

City of Petaluma – Downtown Housing and Economic Opportunity Overlay and EKN Appellation Hotel Project

The following lists the changes and corrections to the FEIR. Additions to the text are shown in **bold underline**; deletions are shown in ~~striketrough~~. These revisions are provided for clarification and do not constitute significant new information, identify new impacts, or otherwise rise to a level that would require recirculation.

FEIR Volume 1

Executive Summary

Deletion of numerical footnotes that occur in the text from this section. Footnotes are provided in full later in the Final EIR Volume 1.

Page ES-2, third paragraph, remove superscript 5:

Consistent with the pace of development that the City has experienced over the past two decades,⁵ this Draft EIR evaluates an increment of development that could reasonably be expected to occur with the implementation of the Overlay over the next 20 years.

Page ES-3, first paragraph, remove superscript 8:

The proposed Hotel consists of the construction of a 93-room, 6-story (approximately 66-foot 7 inch) Hotel over a below-grade, 58-space parking garage.⁸

4.2.12 - Public Services and Utilities

Page 4-61 Downtown Housing and Economic Opportunity Overlay, Fire Protection, Police Protection, Schools, Park, Other Public Facilities, insert the following between the two paragraphs:

The City of Petaluma ensures compliance with all applicable fire and life safety codes, including the 2022 California Fire Code and relevant NFPA standards, through a comprehensive review and permitting process conducted by the Fire Department and Building Department. The City of Petaluma Fire Department is equipped and prepared to provide fire and emergency response services to 6-story buildings in the downtown area, with sufficient apparatus, water supply, and response capabilities to meet the projected demand, and will be further evaluated on a project specific basis at the time that future applications are received within the Overlay.

Page 4-62 EKN Appellation Hotel, Fire and Police Protection, prior to first full paragraph, insert the following:

The City of Petaluma ensures compliance with all applicable fire and life safety codes, including the 2022 California Fire Code and relevant NFPA standards, through a comprehensive review and permitting process conducted by the Fire Department and Building Department. The proposed 93-room hotel is subject to plan reviews, inspections, and final testing to ensure that fire sprinklers, alarms, egress systems, and other life safety measures meet or exceed code requirements. The City of Petaluma Fire Department is equipped and prepared to provide fire and emergency response services to a 6-story building in the downtown area, with sufficient apparatus, water supply, and response capabilities to meet the operational needs of the proposed Hotel development.

FEIR Volume 2

Page iii, Table of Contents, insert the following:

Section 3: Responses to Verbal Comments 3-1

Page 1-1: Section 1: Introduction, insert the following after Section 2:

- **Section 3 – Responses to Verbal Comments.** Provides memos summarizing the verbal comments received during the public hearings on the Draft EIR, along with the meeting minutes. Responses are provided in Section 2- Master Responses.

Following Page 2-992 of the Final EIR, insert Section 3: Response to Verbal Comments in full.

See Attached

3. RESPONSES TO VERBAL COMMENTS

This section includes a summary of the public comments received at public hearings on the Draft EIR along with the meeting minutes. Recordings of the joint HCPC/PC hearing on September 24, 2024 and the City Council hearing on October 7, 2024 contains the full record of proceeding and all oral remarks made in regards to the Draft EIR. Together with the written comments received, it is the intent that public comments made either verbally or in writing have been captured and responded to. The verbal comments received, along with the written comments received, informed the topics included and addressed in the Master Responses.

City of Petaluma, California

Memorandum

Community Development Department | Planning Division
11 English Street, Petaluma, CA 94952
(707) 778-4470 | PetalumaPlanning@cityofpetaluma.org

DATE: October 2024

TO: Brian Oh, Director of Community Development

FROM: Olivia Ervin, Principal Environmental Planner

SUBJECT: Summary of Public Comment Received on the Overlay + EKN Hotel DEIR at the 9.24.24 Joint HCPC/PC Public Hearing

The following summarizes the comments received during the joint HCPC/PC public hearing on the Draft EIR for the proposed Downtown Economic, Employment, and Housing Overlay and EKN Appellation Hotel:

HCPC/PC Members:

- Adequacy of Draft EIR in addressing Hotel + Overlay and Cumulative impacts to the Historic District
- Analyze alternative site locations for the Hotel
- Provide an expanded integrity analysis for the District and incorporate integrity findings as of the CUP
- Modify MM CUL-1 to require HRE's for all properties within the Overlay
- Conduct a reconnaissance survey to identify historic eligibility of all properties within the Overlay area
- Expand cultural and aesthetic impact analysis related to building height and materials
- Clarify the Urban Parks requirements for residential uses within the Overlay
- Establish design expectations to inform discretionary SPAR/HSPAR within the Overlay
- Request for the Final EIR and Overlay Ordinance to return to PC for recommendation to Council

Members of the Public (14 public speakers):

- General Support or Opposition to the Project
- Concern related to availability of parking downtown
- Parking demand of Hotel and Overlay not sufficiently evaluated
- Project is moving too fast

- Overlay and Hotel should be evaluated separately
- Overlay should be part of the General Plan Update
- Expand construction parking, staging, and construction related traffic impacts
- Historic context of downtown not adequately addressed
- Traffic downtown is already bad and will be worse from the Project
- Parking downtown is insufficient and will be worse due to the Project
- Secondary effects of increased traffic (e.g. AQ + GHG emissions)
- Hazardous waste on Hotel site needs more investigation (e.g. benzene and groundwater)
- Hotel is unsightly and doesn't conform with the Historic Guidelines
- Concern related to aesthetic impacts
- Hotel deliveries, services, and trash pick up are not sufficiently addressed
- Hotel does not conform to zoning regulations (e.g. height, lot coverage, design review)
- Character of downtown and livability will be degraded by the Project
- CUP is insufficient mitigation and deferred
- Clarify the proposed density and Floor Area Ratio within the Overlay
- Concern that the HCPC/PC meeting occurs prior to close of the DEIR public comment period

Attachment: Planning Commission Minutes September 24, 2024



CITY OF PETALUMA, CALIFORNIA

REGULAR MEETING OF THE PLANNING COMMISSION

City Hall Council Chamber

11 English Street

Petaluma, CA 94952

MINUTES

Tuesday, September 24, 2024

CALL TO ORDER – (6:00 PM)

ROLL CALL

PC PRESENT: Blake Hooper, Darren Racusen, Janice Cader Thompson, Jessica Mozes, Nickola Frye, and Roger McErlane

PC ABSENT: Brent Newell

HCPC PRESENT: Paul Pitingaro, Samantha Barclay-Saxon, and Thomas Whitley

HCPC ABSENT: Mario Lopez

GENERAL PUBLIC COMMENT – (6:01 PM)

During **General Public Comment**, the public is invited to make comments on items of public interest that are within the Commission's subject matter jurisdiction and that are not listed on the current agenda. Public comments are limited to up to three minutes per person. Depending on the number of persons wishing to address the Commission, time will be allocated in equal shares totaling no more than twenty minutes, subject to the Commission's discretion (Cal. Gov't. Code §54954.3(a), Petaluma City Council Rules, Policies and Procedures, III).

PC Chair Mozes opened general public comment.

Emailed:

- None

In-Person:

- Carol Crabill

PC Chair Mozes closed general public comment.

PC Chair Mozes closed the Meeting Item and continued with the agenda.

PRESENTATIONS – (6:04 PM)

PC Chair Mozes announced there were no presentations during this meeting.

PC Chair Mozes closed the Meeting Item and continued with the agenda.

APPROVAL OF MINUTES – (6:04 PM)

PC Chair Mozes announced there were no meeting minutes for approval during this meeting.
PC Chair Mozes closed the Meeting Item and continued with the agenda.

PUBLIC HEARINGS AND MATTERS FOR CONSIDERATION – (6:04 PM)

- 1. Meeting Item 1 – Public Hearing** – Recommendation to the Planning Commission and Historic and Cultural Preservation Committee to Conduct a Public Hearing, Receive Public Comments, Provide Comments on the Draft Environmental Impact Report, and Recommend that the City Council Direct Staff to Prepare a Final Environmental Impact Report for the Downtown Housing and Economic Opportunity Overlay Project Comprised of Three Subareas located at Overlay Subarea A: B Street, between Petaluma Boulevard South and 4th Street, to D Street; Overlay Subarea B: Western Avenue, between Kentucky Street and Keller Street; and Overlay Subarea C: Washington Street, between Telephone Alley and Liberty Street/Court Street, to Western Avenue; and the EKN Appellation Hotel Project located at 2 Petaluma Boulevard South.

PC Chair Mozes introduced Meeting Item 1.

PC Chair Mozes requested that Planning Commissioners recuse if needed.

No recusals were made.

HCPC Chair Whitley requested that Committee Members recuse if needed.

No recusals were made.

Chair Mozes announced this item was a public hearing and did require disclosing any *ex-parte* communications.

Commissioner Frye disclosed *ex-parte* communications.

Director of Community Development Brian Oh introduced Meeting Item 1.

Principal Environmental Planner Olivia Ervin, Principal Planner Greg Powell, Historic Preservation Specialist Isabel Castellano, and Consultant First Carbon Solutions Mary Bean presented on Meeting Item 1.

PC Chair Mozes opened meeting item 1 to Commissioner and Committee Member questions for Staff.

The Commission and the Committee asked staff questions regarding aesthetics.

- Council Member Cader Thompson
- Commissioner Racusen
- Commissioner McErlane
- Commissioner Hooper
- PC Chair Mozes
- Commissioner Frye

The Commission and the Committee asked staff questions regarding cultural resources.

- HCPC Chair Whitley
- Committee Member Pitingaro

- Commissioner Hooper
- Commissioner McErlane

The Commission and the Committee asked staff questions regarding land use and Planning.

- Commissioner Racusen
- HCPC Whitley

The Commission and the Committee asked staff questions regarding additional effects evaluated in the initial study.

- Commissioner Frye
- Commissioner Racusen
- HCPC Whitley
- Commissioner Hooper

A 5-minute break was taken.

PC Chair Mozes opened Meeting Item 1 to public comment.

In Person:

- Eric Leland
- Genie Praetzel
- Wayne Eckstrom
- Tom Gaffey
- Dale O'Connor
- Christine White
- Kristina Mosley
- Robert Bailey
- Maureen Coottschall
- Beverly Alexander
- Jane Hamilton
- Tom Lewis
- Lydia Asselin
- Patricia Tuttle Brown

Emailed:

- Todd Gracyk
- Kirsten Gilstrap
- Lindsay Mickles
- Jeremy Hancock
- Marilyn Jaffe

- Matt Richman
- David Keller
- Kathy Brandal
- Barbara Lowe
- Janet Gracyk
- Lydia Asselin
- Ann Ledoux
- Michael Nistler
- Kathy Chambers
- Susan Pateros
- Jeanne Gaskin
- Adam Klein
- Susan Kirks
- Susan and Ted Herman
- Betsy Jaeger
- Barbara Stowe
- Anthony
- Morgan Bellinger
- Cindie Raab
- Tom Gaffey
- Heather Kratt
- Lance Kuehne
- Anisa Thomsen
- Laura Gavre
- Eva Rhea
- Dom and Carol Peters
- Sherry Sandberg
- Nathan Spindel
- Barbara Cieslewicz
- Suzanne Biaggi
- Lance Kuehne
- Maureen Gottschall
- Jane Hamilton
- Brian Lamoreaux

- Ahmed Obaid
- Taryn Obaid
- Veronica Olsen
- Lori Pratt
- Dana Thomsen

PC Chair Mozes closed public comment and the public hearing.

PC Chair Mozes brought Meeting Item 1 back to the Commission and Committee for discussion and facilitated comments from the Planning Commission and the Historic and Cultural Preservation Committee.

PC Chair Mozes requested a motion to continue the meeting past 11 pm.

Commissioner Hooper motioned for a vote, and Commissioner Frye seconded the motion.

PC Chair Mozes requested that the Clerk conduct the vote.

The Clerk conducted the vote.

Vote: Carried 6-0

YES: Hooper, Racusen, Thompson, Mozes, Frye, and McErlane

NO: None

ABSTAIN: None

ABSENT: Newell

PC Chair Mozes announced that the vote was carried with a vote of 6-0.

The Clerk conducted the vote for HCPC.

Vote: Carried 4-0

YES: Barclay-Saxon, Jenezon, Pitingaro, and Whitley

NO: None

ABSTAIN: None

ABSENT: Lopez

HCPC Chair Whitley announced that the vote was carried with a vote of 4-0.

The Historic and Cultural Preservation Committee provided staff with recommendations.

HCPC Chair Whitley requested a motion for a vote.

Committee Member Barclay-Saxon motioned for a vote, and Committee Member Pitingaro seconded the motion.

HCPC Chair Whitley requested that the Clerk conduct the vote.

The Clerk conducted the vote.

Vote: Carried 4-0

YES: Barclay-Saxon, Jenezon, Pitingaro, and Whitley

NO: None

ABSTAIN: None

ABSENT: Lopez

HCPC Chair Whitley announced that the vote was carried with a vote of 4-0.

HCPC Chair Whitley relieved the Committee of their duties.

HCPC Committee and staff left the dais.

PC Chair Mozes brought Meeting Item 1 back to the Commission for further discussion.

The Commission provided staff with amendments.

PC Chair Mozes requested a motion to vote on the resolution as amended.

Commissioner McErlane motioned for a vote, and Chair Mozes seconded the motion.

PC Chair Mozes requested that the Clerk conduct the vote.

The Clerk conducted the vote.

Vote: Carried 5-1

YES: Hooper, Thompson, Mozes, Frye, and McErlane

NO: Racusen

ABSTAIN: None

ABSENT: Newell

PC Chair Mozes announced that the vote was carried with a vote of 5-1.

Chair Mozes closed Meeting Item 1 and continued with the agenda.

COMMISSION COMMENT – (11:29 PM)

Commissioner Frye

Commissioner Racusen

STAFF COMMENT – (11:35 PM)

Andrew Trippel, Planning Manager

ADJOURNMENT

Chair Mozes adjourned the meeting at 11:38 p.m.

City of Petaluma, California

Memorandum

Community Development Department | Planning Division
11 English Street, Petaluma, CA 94952
(707) 778-4470 | PetalumaPlanning@cityofpetaluma.org

DATE: October 2024

TO: First Carbon Solutions (FCS)

FROM: Olivia Ervin, Principal Environmental Planner, and
Brian Oh, Director of Community Development

SUBJECT: Summary of Public Comment Received on the Overlay + EKN Hotel DEIR at the
10.07.24 City Council Public Hearing

The following summarizes the comments received during the City Council (CC) public hearing on the Draft Environmental Impact Report (EIR) for the proposed Downtown Economic, Employment, and Housing Overlay and EKN Appellation Hotel:

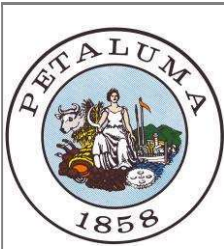
Council Members:

- Direction to prepare a Final EIR addressing comments
- DEIR adequately analyzes alternatives
- Reconnaissance survey to identify historic eligibility of all properties within the Overlay area is more appropriate at the project level
- Concern with potential impacts to glass dome at museum
- Visual renderings could be better if CGI were used
- Opportunity sites should be further explored
- Clarify where valet, construction staging, and deliveries to the Hotel will occur
- CUP findings should include economic study within the Overlay
- Demand for affordable housing generated by the Hotel should be understood
- Overlay Alternatives should include Hotel Site only, and commercial only option above 45 feet (e.g. no housing above 45 feet)
- Request to better understanding parking downtown and Hotel/Overlay's parking demands
- Direction to further develop design expectations to inform discretionary SPAR/HSPAR within the Overlay Request for the proposed Overlay Ordinance to come before the Council for a workshop
- Direction for the Final EIR and Overlay Ordinance to return to Planning Commission (PC) for recommendation to Council

Members of the Public (24 public speakers):

- General Support or Opposition to the Project
- Parking demand of Hotel and Overlay not sufficiently evaluated including for events
- Construction of Hotel will impact outside dining in the vicinity
- Clarification for statement of construction materials currently on hotel site
- The Hotel should be required to prepare a VMT analysis and a TDM plan should be prepared
- Project is moving too fast and it's a lot for the public to keep up with along with the General Plan Update in process
- There has not been adequate opportunity for the community to be heard
- Draft EIR is inadequate
- The Rex building was reconstructed, disagreement with DEIR findings that it no longer retains significance, and the Rex building is locally important
- Use of National ITE data is not Petaluma specific enough to inform traffic and parking impacts
- The City's Ladder Truck (Fire Engine) is not adequate to meet downtown demands
- Emissions from Hotel vehicles idling is not adequately captured
- Overlay and Hotel should be evaluated separately
- Hotel should be consistent with average height of surroundings, as proposed, the Hotel will tower over Historic resources
- Comments provided in the MND should be carried over to the Draft EIR
- Expand construction parking, staging, and construction related traffic impacts
- Draft EIR omits discussion of hazardous materials and hydrocarbons
- Historic context of downtown not adequately addressed
- Traffic and parking downtown is already bad and will be worse from the Project
- Secondary effects of increased traffic (e.g. AQ + GHG emissions)
- Hotel does not conform to zoning regulations (e.g. height, lot coverage, design review) and proposed Overlay is inconsistent with the General Plan
- A Housing Only Alternative should be considered for the Overlay
- Character of downtown is what brings visitors to Petaluma and it will be degraded by the Project
- CUP is insufficient mitigation and is deferred mitigation
- Concern that the CC meeting occurs prior to close of the DEIR public comment period

Attachment: City Council Minutes October 7, 2024



**CITY OF PETALUMA, CALIFORNIA
REGULAR MEETING OF THE CITY COUNCIL & PETALUMA COMMUNITY
DEVELOPMENT SUCCESSOR AGENCY (PCDSA)**

City Hall Council Chamber
11 English Street
Petaluma, CA 94952

**MINUTES
Monday, October 7, 2024
REGULAR SESSION 6:30 P.M.**

CALL TO ORDER - REGULAR SESSION - 6:30 P.M.

Mayor McDonnell called the meeting to order at 6:32 p.m.

- **ROLL CALL**

PRESENT: Mayor McDonnell, Councilmember Barnacle, Councilmember Cader Thompson, Councilmember Healy, Councilmember Nau, Councilmember Pocekay, Vice Mayor Shribbs

ABSENT: None

- **PLEDGE OF ALLEGIANCE**

- **MOMENT OF SILENCE**

AGENDA CHANGES AND DELETIONS (TO CURRENT AGENDA ONLY)

None.

PROCLAMATIONS

- **Fire Prevention Week**

Fire Marshal Jessica Power, joined by Fire Chief Jeff Schach and many representatives from the Fire Department, accepted the proclamation and made comments.

GENERAL PUBLIC COMMENT

During General Public Comment, the public is invited to make comments on items of public interest that are within the City Council's subject matter jurisdiction and that are not listed on the current agenda. Public comments are limited, up to three minutes per person. Depending on the number of persons wishing to address the Council, time will be allocated in equal shares totaling no more than twenty minutes, subject to the Council's discretion (Cal. Gov't. Code §54954.3(a), Petaluma City Council Rules, Policies and Procedures, III).

Mayor McDonnell opened the general public comment.

Mike Garnder
Steve DeLue
Gail Steiner
Adina Flores
Sandra Shand
Nancy Rapalus
Jodi Johnson
Kay Poland

Tina Yonkers
Jennifer Boyle
Janis Barker
Tim Porteous
Ben Peters
Robert Hansen
Bryant Moynihan
John Robbins
Maria Pozzi
Joe Chapman

Mayor McDonnell closed the general public comment.

COUNCIL COMMENT

City Attorney Eric Danly
Vice Mayor Shribbs
Councilmember Cader Thompson
Councilmember Barnacle
Councilmember Healy
Councilmember Nau
Councilmember Pocekay
Mayor McDonnell

CITY MANAGER COMMENT

City Manager Peggy Flynn

CONSENT CALENDAR

1. Approved Minutes of the City Council/PCDSA Regular Meeting of September 16, 2024
2. Approved Tentative Agenda for City Council/PCDSA Regular Meeting of October 21, 2024 and Significant Agenda Items for Oct-Dec 2024
3. Adopted Resolution No. 2024-122 N.C.S. Repealing the City of Petaluma's Conflict of Interest Code and any Conflicting Resolutions and Adopting by Reference the Model Conflict of Interest Code Set Forth in Title 2, Section 18730 of the California Code of Regulations and Taking Related Actions
4. Adopted Resolution No. 2024-123 N.C.S. Authorizing Staff to Submit a Grant Application to the Metropolitan Transportation Commission's Regional Measure 3 Safe Routes to Transit and Bay Trail Program for the Petaluma River Trail – US-101 and Rail Undercrossings Project and Confirming the Availability of Matching Funds
5. Adoption (Second Reading) of Ordinance No. 2896 N.C.S. of the City Council of the City of Petaluma to Amend Section 15.48.040 of the Petaluma Municipal Code Entitled "Specific Limitations on Wastewater Strength"

Mayor McDonnell opened the public comment on the Consent Calendar,
Adina Flores

Mayor McDonnell closed the public comment.

Motion to adopt Consent Calendar items 1 through 5 made by Councilmember Healy, seconded by Councilmember Barnacle.

Vote: Carried 7-0

Yes: Councilmember Barnacle, Councilmember Cader Thompson, Councilmember Healy,
Councilmember Nau, Councilmember Pocekay, Vice Mayor Shribbs, Mayor McDonnell

No: None
Absent: None
Abstain: None
Recused: None

PUBLIC HEARINGS AND MATTERS FOR CONSIDERATION

6. **Public Hearing and Action to Adopt a Resolution Confirming the Cost of Abatement of Hazardous Vegetation and Rubbish and Confirming Approval of the Forwarding of Unpaid Bills to the County Assessor's Office for Collection as Assessments**

Fire Marshal Jessica Power presented the staff report.

Mayor McDonnell opened the public comment; receiving none, he closed the public comment.

Motion to adopt Resolution No. 2024-124 N.C.S. made by Councilmember Cader Thompson, seconded by Vice Mayor Shribbs.

Vote: Carried 7-0
Yes: Councilmember Barnacle, Councilmember Cader Thompson, Councilmember Healy, Councilmember Nau, Councilmember Pocekay, Vice Mayor Shribbs, Mayor McDonnell
No: None
Absent: None
Abstain: None
Recused: None

7. **Conduct a Public Hearing, Receive Public Testimony, Provide Comments on the Draft Environmental Impact Report, Consider Planning Commission Recommendation, and Adopt a Resolution Directing Staff to Prepare a Final Environmental Impact Report for the Downtown Housing and Economic Opportunity Overlay and EKN Appellation Hotel Project**

Olivia Ervin, Principal Environmental Planner presented the staff report.

Mayor McDonnell opened the public comment.

Tom Gaffey
Julia Burton
Nancy Rapalos
Kim Wheeler
Debbie Raffaelli
Chantal Rogers
Wayne Eckstrom
Darren Racusen
Sonya Karabel
Katherine Rinehart
Suzanne Biaggi
Joe Chapman
Gene Gable
Anthony Piro
Alex DeCarli
Moirra Sullivan
Debbie Fisher ceded time to Moira Sullivan
Lance Kuehne
Tom Lewis
Veronica Olson

David Keller
John Hanania ceded time to David Keller
Jane Hamilton
Eric Schec

Mayor McDonnell closed the public comment.

Motion to Adopt Resolution No. 2024-125 N.C.S., made by Councilmember Barnacle, seconded by Councilmember Cader Thompson.

Vote:	Carried 4-3
Yes:	Councilmember Barnacle, Councilmember Cader Thompson, Councilmember Pocekay, Mayor McDonnell
No:	Councilmember Healy, Councilmember Nau, Vice Mayor Shribbs
Absent:	None
Abstain:	None
Recused:	None

ADJOURNMENT

Mayor McDonnell adjourned the meeting at 10:50 p.m.

