



# STAFF REPORT

## SAUSALITO CITY COUNCIL

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**AGENDA TITLE:** Chris Henry Offices Resolution of Denial

**RECOMMENDED MOTION:**

Adopt the attached resolution denying Conditional Use Permit CUP 08-002 for a second floor office conversion at 660 Bridgeway.

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**BACKGROUND AND DISCUSSION**

On April 7, 2009, the City Council directed staff to prepare a resolution upholding the appeal of the Planning Commission's approval of conditional use permit CUP 08-002 for a proposed second floor office conversion at 660 Bridgeway.

The attached resolution has been prepared for the City Council's consideration and approval.

**FISCAL IMPACT**

No fiscal impact.

**RECOMMENDATION**

Adopt the attached resolution denying CUP 08-002 for the Chris Henry Offices at 660 Bridgeway.

**ATTACHMENT:** Draft resolution

PREPARED BY:

Heidi Burns, AICP  
Associate Planner

REVIEWED BY:

Jeremy Graves, AICP  
Community Development Director

REVIEWED BY:

Mary Wagner  
City Attorney

SUBMITTED BY:

Adam W. Politzer  
City Manager

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Meeting Date: 4-21-09  
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**RESOLUTION NO. XXX**

**A RESOLUTION OF THE SAUSALITO CITY COUNCIL UPHOLDING AN APPEAL  
OF THE PLANNING COMMISSION'S APPROVAL OF A CUP FOR A SECOND  
FLOOR OFFICE CONVERSION AT 660 BRIDGEWAY  
(CUP 08-002)**

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**WHEREAS**, applicant Chris Henry filed an application for a conditional use permit to convert the vacant second level tenant space (previously used by a restaurant) into a four-suite office at 660 Bridgeway (APN 065-133-25); and

**WHEREAS**, on June 11, 2008 and January 28, 2009, the Planning Commission conducted duly-noticed public hearings, considered the information contained in the respective staff reports, and considered testimony by all interested persons regarding the proposed project; and

**WHEREAS**, on January 28, 2009, the Planning Commission adopted Resolution 2009-07 which approved CUP 08-002 approving a second floor office conversion to be located at the project site; and

**WHEREAS**, on February 9, 2009, Mike Monsef filed a timely appeal of the Planning Commission's approval of CUP 08-002; and

**WHEREAS**, on April 7, 2009 the City Council conducted a duly-noticed public hearing on the appeal, considered oral and written testimony, and considered information in the staff report; and

**WHEREAS**, the City Council considered all issues presented by the appeal subject to the provisions of the Sausalito General Plan and the Zoning Ordinance; and

**NOW, THEREFORE, THE CITY COUNCIL HEREBY FINDS AND RESOLVES AS FOLLOWS:**

**SECTION 1.** The City Council hereby upholds the appeal of the Planning Commission's decision and denies the second floor office conversion at 660 Bridgeway on the basis of the attached findings.

**RESOLUTION PASSED AND ADOPTED** at the regular meeting of the City of Sausalito City Council on the ----- day of -----, 2009, by the following vote:

**AYES:** Councilmember:  
**NOES:** Councilmember:  
**ABSENT:** Councilmember:  
**ABSTAIN:** Councilmember:

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Jonathan Leone, Mayor  
City of Sausalito

**ATTEST:**

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Debbie Pagliaro  
Deputy City Clerk

Attachment : Findings

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CITY COUNCIL RESOLUTION

April 21, 2009

CUP 08-002

660 BRIDGEWAY

ATTACHMENT 1

FINDINGS

I. CONDITIONAL USE PERMIT FINDINGS

The proposed project is **not** in conformity with the Conditional Use Permit Findings required by Zoning Ordinance Subsections 10.60.050.B and C.

- B. "The proposed use is consistent with the General Plan, the purposes of the Zoning Ordinance, and the purposes of the zoning district."

*The City Council finds that a second floor office conversion at 660 Bridgeway is not consistent with General Plan Objective LU-2.0, and Land Use Policies LU-2.1 and LU-2.2. Specifically, the City Council finds that the office conversion does not promote or enhance the economic viability of the downtown and will be detrimental to the economic diversity and balance of uses within the Central Commercial General Plan land use designation by removing available floor area in an important location for visitor-serving uses. The City Council further finds that due to the project site's prominent location, the second floor should provide uses which generate more visitor-serving and/or resident-serving activities, such as retail or restaurant uses, which further support and/or compliment other uses in the downtown.*

- C. "The proposed use, together with the applicable conditions, will not be detrimental to the public health, safety, or general welfare of the City."

*Based on public testimony and the public record, the City Council finds that the office conversion will be detrimental to the economic health of the Central Commercial Zoning District and the surrounding area since office uses do not significantly contribute to an increase in visitor-serving activities, or provide resident-serving uses. This determination is further supported Finding B above which concludes the office conversion will be detrimental to the economic diversity and balance of uses within the Central commercial General Plan land use designation. The City Council acknowledges the importance of visitor-serving and residential serving uses and the need to support uses which contribute to the health and diversity of the downtown.*

## II. OFFICE CONVERSION FINDING

The proposed project is **not** in conformity with the Office Conversion Findings required by Zoning Ordinance Subsection 10.44.250.C.3.

1. “The proposed use would be mutually beneficial to, and would enhance the economic health of, surrounding uses in the district.”

*As stated and supported in the above Conditional Use Permit Findings B and C, the office conversion will not be beneficial to and will not enhance the economic health of the surrounding uses in the Central Commercial Zoning District. An office conversion would not support or compliment other businesses within the Central Commercial Zoning District, such as retail establishments, restaurants, and lodging accommodations. The City Council finds that the economic health of the Central Commercial Zoning District is contingent upon providing supplemental and supporting uses which positively contribute to the District as a whole. The office conversion may degrade the synergy of uses created at the project site and in the District as a whole, which further affects the presence and the ambiance established by the diverse mix of visitor and resident-serving uses located within the District.*