



**SPMUD BOARD OF DIRECTORS
SPECIAL MEETING: 4:30 PM**

March 14, 2016

SPMUD Board Room
5807 Springview Drive, Rocklin, CA 95677

The District's regular Board meeting is held on the first Thursday of every month. This notice and agenda is posted on the District's web site (www.spmud.ca.gov) and posted in the District's outdoor bulletin board at the SPMUD Headquarters at the above address. Meeting facilities are accessible to persons with disabilities. Requests for other considerations should be made through the District Headquarters at (916)786-8555.

AGENDA

I. CALL MEETING TO ORDER

II. ROLL CALL OF DIRECTORS

Director Gerald Mitchell,	Ward 1
President William Dickinson,	Ward 2
Director John Murdock,	Ward 3
Director Victor Markey,	Ward 4
Director James Williams,	Ward 5

III. PLEDGE OF ALLEGIANCE

IV. PUBLIC COMMENTS

Items not on the Agenda may be presented to the Board at this time; however, the Board can take no action.

V. BOARD BUSINESS

Board action may occur on any identified agenda item. Any member of the public may directly address the Board on any identified agenda item of interest, either before or during the Board's consideration of that item.

1. LOOMIS BREWERY APPEAL OF ORDINANCE #09-01 – 3640 Taylor Road, Loomis [pg to]

Loomis Brewery, located at 3640 Taylor Road, Loomis is appealing the decision of the General Manager requiring the installation of FOG pretreatment on an FSE in accordance with Ordinance #09-01, regarding "Grease Control Devices" for the kitchen facilities that are being installed during a tenant improvement. Loomis Basin is requesting a variance from said requirements per Ordinance #09-01.

Action Requested: Roll Call Vote

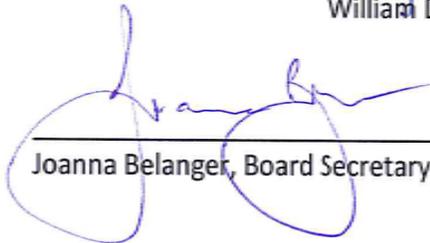
Staff requests that the Board review the applicants appeal, hear staff's recommendations for the kitchen facilities and uphold the requirements of Ordinance #09-01.

VI. ADJOURNMENT

If there is no other Board business the President will adjourn the meeting to its next regular meeting on April 7, 2016 at 4:30 p.m.

Special Meeting Authorized by:

Signed: 
William Dickinson, President of the Board of Directors

Attest: 
Joanna Belanger, Board Secretary

SOUTH PLACER MUNICIPAL UTILITY DISTRICT

STAFF REPORT

To: Board of Directors

From: Eric Nielsen, District Engineer

Cc: Herb Niederberger, General Manager

Subject: Loomis Basin Brew Pub Request for Variance to Ordinance 09-01

Meeting Date: March 14, 2016

Background

The Loomis Basin Brew Pub approached the District in November of 2015 to discuss the possibility of remodeling a space on 3640 Taylor Road in Loomis. At the time, staff discussed the potential requirements for the establishment based on the information that was provided, while communicating that actual requirements would not be known until a complete submittal (was provided for District review. Staff has taken this approach to share information about the District's ordinances and standards to avoid potential surprises for applicants later in the design review and construction process. The District was informed that the establishment would be serving cheese and salami along with its alcoholic beverages. The District let the applicant know, that if that were the case, the establishment would be likely be classified as a Non-FOG Producing Food Service Establishment per SPMUD Ordinance 09-02 and that a grease control device (e.g., Big Dipper) would be required for the one sink used during food preparation and cleanup. The District also provided information on what would be required if the establishment was determined to be a FOG producing establishment and stressed that actual requirements for the project could not be provided until a complete submittal was provided. This was documented in an email from the District on November 19, 2015.

The applicant provided a complete submittal (i.e., tenant conditions of approval form, declaration of density form, plumbing plan with equipment list, and drainage calculations for grease interceptors) on January 27, 2016. The submittal showed that the establishment would have a kitchen with a 36" range, a grill, a flattop, and a fryer all under a hood, and a three-compartment sink, a food prep sink, a hand wash sink, and two floor drains. The District, after reviewing the submittal, provided comments on February 2, 2016 including the requirement to install an appropriately sized grease interceptor per Ordinance 09-01 section 2.06, which states "Every FSE/Permittee shall, at the time of construction, remodel, and/or change in operations, install, operate and maintain an approved type and adequately sized grease interceptor necessary to maintain compliance with the objectives of this Ordinance, subject to the variance and waiver provisions of section 2.10."

The Loomis Basin Brew Pub objected to the requirements and requested a variance/waiver for a grease control device in a letter emailed to the District on February 15, 2016. The letter is attached to this report for reference.

District responded to the applicant with a letter on February 17, 2016, which denied the variance/waiver and required that the applicant install an adequately sized grease control device. This letter is also attached to this report for reference.

Following the letter correspondence, the applicant met with staff in the SPMUD office to present a revised plumbing plan and proposed grease control device with calculations to address the District's requirements. It was apparent that the applicant invested significant effort to come up with a solution. Staff recognized and appreciated the efforts of the applicant. However, after careful review of the submitted information, the District's Ordinance 09-01, the District's standards, and the Uniform Plumbing Code (UPC) the District found that the proposed grease control device is not in compliance with the District's ordinance and standards. The following section summarizes the results of the plan review examining the proposal against District requirements.

Results of Plan Review and Research

Staff carefully reviewed the SPMUD ordinances and standards and the Uniform Plumbing Code when evaluating this proposal and noted the following:

- The proposed grease control device is a steel box approximately 2'x2.5'x2' and has an operating volume of approximately 35 gallons.
 - This device is referred to in the UPC as a hydromechanical grease interceptor.
 - Past experience with this type of grease control device in the District and in neighboring collection systems indicate that the proposed device will require manual cleaning at least weekly, if not more frequently, to function properly.
- By definition in the Uniform Plumbing Code (UPC), hydromechanical grease interceptors are generally installed inside. The submitted unit is proposed to be installed outside and at a depth that will make manually cleaning of the device difficult, impacting the effectiveness of the device to keep FOG from entering the public sewer.
- These grease control devices are referred to as grease traps in SPMUD Ordinance 09-01 and generally not allowed unless the use of a grease interceptor or other grease control device is determined by the General Manager to be impossible and/or impracticable. Typically, grease traps are used to serve individual plumbing fixtures and not entire kitchens.

- Gravity grease interceptors are required at the time of remodel per Ordinance 09-01 Section 2.06.
- SPMUD Standard 13.16.D requires that grease interceptors be sized in accordance with the Uniform Plumbing Code, latest edition.
- Gravity grease interceptors are, by definition in the UPC, generally installed outside the building, contain at least two compartments, and have a total volume of at least 300 gallons.

- The number of DFUs for the establishment were determined using Table 702.1 – *Drainage Fixture Unit Values (DFU)* of the UPC and submitted plumbing plan and equipment list. The equipment and associated DFUs are listed below:
 - 3-compartment sink @ 3 DFUs each = 3 DFUs
 - Food prep sink @ 3 DFUs each = 3 DFUs
 - Handwash sink @ 2 DFUs each = 2 DFUs
 - 2 Floor drain @ 2 DFUs each = 4 DFUs
 - Total DFUs = 12 DFUs
- UPC Table 1014.3.6 – *Gravity Grease Interceptor Sizing* and the number of DFUs determined for the establishment from Table 702.1 – *Drainage Fixture Unit Values (DFU)* (i.e., 12 DFUs), indicate that the interceptor volume/size should be 750 gallons. Although, the minimum grease interceptor size is 1000 gallons per SPMUD Ordinance section 2.08, the District offered to provide a variance to the 1000 gallon minimum requirement. A 750 gallon interceptor is approximately 8’x4’x6’.
- Staff informed the applicant that the property owner, who is ultimately responsible for the installation of the grease control device, may wish to consider the possibility of other tenants connecting to and using the device in the future and appropriately sizing the unit for future scenarios.
- Staff investigated the sewer main lines downstream of the proposed establishment and discovered that the CCTV inspections of the two main lines immediately downstream of the establishment have numerous sags and accumulated grease. The main line downstream of the point of connection is classified as one of the District’s high frequency line segments (i.e., hot spot) requiring regular cleaning at an increase frequency.

Summary of Grease Control Devices Recently Installed in SPMUD

SPMUD Ordinance 09-01 was established in the year 2009. There are a number of existing establishments within the District that currently do not conform to the requirements of Ordinance 09-01.

Establishments with Big Dippers		
Vampire Penguin	Shaved Ice and Desserts	6700 Lonetree Blvd
Rita’s Ice Custard	Ice Cream and Desserts	2200 Sunset Blvd, Suite 340
Starbucks	Coffee	4875 Granite Drive
Shave Monster	Shaved Ice, Tea and Dessert	6827 Lonetree Blvd, Suite D-106
32-Degrees	Shaved Ice, Tea and Dessert	2164 Sunset Blvd, Suite 206

Establishments with Grease Interceptors		
Applebee’s	Restaurant	6811 Lonetree Boulevard
Roundtable Pizza	Pizza and Salad	2345 Sunset Boulevard
Moo Moo’s Burger Barn	Burgers	2330 Sunset Boulevard, Suite 170
Jimboys Tacos	Mexican Food	5410 Crossings Drive, Suite 101
Wing Stop	Buffalo Wings	5400 Crossings Drive, Suite 101
MOD Pizza	Pizza and Salad	5400 Crossings Drive, Suite 104
Juice it Up / Dickey’s	Fresh Juice / BBQ	5406 Crossings Drive, Suite 103
Jersey Mike’s	Sandwiches	5130 Commons Drive, Suite 111
Mooyah Burger	Burger	5194 Commons Drive
Taco Bell	Mexican Food	4340 Rocklin Road

Summary of Variance/Waiver Process

The following describes the requirements for a variance or waiver from the requirement to install a grease interceptor or grease trap.

- Variance
 - The District may grant a variance, upon request, when it is impossible or impracticable to install a grease interceptor or a grease trap. The District considers the following conditions:
 - Inadequate space for installation and maintenance of a grease control device.
 - Inadequate slope for gravity flow between plumbing fixtures, the grease control device, and the public sewer.
 - Can the establishment prove that an alternative pretreatment technology is equally or more effective than a grease interceptor or a grease trap.
- Conditional waiver
 - The District may grant a conditional waiver to an establishment that is determined to have negligible FOG discharge and insignificant impact to the public sewer.
 - *Note that a conditional waiver is not applicable in this situation because the proposed kitchen equipment has the capability of producing and contributing significant amounts of FOG to the sewer system.*
- Waiver
 - The District may grant a waiver when the installation of a grease interceptor or grease trap is not feasible and no equivalent alternative pretreatment can be installed. Payment of a grease disposal mitigation fee is required for a waiver.
 - *Note that a waiver is not applicable in this situation because a form of grease control can be achieved at this site.*

The applicant has requested a variance, but has not provided information that demonstrates that a grease control device is impossible or impracticable to install at this location. The Loomis Basin Brew Pub is situated on a raised foundation and should have sufficient space and slope to install a grease interceptor. The property includes parking and a driveway/alley which provides area for a grease interceptor installation.

Recommendation

Staff recommends that the Board apply Ordinance 09-01 requiring the installation of an adequately sized grease interceptor for the proposed Loomis Basin Brew Pub.

Strategic Plan Goal

This action is consistent with SPMUD Strategic Plan Goals:

Goal 2.3: Prevent and mitigate sanitary sewer overflows (SSOs).

Related District Ordinances and Policies

This action relates to the following SPMUD Ordinances and Policies:

- Ordinance 09-01: An Ordinance Establishing Requirements Regarding Fats, Oils, and Grease
- Policy 3370: Sewer System Management Plan (SSMP)

Fiscal Impact

Improper control of FOG may increase the required number of staff hours to perform maintenance to maintain the expected level of service and prevent sanitary sewer overflows.

Attachments:

1. Letter requesting variance Feb 15, 2016
2. Letter in response, Feb 17, 2016

Carie Huff-SPMUD
Eric Nielsen-SMUD
Lyle Innocent—Landlord
Reic Peteron—Landlord
Rick Angelocci-Loomis Town Manager

Subject: Loomis Basin Brewing Pub
3640 Taylor Rd, Loomis

Variance and Waiver of Grease Interceptor or Grease Trap Requirement

Dear Carie Huff,

In reference to your last email correspondence. I'm trying to understand what the main trigger was that changed from what you originally stated as a requirement of the Big Dipper inside, to a grease interceptor outside. The Big Dipper underneath the ware wash sink is the standard for all New Placer County FOG FSE. Myself and Lyle Innocent (Landlord) had multiple correspondence's inquiring what would be the requirement for a Full Fog Establishment and Non-Fog Establishment.

***SPMUD requirement was a Mechanically self-cleaning grease interceptor underneath the 3 whole Ware wash sink. Per Carie Huff*

***This was also confirmed by Placer County Health and Environment.*

Your suggestion of installing a 3-hole manway Grease Interceptor outside has created numerous problems with the project. Among the obvious of the large expense, we have already designed, built and bought equipment per your original requirements. We have also removed trigger equipment from our original plan to help compensate our "Fog Production". Please also Take into consideration that all cooking of said "FOOD" that can produce any FOG will be cooked OUTSIDE on a Trailered BBQ unit. The inside cooking area will be mainly for "Heating, Holding, and serving food". Another factor that will greatly decrease the amount of FOG into the Sewer system is the serving all food on disposable products such as butcher paper, cardboard, and plastic. This should classify me as a NON-FOG.

P. "FSE" (Food Service Establishment)

A limited food preparation establishment may not be considered to be an FSE when engaged only in reheating, hot holding, or assembly of ready to eat food products, provided that there is no wastewater discharge containing a significant amount of FOG.

Your suggestion on placement of the grease interceptor at the end of the line for the building has some construction and infrastructural issues. The suggested placement of said grease interceptor would be on the main line and would carry Fecal Materials. Not to mention the other 2 of the 3 tenants already have grease interceptors installed up the line. (ie BIG DIPPERS). There would also not be adequate space to empty and maintain the grease interceptor. (ie City Property encroaches)

Section 2.05 Prohibitions

Discharging wastes containing fecal materials from toilets, urinals, washbasins or other fixtures to waste lines directed to grease interceptors and/or other grease control devices, or vice versa.

Section 2.11 Variance and Waiver of Grease Interceptor or Grease Trap Requirement

a) There is no adequate space for installation and/or maintenance of a grease interceptor or a grease trap.

The primary function of this business is to be a tasting room for Loomis Basin Beer at the same time bring a rundown building back up to code and functionality. A small business cannot incur fees and mandatory infrastructural changes that cost more than the entire budget of the project. The decision in this matters are extremely crucial and decides whether this project gets abandoned or completed.

Your timely response is appreciated

Sincerely,

Kenny Gowan

Loomis Basin Brewing Inc



SOUTH PLACER MUNICIPAL UTILITY DISTRICT

February 17, 2016

Mr. Kenny Gowan
Loomis Basin Brewing Inc.
3640 Taylor Road
Loomis, CA

SUBJECT: Loomis Basin Brew Pub at 3640 Taylor Road, Loomis, CA

Dear Mr. Gowan,

This letter is in response to the letter emailed on February 15, 2016 regarding the proposed plans for the Loomis Basin Brew Pub, copy enclosed.

South Placer Municipal Utility District is under permit by the California State Water Resources Control Board via Water Quality Order No. 2006-003 (General Waste Discharge Requirements for Sanitary Sewer Systems). The order stipulates a number of requirements to take all feasible steps to eliminate sanitary sewer overflows (SSOs), including a requirement that sanitary sewer systems control the fats, oils, and grease (FOG) entering the sewer collection system. The importance of controlling FOG from food service establishments (FSEs) has been highlighted recently as the District has witnessed FOG from FSEs contributing to blockages in multiple locations through the occurrence of sanitary sewer overflows and closed circuit television inspections of sewer lines. Additionally, SPMUD has collected wastewater samples over the past two years from the various uses in the district and verified that the discharge from FSEs contain a significant amount of FOG and other constituents and need to be properly controlled to lessen the impact of FOG on the sewer collection system.

SPMUD dictates when a grease interceptor is required per SPMUD Ordinance 09-01, not Placer County. The information about installing an automatic solids transfer unit (e.g., Big Dipper) was provided during counter conversations about hypothetical scenarios and was based on the information provided which described the establishment as only serving cheese and salami type snacks. This did not constitute a requirement of SPMUD and could not have because a complete submittal had not been provided and approvals had not been given. The requirements for the establishment were set after the receipt of the complete submittal, which provided a floor plan and plumbing plan. The plumbing plan included an equipment list which showed a 36-inch range and hood, flat top, charbroiler, and a deep fryer. It appears from a later submittal that the deep fryer is planned to be replaced with a double burner candy stove, but the 36-inch range and other kitchen equipment remains.

SOUTH PLACER MUNICIPAL UTILITY DISTRICT

The establishment is classified as a food service establishment because of the equipment proposed to be installed in the space. Even though the menu for the currently proposed establishment is in flux, the establishment meets the criteria of a FOG producing FSE based on the equipment that will be installed. As a point of comparison, non-FOG producing establishments are those that have a microwave or small convection toaster.

Per SPMUD Ordinance 09-01 Section 2.06, every FSE shall, at the time of construction, remodel, and/or change in operations, install, operate and maintain an approved type and adequately sized grease interceptor. Wastes containing fecal material cannot be discharged to a grease interceptor. A separate grease line will have to be installed to separate the wastewater containing fecal material (i.e., from toilets, urinals, washbasins) from the wastewater containing FOG. Fixtures, equipment, and floor drains located in the food preparation and clean up areas of any FSE that are a source, or potential source, of FOG discharges shall be connected to the grease interceptor. A Big Dipper style unit is connected to the three-compartment sink only and does not treat the discharge through floor drains.

Property owners are ultimately responsible for installation of an appropriately sized grease interceptor for the tenants of a building. Property owners throughout the District are and will be required to make improvements to their buildings to adhere to SPMUD's FOG ordinance as tenants change, buildings are remodeled, and/or changes in operations occur.

If you have further questions please feel free to contact me by phone (916-786-8555) or email (enielsen@spmud.ca.gov).

Sincerely,



Eric Nielsen, P.E.
District Engineer

Cc: Carie Huff, PE, SPMUD
Herb Niederberger, General Manager, SPMUD
Lyle Innocent, Landlord
Erik Petersen, Landlord
Rick Angelocci, Town Manager, Loomis