

# Chronological History of Palm Terrace Activity

Palm Terrace, continued from page 1

Laguna. Many a family dinner, Little League game, and quiet evening was given up so that the opposition to these projects would not go unspoken. Many of the warriors in this fight have moved to other places. I think both the owner/developers and local environmentalists have grown weary; the latest proposal is considerably scaled down. People know that this place is special. Once it is built, it is gone.

Early in the 1980s discussions among those concerned about the environment and quality of life centered largely around saving open space in general. Sonoma County at that time was still a bucolic retreat and any resident with their eyes open knew how lucky s/he was to live here. Newspaper articles and editorials, as well as Sebastopol Tomorrow newsletters, reflect a public charged up about growth and its impacts, and seeing very clearly the danger on the horizon. The acquisition of open space, the Farmlands Initiative, and other discussions led to Measure A, the Open Space Initiative and its funding mechanism, Measure C. Looking back, we can be even more grateful that Sonoma County residents had the vision and backbone to create, fund and approve these mechanisms. In the current political climate, one wonders what their fate today would be.

This, then is a picture not from the scientific EIR point of view of impacts and mitigations, or a planner's view of zoning and usage. At this point there are several feet of paper documenting the trail of legal meetings, hearings and testimony, people's books and notebooks, newsletters and news articles about this land. The records kept by those who have fought to save it are incomplete, kept in boxes under a bed, an old notebook on the night stand. Even though this isn't a scholarly chronology of all that this project has provoked, the evidence of community action is monumental. There were midnight phone calls to friends, talking to neighbors to rally the numerous speakers who articulately voiced their dismay and anger at every meeting; walkers in the neighborhoods at close to midnight arranging photos for a local newspaper; letters to the editors of newspapers, council members and other officials; gathering of signatures for several petitions; papers of opposition and articles lambasting project and developers.

## Feeling the Land's Power

Standing on the long slope, the sun and clouds of a huge sky are brilliant blue and white. The long grass covers my ankles and sweeps green down to the wire fence making the perforated line of division between properties. In front of me the sweep continues to pools, oaks, the winding ribbon of Laguna water, beyond to more green and on and on to the purple/blue hills across the Santa Rosa plain. I see the wire "cages" around the little oaks planted by school children. Working with the Laguna Foundation and other wonderful volunteers, in 1992, a grant was secured from the Sonoma County Community Foundation to replant portions of the Laguna that have suffered from modern agricultural practices and encroaching development. I have worked with the school children who planted the young oaks, wild rose, and willows, and helped them spray paint the wonderful blue fish who declare: "Don't Dump here flows to Laguna." I have talked with those same children about the underground water that flows beneath our feet, beneath the pavement, the secret streams that flow through Sebastopol, converge and empty through Ives Park and tumble on to the Laguna.

I am here now as an observer, as a lover of the vanishing openness of our country, as a person who has decided to take a stand in this community. I feel the land's power and beauty and understand that this tremendous force is the connection that people speak of when they talk of the connection to the earth. It used to exist, there beneath the pavement of shopping centers and housing tracts, skyscrapers and freeways. But it is not retrievable. Here on this land, we still have a chance.

I decided to write this article when my family and I were lucky enough to attend a remarkable meeting in March 1995. At this meeting, many Indian leaders and citizens who know this land, not as Palm Terrace, but as the Walker Ranch, met to discuss what could be done. To many of the people there, the land is a last remaining remnant of ancient homeland. The extraordinary picture painted of life on the ranch and before, left many in the room deeply moved. That story is another volume in itself. As a long time activist fighting development of this property, one of my reactions was "The only reason this land is not completely developed right now is because of all the hard work of people over the last ten years. The

The point of gathering this data is to try and capture some of the rage and passion of a decade of response to the grinding wheels of bureaucracy, development pressure and (therefore) money. Because gathering this information required sifting through stacks of papers in numerous locations, all of the data is not included. Anyone interested in a more detailed overview is strongly urged to check the public records. Read it as one person's view: a resident's view, an ordinary view of people fighting to save something they know is special and valuable and rare. Read it and know that it is only one person's story, out of how many others. Read it and understand that, even in the face of tremendous opposition, opposition that continued over the years, with new people picking up and carrying the torch, people who stayed the course for a decade, and even a local government which heard these people and responded to them, understand that even with all of this, it looks unpromising that we will be able to save the entire ecosystem from the current proposal.

**July 27, 1990:** The Press Democrat reports: "Since 1970, four separate studies of the Laguna have been carried out by various citizen's groups. The (then) most recent being the report by the Laguna Technical Advisory Committee appointed by (then) Congressman Bosco in August 1988." This committee recommended in its report to establish a National Wildlife Refuge in the Laguna.

**July 1987:** Palm Terrace proposed project; 35 lots plus commercial submitted. Revised to 31 lots plus commercial.

**March 22, 1988:** Planning Commission directs that a Mitigated Negative Declaration (approval with conditions) be prepared.

**April 26, 1988:** Public hearing on Negative Declaration by Planning Commission

**May 10, 1988:** Planning Commission recommends adoption of Mitigated Negative Declaration and approves application for a Use Permit and Major Subdivision.

**June 6, 1988:** City Council adopts Mitigated Negative Declaration and approves Use Permit and Tentative Map, giving the project a green light.

**August 8, 1988:** Citizen's lawsuit filed by "Laguna Today and Tomorrow" against the city and the applicant stating that a new EIR is required.

**October 23, 1988:** Superior Court Judge Lawrence Sawyer grants the petitioners' claim requesting the city to set aside their decision.

**December 6, 1988:** City Council sets aside approvals for Palm Terrace.

**January 4, 1989:** City sends out Request for Proposals for a new EIR

**July 1989:** EIR is amended to include a full assessment of the impacts of Palm Terrace and Saddleburr, an adjacent property the applicant also wishes to develop.

**August 29, 1989:** Applicant amended and expanded the project by proposing to annex and subdivide the adjacent 32 acre property (Saddleburr).

**November 4, 1989:** Housing cap on five areas (including unincorporated Sebastopol) in the county is recommended.

**April 13, 1990:** Laguna Is For Everyone - (L.I.F.E.) forms to fight Palm Terrace and preserve the Laguna.

**April 24, 1990:** Public hearing of new draft EIR in which 20 speakers and all seven members of the Planning Commission ripped the report and its authors for oversights, omissions, and deficiencies. Nevertheless, draft EIR accepted, a 3-2-1 vote.

**May 3, 1990:** A Press Democrat poll found that 74.6% of the country's voters call the rate of growth "too fast," an increase of 6% over the 68.3% in a similar poll taken in 1988.

**May 10, 1990:** "Sonoma Earth Action" representatives from Sonoma State University send statement of position strongly opposing Palm Terrace/Saddleburr.

**June 6, 1990:** "Citizens to Ensure Comprehensive Planning" files "Notice of Intent" to circulate the Sebastopol Planning Initiative (Measure H on the ballot), a planned

growth ballot measure which arose in response largely to Palm Terrace (and Canada Vista, a proposed development on Atascadero Creek). Measure H called for a moratorium on major development while Sebastopol's new General Plan is updated.

**August 28, 1990:** Public hearing on draft EIR for Palm Terrace and Saddleburr. Nearly every resident of Hutchins Avenue turns out to express dismay and anguish about the proposed developments. EIR approved by City Council, 3-1, with only Anne Magpie dissenting.

Following Measure H's not so enormous defeat in the November election, the City Council forms an Interim Growth Management Committee to create policy for development projects proposed to take place during the General Plan's update. The two ballot authors are on the committee. No real guidelines emerge.

**February 7, 1991:** Revised application filed combining Palm Terrace and Saddleburr into single development, calling for 47 single family lots, 2-4 multifamily units and one office lot.

**March 26, 1991:** Public hearing Petitions "To Save the Laguna from Massive Development" bearing many local signatures are presented.

**April 23, 1991:** Public hearing

**April 30, May 14, May 28, 1991:** Planning Commission receives considerable public comment and testimony.

**May, 1991:** Letter from Terri Storb, L.I.F.E. activist, to the Sebastopol Planning Commission, citing "... more than 1,200 residents of Sebastopol and environs have affixed their signatures to a strong statement of opposition to the project."

**June 11, 1991:** Planning Commission recommends denial of the project.

**October 13, 1993:** City receives letter from applicants requesting "conditional exceptions to the Subdivision ordinance" requesting "conditional exceptions to the Subdivision ordinance" has been scaled down from 29 to 19 units.

**January 25, 1994:** Sebastopol Tomorrow issues a "call to action" to citizens to attend the public hearing on Palm Terrace. A well attended hearing produces many reasoned, well researched, thoughtful and moving audience comments opposing Palm Terrace for many reasons. The Planning Commission recommends denial of the project to the cheers of the audience.

**February 8, 1994:** Sebastopol Planning Commission votes 4-3 to recommend denial of a Use Permit and Major Subdivision with exceptions for Palm Terrace.

**March 15, 1994:** Following public hearing on Palm Terrace, the City Council votes 4:1 to deny the project.

**May 27, 1994:** C.G. Y. Investments files lawsuit against city of Sebastopol stating that the city did not identify adequate findings to support denial of the project.

**July 6, 1994:** Palm Terrace owners said they are willing to go to mediation to settle their \$2 million lawsuit against the city. Because of the Orchard Park lawsuit and the firestorm of negative, inaccurate publicity that accompanied it, Sebastopol finds itself in a weakened position to defend itself against another developer.

**November 1, 1994:** Sebastopol City staff recommends filing an application for Open Space District's matching grant program. This is a program where the Open Space district and cities share the cost of purchasing open space that falls within city boundaries.

**November 15, 1994:** Staff recommends that the city also apply for Environmental Enhancement and Mitigation Program grant for the Palm Terrace and Saddleburr properties.

**August 8, 1995:** City Council approves "Stipulated Settlement in Order", or settlement of the lawsuit. Requirements for including affordable housing have been eliminated, and some development fees waived.

**September 5, 1995:** City Council will discuss how to proceed with the Palm Terrace lawsuit settlement, which they have already signed. Public testimony at this meeting will not be part of the official record.

**September 19, 1995:** City Council will reconsider the Palm Terrace proposal. The settlement states that if the City does not approve a total of 18 units for development by September 19, the lawsuit will resume.

history of citizen action on this land is something that needs to be recorded."

With the "introduction" of Indian homeland issues to those of us who fought to preserve this land because of environmental, social, aesthetic and other reasons, the importance of the place becomes even more compelling, more urgent, more focused. How can we, with what we know now, say no to these people wanting their homeland back? How have we arrived at such a place of wrongness that there is even the power to do this? I confess to having lost hope of saving this beautiful place, but as long as the grasses grow instead of concrete, my hope will never entirely vanish. Let us never forget the energy and commitment we gave. We did the right thing.

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