

Petaluma Friedman's center opponents appeal approval to City Council

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THE PRESS DEMOCRAT

Published: Sunday, September 2, 2012 at 2:52 p.m.

The organization that sought to stop the Target shopping center in Petaluma is asking the City Council to reject approvals for the Friedman's-anchored Deer Creek Village project.

Lawyers for the Petaluma Neighborhood Association, headed by anti-big box activist Paul Francis, filed a six-page appeal last week with the city seeking a reversal of the Planning Commission's Aug. 14 design approval.

In April, the City Council approved the major planning hurdle, the environmental impact report, over the group's legal objections. The 36.5-acre, 344,000-square-foot project returned to the planning board last month for approvals of architecture and signage.

The appeal asks the council to reverse those approvals and revise the EIR to reevaluate impacts on traffic, air quality and wetlands.

"Unless and until the city undertakes such revision, any approvals made on the basis of the . . . environmental analysis will be unlawful," the letter states.

A spokesman for developer Merlone Geier Partners interpreted the appeal as a thinly veiled threat of a lawsuit against the city in a last-ditch effort to obstruct the project.

It "is further evidence that he (Francis) intends on filing a frivolous lawsuit to prohibit Friedman's return to Petaluma," said Marko Mlikotin in a statement. "Unfortunately, the law allows just one individual to stop a project that enjoys overwhelming community support."

In the past four years in several community meetings, he said, city planners have thoroughly evaluated the project's impacts.

"We are confident that the City Council will reaffirm its past position that the Friedman's shopping center was adequately studied and the economic benefits of 800 jobs can't be ignored," his statement said.

Francis said the complaints aren't just about Deer Creek Village.

"It's about the irresponsible attitude the council has taken toward planning in general," he said in an email. "The majority on the council has not taken a 'big picture' approach to growth, and I'm not really sure how they're going to fix this boondoggle they've created for us."

The appeal contends that because funding is unclear for the Rainier Avenue extension, which would be at the northern border of the project, the underlying traffic studies are invalid.

The state-ordered elimination of redevelopment agencies, and the resulting loss in

tax revenue, has vexed city officials who had earmarked \$11 million of such funds toward Rainier over the past two years.

In 2010, the city agreed to plan and design a Rainier undercrossing of Highway 101 that would join Petaluma Boulevard North and North McDowell Boulevard. Cost estimates vary widely, from \$28 million to more than \$100 million. The city has no long-term funding in place.

The appeal also argues that impacts to air quality, water supply, urban blight and wetlands weren't properly studied and that the project is incompatible with the city's long-term planning blueprint.

The council likely will consider the appeal at its Sept. 24 meeting.

The Petaluma Neighborhood Association sued Petaluma and developers of the Target-anchored East Washington Place center to stop that project. The developer also sued the city because of delays.

In a three-way settlement in 2010 that allowed the project to proceed, developer Regency Centers agreed to pay the two PNA leaders \$100,000 to drop their suit and provided an additional \$50,000 for their legal fees. An additional \$32,000 paid the city's legal costs and \$40,000 went toward traffic improvements on East Washington or in the nearby East D Street neighborhood.

PNA leaders Francis and Matt Maguire agreed in the settlement not to use the proceeds to oppose the Target center.

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