

Brandon Phipps

Community and Economic Development Director
City of Sausalito
420 Litho Street
Sausalito, CA 94965

Sent via email

RE: Study Session on Draft Amended 2023-2031 Housing Element – Proposed Modifications

Dear Mr. Phipps,

Thank you for the opportunity to provide feedback on the proposed amendments to the City of Sausalito's 6th Cycle Housing Element.

I am the Managing Member of Willy's LLC, the owner of the property at 605-613 Bridgeway. This property is the subject of an active development application currently before the City for approximately 50 housing units, 20% of which will be affordable.

The proposed draft Housing Element revisions threaten to reduce this property's development capacity, and others along the transit rich Bridgeway Corridor, by approximately 40%. Such down-zoning would make this project and others financially unviable. The development application of 605-613 Bridgeway is the **only substantial proposal submitted** to help meet Sausalito's state-mandated goal of 724 RHNA units, aside from a small-scale, 16-unit project that has been stuck in the Sausalito approval process for over a decade.

Down-Zoning Concerns

The proposal to down-zone 605-613 Bridgeway appears to be a thinly veiled attempt to obstruct meaningful development. Notably, the city has not approved any significant housing projects in the past 50–60 years. Redirecting housing requirements to properties where owners have no intent to develop or to environmentally constrained areas undermines the Housing Element's purpose and legality.

Further, concentrating new development in northern Sausalito—a less affluent area—raises equity concerns. Burdening a single neighborhood and area of town with the city's affordable housing responsibilities is not only unjust but unlawful.

Historic Resource Designation

The buildings at 605-613 Bridgeway have been correctly identified as **not individual historic resources**. The City of Sausalito's commissioned study (October 2022) explicitly determined that these buildings do not qualify for individual or district-level historic listing or designation.

The *Sausalito Citywide Historic Context Statement* (October 2022) by Ver Planck is a 149-page study commissioned by the City of Sausalito. This report outlines property types and eligibility criteria for the National Register of Historic Places and the California Register of Historical Resources across seven property areas in Sausalito, including the Downtown area. It provides a detailed historical narrative, identifying key properties and events through extensive research, fieldwork, and analysis.

The study notes that Sausalito has four properties listed in the National Register, eight designated Sausalito landmarks, one Downtown Historic Overlay District, one California Historic Point of Interest, and 53 properties catalogued in the Sausalito Historic Resources Inventory. The Downtown Historic Overlay District encompasses approximately 70 parcels, including five submerged water parcels, with 54 as contributing properties. It also includes one park recognized as a California Point of Historical Interest. Additionally, 13 properties are identified in the *Here Today* Historic Survey.

The buildings at 605–613 Bridgeway are only cataloged as being part of the 70 parcels in the far southern end of the Downtown Historic Overlay District. However, they are not individually distinguished in the report, by comment or distinctive review. These buildings do not rise to the level of significance for individual listing as a local Sausalito landmark, nor are they listed individually in the Sausalito Historic Resources Inventory, the California or National Historic Registers, or the *Here Today* survey. As such, they are not considered individual historic resources.

Since these buildings are part of the Downtown Historic Overlay District and will be preserved rather than demolished, there will be no loss of contributing assets. The City of Sausalito correctly confirmed that there are no designated “Historic Resources” among the Housing Element Opportunity sites.

Mischaracterization of Sausalito as "Built-Out"

The claim that Sausalito is a “largely built-out community” has twice been rejected by the State of California during prior Appeals, paid for by the City of Sausalito. In naming the Housing Opportunity Sites, the city has overlooked property owners willing to develop, instead creating a regulatory environment that discourages applications through restrictive ordinances, lengthy processes, and inconsistent subjective decisions. This has led to derelict downtown buildings and a lack of modernized housing stock in town.

The city's resistance to ADU applications further demonstrates its restrictive stance. For example, the Planning Commission approved an ADU application that was later overturned in Appeal by the City Council due to subjective neighbor complaints and overly restrictive zoning details—an inappropriate criterion for rejection.

Additional Concerns

1. **ODDS Feasibility:**

The proposed ODDS standards amount to further down-zoning, arbitrarily restricting development rights. Requirements for 2-bedroom affordable units with impractical square footage allocations are unworkable.

2. **Photo Simulation Tool:**

Investing in an unproven photo modeling system to regulate views is incomprehensible and legally questionable. Such a subjective system invites manipulation and future expensive potential litigation.

3. **TRAKit System Misuse:**

The City's TRAKit system fails to fulfill its stated purpose of managing and tracking planning permits. Instead, it selectively posts information to sway public opinion while omitting key applicant submissions. It has been used as a conduit for unnoticed public opinion and undocumented reports from third unrelated parties that have no requirements for correctness or ethics. Full transparency is essential to rebuild trust in the approval process.

Recommendations

1. **Remove the Down-Zoning Proposal for properties along the Bridgeway Transit Corridor:**

Maintain the current zoning for 605-613 Bridgeway and other properties in the transit rich area to preserve the financial viability of a project critical to meeting Sausalito's RHNA goals.

2. **Streamline the Approval Process:**

Address the inefficiencies in the city's approval system to encourage development applications and reduce costs for applicants. Return to non-reduced office hours before Covid. Adjust the lengthy response time to Applicants which cause delays and additional costs.

3. **Prioritize Equity in Development:**

Distribute affordable housing equitably across all neighborhoods rather than concentrating it in the north.

4. **Commit to Transparency:**

Fully utilize the TRAKit system to post all relevant project information, ensuring accountability and public trust. Public comment periods should be noticed for all, not just enabling a select few.

Thank you for considering these critical issues. I urge the City to stop spending Sausalito taxpayer's money on legal boondoggles that have resulted in expensive attorneys and consultants, many expensive staff hour billings, reports, appeals, and lawsuits and will generate additional expensive lawsuits, financial penalties and loss of state funding. Sausalito needs to genuinely support meaningful and equitable development and housing for all economic levels in Sausalito; per the State of California requirements.

Sincerely,
Linda Fotsch

Managing Member
Willy's LLC