

RESOLUTION NO. DR19-030

RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SANTA ROSA APPROVING A DESIGN REVIEW APPLICATION FOR PLAZA TEMPORAL — MITOTE FOOD PARK, A TEMPORARY PUBLIC PLAZA AND GATHERING PLACE INCLUDING A RESTAURANT WITH COUNTER ORDERING, OUTDOOR DINING, AND ALCOHOL SERVICE, FOR THE PROPERTY LOCATED AT 665 SEBASTOPOL ROAD, SANTA ROSA, APN: 058-011-017

The Santa Rosa Zoning Administrator has completed its review of your application. Please be advised that Design Review for the Plaza Temporal – Mitote Food Park, a restaurant with counter ordering, outdoor dining, and alcohol service, as an interim use of the Public Plaza and Mercado Food Hall site (Project) associated with the approved Roseland Village development (PRJ17-075), has been granted based on your project description and official approved exhibit dated April 18, 2019 and revised official approved exhibit dated received December 02, 2019. The Santa Rosa Zoning Administrator has based this action on the following findings:

- The design and layout of the Project is of superior quality and is consistent with the General Plan, the Roseland Area/Sebastopol Road Specific Plan, Santa Rosa Zoning Code, and the City's Design Guidelines, and the matter has been properly noticed as a Public Hearing pursuant to Section 20-66.020; and
- The design is appropriate for the use and location of the Project and achieves the goals, review criteria and findings for approval as set forth in the Framework of Design Review in that the site is located in an area developed with commercial, institutional, and residential uses and the Project includes gateways to a public space for socializing, gathering, and the enjoyment of local cuisine. The use of landscaping, building placement, and fencing help to create a vital community hub for the Roseland area; and
- The design and layout of the proposed development will not interfere with the use and enjoyment of neighboring existing or future developments in that the primary entrance to the Project is street facing with parking located on the east side of the site which will be accessed from the existing West Avenue entrance from Sebastopol Road, and the site will be full enclosed by fencing; and
- The architectural design of the proposed development is compatible with the character of the surrounding neighborhood in that the proposed structures, materials, and landscaping are an interim use of the Public Plaza space to create the initial phase of the planned Roseland Village; and
- The design of the Project will provide a desirable environment for its occupants, visiting public, and its neighbors through the appropriate use of materials, texture, and color and would remain aesthetically appealing and be appropriately maintained in that the Project makes effective use of complimentary materials, textures, and colors throughout the site. The structural elements of the Project are minimal with an existing concrete surface retained. The proposed intermodal shipping containers are durable by design and the enclosed site incorporates seating

areas, planter boxes and box trees for shade and aesthetic value and utilizes catenary lighting to define space; and

- The Project will not be detrimental to the public health, safety, or welfare or materially injurious to the properties or improvements in the vicinity in that the entire Project has been reviewed by City staff and conditioned to minimize potential impacts. Parking and circulation will provide adequate fire access, and entry and exit to the site is provided via an existing signaled intersection. Parking area signing and striping will comply with Santa Rosa Zoning Code Section 20-36.060 Parking Requirements for the Disabled requirements. Uniform application of Santa Rosa Zoning Code Section 20-30.120 Solid waste and Recycling Storage Facilities will help to ensure trash does not become a nuisance. Project lighting will meet City requirements for safety pursuant to Santa Rosa Zoning Code Section 20-30.080 Outdoor Lighting. The project is subject to all California Department of Alcoholic Beverage Control licensing requirements for on-site alcohol sales and consumption, and the design is compatible with the Roseland Area/Sebastopol Road Specific Plan guidelines for the site; and
- The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and qualifies for a Class 4 exemption under Section 15304(e) in that the Project is temporary and will have negligible or no permanent effects on the environment.

This entitlement would not be granted but for the applicability and validity of each and every one of the below conditions and that if any one or more of the below conditions is invalid, this entitlement would not have been granted without requiring other valid conditions for achieving the purposes and intent of such approval. The approval of the project is contingent upon compliance with all the conditions listed below. Use shall not commence until all conditions of approval have been complied with. Additional permits and fees are/may be required. **It is the responsibility of the applicant to pursue and demonstrate compliance.**

1. A building permit is required.
2. Plans submitted for building permit shall match those approved by the Zoning Administrator.
3. Comply with all Santa Rosa Engineering and Development Services conditions attached hereto and incorporated here as "Exhibit A" dated October 24, 2019.
4. Hours of operation shall be between 11:00 a.m. to 11:00 p.m. Monday through Sunday.
5. Construction hours shall be limited to 7:00 a.m. to 7:00 p.m. Monday through Friday and 8:00 a.m. to 6:00 p.m. Saturdays. No construction is permitted on Sundays and holidays.
6. Comply with all applicable federal, state, and local codes. Failure to comply may result in issuance of a citation and/or revocation of approval.
7. Comply with the latest adopted ordinances, resolutions, policies, and fees adopted by the City Council at the time of building permit review and approval.

8. Signs are not approved as part of the Project. Signs will require separate Planning and Building permits.
9. Prior to commencing the use, obtain the appropriate liquor license from the California Department of Alcoholic Beverage Control (ABC) to allow onsite consumption of beer, wine or distilled spirits with the meal.
10. Alcohol shall be served only when food is being offered for sale.
11. If applicable, the developer shall comply with the City Public Art Ordinance (City Code Chapter 21-08) as applied to the non-residential portions of the project.

This Design Review for the Plaza Temporal – Mitote Food Park is hereby approved on this 16th day of January 2020. If conditions have not been met or if work has not commenced within two years from approval date, this approval shall automatically expire and shall be invalid unless an application for extension is filed prior to expiration. The approval is subject to appeal within ten calendar days from the date of approval.

APPROVED: _____

ANDY GUSTAVSON, ZONING ADMINISTRATOR

Attachment: Exhibit A

**PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT
ENGINEERING DEVELOPMENT SERVICES DIVISION**

**EXHIBIT "A"
OCTOBER 24, 2019**

**MITOTE MEXICAN FOOD TRUCK PARK AND PARKING LOT
TEMPORARY USE
665 SEBASTOPOL ROAD
DR19-030**

- I. Developer's engineer shall obtain the current City Design and Construction Standards and the Community Development Department's Standard Conditions of Approval dated August 27, 2008 and comply with all requirements therein unless specifically waived or altered by written variance by the City Engineer.
- II. This project is subject to the adopted Roseland Area/Sebastopol Road Specific Plan, Sebastopol Rd. Corridor Plan and Sebastopol Road Urban Vision Plan.
- III. In addition, the following summary constitutes the recommended conditions of approval on the subject application/development based on the plans stamped received November 12, 2019:

MAPS AND EASEMENTS

1. No construction is permitted in the existing Public Utility easement(s) (PUE) without an Encroachment permit. The applicant shall verify the easement(s) with a title report. The improvements shall not be placed within a future PUE or Right of way or existing easements based on the project approved under PRJ17-075;MAJ17-006 for Roseland Village; or as per the City Engineers approval.
2. The underground facilities within the existing easements are unknown and shall be verified by the applicant's engineer in writing received from inquiries directed to the local Public utility companies to verify the use of such public easements prior to Building permit issuance. Copies of the utility verifications shall be provided for the City file. All existing utilities shall be located, labeled on the plans and protected in place during construction.

PUBLIC STREET IMPROVEMENTS

3. An Encroachment Permit shall be required prior to issuance of the building permit. Any improvements, proposed or required, within the public right of way or onsite public water/utility easements shall be reviewed and approved with the Encroachment Permit application. Only construction plans submitted with the Encroachment Permit Application are final plans and shall be approved for construction. Contact Engineering Development Services at 543-4611, located at 100 Santa Rosa Avenue, Room 5, as soon as possible to begin Encroachment Permit application processing. Encroachment Permit application processing may take 4-6 weeks. Submit plans showing all work in the public right of way, or in public easements, including all work on public utilities (water meter boxes, sewer lateral cleanouts, backflow devices, etc.)
4. The sidewalk along the project frontage shall be ADA compliant. Cracked or broken curb and gutter or sidewalk panels shall be replaced to the nearest cold joint. A minimum 4-foot clear distance of sidewalk is required along sidewalk obstruction transitions per City Standard 231.
5. The applicant shall keep the project frontage vehicular site distance clear of over grown vegetation. Vegetation shall be kept to less than 3-feet or more than 7-feet in height within sight distance areas.
6. Street Frontage improvements shall be postponed until the permanent improvements are installed.

STORM WATER COMPLIANCE (SWLID)

7. Note on the plans that "No debris, soil, silt, sand, bark, slash, sawdust, rubbish, cement or concrete washings, oil or petroleum products, or other organic or earthen material from any construction or associated activity of whatever nature, shall be allowed to enter into or be placed where it may be washed by rainfall into the storm drain system. When operations are completed, any excess material or debris shall be removed from the work area."
8. As applicable, the developer's engineer shall comply with all requirements of the latest edition of the City Storm Water Low Impact Development Technical Design Manual.
9. New services (electrical, telephone, cable or conduit) shall be installed underground.

WATER AND WASTE WATER

10. Demand fees may be required and shall be determined after review of the building permit application.
11. Water and sewer demand, processing and meter installation fees shall be paid prior to the issuance of any Building Permit. The applicant may contact Utilities Engineering to determine estimated fees.
12. Water services shall be provided per Section X of the Water System Design Standards. Domestic and irrigation uses shall be metered separately.
13. As applicable, city Standards require that a commercial project install a combination service per City Standard #870 for fire sprinkler, public and/or private fire hydrant, domestic and irrigation meters if one does not exist. Submit fire flow calculations to size the line to serve the project.
14. As applicable, the water services and meters shall be sized to meet fire protection, domestic and irrigation uses. A dedicated fire protection service with an associated double detector check valve per City Standard 880 shall be installed to serve the building. The flow calculations shall be submitted to the Engineering Development Services Division during the plan check phase of the Encroachment Permit application.
15. The project engineer shall provide a detailed utility plan showing onsite and offsite sewer, water, and fire protection systems, and their connections to existing sewer and water facilities. Show all utility easements on the plans.
16. All irrigation and domestic water meters shall be protected with reduced pressure backflow devices per City Standard 876.
17. Any existing sewer laterals without a cleanout shall be provided with a clean out at the right of way line or edge of easement per City Standard 513.
18. If applicable, submit landscape and irrigation plans in conformance with the Water Efficient Landscape Ordinance adopted by the Santa Rosa City Council, Resolution No. 4051, dated Oct 27, 2015. Plans shall be submitted with the Building Permit application.

19. Connections to the existing sewer lateral under the project area are permitted for the project per review and approval by the City Engineer at building permit first review.

TRAFFIC

20. Submit an onsite signing and striping plan to comply with the current codes and requirements for Accessible parking signing and striping and access requirements.
21. Parking lot lighting shall meet minimum city requirements for safety.
22. All entry and exit from Sebastopol Road to the project shall be directed to the Sebastopol Road / West Avenue signaled intersection. No new entry point/driveway is permitted along Sebastopol Road to serve the project.

PUBLIC STORM WATER SYSTEMS

23. No permanent improvements such as roof lines, lighting foundations, BMP devices or building foundations shall encroachment into the public utility or storm drain easements. The buildings shall be located as to not load the existing underground pipes and the engineer shall calculate the placement of the foundations for that purpose. No trees may be planted on a public easement without first obtaining approval of the Director of the Transportation and Public Works Department. Trees shall not be planted within 10-feet of the underground city mains. All improvements over existing utilities pipe shall not interfere with the pipe cover or pipe bedding and shall be specifically approved by the Director of Public Works including landscaping, swales or other improvements.
24. The public utilities, storm drain inlets and manholes shall be kept accessible for city maintenance access at all times.
25. The Transportation and Public Works Department shall take due caution when performing maintenance or repair of drainage systems in easements but shall not be responsible for the repairs or replacement of trees, landscaping, or structures not specifically approved by the Director of Transportation and Public Works.

26. Any fences placed within the PUE/storm drain easement(s) shall be removable. Where vehicular access is required for maintenance, minimum 14-foot minimum width and sliding gates are preferred. Man-gates and vehicular gates shall be provided for access through any fence crossing a public utility or storm drain easement, or as approved by the City Engineer.
27. The project engineer shall provide a grading and drainage plan at first submittal of the building permit addressing the storm water management and out fall is in compliance with current city and SCWA codes.

ENVIRONMENTAL COMPLIANCE (8.28.19) NO CONDITIONS

FIRE DEPARTMENT – 10.22.19

Proposed use is to allow a food truck park at subject address.

The Fire department has the following **general comments** on this application.

28. Food trucks are required to obtain and maintain an annual propane operational permit from the Fire Department.
29. All fire protection systems and devices are required to be maintained in accordance with all codes and standards.
30. Food trucks are subject to an annual inspection.
31. Twelve-inch building address characters shall be provided per City/Fire Dept. standards.
32. All vehicle gates for commercial and multi-family residential developments are required to provide automatic gates with key-switch entry. All gates shall be set back from the roadway by a minimum of 20 feet.
33. Access roadways required to provide fire department access to within 150 feet that are greater than 150 feet shall be provided with fire department turnarounds.
34. Group U occupancies greater than 1,000 sq. ft, group B/M greater than 500 sq. ft. and all a-2 occupancies of any size are required to be protected by an automatic fire sprinkler system and be electronically monitored.
35. All facilities shall be provided with fire extinguishers in accordance with CFC.

36. All interior fire protection systems shall be provided with knoxbox key access to the structures.
37. Storage or use of any hazardous materials at the site may require a Hazardous Materials Inventory Statement to be submitted to the Fire Dept. for review via the California Environmental Reporting System (CERS). Materials in excess of the permitted amounts will require a Hazardous Materials Management Plan to be submitted to the Fire Dept. for review and approval and may require payment of Hazardous Material Use or Hazardous Waste Generator permit fees.

RECREATION AND PARKS

38. Street trees shall be postponed until such time as permanent improvements are installed on Sebastopol Avenue.
39. This project lists the adjacent parcel to the east as a Park. We are anticipating that this will be a privately-owned park since the land owner does not currently have an agreement with the Recreation and Parks Department to develop a public Park. While this parcel is listed in the General Plan as a Plaza the engaging process with Recreation and Parks Department has not yet begun and cannot be accepted as a public Park until a binding agreement is completed with Parks. The City shall conduct its own public process and an agreement shall be in place with the property owner before this parcel can be considered for a public Park. Otherwise list the park as private.
40. Parks acquisition and/or park development fees shall be paid at the time of building permit issuance. The fee amount shall be determined by the resolution in effect at the time.
41. All landscaping shall be privately maintained and irrigated. Property owners and/or homeowners' association shall be responsible for the irrigation and maintenance of the street trees and maintenance of the planter strips in front of and alongside of their lots.



Carol Dugas
EDS Project Engineer
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