

Judge upends massive redevelopment plans

Ruling against county may stall proposal for 1,000 housing units



Sonoma Developmental Center main entrance along Arnold Drive looking west from the state owned former mental institution at Eldridge in the Sonoma Valley near Glen Ellen, Wednesday, May 10, 2023. (Chad Surmick / The Press Democrat)



Laura and Steve Monterosso from Glen Ellen take an afternoon hike on the upper property of the Sonoma Developmental Center, Thursday, Jan. 4, 2024 in Glen Ellen. 650 acres of SDC open space land will now come under the stewardship of California State Parks. (Kent Porter / The Press Democrat) 2024



Sonoma Developmental Center main entrance along Arnold Drive looking west from the state owned former mental institution at Eldridge in the Sonoma Valley near Glen Ellen, May 10, 2023. (Chad Surmick / The Press Democrat)

BY PHIL BARBER THE PRESS DEMOCRAT

A judge delivered a stunning setback to Sonoma County planners Friday, upending the approval of plans for the redevelopment of Sonoma Developmental Center.

It's a decision that could stall, at least temporarily, a proposal to turn the 133-year-old campus into a residential and commercial community.

Sonoma County Superior Court Judge Bradford DeMeo, weighing a lawsuit filed by a coalition of Sonoma Valley citizens groups, ruled the county violated the California Environmental Quality Act by failing to clearly define the number of housing units allowed; address the cumulative impacts of a pending project at neighboring Hanna

Center; respond to community concerns in the draft environmental impact report; and adequately gauge impacts on biological resources and wildfire evacuation.

Glen Ellen residents have been voicing those concerns loudly and frequently for several years. However, they have found little traction in convincing the county or the California Department of General Services, which is overseeing the sale of the state-owned site, which at 945 acres is one of the largest redevelopment projects in Sonoma County.

DeMeo's ruling now resets the conversation and gives hope to community members who have been advocating for a scaled-down project at SDC, rather than the 1,000-housing-unit plan put forth by developers Keith Rogal and the Grupe Company.

"We deeply appreciate the Court's comprehensive analysis of this important case, and look forward to meaningful environmental review and approval of a Specific Plan of appropriate scale for this unique site and irreplaceable community resource," said Vicki Hill, a Glen Ellen-based land use planner and member of the grassroots organization Sonoma County Advocates for a Livable Environment (SCALE), in a press release.

Hill and another SCALE organizer, Alice Horowitz, referred questions to the plaintiffs' attorney in the case, Susan Brandt-Hawley. The Glen Ellen-based lawyer declined to comment, noting that the case remains open.

Brandt-Hawley has five days to prepare a draft order based on DeMeo's ruling. The county will then have five days to present any objections to her draft. But those maneuvers will not overturn the judge's decision. The county's next legal option, should it contest the ruling, is to file an appeal in U.S. District Court.

"We'll be reviewing the judgment with county counsel and the board of supervisors, in closed session, and will be seeking direction on the next step," said Tennis Wick, director of Permit Sonoma, the county's planning and permitting agency.

Wick declined further comment.

Developer's response

Rogal, the local face of the development team, said the court ruling provides "a helpful road map" in the redevelopment of SDC.

“Our project planning effort is still underway and we have not submitted a complete proposal for review as yet, so this ruling provides important guidance,” Rogal said in an email. “Whenever our project proposal is deemed complete, the CEQA review process for that proposal will follow.

“We are fully committed to ensuring that the environmental review for our proposal will be appropriately thorough and authoritative, and look forward to a collaborative process with the County to accomplish that essential objective.”

The county largely argued in court that the environmental impact report had fully analyzed all potential impacts, and that the SDC general plan was “self-mitigating,” meaning it would build in policies and guidelines to prevent harm to the environment and surrounding community.

But DeMeo sided with the community activists on almost every substantive point, often employing harsh language to characterize the county’s assertions in the specific plan and EIR, which the Board of Supervisors greenlighted in December 2022.

Take, for example, the self-mitigation issue. The SDC specific plan includes a set of policies, goals and conditions meant to encourage the preservation of the campus’ historic character and to protect the area’s wildlife and open spaces.

DeMeo found it too ill-defined.

“In general, the vast majority of these goals and policies are vague, open-ended, and devoid of any clear mandatory requirements or performance standards, as CEQA requires for mitigation measures,” the judge wrote. “They set forth hopeful intentions and vague statements that the goal of the Plan is to ‘promote’ or ‘encourage’ the stated measures or methods.”

DeMeo also criticized the lack of measurable performance standards that might be used to gauge the policies’ effectiveness.

“The purported mitigation measures in the Plan, its goals and policies, are on the whole facially toothless, vague, and limited to hopeful intentions,” he said.

Traffic impacts

DeMeo looked at the potentially synergistic traffic impacts of a proposed development less than two miles down Arnold Drive at Hanna Boys Center,

which calls for 600 homes and 10,000 square feet of commercial space. The county's documentation stated the project isn't sufficiently developed to be factored into the SDC traffic studies.

DeMeo shot down that idea, noting that residents had raised concerns about the Hanna-SDC nexus as early as a February 2022 meeting.

The judge had other criticisms of the county's planning documents.

He noted that while the specific plan calls for up to 1,000 housing units at the site, the more compartmentalized maximums listed for each "district" on the property could add up to 1,210 units, a number that has not been analyzed. And he castigated the county for failing to establish why it didn't study wildfires approaching from the west.

Evacuation times

Some of his findings were more mixed.

For example, residents have cried foul at the county's failure to attach an evacuation study, conducted by Kittelson & Associates, to the environmental report — an analysis that found 1,000 homes at SDC would increase evacuation times by an average of just 15 seconds.

DeMeo ruled it was OK for the county to merely summarize the study's conclusions. But he also dinged the report, writing, "There is no information or explanation as to ... how the analysis calculated the travel times for evacuation scenarios."

The plaintiffs include the groups Sonoma County Tomorrow and SCALE, which in itself is a coalition of Sonoma Mountain Preservation, Eldridge for All, the Glen Ellen Historical Society and the Valley of the Moon Alliance.

They may be particularly buoyed by DeMeo's discussion of the "Historic Preservation Alternative" for SDC, a plan that would include about 450 housing units and repurpose many of the older buildings on the campus. It is the preferred vision for many of Glen Ellen's established residents.

The county and state dismissed this alternative, saying it would add up to \$140 million in construction costs, and that many of the structures aren't suitable for modern needs. Again, DeMeo asked the government agencies to show him the numbers.

“There is no data, analysis, fiscal comparisons, or other data, in either the finding on the Preservation Alternative or the alternatives section which is sufficient to show that it is infeasible, and the discussion includes assumptions or assertions which on their face appear arbitrary, groundless, and even in conflict with the evidence in the record,” DeMeo wrote.

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