

Plaza Temporal – Mitote Food Park Appeal – Minor Design Review

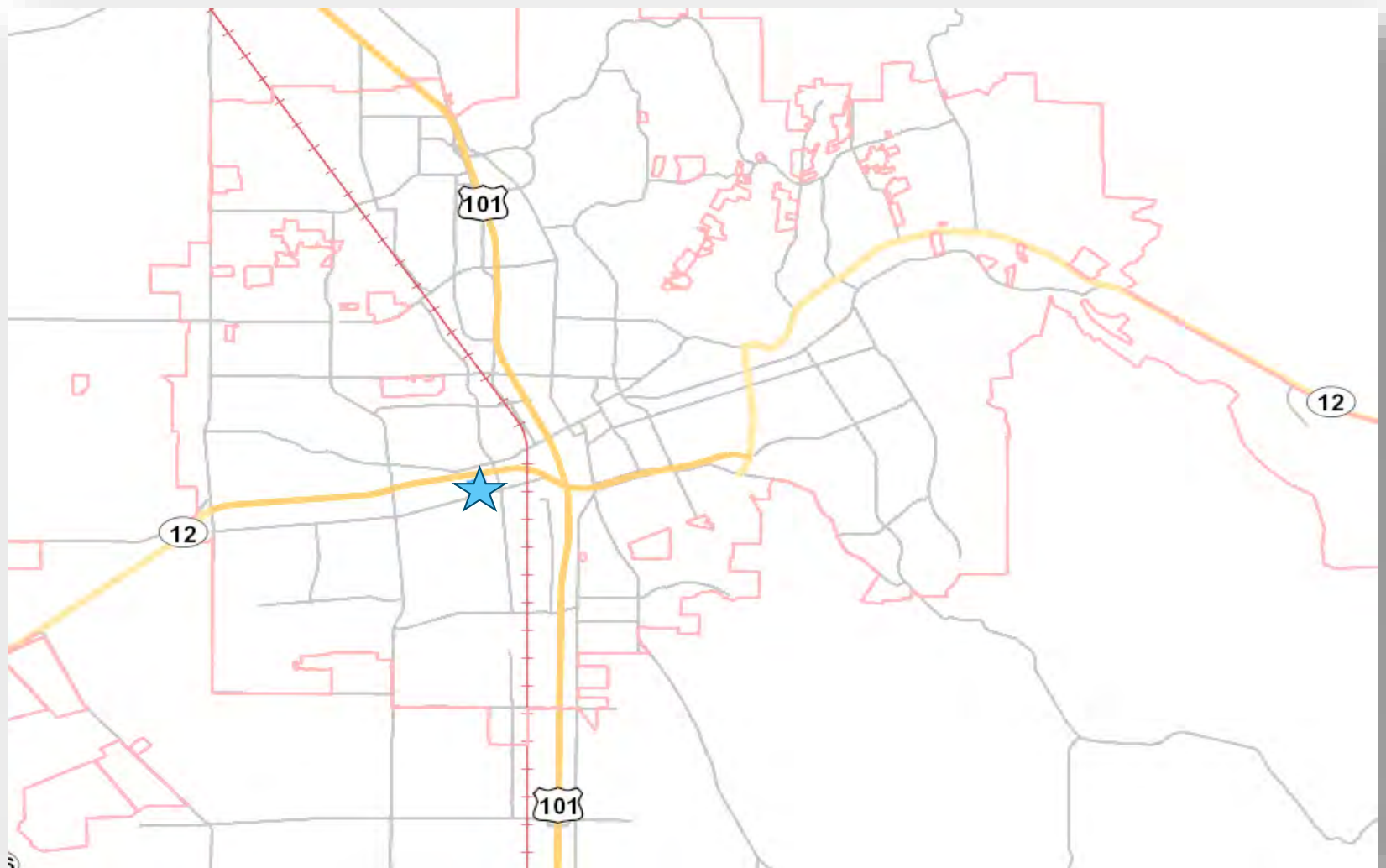
Design Review Board

June 18, 2020

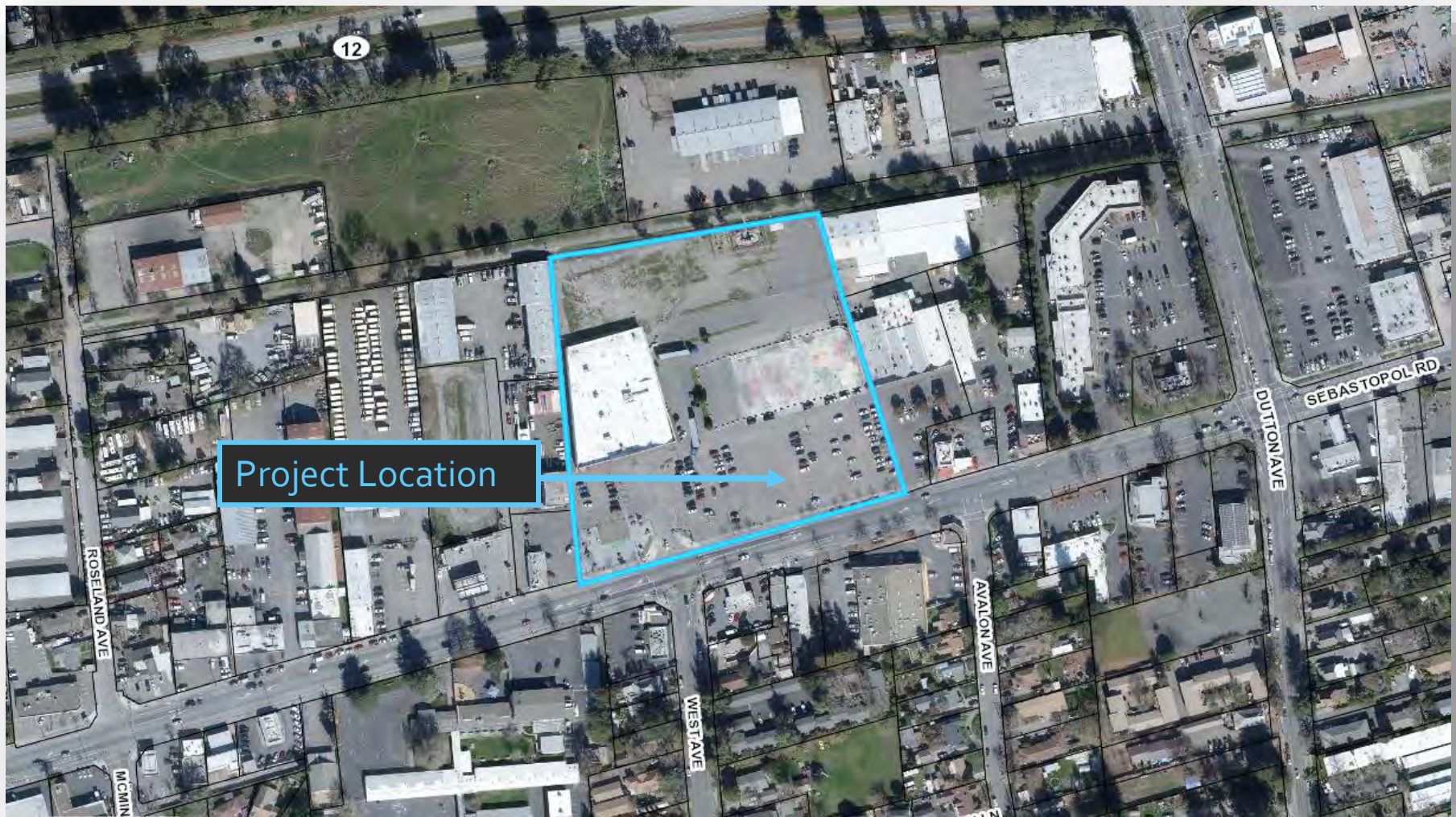
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Appeal of Zoning Administrator approval of a Minor Design Review application for the Plaza Temporal – Mitote Food Park

Project Location 665 Sebastopol Road



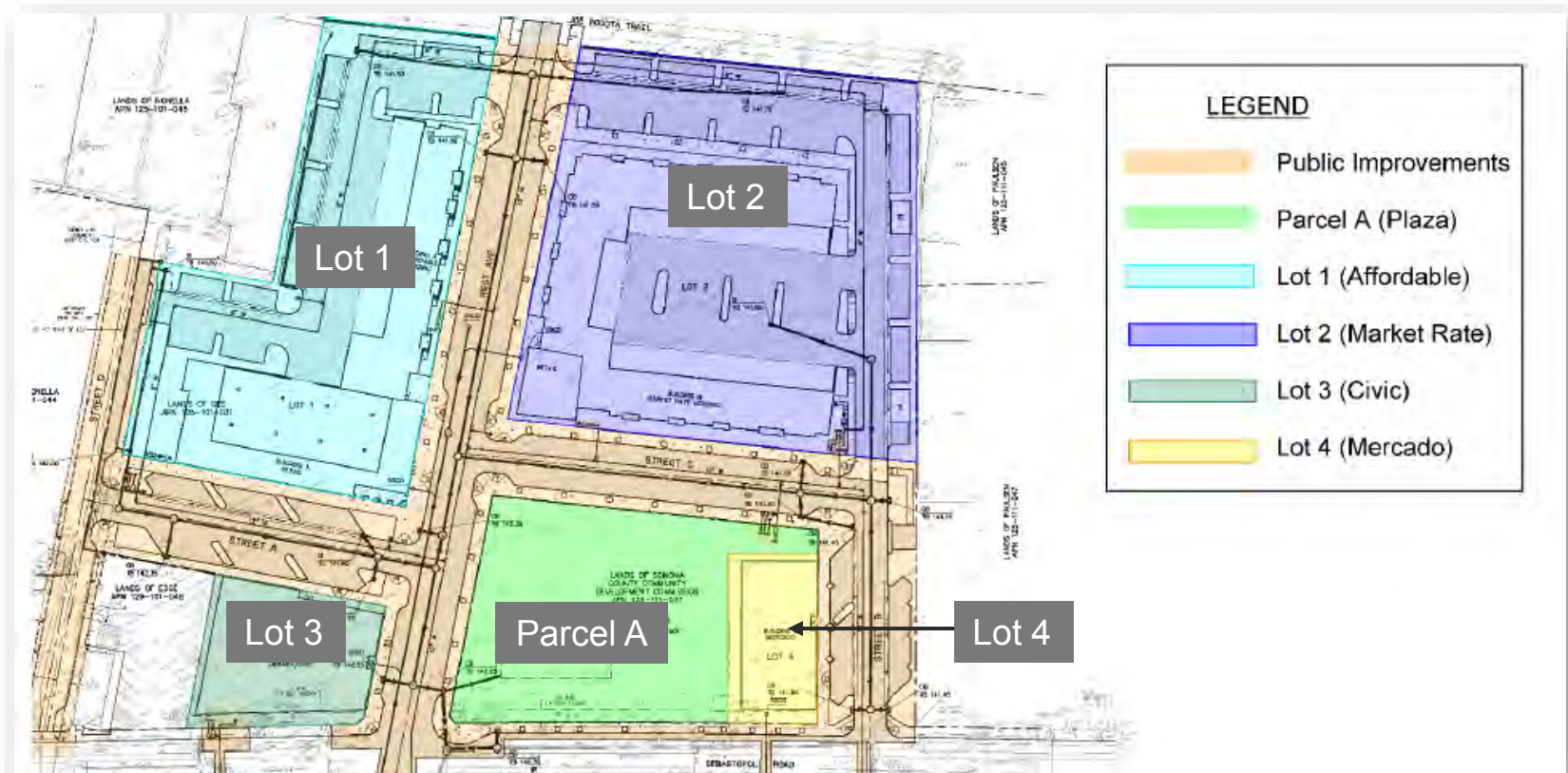
Neighborhood Context



Project Description

- Minor Design Review for Plaza Temporal – Mitote Food Park, a temporary plaza and gathering space including:
 - A counter service restaurant featuring
 - Outdoor seating
 - Walk-up alcohol service (wine, beer, and cocktails)
 - Three designated spaces for rotating mobile food vendors
 - Landscaping
 - Customer restrooms
 - Other onsite improvements

Project Context Round Barn Village Tentative Map



Project Context Round Barn Village Rendering



Project History

- In 2011, the Sonoma County Development Commission acquired the 665 Sebastopol Road property.
- In 2014, the CDC conducted a community engagement process for the planning and redevelopment of the property.
- In August 2016, MidPen began a series of three community engagement workshops to help define the public aspects to be developed on the project site – particularly the public plaza.
- On November 1, 2017, the Local Agency Formation Commission approved the Roseland Area Annexation. The County determined in December 2017, that the City should process required entitlement applications.
- On March 14, 2018, A neighborhood meeting was held on-site at the Roseland library. The attendees voiced concern about traffic generation, parking availability, and the programming of the public plaza area.
- On February 28, 2019, the Planning Commission approved the proposed tentative map and Density Bonus.

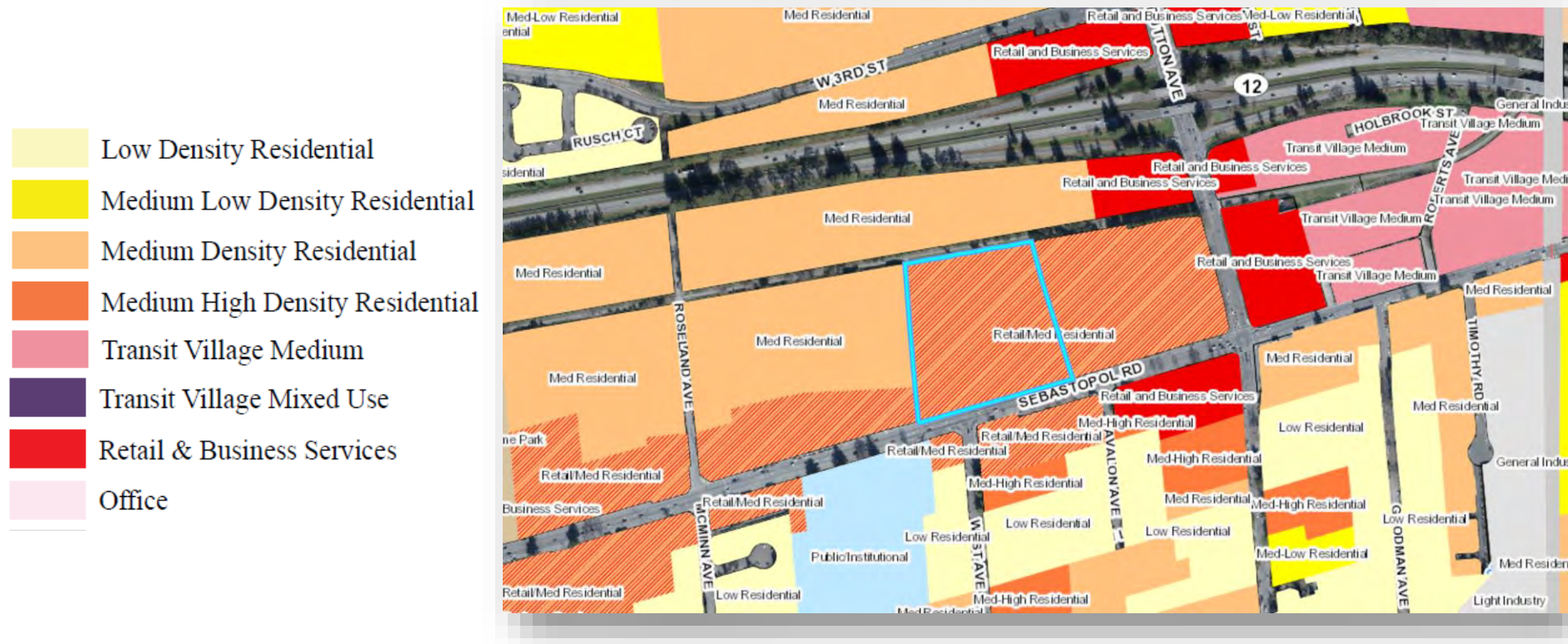
Project History

- On March 7, 2019, an appeal of the Planning Commission's action was filed by John Paulsen. The appellant provided supplemental information on March 20, 2019, regarding the recorded reciprocal access and parking easement over Roseland Village Shopping Center.
- On April 18, 2019, CDC submitted an application and related exhibits requesting Minor Design Review for Plaza Temporal – Mitote Food Park.
- On June 25, 2019, the Council, by resolution, denied the Paulsen appeal, affirming the Planning Commission action.
- On August 26, 2019, a postcard Notice of Application for the Plaza Temporal – Mitote Food Park was sent to property owners and tenants located within 600-feet of the project site.
- On November 18, 2019, property owners and tenants located within 600-feet of the project site were mailed notice of the December 5, 2019 Zoning Administrator public meeting.
- On December 1, 2019, staff received a written request to elevate the item to a public hearing.

Project History

- On January 3, 2020, the item was re-noticed as a public hearing pursuant to Zoning Code section 20-66.020.
- On January 16, 2020, the Zoning Administrator granted Minor Design Review approval for the Plaza Temporal – Mitote Food Park project. The appellant and his legal counsel, Robert A. Nellessen, provided at the meeting Written Declarations in opposition to the project.
- On January 23, 2020, John Paulsen filed an appeal of the Zoning Administrator's action in a timely manner.

General Plan



Land Use and Livability:

LUL-1 Maintain vibrant, convenient, and attractive commercial centers

LUL-Y Create a pedestrian friendly streetscape with a distinctive ambiance on Sebastopol Road from Stony Point Road to Olive Street.

LUL-GG Support a vibrant commercial corridor along Sebastopol Road with a mix of uses and activities that celebrate the area's uniqueness.

LUL-MM Provide new social and cultural services and amenities to meet the needs of the Roseland area/Sebastopol Road Specific Plan area and the larger community.

Urban Design:

UD-D Avoid strip patterns of commercial development. Improve the appearance and functioning of existing commercial strip corridors, such as Santa Rosa Avenue and Sebastopol Road.

UD-G-1 Establish a defined center – such as a park, school, neighborhood shopping center, or a transit stop – at the core of large residential projects.

Art and Culture:

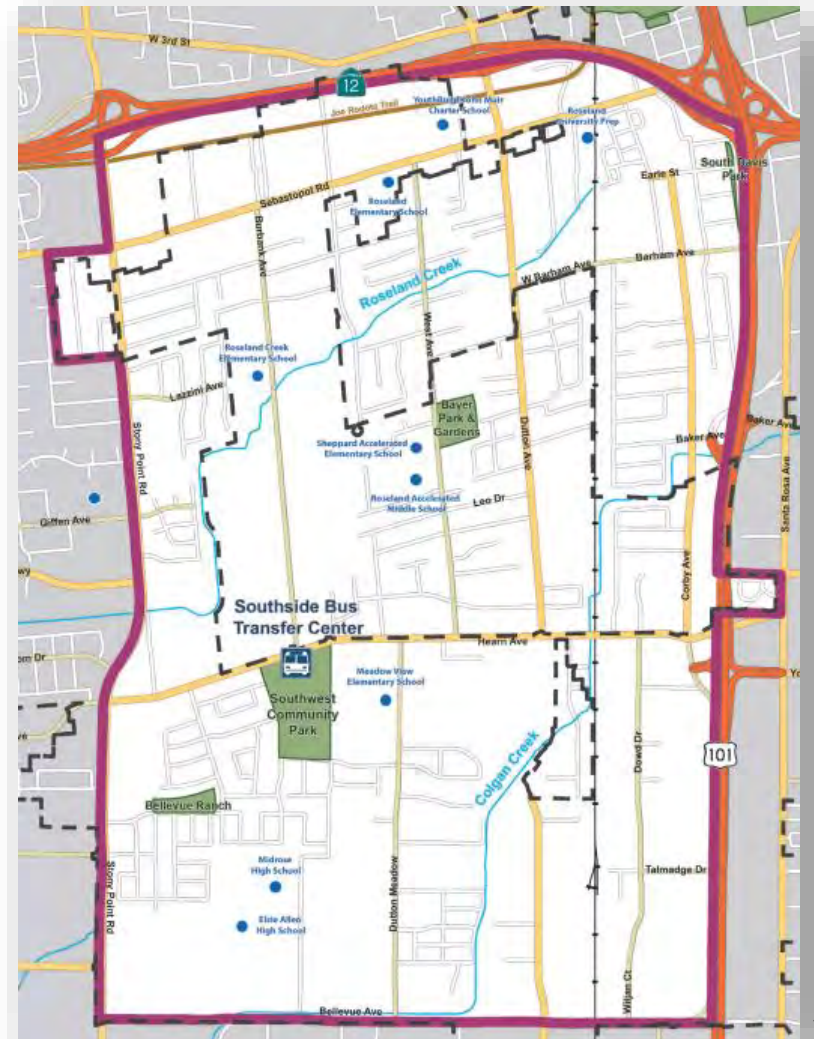
AC-A-2 Develop outdoor locations that encourage cultural events for the enjoyment of the citizens as well as attract tourism.

Roseland Area/Sebastopol Road Specific Plan

The Roseland Area/Sebastopol Road Specific Plan is a planning level document that addresses land use, circulation and infrastructure needs for the area

The Specific Plan was developed concurrently with consideration of annexation of the previously unincorporated area

The plan area includes the Roseland Priority Development Area (PDA) and part of the Sebastopol Road PDA.



Roseland Area/Sebastopol Road Specific Plan

Retail Land Use:

GOAL RET-2 Enhance quality of life by providing community amenities in commercial areas.

Policy RET-2.1 Provide social gathering places in commercial areas.

Policy RET-2.2 Encourage small-scale, local-serving, and active retail uses, that encourage, walking, browsing, and social interaction.

GOAL RET-3 Retain and encourage businesses that promote Roseland's unique identity.

Policy RET-3.1 Preserve the rich cultural uniqueness and sense of place as new development occurs through encouragement of site and architectural design that is unique to the Roseland area.

Policy RET-3.2 Preserve local character and maintain existing businesses in the plan area by promoting and encouraging locally run businesses and working with existing businesses to ensure that they remain viable and thrive.

Economic Development

GOAL ED-1 Promote economic activity that creates jobs and supports local businesses.

Policy ED-1.3 Continue to support existing businesses and future entrepreneurial opportunities along Sebastopol Road.

Roseland Area/Sebastopol Road Specific Plan

Sebastopol Road Land Use

GOAL SR-1 Support a vibrant commercial corridor along Sebastopol Road with a mix of uses and activities.

Policy SR-1.2 Encourage outdoor dining along Sebastopol Road

GOAL SR-2 Encourage local small-scale businesses that celebrate the area's uniqueness.

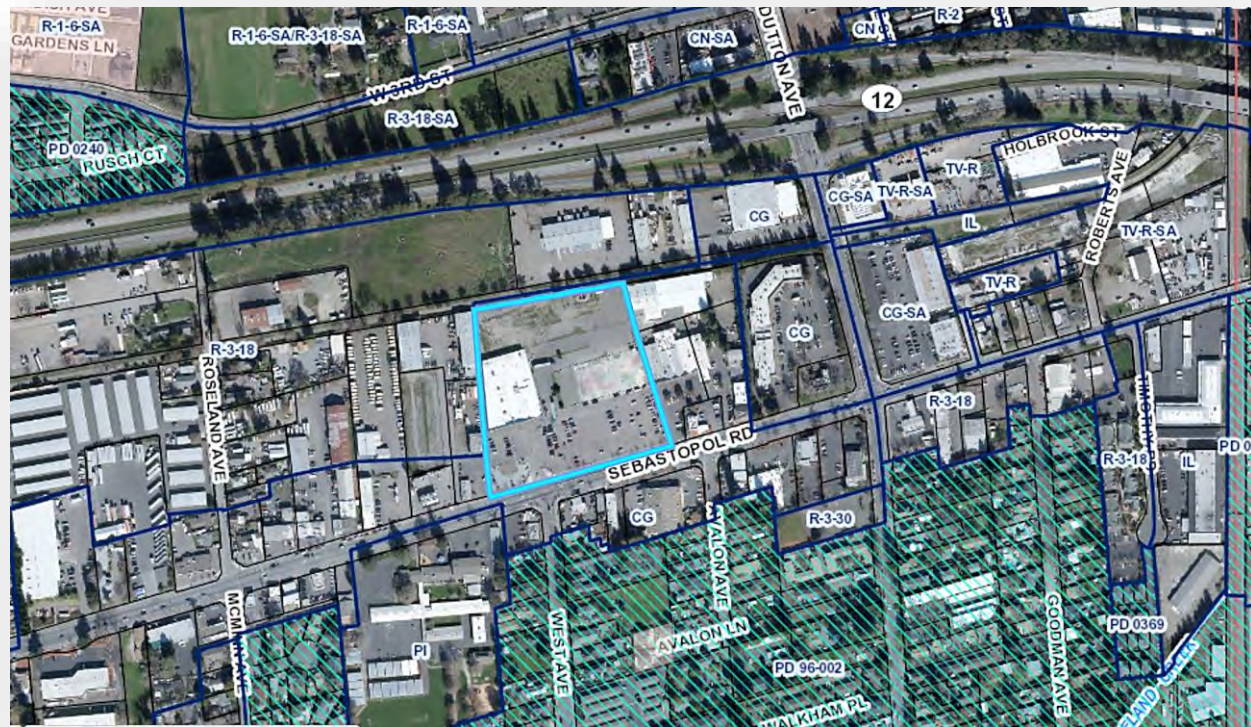
Policy SR-2.1 Celebrate the multicultural identity of the area and create a unique sense of place with an international village and marketplace.

Policy SR-2.3 Allow for a variety of businesses while remaining oriented to small and local businesses.

Policy SR-2.5 Allow mobile food vendors at off-street locations along Sebastopol Road.

Zoning

- The site is located in the General Commercial (CG) zoning district which is appropriate for a range of retail and service land uses that primarily serve residents and businesses throughout the City including shops, personal and business services, and restaurants.
- The CG zoning district is consistent with the General Plan Retail and Business Services land use classification.
- Zoning districts for surrounding properties include R-3-18 (Multi-family Residential), and General Commercial.



Design Guidelines

Neighborhood Design

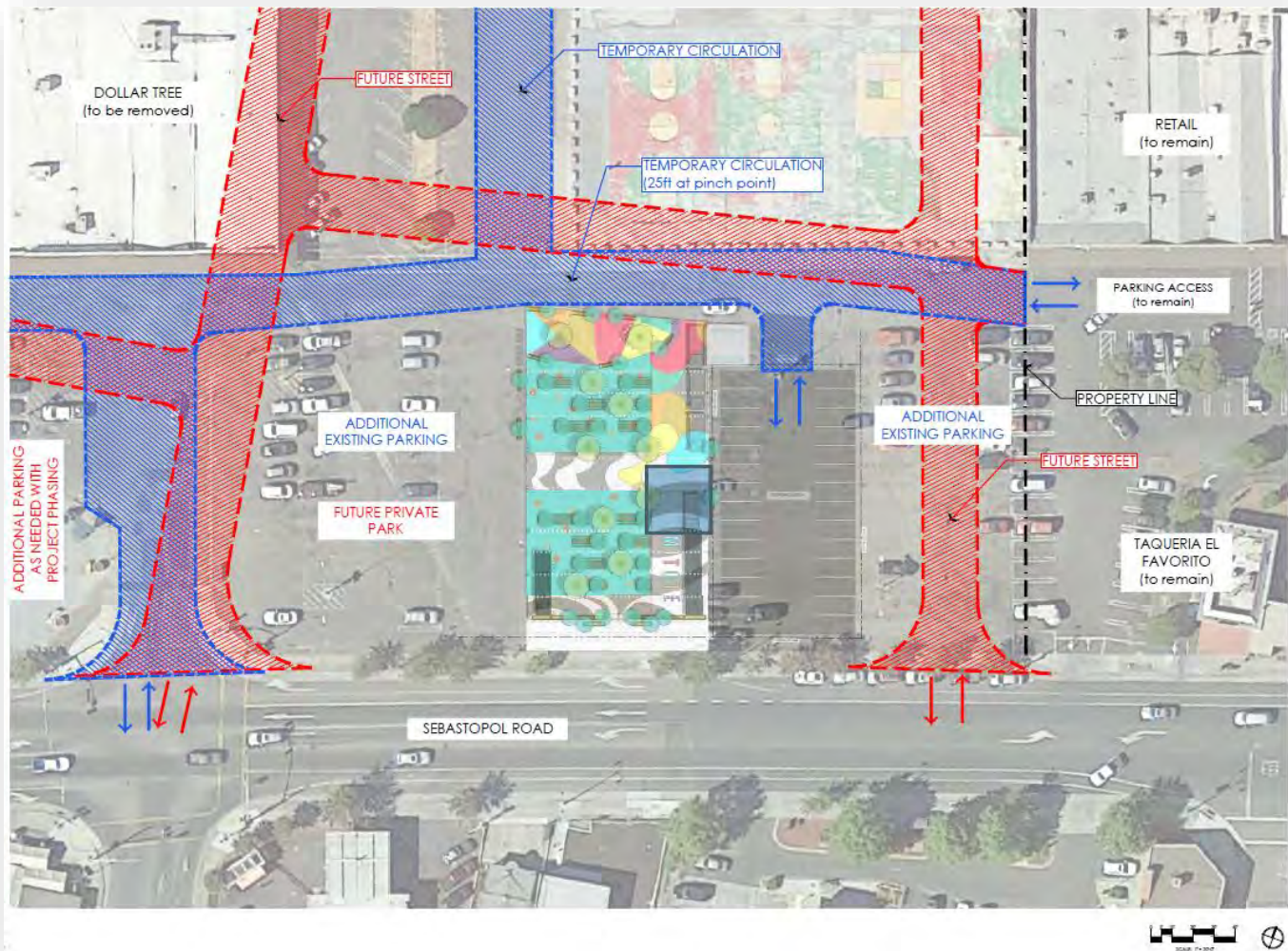
- 1.2 I F To encourage all elements of the streetscape; adjacent buildings, medians, vehicle lanes, bikeways, parking, intersections, sidewalks, tree canopies, landscaping, street furniture, lighting, and signs to be thought of as a complete package that works together.

Retail Centers & Commercial Districts

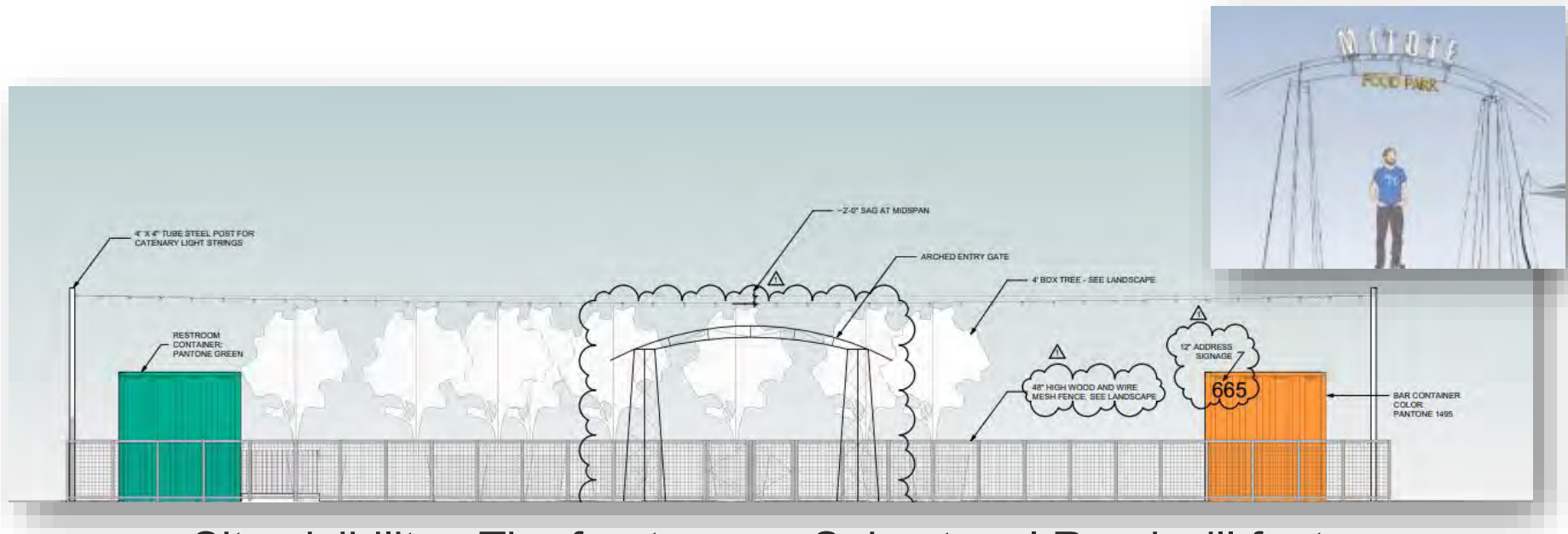
- 3.3 II B 7 Building materials adjacent to pedestrian walkways are to be pedestrian friendly, authentic, rich in detail with visual interest, and durable.
- 3.3 II B 9 Provide barriers to protect the pedestrian from moving vehicles between walkways, driveways and streets.
- 3.3 III A 15 Develop a sense of architectural continuity.
- 3.3 III B 1 Use high quality, durable, and low maintenance materials.
- 3.3 III B 2 Select building colors to establish continuity and compatibility with the neighborhood.
- 3.3 III B 3 Use complimentary buildings, materials, colors, and textures within a retail center.
- 3.3 III D 1 Areas for outdoor storage, truck parking, trash collection or compaction, and loading, shall be screened from customers, abutting streets, and adjacent uses.
- 3.3 III D 8 Screen all exterior trash and recycling from view wherever possible.



Temporary and Long-Term Access and Circulation Plan



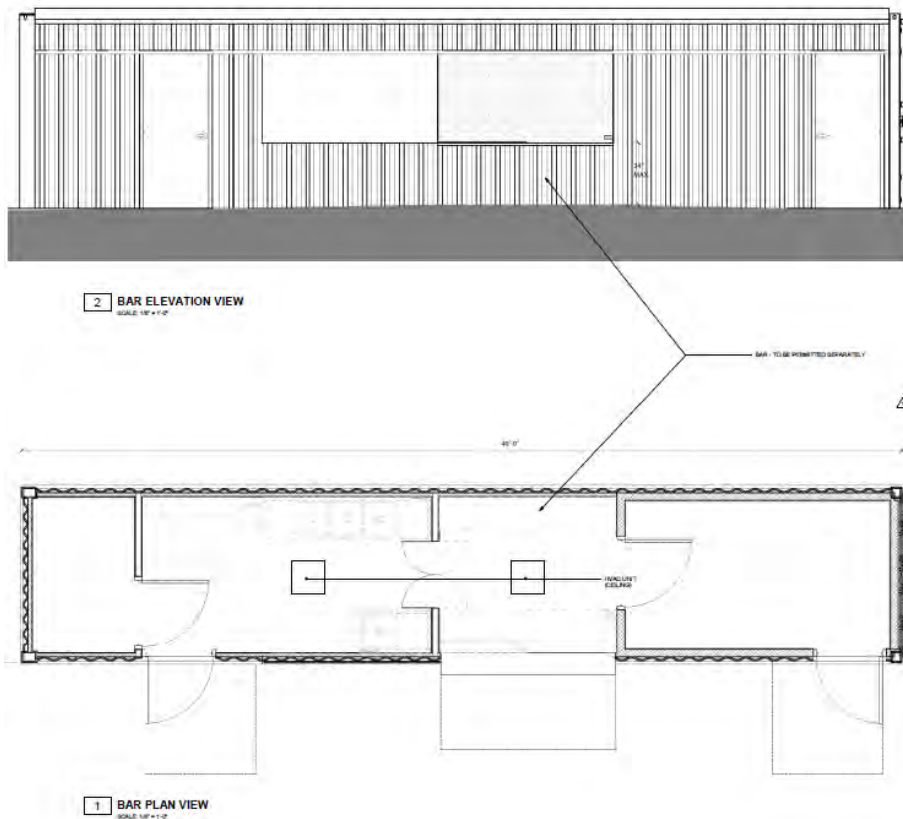
Project Elevation from Sebastopol Avenue



- Site visibility - The frontage on Sebastopol Road will feature low planters flanking the entry gate and the main pedestrian entrance to the project.
- Security – The site will be enclosed by a wood and wire mesh fence four feet in height.

Shipping Container Bar Elevation and Floor Plan

Bar elevation and floor plan



Bar image example

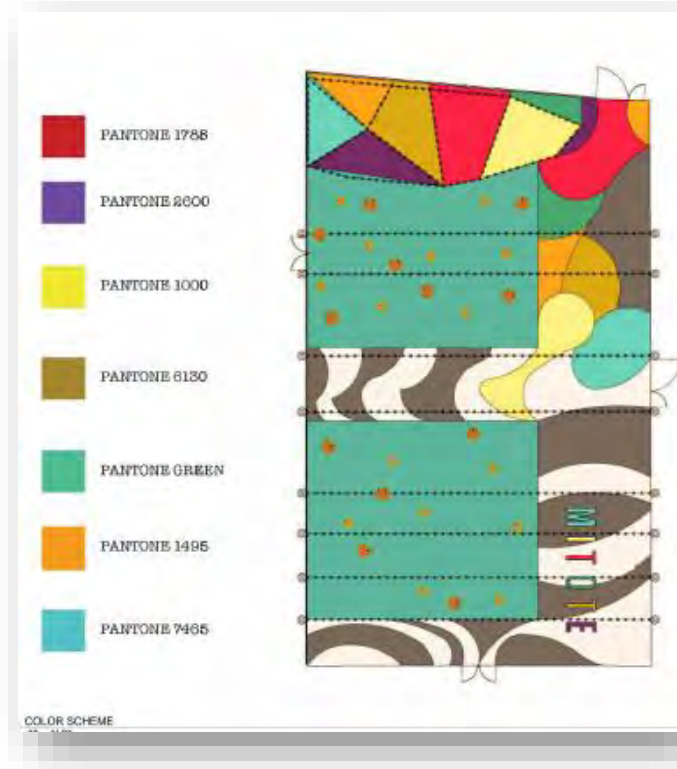


Conceptual Seating Area and Color Scheme

Seating area example



Pavement patternation





Landscaping



Avalow planter box

CANDIDATE PLANT LIST

Botanical Name	Common Name	Water Use	Container
Site Plantings			
<i>Aeonium 'Sunburst'</i>	Sunburst Aeonium	low	1gal
<i>Aeonium 'Atropurpureum'</i>	Purple Aeonium	low	1gal
<i>Agastache 'Yucca Gold'</i>	Yucca Gold Hummingbird Mint	low	1gal
<i>Agave 'Blue Glow'</i>	Agave	very low	1gal
<i>Agave 'Blue Flame'</i>	Agave	very low	1gal
<i>Aloe 'Blue Elf'</i>	Blue Elf Aloe	low	1gal
<i>Bouteloua gracilis 'Blonde Ambition'</i>	Blue grama grass	low	1gal
<i>Buddleja x 'Paddox'</i>	Butterfly Petite Nectar Bush	low	1gal
<i>Buddleja davidii 'Dark Knight'</i>	Butterfly Bush	low	1gal
<i>Carex diandra</i>	European Gray Sedge	low	1gal
<i>Ceanothus 'verticillata' Moonbeam</i>	Moonbeam Ceanothus	low	1gal
<i>Echeveria 'Black Knight'</i>	Black Knight Echeveria	low	1gal
<i>Echeveria 'Imbricata'</i>	Hens and Chicks	low	1gal
<i>Euphorbia (low water species)</i>	Spurge	low	1gal
<i>Festuca glauca 'Bijah Blue'</i>	Blue Fescue	low	1gal
<i>Hylotelephium lerbildense 'Autumn Joy'</i>	Autumn Joy Stonecrop	low	1gal
<i>Lavandula x intermedia 'Hiko'</i>	Phenomenal French Lavender	low	1gal
<i>Libertia lalondei 'Goldfinger'</i>	Goldfinger Libertia	low	1gal
<i>Libertia parviflora</i>	Orange Libertia	low	1gal
<i>Phormium tenax</i>	New Zealand Flax	low	1gal
<i>Rosa 'granatensis' 'Angel Red'</i>	Braut's pomegranate	low	5gal
<i>Rosmarinus officinalis 'Tuscan Blue'</i>	Rosemary	low	1gal
<i>Rosmarinus officinalis 'Prostratus'</i>	Creeping Rosemary	low	1gal
<i>Salvia leucantha 'White'd Gilman'</i>	Blue Sage	low	1gal
<i>Sedum rupestre 'Angelina'</i>	Angelina Stonecrop	low	1gal
<i>Senecio terpeni</i>	Blue chalk sticks	low	1gal
<i>Yucca 'Wobstar'</i>	Bright Star Spanish Dagger	low	1gal
Trees			
<i>Abutilon julibrissin</i>	Silk Mimosas tree	low	48" box
<i>Arbutus canadensis - multi-stem</i>	Multi-stem Western Redbud	low	48" box
<i>Parrotia chinensis</i>	Chinese Parrotia	low	48" box
<i>Platanus 'Bloodgood'</i>	Bloodgood London plane tree	medium	48" box
<i>Ulmus parvifolius and improved hybrids</i>	Chinese & Hybrid Elm trees	low	48" box
<i>Delavaya repens 'Village Green'</i>	Sawleaf Delavaya	medium	48" box

Lighting and Fencing

Overhead lighting



Perimeter Fencing type



Public Comments

1. Alcohol service and the potential for increased incidences of disorderly conduct
2. Food packaging waste and other litter impacts to nearby residential neighborhoods and adjacent commercial properties
3. Increased traffic on Sebastopol Road
4. Noise
5. Sebastopol Road being oversaturated with mobile food vendors and the only place in the City where mobile food vendors are permitted
6. Potential competitive advantage over existing mobile food vendors and brick and mortar restaurants
7. Concerns that the project is not representative or inclusive of Roseland's multi-cultural heritage
8. General security related to the facility and the potential for attracting criminal activity to the area
9. Disappointment that the Project does not promote a family atmosphere
10. Questions about the selection process for the three rotating mobile food vendors
11. John Paulsen and legal counsel Robert Nellessen claim the Project will destroy a recorded Reciprocal Easement for access and parking

Staff Response to Public Comments

1. The alcohol consumption area will have a controlled perimeter and alcohol will be served only when food is being offered for sale. The Project is subject to all California Department of Alcoholic Beverage Control licensing requirements for on-site alcohol consumption and sales.
2. Trash, recycling, and compost receptacles will be distributed throughout the fully enclosed site. An enclosed and screened trash, recycling, and compost area will be provided adjacent to the food truck entry gate. Food trucks will be encouraged to avoid the use of single use plastics and provide food containers made from recycled or compostable materials. 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.
3. The *Traffic Impact Study for the Roseland Village Project Final Report* (W-Trans dated June 14, 2018 and received August 27, 2018) finds that “traffic operation is anticipated to remain acceptable” after considering the Roseland Village project in its entirety.
4. The Project will be subject to all City Code Chapter 17-16, Noise, requirements.
5. Santa Rosa Zoning Code Chapter 20-42.210, Mobile food vending, provides conditions and requirements under which mobile food vending may be permitted. As currently adopted, mobile food vending facilities may be proposed only on private property located within the General Commercial (CG) zoning district that has street frontage on Sebastopol Road, between Stony Point Road and Olive Street.

Staff Response to Public Comments

6. Applicant is interested in working with existing mobile food vendors and restaurants in a mutually beneficial manner.
7. Applicant plans to include mobile food vendors that offer diverse cuisine options.
8. The design concept intends to make the site very visible. The site will be fully enclosed by a wood and wire mesh fence measuring 48" in height and the Sebastopol Road frontage will feature low planters flanking the entry gate and main pedestrian entrance. There is existing parking lot lighting which will continue to be utilized and the site will be lit with strung garden style lighting.. Emergency exit lighting will be provided as part of a life safety system at the site gates and entries. The applicant will evaluate and provide for additional security measures as needed.
9. The Project will provide a temporary space for gathering and the enjoyment of food and beverages while the Roseland Village Master Plan is implemented. It will be replaced by a one-acre plaza that will serve as Roseland's community gathering hub and provide a public venue for community events, arts and culture, the farmers market, neighborhood commerce, and recreation.
10. Applicant will conduct a screening process for the rotating mobile food vendors. Only operators that possess required permits and licensing will be considered.

Grounds for Appeal and Staff Response

Paulsen Grounds for Appeal

The existing recorded and prescriptive easements for Roseland Village lessees and patrons will be destroyed. The conceptual plan intentionally omits the proposed northly street width, currently since 1956 being 27 feet.

Staff Response

- The Grant of Reciprocal Easement (recorded September 12, 1956), does not describe a specific location for vehicular parking or driveway uses on the CDC property or the Paulsen property.
- The subject easement is a private agreement between CDC and Mr. Paulsen.
- The City is not party to the agreement, nor does the City have authority to regulate land use limited by the easement.
- The applicants and the Office of County Counsel have stated that the easement does not restrict the ability to proceed with project development on the CDC property.

Grounds for Appeal and Staff Response

Paulsen Grounds for Appeal

The County has shown gross indifference to maintenance of its property the last nine years. There are neither community safeguards nor care of conditions for the security and cleanliness. Relocate project to old Lucky concrete pad and obey recorded and prescriptive easements.

Staff Response

- Garbage, recycling, and compost receptacles will be located throughout the site
- Restaurant operator will maintain area within the food park boundaries
- Applicant will maintain parking lot and provide cleaning and security measures as needed
- Project must comply with all local, State or Federal law, regulation, or order, including those of the California Department of Alcoholic Beverage Control

Environmental Review

California Environmental Quality Act (CEQA)

- Qualifies for a Class 4 exemption pursuant to CEQA Guidelines Section 15304(e)
 - ✓ Project is temporary and will have negligible or no permanent effects on the environment
- 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.)
 - ✓ The site has previously been developed and is surrounded by development
- No further environmental review is required

Recommendation

- The Planning and Economic Development Department and the Zoning Administrator recommend that the Design Review Board, by resolution, deny the appeal and grant Minor Design Review approval for the Plaza Temporal – Mitote Food Park.

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