

CITY OF SANTA ROSA
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
STAFF REPORT FOR PLANNING COMMISSION

June 14, 2018

PROJECT TITLE

Rock Star University

APPLICANT

Santa Rosa School of Rock, LLC

ADDRESS/LOCATION

3410 Industrial Drive

PROPERTY OWNER

Next Generation, LLC

ASSESSOR'S PARCEL NUMBER

015-650-042

FILE NUMBER

CUP17-147

APPLICATION DATE

January 25, 2018

APPLICATION COMPLETION DATE

January 25, 2018

REQUESTED ENTITLEMENTS

Conditional Use Permit

FURTHER ACTIONS REQUIRED

No further actions are required.

PROJECT SITE ZONING

IL (Light Industrial)

GENERAL PLAN DESIGNATION

Light Industry

PROJECT PLANNER

Kristinae Toomians

RECOMMENDATION

Approval

For Planning Commission Meeting of: June 14, 2018

CITY OF SANTA ROSA
PLANNING COMMISSION

TO: CHAIR EDMONSON AND MEMBERS OF THE COMMISSION
FROM: KRISTINAE TOOMIANS
SUBJECT: PLANNING & ECONOMIC DEVELOPMENT
ROCKSTAR UNIVERSITY

AGENDA ACTION: RESOLUTION

RECOMMENDATION

The Department Planning and Economic Development recommends that the Planning Commission, by resolution, approve a Major Conditional Use Permit to allow extended hours of operation for an approved entertainment assembly venue at 3410 Industrial Drive as follows:

- Current hours of operation are 6:30 pm to 12:00 am.
 - Proposed hours of operation are 6:00 pm to 4:00 am.
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EXECUTIVE SUMMARY

The proposed development proposes to modify its existing Use Permit (File No. CUP13-090) to expand permitted operating hours from 6:30pm - 12:00am to 6:00pm - 4:00am for the entertainment assembly venue.

The subject site is developed with an entertainment assembly venue and a music studio with a media production facility. The existing music studio and production use, which provides instruction in music performance and production, operates primarily during regular business hours. The existing entertainment assembly use includes live, indoor music events, beginning around 6:30pm, and ending by or before midnight. City Code requires a Use Permit to extend hours of operation beyond 11:00pm. City Code also requires that modifications to land use permits to be reviewed by the same review authority which originally approved the Use Permit.

BACKGROUND

1. Project Description

The applicant requests a Conditional Use Permit to extend operating hours from 6:30pm –12:00am to 6:00pm – 4:00am for an approved entertainment assembly venue, which holds concert events within the current Rock Star University space. Numerous events were held at the project location, with no complaints registered with the City, and no Code Enforcement cases were generated as a result of these events.

During regular business hours, the space is used for the permitted music school, music studio, and a media production facility. The applicant proposes to host concert events from 6:00pm, and end before 4:00am. The music school, music studio, and media production facility will not operate at the same time as the entertainment assembly venue.

The subject parcel currently has 34 off-street parking spaces. Per the Santa Rosa Zoning Code, the entertainment assembly venue requires 73 off-street spaces. A parking covenant was required as part of the conditions of approval for the establishment of the entertainment assembly venue (File No. CUP13-090). A condition of the approval for the proposed change in hours requires that the applicant modify the existing parking covenant to reflect the new extended hours of operation. The previous Conditional Use Permit that allowed the establishment of the entertainment assembly venue, contains conditions of approval requiring that the operator of the venue provide parking and traffic direction, provide event security, and ensure pedestrian safety to and from on-site and off-site parking areas. Those conditions, as well as other conditions not specifically modified by this Conditional Use Permit, will remain in full force and effect.

2. Surrounding Land Uses

- North: Light industrial manufacturing and warehousing operations
- South: Warehousing and retail
- East: Warehousing, retail, and service uses
- West: Warehousing and retail, with a creek right-of-way and single-family residences beyond

The area surrounding the project site contains an array of uses typically found in a light industrial park, including warehousing activities, light manufacturing, wholesaling, and retail sales. The surrounding area is characterized by large warehouse buildings, with parking lots around the sides and rear of the lots. A furniture showroom and microbrewery are located in buildings directly adjacent to the project site. A channelized portion of Piner Creek is located about 500 feet east of the project site, with a neighborhood of single-family dwellings beyond the creek.

3. Existing Land Use – Project Site

The subject parcel is approximately 40,300 square-feet in area, and includes a 17,112-square-foot concrete tilt-up building, 34 designated parking spaces, pedestrian paths, and landscaping throughout. The existing entertainment assembly venue occupies approximately 3,100-square-feet of the building, with the remaining portions of the structure being used for the music school, music studio, and a media production facility.

4. Project History

October 15, 2012 – The Zoning Administrator approved a Minor Conditional Use Permit (File No. CUP12-064) for Rock Star University, a school where students learn to perform, record, and produce music.

January 31, 2013 – The Director issued a Temporary Use Permit (File No. CUP13-008) for an indoor concert event at the subject parcel. Several Temporary Use Permits were issued for similar subsequent events.

August 13, 2015 – Planning Commission approved a Conditional Use Permit (File No. CUP13-090) to operate an entertainment assembly venue at the Rock Star University site, with operating hours from 6:30pm until midnight (Resolution No. 11716).

April 14, 2016 – Planning Commission approved a Conditional Use Permit (File No. CUP16-005) to allow for the sale of beer and wine at the Rock Star University entertainment assembly venue (Resolution No. 11768).

August 13, 2017 – Pursuant to Condition of Approval No. 5, of Planning Commission Resolution No. 11716, approving a Conditional Use permit for Rock Star University, Planning and Economic Development (PED) staff reviewed the operation of the approved entertainment assembly facility and found no Code Enforcement cases had been opened, and PED had no record of complaints from neighbors of the facility. Staff consequently issued a determination that the findings of City Code Section 20-52.050(F) could be made, and issued a Zoning Clearance granting the validity of Resolution 11716, allowing the duration of the use.

December 27, 2012 - Applicants submitted a Conditional Use Permit application to allow extended operating hours from 6:30pm –12:00am to 6:00pm – 4:00am for the existing entertainment assembly venue.

PRIOR CITY COUNCIL REVIEW

Not applicable.

ANALYSIS

1. General Plan

The Santa Rosa General Plan 2035 designates the project site for light industry use. In addition to light industrial, warehousing, and heavy commercial uses, this designation considers, “services with large space needs,” to be appropriate. The following General Plan goals and policies are relevant to the proposed project:

LUL-I-1: Provide a range of commercial services that are easily accessible and attractive, that satisfies the needs of people who live and work in Santa Rosa and that also attracts a regional clientele.

YF-A-3: Promote development of multi-use buildings/community centers that can be utilized for youth and teen activities and child care.

AC-A: Develop places for art activities to take place.

Staff finds that the proposed project is consistent with applicable goals and policies of the General Plan. The proposed project, with extended hours, will add a unique venue for artistic expression, and provide activity in an area of the City that is underutilized outside of standard business hours. The existing Rock Star University is youth oriented; the proposed extended hours of operation for the entertainment assembly venue would complement those existing youth-oriented activities.

2. Other Applicable Plans

Not applicable.

3. Zoning

North: IL (Light Industrial)

South: IL (Light Industrial)

East: IL (Light Industrial)

West: IL (Light Industrial)

The property is centrally located within a Light Industrial (IL) Zoning District. This type of district supports businesses and activities that may not be compatible with residential uses. The IL Zoning District in which the use would occur is bordered on the north, east, and south by CG (General Commercial) Zoning Districts. A residential district borders the IL district to the west but the two districts are physically separated by Piner Creek. The nearest street network connections between the IL Zoning District and the residential district to the west occur at Hopper Avenue and Piner Avenue.

The Planning Commission must make all of the following findings, as required in Zoning Code Section 20-52.050 (Conditional Use Permits), to grant the Major Conditional Use Permit. Each requisite finding is followed by a staff response.

The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this Zoning Code and the City Code.

Staff Response: Entertainment assembly venues are allowed within the IL Zoning District with a Conditional Use Permit. Extended hours of operation beyond 11:00pm are also allowed within the IL Zoning District with a Conditional Use Permit. The project, as conditioned, complies with all Santa Rosa Zoning Code and City Code provisions.

The proposed use is consistent with the General Plan and any applicable specific plan.

Staff Response: The project implements the goals and policies of the General Plan, and the proposed use is consistent with the types of land uses envisioned for Light Industrial areas, in that the property is located in an established light industrial area and, as a use with large space needs, implements the type of land use classification envisioned by the General Plan for this area.

The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity.

Staff Response: The project is surrounded on all sides by light industrial uses, and the use is conditioned to minimize impacts associated with entertainment assembly venues.

The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints.

Staff Response: The site is already developed, and was renovated to support the proposed use.

Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zoning district in which the property is located.

Staff Response: Granting the permit, as conditioned, would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare. There are no adjacent residential uses or sensitive receptors. The proposed project, as conditioned, requires that the operator of the venue provide parking and traffic direction, provide event security, and ensure pedestrian safety to and from on-site and off-site parking areas.

The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA).

Staff Response: The project qualifies for a Class 3 Categorical Exemption under Section 15303(c) of the CEQA Guidelines, in that: the project is in an urbanized area, does not exceed 10,000-square-feet in floor area, does not involve the use of significant amounts of hazardous substances, is located where all necessary public services and facilities are available, the surrounding area is not environmentally sensitive, and there will be no modifications made to the exterior of the structure. The project has been reviewed in compliance with CEQA and found categorically exempt.

Parking:

Pursuant to Section 20-36.040 of the A condition of the approval requires that applicant modify the existing parking covenant to reflect the new extended hours of operation, prior to implementing the extended hours of the entertainment assembly venue.

4. Design Guidelines

No major changes are proposed to the exterior of the building. Design Review is not required for implementation of the proposed change to hours of operation.

5. Neighborhood Comments

As of May 22, 2018, staff received 11 emails from neighbors in opposition of the extended operating hours. Concerns include potential late night noise, potential traffic issues, neighborhood litter, and concerns with neighborhood vandalism.

Staff did not receive complaints about the venue's current/recent operations. Staff received one letter in support of the venue.

Staff received one phone call from a neighbor that was not aware that the venue has been operating for 2 years, and subsequently had no objections to the proposed project.

The proposed project, as conditioned, requires that the operator of the venue provide parking and traffic direction, provide event security, and ensure pedestrian safety to and from on-site and off-site parking areas. The operator's security staff patrols the neighboring area on foot to ensure that there is no loitering, littering, or vandalism. Onsite lighting provides additional visibility and security of the facility.

The previous Conditional Use Permit that allowed the establishment of the entertainment assembly venue required that the operator obtain a Zoning Clearance from the Department of Community Development after 24 months of operation, to determine whether the entertainment assembly venue operated in a manner consistent with the mandatory findings of the Conditional Use Permit (City Code Section 20-52.050). Planning and Economic Development (PED) staff reviewed the operation of the approved entertainment assembly facility and found no history of Code Enforcement cases, and PED had no record of

complaints from neighbors of the facility. Staff consequently issued a determination that the findings of City Code Section 20-52.050(F) could be made, and issued a Zoning Clearance granting the validity of Resolution 11716, allowing the duration of the use.

Lieutenant John E. Snetsinger, of the Santa Rosa Police Department, reviewed the request for extended hours and found that there have been, “no arrests or notable disturbances with the venue or their events.” He concluded that, “there does not appear to be a valid concern on our part to deny this change.”

6. Public Improvements/On-Site Improvements

No public improvements/on-site improvements are required.

FISCAL IMPACT

Approval of this action does not have a fiscal impact on the General Fund.

ENVIRONMENTAL IMPACT

The project qualifies for a Class 32 Categorical Exemption under Section 15332 (In-Fill Development Projects) of the CEQA Guidelines, in that: the project is consistent with the General Plan and zoning; occurs within the City limits on a project site of no more than five acres; has no value as habitat for endangered, rare, or threatened species; and, can be adequately served by public utilities and services. The proposed use will not result in significant environmental impacts.

BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

Not applicable.

NOTIFICATION

The project was noticed as a public hearing per the requirements of Chapter 20-66 of the City Code. Notification of this public hearing was provided by posting an on-site sign, publishing notice in a newspaper of general circulation, mailed notice to surrounding property owners, electronic notice to parties that had expressed interest in projects taking place in this geographic area of Santa Rosa, and bulletin board postings at City Hall and on the City website. Pursuant to Government Code Section 65091, where necessary, the City has incorporated notice procedures to the blind, aged, and disabled communities. These procedures include audio amplifier/assistive listening device support at public meetings, closed captioning, and optical character recognition conversion of electronic notices.

ISSUES

A condition of approval of the project is that prior to implementing the extended hours of the entertainment assembly venue, the applicant modify the existing parking covenant to reflect the new extended hours of operation.

ATTACHMENTS

Attachment 1 - Disclosure Form

Attachment 2 - Location Map

Attachment 3 - Neighborhood Context Map

Attachment 4 – Application Packet

Attachment 5 – Site Plan, dated 12/27/2017

Attachment 6 – Referral response from Traffic, dated 02/14/2018

Attachment 7 – Public comments regarding proposed extended hours

Attachment 8 – Applicant’s response to neighborhood comments, dated 02/16/2018

Attachment 9 – Referral response from the Santa Rosa Police Dept., dated 02/14/2018

Attachment 10 – Planning Commission Resolutions 11716 and 11768

Resolution

CONTACT

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