



# City of Sebastopol

7.

Mayor  
Sarah Glade Gurney  
City Council  
Una Glass, Vice

Agenda Report Reviewed by:  
City Manager/City Attorney *lm*

Mayor  
John Eder  
Robert Jacob  
Patrick Slayter  
  
City Manager/City  
Attorney  
Larry McLaughlin  
City Clerk  
Mary Gourley

Meeting Date: Meeting of December 15, 2015  
To: Mayor and City Council  
From: Kenyon Webster, Planning Director  
Subject: Sculpture Jam 2015 Temporary Sculpture Proposal  
Recommendation: Approve with Conditions, Provide Direction on Siting  
Funding: Currently Budgeted: \_\_\_ Yes  x  No \_\_\_ N/A  
Net General Fund Cost:  
If Cost to Other Fund(s),

Introduction: Sculpture Jam, an artist group affiliated with the Sebastopol Center for the Arts, has submitted a proposal for a temporary sculpture on one of several City-owned sites. This report reviews the proposal.

Background: Over the last 15 years, Sculpture Jam, a project of the Sebastopol Center for the Arts, has produced numerous artworks intended for temporary (two-year) placement, with a number of works sited on City property.

This year, the group has completed work on a 'Coyote' sculpture and is requesting approval for placement on one of several locations: an area adjacent to the Town Plaza, or a landscaped area in the parking lot across from the Senior Center, or in the landscaped area of the Library on the North High side of the building.

Proposal: Information about the proposal is attached. The work was inspired by the coyote mural on the side of the Odd Fellows building. The sculpture is 63" high, 54" long, and 12" deep. The work is relatively substantial, and is made of a variety of durable materials including tile, concrete, and steel. The jaw and ears of the coyote move when a lever is depressed. The coyote then makes very subdued coyote sounds.

Analysis: The City Council adopted new procedures and policies for processing art proposals on City lands. Resolution 6012 (attached) has a streamlined process for review of temporary works, requiring only City Council review, and states the review criteria for temporary works are intended to be more flexible than for permanent works. The Resolution does establish review criteria for all types of proposed artworks, which are reviewed below:

- 1) Appropriateness of specific location; *Several locations are proposed; the Plaza area already has a number of artworks; the Library landscaping area was identified late in the process and it is not clear if it has been fully coordinated with the Library Landscaping project; in staff's view, the location in the parking lot landscaping near the Senior Center appears most appropriate.*
- 2) Compatibility of the proposal with any adopted plan for the public property; *There are not adopted plans for future improvements to the Plaza area or the parking lot area, however there are pending improvements related to the Library landscaping project and it is not clear if the proposal has been fully coordinated with that project.*
- 3) Relation of proposal, including concept, design, materials and finishes to character of proposed area of placement; *Placement in the Plaza area near the existing coyote mural may overuse the coyote concept; on the other hand, the applicant believes the work would complement the mural; if it does not conflict with planned Library Landscaping improvements, that site may be suitable; from staff's*

*perspective, placement in the Redwood area in the parking lot area near the Senior Center appears most fitting.*

- 4) Impact on existing uses and functions in the proposed area of placement; *While not substantial, there appears to be somewhat greater impact in the Plaza location; the other areas are landscape areas and functions would not appear to be adversely affected.*
- 5) Design quality and scale; *The work and materials appear to be of good quality; the scale of the work appears more suitable to the parking lot landscaped area near the Senior Center or in the Library landscaping.*
- 6) Safety and liability issues, including insurance coverage for installation, if applicable; *Provided the foundation for the sculpture is determined appropriate by the Building Official, the work appears durable. Staff has some concern about the moving parts from a potential vandalism perspective; however any repairs would be the responsibility of the applicant.*
- 7) Recognition of events, groups and individuals of historic, cultural, or other significance to the community; *While not particularly identified with Sebastopol, coyotes are a native animal in the Sebastopol area.*
- 8) Size of proposal relative to area of placement; *While either location appears workable, the scale of the work appears more suitable to the parking lot landscaped area near the Senior Center or in the Library landscaping.*
- 9) Proximity to, and density of other existing monuments or artworks in the proposed area of placement; *There are a number of existing artworks in the Plaza area, making the other areas potentially more suitable.*
- 10) View impacts in, to, or through the proposed area of placement; *View impacts do not appear to be an issue.*
- 11) Generally, if a monument, relevance to the proposed area of placement or to local or other factors of community interest; *The proposal is an artwork rather than a monument; not applicable.*
- 12) If an artwork, artistic quality; *The work appears to be well-executed.*
- 13) Appropriateness of item for public display; *The work does not appear to include offensive or other objectionable content and appears appropriate for public display.*
- 14) Intended length of placement; *Two years, temporary.*
- 15) Requested City resources needed for installation; *None indicated.*
- 16) Durability and quality of materials and construction; *The materials and construction appear durable.*
- 17) Maintenance considerations, including any commitment by the applicant to provide long-term maintenance. *This would be a temporary installation; the applicant would be responsible for any needed repairs or maintenance during the placement period.*

Recommendation: Staff recommends approval of the installation with the following findings and conditions, with placement at the High Street parking lot landscaping location unless the Council determines otherwise.

#### Approval of Temporary Sculpture

The proposed temporary installation of a coyote sculpture, as described in the Master Planning Application dated 10/29/15, and submitted by Sara Schomp and Beth Hartman on behalf of Sculpture Jam is hereby approved with the following findings and conditions:

The project is consistent with City Council Resolution 6012, in that:

- 1) It will be a temporary installation of not longer than two years, thus requiring only City Council review and approval;
- 2) It conforms to the Review Criteria set forth in Resolution 6012, in that the City Council has determined that the location is appropriate in terms of size and scale; placement of the sculpture will not adversely affect uses and functions of the area, in that the approved area is a landscaped area which is not otherwise used for functional purposes; the design and materials appear durable and the piece is of adequate artistic quality, the subject matter is not objectionable, and the work is generally appropriate for public display; given scale and location, placement will not adversely affect views in the area; and no City resources are requested for installation or maintenance.

The following conditions of approval shall apply:

- 1) The artwork and installation shall be consistent with the submittal dated 10/29/15, except for any minor alterations which may be approved by the Planning Director.
- 2) Applicant shall coordinate with the Public Works, Planning and Building departments regarding installation and maintenance issues. The applicant shall consult with the Public Works Department regarding the specific site and installation; and with the Building Official regarding the sculpture foundation. The Building Official may require architect or engineer certification of the foundation. As necessary, the applicant shall obtain a Building Permit for the installation if determined necessary by the Building Official.
- 3) If there are any installation issues regarding placement or other aspects which cannot be resolved, the piece shall not be installed, or if such issues arise after installation, they shall be addressed by the applicant to the satisfaction of the Public Works, Planning, and Building departments, or the installation shall be removed by the applicant. If issues arise with the planned location, the City Manager may approve an alternate location, or may require that the proposal return for Council review if he deems appropriate.
- 4) The City accepts no maintenance responsibility for the installation. If at any time, the installation is damaged or is in disrepair, after reasonable efforts to contact the applicant, the City reserves the right to make repairs, or to remove and dispose of installation at its discretion. If substantial repairs or removal is indicated, the City will make efforts to contact the applicant to afford them an opportunity to repair or remove the installation, unless there is an urgent safety situation.
- 5) The City of Sebastopol and its agents, officers and employees shall be defended, indemnified, and held harmless from any claim, action or proceedings against the City, or its agents, officers and employees to attach, set aside, void, or annul the approval of this application, or which otherwise arises out of or in connection with the City's action on this application, including but not limited to, damages, costs, expenses, attorney's fees, or expert witness fees.
- 6) The Planning Director shall interpret applicable requirements in the event of any redundancy or conflict in conditions of approval.
- 7) The Planning Director shall have the right to modify or initiate revocation of this approval at any time if any of the terms of such permit or the conditions of approval for said permit are violated, or for other good cause deemed necessary to maintain or improve the public right of way or to preserve and protect the health, safety and welfare of the public.
- 8) Volunteer release forms shall be completed for all persons involved with installation or maintenance activities. Such forms shall be submitted to the Planning Department.
- 9) In coordination with the Public Works Department, the work shall be removed by the applicant no later than two years from its installation, unless the applicant had obtained appropriate approvals for permanent placement.

Attachment:

Sculpture Jam application



# City of Sebastopol

Planning Department  
7120 Bodega Avenue  
Sebastopol, CA 95472  
(707) 823-6167 (Phone) or (707) 823-1135 (Fax)  
[www.ci.sebastopol.ca.us](http://www.ci.sebastopol.ca.us)

## MASTER PLANNING APPLICATION FORM

Planning File # \_\_\_\_\_  
Date Filed: 10/29/15  
Total Fee Paid = \$ NA  
Received by: KW  
Date Application Deemed Complete: \_\_\_\_\_

### PROJECT INFORMATION

ADDRESS: Public parking lots at Weeks Way and HW 116 or No. High St. parking lot near Senior Center  
ASSESSOR'S PARCEL #: \_\_\_\_\_  
PARCEL AREA: \_\_\_\_\_

### APPLICANT OR AGENT:

Sara K Schomp (for SculptureJam)  
Name: Beth Hartmann (for Sculpture Jam)  
Email Address: hartmann@sonic.net schomp@comcast.net  
Mailing Address: 235 No High St  
City, State, Zip: Sebastopol, CA 95472  
Phone: 707 823-4214  
Fax: \_\_\_\_\_  
Business License #: \_\_\_\_\_  
Signature: [Signature]  
Date: October 5, 2015

Digitally signed by Sara Schomp  
DN: cn=Sara Schomp, o, ou,  
email=schomp@comcast.net, c=US  
Date: 2015.10.05 10:58:53 -0700

### OWNER OF PROPERTY, IF OTHER

#### THAN APPLICANT:

Name: City of Sebastopol, public land  
Email Address: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Fax: \_\_\_\_\_  
Business License # \_\_\_\_\_  
Signature: \_\_\_\_\_  
Date: \_\_\_\_\_  
*I certify that this application is being made with my consent.*

### OTHER PERSONS TO BE NOTIFIED: (Include Agents, Architects, Engineers, etc).

Name: Sara Schomp  
Email Address: sara@schompdesign.com  
Mailing Address: 501 Sandretto Dr  
City, State, Zip: Sebastopol, CA 95472  
Phone: 707 829-3515  
Fax: \_\_\_\_\_

Name: David Furger  
Email Address: dfurger@comcast.net  
Mailing Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone: 707 823-5686  
Fax: \_\_\_\_\_

Project Description (attach additional pages if needed): **DESCRIBE IN DETAIL** the proposed project and permit request:  
Sculpture Jam Coyote for 2015 is inspired by the recent mural on the wall of the Elks Building on HW 116 at Weeks Way across from the Whole Foods Market and by the desire Sculptor Warren Arnold had, to place coyote sculptures around the town. Dimensions are H:63" x W:54" x D:12", and is made of Webi board (a foam and concrete amalgam), with a steel infrastructure and base, cement and ceramic tile exterior. The sculpture is interactive; folks may move the lever at the back of the coyote head, which moves the jaw and ears and produces a quiet coyote sound. None of the levered parts are exposed and the handle is out of reach of short people. It will be solidly installed with the steel platform bolted to a concrete base. All the materials will hold up well outdoors.

This application includes the checklist for the type of application requested: Yes  No

Please indicate the type(s) of application that is being requested (example: Use Permit, Design Review, Variance, Planned Community Rezone, etc): \_\_\_\_\_

Please describe existing uses (businesses, residences, etc) and other structures on the property: \_\_\_\_\_  
~~Both requested sites are on the edges of public parking lots.~~

Square Feet Building Existing: \_\_\_\_\_  
Square Feet Building Demolished: \_\_\_\_\_  
Square Feet Building New: \_\_\_\_\_  
Net Change in Building Square Feet: \_\_\_\_\_

Number of Dwelling Units Existing:  
\_\_\_\_\_ 0 Bedrooms \_\_\_\_\_ 1 Bedroom \_\_\_\_\_ 2 Bedrooms \_\_\_\_\_ 3 Bedrooms \_\_\_\_\_ 4+ Bedrooms

Number of Dwelling Units Proposed:  
\_\_\_\_\_ 0 Bedrooms \_\_\_\_\_ 1 Bedroom \_\_\_\_\_ 2 Bedrooms \_\_\_\_\_ 3 Bedrooms \_\_\_\_\_ 4+ Bedrooms

Net Change in Dwelling Units: \_\_\_\_\_

Existing: Front Yard Setback \_\_\_\_\_ Side Yard Setback \_\_\_\_\_ Rear Yard Setback \_\_\_\_\_

Proposed: Front Yard Setback \_\_\_\_\_ Side Yard Setback \_\_\_\_\_ Rear Yard Setback \_\_\_\_\_

Existing Lot Dimensions: Front \_\_\_\_\_ Left Side \_\_\_\_\_  
Rear \_\_\_\_\_ Right Side \_\_\_\_\_

Proposed Lot Dimensions: Front \_\_\_\_\_ Left Side \_\_\_\_\_  
Rear \_\_\_\_\_ Right Side \_\_\_\_\_

Existing Lot Area: \_\_\_\_\_ Square Feet  
Proposed Lot Area: \_\_\_\_\_ Square Feet

Building Height: \_\_\_\_\_ Existing Number Stories: \_\_\_\_\_ Existing  
Proposed Proposed Proposed

Parking Spaces: \_\_\_\_\_ Existing \_\_\_\_\_ Proposed

Existing Zoning: \_\_\_\_\_

Proposed Zoning: \_\_\_\_\_

Will the project involve a new curb cut or driveway? \_\_\_\_\_ Yes  No

Are there existing easements on the property? \_\_\_\_\_ Yes \_\_\_\_\_ No

Will Trees be removed? \_\_\_\_\_ Yes\*  No

\*If yes, please describe (example; type, size, location on property, etc)

Will Existing Landscaping be revised? \_\_\_\_\_ Yes \_\_\_\_\_ No

Will Signs be Changed or Added? \_\_\_\_\_ Yes  No

Hours of operation: \_\_\_\_\_ Is alcohol service proposed? \_\_\_\_\_ Yes \_\_\_\_\_ No

If restaurant, cafe, bar or nightclub, number of seats: \_\_\_\_\_

## 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 accompanies 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.

*Sara K. Schomp*  
Digitally signed by Sara Schomp  
DN: cn=Sara Schomp, o, ou,  
email=schomp@comcast.net,  
c=US  
October 6, 2015

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|                       |             |                      |
|-----------------------|-------------|----------------------|
| Applicant's Signature | Date Signed | Planning File Number |
|-----------------------|-------------|----------------------|

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.

### NOTICE OF MAILING:

Effective immediately, email addresses or facsimiles will be used for sending out of staff reports and agendas to applicants, their representatives, property owners, and others to be notified if an email address or facsimile number is available.

**Please sign and acknowledge you have been notified of the Notice of Mailing for applications and have provided an email address or fax number.**

*Sara K. Schomp*  
Digitally signed by Sara Schomp  
DN: cn=Sara Schomp, o, ou,  
email=schomp@comcast.net, c=US  
Date: 2015.10.06 10:53:07 -07'00'

Signature

Sara K. Schomp

Printed Name

NOTE: It is the responsibility of the applicant and their representative to be aware of and abide by City laws and policies. City staff, Boards, Commissions, and the City Council will review applications as required by law; however the applicant has responsibility for determining and following applicable regulations.

## NEIGHBOR NOTIFICATION

In the interest of being a good neighbor, it is highly recommended that you contact those homes or businesses directly adjacent to, or within the area of your project. Please inform them of the proposed project, including construction activity and possible impacts such as noise, traffic interruptions, dust, larger structures, tree removals, etc.

Many projects in Sebastopol are remodel projects which when initiated bring concern to neighboring property owners, resident and businesses. Construction activities can be disruptive, and additions or new buildings can affect privacy, sunlight or landscaping. Some of these concerns can be alleviated by neighbor-to-neighbor contacts early in the design and construction process.

It is a "good neighbor policy" to inform your neighbors so that they understand your project. This will enable you to begin your construction with the understanding of your neighbors and will help promote good neighborhood relationships.

Many times development projects can have an adverse effect on the tranquility of neighborhoods and tarnish relationships along the way. If you should have questions about who to contact or need property owner information in your immediate vicinity, please contact the Building and Safety Department for information at (707) 823-8597, or the Planning Department at (707) 823-6167.

I have informed site neighbors of my proposed project:  Yes  No

If yes, or if you will inform neighbors in the future, please describe outreach efforts: Talked to the owners of Sprint, Joe's Coffee and the bar. They seem amenable to the installation.  
If this site does not work for the city, we will also arrange to talk with the Senior Center, the closest neighbor to the other proposed site.

### WEB SITE REQUIRED FOR MAJOR PROJECTS

Applicants for major development projects (involving proposed development of 25,000 square feet of new floor area or greater, or 25 or more dwelling units) are required to create a project web site in conjunction with submittal of an application for Planning approval (including but not limited to Subdivisions, Use Permits, Rezoning, and Design Review). Required information may be provided on an existing applicant web site.

The web site address shall be provided as part of the application. The web site shall be maintained and updated as needed until final discretionary approvals are obtained for the project.

Such web site shall include, at a minimum, the following information:

- Project description
- Contact information for the applicant, including address, phone number, and email address
- Map showing project location
- Photographs of project site
- Project plans and drawings



# City of Sebastopol

## Exemption Questionnaire

### Storm Water Low Impact Development

**Purpose:** This questionnaire will determine *whether or not* you need to submit the 'Storm Water Low Impact Development Determination Worksheet' as part of this application. Any application that does not contain this questionnaire OR the Determination Worksheet will be deemed incomplete.

#### Project Address

Weeks Way at HW 116 (behind Elks building in plaza parking area)

#### Type of Application

Your project is exempt from the 'Determination Worksheet' submittal requirement if it falls under any of the following application categories. However, City Staff may still require the submittal of a 'Determination Worksheet' as determined on a case-by-case basis.

- Administrative Review (Interior Improvements or Use)
- Sign Review
- Temporary Use Permit
- Tree Removal Permit

**The project is exempt from the 'Storm Water Low Impact Development Determination Worksheet' submittal requirement as determined by City Staff.**

|   |   |               |
|---|---|---------------|
| I certify this information:   |   |               |
|  | Digitally signed by Sara Schomp<br>DN: cn=Sara Schomp, o, ou,<br>email=schomp@comcast.net, c=US<br>Date: 2015.10.06.10:51:35-07'00' | Sara K Schomp |
| Applicant Signature   | Printed Name  | Date          |

Sculpture Jam 2015 would like to install this year's project in one of two places:

1. Near a tree behind the Elks building (Sprint) on Weeks Way at 116 (graphic 1)
2. In the shadows of the small redwood grove located in the library parking lot near the front of the Senior Center. (graphic 2)

Sculpture Jam Coyote for 2015 is inspired by the recent mural on the wall of the Elks Building on HW 116 at Weeks Way across from the Whole Foods Market and by the desire Sculptor Warren Arnold had, to place coyote sculptures around the town.

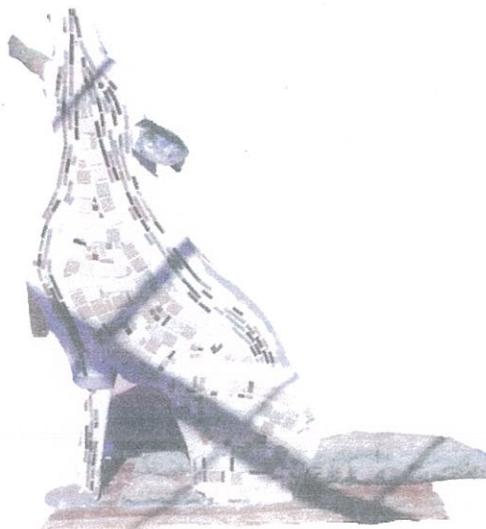
Dimensions are H:63" x W:54" x D:12", and is made of Webi board (a foam and concrete amalgam), with a steel infrastructure and base, cement and ceramic tile exterior. The sculpture is interactive; folks may move the lever at the back of the coyote head, which moves the jaw and ears and produces a quiet coyote sound.

None of the levered parts are exposed and the handle is out of reach of short people. It will be solidly installed with the steel platform bolted to a concrete base. All the materials will hold up well outdoors.

It is intended to be a temporary installation unless the city asks to have it remain.

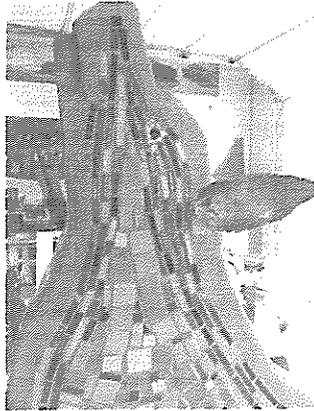
A 3" deep x 3' x 1' concrete pad would be formed and installed **at street level** in the dirt tree planter at the sites (please see Elks drawing). The steel plate base of the sculpture would be bolted to this base.

There are no anticipated maintenance needs for this installation, however Sculpture Jam would be responsible for taking care of repairs during the 2 years installation.



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More photos and a video are available at: [www.SculptureJam.org](http://www.SculptureJam.org)

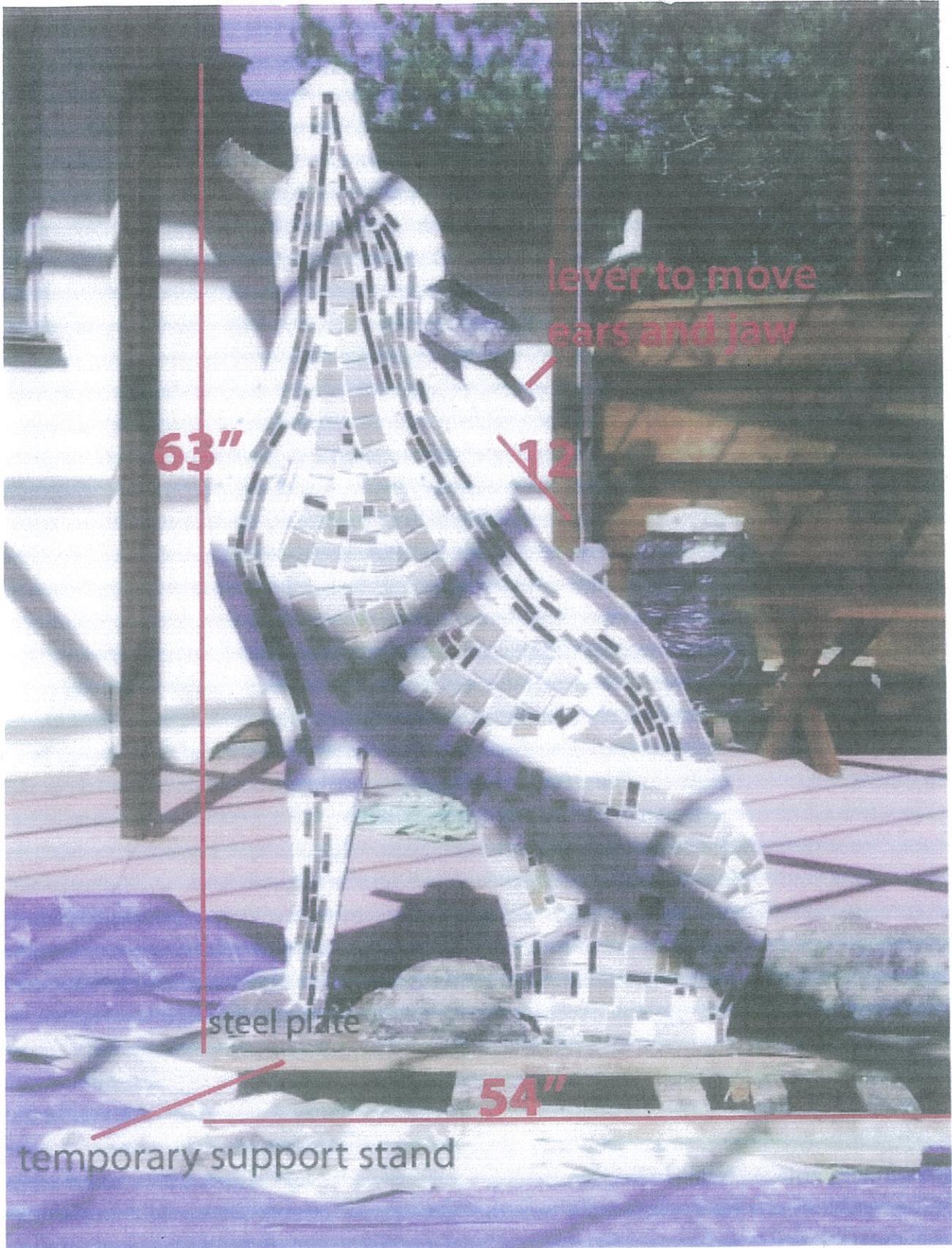


### Statement regarding Resolution 6012

We have read Resolution 6012 and believe we comply with it's intention, as our application shows. It is in keeping with the City Council's stated desire to temporarily place art pieces throughout the city of Sebastopol. It is the 18<sup>th</sup> year of Sculpture Jam and our contribution for 2015.

This coyote sculpture is unique and interactive. The quality of the installation is excellent, unique and interesting. It fits into the space and compliments the large mural locate on the Elks building on Weeks Way and HW 116.

1. The placement on Weeks way is most appropriate as it compliments the large mural on the wall adjacent to our proposed Coyote Sculpture installation.
2. A-WEEKS WAY - This temporary (2 years) installation will have little impact on this area as there is adequate (18') clearance on the sidewalk and is adjacent to a parking area, located next to a tree.  
B. HIGH ST. near SENIOR CENTER/LIBRARY PARKING. The sculpture will enhance the open space surrounding the parking area.
3. The design and quality of the sculpture is excellent and the materials are appropriate for outside installation and consist of concrete and ceramic tiles with a steel infrastructure which will need no city maintenance. It is safe, with a structure that does not encourage climbing by youngsters. The interactive parts of the sculpture are 5 ½' from the ground and consist of a steel lever that when pulled up moves the steel ears and jaw, causing a low howling sound (20 decibels or less – cannot be heard further than 4' from sculpture).
4. There are no monuments or art in the area, other than the mural mentioned above. While set back from the street by approximately 30', the sculpture will be able to be seen when viewing the mural on Weeks Way and would be a curiosity, bringing attention to both the mural and sculpture.
5. Finally, this is a community effort and the result of SCULPTURE JAM 18. It is in keeping with the City Council's stated desire to temporarily place art pieces throughout the city of Sebastopol. It is our contribution for 2015.



Coyote sculpture on site at Sebastopol Center for the Arts Jam site, October 2, 2015 Colors, brown, beige, cream, nutmeg grout with steel ears and jaw.



**X graphic 1**

**Elks lodge**

**Senior Center**

**X graphic 2**

Mite And Pharmacy

Sebastopol Central Park

Train Station

dhiana Center Educational Lofts

Miller Oil Company

Old Main Street Saloon

Gypsy Cafe

The Wine Emporium

Copperfield's Books

Forchetta Bastoni

East West Bakery Cafe

The Uncarved Block

That Pot

Sebastopol Regional Library

Lucky Star

K&L Bistro

The UPS Store

Terra Vino

116

116

12

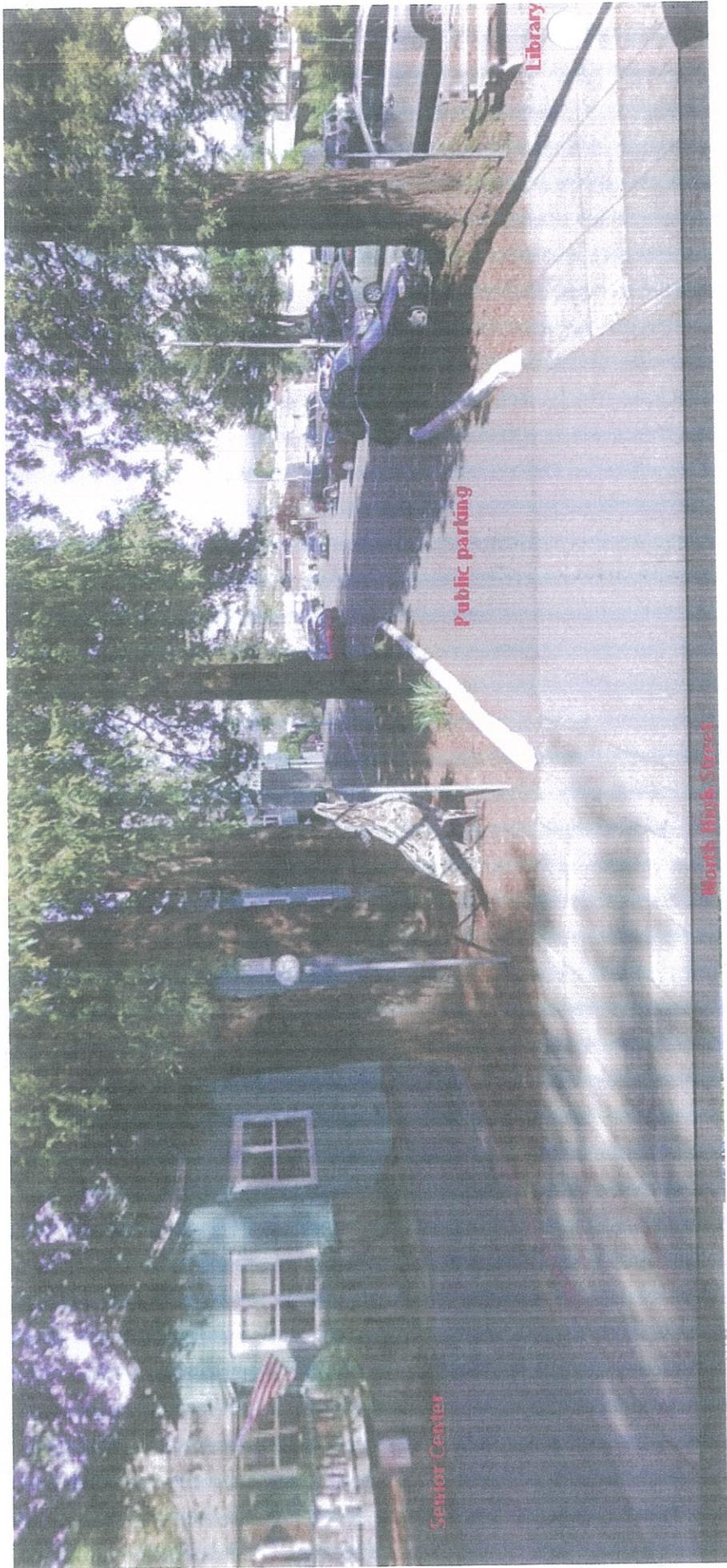
Wilton Ave

Edman Way

N High St

Bodega Ave

Weeks Way





Weeks Way

HW 116



Plaza



*Library parking lot*



