SAUSALITO PLANNING COMMISSION
Wednesday, July 26, 2023
Final Action Minutes

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 July 26, 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 Neal Toft, Principal Planner Sergio Rudin, City Attorney Kevin McGowan, Director of Department of Public Works

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 – June 14, 2023
B. Draft Minutes – July 12, 2023

Commissioner Saad moved and Commissioner Graef seconded a motion to approve the draft minutes of June 14, 2023 as presented. The motion passed 4-0 with Commissioner Feller abstaining.

Commissioner Feller moved and Commissioner Saad seconded a motion to approve the draft minutes of July 12, 2023 as presented. The motion passed 5-0.

5. COMMUNICATIONS

A. Communications

- Staff:
  - Community & Economic Development Director Phipps:
    - No communications.
  - City Attorney Rudin:
    - No communications.
- Subcommittees:
  - Ferry Landside Working Group / Vice Chair Junius, Commissioner Feller:
    - No communications.
  - Housing Element Working Group / Vice Chair Junius, Commissioner Feller:
    - No communications.
  - Parklets / Chair Luxenberg, Commissioner Feller:
    - A working group meeting will be scheduled in August.
  - Master Plan Working Group / Commissioner Saad, Commissioner Feller:
    - No communications.
  - Landslide Task Force / Commissioner Feller:
    - No communications.

6. PUBLIC HEARING[1]

Declarations Regarding Planning Commission Ex Parte Communications

Commissioner Feller disclosed with respect to Item 6.C., Ferry Landside Capital Improvement Project, that she is a member of the Sausalito Yacht Club and received a request from Director of Public Works McGowan for Yacht Club leadership contact information, for which she provided email addresses that the public could find on the Yacht Club website.

A. 170 GATE 5 ROAD / DESIGN REVIEW PERMIT / PROJECT ID: 2018-00405 / APN: 063-152-07 / NEAL TOFT, PRINCIPAL PLANNER

SUMMARY: Design Review Permit and Nonconformity Permit to allow replacement of an existing 40' x 81' steel building with a new 40' x 81' steel building with new siding, windows, entrance door, and a 29-foot roof height.

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

[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.

and a Nonconformity Permit for the replacement of the industrial building and related site improvements, as proposed.

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/property owner, Dan Morgan, provided a PowerPoint presentation.

Planning Commission questions to the applicant followed.

Public Comments:
Sandra Bushmaker
Chris Kulina
John DiRe

The public testimony period was closed.

The applicants provided rebuttal comments.

Planning Commission comments followed.

Commissioner Saad moved and Commissioner Feller seconded a motion to approve a Design Review Permit and Nonconformity Permit for 170 Gate 5 Road.

Commissioner Feller requested the motion be amended to include a condition of approval that the architectural plans supersede the landscape plans, and that the applicant will provide an 8-foot solid fence at the northern property line, opaque glass at the higher level, and that any future changes to the project before it is permitted by the Planning Department or during construction would be required to return to the Planning Commission for further consideration and approval.

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

Planning Commission questions to staff followed.

Commissioner Feller amended her amendment to state that:

- **Any of the glazing on the north façade that is above the basic height of the eaves of the adjacent building as it currently stands shall be opaque glass.**
- **If the percentage of punched openings, the exterior materials, or the color scheme should change, those items would be required to return to the Planning Commission for further consideration and approval.**

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

Planning Commission comments followed.

Planning Commission questions to staff followed.

Director Phipps and Chair Luxenberg restated the motion's conditions of approval motion:

- **The architectural plans shall supersede the landscape plans.**
- **An eight-foot fence shall be constructed on the north side of the property pursuant to the agreement between the applicant and the adjacent property owner.**
- **Opaque glass shall be installed on the perceived second story as identified.**

The motion passed 5-0.

The public hearing was closed.

B. 813-817 BRIDGEWAY / DESIGN REVIEW AMENDMENT, CONDITIONAL USE PERMIT, MINOR USE PERMIT, ENCROACHMENT AGREEMENT, SIGN 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 provide food and beverage service on the second level by up to 43 seats; amendment to previously approved Minor Use Permit (EA-DR-MUP 06-032) to increase outdoor dining from 9 seats to a total of 23 seats; Conditional Use Permit to reduce the on-site parking requirement from 13 to 9 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 ramp and elevated entry with 4 seats on the sidewalk and new 19-seat parklet onto two parallel parking spaces, including removal and replacement of the existing streetlight with two light standards and removal and replacement of two street signs; Sign Permit for additional signs.

STAFF RECOMMENDATION: Staff recommends the Planning Commission review the staff report, attachments, and presentation from staff and applicant and consider the following alternatives: Approve the application as currently proposed; approve the application as proposed or subject to specific changes and/or conditions of approval; continue the application for re-notification and reconsideration of the prior "raised dining platform" option; continue the application for more information; deny the application on the basis that the proposed project is inconsistent with the required findings for approval which cannot be met.

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 applicants, architect Michael Rex of Michael Rex Architects, traffic consultant Robert Harrison, and property owner Isaac Lappert provided a PowerPoint presentation.

Planning Commission questions to the applicant followed.

Public Comments:
Jim Gurney
Nick
Carolyn Revelle
Sandra Bushmaker

The public testimony period was closed.

Planning Commission comments followed.

Chair Luxenberg moved and Commissioner Saad seconded a motion to approve a Design Review Permit, Conditional Use Permit, Minor Use Permit, Encroachment Agreement, and Sign Permit with the parklet for 813-817 Bridgeway, subject to the following additional conditions of approval:

- **Hours of operation shall be until 10:30pm for the outside and 12:00pm for the inside, with the balcony window to be closed after 10:30pm.**
- **The applicant shall work with Public Works to put exterior lighting on the building that meets Public Works requirements.**
- **The applicant shall work with Public Works to support a mutually agreeable trees solution.**
- **Any major changes in the approval shall be brought back to the Planning Commission. Minor changes shall be approved at the staff level.**
- **This approval shall supersede the previous approval.**

The motion passed 3-2 with Vice Chair Junius and Commissioner Graef dissenting.

The public hearing was closed.

C. FERRY LANDSIDE / CAPITAL IMPROVEMENT PROJECT, DESIGN REVIEW / PROJECT ID: DPW 03.01.001 / APN: 065-073-03 / KEVIN McGOWAN, DIRECTOR OF PUBLIC WORKS AND NEAL TOFT, PRINCIPAL PLANNER

SUMMARY: The project includes the expansion of the Ferry Plaza area by 5,400 square feet, and replacement of sidewalk and installation of a bicycle queuing area on the east side of the parking lot. The project reduces the overall parking area in Lot 1 by 8,550 square feet to accommodate the expanded plaza as well as additional pedestrian and bicycle circulation paths to and from the plaza. The project also includes the installation of stormwater retention basins on the area between Gabrielson Park and Parking Lot 1 as well as microsealing Parking Lot 1. Installation of trees, benches and other amenities are being included with the project. Relocation of the existing ticket kiosk with two new ticket kiosks is required for the project. Expansion of the drop off area for ferry patrons within the Parking Lot 1 is also anticipated along with restriping of the parking lot.

STAFF RECOMMENDATION: Based on this review, staff recommends that the Planning Commission adopt the attached resolution approving the Design Review Permit based on the attached findings and subject to the conditions of approval imposed by the Commission, if any.

The public hearing was opened.

Department of Public Works Director McGowan, City Attorney Rudin, Becky Dower of BKF Engineers, and David Parisi of Parametrix provided a PowerPoint presentation.

Planning Commission questions to staff and consultants followed.

The public testimony period was opened.

Public Comments:
Jacques Ullman
Morgan Pierce
Peter Van Meter
Teresa Ray (phonetic)
John Flavin
Jan Johnson
Michael Rex
Jock Rystrom
Pat Zuch
Russell Croce
K. Mitzel
Marv Hovatter
Matthew Hartzell
Kieran Culligan

Clayton Smith
Teresa Ancona
Sandra Bushmaker
Alice Merrill

The public testimony period was closed.

Planning Commission comments followed.

Chair Feller moved and Commissioner Saad seconded a motion to continue the public hearing for 813-817 Bridgeway.

Planning Commission comments followed.

Planning Commission questions to staff and consultants followed.

The maker of the motion amended the motion to indicate the public hearing for 813-817 Bridgeway would be continued to a date certain of September 13, 2023.

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

The motion passed 4-1 with Vice Chair Junius dissenting.

The public hearing was closed.

7. ADJOURNMENT

Chair Luxenberg adjourned the meeting.

The meeting was adjourned at 11:45 p.m.

Submitted by
Brandon Phipps
Community & Economic Development Director

Approved by
Jeffery Luxenberg
Chair