

SAUSALITO PLANNING COMMISSION
Wednesday, October 3, 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 Stan Bair, Commissioner Richard Graef

Absent: Commissioner Bill Werner

Staff: Community Development Director Jeremy Graves
Associate Planner Heidi Burns, Assistant Planner Alison Thornberry-Assef, City Attorney Mary Wagner

Approval of Agenda

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

Public Comments On Items Not on the Agenda

None.

Approval of Minutes

September 19, 2012

Commissioner Bair moved and Commissioner Graef seconded a motion to approve the summary minutes, as submitted. The motion passed 4-0.

HLB Chair Pierce called the joint meeting of the HLB and Planning Commission to order at 6:33p.m.

Present: Chair Morgan Pierce, Secretary Vicki Nichols, Committee Member Carolyn Kiernat, Committee Member John McCoy.

Public Hearings

Declarations of Planning Commissioner Public Contacts

Vice-Chair Cox disclosed that regarding Item 3 she received correspondence from Jan Hodgson, and also had communication with a City Council member.

Chair Keegin disclosed that regarding Item 3 he had spoken in person and by telephone with Commissioner Werner.

1 **1. DR 12-164, Design Review Permit, Wells Fargo Bank, 715 Bridgeway.**

2 Design Review Permit for the removal of one existing Automated Teller Machine
3 (AT) located on the front façade of the Wells Fargo Bank building, and
4 replacement with a new AT in the same location at 715 Bridgeway (APN 065-
5 072-13).
6

7 The public hearing was opened.
8

9 Assistant Planner Thornberry-Assef presented the Staff Report.
10

11 HLB questions to Staff:

- 12 • The proposed ATM is lower in height than the existing ATM. What is intended
13 for the increased space above the new ATM? *Staff responded the applicant*
14 *intends to match that space to the existing wall above it. The existing signage*
15 *in that location will remain.*
- 16 • How far will the ADA compliant shelf stick out? *Staff responded the plans do*
17 *not show a shelf on the exterior ATM, only the interior ATM.*
18

19 The public testimony period was opened.
20

21 Presentation was made by Ryan Moore, the applicant.

- 22 • The space above the proposed new ATM will match the existing wall with no
23 new signage.
- 24 • There will be a small shelf integral to the new ATM, but the existing bump out
25 will no longer be there.
26

27 HLB questions and comments to Mr. Moore:

- 28 • The existing ATM opening will not change and there will be no structural
29 changes to the façade? *Mr. Moore responded correct.*
- 30 • There is a six-inch projection below the existing ATM. *Mr. Moore responded*
31 *that is the bump out that would be removed. There would however be a small*
32 *shelf integral with the ATM.*
33

34 The public made no comments.
35

36 The public testimony period was closed.
37

38 **Committee Member Nichols moved for the HLB to approve a Design Review**
39 **Permit for 715 Bridgeway.**
40

41 **Vice-Chair Cox requested an amendment to the motion with an addition to**
42 **Historic Overlay District Finding Eight, adding the phase “and facilitate its use by**
43 **disabled customers” with a comma after, “The purpose of the project is to**
44 **provide Wells Fargo bank customers with the newest ATM technology.”**
45

46 **Committee Member Nichols accepted the amendment to the motion.**
47

48 **HLB Committee Member McCoy seconded the motion.**
49
50

1 The motion passed 4-0.

2
3 Commissioner Bair moved and Vice-Chair Cox seconded a motion for the
4 Planning Commission to approve a Design Review Permit for 715 Bridgeway, as
5 amended. The motion passed 4-0.
6

7 The public hearing was closed.
8

9
10 **2. DR 12-180, Design Review Permit, City of Sausalito, El Portal/Tracy Way**
11 **Intersection.** Design Review Permit for the installation of an ATM within the
12 existing Chamber of Commerce Visitor Kiosk located in the public right-of-way at
13 the intersection of El Portal and Tracy Way.

14 The public hearing was opened.
15

16 Associate Planner Burns presented the Staff Report.
17

18 HLB question to Staff:
19

- 20 • How would the security needs of the proposed ATM work with the existing
21 landscaping? It is hoped the mature hedges would not be removed in favor of
22 concrete paving over the planter to accommodate security needs. *Staff*
23 *responded the applicant has indicated they will trim the hedges but not remove*
24 *them, relocate the trash receptacle, and install a path of decomposed granite*
25 *or concrete to provide access to the ATM.*
26

27 Commission questions and comments to Staff:

- 28 • The Staff Report says the trash receptacle will be relocated in "the field."
29 Where is that? *Staff responded the trash receptacle would be put in an*
30 *appropriate location around the project site that will not impede people going to*
31 *or from the kiosk. The location will be determined by the applicant and Public*
32 *Works staff and could be an added Condition of Approval.*
33 • Has an accessibility review been done for this particular application, specifically
34 as to whether there is adequate access to the kiosk? *Staff responded it has not*
35 *been done yet. The accessibility review is typically done at the Building Permit*
36 *level.*
37 • The hedge will be trimmed back a little, but to be accessibility compliant the
38 bench on the left will have to be removed to open up the space. The applicant
39 has not provided detailed drawings illustrating what is to happen in that area
40 and whether it is capable of being made accessibility compliant. *Staff*
41 *responded although the project plans do not provide details the applicant has*
42 *provided photographs that show there are areas wide enough for the minimum*
43 *requirement of four feet plus a five foot turnaround to provide accessibility.*
44 *Staff is confident the project area would provide sufficient accessibility based*
45 *on accessibility regulations without taking away the landscaping.*
46 • The concern is that in order to be accessibility compliant the City may end up
47 with something significantly different than what was presented in the plans at
48 this meeting.
49
50

1 The public testimony period was opened.

2
3 Presentation was made by Don Olsen, Oonagh Kavanagh, and Cheryl Popp, the
4 applicants.

- 5 • Mr. Olsen will provide a drawing to staff showing they do meet the accessibility
6 regulations with respect to coming into the ATM machine and then turning
7 around.
- 8 • Removing the trash receptacle allows a walkway there, but they will not raise
9 the hedge, because it is all going to be uniform and it travels all the way across
10 the length of the ferry landing.

11
12 HLB questions to Mr. Olsen:

- 13 • Will the height of the ATM meet the accessibility requirement? *Mr. Olsen*
14 *responded it does meet accessibility requirements.*
- 15 • Is there paving under the trash receptacle where it currently stands? *Mr. Olsen*
16 *responded no. They would install new concrete to match that in the plaza.*

17
18 Commission questions and comments to Mr. Olsen:

- 19 • The ATM is tucked around the corner and not very visible. How will people
20 know it is there? *Mr. Olsen responded there is no other option with respect to*
21 *the placement of the ATM. Ms. Popp responded they believe the ATM will have*
22 *adequate exposure because people usually surround it.*
- 23 • If the lower portion below the ATM was the same color as the door next to it
24 and treated in some manner, then the ATM would not be so prominent and be
25 tied into the rest of the building.

26
27 The public made no comments.

28
29 The public testimony period was closed.

30
31 HLB comments:

- 32 • The proposal is compatible with the Historic District.
- 33 • There should be a Condition of Approval stating if the ATM is removed in the
34 future the door should be rebuilt as it currently exists.
- 35 • White on the wall under the ATM is fine. Stone or other treatments may be
36 more difficult and unnecessary.
- 37 • The accessibility issues will be handled in the permitting process.
- 38 • A color darker than white below the ATM may be better as the wall will incur
39 scuff marks, but if the Chamber is diligent about keeping it clean there should
40 be no issue.
- 41 • The site planning, landscaping, and paving are missing from the drawings. If
42 the proposed site is not wide enough to accommodate ADA clearances there
43 will be changes to the landscaping and hardscape. The HLB should have
44 input, but without an accurate diagram of what exists and what is proposed it
45 is difficult to compare and contrast what is intended. The application needs
46 further review before approval.

Commission comment:

- The next Planning Commission meeting will also be a joint meeting with the HLB. Perhaps this matter should be continued so the hardscape, landscaping, accessibility issues, and a compatible panel for the bottom of the ATM can be addressed.

Staff comment:

- An alternative would be a Condition of Approval requiring a landscaping plan approved by the Community Development Director. Staff would work with the Chamber of Commerce to provide an appropriate looking area that is consistent with the regulations and requirements. If the HLB wishes to work with staff on that, staff could take the landscaping plan to the HLB as well.

HLB comment:

- There should be a Condition of Approval that a small group of Planning Commission and HLB members work with the Community Development Director to sort through the issues.

HLB Chair Pierce moved and Committee Member Nichols seconded a motion to continue the public hearing for Element Portal/Tracy Way Intersection to the meeting of October 17, 2012. The motion passed 3-1 with Committee Member Kiernat dissenting.

Commissioner Bair moved to continue the public hearing for Element Portal/Tracy Way Intersection to the meeting of October 17, 2012.

Commission comments:

- The ATM is fine as it is and does not need a panel at the bottom.
- Opening up the hedge and making that accessible will improve the situation in many ways.
- The ADA issues should be solved between the applicant and staff. The application should be approved rather than continuing it.
- This could probably be handled at the staff level, but because the HLB has indicated an interest in revisiting this issue and we are reconvening in two weeks, which is not an inordinate delay, the matter should be continued.

Chair Keegin seconded the motion.

The motion passed 3-1 (No – Graef).

The public meeting was closed.

HLB Committee Member Kiernat indicated she would recuse herself from Item 3.

1 **3. DR 10-029, Design Review Permit, City of Sausalito, 700 Block of**
2 **Bridgeway.** Design Review Permit to allow accessibility improvements, including
3 but not limited to the removal of the band stand, installation of an at-grade
4 surface, and installation of five-foot wide paths around the fountain at Plaza Vina
5 Del Mar located in the 700 block of Bridgeway (APN 065-074-01).
6

7 The public hearing was opened.
8

9 Associate Planner Burns presented the Staff Report.
10

11 HLB comments:

- 12 • The bandstand was modified in the 1970s and lacks integrity and is no longer a
13 character-defining feature.
- 14 • Options 1-A, 1-B, and 2-B are not acceptable because of the brick and the
15 color. Brick was only introduced to the plaza in the 1970s.
- 16 • Option 2-A is a better design because:
 - 17 ○ Of what has historically been there.
 - 18 ○ The emphasis of this very unusually shaped lot.
 - 19 ○ The concrete with the larger scoring pattern on the sidewalk is a good
20 element.
 - 21 ○ It is the most thoughtful and legally complying.
 - 22 ○ Going into the plaza from the front is less invasive than what the Planning
23 Commission first saw and was not happy with.
 - 24 ○ There will not be the bisecting pathways and other changes that would
25 reduce the usable area.

26
27
28 Commission questions and comments to staff:

- 29 • For something to be ADA accessible is it required that it be accessible 360
30 degrees as opposed to a disabled person being able to get as close to the
31 fountain as an able bodied person, or must they be able to circumnavigate the
32 fountain? Where do ADA statutes require the circumnavigation ability with
33 respect to a decorative feature such as this fountain? *Staff responded*
34 *accessibility experts reviewed the accessibility of this project and put forward*
35 *the design. The settlement agreement included that the expert for the plaintiff's*
36 *counsel would approve the plan and it included access all the way around the*
37 *fountain.*
- 38 • When the bandstand was modified in the 1970s, was the removal of the third
39 step the only modification? *Staff responded the concrete material was removed*
40 *and replaced with brick.*
- 41 • Is the new outer ring of paving five feet wide by itself or do the inner and outer
42 rings together make it five feet? *Staff responded the new outer ring of concrete*
43 *would be five feet wide. They were not able to count the inner ring of paving as*
44 *part of the required five-foot path because it exceeds 2% cross slope, which is*
45 *not compliant with the accessibility standards.*
- 46 • Is there no way to modify the existing concrete to lessen the two-percent cross
47 slope and still preserve its historical integrity? *Staff responded no, the historical*
48 *integrity is compromised once it is modified.*
49
50

1 The public testimony period was opened.

2
3 Presentation was made by Andy Davidson, Staff Engineer.

- 4 • The path is five feet wide because the palm tree on the northeasterly side of
5 the fountain interrupts it. If the path could have gone around the entire fountain
6 uninterrupted it could be four feet wide.
7

8 Commission question to staff:

- 9 • The Commission received late mail from Jan Hodgson forwarding an email
10 from historian Laura Ackley. Has staff reviewed that email and does it have any
11 response to it? *Staff responded they have reviewed it and Laura Ackley will be*
12 *speaking during public testimony. Staff appreciates the information the*
13 *correspondence provided and plans to include it with their current report and*
14 *keep it in their record to add to the history of the site.*
15

16 Laura Ackley indicated the following:

- 17 • Today few identifiable architectural artifacts of the Panama-Pacific Exposition
18 remain. The fountain is one of only two fountains built of permanent materials
19 at the exposition, and there is no record of the other fountain being preserved.
20
- 21 • William Baker Faville, the Sausalito resident who designed the fountain and
22 donated it to the City, was a major figure in the architectural community of the
23 Bay Area in the early 1900s.
- 24 • Damage to the fountain is the main expense in maintaining this park. It should
25 be protected in a way that still allows its details to be seen, but allowing people
26 to access it more easily may speed its degradation.
27

28 Commission question to Ms. Ackley:

- 29 • Do you have a recommendation about what would preserve the fountain's
30 historical integrity and yet protect its encroachment? *Ms. Ackley responded*
31 *people like to sit near the fountain, but to discourage them from sitting on it*
32 *there should be seating provided close enough to the fountain so they could*
33 *still enjoy it visually. Signage may discourage skateboarding around the*
34 *fountain.*
35

36 The public testimony period was closed.

37
38 HLB comments:

- 39 • William Faville's intention was three elevations on the fountain, as shown in
40 one of his letters.
- 41 • The HLB is comfortable with the removal of the brick, as it was introduced in
42 the 1970s, is not historic, and will not destroy the park's integrity.
- 43 • Option 2-A is the best choice because if the bandstand area is separate from
44 the sidewalk that is what will distinguish it and frame the entrance to the park.
45 Bringing the bandstand and the frame all the way out to Bridgeway, as
46 suggested by Commissioner Werner, may look like a grander gathering area
47 but in reality when 300 people are on the sidewalk it completely loses the
48 frame of the gathering area. It is important to keep the frame of the bandstand
49
50

at the edge of the sidewalk; that in concert with the elephants really creates the plaza.

- Option 2-C is also supported for the same reasons as Option 2-A, with scored concrete as opposed to brick. It provides an opportunity to bring the plaza back closer to its original historic elements.
- The HLB is not prepared to make a color selection without seeing the materials in situ with the other existing materials.
- The HLB's intent with respect to the plaza versus sidewalk delineation was to closely replicate what was originally there in 1916, which was a rectilinear plaza defined by elephants and a sidewalk in front. There are no longer steps separating the sidewalk from the plaza, but the HLB felt that spatially it is important to respect those original dimensions

Commission comments:

- Without steps to delineate the plaza from the sidewalk, simply scoring the same color of concrete is not nearly as distinct a differentiation.
- This is the Design Review aspect of this project, but without being able to see how scored concrete juxtaposes with other elements it is difficult to visualize.
- Preserving the historical aspect through some delineation of what was once there is important.
- There should be a marker informing the public of the historical significance of the plaza and its elements.

Commission question to staff:

- Is it possible to continue this matter and make plans for the Commission and HLB to go to the site and see samples of the actual materials, in color and texture, on the ground for the proposed project as well as the three alternatives? *Staff responded they could arrange for a site visit on October 15th at 7:30a.m.*

HLB Chair Pierce moved and Committee Member Nichols seconded a motion to continue the HLB public hearing to a special meeting on October 15, 2012, 7:30a.m. at Plaza Vina Del Mar. The motion passed 3-0.

Staff confirmed that the HLB hearing on October 15th would then be continued to the October 17th regular meeting of the Planning Commission and HLB. The HLB concurred by consensus.

Commissioner Bair moved to continue the Planning Commission public hearing to a special meeting on October 15, 2012, 7:30a.m. at Plaza Vina Del Mar.

Commissioner Bair amended the motion to include that the Planning Commission hearing on October 15, 2012 would then be continued to the October 17, 2012 regular meeting of the Planning Commission and HLB.

Chair Keegin seconded the motion with the amendment.

The motion passed 4-0.

1
2 **Chair Pierce moved and Committee Member Nichols seconded a motion to**
3 **adjourn the HLB meeting. The motion passed 3-0.**
4

5 **Commissioner Bair indicated he would recuse himself from Item 4 as he did not**
6 **attend the meeting previous meetings during which the item was heard.**
7

- 8 **4. CUP 12-134, Conditional Use Permit, MMB First Mortgage Fund, 2200**
9 **Bridgeway.** Conditional Use Permit to allow a cultural center for specialized
10 programs in personal growth and development, including fitness, nutrition and
11 health (APN 063-110-01). Continued from the September 19, 2012 Planning
12 Commission meeting.
13

14 The continued public hearing was reopened.
15

16 The Staff Report was not presented.
17

18 The public testimony period was opened.
19

20 Jennifer Adler indicated the following:
21

- 22
 - She is the CEO of Harmonia.
 - She submitted, and read aloud, a letter to the Planning Commission.
24

25 The public testimony period was closed.
26

27 Amendment to the Resolution of Denial:
28

- 29
 - The word “and” at the end of the last whereas clause shall be removed.
30

31 **Vice-Chair Cox moved and Commissioner Graef seconded a motion to approve**
32 **the Resolution of Denial for a Conditional Use Permit for 2200 Bridgeway, as**
33 **amended. The motion passed 3-0.**
34

35 **Community Development Director Graves listed appeal rights.**
36

37 The public hearing was closed.
38

- 39 **5. DR/CUP 12-048, Design Review Permit, Conditional Use Permit, Dana**
40 **Galante Trust, 30 Excelsior Lane.** Design Review Permit to demolish an
41 existing 800 square foot carport and construction to two apartments located
42 above a four-car garage. In addition, a single-story garage is proposed at the
43 northeast corner of the property. Conditional Use Permit to allow the proposed
44 parking spaces to be located in tandem, one behind the other. The project site
45 is located at 30 Excelsior Lane (APN 065-071-22).
46

47 Staff indicated the applicant had requested the public hearing for 30 Excelsior Lane be
48 continued to a date uncertain.
49
50

1 Vice-Chair Cox moved and Commissioner Graef seconded a motion to continue
2 the public hearing for 30 Excelsior Lane to a date uncertain. The motion passed
3 3-0.
4

5 Old Business – None.
6

7 New Business – None.
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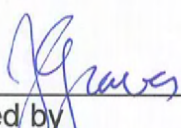
9 **Staff Communications**

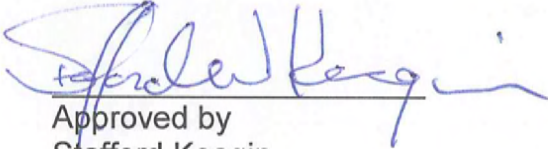
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- 11 • The City Council will consider the adoption of the General Plan Amendment for
12 inclusion of the Housing Element Update and the Initial Environmental
13 Study/Negative Declaration at their October 9, 2012 meeting, with staff's
14 recommendation to adopt both and the option to continue the items to the next
15 City Council meeting on October 23, 2012.
 - 16 • Staff will recommend that the City Council consider a first reading of the
17 Accessory Dwelling Unit Ordinance on October 9th and second reading for
18 adoption on October 23, 2012.

19 Vice-Chair Cox moved and Commissioner Graef seconded a motion to adjourn
20 the meeting. The motion passed 3-0.
21

22 **Adjournment**

23 The meeting was adjourned at 9:27p.m.
24

25
26 
27 _____
28 Submitted by
29 Jeremy Graves, AICP
30 Community Development Director
31

25
26 
27 _____
28 Approved by
29 Stafford Keegin
30 Chair
31

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