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A. J. SHEPARD
CHAIRMAN OF THE BOARD

March 9, 1988 ✓

City Council
City of Sebastopol
7120 Bodega Avenue
Sebastopol CA 95472

Dear Council Members:

We recently read the Laguna Advisory Committee Report to the City of Sebastopol, dated January, 1988. Of particular concern to the Exchange Bank were two recommendations in the report to preserve the Laguna Flood Plain. The first was that there was to be no net fill below the 76 foot flood level. And secondly, that no development of property be allowed in that 76 foot flood level area.

The Exchange Bank has owned a commercial lot in downtown Sebastopol for a number of years. The property is located on McKinley where Petaluma Avenue dead ends. It is presently zoned commercial and our intent has always been to develop the site as either a branch or some other compatible project for the downtown area. The west portion of our property was recently being considered for a street leading to the new Police Department. The great majority of our lot is in that 76 foot flood plain referred to in the Laguna Committee report.

Our concern is two fold. The first, of course, is the economical impact this would have on us if the report is adopted as city policy. For many years your city has encouraged commercial development through zoning districts, particularly in the downtown core. We bought this property based on location and the zoning permit. If the proposed action in the report is taken, it would deprive us of substantially all use of our property and render it valueless. Such action might well spawn a number of legal challenges by other affected property owners in the form of declarations of relief or mandamus actions challenging the validity of the city's action or more importantly, claims for damages arising from the city taking of property.

The second concern we have is for the vitality of the City of Sebastopol. Adopting the recommendation of the report would remove existing and future revenue producing properties from the tax rolls. If the city hopes to continue its efforts to revitalize the downtown area, they cannot afford to render property only a few blocks away from Main Street undevelopable.

We certainly appreciate the efforts of the citizens advisory commission. But please remember they were just that, an advisory commission, and not the sole source of knowledge on preserving the Laguna Flood Plain. We would hope and recommend that the City Council seek professional advice which could possibly provide alternatives that would preserve the plains yet allow reasonable development.

Yours truly,



Andrew J. Shepard
Chairman of the Board
Chief Executive Officer



C. William Reinking
President