



City of Sebastopol
Incorporated 1902
Planning Department
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UNAPPROVED DRAFT MINUTES

PLANNING COMMISSION
CITY OF SEBASTOPOL
MINUTES OF July 18, 2023

PLANNING COMMISSION:

The notice of the meeting was posted on July 13, 2023.

1. CALL TO ORDER: Chair Fernandez called the meeting to order at 1:00 P.M. and read a procedural statement.

2. ROLL CALL:

Present:	Chair Fernandez, Vice Chair Fritz, and Commissioner Burnes
Absent:	Commissioner Oetinger (excused)
Staff:	Kari Svanstrom, Planning Director John Jay, Associate Planner

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

4. STATEMENTS OF CONFLICTS OF INTEREST: None.

5. APPROVAL OF MINUTES:

January 10, 2023

Vice Chair Fritz moved to approve the minutes as presented.

Chair Fernandez seconded the motion.

AYES: Chair Fernandez, Vice Chair Fritz, and Commissioner Burnes
NOES: None
ABSTAIN: None
ABSENT: Commissioner Oetinger

6. PUBLIC HEARINGS:

A. HOPMONK – DOWNTOWN NOISE PERMIT – 230 PETALUMA AVENUE

The applicant is seeking approval for a Downtown Noise Permit to exceed the City of Sebastopol Noise Ordinance for two events per month. Event will take place on Saturday and Sundays with music starting at 4:30PM and an ending time of 7:00PM. The Hopmonk will notify the Planning Department a minimum of 30 days before each event for scheduled music events. 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.

Director Svanstrom presented the staff report.

Chair Fernandez asked for Planning Commission questions of staff. Seeing none, he asked for the applicant's presentation.

The applicant gave a presentation and was available for questions.

Chair Fernandez asked for Planning Commission questions of the applicant. Seeing none, he opened public comment. Seeing none, he closed public comment.

The Commission discussed the application as follows:

Paul Fritz, Vice Chair

I appreciate the willingness of the applicants and staff to work on this ahead of time. Sound is a sensitive issue and we have residential neighborhoods near downtown, and I appreciate the applicant's recognition of that. I agree with the applicant that it is a balancing act, and there would only be two events a month, which is not excessive, and ending by 7PM is reasonable. I'm willing to approve this use permit as requested.

Evert Fernandez, Chair

I appreciate everything the Hopmonk has brought to Sebastopol, as well as their cooperation in addressing citizens' complaints. I don't see any issues here and I would support approval.

Chair Fernandez made a motion to approve a Downtown Noise Permit for 230 Petaluma Avenue

Vice Chair Fritz seconded the motion.

AYES: Chair Fernandez, Vice Chair Fritz, and Commissioner Burnes

NOES: None

ABSTAIN: None

ABSENT: Commissioner Oetinger

B. RUBY PILATES – USE PERMIT – 125 NORTH MAIN STREET

The applicant is seeking the approval of a use permit application to allow a Pilates studio (Ruby Pilates) at 125 North Main Street in Sebastopol. The Zoning Ordinance requires a use permit for exercise facilities located within the Downtown Core district. The hours of operation are requested as follows: 5AM to 8PM

Mondays through Thursday, 5AM to 7PM Fridays, and 8AM to 6PM on weekends. Appointments are required. Classes are scheduled to run on 55-minute intervals and can accommodate 5 people. The proposed project has been determined to be exempt from further environmental review under Section 15301 – Existing Facilities, Class 1 of the California Environmental Quality Act (CEQA) Guidelines.

Associate Planner Jay presented the staff report.

Chair Fernandez asked for Planning Commission questions of staff. Seeing none, he asked for the applicant's presentation.

The applicant gave a presentation and was available for questions.

Chair Fernandez asked for Planning Commission questions of the applicant.

Evert Fernandez, Chair

Currently your classes are by appointment only, but if you become more successful would you consider changing that if more people were interested? How do you see that happening based on your past experience?

Gayle Russell, Applicant

I have never had it that someone could just wander in. I did rent space to teachers and trained professionals to use for themselves, but they still had to book the space.

Evert Fernandez, Chair

You've said your current classes are about five people. What would be your capacity if you expanded?

Gayle Russell, Applicant

We could have a body on each of the 12 pieces of equipment. It would be a little uncomfortable, but doable. Maybe 13, and a teacher or two.

Chair Fernandez asked for Planning Commission questions of the applicant. Seeing none, he opened public comment.

Suzanne Hagins

I am a Sebastopol resident and owner of Horse & Plow Wine & Cider just outside the City limits. I want to speak to Gayle and Dan's character as amazing involved community members, friends, and an inspiration to many. So many local communities have seen their downtowns decline, including my favorite yoga studio. Ruby Pilates would be a welcome addition to Sebastopol to help rebuild post-COVID and draw people to other businesses in the downtown. Gayle has a lot of success in this area and I hope this application is approved so she can share her knowledge with the community.

Barbara Marland

I am also a Sebastopol resident; owner of a local business, the Law Offices of Omar Figueroa; and a friend of Gayle and Dan. I echo what Suzanne said regarding the downtown area and note the large number of yoga studios Sebastopol used to have. This once vibrant scene is now lacking, leaving the City without many fitness options and forcing many residents to go to other towns for their fitness needs. There are a few Pilates studios in Sebastopol, but the City could certainly support more in the area. When I attend classes at Ruby Pilates I come away feeling happy, healthy, and strong, and I do frequent other businesses downtown before and after the classes. This business will be a wonderful

addition to our downtown and entire community by bringing people to the downtown and generating tax dollars for the City.

Toni Noda (phonetic)

I recently moved to Sebastopol and was disappointed to see the empty storefronts of the downtown, but I was excited to see that Ruby Pilates was opening; it will add a nice vibe to the downtown in this beautiful space. I am tired to driving to Santa Rosa for Pilates and want to be able to walk to my classes and run errands in downtown Sebastopol. I hope this application will move forward with approval.

Ali Mann

Gayle's incredible energy has changed my life and is so inspirational. Ruby Pilates would be an incredible space and I support the application.

Chair Fernandez closed public comment.

The Commission discussed the application as follows:

Deborah Burnes, Commissioner

We've had businesses go out of business because they could not find team members, so I am glad to hear Dan is also a teacher in addition to Gayle. We appreciate you guys wanting to be downtown, because we need that vibrancy.

Evert Fernandez, Chair

If things change regarding the number of individuals or class times, would that come back to the Planning Department for modifications?

Kari Svanstrom, Planning Director

The easiest thing to do would be for the Commission to provide guidance at this time. We usually recommend a wider range of hours and believe Associate Planner Jay's analysis is spot on. At the last hearing someone commented about safety in the early morning hours.

Deborah Burnes, Commissioner

Being on Main Street for 23 years, I don't think safety in the early morning hours is an issue; I am in favor of them being open at 5AM. There is never anyone parked there at 5AM.

Kari Svanstrom, Planning Director

So again, guidance on the hours. I think Gayle submitted the hours appropriately, and the outer extent of what you might like to do is where we like to start, because we don't want them to have to come back. Also guidance on the class size. Five people are very minimal if 15 are the outer limit. The Commission should discuss and offer guidance, and that way we can actually note that under Condition of Approval 1, "Shall be in substantial conformance with the application documents, except as modified herein," and then we can add up to X number of participants, however the Commission wants to word that.

Evert Fernandez, Chair

I don't have a problem with the hours, and it would make it easier if they are successful to not have to come back to the Commission. We could just say up to a certain number of class participants, and it sounds like 12 is the outer edge there, so I'd like to leave a little leeway.

Paul Fritz, Vice Chair

I don't care how many people are in there; she can only fit so many people in the space. We don't limit how many people can be shopping in a retail establishment at any given time, and I don't think we need to define anything. I'm happy to leave it open-ended.

Evert Fernandez, Chair

I would support that.

Paul Fritz, Vice Chair

I think the hours are fine too.

Evert Fernandez, Chair

How would you suggest going beyond their application as far as numbers, or should we just leave it open-ended?

Kari Svanstrom, Planning Director

Under Condition of Approval 1 you could say, "Except as modified herein." You don't need to modify the hours, because those are already in with no limitation on participants.

Evert Fernandez, Chair

Is that acceptable?

Paul Fritz, Vice Chair

It's acceptable to me.

Kari Svanstrom, Planning Director

It's more to provide guidance to any a future planner looking at this. Our normal statement is in substantial conformance with what the application stated.

Paul Fritz, Vice Chair

The application said five people?

Kari Svanstrom, Planning Director

Yes, and so we want to make sure that it's clear that it's okay to go beyond that. I would add to Condition of Approval 1A no limitation on participants.

Paul Fritz, Vice Chair

I'm fine with that. In the future I would like us to look at the use permit requirement for exercise downtown to reconsider that. I know there could be a concern regarding noise, but this is in the downtown.

Evert Fernandez, Chair

Right, and we have the Noise Ordinance.

Kari Svanstrom, Planning Director

We're working on the draft work plan for a future meeting and that has already been added for discussion.

Vice Chair Fritz made a motion to approve a Use Permit for 125 North Main Street as amended.

Commissioner Burnes seconded the motion.

AYES: Chair Fernandez, Vice Chair Fritz, and Commissioner Burnes
NOES: None
ABSTAIN: None
ABSENT: Commissioner Oetinger

7. CONSENT CALENDAR

A. Planning Commission Rules Update Resolution

Chair Fernandez requested to pull Item A from the Consent Calendar.

Director Svanstrom presented the staff report.

Chair Fernandez opened public comment. Seeing none, Chair Fernandez closed public comment.

The Commission discussed the application as follows:

Evert Fernandez, Chair

I encouraged updating this, and I want to be clear it is not a reflection on the current director, but it is for future reference. In my time on the Commission I've seen no Commission involvement on the agenda to working very well with our current director, so I wanted to make sure that the wording is set so it doesn't get lost in the future. For example, I want to make sure we include: page one, Rule One says, "Regular meetings of the Planning Commission shall be held on the second and fourth Tuesdays of each month beginning at 6PM," and the very next line, "The meeting time may be revised by the Planning Director to accommodate necessary business." I want to add in there, and in a couple of other areas, to also consult with the chair about that out of courtesy, just like the line in the first paragraph of the next one, "The planning director with advanced consultation with the chair shall prepare the agenda." In the third paragraph that starts, "The meetings shall be held," the second sentence starts, "Regular meetings may be canceled upon the termination of planning director," again, just advise or consult with the chair. Rule 3A, same thing down there. Minor Rule 7, in the second sentence a capital I there for, "In the absence of." Then just a question. Rule 8C, is there ever any time where the chair or any of the officers have to sign, or is that always the planning director?

Kari Svanstrom, Planning Director

It's always the planning director.

Evert Fernandez, Chair

Rule 9, after D it should be E, but I don't know what that symbol is.

Kari Svanstrom, Planning Director

It's a Euro symbol.

Evert Fernandez, Chair

Rule 14B states that, "Each person desiring to address the Planning Commission shall step up and state their name and address for the record." Is that a requirement?

Kari Svanstrom, Planning Director

We usually do not require the address. Some people give it, but legally you can't require it. I would say, "...state their name for the record," and strike, "...and address."

Evert Fernandez, Chair

Rule 15, 4D, where it says, "Members of the audience," I've always thought it should be, "Members of the public," instead of audience.

Kari Svanstrom, Planning Director

That's fine. It is the public and it is a public meeting. And that's under D1.

Evert Fernandez, Chair

Rule 17A says, "They shall notify the planning director as soon as possible," because the next item B says, "or have the chair state the nature of such disqualification," so the chair should know in case they have to state that.

Kari Svanstrom, Planning Director

Right, and that's coordinated. I think actually for B we are changing all of these to be they/them, so I think where it says, "A Commissioner who is disqualified shall not remain in his or her seat," it should just be, "in their seat."

Evert Fernandez, Chair

I was surprised to see the item that says after a vote is taken a person can change their mind.

Kari Svanstrom, Planning Director

You can reconsider, yes. That is helpful should you realize you forgot to add a condition, or something did not get into the record appropriately; you can still correct it at that meeting.

Chair Fernandez made a motion to approve the Planning Commission Rules Update Resolution.

Vice Chair Fritz seconded the motion.

AYES: Chair Fernandez, Vice Chair Fritz, and Commissioner Burnes

NOES: None

ABSTAIN: None

ABSENT: Commissioner Oetinger

8. REGULAR AGENDA ITEMS – None.

9. SUBCOMMITTEE UPDATES – None.

10. PLANNING DIRECTOR'S REPORT

Director Svanstrom provided updates.

The Commission asked questions of Director Svanstrom.

9. ADJOURNMENT: Chair Fernandez adjourned the meeting at 2:00 p.m. The next regularly scheduled Planning Commission meeting will take place on Tuesday, July 25, 2023 at 6:00 p.m.