

RESOLUTION NO. [To be Entered by Secretary After Approval]

**RESOLUTION OF THE DESIGN REVIEW BOARD OF THE CITY OF SANTA ROSA
DENYING AN APPEAL AND UPHOLDING ZONING ADMINISTRATOR APPROVAL
OF A MINOR DESIGN REVIEW APPLICATION FOR THE PLAZA TEMPORAL —
MITOTE FOOD PARK, A TEMPORARY PLAZA AND GATHERING SPACE
INCLUDING A COUNTER SERVICE RESTAURANT, OUTDOOR SEATING,
ALCOHOL SERVICE, CUSTOMER RESTROOMS, THREE DEDICATED SPACES
FOR ROTATING MOBILE FOOD VENDORS, LANDSCAPING, AND SITE
IMPROVEMENTS, FOR THE PROPERTY LOCATED AT 665 SEBASTOPOL ROAD,
APN 125-111-037, FILE NUMBER DR19-030**

WHEREAS, on April 18, 2019, an application was submitted to the Department of Planning and Economic Development requesting Minor Design Review for a temporary plaza and gathering place including a counter service restaurant, outdoor seating, alcohol service, three dedicated spaces for rotating food trucks and other mobile food vendors, landscaping, and other onsite improvements, proposed within 12,730-square feet (+/-) on an 6.8-acre (+/-) previously developed general commercial site, located at 665 Sebastopol Road, Santa Rosa, CA 95407, also identified as Sonoma County Assessor's Parcel Number 125-111-037 (Project); and

WHEREAS, the Zoning Administrator held a duly noticed public hearing on the application at which time all those wishing to be heard were given the opportunity to speak or present written comments and other materials; and

WHEREAS, the Zoning Administrator considered the application, the oral and written staff report, the General Plan and zoning on the subject property, the testimony, written comments, and other materials presented at the public hearing, made certain findings and granted Minor Design Review approval for the Project; and

WHEREAS, an appeal of the Zoning Administrator's action was filed by John Paulsen (Appellant), seeking review by the Design Review Board pursuant to City Code Chapter 20-62.

NOW, THEREFORE, BE IT RESOLVED that after consideration of the appeal and the reports, documents, testimony, and other materials presented, and pursuant to City Code Sections 20-52.030 (Design Review) and 20-62.030 (Processing of Appeals), the Design Review Board does hereby deny the Paulsen appeal and upholds the Zoning Administrator's approval of a Minor Design Review application for the Plaza Temporal – Mitote Food Park located at 665 Sebastopol Road, and makes the following findings and determinations:

- A. 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
- B. 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

- C. 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 project as proposed is consistent with the General Plan, and the Roseland Area/Sebastopol Road Specific Plan, the primary entrance to the Project is street facing with parking located on the east side of the site and access provided from the existing West Avenue entrance from Sebastopol Road, and the site will be full enclosed by fencing; and
- D. The architectural design of the proposed development is compatible with the character of the surrounding neighborhood in that the proposed structures, materials, and landscaping provide unique and uniform designs without clashing with the surrounding commercial area and represent an interim use of the Plaza space to create the initial phase of the planned Roseland Village; and
- E. 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
- F. 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
- G. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and qualifies for a Class 4 exemption pursuant to CEQA Guidelines Section 15304 (e). The Project meets the criteria for the Class 4 (Minor Alterations to Land) exemption in that the Project is temporary and will have negligible or no permanent effects on the environment. Additionally, pursuant to CEQA Guidelines Section 15183, the project is consistent with the City's

General Plan, Roseland Area/Sebastopol Road Specific Plan, and Zoning, which envision the commercial development of the site. The Retail and Business Services land use is anticipated to provide regional serving uses, including restaurants. The City has further determined that no exceptions to the exemptions apply and there is no reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances (CEQA Guidelines Section 15300.2.).

This entitlement would not be granted but for the applicability and validity of each and every one of the below conditions and 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.**

CONDITIONS OF APPROVAL

1. A building permit is required.
2. The building materials, elevations, and appearance of this project, as presented for issuance of a building permit, shall be the same as that approved by the Design Review Board. Any future additions, expansions, remodeling, etc., may be subject to additional review.
3. All accessory equipment, and meters must be totally screened from public view by an architectural design consistent with the building architecture element approved by the Design Review Board.
4. All outdoor storage of materials and/or refuse bins/cans shall be maintained within a completely screened structure or are approved by the Planning Division.
5. All required landscaping and irrigation shall be installed prior to use per the approved final plans.
6. All landscaping must be continuously maintained in a healthy and attractive condition, free of weeds and debris, in accordance with the approved plans.
7. LIGHTING:
 - a. All exterior lighting shall be shown and specified on the plans submitted for issuance of a building permit in accordance with the Design Review approval and in compliance with Zoning Code Section 20-30.080.
 - b. Light sources shall be concealed from public view.
 - c. The mounting height of lighting fixtures in parking and storage areas shall not exceed 16-feet in height. Lower mounting heights are encouraged.
8. Comply with all Santa Rosa Engineering and Development Services conditions attached hereto and incorporated here as "Exhibit A" dated October 24, 2019.
9. Hours of operation shall be limited to between 11:00 a.m. to 11:00 p.m. Monday through Sunday.

10. Alcohol shall be served only when food is being offered for sale.
11. 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.
12. Comply with all applicable federal, state, and local codes. Failure to comply may result in issuance of a citation and/or revocation of approval.
13. Comply with the latest adopted ordinances, resolutions, policies, and fees adopted by the City Council at the time of building permit review and approval.
14. Signs, banners, or the like are not approved with this permit. A planning sign permit is required for all signs.
15. 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.
16. 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.

DESIGN REVIEW BOARD

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DULY AND REGULARLY ADOPTED by the Design Review Board of the City of Santa Rosa on this 18th day of June 2020, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Approved: _____
Scott Kincaid, Chair

Attest: _____
Bill Rose, Executive Secretary

Attachment: Exhibit A