of functioning alone as a destination, which is typically only possible for a very large store, or a store that is extremely specialized with a dedicated following.

Most of Petaluma's retail space is located along major commercial thoroughfares, such as McDowell Blvd., Washington St., and Petaluma Blvd., or in the downtown area. This includes local examples of mixed use projects, including the vertical mixed use Theater Square project and the Water Street Apartments projects, located in the downtown area, and the "horizontal mixed use" Azure project, located near the intersection of Casa Grande and Lakeville Highway. The two downtown projects have ground floor retail and the Azure project has retail space.
fronting on Lakeville Highway with residential development set behind the retail. The retail component of Azure is also known as Lakeville Square Shopping Center.

According to Basin Street Properties’ website, the Theater Square project has 37,490 square feet of ground floor retail space, and there is 6,532 square feet of retail space available for lease, for a retail vacancy rate of about 17 percent. At the Water Street Apartments project, the Keegan & Coppen listing flyer indicates that a 727 square foot ground floor retail space is available for lease. This represents a 14 percent ground floor retail vacancy rate in this project. According to the Keegan & Coppen listing flyer for the Azure retail space, there is a total of 12,224 square feet of built retail space at this location, and 3,513 square feet is vacant, for a 29 percent vacancy rate. This information indicates that these three mixed-use projects are significantly under-performing the overall Petaluma retail market at present, in terms of occupancy. In addition, there are plans to construct another 13,600 square feet of retail space at the Azure site.

**Mixed-Use Office Space.** Office space can sometimes be integrated into mixed-use developments, either as a ground floor use or as an upper-floor use. Ground floor office users within mixed-use developments tend to be establishments whose clientele come to their place of business to meet with them. Examples of such users include realty offices, insurance agents, financial services firms, and certain types of business services firms, such as accountants. For these types of tenants, site location criteria are similar to the accessibility, visibility, and synergy requirements of retailer tenants.

Upper floor office space, because it is typically less visible and not as conveniently accessible, tends to attract business and professional services establishments that do not rely on walk-in clientele, but instead work with clientele who are drawn to them for specialized services, such as legal, accounting, or engineering. Such professionals often need to interact with other professionals in the same fields or allied fields and thus typically prefer to be located in business districts where there are a diverse range of compatible businesses as well as support services, such as post office, copy shop, as well as daytime retail and services to meet employee’s needs. These types of businesses typically find that their location needs are well met in downtown or business park settings. A different type of synergy between uses is the large amount of medical office space that is located near the Petaluma Valley Hospital along the central part of McDowell Blvd.

Because of the specialized services they provide, professional office tenants typically have employees who live within a larger “commute shed” area that may involve significant drive times to the work place. As a result, office tenants often prefer to be situated in locations where they are easily accessible to freeways and main thoroughfares, where they not only enjoy community-wide or even regional visibility. Thus, outside of the downtown area, most of Petaluma’s office space is located in a number of different nodes that center on major roadways and intersections, such as the S. McDowell Blvd. and Lakeville Highway area at the south end of the city, or the N. McDowell Blvd. and Redwood Highway area at the north end of the City.

**Live-Work Space.** Live-work space is building space that is configured in a way that allows the occupant to both use the space as their primary residence and use it as a place of business. Artists were early pioneers of this type of development, converting old industrial lofts into live-work units which were suitable for their dual needs of inexpensive living space and
inexpensive space for art work and possibly display and sale of their creations. While early examples of live-work space involved adaptive reuse of old buildings, as the live-work loft came into vogue as an urban lifestyle, some developers also built and configured new buildings as live-work spaces. However, as live-work space became more widely available in certain urban areas, many live-work spaces were used strictly as living units, for residents who were attracted to them because of their architectural style but had work places elsewhere. These “lifestyle” residents of live-work spaces often had greater financial resources and could outcompete artists for available live-work spaces. Other projects were developed in the style of live-work lofts, but designed and marketed as residential projects. Downtown Petaluma’s Celsius 44 development at 1st and G Streets is an example of the latter, while the Theater Square area is a new construction project that includes four live-work units among other standard residential units.

In BAE’s experience, developments that have a true artist live-work function typically need to offer relatively inexpensive costs to their occupants. This can rarely be accomplished with new construction unless there is significant subsidy involved. Otherwise, live-work developers need to identify old buildings that can be acquired and adaptively reused at relatively low cost. Typically, such buildings exist in older industrial areas, where property values are relatively low. In addition, the architect Thomas Dolan in his web blog (live-work.com) observes that when a person lives and works in the same space, often alone, it can be socially isolating and, therefore, it is important for live-work developments to be placed in locations where the occupants can have ready access to opportunities for spontaneous interactions with others in the public realm. This type of thinking argues for live-work developments to be sited in a location more like Petaluma’s downtown area, as opposed to a quieter residential area like the Maria Drive site.

**Evaluation of Potential Uses for Maria Drive Site.** The following discussions evaluate the Maria Drive Site in relation to the various suitability criteria presented above.

**Evaluation of Potential for Ground Floor Retail Space.** The Maria Drive site has weak potential as a location to offer ground floor retail space as part of a mixed-use development, for a number of site-specific reasons as well as reasons relating to the overall Petaluma retail market.

First, Maria Drive is a relatively quiet residential street which does not carry large volumes of traffic. Because it is not a thoroughfare, it primarily serves as a route for residents of surrounding neighborhood to access busier and faster-moving streets such as McDowell Blvd. and Washington Avenue. Thus, people who live or work in other parts of Petaluma outside of the immediate area have little reason to travel on Maria Drive. This means that the accessibility and visibility of retail establishments that could be located in ground floor retail space at the Maria Drive site would be poor. In the examples of mixed-use development previously discussed (Theater Square, Water Street Apartments, and Azure), the retail space fronts on major commercial corridors and/or is within a pedestrian district, but still exhibits comparatively high vacancy rates relative to the overall Petaluma retail real estate market. The Maria Drive site does not offer good visibility or accessibility.

While some commercial establishments can be successful if they are not located on a major thoroughfare with good visibility, such businesses must rely on their convenience to a large concentration of people in the immediate vicinity. This situation will not be possible at the
Maria Drive site, because of the low overall population density in the neighborhood surrounding the site. As discussed previously, the Addison Ranch Apartments property on the other side of Maria Drive is lower-density, and the surrounding residential neighborhoods are primarily low-density single-family detached uses. In addition, the block immediately to the south of the site is occupied by an elementary school, which would not likely be a significant generator of patrons for ground floor retail at this location and will have many hours per day when it is devoid of activity, during after-school hours, weekends, and during school break periods.

A major consideration for any retailer who would consider a ground floor retail space at the Maria Drive site would be the location of competing retailers and the competitive attributes of the Maria Drive site vis-à-vis other retail locations. While a retailer in a location such as the Maria Drive site might have the ability to capture demand from nearby residents if there were no other viable shopping options nearby, this clearly would not be the case at the Maria Drive site. It is highly likely that any retailer considering the Maria Drive site would realize that with the Washington Square property just around the block, there would be significant competition in the immediate vicinity from Washington Square retailers who enjoy greater visibility and accessibility relative to most of the rest of the Petaluma population, and who also would benefit significantly from the synergy with other retailers, including larger anchor tenants located in that shopping center. In addition, with the even larger Petaluma Plaza shopping center located just one block further away, it will be clear that this particular part of Petaluma is already well served with retail and services. A well-informed, competent retailer would be extremely hesitant to try to operate in a location such as Maria Drive, and JDA West is correct in its hesitance to incorporate ground floor retail into the Maria Drive project.

The ground floor commercial space in the Old Elm Village development on Payran Street, off of Petaluma Boulevard provides a cautionary example of mixed-use commercial space that is placed on a secondary street. Old Elm Village is a mixed-use project with 87 residential units above ground floor commercial space that fronts on Payran Street, about one block to the east of Petaluma Boulevard. This project was constructed in 2001. A representative of Burbank Housing, the project’s developer, indicated that the commercial component has been a disappointment and, based on this experience, the organization requested to omit ground floor commercial space from a subsequent project application in Petaluma. Currently, the ground floor commercial space is occupied by non-retail uses, including the Petaluma Police Department substation and a non-profit child development center operated by the Community Child Care Council of Sonoma County. According to a project representative, the space currently occupied by the Police Department has turned over two or three times since completion.

Finally, although retail vacancy rates in Petaluma are relatively low at present (5.1 percent in Q1, 2013, according to Keegan & Coppin), the Petaluma market is about to experience an unprecedented increase in retail supply in the coming years, including over 720,000 square feet of new commercial space in two projects, according to the City of Petaluma’s Major Development Project List from March 2013. The first of these large projects to come on line will be the East Washington Place shopping center, located at East Washington and Ellis Streets, about half a mile away from the Maria Drive site. This project includes 378,000 square feet of commercial space, and is anchored a Target store, and Dick’s Sporting Goods store, with a range of spaces for smaller tenants. The second large new retail project is the Deer Creek Village project, which will be located at North McDowell Blvd. and Lynch Creek.
Way, approximately one mile away. This project, with 346,000 square feet of space, will be anchored by Friedman's home improvement store, and will include other food service, retail, and services. As illustrated in Figure 2, this amounts to a 45% increase in Petaluma shopping center space. These figures do not include other smaller retail developments including small strip retail projects.

The major planned retail centers are both within close proximity to the Maria Drive site. This means that within the next several years, the Maria Drive site will be served by four major shopping centers, all with superior visibility and access, and all within the industry standard 1 to 1.5 mile driving distance for convenience retail and services. Given this competitive environment, it would be unwise to try to develop retail space in an inferior location such as Maria Drive. See Figure 3.

Figure 2: Growth in Petaluma Shopping Center Space

![Growth in Petaluma Shopping Center Space](chart)

Evaluation of Potential for Mixed-Use Office Space. The Maria Drive site does not offer a suitable location for typical ground floor office tenants, such as real estate offices or insurance agents who have site location criteria similar to those of retailers. As explained above, the site has serious shortcomings in terms of site visibility and access, given that Maria Drive is a relatively quiet residential street. For the types of professional office tenants who would consider locating in upper floor office space, the site does not offer a location where there are potential synergies with other similar businesses or businesses in related, or with office support businesses, which are typically found in business parks or central business district type locations.

The Maria Drive location is essentially a residential location which would not be appealing to most office tenants. As indicated previously, the current development at the site has struggled to maintain occupancy, with approximately 50 percent of the available office suites vacant. Although one can point to the current poor condition of the buildings and landscaping at the site as a factor in the high vacancy rate, the fact is that if the demand for the office space at this location was stronger, the property owner would have had more ability and more motivation to invest in upkeep of the property. According to the owner, many of the office units have been vacant for quite some time, dating as far back as 2006/2007, and the owner has been agreeing to rent reductions and other concessions in order to retain the existing tenants. According to JDA West, the current owner has found that the location is not appealing to most office tenants due to the surrounding residential uses, the lack of concentration of other office space, and an abundance of preferable choices for locations elsewhere within
Petaluma. BAE concurs with all of the owner's observations, based on our own reconnaissance of the local office market conditions.

While a site like Maria Drive might be able to overcome its shortcomings due to strong demand and limited supply in a tight market, there is such a large quantity of vacant office space in Petaluma that prospective tenants do not have to resort to choosing inferior locations in order to obtain space. According to the Keegan and Coppin commercial real estate brokerage, the office vacancy rate in Petaluma was approximately 25 percent, as of first quarter of 2013. This was slightly worse than the office vacancy rate for the Sonoma County office market as a whole. In comparison, a healthy commercial real estate vacancy rate is often considered to be approximately 10 percent. Thus, office market conditions at both the local and regional level indicate there is significant excess supply relative to demand.

It would be tempting to attribute Petaluma’s current high office vacancy rate to the effects of the recession; however, historic Petaluma office market vacancy trend information documented in the 2012-2013 City of Petaluma Economic Report, prepared by the Sonoma County Economic Development Board, based on data from Keegan and Coppin, documents that Petaluma’s office vacancy rate was between 25 and 30 percent as far back as 2005, with a peak of 41.5 percent in early 2010. See Figure 4 on next page.

According to Keegan and Coppin, there was about 823,000 square feet of vacant office space in Petaluma as of first quarter 2013 and full service office rental rates were averaging $1.58 per square foot. This information confirms that while there has been a recovery since the most severe effects of the recession, the Petaluma office market is still far from being on solid footing given the existing vacant supply and relatively low rental rates which would make it difficult to defray costs of new office construction. In an environment such as this, building additional office space in an inferior location such as Maria Drive would almost certainly result in excessive vacancies, low lease rates, and financial losses for the developer.

Potentially adding to the excess inventory of office space, City staff have indicated that there are at least two office projects within the City of Petaluma that have been fully entitled to construct substantial amounts of additional office space. These include a project by RNM Properties on a 20.4 acre site on Cadet Lane in south Petaluma that is fully entitled for 354,000 square feet of office space, as well remaining approved office development in the Redwood Technology Center in north Petaluma, which totals 90,000 square feet. BAE located a press release that indicates the Cadet Lane office site has been entitled over 10 years. Some of the approved commercial space in the Deer Creek Plaza and East Washington Place shopping centers could be built as office space. In addition to these fully approved office projects, RNM Properties has an additional 13.6 acre office site on South McDowell Blvd. that is not fully entitled, but which could potentially accommodate 240,000 square feet of office space. The City of Petaluma’s major project list identifies an additional 60,000 square feet of office space that is proposed in the Riverfront 2010 project, at the southwest corner of Hopper Street and Highway 101. Together, the approved but not yet built office space represents over 450,000 square feet of additional supply, while the other projects that are not fully entitled would bring the total to closer to 750,000 square feet. According to City staff and an RNM Properties representative, that company’s office development opportunities have languished under recent market conditions and due to the lack of opportunity the developer will likely try to re-position the properties for light industrial/flex type uses.
Evaluation of Potential for Live-Work Space. There is relatively little in the way of existing live-work space in Petaluma; however, one example of a development offering live work space that BAE was able to identify was the Waterfront Apartments, in the downtown near the Theater District, which includes four live-work units. Of those four units, the residential leasing manager reported that most are being rented as three-bedroom apartments rather than as true live-work units. As mentioned previously, the Celsius 44 project, also in downtown, is styled as a loft project; however, the residential units are designed and marketed as upscale residential units, not live-work units. One proposed project, the Riverfront 2010 project, which is shown on the City's March 2013 Major Development Projects List as “under review” for a location at the southwest corner of Hopper Street and Highway 101, would include four live-work units out of a total of 273 total planned residential units.

Figure 4: Petaluma Commercial Vacancy Trends

![Chart showing commercial property vacancy rates in Petaluma from 2005 to 2012 Q2.]


Although the examples of live-work projects are limited, they all share a common trait in that they are located within Petaluma’s central area, near the waterfront, and in a more diverse and urban area than the Maria Drive site. This is consistent the tendency of live-work projects to be in locations that are more active and "edgier" than a site like Maria Drive. According to the leasing agent who provided information about the leasing activity for the live-work units in the Waterfront Apartments, the type of people who are interested in that style of unit want to be in the downtown area, because that is where all of the action is. Contrasting the downtown area with the setting of the Maria Drive site, which is primarily residential in nature, it is not likely that Maria Drive would have the same appeal for residents interested in live-work units. Nevertheless, if the marketing experience of the downtown live-work units is an indicator, if live-work units were incorporated into a new construction project like the Maria Drive project, it is likely that very few units might actually be used as live-work units and their primary use would be as apartments.
About BAE

BAE Urban Economics is an award-winning urban economics and public-benefit real estate development consulting practice. Since 1986, we have served more than 1,900 clients including public agencies, non-profit organizations, and private developers throughout the US. All of our work is led by seasoned experts, who are responsible for project direction and internal quality control.

BAE's experience ranges from statewide policy studies, to strategic plans, to development projects. Our services include feasibility studies, strategic planning, revitalization, public-private transactions, public financing, fiscal and economic impacts analyses, and development advisory services. We have extensive work experience in:

- Economic Development
- Sustainable Development and TOD
- Affordable and Workforce Housing
- Public-Private Transactions
- Parks and Community Facilities
- Impacts Analysis
- Financing and Operations

BAE's passion about the "triple bottom line" of sustainable economics, environment, and equity makes us unique among urban economists. We believe that there are practical solutions to urban issues which will achieve this triple bottom line, and that consideration of environmental impacts and social benefits is as important as financial returns.

Our company has practiced this same philosophy since our inception in 1986, with intentional investments in our staff and workplaces to foster creativity and a commitment to excellence. We have pioneered the use of survey research to target urban housing products, created innovative GIS tools for smart growth planning, and provided real estate advisory services to some of the largest revitalization and sustainable development efforts in the US. We have also worked on more than 50 TOD strategies and plans, as well as award-winning sustainable regional plans. BAE is a certified Green Business in Alameda County, CA, bringing our sustainability focus to our own business practices. BAE is also certified as a WBE or DBE by numerous public agencies.

The BAE difference shows - we have earned more awards for excellence than any other firm in our field, our core staff has averaged more than 15 years each with the company, and our clients have retained us repeatedly over our 25-year history. BAE has 20 staff members in five offices including San Francisco, Sacramento, Los Angeles, New York City, and Washington DC. For more information, see www.bae1.com.
Matt Kowta, MCP, Principal
Matt Kowta manages BAE’s Sacramento area office, and has worked in the field for over 22 years. He specializes in real estate market and feasibility analysis, public finance, fiscal impact, affordable housing, redevelopment, and strategic economic development. Throughout his career, Matt has pioneered innovative techniques in economic analysis to meet the challenges of contemporary urban development.

Matt has provided strategic real estate advisory services to a wide range of clients, including developers, financial institutions, and public agencies, for projects ranging from feasibility studies for single buildings, mixed-use and transit-oriented development, and large master planned projects, including military base reuse efforts, and specific plans. While Matt is based in the Sacramento Region, he brings perspective to local projects from ongoing experience managing projects in locations throughout the Bay Area, Northern California, the Central Valley, the Reno/Tahoe area, Oregon, Washington State, Arizona, and Colorado. His experience spans the full continuum of the development process, from long range planning and pre-development through redevelopment and revitalization. He provides expert witness and litigation support services to public agency and private sector clients.

Matt recently provided technical assistance to local communities on best practices for economic and fiscal sustainability, through a national contract with the US Environmental Protection Agency. He has lectured at U.C. Berkeley, and has been a featured speaker for U.C. Davis, the California Downtown Association, the California Local Agency Formation Commission Conference, and the Urban Land Institute Real Estate School. He is a member of numerous professional organizations in planning, economic development, and real estate. He is past president of the Board of Directors of the Davis Downtown Business Association. Matt earned a B.A. in Geography from U.C.L.A. and a Masters in City and Regional Planning from U.C. Berkeley.
This brief report is a peer review of Bay Area Economics Urban Economics (BAE Urban) report on the property at 35-55 Maria Drive in Petaluma, CA. The report is dated July 25, 2013. The focus of this report is the suitability of the Maria Drive site for 100-percent residential versus mixed use. The site is 5.85 acres, where the density is 25 units per acre and the number of units to be built is approximately 144 units. This peer review focuses on the key points made by BAE Urban and their conclusions.

BAE Urban makes the case that the best use is multifamily residential. BAE Urban suggests other uses would not be suitable for this space. Their contention rests on two major points: other uses would not fit that area of Petaluma; and the current market for other commercial uses in Petaluma makes it unsuitable in terms of the market for commercial space otherwise. The study considers ground floor retail, office space specific to mixed-use, and live-work space; the study concludes that all these are poor options vis-à-vis multifamily residential. BAE Urban’s evaluations are thorough and provide a solid basis for a recommendation to change the zoning to 100% residential. This is especially true for the case against adding retail and office space to Petaluma, where the cases are made specific to this market.

BAE Urban makes a solid case that the market for new retail is going to become weaker because Petaluma will have over 720,000 feet of new retail space come on-line within a mile of the Maria Drive site. Due to the location, mix of retailers in these spaces, parking, and other intangibles, building new retail within a mile from these new projects would be a poor economic idea. Further, the lack of visibility and traffic along Maria Drive makes it a poor location for any amount of retail or mixed-use space.

For mixed-use office, both weak demand for office space regionally and the locational aspects of the Maria Drive site suggest very little reason for office space at this site. There has been very little office space built in Petaluma since 2006 for a reason: demand is weak and projected to remain so. Technological advances have changed the way residents use office space, and it is unlikely there would be consistent demand for new office space at the Maria Drive site. As evidence, the demand for the existing office space at the Maria Drive site is weak. The BAE report highlights that current vacancy is at 50% (compared to overall market vacancy of 25% at Q1, 2013), the landlord has been continually lowering rents in order to keep the existing tenants, and there has been little to no reinvestment in the property due to the lack of office demand in this location. The argument against live-work space by BAE Urban is also solid. The
key is the attraction to multiple spaces specifically for that use, and BAE-Urban’s analysis is classic in that the want for artistic space to be near foot traffic to showcase art or in urbanized part of a city is correct. The description of what has happened on Payran Street at the Old Elm Village provides an example of why mixed-use office is unlikely to work at the 35-55 Marin Drive location in Petaluma.

**Considering the Economic Impacts**

One of the arguments against residential development, even if the market conditions warrant such use of space, is that the economic impacts are a one-time shot for the local municipality. This project has economic impacts from its construction phase and when the units are occupied; the occupancy impacts are ongoing and affect both the local community and the entire city of Petaluma. The construction would begin in 2014 and be done in 2015; the occupancy impacts would begin in 2016.

New residents have ongoing economic impacts on where they live. Such development has benefits for both the city overall and the community in which it is occupied. The community gains new residents that are paying market-rate rents and providing income to local businesses. The new units also reduce conditions of blight or obsolescence in property; this supports the community’s wealth in terms of stabilizing home prices and local infrastructure quality. The new property also increases the property taxes being paid, which supports local schools; the families that occupy these units will also support local schools, as paying market-rate rent implies the occupants are likely making more than the median household income.

There are additional, positive, ongoing effects for the City of Petaluma overall. It is a misconception that the only impacts are construction impacts. The construction impacts for this project generate over $34 million in business revenues, where $24 million of that is construction costs. There would be over $5 million paid in fees, ostensibly government revenue. The impacts of these new residents on local Petaluma businesses, where occupancy is expected to be very close (if not equal) to 100 percent consistently, can be summarized in Table 1:
Table 1: Summary of Industries Impacted by New Occupants at 35-55 Maria Drive

<table>
<thead>
<tr>
<th>Description</th>
<th>Employment Business Income</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bars and Restaurants</td>
<td>5.4 $342,700</td>
</tr>
<tr>
<td>Wholesale trade businesses</td>
<td>2.2 346,600</td>
</tr>
<tr>
<td>Medical and Dental Offices</td>
<td>2.1 266,900</td>
</tr>
<tr>
<td>Grocery Stores</td>
<td>1.7 119,600</td>
</tr>
<tr>
<td>Real estate agencies</td>
<td>1.6 315,200</td>
</tr>
<tr>
<td>Child Care/ Household Services</td>
<td>1.3 14,500</td>
</tr>
<tr>
<td>Nursing and residential care facilities</td>
<td>1.2 80,600</td>
</tr>
<tr>
<td>Auto Parts Retail</td>
<td>1.2 122,000</td>
</tr>
<tr>
<td>Investment Banking</td>
<td>1.2 106,500</td>
</tr>
<tr>
<td>Banks and Credit Unions</td>
<td>1.1 163,200</td>
</tr>
<tr>
<td>All Others</td>
<td>21.2 3,222,200</td>
</tr>
<tr>
<td><strong>Totals</strong></td>
<td><strong>40.2 $5,100,000</strong></td>
</tr>
</tbody>
</table>

The assumptions to determine these ongoing impacts from new Petaluma residents are as follows:

- There would be 144 new households in Petaluma;
- The median household income as of 2011 was $76,185 per year,
  - Assume 95 percent occupancy of the apartment space;
  - Assume an average tax rate of 30 percent on the residents; and
  - Assume a 5 percent savings rate;
- Petaluma would receive an economic infusion of approximately $7.3 million annually from these new residents, where some of that income would leak away to other areas.

Given the leakages, these occupied units translate into the support of over 40 jobs in Petaluma, over $5.1 million in new business revenues, and approximately $401,000 in new local and state tax revenues annually. The sales tax portion, for example, of that increase is approximately $128,400 of the $401,000. This annual increase in spending takes place with local health services, professional and personal services, as well as retail. A wide breadth of businesses in Petaluma would be supported by these new households on an ongoing basis.

Summary

The basic economic and real estate analysis concerning the 35-55 Maria Drive property by BAE Urban is sound and highlights the major issues and reasons for this proposed change to 100 percent residential. EFA supports BAE Urban's conclusions that mixed-use or other commercial uses would not be suitable for this site/ location, and that multifamily is the most appropriate use given the location and compatible uses surrounding the site. The options considered by BAE, in terms of commercial space
options, include office, retail and live-work spaces in a mixed use setting. Given the location/visibility of the Maria Drive site, combined with Petaluma’s commercial real estate market, especially recent changes in the retail market and weak demand for office in any setting, the best use option is residential.

Residential occupancy should not be an issue. On the commercial real estate side, there are no indicators that office space would be occupied, as well as live-work spaces in this location. This property provides convenience and an increase in surrounding home values for the Maria Drive community; there are also ongoing economic and social benefits to the City of Petaluma in terms of an infusion of new spending that will further utilize new retail options within the City and provide local tax revenues. In short, the BAE Urban report provides the fundamental reasons to allow for 100 percent residential in this location.

Economic Forensics and Analytics, Inc. Profile

Robert Eyler is a principal at Economic Forensics and Analytics (EFA) in Petaluma, CA. Dr. Eyler is often called up by the media for his expertise on global economic issues, is a forensic economist and acts as an expert witness in trade and damages litigation, and specializes in economic impact analyses for both private firms and public entities. Robert earned a Ph.D. from the University of California, Davis in 1998. He earned a B.A. in Economics at CSU, Chico in 1992. Robert is the author of two books and several academic articles concerning economic sanctions, the economics of the wine industry, and monetary economics. Dr. Eyler has been a visiting scholar at both the University of Bologna and Stanford University.

Economic Forensics and Analytics, Inc. (EFA) is an independent research and consulting firm located in Sonoma County, California. EFA provides expert witness services for clients in need of support for financial or economic arguments in litigation and/or in-depth analysis of the opponent’s arguments, experts, and testimony. EFA can provide clients with retail leakage and fiscal impact reports for economic development support. EFA has produced several of these reports for corporate and governmental clients. Please see more at www.econforensics.com.
My name is Barbara Dettner. My husband and myself have been property owners of 64 Maria Drive for forty three years.

I feel that a project the size of the proposed 144 unit three story complex at 35 Maria Drive is not suitable for our neighborhood. It is not appropriate for the size of the property. Three story apartments sitting on a whole lot of concrete backing up to a long alley with loading docks, large trucks making deliveries day and night, a recycling center, etc. does not make for the environment that would be expected for "Luxury Living" which is how this will be marketed. It will take an amendment to our existing general plan in order to change the status of this property from mixed use to high density residential designation. It will also require re-zoning. I might remind everyone here that we have a commitment from the City Council and their appointed staff and representatives to carry out the existing general plan. I strongly oppose this change and urge this planning committee not to amend the general plan for this project.

Our neighborhood is primarily single family homes with the exception of the former Greenbriar Apartments, now named Addison ranch. This complex is currently being re-modeled with a planned expansion of another 125 units. This would be 12.5 units per acre for Addison Ranch. The proposed development at 35 Maria Drive will be 24.6 units per acre.

My main concerns are the wear and tear on our already heavily trafficked street both during construction and after the units would be occupied, air pollution both during construction and when the units would be occupied, and the effect on the existing environment.

The proposal is to remove all the existing trees. Why?

I am not anti development. But this development is not suitable for our neighborhood. Perhaps if the proposal was not three stories high, included a lot of green area and was within the guidelines of fewer units per acre it could be resubmitted.

Barbara Dettner
by Maria Drive
I am Albert Wong. I am the owner of 63 Maria Drive. My property is a direct neighbor to 35 Maria Drive property. I am raising the following 7 concerns.

1. Privacy – all proposed 3-storey units facing low density residence will see into our property
   a. Privacy will be noticeably reduced along the surrounding low density residential properties due to the 3-storey apartments being proposed. Thus it is a huge concern. The location is not suitable for building with more than 2-storey buildings.
   b. "In General Plan 2025 Policy # 1-P-3:
      i. "In addition to density standards, establish building intensity (floor area ratio) standards for residential development in the Diverse Low and Medium Density Residential districts, to prevent development out of scale with existing neighborhood context."
   c. This contradicts the General Plan 2025 Policy # 2-P-118
      i. which states "Allow lot consolidation in residential areas only when finding that this will not negatively impact the existing neighborhood character."

2. [New] Mountain view from our house at the south side will be blocked
   a. Having the mountain view retains the visual integrity around our house.
   b. After some work, we look at the only mountain view from our room to get relieve. Removing the view will reduce our ability to relax from home.

3. [New] Firework view will be blocked at the south west side
   a. This will be exploiting our ability to view the July 4 and the New Year fireworks from our house. Since they will be set off
   b. As such, the above 3 plus following concerns contradict the General Plan 2025 Principle #11:
      i. which states "Foster a sustainable community in which today's needs do not compromise the ability of the community to meet its future needs."

4. The parking condition will likely create overflow parking along the street outside the concerned location back to the low density residential area frequently
   a. This will create interrupting inconvenience to the residents to the low density residence area
Good Evening,

I am a longtime resident of Petaluma. I have a background in marketing, both BS in business and an MBA from Columbia University. I am also on the board of the Petalumá Wetlands Alliance, a committee of the Madrone Audubon. I've spent extensive time doing restoration work in Wetlands.

First, I am not anti-development or against the policy of infilling - in the right place. I am here representing myself and the Eastside Neighbors Coalition. We are concerned that the negative impacts of this project are being glossed over or ignored altogether in this initial report.

We want to see a full Environmental Impact Report done. This project is a significant change from the historic use of land in this area. We believe a change to the designation and zoning of this area in the direction of high density residential would be a mistake. It would have significant negative impacts on traffic, on the nearby Washington Creek and on the quality of life in adjacent neighborhoods.

In addition, I discovered yesterday a mistake in the report. There are many references in the report to the purported density of Addison Ranch as 22 hu/acre and it is used as an illustration that 24.6 hu/acre is not a large departure from current usage of the area. The acreage of Addison Ranch is not 9.76 acres, it is 17.92 acres. That makes the density of Addison Ranch 12.5 hu/acre. Doubling the concentration of housing units in that area is a big departure from past use, especially when it is replacing an office park.

Washington Creek is a riparian corridor that is currently under restoration by the Sonoma County Water Agency. Native plants and trees are planted along the banks and are watered and weeded on a regular basis by the county. It is a home to Egrets (both Great and Snowy), Green Herons, the Black-crowned Night Heron, Mallard Ducks, Turkeys, and other species of birds. It has water year around, even now in the summer. It has crawfish, fish, frogs and muskrats. And these are just the species I have seen in casual walks along the creek.

This creek suffered greatly during the “unofficial” high-density era at Greenbriar Apartments. There were several creek cleanups by local groups including Casa Grande and one organized with the help of my father’s Kiwanis club. We pulled out furniture, bedding, discarded food in containers, etc. In addition, I cleaned the area several times on my own, which is why I know that it was used as a privy, a party place, a place to sleep and to have sex. When the population went down significantly after the financial crisis hit, the creek began to be clean.

I'd like to mention that the Agenda setting for this project was very good. Our neighborhood has been included in plans, except as a path. I'm concerned about the amount of light and noise from the complex.

The developer sent me a letter that refers to schools, trails, parks, nearby. There are not multiples - and the effect of this many people in one small area will be intense.
Traffic

There will be a significant increase in traffic.
A lot of us have been complained about the effects of traffic. The study seems to concentrate on efficiently functioning intersections. It says nothing about the effect of increased traffic on the streets themselves.

Maria has experienced increased traffic over the past few years. In fact a stop sign was put in to help slow down traffic and avoid collisions. We have city buses. Recently we have noticed even more traffic. Eastside residents drive on Maria to get to the Safe Way and to avoid the Washington & McDowell intersection.

—This development will greatly increase traffic endangering residents and the significant amounts of foot traffic. We have residents considering those who ride on motorized carts — they must go out onto the street in some places. More traffic makes this dangerous.
on the other end of Maria is a ball park
park and preschool. All of these will be made
more dangerous. I personally subscribe to
baseball games are one because there are many
cars & people. It is

Parents pick up kids from preschool
The baseball field & the preschool don't
have much of a setback, so it's inevitable
the people park on the street & are walking
across the street.

A high density complex should not be located
where it will overburden the infrastructure
of the streets and destroy the quality of life
in nearby neighborhood.

I'm not a civil engineer, but I also wonder what
the impact of water and sewage would be
for a project like this, which concentrates
has the effect of this been adequately examined?
Business

The reports paint a picture of an office park not a viable location. There were other factors at work and former tenants that the management of Greenbriar Apts. had an effect on the office park. As the apartments went into decline tenants left because it became an embarrassment to be across the street. The owner started telling tenants about 7 years ago that the office park was going to be demolished. The owner refused to renew leases. The beauty parlor lost employees & hairdressers because they thought the salon would close. Maintenance was minimal & the grounds were let go.

The street that Maria was a quiet residential street - but it is no longer. There is a lot of car traffic and a lot of pedestrian traffic now. With proper management and maintenance I believe an office park could do well at this location.
There was an article about commercial vacancy rates going down in the paper.

- There is also a difference between small businesses & large businesses.

-Because this project is moving so quickly through

- Professional offices don't need traffic walking, brand salons.
- Some retail doesn't need walk-in traffic.

- The need for physical proximity in this age of telecommuting and skypeing is exaggerated.

- Some retail, such as beauty salons, don't need a

- Again the area — since Safeway had a

- Lot of foot & auto traffic.
- Baseball games bring traffic.

-I think JPA will own this development as long as ROI meets their expectations — once it doesn't, they
I am a resident of Petaluma for the past forty three years. I live at 64 Maria Drive. I'm very concerned about making any change to the General Plan that will allow this project to move forward. Making changes in the GP that's been in effect for 5 years and seems to be working would be counterproductive. It could set a precedent for other out of state land speculators to open shop here, where it is a more lucrative market then they have at home.

That being said my main concern is the project itself. After reading the report on the project I find some disturbing things that could only be addressed by not giving the zoning change and this complex not happening at all.

My first misgiving about the whole thing is the size. Trying to cram 144 living units on 5 acres is not what you call living the luxury life and by the way that is the word they used to describe this complex. A slab of stone on a counter top and air conditioning does not make it a luxury apartment.

I am not a tree hugger but why do they need to clear cut the property of all the 40 year old trees? I know they are not native, they are not too good looking but for most part they are healthy and standing. Then we have Washington Creek. They contend that it's not much more that a drainage ditch. If you have lived around here for a while you know different. In the spring you have nesting birds, Redwing Black birds and such. A little later a Brace of Ducks then lots of ducks, you might see a rabbit or a muskrat. And we have fish and frogs and lots of stuff and who knows a tiger salamander??

As we lamented this is a big complex, the roof line will be 42 feet above ground level that's three stories high. Privacy for the people who live on Creekside with their backyards to the project is gone.
This is earthquake country there is a big one coming, it will happen no doubt. The soil the buildings are to be built on has a very good chance in a strong quake of liquefaction That means turn to mud or goo, it's a fact look it up. Also on that note how about water. 144 units are a lot of bodies that will stretch our water supply even thinner. Remember the last draught, shower with a friend once a week. Bricks in the toilets, not funny. Then if and when the rain comes what about run off? No Problem they say, that is bull. The roof and parking lot will collect a lot of rain and its going where? Into the creek and storm sewers. They say a large amount will remain on the property. Nonsense.

Now I know a lot of you are wondering when I'm going bring up traffic.... Now traffic in the area on Maria Drive is not pretty, its ugly. At times its minutes before you can back out of our driveway. This is not about me it's about the whole neighborhood and its about the air quality and the quality of life of the area. Cancer on our block is out of control. Lung, Breast, Colon. I'm sure there are many factors contributing to it but car exhaust from thousands of trips a day on Maria Drive must be part of the problem.

I don't know if you are aware that Addison Ranch just across the street, it used to be Greenbrier is gearing up with a face lift, much needed. They are also going to build another section of 100 + units. As you can see we really don't need the proposed 144 units at 35 Maria. And just for kickers to really stomp on our neighborhood, Safeway Inc. is planning to build a gas station on the north east corner of McDowell and Maria Drive right across the street from 2 preschools and 1 grade school. I'm afraid quality of life in our part of Petaluma might be disappearing.

Stanley Silverman
61 Marie Dr
Hi, my name is Laura Bouchard. My mother and I reside at 80 Maria Drive. She has lived there since 1968 when she bought the house and I grew up there. I am here to represent both her and myself.

I have lived and worked in Petaluma most of my life; including working at the Petaluma Chamber of Commerce as the Member Services Director. In that role I invited new businesses to our city and helped them promote themselves.

Petaluma has a General Plan. I believe that we should be sticking to our General Plan. A lot of people put time and effort into creating the General Plan. As I understand this project, this would involve an Amendment to the General Plan, changing these parcels from Mixed Use to High Density Residential. This is a big change.

This does not serve the residents neighboring the area nor the Little League Park, school and preschool nearby. The flow of traffic would be too heavy with that many people living in this area.

One of my main concerns is that Maria Dr., a residential street, is already getting a great deal of traffic. People are using this street as a shortcut to Safeway, avoiding the heavy traffic on Washington Street and the difficult left turn as well as the intersection at McDowell and Washington. It’s quicker because there is less traffic and easier to turn left. In addition we also have city buses coming down our street. All this increased traffic makes it difficult to get out of our driveways. People driving down Maria often run or roll through the three way stop sign at Maria and Creekside Circle, which is dangerous. It’s a residential street, it’s not a street that is designed or large enough to handle heavy traffic flow.

Closer to McDowell on Maria, increased traffic would be dangerous for the Little League Park, the school and the preschool-- which I’m very familiar with, because I worked there. This would make it very difficult and dangerous for parents picking up their kids.

The traffic report online is all about intersections working at acceptable levels of service. It says nothing about what this traffic does to our quality of life or how it damages our safety.

I lived at Greenbriar from 2007 to 2009. Although there were many nice people who worked and lived there, there were many gang related problems and overcrowding. After examining this project site, how it would look and what they plan to charge for rent, I have strong doubts that they can sustain that kind of high rent and the services. I am afraid that it will decline the way Greenbriar did.

Another thing that is not addressed in the studies is that the negative impact on our neighborhood will result in lower property values for our homes. This will have a depressing economic effect on the entire area.

I would like to see these parcels stay Mixed Use. It’s the right designation for this area. If it is redeveloped, I’d like to see offices and space for small businesses. Petaluma has always backed small businesses. This is important. Petaluma needs these kind of spaces for professional offices and small businesses. We don’t have that many office parks in East Petaluma and this is the perfect spot for them, right next to residents and near the kind of shopping center that supports small and professional offices.

Thank you for your consideration. Please do not approve this project. It’s wrong for this area.
To: Petaluma Planning Commission  
Fr: Terence M. Garvey - Registered Civil Engineer:  
Re: Apartment Development at 35 Maria drive

The high density apartment complex proposed for 35 Maria Drive requires a change in zoning. The existing development has provided environmental problems due to lack of separation from the branch of Washington Creek where fencing was damaged and/or removed. A block wall of low height between 35 Maria and Washington Square also acts as little barrier to partying and trash left in its wake. Much trash ends in the Creek.

The General Plan should not be changed for this project. Poor management and planning for existing office space should not be a reason for changing the zoning to operations that will exacerbate the environmental problems due to further housing of a very dense nature. Trash, water and sewer capacity, increased traffic, parking on Maria Drive curb, congestion at the juncture of Maria Drive, Park Drive, and Safeway's receiving alley along with adjacent baseball parks that add to dangerous conditions.

If 35 Maria is approved by changing zoning, Addison Ranch will ask for 100 to 125 more units which should decrease the open space which had the ability to serve as recreational space. The original developers had a reason for the wide spacing of units. Few developers have such foresight. Why change it?

The letter to Kathleen Garvey notes 35 Maria proponents are not affiliated with the other developers. In a sense, they are not, but practically they each bring an added environmental issue of every facet of planning by adding to an enormous load for traffic, water, sewer, and safety. A proposal is being considered for a fueling station at the intersection of Maria and McDowell. This would wipe out many small businesses at this corner of Washington Square. Some will say this is a consideration for later. The former Safeway store site has not been utilized yet.

The comments on office space utilization in the August 1 letter to Kathleen Garvey are not fair. The operators of this site have made every attempt to discourage tenants by complete lack of maintenance. With proper maintenance and added sites it stands a a perfect site to add small supporting businesses rather than suffocating urban cabins stacked on one another.

Let's keep this corner of Maria for small businesses and professions as was intended. Add police substation for the one officer who has done so much to gain compliance with the law and immediate environmental needs of our community.

maria1.
August 13, 2013

City of Petaluma
Planning Commission
Senior Planner, Alicia Giudice
11 English Street
Petaluma, CA 94952
phone: 707.778.4360 fax: 707.778.4554
e-mail: cityclerk@ci.petaluma.ca.us

Via email and hand delivery

Re: Mitigated Negative Declaration prepared for the Maria Drive Apartments, 35 Maria Drive General Plan Amendment, Zoning Map Amendment and Site Plan and Architectural Review

Dear Senior Planner Alicia Giudice, Chair Jennifer Pierre and Planning Commission Members,

On behalf of concerned area citizens, and the Eastside Neighbors Coalition ("Coalition") thank you for the opportunity to comment on the Initial Study and Mitigated Negative Declaration (MND) prepared for the 35 Maria Drive Apartment Project without adequate environmental review.¹ The Project consists

Letter to Planning Commission
August 13, 2013
Page 2 of 3

of an application for a General Plan Amendment, Zoning Map Amendment, Site Plan and Architectural Review and associated environmental review for construction of a 144-unit apartment complex on an approximately 5.85 acre site located at 35 Maria Drive; General Plan Amendment to change the property’s land use designation from Mixed Use to High Density Residential and a Zoning Map Amendment to change the property’s zoning classification from PUD to R5.

CEQA provides that a MND is lawful only when “clearly no significant effect on the environment would occur, and ... there is no substantial evidence, in light of the whole record” that such impacts may follow project approval, taking into account adopted mitigation measures. (Pub. Resources Code § 21080 subd. (c) (emphasis added); Guideline § 15064, subd. (f)). CEQA requires an agency to prepare an EIR whenever a project “may have a significant impact on the environment.” (Pub. Resources Code § 21151, subd. (a), emphasis added.) There is a low threshold requirement for initial preparation of an EIR [which] reflects a preference for resolving doubts in favor of environmental review when the question is whether any such review is warranted.

The proposed MND did not adequately analyze potential environmental impacts in the areas of biology and traffic. The Coalition respectfully requests the City require an EIR be prepared for the proposed Project to adequately address these issues.

Biology

The MND failed to acknowledge the existence of an adjacent significant riparian corridor along Washington Creek and its environs. The corridor is managed and under restoration by the County of Sonoma. The MND failed to adequately describe the Project’s setting as being proximate to the corridor and failed to consider potentially impacts to the corridor’s habitat and wildlife. The MND merely notes that the Project is adjacent to the Washington Creek trail and states that there are no biological resources on the Project site. (MND, page 24.) However, impacts to adjacent properties and habitat must be considered in the environmental document and were not.

Traffic

In the comments on the MND, numerous first hand observations were made by concerned residents regarding potentially significant traffic impacts. Commentors noted that congestion at Washington Street and N. McDowell Blvd. would be exacerbated by the Project and other proposed development in the area such that traffic would route through Maria Drive in order to bypass congestion. The W-trans traffic study confirmed that the Project would result in a deterioration of the level of service (LOS) at the Washington Street and N. McDowell Blvd. intersection from “D” to an unacceptable “E.” In the long range,
a Rainer Avenue interchange and a protected left turn phasing on the E. Washington is proposed to improve the LOS at the Washington Street and N. McDowell Blvd. intersection to "D." However, if the improvement is not implemented, no mitigation has been proposed to address increased traffic on Maria Drive. And adequate mitigation has not been proposed to address short term impacts on Maria Drive or the Washington Street and N. McDowell Blvd. intersection.

Inaccuracy

Staff claimed that, "The project is located across the street from an existing apartment complex, which is developed at a density of 22 units per acre, similar to the permitted density range under the current and proposed land use designation, which allows a density range between 18.1 to 30 units per acre." (Staff Report page 7.) The proposed Project's density is 24.6 units per acre. The MND mistakenly evaluated the Addison Ranch apartment complex as being consistent with the character of the existing neighborhood based upon the evaluation of the total acreage of the Addison Ranch as 9.7, whereas, the real size of the complex is 17.92 acres. The actual density of Addison Ranch is 12.5 units per acre. Commentors noted that the Project's density is not in character with the existing neighborhood and raised related issues regarding safety and traffic impacts.

Thank you for your consideration.

Sincerely,

Rachel Mansfield-Howlett
Eastside Neighbors Coalition
NO General Plan Amendment for 35 Maria

- Petition by Eastside Neighbors Coalition
  Change to the city's General Plan should not be undertaken lightly.

Changing the zoning to high-density while ignoring or discounting the adverse impacts to the surrounding neighborhood is irresponsible and not the "smart growth" that we voted for.

Sign this petition and send a message to the City Council that we expect greater consideration for General Plan changes and more concern for the health of our existing neighborhoods.

Negative impacts of the project far outweigh any potential benefits to the city and its residents.

Negative impacts include:
  - Increased traffic congestion to major intersections and surrounding residential streets, adversely affecting safety, health, and quality of life.
  - Safety concerns for the little league park, McDowell Elementary School and Tiny Tots Pre-School.
  - Environmental concerns for air quality and the East Washington Creek, currently being restored by the County of Sonoma.
  - Loss of nearby access to professional services and local businesses resulting from the demolition of existing office space.

Facebook: https://www.facebook.com/EastsideNeighbors
To:  
Chris Albertson, Vice Mayor; Petaluma City Council  
Teresa Barrett, Petaluma City Council Member  
David Glass, Mayor  
Mike Harris, Petaluma City Council Member  
Mike Healey, Petaluma City Council Member  
Gabe Kearney, Petaluma City Council Member  
Kathy Miller, Petaluma City Council Member  

We residents of Petaluma petition the City Council to reject the amendment to the General Plan, zoning change for 35 Maria Drive and the proposal for a high density, three-story apartment complex.

Sincerely, [Your name]

News

See article on similar complex in Marinby Eastside Neighbors Coalition. This complex is only 36 units larger: 180 compared to 144 of 35 Maria Drive. [Link: http://www.marinij.com/marinnews/ci_24293559/corte-madera-residents-displeased-monster-apartment-complex]

Corte Madera residents displeased with 'monster' apartment complex

Posted: 10/12/2013 01:00:00 PM PDT  
Click photo to enlarge  
A towering structure housing 180 apartment units has emerged near Highway 101 in Corte Madera and locals say they are appalled at its "monster" size. The project broke ground late last year at the former WinCup site on Tamal Vista Boulevard, but it wasn't until recently that its true size became apparent.
Supporters

Reasons for signing

Daniel Ellecamp
PETALUMA, CA 12 days ago Liked 2
Why is this important to you? Adding 144 three story units will have an adverse affect on my neighborhood by adding hundreds of additional car trips to an already congested area. Also three story apartments would be out of proportion in our neighborhood of single family homes and two story low density apartments. The city should not change the general plan so that a developer from Iowa can make a profit. We need smart development in Petaluma!

Lisa Shiffrin
PETALUMA, CA 13 days ago Liked 2
Believe it or not, there are some things more important than money!

Tiffany Renee
PETALUMA, CA about 20 hours ago Liked 1
With limited funding for local streets, why would we add additional car trips to already degraded roads that the City can't afford to maintain?

BERT LATHROP PETALUMA, CA about 21 hours ago Liked 1
I AM VERY INTERESTED IN THE CITY'S DECISION TO FOLLOW THEIR PLAN TO HAVE OUR CITY RETURN TO EARLIER POLLUTION LEVELS. THIS IN MY OPINION WILL NEVER HAPPEN WITH ALL THE EXPANSION IN SUCH A CONGESTED AREA. APARTMENTS ARE FINE BUT NOT AS TO CHANGE THE TRAFFIC ENVIRONMENT IN SUCH A NEGATIVE WAY. BUILD WHERE THESE TENENTS WILL NOT CAUSE FURTHER OVERCROWDING OF OUR CITY STREETS.

Susan Jaderstrom
PETALUMA, CA about 21 hours ago Liked 1
Apartments bring more traffic and pollution—but not more revenue. The health and safety of the existing residents should be respected.

Pamela Granger
PETALUM, CA 1 day ago Liked 1
The area of Maria/McDowell/Washington is one that I currently avoid whenever possible due to traffic congestion. I can only imagine what it is like for the residents of that area. My recommendation is to observe traffic patterns that result from increased retail locations for several years prior to considering a general plan change that logically will aggravate the situation.
Terence M. Garvey
PETALUMA, CA 12 days ago Liked 1
This will increase traffic on Maria, Park Lane and McDowell. It's also a bad place for residential units-- the noise at the 24 hour Safeway from night deliveries, trash compactor and refrigeration units. Danger to little league park and preschool from increased traffic.

Stephen Manz
PETALUMA, CA 13 days ago Liked 1
There's already too much traffic and frequent accidents in the area. Why would we want to allow a high density apartment complex right in the middle of this mess. We need more infrastructure not 3 story apartment buildings.

Martin LaFleur
PETALUMA, CA 14 days ago Liked 1
I live in the area and don't want it to expand any more.

Karen Kerrigan
PETALUMA, CA 14 days ago Liked 1
It's right in back of my house

Emily Roeder
PETALUMA, CA 14 days ago Liked 1
It will impact a neighborhood in a negative way.

Norris Dyer
PETALUMA, CA 14 days ago Liked 1
Local issue

Lisle Lee
PETALUMA, CA 14 days ago Liked 1
This development will virtually trap up residents in the two traffic lights between McDowell and Washington St on Maria Drive. That is our only egress out of our neighborhood. By putting hundreds of more cars on that little stretch, we will not be able to get out of our neighborhood.

Judith Metcalf
PETALUMA, CA 14 days ago Liked 1
Far too many people crowded into the area....save petaluma.

Darold Graves
PETALUMA, CA 14 days ago Liked 1
this is important to me and my family because of the high density traffic area that will be created

Margaret Tighe
PETALUMA, CA 14 days ago Liked 1
As an retired architect and urban planner, I think this project would adversely effect the quality of the existing neighborhood.

Karen Shine
PETALUMA, CA 15 days ago Liked 1
I have lived in this neighborhood since 1986 and have witnessed a huge increase in traffic just getting on Maria Drive from Eastside Circle. A development of this nature will only make it that much worse. It will also be a huge safety issue for our children that play ball at Murphy Field, play in McDowell Park, go to the nursery school and elementary school in the area.
Kathleen Garvey  UNITED STATES 15 days ago Liked 1
"The General Plan envisions Petaluma as a city of strong neighborhoods. A guiding premise... is that activities and facilities used on a frequent basis... should be easily accessible to residents. Land uses are designated to ensure balanced neighborhood development with a mix of uses, and provision of new parks and commercial centers in neighborhoods that currently lack them."

Barbara Loutsch  PETALUMA, CA 15 days ago Liked 1
This is our neighborhood and we feel that changing the zoning to a high density would forever change the hometown feeling that we love about living in Petaluma.

Keith Lew  PETALUMA, CA about 11 hours ago Liked 0
This is an attempt to bury a poorly thought out project by change in general plan. This will add at least 144 cars to an intersection already at level "f" congestion. Also the increase in density to the area would adversely impact quality of life.

Karen Carsey  PETALUMA, CA 1 day ago Liked 0
I live in this area. It is too congested already. Why would you want to endanger the children who are going to a primary school, 2 day care facilities and play baseball and soccer in the park?

C. M. Weisker  PETALUMA, CA 1 day ago Liked 0
This high traffic zone does not need more buildings blocking sunlight and removing natural air purifiers, i.e., trees! This is where children play Little League, on the school ground and in a daycare center. They thrive on open space, not crowded multiple housing.

Louie Ingram  PETALUMA, CA 3 days ago Liked 0
Far too high of a structure. Already very large low income housing directly across the street. High density will have negative impact on the environment.

doris toks  PETALUMA, CA 4 days ago Liked 0
Three story units do not fit into the neighborhood. In fact I don't like any the three story building in Petaluma

SHERRILL YURTH  PETALUMA, CA 4 days ago Liked 0
Let's see what the impact on traffic from the 2 new shopping centers is before adding to the density at the adjacent location.

Paula Cornyn  PETALUMA, CA 4 days ago Liked 0
High density creates more traffic problems.
Carl Hallberg
Petaluma seriously needs a breather from all this constant development. Empty shopping plazas, narrow streets, and yet building more and more? Enough.

Yvonne Johnston
It will change our area with traffic congestion and possible crime activities

Albert Wong
Obvious degradation of quality of life is foreseen, which is a major concern to us, and does not adhere to the purpose of the General Plan. Further increased traffic makes it even harder and more dangerous for us to pull out cars from our house at the curved corner with blind-spot traffic and for single family residence, along the whole affected section of Maria Drive and surrounding local streets every single day. 3-story high rise buildings also will block major portion of view from us being very close to them and will block surrounding single-family residence as well forever.

janet balshaw
Property Value and Quality of Life

Paul Agazzi
There's already too much traffic in the area.

Barbra Agazzi
This area can not afford the traffic and the additional traffic could very well cause children to be hurt near the elementary school and the park right where this building is proposed.

Lori Rolovich
Because my neighborhood is CROWDED enough!

Mary Cruz
Increased traffic on an already busy street.

Linda Hartrich
We are already being asked to conserve water -- how can the city build so many units when we already have a water shortage?

Rebecca Lofton
Residents of a community have the right and responsibility to question decisions that are contrary to the health of that community.
Shannon Antonini
Have rental house on Eastside Circle

Lisa Sheean
This is my neighborhood and it already has too much traffic, noise, etc.
Dear Ms. Hines,

I am writing to vehemently oppose the proposed apartment complex at 35 Maria Drive and the proposed Addison Ranch expansion. The traffic will become a nightmare on Maria, especially at the intersections of McDowell and Maria and Washington and Maria. Traffic at the intersection of McDowell and Washington is at the point of congestion where people are already taking Maria drive to by-pass that intersection. When the two new shopping centers are completed on Washington St. and McDowell Blvd. at Rainier, the traffic at those intersections will be even worse and more cars will detour down Maria. To add to that traffic by adding more apartments is irresponsible. The city has already allowed a new senior apartment bldg. across from Lucchessi Park. To add more housing within a stone’s throw of the McDowell and Washington Street intersection and further impact the surrounding single family residential neighborhoods is not in the best interest of the city.

As I cannot attend the meeting tonight, I hope you will add my comments to the public record.

Thank you,

Lisle Lee
120 Eastside Circle
Petaluma, CA 94954
Hi there, another late comment.

Thanks

Ali

From: Carol Mott [CarolM@Fulcrumproperty.com]
Sent: Monday, August 12, 2013 12:24 PM
To: jeniepierrepetaluma@yahoo.com; wolpert@sonic.net; kathleencmillerooffice@gmail.com; jocelynvah@yahoo.com;
richard@lacehouseline.com; johnubniswick@gmail.com; GinaMarie.BP@mail.com; hhines@ci.petaluma.ca.usa; Giudice, Alicia
Cc: mayordavidglass@gmail.com; councilmember.albertson@gmail.com; mike4pet@aol.com; mthealy@sbcglobal.net;
councilclerqearney@me.com; kathleencmillerooffice@gmail.com
Subject: The Haven@ Washington Square

Attention: Planning Commission

As the owner of the Washington Square Shopping Center, I have reviewed The Haven@ Washington Square project with the Developer JDA West, LLC. JDA West is a very well respected developer/property manager in the residential industry. They take great pride in maintaining a project that will be an asset to the neighboring residents, businesses and the community of Petaluma for many years to come. We are very supportive of the project and look forward to welcoming The Haven@ Washington Square to the community of Petaluma.

Sincerely,

Mark Friedman
Later mail for Maria Drive

Sent from my iPhone

Begin forwarded message:

From: Chris Albertson <councilman.albertson@gmail.com>
Date: August 13, 2013, 7:39:08 AM PDT
To: Brad Morrison <brad@morrisonforbes.com>, "Hines, Heather" <hhines@ci.petaluma.ca.us>
Subject: Re: Reservations about 35 Maria Dr project

Mr. Morrison --

I have forwarded your concerns to the Planning Director. I have received many similar e-mails from your neighbors. As I have told them, there are usually two sides to every issue. You (and they) should remain informed and involved as this project moves through the city bureaucracy.

Respectfully, -- Chris Albertson

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On Mon, Aug 12, 2013 at 7:19 PM, Brad Morrison <brad@morrisonforbes.com> wrote:
Dear Planning Commission and City Council Members,

I live at 1672 Kearny Court, very close to the proposed project at 35 Maria Drive on the Planning Commission agenda for Tuesday, August 13th. I am writing today to express my reservations against that project. I know that we need affordable housing in Petaluma but I think that the size and scope of this project needs to be re-considered.

First of all, there are three story buildings designed as part of this project. The height of a three story building is inconsistent with everything in the surrounding area and is too high given that there are stringent rules against any homeowner doing the same thing. After all, if should some developer can do it, would you consider allowing everyone else in the area to do the same thing? Right now, we cannot even build a fence over six feet. On its face, the idea seems unfair.

The density of the project also seems high given the surrounding single family homes. I think that the impact upon the traffic, schools and community services is too much, especially considering that we already have a medium density project in our neighborhood. As a taxpayer, I am concerned about the impact on police and fire services. These services are becoming increasingly expensive and we need to think about density as an impact upon these costs.
I would like to go on record as being opposed to this project. I hope that you will vote it down as proposed.

Thank you for your consideration.

Brad Morrison
1672 Kearny Court
Petaluma, CA 94954
O'Hagan, Jennifer

From: Hines, Heather
Sent: Tuesday, August 13, 2013 8:10 AM
To: O'Hagan, Jennifer; Giudice, Alicia
Subject: Fwd: Maria Drive Apartment Complex

Late mail regarding Maria Drive

Sent from my iPhone

Begin forwarded message:

From: Chris Albertson <councilman.albertson@gmail.com>
Date: August 13, 2013, 7:42:15 AM PDT
To: Trudy Grabenauer <tgrabenauer@yahoo.com>
Cc: "Hines, Heather" <hhines@ci.petaluma.ca.us>
Subject: Re: Maria Drive Apartment Complex

Thank you for your comments. As you may be aware, the residential neighbors do not share your positive opinion about this project. I have forwarded your comments to the Planning Director. You should remain informed and involved as this project moves through the city bureaucracy.

Respectfully, -- Chris Albertson

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On Mon, Aug 12, 2013 at 9:31 PM, Trudy Grabenauer <tgrabenauer@yahoo.com> wrote:
I am the owner of Cold Stone Creamery in the Washington Square Shopping Center. We have recently been made aware of an exciting apartment project being proposed adjacent to Washington Square. As a small business owner, we would greatly appreciate the increased business that will result from the high end tenants in this complex. The drawings of the complex are very inviting. This project will be a definite asset to the neighborhood.

Trudy Grabenauer, Owner
Cold Stone Creamery, Sonoma & Napa Counties
cell: 707-888-2547
fax: 707-539-4012
"It's Always a Great Day for Ice Cream!"
Dear Planning Commission and City Council Members,

I live at 1672 Kearny Court, very close to the proposed project at 35 Maria Drive on the Planning Commission agenda for Tuesday, August 13th. I am writing today to express my reservations against that project. I know that we need affordable housing in Petaluma but I think that the size and scope of this project needs to be re-considered.

First of all, there are three story buildings designed as part of this project. The height of a three story building is inconsistent with everything in the surrounding area and is too high given that there are stringent rules against any homeowner doing the same thing. After all, if should some developer can do it, would you consider allowing everyone else in the area to do the same thing? Right now, we cannot even build a fence over six feet. On it's face, the idea seems unfair.

The density of the project also seems high given the surrounding single family homes. I think that the impact upon the traffic, schools and community services is too much, especially considering that we already have a medium density project in our neighborhood. As a taxpayer, I am concerned about the impact on police and fire services. These services are becoming increasingly expensive and we need to think about density as an impact upon these costs.

I would like to go on record as being opposed to this project. I hope that you will vote it down as proposed.

Thank you for your consideration.

Brad Morrison
1672 Kearny Court
Petaluma, CA 94954
Dear Planning Commission,

It has recently come to my attention that there is a project being proposed that would bring high quality apartments to the Petaluma area. I’ve never felt moved to do this before but I would like to add my two cents to the conversation.

I think the Haven at Washington Square is a wonderful idea and I hope that we can make it happen. My family and I live on Washington Street and Vallejo and have recently been thinking of moving. Our house has recovered most of its value since the crash and now we would like to pursue moving. The problem is that we have nowhere to go.

As you well know, there is very little inventory in Petaluma for buyers. So we began to think of selling our house and renting for a few years until another opportunity to buy presents itself. But there is very little inventory to rent as well.

We feel stuck in a house we have grown out of, in a neighborhood we would like to leave.

The Haven at Washington Square would give us another option, or at the very least, relieve some of the pressure on the renting market and free up a few options for people like me and my family.

I hope that you consider this viewpoint in what is a very difficult decision.

Thank you very much for your time.

John Matern

140 Vallejo Street
Alicia:

I am writing to express my strong opposition to the proposed zoning change to 35 Maria Drive. The City of Petaluma put a lot of time and energy into passing its general plan and I believe that deviating from that plan by rezoning this property would be a major mistake. I have lived around the corner from this property for the past 20 years and the traffic and noise from Maria Drive and East Washington streets have increased dramatically. The relocation of Safeway to the South end of the shopping center has contributed to the increase in traffic on Maria Drive.

I oppose this proposed zoning change for the following reasons:

- **General Plan-** The city should stick to the general plan and not deviate from the plan unless it passes a new general plan.
- **Environmental Impact-** 35 Maria Boarders a creek that Sonoma County is trying to restore by planting native trees to provide cover for native wildlife.
- **Air Pollution-** The addition of hundreds of car trips per day only adds to the air pollution in the neighborhood. My wife and daughter are both asthmatic.
- **Noise-** The commercial use of the property generates a minimal amount of noise during business hours during week days. A large residential project will generate noise 7 days per week over many more hours.
- **Traffic-** The number of car trips generated by adding 142 units to a small parcel would generate hundreds of car trips per day creating noise and air pollution.

Addison Ranch is also proposing to add 125 additional units to their property. Between the two projects this will become one of the most densely populated areas of the city. The car traffic is going to put a huge strain on the intersection of McDowell and East Washington streets. When you combine the traffic exiting Northbound 101, the three shopping centers nearby plus the new shopping center under construction due North on N. McDowell and these two residential housing proposals, it adds up to a traffic nightmare.

Mitigating the issues of this project is not feasible or practical. I would support a combination commercial/residential project, but at a much lower density. The proposed expansion of Addison Ranch needs to be taken into consideration along with the proposed rezoning of 35 Maria in order to gain a complete perspective of the impact on my neighborhood and my quality of life.

Unfortunately I will be out of town and will be unable to attend the City Council meeting next Tuesday night. I wanted to ensure that my comments are registered with the Planning Commission and the City Council.

Daniel Ellecamp
1566 Creekside Drive

10-29