



City of Sebastopol Planning Commission Staff Report

Meeting Date: June 14, 2022
Agenda Item: 6A
To: Planning Commission
From: Kari Svanstrom, Planning Director
Subject: Peacetown Concert - Temporary Use Permit
Recommendation: Approve with Conditions

Applicant/Owner: Jim Corbett, Applicant / The Barlow, owner
File Number: 2022-038
Address: The Crooked Goat (120 Morris Street #120)
Foundry/Woodfour Building (6780 Depot Street #160)
Community Market south lawn (6762 Sebastopol Avenue #100)
Acre Pizza (6570 McKinley St)
CEQA Status: Exempt
General Plan: Manufacturing
Zoning: Commercial Industrial (CM)

Introduction:

This is a Temporary Use Permit (TUP) application from Jim Corbett for “Peacetown” concerts at the Barlow every Wednesday from June 22th to September 7, from 4:30 pm until 8:30 pm. The application is to permit music stages at the parking lots of The Crooked Goat (120 Morris Street #120) and Foundry/Woodfour Building (6780 Depot Street #160) and the Community Market south lawn (6762 Sebastopol Avenue #100). A “children’s village” is proposed in front of Acre Pizza (6570 McKinley St) as well.

Stages are also to be provided at the Barlow Event Center and Hopmonk (which already are permitted for live events and will not be part of this application review).

Project Description:

The event was originally permitted last year by the Planning Department, which can issue Temporary Use Permits (TUP) for events up to 6 months at a staff level. TUPs over 6 months require review of the Planning Commission, so the renewal of this permit is before the Commission.

As described in the application, events will occur every Wednesday from 4:30Pm till 8:00 pm starting June 22 and running through September 7, 2022. Parking will be located throughout the Barlow along with the overflow lot that is being use on Morris Street. This year a contracted parking group will be monitoring the Rialto Theater to ensure no event parking takes place within the theaters lot. Within the application is a map of the site that shows stage locations, restrooms, and barricades for

parking closures. The event proposes to see roughly 1,000 or more people per event and will host live music.

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.

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 Building, Fire, and City Manager's Office; the following comments were received and were added as conditions of approval.

- A professional parking monitor shall be provided to ensure the public does not park in private lots for the event.
- No closure of McKinley Street is allowed for these extended dates.
- No public property (ie sidewalk sales in downtown or streets outside of those indicated on the application) as approved as a part of this permit. Any use of public property will require a Special Use permit through the Public Works department.
- All events must comply with Sonoma County and State of California public health directives related to Covid-19 in place at the time of the event.

Analysis:

While temporary events are common in the City, including the Barlow, the larger events such as this do have impacts on surrounding businesses and residents.

The City received a number of complaints during the last season, as well as recently as the June 8 event, that the parking monitors required by the prior permit were not present, and event attendees were parking in private parking lots. The City did also receive a couple of comments about the sound levels of the events, which disrupted other nearby businesses' outdoor seating areas, as well as being beyond the noise limits in the Zoning Ordinance.

Both of these issues can be a burden to other businesses, residents, and staff (City Management, Police, and Planning in particular), and should be resolved in any approval of the continuation of the event. The Barlow and Peacetown applicant, Jim Corbett, have revised some of the operations over last year's events, such as not closing McKinley St, which allows for much more parking, and instead utilizing Barlow parking lots, lawns, and event areas, and one portion of a street well within the Barlow campus.

Additionally, staff has attempted to craft some language and requirements to try to resolve some of these issues, such as requiring that professional security be hired for the parking lot monitoring.

Lastly, the project will be subject to the City's noise ordinance and shall not exceed the allowed levels. Complaints of noise exceeding the allowed levels shall be submitted to the Sebastopol Police department who has the authority to require modifications or termination of the noise source. As mentioned above, events like these are common within the Barlow this time of year. However, their events should be respectful to the neighboring property owners and residents. The general condition of approval that the noise ordinance not be exceeded, as well as developing a "good neighbor policy" to address these concerns is included in the recommended conditions of approval.

Public Comment:

As prescribed by Section 17.460 of the Zoning Ordinance, the Planning Department completed the following: (1) Provided written notice to all property owners within 600 feet of the external boundaries of the subject property; (2) provided a written notice that was published in the Healdsburg Tribune; and (3) posted three written notices publicly on and within vicinity of the subject property.

Public comments received as of this staff report are included in the Attachments to this staff report.

Recommendation:

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

- Applicant shall provide a professional security firm/guards to monitor private parking lots adjacent to the Barlow to ensure that no Peacetown event attendees park in private lots.
- No closure of McKinley Street is allowed.
- No public property (ie sidewalk sales in downtown or streets outside of those indicated on the application) as approved as a part of this permit. Any use of public property will require a Special Use permit through the Public Works department.
- All events must comply with Sonoma County and State of California public health directives related to Covid-19 in place at the time of the event.

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 materials

Exhibit A – Recommended Findings for Approval

Exhibit B – Recommended Conditions of Approval

Public Comments

RECOMMENDED FINDINGS FOR APPROVAL

1. That the event is categorically exempt from the requirements of CEQA, pursuant to Section 15304, Class 4, in that the event will take place for one day and will not require any permanent improvements.
2. That, as conditioned, the event is not expected to have a detrimental impact on the neighborhood or general welfare of Sebastopol as it will take place within a controlled area of The Barlow property and the parking lot immediately behind the business and the event will be under the supervision of event staff.
3. That the event will have amplified music and various announcements, however, this component is not expected to create an undue noise disturbance since it will occur during daytime hours and will cease at 7:30 p.m.
4. That event parking will be provided at The Barlow, which, as conditioned, contains sufficient onsite parking and will ensure that surrounding businesses and/or residences are not negatively impacted.
5. That similar events to the proposed have been held by The Barlow, and other businesses at the Barlow, and have not resulted in detrimental impacts to the neighborhood and/or Sebastopol in past years.
6. That the City has added conditions to this Temporary Use Permit to minimize any potential adverse impacts.

RECOMMENDED CONDITIONS OF APPROVAL

1. Approval is granted for the Temporary Use Permit for the "Peacetown" Summer Concert Series for the June 8 and June 15, 2022 concerts, with the following modifications:
 - a. Stages shall be at the Barlow Event Center, Community Market south lawn, Crooked Goat Brewing parking lot, and Foundry Building/Woodfour/Fern Bar lot.
 - b. No closure of McKinley Street is approved for these events. The parking along these street frontages shall remain open.
 - c. The Applicant shall make 385 Morris Street available for parking, with parking areas delineated so that parking is restricted to previously developed surfaces.
 - d. Any ADA parking spaces which are closed off for the events shall be accommodated with an equivalent number of temporary ADA parking spaces provided close to the location of the permanent ADA spaces, and with an accessible path of travel to the event (such as sidewalks, etc.).
 - e. The Applicant and Barlow shall develop a good neighbor policy, to include a contact at the Barlow who is present and available during the events to resolve any issues with the public.
2. No sound may emanate from the property, which causes an undue disturbance more than fifty (50) feet from the event site or violates the Noise Ordinance. The Police Department has the authority to require modifications or require termination of the noise source in the event of a noise issue.

3. All applicable permits shall be obtained from other agencies prior to commencement of this use, including, but not limited to ABC, Building and Safety Department, Health Department, and Fire Department clearances.
4. A professional security firm shall be present and monitor parking areas to ensure the public does not park in private lots for the event.
5. No public property (ie sidewalk sales in downtown or streets outside of those indicated on the application) as approved as a part of this permit. Any use of public property will require a Special Use permit through the Public Works department.
6. The event must comply with Sonoma County and State of California public health directives related to Covid-19 in place at the time of the event.
7. Live music shall cease at 7:30 p.m. in accordance with the application description.
8. No sound may emanate from the property which violates the Noise Ordinance. The Police Department has the authority to require modifications or require termination of the noise source in the event of a noise issue.
9. The temporary improvements and debris shall be removed and restored to their former condition within seven (7) days following the event.
10. All street and access point closures must provide a physical barrier. Individuals must be present at all closure points throughout the duration of the event to ensure removal of the barricades for emergency vehicle response.
11. All food vendors will require business licenses.
12. Applicant shall ensure that all storm drains within the event area are protected from debris and/or wash water.
13. All tent structures, when used shall be labeled by the State Fire Marshal's Office as fire/flammable retardant and shall meet the requirements of Title 19 of the California Code of Regulations. No propane devices are allowed in any tents or structures. Please contact the Fire Chief for inspection prior to use, if applicable, at (707) 823-8061.
14. The applicant shall contact the Police Department and Fire Department at least ten (10) days in advance of the event for coordination.
15. All persons serving or distributing alcoholic beverages are required to attend the Responsible Beverage Service training program or an equivalent, either in-person or online to the satisfaction of the Police Chief.
16. 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.

17. The Planning Director shall interpret applicable requirements in the event of any redundancy or conflict in conditions of approval



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.

Supplemental Form

Please turn in with your application

DATE OF EVENT: 6/8, 6/15, 6/22, 6/29, 7/6, 7/13, 7/20, 7/27, 8/3, 8/10, 8/17, 8/24, 8/31, 9/7

NAME OF EVENT: Peacetown Summer Concert Series

TIME OF EVENT: 4:30 - 8:30 pm

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

WHAT IS THE ANTICIPATED ATTENDANCE? 1000⁺ per week

WILL ADMISSION BE CHARGED? YES NO

WILL AREA BE BARRICADED OFF? YES NO ~~SEE MAP~~

IF SO, HOW? PLEASE DESCRIBE: _____

HOW MANY PERSONS WILL STAFF THE EVENT? 20

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: LIVE BANDS

TIME(S) THAT ANY MUSIC WILL BE PLAYED: 4:30 - 8:30

WILL MUSIC BE AMPLIFIED? YES NO

WILL ANY GENERATORS BE UTILIZED? YES NO

PLEASE DESCRIBE RECYCLING PLANS: COMPLETELY GREEN

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. IN BARLOW AND OVERFLOW PARKING ON MORRIS ST.

HOW CLOSE BY IS THE NEAREST RESIDENCE? PLEASE DESCRIBE. TWO BLOCKS AWAY - JOHNSON STREET

Peacetown Site Map



Stage locations



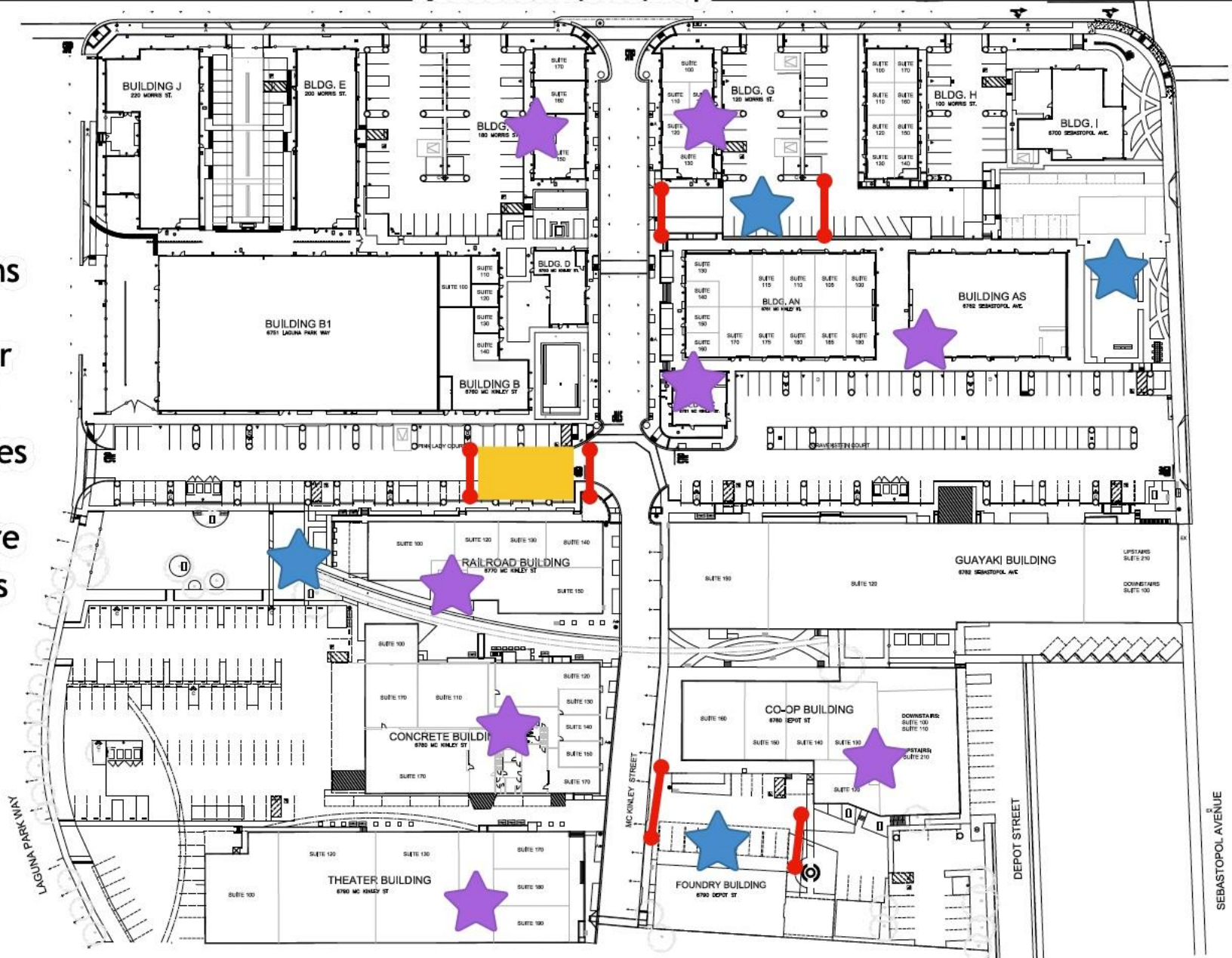
Barricades for stage area/
parking closures



Parking closure for Children's
Village



Restrooms



Peacetown Event Description

The Peacetown Summer Concert Series is being presented for the tenth season in Sebastopol. It was formerly held at Ives Park, but was cancelled in 2020 because of COVID restriction. In 2021 the concert series was moved to The Barlow because of continued restrictions at Ives Park. The Barlow provided an open air space in the Event Center, and to keep the crowds thinner, we opened other music venues at The Crooked Goat, Community Market, Woodfour/Fern Bar and the Hopmonk Brewery.

This year the plan is the same to provide music entertainment at all the above venues from 4:30-8:30pm every Wednesday beginning on June 8th through September 7th. These are free concerts to the public, which makes them extremely popular with the community. We are supported by local business sponsorships, Community Grants from City of Sebastopol, individual donations and by passing the hat at the events. Last year we brought in over 1000 folks each week to enjoy the music on all our stages. There were some that preferred the original location at Ives Park, but many became converts to the festival nature in the new location. Peacetown was voted Best Outdoor Music Festival in the Bohemian's Readers Poll. Over the years we have enjoyed widespread support from our community and have brought tourists from far and wide, as well as joy and financial prosperity to the community.

Peacetown is a non-profit 501(c)3 organization, and the event relies entirely on volunteer help. Besides the music, we provide The Family Village, which gives families and children a place to play. Peacetown is family friendly, safe and FREE. The Sebastopol Police have reported zero problems with Peacetown and we are proud of that and plan to continue our safety record. We are directed by Sunny Galbraith and Green Mary to provide a completely green waste event, and all venues follow those guidelines.

Last year there were two weeks when our volunteer guards did not show up to guard the private lot at the Rialto theater. This year we have mitigated that by hiring a paid security guards each week to ensue that no Peacetown patrons park in the Rialto lot. We will also have signage "No Barlow Event Parking" at all three entrances to the Rialto lot. A large overflow parking lot that can accommodate 150 cars is open on Morris street along with street parking in the Barlow and on Morris Street. Signage throughout the Barlow will direct patrons to this parking lot.

We are planning another happy summer, bringing love, peace, joy, prosperity and abundance to our beautiful community through the celebration of music, art, nature and all that is good. We appreciate all those that assist in making that happen.

Jim Corbett
Peacetown Representative.



City of Sebastopol

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

MASTER PLANNING APPLICATION FORM

APPLICATION TYPE

- | | | |
|--|---|--|
| <input type="checkbox"/> Administrative Permit Review | <input type="checkbox"/> Lot Line Adjustment/Merger | <input checked="" type="checkbox"/> Temporary Use Permit |
| <input type="checkbox"/> Alcohol Use Permit/ABC Transfer | <input type="checkbox"/> Preapplication Conference | <input type="checkbox"/> Tree Removal Permit |
| <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Preliminary Review | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Design Review | <input type="checkbox"/> Sign Permit | <input type="checkbox"/> 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: 6770 McKinley Street Assessor's Parcel No(s): _____
 Present Use of Property: The Barlow- Commercial/Retail/Lifestyle Complex Zoning/General Plan Designation: CM

APPLICANT INFORMATION

Property Owner Name: The Barlow
 Mailing Address: 6780 Depot Street #110 Phone: 707-824-5600/ 707-806-9797
 City/State/ZIP: Sebastopol, CA 95472 Email: yolanda@thebarlow.net
 Signature: *[Signature]* Date: 5/24/22
 Authorized Agent/Applicant Name: Peacetown / Jim Corbett
 Mailing Address: 3991 Hessel Rd. Phone: ~~707-829-6282~~ 707-508-5449
 City/State/ZIP: Sebastopol, CA 95472 Email: jimcorbett22@gmail.com
 Signature: *[Signature]* Date: 5/24/22
 Contact Name (if different from above): Jennifer Adametz Phone/Email: 408-219-6699

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

Temporary Use permit for Peacetown Music Concert Series
 See additional pages attached for project description.

CITY USE ONLY

Fill out upon receipt:	Action:	Action Date:
Application Date: _____	Staff/Admin: _____	Date: _____
Planning File #: _____	Planning Director: _____	Date: _____
Received By: _____	Design Review/Tree Board: _____	Date: _____
Fee(s): \$ _____	Planning Commission: _____	Date: _____
Completeness Date: _____	City Council: _____	Date: _____

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	N/A	N/A
Use	N/A	N/A	N/A
Lot Size	N/A	N/A	N/A
Square Feet of Building/Structures (if multiple structures include all separately)	N/A	N/A	N/A
Floor Area Ratio (F.A.R)	N / A FAR	N / A FAR	N / A FAR
Lot Coverage	N/A % of lot	N/A % of lot	N/A % of lot
	N/A sq. ft.	N/A sq. ft.	N/A sq. ft.
Parking	N/A	N/A	N/A
Building Height	N/A	N/A	N/A
Number of Stories	N/A	N/A	N/A
Building Setbacks – Primary			
Front	N/A	N/A	N/A
Secondary Front Yard (corner lots)	N/A	N/A	N/A
Side – Interior	N/A	N/A	N/A
Rear	N/A	N/A	N/A
Building Setbacks – Accessory			
Front	N/A	N/A	N/A
Secondary Front Yard (corner lots)	N/A	N/A	N/A
Side – Interior	N/A	N/A	N/A
Rear	N/A	N/A	N/A
Special Setbacks (if applicable)			
Other (_____)	N/A	N/A	N/A
Number of Residential Units	N/A Dwelling Unit(s)	N/A Dwelling Unit(s)	N/A Dwelling Unit(s)
Residential Density	1 unit per N/A sq. ft.	1 unit per N/A sq. ft.	1 unit per N/A sq. ft.
Useable Open Space	N/A sq. ft.	N/A sq. ft.	N/A 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: N/A cu. yds. Cut: N/A cu. yds. Fill: N/A cu. yds. Off-Haul: N/A cu. yds
Impervious Surface Area	N/A	N/A % of lot	N/A % of lot
		N/A sq. ft.	N/A sq. ft.
Pervious Surface Area	N/A	N/A % of lot	N/A % of lot
		N/A sq. ft.	N/A sq. ft.

Neighbor Notification

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

Many projects in Sebastopol are remodel projects which when initiated bring concern to neighboring property owners, 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:

Barlow tenants have been emailed. Rialto businesses will be notified via email.

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

CONDITIONS OF APPLICATION

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:

A general plan

A specific plan

An ordinance affecting building permits or grading permits

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: _____

5/24/22

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: _____

5/24/22

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.

From: Ky J. Boyd [REDACTED]
Sent: Wednesday, June 08, 2022 5:07 PM
To: Kari Svanstrom
Cc: John Jay; Roxanne Goodfellow; Lawrence McLaughlin
Subject: Re: Checking in/Following Up Re Barlow Issues

Hi Kari,

As I understand it from your e-mail below, the terms of the prior year's temporary use permit are still in effect. The terms that require Peacetown to provide parking lot monitors for our lot. Roxanne Goodfellow is on site today and can attest that there are no monitors present. Is this not a violation of the terms of the use permit issued last year and will this be taken into account in terms of any consideration of Peacetown's good faith or lack thereof in terms of this year's permit? Photos from today by Roxanne Goodfellow attached. The only reason the two Barlow A-Frame signs are even at our lot is because they never collect them. The lack of good faith involved in this whole affair is galling.

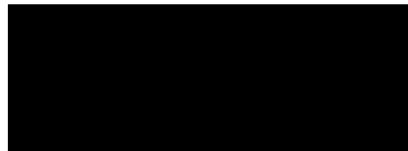
Please let me know if you have any questions.

Thank you.

Best,

Ky

Ky J. Boyd
Director
Rialto Cinemas ®
Bringing the Best Films in the World to A Theatre Near You



Rialto Cinemas Sebastopol • Rialto Cinemas Elmwood • Rialto Cinemas Cerrito
www.rialtocinemas.com

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Rialto
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On Jun 8, 2022, at 4:28 PM, Kari Svanstrom <ksvanstrom@cityofsebastopol.org> wrote:

Hi Ky,

The Peacetown concert TUP will be on next Tuesday's Planning Commission mtg. (6 pm, link for the mtg and the report, will be available tomorrow end of day, is here: <https://www.ci.sebastopol.ca.us/Meeting-Event/Planning-Commission/2022/Planning-Commission-Meeting-of-June-14th,-2022>. It is scheduled as the first hearing, so will be close to 6 pm.

I have issuing an extension of last year's permit for tonight/next wed (until the PC decision is finalized) under last year's permit (I can authorize up to 6 months, but am only approving the June 8 and 15 dates, as that is the time required to get to the Commission as a hearing body. I am adding the requirement that they not close McKinley (as they did last year, but as they are proposing this year to resolve some of the issues) and that they have professional security monitoring parking of private lot. The Planning Commission would need to approve any further dates.

For the Headwest appeal, right now it is tentatively scheduled for July 19 City council mtg, as they have (they cannot do the closures until the appeal is heard). John will let you know when that is confirmed (which should be a couple of weeks prior when notices are due out).

Kari Svanstrom
Planning Director

From: Ky J. Boyd [REDACTED]
Sent: Wednesday, June 08, 2022 4:08 PM
To: John Jay <jjay@cityofsebastopol.org>; Kari Svanstrom <ksvanstrom@cityofsebastopol.org>
Cc: Roxanne Goodfellow [REDACTED]
Subject: Checking in/Following Up Re Barlow Issues

Hi John, Hi Kari,

I just wanted to check in on where things are in the process with a couple of outstanding issues.

1. Is there a date set for the hearing of our appeal in the Head West permit matter?
2. Is there a hearing date set for the Peacetown Concerts Series 2022 application?

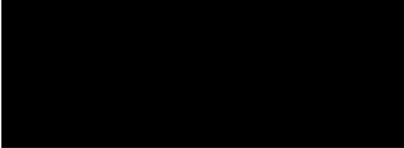
Please let me know.

Thank you!

Best,

Ky

Ky J. Boyd
Director
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