



City of Sebastopol Design Review Board Staff Report

Meeting Date: May 5th, 2021
Agenda Item: 6A
To: Design Review Board
From: Jeffrey Setterlund, Assistant Planner
Subject: Façade Improvement Program – Rebate Application Review

Introduction:

The Façade Improvement Program provides a rebate for expenses incurred on new exterior property improvements made to commercial or industrial buildings within the City of Sebastopol. The rebate can be applied to long term exterior improvements such as painting, new signage, awnings, landscaping, exterior lighting, and local permit fees.

The City has recently revised the Façade Improvement Program. The new revisions include the following:

- Increase the City contribution to 75% up to \$2,500 (previously 50% up to \$2500).
- Applications will be batched and reviewed and approved by the Design Review Board on a quarterly basis.
- Property owners and/or tenant spaces can apply every three fiscal years.
- Projects currently in process are eligible to apply for the rebate.
- If a property is sold the new property owner has the option to maintain the improvements and not repay the city a prorated amount.

At the last review of the Façade Improvement applications the Board allocated \$14,208.55 out of the \$20,000 fund. This leaves \$5,791.15 remaining in the fund for the rest of the fiscal year. The May 5, 2021, review by the DRB is the final 'round' of application review for the 20-21 Fiscal Year. Staff has included the same budget request for next fiscal year, which begins July 1, 2021.

Project Description:

The Planning Department has received two Façade Improvement Program applications this quarter. A brief description of each application has been provided below.

- (2021-023) – 6790 McKinley Street, #100 – “Spirit Works Distillery”
The applicant (Rae Kennedy) is requesting a Façade Improvement Rebate to apply exterior painting of the façade and repaint 3 (three) exterior doors. Total square footage of exterior paint is anticipated to be approximately 1,000 square feet. The project has been quoted at \$3,150 for painting of exterior walls and doors, including labor. The project qualifies for a rebate of \$2,362.50.

- (2021-025) – 6988 McKinley Street – “Sonoma Chocolatiers”
The applicant (David Gambill) is requesting a Façade Improvement Rebate to install a new aluminum sign on the building facade, which will include the company name. The signage is anticipated to be 22.5 sq. ft. and requires an administrative sign permit (\$149.80). In addition, review and approval of the building plans by the City Building Department will be required for the installation of the aluminum sign. The project has been quoted at \$1,772.65 for the painting and installation of the signage. The project qualifies for a rebate of \$1,329.49.

Analysis:

Should all the façade improvement program requests be approved the City would be allocating \$3,691.99 out of the remaining \$5,791.15 fund. This would leave \$2,099.16 remaining in the fund for the rest of the fiscal year (in essence, will be unspent for this year).

Should the Board approve applications the recipients will be provided signs advertising the FIP on their buildings.

Recommendation:

Staff recommends that the Board review the applications, provide feedback and guidance to the applicants, and approve the projects for the Façade Improvement Program as the Board sees fit.

Attachments:

6790 McKinley Street (2021-023) Application
6988 McKinley Street (2021-025) Application

CITY OF SEBASTOPOL
FAÇADE IMPROVEMENT REBATE PROGRAM

APPLICATION FORM

1. Applicant Name: Spirit Works Distillery Contact Person: Racene Kennedy

Phone # 707 634 4793 E-Mail: Racene@swd..

Business Name: Spirit Works Distillery DBA: _____

Web site: WWW.Sp... ..com

Property Address: 6790 . . .

Mailing Address: Same . City: _____ Zip: _____

Total Building Sq. Ft: 8,000 Building Street Frontage: _____ Parcel # _____

Are you the: ☐ Owner/Occupant ☒ Tenant Expiration of Lease: 2023. currently.

Please check one: ☐ Proprietorship ☒ Partnership ☐ Corporation

2. Type of Business or Businesses in Building: Distillery.

3. Project Description: Exterior painting of facade,
and Repainting of 3 exterior Doors.
- Add more description + include Photos -

4. Estimated Costs:

Category	Bid Costs
A. Painting	\$ <u>3150.00</u>
B. Signage	\$ _____
C. Awnings	\$ _____
D. Landscaping and Irrigation	\$ _____
E. Exterior Lighting	\$ _____
F. City Permit Fees	\$ _____
G. Other (Attach separate complete list of all proposed improvements and breakdown of bid costs)	\$ _____

Total Estimated Cost \$ 3150.00



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5. City permits required for the improvement:

- ☐ Design Review approval
☐ Encroachment Permit
☐ Building Permit

☐ Other Permits _____
☒ No permits required

If permits are required, please indicate status of applications or approvals: _____

6. Estimated Date of Façade Project Completion: June 30th 2021

Prior to submitting please verify that the following items have been filled out and provided:

- | | | |
|---|--|------------------|
| 1. Copies of signed bids for all improvements | ☒ Provided | |
| 2. Applicable, Architectural, Landscape, Sign, plans | ☐ Provided | X |
| 3. Awning design (if applicable) | ☐ Provided | X Not Applicable |
| 4. Color and material samples for paint, awnings, signs, etc. | ☐ Provided | X Not Applicable |
| 5. Copy of Sebastopol Business License | ☒ Provided | |
| 6. Copies of any permits obtained | ☐ Provided | N/A. |
| 7. Application Form, signed and dated | ☒ Provided | |
| 8. Terms and Conditions Form, signed and dated | ☒ Provided | |
| 9. Maintenance Agreement Form, signed and dated | ☒ Provided | |
| 10. Indemnification Agreement Form, signed and dated | ☒ Provided | |

NOTE: IMPROVEMENTS COMPLETED PRIOR TO APPROVAL ARE INELIGIBLE

Name of Applicant: Spirit Works Distillery. - R. Kennedy.

Signature: R. Kennedy Date: 4/19/21

Name of Building Owner if different from Applicant:

The Barlow

(Print name)

(Phone number)

(Email address)

Property Owner signature: J. Adametz Date: 4/19/21



CITY OF SEBASTOPOL
FAÇADE IMPROVEMENT REBATE PROGRAM

TERMS AND CONDITIONS

I. Purpose

To encourage rehabilitation of commercial business fronts in designated target areas through the improvement of new signage, painting, landscaping, new facades, and more.

II. Eligible Improvements

- Landscaping and irrigation
- Painting
- New signage and awnings
- Exterior lighting
- Parking lot improvements
- New Facades
- In addition, Planning, Building and Public Works permit fees are eligible (i.e. Design Review Board, Building and encroachment permit fees)

III. Program Benefit

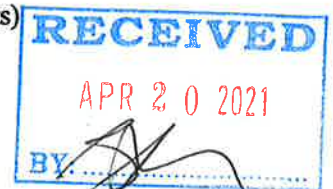
Cash rebate for 75% of the work, not to exceed \$2,500 for eligible improvements.

IV. Project Requirements

- Project location must be within the City of Sebastopol in a commercial or industrial zoning district.
- Building to be improved must be commercial or industrial in use, as determined by the Planning Department.
- Evidence of a current Sebastopol Business License is required.
- Evidence of property owner approval for the improvements shall be provided.
- Complete rebate application, including estimated costs, must be submitted and approved by the Planning Department *prior* to commencement of work.
- Evidence of any required Caltrans or City permits will be required for *all* applicable improvements *prior* to issuance of any rebate.
- All project improvements shall comply with current Sebastopol City codes and ordinances.
- All project costs must be documented and include invoice.
- Requests for reimbursements must be submitted to the City no later than June 1 of the same Fiscal Year that the project was approved, unless otherwise specified by the Planning Department.
- Contractors must be properly licensed.
- Applicant must provide evidence of liability and Workers Compensation Insurance.
- Contractor(s) and subcontractor(s) must comply with all laws and regulations pertaining to wages.

V. Exclusions

- Property with illegal sign(s). Applicant must remove illegal sign(s) prior to receiving the rebate.
- Project improvements that are started, but not completed.
- New construction projects.
- Buildings termed as high or medium seismic risks or having other serious code violations with no plans to correct deficiencies within a reasonable time frame.
- Interior improvements
- Improvements not clearly visible from street frontage.
- Exterior improvements not approved by the Planning Department.
- Improvements without proper and clearly defined documentation. (i.e. City Permits)



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- Trading one type of service/job for another, rather than paying to have the service/job performed (i.e. no “bartering”)
- Project costs paid for by CASH. (Must be paid for by check, credit card, or other approved, documented method)
- Seismic work
- Property improvements for a building sold within three (3) years.
- A property and/or an individual tenant space is not eligible for this program more than once in a three-year (3) period.
- Owners of more than one (1) eligible property in the City are not eligible for more than two (2) grants per Fiscal year.

VI. Application Approval Process

- The Planning Department shall receive, review, and batch applications to be reviewed and acted on by the Design Review Board.
- The Design Review Board will review and approve all applications at quarterly meetings. It is anticipated that the Board will hear the applications at their November 4, 2020, February 3, 2021, and May 5, 2021 meetings.
- Applications are required to be submitted a minimum of two (2) weeks before the scheduled meeting in order to be placed on the agenda.
- The project may be denied without cause, due to such events as, lack of funds or a change in the scope or priority of the program or other program factors determined by the Planning Department, City Manager, or Design Review Board.
- The City reserves the right to cancel the program at any time.

VII. Display of Rebate Program Sign

Applicant *may be* required to display a Façade Improvement Rebate Program sign, from the date of rebate approval until the date of rebate funding.

VIII. Property Maintenance Agreement

The applicant must sign and submit the “*Façade Improvement Rebate Program Property Maintenance Agreement*” which states that the property must remain in good and attractive condition for a minimum term of three (3) years. It shall be the responsibility of the owner/lessee to inform subsequent owner(s)/lessee(s) of the provisions of this agreement.

IX. Sale of Property within 3 years of Rebate Funding

In the event the property is sold within three (3) years of the rebate funding, the building owner, whether they are the original applicant or not, agrees either to maintain the approved improvements or agrees to repay the City a prorated amount equal to the proportion of the remaining three (3) years, rounded to the nearest year. Example, if the building is sold two (2) years after the rebate, the repayment amount would be 1/3 of the original rebate funding; alternatively, if the improvements remain in effect for a three-year period, then repayment is not required.

X. Accomplishment of Work

The applicant agrees to all improvements specified in the application and the Planning Department’s recommendations and/or stipulations that work will conform to City standards. Under certain submittals applicant plans may be subject to design review or other requirements.

Applicant shall carry out the design, construction, and operation of the Project in substantial conformity with all applicable laws, ordinances, statutes, codes, rules, regulations, orders, and decrees of the United States, the State of California, the County of Sonoma, the City, or any other political subdivision in which the property is located, and of any other political subdivision, City, or instrumentality exercising jurisdiction over the City, the Applicant or the Property, including all applicable federal, state, and local occupation, safety and health laws, rules, regulations and standards, applicable state and labor standards.



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prevailing wage requirements, the City zoning and development standards, City permits and approvals, building, plumbing, mechanical and electrical codes, as they apply to the Property and Project, and all other provisions of the City and its Municipal Code (as they apply to the Property and the Project), and all applicable disabled and handicap access requirements, including, without the limitation, the Americans With Disability Act, 42 U.S.C. § 12101 *et seq.*, Government Code § 4450 *et seq.*, and the Unruh Civil Rights Act, Civil Code § 51 *et seq.*

Supporting documentation may include an architectural rendering (depending upon the extent of the proposed improvements), landscape and irrigation plans, sign plans, paint chips and types of materials to be used and color schemes.

A deadline for the completion of all agreed-upon improvements will be determined at the Rebate Planning Department meeting and conveyed to the applicant in writing after application approval. If the improvements have not been completed by the deadline, the file may be closed, and the applicant may have to reapply for the program with written substantiation as to why they were unable to meet the deadline.

Upon completion of all agreed upon improvements, applicant MUST submit copies of cancelled checks (both sides), paid invoices/receipts, permit copies, proper prevailing wage documentation and a description of completed work and costs involved.

XI. Inspection of Project

Before, during and after improvements are being made, the City of Sebastopol or its designee shall have the right to inspect all work authorized under this program. No rebate check shall be issued until all improvements have been completed to the satisfaction of the inspectors, and the appropriate documentation have been received, reviewed and processed accordingly.

Name of Applicant: Sprint Works Lufkin - R. Kennedy
(Please Print)
Signature: Rae Rame/Kennedy Date: 4/19/21
Name of Building Owner If Different from Applicant: The Barlow
(Please Print)
Signature: J. D. Darnett Date: 4/19/21



CITY OF SEBASTOPOL
FAÇADE IMPROVEMENT REBATE PROGRAM

PROPERTY MAINTENANCE AGREEMENT

The undersigned SWD ("Applicant") proposes to undertake certain building exterior renovation and/or landscaping improvement work on commercial or industrial property located at 6790 McKinley St #100 (Property Address) in the City of Sebastopol, California.

This agreement is conditional upon Participant's receiving a Rebate from the City. By executing this agreement and accepting the Rebate from the City, the Participant promises to maintain the Property in good attractive condition for the term of this agreement, as specified below, as follows:

1. The appearance of the building exterior shall not be allowed to deteriorate due to such reasons as chipped or cracked paint.
2. Awnings shall be kept in good condition, safely secured, fully intact, clean and free from tears or tattered edges.
3. Landscaping on the grounds of the Property shall be kept in proper condition by watering and gardening work.
4. The Property shall be maintained in compliance with applicable building and zoning regulations of the City of Sebastopol.

In the event the Participant fails to maintain the Property in good and attractive condition as stated above within a three (3) year period commencing on the date the rebate is paid, and further fails to correct such defective maintenance within 60 days after receiving notice from a representative of the City of Sebastopol to do so, the Participant agrees to repay the City a prorated amount of the Rebate, and the Participant shall be liable to the City for such amount. The prorated amount shall be equal to the remaining three (3) year period.

This agreement shall be binding upon the owner/lessee and its successors, to said property for a period of three (3) years from and after the date of completion and approval of the improvements provided herein. It shall be the responsibility of the owner/lessee to inform subsequent owner(s)/lessee(s) of the provisions of this agreement. In the event the property is sold within three (3) years of the improvements, the owner agrees to repay the rebate back to the City in the form of a prorated amount of the remaining three (3) year period and the owner shall be liable to the City for such amount.

Name of Applicant: SWD - R. Kennedy
(Please Print)

Signature: R. Kennedy Date: 4/19/21

Name of Building Owner If Different from Applicant:

The Barlow 707 824-5600 x104 jennifer@thebarlow.net
(Please Print) (Phone Number) (Email Address)

Property Owner signature: J. Kennedy Date: 4/19/21



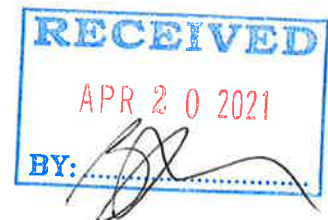
INDEMNIFICATION AGREEMENT

As part of this application, applicant agrees to defend, indemnify, release and hold harmless the City, its agents, officers, attorneys, employees, boards and commissions from any claim, action or proceeding brought against any of the foregoing individuals or entities, the purpose of which is to attack, set aside, void or annul the approval of this application or the adoption of the environmental document which may accompany it or otherwise arises out of or in connection with the City's action on this application. This indemnification shall include, but not be limited to, damages, costs, expenses, attorney fees or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the City's action on this application, whether or not there is concurrent passive or active negligence on the part of the City.

If, for any reason any portion of this indemnification agreement is held to be void or unenforceable by a court of competent jurisdiction, the remainder of the agreement shall remain in full force and effect.

R Kennedy. Lam King 4/19/21
Applicant Signature Date

NOTE: The purpose of the indemnification agreement is to allow the City to be held harmless in terms of potential legal costs and liabilities in conjunction with permit processing and approval.



THIS DOCUMENT HAS A TRUE WATERMARK AND VISIBLE FIBERS DISCERNIBLE FROM BOTH SIDES

BUSINESS LICENSE CERTIFICATE

Business No: **1453**

EXPIRATION

Business Class: **GENERAL LICENSE**

12/31/2021

OWNER(S) **TIMOTHY & ASHBY MARSHALL**

BUSINESS **6790 MCKINLEY AVE STE 100**

LOCATION **SEBASTOPOL, CA 95472-3497**

Disclaimer: The applicant/business owner is responsible for determining, obtaining and maintaining if permit coverage is needed for SR226 compliance. Those needing permit coverage, the City of Sebastopol will issue a Provisional Business License pending confirmation of enrollment. The issuance of Business License Certificate does not constitute confirmation of proper NPOES permitting.

BUS NAME **SPIRIT WORKS DISTILLERY, LLC**

ATTN:

MAILING **6790 MCKINLEY AVE STE 100**

ADDRESS **SEBASTOPOL, CA 95472-3497**



POST IN CONSPICUOUS PLACE

KEEP FOR YOUR RECORDS
BUSINESS TAX RECEIPT

LICENSE NUMBER

1453

DATE ISSUE

01/28/2021

- 1 License must comply with City zoning requirements.
- 2 This license is issued without verification that the license is subject to or exempt from licensing by the State of California.

**CITY OF
SEBASTOPOL**

THIS DOCUMENT IS ALTERATION PROTECTED AND REFLECTS FLUORESCENT FIBERS UNDER UV LIGHT



Rawson Painting

2191 WARWICK DRIVE, SANTA ROSA CA 95405

CA LICENSE #447435

(707) 838-8471

PROPOSAL

Spirit Works Distillery
6790 McKinley Street #100
Sebastopol CA

April 18, 2021

Project: Exterior Painting

Scope of Work: Metal Corrugated Siding limited to areas shown in blue on your photo, plus exterior faces of 3 doors

Specifications:

*Exterior corrugated siding doesn't appear to need pressure-washing.

*Existing galvanized siding on two faces totaling about 900-1000 square feet shall be painted with two coats of a premium exterior low-sheen acrylic in a dark blue (similar to the color of the Blue Ridge Kitchen nearby).

Three gray metal doors shall be prepared and coated with a gray semi-gloss acrylic matching the existing color.

*No mess shall be left behind.

Terms: All work shall be finished within 3 working days for a lump sum of \$3150.00, payable in full upon completion of work.

Please indicate your acceptance of this proposal by returning a copy to us with your signature.

Payments shall be made 10% upon acceptance and balance upon completion of work.

Certification of liability and workers' comp insurance shall be provided to you at your request.

Submitted by Chip Rawson _____ Date _____

Accepted Raeme Kennedy _____ Date 4-20-21



Rebecca Mansour

From: Kari Svanstrom
Sent: Tuesday, April 20, 2021 10:51 AM
To: Rebecca Mansour
Subject: Fw: Spirit Works Application to Facade Improvement Program
Attachments: 20210420101732.pdf; 20210420101626.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

please intake/coordinate with applicant as needed, thx

From: Raeme Kennedy <raeme@spiritworksdistillery.com>
Sent: Tuesday, April 20, 2021 10:50 AM
To: Alan Montes <Amontes@cityofsebastopol.org>
Subject: Spirit Works Application to Facade Improvement Program

Here is our application for the City of Sebastopol Facade Improvement Program. Let me know if anything is missing. Details of the project and pictures are below.

Our address is 6790 McKinley Street, #100, Sebastopol and we are located at the backside of the Barlow, off Laguna Parkway.

Here is what we are looking for in quotes:

We will paint the outside of the building in blue paint - (The building is currently silver, the blue is photoshopped for reference)

Total sq footage for that project is approx 1000 sq feet

Exterior walls are approx

25' x 17' high (with 5 windows)

17' x 23' high (with 3 windows)

and 3 exterior doors in grey.

Cheers,
Rae Kennedy



Project #
2021-025

City of Sebastopol ***Façade Improvement Program***



Planning Department
City Hall, 7120 Bodega Avenue
Sebastopol, CA 95472
707-823-6167
<http://ci.sebastopol.ca.us>
AMontes@cityofsebastopol.org

Fiscal Year 2020-2021
City of Sebastopol
Planning Department



CITY OF SEBASTOPOL
FAÇADE IMPROVEMENT REBATE PROGRAM

Dear Business/Building Owner:

The City of Sebastopol offers a program aimed at encouraging local businesses and property owners to improve commercial and industrial buildings. Upgrades, maintenance, and aesthetic enhancements will benefit the entire community and enhance the local economy.

With these objectives in mind, subject to funding availability, the Sebastopol Façade Improvement Program will provide a *rebate* for expenses incurred on new exterior property improvements made to commercial or industrial buildings within the City of Sebastopol.

The program will reimburse a property owner or tenant for 75% of new improvements up to \$2,500. Eligible improvements include painting, new signage, awnings, landscaping, exterior lighting, and local permit fees. Façade building improvements (new windows, changing materials, etc.) are also eligible; however, note that larger changes may require Design Review approval as well.

The objective of the Façade Improvement Program is to provide an incentive to property owners and/or tenants to enhance the physical appearance of buildings and landscapes. This public/private partnership investment is intended to leverage private capital with public funds for greater community economic benefit.

To apply for the program a building owner or tenant, with the owner's approval, should fill out the attached application and include bid estimates for the proposed improvement(s). The Planning Department then reviews the submitted application for completeness and batches them to be reviewed on a quarterly basis by the Design Review Board for approval. Deadlines for applications for Fiscal Year 2020-2021 are:

- Tuesday, October 20, 2020
- Tuesday, January 19, 2021
- Tuesday, April 20, 2021

It is anticipated that the Board will hear the Façade Improvement Submittals on November 4, 2020, February 3, 2021, and May 5, 2021.

Note, funding is limited based on the adopted City Budget. Funding may be entirely allotted in early rounds.

Applications are required to be submitted a minimum of two (2) weeks before the scheduled Design Review Board Meeting. If an application is submitted after the quarterly deadline it may be pushed to the following meeting.

For approved projects, work must be done by June 30, 2021, and requests for reimbursement must be made in the same Fiscal Year as when the project was approved, no later than July 1, 2021.

If you would like to apply for or discuss the program in more detail, please contact Alan Montes, Associate Planner at (707) 823-6167 or AMontes@cityofsebastopol.org

Sincerely,

Alan Montes
Associate Planner



CITY OF SEBASTOPOL
FAÇADE IMPROVEMENT REBATE PROGRAM

APPLICATION FORM

1. Applicant Name: David Gambill Contact Person: David Gambill

Phone # 707-829-1181 E-Mail: info@sonomachocolatiers.com

Business Name: Sonoma Chocolatiers DBA: _____

Web site: www.sonomachocolatiers.com

Property Address: 6988 McKinley St

Mailing Address: 6988 McKinley St City: Sebastopol Zip: 95472

Total Building Sq. Ft: 1100 Building Street Frontage: _____ Parcel # _____

Are you the: ☐ Owner/Occupant ☒ Tenant Expiration of Lease: month-to-month

Please check one: ☐ Proprietorship ☐ Partnership ☒ Corporation

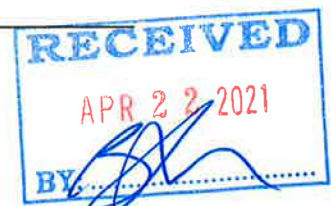
2. Type of Business or Businesses in Building: Chocolatier & tea shop

3. Project Description: sign for the building facade

4. Estimated Costs:

Category	Bid Costs
A. Painting	<u>\$ 500.00</u> 317.15
B. Signage	<u>\$ 655.50</u>
C. Awnings	<u>\$</u>
D. Landscaping and Irrigation	<u>\$</u>
E. Exterior Lighting	<u>\$</u>
F. City Permit Fees	<u>\$</u>
G. Other (Attach separate complete list of all proposed improvements and breakdown of bid costs)	<u>\$ 800 (labor to install sign and paint)</u>

Total Estimated Cost \$ 1772.65



CITY OF SEBASTOPOL
FAÇADE IMPROVEMENT REBATE PROGRAM

5. City permits required for the improvement:

- ☒ Design Review approval
☐ Encroachment Permit
☐ Building Permit

- ☐ Other Permits _____
☐ No permits required

If permits are required, please indicate status of applications or approvals: _____

This proposal is the only application needed, I believe. _____

6. Estimated Date of Façade Project Completion: May 31, 2021

Prior to submitting please verify that the following items have been filled out and provided:

- | | | |
|---|--|--|
| 1. Copies of signed bids for all improvements | ☒ Provided | |
| 2. Applicable, Architectural, Landscape, Sign, plans | ☒ Provided | |
| 3. Awning design (if applicable) | ☐ Provided | ☒ Not Applicable |
| 4. Color and material samples for paint, awnings, signs, etc. | ☒ Provided | ☐ Not Applicable |
| 5. Copy of Sebastopol Business License | ☒ Provided | |
| 6. Copies of any permits obtained | ☒ Provided | |
| 7. Application Form, signed and dated | ☒ Provided | |
| 8. Terms and Conditions Form, signed and dated | ☒ Provided | |
| 9. Maintenance Agreement Form, signed and dated | ☒ Provided | |
| 10. Indemnification Agreement Form, signed and dated | ☒ Provided | |

NOTE: IMPROVEMENTS COMPLETED PRIOR TO APPROVAL ARE INELIGIBLE

Name of Applicant: David Gambill

Signature: DT Gambill Date: 4-20-2021

Name of Building Owner if different from Applicant:

Friend-Schiller/Bruce Friend 925-941-0077 friendac@aol.com
(Print name) (Phone number) (Email address)

Property Owner signature: [Signature] Date: 4/21/21



TERMS AND CONDITIONS

I. Purpose

To encourage rehabilitation of commercial business fronts in designated target areas through the improvement of new signage, painting, landscaping, new facades, and more.

II. Eligible Improvements

- Landscaping and irrigation
- Painting
- New signage and awnings
- Exterior lighting
- Parking lot improvements
- New Facades
- In addition, Planning, Building and Public Works permit fees are eligible (i.e. Design Review Board, Building and encroachment permit fees)

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Cash rebate for 75% of the work, not to exceed \$2,500 for eligible improvements.

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- Project location must be within the City of Sebastopol in a commercial or industrial zoning district.
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- Evidence of property owner approval for the improvements shall be provided.
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- All project costs must be documented and include invoice.
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- Contractors must be properly licensed.
- Applicant must provide evidence of liability and Workers Compensation Insurance.
- Contractor(s) and subcontractor(s) must comply with all laws and regulations pertaining to wages.

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- Buildings termed as high or medium seismic risks or having other serious code violations with no plans to correct deficiencies within a reasonable time frame.
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- Improvements not clearly visible from street frontage.
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FAÇADE IMPROVEMENT REBATE PROGRAM

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- The Design Review Board will review and approve all applications at quarterly meetings. It is anticipated that the Board will hear the applications at their November 4, 2020, February 3, 2021, and May 5, 2021 meetings.
- Applications are required to be submitted a minimum of two (2) weeks before the scheduled meeting in order to be placed on the agenda.
- The project may be denied without cause, due to such events as, lack of funds or a change in the scope or priority of the program or other program factors determined by the Planning Department, City Manager, or Design Review Board.
- The City reserves the right to cancel the program at any time.

VII. Display of Rebate Program Sign

Applicant *may be* required to display a Façade Improvement Rebate Program sign, from the date of rebate approval until the date of rebate funding.

VIII. Property Maintenance Agreement

The applicant must sign and submit the “*Façade Improvement Rebate Program Property Maintenance Agreement*” which states that the property must remain in good and attractive condition for a minimum term of three (3) years. It shall be the responsibility of the owner/lessee to inform subsequent owner(s)/lessee(s) of the provisions of this agreement.

IX. Sale of Property within 3 years of Rebate Funding

In the event the property is sold within three (3) years of the rebate funding, the building owner, whether they are the original applicant or not, agrees either to maintain the approved improvements or agrees to repay the City a prorated amount equal to the proportion of the remaining three (3) years, rounded to the nearest year. Example, if the building is sold two (2) years after the rebate, the repayment amount would be 1/3 of the original rebate funding; alternatively, if the improvements remain in effect for a three-year period, then repayment is not required.

X. Accomplishment of Work

The applicant agrees to all improvements specified in the application and the Planning Department’s recommendations and/or stipulations that work will conform to City standards. Under certain submittals applicant plans may be subject to design review or other requirements.

Applicant shall carry out the design, construction, and operation of the Project in substantial conformity with all applicable laws, ordinances, statutes, codes, rules, regulations, orders, and decrees of the United States, the State of California, the County of Sonoma, the City, or any other political subdivision in which the property is located, and of any other political subdivision, City, or instrumentality exercising jurisdiction over the City, the Applicant or the Property, including all applicable federal, state, and local occupation, safety and health laws, rules, regulations and standards, applicable state and labor standards,



SEBASTOPOL IMPROVEMENT REBATE PROGRAM

prevailing wage requirements, the City zoning and development standards, City permits and approvals, building, plumbing, mechanical and electrical codes, as they apply to the Property and Project, and all other provisions of the City and its Municipal Code (as they apply to the Property and the Project), and all applicable disabled and handicap access requirements, including, without the limitation, the Americans With Disability Act, 42 U.S.C. § 12101 *et seq.*, Government Code § 4450 *et seq.*, and the Unruh Civil Rights Act, Civil Code § 51 *et seq.*

Supporting documentation may include an architectural rendering (depending upon the extent of the proposed improvements), landscape and irrigation plans, sign plans, paint chips and types of materials to be used and color schemes.

A deadline for the completion of all agreed-upon improvements will be determined at the Rebate Planning Department meeting and conveyed to the applicant in writing after application approval. If the improvements have not been completed by the deadline, the file may be closed, and the applicant may have to reapply for the program with written substantiation as to why they were unable to meet the deadline.

Upon completion of all agreed upon improvements, applicant **MUST** submit copies of cancelled checks (both sides), paid invoices/receipts, permit copies, proper prevailing wage documentation and a description of completed work and costs involved.

XI. Inspection of Project

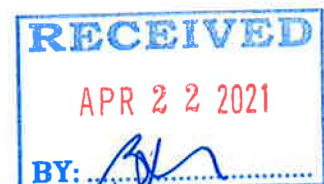
Before, during and after improvements are being made, the City of Sebastopol or its designee shall have the right to inspect all work authorized under this program. No rebate check shall be issued until all improvements have been completed to the satisfaction of the inspectors, and the appropriate documentation have been received, reviewed and processed accordingly.

Name of Applicant: Sonoma Chocolatiers; David Gambill

Signature: DT Gambill (Please Print) Date: 4-20-2021

Name of Building Owner If Different from Applicant: Bruce Friend
(Please Print)

Signature: [Signature] Date: 4/21/21



CITY OF SEBASTOPOL
FAÇADE IMPROVEMENT REBATE PROGRAM

PROPERTY MAINTENANCE AGREEMENT

The undersigned Sonoma Chocolatiers, Inc. ("Applicant") proposes to undertake certain building exterior renovation and/or landscaping improvement work on commercial or industrial property located at 6988 McKinley St. (Property Address) in the City of Sebastopol, California.

This agreement is conditional upon Participant's receiving a Rebate from the City. By executing this agreement and accepting the Rebate from the City, the Participant promises to maintain the Property in good attractive condition for the term of this agreement, as specified below, as follows:

1. The appearance of the building exterior shall not be allowed to deteriorate due to such reasons as chipped or cracked paint.
2. Awnings shall be kept in good condition, safely secured, fully intact, clean and free from tears or tattered edges.
3. Landscaping on the grounds of the Property shall be kept in proper condition by watering and gardening work.
4. The Property shall be maintained in compliance with applicable building and zoning regulations of the City of Sebastopol.

In the event the Participant fails to maintain the Property in good and attractive condition as stated above within a three (3) year period commencing on the date the rebate is paid, and further fails to correct such defective maintenance within 60 days after receiving notice from a representative of the City of Sebastopol to do so, the Participant agrees to repay the City a prorated amount of the Rebate, and the Participant shall be liable to the City for such amount. The prorated amount shall be equal to the remaining three (3) year period.

This agreement shall be binding upon the owner/lessee and its successors, to said property for a period of three (3) years from and after the date of completion and approval of the improvements provided herein. It shall be the responsibility of the owner/lessee to inform subsequent owner(s)/lessee(s) of the provisions of this agreement. In the event the property is sold within three (3) years of the improvements, the owner agrees to repay the rebate back to the City in the form of a prorated amount of the remaining three (3) year period and the owner shall be liable to the City for such amount.

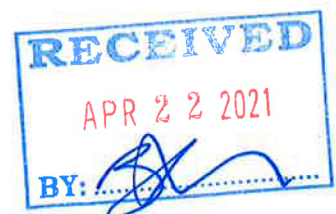
Name of Applicant: Sonoma Chocolatiers; David Gambill
(Please Print)

Signature: DT Gambill Date: 4-20-2021

Name of Building Owner If Different from Applicant:

Bruce Friend (925) 389-1230 (C) friend@c@an.c
(Please Print) (Phone Number) (Email Address)

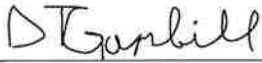
Property Owner signature: [Signature] Date: 4/21/21



INDEMNIFICATION AGREEMENT

As part of this application, applicant agrees to defend, indemnify, release and hold harmless the City, its agents, officers, attorneys, employees, boards and commissions from any claim, action or proceeding brought against any of the foregoing individuals or entities, the purpose of which is to attack, set aside, void or annul the approval of this application or the adoption of the environmental document which may accompany it or otherwise arises out of or in connection with the City's action on this application. This indemnification shall include, but not be limited to, damages, costs, expenses, attorney fees or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the City's action on this application, whether or not there is concurrent passive or active negligence on the part of the City.

If, for any reason any portion of this indemnification agreement is held to be void or unenforceable by a court of competent jurisdiction, the remainder of the agreement shall remain in full force and effect.



Applicant Signature

4-20-2021

Date

NOTE: The purpose of the indemnification agreement is to allow the City to be held harmless in terms of potential legal costs and liabilities in conjunction with permit processing and approval.



Quote

Date 4/20/2021

Invoice # 0

Sign Making since 1981

Ron Blair Signs
1382 Gravenstein Hwy South
Sebastopol, California 95472
Phone 707-824-1845

TO Sonoma Chocolatiers
Sebastopol CA

Qty	Item #	Description	Unit Price	Discount	Line total
1	1	Aluminum Sign 30" x 108" x 1/8" With Vinyl Graphics, Maroon, Orange and white as in logo drawing	\$600		\$600
1	3	Sale Tax Sonoma County	55.50		55.50
			Total Discount		
			Subtotal		
			8.25% Sales Tax		\$55.50
			Total		\$655.50



Beacon Services Inc

605A Avalon Avenue, Santa Rosa, CA 95407
707-756-2526
CA License 605152

Estimate 2021-1

Date: April 23, 2021
Name: Sonoma Chocolatiers
Address: 6988 McKinley Street, Sebastopol CA 95472
Job Address: Same
Telephone: 707-829-1181
Estimator: James Kernohan

Description: Beacons Services Inc will provide labor and material to complete the following:

1. Paint the exterior of the store entry. Color to be chosen by owner.
2. Install new sign on upper portion of building above entry. Sign provided by owner.

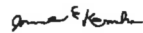
Notes: All work performed by Beacon Services Inc is guaranteed for a period of five (5) year against defects in workmanship.

Building permits are the responsibility of the owner unless otherwise stated above.

Bid is good for 30 days.

Contract Price: \$800
Due on Completion

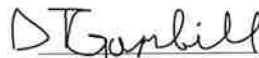
Beacon Services Inc



Authorized Signature

4-26-21

Date



Owner Signature

4-26-21

Date



F
R
O
M

Sonoma Paint Center 3
6731 Sebastopol Ave.
Suite 130
Sebastopol CA 95472
Phone: (707) 823-6434 Fax: (707) 823-1822

Order

Number	Date	Page
W0049328	4/20/2021	1

F
R
O
M

CASH
Cash Customer

Thank You!

Phone	Fax	Clerk	Terms	PO Number	Required	Delivery
		JAMES	Cash On Delivery			Pick Up

Item Number	Description	List	Quantity	U/M	Tax	Unit Price	Extension
N4011X01	Regal Select Prem Ext LI Pstl	63.99	2.00	EGAL	Y	63.99	127.98
06341X01	Aura Ext Low Lustre-Bse 1	79.99	2.00	EGAL	Y	79.99	159.98
RECEIPT NEEDED FOR REFUND WITHIN 30 DAYS RESTOCKING CHARGES MAY APPLY. CUSTOM COLORS NON-RETURNABLE				SubTotal		\$287.96	
				Taxable Eco Fees		\$3.00	
				Sales Tax		\$26.19	
				Total		\$317.15	
				Balance Due		\$317.15	



W0049328

Signature : _____

Print Name : _____



**THIS IS NOT AN
INVOICE**

THIS DOCUMENT HAS A TRUE WATERMARK AND VISIBLE FIBERS DISCERNIBLE FROM BOTH SIDES

BUSINESS LICENSE CERTIFICATE

Business No: **1429**

EXPIRATION

Business Class: **GENERAL LICENSE**

12/31/2021

OWNER(S) **DAVID GAMBILL**

BUSINESS **6988 MCKINLEY AVE**
LOCATION **SEBASTOPOL, CA 95472-3420**

Disclaimer: The applicant/business owner is responsible for determining, obtaining and maintaining, if permit coverage is needed for 98205 compliance. Those needing permit coverage, the City of Sebastopol will issue a Provisional Business License pending confirmation of issuance. The issuance of Business License Certificate does not constitute confirmation of proper NPDES permitting.

BUS NAME **SONOMA CHOCOLATIERS**

ATTN:

MAILING **6988 MCKINLEY AVE**

ADDRESS **SEBASTOPOL, CA 95472-3420**



POST IN CONSPICUOUS PLACE

THIS DOCUMENT IS ALTERATION PROTECTED AND REFLECTS FLUORESCENT FIBERS UNDER UV LIGHT





