



City of Sebastopol Planning Commission Staff Report

Meeting Date: August 9, 2022
Agenda Item: 5B
To: Planning Commission
From: John Jay, Associate Planner
Subject: Temporary Use Permit more than 6 months
Recommendation: Approval with conditions

Applicant/Owner: Larry Vito/Smokehouse BBQ
File Number: 2021-046
Address: 6811 Laguna Parkway
CEQA Status: Exempt
General Plan: Central Core (CC)
Zoning: Downtown Core (CD)

Introduction:

The Smokehouse BBQ has been in operation since 2009 offering live music from local musicians to play on a stage located outside of the restaurant. The proposed use is to keep the live music in operation and will be subject to the recommended conditions of approval and those required by the noise ordinance within the Sebastopol Municipal Code.

Project Description:

The music stage has been in operation for more than 13 years and, over the last couple of years, has become a noise issue with residents in the neighborhood. The stage offers music to its patrons on Wednesday nights from 4:30PM to 7:30PM as an 'unofficial' part of the Peacetown Concert series during the summertime. Music is also played on Saturday and Sunday from 1PM-4PM and 5PM-8PM.

The original conditions of approval for the venue's alcohol use permit specified that music was allowed, with Condition "P10 - No sound may emanate from the building which can be heard more than 50' from the business site." However, the City has received noise complaints regarding loud music at the site, and contacted the owner, Larry Vito, to try to resolve the issue. Rather than lower the volume of music to the threshold in the existing approval, Mr. Vito decided to apply for a Use Permit to try to legalize the music events.

Project Location and Surrounding Land Uses:

The Smokehouse BBQ is located on Laguna Parkway on the eastern edge of downtown which neighbors the Barlow campus to the east and a residential neighborhood to the north.

General Plan Consistency:

The project would need to be consistent with these General Plan policies:

- **Policy N 1-17:** *Temporary special events including, but not limited to, festivals, concerts, carnivals, rodeos, and other similar activities may be allowed to exceed the noise standards established in this General Plan and the standards established by Chapter 8.25 of the Sebastopol Municipal Code through issuance of a temporary use permit (see Section 8.25.120 of the Sebastopol Municipal Code).*
- **Policy N 1-18:** *Ensure that an acceptable noise environment is maintained in residential areas and areas with sensitive uses by ensuring that uses, operations, and fixed equipment maintain compliance with City standards and by providing for the regulation of short-term increases in non transportation noise levels through the Municipal Code.*

The project is requesting a temporary use permit for these live music events. However, staff does not believe exceeding the noise ordinance, or creating noise impacts on a residential area three times per week should be considered a special event so much as an on-going use. The Analysis section discusses potential ways to balance the interests of these two parties.

Zoning Ordinance Consistency/Required findings:

Section 17.430.040 of the Municipal Code states that a temporary use permit may only be granted if the establishment, maintenance or operation of the proposed use will not be detrimental to the health, safety, peace, comfort and general welfare of persons residing or working in the neighborhood of the proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.

Additionally, Section 17.435 “Downtown Noise Permits” allows businesses in the Downtown Core zoning to occasionally exceed the exterior noise standards contained in the Noise Ordinance (SMC 8.25.060) with specific limitations and requirements related to Outdoor Music and Noise in Downtown:

17.330.030 - Downtown noise permit standards – Private events.

The following standards apply to events that occur on private property and are open to clients or patrons of an establishment.

A. A downtown noise permit shall only be issued for events that either:

- 1. Are a one-time event that is held for no more than three days.*
- 2. Are a recurring event that is held no more than twice per month.*

B. Any exceedance of the noise standards contained in SMC 8.25.060 shall be for no more than three hours in any 24-hour period.

C. Any exceedance of the noise standards contained in SMC 8.25.060 shall be limited to the hours of 9:00 a.m. to 10:30 p.m. on a Friday and/or a Saturday and 9:00 a.m. to 10:00 p.m. on a Sunday. Noise levels shall not be exceeded on a Monday, Tuesday, Wednesday, or Thursday.

D. The exterior noise standards established at SMC 8.25.060 shall not be exceeded by more than 10 dBA at any time. An exceedance of more than 10 dBA is not eligible for a downtown noise permit and shall require a variance.

E. Reasonable methods to attenuate noise shall be incorporated into the site plan and event in order to minimize excessive noise exposure to nearby residences. Such methods may include, but not be limited to:

- 1. Orienting the activity or event, including speakers and other noise-generating equipment, so that noise is directed away from residential areas.*
- 2. Use of noise barriers when noise will be generated outdoors or in a building that is open to the outdoors (windows, doors, etc., that are held open during the event or will be opened on a regular basis during the event) to ensure that off-site noise levels are minimized.*
- 3. Having a sound engineer on site during the event to review and adjust settings on the soundboard, amplifiers, and other noise-generating and noise-modulating equipment to ensure that the interior noise standard at affected areas is not exceeded.*

As noted above, and described in the limitations of two events per month, a downtown noise permit is meant for occasional use, not for a thrice weekly occurrence.

Environmental Review:

The event is categorically exempt from the requirements of CEQA, pursuant to Section 15304, Class 4, in that the event will take place on a temporary basis and limited number of days and will not require any permanent improvements.

City Departmental Comments:

The planning department routed the application to the various city departments as part of its regular process. As there were no concerns from the Police or Fire departments the Building department did look at the ADA requirements of the site and stage area and concluded that no issues were present other than the noise issues.

Analysis:

Planning staff has been contacted from nearby residents with complaints about the noise coming from the stage during the live music sessions. The Planning Director and Associate Planner met with the applicant on-site on June 27, 2022 to go over complaints and provide assistance in directing sound away from the neighborhood. One of the recommendations was to add hay bales or other sound mitigation behind the stage to capture or deflect the noise emanating from stage. Additionally, the amplification is currently aimed at the residential neighborhood on Taft Street. Reorienting the amps/speakers to be facing the east instead may help with the sound attenuation.

While outdoor music at a restaurant provides a different dining experience the type of music and location to neighborhoods should be taken into consideration as well, as noted in the General Plan. With the increase in complaints presented to the city the need for a use permit with enforceable conditions is strongly encouraged. As the restaurant is an allowed use within this district the city could not deny it from being in operation. However, the use is not in compliance with its current Alcohol Use Permit (File 2009-054) requiring live music or other noises not to be audible from the far side of Laguna Parkway. It is also not currently in compliance with the Noise Ordinance.

The request to play outdoor live music would be a use permit request – either a Temporary Use Permit or, since the site is located in the Downtown, a Downtown Noise Permit to allow outdoor noise that exceeds the noise ordinance.

Either permit would be subject to specific conditions of approval and, should those conditions be in violation, it would be the City’s right to revoke the Use Permit. Staff also highly recommends the applicant to work with an acoustic consultant on how to best way to mitigate the sound levels for the surrounding neighborhood.

Options:

A Temporary Use Permit could be issued for the number of events requested (three times per week for up to 3 hours each session, however in this case the use should not be allowed to exceed the City’s Noise ordinance, and appropriate mitigations to reduce disturbances in the residential areas should be required.

A Downtown Noise Permit could be issued, but would restrict the music events to twice per month, with the noise permit allowing the venue to exceed the noise ordinance by 10 dB. This type of permit also requires sound attenuation and other steps to reduce noise disturbances to surrounding areas. This second option may not be appropriate for either the owner, who wants to do weekly events, or the neighbors, who are experiencing the disturbances, mainly due to the volume of the sound.

Rather than ‘legalize’ the music events that have been occurring at the site, staff recommends finding a solution that allows the two uses to coexist. In this regard, staff does however believe that many of the mitigations discussed in the Downtown Noise Permit would be appropriate for the Smokehouse BBQ.

The easiest way to do this is to only have unamplified music, limit the number of musicians, and restrict the type of music to that without louder instruments.

An additional step would be for the applicant to hire an Acoustic engineer to assess the site and provide recommendations on how to best mitigate the sound. Another step as mentioned by staff at the site meeting was to aim the speakers away from the residential neighborhood and towards the buildings to the east. Lastly another recommendation was to have hay or straw bales placed near the speakers to absorb sound.

Staff is recommending that the applicant return to the Planning Commission to evaluate the conditions put on the project, to ensure they are being met, and no new complaints have been received by either the Planning Department or the Sebastopol Police Departments. Should the Planning Commission decide to revise any of these conditions staff requests that they provide direction to staff and return the item to the next scheduled meeting.

In summary, staff does not believe a ‘noise permit’ to exceed the City’s Noise Ordinance or the original conditions of approval is warranted, given the on-going nature of the events. However, we believe that there are mitigation solutions, as discussed above, related to the sound levels, sound mitigation, and types of instruments/size of groups that will help the business be successful.

Public Comment:

Public Comments received regarding this application are included in the Attachments.

Recommendation:

Staff believes the proposed use is compatible with the site, and recommends approval, subject to the following key conditions:

- The applicant returns to the Planning Commission at the first meeting in November of 2022 to ensure that all conditions are being met and no new complaints have been received.
- Review the proposed conditions and provide alternative suggestions if necessary.

If it is the consensus of the Planning Commission that the proposed use is compatible with the site and surrounding uses, staff recommends that the application be approved based on the facts, findings, and analysis set forth in this staff report and as found in Exhibit A - Recommended Findings of Approval, and subject to the Recommended Conditions of Approval found in Exhibit B, and any additional or modified conditions the Planning Commission determines is appropriate.

Attachments:

Application

Exhibit A – Findings of Approval

Exhibit B – Conditions of Approval

Exhibit C – Standard Conditions of Approval

Original Approval

Public Comments

EXHIBIT A
RECOMMENDED FINDINGS OF APPROVAL

Smokehouse BBQ temporary use permit
6811 Laguna Parkway
APN 004-051-076, File 2021-046

Based on the evidence in the public record, the Planning Commission finds that:

1. The proposed project/use is categorically exempt from the requirements of CEQA under Section 15304, Class 4 which exempts “in that the event will take place on a temporary basis and limited number of days and will not require any permanent improvements.”
2. The project/use/proposal is consistent with the provisions of the General Plan as follow:
 - **Policy EV 4-4:** *Encourage the development of civic amenities, entertainment venues, retail and restaurants, and services that increase visitation, spending and tourism. In that the restaurant is a way to bring in local artists and artists from outside of Sebastopol to provide entertainment.*
 - **Policy EV 4-6:** *Encourage people traveling through Sebastopol to stop, visit, and shop, including through emphasizing pedestrian- and visitor-oriented programs. In that people visiting the downtown area along with the Barlow would be in walking distance of the Smokehouse BBQ and could stop in for local food and music.*

As conditioned, the proposal will be consistent with the provisions of the General Plan related to noise:

- **Goal N 2:** *Encourage a Vibrant Downtown while also Protecting Existing or Planned Noise-Sensitive Uses from Annoying or Harmful Levels of Noise*
- **Policy N 1-18:** *Ensure that an acceptable noise environment is maintained in residential areas and areas with sensitive uses by ensuring that uses, operations, and fixed equipment maintain compliance with City standards and by providing for the regulation of short-term increases in non-transportation noise levels through the Municipal Code.*

In that noise from the site shall be mitigated to reduce impacts on the residential neighborhood adjacent to the business.

3. The proposal, as conditioned, will be consistent with the Sebastopol Zoning Ordinance Section 17.430.040 in that the outdoor music will be mitigated such that it does not exceed the noise ordinance, or the original conditions of approval for the project.

EXHIBIT B
RECOMMENDED CONDITIONS OF APPROVAL

Smokehouse BBQ temporary use permit
6811 Laguna Parkway
APN 004-051-076, File 2021-046

1. The Use shall be in substantial conformance with the proposed operations as described in the application materials prepared by Larry Vito, and stamped received on August 12, 2021, and on file at the City of Sebastopol Planning Department, except as modified below:
 - a. The use shall only allow Acoustic music only, no Amplification, and limited to guitar or other stringed instruments.
 - b. The use shall not allow drums, horns, or accordions.
 - c. The use shall limit players to one or two singers and instruments and limit days and hours to no more than 3 days a week for two hours each.
 - d. Reasonable methods to attenuate noise shall be incorporated into the site plan and event in order to minimize excessive noise exposure to nearby residences.
 - e. Use of noise barriers shall be installed when noise will be generated outdoors or in a building that is open to the outdoors to ensure that off-site noise levels are minimized.
2. Any construction shall conform to the approved plans unless the design is modified by the Planning Commission.
3. The applicant return after six (6) months to review the use permit to ensure that all conditions are being met.
4. The applicant shall have the responsibility to ensure that the sound level of the use is within the City's noise ordinance section 8.25 of the Sebastopol Municipal Code. If there have been **X number of valid complaints to** either the Planning Department or City of Sebastopol Police Department then the city shall reserve the right to revoke the use permit.
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 the environmental determination which accompanies it, 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. This approval does not include any signs. Any new signs that will identify the use of this property are subject to the prior approval of the Design Review Board or City staff, as appropriate.
8. Approval is valid for three (3) years, except that the applicant may request a one (1) year extension of this approval from the Planning Director, pursuant to Section 17.400.100 of the Zoning Ordinance.
9. The Use Permit shall be in effect unless it is abandoned or closed for 12 months or longer.

EXHIBIT C
RECOMMENDED STANDARD CONDITIONS OF APPROVAL

Smokehouse BBQ temporary use permit
6811 Laguna Parkway
APN 004-051-076, File 2021-046

1. All plans shall include a brief description of the project on the cover sheet.
2. All submitted building permit plan check sets shall include a plan sheet incorporating these conditions of approval.
3. Except as otherwise noted in these conditions of approval, the plans submitted to the Building Department for plan check shall be in substantial conformance to those approved by the review body. If any changes are made to submitted plans which were approved by the review body the applicant shall work with the Planning Department to determine if the changes are significant enough to once again be seen by the review body, or if staff can approve the changes. Any changes that have not been approved by Planning staff are not approved. Construction or demolition work that does not conform to the Planning approval is not valid and shall be subject to stop work orders and may require removal.
4. Site landscaping shall be generally consistent with the Landscape Plan included as part of "Exhibit A" on file with the Sebastopol Planning Department. The final landscape plan shall be stamped by a licensed landscape architect and filed with the Planning Department prior to occupancy. Plans for any irrigation of the site shall be incorporated into the landscape plan. All planting shown on the approved plan shall be installed prior to occupancy of the proposed project. Upon the request of an Applicant to receive a Temporary Certificate of Occupancy and at discretion of the Planning Director, landscape installation may be suitably guaranteed by posting a cash bond equal to 100% of the cost and installation of any landscape improvements.
5. Acceptance of the construction drawings and specifications does not release the applicant and owner from correction of mistakes, errors, or omissions contained therein. If, during the course of construction, the field conditions or other previously unknown conditions require a modification or a departure from the accepted plans, the applicant shall provide the modifications or departure and specify the correction of mistakes errors, or omissions in compliance with the CBC and City Standards.
6. 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 the environmental determination which accompanies it, 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.
7. A Construction Management Plan (CMP) shall be submitted to the City as part of the Building Permit and/or Grading Permit and shall be incorporated into the plans, unless waived by staff. The City's CMP template, provided by the Planning Department, may be used for small, infill projects. Revisions to the CMP to increase or add on time to the construction timeline shall be coordinated with the Building Official and any additional requests will be at the applicant's responsibility.

This CMP shall be a binding document. Failure to adhere to the CMP may result in a

“Stop Work Notice” being placed on the project. An electronic copy of the APPROVED CMP shall be submitted to the City, and may be posted to the city’s website. The CMP shall be updated as project conditions warrant. Updates to the CMP shall be provided to the City for review and approval. The CMP shall include but not be limited to:

- a) Work schedule (start of construction date, road or lane closure intent/dates, important milestones and proposed final dates)
- b) Construction Hours
- c) Travel routes and turn-around locations with staff approval
 - Impact to state highways
- d) Road and/or lane closures (Applicant to provide information on how many anticipated road closures, and the reasons for each road closure).
- e) Worker auto parking space locations/construction parking
- f) Phasing (if applicable)
- g) If construction improvements are located in areas of slopes 15% or greater, the Contractor shall provide safe temporary hard surface stair access to the improvements, unless waived by the Building Official. This access shall be shown on the CMP.
- h) Projects that require a grading permit shall comply with the City’s grading ordinance.

The CMP may be more stringent if the project is located close to schools or in impacted neighborhoods. A CMP may be required to be modified if a neighborhood becomes “impacted” during the course of the construction. Impacted neighborhoods are defined as areas in geographic proximity (i.e. using the same streets for access) with a significant number of simultaneous construction projects.

The hours of construction activity shall be limited 7:00 a.m. to 8:00 p.m., Monday through Friday, 8:00 a.m. to 5:00 p.m. on Saturdays with staff approval, depending on scope of work being done, or unless modified by a project’s Specific Conditions of Approval.

A **24-inch by 36-inch** weatherproof copy with items A-F posted on site. The remaining Construction Management Plan shall be made available on site. The Construction Management Plan shall be posted on the site as part of the job site signage and should include:

- a) Address of the project site.
 - b) Permitted hours of construction and of deliveries/off-haul.
 - c) Name, e-mail address and direct phone number of the General Contractor.
 - d) Name, e-mail address and direct phone number of the person responsible for managing the project.
 - e) Name and direct phone number of the party to call in case of an emergency.
 - f) City of Sebastopol Building Department (707-823-8597).
8. All construction materials, debris and equipment shall be stored on site. If that is not physically possible, an encroachment permit shall be obtained from the Public Works Department prior to placing any construction materials, debris, debris boxes or unlicensed equipment in the right-of-way. The fee for using the right-of-way for storage of construction materials or equipment is \$10.00 per day. A minimum of 11’ passable auto traffic clearance (paved travel way) shall be maintained at all times along the roadway. The placing of portable restroom facilities in the City right-of-way will not be permitted.

9. All portions of the job site shall be maintained in an organized and professional condition. All trash, debris, construction scraps and broken/deteriorated machinery shall be removed from the site by the end of each week. If off loaded construction materials are not used within 2 weeks, they shall be screened from public view. All sidewalks, driveways and public/private roadways fronting the subject site shall be broom cleaned at the end of each business day.
10. A pre-construction meeting is required with city staff for projects that:
 - a) Require a City encroachment permit, a Caltrans encroachment permit, or a City grading permit; or
 - b) Have 5 dwelling units or more; or
 - c) Have a total of 5,000 square feet of building or more; or
 - d) Have a creek setback requirement; or
 - e) Are required to have a pre-construction meeting under a specific condition of approval.
11. All permits and/or inspection fees required shall be paid in full prior to final occupancy being granted unless otherwise stipulated by the City.
12. All required construction signage and any required tree-protection shall be posted and available for City inspection at the time of the Pre-construction meeting or, if no pre-construction meeting is required, prior to commencing construction. If these measures are not in place at the time of the pre-construction meeting, a re- inspection fee will be required, and issuance of building permit will be delayed.
13. The Planning Director shall interpret applicable requirements in the event of any redundancy or conflict in conditions of approval.

Planning Department Standard Conditions of Approval:

14. This approval is valid for a period of three (3) years during which time the rights granted must be exercised. However, the applicant may request one (1) one-year extension of this Use Permit from the Planning Director, pursuant to Zoning Ordinance §17.400.100.
15. The light source for all exterior lighting fixtures shall be shielded from adjacent properties. Cut sheets for all exterior lighting shall be submitted as part of the Design Review or other planning application.
16. For projects with new foundations or retaining walls less than 10' away from a required setback property lines shall be physically identified (string line or equal), and the applicant shall submit a letter or certificate from a licensed surveyor that confirms that the structure complies with the approved setbacks prior to placing the foundation. For any project that includes new foundations or retaining walls more than 10' away from a required setback, the applicant may apply for a waiver from this requirement from the City Engineer and Planning Department.
17. For any project that includes new structures within 2 feet of the allowed height limit, a letter or certificate from a surveyor confirming that the height of the roof complies with the approved plans shall be submitted to the Planning Department at the earliest point possible.

18. All landscape and irrigation plans must be designed in accordance with the most current City of Sebastopol landscape requirements. Prior to providing water service for new landscape areas, or improved or modified landscape areas, the Planning Department must review and approve the project's working drawings for planting and irrigation systems. Any question regarding the City of Sebastopol current water conservation and Landscape Ordinance should be directed to the Planning Department.

New construction and rehabilitated (renovations or changes made to sites with an existing irrigation system) landscape projects will be affected by these requirements if the altered landscape area is greater than 500 square feet.

19. For any new housing unit development, the developer/owner shall submit the total amount of fees and exactions associated with the project prior to issuance of certificate of occupancy or final inspection.

Engineering and Public Works Department Standard Conditions of Approval:

20. All projects are subject to Impact Fees as adopted by the City Council, which are due at the time of issuance of the Building Permit unless otherwise stipulated by the City.
21. An Encroachment Permit is required from the Public Works Department for any and all work within the public right-of-way. If the work is within a CalTrans right-of way, an Encroachment Permit from CalTrans shall also be procured by the applicant. Encroachment Permit shall not be issued until the City Engineer approves the applicant's site improvement plans.
22. Construction within the public right-of-way is limited to that necessary to support the lot's use. This may include but is not limited to: driveways, sidewalks and any utility connections. For all improvements within the public right of way, the applicant shall submit plans to adequately describe the work. Plans shall include but not be limited to drainage details, cross-sections, driveway/roadway grades and utility locations as necessary.
23. The applicant shall prepare and submit site improvement plans for the construction of all improvements including water, sanitary sewer, storm drain, water quality facilities, roadway improvements, curbs, gutters, sidewalks, elevated or structural pedestrian walkways, landscaping, landscape irrigation, signing, striping, joint trench and streetlights. All design and construction shall conform to the latest edition of the City of Sebastopol Design and Construction Standards and other applicable codes, standards, guidelines and specifications. Public improvement drawings shall be drafted in the City-approved sheet format.
24. Once approved by the City Engineer, the applicant shall submit PDF files of the signed improvement plans. As-Built record drawings shall also be submitted as PDF files.
25. Deviations from City Standards and applicable Code requirements shall be approved by the City Engineer. The applicant's engineer shall request all design exceptions in writing.
26. Any improvements, public or private, damaged during construction shall be replaced,

by the applicant, in-kind or with new improvements. All cracked, broken, or uplifted sidewalk, driveway and/or curb and gutter fronting the property shall be replaced. Applicant shall coordinate with the Public Works Department prior to the first submittal of project improvement plans to identify the extents and limits of replacement.

27. An erosion and sediment control plan are required as part of the building permit application. The plan shall be prepared by a certified erosion control specialist and in full compliance with CASQA standards, The plan is subject to review and approval by the Engineering Department prior to the issuance of the building or grading permit. No modifications to the approved plans shall be made without approval of the City Engineer.
28. Mailbox plans and locations shall be approved by the Sebastopol Postmaster prior to improvement plan approval. The developer shall provide a letter and exhibit showing mailbox locations from the Sebastopol Postmaster approving mailbox locations.
29. City Public Water and Sewer and Drainage utility easements as required by the City Engineer utility companies shall be provided within the development. Easement locations shall be subject to review and approval by the City Engineer.

Roadway Improvements:

30. The improvement plans for the first phase of development shall include and provide for the construction of all offsite improvements as required to support full project build-out. Each subsequent phase of development shall construct sufficient onsite roadway and utility improvements to support the cumulative development proposed to be constructed as approved by the City Engineer.
31. Road closures, if permitted by the Project Approval, will only be permitted with prior authorization from the Public Works Department consistent with the City's road closure policy. Signs containing details of the proposed closure must be posted 48 hours in advance. Coordinate road closures with the Sebastopol Public Works Department. Contact the Public Works Department at 707-823-5331 to obtain a road closure permit.
32. An emergency vehicle access, meeting the requirements of the Sebastopol Fire Department shall be constructed.
33. All private driveway areas less than 24-foot wide shall require the approval of the Sebastopol Fire Department.
34. Sidewalk warps shall be provided to allow a clear five-foot walkway at all locations, including areas where mailboxes, street furniture, streetlights, street signs and fire hydrants are to be installed, or as otherwise approved by the City Engineer.
35. The structural section of all public road improvements shall be designed using a soil investigation which provides the basement soils R-value and expansion pressure test results. A copy of Geotechnical report and structural section calculations shall be submitted with the first improvement plan check.
36. The structural section of the private on-site drive aisles and parking areas shall meet the requirements and recommendations of the geotechnical report for the project.
37. Retaining walls and retaining curbs may be required to protect damage to trees as determined by a licensed Arborist. All retaining structures shall be designed and

constructed to minimize damage to trees.

38. Pedestrian curb ramps, meeting City standards and current accessibility requirements, shall be provided at all intersections and crosswalks where sidewalks are proposed.

Drainage Improvements:

39. All project related flooding impacts shall be mitigated by the project developer. Drainage improvements shall be designed by a Civil Engineer registered in the State of California in accordance with the Sonoma County Water Agency's Flood Management Design Manual (FMDM). Public and private drainage improvements shall be shown on the improvement plans and the City Engineer may require the applicant to acquire the review and recommendations by the Sonoma County Water Agency (Sonoma Water) prior to approval by the City Engineer. Private storm drain easements will be required for any portions of the private storm drain not entirely located with the lot being served or for any portion of a private utility located on an adjacent parcel.
40. No lot-to-lot drainage will be allowed between the project site and any adjacent parcels. No concentrated drainage may discharge across sidewalks. All site drains must be connected to the public storm drain system or discharged through the face of curb or to an established waterway.
41. Plans and certifications shall demonstrate compliance of all improvements, including building finished floor elevations, with the City's Flood Ordinance, to the satisfaction of the Building Official and City Engineer. Building finished floor elevations shall be constructed at a minimum of 2 foot above the 100-year storm event water surface elevation as determined by the City and certified by the project engineer. The Engineer of Record shall provide a signed and stamped letter indicating the project meets the requirements of the Ordinance before plan approval.

Stormwater Quality:

42. Projects that create or replace 10,000 square feet or more of impervious surface area are subject to design and construction requirements of the most recent edition of City of Sebastopol Low Impact Development (LID) Technical Design Manual. Improvement plans with required LID design features shall be approved by the City Engineer.
43. Projects that will disturb 1.0 acre or more of developed or undeveloped land shall provide evidence that a Notice of Intent (NOI) has been submitted by the applicant and received by the State Water Resources Control Board for a General Construction Activity Storm Water Permit. Two copies of the project Storm Water Pollution Protection Plan (SWPPP) shall be provided to the City prior to issuing a grading permit, encroachment permit, or building permit.
44. For required LID features constructed on private property or on street frontage, the owner shall provide a Declaration Letter to the City Manager regarding the owner's commitment to ongoing maintenance of said LID features (LID Declaration) prior to occupancy.

Grading:

45. The improvement plans shall include a site-grading plan prepared by a Civil Engineer registered in the State of California as part of the required improvement drawings. Lots shall be generally designed to drain to public and private streets or parking areas, unless otherwise approved in the interest of tree preservation or other unusual circumstances.
46. The City of Sebastopol shall require a grading permit for projects that meet these requirements.
 - a) Cut or fill exceeding 50 cubic yards
 - b) Cut or fill greater than 3 feet in depth
 - c) Cut creating a cut slope greater than 5 feet in height and steeper than 2 units horizontal to 1 unit vertical
 - d) Fill intended to support a structure or surcharge greater than 1 foot in depth or placed on terrain with a natural slope steeper than 15 percent
47. When required by the Building Official the applicant shall submit to the City for review and approval, a detailed Geotechnical Report prepared by a Geotechnical Engineer registered in the State of California. The grading plan shall incorporate the recommendations of the approved Geotechnical Report.
48. Where soil or geologic conditions encountered during grading operations are different from those anticipated in the Geotechnical Report, or where such conditions warrant changes to the recommendations contained in the original soil investigation, a revised soil or geologic report shall be submitted for approval by the City Engineer. It shall be accompanied by an engineering and geological opinion as to the safety of the site from hazards of land slippage, erosion, settlement, and seismic activity.
49. Existing wells, septic tanks and/or underground fuel storage tanks that are defective or will no longer be in use shall be permanently destroyed or removed under permit and inspection by the Sonoma County Permit and Resource Management Department, Well and Septic Division and/or Sonoma County Environmental Health or other designated agency. Underground fuel storage tanks are subject to UST regulations of the State Water Resources Control Board.
50. The grading plan shall clearly show all existing survey monuments and property corners and shall state that they shall be protected and preserved. Should monuments be damaged or destroyed during construction, they shall be replaced by the developer.
51. Improvements plans shall include an erosion control (winterization) plan. The plan shall include an order of work and staging/scheduling component indicating when facilities must be installed and when they may be removed.
52. Sewer services and laterals shall be CCTV inspected to determine if the service needs to be removed and replaced. A copy of the CCTV report shall be provided to the City Engineer. A waiver for CCTV inspection may be waived by the City Engineer, if the sewer lateral has been replaced within ten years of the submittal of the improvement plans. A copy of the documentation evidencing such replacement shall be included in the submittal package.
53. If the proposed project is located in or adjacent to a waterway, within an area designated as habitat for threatened or endangered species, or other special status

area, it possibly falls under the jurisdiction of another agency such as the United States Army Corps of Engineers, the California Regional Water Quality Control, or the California Department of Fish & Wildlife, U. S. Fish & Wildlife Service, etc. These agencies shall be contacted to determine if the project lies within their respective jurisdictions. All necessary permits and/or approvals shall be obtained prior to the City issuing any permits. If permits are not required, a letter stating so shall be submitted to the City as part of the record.

54. Trees and vegetation shall be trimmed according to Section 8.12 of the Sebastopol Municipal Code. Trees and shrubs shall be kept trimmed so that the lowest branches projecting over public properties provide a clearance of not less than eight (8) feet over sidewalks and not less than twelve (12) feet over streets.

Fire Department. Standard Conditions of Approval:

55. The address shall be posted in accordance with requirements of the California Building Code and California Fire Code. The Fire Chief shall review and approve all requests for new addresses. Inspection and signoff of address posting shall be coordinated through Building Department.
56. Smoke and CO detectors shall be installed in accordance with the California Building Code. Final inspection and signoff of smoke detectors shall be coordinated through Building Department.
57. Noncombustible roofing shall be provided for:
 - a. All new roofs shall be non-combustible.
 - b. Roof Repairs or replacement:
 - i. Less than 25% - no requirement
 - ii. 25Hr to 50% - Class C minimum
 - iii. 50% or more — Non-Combustible
 - c. In no case shall the roofing material used to be less fire resistive than the existing roof.

NOTE: A "noncombustible" roof is a Class A roof (for other than Group R Occupancies, a Class A or Class A assembly) as defined in the California Building Code and approved by the Building Department.

58. Prior to occupancy, a spark arrester shall be installed on the chimney(s) 3/8" mesh minimum.

Building Department Standard Conditions of Approval:

59. All construction shall comply with all applicable Title 24 Codes in effect at the time of building permit submittal. It is the responsibility of the designer(s) to ensure that all applicable Title 24 codes, as well as any applicable Sebastopol Municipal Codes are incorporated into the design.
60. The project shall comply with the Green Building regulations contained in the Sebastopol Municipal Code that are in effect at the time of building permit submittal.

END OF STANDARD CONDITIONS OF APPROVAL



City of Sebastopol

Planning Department
7120 Bodega Avenue
Sebastopol, CA 95472
(707) 823-6167

Item #1

MASTER PLANNING APPLICATION FORM

APPLICATION TYPE

- Administrative Permit Review
Alcohol Use Permit/ABC Transfer
Conditional Use Permit
Design Review
Lot Line Adjustment/Merger
Preapplication Conference
Preliminary Review
Sign Permit
Temporary Use Permit
Tree Removal Permit
Variance
Other

This application includes the checklist(s) or supplement form(s) for the type of permit requested: Yes No

REVIEW/HEARING BODIES

- Staff/Admin
Design Review/Tree Board
Planning Commission
City Council
Other

APPLICATION FOR

Street Address: 10811 Laguna Park Way Assessor's Parcel No(s): 0004-011-079-000

Present Use of Property: Restaurant Zoning/General Plan Designation:

APPLICANT INFORMATION

Property Owner Name: Larry Vito

Mailing Address: 10811 Laguna Parkway Phone: 707-484-9486

City/State/ZIP: Sebastopol CA 95472 Email: winefood@sonic.net

Signature: [Signature] Date:

Authorized Agent/Applicant Name: same as above

Mailing Address: Phone:

City/State/ZIP: Email:

Signature: Date:

Contact Name (if different from above): Phone/Email:

PROJECT DESCRIPTION AND PERMITS REQUESTED (ATTACH ADDITIONAL PAGES IF NECESSARY)

Restaurant Amplified Music permit
RECEIVED
AUG 11 2021
BY: [Signature]

CITY USE ONLY

Table with 3 columns: Action, Action Date. Rows include Application Date (08.11.21), Planning File # (2021-046), Received By, Fee(s) (\$300- (dep)), Completeness Date, Staff/Admin, Planning Director, Design Review/Tree Board, Planning Commission, City Council.

SITE DATA TABLE

If an item is not applicable to your project, please indicate "Not Applicable" or "N/A" in the appropriate box; do not leave cells blank.

SITE DATA TABLE	REQUIRED / ZONING STANDARD	EXISTING	PROPOSED
Zoning	N/A	Downtown Core	
Use	N/A	Restaurant	Restaurant
Lot Size	60x35	60x35	60x35
Square Feet of Building/Structures (if multiple structures include all separately)	1200	1200	1200
Floor Area Ratio (F.A.R.)	N/A FAR	N/A FAR	N/A FAR
Lot Coverage	N/A % of lot sq. ft.	N/A % of lot sq. ft.	N/A % of lot sq. ft.
Parking	YES	YES	YES
Building Height	30'	30'	30'
Number of Stories	2	2	2
Building Setbacks – Primary			
Front	5'	5'	5'
Secondary Front Yard (corner lots)			
Side – Interior	NA	NA	NA
Rear			
Building Setbacks – Accessory			
Front			
Secondary Front Yard (corner lots)	NA	NA	NA
Side – Interior			
Rear			
Special Setbacks (if applicable)			
Other ()	NA	NA	NA
Number of Residential Units	Dwelling Unit(s)	Dwelling Unit(s)	Dwelling Unit(s)
Residential Density	1 unit per 0 sq. ft.	1 unit per 0 sq. ft.	1 unit per 0 sq. ft.
Useable Open Space	sq. ft.	sq. ft.	sq. ft.
Grading	Grading should be minimized to the extent feasible to reflect existing topography and protect significant site features, including trees.	N/A	Total: _____ cu. yds. Cut: _____ cu. yds. Fill: _____ cu. yds. Off-Haul: _____ cu. yds.
Impervious Surface Area	N/A	% of lot sq. ft.	% of lot sq. ft.
Pervious Surface Area	N/A	% of lot sq. ft.	% of lot sq. ft.

FLAT

CONDITIONS OF APPLICATION

Item #1

1. All Materials submitted in conjunction with this form shall be considered a part of this application.
2. This application will not be considered filed and processing may not be initiated until the Planning Department determines that the submittal is complete with all necessary information and is "accepted as complete." The City will notify the applicant of all application deficiencies no later than 30 days following application submittal.
3. The property owner authorizes the listed authorized agent(s)/contact(s) to appear before the City Council, Planning Commission, Design Review/Tree Board and Planning Director and to file applications, plans, and other information on the owner's behalf.
4. The Owner shall inform the Planning Department in writing of any changes.
5. **INDEMNIFICATION AGREEMENT:** As part of this application, applicant agrees to defend, indemnify, release and hold harmless the City, its agents, officers, attorneys, employees, boards, committees 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.

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.

6. **REPRODUCTION AND CIRCULATION OF PLANS:** I hereby authorize the Planning Department to reproduce plans and exhibits as necessary for the processing of this application. I understand that this may include circulating copies of the reduced plans for public inspection. Multiple signatures are required when plans are prepared by multiple professionals.
7. **NOTICE OF MAILING:** Email addresses will be used for sending out staff reports and agendas to applicants, their representatives, property owners, and others to be notified.
8. **DEPOSIT ACCOUNT INFORMATION:** Rather than flat fees, some applications require a 'Deposit'. The initial deposit amount is based on typical processing costs. However, each application is different and will experience different costs. The City staff and City consultant time, in addition to other permit processing costs, (i.e., legal advertisements and copying costs are charged against the application deposit). If charges exceed the initial deposit, the applicant will receive billing from the City's Finance department. If at the end of the application process, charges are less than the deposit, the City Finance department will refund the remaining monies. Deposit accounts will be held open for up to 90 days after action or withdrawal for the City to complete any miscellaneous clean up items and to account for all project related costs.
9. **NOTICE OF ORDINANCE/PLAN MODIFICATIONS:** Pursuant to Government Code Section 65945(a), please indicate, by checking the boxes below, if you would like to receive a notice from the City of any proposal to adopt or amend any of the following plans or ordinances if the City determines that the proposal is reasonably related to your request for a development permit:

- | | |
|---|---|
| <input type="checkbox"/> A general plan | <input type="checkbox"/> A specific plan |
| <input type="checkbox"/> An ordinance affecting building permits or grading permits | <input type="checkbox"/> A zoning ordinance |

Certification

I, the undersigned owner of the subject property, have read this application for a development permit and agree with all of the above and certify that the information, drawings and specifications herewith submitted are true and correct to the best of my knowledge and belief and are submitted under penalty of perjury. I hereby grant members of the Planning Commission, Design Review Board and City Staff admittance to the subject property as necessary for processing of the project application.

Property Owner's Signature: _____ Date: _____

I, the undersigned applicant, have read this application for a development permit and agree with all of the above and certify that the information, drawings and specifications herewith submitted are true and correct to the best of my knowledge and belief and are submitted under penalty of perjury.

Applicant's Signature:  Date: 8/3/21

NOTE: It is the responsibility of the applicant and their representatives 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

Item # 1

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, residents, 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:

We went door to door, on four different occasions. We were well-received by every single person we connected with. Not a single person/house objected. Many said they prioritize the restaurant and enjoy the music. Please see attached documentation Attachment 1a & 1b

Website Required for Major Projects

Applicants for major development projects (which involves proposed development of **10,000 square feet of new floor area or greater, or 15 or more dwelling units/lots**), are required to create a project website 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 website address shall be provided as part of the application. The website shall be maintained and updated, as needed until final discretionary approvals are obtained for the project.

Such website 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

**Bar B Que Smokehouse's Johnson Street Outreach
Occupants of 100% of Houses APPROVE Bar B Que Smokehouse Bistro Music**

According to Google Maps and google pedometer (<https://www.mappedometer.com/>), we visited houses 255 yards up Johnson Street, at which point we could no longer hear music coming from the restaurant. Although we did here drumming coming from the Sebastopol Town Square. Every single house between our restaurant and 255 yards up the street was visited/contacted. We received a verbal yes, a signed letter or petition from an occupant of 100% of these houses. We are at a loss as to who the complaining person is because in 4 days of outreach everyone approved the music program at Bar B Que Smokehouse

House Number	Approved.	Written Comments	Other
361	Yes – signed.	All good.	
380	Yes – signed.	Love the music.	
381	Yes – signed.	Don't shut it down.	
384	Yes – signed.	Love the music.	
390	Yes – signed.	Love the BBQ music.	
393	Yes – signed.	I love the music!	
393	Yes – verbal.		Spoke with the full-time caregiver who informed us the resident loves the music.
395	Yes – written letter.		Handwritten Letter via the mail.
419	Yes – verbal		Spoke with the resident who stated they had no problem with the music.
420	Yes – signed.	We support our local businesses and local music!	
427	Yes - signed	We love the Live Music!	
430	Yes – signed.	We love live music! Please allow it to continue.	
435	Yes – signed.	Keep the music.	Signed it when they visited as a customer.
440	Yes – signed.	We love hearing the music!	
443	Yes – signed.	Love live music. Keep it going!	

451	Yes – signed.	Enjoy the music. Not too loud.	Verbal comment: “I can’t even hear it. The music at the Barlow and square is way louder.”
459	Yes – signed.	No problem here.	
467	Yes – signed.	Be unique. Not quiet.	
474	Yes – signed.	Love the music.	
475	Yes – verbal		Spoke with a resident who stated the members of the household had no problems with the music.
484	Yes – signed.	Love the music.	

Item # 3

Google Maps



Map data ©2021 50 ft

Item # 4

Written Statement:

The Bar B Que Smokehouse Bistro & Catering is a local Sebastopol restaurant that has been operating at 6811 Laguna Park Way since 2009.

The "proposed" event has been happening for almost 13 years without complaint or pushback. Now, because of one person who consistently complains, we are fighting to keep our music. The proposed use is that local musicians are able to continue playing on our custom built stage, which was voluntarily built by one of our resident musicians. There is no change in use proposed.

The music program brings local musicians, often seniors, to play at our establishment. Music is played Wednesday evenings from 4:30-7:30, as part of Peacetown, and on Saturdays and Sundays from 1-4 and 5-8. Music groups range from one individual to five in a band. They play instruments of all kinds and varieties, much to the delight of our guests. Music played ranges in genre and includes jazz, rockabilly, blues, classical, traditional Hawaiian, pop, country, and bluegrass.

Item #5













Item # 6a

See travel times, traffic and nearby places

Laguna Park Way

Johnson St

Laguna Park Way

gate

Stage

Music played on stage.

Stage Dimensions
12' x 12'

Patisserie Angelica
Takeout

Bar B Que
Smokehouse Bistro
Takeout • Delivery

Restroom

Google

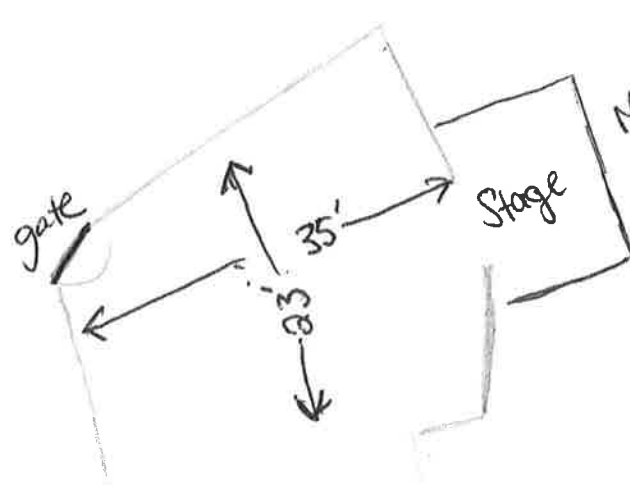
Hem # 66

vel times, traffic and nearby places

Johnson St

Laguna Park Way

ina Park Way



Stage Dimensions
12' x 12'



Spirit Works I
and Tasting F

Patisserie Angelica
Takeout

Bar B Que
Smokehouse Bistro
Takeout · Delivery

↑ Restroom

Google

Supplemental Form

Please turn in with your application

DATE OF EVENT: Ongoing LIVE music

NAME OF EVENT: LIVE music @ Bar B ONE Smokehouse Bistro

TIME OF EVENT: 1-4 5-8:30 varying days of week

IS EVENT OUTDOOR - INDOOR - OR BOTH (PLEASE CIRCLE ONE)

WHAT IS THE ANTICIPATED ATTENDANCE? 30-50

WILL ADMISSION BE CHARGED? YES NO

WILL AREA BE BARRICADED OFF? YES NO

IF SO, HOW? PLEASE DESCRIBE: N/A

HOW MANY PERSONS WILL STAFF THE EVENT? 4-6

WILL THERE BE PROFESSIONAL SECURITY GUARDS? YES NO

WILL ALCOHOL BE SOLD OR DISPENSED? YES NO

WILL MEALS OR OTHER FOOD BE PROVIDED? YES NO

WILL THE EVENT INCLUDE VENDORS? YES NO

TYPE OF ANY MUSIC: Jazz, classical, bluegrass, rockabilly, country, blues

TIME(S) THAT ANY MUSIC WILL BE PLAYED: 1-4, 5-8 weekends & Wednesdays

WILL MUSIC BE AMPLIFIED? YES NO

WILL ANY GENERATORS BE UTILIZED? YES NO

PLEASE DESCRIBE RECYCLING PLANS: 3 bins for recycling, compost, & trash

WILL PORTA-POTTIES BE UTILIZED? YES NO

WILL TENTS BE UTILIZED? YES NO

ARE ANY SUCH TENTS FIRE-RATED? YES NO

WILL THE EVENT DISPLACE PARKING? YES NO

WHERE WILL EVENT ATTENDEES PARK? PLEASE DESCRIBE. our own parking lot, street. Many walk or bike.

HOW CLOSE BY IS THE NEAREST RESIDENCE? PLEASE DESCRIBE. Across the street of Laguna Parkway.

July 28, 2021

Dear Bar BQue Smokehouse,

I have lived about 700 feet (according to my phone app) from your restaurant for 8 years. I often hear your music from my front porch. With the volume & type of music you have, it is not a problem for me - in fact I enjoy it.

The music from the enclosed lawn area at the Barlow is much louder and more intrusive.

Jan Peterson





City of Sebastopol

TEMPORARY USE PERMIT Application Checklist

The following shall be submitted to the Planning Department. All submittal information shall be presented along with the Planning Application form, related fees, and any additional information required by the Planning Department before the application can be accepted as complete.

Upon receipt of this information the Planning Department has 30 days in which to determine if the application is complete.

Size Limit: Plans should not be larger than 30" x 42" trimmed. All plans must be folded into a 9" x 11" size. Unfolded plans will not be accepted.

Scale: The scale used on submittal plans shall generally be at a 1/8" = 1'0" for the architectural plans, 1" = 20' for site engineering plans. Include a north arrow, the scale and bar scale on all plans.

SUBMITTAL REQUIREMENTS

(# of copies)

- 1. **Master Planning Application Form:** (1)
Completed and signed by applicant and property owner.
- 2. **Fee:** As defined on the fee schedule listed on the Master Planning Application form. Checks should be made payable to the City of Sebastopol.
- 3. **Location Map:** (1)
Indicate the subject parcel(s) and adjacent streets on an 8 1/2" by 11" map.
- 4. **Written Statement:** (1)
Describe all aspects of the proposed event (date, time, number of participants, etc.). Statement should include a description of the proposed use(s), as well as a description of current uses and conditions. If, because of use permit approval, there will be multiple uses on the site, indicate the location and square footage of the different uses (staff may require a map from the applicant to clarify the project).
- 5. **Site Photographs:** (1)
Clearly show the views of and from the project, including neighboring development. Include a key map indicating where the pictures were taken from and in what direction they were taken. Label the pictures accordingly. It is often desirable to provide the City with a series of overlapping photographs of the surrounding neighborhood that show a panoramic view.
- 6. **Site Plans Showing Event Information:** (2 sets)
Site plans of the project shall be dimensioned and accurately drawn. The plans shall contain basic information such as the area where the event will be conducted, where the music is to be played, location of buildings and restrooms, where any temporary tents or fencing is to be located, etc.
- 7. **Reduction:** (1 set)
An 8 1/2" x 11" reduction of each plan.

8. Supplemental form



City of Sebastopol
Planning Department
714 Johnson Street
Sebastopol, CA 95472
707-823-5331 (Phone)
707-823-4721 (Fax)
www.ci.sebastopol.ca.us
email: kplan@sonic.net

January 27, 2010

BBQ Smokehouse and Catering
Larry Vito
6811 Laguna Park Way
Sebastopol, CA 95472

Dear Mr. Vito:

At their regular meeting of January 26, 2010, the Sebastopol Planning Commission approved your Use Permit application to allow beer and wine to be served, via Type 41 and Type 58 ABC licenses, at an existing restaurant, BBQ Smokehouse, located at 6811 Laguna Park Way. This approval is based on the facts, findings and analysis contained in the staff report, and shall be subject to the conditions attached.

If you are dissatisfied with the decision of the Sebastopol Planning Commission, you have the right to appeal this decision to the City Council within five (5) working days of the decision. This is by Tuesday, February 2, 2010, at 5:00 p.m. This must be in the form of a letter and a \$230.00 processing fee delivered to the Planning Department at 714 Johnson Street, Sebastopol, CA.

Please feel free to call me if you have any questions.

Sincerely,

Kenyon Webster
Planning Director

Cc: File
ABC

FINAL CONDITIONS OF APPROVAL

PROJECT 2009-054: ALCOHOL USE PERMIT

6811 Laguna Park Way

Planning Department conditions:

- P1. Approval is granted for the Alcohol Use Permit Amendment described in the application and supplemental materials dated December 1, 2009, and is valid for a period of two (2) years. However, you may request one (1) one-year extension of this Use Permit from the Planning Director, pursuant to Zoning Ordinance §17.250.050.
- P2. Food must be made available during all times that alcohol is served.
- P3. Hours of operation shall be limited to 9:00 a.m. until 10:00 p.m. seven days per week.
- P4. Alcohol shall be sold for on-site consumption only, except in conjunction with an ABC approved catering license.
- P5. Any minimum purchase requirement may be satisfied by the purchase of food or beverages. In no case shall a “drink minimum” be imposed.
- P6. Placement of bottles into outdoor recycling bins shall take place only between the hours of 9:00 a.m. – 10:00 p.m.
- P8. Any new signs that will identify the use of this property are subject to the prior approval of the Design Review Board or City staff, as appropriate. No signs advertising the availability of alcohol shall be displayed such that they can be seen from the outside of the premises, except as may be previously approved by the Design Review Board prior to installation.
- P9. All applicable permits shall be obtained from other approving agencies prior to commencement of this use, including, but not limited to, ABC, Building, Health and Fire Department clearances.
- P10. No sound may emanate from the building which can be heard more than 50’ from the business site.
- P11. The applicant shall be responsible for implementing a staff training program to the satisfaction of the Police Department and ABC. The Alcohol Awareness Plan for the establishment shall be signed by both the Sebastopol Police Chief and the applicant, and a copy of the Plan shall be submitted to the Planning Department for the project file. The Plan shall address physical and operational safety issues related to the establishment, mandatory employee alcoholic awareness training program attendance, and management’s policies regarding alcohol consumption and inebriation.
- P12. All fees associated with processing this project, and all applicable impact fees, including, but not limited to school, traffic, water and sewer fees, shall be paid prior to issuance of a certificate of occupancy.

Building Department Conditions:

- B1. Prior to initiating on-site alcohol sales, the Business License Application shall be revised to include the outdoor dining deck.
- B2. Prior to initiating on-site alcohol sales, a Fire Inspection Permit shall be obtained from the Fire Department. Please contact Debbie at 823-8597 to schedule the inspection.

John Jay

From: mellowreddove [REDACTED] >
Sent: Saturday, July 30, 2022 12:05 PM
To: jay@cityofsebastopol.org
Subject: Larry Vito/Smoke house BBQ Project ID.2021-046

Dear John Jay,

Thank you for welcoming comments on this matter.

As a resident directly across from this business I am more strongly affected by live music...especially amplified sounds. I would appreciate if this business can be made aware of how the volume used can affect the surrounding neighborhood. During the summer, the house heats up and I must open the doors and windows to cool off. The music has been so loud in the area it has been extremely stressful. Thank you for passing my concern to the planning commission.

Sharon Kaiser

[REDACTED] Flynn St

Sent from my Galaxy

Sept 13, 2021

Sebastopol Planning Department

Dear Kari Svanstrom,

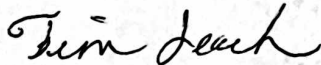
As residents of Taft Street since the late 1990's we have enjoyed the peaceful evenings of our quiet neighborhood. But as of late we are appalled by the loud amplified music coming from the "Smokehouse BBQ" business on a regular basis.

We can no longer enjoy our peaceful evenings outside due to the intense sounds. We can not even enjoy watching TV inside as the music is so loud.

Please consider music with no amplification since we do live in "PEACETOWN".

Thank you,

Tim and Julene Leach



5 Taft Street

Sebastopol, CA

Sept 16, 2021

Regarding Temporary Use Permit / Smokehouse BBQ Restaurant Amplified Music

Dear Planning Director,

I have owned and lived in my home at [REDACTED] Taft Street since October 1990.

I participated as a member and chair of the Design Review Board in the 90s and understand the complexity of city planning and design. Balancing the needs of the business community with the residential community is a delicate balancing act.

I was on the DRB as the downtown plaza was created from a lackluster parking lot, as the abandoned distillery became a movie theater, and watched the empty strip mall where Whole Foods is now located become a vibrant part of downtown life.

Being close has increasingly meant lots more sounds of social life. As the downtown core has expanded the Barlow and Plaza began legally projecting live music and the Skateboard Park has also added some amplified musical events to its sounds of fun.

What is hard to take is the addition of illegal outdoor amplified music from the BBQ restaurant which has gradually increased from a singer/guitarist to entire bands playing as loudly as if they were at a big show. (And sometimes several venues have amplified music conflictingly and concurrently.)

Unlike legal events, we never know when or for how long the restaurant's sounds are going to last. The "stage" is just feet away from the sidewalk and street. One could argue there is insufficient room for an amplified music venue in that narrow space between the restaurant and sidewalk. The lack of a sound barrier and the placement of the stage forces the sounds into the neighboring homes.

The intensity of amplified music bouncing off buildings and funneling uphill is disturbing. It not only distorts the sounds, it is so intense that some lovely summer nights I retreat to the house, closing the windows. If I need to work outside, I use noise cancelling headphones.

I know that the owner surveyed Johnson Street, but that street is at ground level, where the sound is far less obtrusive than up on Taft St.

In the interest of fairness, I ask that the zoning and permit laws be followed, enforced, and be quite clear.

I don't really know why an expanded Use Permit should be granted, as the area is already quite full of the legal sounds of business. I also do not trust that the owner, who has been operating his outdoor music venue illegally for many years, will follow the rules of an expanded permit, knowing as he must that enforcement is difficult and consequences are minor. Why expose the city to expending more resources on a known problem?

Thank you for all your hard work and for listening. I'm happy to help work this out any way I can.

Respectfully,



Lyn Dillin
[REDACTED]

Sebastopol Planning Department
Attn: Kari Svanstrom

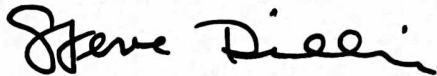
Regarding Smoke House use permit application File# 2021-046

Steve Dillin

[REDACTED]
Sebastopol, CA
95472

I am writing to express my displeasure at the loudness of the music being played at the Smoke House BBQ. This has been ongoing with no reduction after many complaints to both the BBQ and the Sebastopol police. This interferes with our peaceful enjoyment of our backyard. I request a mandated noise level reduction. If no reduction can be assured I recommend no music whatsoever. This has been an issue for at least five years and recently large and very loud bands have been playing with no regard to the noise level reaching the neighbors.

Sincerely,



9-17-2021

Steve Dillin
[REDACTED] Taft Street
Sebastopol

Hello Kari Svanstrom,

Re:Request temporary use permit #2021-046

My wife and I have lived at [REDACTED] Taft Street for 35 years. Sebastopol was a sleepy little town with railroad tracks running down Main Street and church bells Sunday morning. Taft Street was a dirt road leading into a vast field of thorny blackberries where the police station and now stands. The loudest noise I can remember was the chirping frogs at night and the song birds in the morning.

Things change.

Fast forward to 2021. We live with a constant cacophony of noise and music abounds. The clatter of the skateboard park, light industry and music rumble up the hill from the Community Center, The Barlow, The Plaza and even from large events in Ives Park, where none existed, only 10 years ago.

The notion that the Smokehouse Grill, with an outdoor seating area no larger than our back yard needs amplified music is almost laughable. But, if it is an absolute requirement for the musicians then the Smokehouse should be required to self police and keep the volume at a level that serves their clientele without disturbing the entire neighborhood.

Thank you for your consideration,



Hap Sakwa


[REDACTED] Taft Street

Sebastopol, CA 95472

September 14, 2021
Sandra Sakwa
[REDACTED] Taft Street
Sebastopol, Ca. 95472

Re: Request to reduce noise level of amplified music

We have lived at our home at [REDACTED] Taft Street for almost 35 years. In the last 10 years (coincidentally since the Barlow was developed) both the traffic and the noise level have significantly increased. We understand that some increased noise and traffic is a natural consequence of living downtown. However, we also feel that the number of hours and the decibel level of amplified music that we are blasted with on Friday, Saturday and Sunday are unacceptably excessive. We investigated the source of the loud music and it apparently is coming from amplified loud music at the Smokehouse which is primarily an eating establishment (not an arena nor a live music venue). The size of the outdoor area would certainly lend itself primarily to acoustic music. We sincerely hope that the folks at the Smokehouse will consider reducing the number of hours and/or the decibel level of the music and also set up the speakers, so they face the Smokehouse rather than blasting the music toward nearby residences. Thank you so much!


Sandra Sakwa

September 14, 2021


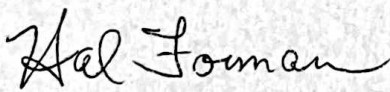
Kari Svanstrom
Sebastopol Planning Department
Re: Use Permit application File# 2021-046 Smoke House BBQ

Dear Ms. Svanstrom,

I am writing regarding the noise level generated by the music that has been going on for many years at the Smoke House BBQ. Although we no longer live on Taft Street, we lived there for more than a decade, directly up the hill from Smoke House BBQ. On weekends when they had live amplified music, we were unable to enjoy being outside in our backyard, as the music was at times quite intolerable. It even was noticeable inside the house if we had any windows open.

We ask that you consider limiting the volume of music allowed at the venue.

Sincerely,

 
Hal & Gail Forman

Neighbors opposed to loud music at the Smoke House BBQ
ATTN: KARI SVANSTROM SEBASTOPOL PLANNING DEPARTMENT
REFERENCE TEMPORARY USE PERMIT APPLICATION FILE# 2021-046
LOUD MUSIC FROM THE SMOKE HOUSE BBQ DENIES US THE PEACEFUL
ENJOYMENT OF OUR BACKYARDS.
PAGE 1

NAME	ADDRESS	COMMENT	DATE
Claire Gagne	[REDACTED] Taft St.	Below	09/13/21

For the past several weeks, we have been enduring weekly concerts at the Smokehouse BBQ with the understanding that they were to be limited in both duration & frequency (1x/week for ~2 hours for 8 weeks). The music is loud & intrusive - it's impossible to escape it when at home, which we always are in the evenings & weekends. Please please do not permit ongoing concerts that disturb the quiet of our homes & this small neighborhood.


Thanks
 Claire Gagne

NAME	ADDRESS	COMMENT	DATE
Dylan Barlow	[REDACTED] TAFT ST.		09/13/21

THE MUSIC AT SMOKEHOUSE BBQ IS OFTEN DISRUPTIVE TO OUR NEIGHBORHOOD & I WOULD LIKE TO SEE IT LIMITED IN FREQUENCY & VOLUME TO SOMETHING THAT IS ACCEPTABLE TO THE RESIDENTS IN THE AREA.

THANK YOU,
 Dylan Barlow

Neighbors opposed to loud music at the Smoke House BBQ
ATTN: KARI SVANSTROM SEBASTOPOL PLANNING DEPARTMENT
REFERENCE TEMPORARY USE PERMIT APPLICATION FILE# 2021-046
LOUD MUSIC FROM THE SMOKE HOUSE BBQ DENIES US THE PEACEFUL
ENJOYMENT OF OUR BACKYARDS.
PAGE 2

NAME	ADDRESS	COMMENT	DATE
Michael Eliscu	 Taft Street	The music is very loud coming up the hill. It would be nice if the volume were lower, as otherwise the environment is more quiet and peaceful.	09/13/2021

NAME	ADDRESS	COMMENT	DATE
------	---------	---------	------

Neighbors opposed to loud music at the Smoke House BBQ
ATTN: KARI SVANSTROM SEBASTOPOL PLANNING DEPARTMENT
REFERENCE TEMPORARY USE PERMIT APPLICATION FILE# 2021-046
LOUD MUSIC FROM THE SMOKE HOUSE BBQ DENIES US THE PEACEFUL
ENJOYMENT OF OUR BACKYARDS.
PAGE 3

NAME	ADDRESS	COMMENT	DATE
Martha Boyle	[REDACTED]	Sep. I sometimes enjoy the music played at Smoke House and at the Barlow. Other times it is loud and discordant. The standard for all music venues in city should be to have "permission" from city; as well as limited hours and direction as to the decibels emitted.	9/13/2021

NAME	ADDRESS	COMMENT	DATE
Wesley Kilgore	[REDACTED]	Sep. Wes is not bothered by the music, but he is hard of hearing	9/13/2021

RECEIVED
SEP 20 2021
BY:

Sept 18, 2021

Re: Smokehouse BBQ Application for Temp Use Permit for Amplified Outdoor Music

Suggestions for acceptable levels of music sounds that impact Taft Street residences, and possible ways to assure that the Use Permit does not cause more problems than it solves:

1. Acoustic music only. No Amplification. Limited to guitar or other stringed instruments. No drums, horns, accordions. Limit players to one or two singers and instruments. Limit days and hours to no more than 3 days a week for two hours each. Reasoning for not granting this Use Permit for Amplified Outdoor Music: for many years the owner has illegally projected amplified music, ignoring complaints by residents and has stated he can't control noise levels, only the musicians can. Also, the city does not have clear consequences for noncompliance nor do the police have a Code Enforcement officer. Why grant a permit for activity for which the city has no enforcement structure, creating more pressure on already stretched resources?
2. In addition, there are many surrounding venues who already have legal permits in businesses whose intent was to amplify music, and the ambient noise of the downtown core should have some limits on further growth of sound emission out of concern for its residential neighbors. The applicant's outdoor eating area where he provides a music stage is in a very narrow area between his building and the sidewalk/street never intended to be a theater. Directly across that street and up the hill are residential neighborhoods. Since it was not intended to be a music venue, but a restaurant, it does not provide enough area nor does it have sound walls to dampen the noise projection.
3. If BBQ MUST be granted this Use Permit for amplified music it should contain the recommendations from an Acoustic Consultant hired by the the BBQ owner to suggest ways to attenuate the sound levels for the surrounding neighborhood, and find out if that is

even possible. Sound limits should be based on number of musicians and instruments and not on decibel levels as this is difficult to discern, there are inconsistencies in this type of measurement, and decibels need to be measured from the residences affected, not the source of origin.

4. The permit, if granted, should be clear that the sound level is the applicant's responsibility, not the musicians, as it is HIS use permit, not theirs. Emphasize that the Use Permit will be enforced and if it is violated, permission to provide outdoor live music will be completely revoked. Be clear about what constitutes violations (how many complaints, how many times the police must be called in, etc.)

Petition to Save Bar B Que Smokehouse Live Music

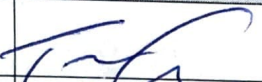
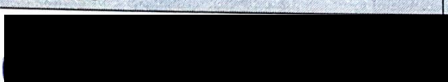
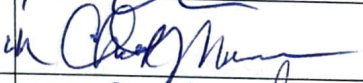
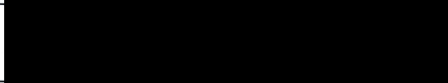

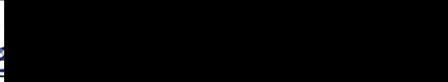

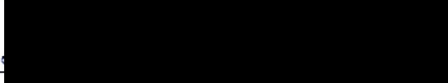

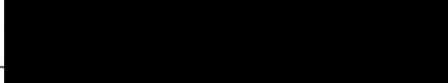

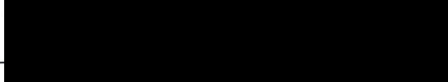

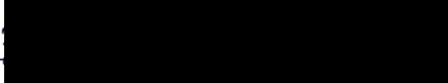

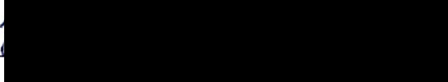

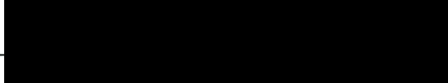

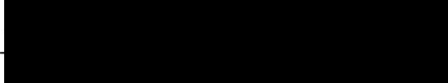

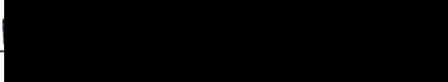


Petition summary and background	The City of Sebastopol is demanding that we cease our Live Music program. We have had live music for 12 years. Our patrons enjoy hearing music in our space and this programming is vital to our business' bottom line.
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to keep amplified lived music at the Bar B Que Smokehouse Bistro.

Printed Name	Signature	Address	Comment	Date
BECKY BRENDLIN	<i>Becky Brendlin</i>	[REDACTED]	LOVE THE MUSIC!	6/18/2021
GARY SUGIYAMA	<i>Gary Sugiyama</i>	[REDACTED]		6/18/2021
J Frank Blount	<i>J Frank Blount</i>	[REDACTED]		6/18/2021
Susan Fountain	<i>Susan Fountain</i>	[REDACTED]	SR	6/19/21
JERRY WAGNER	<i>Jerry Wagner</i>	[REDACTED]		6/19/21
KAREN WAGNER	<i>Karen Wagner</i>	[REDACTED]	MUSIC PLAYED AT A REASONABLE HOURS!	6/19/21
James Mamule	<i>James Mamule</i>	[REDACTED]	There's gotta be a middle ground!	6/19
Sara Langer	<i>Sara Langer</i>	[REDACTED]		6/19/21
BRIAN GLYNN	<i>Brian Glynn</i>	[REDACTED]	MUSIC IS NOT LOUD AND THE BANDS ARE BEAUTIFUL	6/19/21
Jim G... ..	<i>Jim G...</i>	[REDACTED]	EXCELLENT MUSIC THAT IS NOT LOUD. GOOD BACKGROUND	6/19/21
Janet Glynn	<i>Janet Glynn</i>	[REDACTED]	Enjoying the music + food. Not loud. w/ a sleeping baby next time!	6/19/21
Emily Caron	<i>Emily Caron</i>	[REDACTED]	Love the music, our four weekend spot! My baby sleeps thru the music	6/19/21

Printed Name	Signature	Address	Comment	Date
Tim Campbell			Welcome!	6/19/21
KATIE MCGRAW			MUSIC IS GREAT!! ^{KEEP IT!!}	6/19/21
John Higgins			Free Willy!!	6/19/21
LISA INZUNZA			Viva la musica!	6/20/21
PAUL LOPEZ			MUSIC MAKES THE BOURGEOISIE ET THE PEASANTS	6-20-21
Diane Sanchez			MUSIC IS LIFE! + FREEDOM!	6/20/21
RICHARDO GALICIA			Music is great!	6/20/21
CINDY CHAN			Music (4)	6/20/21
Wendy Kork			Great music	6/20/21
Kevin Wrosch			music is a part of every ones' lives... why remove pleasant music that is loved?	6-20-2021
KEVIN CRISTOFORA			MUSIC IS MUCH NEEDED, ESPECIALLY AFTER COVID!!	6/20/21
Diana Cardenas			Keep the music going! makes people feel good. Just stop after certain hours	6/20/21
IRENE DURHAM			Love the music! GREAT VARIETY! KEEP IT!	6/20/21
Rose Collins			Love the music!	6/20
Lamar Collin			Loss of music = loss of customers MUSIC = CUSTOMERS	6/20
Susan Oliver			SEBASTOPOL NEEDS	6/20/21
Rob oliver			LIVE MUSIC!!	6/20/21

Petition to Save Bar B Que Smokehouse Live Music

Petition summary and background	The City of Sebastopol is demanding that we cease our Live Music program. We have had live music for 12 years. Our patrons enjoy hearing music in our space and this programming is vital to our business' bottom line.
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to keep amplified lived music at the Bar B Que Smokehouse Bistro.

Printed Name	Signature	Address	Comment	Date
Travis Choate			Love the tunes!	6-19-21
Cheryl MARCOVICH			Please Don't	6-19-21
Bru DeSmet				6-19-21
Cindy De Smet			Love Music!	6-19-21
Stephen Garavelli			Good music w/ Good food	6.19.21
Lyn F. B...			Great food & good music	6-20-21
Mary Gage				6-19-21
Mikayla Kelly			live music is Great	6/19/21
Maggie Schuler			live music is Great	6/19/21
Philip Kudz			My kids + family love the music	6/19/21
Amanda Kirk			Love the music	6/19/21
Mike Russell			live music heals	6/19/21

Petition to Save Bar B Que Smokehouse Live Music

Petition summary and background	The City of Sebastopol is demanding that we cease our Live Music program. We have had live music for 12 years. Our patrons enjoy hearing music in our space and this programming is vital to our business' bottom line.
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to keep amplified lived music at the Bar B Que Smokehouse Bistro.

Printed Name	Signature	Address	Comment	Date
MARTY RAINONE	M. Rainone		We love the music!	6/20/21
Carol Rainone	Carol Rainone		6/20/21	
KITTY Soderstrom	Kitty Soderstrom		<u>KEEP LIVE MUSIC ALIVE!</u> 6/20/21	
Rocky RAINONE	Rocky Rainone		KEEP LIVE MUSIC ALIVE 6/20/21	
Jami Boggs	Jami Boggs		KEEP LIVE MUSIC! 6/20/21	
Shay Coffee	Shay Coffee		Keep Live Music 6/20/21	
Sandi G.	Sandi G.		Keep the music 6/20/21	
Richard Bandman	Richard Bandman		Live Music is Jobs! 6-20-21	
Tracy Whitaker	Tracy Whitaker		Love the music 6/20/21	
Susan Calmeyer	Susan Calmeyer		Keep the music! 6/20/21	
Car. Nelson	Car. Nelson		" 6/20/21	
Bret Whitaker	Bret Whitaker		" 6/20/21	

Printed Name	Signature	Address	Comment	Date
RICH BRASIC				6/20/21
Lesla Cogo				6/20/21
Jennifer McClelland			Keep live music!	6/20/21
Adam Schaible				6/20/21
Errol McClelland			So mellow and and enjoyable! Keep it!	6/20/21
George McClelland			This music and ambience is why we come to Sebastopol. Keep it	6/20/21
Karla Fittipaldi			Live music is healing!	6/20/21
Alicia Fittipaldi			Don't take our live music	6/20/21
David Hoover			Let them Play	6/20/21
Johann Whitbeck			We need the music	6/20/21
Ken Whitbeck			Low impact music venue continue!!	6/20/21
Donna Hoover			this music brought us into town to spend our money	6/20/21
Danni Perez			It eases my sundays & traveling job times	6/20/21
Victor Bodye			Keep it Live.	6/20/2021
Nora Bourke			Keep it here music is life!	6/20/2021
Zan MORSH			MUSIC IS MEDICINE	

AW

Petition to Save Bar B Que Smokehouse Live Music

Petition summary and background	The City of Sebastopol is demanding that we cease our Live Music program. We have had live music for 12 years. Our patrons enjoy hearing music in our space and this programming is vital to our business' bottom line.
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to keep amplified lived music at the Bar B Que Smokehouse Bistro.

Printed Name	Signature	Address	Comment	Date
ERIK FERRY	<i>[Signature]</i>		LIVING NEAR LIVE MUSIC IS A PRIVILEGE	06/20/21
Demi Peterson	<i>[Signature]</i>			6/20/21
Greg Jilka	<i>[Signature]</i>			6/20/21
JOHN CALMEYER	<i>[Signature]</i>		THE CITY SHOULD SUPPORT LIVE MUSIC!	6/20/21
Jim Whalen	<i>[Signature]</i>		Ross	6/20/21
Evita Werts	<i>[Signature]</i>			6/20/21
Vernon Werts	<i>[Signature]</i>			6/20/21
Terri Caporro	<i>[Signature]</i>		Awesome music	6/20
Quaid Caporro	<i>[Signature]</i>		Live music rocks	6/20
Jose Pech C	<i>[Signature]</i>			6/20
Suzanne Gordon	<i>[Signature]</i>		73 Live Music	6/26
M Chambers	<i>[Signature]</i>		Live Music	6/26

Printed Name	Signature	Address	Comment	Date
Jennifer Buff			Live music is precious. Please let it continue here!	June 26 2021
PAULA COOL			War is hell. Peace is the only way.	6/20/2021
Rosemary Whitson			Love live music or keep it going!	6/26/21
Cassie Mahakran			Made our lunch :-)	6/26/21
Daniel Smith			Don't shut us down!	6/26/21
Mary Ann Mehin			Our lunch was 1000X better w/ his music	6/26/21
Phil Kesting			Awesome - not loud	6/26/21
Ellen Wynn			Great musicians a chance for live!	6/26/21
Yolanda Morales			Love Live Music	6/26/21
Lindsay Olson			Music is awesome!	6/26/21
Justin Kammes			" "	6/26/21
Doris Parker				
DOROTHY JANSON			DON'T SHUT DOWN LIVE MUSIC! THIS IS WEST COUNTRY!!	6/26/21
Laura Shafer			Music brings me down town	6/26/21
Shannon Williams			Viva la musica!	6/26/21
Michael BURROUGHS			Great Music!	6-26-21
ELISA BURROUGHS				

Petition to Save Bar B Que Smokehouse Live Music

Petition summary and background	The City of Sebastopol is demanding that we cease our Live Music program. We have had live music for 12 years. Our patrons enjoy hearing music in our space and this programming is vital to our business' bottom line.
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to keep amplified lived music at the Bar B Que Smokehouse Bistro.

Printed Name	Signature	Address	Comment	Date	
JESS SEVUD	<i>Jess Sevud</i>		keep live music alive!	6/25	
Jacob Stone	<i>Jacob Stone</i>		Don't be a hater	6/25	
DAISY ANN BLINCE	<i>Daisy Ann Blince</i>		Sovereign, Freedom KEEP LIVE MUSIC!!	6/25	
PAUL SCHWEDER	<i>Paul W. Schuder</i>		There are already too few venues left for local musicians	25 June 2021	
Natalie Cann	<i>Natalie Cann</i>		IT IS JUST WHAT WE NEED!! ALL OF US	6/27	
GEORGE PILLOTON	<i>George Piloton</i>		It's a draw to come here - happy times! KEEP	6/27	
Katie Bartunek	<i>Katie Bartunek</i>		spot	We need more live music!	6/27
Maggie Piloton	<i>Maggie Piloton</i>			we love the live music!	6/27
LUNA PILOTON	<i>Luna Piloton</i>			The music is part of the "small town appeal"	6/27
JUSTIN MEUER	<i>Justin Meuer</i>			MUSIC ESSENTIAL!!!	6/27
Carminda Miller	<i>Carminda Miller</i>			Live Music is ART!	6/27
JENNIE HAMEL Jennie Hamel	<i>Jennie Hamel</i>			Keep the music!!!	6/27

Printed Name	Signature	Address	Comment	Date
Petra Gordon	Petra Gordon		The music is beautiful and uplifting	6/27/21
Bradley Gordon	Bradley Gordon		Music adds life to studs BBQ place	6-27-21
Laura Wheeler	Laura Wheeler		Please keep live music!!! ♡	6/27/21
Ben Mink	Ben Mink		The music is great! It would be a loss to lose it.	6/27/12
Keith Bridges	Keith Bridges		Music adds flavor to the BBQ	6/27/21
Melanie Harris	Melanie Harris		Keep the music!! Such a wonderful atmosphere	6/27/21
Jessica Drew	Jessica Drew		7	6/27/21
Max Cobb-Adams	Max Cobb-Adams		chill. so Rose, CA chill.	6/27/21
George Palm	George Palm		Soft music loves it!	6/27/21
Susan Fitzgerald	Susan Fitzgerald		MUSIC here IS GREAT	6/27/21
Fred Nelson	Fred Nelson		WE NEED MUSIC	6/27/21
Bill Felter	Bill Felter		This is too nice a place to not have music	6/27/21
Abbecca Murrin	Abbecca Murrin		Great sounds!!	6/27/21
Mark Hurdman	Mark Hurdman		Keep the music!	6/27/21
Rod Cross	Rod Cross		buy I like music	6/27/21
LAWRENCE SMITH	Lawrence Smith		music is the heart of the cupcake	6-27-21

Petition to Save Bar B Que Smokehouse Live Music

Petition summary and background	The City of Sebastopol is demanding that we cease our Live Music program. We have had live music for 12 years. Our patrons enjoy hearing music in our space and this programming is vital to our business' bottom line.
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to keep amplified lived music at the Bar B Que Smokehouse Bistro.

Printed Name	Signature	Address	Comment	Date
Jan or Palma	<i>[Signature]</i>	[REDACTED]	LIVE MUSIC IS GREAT	6/27/21
Scott Decker	<i>[Signature]</i>	[REDACTED]	Music is life	6/27/21
Aleena Decker	<i>[Signature]</i>	[REDACTED]	Music is an important growing economic industry in SoCo.	6/27/21
Barbara Gray	<i>[Signature]</i>	[REDACTED]	Keep the music going!	6/27/21
Elizabeth Flower	<i>[Signature]</i>	[REDACTED]	WE NEED MORE MUSIC IN SEBASTOPOL!	6/27/21
MICHAEL GRAY	<i>[Signature]</i>	[REDACTED]	MUSIC IS LIFE	6/27/21
PATRICIA O'ROORKE	<i>[Signature]</i>	[REDACTED]	We need more live music, not less	6/27/21
CHARLIE STANMER	<i>[Signature]</i>	[REDACTED]	LIVE MUSIC IS GOOD	6/27/21
Victoria McKensie	<i>[Signature]</i>	[REDACTED]	Live music is a must brings a good vibe	6/27/21
Daniel Hedgers	<i>[Signature]</i>	[REDACTED]	Chill, calm, Not loud	6/27/21
Justin Glenn	<i>[Signature]</i>	[REDACTED]	Good food and music	6/27/21
Aileen Emerson	<i>[Signature]</i>	[REDACTED]	music brings people together. creates good vibes	6/27/21

Printed Name	Signature	Address	Comment	Date
Susan Marchand	[Signature]	[Redacted]	Music heals the soul	6/27/21
Matthew Szarmach	[Signature]	[Redacted]	WE ♥ Music	6/27/21
Dominique Szarmach	[Signature]	[Redacted]	don't be <u>LAME!</u>	6/27/21
SHERYL KNIGHT	[Signature]	[Redacted]	Love the music	6/27/21
Randy Knight	[Signature]	[Redacted]	OMG! Got a life!	
Marianne Marshall	[Signature]	[Redacted]	Love the Music, love the place	6/27/21
Bisbit BUES	[Signature]	[Redacted]	Music = ♥	
Luis Quezada	[Signature]	[Redacted]	This place makes sense This is why I live here!	
Mark Perlman	MARK PERLMAN	[Redacted]	MUSIC CURES THE SOUL	6/27/21
Ina Perlman	[Signature]	[Redacted]	Music heals!	6/27/21
Christine Walker	[Signature]	[Redacted]	We need music!	6/27/21
Dennis Hyson	[Signature]	[Redacted]	WE NEED MUSIC!	6/27/21
Stella Cross	[Signature]	[Redacted]	and Love this place	6/27/21
Mary Ferral	[Signature]	[Redacted]	FR 9545 (Love Music Always)	