SAUSALITO PLANNING COMMISSION
Wednesday, April 26, 2023
Final Action Minutes[1]

1. CALL TO ORDER

Community & Economic Director Phipps called the meeting to order at 6:30 p.m.

Community and Economic Development Director Phipps reported that the regular meeting of the Planning Commission for April 12, 2023 was being held at the City of Sausalito Council Chambers at 420 Litho Street and was open to members of the public, and that members of the public could also access the meeting and provide public comment telephonically through Zoom.

Planning Commission:

Present:	Chair Jeffery Luxenberg, Vice Chair Andrew Junius, Commissioner Kristina Feller, Commissioner Richard Graef, Commissioner Nastassya Saad
Absent:	None.
Staff:	Brandon Phipps, Community & Economic Development Director Kristen Teiche, Principal Planner Neal Toft, Principal Planner Magda Gonzalez, Contract Planner Sergio Rudin, Attorney

2. APPROVAL OF AGENDA

Commissioner Feller moved and Commissioner Saad seconded a motion to approve the Planning Commission agenda as presented. The motion passed 5-0.

3. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

None.

4. APPROVAL OF PLANNING COMMISSION MINUTES

A. Draft Minutes – April 12, 2023

Commissioner Saad moved and Commissioner Feller seconded a motion to approve the draft minutes as presented. The motion passed 5-0.

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

5. COMMUNICATIONS

A. Communications

- Staff:
  - Director Phipps:
    - The Community Development Department recently re-solicited for the position of Building Official and will review applications around the middle of May following the application submittal period
    - The Community Development Department anticipates receiving a letter from HCD by the end of April with its comments regarding the City's adopted Housing Element.
    - The City Council met April 25th and gave direction to the City Manager and staff to work with New City America, Inc. to schedule an initial meeting to participate in a business roundtable discussion facilitated by the Chamber of Commerce with respect to a potential business improvement district in the Downtown Commercial District.
  - City Attorney Rudin: No comments.
- Subcommittees:
  - Objective Design and Development Standards / Vice Chair Junius, Commissioner Feller:
    - The subcommittee is waiting for the consultant to get back to it with next steps after land month's hearing.
  - California Housing Legislation Working Group / Chair Luxenberg, Vice Chair Junius:
    - The Ninth Circuit Court of Appeals tossed out the City of Berkeley's natural gas ban.
  - Standard Conditions of Approval for Resolutions / Chair Luxenberg, Vice Chair Junius:
    - Director Phipps will endeavor to schedule a meeting on this item next month.
  - Ferry Landside Working Group / Vice Chair Junius, Commissioner Feller:
    - No meetings have been scheduled as the working group is waiting to hear from Public Works Director McGowan. Director Phipps will contact Director McGowan on scheduling that meeting.
    - Director Phipps and Director McGowan discussed phase 2 with the consultant. One point of priority was to finalize phase 1.
  - Housing Element Working Group / Commissioner Saad, Commissioner Feller:
    - No updates.
  - Parklets Working Group / Chair Luxenberg, Commissioner Feller:
    - The working group is looking to schedule a meeting in the next 4-5 weeks.
  - Master Plan Working Group / Commissioner Saad, Commissioner Feller:

- The working group has been in contact with the City Attorney in terms of scoping and what is a superior document over a master plan as it relates to the General Plan. The working group will coordinate with the City Attorney and bring updates back to the Planning Commission.

- Landslide Task Force / Commissioner Feller:
  - The task force had a kick off meeting last week with Public Works Director McGowan and consultant Miller Pacific and is working on recommendations the task force made in 2019. The scope of the work is a Citywide geological hazard study. The task force will meet monthly and be kept up to date.

6. PUBLIC HEARING[2]

Declarations Regarding Planning Commission Ex Parte Communications
None.

Vice Chair Junius indicated that he would recuse himself from participating in the public hearing for Item 6.B., 60 Woodward Avenue, as he lives within 500 feet of the subject site.

A. 170 GATE 5 ROAD / DESIGN REVIEW / PROJECT ID: 2018-0405 / APN: 063-152-07 / NEAL TOFT, PRINCIPAL PLANNER

Continue to date uncertain.

The public hearing was opened.

Director Phipps provided a brief presentation and requested the Planning Commission continue the item to a date uncertain.

Commissioner Feller moved and Commissioner Saad seconded a motion to continue Item 6.A., 170 Gate 5 Road, to a date uncertain.

Public Comments:
None.

The motion passed 5-0.

The public hearing was closed.

Vice Chair Junius left the hearing.

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[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.

B. 60 WOODWARD AVENUE / DESIGN REVIEW, VARIANCE, TREE REMOVAL PERMIT, ENCROACHMENT AGREEMENT / PROJECT ID: 2022-00155 / APN: 064-194-08 / MAGDA GONZALEZ, CONTRACT PLANNER

SUMMARY: Approval of a Design Review Permit with Heightened Review to remodel the existing residence including demolition of existing detached garage and building an attached garage; approval of a Variance to exceed the current building coverage; approval of a Tree Removal Permit to remove a Southern Magnolia (#85) and replace it with a Japanese Maple, and to remove two Glossy Privets (#284 and #285) and replace them with two Manzanitas; Recommendation of an Encroachment Agreement to allow the minor expansion of the driveway on Woodward Avenue's right-of-way.

STAFF RECOMMENDATION: Staff recommends the Planning Commission approve the attached draft resolution (Attachment 1) which approves, subject to conditions of approval, a Design Review Permit with Heightened Review to remodel the existing residence, including demolishing the detached garage and building an attached garage; a Variance to increase the existing building coverage; a Tree Removal Permit to remove a Southern Magnolia and two Glossy Privets; and an Encroachment Agreement to expand and realign the driveway within the public right-of-way at 60 Woodward Avenue.

The public hearing was opened.

Contract Planner Gonzalez provided a PowerPoint presentation.

Planning Commission questions to staff followed.

The public testimony period was opened.

The applicant, Lucas Eastwood of Eastwood Development, provided a presentation.

Public Comments:
None.

The public testimony period was closed.

Planning Commission comments followed.

Chair Feller moved and Commissioner Graef seconded a motion to approve a Design Review, Variance, Tree Removal Permit, and Encroachment Agreement for 60 Woodward Avenue, subject to the following:

- **Replacement tree for the removed Southern Magnolia shall be replaced after completion of construction and prior to certificate of occupancy.**

Chair Luxenberg requested the motion be amended to state that the trigger for tree replacement shall be within two weeks prior to final inspection.

Planning Commission questions to staff followed.

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 4-0 with Vice Chair Junius recused.

The public hearing was closed.

Vice Chair Junius returned to the hearing.

C. 666 BRIDGEWAY / CERTIFICATE OF APPROPRIATENESS / DESIGN REVIEW / CONDITIONAL USE PERMIT / ENCROACHMENT AGREEMENT / SIGN PERMIT / PROJECT ID: 2023-00015 / APN: 065-133-08 /KRISTIN TEICHE, PRINCIPAL PLANNER

SUMMARY: Certificate of Appropriateness, Design Review, Sign Permit, Conditional Use Permit, and Encroachment Agreement to facilitate the rehabilitation/remodeling of the ground story retail façade on a contributing historic structure in the Downtown Historic Overlay District.

STAFF RECOMMENDATION: Staff recommends the Planning Commission approve the application COA/DR/CUP/SIGN 2023-00015. A draft Resolution of Approval is provided for the Commission's consideration.

The public hearing was opened.

Principle Planner Teiche provided a PowerPoint presentation.

Planning Commission questions to staff followed.

The public testimony period was opened.

The applicant, architect Ali Haidari, provided a presentation.

Planning Commission questions to the applicant followed.

Public Comments:
None.

The public testimony period was closed.

Commissioner Graef moved and Commissioner Saad seconded a motion to approve a Certificate of Appropriateness, Design Review, Conditional Use Permit, Encroachment Agreement, and Sign Permit for 666 Bridgeway, subject to the following:

- **The paint color scheme shall return to the Historic Preservation Commission for approval.**

Planning Commission comments followed.

The motion passed 5-0.

The public hearing was closed.

D. 813-817 BRIDGEWAY / DESIGN REVIEW / TREE REMOVAL / ENCROACHMENT AGREEMENT / MINOR USE PERMIT / PROJECT ID: 2022-00184 / APN: 065-063-25 / NEAL TOFT, PRINCIPAL PLANNER

SUMMARY: Amendment to original Design Review Permit (DR-TRP 17-0092) to modify a commercial building façade and expand food service on the second level by up to 51 seats; amendment to previously approved Minor Use Permit (EA-DR-MUP 06-032) to increase outdoor dining from 9 seats and 3 tables to a total of 20 seats and spaces, and to waive the parking requirement per SMC 10.40.110.G; recommendation for City Council approval of an Encroachment Agreement to construct a raised dining terrace on the sidewalk and relocate the sidewalk onto two parallel parking spaces; Sign Permit for additional signs.

STAFF RECOMMENDATION: Staff recommends that the Planning Commission determine whether the general development programs could be approved if the applicant provided modifications to the building access and outdoor dining to address the Commission's concerns. If the applicant and property owner are willing to consider such adjustment the project could be continued for consideration of a revised design and a possible resolution of approval.

If the applicant does not agree to change the encroachment and access, the Planning Commission should move to deny the application and direct staff to prepare a Resolution of Denial for consideration at the next meeting.

Alternatively, the Planning Commission has the option to approve the application as proposed or subject to specific changes and/or conditions of approval. The Commission would have to move to approve the application and direct staff to prepare a Resolution of Approval for consideration at the next meeting.

The public hearing was opened.

Principle Planner Toft provided a PowerPoint presentation.

Planning Commission questions to staff followed.

The public testimony period was opened.

The applicant, architect Michael Rex of Michael Rex Architecture, provided a presentation.

Planning Commission questions to the applicant followed.

Public Comments:
Jim Gurney

The public testimony period was closed.

Planning Commission comments followed.

The public hearing was opened.

Planning Commission questions to the applicant followed.

The public hearing was closed.

Chair Feller moved and Commissioner Saad seconded a motion to continue the public hearing for 813-817 Bridgeway to a date certain of June 14, 2023 with direction to the applicant to pursue the parklet plan. The motion passed 5-0.

The public hearing was closed.

7. ADJOURNMENT

Commissioner Feller moved and Commissioner Saad seconded a motion to adjourn the meeting. The motion passed 5-0.

The meeting was adjourned at 8:45 p.m.

Submitted by
Brandon Phipps
Community & Economic Development Director

Approved by
Jeffery Luxenberg
Chair