SAUSALITO PLANNING COMMISSION
Wednesday, April 6, 2022
Final Action Minutes[1]

1. CALL TO ORDER

Chair Feller called the meeting to order at 6:30 p.m.
Planning Commission:
Present: Chair Kristina Feller, Vice Chair Andrew Junius,
Commissioner Richard Graef, Commissioner Jeffery Luxenberg,
Absent: Commissioner Nastassya Saad
Staff: Heidi Scoble, Acting Principal Planner
Adam East, Assistant Planner
Cecilia Jaroslawsky, Contract Planner
Mary Wagner, City Attorney

City Clerk Scoble reported that the meeting was being held pursuant to Government code section 54953(e), and in light of the declared state of emergency, the Regular meeting of the Planning Commission on April 6, 2022 would be conducted telephonically through Zoom and broadcast live on the City's Website.

2. APPROVAL OF AGENDA

Commissioner Graef moved and Vice Chair Junius seconded a motion to approve the Planning Commission agenda as presented. The motion passed 4-0.

3. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

A. General Public Comment
None.

4. COMMUNICATIONS

- Staff:
- Acting Principal Planner Scoble:
    - The Valhalla project is almost completed with only two remaining outstanding items: 1) final map, and 2) condition of approval requiring ADA access ramp to Swede's Beach. The bus turnout has been installed. This item will be heard at the May 4th Planning Commission meeting.

[1] A video recording of this meeting is available at: www.sausalito.gov.

        - No building permit applications have been submitted for 654 Sausalito Boulevard.
        - The City has a new code enforcement officer with a lot of experience who is updating the permit tracking system, and who has resolved eight code enforcement cases since his arrival. The code enforcement officer is available to provide a formal update on code enforcement to the Commission.
        - An interim Director of Community Development from 4LEAF consultants will begin April 11th, with 4LEAF providing supplemental staffing services as the City recruits Community Development Department staffing.
    - City Attorney Wagner:
        - City Attorney Sergio Rudin will take responsibility for the Planning Commission meetings beginning April 20th.
- Subcommittees:
    - Objective Design and Development Standards Subcommittee / Vice Chair Junius:
        - They have not received updates due to staff shortages.
        - ODDS will be working through Senate Bill 9 in the next month and tracking lawsuits against the state from four California cities.
    - Housing Element Advisory Committee / Chair Feller
        - HEAC met March 28th and discussed site selection.
        - HEAC has issued two surveys and a mailer to all residents and businesses in Sausalito to help put together the Housing Element submission required by the state. Information is also available in Sausalito Currents, the Community Development Department, and the Sausalito website. Survey deadline is April 15th and there are two more months to finalize the site assessment.
        - The next HEAC meeting is April 19th.

Public Comments:
None.

5. APPROVAL OF PLANNING COMMISSION MINUTES

A. Draft Minutes – March 16, 2022

Vice Chair Junius moved and Commissioner Graef seconded a motion to approve the draft minutes as amended. The motion passed 4-0.

6. PUBLIC HEARING[2]

[2] All Adopted Resolutions of the Planning Commission can be found on the City's website: https://www.sausalito.gov/city-government/boards-and-commissions/planning-commission/document-archives/-folder-3195.

Declarations regarding Planning Commission Public Contacts

Commissioner Luxenberg disclosed with respect to Item 6.B., 38 Alexander Avenue, that he had met with the applicant at the site to view the tree that is the subject of the application, but did not have any ex parte communications.

Commissioner Luxenberg disclosed with respect to Item 6.C., 110 Fourth Street, that he viewed the site from multiple vantage points, including a neighbor's back yard, but did not have any ex parte communications.

Chair Feller disclosed with respect to Item 6.C., 110 Fourth Street, that she visited two neighbors on 107 and 111 Fourth Street and viewed the site from their yards, but did not discuss the merits of the project.

A. PUBLIC HEARING REGARDING SENATE BILL 9, THE CALIFORNIA HOME ACT IMPLEMENTING ORDINANCE (MARY WAGNER, CITY ATTORNEY)

SUMMARY: Consideration of the Senate Bill 9, the California Home Act Implementing Ordinance. Item continued from March 16, 2022 Planning Commission meeting to the April 6, 2022 Planning Commission meeting.

STAFF RECOMMENDATION: Continue to the April 20, 2022 Planning Commission meeting.

The public hearing was opened.

Acting Principal Planner Scoble provided a presentation.

Chair Feller moved and Vice Chair Junius seconded a motion to continue the public hearing regarding Senate Bill 9 to a date certain of May 4, 2022.

Chair Feller established a Planning Commission Working Group to focus on Senate Bill 9 and appointed Commissioner Luxenberg and Vice Chair Junius as members to work with the City Council Legislative Committee and staff for the May 4th meeting.

Vice Chair Junius and Commissioner Luxenberg accepted the appointments to the Planning Commission Working Group.

The motion passed 4-0.

The public hearing was closed.

B. 38 ALEXANDER AVENUE / TREE REMOVAL PERMIT / PROJECT ID: 2021-00329 / APN: 065-303-27 (ADAM EAST, ASSISTANT PLANNER)

SUMMARY: Tree Removal Permit to remove a Cook pine tree approximately 16 inches diameter at breast height (DBH).

STAFF RECOMMENDATION: Staff recommends approval of the Tree Removal Permit.

The public hearing was opened.

Assistant Planner East provided a PowerPoint presentation.

Planning Commission questions to staff followed.

The public testimony period was opened.

The applicant, Diana Green, representing owner Steven Tran, provided a PowerPoint presentation. The arborist, Dr. Kent Julin, provided a presentation.

Public Comments:
None.

Arborist comments followed.

The public testimony period was closed.

Planning Commission comments followed.

Commissioner Luxenberg moved and Commissioner Graef seconded a motion to approve a Tree Removal Permit for 38 Alexander Avenue, subject to the following additional condition of approval:

- **A contribution to the tree fund for a replacement tree shall be paid if it is determined it is not feasible to install a replacement tree on the subject site as required.**

The motion passed 4-0[3].

The public hearing was closed.

C. 110 FOURTH STREET / DESIGN REVIEW PERMIT AND LOT LINE ADJUSTMENT / PROJECT ID: 2020-0006 / APN: 065-264-12 and 065-264-23 (CELILIA JAROSLAWSKY, CONTRACT PLANNER)

SUMMARY: Design Review Permit to allow the renovation and expansion of the existing 1,431 square foot single-family residence, the renovation of the existing carport, and the construction of a new, 1,795 square foot single-family dwelling unit at the rear of the subject property

[3] Resolution No. 2022-06

and a Lot Line Adjustment to merge two lots to create one 6,050 square foot parcel.

STAFF RECOMMENDATION: Staff recommends that the Planning Commission approve the Design Review Permit and Lot Line Adjustment.

The public hearing was opened.
Contract Planner Jaroslawsky provided a PowerPoint presentation.

Planning Commission questions to staff followed.

Chair Feller moved and Commissioner Luxenberg seconded a motion to suspend the in-progress public hearing for Item 6.C., 110 Fourth Street, and commence the public hearing for Item 6.D., 209 West Street, then resume the public hearing for 110 Fourth Street to allow applicant of 110 Fourth Street to overcome technical difficulties. The motion passed 4-0.

D. 209 WEST STREET / CHANGES TO AN APPROVED PROJECT AND A DESIGN REVIEW PERMIT WITH HEIGHTENED DESIGN REVIEW / PROJECT ID: 2021-00241 / APN: 065-231-18 (CECILIA JAROSLAWSKY, CONTRACT PLANNER)

SUMMARY: Changes to the approved project and Design Review Permit with Heightened Design Review to allow for the modification to the previously approved design and size of the detached garage to allow for the construction of a four-car garage.

The public hearing was opened.

Acting Principal Planner Scoble reported that Commissioner Luxenberg resides within 1,000 feet of the subject site, but as the limit is 500 feet he is not required to recuse himself unless believes he has a conflict of interest.

Contract Planner Jaroslawsky provided a PowerPoint presentation.

Commissioner Luxenberg disclosed under Section 18702.2, Materiality Standards, Financial Interest in Real Property, that this project is within 1,000 feet of his home, not within 500 feet, and he had reviewed the conditions in that statute and did not believe he had a conflict.

Planning Commission questions to staff followed.

The public testimony period was opened.

The applicant/owners, Debra and John Burton, and architect Holly Hondra (phonetic), provided a presentation.

Planning Commission questions to the applicant followed.

Public Comments:
None.

Applicant comments followed.

The public testimony period was closed.

Planning Commission comments followed.

Chair Feller moved and Commissioner Luxenberg seconded a motion to continue the public hearing for 209 West Street to a date certain of April 20, 2022. The motion passed 4-0.

The public hearing was closed.

(CONTINUED ITEM 6.C., 110 FOURTH STREET)

C. 110 FOURTH STREET / DESIGN REVIEW PERMIT AND LOT LINE ADJUSTMENT / PROJECT ID: 2020-0006 / APN: 065-264-12 and 065-264-23 (CELILIA JAROSLAWSKY, CONTRACT PLANNER)

The public testimony period was opened.

The applicant, Timothy Remple, provided a PowerPoint presentation.

Planning Commission questions to the applicant followed.

Public Comments:
Mr. DuFort (phonetic)
Patrick and Martina

The public testimony period was closed.

Planning Commission comments followed.

The public testimony period was re-opened.

Planning Commission questions to the applicant followed.

The public testimony period was closed.

Vice Chair Junius moved and Commissioner Luxenberg seconded a motion to continue the public hearing for 110 Fourth Street to a date certain of April 20, 2022. The motion passed 4-0.

The public hearing was closed.

7. FUTURE AGENDA ITEMS

A. Future Agenda Items

Acting Principal Planner provided a presentation.

April 20, 2022:

- 430 Bee Street
- 52-62 Varda Landing
- 209 West Street
- 110 Fourth Street

May 4, 2022:

- Ferry Landing Project
- Valhalla Project
- 253 Glen
- 177 Cazneau
- Senate Bill 9

Other Projects to Be Scheduled:

- 70-74 Liberty Ship Way
- 16 Second Street (may be scheduled for April 20th or May 4th meeting)
- 3 Currey
- 170 Gate S Road
- Wireless Telecommunications Facilities
- ADU Applications
- 1215 Bridgeway
- 1714 Bridgeway
- 300 Locust Street

8. ADJOURNMENT

Chair Feller moved to adjourn the meeting. The motion passed 4-0.

The meeting was adjourned at 9:49 p.m.

For

Submitted by
Heidi Scoble
Acting Principal Planner

Approved by
Kristina Feller
Chair