



City of Sebastopol
Incorporated 1902
Planning Department
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PLANNING COMMISSION
REGULAR MEETING OF: **March 23, 2021**

UNAPPROVED DRAFT MINUTES

PLANNING COMMISSION
CITY OF SEBASTOPOL
MINUTES OF March 23, 2021

PLANNING COMMISSION:

The notice of the meeting was posted on March 18, 2021.

1. CALL TO ORDER: Chair Fernandez called the meeting to order at 7:00 p.m.

2. ROLL CALL:

Present: Chair Fernandez, and Commissioners Kelley, Haug, Lindenbusch, Douch, and Oetinger
Absent: Vice Chair Fritz Douch (excused)
Staff: Kari Svanstrom, Planning Director
Alan Montes, Associate Planner

3. APPROVAL OF MINUTES

February 23, 2021

Commissioner Haug amended the minutes.

Commissioner Douch moved to approve the minutes as amended.

Commissioner Haug seconded the motion.

VOTE:

AYES: Chair Fernandez, and Commissioners Kelley, Lindenbusch, Douch, and Oetinger
NOES: None
ABSTAIN: None
ABSENT: Vice Chair Fritz

March 09, 2021

Commissioner Haug amended the minutes.

Commissioner Oetinger moved to approve the minutes as amended.

Chair Fernandez seconded the motion.

VOTE:

AYES: Chair Fernandez, and Commissioners Kelley, Lindenbusch, Haug, and Oetinger

NOES: None

ABSTAIN: Commissioner Douch

ABSENT: Vice Chair Fritz

4. COMMENTS FROM THE PUBLIC ON ITEMS NOT ON AGENDA: None.

5. STATEMENTS OF CONFLICTS OF INTEREST: None.

6. REGULAR AGENDA:

A. PUBLIC HEARING – TEMPORARY USE PERMIT AMENDMENT: HEAD WEST MARKETPLACE (6770 McKinley Street) – PROJECT #2021-009 – This is a public hearing for an amendment request to modify the approved Temporary Use Permit (TUP) 2020-014, for the Head West Marketplace. The Head West Marketplace is an outdoor market focusing on the sale of goods from local crafters, designers, artists, small brands, and local shops.

Associate Planner Montes presented the staff report.

The Commission asked questions of Associate Planner Montes, Director Svanstrom, and the applicant, Jimmy Brower.

Yolanda Mathew, Director of Operations for The Barlow, commented and was available for questions.

Chair Fernandez opened public comment.

Associate Planner Montes noted that the only written comment that had been received on this item was forwarded to members of the Commission earlier this week.

With no members of the public wishing to comment, Chair Fernandez closed public comment.

The Commission asked additional questions for Associate Planner Montes and Director Svanstrom.

The Commission deliberated on this item as follows:

Kathy Oetinger, Commissioner

I am in support of the applicant's requests and staff's recommendations, particularly looking at COVID-19 as it progresses, or to its end, and I feel comfortable with that.

Luke Lindenbusch, Commissioner

Thank you. First, I just want to say thank you to Associate Planner Montes for really looking at this application through all the different waves of COVID-19 with the due diligence that I think this pandemic requires of us in thinking about how to preserve the balance of public health and economic development. Thank you very much for that. I do want to note that I went to the market twice. I was skeptical at first about mask adherence and how everything was going to go. I was very pleasantly surprised, maybe not surprised, but pleased to see that there was strong mask adherence. The first time I went was in August on a very hot day. I observed the vendors being very careful regarding their mask usage, even though everybody was taking sips of water every 30 seconds or so. It was impressive and diligent. I also went the day that the presidential election was called. A time where there was much dancing and congregation in the streets and was also happy to see people doing it safely and enjoying the market. That has been in large part thanks to staff and the diligence that has been provided and making sure that this can proceed and that this can be a new part of our community, but that it can be done safely. I agree as well with the recommendations of staff for the most part this time around. I think it might be worth revisiting again, as one of the COVID-19 related provisions Exhibit B, Condition 8, which looks at marketing, targeted marketing shall be geographically limited to Sonoma and Marin counties. I think it could be helpful to revisit that as more counties are moving toward the orange tier, the tier system, given where we are at, I think it makes sense to have that either be conditioned in some way or just eliminated. I also am supportive of getting to live music as soon as it makes sense with County Environmental Health, and leaving it to staff as a ministerial approval, and food and alcohol sales as well, whenever it is feasible. I also have no problem with multiple fairs happening at the same time. At the time that I went in November, there was also a craft fair that was happening in the town square and I think it worked very well. There were people going to both and overall, it seemed very safe. Thank you, again, to staff and the applicant.

Linda Kelley, Commissioner

My only concern was sound amplification. I think it is a well-placed area for the sound. It has worked before for the public markets there. I think it is exciting and I cannot wait for it. Thank you

Kate Haug, Commissioner

I feel that this is a wonderful partnership between the City and an entrepreneurial network. I think it provides a lot of opportunity for many different people which I think is really needed at this moment and could be a launching pad for people to pursue different local small businesses, which is wonderful and very difficult to do in the Bay Area because retail space is so expensive and hard to come by. I 100% support the live music portion of this. I think people need live music now more than ever, and I am sure people would be very grateful to have access to that. I do not believe that live music, in this capacity, poses any health threat. I would be more concerned about alcohol. As far as I can tell, in terms of spreading COVID-19, alcohol seems much more likely to pose a threat. I assume that the City will proceed with caution on that. It seems like everything thus far has worked very well, given the fact that this was a totally unprecedented situation. I commend the staff for that. Thank you for bringing this to Sebastopol. Thank you to staff for making this possible.

Evert Fernandez, Chair

Thank you. I pretty much echo the rest of the comments. I really appreciate staff taking the initiative to kind of cut through the red tape instead of having to come back and deal with all of this, I think it is a great idea to have this looked at administratively, and that

would include the marketing that Commissioner Lindenbusch brought up. I would say that that should be eliminated or made part of the conditions that that can be addressed administratively, I do not know how you would monitor that anyway. I would be okay with that. Appreciate Mr. Brower's diligence and detail and how he handles things. You can tell that this is a thing of pride for the applicant, he is not just putting on an event, he wants it to reflect well, and that shows that the applicant cares which I appreciate as well.

Chair Fernandez moved to approve this application as submitted.

Commissioner Lindenbusch seconded the motion.

Chair Fernandez asked for further discussion.

Commissioner Oetinger asked if the motion includes Condition 8, along with Condition 9 through 13.

Chair Fernandez responded that it did and noted that those would be administratively looked at.

The Commission asked additional questions of Associate Planner Montes.

Kari Svanstrom, Planning Director

I do want to make a comment regarding live music. I want to be clear that this is not up to the City in terms of whether and when live music can be allowed. It will be up to County health orders which we are following. Staff can work with Mr. Brower and Ms. Mathew in terms of that. In the interim, until live music is allowed for your event, I will note that there are certain allowances for restaurants to do that. There may be a way to work with a restaurant, like Wood Four or another restaurant to try to create some of that atmosphere that we understand you are trying to create. We can talk about the possibility of partnering with one of the many restaurants in The Barlow offline, as that may be helpful.

Evert Fernandez, Chair

Yes. That is a great point. I would encourage that as I think it is a good way of making a change in the interim.

Kari Svanstrom, Planning Director

The State does have industry guidance on all these restrictions for restaurants. They did not allow it for quite a while, but they do now under the red tier.

Zac Douch, Commissioner

With adding the Sunday event, I was concerned whether that would draw or detract from the farmers market that goes on on Sunday. Having given it a bit of thought and having read through the application and seeing that it would occur on Sundays at 11. Generally, I think the farmer's market is typically an earlier in the day activity and is wrapping up by mid-day to late lunchtime. I think it is important to acknowledge that that was a bit of a concern as I first read this, but I am satisfied with the symbolic nature, and the two events will probably outweigh the negatives, especially about the start times.

Evert Fernandez, Chair

Because there is always a concern about the parking lot at the movie theater, are they aware of this, have we received any comments from them?

Alan Montes, Associate Planner

I have not received any comments or complaints from the movie theater on this. It could be because movie theaters have not been allowed to operate during COVID-19, but I have not heard anything.

Evert Fernandez, Chair

Okay. I would just remind you to be sensitive to that. I am not sure if that is reflected in the Conditions?

Kari Svanstrom, Planning Director

I know in the past we have certainly included conditions about the cinema parking lot being private property and that it cannot be used for parking. I do know that there have been a couple of Use Permits in the past where they have commented to make sure that that was not part of the plan. Certainly, Ms. Mathew may be able to speak to this, I think they have been working on directing people to other parking areas within The Barlow. I believe part of their use for this is that the vendors are using the lot on Morris Street, which is the gravel parking area where the old plant was with the restrictions that are in the Conditions to help with parking management.

Evert Fernandez, Chair

With the Commission's approval, I would like to amend the motion to include a stipulation about that as a kind of reminder.

Director Svanstrom clarified that Chair Fernandez was requesting to amend his motion to include that signage be used to direct patrons away from the private parking lot of the cinema.

Commissioner Lindenbusch seconded the amended motion.

Hearing nothing further, the Commission voted on the amended motion as follows:

VOTE:

- AYES: Chair Fernandez, and Commissioners Kelley, Douch, Lindenbusch, Haug, and Oetinger
- NOES: None
- ABSTAIN: None
- ABSENT: Vice Chair Fritz

Evert Fernandez, Chair

Thank you, Mr. Brower. Best of luck. Appreciate you being here and for bringing this to our community.

Mr. Brower thanked the Commission and staff and commented that he looks forward to seeing everybody at the market.

7. SUBCOMMITTEE UPDATES

Kathy Oetinger, Commissioner

With regards to improvements at Ives Park, I am meeting with Jim Corbett tomorrow at 10 a.m. at the stage if anyone wants to come and hear. I just want to document well what he is interested in doing and to see how we can work together with that. Our next step is to work with the committee to confirm the items we would like to include in a workday, if that is possible, and to check with Superintendent Del Prete with Public Works on what

else they might need and then look forward to that. Again, that would be at some point in the future, I do not think that we can do a big event right now. Director Svanstrom, did you talk to the Public Arts Committee at all? I am happy to wait on that. I would rather wait until their plate is not so full before we bring up another idea.

Kari Svanstrom, Planning Director

I have not. I have a site visit for the Ned Kahn sculpture to see if that needs to go back to the Public Arts Committee on their agenda next month. Once we know that, I will be able to figure out the agenda. I will work with you, Commission Oetinger, and let you know.

Kathy Oetinger, Commissioner

I am happy to be on hold until they are ready to think about it. I would rather do that then rush it when they have other things going on.

Luke Lindenbusch, Commissioner

Climate Action Committee report back. Tomorrow we have our meeting, which will primarily be going over a revision to the Climate Action Plan. We are continuing to work with our working groups. I realized that I had alluded to the working groups previously, but I did not give a list of them, so I wanted to go ahead and do that, so members of the Commission have an overview sense of what we are working on. The working groups are, funding, research, outreach and education, energy and microgrids, transportation, models and metrics, the Climate Action Plan, sequestration, and social equity. I would advise any members of the Commission who are interested in passing information along to any of those working groups to email Associate Planner Montes, and he will be able to forward those on. We are trying to get as many resources together as we possibly can. I met with the research working group today, which is myself, Councilmember Rich, and Vice Mayor Gurney. We discussed, a bit, getting as much information together as possible to help guide the work of the Climate Action Committee. If you have anything that has to do with anything related to planning and environmental issues historically that the City has done, that is one project that we are working on. If you have any information that you think would be helpful for us, looking at the history of Sebastopol overall, I know we have a ton of institutional memory in this group and we would love your feedback in any way that is helpful. With that, I will leave it there, there is a lot going on. The working groups cover a lot of ground for a small committee, but we have a lot of determination and some great skillsets and it is exciting to see everybody leveraging their connections throughout the community to make this Climate Action Committee really be one of action. Really affirming to meet with the Council members on board with that group today as well, and overall, really looking forward to it. Happy to answer any questions.

Hearing nothing further, Chair Fernandez concluded this item.

8. PLANNING DIRECTOR'S REPORT

Director Svanstrom provided the following updates to the Commission:

- a. City Council discussion of Planning Commission Composition
- b. Other items of interest: None

Evert Fernandez, Chair

I would like to follow up on that since I was at the meeting. I am not sure why the feeling was that we stay at 7 and see how it goes. I think we know how it goes; we have done that before. I was very disappointed that they did not consider appointing Commission Haug to that position. I know they do want to follow standard process, but this is not the standard process of having an alternate. I remember when the idea of an alternate was

brought to the Commission, one of the points was that if a seat on the Commission was to become vacant, the alternate could then move into that position. The Commissioner has the experience, they already have the knowledge, so Council could then appoint a new alternate. I felt that that was not necessary. Unfortunately, they are going to spend their time going through interviews and staff's time to advertise that spot and position and go through all of that. I do express to them that I thought Commission Haug has been doing a great job. She has had great attendance and has been very proactive in the things that the Commission has done. It is unfortunate that the Council chose that and did not take our advice on reducing the number. They did ask for our opinion on that part of it. Council pretty much ignored the question of what happens when somebody moves out of the area, which I brought up to them, but that was not really discussed, or they figured that they would figure that out down the road. Sorry, Commissioner Haug, I have appreciated your being on the Commission, and I think you have done a great job.

Kari Svanstrom, Planning Director

Yes, I do want to note, Council was hoping that Commissioner Haug would apply for the vacant seat.

Kathy Oetinger, Commissioner

I wanted to ask, or confirm, because I thought Council was considering grandfathering in that alternate position through the term. Is that true?

Kari Svanstrom, Planning Director

No, they decided to eliminate the position because it was a vacancy that that person could still go forward with if they chose.

Kathy Oetinger, Commissioner

They did not grandfather the position.

Kari Svanstrom, Planning Director

Correct. In a few months' time we will have seven Commissioners. I will note that that does not take a change to the ordinance. The other changes would require modifications to the ordinance. Due to workload, it will take me a little bit to get the geography maps back to the Council. Once Council has reviewed and decided what they want the geography to be, we will be able to draft the modified language of the ordinance appropriately and we will bring that back to the Commission for review. If there are thoughts about how to deal with what happens if someone were from out of town but still would qualify for one of the other out of town seats, how to deal with that, those would be welcome.

Evert Fernandez, Chair

Yes. If there was an opening, I think that Council mentioned that that person could move to that position, but I do not know if they would go through the standard process or not.

Kari Svanstrom, Planning Director

Right. They did not make any specific decision on that piece.

Kate Haug, Commissioner

I appreciate everyone's support. Thank you, Chair Fernandez. This will be my last meeting with the Commission because my position was terminated, and I am no longer a Commissioner. I really enjoyed serving on the Commission. I really appreciate all the work that everyone is doing. I really enjoyed my time working with Chair Fernandez and Commissioner Oetinger on the Ives Park subcommittee. When I thought my term was going to be fulfilled to its end date, I had organized several developer presentations

because I was very much interested in how developments come to fruition in terms of what makes affordable family housing, partnering with churches to build developments on their land, conversion of single-story commercial spaces like Redwood Marketplace into a mixed-use residential commercial space, and questions like that. I am going to let Chair Fernandez and Director Svanstrom decide how they want to handle that since the Commission will be changing its make up. You can let me know. I really enjoyed serving with everyone. It was an amazing year that we all spent together. I am glad that we were able to do some positive work despite the turmoil and unfavorable conditions that we all face, so thank you for that opportunity. I look forward to seeing you on the street, hopefully at some point when the pandemic is over.

Kathy Oetinger, Commissioner

Thank you.

Evert Fernandez, Chair

Thank you.

Kari Svanstrom, Planning Director

Thank you. I will note that we are proceeding with the presenters that Commissioner Haug put together. The next couple of items will have at least that, if not another item on the agenda. In fact, we are creating a little flyer for them because we had several people at the last cohousing presentation. We are putting together, it is almost done, a flyer for those talks so that we can send it out to the approximately 80 people that we have on our email list who are interested in housing issues from our housing fair a couple years ago. Commissioner Haug is certainly welcome to join us for that outside her role as a member of the Commission.

Kate Haug, Commissioner

The other thing that we have going for us is that, in our RHNA numbers, we can do market rate housing because that is part of it. I think that that would make it attractive to do mixed income housing. I am assuming that we are probably one of the few places that has, in our RHNA numbers, market rate housing available.

Kari Svanstrom, Planning Director

Every jurisdiction gets assigned numbers in every category. Associate Planner Motes just submitted a report today so he can probably tell us completely. I believe we have 16 or 20 in this cycle of market rate units that are still in our target number. Of course, you can always build more but it is, in some ways, a more difficult piece at this point. I would also note, and I will let Commissioner Oetinger coordinate with you appropriately, but as a subcommittee that is open to having members of the public as well, for the Ives Park Subcommittee, if you want to continue to work on that. Our Public Arts Committee has done the same thing where the Council asked if they wanted to increase the size of the PAC. They respectfully returned to Council and said, no, we like the number, it works well, we need the continuity and that is an issue if we have too many people, but we would be happy to have volunteers and they use a large number of subcommittees for their work, so they have the potential for non-members on their subcommittees as well. I will just put that out there. I will let Commissioner Oetinger and Commissioner Haug move forward as they so choose.

Kate Haug, Commissioner

Thank you.

Kari Svanstrom, Planning Director

I do want to express my appreciation for Commissioner Haug as a Commissioner and as a subcommittee member, and for pushing some of those items at Ives Park forward, and for organizing the upcoming presentations. It has been a great effort that helps supplement staff in a way that we could not have done.

Evert Fernandez, Chair

Further comments on this subject? Director Svanstrom, do you want to give us any updates on Council actions, recent or upcoming? If there is a way, either on the agenda or maybe just by making a note of it, to remind us of who the liaisons are for upcoming Council meetings to jog our memories?

Kari Svanstrom, Planning Director

Thank you. I believe Commissioner Kelley is the liaison right now. Right now, in April, I am not anticipating anything that needs a Planning Commission liaison. A housing law presentation is scheduled for April 20, 2021. Additionally, we will be doing the Level of Service report at that meeting as well. After it goes to Council, the LOS report will come before the Commission, so that will come to the Commission in May. The Development Impact Fee hearing is tentatively scheduled for the first meeting in May, and we will want a Planning Commission liaison for that. The Ned Kahn sculpture update for the site is anticipated for one of the meetings in April. If it needs to go back to the Public Arts Committee, it will be at their regular meeting on April 6, 2021.

Evert Fernandez, Chair

Thank you, again, Commissioner Haug, for your service. Hopefully, we will be able to work together in other ways. Again, really appreciate all the efforts that you put in here. Thank you.

Kari Svanstrom, Planning Director

It looks like, for May, the liaison is Commissioner Douch with Commissioner Oetinger as the alternate.

9. ADJOURNMENT: Chair Fernandez adjourned the meeting at 8:14 p.m. The next regularly scheduled Planning Commission meeting will take place on Tuesday, April 13, 2021 at 7:00 p.m.

Respectfully Submitted By:

Kari Svanstrom
Planning Director