



**Agenda Item No. 11.**

**Staff Report**

**Date:** September 8, 2022

**To:** Mayor Kuhl and Council Members

**From:** Rebecca Markwick, Planning and Building Director

**Subject:** Consideration of a Proposal to Allow a Food Truck to be Parked and Operating in front of 3 Ross Common for a One Month Trial Period

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**Recommendation**

It is recommended that the Town Council discuss and consider providing direction to staff on whether to move forward with processing an application to allow a Johnny's Doughnuts food truck to operate in the public right of way in front of The Village Corner, located at 3 Ross Common for up to one month.

**Background and discussion**

Sally Newsom, the owner of The Village Corner business, located at 3 Ross Common, has proposed a collaboration between her business and Johnny's Doughnuts. Ms. Newsom would like to create more opportunity for the community to gather as well as an opportunity to make her business financially sustainable by offering additional food and drinks in downtown Ross. Ms. Newsom is proposing that the Johnny's Doughnut food truck be allowed to operate in one of the 20-minute parking spaces in front of the Village Corner Store on Ross Common. During the proposed one-month trial program, the truck would operate on Thursday, Friday, and Saturday from 7:30 a.m. to 11:00 a.m. The patrons of the truck would use the existing seating located outside of the Village Corner business.



Johnny's Doughnuts would be required to obtain a Business License, as well as a temporary Encroachment Permit. Staff is asking the Town Council to consider and discuss whether a pilot program specific to Johnny's Doughnuts is something that the Town would like to pursue. If so,

staff would process an encroachment permit with standard conditions of approval such as indemnification and General Liability insurance requirements, as well as pedestrian and vehicular access requirements. Additional conditions would be added to reflect days and hours of operation, temporary signage requirements, and site cleanup.

Although the Town's General Plan includes policies (8.5) to create a warm, friendly, attractive and economically viable shopping environment in the downtown by encouraging local-serving commercial uses, allowing a business to operate out of a truck on a public street is a new consideration for the Town. The benefits of such business activity for the sponsoring business, The Village Corner, and the community need to be weighed against potential impacts including noise, visual blight, parking availability, and fairness with "brick and mortar" businesses.

If the proposed trial program is successful at the end of the one-month trial period, and the owner would like to continue the program, staff will bring this item back to Council for further consideration.

**Fiscal, resource and timeline impacts**

Staff time to evaluate the proposal and draft this report. The applicant would be responsible for paying the fee for a temporary encroachment permit, business license, and fees that may be imposed by other regulatory agencies.

**Environmental review (if applicable)**

N/A

**Attachments**

- Project Request and Description
- Photos of Johnny's Doughnuts Food trucks.

## Project Request and Description

Village Corner/Johnny Doughnuts

August 24, 2022

Proposed by 3 Ross Common tenant Sally Newson, building owner Jeff Koblick

The following outlines a proposed concept to improve food and drink offerings in downtown Ross, while creating a community gathering hub in a beautiful setting.

Currently the Village Corner is open seven days a week, typically from 12:00 – 4:00 pm. To make the business sustainable financially, we would like to add additional offerings of high-end coffee/lattes and organic doughnuts from the much loved Johnny Doughnuts, which operates five locations and five trucks throughout the Bay Area.

For an initial trial run, we would like to begin with two to three mornings a week, open from 7:30 am to 10:30 or 11. For Phase I trial, we would like to park the truck directly in front of the Village Corner store, which would take up one 20 minute parking space which is rarely utilized. Suggested open days would be Thursday, Friday and Saturday, but this is dependent on scheduling with Johnny's.

Patrons can use the outdoor seating in front of the Village Corner and the sidewalk will not be blocked. There will be three employees working in the truck, which will be Johnny Doughnuts employees, not Village Corner's.

After a one month trial period, we will determine if this is a viable and profitable coop venture to continue or not. If we do continue, we would like to create an outdoor seating/large patio area near the back of the building. We will submit the proposed site plan and overview after two weeks of the trial period.

Please contact Sally Newson at 415-847-2534 or [sally@wellifyteen.org](mailto:sally@wellifyteen.org).

