

1 **Applicant Chris Raker and property owner Leana Investments, Ltd.,**
2 **represented by Anil Pisharody, request Planning Commission approval of**
3 **Design Review, Variance and Tree Permit applications for construction of a**
4 **new detached single-family residence at 4 Bulkley Avenue. The new three-**
5 **story residence would have 4,657 square feet of floor area and a height of**
6 **approximately 25'9". The project requires Planning Commission approval of**
7 **a Variance for parking because the project would maintain the existing one-**
8 **car garage with tandem parking. The project is also subject to additional**
9 **Heightened Review Findings. The demolition of an existing structure on the**
10 **property is also proposed.**

11
12 Chair Kellman asked if any Commissioner had any ex parte communications to
13 report.

14
15 No response.

16
17 **Staff Report by Contract Planner Lisa Newman**

18
19 Ms. Newman reported the existing single family home at 4 Bulkley is owned by the
20 Mallya family at the adjacent residence at 6 Bulkley Avenue. Presently it's in a
21 deteriorated condition and uninhabited. In 2005, the Mallya family presented
22 Application VR DR 05011, which was denied by the Planning Commission. That
23 proposal was to consolidate the two lots into one large lot. The design solution that
24 was proposed caused the two homes to appear visually unified on the hillside and,
25 given the scale of the home at 6 Bulkley, it just was not an acceptable approach
26 and so it was denied. Subsequently the owners hired Raker Architects from Mill
27 Valley to develop a more compatible design with the neighborhood; those plans
28 were submitted in the fall of 2006 and were deemed complete in winter 2007.
29 Because of concerns about slope stability and geological and hydrological issues
30 in this vicinity, staff determined that the project would not be exempt from CEQA.
31 Although single family dwelling units are typically categorically exempt, in the case
32 where there is a potentially significant environmental impact, a project can become
33 subject to CEQA. Therefore staff prepared an Initial Study that resulted in a more
34 in-depth study of the project than is typical and was also part of the reason that it's
35 taken a good deal of time to bring this to the Commission in the public hearing
36 setting.

37
38 The proposal is for a 4,657 square foot residence on three levels to replace the
39 existing 3,065 square foot residence. The maximum height would be 25 feet, 9
40 inches measured from average grade. The project also includes remodeling the
41 existing one car garage on 4 Bulkley in a style consistent with the stucco siding
42 and large picture windows that you see in the design for the home. The existing
43 hillavator and stairs would be reconstructed and the wood bridge that presently
44 connects the home at 6 Bulkley to 4 Bulkley would be reconstructed as a
45 removable structure. This was worked out given the potentiality in the future that
46 you could have separate owners and the properties would not want to be

1 connected. New retaining walls are proposed for the home; there are two trees on
2 site that are protected under City code that are proposed for removal.

3
4 This is a design review application for the home, architecture and landscape
5 design, a variance for the parking, which is proposed to remain as is with a one-
6 car garage and a tandem car parked in front of the garage, which requires a
7 variance. The removal of the two trees requires a tree removal permit. The three
8 applications are in front of the Commission, in addition to the environmental
9 document. Otherwise the project is consistent with all zoning standards in terms of
10 setbacks, height, and coverage, except for parking and the tree removal.

11
12 Staff prepared an Initial Study and draft Mitigated Negative Declaration (MND),
13 both of which were circulated for the 20-day public comment period on January 10.
14 The comment period closed on January 30th and no public comments were
15 received during that period of time. The document evaluates all potential
16 environmental impacts that could occur with development of the project and
17 provides a number of recommended mitigation measures to address issues such
18 as aesthetics, air quality, biology, geology and soils, hazards associated with
19 construction, hydrology, noise and traffic control. The recommended mitigation
20 measures are summarized in the draft mitigation monitoring program that's
21 attached to the staff report. The applicant has indicated they accept these
22 mitigation measures, and staff has therefore put them into the draft set of
23 conditions of approval in the draft resolution.

24
25 The staff report reviews the required findings that the architectural and site design
26 is compatible with the surrounding neighborhood and/or district; that the proposed
27 project is consistent with the general scale of structures and buildings in the
28 surrounding neighborhood or district; and that the project has been located and
29 designed to minimize obstruction of public views and primary views from private
30 property. Staff evaluated the current design, considering the previous direction of
31 the Commission, and concluded that by relocating the house to the south slightly
32 the applicant has succeeded in creating a greater sense of separation. The
33 modified architectural design and scale of the home also help to define it as a
34 separate and distinct home from the home at 6 Bulkley Avenue. In that regard,
35 staff finds that the new design is successful and meets the intent of these findings.
36 Staff also notes that the applicant is using high quality building materials. The
37 neighborhood has a variety of home styles and sizes; it is a mixture of single and
38 multiple family structures. The staff report and the Initial Study analyze visual
39 impacts; photographs with simulations are available to the Commission. The
40 applicant has taken photographs from various angles, including from Bridgeway,
41 that confirm that the new home will not cause any view impacts based on the
42 proposed design. The question of views of the garage structure was raised by one
43 of the neighbors, and it's a good one. There's a very complicated history with the
44 construction of that garage, but the design that was approved back in 1997 reflects
45 a compromise; the desire was to keep views open to the bay from the adjacent
46 O'Connor Bench public area, so toward that end the garage was constructed with

1 window panes on the north and east sides. The proposed remodel of the garage
2 (not a reconstruction) will replace the window panes with stucco siding to make it
3 compatible with the proposed design of the home. There would be a large picture
4 window on the north elevation. It would have a very different character than the
5 existing garage; staff feels that the visibility "through" the structure to public vistas
6 would be a diminution of views but it's not something that she can conclude is
7 significant.

8
9 Heightened review findings are required because the floor area and the building
10 coverage increase to a little bit in excess of 80 percent of the permitted standards.
11 Those findings are discussed in the staff report and addressed in the draft
12 resolution. Staff believes the Commission can make the findings with regard to
13 providing adequate setbacks, minimizing view impacts and avoiding safety
14 hazards.

15
16 Regarding safety hazards, an extensive preliminary study of the site in terms of
17 geotechnical evaluation has been made and that study has been reviewed very
18 carefully by the City Engineer. The report was deemed incomplete on two different
19 occasions and more information was provided, after which the City Engineer felt
20 that at this stage of design the soils information was sufficient and appropriate. A
21 final memo from the City Engineer dated February 1, 2008, provides the
22 assessment that the plans and documents provide sufficient information and he
23 can recommend conditional approval of the design review application. The City
24 Engineer was also involved in the preparation of the Initial Study and the draft
25 negative declaration, and the City Engineer's recommendations are reflected in
26 the mitigation measures as well as in the conditions of approval attached to the
27 draft resolution. The City Engineer is available to answer questions.

28
29 The garage requires a variance. In the record of previous actions on this property
30 there have been many different solutions considered for this site including a one
31 car garage and carport. The applicant has proposed the existing one car garage
32 with an enclosure for the stairs and the hillavator and then the tandem parking in
33 front. They considered a two-car garage, but decided the 20-foot width wasn't
34 sufficient to achieve a two-car garage. Staff believes variance findings can be
35 made under the unique circumstances of the lot, but staff would draw the
36 Commission's attention and memory back to the parking lift system that was
37 approved and employed at 40 Cazneau, which hasn't actually been occupied or
38 used yet, but if there ever was a situation where that might be a good idea, this
39 application would be one. Staff has mentioned that to the applicant but that is not
40 the direction the applicant has chosen.

41
42 In terms of the tree removal permit, the trees are a coast live oak and blue cedar;
43 the Initial Study analyzes their removal and recommends the trees be replaced at
44 a two to one ratio. Given that mitigation measure, staff believes the findings for the
45 tree removal permit can be made. The addition of four trees would need to be

1 reflected in a final landscape plan. The loss of the oak tree was the result of
2 moving the building over to create more visual relief from 6 Bulkley.

3
4 The Commission has letters from neighbors in its packet; there were also two new
5 letters submitted that evening. Those letters cover a range of concerns from slope
6 stability to scale of the home to the parking and visual impacts, including a request
7 to use shingles instead of stucco. One of the letters submitted that evening
8 supports the project.

9
10 **Presentation by Applicant**

11
12 Applicant Architect Chris Raker noted that the applicant hired a company to help
13 with the greening of it and to do some public outreach. Showing a series of slides
14 and drawings, Mr. Raker noted the existing home is in disrepair. It is on columns
15 and minimal foundations; it is not a solid structure; the slope is unstable and the
16 site and surrounding area have a history of instability. This (pointing to drawings)
17 shows the former submittal prepared by another design firm two and a half years
18 ago; it was denied, quite rightly, by the Planning Commission because it continued
19 the perceived mass of 6 Bulkley. Several variances were requested at that time.
20 When his firm reviewed the project, they had a very frank conversation with Mr.
21 Mallya and said they wouldn't take the project over unless he agreed to do what
22 the Planning Commission said, because they were right, and it does need to be
23 more sensitive to the hillside. Mr. Mallya was supportive of that and has backed
24 this new design the whole way. They have made a concentrated effort to separate
25 the new building from 6 Bulkley spatially and architecturally. They've tried to
26 respect the scale of the hillside and contribute something fresh to the view of the
27 hillside, both from Bridgeway and from the Bay.

28
29 The first step involved spatial and massing considerations; they removed the tower
30 and compressed the entire building inward on all sides. The new square footage
31 is 4,660 but the footprint on the site is actually 380 square feet less than the
32 existing building. They do not require any variances for height or setback; the
33 height they are showing here is a little under two feet less than the current house,
34 which is why you can't see the story poles as well, and they have exceeded the
35 setbacks on all three sides. They are right on the setback on the hill because they
36 want to pull the structure into the hillside and reduce the perceivable mass and
37 also get the building to do the restraining work to stabilize the hillside for the
38 neighbors. They then moved the entire structure 16 feet over from where the
39 existing house is. So they are now 22 feet from the property line. They removed
40 the terrace extensions, left the minimal bridge, which they will probably have to
41 rebuild and which they're going to make removable.

42
43 The second critical step involved the architecture. They have developed a
44 Mediterranean influenced design with a fresh interpretation. The building is
45 intended to evoke its historical antecedents on the slopes of say Lake Como, or
46 Sausalito. They introduced new window forms, battered walls, concrete

1 balustrade, folding exterior doors, and a terrace-level garden that can be seen by
2 anyone looking down on the building or from the bay. A new color scheme and
3 new exterior materials, including clay tile roof, which could be variegated in color
4 are proposed and stucco in a number of smooth finishes with some coloration for
5 visual texture. The wood projections are a cream color and the metal is
6 ornamental iron railings; the gutters are copper.

7
8 Mr. Raker displayed slides comparing the existing and proposed location of the
9 building demonstrating the separation of the building from 6 Bulkley and the
10 attempt to remain in keeping with the single family residential quality of the
11 neighborhood. There are hanging gardens and outdoor flat terrace areas for
12 people to play on, as asked for by the client. There are sod roofs; they may be
13 able to make the concrete here pervious to reduce the impervious amount of the
14 site significantly. Mr. Raker pointed to the site plans, identifying the one car bay,
15 the steps that lead down to 4 Bulkley and the hillavator. They need to place one
16 car here in tandem. They can guarantee this will be under the control of the owner
17 or the same family. They are taking out this trash receptacle in response to public
18 comment. He could try to get a two-car garage in here with bent steel frame and
19 really forcing it, but he'd have to take the hillavator and stairs and move them out
20 from the building, which would increase the vertical mass perceived from the bay.
21 It would create a very expensive structure and it would be a detriment to the
22 hillside. So that's why they need the variance. They will consider the lift; he doesn't
23 like them because they are very expensive and extremely heavy. He would have
24 to tear down the garage all the way to the base and put in new foundations to
25 carry the gravity loads of the lift. It's feasible but it's a very onerous solution. It's up
26 to the Commission. They'll put a tree here at the request of the neighbor.

27
28 **Jim Bradinini** is the landscape architect. He displayed photographs and drawings
29 of the present and proposed vegetation. The uphill vegetation that separates the
30 property from the uphill neighbor is very important. The area where they are
31 suggesting to remove two trees, an existing blue spruce and then a smaller oak
32 tree, is over here; that is necessitated by the shift of the building and to accentuate
33 the separation of the two structures. The landscape design plan is to refurbish the
34 existing plantings and provide more screened plantings to provide separation, and
35 revegetation of the hillside and provide smaller trees on the downhill side to
36 provide screening from below. The plantings not only provide aesthetics but will
37 also add to the stability of the hillside. It's important to note that the house really is
38 in a setting of quite a bit of plantings; with the proposed plantings, the building will
39 appear to grow out of the hillside and be set in a very green environment. They are
40 reinforcing that impression with a roof terrace/garden. There is a sod roof and
41 pergolas which will provide a pleasant view looking down on the building as well
42 as from the bay. The uphill retaining wall will be softened with vegetation, vines,
43 and container plants. This slide shows the building from the right and left sections
44 to give a sense of how the building is tucked into the hillside and how the
45 foundation plantings will soften that and provide screening to the bridge.

1 Mr. Raker said the geotechnical expert won't speak now, but he is available to
2 answer questions later. His report would be that by the time they use the drilled
3 pier system and tie it together with grade beam foundations east, west, north and
4 south, and then build a retaining wall anchored into the hill either with anchors or
5 soil nails, the hillside will be better protected than it is now.

6
7 Chair Kellman asked the geotech to take the Commission through the impact of
8 removing the existing structure and what that does to the hillside?

9
10 **Scott Stevens** is the geotechnical engineer with Miller Pacific Engineering Group.
11 It would be a top down construction method; as you are demolishing the building,
12 you would go to a certain level, make your cut, install a series of soil nails or
13 tiebacks into that shallow cut layer and put a flashing level of shot-crete and
14 reinforcement on that. And then as you work your way down the hill, you never
15 have more than five or six feet of any of the hillside unsupported at any one point
16 in time. So there's always support before you move down to the next level. You
17 work your way all the way down and when you get to the bottom, in this case, they
18 would do the top wall, step out, do the same procedure, and then from the bottom
19 work your way back up again with the foundation system, the framing of the
20 structure, and the retaining wall. So that's how they're going to maintain the
21 stability as they excavate the hillside.

22
23 Commissioner Petersen noted that one of the things they didn't get in the staff
24 packet was a good description of the existing building. Are there any walls there
25 now or is it all just on piers?

26
27 Mr. Stevens said if you crawl underneath the building there's one old timber crib
28 wall, made of timber. It's pretty well rotted. Most of the areas underneath the
29 building are vertical cuts that are unsupported and then right below the cut is a
30 shallow pier.

31
32 Commissioner Petersen asked if all the excavation is going to be new? There is
33 not that much subterranean right now. Mr. Stevens is going to take out some of
34 the piers because they're probably going to be in the way, correct?

35
36 Mr. Stevens said that's correct. There's no real retaining structures underneath.
37 There's a retaining wall at the very bottom of the hillside; it's the only really
38 concrete retaining wall there. And the one behind the structure.

39
40 Chair Kellman said the architect made a point that the new design is 300 square
41 feet smaller in terms of the building footprint, but yet adds another 1,500 square
42 feet overall. So they are adding additional load to the structure on an existing
43 footprint. How does it impact the stability of the hillside to dramatically increase the
44 size of the building that is on the footprint versus what is on there now?

1 Mr. Stevens said in the big picture of things they're taking out a lot more soil than
2 is there right now.

3
4 Chair Kellman asked how much soil?

5
6 Mr. Stevens said he doesn't really know; they are cutting into the hillside a little bit
7 from where they are right now.

8
9 Chair Kellman said the Commission would like to have that number.

10
11 Mr. Stevens said the soil weighs a lot more than the building. One foot of soil
12 probably weighs as much as a three-story building. So if they can remove more
13 soil than the weight of the building, which he thinks they will, they will actually be
14 unloading the hillside in terms of stability moving down the slope. So you'll be
15 improving stability by taking that weak soil out, and even though the structure's
16 getting bigger, the net effect is you have taken some of the weight off of the hill.

17
18 Chair Kellman asked if he's had an opportunity to walk the area to the north of the
19 project where there's an existing large retaining wall and there's been some
20 slides?

21
22 Mr. Stevens said yes. Gene Miller was with the previous firm who worked on 6
23 Bulkley when that slid originally, and then Miller Pacific has also been working
24 down at the 22-24-26. They've been working for 45 Bridgeway, the downslope
25 property owner. So Mr. Stevens' company is very familiar with the slides on this
26 hillside. His company's previous principal and the firm have been involved in
27 several of these landslides. So a lot of the data that they are incorporating in this
28 building have come from previous experience in these other landslide areas.

29
30 Chair Kellman said given that background knowledge and what he just said about
31 removing soil to make the hill more stable, what are some concerns that he does
32 have as the geotech for this site?

33
34 Mr. Stevens said the primary concern is making sure that when they do the
35 excavation for the new retaining walls that they do it in the staged manner, where
36 they don't make one big cut at once and then try to build it from the bottom up. It's
37 important that they maintain stability as they are excavating downward. That's the
38 primary concern. The net effect is they're going to replace some vertical cuts in the
39 hillside right now with retaining structures that are going to be tied back into the
40 hillside with drilled piers that anchor the building much deeper into the hillside, and
41 they'll be removing a lot of the loose soil and rock that's on the hillside right now.

42
43 Chair Kellman asked what's the geotechnical impact of putting the pilings deeper
44 into the hillside? Does that disrupt any of the stability in a way that isn't currently
45 being disrupted?

46

1 Mr. Stevens said no, it won't disrupt any of the stability. The main stability they are
2 going to add to the hillside is going to be from the retaining walls and the tiebacks
3 deeper into the hillside. It just provides a deeper foundation support for the
4 building itself, to make sure that they're into the good bedrock that underlies it.

5
6 Chair Kellman asked how deep are the supports going to be?

7
8 Mr. Stevens said as part of a design level geotech investigation, they're going to
9 be doing some rock quarryings and some borings to really look at the quality of the
10 rock. He doesn't have the exact number right now, but they will be determined at
11 the time of a design level report.

12
13 Chair Kellman asked if he has read the construction feasibility memo prepared by
14 Sausalito Construction?

15
16 Mr. Stevens said no.

17
18 Chair Kellman said that report is on pages 85-87 of the Commission's packet. It
19 says, "The report is written at a time prior to any civil or structural engineering;
20 therefore many assumptions are based on standard practice." It would have been
21 nice if the two entities had connected; this memo outlines some of the construction
22 feasibility measures or some of the techniques that are going to be used to show
23 that it is feasible for the site. She would have thought there would have been a
24 coordination between the two companies' efforts. It's a little disarming that there's
25 no reference to it in Mr. Stevens' report.

26
27 Mr. Stevens said he can review it and get back to the Commission.

28
29 Commissioner Bossio asked what about drainage at this property and at the
30 downhill property?

31
32 Mr. Stevens said he'll have to go back and look at it. A lot of the drainage right
33 now is sheet flowing off of the hillside down to the neighbors. In doing this, with the
34 garden system, they will probably be rerouting-- it is important to control the
35 surface water drainage and he believes the easement is actually closer to the 6
36 Bulkley property, so the storm water would come across and would end up going
37 down to Bridgeway.

38
39 Mr. Raker said there's an existing easement that goes across 6 Bulkley, it goes
40 from the lower property and ties into the storm drain on Bridgeway. They will be
41 piping all the building drainage into that in an enclosed system. They have
42 someone working on the site drainage now. Right now it is sheet flow and non
43 concentrated. They've directed him to maintain that, not to disrupt the sheet flow
44 and not to concentrate it. If they get into a problem when they're doing that, they're
45 going to have to build a culvert or some sort of catch basin to take it out.

1 Chair Kellman asked if there's anything else Mr. Stevens thinks the Commission
2 should know about the site?

3
4 Mr. Stevens said he doesn't think so.

5
6 **Public Comment**

7
8 Paul Roner lives at 63 Atwood. He's lived there for 36 years. There is a blind curve
9 as you come up to that intersection, so you can't see anything on Bulkley. That
10 corner is a very critical corner for that whole neighborhood. Being a resident there
11 for 35 years, he has experienced many close calls, and a lot of it has to do with
12 tourists or trucks, but there's a reason why there's no parking from that stop sign
13 down to 6 Bulkley and that reason is that if you are coming from Atwood, where he
14 lives, and you're going down to Princess Street, there are cars swinging around
15 from Harrison that have to take a wide swing around and once in a while after
16 stopping at the stop sign, if you're coming down and somebody's coming down
17 from Harrison and you have to make a wide swing, you don't have much room
18 there at that intersection. The same thing for people coming up on Bulkley from
19 Princess who want to go to Harrison, they have to make a wide swing towards the
20 21 Bulkley parking area. He thinks the architectural design and landscaping is
21 beautiful, but that is not a very friendly intersection. If you have two cars stuck out
22 there, even just slightly, it's going to be a hazard for the neighborhood and he
23 guarantees there'll be an accident there, especially if fire trucks have to come up
24 there, which they do. He would request the Commission not grant the variance.

25
26 Commissioner Petersen asked if he is referring to the tandem parking? They're not
27 asking to park in that "no parking" area.

28
29 Mr. Roner said the cars will be sticking out on the street from where they want to
30 park. That's enough to cause a problem there.

31
32 Chair Kellman asked to see some slides of the parking. She noted this is
33 grandfathered in and asked staff what is the trigger for requiring a variance? Is it a
34 change in size?

35
36 Ms. Newman said it's the application for the design review and the fact that it's a
37 new residence and doesn't meet the current standards for two independently
38 accessible parking spaces. Before she got involved in the project, it was decided
39 that a variance would be required because of those factors. The options were to
40 come in with a design that was consistent with code, which created problems that
41 she has discussed, or to come up with some other solution, or to get a variance,
42 and so staff felt the variance, given the project design, was appropriate.

43
44 Chair Kellman said so the only way they could have kept their grandfathered right
45 would have been to have done a demolition and built it exactly as is; but any
46 change in the design removes the grandfathered right? So even if they had kept

1 the same square footage, with a different design, then they still would have had to
2 apply for a variance?

3
4 Ms. Newman said that's her understanding.

5
6 Chair Kellman said she just wants to make sure it's not being triggered off the
7 change in square footage but by the design review and actual shape and design of
8 the structure.

9
10 Ms. Newman said she doesn't believe it's a function of the square footage change.
11 The project application for a new structure is what's triggering it.

12
13 Commissioner Keller asked if what the applicant is asking for is legalizing parking
14 in the public right of way? The tandem parking outside of the garage? The way he
15 looks at it, that's in the public right of way.

16
17 Ms. Newman said no, it's within the property line. But it's tandem. It's not in the
18 public right of way but it's configured in a way that doesn't meet code.

19
20 Commissioner Keller said they are showing it as parallel parking there, but on the
21 other drawings, it's perpendicular, so they actually will be in the public right of way.

22
23 Chair Kellman asked to see the drawing that they are approving.

24
25 Commissioner Petersen said so if you were to park it straight in, you'd be sticking
26 out, in which case you'd get a ticket.

27
28 Chair Kellman said so theoretically this would enable someone, as Commissioner
29 Keller pointed out, to park parallel to the garage and in fact to have two cars side
30 by side in parallel sticking into the public right of way exceeding the property line.

31
32 Ms. Newman said that's not an acceptable solution under the City's code.

33
34 Chair Kellman said it's not a legal use, but, practically speaking, a car could be
35 placed there.

36
37 Ms. Newman said this solution, with the variance, could be deemed acceptable. It
38 is on the property, it's not in the public right of way.

39
40 Chair Kellman replied to a question from the audience to say according to the
41 design the vehicle that's not in the garage is within the property lines.

42
43 Mr. Roner said all he knows now is that there are cars that are parked there now,
44 there's a car parked there tonight.

45
46 Chair Kellman said they are parked the other direction.

1
2 Mr. Roner said he doesn't know where the property lines are, all he knows is the
3 street is there. Two cars will stick out in the street. Now, the street might be owned
4 by the property owners, he doesn't know. But it sticks out on the street. He gathers
5 they are asking for a variance because it looks like it's on City property.
6

7 Chair Kellman asked if the question Mr. Roner is concerned with is that the front
8 end of a vehicle parked like so (on the right hand picture) extends beyond the line
9 or the boundary indicated in the picture, correct? Is that his concern?
10

11 Mr. Roner said yes, it sticks out onto the street.
12

13 Ms. Newman said she thinks Mr. Roner is describing the situation where the cars
14 are parked perpendicular, not parallel.
15

16 Commissioner Petersen said yes, but that's not what the variance is for, it's for one
17 car in the garage. The one that they just happened to stick on there and, as they
18 have observed, that parks in the driveway, sticks out in the street.
19

20 Commissioner Bair said that's right, if they park perpendicular like it's depicted,
21 they would be okay in terms of their own property line. If they parked tandem as
22 commonly understood in the City, which is front to end, they would extend into the
23 public right of way. It is not uncommon at that corner to see cars parked that way.
24

25 Commissioner Bossio said the real solution is for the parking authority to come
26 and ticket.
27

28 Chair Kellman said they'll table for the moment whether they want to try to prevent
29 that if possible. But apart from that, are there any questions for staff or the
30 applicant?
31

32 Commissioner Keller noted that the architect has stated that he's not in favor of a
33 parking lift system because of the weight. Listening to Mr. Stevens' analysis earlier
34 about removing soil, and the fact that it's taking weight off the hillside, what's Mr.
35 Stevens' view from a structural engineering standpoint with regards to putting the
36 lift system in there to get the additional parking?
37

38 Mr. Stevens said he's not familiar with the configuration of the lift system; if it's
39 going below grade or above grade. But if you need to make room down below and
40 it's a significant weight-- he's anticipating that this structure is on shallow
41 foundations just like the one down the hill, and if you're adding weight without
42 excavating out, you'd have to have the drilled pier type access. If you're going to
43 excavate out, you'll have to have the retaining wall. Either way you're going to
44 have to do some structural improvement to hold up a lift system, either drilled piers
45 with tiebacks or a retaining wall with tiebacks.
46

1 Commissioner Keller asked Mr. Stevens to explain how he's going to remove the
2 existing house and get all of the building materials up and down this hill; he would
3 assume there's going to have to be a crane involved, a backhoe, and other heavy
4 moving equipment. Is that correct?

5
6 Chair Kellman noted that some of those techniques have been outlined in the
7 construction feasibility report, pages 85-87, which she doesn't know if the geotech
8 engineer has read.

9
10 Mr. Stevens said he was reading through that. A lot of the construction procedures
11 are outlined in that report, of using the lift of some sort, or he had like a hillavator
12 up and down. And there's going to be a lot of portable drilling equipment, they're
13 not going to be able to get a great big piece of equipment on that property, so a lot
14 of the drilling for the piers, the tie-backs, is going to be with the pneumatic,
15 portable equipment. It's small, typically about 3 feet square, about 8 feet tall and
16 it runs off a hydraulic system with a power pack in the driveway to power it.

17
18 Chair Kellman asked for further public comment.

19
20 No response.

21
22 **Commission Discussion**

23
24 Chair Kellman said this project is subject to CEQA. Given the size of the building
25 and size of the lot, it's subject to heightened review. So taking those two things
26 together, they'll look at the mitigation measures a little more closely. She doesn't
27 think adequate information has been conveyed to the Commission as to specific
28 geotechnical aspects of the site. What she means by that is they had a very nice
29 report from the engineer but then there was a construction feasibility memo
30 included in the staff packet and the more useful approach would have been a
31 combination of the two that actually gave the Commission some site specific
32 measures of what the geotechnical impact would be. Instead what they got was a
33 very general geotechnical report, a great oral response, but very general, and then
34 they have the construction feasibility report that uses a lot of conditional language.
35 "We may use this, we could use this; it could be like that." She wants to know what
36 it's going to be and then she wants to know what the impacts are going to be. She
37 would ask the applicant to go back and make some decisions based on the
38 construction feasibility suggestions and work with the geotech to figure out what
39 the impact is going to be. That's an initial feeling she has, given the size of the
40 structure and the location and some of the issues in that vicinity. Do the other
41 commissioners agree with that?

42
43 Commissioner Bossio said she would be interested in hearing Mr. Teachout's
44 thoughts on the presentation, given his dealings with the hillside over the last two
45 years.

1 Chair Kellman said she's finishing up her sixth year on the Planning Commission
2 and she doesn't think she's ever seen a geotech report that actually said "we don't
3 think you should construct this." So for what it's worth, every geotech report
4 submitted by an applicant always says, "Well, here's all you need to do," and to
5 repeat, this project is subject to heightened review and CEQA. It really has to meet
6 a certain level of review and she's not sure the material presented to the
7 Commission suits that level.

8
9 Commissioner Bair agreed; his concern is that if they get the approval, they get
10 down the road and find there's technical complications that the Commission didn't
11 know about when they approved it, and then it's back to the Commission and a
12 negotiation begins on what's enough. He thinks they ought to have "what's
13 enough" addressed upfront.

14
15 City Engineer Todd Teachout said that hill mass is very unique. What was done
16 was standard practice; there's kind of a feasibility level study. He has drawn on
17 some of the experiences he's had since he has been involved with mitigation work
18 up the street. Regrettably the geology of the hill is so irregular, it is so variable,
19 that any data points that he got off site aren't very useful. Getting data points is
20 very difficult. To get the best data points, you'd have to do some deep coring and
21 he doesn't think the engineer has gotten clearances to do that right there. The
22 engineer has said that in the demolishing process they will start getting at data
23 points. It would be nice to have good information, mostly from the developer's
24 standpoint, because he's taking a lot of risk not getting these things, which could
25 double, triple, quadruple his costs, done now. But it's in the purview of his project
26 to do that. With regard to complying with the City codes, as Chair Kellman stated,
27 you never see an engineer's report that says it's not possible. Anything's possible;
28 it's just how much time and how much money is needed. They don't have all the
29 information on this project yet, a reasonable level of investigation and
30 consideration has been done and they will get the rest, but they are taking the risk
31 from a financial standpoint. But he doesn't expect that it will affect the architectural
32 design of the site layout significantly.

33
34 Commissioner Petersen asked Mr. Raker what he thinks about a carport on the
35 top there? Something that you can see through and maybe would allow a second
36 car to nose in a little bit farther so it isn't sticking out into the street.

37
38 Mr. Raker said they could certainly look at that. They too would like to preserve the
39 openness through the garage. The problem is that the existing garage, as it is
40 now, the glass walls are on the property line and they don't comply with code. You
41 can't have an unprotected glass wall within three feet of the property line. So even
42 now they would not be approved. The design they are proposing is showing some
43 punctuated windows to preserve the openness; they're not even sure they can
44 have those under the new code. The new code allows a certain percentage of
45 openings, but there's a very long calculation that has to be made.

1 Commissioner Petersen said he's referring to fire code?

2
3 Mr. Raker said that's correct. They haven't made that calculation yet; it's actually at
4 the discretion of the building official.

5
6 Commissioner Petersen asked how does that apply to carports which don't have
7 walls at all? It isn't technically an opening.

8
9 Mr. Raker said this is at the discretion of the building official, so he doesn't really
10 know which way this would go; he may require that these walls be solid. In that
11 case, he can try to open a glass door onto the driveway and open the front of it
12 with glass. He's not really sure that helps with the bench situation, but he's happy
13 to look at that. The Commission is right about the parking. If they park them in
14 tandem part of the car is sticking out. They should be forced and required to park
15 sideways. That was his intent and that can be done.

16
17 Commissioner Petersen said the neighbors could also call parking services to
18 come and tag each time they see it sticking out in the street.

19
20 Chair Kellman asked if Mr. Raker had any suggestions for design elements that
21 could help force the correct use of the parking area?

22
23 Mr. Raker said he could try maybe a limited curb in such a way that you have to
24 maneuver up to get sideways. He's happy to look at something like that. He
25 agrees that that's a critical corner. The best position is to say if you park with the
26 end of the car sticking out, you're going to get a ticket.

27
28 Mr. Raker addressed other technical issues. One of the difficulties in working on
29 this project has been the change in staff in the planning department. All along they
30 have agreed with staff and there are letters in the packet as well as a memo from
31 the City Engineer, noting that Mr. Raker specifically said they need to do a full
32 boring, they need to do a new survey, they need to do extensive geological
33 investigations of the site. This is a tricky site. They need full cooperation between
34 structural geotech and himself. It's a very expensive process. Mr. Raker said the
35 applicant has suggested that they look at the feasibility and get the design
36 approved and then they know they're going to have to do these reports, per the
37 mitigations, but his preference would be that they do all this technical work at the
38 staff level with the City Engineer or they do a second level of approval on the
39 engineering and construction. He'd like to get past the design feasibility before his
40 client spends hundreds of thousands of dollars on these studies. That was their
41 point with staff and that's the only reason they did it this way.

42
43 Chair Kellman asked for any other comments on the geotechnical issue.

44
45 No response.

1 Chair Kellman noted there are three applications before the Commission, a
2 variance, design review and tree permit. Does anyone want to start off on the
3 variance issue? Are there votes to approve the parking structure as proposed?
4 Anybody opposed to it?

5
6 Commissioner Petersen said that's different than the variance. The variance is for
7 one off street parking. Personally, he'd like to see something more open there. It
8 would be a wonderful gift to the street, even in walking by there. It's just a small
9 structure, but it's amazing how it's preventing you from seeing through, as any
10 pedestrian or driver going by there can tell you. He'd like to see if there's any way
11 to get some transparency, as the Commission has required in other places. He
12 doesn't know that glass is necessarily the solution. He understands with carports
13 sometimes you want to have security, so you might have a grated door or a
14 latticed door that sort of rhymes with the other lattice work, that you can see
15 through. But he would love to find out if it's permissible for them under the new
16 code to have no walls on the side and a relatively transparent door, if they require
17 the door at all.

18
19 Commissioner Bossio said she thinks that would be attractive, too.

20
21 Chair Kellman asked staff's opinion.

22
23 Ms. Newman said staff would certainly support something that was more open,
24 conceptually. It would have be fleshed out and brought back to the Commission as
25 part of the design review application.

26
27 Commissioner Petersen said what they would have to find out is under the new
28 code, which was just adopted on January 30, how the City, how the fire chief, are
29 interpreting that code. So they'd need to get some feedback from them.

30
31 Chair Kellman asked if the other Commissioners agreed with a more open plan?

32
33 Commissioner Keller said yes.

34
35 Commissioner Bair said he does as well.

36
37 Chair Kellman said so the Commission will direct the applicant to bring something
38 back on the parking area.

39
40 Commissioner Petersen said if it can't be done, it can't be done. But it's worth
41 looking at.

42
43 Commissioner Bossio said on the design, the terrace is gorgeous. It's really quite
44 beautiful and the structure is really attractive, so she doesn't have any issues with
45 design review, with the exception of what they just discussed. It would be very
46 attractive on a home of this magnitude to have a more open entryway for

1 pedestrians and passers-by; otherwise she doesn't have any negative critique at
2 all about the design.

3
4 Chair Kellman said the structure is too large for her taste. Despite the landscaping
5 plan, it's situated in close enough proximity to homes along Bridgeway that it does
6 create quite a looming presence; 4,700 square feet might not sound large to some,
7 but once built, it will be way larger than one might think. So given what is there
8 now and the 1,600 square foot increase, particularly given that that actually is
9 going to be in a height perspective, not even width, she thinks they will find
10 themselves with quite a looming presence on that portion of the view from the Bay.
11 She understands in terms of neighborhood compatibility that there are other
12 structures that have that same looming presence; she doesn't care for any of them
13 either, but there's nothing they can do about that.

14
15 Commissioner Bair said he agrees with Chair Kellman on that; this is coming in as
16 a proposed single-family residence in an R-3 zone so they are able to take
17 advantage of putting a much larger structure in a place where the previous
18 structure was basically about what they would get if it was an R-1 zone. If they
19 have heightened review on these things, the Commission really needs to take that
20 seriously, and look at the scale that's also been discussed by some of the
21 neighbors, although some appear to have lessened their concern about that.

22
23 Chair Kellman asked if Commissioner Bair would suggest to the applicant that they
24 try to reduce the size at all? How does he feel about the design as is?

25
26 Commissioner Bair said he likes the design a lot, he likes the deck up on top, but
27 he would prefer to see a smaller structure square footage wise, taking into account
28 that underneath space, especially when you're talking about parking issues.

29
30 Commissioner Petersen said the square footage count is somewhat of an abstract
31 figure when you're talking about massing; he believes this building's presence is
32 going to be much gentler on the landscape than the previous structure, which was
33 at a lower square footage, but which has the unused space below. There's nothing
34 more painful than looking up at the underside of a building when the architect
35 never thought about that being a façade, which it most certainly is. And in this
36 case, they have thought about that and they're setting it back into the hill. It's going
37 to be a lot less looming at 4,000 plus square feet than the 3,000 plus square foot
38 building with the exposed underside that was there before, and which looks like it's
39 about ready to fall down.

40
41 Commissioner Keller said regarding the square footage, he thinks there could be a
42 lot done to the design. He likes the architect's design, aesthetically it's very
43 pleasing. He questions, comparing the photograph and the color board, the
44 painted cement plaster smooth finish. If he's looking at that correctly, that is a very
45 dark color in the photograph, but it would not be that way with this color on the

1 color board; it would stand out and be much more robust than what they're looking
2 at right now.

3
4 Chair Kellman asked if that is the correct color they see on the proposed view?
5 She agrees with Commissioner Keller that as it is here, it sort of blends into the
6 trees, but is that actually what it's going to look like?

7
8 Mr. Raker said there's a lot of translation when working with this technology, the
9 changes weren't deliberate. It would be more to what the Commission is looking at
10 on the board.

11
12 Commissioner Keller said if they look at the perspective, the rendering gives a
13 much truer sense of what the color's going to look like.

14
15 Mr. Raker said the rendering is closer to what they're really proposing. It's not that
16 far off from the color board. And they can adjust the color, too. This was a first
17 pass at it.

18
19 Commissioner Petersen said he likes the darker better, personally.

20
21 Chair Kellman said they might be leaning towards the darker is better.

22
23 Mr. Raker said that's fine. They've been through this on several sites in Mill Valley.
24 They were trying to introduce something a little bit more exciting; often people
25 don't want it, so that's a taste thing.

26
27 Chair Kellman said to give the applicant some direction, two commissioners feel
28 that the size and the design is fine as it is, two others might want to see some
29 change in the size; the design seems to be fine conceptually in this mode of
30 architecture. Does any commissioner have any clearer direction for the applicant
31 in terms of size or design elements? They've said maybe lean towards a darker
32 color as shown in the proposed view. But in terms of the size, what is the
33 Commission trying to achieve? For her, she does feel that it will totally dwarf the
34 homes along Bridgeway and continue that trend that is happening there that she
35 wishes had never started. She can't say how many feet exactly to take off it, but
36 something about the design creates a pretty sturdy structure that says, "I'm here
37 and I'm overlooking all of you," There are probably ways to soften it that the
38 architect has thought about. Do the other Commissioners have thoughts on that?
39

40 Commissioner Keller said his issue with this is that although he appreciates the
41 design, and means no offense to the architect, he doesn't think this has been
42 thought through clearly. The applicant is coming to the Commission and asking for
43 approval for a 4,600 square foot residence with one parking place and a variance
44 for parking and saying it's going to be very expensive to create additional parking.
45 Commissioner Keller said he can't imagine what this is going to cost. Money is
46 obviously no object here and the Commission is also dealing with a situation

1 where they've had landslides along this hillside, and he doesn't feel comfortable
2 with regards to the geotechnical studies. First and foremost, what they should be
3 approving is a demolition permit. They're going to need to get that structure out of
4 there anyway. It's uninhabitable. And at that point they will get some ideas as to
5 what they can and can't do structurally. From a design standpoint, he likes the
6 design. Could it be smaller? Probably yes. He's not satisfied with what the
7 applicant has come up with in regard to the parking; that needs to be explored
8 further. But generally speaking, he's in favor of the overall design. It could be
9 smaller and he'd be in favor of something smaller as well.

10
11 Chair Kellman asked if the applicant comes back with same design, different color,
12 different parking structure, is that approvable for the other Commissioners? So
13 he's not just taking 20 square feet off of the corner.

14
15 Commissioner Bair said the Commission is always loathe to tell anyone to come
16 back at such and such a size. Pick any neighborhood and you're going to find
17 houses under this design review, at heightened review, that the applicant can say
18 is consistent in scale of other buildings in the neighborhood. But Commissioner
19 Bair consistently hears on the dais that it is concerned about all the projects
20 trending to the high side of what's allowed.

21
22 Chair Kellman said the thing is this is an R-3 zone and it's a single family home. As
23 Commissioner Bair said, they take advantage of the fact that it's an R-3 zone,
24 that's exactly what happens.

25
26 Commissioner Bair said that's absolutely right. But there's nothing that requires the
27 Commission or the City Council to approve those things. Now, does the
28 commission think it's consistent with the neighborhood or the community? He
29 doesn't think it's consistent. He would like to see something more in the range of
30 what the existing structure is and that would further reduce this in terms of its
31 mass. And that's what he's aimed at, is something that's closer to the 3,080-ish
32 that's there now as opposed to the 4,600 that's proposed.

33
34 Commissioner Keller said he agrees with that.

35
36 Chair Kellman said it sounds like three commissioners feel that way, so the
37 architect should take that into consideration as he makes his design changes.
38 There is a majority that would like to see it be a smaller structure. Are there any
39 comments on the tree permit? She doesn't have any problems with the tree
40 permit.

41
42 Commissioner Petersen said he thinks it's justifiable under the reasoning that
43 they're trying to separate themselves from the other building; particularly if they are
44 replacing two in kind.

1 Chair Kellman agreed. Additionally, it would help to have more geotechnical
2 information; she understands that the architect wants to get the design approved
3 before they spend a lot of money, but she'd like to see something where the
4 engineer and contractor sit down together and review the City Engineer's memo
5 and then report back from the applicant's perspective. That would be an easy first
6 step without spending too much more money and doing drilling.

7
8 Commissioner Bossio said it sounds like the Commission is backing off a little bit
9 from where she thought the Commission needed to go. Personally, she would
10 suggest going full bore on the geotech report because there's been problems on
11 this hillside. This is going to be a very significant structure, so they may as well do
12 it upfront. She just thinks they really need to know the geotechnical issues. It's
13 really not fair to the community to allow risk to sit with one party when everyone is
14 being subjected to that risk. It causes way too much stress.

15
16 Mr. Raker said the report is already commissioned.

17
18 Commissioner Bossio said that's wonderful. The stress that's been caused by
19 other parts of that hillside is just absolutely inordinate to the community and they
20 don't want to go there again. There's no reason to with this project.

21
22 Chair Kellman asked for other comments and direction.

23
24 Commissioner Petersen noted the Commission had asked the architect to
25 investigate if it is possible to go with a more transparent parking structure,
26 considering the interpretation of the new code. Would everyone prefer to see a
27 carport up there?

28
29 (The Commission indicated yes.)

30
31 Commissioner Petersen said if possible, it would be great for the architect to come
32 back with that modification. It would benefit the people in the neighborhood
33 walking by up there to be able to look out.

34
35 Chair Kellman asked if the carport would be for two cars or one?

36
37 Commissioner Petersen said it sounds like it's going to be just for one, but what it
38 does afford is the ability to pull one to the front. If you do have somebody coming
39 and parking in the driveway, they can nose in a little bit so they're not sticking out
40 in the street.

41
42 Chair Kellman said it is the sense of the Commission then that it would approve
43 the variance if they came back with a suitable parking design?

44
45 Commissioner Bossio said yes.

1 Chair Kellman said she would agree as well. The architect has offered to come
2 back with some design elements that might help put the reins on the parking. Does
3 staff have everything it needs? The direction as expressed by Commissioner
4 Petersen was that the Commission wants to see a design that provides more
5 transparency.

6
7 Chair Kellman thanked the architect. She found his presentation to be very
8 forthright and she really appreciates it.

9
10 Mr. Raker said he wants to make sure he understands the Commission's direction.
11 He's going to look at a carport solution for one car; he's going to look at ways to
12 get a car on the property sideways; the Commission's direction on colors is fine;
13 he'll keep the basic architecture and detailing of the house, that seems to have
14 met with approval. The only thing he's struggling with is the size issue because the
15 only thing to do is either squeeze these floors in so they don't work well, they're
16 already very tight, or take a floor out. If he takes a floor out and he keeps the
17 terrace level connection, they'll have the dirty underside look, which he abhors and
18 he thinks Commissioner Petersen agrees. This is an expensive project; coming
19 out of the ground on this project is going to be a huge amount of money, from then
20 on it's going to be kind of simple. He wants to get a foundation under that house
21 that is secure and stable for the neighbors and the hillside. He'd like to push to
22 keep the size, he can squeeze it a little bit, and frankly for the amount of money
23 and effort on this house, it's really hard to go to his client and say, you're only
24 going to get a 3,000 square foot house. So he doesn't know what to do when the
25 Commission says make it smaller, or he would have already done it. And how
26 does he check that as he goes through? This didn't come up with the staff. He
27 doesn't want to spend three months and come back and be told to take another 30
28 square feet out. He's already dropped the height, he's stuck by this terrace level
29 connection, he's stuck down on a flag lot with a 20-foot flag on a hillavator, there's
30 not a lot of wiggle room. Any more guidance would be appreciated.

31
32 Chair Kellman said she doesn't think the Commission has any more guidance at
33 this time for how to design the structure. She trusts however that had his client
34 come to him and asked him to design a 3,000 foot structure, Mr. Raker would most
35 certainly have been able to design one with very good taste, as he has done here.
36 So to come back and say "How can I take off 1,600 square feet?"-- she doesn't
37 know and she doesn't relish the thought of having to figure that out. She
38 understands Mr. Raker's quandary, but she doesn't doubt Mr. Raker can come
39 back with something smaller but equally as attractive. The majority of the
40 Commission feels this needs to be taken down in size.

41
42 **Chair Kellman moved, seconded by Commissioner Bossio, to continue the**
43 **item to a date uncertain.**

1 **ROLL CALL**

2
3 **AYES: Commissioners Keller, Bossio, Petersen and Bair;**
4 **Chair Kellman**

5 **NOES: None.**
6
7

8 **2. HARRISON PARK PLAYGROUND (DR 08-001/APN 065-091-09)**
9 **City of Sausalito and the Sausalito Lions Club (Applicant)**
10 **City of Sausalito (Owner)**
11

12 **The Applicant, the City of Sausalito and the Sausalito Lions Club, on behalf**
13 **of the property owner, City of Sausalito, requests Design Review approval**
14 **of a renovation plan for Harrison Park Playground. The project consists of**
15 **demolishing an existing concrete podium, removing some (but not all)**
16 **perimeter fencing, re-grading the site to create an ADA accessible play area**
17 **for children and a lawn area with benches for adults. A contemporary**
18 **prefabricated play structure is proposed to be installed in the play area.**
19 **Low retaining walls are proposed around the perimeter of the play area and**
20 **along a graded ADA compliant ramp to the play area. Benches are**
21 **proposed around the play area perimeter and will serve also as wall caps. A**
22 **bench is also proposed for the lawn area. A railing is proposed around the**
23 **play area that can serve as a back rest for the play area benches and a**
24 **fence for toddlers.**
25

26 **Staff Report by City Engineer Todd Teachout**
27

28 Mr. Teachout reported this is an application for the renovation of Harrison Park
29 by the City of Sausalito and Sausalito Lions' Club The project consists of
30 demolishing an existing concrete podium, removing some (but not all) perimeter
31 fencing, re-grading the site to create an ADA accessible play area for children
32 and a lawn area with benches for adults. A contemporary prefabricated play
33 structure is proposed to be installed in the play area. Low retaining walls are
34 proposed around the perimeter of the play area and along a graded ADA
35 compliant ramp to the play area. Benches are proposed around the play area
36 perimeter and will serve also as wall caps. A bench is also proposed for the lawn
37 area. A railing is proposed around the play area that can serve as a back rest for
38 the play area benches and a fence for toddlers.
39

40 The zoning for the project is public park; the General Plan land use designation is
41 public park. The permit required is for design review, it's a class 1 categorical
42 exemption for the landscape improvements under CEQA, and a class 3
43 exemption pursuant to CEQA 15303 for the apparatus. The existing
44 neighborhood is residential, although the park is bounded on the north by the
45 rectory of the Star of Sea church, so it's a rather unique transitional residential
46 area.

1
2 The size of the park is 5,400 square feet and is a relatively moderate sloping lot
3 along the 100 block of Harrison. It currently contains a concrete patio, a picnic
4 table, a drinking fountain, a trash can and landscaping. Adjacent to the site is a
5 single family home and the church rectory parking lot.
6

7 The Lions' Club is a service organization, they exist to make the community
8 better. In 2002 they approached the City with a proposal to improve a park and
9 Harrison Park was selected. A neighborhood meeting was held in 2002 to solicit
10 input and to create a stakeholders' group. Between 2002 and 2006, the Lions'
11 Club architect Donald Olsen and stakeholders from that meeting met from time to
12 time to develop a plan for the renovation of the park. The design before the
13 Commission that evening is the seventh or eighth iteration of the design. The
14 park has been around for over 50 years, at some point in time it had a swing set
15 and spring operated hobbyhorses and perhaps some other apparatus. Those
16 apparatus were removed at sometime in the past; over the years maintenance of
17 the park by the City has decreased because of resource constraints, probably
18 due to Prop 13. A volunteer neighborhood group formed to maintain the park and
19 they did so for many years; through the years the maintenance effort diminished
20 and the present situation is not suitable as a playground for children, which is its
21 intended use.
22

23 The Lions' Club goal is to restore the park to a lawfully compliant playground, and
24 to make it fun, safe and attractive.
25

26 Regarding landscaping, the site is relatively steep for a playground and to create
27 a contemporary play area, they needed to level it out. So they created a level
28 play area that necessitated installing retaining walls and an ADA accessible
29 ramp. Where the concrete podium currently is they are proposing to create a
30 lawn area. They are proposing a concrete bench. At the moment there's no picnic
31 table, that would be removed, but the option of replacing the table will remain,
32 although at this point no picnic table is proposed. The plan proposes to preserve
33 six medium to large trees, in particular a large pittosporum at the back, which
34 provides screening between the park and the adjacent single family home. The
35 Lions' Club proposes to preserve most of the existing fence, it's in pretty bad
36 shape, and an effort will be made to repair it and an effort will be made to find a
37 patron to secure funds to replace it.
38

39 The plan doesn't describe the raw materials but in discussions the architect has
40 described the walls as being of a masonry earth tone color. They propose to
41 create a reinforced pre-cast cement bench on the perimeter of the play area on
42 top of the unreinforced masonry wall; that might be a little problematic but staff
43 believes that the technical issues can be resolved at the construction detail plans
44 stage.
45

1 The plan shows the surface of the play area to be a sand surface. In more recent
2 iterations it was an engineered material play surface. He's been getting mixed
3 messages on the composition of the surface; at the moment the plan shows
4 sand. Staff believes what should drive this is what's safe. Given the present
5 condition of the park, staff believes that the proposed improvements will be an
6 improvement and will make things a lot more attractive.

7
8 Regarding the playground apparatus, there had been some consideration of just
9 replacing the swing set. Playground equipment makers have drastically changed
10 their designs and most apparatus today have formal safe zones for getting to the
11 apparatus and getting off the apparatus. When they put the number of activities
12 together they wanted, they couldn't fit all of those in the area. So they looked at
13 their options and came in with this multi-function, prefabricated play apparatus.
14 The Commission's packet contains a 3D graphic of the proposed apparatus
15 (copies are also available for the public on the conference table.) The apparatus
16 consists of several activities: a slide, pole, bridge, a cave, circular window, nine
17 sets of steps, a little steering wheel, presumably a ship's wheel.

18
19 These are still preliminary plans. In discussions with the architect and the Lions'
20 Club, they've indicated that the uprights are metal, presumably earth tone colors.
21 The decking is recycled plastic made out of milk bottles. They are amenable to
22 making some minor modifications to that. There are also some steel rails painted
23 green.

24
25 The total height of the apparatus is not known. Information has been provided
26 with regard to the various steps and the deck. The height of the proposed
27 apparatus is 72 inches, or six feet; there have been some concerns about the
28 height and as a result an alternative design has been submitted and that is
29 included in the Commission's packet. The alternative design shows several
30 similar activities but not as many, and a maximum height of 32 inches.

31
32 Story poles were erected to show the approximate bulk and mass. It doesn't
33 quite do it because play slides are hard to do a story pole on. But the story poles
34 do attempt to depict the grid of the apparatus. They are accurate with regard to
35 height based on the July 15, 2006, plan. That plan removed the pittosporum tree.
36 However, the City held a public meeting out at the park in October and there was
37 a lot of support to keep the pittosporum tree. To keep the tree, the wall had to be
38 adjusted and the wall was moved a little bit, which raised the elevation of the play
39 area by six inches, so the apparatus would be six inches higher than it is shown
40 right now.

41
42 During the community meeting in October, several suggestions were made,
43 including adding more benches, using more ground cover type plants, and most
44 importantly, preserving the pittosporum tree. There were some concerns about
45 the amount of fencing to be removed, so that has been adjusted so that it pretty

1 much remains perimeter fencing; a gate would be set back from the edge of the
2 street to where it's shown on the plan.

3
4 Efforts were made to determine the amount of support for the apparatus and
5 after several months of meetings it was determined that there's two bodies of
6 opinion with regard to the apparatus: One, the proposed apparatus is what's
7 necessary to serve the intended users, which would generally be 3 to 7 year
8 olds, who would be supervised; and then there's another body of opinion that
9 feels that apparatus is too large and could create privacy issues. Staff has
10 provided both alternatives. The description of the alternative apparatus is strictly
11 a manufacturer's data sheet. There's been no formal design effort with regard to
12 a smaller apparatus.

13
14 With regard to CEQA, it's a category 1 for the landscaping and a category 3 for
15 the apparatus. The proposed project meets all the zoning criteria with regard to
16 setbacks, height and building coverage. Because this is a design review permit,
17 the Commission must make all 12 findings with regard to the design review. Staff
18 believes that all the findings can be made. The Commission may hear concerns
19 during testimony about Finding I, with regard to privacy. Because the project is
20 so below the thresholds with regard to the design criteria, the project will not
21 block any views. Staff also believes the project is approvable as to consistency
22 with General Plan policies and objectives.

23
24 With regard to public notice, staff sent out notices in the 300 foot radius. Staff has
25 received written feedback, both from the October meeting and more recently.
26 Those communications are in the Commission's packet. There's a large body of
27 people who know this has been going on for five years and who really want to
28 see action; there's also another group who are concerned about the massing and
29 the height. The staff report references a January 15 plan on page 8; the plan
30 before the commission is dated March 5; the differences between the two plans
31 are the fence and the gates. In the January 15 plan, the fence along the rectory
32 side had only been retained halfway. At the request of the church, the new plan
33 for the fence is to extend it all the way to Harrison, to put a new fence along
34 Harrison, and to move the gate back as shown.

35
36 Staff believes all necessary findings can be made and recommends the
37 Commission adopt the draft resolution of approval attached to the staff report.

38 39 Presentation by Applicant

40
41 Chair Kellman noted she'd like to start the applicant's presentation with some
42 questions. There is some clarity needed about the design that was submitted, the
43 March 6, 2008, plans. Is there a reason the play structure is not depicted on the
44 plans?
45

1 Don Olsen, architect for the applicant Lions' Club, said yes, there is. In talking
2 with staff the decision was made by the City Engineer that the first thing is to deal
3 with the layout and the plan itself. And then the next portion would be deal with
4 the play equipment.

5
6 Chair Kellman asked how can the Commission address the landscaping and
7 privacy elements, if they don't know the location or the total height of the
8 proposed play apparatus? Is that a concern for the design team?

9
10 Mr. Olsen said it's a concern that everybody understands the exact height and
11 location of the play equipment and what are the criteria for the play equipment,
12 i.e., that it not be visible from the surrounding areas. The applicant is asking for
13 direction on those criteria in choosing the play equipment. In talking to the
14 manufacturer, Park Pacific, they were looking at just what provides the most
15 variety of play apparatus for children in the 3-6 year old range.

16
17 Chair Kellman asked if he is saying he wasn't sure from staff's direction whether
18 or not that was necessary at this time in terms of submitting the plans?

19
20 Mr. Olsen said in their first couple of submittals they had the play equipment
21 shown on site and then it was taken off.

22
23 Mr. Teachout said it was removed at his urging; there seemed to be quite broad
24 support for the landscape improvements and not so large support for the
25 apparatus. Either apparatus will fit within the proper safe zones and comply with
26 the zoning setbacks within the designed play area.

27
28 Commissioner Petersen asked if there is a time issue regarding the state money,
29 and so they want to get the landscape part approved so that those funds are
30 available? Is that why this is being broken into two parts?

31
32 Mr. Teachout said that was driving it, but they've missed the boat on that.

33
34 Chair Kellman said to be clear the state funding, the \$15,000, is now not an issue
35 because they missed a deadline?

36
37 Mr. Teachout said they had intended to use 2003 bond monies for the project,
38 but to use those monies, the project would have to have been built by now.
39 Instead, they used those funds to refurbish the tennis courts and moved the park
40 playground project into the next round of bond monies. So they're not as time
41 constrained as they were last fall.

42
43 Chair Kellman asked if there is anybody who can speak to the actual bond. Her
44 understanding from reading page 52 of the staff report is that the grant must be
45 obligated by March 2008. "Obligated" and "used" are two different things. Is the

1 money off the table or on the table? If the Lions' Club considers it to be off the
2 table and it's no longer driving the project, that should be made clear.

3
4 Mr. Teachout said it's off the table at this point, at least for another year.

5
6 Chair Kellman said getting back to the siting of the apparatus, the reason she
7 brings it up is because there's comments about the pittosporum and about
8 screening and those are issues that are difficult to address if the Commission
9 doesn't know the height, size and location of the apparatus. Another question
10 that was brought up was maintenance. Who is going to take on maintenance of
11 the park and something like a lawn?

12
13 Mr. Olsen said he's not a member of the Lions' Club, but he is the architect
14 working on the project and he can explain certain issues on that.

15
16 Commissioner Bair noted the City is a co-applicant.

17
18 Chair Kellman asked is the City obligating itself to provide maintenance for the
19 lawn and the fences? There's a lot of moving parts here.

20
21 **Steve Buckley** is the Lions' Club representative directed to run the park project.
22 He was selected because he grew up down the street from the park. The Lion's
23 Club was approached by the City and asked if it would build the park. They did
24 not go to the City. The City said they understood that at some point the Lions'
25 Club had maintained the park, which was true. The Lions' Club said yes, we'll
26 build the park and will maintain it as far as keeping it up. But the City has to do
27 the watering and the cleaning, just like they do any other park. If the Lions' Club
28 builds this park and makes it attractive and useable for parents, grandparents of
29 little children, then obviously they'll keep it a nice park. But the City's job is to
30 water it and do the mowing.

31
32 Chair Kellman said the neighbors are concerned about safety and about privacy.
33 The plans stamped March 6 indicate a wood fence on two sides of the project; is
34 there going to be other fencing; is it going to be new fence, old fence? Who's
35 going to maintain the fencing?

36
37 Mr. Olsen said there's fencing on the rectory side, that's a low, metal fence,
38 which travels up to where the existing fence is on Harrison and travels across on
39 the new walkway, there's a metal gate, and then it travels on down and joins an
40 extension to the existing wood fence on the driveway to the south.

41
42 Chair Kellman asked if it is correct that the wood fence is in some disrepair?

43
44 Mr. Olsen said that's correct.

1 Chair Kellman asked if there is a plan to replace that fence prior to usage by
2 small children and who would maintain the fencing?

3
4 Mr. Olsen said they don't really know, and he doesn't even know if the City
5 knows, whose fence that is. Also, the existing wood fence is not something that
6 he would say children are really going to get down to. If they're in the play area,
7 they're pretty restricted within that immediate area and they're away from both
8 those wood fences. If they're coming down the ramp, he suspects they'll probably
9 climb over into the landscaping and get over to that point.

10
11 Chair Kellman said Mr. Olsen may continue his report.

12
13 Mr. Olsen said he'd like to explain how the project evolved and how the design
14 arrived at this point. As Steve said, he grew up down the street and his children
15 played in that park. Mr. Olsen raised his three daughters on Harrison Street
16 during that period of time and that park was used then. It was in better condition
17 then. It wasn't a great park, but it was useable. So he knew there was a concrete
18 floor of the old garage that sits there, there's a drinking fountain there, there's a
19 great pittosporum and there's several very nice oaks and a few pieces of
20 landscaping along the street right-of-way. That's about what there is to keep. The
21 rest of it is recontouring the site so there is a level play area for the children, and
22 then also creating a handicap ramp down to this play area. Early on he went to
23 the various parks in Sausalito and found that Robin Sweeny was really the best
24 example of a learning experience as to who uses this kind of a park. The children
25 there are in the 3 to 6 year old range and he found the most used time during the
26 week would be from 9:30 to 11:30 in the morning and maybe another hour in the
27 afternoon. The children there are in a protected area with an adjacent area where
28 care givers can congregate. There is use there on the weekends. He also visited
29 the nursery school and although there are many, many kids playing there, he
30 didn't find that the neighbors were concerned about noise. Walking into Harrison
31 Park, you obviously see that the pittosporum is of great value; it shields the
32 house behind. They are planting more pittosporum there. His opinion is that
33 regardless of the play structure, whether it's the height of that table or twice the
34 height of that table, it really is not going to affect privacy. The neighbors may
35 disagree with that, but he thinks anybody who knows pittosporum knows that
36 there'll be a big hedge going across there and that's an ideal plant. It's a
37 California native, it doesn't contract diseases, it thrives very well in this area. On
38 the design itself, he learned from talking with mothers at Robin Sweeny Park that
39 the verticals in the fence need to be placed so that a little kid doesn't get his head
40 caught between the bars. The ramp and the paths are decomposed granite; the
41 play area is sand. They looked at using treated tree bark, but determined it not to
42 be a good choice because of maintenance. The sand as used at Robin Sweeny
43 is the most successful material.

44
45 Commissioner Petersen asked if crushed granite will actually meet ADA
46 standards?

1
2 Mr. Olsen said as long as it has the underlayer on it and it's rolled down, you can
3 use it.

4
5 Commissioner Petersen said what is sometimes used are crushed oyster shells
6 which oddly enough are fully ADA complaint and they fracture in such a way that
7 they lock together and form a fantastic permeable surface. And it's very
8 inexpensive.

9
10 Mr. Olsen said the play equipment they're looking at has what they call
11 engineered recycled plastic lumber. It does look like lumber but it is plastic. The
12 metal portions would be painted a dark green and they have a newer version that
13 has a little roof on it which is trellis like, which makes it a handsome piece of
14 equipment; it may add another 6 feet to height but it would still be below the
15 pittosporum height; they could do a mock-up for the affected neighbors and get
16 their feedback.

17
18 Commissioner Petersen said the intent then is to completely screen that play
19 area from the house entirely with pittosporum. It's mostly obscure now, but they
20 would complete the screening.

21
22 Mr. Olsen said they would do it from the rectory all the way to the driveway.

23
24 Commissioner Petersen said so Mr. Olsen is saying it is irrelevant what the final
25 apparatus is because it's all going to be invisible to the neighbor anyway?

26
27 Mr. Olsen said that's correct.

28 29 **Public Comment**

30
31 **Father Edward Phelan** is pastor of St. Mary's Star of the Sea Church. The
32 church building is across the street from the park. He resides at 180 Harrison
33 Avenue, which abuts the park on the north side. He's grateful to the City and the
34 Lions' Club for their interest in the park. With all the work that has gone into it, he
35 is sure it is going to look very well and be user friendly, and perhaps "a little piece
36 of heaven." In any case, he doesn't have the vocabulary of an architect so he will
37 defer his comments to Charlie Duffey.

38
39 **Charlie Duffey** is a parishioner at St. Mary's Star of the Sea. He's prepared
40 written comments, but based on what he's heard that evening the plans have
41 changed from what he has reviewed. He'll make his comments on those issues
42 and submit further written comments. As he understands it now the fencing will
43 be maintained; early plans eliminated part of that and that was a concern to the
44 church. He would respectfully suggest that the boundaries of the park be
45 determined and shared with the parties concerned, including the neighbors. They
46 are asking that dogs not be allowed in the park and signs be posted prohibiting

1 dogs. Regarding the equipment, the plans don't specify what equipment will be in
2 the park, which is a concern. Once there are some final plans for the park, he
3 would ask that the public be given an opportunity to see the collective design,
4 including what equipment will be there, and be given an opportunity to comment
5 one last time. He knows the project has gone on for a long time and they don't
6 want to delay it unnecessarily but clearly there is some misunderstanding about
7 what's going to be there.

8
9 **Stan Deck** and his wife Lisa live behind the park at 174 Harrison. Chair Kellman
10 has asked the perfect question, which is the advisability of commenting on layout
11 before the elevations of the equipment have been determined. He thought they
12 were going to be addressing layout first and then equipment. If it's going to be
13 combined and the total amount of time for speakers is three minutes, he would
14 choose to speak more about the equipment.

15
16 Chair Kellman said he can speak about whatever he likes but the time for each
17 speaker is three minutes.

18
19 Mr. Deck said the piece of equipment that's proposed has been referred to by the
20 City Engineer as being 72 inches. It goes up 11 feet from the current ground
21 because you're adding two and a half feet to raise the ground up, 72 inches to
22 the platform and then another 27 to 30 inches for the railing that goes on top of it.
23 At the public meeting with the neighbors, the 23 or so people there almost
24 unanimously agreed that the large piece, both in bulk and height, was too large.
25 As the Commission can see from the letters in its packets, the neighbors thought
26 the issue was settled. Everyone agreed that the bulk and height of the equipment
27 was too large for the size of the park and that the aesthetics left a lot to be
28 desired. He's never seen a budget for maintenance. The park had smaller
29 equipment for toddlers before, two hobbyhorses that looked like elephants, a
30 small tripod swing with a bucket and a sand box. It's a pocket park of less than
31 an eighth of an acre; the square footage of many houses in Sausalito are larger.
32 There's larger type equipment down the hill at Robin Sweeny Park. He called the
33 manufacturer of this equipment and was told it is for 6 to 12 year olds. It's not for
34 toddlers. There are nine pieces that they make that are at the 72 inch level and
35 they are all for 6 to 12 year olds. His feeling is that once a child gets to 7, 8, 9,
36 10, 11, they get involved in soccer and Little League, etc., they're not the people
37 that use a park like this during the times that Mr. Olsen referred to. If you look at
38 the comparisons, this little piece has several things that aren't mentioned in the
39 report, but there are guidelines there that shows that there is a cave and there
40 are several other little pieces of things. They've gone to parks and taken pictures
41 of various pieces of equipment, but as the commission heard, the accepted
42 feeling is that one piece is safer, and they don't mix age groups. In his letters,
43 which he'd like to be part of the record, he has provided safety explanations.

44
45 Chair Kellman pointed to information from the Columbia Cascade company in the
46 Commission's packet, attached to which are neighborhood letters, unit 4403

1 referred to states that it's appropriate for children 2 to 5 years of age. Is Mr. Deck
2 taking issue with the company's characterization of their equipment?

3
4 Mr. Deck said that's s correct. It's this piece of equipment that the company says
5 is for 6 to 12 year olds if it has a 72 inch height.

6
7 Chair Kellman asked Mr. Teachout is the document she referred to the
8 alternative proposed?

9
10 Mr. Teachout said unit 4403 was submitted as an alternative for consideration.

11
12 Chair Kellman asked Mr. Teachout if he would agree with the characterization
13 that the one being shown and 4403 are for two different age groups?

14
15 Mr. Teachout said he would only go so far to say that the maximum age for the
16 proposed one is older.

17
18 **Vivian Wall** lives at 190 Harrison. She's lived there for 10 years and during that
19 time there was playground equipment in the park; that equipment was indeed
20 very small, even smaller than the smallest version being proposed by Stan and
21 Lisa. Her concern is what is the budget for the park. She's heard a lot about the
22 time that has gone into developing plans going back to 2002; it just seems very
23 expensive to design a playground in the year 2008 taking into account all the
24 ADA considerations, and Mr. Olsen has done a nice job considering all the
25 requirements for ADA and ramps around the space, but she would wonder out
26 loud, as she did in her letter submitted to the Commission, as to whether or not in
27 the year 2008 with whatever budget the City has, if it is in fact the best use of this
28 park and the City's resources, to turn this back into a playground when the idea
29 for a playground was conceived before the rules have been amended. Her point
30 is that this is a little crown jewel in the neighborhood; it should be an oasis of
31 beauty and if they have more time, if they're not under this deadline, that they put
32 on the table for discussion with the community and the Lions' Club the idea for a
33 park that actually has no equipment but that maybe speaks to the heritage of
34 Sausalito as an artist's community that has a piece of sculpture, that has a water
35 element, something that doesn't require a lot of maintenance and that it be
36 something for everyone in the neighborhood to enjoy, something that feeds the
37 imagination. This is nothing to do with Mr. Olsen's design, but with playground
38 equipment, if they have to use something that's made out of plastic, that just
39 doesn't feel like what belongs in a neighborhood park in Sausalito where we are
40 concerned with preserving oak trees and preserving the elements of nature.

41
42 **Dorothy Gibson** said a number of years ago she became not only interested in
43 walkways in Sausalito but also parks and playgrounds and she wrote a thesis on
44 them and studied each one of the parks, and became acquainted with John
45 Davis in the process. The little playgrounds that they have in Sausalito came
46 about according to a letter in the Historical Society archives from mothers who

1 needed playgrounds for their children. It was dated sometimes in the late '50s or
2 early '60s. At that time there had been a movement across the United States to
3 build playgrounds for children. At any rate, there were several men and women,
4 but mostly men, who responded to the call, one was John Davis, the other was
5 Mr. Langendorf. She remembers the Matson ship people donated the land, and
6 then the owners of the home at Girard, one of the oldest houses in town, gave
7 the Cazneau property, all to be developed for playgrounds for little children. She
8 has known Mary Ann Sears for a number of years and she knows that Ms. Sears
9 and the neighbors have been caretakers of Harrison Park, and it's really hurt
10 everyone to see the degeneration of that park and others in town, so she's very
11 happy that the Lions' Club is going to renovate this park. She complained a
12 number of years ago that dogs were among those destroying the parks. She has
13 a letter from Ms. Sears noting that the neighbors are still battling dogs who use
14 the park as a bathroom. She hopes that the Commission will restore the park as
15 a playground for smaller children.

16
17 **Lisa Deck** lives at 174 Harrison Avenue, which abuts the park. She appealed to
18 the Commission to reconsider the large equipment being proposed in favor of the
19 smaller equipment or something similar. Harrison Avenue is a remarkable street
20 with many historical properties on the block where the park is. Her home was
21 built by John Marsh Davis, a recognized organic modernist architect from the
22 1960s. It strikes her that the proposed piece of equipment, which measures
23 almost 11 feet high from the current ground level to the top of the railing, is not
24 only unsafe for the targeted toddler age group, it is also out of keeping with the
25 integrity and character of the landscape. Just recently they agreed to take down
26 two large and mature trees that hung over and shadowed the park. The trees
27 were removed so there would be more light and plants would flourish and so that
28 people strolling north along Harrison Avenue would have an open view of Mount
29 Tam. If the intended large piece of play equipment is installed it will protrude out
30 from the park site, thereby distracting from the majestic view of the mountain. It
31 seems like an inappropriate choice and one that runs contrary to the organic, low
32 impact design aesthetic of the community. Thus, she appeals to the Commission
33 to raise the standard of design excellence by lowering the height of the play
34 structure. The neighbors have voted unanimously for a smaller, more toddler
35 friendly structure. She would like to know why sand has replaced the engineered
36 surface for the play area. She is concerned that sand will be unsanitary since
37 dogs will probably still come into the park and that it will be messy and hard to
38 contain, eventually being detrimental to the surrounding plant life. The point
39 where the park sits is one of the windiest in the City especially during the park's
40 peak usage months of July, August and September. What is the reason behind
41 this change on the plan? She is in favor of an engineered surface if possible. She
42 showed the Commission some photographs. The story poles illustrate that she
43 does see the equipment when coming down her driveway, that is unsightly and
44 that it is going to be even higher once the elevation is changed.

45
46 Commissioner Bair asked about the fence?

1
2 Ms. Deck said it's an eight foot fence and they're saying it will be a six foot fence
3 unless they obtain a variance.
4

5 **Edward Murphy** lives at 44 Santa Rosa which is almost in a direct line from the
6 park. His concern is not only that the proposed equipment is too large, but also
7 that the decision of what type of equipment and how big it is should be made
8 before the landscaping and fencing are decided. He questions the necessity for
9 having an apparatus that provides every imaginable activity when a smaller
10 apparatus that provides quite a few other activities is suitable. Driving by and
11 seeing a giant thing sitting there is not in keeping with the neighborhood or the
12 concept of the park. One of the letters in the submitted material references the
13 ramp as a skateboard park and he really wants to draw the commission's
14 attention to that. If the ramp is suitable for wheelchair access, which is what he
15 presumes the ADA requirement is, it's going to be something that is tempting for
16 skateboarders. He lives close to Christ Church hall, which has a parking lot, and
17 everyday there are skateboarders there who bring their own little ramps to jump
18 around on; they're in the street, they're all over the place; it's something that
19 becomes a nuisance and this park could easily become that even with small
20 children there, if the ramp is built as it appears to be.
21

22 Chair Kellman noted she doesn't think the material proposed for the ramp would
23 be attractive to skateboarders.
24

25 Mr. Murphy said he hopes not; it would be a big mistake. The report he read said
26 the story poles are not accurate; before any consideration is given to the size of
27 the apparatus or the landscaping and fencing, the story poles should be made as
28 accurate as possible and that would assume there's been a decision made about
29 the size of the apparatus. The story poles have one purpose and that is to give
30 you a sense of the size and location. The screening and fencing are vitally
31 important both to screen off the park from the view of the neighbors and the
32 street, but also to provide a contained area so that the children who are there
33 don't run out into the street, or onto the properties next door and so forth. A lot
34 more attention should be paid to the fencing. The pittosporum is a wonderful tree
35 but it requires maintenance too.
36

37 **Carol Covey** supports the building of the park. They have six little children down
38 on Lower Glen Drive that are dying to get their little feet on this park. She has
39 lived half a block away from the park for 45 years'; her children played in that
40 park. The equipment in Robin Sweeny Park is very appropriate for 3-year-olds.
41 She has a 2-year-old grandson that gets up on the platform in Robin Sweeny
42 Park and has a wonderful time. Children there will be supervised by their families
43 and they are just hoping this park can get going before the kids are in elementary
44 school and will be too old to use the park.
45

1 **Valerie Butler** is the mother of the grandchildren Ms. Covey referred to. They
2 also live on Glen Drive. There's strong support for this park from families. They
3 don't have the kind of parks in Sausalito that Mill Valley has, or San Francisco
4 has. They need a new park. The Cazneau Park is falling apart. There really isn't
5 a good park to take the children to. This is a nice sunny spot; it was intended for
6 children, children have been going there for 45 years. If the Commission needs
7 her to start up a list of parents who are in favor of the park, she'd be happy to do
8 that. There are plenty of parents in the neighborhood and also in the San
9 Francisco community, who are wanting to get this park built.

10
11 **Response by Applicant Lion's Club**

12
13 Mr. Buckley said with regard to the size of the apparatus, the reason why it's six
14 feet tall, or 72 inches, is because the people that make the equipment and the
15 people who run parks, say it takes a 6-foot slide for a kid to slide down. They can
16 buy a slide at 32 or 48 inches and they have to crawl down. That's why they
17 picked that size.

18
19 Chair Kellman asked if they would be amenable to using 4403 which is
20 appropriate for children from 2 to 5 years' of age.

21
22 Mr. Buckley said who's going to play on it?

23
24 Chair Kellman said she doesn't know. The neighbors raised the question, so
25 she's asking it.

26
27 Mr. Buckley said the reason why they selected this one, or something like it, is so
28 that they can have little children play. They want children to climb up things, to
29 slide down things, they don't need another little thing that's about the size of a
30 dining room chair turned upside down in your living room. The City doesn't need
31 that; they have that. They want to build a park that would have an apparatus that
32 kids can climb on, slide on and play on. That's the reason for the size of it. He's
33 sorry that that's a manufactured brochure picture; he doesn't think it's as
34 attractive as the one that sits up there in Old Mill Park, but it's basically the same
35 thing. It's basically the same thing that's at South School Park, the only difference
36 is Don Olsen refused to use yellow, orange, green, blue and red. So that's why
37 it's that color. As far as the cost of this park, they anticipate, including with the
38 Lions' Club doing the construction itself, including some of the people who are
39 going to do some of the removal, they think it'll be somewhere between \$85,000
40 and \$105,000. All that money they had anticipated, less the \$15,000, they were
41 getting from the City, is going to be paid for by people in Sausalito. Four people
42 on that block itself has offered to donate over \$5,000 each. They've all seen the
43 plan and people have come to the Lions' Club often and said, "We'd love to have
44 you build the park." Well, they've been working on this thing for five years and
45 they're willing to build a children's park for the City, but the City's going to have to
46 get going on it, or they'll just build some more bus stops.

1
2 Chair Kellman asked staff if the Parks and Recreation Commission weighed in?
3 Why isn't there something in the packet that says Parks and Rec has looked at
4 the usage of the park or the equipment?

5
6 Mr. Teachout said the Parks and Rec Commission has weighed in on it several
7 times. The reason there isn't anything in the packet is it's always been an oral
8 briefing. But the Commission has weighed in on it, most recently in January, and
9 they were supportive of the proposal.

10
11 Chair Kellman asked what were they supportive of, because that evening she's
12 heard three themes. "Why are we doing a park for children?" "Why are we doing
13 a park for toddlers?" And, "No, we only want to do a park that has a larger play
14 structure?" Is there any direction from the Parks and Rec director or the
15 Commission as to the intended use of this park?

16
17 Mr. Teachout said the Parks and Rec Commission has weighed in in support of
18 what is proposed; it is an apparatus, and it is a playground that can serve
19 anywhere from newborns to 12 year olds.

20
21 Chair Kellman asked Ms. Wagner if that is the decision by the Parks and Rec
22 Commission and that's guiding the Planning Commission's decision, what is the
23 process for a member of the public to then weigh in on that or to appeal a
24 decision like that?

25
26 City Attorney Mary Wagner said she can't give the Commission chapter and
27 verse on the number of times the Parks and Rec Commission has considered
28 this, but she thinks it's numerous. This dates back to when the City Manager was
29 the Parks and Rec director and had lined up grant funding and gotten community
30 input and the Parks and Rec Commission held a number of hearings, which is
31 part of the process. The Park and Rec Commission is a recommending body in
32 this instance, they don't have the ability to specify location of this structure. They
33 can make recommendations to the Planning Commission and to the City Council
34 about what they think the appropriate use of the park is. It's her understanding
35 that they've worked with the Lions' Club, and maybe the Lions' Club can speak to
36 that. She believes that the Parks and Rec Commission is also hopeful to get
37 other community civic organizations involved in sponsoring other parks in the
38 City so they can be brought up to code, into ADA compliance, and utilized more
39 effectively. The new Parks and Rec director, Mark Langford, is present at the
40 hearing. He hasn't been involved in this project from the beginning, but he was at
41 the Parks and Rec Commission in January; he could maybe convey the results of
42 that meeting.

43
44 Parks and Rec Director Mark Langford said in the two Parks and Rec
45 Commission meetings held since he joined the City, Harrison Park was a topic of
46 discussion. In fact, the commission asked him for updates. He received some

1 information from Mr. Teachout, presented the plans available at that time, which
2 was the rendition prior to the one that the Commission has here. The Parks and
3 Rec Commission was in favor of the park, the entire concept of it, and when the
4 discussion turned to the two different play structures, while a vote was not taken,
5 the consensus of the group was to go with the larger play structure.

6
7 Chair Kellman asked if Mr. Langford is familiar with this equipment? One of the
8 concerns the Commission is hearing is that "this park is for toddlers," and then
9 others have suggested, well, if that's the case putting in this larger structure isn't
10 going to serve toddlers.

11
12 Mr. Langford said the Commission needs to look at what are the manufacturer's
13 recommendations on the structure. Structures are built for different age groups or
14 sometimes they are built to encompass both groups.

15
16 Chair Kellman asked if he knows offhand what is the case with what is being
17 proposed?

18
19 Mr. Langford said no, he doesn't; he can see that the smaller structure proposed
20 on the company brochure does say ages 2 to 5, but he hasn't seen any reference
21 on the larger structure as to what the appropriate age is for that.

22 23 **Further Public Comment**

24
25 **Carol Covey** said the small structure is the same as at Cazneau Park. It's about
26 this tall. It has two small slides and by the time the kids are 2 and 1/2 they're too
27 old for that.

28
29 **Lisa Deck** said she went through the catalog for this Columbia Cascade
30 company, and was unable to find this exact piece of equipment on line. They
31 found others similar to this but the ones more similar to this that met these
32 specifications said this was designed for ages 5 to 12. And it is her
33 understanding this is to be a toddler park.

34 35 **Public Comment Closed.**

36 37 **Commission Discussion**

38
39 Commissioner Bossio said these parks over the years have given special
40 deference to children. She's heard that that's been the acknowledged community
41 standard for a long time. So this isn't a new concept for this park. There's been a
42 uniform consensus about restoring these parks and having families and children
43 be comfortable using them. So the concept of getting away from a children's park
44 when they've been protected and that's been the City's long term direction,
45 doesn't make sense to her. So she would not be in favor to make it more of an
46 aesthetic park with a piece of art. She is very inclined to making parks children

1 and family friendly. There are plenty of parks for adults. As far as the piece of
2 equipment, the smaller equipment would be too limiting. The equipment targeted
3 to the 5 to 12 age group seems reasonable. She'd like the Commission to make
4 a decision so the community can get on with building this park.

5
6 Commissioner Bair said he would second Commissioner Bossio's comments.
7 (He noted he is a member of the Lions' Club.) With respect to which play
8 structure to install, at some point the delay becomes too much. He was glad to
9 hear from the Parks and Rec Director because at least Mr. Langford was able to
10 communicate that the Parks and Rec Commission considered this and by
11 consensus said to go forward with the larger structure. With respect to issues
12 pertaining to its incompatibility with the surrounding neighbors and neighborhood,
13 with respect to the east property line, for the past five years, he has walked by
14 this park five times a week, he's very familiar with the park and the surrounding
15 neighborhood. He understands the neighbors' concerns, but in this case it's trade
16 off and the City and Lions' are putting in screening shrubs to alleviate any privacy
17 or view concerns. On the south side, on the driveway, the fence was represented
18 to be between 6 and 8 feet and he's not concerned about that being
19 overwhelmingly obtrusive, although it's hard to tell on here. He does wish the
20 Commission had been presented with plans with a higher level of specificity but
21 at the same time, this is a difficult one in that there are a lot of opinions. He likes
22 the design, he has small children and he particularly liked the cautionary
23 comment about the spacing in the fence; he knows the bars at Robin Sweeney
24 Park; he has a one-year old who likes sticking his head between the fencing
25 there. But this is a crown jewel, it historically has been a children's park. It has
26 been under discussion in the community for the last six years and there doesn't
27 seem to be an overwhelming outcry for a different concept for the park, despite
28 the appreciated comments of the neighbor who spoke that evening. The Parks
29 and Rec Commission and director indicated a preference for the larger structure.
30 He thinks they should go with what's in the plan and start moving down the road
31 with this. There are other community organizations who want to help out at other
32 parks, so it's a concern when projects like this get bogged down in a five to six
33 year process to gain consensus.

34
35 Chair Kellman said it sounds like there's a movement toward the larger
36 equipment; the use of the park isn't in issue, that intention has been confirmed by
37 the Parks and Rec Commission. She would draw the Commission's attention to
38 the lack of specificity on the plans. They don't know the location of the structure,
39 or the height of the structure. If this were any sort of structure, a small shed or
40 house or whatever, the Commission would want to see that on the plans.
41 Considering the screening and privacy is an issue, she would suggest that the
42 Commission should see it on any plans that are approved. Although the
43 Commission can approve it conceptually, she would think that the plans would
44 need to have great specificity before the Commission can approve them.

45
46 Commissioner Keller agreed.

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Chair Kellman said a suggestion was made that there be a survey map drawn up and since the City is a co-applicant here, that's not a bad idea, to assure that there is an exact understanding of where the property lines are should there be an issue about fencing that needs to go up.

Commissioner Bossio said regarding ground cover, she would defer to Parks and Rec about what's appropriate for a children's park. She would not however want to see a petroleum based product be used, even if it is recycled material. Otherwise, she doesn't feel qualified to say what the best ground material is in a park.

Commissioner Petersen said it does seem to make sense that if it's going to be sand they need to prevent dogs from being in the park.

Chair Kellman said there should be signs posted throughout the park, "No dogs."

Commissioner Bair asked with respect to moving this forward, if they're down to the structure and where it's going to lay, does anybody have any other issues with the plan?

Chair Kellman suggested they treat the equipment as a structure, so they would require story poles be erected and then they can assess suitable screening for the structure. Whatever the fastest way to do that is.

Mr. Teachout clarified that the story poles represent the height of the apparatus. Because of some errors it doesn't quite represent the grid portion of the proposed apparatus; it's a little bit smaller. But that can be changed to make it more accurate. They would just adjust what's there.

Chair Kellman asked legally what is the obligation on the part of the applicant in terms of erecting correct story poles for viewing by the members of the public?

Mr. Teachout said he's not in a position to answer that.

Commissioner Bossio said she is; they should be accurate.

Commissioner Petersen said typically they are certified.

Ms. Wagner says it sounds like the concern has been about the height and what she's hearing from staff is that the height is accurate. It's a question of degree.

Mr. Teachout said the orientation is reasonably accurate.

1 Commissioner Petersen asked is it correct in plan and correct in height, it's just
2 that the correspondence between a post and actual piece of the apparatus aren't
3 necessarily exact; is that what Mr. Teachout is saying?

4
5 Mr. Teachout said yes.

6
7 Ms. Wagner said the City Engineer mentioned that the slide was very difficult to
8 locate with story poles.

9
10 Chair Kellman said it sounds like the story poles have been erected in as
11 accurate a manner as possible given the unique nature of the structure. She
12 suggested the Commission direct the applicant to submit revised plans that show
13 the actual location of the structure, and meet with the Parks and Rec Director
14 and/or Commission to determine the final ground materials; that signs prohibiting
15 dogs in the park be installed; that the City submit a survey map; and that this be
16 placed on the Commission's consent calendar at the next meeting.

17
18 Commissioner Petersen added that he was worried from seeing these black and
19 white images of the playground equipment that it was going to be primary colors
20 and he knows how offensive that can be in a neighborhood and he would like to
21 confirm that the colors will stay as proposed, that is, earth tones and so on. And
22 he would like to note that it actually will be nice to be able to see a piece of this
23 equipment sticking up over the front gate at Harrison Street, so you know that
24 there's a park in there, and he would suggest that it's not necessarily offensive
25 that there's a piece of playground equipment in view, especially if it's a nice piece
26 of equipment with a decent color palette.

27
28 Commissioner Bossio said as far as the "no dog" signs, to avoid sign litter, she
29 would suggest one sign that isn't offensive in nature or obnoxious in its tone, but
30 rather something like "Children's Park, Please No dogs." And if there's a dog in
31 there, the owner will get cited. But to put up signs in a repetitive manner that are
32 very bold and offensive is not attractive.

33
34 Ms. Wagner said the Council within the last year took an action that specifically
35 identified three or four parks that dogs are excluded from and directed signage
36 for those parks already. So staff will bring that information back to the
37 Commission. They were specifically parks that were children's parks. Her
38 recollection is that Harrison Park was included.

39
40 Commissioner Bossio said she'd like to get some agreement on the signs. The
41 signs in the City are just out of control. There are too many, they're too bold and
42 too rude.

43
44 Chair Kellman asked for any other comments from the Commission?

45
46 No further comments.

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Chair Kellman explained to the public this will be on the Planning Commission's consent calendar; the public can request that it be removed from the consent calendar. Take a good hard look at the story poles as erected and if someone wants to bring up ideas about privacy and screening, now that the height of the equipment has been established, they can do so.

Chair Kellman moved, seconded by Commissioner Bossio, to continue the item to the Commission's consent calendar, which is at the beginning of the meeting, on the March 26, 2008 agenda.

ROLL CALL

**AYES: Commissioners Keller, Bossio, Petersen and Bair;
Chair Kellman**
NOES: None.

Chair Kellman moved, seconded by Commissioner Petersen, to adjourn the meeting. The next Planning Commission meeting is March 26, 2008.

Respectfully submitted,
Tricia Cambron
Minutes Clerk