

RESOLUTION NO. CUP21-015

RESOLUTION OF THE ZONING ADMINISTRATOR OF THE CITY OF SANTA ROSA APPROVING A MINOR CONDITIONAL USE PERMIT TO ALLOW A RESTAURANT AND BREWERY—BREW PUB, THE 3 DISCIPLES BREWERY—AT THE PROPERTY LOCATED AT 1018 SANTA ROSA PLAZA, SANTA ROSA, APN: 010-660-001

The Santa Rosa Zoning Administrator has completed the review of your application. Please be advised that your Minor Conditional Use Permit to operate a Brewery—Brew Pub with sales of beer as well as on-site tasting and food service has been granted based on your project description and official approved Exhibit A, attached and incorporated herein, dated February 15, 2021. The Santa Rosa Zoning Administrator has based this action on the following findings:

- The proposed use is allowed within the Core Mixed Use-Downtown Station Area (CMU-DSA) Zoning District and complies with all other applicable provisions of this Zoning Code and the City Code. The project has been properly noticed as required by Zoning Code Section 20-52.050.E.2.a, and no request for a public hearing has been received;
- The proposed use is consistent with the Downtown Station Area Specific Plan in that the proposed use is permitted with a Minor Conditional Use Permit in the CMU Zoning District. The proposed use activates the ground floor area and provides an outdoor seating area that optimizes the pedestrian experience;
- The proposed use is consistent with the General Plan land use designation of Core Mixed Use because it promotes activity within the Downtown Core, redeveloping a key property, which is in line with the goal of creating a vibrant mix of uses promoting visitor-serving uses;
- The design, location, size and operating characteristics of the proposed restaurant/brewery—brew pub would be compatible with the existing and future land uses in the vicinity because it is located within a larger retail shopping mall and is surrounded by other commercial and office uses in all directions;
- The site is physically suited for the type, density, and intensity of the proposed restaurant/brewery—brew pub, including access, utilities, and the absence of physical constraints in that location is within the Santa Rosa Mall which was designed for retail uses;
- Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and Zoning District in which the property is located in that the Core Mixed Use Zoning District is intended for a mix of these types of uses; and

The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA). The project is statutorily exempt from CEQA pursuant to Section 15182 and Government Code Section 65457 because the project is consistent with the Downtown Station Area Specific Plan and the certified

Subsequent Program EIR (SCH 2006072104). The intensity of the use and design of the proposed project is consistent with the adopted Specific Plan's goals and policies.

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 intents 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.**

Conditions of Approval

1. Obtain a building permit for the proposed project.
2. 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.
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. No exterior signs are approved with this permit. A separate sign permit is required.
6. All activities, indoor or outdoor, shall comply with the City's Noise Ordinance, City Code Chapter 17-16.
7. No exterior changes or additions are being proposed with this permit. Any exterior changes or addition will need some level of Design Review approval.

This Minor Conditional Use Permit to operate a brew pub is hereby approved on this 1st day of April, 2021, for the duration of use provided conditions are complied with and use has commenced within two years from approval date. The approval is subject to appeal within ten calendar days from the date of approval.

APPROVED: _____
ANDY GUSTAVSON, ZONING ADMINISTRATOR