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SAUSALITO PLANNING COMMISSION
Wednesday, June 27, 2012
Approved Summary Minutes

Call to Order

Chair Keegin called the meeting to order at 6:30 p.m. in the Council Chambers of City Hall, 420 Litho Street, Sausalito.

Present: Chair Stafford Keegin, Vice Chair Joan Cox, Commissioner Richard Graef, Commissioner Bill Werner

Absent: Commissioner Stan Bair

Staff: Community Development Director Jeremy Graves
Associate Planner Heidi Burns, City Attorney Mary Wagner

Approval of Agenda

Vice Chair Cox moved and Commissioner Graef seconded a motion to approve the agenda. The motion passed 4-0.

Public Comments On Items Not on the Agenda

None.

Approval of Minutes

June 13, 2012

Commissioner Werner moved and Vice Chair Cox seconded a motion to approve the summary minutes as amended. The motion passed 4-0.

Public Hearings

Declarations of Public Contacts

Vice Chair Cox disclosed that regarding Item 1 she visited 39 Atwood Avenue and met with Mary Schoenbrun. She also traded voicemails with, but did not speak to, Frieda Weinstein of 27 Atwood Avenue.

Commissioner Graef disclosed that regarding Item 1 Mary Schoenbrun called him requesting he view the proposed project from her residence. While he was not able to meet with Ms. Schoenbrun, he met with the neighbor from 30 Atwood Avenue.

Commissioner Werner disclosed that regarding Item 1 he had spoken on the phone with Mary Schoenbrun.

Chair Keegin disclosed that regarding Item 1 he visited 39 Atwood Avenue and met with Mary Schoenbrun.

1 **1. DR 12-047, Design Review Permit, Alleavitch, 33 Atwood Avenue.** Design
2 Review Permit for additions to an existing single family residence totaling
3 approximately 1,400 square feet of floor area, in addition to new landscaping and
4 hardscape (i.e., patio, concrete paths, and a swimming pool) at 33 Atwood
5 Avenue.
6

7 The public hearing was opened.
8

9 Associate Planner Burns presented the Staff Report.

- 10 • The applicant submitted a sun/shade study to staff via late mail. The study
11 states that during the summer solstice there would be minimal impacts on 27
12 and 39 Atwood Avenue. Winter solstice impacts would be on 27 Atwood
13 around 8:00am and diminishing as the day progresses.
- 14 • In a late mail letter Saabco Consulting stated that the proposed spread footing
15 system design of the addition would likely not create any impacts to the
16 underground springs. If it were found that the design did impact the springs,
17 that design could be mitigated by using a drilled pier foundation system.
18

19 Commission questions to staff:

- 20 • There is an oak tree at 39 Atwood with surface and sub-surface roots. The
21 owner has expressed concern regarding the impact of a hardscape on the
22 viability of that oak tree. Is staff is aware of this and considered it? *Staff*
23 *responded yes, an arborist's report submitted with the application includes*
24 *recommendations regarding the tree.*
- 25 • Have the story poles been certified? *Staff responded yes.*
26

27 The public testimony period was opened.
28

29 Presentation was made John McCoy, architect, the applicant.

- 30 • They are open to either a sand or gray color for the roof as a Condition of
31 Approval, although he prefers sand, which is more of an organic color.
- 32 • An alternative is NCFI foam roof. He does not believe though that it would look
33 better or be less visually intrusive than a sand colored roof. It is not as efficient
34 as the proposed roof, but more efficient than ridged insulation and a built up
35 roofing system.
- 36 • Regarding privacy for 39 Atwood, the closest point between the residences is
37 25 feet, 6 inches with healthy vegetation in between. They have also reduced
38 some of the windows from a height of seven feet, six inches to three feet.
39

40 Commission questions to Mr. McCoy:

- 41 • From the story pole that identifies the corner, how high above that story pole
42 would the top of the handrail of the deck off the master bedroom be? *Mr.*
43 *McCoy responded at the low end of the slope the rail would be two feet higher*
44 *and at the high end of the slope it would be a foot higher.*
- 45 • Is that a glass rail? *Mr. McCoy responded yes.*
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1 Doug Alleavitch, Property Owner 33 Atwood, indicated the following:

- 2 • The May 23, 2012 Staff Report states with respect to light and air that there will
3 be no negative impacts to light and air associated with the project site, adjacent
4 properties, and the general public.
- 5 • They are completely comfortable with the tree protection plan outlined in the
6 arborist's report.

7
8 Mary Schoenbrun, 30 Atwood Avenue, indicated the following:

- 9 • Mr. McCoy has been more than forthcoming with everything she has requested
10 and has been responsive to her questions.
- 11 • What would the light/shade study say during the equinox rather than the
12 longest and shortest days of the year?
- 13 • She talked to Marin Tree Service about her oak tree and has articles to give to
14 the Planning Commission. The mortared flagstone patio in the proximity to the
15 oak tree would cause its demise. All arborists recommend a six-foot radius out
16 from the trunk of the tree.
- 17 • She requests a continuance so she can have a sun/shade study done that
18 would be more reflective of what she experiences on her property.
- 19 • She distributed photographs of the story poles to the Commission.
- 20 • The story pole plan states that the story poles at deck locations should extend
21 to the top of the railings, however if it is an appendage, as a dormer, a bay, or
22 a deck, then it does not have to. She thinks this is more than an appendage
23 since it is 15 feet by 18 feet and is a solid deck where people will be able to
24 look down on her property.

25
26
27 Commission question and comment to staff:

- 28 • Does staff consider that the story poles should have gone to the top of the deck
29 railing, as Ms. Schoenbrun stated, or does staff believe that they properly went
30 to the bottom of the deck? *Staff responded that the story poles at deck*
31 *locations should extend to the top of the railings.*
- 32 • The applicant has acknowledged that the story poles did not go to the top of
33 the railing even though the surveyor certified them.

34
35
36 Frieda Weinstein, 27 Atwood Avenue, indicated the following:

- 37 • She did not receive notification of this hearing in writing or by phone.
- 38 • She is concerned that the height of the house would block the light into her
39 dining room.
- 40 • The new deck they want to put in next to the existing deck is six feet taller and
41 she is concerned it will block the sun.
- 42 • She has a lot of problems with water due to the underground spring. It is critical
43 no one try to divert the water, which could cause flooding.
- 44 • She asks for a continuance so she can study her concerns.
- 45 • The project seems tall, with the proposed home dwarfing her home.

46
47 Kevin Hicks indicated the following:

- 48 • He speaks on behalf of his mother, Anne Hicks, of 118 Central, up the hill from
49 the subject property.

- His mother was concerned about the white roof, but they are satisfied with the sand color that has now been selected.
- He is concerned to hear about the story pole discrepancy, as he had not realized it when viewing the subject property from his mother's house. He would now like to have a chance to look at again, now knowing about the elevations, to see how they will impact his mother's property.

Mr. McCoy's rebuttal comments:

- There is no groundwork on the side of the property facing 27 Atwood Avenue.
- It is unfortunate that the story poles are not two feet higher or at the deck rail. To address Mr. Hick's concern, the story poles for the second story roof are certified as accurate, so there would be no change in looking down from his mother's property.
- His arborist, James Lasko, told him one oak tree was dying and perhaps should come out, and he petitioned him to save that tree. It is important to him and the neighborhood to keep as many native oaks as possible, which is why they are coming up with such a detailed tree protection plan.

Commission questions and comment to Mr. Lasko (applicant's arborist):

- In looking at the project plans it appears that there is paving/hardscape contemplated in the vicinity of this large oak tree. *Mr. Lasko responded there is concern about having asphalt around existing trees, but it is not an extreme detriment. He is more concerned about cut and how much depth underneath the pavement is required and how much root loss that might incur. In this case the cut is not as much, and the elevation by the oaks trees in the vicinity under the patio and corner of the house actually has an approximately 30-inch fill on the house side, so the patio is actually 30 inches above the tree grade. He feels there are no significant impacts to the roots of the oak trees.*
- Did you also consider the issue of crown rot with respect to that condition? *Mr. Lasko responded he did not find any significant impacts from the actual pavement. Any preexisting decay would have occurred from the 30-inch fill prior.*
- Would placing pavement on top of the fill exacerbate any preexisting decay? *Mr. Lasko responded he did not feel it had any significant effect on the tree.*

The public testimony period was closed.

Commission question to staff:

- Given that the story poles were certified at the improper height, does that still fulfill the notice requirement? Was the notice for this hearing property given that the story poles were not erected to correct height? *Staff responded the notice was proper because the notice was based on the original project description. At the meeting on May 23rd this project was continued to a date certain, which did not require new noticing.*

Commission comments:

- At the last Commission meeting, there was concern that the corner of the building was large and that the addition's design would benefit if the addition

1 were pulled back from that corner. It has now been pulled back even more than
2 the Commission requested.

- 3 • The discrepancy with the story poles is unfortunate, but they are identifying the
4 wrong pole. The pole that is most critical and most obvious is Story Pole 15,
5 which is said to be at 110 feet on one drawing and 111 feet on another
6 drawing. Those kinds of discrepancies are disturbing. On the other hand, that
7 corner as far as actual structure is concerned is ten feet lower than that original
8 story pole was.
- 9 • The glass railing is hardly going to be as much of an imposition as the building
10 wall was.
- 11 • The roof color is a non-issue. As the California Green Building Code becomes
12 more stringent roofs will become more and more white.
- 13 • There is no privacy issue. Both distance and elevation difference between the
14 subject property and 39 Atwood are more than one would expect.
- 15 • The shadow study answered the Commission's question.
- 16 • The drainage issues are going to be taken care of, although not solved, but
17 they will not be exacerbated by this construction.
- 18 • Despite of the story pole discrepancies, there is no difference from what the
19 Commission saw at the first hearing, except as they have been responsive to
20 what the Commission asked them to do.
- 21 • The overall bulk of the project is disturbing. It is surprising how much was
22 added on to the other side of the house. Looking at the story poles from down
23 the street and from different angles, that addition seems a little extensive.
- 24 • The Commission takes issue with getting these reports at the last minute. The
25 Commission also usually gets a materials board to actually see what the
26 materials look like, instead of a printout.
- 27 • The sand color for the roof would be a nice finish as it would not reflect but
28 rather would absorb light to a certain extent.
- 29 • Generally a continuance would be requested for additional time to consider the
30 light study and drainage issues and to give the neighbors an opportunity to
31 consider and respond to those issues, but the Commission raised the issue of
32 the light in May, so any neighbor who had a concern with that or the applicant
33 had the opportunity to study that issue and present evidence to the
34 Commission.
- 35 • Having seen the foliage between the subject site and 39 Atwood, and in light of
36 the light study, it is not convincing that there is a huge light impact caused by
37 the new construction.
- 38 • The story pole discrepancies are probably not material, especially with respect
39 to a corner that is quite a significant distance away from the house involved.
- 40 • The neighbors have had ample opportunity to examine this application and to
41 make their presentations, twice in fact.
- 42
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45 **Commissioner Werner moved and Commissioner Graef seconded a motion to**
46 **approve a Design Review Permit for 33 Atwood Avenue. The motion passed 4-0.**
47

48 The public hearing was closed.
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1 **2. DR/EA 11-362, Design Review Permit, Encroachment Agreement, Bank of**
2 **America, 750 Bridgeway.** Design Review Permit and Encroachment
3 Agreement to allow for exterior modifications, including but not limited to the
4 removal of an existing trellis and installation of new awnings within the public
5 right-of-way abutting the Bank of America building at 750 Bridgeway.
6

7 The public hearing was opened.
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9 Chair Keegin indicated that the applicant had requested the public hearing for 750
10 Bridgeway be continued to the meeting of July 11, 2012.
11

12 **Vice Chair Cox moved and Commissioner Werner seconded a motion to continue**
13 **the public hearing for 750 Bridgeway to the meeting of July 11, 2012. The motion**
14 **passed 4-0.**
15

16 The public hearing was closed.
17

18 **3. DR/EA 11-299, Main Street Pump Station, City of Sausalito, Foot of Main**
19 **Street.** Design Review Permit and recommendation to the City Council of an
20 Encroachment Agreement for the placement of an emergency portable pump
21 and related above ground and below ground equipment in the public right-of-
22 way at the foot of the 200 Block of Main Street. The emergency portable pump
23 would be approximately seven feet tall and nine feet in width and seventeen
24 feet in length. Continued from the May 23, 2012 meeting.
25

26 The continued public hearing was re-opened.
27

28 Chair Keegin indicated that the application had been withdrawn and no action was
29 required.
30

31 The public hearing was closed.
32

33 **4. GPA/ENV 12-117, Housing Element Update Initial Environmental**
34 **Study/Negative Declaration, City of Sausalito.** Review of the public review
35 draft of the Housing Element Update. Initial Environmental Study/Negative
36 Declaration. Continued from the May 23, 2012 meeting.
37

38 The continued public hearing was re-opened.
39

40 Vice Chair Cox presented a report.
41

42 The public testimony period was opened.
43

44 Karen Weiner indicated the following:

- 45 • She is a resident of Old Town.
- 46 • Without understanding the current load in that area with an environmental
47 study how do you know that any additional load would not add up to a
48 measurable deficit to the area?
49

- With respect to the idea that they would not be impacted because the project is vertical, sound travels in different directions when one is closer to the water, but they are also closer to the traffic. They are very densely packed and all the neighbors get along because they understand and appreciate how noise travels.
- The real issue for her is safety. At that end of town they have hairpin turns and thousands of bicycles coming down Second Street and more tourist traffic than ever. Every weekend there are accidents at the corner of Valley and Second. She is concerned that the State would even ask them to absorb more traffic without taking into account the very real safety threat to the area. She is also concerned about evacuating that area in the event of an emergency.

The public testimony period was closed.

The public hearing was closed.

Old Business

None.

New Business

None.

Staff Communications


- None

Commission Communications

- Chair Keegin disclosed that he would be away for the next two months and would return for the first Commission meeting in September.

Adjournment

The meeting was adjourned at 9:17 p.m.



Submitted by
Jeremy Graves, AICP
Community Development Director



Approved by
Stafford Keegin
Chair

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