SAUSALITO PLANNING COMMISSION
Wednesday, September 21, 2022 - FINAL

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, Commissioner Nastassya Saad
Absent: None.
Staff: Dan Hortert, Interim Community Development Director
Magda Gonzalez, Contract Planner
Cecilia Jaroslawsky, Contract Planner
Sergio Rudin, Attorney

Interim Community Development Director Hortert 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 September 21, 2022 will be conducted telephonically through Zoom and broadcast live on the City's Website.

2. APPROVAL OF AGENDA

Commissioner Graef moved and Commissioner Saad seconded a motion to approve the Planning Commission agenda as presented. The motion passed 3-2 with Vice Chair Junius and Commissioner Luxenberg dissenting.

3. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

None.

4. APPROVAL OF PLANNING COMMISSION MINUTES

A. Draft Minutes – September 7, 2022

Vice Chair Junius moved and Commissioner Graef seconded a motion to approve the draft minutes as amended. The motion passed 5-0.

5. COMMUNICATIONS

A. Communications

- Staff:
  - Interim Community Development Director Hortert:
    - An offer was made and accepted in the search for a permanent Community Development Director.
  - Ceci Muela, Code Enforcement Director with 4LEAF, Inc.
    - There are currently 59 open code enforcement cases in Sausalito, ranging from work without permits, short-term rentals, fencing issues, ADUs, and erosion control.
- Commission:
  - Chair Feller:
    - Requested the Community Development Director follow through with discussions and agreements to issue agendas and materials to the Planning Commission ten days before a hearing, or if not possible, to issue a one-way communication to the Commission.
- Subcommittees:
  - Objective Design Development Standards Subcommittee / Chair Feller and Vice Chair Junius:
    - ODDS is waiting to hear from Mayor and City Manager regarding consultant Bob Brown's contract extension.
  - California Housing Legislation Working Group / Vice Chair Junius and Commissioner Luxenberg:
    - AB 2011 was passed and takes effect next summer. Many jurisdictions have filtered through AB 2011 by now and understand how it will apply to non-residentially zoned properties. It is too early to tell AB 2011's eventual impacts on Sausalito.
  - Standard Conditions of Approval for Resolutions / Vice Chair Junius and Commissioner Luxenberg:
    - The subcommittee will meet once the new Community Development Director is on Board to determine out how to work out the conditions with Staff and Legal.
  - Ferry Landside Working Group / Chair Feller and Vice Chair Junius:
    - The working group met September 16th with the Department of Public Works' consultant team. Public Works and the consultants will provide a memo and designs to the Planning Commission directly or to the working group, followed by a memo to the City Council.
    - The Historic Preservation Commission is also involved in addressing the landside area.
    - There will be opportunities for Public comment with or in addition to the Planning Commission and City Council.
    - The working group has requested the consultant team reach out to the Sausalito Yacht Club.

- Housing Element Advisory Committee / Chair Feller and Commissioner Saad:
  - HEAC held a town hall in September.
  - The Housing Element's public review period closed on September 16th.
  - HEAC is awaiting confirmation on the next meeting scheduled for October 13th to go through any edits to the Housing Element section for the General Plan.
  - The Mayor has posted a 20-minute video in the Currents and on the City's website that goes over general questions about the RHNA, housing units, density bonuses, and other questions asked by the community.
  - HEAC's virtual binder is on the City's website.
  - Public comment continues to come in, and more is encouraged, as the Housing Element will be submitted to the State in January.
  - The City Council and Mayor have signed a letter declining participation in the class action suit against HCD that is circulating around the state.
- 110 Fourth Street Working Group / Commissioner Graef and Commissioner Saad:
  - The working group is awaiting a sample from the applicant. The applicant has submitted photos of a surface they like, but there were discrepancies in the photos and it is not clear. The working group is requesting the applicant provide a mockup.
- 12 El Portal Working Group / Commissioner Graef and Commissioner Saad:
  - All color schemes have been decided and communicated to the Community Development Director and the matter is closed.
- 52 Varda Landing Working Group / Commissioner Graef and Commissioner Saad:
  - The working group will meet onsite with applicant on September 23rd to discuss colors and should be able to report a final color at the next meeting.
- Parklets Working Group / Chair Feller and Commissioner Luxenberg:
  - The working group met September 12th.
  - Associate Planner Kallie Ford is taking lead on the project.
  - The working group will work with the Legal Department to draft the mechanisms to remove the emergency order the City Council put in place and replace it with either ordinance changes or a statute. The mechanisms, a revised report, an application, and details will go back to the City Council, but an interim report has been sent to the Council in the meantime.

Public Comments:
None.

6. PUBLIC HEARING[1]

Declarations regarding Planning Commission Public Contacts

Commissioner Saad disclosed with respect to Item 6.A., 212 Woodward Avenue, that she met with the applicant but did not discuss the merits of the project; and with respect to Item 6.B., 265 Gate 5 Road, that she visited the site on her own and had no ex parte communications.

Commissioner Luxenberg disclosed with respect to Item 6.A., 212 Woodward Avenue, and Item 6.B., 265 Gate 5 Road, that he visited both sites but did not meet with anyone or have any ex parte communications.

A. 212 WOODWARD AVENUE / DESIGN REVIEW WITH HEIGHTENED DESIGN REVIEW, VARIANCE, AND ENCROACHMENT AGREEMENT / PROJECT ID: 2022-00049 / APN: 064-131-09 / MAGDA GONZALES (CONTRACT PLANNER)

SUMMARY: Approval of a Design Review with Heightened Design Review to construct a 500 square foot concrete parking deck, trash enclosure on the south side of the parking deck, main entry deck and stairs with railings.

STAFF RECOMMENDATION: Staff recommends the Planning Commission approve the attached draft resolution (Attachment 1) approving the Design Review Permit with Heightened Review, subject to conditions of approval.

The public hearing was opened.

Contract Planner Gonzales provided a PowerPoint presentation.

Planning Commission questions to staff followed.

The public testimony period was opened.

The applicant, architect Ted Bonneau of OXBSTUDIO, and owner Lisa York, provided a PowerPoint presentation.

Planning Commission questions to the applicant followed.

Public Comments:
None.

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[1] 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.

Applicant comments followed.

The public testimony period was closed.

Planning Commission comments followed.

Vice Chair Junius moved to approve a Design Review Permit with Heightened Review for 212 Woodward Avenue, subject to the following additional conditions of approval:

- **Condition 13 shall be amended to require compliance with any conditions imposed by Southern Marin Fire District.**
- **The approval shall include Department of Public Works standard conditions of approval.**
- **The calculations on the encroachment of the existing 832 square feet and the new 615 square feet totals 1,447 square feet.**
- **Any changes to the proposed design shall come back to the Planning Commission and are not handled ministerially.**

Vice Chair Junius withdrew his motion.

Vice Chair Junius moved and Commissioner Graef seconded a motion to continue the public hearing for 212 Woodward Avenue to a date certain of October 19, 2022.

Commissioner Luxenberg requested the motion be amended to include language stating:

- **Staff shall immediately follow up with the Department of Public Works and Southern Marin Fire District to discuss any conditions of approval they would impose.**
- **The staff report packet to Commissioners shall be posted ten days before the meeting on October 19, 2022.**

The maker of the motion accepted the amendment to the motion.

The seconder of the motion accepted the amendment to the motion.

The motion passed 5-0.

The public hearing was closed.

B. 265 GATE 5 ROAD / DESIGN REVIEW PERMIT / PROJECT ID: 2019-00235 / APN: 063-152-05 / CECILIA JAROSLAWSKY (CONTRACT PLANNER)

SUMMARY: Demolish an existing one-story commercial art studio building, site block walls and decks and construct a combination one- and two-level structure with roof decks.

STAFF RECOMMENDATION: Staff recommends the Planning Commission approve the attached draft resolution (Attachment 1) approving the Design Review Permit, subject to conditions of approval.

The public hearing was opened.

Contract Planner Jaroslawsky provided a PowerPoint presentation.

Planning Commission questions to staff followed.

The public testimony period was opened.

The applicant, owner Max Houtzager, and architects Takashi Yanai and Matt Ininns of EYRC, provided a PowerPoint presentation.

Planning Commission questions to the applicant followed.

Public Comments:
Edward Yates
Stacy Nimmo

The public testimony period was closed.

Planning Commission comments followed.

Commissioner Luxenberg moved and Commissioner Graef seconded a motion to continue the public hearing for 265 Gate 5 Road to a date uncertain. The motion passed 5-0.

The public hearing was closed.

7. ADJOURNMENT

Chair Feller moved to adjourn the meeting. The motion passed 5-0.

The meeting was adjourned at 11:04 p.m.

Submitted by
Dan Hortert BY BRANDON PHIPPS
Interim Community Development Director

Approved by
~~Kristina Feller~~ NASTASSYA SAND
Chair