

5. COMMENTS FROM THE PUBLIC ON ITEMS NOT ON AGENDA: There were none.

6. STATEMENTS OF CONFLICTS OF INTEREST:

Agenda Item 8A: Three Board members have a conflict of interest due to property ownership within 500 feet of 7417 Burnett Street. The City Attorney determined that two of the Board members with proximity conflicts may participate for this item in order for there to be a quorum and to provide action on the application within a reasonable time. The Board determined by random draw that Board Members Level and Persinger would participate. Vice Chair Bush recused himself from this item.

Agenda 8B: Board Member Level recused herself due to having worked on the project previously.

Agenda 8C: Chair Luthin recused himself due to a proximity conflict.

7. CONSENT CALENDER: There were none.

8. REGULAR AGENDA:

Vice Chair Bush excused himself from the meeting.

A. DESIGN REVIEW – New Dwelling Unit (Project 2016-40) – This is an application submitted by Patrick Slayter, requesting approval to develop a dwelling unit at 7147 Burnett Street. The lot currently contains a single-story structure, which will be retained to create a mixed-use development with the new dwelling unit.

Assistant Planner Atkinson presented the staff report and was available for questions.

There were no questions of staff.

The applicant, Patrick Slayter, gave a presentation and was available for questions.

There were no questions of Mr. Slayter.

Chair Luthin asked if members of the public wished to speak on this item.

Hearing none, Chair Luthin brought it back to the Board for discussion.

Board Member Persinger commented:

- Disclosed that the property owner is his optometrist. They have not discussed this project or the property.
- This is a great project.
- This is a really interesting project.
- Loves this type of small infill project. The more of them we can do the better.
- Happy to see that most of the trees are being preserved.
- This project is eclectic and appropriate for its location.
- Use of materials is interesting.

Board Member Level commented:

- This is a nice and pleasing mixed-use development.
- There is a really strong need for infill units in Sebastopol.

- This proposal creates an interesting juxtaposition between itself and the existing building.
- This is a wonderful little project.
- No issue with approving this project as submitted.

Chair Luthin commented:

- Agreed with comments expressed by other Board members.
- This is a nice shed.
- The project and location makes sense.
- The materials are great.
- The site plan and interior space are nice.

Board Member Level made a motion to approve the application as submitted.

Board Member Persinger seconded the motion.

AYES: Chair Luthin and Board Members Level and Persinger

NOES: None

ABSTAIN: None

Board Member Level excused herself from the meeting.

Vice Chair Bush returned to the meeting.

B. DESIGN REVIEW AMENDMENT – Handline (Project 2016-34) – This is an application submitted by Steve Sheldon, requesting approval to construct a gabion wall and revise an approved landscape plan for Handline, a proposed restaurant, at 935 Gravenstein Highway South. The Design Review Board initially approved the project in 2015.

Assistant Planner Atkinson presented the staff report and was available for questions.

The Board had no questions for staff.

Chair Luthin, Vice Chair Bush, and Board Member Persinger disclosed that they had each met with the applicant on separate occasions prior to this meeting.

The applicant, Steve Sheldon, gave a presentation and was available for questions.

There were no questions of Mr. Sheldon.

Chair Luthin asked if members of the public wished to speak on this item.

Hearing none, Chair Luthin brought it back to the Board for discussion.

Chair Luthin noted that this application had been discussed by the Board at their last meeting. Vice Chair Bush, Board Member Deedler and Chair Luthin were present for that discussion. He noted that Board concerns were about creation of a solid barrier, specifically with regards to the pedestrian connection.

Vice Chair Bush commented:

- Appreciates introduction of the new plan.
- The proposal has come a long way and is getting better.

- The entrance is more defined.
- Supports the enclosure because it will protect the patrons from the parking lot area and will provide sound attenuation.
- Upcycling the materials onsite is great and a good gesture forward.
- Height of gabion forms is still an issue.
- The gabions are still a bit undefined.
- Overall, the approach has been improved.
- Likes the direction.

Board Member Persinger commented:

- Likes that it pushes the boundary.
- Echoed Vice Chair Bush's comment on upcycling the material.
- Appreciates that the gabion wall has been broken up.
- Expressed not being troubled by the height.
- Some people will not be comfortable with the gabion wall.
- The gabion wall will be a strong element.
- The gabion wall is different, in a good way.
- The gabion wall will be a fairly massive barrier.
- Likes the use of the rusted steel.
- Feels like this is something he could approve.
- This is a stretch in the right direction, for the right reasons.

Chair Luthin commented:

- Struggling with the proposal.
- Loves the upcycling of materials.
- Feels like the gabion wall will be a massive thing.
- Like Board Member Persinger, believes that not everyone will be comfortable with the gabion wall.
- The gabion wall is edgy which could be a good or bad thing.
- The gabion wall is a fairly massive barrier.
- Highway 116 becoming a line of sound walls is not appealing.
- Spoke on the City's parameters relating to fence heights.
- The intent of restricting fence heights along the front of properties is so that people can see the front of properties.
- The concept of a massive barrier across the front of the property does not sit well with him.
- The gabions are going to be interesting.
- Doesn't object to the asphalt.
- The visual will be a little overwhelming and intimidating.
- Not really in support of the request.
- The building should have been designed to attenuate the sound.
- Agreed with Vice Chair Bush about there being a number of things to like about the proposal.

Board Member Persinger asked Chair Luthin if a lower height for the gabion wall would help.

Chair Luthin responded:

- A height of 4' 6" would still be too much.
- Expressed a concern that the wall would actually have to be much higher in order to achieve their goals of sound attenuation.
- The gabion wall that is on the site currently is retaining wall grade.
- Would like to see an architectural grade gabion.

Lowell Sheldon interjected with a question.

Vice Chair Bush commented:

- Likes the idea of the art element.
- The details are what will make it come together.

Chair Luthin referred to the site plan and commented on the variation of gabions.

Mr. Steve Sheldon interjected.

Vice Chair Bush commented:

- Great choice of plants.

Mr. Steve Sheldon and Mr. Lowell Sheldon interjected.

Vice Chair Bush commented:

- Cautioned water use for plantings.
- The planting plan has a bit of an artistic quality to it.

Board Member Persinger asked the Board what they thought of the column gateway.

Chair Luthin commented:

- Likes the column trellis gateways and how they highlight the entry point.
- Expressed having an issue with the number and repetition of the gabion forms.

Mr. Steve Sheldon interjected.

In terms of giving the applicant direction, Board Member Persinger summarized comments from the Board as follows:

- Prefers the rust.
- Chair Luthin and Vice Chair Bush would prefer a cleaner, more architectural grade gabion.
- Expressed being perfectly content with the raw feel of the gabion, as proposed. Could be okay either way.
- Amenable to the column element.
- The Board agreed.

The Board asked a clarifying question of Mr. Steve Sheldon.

Mr. Steve Sheldon interjected.

Vice Chair Bush commented:

- Expressed being comfortable with a height of 4' 6".
- An architectural grade gabion would work for him.
- Likes the enclosure and the intent of what is being proposed.
- Would hate to lose the pedestrian connection along Highway 116.

Chair Luthin commented:

- Agrees with Board Member Persinger and Vice Chair Bush.
- Expressed being uncomfortable but willing to go along with a 4' 6" architectural grade gabion with rust.
- Expressed being okay with the columns and garden layout as proposed.

Board Member Persinger commented:

- Expressed being okay with the proposed height.

Vice Chair Bush asked a clarifying question of staff.

Mr. Steve Sheldon interjected.

Board Member Persinger expressed being concerned with a continuance because this application was continued previously.

The Board asked questions of Mr. Steve Sheldon.

The Board asked clarifying questions of staff.

The Board asked additional questions of Mr. Steve Sheldon.

Vice Chair Bush made a motion to approve the application with the following:

- The gabion forms shall be architectural grade with rust and a maximum height not to exceed 5 feet.

The Board discussed the motion.

Mr. Steve Sheldon interjected.

Vice Chair Bush amended his motion to approve the application with the following:

- The gabion forms shall be architectural grade with rust and a maximum height of 4 ½ feet.
- The columns, trellis, and garden layout are okay as proposed.

Board Member Persinger seconded the application.

AYES: Chair Luthin and Board Members Level and Persinger

NOES: None

ABSTAIN: None

Chair Luthin excused himself from the meeting.

Board Member Level returned to the meeting.

- C. SIGN REVIEW – Whole Foods Market (Project 2016-37)** – This is an application submitted by Whole Foods Market, requesting approval to legalize a sign that was installed without a Sign Permit for Whole Body and Whole Foods Market at 6910 McKinley Street.

Assistant Planner Atkinson presented the staff report and was available for questions.

The Board asked questions of staff.

Vice Chair Bush asked if the applicant wished to make a presentation.

Marsha Thurman with Whole Foods gave a brief presentation and was available for questions.

Michael McClure with Ad Art gave a brief presentation and was available for questions.

Assistant Planner Atkinson made a clarifying statement.

The Board asked questions of Ms. Thurman and Mr. McClure.

Ms. Thurman made additional comments.

Vice Chair Bush asked if members of the public wished to speak on this item.

Michael Carnacchi, Sebastopol resident and business owner, commented:

- Serves as a Director for the Sebastopol Downtown Association.
- A longtime resident and business owner in Sebastopol.
- Was aware of the Sign Ordinance when he opened his business.
- Expressed feeling doubtful that Whole Foods Market knew nothing about the City's Sign Ordinance.
- A mural to compliment the one across the street would be more appropriate.
- Whole Foods has subverted the process twice now.
- Expressed concern with creating a precedent.
- Whole Foods Market did not consult with the Downtown Association.
- This request is out of character with the rest of Sebastopol.
- Supports denial.

Hearing nothing further, Vice Chair Bush closed the Public Hearing and brought it back to the Board for discussion.

Board Member Level commented:

- This should be unquestionably denied.
- The applicant has violated the Sign Ordinance before.
- If we approve this request we will be setting a precedent for people to go out and do whatever they want and then come to us after the fact if/when they get caught.
- Supports denial.

Board Member Persinger commented:

- Agrees with Board Member Level.
- Acknowledged that this is a big ugly wall.
- Loves the idea of putting something on the wall.
- If it were simply an artistic mural the Board wouldn't need to review it.
- A large company has an even greater responsibility to know City laws.
- The applicant should be held to the letter of the law in terms of following the proper procedure.
- Expressed not being opposed to the idea of reviewing a request to exceed the limits outlined in the Ordinance.
- Cannot get behind this application.

Vice Chair Bush commented:

- Expressed being in agreement with Board Members Level and Persinger.
- Would not want to set a precedent.
- Cannot find a reason to approve this request.

Board Member Persinger made a motion to deny the application as submitted.

Board Member Level seconded the motion.

AYES: Vice Chair Bush and Board Members Level and Persinger
NOES: None
ABSTAIN: None

Ms. Thurman and Mr. McClure asked questions of the Board and staff.

9. DISCUSSION ITEMS: There were none.

10. REPORTS FROM THE BOARD/STAFF: There were none.

11. ADJOURNMENT: Chair Luthin adjourned the meeting of the Design Review Board at 5:29 p.m. to the next Design Review Board meeting to be held July 20, 2016 at 4:00 p.m., at the Sebastopol City Hall, 7120 Bodega Avenue, Sebastopol, CA.

Respectfully Submitted By:

Jonathan Atkinson
Assistant Planner