SAUSALITO SPECIAL PLANNING COMMISSION
Wednesday, January 11, 2023
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 Jeffery Luxenberg, Commissioner Nastassya Saad
Absent: Commissioner Richard Graef
Staff: Brandon Phipps, Community & Economic Development Director
Magda Gonzalez, Contract Planner
Sergio Rudin, Attorney

Community and Economic Development Director Phipps reported that the meeting was being held pursuant to Government code section 54953(e), and in light of the declared state of emergency, the Special meeting of the Planning Commission on January 11, 2023 will be conducted telephonically through Zoom and broadcast live on the City's Website.

2. APPROVAL OF AGENDA

Chair Feller requested to hear Item 7, Communications, after Item 4, Approval of Planning Commission Minutes. The Planning Commission unanimously supported the request.

3. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public Comments:
Sandra Bushmaker

4. APPROVAL OF PLANNING COMMISSION MINUTES

A. Draft Minutes – November 16, 2022

Chair Feller proposed amendments to the minutes. The Planning Commission unanimously supported the amendments.

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

5. COMMUNICATIONS

A. Communications

- Staff:
  - Community and Economic Development Director Phipps:
    - Community Development Department staffing:
      - Principal Planner Kristen Teiche joined the department at the beginning of November 2022, and additional Principal Planner Neil Thompson joined the department in early December 2022. Both are former Sausalito Planning staffers.
      - Offers are being made for the Building Official and Contract Permit Tech positions, with open solicitations ongoing for the positions of Code Enforcement Officer and Assistant Planner.
- Commission:
  - Chair Feller:
    - The Planning Commission has made six or seven requests to the City Council in writing and on public record over the last two years for funding to update the Sausalito Municipal Code. Chair Feller requested Director Phipps help the Planning Commission receive a response or input from the City Council.
- Subcommittees:
  - Objective Design and Development Standards Subcommittee / Chair Feller and Vice Chair Junius:
    - ODDS had a productive meeting with the consultant on October 21, 2022, and is working to integrate ODDS with the Housing Element.
    - ODDS will meet with the City Council on January 12, 2023 at 5:30 via Zoom.
    - ODDS is meant to be a parallel code to the existing Sausalito Municipal Code with the intent of eventually combining the two, with the ODDS superseding certain portions of the Municipal Code that are more subjective than objective.
    - ODDS has been working with its primary consultant Bob Brown, as well as Opticos, on 3-D modeling of a range of different sites and conditions within the City of Sausalito.
  - California Housing Legislative Working Group / Vice Chair Junius and Commissioner Luxenberg:
    - California, the Bay Area, and every City will be very focused on their Housing Elements for the next couple of months, so there is nothing to report on new legislation. There will be activity in the spring and summer with respect to legislation that will affect Sausalito.
  - Standard Conditions of Approval for Resolutions Working Group / Vice Chair Junius and Commissioner Luxenberg:

        - When CDD staffing is settled they will begin to address the standard conditions, but are currently getting rid of some of the backlog before addressing new conditions.
    - Ferry Landside Working Group / Chair Feller and Vice Chair Junius:
        - The working group has not met since the last report out, and is waiting for the Department of Public Works to come back to the Planning Commission with a solution that reflects the input of the Planning Commission and Historic Preservation Commission.
    - Housing Element Advisory Committee / Chair Feller and Commissioner Saad:
        - HEAC has not met since October 13, 2022 when it reviewed the background report and comments for the Draft Housing Element. The draft was submitted to the State on October 28, 2022. HCD comments are expected back to the Planning Commission on January 26, 2023 to be reviewed by the Planning Commission and City Council.
        - HEAC will have a joint meeting with the City Council on January 12th where they will review the schedule for the Housing Element, make a plan for receiving comments, go over the Objective Design and Development Standards, and receive a presentation on SB 9.
        - There is currently a Notice of Preparation for a Draft Environmental Impact Report around December 21, 2022, with comments due at the end of January 2023.
        - Chair Feller offered the opinion that the HEAC had served its purpose in getting the Draft Housing Element to the State. It has not been determined if HEAC will have further meetings.
        - There will be very little time between when the Planning Commission recs comments from the State on the draft and the January 31st final plan submittal deadline. The State does not require an EIR, and therefore one will not be included with Sausalito's submittal.
- Parklets Working Group / Commissioner Luxenberg:
    - Attorney Rudin is currently drafting the legal part of parklet implementation and should have an update at the next meeting.
- Master Plan Working Group / Chair Feller and Commissioner Saad:
    - The working group plans to meet later this month or the beginning of February.

Public Comment
Sandra Bushmaker

6. NEW BUSINESS

A. Election of Chair / Vice Chair

Commissioner Saad moved and Vice Chair Junius seconded a motion to nominate Commissioner Luxenberg for Chair of the Planning Commission. The motion carried 4-0.

Chair Luxenberg moved and Commissioner Feller seconded a motion to nominate Vice Chair Junius for Vice Chair of the Planning Commission. The motion carried 4-0.

B. Approval of Planning Commission Meeting Dates for January 2023

Director Phipps provided a presentation.

Planning Commission comments followed.

Planning Commission questions to staff followed.

Public Comments:
None.

7. PUBLIC HEARING[2]

A. 1 & 43 WILLOW LANE / TREE REMOVAL PERMIT / PROJECT ID: 2022-00189 / APN: 064-380-38, 39 / MAGDA GONZALEZ (CONTRACT PLANNER)

SUMMARY: Approval of a Tree Removal Permit to remove two Italian Stone Pines (Pinus pinea), heritage trees from the private properties located at 1 & 43 Willow Lane. The request is brought forth due to the pinecones falling and causing damage to vehicles and personal injury.

STAFF RECOMMENDATION: Staff recommends the Planning Commission review the Tree Removal Permit request and required findings and adopt the attached draft resolution making the required determination for approval of a Tree Removal Permit to allow the removal of two Italian Stone Pines, subject to conditions.

The public hearing was opened.

Contract Planner Gonzalez provided a PowerPoint presentation.

Planning Commission questions to staff followed.

The public testimony period was opened.

[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.

The applicant, Art Gibney, President of Willows of Sausalito HOA, and Jonathan Moe (phonetic), member of Willows of Sausalito HOA, provided a presentation.

Planning Commission questions to the applicant followed.

Planning Commission questions to staff followed.

Public Comments:
None.

The public testimony period was closed.

Applicant comments followed.

Planning Commission comments followed.

Planning Commission questions to staff followed.

Commissioner Feller moved and Vice Chair Junius seconded a motion to deny a Tree Removal Permit for 1 & 43 Willow Lane due to lack of evidence.

Planning Commission questions to staff followed.

The seconder of the motion requested the motion be amended to reflect that not enough evidence has been presented to support any of the findings for removal, and a condition for denial of Finding 3D be specified.

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

The motion passed 4-0.

The public hearing was closed.

Declarations regarding Planning Commission Public Contacts
None.

B. 3 CURRY AVENUE / DESIGN REVIEW PERMIT, CONDITIONAL USE PERMIT, AND ENCROACHMENT AGREEMENT / PROJECT ID: 2021-00150 / APN: 064-243-04 / MAGDA GONZALEZ (CONTRACT PLANNER)

SUMMARY: Approval of a Design Review Permit to remodel the existing 2,628 square foot residence, including adding dormers, a walkway, new windows and doors, patio expansion, demolition of existing garage and construction of a 605 square foot two-car garage; approval of a Conditional Use Permit to add a 1,843 square foot accessory dwelling unit above the proposed garage; and Encroachment Agreement to allow retaining walls within the public right-of-way.

STAFF RECOMMENDATION: Staff recommend the Planning Commission approve the attached draft resolution which approves, subject to conditions of approval, a Design Review Permit to remodel the existing residence, demolish the existing garage and construct a 605 square foot attached two-car garage, and make other layout/design changes, Staff also recommend the Commission approve a Conditional Use Permit to add a 1,843 square foot accessory dwelling unit above the proposed garage, and approve an Encroachment Agreement to place retaining walls within the public right-of-way

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, architect Stephen Sutro of Sutro Architects, provided a PowerPoint presentation.

Planning Commission questions to the applicant followed.

Planning Commission questions to staff followed.

Public Comments:
None.

The applicant made no further comments.

The public testimony period was closed.

Planning Commission comments followed.

Planning Commission questions to staff followed.

Vice Chair Junius moved and Commissioner Saad seconded a motion to approve a Design Review Permit for 3 Curry Avenue, subject to the following additional conditions of approval:

- **No demolition permit shall be issued until the building permit is issued.**
- **Applicant shall comply with all applicable conditions of approval by Southern Marin Fire District, and shall provide confirmation from Southern Marin Fire District prior to building permit issuance that they reviewed the drawings dated September 1, 2022.**

The motion passed 4-0.

The public hearing was closed.

8. ADJOURNMENT

Chair Luxenberg moved and Commissioner Saad seconded a motion to adjourn the meeting. The motion passed 4-0.

The meeting was adjourned at 9:44 p.m.

Submitted by
Brandon Phipps
Community & Economic Development
Director

Approved by
Jeffery Luxenberg
Chair