

RESOLUTION NO. DR17-071

**RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SANTA ROSA
APPROVING DESIGN REVIEW FOR SEASONAL SPIRITS DISTILLERY FOR THE
PROPERTY LOCATED AT 2220 MERCURY WAY, SANTA ROSA, APN: 035-490-032**

The Santa Rosa Zoning Administrator has completed the review of your application. Please be advised that your Minor Design Review application to construct an approximately 3,200 square-foot craft spirits distillery featuring a small tasting room with retail sales been granted based on your project description and official approved exhibit dated received March 15, 2018. The Santa Rosa Zoning Administrator has based this action on the following findings:

- The design and layout of the proposed development is of superior quality and is consistent with the General Plan and the City's Design Guidelines and the matter has been properly noticed as required by Section 20-52.050.E.2.a and no request for a public hearing has been received;
- The design is appropriate for the use and location of the proposed development and achieves the goals, review criteria and findings for approval as set forth in the Framework of Design Review in that it provides site layout, landscaping, ecological protection, and circulation considerations appropriate for an infill commercial development;
- The design and layout of the proposed development will not interfere with the use and enjoyment of neighboring existing or future developments in that in that the facility is permitted by right and includes setbacks, circulation, and design features compatible with the surrounding road network and development;
- The architectural design of the proposed development is compatible with the character of the surrounding neighborhood in that the project includes a new thoughtfully designed commercial facility and meets the development standards of the zoning district;
- The design of the proposed development 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;
- The proposed development 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 project has been reviewed by City staff and outside agencies, and conditioned to minimize potential impacts;
- The proposed Project has been found exempt from the provisions of the California Surface Mining and Reclamation Act of 1975 because all proposed excavation and earthmoving activities can be identified as a necessary and integral part of a construction

project; and

- The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and qualifies for a Class 3 Categorical Exemption under Section 15303 in that it involves the construction of a small structure in an urban environment.
- The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and qualifies for a Class 32 Categorical Exemption under Section 15332 as infill development. The Project is:
 - consistent with the General Plan and zoning;
 - within City limits on a parcel less than five acres in size;
 - the site has no value as habitat and it is already substantially developed;
 - approval of the project will not result in any significant impacts related to traffic, noise, air quality or water quality; and
 - all utilities and public services are available.

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. Provide a geotechnical investigation and soils report with the building permit application. The investigation shall include subsurface exploration and the report shall include grading, drainage, paving and foundation design recommendations.
2. Obtain a building permit for the proposed project.
3. Comply with all applicable federal, state, and local codes. Failure to comply may result in issuance of a citation and/or revocation of approval.
4. Comply with the latest adopted ordinances, resolutions, policies, and fees adopted by the City Council at the time of building permit review and approval.
5. Owners and /or operators shall submit a General Wastewater Discharge Permit Application including plumbing plans to the City of Santa Rosa Environmental Services section. It requires no permit fee and it can be access online at www.srcity.org/genapp.
6. Install a sediment screen and/or filter box located at the production trench drain outlet.

7. Install a sampling manhole model Christy Box F-14 or City approved equivalent.
8. Compliance with all conditions of Engineering Exhibit A, dated April 26, 2018.

This Design Review to construct an approximately 3,200 square-foot craft spirits distillery is hereby approved on this 3rd day of May, 2018. 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 – Engineering Development Services Conditions of Approval, April 26, 2018

**CITY OF SANTA ROSA, CALIFORNIA
PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT
ENGINEERING DEVELOPMENT SERVICES DIVISION**

**EXHIBIT "A"
April 26, 2018 - revised**

**Seasonal Spirits Distillery, LLC
2220 MERCURY WAY
DR17-071**

- 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. In addition, the following summary constitutes the recommended conditions of approval on the subject application/development based on the plans stamped received March 15, 2018:

PARCEL AND EASEMENT DEDICATIONS

1. The applicant has provided to the City an "Subsurface Investigation Report" that located the existing underground utilities on the parcel; said report was prepared by Pacific Coast Locators, Inc. of La Crescent, CA., dated January 17, 2018. The Public Utility easement (PUE) along the westerly property line of Lot 10 was indicated to have no utilities present. The applicant shall either apply and pay the fee for a summary vacation of the public utility easement or shall enter a running covenant agreement with the City of Santa Rosa in order to install private improvements at their own risk within the existing easements. The plans show that SWLID/landscaping facilities are proposed within an existing public utility easement and or storm drain easement that was dedicated to the City of Santa Rosa per the separate Document No. 82062993, recorded Nov. 19, 1982; and in Book 1941 O.R. Page 431, recorded Feb. 6, 1963; and the Map recorded in Book 345 of Maps, Pages 32, 33 and 34, Sonoma County Recorder's office. The private improvements may be removed and not replaced, at the sole discretion of the City of Santa Rosa in order to repair or replace the existing 42-inch storm drain pipe that runs east - west along the southern property line. Other public utility companies may enter the existing easements and install their own facilities

therefore the owner places his improvements within the easements at his sole risk. The covenant agreement or PUE vacation shall be recorded at the County Sonoma's Records Office prior to encroachment permit issuance. The covenants running with the land shall continue for such time as the improvements encroach into the storm drainage/PUE Easement Area(s). If this is not an acceptable option, then the private improvements shall be relocated to outside of the existing easements.

2. Dedicate an additional 5-foot wide Storm drain easement along the southern property line of Lot 10 to increase the existing 10-foot wide easement to the 15-foot minimum City standard width or as approved by the City Engineer. The dedication document shall be recorded at the County Sonoma's Records Office prior to building permit issuance.
3. The applicant shall record an "easement declaration" at the Sonoma County recorder's office indicating that the said easement in item 3 is solely for public storm drain purposes. This declaration of easement shall be reviewed and approved by the City Engineer prior to building permit issuance.
4. The applicant shall enter into a storm drain access and maintenance covenant agreement with the City of Santa Rosa to access the public storm drain system through the project parking lot from the Right of Way. An all-weather, paved access way shall be provided for truck access to the storm drain pipe and catch basin for maintenance per the review and approval of the City Engineer. The maintenance and access covenant agreement document shall be signed and in place prior to building permit issuance.
5. All dedication costs shall be borne by the developer or property owner, including preparation of any legal descriptions, plats, title reports, and deeds that are necessary. Legal descriptions and plats ("R" sheets) shall be prepared by a registered Land Surveyor or Civil Engineer licensed to practice Land Surveying in the State of California, and approved by the City Engineer. City forms are available at the City of Santa Rosa Planning and Economic Development Department, Engineering Development Services Division, Room 5, City Hall.

PUBLIC STREET IMPROVEMENTS

6. A City of Santa Rosa Encroachment Permit is required prior to issuance of the building permit. Any improvements, proposed or required, within the public right of way or any existing public utility or storm drainage easements shall be reviewed and approved with the Encroachment Permit application.

Only construction plans submitted with the Encroachment Permit Application are considered "final plans" and these plans 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.

7. Sidewalk connections shall be coordinated with the approved plans so there is a continuous 5-foot wide sidewalk and a minimum 6-foot wide planter along Mercury Way. Sidewalk design may meander to avoid existing healthy trees. All public sidewalk shall be compliant with the Americans with Disabilities Act (ADA).
8. New services (electrical, telephone, cable or conduit) to new structures shall be underground.

TRAFFIC

9. The applicant shall paint the interior parking lot curb red along the driveway entrance and where warranted onsite to prevent parking along the storm drain inlet or maintenance access area.
10. Landscaping shall be maintained at a maximum of 36" height and tree canopies shall be maintained at least 7-feet off the ground. Signs and monuments shall not be placed in the stopping sight distance triangle.

PRIVATE DRIVEWAY IMPROVEMENTS

11. The commercial driveway apron on Mercury Way shall be constructed in accordance with City Standard detail 250D. The private driveway shall have a minimum width of 26-feet at the back of sidewalk, accessing through an additional 6-feet in width at the curb cut per City Standard 250D. Provide for a 5-foot wide level portion of sidewalk behind the driveway ramp. Install curb and gutter at the edge of asphalt at least 10-feet behind the driveway apron. Paint onsite curbs red to indicate no parking along the entry ways.

GRADING

12. A recent soils and geologic investigation report is required and shall be provided with the building permit application.

13. An erosion control plan shall be included as part of the project improvement plans. Street and existing drainage systems shall be protected from siltation coming from the site. The applicant is solely responsible to obtain a permit per the current State of California Construction General Permit for discharges of storm water associated with construction activity.

STORM DRAINAGE

14. Public storm drainage systems, storm drain easements and maintenance access shall be designed and conform to and with the City of Santa Rosa Design and Construction Standards and Sonoma County Water Agency (SCWA) standards. Designs shall be calculated by a licensed Civil Engineer. Review and approval shall be by SWCA or a designated city plan reviewer. All storm water run-off shall be collected via an underground drainage system and discharged to the nearest public downstream facility possessing adequate capacity to accept the run-off. Provide a final hydrology/hydraulic report prepared by a registered Civil Engineer at first plan review for the site.
15. Lot drainage and private storm drain facilities shall be approved by the Chief Building Official's designated representative. Private drainage inlets and lines shall be required and shall be privately owned and maintained.
16. Blind connections to the public storm drainage system are not permitted. Install a 48" manhole at each connection point to the public 42" storm drain system or connect at a junction structure. The minimum pipe size in the easement shall be a 15" pipe.
17. All storm drain inlets shall be labeled per the City standard detail 409 - "DRAINS TO CREEK" or an approved equal.
18. There are 3 existing Public Utility easements (PUE) on three sides of the property.
 - a. Lot 10 contains an existing 10-feet wide PUE/storm drain easement containing an existing public 42-inch storm drain pipe and is located along the southern property line of Lot 10.
 - b. Lot 10 contains an existing 10-feet wide PUE easement from which the applicant's utility verification indicated contained no public utilities along the west property line.
 - c. Lot 10 contains an existing 20-feet wide PUE and sidewalk easement located along Mercury Way street frontages (north property line) which contains multiple known public utilities.

19. All existing utilities shall be located, labeled on the plans and protected in place during construction.
20. 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 located over the 42" storm drain pipe shall not interfere with the pipe cover or pipe bedding. All improvements over the 42" pipe shall be specifically approved by the Director of Public Works including landscaping, swales or other improvements.
21. The storm drain inlets and manholes shall be kept accessible for maintenance access at all times. Install an access way to the storm drain inlet at the southwest corner for the city maintenance truck to access the feature to the approval of the City Engineer. If, an storm drain maintenance and access easement cannot be dedicated to the City of Santa Rosa from the Right of Way to the storm drain junction structures at the southwest corner drainage inlet through the project parking lot as per Condition #5; or; if this is not feasible then, at a minimum, the applicant shall provide and install a separate access road way design over top of the PUE that shall conform to the requirements of Standard 216 for a Utility Access Road with a turnaround per City Standard 206 for access lengths over 100 feet in length or as approved by the City Engineer.
22. The 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.
23. As applicable, then any fences placed within the PUE/storm drain easement(s) shall be removable. Where vehicular access is required for maintenance, minimum 14-feet 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. If a fence is proposed within the PUEs then the applicant shall enter into an agreement with the City of Santa Rosa for a "Master Fence Covenant Agreement. The agreement shall be recorded prior to building permit issuance.

STORM WATER COMPLIANCE (SWLID)

24. The developer's engineer shall comply with all requirements of the latest edition of the City Storm Water Low Impact Development Technical Design Manual. As applicable, final Plans shall incorporate all Stormwater Low Impact Development (SWLID) and Best Management Practices (BMP's) and shall be accompanied by a Final Storm Water Mitigation Plan which shall address the storm water quality and quantity. As applicable, final Plans shall be accompanied by a City approved Declaration of Maintenance Agreement signed by the property owner to assure continuous maintenance in perpetuity of the SWLID BMP's, and shall include a maintenance schedule to be implemented by the owner.
25. As applicable, perpetual maintenance of SWLID BMP's shall be the responsibility of the lot owner. The owner shall be responsible for performing and documenting an annual inspection of all BMP's on the property. The annual reports shall be retained by the private property owner for a period of the latest five years, and shall be made available to the City upon request.
26. As applicable, the SWLID "Declaration of Maintenance" document shall be recorded at the Sonoma County recorder's office prior to building permit issuance or as required by the Building Official. A recorded copy of the document shall be given to the City of Santa Rosa EDS division for their records.
27. As applicable, after the SWLID BMP improvements have been constructed, the developers Civil Engineer shall prepare and sign a written certification that they were constructed and installed as required or per the manufacturer's recommendation. Written certification of SWLID BMP's shall be received by the City prior to acceptance of public improvements.
28. As applicable, an erosion control plan shall be required at building plan submittal to show protection of the existing storm drain facilities during construction. This project shall comply with all current State Water Board Construction General Permit Requirements.
29. 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 any 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.
30. As applicable, where bio swales or BMP facilities are located in landscape

strips, other utilities such as transformers, irrigation meters, meter boxes, joint trenches, cleanouts, fire hydrants, storm drain mains etc. shall be located without conflict with the swales/water infiltration or collection system. Each utility trench crossing shall extend the length of a bioswale by 5 additional linear feet. Locations of infrastructure should be present on the plans and shall be reviewed during plan check.

31. As applicable, the Civil Engineering plans shall show sufficient construction details and dimensions of each BMP device on the drawings so the BMP may be replaced in the future. Landscape plans and civil plans shall be coordinated with the approved SWLID report and show the BMP locations clearly to prevent them from being filled in with landscape materials.
32. As applicable, soil testing shall be provided by the developer prior to building permit to confirm the SWLID design. Percolation tests shall confirm that the water shall dissipate in 72 hours or less and that the BMP's are functional as designed in a type D soil and with priority one or two BMPS.
33. Drainage system piping below bio-retention areas shall be backfilled with impervious material or designed with structural fill so as to not compromise the holding character of the basin. Relocate storm drain pipe that run linearly underneath the bio swales trench, to outside the bioswale area, as the bio swales shall be located on uncompacted native soil per the City's SWLID details.

WATER AND WASTE WATER

34. Water services shall be provided per Section X of the Water System Design Standards. Domestic and irrigation uses shall be metered separately.
35. City Standards require that a commercial project install a 12" combination service per City Standard #870 for fire sprinkler, public and/or private fire hydrant, domestic and irrigation meters if one does not exist. If fire flow calculations show that the 8" water service is adequate for fire flow, the City may allow the 8" service line to serve the project.
36. 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.

37. 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.
38. Submit landscape and irrigation plans in conformance with the Water Efficient Landscape Ordinance (WELO) adopted by the Santa Rosa City Council, Resolution No. 4051, on October 27, 2015. Three complete sets of WELO plans shall be submitted to EDS prior to or with the Encroachment permit application. WELO plans shall be approved prior to building permit issuance or meter sets.
39. Sewer and water demand fees, meter installation fees and processing fees shall be paid prior to Building permit issuance and connection to City water. The applicant may contact the Water Engineering Services to determine estimated sewer and water demand processing and meter fees.
40. All irrigation and domestic water meters shall be protected with reduced pressure backflow devices per City Standard 876.
41. Install a sewer cleanout at the back of curb per City Standard 513. Sewer laterals shall have clean outs at all angle points or changes in direction and/or every 100 feet. If the sewer lateral size is determined to be a 6" pipe then install a 6" cleanout at the property line. The connection to the sewer main shall be a wye type of connection.

ENVIRONMENTAL COMPLIANCE (dated 10.19.17)

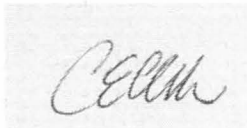
42. Environmental Conditions are yet to be determined and shall be based on the complete building plans submitted at first review. Contact Chris Murray at 707-543-3393 regarding grease traps and sewer systems for cafeterias.
43. The owners and/or operators shall submit Wastewater Discharge Permit Application including plumbing plans to City of Santa Rosa Environmental Services section. The Application requires no permit fee and it can be accessed online at: www.srcity.org/genapp app.
44. Install a sediment screen and/or a filter box located at the production trench drain outlet.
45. Install a sampling manhole model Christy Box F-14 or City approved equivalent.

FIRE DEPARTMENT (dated 10.19.17)

46. Project proposes a Distillery and Tasting Room in the same building. Narrative indicates storage of flammable liquids. Building Permit application shall include indication of Occupancies and required Occupancy Separations per CA Building Code, as well as areas, height, and method (rack, pile, or shelf) of storing flammable liquids at the various stages of processing.
47. Current Fire Department standards require 12" tall, photocell-controlled illuminated address numerals on the street façade of commercial buildings. Indicate address size, location, and lighting source on Exterior Elevation with Building Permit submittal.
48. Submitted plans do not indicate any exterior fencing. If security fencing is added in the future, locations and gate operations shall be reviewed and approved by Fire Department to ensure emergency access.

RECREATION AND PARKS

49. Street trees shall be required and planted by the developer. Selection shall be made from the city's approved master plan list and inspected by the Parks Division. Planting shall be done in accordance with the city *Standards and Specifications for Planting Parkway Trees*. Tree planting location shall be marked by Parks Division Tree Section personnel; contact (707) 543-3770. Copies of the master street tree list and the standards are available at the Parks Division Office (707) 543-3770. This declaration shall be added to the General Notes of the improvement plans.
50. Property owner shall be responsible for the irrigation of the street trees and the maintenance of the planter strips on Mercury Way.



CAROL CLARK – EDS PROJECT ENGINEER

file:///E:/ENG/CEC/IDR/Mercury Way 2220 Seasonal Spirits Distillery.