

## **COURT OF APPEAL DETERMINES GATEWAYS REDEVELOPMENT PLAN IS VALID**

The Court of Appeal ruled Friday that Santa Rosa's Gateways Redevelopment Plan, adopted three years ago, is valid.

Plaintiffs Kay Tokerud and the non-profit Concerned Citizens of Santa Rosa Against Redevelopment Law Abuse, Inc., had sued the City and its redevelopment agency, claiming that there was insufficient evidence that the 1,100-acre project area was blighted. In its unanimous ruling, the Court of Appeal rejected that argument and affirmed Judge Elaine Rushing's finding that there was substantial evidence of both physical and economic blight.

"We are extremely pleased with the Courts decision, said David Gouin, Director of Economic Development and Housing. This is our local economic stimulus resource and we can now move forward to deliver programs and projects to benefit the residents and struggling businesses in the project area."

The Court of Appeal noted that the adoption of the Gateways Redevelopment Plan took four years, included the preparation of several reports and involved numerous public hearings. The plan was adopted in June 2006.

The blight documentation was prepared by Santa Rosa's redevelopment consultant, Keyser Marston Associates, who the court said is "a qualified consultant in the field of redevelopment." Among the evidence of physical blight were hundreds of instances of serious building code violations that "common sense and human experience" would lead to the conclusion that such buildings were unsafe or unhealthy to live or work in. There was also substantial evidence that property values, sales prices and rents in the project area are significantly lower than comparable properties in the remainder of the city. Keyser Marston's report documented that these and other blighting conditions existed throughout the entire project area, the court said.

The Santa Rosa Chamber of Commerce and Burbank Housing Development Corporation joined the lawsuit in support of the City and Redevelopment Agency. Santa Rosa was represented by Iris Yang and Ethan Walsh of McDonough Holland & Allen, a Sacramento law firm, and Michael Casey, of the Santa Rosa City Attorney's office.